

2735

Sponsor(s): Representatives B. Chandler, G. Chandler, Linville, Clements, Lisk and Sump

Brief Description: Clarifying "voluntarily fails" for water rights relinquishment purposes.

**HB 2735 - DIGEST**

(SUBSTITUTED FOR - SEE 1ST SUB)

Declares that "voluntarily fails" means the nonuse of all or a portion of the water by the owner of a water right for a period of twenty-five or more consecutive years where such nonuse occurs as a result of factors within the control of the water user. A failure to use water is involuntary when the exercise of such right is in response to factors beyond the control of the water user, such as cyclical weather patterns or the unintended presence of water from a source not within the control of the water user.