

# HOUSE BILL REPORT

## SSB 5910

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**As Passed House - Amended:**

April 12, 2001

**Title:** An act relating to temporary nonuse of water by the owner of a water right.

**Brief Description:** Regarding temporary nonuse of a water right.

**Sponsors:** By Senate Committee on Environment, Energy & Water (originally sponsored by Senators Fraser and Honeyford).

**Brief History:**

**Floor Activity:**

Passed House - Amended: 4/12/01, 94-0.

**Brief Summary of Substitute Bill  
(As Amended by House)**

- Exempts certain non-use of water from relinquishment.

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority/Minority Report:** None.

**Staff:** Kenneth Hirst (786-7105).

**Background:**

In general, if a person abandons his or her water right or voluntarily fails to use the right for five successive years, the person relinquishes the right or the portion of the right abandoned or not used. However, exemptions from this requirement are provided by statute.

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**Summary of Amended Bill:**

A water right is exempted from relinquishment for non-use if the non-use is a result of:  
(1) temporarily reduced need for irrigation water caused by varying weather conditions or reliance on the transient presence of return flows, under certain circumstances; (2)

provisions of a contract or similar agreement in which an electricity supplier buys back electricity from the water right holder and the electricity is needed for the withdrawal or the use of the water for irrigation purposes; (3) water conservation measures implemented under the Yakima River Basin Water Enhancement Project if the conserved water is reallocated in accordance with the federal law authorizing the project; or (4) the reduced use of irrigation water resulting from certain crop rotation.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date of Amended Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** None.