

Agriculture & Ecology Committee

HB 1504

Brief Description: Describing the agricultural use of water.

Sponsors: Representatives G. Chandler, Linville, B. Chandler, Grant, Schoesler, Sump, Armstrong and Delvin.

Brief Summary of Bill

- *Describes the types of water uses within a general category of an "agricultural use" of water for which water may be used under a water right without seeking approval for altering the use of the right.*

Hearing Date: 2/8/01

Staff: Kenneth Hirst (786-7105).

Background:

There are several fundamental aspects of a water right. One is its priority (or seniority). The priority date of a right secured under the state's water right permit system is the date the permit application leading to the right was filed. Other aspects of the water right include: the amount of water that may be withdrawn from a particular water source under the right, the time of year and point from which the water may be withdrawn, the type of water use authorized under the right (such as an agricultural or municipal use), and the place that the water may be used.

Certain of these aspects of a water right may be modified with the approval of the Department of Ecology (DOE) if the modification would not impair other existing water rights. Such an approved modification does not affect the priority date of the right. Alterations in water rights are referred to in statute as transfers, changes, and amendments of water rights. (See RCW 90.03.380 and 90.44.100.)

Summary of Bill:

The right to use water for any beneficial use within the general category of an agricultural use includes the right to use the water, without governmental approval, for any other beneficial use within the general category of an agricultural use. The general category of an agricultural use of water includes the beneficial use of water for stock watering, agricultural irrigation, agricultural frost control, processing agricultural commodities into agricultural products, and other agricultural uses.

Appropriation: *None.*

Fiscal Note: *Not Requested.*

Effective Date: *Ninety days after adjournment of session in which bill is passed.*