

---

**SUBSTITUTE HOUSE BILL 2874**

---

**State of Washington**

**57th Legislature**

**2002 Regular Session**

**By** House Committee on Agriculture & Ecology (originally sponsored by Representatives Schoesler and Grant)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to agreements for allocation of Columbia basin  
2 project water that exists in underground storage and is available as a  
3 result of irrigation in the Columbia basin project; and adding a new  
4 section to chapter 89.12 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 89.12 RCW  
7 to read as follows:

8 The department of ecology is authorized to enter into agreements  
9 with the United States for the allocation of ground waters that exist  
10 as a result of the Columbia basin project. The agreements and any  
11 allocation of water pursuant to the agreements must be consistent with  
12 authorized project purposes, federal and state reclamation laws,  
13 including federal rate requirements, and provisions of United States'  
14 repayment contracts pertaining to the project. The agreements must  
15 provide that the department grant an application to beneficially use  
16 such water only if the department determines that the application will  
17 not impair existing water rights or project operations or harm the  
18 public interest. Use of water allocated pursuant to the terms of the  
19 agreements must be contingent upon issuance of licenses by the United

1 States to approved applicants. This section is not intended to alter  
2 or affect any ownership interest or rights in ground waters that are  
3 not allocated pursuant to the agreements. Before implementing any such  
4 agreements, the department, with the concurrence of the United States,  
5 shall adopt a rule setting forth the procedures for implementing the  
6 agreements and the priorities for processing of applications. The  
7 department is authorized to accept funds for administrative and staff  
8 expenses that it incurs in connection with entering into or  
9 implementing the agreements.

--- END ---