

**HB 2067 - H AMD 138**

By Representative Linville

ADOPTED 03/13/2003

1       Strike everything after the enacting clause and insert the  
2 following:

3       "**Sec. 1.** RCW 90.44.050 and 1987 c 109 s 108 are each amended to  
4 read as follows:

5       After June 6, 1945, no withdrawal of public ground waters of the  
6 state shall be begun, nor shall any well or other works for such  
7 withdrawal be constructed, unless an application to appropriate such  
8 waters has been made to the department and a permit has been granted by  
9 it as herein provided: EXCEPT, HOWEVER, That any withdrawal of public  
10 ground waters for stock-watering purposes, or for the watering of a  
11 lawn or of a noncommercial garden not exceeding one-half acre in area,  
12 or for single or group domestic uses in an amount not exceeding five  
13 thousand gallons a day, or as provided in section 2 of this act, or for  
14 an industrial purpose in an amount not exceeding five thousand gallons  
15 a day, is and shall be exempt from the provisions of this section, but,  
16 to the extent that it is regularly used beneficially, shall be entitled  
17 to a right equal to that established by a permit issued under the  
18 provisions of this chapter: PROVIDED, HOWEVER, That the department  
19 from time to time may require the person or agency making any such  
20 small withdrawal to furnish information as to the means for and the  
21 quantity of that withdrawal: PROVIDED, FURTHER, That at the option of  
22 the party making withdrawals of ground waters of the state not  
23 exceeding five thousand gallons per day, applications under this  
24 section or declarations under RCW 90.44.090 may be filed and permits  
25 and certificates obtained in the same manner and under the same  
26 requirements as is in this chapter provided in the case of withdrawals  
27 in excess of five thousand gallons a day.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 90.44 RCW  
2 to read as follows:

3        (1) On a pilot project basis, the use of water for domestic use in  
4 clustered residential developments is exempt as described in subsection  
5 (2) of this section from the permit requirements of RCW 90.44.050 in  
6 Whitman county.    The department must review the use of water under this  
7 section and its impact on water resources in the county and report to  
8 the legislature by December 31st of each even-numbered year through  
9 2016 regarding its review.

10       (2) For the pilot project, the domestic use of water for a  
11 clustered residential development is exempt from the permit  
12 requirements of RCW 90.44.050 for an amount of water that is not more  
13 than one thousand two hundred gallons a day per residence for a  
14 residential development that has an overall density equal to or less  
15 than one residence per ten acres.

16       (3) No new right to use water may be established for a clustered  
17 development under this section where the first residential use of water  
18 for the development begins after December 31, 2015."

19       Correct the title.

EFFECT:    Confines the provisions of the bill to Whitman County on  
a pilot project basis, requires reports on the pilot project, and  
provides a termination date for the pilot project.

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