
**Agriculture & Natural
Resources Committee**

HB 2067

Brief Description: Permitting withdrawals of public ground waters.

Sponsors: Representatives Schoesler and Cox.

Brief Summary of Bill

- Exempts from water permit requirements withdrawals of ground water for certain clustered residential developments for up to 1,200 gallons a day per residence.

Hearing Date: 3/5/03

Staff: Kenneth Hirst (786-7105).

Background:

The Ground Water Code prohibits a person from withdrawing ground water or constructing wells or other works for such a withdrawal without a water right permit from the Department of Ecology. However, the code exempts a number of withdrawals from this requirement. One exemption is for single or group domestic uses in an amount not exceeding 5,000 gallons per day. (RCW 90.44.050.)

In March 2002, the state's Supreme Court rendered its *Dep't of Ecology v. Campbell & Gwenn, L.L.C.* decision (146 Wn.2d 1). The Court found that the exemption provided by the code for single or group domestic use of water did not allow the developer in the case to provide water for group uses by multiple homes each withdrawing up to 5,000 gallons per day.

Summary of Bill:

The following is exempted from the water right permit requirements of the Ground Water Code: the domestic use of water for clustered residential developments not exceeding 1,200 gallons a day per residence for residential developments that have an overall density equal to or less than one residence per 10 acres.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.