
**Agriculture & Natural Resources
Committee**

HB 2307

Brief Description: Concerning appointment to a water conservancy board.

Sponsors: Representatives Schoesler, Linville, Sump and Cox.

Brief Summary of Bill

- Identifies water supplies that do not count as water rights held by a person with regard to the person's eligibility to be appointed as a member of a water conservancy board.

Hearing Date: 1/14/04

Staff: Kenneth Hirst (786-7105).

Background:

Historically, applications for modifying existing water rights were filed with and processed by the Department of Ecology (DOE) and its predecessor agencies. An alternative processing system was established with the enactment of legislation in 1997 authorizing water conservancy boards. These three or five-member boards may be created by county legislative authorities with the approval of the DOE. The county legislative authorities appoint the members, called commissioners, of their boards. A board may process applications for transfers, changes, and amendments of existing surface and ground water rights. The decisions made by a board on the applications are subject to approval or disapproval by the DOE.

The statute authorizing the boards include provisions for prohibiting conflicts of interest by the members of the boards in their consideration of applications. (RCW 90.80.120.) In appointing the members of a board, a county must appoint at least one member who is not a water right holder. (RCW 90.80.050(2).)

The surface and ground water codes require persons wishing to establish a new right to divert or withdraw and use water to apply for and receive a permit for doing so from the DOE. Exempted from this permit requirement are certain withdrawals of ground water, including withdrawing not more than 5,000 gallons per day for residential use. (RCW 90.44.050.)

Summary of Bill:

For the purposes of determining a person's eligibility to be appointed as a commissioner of a water conservancy board, a person is not considered to be a water right holder:

- if the person receives his or her water from a municipal water supplier; or
- if the only water right held by the person is an "exempt well" right for the residential use of water and that right is for water from a well located in a county with a population that is not greater than 150,000 people.

Appropriation: None.

Fiscal Note: Not requested.

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