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**Agriculture & Natural  
Resources Committee**

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**SSB 5145**

**Brief Description:** Concerning withdrawals of public ground waters.

**Sponsors:** Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Mulliken and T. Sheldon).

**Brief Summary of Substitute Bill**

- Defines the single or group domestic uses of water that are entitled to an exemption from water right permit requirements for up to 5,000 gallons of water per day.

**Hearing Date:** 4/2/03

**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 5,000 gallons per day exemption from the permit requirements of the Ground Water Code applies to a single or group domestic use for individual homesites, regardless of whether the homesite was or is to be developed individually or as part of a larger project, and regardless of whether the means of withdrawal is shared with other homesites.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

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