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HOUSE BILL 1542

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Kristiansen, Woods, Benson, Clements, Newhouse, Chandler, Schoesler, Delvin, Pearson, Cox, Condotta and Anderson

Read first time 01/29/2003. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to municipal water systems; and amending RCW  
2 90.03.015 and 90.03.386.

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

4 **Sec. 1.** RCW 90.03.015 and 1987 c 109 s 65 are each amended to read  
5 as follows:

6 ~~((As used in this chapter:))~~ The definitions in this section apply  
7 throughout this chapter unless the context clearly requires otherwise.

8 (1) "Department" means the department of ecology;

9 (2) "Director" means the director of ecology; ~~((and))~~

10 (3) "Municipal water supplier" means:

11 (a) A purveyor, as defined in RCW 70.116.030, that: (i) Owns or  
12 operates a public water system that is entitled or obligated to serve  
13 existing and additional customers and uses within one or more approved  
14 water service areas to the extent such customers and uses are allowed  
15 under an applicable land use plan; and (ii) has an approved water  
16 system plan under chapter 43.20 or 70.116 RCW; or

17 (b) An irrigation district organized under chapter 87.03 RCW.

18 (4) "Municipal water supply purposes" means any beneficial use for  
19 which water is or is anticipated to be provided by a municipal water

1 supplier, and includes water held to meet future demands or to meet  
2 state requirements for back-up supplies such as provisions in the  
3 wellhead protection program; and

4 (5) "Person" means any firm, association, water users' association,  
5 corporation, irrigation district, or municipal corporation, as well as  
6 an individual.

7 **Sec. 2.** RCW 90.03.386 and 1991 c 350 s 2 are each amended to read  
8 as follows:

9 (1) Within service areas established pursuant to chapters 43.20 and  
10 70.116 RCW, the department of ecology and the department of health  
11 shall coordinate approval procedures to ensure compliance and  
12 consistency with the approved water system plan.

13 (2) For a public water system, the maximum number of service  
14 connections, or maximum population to be served, or size or location of  
15 the place of use, as described or specified on a water right  
16 application, permit, certificate, or claim or as described or specified  
17 in related supporting documents may not be an attribute limiting  
18 exercise of the water right if an annual quantity limit can be  
19 determined from the permit, certificate, or claim. However, if a water  
20 system plan is required to be approved for the public water system  
21 under chapter 43.20 RCW or as part of a coordinated water system plan  
22 under chapter 70.116 RCW, the number of service connections or  
23 population served under the water right may be further expanded only  
24 during such time as the public water system is in compliance with the  
25 requirements of its approved water system plan.

26 (3) The place of use of water rights held by a municipal water  
27 supplier for a public water system is the service area described in the  
28 system's water system plan approved under chapter 43.20 RCW or approved  
29 as part of a coordinated water system plan under chapter 70.116 RCW, as  
30 either plan may be amended from time to time. The purpose of use of  
31 water rights held by a municipal water supplier for a public water  
32 system is municipal water supply purposes. The department must modify  
33 water right records as necessary as individual records come up for  
34 review.

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