

---

SENATE BILL 5077

---

State of Washington

58th Legislature

2003 Regular Session

By Senators Honeyford, Rasmussen, Doumit, Hewitt, Swecker, Morton, Brandland, Hale and Mulliken

Read first time 01/14/2003. Referred to Committee on Natural Resources, Energy & Water.

1 AN ACT Relating to withdrawals for stock-watering; and amending RCW  
2 90.44.050.

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

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

6 After June 6, 1945, no withdrawal of public ground waters of the  
7 state shall be begun, nor shall any well or other works for such  
8 withdrawal be constructed, unless an application to appropriate such  
9 waters has been made to the department and a permit has been granted by  
10 it as herein provided: EXCEPT, HOWEVER, That any withdrawal of public  
11 ground waters for stock-watering purposes, or for the watering of a  
12 lawn or of a noncommercial garden not exceeding one-half acre in area,  
13 ((~~or~~)) is and shall be exempt from the provisions of this section, but,  
14 to the extent that it is regularly used beneficially, shall be entitled  
15 to a right equal to that established by a permit issued under the  
16 provisions of this chapter. Further, any withdrawal of public ground  
17 water for single or group domestic uses in an amount not exceeding five  
18 thousand gallons a day, or for an industrial purpose in an amount not  
19 exceeding five thousand gallons a day, is and shall be exempt from the

1 provisions of this section, but, to the extent that it is regularly  
2 used beneficially, shall be entitled to a right equal to that  
3 established by a permit issued under the provisions of this chapter:  
4 PROVIDED, HOWEVER, That the department from time to time may require  
5 the person or agency making any such small withdrawal to furnish  
6 information as to the means for and the quantity of that withdrawal:  
7 PROVIDED, FURTHER, That at the option of the party making withdrawals  
8 of ground waters of the state not exceeding five thousand gallons per  
9 day, applications under this section or declarations under RCW  
10 90.44.090 may be filed and permits and certificates obtained in the  
11 same manner and under the same requirements as is in this chapter  
12 provided in the case of withdrawals in excess of five thousand gallons  
13 a day.

--- END ---