

---

SENATE BILL 5145

---

State of Washington

58th Legislature

2003 Regular Session

By Senators Mulliken and T. Sheldon

Read first time 01/15/2003. Referred to Committee on Natural Resources, Energy & Water.

1 AN ACT Relating to withdrawals of public ground waters; and  
2 amending RCW 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 for ~~((single or group domestic))~~ residential use~~((s))~~ in an amount  
14 not exceeding five thousand gallons a day, or for an industrial purpose  
15 in an amount not exceeding five thousand gallons a day per residence,  
16 is and shall be exempt from the provisions of this section, but, to the  
17 extent that it is regularly used beneficially, shall be entitled to a  
18 right equal to that established by a permit issued under the provisions  
19 of this chapter~~((: PROVIDED, HOWEVER, That))~~.

1        The department from time to time may require the person or agency  
2 making any such small withdrawal to furnish information as to the means  
3 for and the quantity of that withdrawal(~~(: PROVIDED, FURTHER, That)~~).  
4 However, at the option of the party making withdrawals of ground waters  
5 of the state not exceeding five thousand gallons per day, applications  
6 under this section or declarations under RCW 90.44.090 may be filed and  
7 permits and certificates obtained in the same manner and under the same  
8 requirements as is in this chapter provided in the case of withdrawals  
9 in excess of five thousand gallons a day.

--- END ---