
**Economic Development,
Agriculture & Trade Committee**

HB 2659

Brief Description: Concerning water storage.

Sponsors: Representatives Hinkle, Linville, Holmquist, Kristiansen and Condotta.

Brief Summary of Bill

- Expands the exceptions to the requirement of needing a permit for water storage to include water impoundments of 100-acre feet or less.

Hearing Date: 1/27/06

Staff: Jason Callahan (786-7117).

Background:

With certain exceptions, new rights to use surface or ground water must be established according to the water right permit system. The water code required reservoir permits for both surface reservoirs and for the storage of water in an underground formation for subsequent use as part of an underground artificial storage and recovery project. A water right permit, called a "secondary" permit, is also required for the use of the water stored in a surface reservoir.

There are certain exceptions to the requirement to have a secondary permit. Exceptions are provided for facilities that capture and reuse irrigation return flows and small irrigation impoundments. Small irrigation impoundments qualify for the exemption if they are less than 10-acre feet and are usually required to be lined. In addition, the owner of the impoundment must be able to show that the impoundment facilitates the efficient use of water, promotes compliance with an approved recovery plan for a threatened or endangered species, and does not expand the number of acres of irrigation or annual consumption of water used.

Summary of Bill:

The exceptions to the requirement of needing a permit for water storage are expanded to include water impoundments of 100-acre feet or less. To qualify for the exemption, the owner of the impoundment must be able to demonstrate that the impoundment facilitates the efficient use of water, eliminates the diversion of water from a natural course during its base flow period, promotes compliance with approved recovery plans for threatened or endangered species or a

watershed management plan that provides an effective means to protect water left in the stream, and does not expand the number of acres of irrigation or annual consumption of water used.

Unlike impoundments of 10-acre feet or less, the larger impoundments are not required to be lined.

Appropriation: None.

Fiscal Note: Not requested.

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