

# FINAL BILL REPORT

## SB 6861

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**C 170 L 06**  
Synopsis as Enacted

**Brief Description:** Requiring a study of competing interests of domestic water users.

**Sponsors:** Senators Delvin, Poulsen, Mulliken, Morton and Honeyford.

**Senate Committee on Water, Energy & Environment**

**House Committee on Economic Development, Agriculture & Trade**

**Background:** A general water adjudication proceeding for surface water rights has been underway in the Yakima River watershed since the late 1970s. In this adjudication, the Superior Court for Yakima County entered an order on June 10, 2004, limiting the exercise of water rights in the Yakima River and its tributaries by those with a priority date after May 10, 1905 (post-1905). The restrictions imposed by the court suspends the use of post-1905 rights when the U.S. Bureau of Reclamation imposes rationing for the Yakima irrigation project. The restriction imposed by the court continues until the end of the irrigation season on October 31.

On March 10, 2005, the Governor declared a statewide drought emergency that authorized the Department of Ecology (DOE) to access emergency drought resources. As part of the drought response, the DOE filed a motion with the Superior Court to place 60 acre-feet of water into the State's Trust Water Program to offset post-1905 limited domestic water use. The court approved the transfer for the 2005 season.

Future curtailment of post-1905 water rights in the Yakima River watershed is likely to occur again.

**Summary:** The DOE must provide a report to the Legislature on the issues surrounding competing users of surface water in areas where domestic water use has been curtailed by a court order. The DOE must also suggest legislation or other solutions for resolving conflicts over limited water resources.

The study is to include information regarding residential water uses and the circumstances surrounding the competition between domestic uses and all other uses. The study is limited to basins currently involved in a water rights adjudication and is to focus on collection of information for seasonal residential uses.

**Votes on Final Passage:**

Senate	47	0
House	98	0

**Effective:** June 7, 2006