
SENATE BILL 5528

State of Washington

59th Legislature

2005 Regular Session

By Senators Morton, Mulliken, Schoesler, Benson, Delvin, Honeyford, Carrell, McCaslin and Stevens

Read first time 01/27/2005. Referred to Committee on Water, Energy & Environment.

1 AN ACT Relating to the department of ecology's inspection fees for
2 hydraulic works; amending RCW 90.03.470; creating a new section; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 90.03.470 and 1993 c 495 s 2 are each amended to read
6 as follows:

7 (~~Except as otherwise provided in subsection (15) of this~~
8 ~~section,~~) The following fees shall be collected by the department in
9 advance:

10 (1) For the examination of an application for permit to appropriate
11 water or on application to change point of diversion, withdrawal,
12 purpose or place of use, a minimum of ten dollars, to be paid with the
13 application. For each second foot between one and five hundred second
14 feet, two dollars per second foot; for each second foot between five
15 hundred and two thousand second feet, fifty cents per second foot; and
16 for each second foot in excess thereof, twenty cents per second foot.
17 For each acre foot of storage up to and including one hundred thousand
18 acre feet, one cent per acre foot, and for each acre foot in excess
19 thereof, one-fifth cent per acre foot. The ten dollar fee payable with

1 the application shall be a credit to that amount whenever the fee for
2 direct diversion or storage totals more than ten dollars under the
3 above schedule and in such case the further fee due shall be the total
4 computed amount less ten dollars.

5 Within five days from receipt of an application the department
6 shall notify the applicant by registered mail of any additional fees
7 due under the above schedule and any additional fees shall be paid to
8 and received by the department within thirty days from the date of
9 filing the application, or the application shall be rejected.

10 (2) For filing and recording a permit to appropriate water for
11 irrigation purposes, forty cents per acre for each acre to be irrigated
12 up to and including one hundred acres, and twenty cents per acre for
13 each acre in excess of one hundred acres up to and including one
14 thousand acres, and ten cents for each acre in excess of one thousand
15 acres; and also twenty cents for each theoretical horsepower up to and
16 including one thousand horsepower, and four cents for each theoretical
17 horsepower in excess of one thousand horsepower, but in no instance
18 shall the minimum fee for filing and recording a permit to appropriate
19 water be less than five dollars. For all other beneficial purposes the
20 fee shall be twice the amount of the examination fee except that for
21 individual household and domestic use, which may include water for
22 irrigation of a family garden, the fee shall be five dollars.

23 (3) For filing and recording any other water right instrument, four
24 dollars for the first hundred words and forty cents for each additional
25 hundred words or fraction thereof.

26 (4) For making a copy of any document recorded or filed in his
27 office, forty cents for each hundred words or fraction thereof, but
28 when the amount exceeds twenty dollars, only the actual cost in excess
29 of that amount shall be charged.

30 (5) For certifying to copies, documents, records or maps, two
31 dollars for each certification.

32 (6) For blueprint copies of a map or drawing, or, for such other
33 work of a similar nature as may be required of the department, at
34 actual cost of the work.

35 (7) For granting each extension of time for beginning construction
36 work under a permit to appropriate water, an amount equal to one-half
37 of the filing and recording fee, except that the minimum fee shall be
38 not less than five dollars for each year that an extension is granted,

1 and for granting an extension of time for completion of construction
2 work or for completing application of water to a beneficial use, five
3 dollars for each year that an extension is granted.

4 (8) For the inspection of any hydraulic works to insure safety to
5 life and property, the actual cost of the inspection, including the
6 expense incident thereto, except as follows: (a) For any hydraulic
7 works less than ten years old, that the department examined and
8 approved the construction plans and specifications as to its safety
9 when required under RCW 90.03.350, there shall be no fee charged; or
10 (b) for any hydraulic works more than ten years old, but less than
11 twenty years old, that the department examined and approved the
12 construction plans and specifications as to its safety when required
13 under RCW 90.03.350, the fee charged shall not exceed the fee for a
14 significant hazard dam.

15 (9) For the examination of plans and specifications as to safety of
16 controlling works for storage of ten acre feet or more of water, a
17 minimum fee of ten dollars, or the actual cost.

18 (10) For recording an assignment either of a permit to appropriate
19 water or of an application for such a permit, a fee of five dollars.

20 (11) For preparing and issuing all water right certificates, five
21 dollars.

22 (12) For filing and recording a protest against granting any
23 application, two dollars.

24 (13) The department shall provide timely notification by certified
25 mail with return receipt requested to applicants that fees are due. No
26 action may be taken until the fee is paid in full. Failure to remit
27 fees within sixty days of the department's notification shall be
28 grounds for rejecting the application or canceling the permit. Cash
29 shall not be accepted. Fees must be paid by check or money order and
30 are nonrefundable.

31 (14) For purposes of calculating fees for ground water filings, one
32 cubic foot per second shall be regarded as equivalent to four hundred
33 fifty gallons per minute.

34 ~~((15) For the period beginning July 1, 1993, and ending June 30,~~
35 ~~1994, there is imposed and the department shall collect a one hundred~~
36 ~~dollar surcharge on all water rights applications or changes filed~~
37 ~~under this section, and upon all water rights applications or changes~~

1 ~~pending as of July 1, 1993. This charge shall be in addition to any~~
2 ~~other fees imposed under this section.))~~

3 NEW SECTION. **Sec. 2.** Section 1 of this act applies retroactively
4 to September 4, 2004.

5 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and takes effect
8 immediately.

--- END ---