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SENATE BILL 6198

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State of Washington

60th Legislature

2008 Regular Session

By Senators Morton and Rasmussen

Read first time 01/14/08. Referred to Committee on Water, Energy & Telecommunications.

1 AN ACT Relating to improving landowners' ability to prevent and  
2 fight fire using groundwater; amending RCW 90.44.050; and adding a new  
3 section to chapter 90.44 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.44 RCW  
6 to read as follows:

7 A withdrawal of public groundwaters for fire prevention purposes,  
8 in an amount not exceeding five thousand gallons a day, is exempt from  
9 the permit requirements of RCW 90.44.050. For the purposes of this  
10 section, "fire prevention purposes" includes, but is not limited to,  
11 water applied or stored for emergency fire suppression activities or  
12 for the application of water to trees or other vegetation in order to  
13 prevent or address hazardous fire conditions.

14 **Sec. 2.** RCW 90.44.050 and 2003 c 307 s 1 are each amended to read  
15 as follows:

16 After June 6, 1945, no withdrawal of public groundwaters of the  
17 state shall be begun, nor shall any well or other works for such  
18 withdrawal be constructed, unless an application to appropriate such

1 waters has been made to the department and a permit has been granted by  
2 it as herein provided(~~(: EXCEPT, HOWEVER, That)~~). However, any  
3 withdrawal of public groundwaters for stock-watering purposes, or for  
4 the watering of a lawn or of a noncommercial garden not exceeding one-  
5 half acre in area, or for single or group domestic uses in an amount  
6 not exceeding five thousand gallons a day, or as provided in RCW  
7 90.44.052 or in section 1 of this act, or for an industrial purpose in  
8 an amount not exceeding five thousand gallons a day, is and shall be  
9 exempt from the provisions of this section, but, to the extent that it  
10 is regularly used beneficially, shall be entitled to a right equal to  
11 that established by a permit issued under the provisions of this  
12 chapter(~~(: PROVIDED, HOWEVER, That)~~). The department from time to  
13 time may require the person or agency making any such small withdrawal  
14 to furnish information as to the means for and the quantity of that  
15 withdrawal(~~(: PROVIDED, FURTHER, That)~~). Additionally, at the option  
16 of the party making withdrawals of groundwaters of the state not  
17 exceeding five thousand gallons per day, applications under this  
18 section or declarations under RCW 90.44.090 may be filed and permits  
19 and certificates obtained in the same manner and under the same  
20 requirements as is in this chapter provided in the case of withdrawals  
21 in excess of five thousand gallons a day.

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