
HOUSE BILL 1091

State of Washington

61st Legislature

2009 Regular Session

By Representatives McCoy and Chase

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1 AN ACT Relating to withdrawals of public groundwaters for stock-
2 watering purposes; and 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 2003 c 307 s 1 are each amended to read
5 as follows:

6 (1) After June 6, 1945, no withdrawal of public groundwaters 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 up to
11 five thousand gallons per day of public groundwaters for stock-watering
12 purposes, or for the watering of a lawn or of a noncommercial garden
13 not exceeding one-half acre in area, or for single or group domestic
14 uses in an amount not exceeding five thousand gallons a day, or as
15 provided in RCW 90.44.052, or for an industrial purpose in an amount
16 not exceeding five thousand gallons a day, is and shall be exempt from
17 the provisions of this section, but, to the extent that it is regularly
18 used beneficially, shall be entitled to a right equal to that
19 established by a permit issued under the provisions of this chapter:

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

11 (2) After July 31, 2009, all withdrawals of public groundwater or
12 construction of any well or other works must comply with subsection (1)
13 of this section.

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