
HOUSE BILL 1179

State of Washington

61st Legislature

2009 Regular Session

By Representatives Upthegrove, Williams, and Simpson

Read first time 01/14/09. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to a permit to withdraw public groundwaters; and
2 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 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 public
11 groundwaters for stock-watering purposes, or for the watering of ((a
12 ~~lawn or of~~)) a noncommercial garden not exceeding one-half acre in
13 area, or for single or group domestic uses in an amount not exceeding
14 five thousand gallons a day, or as provided in RCW 90.44.052, or for an
15 industrial purpose in an amount not exceeding five thousand gallons a
16 day, is and shall be exempt from the provisions of this section, but,
17 to the extent that it is regularly used beneficially, shall be entitled
18 to a right equal to that established by a permit issued under the
19 provisions of this chapter: PROVIDED, HOWEVER, That the department

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

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