

ESSB 6312 - H AMD TO H AMD (H-4685.1/12) **1372**

By Representative Van De Wege

1 On page 6, after line 38 of the amendment, insert the following:

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3 "Sec. 5. RCW 90.44.050 and 2003 c 307 s 1 are each amended to
4 read as follows:

5 (1) After June 6, 1945, no withdrawal of public groundwaters of
6 the state shall be begun, nor shall any well or other works for such
7 withdrawal be constructed, unless an application to appropriate such
8 waters has been made to the department and a permit has been granted
9 by it as herein provided: EXCEPT, HOWEVER, That any withdrawal of
10 public groundwaters for stock-watering purposes, or for the watering
11 of a lawn or of a noncommercial garden not exceeding one-half acre in
12 area, or for single or group domestic uses in an amount not exceeding
13 five thousand gallons a day, or as provided in RCW 90.44.052, or for
14 an industrial purpose in an amount not exceeding five thousand gallons
15 a day, is and shall be exempt from the provisions of this section,
16 but, to the extent that it is regularly used beneficially, shall be
17 entitled to a right equal to that established by a permit issued under
18 the provisions of this chapter: PROVIDED, HOWEVER, That the
19 department from time to time may require the person or agency making
20 any such small withdrawal to furnish information as to the means for
21 and the quantity of that withdrawal: PROVIDED, FURTHER, That at the
22 option of the party making withdrawals of groundwaters of the state
23 not exceeding five thousand gallons per day, applications under this
24 section or declarations under RCW 90.44.090 may be filed and permits
25 and certificates obtained in the same manner and under the same
26 requirements as is in this chapter provided in the case of withdrawals
27 in excess of five thousand gallons a day.

1 (2)(a) Except for wells involved in the pilot project for Skagit
2 river subbasins created in RCW 90.44.052, the department may not
3 require withdrawals of groundwater to be metered or measured for wells
4 authorized under the provisions of this section constructed prior to
5 the effective date of this section for single or group domestic uses
6 that do not exceed withdrawals of five thousand gallons a day.

7 (b) This subsection does not apply to wells the department has
8 required to be metered or measured as of the effective date of this
9 section."

10 Renumber the remaining sections consecutively and correct any
11 internal references accordingly. Correct the title.
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EFFECT: Prohibits the department of ecology from requiring the
metering of exempt wells beyond those currently metered.

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