
**Agriculture & Natural Resources
Committee**

HB 1378

Brief Description: Clarifying that the legislature intends that RCW 90.14.140 be liberally construed.

Sponsors: Representatives Warnick, Blake, Hinkle, Haler, McCune, Condotta and Johnson.

Brief Summary of Bill

- Clarifies that the Legislature intends the sufficient causes for voluntary nonuse of a water right be liberally construed.

Hearing Date: 2/2/11

Staff: Jason Callahan (786-7117).

Background:

Water rights may be relinquished when a person, for five or more consecutive years, abandons or voluntarily fails without sufficient cause to beneficially use water in accordance with their recorded right's terms. The water code provides a list of "sufficient causes" for voluntary nonuse that protect a water right from relinquishment. Examples of sufficient causes include: drought or unavailability of water, certain military service, and the operation of legal proceedings [RCW 94.14.140].

Summary of Bill:

The Legislature intends the sufficient causes for voluntary nonuse of a water right to be liberally construed.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Requested on 1/28/11.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.