

FINAL BILL REPORT

HB 1381

C 7 L 12
Synopsis as Enacted

Brief Description: Regarding sufficient cause for the nonuse of water.

Sponsors: Representatives Warnick, Blake, Hinkle, Taylor, Haler, McCune, Armstrong, Condotta, Johnson, Parker and Shea.

House Committee on Agriculture & Natural Resources
Senate Committee on Environment, Water & Energy
Senate Committee on Agriculture, Water & Rural Economic Development

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 the terms of his or her recorded rights. The water code provides a list of sufficient causes for voluntary nonuse that protects a water right from relinquishment. Examples of sufficient causes include: drought or unavailability of water, certain military service, and the operation of legal proceedings.

Water rights or portions of water rights may be changed to other uses or places if the change can be made without detriment or injury to existing rights. The Department of Ecology (DOE) is responsible for processing water right applications, including permits, changes, transfers, or amendments to a water right.

Summary:

For the purposes of relinquishment, waiting for a final determination from the DOE on a change application for a temporary permit, change, transfer, or amendment to a water right is sufficient cause for nonuse of a water right.

Votes on Final Passage:

House	97	0
House	89	2
Senate	48	0

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Effective: June 7, 2012