
HOUSE BILL 1391

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Warnick, Haler, Fagan, Schmick, Chandler, McCune, Armstrong, Condotta, Johnson, Hinkle, and Parker

Read first time 01/20/11. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to water delivered from the federal Columbia basin
2 project; and amending RCW 90.44.510.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 90.44.510 and 2004 c 195 s 3 are each amended to read
5 as follows:

6 The department shall issue a superseding water right permit or
7 certificate for a groundwater right where the source of water is an
8 aquifer for which the department adopts rules establishing a
9 groundwater management subarea and water from the federal Columbia
10 basin project is delivered for use by a person who holds such a
11 groundwater right. The superseding water right permit or certificate
12 shall designate that portion of the groundwater right that is replaced
13 by water from the federal Columbia basin project as a standby or
14 reserve right that may be used when water delivered by the federal
15 project is curtailed or otherwise not available. The period of
16 curtailment or unavailability shall be deemed a low flow period under
17 RCW 90.14.140(2)(b). The total number of acres irrigated by the person
18 under the groundwater right and through the use of water delivered from
19 the federal project must not exceed the quantity of water (~~used~~)

1 authorized by the federal bureau of reclamation and number of acres
2 irrigated under the person's water right permit or certificate for the
3 use of water from the aquifer.

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