
SENATE BILL 5635

State of Washington

62nd Legislature

2011 Regular Session

By Senators Honeyford and Rockefeller; by request of Department of Natural Resources

Read first time 02/02/11. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to changes in the point of diversion under a
2 surface water right permit; and amending RCW 90.03.397.

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

4 **Sec. 1.** RCW 90.03.397 and 1999 c 232 s 2 are each amended to read
5 as follows:

6 (1) The department may approve a change of the point of diversion
7 prescribed in a permit to appropriate surface water for a beneficial
8 use to an approved intake structure with capacity to transport the
9 additional diversion to either: (a) A point of diversion that is
10 located downstream ((and is an existing approved intake structure with
11 capacity to transport the additional diversion)); or (b) to a point of
12 diversion located between Columbia river miles 215.6 and 292, if the
13 ownership, purpose of use, season of use, and place of use of the
14 permit remain the same.

15 (2) This section may not be construed as limiting in any manner
16 whatsoever other authorities of the department under RCW 90.03.380 or
17 other changes that may be approved under RCW 90.03.380 under

1 authorities existing before July 25, 1999.

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