

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1391**

Chapter 72, Laws of 2011

62nd Legislature  
2011 Regular Session

GROUNDWATER RIGHTS--COLUMBIA BASIN PROJECT

EFFECTIVE DATE: 07/22/11

Passed by the House March 2, 2011  
Yeas 96 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 4, 2011  
Yeas 47 Nays 0

BRAD OWEN

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**President of the Senate**

Approved April 14, 2011, 10:41 a.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1391** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

April 14, 2011

**Secretary of State  
State of Washington**

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HOUSE BILL 1391

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Passed Legislature - 2011 Regular Session

**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.

Passed by the House March 2, 2011.

Passed by the Senate April 4, 2011.

Approved by the Governor April 14, 2011.

Filed in Office of Secretary of State April 14, 2011.