H-0071.2

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**HOUSE BILL 1233**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Chandler, Blake, Buys, Dent, Taylor, Scott, Hayes, Condotta, Young, McCaslin, and Parker

AN ACT Relating to specifying that the ability to withdraw a certain amount of groundwater for domestic purposes without first obtaining a permit from the department of ecology is not subject to relinquishment through nonuse; and amending RCW 90.14.160.

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

**Sec.**  RCW 90.14.160 and 1981 c 291 s 1 are each amended to read as follows:

(1) Except as otherwise provided in this section, any person entitled to divert or withdraw waters of the state through any appropriation authorized by enactments of the legislature prior to enactment of chapter 117, Laws of 1917, or by custom, or by general adjudication, who abandons the same, or who voluntarily fails, without sufficient cause, to beneficially use all or any part of said right to divert or withdraw for any period of five successive years after July 1, 1967, shall relinquish such right or portion thereof, and said right or portion thereof shall revert to the state, and the waters affected by said right shall become available for appropriation in accordance with RCW 90.03.250.

(2) This section does not apply to unpermitted groundwater withdrawals for domestic uses authorized by RCW 90.44.050 as long as the groundwater withdrawals were originally, and continue to be, for domestic purposes.

**--- END ---**