
**Agriculture & Natural Resources
Committee**

HB 2788

Brief Description: Identifying water rights for municipal water supply purposes.

Sponsors: Representatives Shea and McCaslin.

Brief Summary of Bill

- Expands the definition of "municipal water supply purposes" in the state Water Code to include irrigation and dairy purposes water rights of use for the purpose of documenting that a water right is correctly identified as being for municipal water supply purposes.

Hearing Date: 2/2/16

Staff: Jason Callahan (786-7117).

Background:

The state Water Code provides a definition for the term "municipal water supply purposes," and provides specific procedures relating to those water rights held for those purposes. The definition includes beneficial uses of water for residential purposes above a set number of service connections and for governmental or governmental proprietary purposes by local government. If a portion of the water in a water right is used beneficially for municipal water supply purposes, then any other beneficial use of the water that is generally associated with the municipal use is also considered a municipal water supply purpose. This includes any beneficial uses for commercial purposes, industrial purposes, irrigation of parks and open spaces, institutional purposes, landscaping, fire flow, water system maintenance and repair, or other purposes. A water right being used for municipal water supply purposes may also be considered to be beneficially used if it is used to benefit instream resources or is needed to implement an environmental obligation under a watershed plan, a habitat conservation plan, or a hydropower license.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Department of Ecology (DOE) must amend the documentation for a water right owned by a municipal water supplier in a manner that ensures the water right is correctly identified as being for municipal water supply purposes when requested to do so by a municipal water right supplier or upon processing a change to a municipal water supply purpose water right.

A water right that has been identified as being for municipal water supply purposes is not subject to relinquishment for non-use and is subject to specific change of use and transfer criteria.

Summary of Bill:

The definition of "municipal water supply purposes" is expanded as it applies to the DOE's documentation that a water right is for municipal water supply purposes. The expansion of the definition for this purpose includes irrigation or agricultural irrigation purpose of use, and dairy purpose of use, when the water right is held or acquired by a municipal water supplier.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.