

---

HOUSE BILL 1233

---

State of Washington

64th Legislature

2015 Regular Session

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

Read first time 01/15/15. Referred to Committee on Agriculture & Natural Resources.

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

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

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

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

19 (2) This section does not apply to unpermitted groundwater  
20 withdrawals for domestic uses authorized by RCW 90.44.050 as long as

1 the groundwater withdrawals were originally, and continue to be, for  
2 domestic purposes.

--- END ---