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**SENATE BILL 5966**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Sefzik, Braun, Dozier, Honeyford, Padden, Schoesler, Short, and J. Wilson

AN ACT Relating to cost and water right data provided by the department of ecology prior to a water rights adjudication; and amending RCW 90.03.110.

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

**Sec.**  RCW 90.03.110 and 2009 c 332 s 1 are each amended to read as follows:

(1) Upon the filing of a petition with the department by a planning unit or by one or more persons claiming the right to any waters within the state or when, after investigation, in the judgment of the department, the public interest will be served by a determination of the rights thereto, the department shall prepare a statement of the facts, together with a plan or map of the locality under investigation, and file such statement and plan or map in the superior court of the county in which said water is situated, or, in case such water flows or is situated in more than one county, in the county which the department shall determine to be the most convenient to the parties interested therein. Such a statement shall:

(a) Either (i) identify each person or entity owning real property situated within the area to be adjudicated but outside the boundaries of a city, town, or special purpose district that provides water to property within its service area; (ii) identify all known persons claiming a right to the water sought to be determined; or (iii) identify both; and

(b) Include a brief statement of the facts in relation to such water, and the necessity for a determination of the rights thereto.

(2) Prior to filing an adjudication under this chapter, the department shall:

(a) Consult with the administrative office of the courts to determine whether sufficient judicial resources are available to commence and to prosecute the adjudication in a timely manner; ((~~and~~))

(b) Report to the appropriate committees of the legislature on the estimated budget needs for the court, the office of the attorney general, other state agencies, and the department to conduct or participate in the adjudication. This cost estimate must include the total cost to the state on an annual basis until the completion of the adjudication; and

(c) Identify the estimated number of water rights, claims, or exempt uses of water that would be included in the water right adjudication, within the following purposes or categories of water use:

(i) Municipal water rights;

(ii) Irrigation water rights;

(iii) Tribal and other federal water rights;

(iv) Industrial and commercial water rights;

(v) Any other purposes of use for permitted or claimed water rights; and

(vi) Water uses exempt from the permit requirement in RCW 90.44.050, with data on the number of domestic uses, noncommercial lawn and garden uses, stock watering uses, and industrial uses.

(3) The information from the department under subsection (2) of this section must be provided to the legislature as part of the agency's biennial budget submission to the office of financial management.

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