
SENATE BILL 5966

State of Washington

67th Legislature

2022 Regular Session

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

Read first time 01/31/22. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

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

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

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

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

18 (a) Either (i) identify each person or entity owning real
19 property situated within the area to be adjudicated but outside the
20 boundaries of a city, town, or special purpose district that provides
21 water to property within its service area; (ii) identify all known

1 persons claiming a right to the water sought to be determined; or
2 (iii) identify both; and

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

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

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

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

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

21 (i) Municipal water rights;

22 (ii) Irrigation water rights;

23 (iii) Tribal and other federal water rights;

24 (iv) Industrial and commercial water rights;

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

27 (vi) Water uses exempt from the permit requirement in RCW
28 90.44.050, with data on the number of domestic uses, noncommercial
29 lawn and garden uses, stock watering uses, and industrial uses.

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

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