
SENATE BILL 5807

State of Washington 52nd Legislature 1991 Regular Session

By Senators Newhouse, Bauer, Barr and Gaspard.

Read first time February 21, 1991. Referred to Committee on
Agriculture & Water Resources.

1 AN ACT Relating to public ground waters; and adding a new section
2 to chapter 90.44 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.44 RCW
5 to read as follows:

6 In addition to the provisions for transfer or change of a right to
7 the use of water as provided presently by this chapter and chapter
8 90.03 RCW, a water right pertaining to public ground waters may, upon
9 written request filed with the department by a person holding a water
10 right, be changed or transferred without loss of priority from a right
11 exercisable on a seasonal basis only to a right exercisable throughout
12 a calendar year for either the beneficial use or uses embodied in the
13 existing right or for a new beneficial use or uses. Requests shall be
14 approved if it appears to the department that the proposed change or
15 transfer (1) relates to the same water-bearing zone as the existing

1 right, (2) will not exceed the annual amount authorized for withdrawal
2 under the existing right, (3) will not interfere with existing rights
3 of other persons, and (4) is not in conflict with the public interest.
4 A written request, as provided under this section, shall be made on a
5 form approved by the department and shall be published pursuant to the
6 newspaper notice procedure of RCW 90.03.280. The requestor may, or
7 upon the request of the department shall, provide pertinent information
8 to the department in support of a request for a change or transfer. No
9 approval of a request, entitled "a certificate of change," shall be
10 issued by the department prior to the completion of the newspaper
11 notice procedure required by this section.