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**Agriculture & Natural Resources  
Committee**

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**HB 2978**

**Brief Description:** Protecting rural communities from the harmful impacts of interwatershed water rights transfers.

**Sponsors:** Representatives Kretz and Sump.

**Brief Summary of Bill**

- Requires all water right transfers or place of use changes in the Columbia drainage area to have a lease that expires on or before December 31, 2011 if transferring occurs outside of the water resource inventory area of origin.
- Directs the Department of Ecology to submit recommendations to the Legislature on developing new water sources for rural communities.

**Hearing Date:** 1/28/08

**Staff:** Jaclyn Ford (786-7339).

**Background:**

State law permits water rights or portions of water rights to be transferred to other uses or places if the transfer can be made without detriment or injury to existing rights. If the transfer involves surface water supplied by an irrigation district and the transferred water remains in the district, the transfer needs to be approved only by the irrigation district. Other transfers must be approved by the Department of Ecology (DOE) [RCW 90.03.380].

**Summary of Bill:**

The DOE may only approve an application for a water right transfer or a place of use change outside of its original water resource inventory area in the Columbia drainage area if the transfers expire on or before December 31, 2011. The limitation of the transfers is not applicable when the DOE makes a finding of water supply availability.

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*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 DOE, in consultation with legislators, stakeholders, and local governments, will provide recommendations for the Legislature on new sources of water for rural communities. The report is due November 1, 2010.

**Appropriation:** None.

**Fiscal Note:** Requested on January 22, 2008.

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