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**Agriculture & Natural Resources  
Committee**

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**HB 1534**

**Brief Description:** Concerning local utility district response to well notification.

**Sponsors:** Representatives Upthegrove, Takko and Williams.

**Brief Summary of Bill**

- Prohibits the use of a new water well if the person desiring to use it is within a service area of a water purveyor who has sufficient capacity to provide water, if the water service is available on a timely and reasonable basis, and if the water purveyor is willing to provide service.

**Hearing Date:** 1/29/09, 1/30/09

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

**Background:**

The Water Well Construction Act (WWCA) governs the design, construction, alteration, and decommissioning of water wells and resource protection wells in this state. The Department of Ecology regulates well design, construction, and maintenance.

Under the WWCA, it is unlawful: (1) to supervise, construct, alter, or decommission a well without complying with all applicable laws and rules; (2) for any person to cause a well to be constructed in violation of the standards for well construction; (3) for a prospective water well owner to have a water well constructed without first obtaining a water right permit, if a permit is required; (4) for any person to construct, alter, or decommission a well unless all required fees have been paid; (5) for a person to tamper with or remove a well identification tag except during well alteration; and (6) for any person to contract to engage in the construction of a well or to act as a well operator without first obtaining a license.

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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.*

**Summary of Bill:**

It is unlawful to withdraw water from a new water well if the new well is within a service area of a water purveyor that has sufficient capacity to provide water under existing water rights. The water purveyor, however, must be able to provide water service on a timely and reasonable basis and be willing to provide water service to the person desiring to withdraw water.

**Appropriation:** None.

**Fiscal Note:** Requested on 1/22/09.

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