

1 5783-S AMS FRAS WILB 001

2 **SSB 5783** - S AMD - 200
3 By Senator Fraser

4 NOT ADOPTED 3/18/97

5 On page 3, line 7 after "(2)" insert "Except as provided in (b) of
6 this subsection,"

7 On page 3, after line 22 insert the following:

8 "(b) Where the application to beneficial use by a public water
9 system of the total amounts of water under (a) of the subsection
10 includes additional withdrawals not made prior to the adoption of
11 minimum flows adopted by rule for the water source, and the withdrawal
12 would have a substantial, direct and detrimental affect upon meeting
13 such minimum flows, the additional amount considered to be applied to
14 beneficial use may be conditioned by the department, in consultation
15 with the public water system, to ensure that such minimum flows are not
16 adversely affected b the additional withdrawal."

17 Renumber the sections consecutively and correct any internal
18 references accordingly.

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EFFECT: Where use by a water system of "inchoate" (previously unused) water rights would deplete the stream below adopted minimum levels, the amount considered "perfected" through beneficial use may be conditioned to protect such minimum flows.