

HOUSE BILL REPORT

HB 1769

As Reported by House Committee On:
Agriculture & Ecology

Title: An act relating to nonuse of water for sufficient cause.

Brief Description: Changing the time period for relinquishment of a water right.

Sponsors: Representatives G. Chandler, B. Chandler, Clements, Armstrong, Lisk, Delvin and Mulliken.

Brief History:

Committee Activity:

Agriculture & Ecology: 2/15/01, 2/26/01 [DP].

Brief Summary of Bill

- Extends the period of non-use of a water right that causes a relinquishment of the right to 10 years.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 13 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Mielke, Republican Vice Chair; B. Chandler, Delvin, Grant, Hunt, Kirby, Quall, Roach, Schoesler and Sump.

Minority Report: Do not pass. Signed by 1 member: Representative Dunshee.

Staff: Kenneth Hirst (786-7105).

Background:

In general, if a person abandons his or her water right or voluntarily fails to use the right for five successive years, the person relinquishes the right or the portion of the right abandoned or not used. Exemptions, referred to a "sufficient causes" for the non-use, are provided by the relinquishment statutes.

Summary of Bill:

The period of non-use of a water right without a sufficient cause that constitutes a relinquishment of the right is 10 years (rather than five years).

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (1) Average climatic conditions are better reflected in a 10-year period than in a five-year period. (2) This is a good start, but an even longer period would be better. (3) Farmers may not be able to afford to plant this year; the bill at least reduces their worry that they will lose their water rights too.

Testimony Against: The Governor's Water Team believes this issue will take an interim to resolve.

Testified: (In Support) Tim Boyd, Columbia/Snake River Irrigators' Association; Stephen Thornton; Linda Johnson, Washington State Farm Bureau; Chris Cheney, Dairy Federation; and Craig Vejraska, Okanogan County Commission.

(Opposed) Kurt Smitch, Governor's office; and Josh Baldi, Washington Environmental Council.