

SENATE BILL REPORT

SB 5713

As Reported By Senate Committee On:
Environment, Energy & Water, February 20, 2001

Title: An act relating to seasonal or temporary transfer or changes by water users.

Brief Description: Changing provisions relating to seasonal or temporary transfer or changes by water users.

Sponsors: Senators Honeyford, Rasmussen, Hale, Morton, T. Sheldon, McDonald, Swecker, Hochstatter, Sheahan, Deccio, Hewitt, Parlette and Stevens.

Brief History:

Committee Activity: Environment, Energy & Water: 2/15/01, 2/20/01 [DPS].

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

Majority Report: That Substitute Senate Bill No. 5713 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Eide, Hale, Honeyford, Jacobsen, McDonald, Morton and Patterson.

Staff: Genevieve Pisarski (786-7488)

Background: Under existing law, water right holders can rotate the use of water on lands that they own, if this can be done without injury to other existing water rights and if it has the approval of the water master or the Department of Ecology.

Summary of Substitute Bill: A water right holder does not require approval to rotate use of water, but must consult with the Department of Ecology in advance. A water right holder does not require approval to change the place of use of a water right to contiguous land that the water right holder owns or leases, with no increase in total amount of land, but must consult with the department in advance. These provisions do not apply within an irrigation district and do not apply to changes that increase the total amount of land irrigated under a water right.

Substitute Bill Compared to Original Bill: Water rights holders must consult with the department, not just notify it.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is common sense and is the way it used to work when there were watermasters. These kinds of changes are consistent with a simplified procedure. It will shorten the line for changes of water rights.

Testimony Against: There is no review to determine impairment; this could reduce instream flows. Maintenance of the hydrologic cycle in the watershed must be assured. This wouldn't be needed, if the changes and transfers process worked.

Testified: Kathleen Collins, WA Water Policy Alliance (pro); Dawn Vyvyan, Yakama Nation (con); Josh Baldi, WA Environmental Council (concerns); Mike Moran, MIT (concerns).