

FINAL BILL REPORT

EHB 2067

C 307 L 03

Synopsis as Enacted

Brief Description: Permitting withdrawals of public ground waters.

Sponsors: By Representatives Schoesler and Cox.

House Committee on Agriculture & Natural Resources
Senate Committee on Natural Resources, Energy & Water

Background:

The Ground Water Code prohibits a person from withdrawing ground water or constructing wells or other works for such a withdrawal without a water right permit from the Department of Ecology. However, the code exempts a number of withdrawals from this requirement. One exemption is for single or group domestic uses in an amount not exceeding 5,000 gallons per day. In a recent decision of the state's Supreme Court, the Court found that this exemption did not allow the developer in the case to provide water for group uses by multiple homes each withdrawing up to 5,000 gallons per day.

Summary:

The following is exempted, on a pilot project basis, from the water right permit requirements of the Ground Water Code: the domestic use of water for clustered residential developments not exceeding 1,200 gallons a day per residence for residential developments of at least six homes. The developments must have an overall density equal to or less than one residence per 10 acres. The pilot project applies only in Whitman County. No new right to use water for a clustered development under the pilot project may be established where the first residential use of water for the development begins after December 31, 2015.

The Department of Ecology must report to the Legislature biennially through 2016 regarding the use of water under the pilot project and its impact on water resources in the county.

Votes on Final Passage:

House 96 0
Senate 47 2 (Senate amended)
House 97 0 (House concurred)

Effective: July 27, 2003