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**Economic Development,  
Agriculture & Trade Committee**

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**HB 1584**

**Brief Description:** Recognizing interests based on federal laws in the management of state waters.

**Sponsors:** Representatives McCoy, Dunshee, Linville and Chase.

**Brief Summary of Bill**

- Includes federal and tribal water rights as interests the state considers under the state's Water Resources Act of 1971.

**Hearing Date:** 2/23/05

**Staff:** Caroleen Dineen (786-7156).

**Background:**

State and federal water rights exist in Washington. State-based water rights include historic claims, permitted and certificated water rights, exempt uses, and instream flows. When the United States reserves land for a specific purpose, it reserves with it sufficient water to fulfill the purposes of the reservation. These federal reserved water rights include rights held by the United States for the government and those held in trust for Indian tribes.

The General Declaration of Fundamentals for Utilization and Management of Waters in the Water Resources Act of 1971 recognizes goals, standards, and policies for the uses, allocation and administration of waters among potential uses and users in the state. The current provision does not address federal reserved rights, treaty rights of Indian tribes, or requirements of federal law with respect to the waters of the state.

**Summary of Bill:**

Federal reserved rights, rights secured to Indian tribes under federal treaties, and applicable requirements of federal law are interests the state recognizes and seeks to integrate under the General Declaration of Fundamentals provisions of the Water Resources Act of 1971.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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