
**Agriculture & Natural Resources
Committee**

HB 2415

Brief Description: Regarding water rights transfer protocols.

Sponsors: Representatives Buys, Blake, Chandler, Hinkle, Overstreet, Lytton, Johnson, Moeller, Haler and Parker.

Brief Summary of Bill

- Creates a new process, and new mechanism for calculating annual consumptive quantity, for certain water users who have transitioned to a more efficient process for irrigation.

Hearing Date: 1/20/12

Staff: Jason Callahan (786-7117).

Background:

A change in the place of use, point of diversion, or purpose of use of a water right to allow the irrigation of additional acreage or the addition of new uses may be permitted if the change results in no increase in the annual consumptive quantity of water used under the water right [RCW 90.03.380]. The "annual consumptive quantity" is the estimated or actual annual amount of water diverted under the water right as that amount is reduced by the estimated annual amount of return flows, averaged over the most recent five-year period of continuous beneficial use of the water right.

Summary of Bill:

A new process is provided for a change of place or purpose application applicable to certain water users. To qualify for the new process, the water user must have made a change without approval from the Department that was intended to enable the irrigation of additional acreage or

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to put the same acreage to new uses while improving water use efficiency and reducing the direct impacts on instream resources.

Applications for change under this new process must indicate the dates the changes in water use occurred and identify the nature and extent of the changes. The applicant bears the responsibility to provide evidence of water use before and after the change and the location of final diversion or withdrawal points. Evidence that may be submitted includes crop receipts, harvest receipts, and photography showing the land in production.

Applicants qualifying for this process are entitled to a different formula for calculating the "annual consumptive quantity" (ACQ) of their water use. For these purposes, the ACQ is the estimated or actual consumptive quantity reduced by the estimated return flows in the year of greatest use looking back five years from the actual change in the water use documented on the change application.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 3, which takes effect on June 30, 2019.