
**Agriculture & Natural Resources
Committee**

ESSB 5555

Brief Description: Concerning interbasin transfers of water rights.

Sponsors: Senate Committee on Environment, Water & Energy (originally sponsored by Senators Parlette, Hatfield, Morton, Honeyford and Hewitt).

Brief Summary of Engrossed Substitute Bill

- Requires the Department of Ecology to provide notice of a proposed interbasin water rights transfer to the board of commissioners in the county of origin prior to issuing a change authorization.

Hearing Date: 3/9/11

Staff: Courtney Barnes (786-7194).

Background:

Washington operates under a water right permit system. The right to use water that has been put to beneficial use is, and remains, an appurtenance of the land or place where the water is used. The Department of Ecology (DOE) may permit certain changes to a water right. The DOE may also permit a transfer of a water right from one holder to another.

In processing change or transfer applications, the DOE analyzes the validity, limits, and quantity of the right. If it appears that the transfer of the water right, change of point of diversion, or purpose of use can be made without impairing existing rights, the DOE must grant the transfer or change.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

For counties located east of the crest of the Cascade mountains, the DOE may only approve a change or transfer application for an interbasin water rights transfer after providing notice electronically to the board of county commissioners in the county of origin upon receipt of an application.

An "interbasin water rights transfer" is defined as a transfer of a water right for which the proposed point of diversion is in a different basin than the proposed place of beneficial use.

"County of origin" means the county from which a water right is transferred or proposed to be transferred.

Appropriation: None.

Fiscal Note: Requested on March 8, 2011.

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