

RCW 90.03.400 Crimes against water code—Unauthorized use of water. (1) (a) The unauthorized use of water to which another person is entitled or the willful or negligent waste of water to the detriment of another, is a misdemeanor.

(b) For instances of the waste of water under this subsection, the department may alternatively follow the sequence of enforcement actions as provided in RCW 90.03.605.

(2) The possession or use of water without legal right shall be prima facie evidence of the guilt of the person using it.

(3) It is also a misdemeanor to use, store, or divert any water until after the issuance of permit to appropriate such water. [2003 1st sp.s. c 15 s 2; 2003 c 53 s 418; 1917 c 117 s 40; RRS s 7392. Formerly RCW 90.32.010.]

Reviser's note: The effective date of 2003 c 53 s 418 is July 1, 2004. However, 2003 c 53 s 418 was amended by 2003 1st sp.s. c 15 s 2 which has an effective date of September 9, 2003. Consequently, the effective date of this section is September 9, 2003.

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Punishment of misdemeanor when not fixed by statute: RCW 9.92.030.