

# HOUSE BILL REPORT

## HB 1549

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### As Amended by the Senate

**Title:** An act relating to extending deadlines prescribed as conditions in water rights permits.

**Brief Description:** Requiring the department of ecology to extend the time for work under a permit if water use has been prevented or restricted due to federal or state laws.

**Sponsors:** Representatives G. Chandler, Linville, Mastin, Schoesler, Koster and Fortunato.

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 2/9/99, 2/19/99 [DP].

**Floor Activity:**

Passed House: 3/9/99, 96-0.

Senate Amended.

Passed Senate: 4/13/99, 48-0.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>· Requires the extension of the deadlines contained in a water right permit issued for a federal reclamation project in certain instances.</li></ul>
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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass. Signed by 14 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Koster, Republican Vice Chair; Anderson; B. Chandler; Delvin; Fortunato; Grant; Reardon; Schoesler; Stensen; Sump and Wood.

**Staff:** Kenneth Hirst (786-7105).

**Background:**

If a person applies for a water right and the Department of Ecology (DOE) issues a water right permit, the permit will contain a deadline by which construction required for the water use is to be completed and beneficial use of the water is to take place. This deadline may be extended by the DOE under certain circumstances. If the water use is perfected under the terms of the permit, the DOE issues the permit holder a water right certificate.

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**Summary of Bill:**

If federal or state laws prevent or restrict water use otherwise authorized under a water use permit issued for a federal reclamation project, the DOE must extend the deadlines set in the permit for commencing work, completing work, and applying water to beneficial use. The extension must be for a period of non-use or restricted use caused by the federal or state laws.

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**EFFECT OF SENATE AMENDMENT(S):** The deadlines stated in a water rights permit for a federal reclamation project must still be extended under the Senate amendments if federal or state laws restrict or prohibit water use under the permit, but the deadlines must no longer be extended for a period that is at least as long as the period of non-use or restricted use caused by federal or state laws. The amendments require the deadlines to be extended under the conditions that apply under current law, that is, for periods reasonably necessary having due regard to the good faith of the applicant and the public interests affected.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Although water is reserved by statute for the completion of the Bureau of Reclamation's Columbia Basin Project, use of the reservation is provided incrementally through water right permits. The latest was issued for bringing under irrigation deferred and bypassed lands located within the currently developed portion of the project. However, the bureau temporarily stopped issuing contracts for water after only half of these acres were served. The bill tolls the deadline in the permit until the bureau begins issuing contracts again.

**Testimony Against:** None.

**Testified:** Mike Schwisow, Washington Water Resources Association.