

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by September 14, 2005. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, Washington 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s):

**05-08-04      Request by Bob Morton, State Senator, 7th District  
and Janéa Holmquist, Representative, 13th District**

- 1. May an agency interpret and apply statutory language differently over time due to its perceptions of changing societal needs for the agency's own evolving public policy perspective(s)?**
  
- 2. Specifically related to stock-watering, does RCW 90.44.050 exempt stock-watering from the 5,000 gallons per day limit which it imposes on, for example, an "industrial purpose"?**
  
- 3. If RCW 90.44.050 does not limit stock-watering to 5,000 gallons per day, may the Department of Ecology implement rules or policies restricting stock-watering to 5,000 gallons per day?**
  
- 4. Finally, if RCW 90.44.050 does not limit stock-watering to 5,000 gallons per day, may a person seeking to use stock-water proceed with such exempt use?**

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