
HOUSE BILL 1236

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Rust, Pruitt and Sheldon; by request of Department of Ecology

Read first time 01/20/93. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to fees for water rights and related approvals; and
2 amending RCW 90.03.470.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 90.03.470 and 1987 c 109 s 98 are each amended to read
5 as follows:

6 (1) The following fees shall be collected by the department in
7 advance:

8 ~~((1) For the examination of an application for permit to~~
9 ~~appropriate water or on application to change point of diversion,~~
10 ~~withdrawal, purpose or place of use, a minimum of ten dollars, to be~~
11 ~~paid with the application. For each second foot between one and five~~
12 ~~hundred second feet, two dollars per second foot; for each second foot~~
13 ~~between five hundred and two thousand second feet, fifty cents per~~
14 ~~second foot; and for each second foot in excess thereof, twenty cents~~
15 ~~per second foot. For each acre foot of storage up to and including one~~
16 ~~hundred thousand acre feet, one cent per acre foot, and for each acre~~
17 ~~foot in excess thereof, one-fifth cent per acre foot. The ten dollar~~
18 ~~fee payable with the application shall be a credit to that amount~~
19 ~~whenever the fee for direct diversion or storage totals more than ten~~

1 dollars under the above schedule and in such case the further fee due
2 shall be the total computed amount less ten dollars.

3 Within five days from receipt of an application the department
4 shall notify the applicant by registered mail of any additional fees
5 due under the above schedule and any additional fees shall be paid to
6 and received by the department within thirty days from the date of
7 filing the application, or the application shall be rejected.

8 (2) For filing and recording a permit to appropriate water for
9 irrigation purposes, forty cents per acre for each acre to be irrigated
10 up to and including one hundred acres, and twenty cents per acre for
11 each acre in excess of one hundred acres up to and including one
12 thousand acres, and ten cents for each acre in excess of one thousand
13 acres; and also twenty cents for each theoretical horsepower up to and
14 including one thousand horsepower, and four cents for each theoretical
15 horsepower in excess of one thousand horsepower, but in no instance
16 shall the minimum fee for filing and recording a permit to appropriate
17 water be less than five dollars. For all other beneficial purposes the
18 fee shall be twice the amount of the examination fee except that for
19 individual household and domestic use, which may include water for
20 irrigation of a family garden, the fee shall be five dollars.

21 (3) For filing and recording any other water right instrument, four
22 dollars for the first hundred words and forty cents for each additional
23 hundred words or fraction thereof.

24 (4) For making a copy of any document recorded or filed in his
25 office, forty cents for each hundred words or fraction thereof, but
26 when the amount exceeds twenty dollars, only the actual cost in excess
27 of that amount shall be charged.

28 (5) For certifying to copies, documents, records or maps, two
29 dollars for each certification.

30 (6) For blueprint copies of a map or drawing, or, for such other
31 work of a similar nature as may be required of the department, at
32 actual cost of the work.

33 (7) For granting each extension of time for beginning construction
34 work under a permit to appropriate water, an amount equal to one half
35 of the filing and recording fee, except that the minimum fee shall be
36 not less than five dollars for each year that an extension is granted,
37 and for granting an extension of time for completion of construction
38 work or for completing application of water to a beneficial use, five
39 dollars for each year that an extension is granted.

1 ~~(8) For the inspection of any hydraulic works to insure safety to~~
2 ~~life and property, the actual cost of the inspection, including the~~
3 ~~expense incident thereto.~~

4 ~~(9) For the examination of plans and specifications as to safety of~~
5 ~~controlling works for storage of ten acre feet or more of water, a~~
6 ~~minimum fee of ten dollars, or the actual cost.~~

7 ~~(10) For recording an assignment either of a permit to appropriate~~
8 ~~water or of an application for such a permit, a fee of five dollars.~~

9 ~~(11) For preparing and issuing all water right certificates, five~~
10 ~~dollars.~~

11 ~~(12) For filing and recording a protest against granting any~~
12 ~~application, two dollars))~~ (a) For filing with the department each
13 application to appropriate public water, construct a reservoir, or
14 change or transfer a water right, one hundred dollars. The filing fee
15 is due upon submittal of the application to the department. The
16 application will not be considered complete, accepted for filing, or
17 assigned a priority date until the filing fee is paid in full.

18 (b) For the examination of an application for a permit to
19 appropriate water, the following fee schedule shall apply:

20 (i) For applications for a quantity greater than zero cubic feet
21 per second and less than one cubic foot per second, one hundred forty
22 dollars for each one-tenth cubic foot per second or portion thereof.

23 (ii) For applications for a quantity of one cubic foot per second
24 or more and less than one hundred cubic feet per second, one thousand
25 four hundred dollars for each cubic foot per second or portion thereof.

26 (iii) For applications for a quantity of one hundred cubic feet per
27 second or more, one hundred forty thousand dollars.

28 (c) For examination of an application to construct a reservoir,
29 five hundred dollars or one dollar per acre-foot of capacity, whichever
30 is greater, but not to exceed one hundred forty thousand dollars.

31 (d) For examination of a permanent change or transfer, one hundred
32 dollars or one-half the fee required in (b) of this subsection for a
33 new water right for an equivalent quantity of water, whichever is
34 greater.

35 (e) For examination of a temporary or seasonal change or transfer,
36 one hundred dollars.

37 (f) For examining an application for an existing project or change
38 established without prior approval, the same examination fee as for a
39 new application or change plus twenty-five percent. Prior approval may

1 include possession of a valid water right claim, a permit or
2 certificate to appropriate public waters, or a temporary permit issued
3 by the department.

4 (g) For issuance of a permit to appropriate public water or an
5 authorization to change or transfer a water right, one hundred dollars
6 or one-half of the examination fee for an equivalent quantity of water,
7 whichever is greater. No fee shall be charged for the issuance of a
8 certificate of water right.

9 (h) For granting each extension of time for beginning construction,
10 completing construction, or completing application of water to
11 beneficial use, one hundred dollars.

12 (i) For recording an assignment of a permit or an application to
13 appropriate water, one hundred dollars for each assignee.

14 (j) For an application for a new water right, reservoir, or change
15 or transfer filed and accepted by the department prior to January 1,
16 1993, the examination and permit fees shall be one hundred dollars or
17 one-half the amount indicated in (b), (c), and (d) of this subsection,
18 as applicable, whichever is greater.

19 (k) For the inspection of any hydraulic works to ensure safety to
20 life and property, the actual cost of the inspection and related
21 expenses.

22 (l) For the examination of plans and specifications as to the
23 safety of controlling works for storage of ten acre feet or more of
24 water, a minimum fee of five hundred dollars, or the actual cost,
25 except that the fee for examining plans and specifications to remove an
26 unsafe dam shall be ten dollars.

27 (2) The department shall provide timely notification by certified
28 mail to applicants that fees are due. No action may be taken until the
29 fee is paid in full. Failure to remit fees within thirty days of the
30 department's notification shall be grounds for rejecting the
31 application. Cash shall not be accepted. Fees must be paid by check
32 or money order and are nonrefundable.

33 For purposes of calculating fees for ground water filings, one
34 cubic foot per second shall be regarded as equivalent to four hundred
35 fifty gallons per minute.

36 (3) The department shall provide each applicant with a report
37 regarding the status of that person's application no later than one
38 year following submittal of an application that is completed as
39 provided in RCW 90.03.260, 90.03.270, and 90.44.060. The department

1 shall make a good faith effort to expedite action on water right
2 applications.

3 (4) The department shall submit a report to the appropriate
4 committees of the legislature by November 30 of each even-numbered year
5 showing detailed information on fees collected, actual expenses
6 incurred, and anticipated expenses.

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