

VETO MESSAGE ON SB 5703-S

April 2, 1998

To the Honorable President and Members,  
The Senate of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 5703 entitled:

"AN ACT Relating to granting water rights;"

This bill would allow a person using water without a water right to continue using that water on an interim basis, until a court adjudicates the water right, or the Department of Ecology grants a water right based upon the completion of a watershed management plan. Where no planning is occurring, the Department of Ecology would retain authority to act on a water right application.

I vetoed similar legislation last year because it allowed continued interim use of non-permitted water, with a strong predisposition that such use be transformed into a permanent water right. This bill would have set up a separate, parallel track for the issuance of water rights and would have been unfair to the tens of thousands of individuals, farmers, companies, local governments and utilities who have complied with the law for obtaining a water right.

I recognize the economic concerns of those who use non-permitted water, and my administration recommended very specific conditions that could make the use of non-permitted water on an interim basis acceptable. However, several of those conditions were not accepted by the Legislature.

For these reasons, I have vetoed Engrossed Substitute Senate Bill No. 5703 in its entirety.

Respectfully submitted,  
Gary Locke  
Governor