
HOUSE BILL 2407

State of Washington

58th Legislature

2004 Regular Session

By Representatives McCoy, Linville, Conway, Rockefeller, Sullivan, McDermott, Ormsby, Hunt, Lovick, Cooper, Kenney, Chase, Simpson, G., Moeller, Morrell and Clibborn

Read first time 01/14/2004. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to participation by the state of Washington in a
2 pilot negotiation and settlement of water rights involving Washington
3 Indian tribes and the federal government; adding a new chapter to Title
4 43 RCW; and making an appropriation.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that state water law
7 must take into account rights to water based in both state and federal
8 law. The legislature also finds that it is in the interest of the
9 people of the state, the nation, and Indian tribes located within the
10 state to achieve greater certainty and security regarding the
11 respective water rights based on state and federal law. The
12 legislature therefore intends for the state to participate in a
13 federally authorized pilot negotiation and settlement process with
14 tribal governments and the United States regarding their respective
15 water rights.

16 NEW SECTION. **Sec. 2.** (1) The legislature intends for the state of
17 Washington to proceed under the provisions of this chapter to

1 participate in a federally sanctioned and facilitated pilot process to
2 determine and quantify water rights claimed by Indian tribes and the
3 United States.

4 (2) The state shall establish a negotiating team within the office
5 of the governor to participate in this pilot program.

6 (3) The federal pilot negotiation process includes a scoping
7 process, development of alternatives, timelines, decision-making
8 process, funding alternatives, and mediation.

9 NEW SECTION. **Sec. 3.** The sum of two hundred thousand dollars, or
10 as much thereof as may be necessary, is appropriated from the general
11 fund for the fiscal year ending July 1, 2005, to the governor's office
12 to defray the costs of forming and operating the negotiating team
13 established in section 2(2) of this act and to pay an equitable share
14 of the costs of facilitation by the United States Institute.

15 NEW SECTION. **Sec. 4.** Sections 1 and 2 of this act constitute a
16 new chapter in Title 43 RCW.

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