
HOUSE BILL 3106

State of Washington 58th Legislature 2004 Regular Session

By Representatives Mastin, Grant, Linville, Schoesler, Hinkle,
Newhouse, Chandler and Delvin

Read first time 01/28/2004. Referred to Committee on Agriculture &
Natural Resources.

1 AN ACT Relating to water rights; and adding a new section to
2 chapter 90.03 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.03 RCW
5 to read as follows:

6 This section applies to an existing surface or ground water right.
7 At the request of the holder or holders of the right, the department
8 shall divide the water right into two or more water rights. If the
9 water right is held by more than one person, such a division of the
10 right may include dividing the right among the various holders of the
11 right. Such a division of the right does not constitute a change,
12 transfer, or amendment of the water right and a calculation of an
13 annual consumptive quantity of water under RCW 90.03.380(1) does not
14 apply to such a division. If the holder or holders of the water right
15 agree to the division proposed by the department, the water right is
16 divided and the department shall issue and record superseding
17 certificates or other appropriate documents to the holder or holders of
18 the divided right to reflect its division.

1 The division of a water right under the authority of this section
2 does not constitute an adjudication of the right to use water as
3 between the water right holder or holders and the state or as between
4 the water right holder or holders and persons with other water rights.

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