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HOUSE BILL 2300

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State of Washington                      59th Legislature                      2005 Regular Session

By Representative Linville

Read first time 03/23/2005. Referred to Committee on Appropriations.

1            AN ACT Relating to increasing fees pertaining to water rights; 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 1993 c 495 s 2 are each amended to read  
5 as follows:

6            (~~Except as otherwise provided in subsection (15) of this~~  
7 ~~section,~~) (1) The following fees shall be collected by the department  
8 in advance:

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

1 ~~payable with the application shall be a credit to that amount whenever~~  
2 ~~the fee for direct diversion or storage totals more than ten dollars~~  
3 ~~under the above schedule and in such case the further fee due shall be~~  
4 ~~the total computed amount less ten dollars.))~~ Within five days from  
5 receipt of an application, the department shall notify the applicant by  
6 registered mail of any additional fees due under the ((~~above~~)) schedule  
7 ((~~and~~)) specified in this subsection. Any additional fees shall be  
8 paid to and received by the department within thirty days from the date  
9 of filing the application, or the application shall be rejected((~~-~~  
10 ~~+2~~));

11 (b) For filing and recording a permit to appropriate water for  
12 irrigation purposes, a fee of forty cents per acre for each acre to be  
13 irrigated up to and including one hundred acres, and twenty cents per  
14 acre for each acre in excess of one hundred acres up to and including  
15 one thousand acres, and ten cents for each acre in excess of one  
16 thousand acres; and also twenty cents for each theoretical horsepower  
17 up to and including one thousand horsepower, and four cents for each  
18 theoretical horsepower in excess of one thousand horsepower, but in no  
19 instance shall the minimum fee for filing and recording a permit to  
20 appropriate water be less than five dollars. For all other beneficial  
21 purposes the fee shall be twice the amount of the examination fee  
22 except that for individual household and domestic use, which may  
23 include water for irrigation of a family garden, the fee shall be five  
24 dollars((~~-~~  
25 ~~+3~~));

26 (c) For filing and recording any other water right instrument, a  
27 fee of four dollars for the first hundred words and forty cents for  
28 each additional hundred words or fraction thereof((~~-~~  
29 ~~+4~~));

30 (d) For making a copy of any document recorded or filed in his or  
31 her office, a fee of forty cents for each hundred words or fraction  
32 thereof, but when the amount exceeds twenty dollars, only the actual  
33 cost in excess of that amount shall be charged((~~-~~  
34 ~~+5~~));

35 (e) For certifying to copies, documents, records or maps, a fee of  
36 two dollars for each certification((~~-~~  
37 ~~+6~~));

- 1        (f) For blueprint copies of a map or drawing, or, for such other  
2 work of a similar nature as may be required of the department, ~~((at))~~  
3 a fee equal to the actual cost of the work~~((-~~  
4 ~~+7))~~);
- 5        (g) For granting each extension of time for beginning construction  
6 work under a permit to appropriate water, ~~((an amount equal to one half~~  
7 ~~of the filing and recording fee, except that the minimum))~~ a fee  
8 ~~((shall be not less than))~~ of five hundred dollars for each year that  
9 an extension is granted, and for granting an extension of time for  
10 completion of construction work or for completing application of water  
11 to a beneficial use, a fee of five hundred dollars for each year that  
12 an extension is granted~~((-~~  
13 ~~+8))~~);
- 14        (h) For the inspection of any hydraulic works to ~~((insure))~~ ensure  
15 safety to life and property, a fee equal to the actual cost of the  
16 inspection, including the expense incident thereto~~((-~~  
17 ~~+9))~~);
- 18        (i) For the examination of plans and specifications as to safety of  
19 controlling works for storage of ten acre feet or more of water, a  
20 minimum fee of ~~((ten))~~ two hundred dollars, or the actual cost~~((-~~  
21 ~~+10))~~);
- 22        (j) For recording an assignment either of a permit to appropriate  
23 water or of an application for such a permit, a fee of five dollars~~((-~~  
24 ~~+11))~~);
- 25        (k) For preparing and issuing all water right certificates, a fee  
26 of five dollars~~((-~~  
27 ~~+12))~~); and
- 28        (l) For filing and recording a protest against granting any  
29 application, a fee of two dollars.
- 30        ~~((+13))~~ (2) The department shall provide timely notification by  
31 certified mail with return receipt requested to applicants that fees  
32 specified in this section are due. No action may be taken until the  
33 fee is paid in full. Failure to remit fees within sixty days of the  
34 department's notification shall be grounds for rejecting the  
35 application or canceling the permit. Cash shall not be accepted. Fees  
36 must be paid by check or money order and are nonrefundable.
- 37        ~~((+14))~~ (3) For purposes of calculating fees for ground water

1 filings, one cubic foot per second shall be regarded as equivalent to  
2 four hundred fifty gallons per minute.

3 ~~((15) For the period beginning July 1, 1993, and ending June 30,~~  
4 ~~1994, there is imposed and the department shall collect a one hundred~~  
5 ~~dollar surcharge on all water rights applications or changes filed~~  
6 ~~under this section, and upon all water rights applications or changes~~  
7 ~~pending as of July 1, 1993. This charge shall be in addition to any~~  
8 ~~other fees imposed under this section.))~~

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