6044-S AMH MCCO CALL 066

**SSB 6044** - H AMD **1247**

By Representative McCoy

**ADOPTED 02/29/2012**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.** A new section is added to chapter 54.16 RCW to read as follows:

(1) Notwithstanding any other provision of this chapter to the contrary, a qualifying public utility district may supply any water, if authorized by a previously perfected water right under its control, to be used in a pumped storage generating facility to any entity that sells electric energy or water either directly or indirectly to the public.

(2) To qualify for the authority under this section, the public utility district must have satisfed all of the following requirements prior to the effective date of this act:

(a) Border the Columbia river;

(b) Have obtained a water right from an industrial user; and

(c) Hold a water right for which power generation is an authorized purpose.

(3) Water supplied to an entity under this section must be supplied consistent with a contract that contains the terms and conditions deemed appropriate by the commission of the qualifying public utility district. Contracts under this section must be made pursuant to a resolution of the commission that is introduced at a meeting of the commission at least ten days prior to the date of the adoption of the resolution. However, the commission shall first make adequate provision for the needs of the public utility district, both actual and prospective."

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|  | EFFECT:  Limits the effect of the legislation to public utility districts that have previously obtained a water right from an industrial user and are not currently using the water for its original industrial uses. |

**--- END ---**