
HOUSE BILL 2311

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Chandler and Warnick

Read first time 01/11/12. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to providing a degree of local control to the use
2 of exempt wells; and amending RCW 90.44.050.

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

4 **Sec. 1.** RCW 90.44.050 and 2003 c 307 s 1 are each amended to read
5 as follows:

6 (1) After June 6, 1945, no withdrawal of public groundwaters of the
7 state shall be begun, nor shall any well or other works for such
8 withdrawal be constructed, unless an application to appropriate such
9 waters has been made to the department and a permit has been granted by
10 it as herein provided: EXCEPT, HOWEVER, That any withdrawal of public
11 groundwaters for stock-watering purposes, or for the watering of a lawn
12 or of a noncommercial garden not exceeding one-half acre in area, or
13 for single or group domestic uses in an amount not exceeding five
14 thousand gallons a day, or as provided in RCW 90.44.052, or for an
15 industrial purpose in an amount not exceeding five thousand gallons a
16 day, is and shall be exempt from the provisions of this section, but,
17 to the extent that it is regularly used beneficially, shall be entitled
18 to a right equal to that established by a permit issued under the
19 provisions of this chapter: PROVIDED, HOWEVER, That the department

1 from time to time may require the person or agency making any such
2 small withdrawal to furnish information as to the means for and the
3 quantity of that withdrawal: PROVIDED, FURTHER, That at the option of
4 the party making withdrawals of groundwaters of the state not exceeding
5 five thousand gallons per day, applications under this section or
6 declarations under RCW 90.44.090 may be filed and permits and
7 certificates obtained in the same manner and under the same
8 requirements as is in this chapter provided in the case of withdrawals
9 in excess of five thousand gallons a day.

10 (2) A county legislative authority may by ordinance establish
11 quantity limits for new uses of water related to single or group
12 domestic uses in an amount not exceeding five thousand gallons a day
13 that are lower than those provided in subsection (1) of this section.
14 The quantity limits must be set no lower than three hundred fifty
15 gallons per day per residence for single or group domestic use.

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