

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5635

Chapter 117, Laws of 2011

62nd Legislature
2011 Regular Session

SURFACE WATER RIGHT PERMIT--POINT OF DIVERSION

EFFECTIVE DATE: 07/22/11

Passed by the Senate March 1, 2011
YEAS 49 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 5, 2011
YEAS 96 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 18, 2011, 2:51 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5635** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 19, 2011

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5635

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By Senate Environment, Water & Energy (originally sponsored by Senators Honeyford and Rockefeller; by request of Department of Natural Resources)

READ FIRST TIME 02/16/11.

1 AN ACT Relating to changes in the point of diversion under a
2 surface water right permit located between Columbia river miles 215.6
3 and 292; and amending RCW 90.03.397.

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

5 **Sec. 1.** RCW 90.03.397 and 1999 c 232 s 2 are each amended to read
6 as follows:

7 (1) The department may approve a change of the point of diversion
8 prescribed in a permit to appropriate surface water for a beneficial
9 use if the ownership, purpose of use, season of use, and place of use
10 of the permit remain the same to an approved intake structure with
11 capacity to transport the additional diversion to either: (a) A point
12 of diversion that is located downstream ((and is an existing approved
13 intake structure with capacity to transport the additional diversion,
14 if the ownership, purpose of use, season of use, and place of use of
15 the permit remain the same)); or (b) a point of diversion located
16 between Columbia river miles 215.6 and 292, if the existing point of
17 diversion is contained therein.

18 (2) This section may not be construed as limiting in any manner

1 whatsoever other authorities of the department under RCW 90.03.380 or
2 other changes that may be approved under RCW 90.03.380 under
3 authorities existing before July 25, 1999.

Passed by the Senate March 1, 2011.

Passed by the House April 5, 2011.

Approved by the Governor April 18, 2011.

Filed in Office of Secretary of State April 19, 2011.