

RCW 54.16.410 Supply of water to be used in pumped storage generating facilities—Requirements—Contract, resolution. (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 satisfied all of the following requirements prior to June 7, 2012:

- (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. [2012 c 246 § 1.]