
**Agriculture & Natural Resources
Committee**

HB 2245

Brief Description: Clarifying when a water right is relinquished.

Sponsors: Representatives Grant, Newhouse, Chandler, Williams, Kretz and Warnick.

Brief Summary of Bill

- Creates an exemption from relinquishment of water rights where there was full or partial relinquishment prior to 15 years preceding a request to change, transfer, or amend a water right.

Hearing Date: 1/23/08

Staff: Jaelyn Ford (786-7339).

Background:

If a person abandons or voluntarily fails to use beneficially all or any part of the person's water right for five successive years, the right or unused portion is relinquished and reverts to the state. A procedure has been established under which the Department of Ecology (DOE) may determine and the Pollution Control Hearings Board may confirm that a water right has reverted to the State for non-use. A number of exemptions from this relinquishment requirement are listed by statute.

Summary of Bill:

Full or partial non-use of a water right occurring prior to 15 years preceding a request to the DOE for a change, transfer, or amendment of a water right is exempt from relinquishment. This exemption does not apply to surface water rights undergoing adjudication.

The exemption goes into effect on July 1, 2008.

Appropriation: None.

Fiscal Note: Requested on 1/16/2008.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.