RCW 90.44.055  Applications for water right or amendment—
Consideration of water impoundment or other resource management
technique. The department shall, when evaluating an application for a
water right or an amendment filed pursuant to RCW 90.44.050 or
90.44.100 that includes provision for any water impoundment or other
resource management technique, take into consideration the benefits
and costs, including environmental effects, of any water impoundment
or other resource management technique that is included as a component
of the application. The department's consideration shall extend to any
increased water supply that results from the impoundment or other
resource management technique, including but not limited to any
recharge of groundwater that may occur, as a means of making water
available or otherwise offsetting the impact of the withdrawal of
groundwater proposed in the application for the water right or
amendment in the same water resource inventory area. Provision for an
impoundment or other resource management technique in an application
shall be made solely at the discretion of the applicant and shall not
be made by the department as a condition for approving an application
that does not include such provision.

This section does not lessen, enlarge, or modify the rights of
any riparian owner, or any existing water right acquired by
appropriation or otherwise. [1997 c 360 s 3; 1996 c 306 s 2.]

Findings—Purpose—1997 c 360: See note following RCW 90.03.255.