
HOUSE BILL 3202

State of Washington 58th Legislature 2004 Regular Session

By Representatives Linville and Sommers

Read first time 02/17/2004. Referred to Committee on Appropriations.

1 AN ACT Relating to fees pertaining to water rights; and amending
2 RCW 90.03.470.

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

4 **Sec. 1.** RCW 90.03.470 and 1993 c 495 s 2 are each amended to read
5 as follows:

6 (~~Except as otherwise provided in subsection (15) of this~~
7 ~~section,~~) The following fees shall be collected by the department in
8 advance:

9 (1) For the examination of an application for permit to appropriate
10 water or on application to change point of diversion, withdrawal,
11 purpose or place of use, a minimum of (~~ten~~) one hundred thirty
12 dollars, to be paid with the application. For each second foot between
13 one and five hundred second feet, (~~two~~) twenty-six dollars per second
14 foot; for each second foot between five hundred and two thousand second
15 feet, six dollars and fifty cents per second foot; and for each second
16 foot in excess thereof, (~~twenty~~) two dollars and sixty cents per
17 second foot. For each acre foot of storage up to and including one
18 hundred thousand acre feet, (~~one~~) thirteen cents per acre foot, and
19 for each acre foot in excess thereof, (~~one-fifth~~) three cents per

1 acre foot. The (~~ten~~) one hundred thirty dollar fee payable with the
2 application shall be a credit to that amount whenever the fee for
3 direct diversion or storage totals more than (~~ten~~) one hundred thirty
4 dollars under the above schedule and in such case the further fee due
5 shall be the total computed amount less (~~ten~~) one hundred thirty
6 dollars.

7 Within five days from receipt of an application the department
8 shall notify the applicant by registered mail of any additional fees
9 due under the (~~above~~) schedule in this subsection and any additional
10 fees shall be paid to and received by the department within thirty days
11 from the date of filing the application, or the application shall be
12 rejected.

13 (2) For filing and recording a permit to appropriate water for
14 irrigation purposes, (~~forty~~) five dollars and twenty cents per acre
15 for each acre to be irrigated up to and including one hundred acres,
16 and (~~twenty~~) two dollars and sixty cents per acre for each acre in
17 excess of one hundred acres up to and including one thousand acres, and
18 (~~ten~~) one dollar and thirty cents for each acre in excess of one
19 thousand acres; and also (~~twenty~~) two dollars and sixty cents for
20 each theoretical horsepower up to and including one thousand
21 horsepower, and (~~four~~) fifty-two cents for each theoretical
22 horsepower in excess of one thousand horsepower, but in no instance
23 shall the minimum fee for filing and recording a permit to appropriate
24 water be less than (~~five~~) sixty-five dollars. For all other
25 beneficial purposes the fee shall be twice the amount of the
26 examination fee except that for individual household and domestic use,
27 which may include water for irrigation of a family garden, the fee
28 shall be (~~five~~) sixty-five dollars.

29 (3) For filing and recording any other water right instrument,
30 (~~four~~) fifty-two dollars for the first hundred words and (~~forty~~)
31 five dollars and twenty cents for each additional hundred words or
32 fraction thereof.

33 (4) For making a copy of any document recorded or filed in his or
34 her office, (~~forty~~) five dollars and twenty cents for each hundred
35 words or fraction thereof, but when the amount exceeds (~~twenty~~) two
36 hundred sixty dollars, only the actual cost in excess of that amount
37 shall be charged.

1 (5) For certifying to copies, documents, records or maps, (~~two~~)
2 twenty-six dollars for each certification.

3 (6) For blueprint copies of a map or drawing, or, for such other
4 work of a similar nature as may be required of the department, at
5 actual cost of the work.

6 (7) For granting each extension of time for beginning construction
7 work under a permit to appropriate water, an amount equal to one-half
8 of the filing and recording fee, except that the minimum fee shall be
9 not less than (~~five~~) sixty-five dollars for each year that an
10 extension is granted, and for granting an extension of time for
11 completion of construction work or for completing application of water
12 to a beneficial use, (~~five~~) sixty-five dollars for each year that an
13 extension is granted.

14 (8) For the inspection of any hydraulic works to insure safety to
15 life and property, the actual cost of the inspection, including the
16 expense incident thereto.

17 (9) For the examination of plans and specifications as to safety of
18 controlling works for storage of ten acre feet or more of water, a
19 minimum fee of (~~ten~~) one hundred thirty dollars, or the actual cost.

20 (10) For recording an assignment either of a permit to appropriate
21 water or of an application for such a permit, a fee of (~~five~~) sixty-
22 five dollars.

23 (11) For preparing and issuing all water right certificates,
24 (~~five~~) sixty-five dollars.

25 (12) For filing and recording a protest against granting any
26 application, (~~two~~) twenty-six dollars.

27 (13) The department shall provide timely notification by certified
28 mail with return receipt requested to applicants that fees are due. No
29 action may be taken until the fee is paid in full. Failure to remit
30 fees within sixty days of the department's notification shall be
31 grounds for rejecting the application or canceling the permit. Cash
32 shall not be accepted. Fees must be paid by check or money order and
33 are nonrefundable.

34 (14) For purposes of calculating fees for ground water filings, one
35 cubic foot per second shall be regarded as equivalent to four hundred
36 fifty gallons per minute.

37 (~~For the period beginning July 1, 1993, and ending June 30,~~
38 ~~1994, there is imposed and the department shall collect a one hundred~~

1 ~~dollar surcharge on all water rights applications or changes filed~~
2 ~~under this section, and upon all water rights applications or changes~~
3 ~~pending as of July 1, 1993. This charge shall be in addition to any~~
4 ~~other fees imposed under this section)) Beginning July 1, 2005, and~~
5 ~~each July 1st thereafter, the department shall increase the fees in~~
6 ~~this section by an amount equal to the fiscal growth factor calculated~~
7 ~~under RCW 43.135.025.~~

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