

# HOUSE BILL REPORT

## SB 6861

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### As Passed House:

March 1, 2006

**Title:** An act relating to studying the competing interests of domestic water users and other water users in regards to limited water supplies where a curtailment of domestic water right use has been enacted.

**Brief Description:** Requiring a study of competing interests of domestic water users.

**Sponsors:** By Senators Delvin, Poulsen, Mulliken, Morton and Honeyford.

### Brief History:

#### Committee Activity:

Economic Development, Agriculture & Trade: 2/22/06 [DP].

#### Floor Activity:

Passed House: 3/1/06, 98-0.

### Brief Summary of Bill

- Requires the Department of Ecology to study and report on ways that stakeholders can better understand the competing interests of surface water users in basins currently involved in a water rights adjudication when water supplies are limited by a court order that curtails domestic water right use.

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## HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE & TRADE

**Majority Report:** Do pass. Signed by 21 members: Representatives Linville, Chair; Pettigrew, Vice Chair; Kristiansen, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Bailey, Blake, Buri, Chase, Clibborn, Grant, Haler, Holmquist, Kilmer, Kretz, Morrell, Newhouse, Quall, Strow, P. Sullivan and Wallace.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Dunn and McCoy.

**Staff:** Jason Callahan (786-7117).

### Background:

A general water adjudication proceeding for surface water rights has been underway in the Yakima River watershed since the late 1970s. In this adjudication, the Superior Court for Yakima County entered an order on June 10, 2004, limiting the exercise of water rights in the Yakima River and its tributaries by those with a priority date after May 10, 1905 (post-1905).

The restrictions imposed by the Court suspends the use of post-1905 rights when the U.S. Bureau of Reclamation imposes rationing for the Yakima irrigation project. The restriction imposed by the Court continues until the end of the irrigation season on October 31.

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**Summary of Bill:**

The Department of Ecology (Department) is required to study and report on ways that stakeholders can better understand the competing interests of surface water users in basins currently involved in a water rights adjudication when water supplies are limited by a court order that curtails domestic water right use. In the study, the Department must focus on seasonal residential water users, and must summarize the circumstances that have contributed to the competition between the various water users and recommend suggested legislation or other solutions for resolving conflicts over water supplies.

The study must also survey the owners of residences that rely on domestic water supplies. In conducting the survey component of the study, the Department must make a reasonable attempt to contact all property owners and obtain information on the location and amount of use for seasonal residences, the amount of water needed when a seasonal residence is occupied, the location of the owner's permanent address, and any other relevant information deemed necessary by the Department.

The report is due to the appropriate committees of the Legislature by December 31, 2006.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** There are many cabin owners who need water on a seasonal basis but who make their permanent home elsewhere. The Department is already in the process of collecting information about these water users, and this bill formalizes that process. It is good to support any process that collects information on water use. The bill does not make any policy changes.

**Testimony Against:** None.

**Persons Testifying:** Senator Delvin, prime sponsor; and Joe Stohr, Department of Ecology.

**Persons Signed In To Testify But Not Testifying:** None.