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**Agriculture & Natural Resources  
Committee**

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**HB 1268**

**Brief Description:** Concerning the relinquishment of a water right.

**Sponsors:** Representatives Warnick, Chandler, Hinkle, Newhouse, Blake, Ross, Johnson, Smith, McCune, Condotta and Kretz.

**Brief Summary of Bill**

- Allows the continuance of a water right if the owner uses at least a portion of the water right for the established purpose of use.

**Hearing Date:** 1/29/09

**Staff:** Jaclyn Ford (786-7339)

**Background:**

A water right is relinquished when the owner does not use all or a portion of his or her water for five consecutive years without showing sufficient cause.

The Department of Ecology (DOE) may determine when a water right has been relinquished and reverted to the state. A person may appeal the DOE findings to the Pollution Control Hearings Board.

**Summary of Bill:**

An owner of a water right does not relinquish his or her claim on the water if he or she continues to use at least a portion of the water for the established purpose of use.

**Appropriation:** None.

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*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.*

**Fiscal Note:** Available.

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