
HOUSE BILL 2599

State of Washington

61st Legislature

2010 Regular Session

By Representatives McCoy and Chase

Prefiled 01/08/10. Read first time 01/11/10. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to limiting withdrawals of groundwater for stock
2 watering purposes; amending RCW 90.44.050; and adding a new section to
3 chapter 16.36 RCW.

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

5 **Sec. 1.** RCW 90.44.050 and 2003 c 307 s 1 are each amended to read
6 as follows:

7 (1) After June 6, 1945, no withdrawal of public groundwaters of the
8 state shall be begun, nor shall any well or other works for such
9 withdrawal be constructed, unless an application to appropriate such
10 waters has been made to the department and a permit has been granted by
11 it as herein provided: EXCEPT, HOWEVER, That any withdrawal of public
12 groundwaters for stock watering purposes that is in accordance with
13 subsection (2) of this section, or for the watering of a lawn or of a
14 noncommercial garden not exceeding one-half acre in area, or for single
15 or group domestic uses in an amount not exceeding five thousand gallons
16 a day, or as provided in RCW 90.44.052, or for an industrial purpose in
17 an amount not exceeding five thousand gallons a day, is and shall be
18 exempt from the provisions of this section, but, to the extent that it
19 is regularly used beneficially, shall be entitled to a right equal to

1 that established by a permit issued under the provisions of this
2 chapter: PROVIDED, HOWEVER, That the department from time to time may
3 require the person or agency making any such small withdrawal to
4 furnish information as to the means for and the quantity of that
5 withdrawal: PROVIDED, FURTHER, That at the option of the party making
6 withdrawals of groundwaters of the state not exceeding five thousand
7 gallons per day, applications under this section or declarations under
8 RCW 90.44.090 may be filed and permits and certificates obtained in the
9 same manner and under the same requirements as is in this chapter
10 provided in the case of withdrawals in excess of five thousand gallons
11 a day.

12 (2)(a) After the effective date of this section, withdrawal of
13 public groundwaters for stock watering purposes must be metered and may
14 not exceed five thousand gallons per day, except those withdrawals
15 authorized in (b) of this subsection.

16 (b) The withdrawer of public groundwaters that are put to
17 beneficial use for stock watering purposes prior to the effective date
18 of this section may continue to withdraw public groundwaters for stock
19 watering purposes in an amount not exceeding five thousand gallons per
20 day or their total per livestock water limit as determined by the
21 Washington state department of agriculture in section 2 of this act for
22 the highest daily number of livestock present in 2009 on the parcel
23 where the permit exempt well used for stock watering is located.

24 NEW SECTION. Sec. 2. A new section is added to chapter 16.36 RCW
25 to read as follows:

26 The department must determine by rule the average daily water use
27 of individual livestock in Washington. The estimate of water use per
28 individual livestock must include all reasonable uses of water needed
29 for domestic farm animals for drinking and for maintenance of livestock
30 health and welfare.

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