AN ACT Relating to clarifying the provisions of existing stock watering purposes as authorized under chapter 90.44 RCW; and amending RCW 90.44.035.

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

Sec. 1. RCW 90.44.035 and 2000 c 98 s 2 are each amended to read as follows:

((For purposes of this chapter:)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of ecology((†)).

(2) "Director" means the director of ecology((†)).

(3) "Groundwaters" means all waters that exist beneath the land surface or beneath the bed of any stream, lake or reservoir, or other body of surface water within the boundaries of this state, whatever may be the geological formation or structure in which such water stands or flows, percolates or otherwise moves. There is a recognized distinction between natural groundwater and artificially stored groundwater((†)).
(4) "Natural groundwater" means water that exists in underground storage owing wholly to natural processes. 

(5) "Artificially stored groundwater" means water that is made available in underground storage artificially, either intentionally, or incidentally to irrigation and that otherwise would have been dissipated by natural processes. 

(6) "Stock watering" means all reasonable uses of water normally associated with the care and management of livestock including, but not limited to, drinking, feeding, cleaning of stalls, washing livestock, washing equipment used in the feeding or milking of livestock, controlling dust around livestock, and cooling livestock. 

(7) "Underground artificial storage and recovery project" means any project in which it is intended to artificially store water in the ground through injection, surface spreading and infiltration, or other department-approved method, and to make subsequent use of the stored water. However, (a) this subsection does not apply to irrigation return flow, or to operational and seepage losses that occur during the irrigation of land, or to water that is artificially stored due to the construction, operation, or maintenance of an irrigation district project, or to projects involving water reclaimed in accordance with chapter 90.46 RCW; and (b) RCW 90.44.130 applies to those instances of claimed artificial recharge occurring due to the construction, operation, or maintenance of an irrigation district project or operational and seepage losses that occur during the irrigation of land, as well as other forms of claimed artificial recharge already existing at the time a groundwater subarea is established.