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HOUSE BILL 2067

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State of Washington

67th Legislature

2022 Regular Session

By Representative Kraft

1 AN ACT Relating to the allocation of water that has been  
2 relinquished pursuant to chapter 90.14 RCW; amending RCW 90.14.180;  
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that water is vital  
6 for farms, people, and our communities, and that it is critical for  
7 this important resource to be readily available for locally owned  
8 family farms to continue growing crops, providing appropriate food  
9 supply for consumption, and expanding Washington's export  
10 opportunities now and into the future. The legislature therefore  
11 finds that when water that is relinquished under chapter 90.14 RCW,  
12 it should be reallocated in a timely manner for both out-of-stream  
13 uses and to augment instream flows.

14 **Sec. 2.** RCW 90.14.180 and 1987 c 109 s 101 are each amended to  
15 read as follows:

16 Any person hereafter entitled to divert or withdraw waters of the  
17 state through an appropriation authorized under RCW 90.03.330,  
18 90.44.080, or 90.44.090 who abandons the same, or who voluntarily  
19 fails, without sufficient cause, to beneficially use all or any part  
20 of said right to withdraw for any period of five successive years

1 shall relinquish such right or portion thereof, and such right or  
2 portion thereof shall revert to the state, and the waters affected by  
3 said right shall become available for appropriation in accordance  
4 with RCW 90.03.250. For any water relinquished under the provisions  
5 of this chapter, at least two-thirds of that water must be allocated  
6 to out-of-stream purposes in a timely manner and made available with  
7 a priority consideration for locally owned family farms that have  
8 been waiting six months or longer for a water permit. One-third of  
9 the water relinquished must be made available to augment instream  
10 flows and must be managed by the department of ecology, in  
11 cooperation with the department of fish and wildlife and with  
12 fisheries comanagers. All certificates hereafter issued by the  
13 department of ecology pursuant to RCW 90.03.330 shall expressly  
14 incorporate this section by reference.

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