

statement must be prepared for an action regarding a Class IV forest practice taken by that governmental entity concerning the land on which forest practices will be conducted.

This section shall cease to exist on June 30, 1983, unless extended by law for an additional period of time.

Passed the House April 1, 1981.

Passed the Senate April 22, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

CHAPTER 291

[House Bill No. 99]

WATER RIGHTS—RELINQUISHMENT, REVERSION—MINIMUM FLOW APPLICATION

AN ACT Relating to water rights; and amending section 16, chapter 233, Laws of 1967 as amended by section 5, chapter 216, Laws of 1979 ex. sess. and RCW 90.14.160.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 16, chapter 233, Laws of 1967 as amended by section 5, chapter 216, Laws of 1979 ex. sess. and RCW 90.14.160 are each amended to read as follows:

Any person entitled to divert or withdraw waters of the state through any appropriation authorized by enactments of the legislature prior to enactment of chapter 117, Laws of 1917, or by custom, or by general adjudication, who abandons the same, or who voluntarily fails, without sufficient cause, to beneficially use all or any part of said right to divert or withdraw for any period of five successive years after the effective date of this act, shall relinquish such right or portion thereof, and said right or portion thereof shall revert to the state, and the waters affected by said right shall become available for appropriation in accordance with RCW 90.03.250(~~PROVIDED, That such rights to use waters reverted under this section or under RCW 90.14.170 and 90.14.180, which were last exercised for a beneficial use subsequent to June 30, 1979, shall, if a minimum flow or level established by the department of ecology is in effect at the time when a determination of the reversion made either by the department or a court becomes final, be applied to meet such minimum flow or level with a priority of the original date of the reverted right before becoming otherwise available for appropriation for other beneficial uses under RCW 90.03.250 through 90.03.340~~)).

Passed the House February 16, 1981.

Passed the Senate April 26, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.