

CHAPTER 63.

[S. B. 160.]

REGULATION AND CONTROL OF GROUND WATERS.

AN ACT relating to the regulation and control of ground waters within the State of Washington; amending section 11, chapter 263, Laws of 1945 and section 3, chapter 122, Laws of 1947.

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

Amendment.

SECTION 1. Section 11, chapter 263, Laws of 1945 (sec. 7400-11, Rem. Supp. 1945), is amended to read as follows:

Waste of ground waters prohibited.

Wells producing contaminated water to be capped.

Section 11. No public ground waters that have been withdrawn shall be wasted without economical beneficial use. The Supervisor of Hydraulics shall require all wells producing waters which contaminate other waters to be plugged or capped. He shall also require all flowing wells to be so capped or equipped with valves that the flow of water can be completely stopped when the wells are not in use under the terms of their respective permits or approved declarations of vested rights. Likewise, he shall also require both flowing and non-flowing wells to be so constructed and maintained as to prevent the waste of public ground waters through leaky casings, pipes, fittings, valves, or pumps—either above or below the land surface: *Provided, however,* That the withdrawal of reasonable quantities of public ground water in connection with the construction, development, testing, or repair of a well shall not be construed as waste; also, that the inadvertent loss of such water owing to breakage of a pump, valve, pipe, or fitting shall not be construed as waste if reasonable diligence is shown by the permittee in effecting the necessary repair.

In the issuance of an original permit, or of an amendment to an original permit or certificate of

vested right to withdraw and appropriate public ground waters under the provisions of this act, the Supervisor of Hydraulics may, as in his judgment is necessary, specify for the proposed well or wells or other works a manner of construction adequate to accomplish the provisions of this section.

Supervisor may specify construction plans.

SEC. 2. Section 3, chapter 122, Laws of 1947 (sec. 7400-11A, Rem. Supp. 1947), is amended to read as follows:

Section 3. The unauthorized use of ground water to which another person is entitled, or the wilful or negligent waste of ground water, or the failure, when required by the Supervisor of Hydraulics, to cap flowing wells or equip the same with valves, fittings, or castings to prevent waste of ground waters, or to cap or plug wells producing waters which contaminate other waters, shall be a misdemeanor.

Penalties for violations.

Passed the Senate February 11, 1949.

Passed the House March 4, 1949.

Approved by the Governor March 16, 1949.

CHAPTER 64.

[S. B. 178.]

HIGHWAYS—BIDS FOR CONSTRUCTION.

AN ACT relating to public highways; prescribing procedure for the contracting of highway construction; and amending section 37, chapter 53, Laws of 1937.

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

SECTION 1. Section 37, chapter 53, Laws of 1937 (sec. 6400-37, Rem. Rev. Stat., Vol. 7A), is amended to read as follows:

Amendment.

Section 37. At the time and place named in the publication of the call for bid proposals the Director of Highways shall proceed to publicly open and read

Opening of bid proposals.