
HOUSE BILL 2199

State of Washington

54th Legislature

1996 Regular Session

By Representatives Chandler, Mastin, Schoesler, Sheldon, Hymes, Honeyford, Delvin, Robertson, Campbell, Johnson, Boldt, Linville, Goldsmith and McMahan

Read first time 01/08/96. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to granting water rights; and adding a new section
2 to chapter 90.03 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.03 RCW
5 to read as follows:

6 If a person placed surface or ground water to beneficial use for
7 irrigation or stock watering purposes before January 1, 1993, for which
8 a permit or certificate was not issued by the department or its
9 predecessors, the person or the person's successor holds a water right
10 in the amount beneficially used and with a priority date that is the
11 effective date of this section if:

12 (1) The person did not hold or otherwise possess before January 1,
13 1993, a water right permit or certificate issued by the department of
14 ecology or its predecessors for the beneficial use of any water
15 whatsoever;

16 (2) The person or the person's successor files with the department
17 of ecology a statement of claim for the right during the period
18 beginning September 1, 1996, and ending midnight June 30, 1997, using
19 the standard form prescribed by RCW 90.14.051; and

1 (3) The person or the person's successor files with the statement
2 of claim evidence that the water described in the claim was used
3 beneficially before January 1, 1993, in the form of any two of the
4 following:

5 (a) A statement signed by two persons other than the person filing
6 the statement of claim verifying that the water was beneficially used
7 by the claimant before January 1, 1993, as described in the statement
8 of claim;

9 (b) A copy of a dated photograph clearly demonstrating the presence
10 of a high value crop requiring irrigation in the amounts asserted in
11 the statement of claim or of livestock requiring water in such amounts;
12 or records of receipts of the sale of crops by the person or the
13 person's successor indicating that irrigation in the amount claimed was
14 required to produce the crops;

15 (c) Receipts or records of irrigation or stockwatering equipment
16 purchases or repairs associated with the water use specified in the
17 statement of claim;

18 (d) Water well construction records identifying the date the well
19 specified in the statement of claim as the point of withdrawal was
20 constructed;

21 (e) Records of electricity bills directly associated with the
22 withdrawal of water as specified in the statement of claim;

23 (f) Personal records such as photographs, journals, or
24 correspondence indicating the use of water as asserted in the statement
25 of claim.

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