
SENATE BILL 6477

State of Washington

54th Legislature

1996 Regular Session

By Senators A. Anderson, Rasmussen, Morton, Spanel, Swecker, Roach and Winsley

Read first time 01/16/96. Referred to Committee on Ecology & Parks.

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 filed with the department before January 1, 1996, an
13 application for the use of the water claimed under this section;

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

18 (3) The person or the person's successor files with the statement
19 of claim evidence that the water described in the claim was used

1 beneficially before January 1, 1993, in the form of any two of the
2 following:

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

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

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

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

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

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

--- END ---