
SENATE BILL 6647

State of Washington 54th Legislature 1996 Regular Session

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

Read first time 01/22/96. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to granting water rights to persons who put water
2 to use before January 1, 1993, and file a statement of claim by June
3 30, 1997; and adding a new section to chapter 90.03 RCW.

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

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

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

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

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