
ENGROSSED SUBSTITUTE HOUSE BILL 2094

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives G. Chandler and Linville)

Read first time 03/02/1999.

1 AN ACT Relating to water rights claims; and adding a new section to
2 chapter 90.14 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 90.14 RCW
5 to read as follows:

6 (1) Certain persons who submitted a water right claim form with the
7 department between September 1, 1997, and June 30, 1998, and whose
8 claim was rejected by the department because the department deemed the
9 claim to be incomplete and thus not in compliance with RCW 90.14.051
10 may submit additional information as provided in subsection (2) of this
11 section in support of the claim between July 1, 1999, and December 31,
12 1999. The persons eligible to submit additional information under this
13 section and to receive further consideration for the registering of
14 their claims are those who meet the following qualifications:

15 (a) The person checked the box labeled "other" on the water right
16 claim form in part 12 where it asks the claimant to state the legal
17 doctrine under which the person is claiming a water right;

18 (b) The premise of the person's claim of a water right for ground
19 water is that a right to ground water was inherent in and appurtenant

1 to the original land patent issued by the federal government at the
2 time the person's land was severed from federal ownership. The
3 original water right claim form submitted to the department need not
4 have asserted this premise for the person to be qualified to receive
5 further consideration under this section.

6 (2) Persons meeting the qualifications in subsection (1) of this
7 section may submit to the department a statement that their claim to a
8 ground water right is based on the assertion that such right
9 accompanied the federally issued land patent for lands they now own or
10 occupy. The claimant must also submit with his or her statement a bona
11 fide copy of the original land patent document issued by the United
12 States. The water right claim of a person meeting the qualifications
13 established in this section and submitting the statement and bona fide
14 copy of his or her land patent as required by this subsection is deemed
15 sufficient in lieu of compliance with RCW 90.14.051 and 90.14.068 and
16 shall be accepted for filing in the water rights claims registry by the
17 department.

18 (3) This section does not apply to other claims the department
19 rejected as ineligible for filing under RCW 90.14.068(5) or (6), for
20 failure to submit a substantially complete statement of claim as
21 required in RCW 90.14.051, for failure to remit the filing fee required
22 by RCW 90.14.061, or for submitting a claim for a purpose that is
23 exempt from the requirement to submit a claim under RCW 90.14.041. The
24 registering of claims under this section as directed by the legislature
25 confers upon those claims no special status or recognition and is
26 subject to chapter 90.14 RCW as is any other claim submitted in a
27 timely manner.

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