

**RCW 79.36.650 Applications—Appraisalment—Certificate—Forfeiture**

**—Fee.** Any person, firm, or corporation shall have a right-of-way over public lands, subject to the provisions of RCW 79.36.590 through 79.36.650, when necessary, for the purpose of hauling or removing timber, stone, mineral, or other natural products or the manufactured products thereof of the land. Before, however, any such right-of-way grant shall become effective, a written application for and a plat showing the location of such right-of-way, with reference to the adjoining lands, shall be filed with the department, and all timber on the right-of-way, together with the damages to the land, shall be appraised and paid for in cash by the person, firm, or corporation applying for such right-of-way. The department shall then cause to be issued in duplicate to such person, firm, or corporation a right-of-way certificate setting forth the conditions and terms upon which the right-of-way is granted. Whenever the right-of-way shall cease to be used, for a period of two years, for the purpose for which it was granted, it shall be deemed forfeited, and the right-of-way certificate shall contain such a provision. However, any right-of-way for logging purposes heretofore issued which has never been used, or has ceased to be used, for a period of two years, for the purpose of which it was granted, shall be deemed forfeited and shall be canceled upon the records of the department. One copy of each certificate shall be filed with the department and one copy delivered to the applicant. The forfeiture of the right-of-way, as herein provided, shall be rendered effective by the mailing of notice of such a forfeiture to the grantee thereof to his or her last known post office address and by stamping the copy of the certificate in the department canceled and the date of such cancellation. For the issuance of such a certificate the same fee shall be charged as provided in the case of certificates for railroad rights-of-way. [2003 c 334 s 498; 1988 c 128 s 65; 1927 c 312 s 6; RRS s 8107-6. Prior: 1921 c 55 s 1; 1915 c 147 s 12; 1897 c 89 s 34; 1895 c 178 s 45. Formerly RCW 79.36.290.]

**Intent—2003 c 334:** See note following RCW 79.02.010.

*Certificates for railroad rights-of-way: RCW 79.36.500.*

*Fees, generally: RCW 79.02.240.*

*Similar enactment: RCW 79.36.350 and 79.36.430.*