

RCW 90.14.065 Statement of claim—Amendment—Surface water right claim change or transfer—Review of department of ecology's determination. (1) (a) Any person or entity, or successor to such person or entity, having a statement of claim on file with the water rights claims registry may submit to the department of ecology for filing an amendment to such a statement of claim if the submitted amendment is based on:

(i) An error in estimation of the quantity of the applicant's water claim prescribed in RCW 90.14.051 if the applicant provides reasons for the failure to claim such right in the original claim;

(ii) A change in circumstances not foreseeable at the time the original claim was filed, if such change in circumstances relates only to the manner of transportation or diversion of the water and not to the use or quantity of such water; or

(iii) The amendment is ministerial in nature.

(b) The department shall accept any such submission and file the same in the registry unless the department by written determination concludes that the requirements of (a) (i), (ii), or (iii) of this subsection have not been satisfied.

(2) In addition to subsection (1) of this section, a surface water right claim may be changed or transferred in the same manner as a permit or certificate under RCW 90.03.380, and a water right claim for groundwater may be changed or transferred as provided under RCW 90.03.380 and 90.44.100.

(3) Any person aggrieved by a determination of the department may obtain a review thereof by filing a petition for review with the pollution control hearings board within thirty days of the date of the determination by the department. The provisions of RCW 90.14.081 shall apply to any amendment filed or approved under this section. [2010 c 285 § 8; 1987 c 93 § 1.]

Intent—2010 c 285: See note following RCW 90.03.265.