
SENATE BILL 5389

State of Washington 52nd Legislature 1991 Regular Session

By Senators Sutherland, Newhouse, Barr and Hansen.

Read first time January 30, 1991. Referred to Committee on Agriculture & Water Resources.

1 AN ACT Relating to water rights; and adding a new section to
2 chapter 284, Laws of 1969 ex.s. as last amended by chapter 127, Laws of
3 1988 and to chapter 90.14 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 284,
6 Laws of 1969 ex.s. as last amended by chapter 127, Laws of 1988 and to
7 chapter 90.14 RCW to read as follows:

8 A person may file with the department of ecology not later than
9 August 31, 1991, a statement of claim as provided in RCW 90.14.051 (1)
10 through (8) if said statement of claim embodies a claim of right to
11 divert public waters with a priority date that is prior to June 6,
12 1917, and said statement of claim is accompanied by a notarized
13 affidavit or affidavits, relating to and supporting the rights claimed
14 in said statement, signed by a person or persons which state that (1)

1 affiant or affiants witnessed personally a posting of a notice of
2 intent to establish a water right at the point of diversion of such
3 claimed right, and (2) affiant or affiants had direct knowledge of the
4 diversion of waters, through conveyance systems, to the places of
5 beneficial use without interruption each year for the fifty-year period
6 immediately preceding the effective date of this act. The department
7 is directed to accept any statement of claim which satisfies the
8 requirements of this section and file the same in the Water Rights
9 Claims Registry established by RCW 90.14.111. The provisions of RCW
10 90.14.071, including those relating to waiver and relinquishment, shall
11 have no applicability to a statement of claim filed pursuant to this
12 section.