

**Chapter 90.08 RCW
STREAM PATROLLERS**

Sections

- 90.08.040 Stream patroller—Appointment—Powers.
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RCW 90.08.040 Stream patroller—Appointment—Powers. Where water rights of a stream have been adjudicated a stream patroller shall be appointed by the director of the department of ecology upon application of water users having adjudicated water rights in each particular water resource making a reasonable showing of the necessity therefor, which application shall have been approved by the district water master if one has been appointed, at such time, for such stream, and for such periods of service as local conditions may indicate to be necessary to provide the most practical supervision and to secure to water users and owners the best protection in their rights.

The stream patroller shall have the same powers as a water master appointed under RCW 90.03.060, but his or her district shall be confined to the regulation of waters of a designated stream or streams. Such patroller shall be under the supervision of the director or his or her designated representative. He or she shall also enforce such special rules and regulations as the director may prescribe from time to time. [2013 c 23 § 601; 1977 c 22 § 1; 1925 ex.s. c 162 § 1; RRS § 7351-1.]

Water masters

appointment, compensation: RCW 90.03.060.

duties: RCW 90.03.070.

power of arrest: RCW 90.03.090.

RCW 90.08.050 Stream patrollers—Compensation, travel expenses. Each stream patroller shall receive a wage per day for each day actually employed in the duties of his or her office, or if employed by the month, he or she shall receive a salary per month, which wage or salary shall be fixed in the manner provided by law for the fixing of the salaries or compensation of other state officers or employees, plus travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, to be paid by the county in which the work is performed. In case the service extends over more than one county, each county shall pay its equitable part of such wage to be apportioned by the director. He or she shall be reimbursed for actual necessary expenses when absent from his or her designated headquarters in the performance of his or her duties, such expense to be paid by the county in which he or she renders the service. The accounts of the stream patroller shall be audited and certified by the director and the county auditor shall issue a warrant therefor upon the current expense fund. [2013 c 23 § 602; 1977 c 22 § 2; 1975-'76 2nd ex.s. c 34 § 180; 1947 c 123 § 1; 1925 ex.s. c 162 § 2; Rem. Supp. 1947 § 7351-2.]

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

Public officers, salaries and fees: Chapter 42.16 RCW.

State government, salaries and expenses: Chapter 43.03 RCW.

RCW 90.08.060 Stream patrollers—Users to share in payment of compensation. The salary of the stream patroller shall be borne by the water users receiving the benefits and shall be paid to the county or counties in the following manner:

The county or counties may assess each water user for his or her proportionate share of the total stream patroller expense in the same ratio that the amount of water diverted by him or her bears to the total amount diverted from the stream during each season, on an annual basis, to recover all such county expenses. The stream patroller shall keep an accurate record of the amount of water diverted by each water user coming under his or her supervision. On the first of each month the stream patroller shall present his or her record of water diversion to the county or counties for the preceding month. Where the water users are organized into an irrigation district or water users' association, such organization may enter into an agreement with the county or counties for direct payment to the stream patroller in order to minimize administrative costs. [2013 c 23 § 603; 1977 c 22 § 3; 1925 ex.s. c 162 § 3; RRS § 7351-3.]

Irrigation districts generally: Chapter 87.03 RCW.

RCW 90.08.070 Right of county to sue user for unpaid share of expenses. Upon failure of any water user to pay his or her proportionate share of the expense referred to in RCW 90.08.050 and 90.08.060, the county or counties shall be entitled to sue for and recover any such unpaid portion in any court of competent jurisdiction. [2013 c 23 § 604; 1977 c 22 § 4; 1925 ex.s. c 162 § 4; RRS § 7351-4.]