

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2022

54th Legislature
1995 Regular Session

Passed by the House March 9, 1995
Yeas 95 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 7, 1995
Yeas 42 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2022** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2022

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Representative Fuhrman

Read first time 02/22/95. Referred to Committee on Natural Resources.

1 AN ACT Relating to the fees, fees in lieu of assessment work or
2 labor requirements, affidavits, or oaths that are necessary to secure
3 mining claims; and amending RCW 78.08.060 and 78.08.081.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 78.08.060 and 1965 c 151 s 1 are each amended to read
6 as follows:

7 (1) Before filing such notice for record, the discoverer shall
8 locate his or her claim by posting at the discovery at the time of
9 discovery a notice containing the name of the lode, the name of the
10 locator or locators, and the date of discovery, and marking the surface
11 boundaries of the claim by placing substantial posts or stone monuments
12 bearing the name of the lode and date of location; one post or monument
13 must appear at each corner of such claim; such posts or monuments must
14 be not less than three feet high; if posts are used they shall be not
15 less than four inches in diameter and shall be set in the ground in a
16 substantial manner. If any such claim be located on ground that is
17 covered wholly or in part with brush or trees, such brush shall be cut
18 and trees be marked or blazed along the lines of such claim to indicate
19 the location of such lines.

1 (2) Prior to valid discovery the actual possession and right of
2 possession of one diligently engaged in the search for minerals shall
3 be exclusive as regards prospecting during continuance of such
4 possession and diligent search. As used in this section, "diligently
5 engaged" shall mean performing not less than one hundred dollars worth
6 of annual assessment work on or for the benefit of the claim or paying
7 any fee or fees in lieu of assessment work in such year or years it is
8 required under federal law, or any larger amount that may be designated
9 now or later by the federal government for annual assessment work.

10 **Sec. 2.** RCW 78.08.081 and 1979 ex.s. c 30 s 16 are each amended to
11 read as follows:

12 Within thirty days after the expiration of the period of time fixed
13 for the performance of annual labor or the making of improvements upon
14 any quartz or lode mining claim or premises, the person in whose behalf
15 such work or improvement was made or some person for him or her knowing
16 the facts, shall make and record in the office of the county auditor of
17 the county wherein such claims are situate either an affidavit or oath
18 of labor performed on such claim, or affidavit or oath of fee or fees
19 paid to the federal government in lieu of the annual labor requirement.
20 Such affidavit shall state the exact amount ((and)) of fee or fees
21 paid, or the kind of labor, including the number of feet of shaft,
22 tunnel or open cut made on such claim, or any other kind of
23 improvements allowed by law made thereon. When both fee and labor
24 requirements have been waived by the federal government, such affidavit
25 will contain a statement to that effect and the state shall not require
26 labor to be performed. Such affidavit shall contain the section,
27 township and range in which such lode is located if the location be in
28 a surveyed area.

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