

2 **SHB 2094 - H AMD 0120 ADOPTED 3/18/99**

3 By Representative

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 90.14 RCW
8 to read as follows:

9 (1) Certain persons who submitted a water right claim form with the
10 department between September 1, 1997, and June 30, 1998, and whose
11 claim was rejected by the department because the department deemed the
12 claim to be incomplete and thus not in compliance with RCW 90.14.051
13 may submit additional information as provided in subsection (2) of this
14 section in support of the claim between July 1, 1999, and December 31,
15 1999. The persons eligible to submit additional information under this
16 section and to receive further consideration for the registering of
17 their claims are those who meet the following qualifications:

18 (a) The person checked the box labeled "other" on the water right
19 claim form in part 12 where it asks the claimant to state the legal
20 doctrine under which the person is claiming a water right;

21 (b) The premise of the person's claim of a water right for ground
22 water is that a right to ground water was inherent in and appurtenant
23 to the original land patent issued by the federal government at the
24 time the person's land was severed from federal ownership. The
25 original water right claim form submitted to the department need not
26 have asserted this premise for the person to be qualified to receive
27 further consideration under this section.

28 (2) Persons meeting the qualifications in subsection (1) of this
29 section may submit to the department a statement that their claim to a
30 ground water right is based on the assertion that such right
31 accompanied the federally issued land patent for lands they now own or
32 occupy. The claimant must also submit with his or her statement a bona
33 fide copy of the original land patent document issued by the United
34 States. The water right claim of a person meeting the qualifications
35 established in this section and submitting the statement and bona fide
36 copy of his or her land patent as required by this subsection is deemed

1 sufficient in lieu of compliance with RCW 90.14.051 and 90.14.068 and
2 shall be accepted for filing in the water rights claims registry by the
3 department.

4 (3) This section does not apply to other claims the department
5 rejected as ineligible for filing under RCW 90.14.068(5) or (6), for
6 failure to submit a substantially complete statement of claim as
7 required in RCW 90.14.051, for failure to remit the filing fee required
8 by RCW 90.14.061, or for submitting a claim for a purpose that is
9 exempt from the requirement to submit a claim under RCW 90.14.041. The
10 registering of claims under this section as directed by the legislature
11 confers upon those claims no special status or recognition and is
12 subject to chapter 90.14 RCW as is any other claim submitted in a
13 timely manner."

14 Correct the title.

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