

CHAPTER 161.

[S. B. 162]

RIGHTS OF WAY FOR IRRIGATION DITCHES OVER STATE LANDS.

AN ACT granting rights-of-way to irrigation districts, irrigation companies, associations and individuals over the lands of the State of Washington, and providing for the appraisement and disposition of the lands included within and used for such rights-of-way.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. A right of way through, over and across the public lands of the State of Washington is hereby granted to any irrigation district, or irrigation company, duly organized under the laws of this State, and to any association or individual, constructing or proposing to construct an irrigation ditch or pipe line for irrigation.

Rights-of-way granted.

SEC. 2. In order to obtain the benefits of this grant, the irrigation district, irrigation company, association or individual constructing or proposing to construct such irrigation ditch or pipe line for irrigation shall file with the Board of State Land Commissioners a map accompanied by the field notes of the survey and location of the proposed irrigation ditch, and shall pay to the State as hereinafter provided the amount of the appraised value of the said lands used for or included within said right-of-way. The land within said right-of-way shall be limited to an amount necessary for the construction of a ditch sufficient for the purpose required, together with sufficient land on either side thereof for ingress and egress to maintain and repair the same.

Benefits of grant—how obtained.

SEC. 3. Upon the filing of the plat and field notes as herein provided, said board of State Land Commissioners are hereby authorized and directed to ascertain the value of the land to be used for or included within said right-of-way, which price shall be the full market value thereof, but not to be less than ten dollars per acre.

State Land Commissioners to ascertain value.

SEC. 4. Upon full payment of the value of such easement ascertained as aforesaid, any future grant or lease by

Sale or lease subject to easement.

the State of the lands affected by such right of way shall be subject to the easement obtained under the provisions of this act.

Construction of act.

SEC. 5. Nothing contained in this act shall be deemed to in any way conflict with any existing law of this State relating to the method of acquiring rights-of-way for irrigation ditches.

Passed the Senate February 28th, 1907.

Passed the House March 6th, 1907.

Approved by the Governor March 13th, 1907.

CHAPTER 162.

[S. B. 297.]

HORTICULTURE.

AN ACT creating the office of state commissioner of horticulture, providing for the promotion and protection of the fruit growing and horticultural interests of the state of Washington, and providing penalties for the violation of certain provisions of this act.

Be it enacted by the Legislature of the State of Washington:

Governor shall appoint—When.

SECTION 1. That there is hereby created the office of Commissioner of Horticulture. The said Commissioner of Horticulture shall be appointed by the Governor: *Provided*, That any person before being appointed to said office must furnish a certificate from the State College of Washington, certifying that he is a skilled horticulturist.

Oath.

SEC. 2. Before entering upon the discharge of his duties the said Commissioner of Horticulture shall take and subscribe an oath that he will support the constitution of the United States, and the constitution and laws of the State of Washington, and that he will faithfully discharge the duties of his office, which said oath, together with the aforesaid certificate, shall be filed with the Secretary of State. He shall also furnish a bond in the sum of five thousand (\$5,000) dollars conditioned upon the faithful performance of his duties as said Commissioner of Horticulture.

Bond.

He shall also furnish a bond in the sum of five thousand (\$5,000) dollars conditioned upon the faithful performance of his duties as said Commissioner of Horticulture.