

CHAPTER 161.

[S. B. 106.]

WATER CODE.

AN ACT relating to the use of water in the State of Washington, providing for the filing of applications therefor, fixing fees, making appropriations, providing for the disposition thereof, and amending sections 7381 and 7399, Remington's Compiled Statutes.

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

SECTION 1. That section 7381, Remington's Compiled Statutes, be amended to read as follows:

Amends
§ 7232,
Pierce's
Code.

Section 7381. Upon filing an application which complies with the provisions of this act and the rules and regulations established hereunder, the Supervisor of Hydraulics shall instruct the applicant to publish notice thereof in a form and within a time prescribed by said Supervisor of Hydraulics, in one newspaper of general circulation published at the county seat of the county or counties in which the storage, diversion and use is to be made, and in such other newspapers as the Supervisor of Hydraulics may direct, once a week for two consecutive weeks.

Publication
of notice of
proposed
use.

SEC. 2. That section 7399, Remington's Compiled Statutes, be amended to read as follows:

Amends
§ 7246,
Pierce's
Code.

Section 7399. The following fees shall be collected by the Supervisor of Hydraulics in advance (a) For the examination of an application for permit to appropriate water a five dollars (\$5.00) fee shall be paid upon filing the application, which shall be a minimum fee but shall be a credit to the extent of five dollars whenever the fee due upon direct diversion or storage totals more than five dollars under the schedule hereinafter provided and in such case the further fee due shall be the total computed amount less five dollars. Not later than five days

Fees.

after receipt of such an application the Supervisor of Hydraulics shall notify the applicant by registered mail of the further amount of fee, if any, due under the following schedule of fees, and if there is a further amount due and said amount is not received within thirty (30) days after the date of filing said application in the office of the Supervisor of Hydraulics, said application shall be rejected. After notice and within the time hereinabove provided, such further fee as may be due shall be paid in amounts determined as follows: For all amounts in excess of one cubic foot per second up to and including five hundred cubic feet per second, at the rate of one dollar (\$1.00) per cubic foot per second. For all amounts in excess of five hundred cubic feet per second up to and including two thousand cubic feet per second, at the rate of twenty-five cents (25c) per cubic foot per second. For all amounts in excess of two thousand cubic feet per second, at the rate of ten cents (10c) per cubic foot per second. For each acre-foot of storage up to and including one hundred thousand acre-feet, at the rate of one-half cent ($\frac{1}{2}c$) per acre-foot. For each acre-foot of storage over one hundred thousand acre-feet, at the rate of one-tenth cent per acre-foot. (b) For filing and recording permit to appropriate water for irrigation purposes, ten cents (10c) per acre for each acre to be irrigated up to and including one hundred acres, and five cents (5c) per acre for each acre in excess of one hundred acres up to and including one thousand acres, and two and one-half cents ($2\frac{1}{2}c$) for each acre in excess of one thousand acres; and also ten cents (10c) for each theoretical horsepower up to and including one thousand H. P. and two cents (2c) for each theoretical horsepower in excess of one thousand H. P. For logging, mining other than power, fish culture, municipal and domestic purposes, except individual household use, the fee shall

be twice the amount of the examination fee. (c) For filing and recording any other water right instrument, one dollar (\$1.00) for the first hundred words and ten cents (10c) for each additional hundred words or fraction thereof; (d) For making copy of any document recorded or filed in the office of the Supervisor of Hydraulics, ten cents (10c) for each hundred words or fraction thereof, but where the amount exceeds five dollars (\$5.00), then only the actual cost in excess of that amount shall be charged; (e) For certifying to copies, documents, records or maps, one dollar (\$1.00) for each certification; (f) For blueprint copies of any map or drawing, ten cents (10c) per square foot or fraction thereof. For such other work of a similar nature as may be required of his office, at actual cost of the work. (g) For granting each extension of time (under section 7385, Remington's Compiled Statutes) for beginning construction work under a permit to appropriate water, the permittee shall pay an amount equal to one-half of the filing and recording fee. (h) For the inspection of any hydraulic works to insure safety to life and property as provided in section 7358, Remington's Compiled Statutes, subsection 2, the owner of such works shall pay the actual cost of such inspection, together with the expense incident thereto. (i) For the examination of plans and specifications as to safety as provided in section 7388, Remington's Compiled Statutes, a minimum fee of five dollars (\$5.00) shall be charged; if the cost of such examination exceeds five dollars (\$5.00), the actual cost of such work shall be paid.

See § 7210,
Pierce's
Code.

See § 7240,
Pierce's
Code.

SEC. 3. All fees, collections and revenues derived hereunder or by virtue of section 7371, Remington's Compiled Statutes, shall be used exclusively for the purpose of carrying out the work and performing the functions of the Division of Hydraulics.

Purpose for
which rev-
enue used.

See § 7223,
Pierce's
Code.

SEC. 4. For the purpose of defraying the ex-

Appropriation,
\$5,000.00.

pense of operation and management and performing the duties to be performed by the Department of Conservation and Development, Division of Hydraulics, there is hereby appropriated from the revenues derived under Sections 2 and 3 hereof and paid into the state treasury, the sum of \$5000.00, or so much thereof as may be necessary, but in no event to exceed the revenue collected.

Passed the Senate December 18, 1925.

Passed the House January 5, 1926.

Approved by the Governor January 15, 1926.

CHAPTER 162.

[S. B. 105.]

APPOINTMENT OF STREAM PATROLMAN.

AN ACT relating to the use of water in the state of Washington and the right to the use thereof and providing for a stream patrolman.

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

Stream patrolman to be appointed by supervisor of hydraulics.

SECTION 1. Where water rights of a stream have been adjudicated a stream patrolman shall be appointed by the supervisor of hydraulics upon application by interested parties making a reasonable showing of the necessity therefor, which application shall have been approved by the district watermaster 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.

Powers of patrolman.

The stream patrolman shall have the same powers as a water master appointed under section 7359, Remington's Compiled Statutes, but his dis-