

## CHAPTER CLXVI.

[H. B. No. 370.]

## ACCEPTANCE OF THE GRANT OF ARID LANDS, AND AUTHORIZING THE DISPOSAL THEREOF.

AN ACT accepting the terms of the act of congress approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor, and declaring an emergency.

WHEREAS, The congress of the United States did by an act approved August 18, 1894, provide, among other things, for the ceding and conveying to the State of Washington of one million acres of the arid lands of the public domain in this state, upon certain conditions prescribed in said act:

Now, therefore, in order to enable this state to comply with the provisions of said act and to receive the benefits therein provided for—

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

SECTION 1. That the State of Washington does hereby accept the terms of the act of congress approved August 18, 1894, donating to each of the public land states one million acres of arid land.

SEC. 2. That there be and is hereby created the office of commissioner of arid lands, for the purpose of carrying into effect the provisions of this act for the reclamation and full acquirement of the million acres of arid land donated. The said commissioner shall be appointed by the governor for the term of four years, and he shall receive an annual salary of two thousand dollars. That before entering upon the duties of his office the said commissioner shall take and subscribe an oath to faithfully support the constitution and laws of the State of Washington, and also give a good and sufficient bond, with sureties to be approved by the secretary of state and attorney general, in the penal sum of twenty-five thousand dollars, for the faithful discharge of the duties of his said office, which said oath and approved bond shall be filed and remain in the office of the secretary of state.

Commissioner  
of arid lands,  
how ap-  
pointed.

Salary.

Oath and bond  
required.

SEC. 3. It shall be the duty of the commissioner of arid lands to examine, or cause to be examined, such of the arid lands within this state belonging to the public domain that can, with an expense not incommensurate with their value when reclaimed from their aridity, be irrigated, and shall collect data and information concerning the nature of the soil, location and adaptability to cultivation of such lands, and concerning the streams and water that may be used for irrigating the same, and the precipitation each year in the mountains draining into such streams as can be used in irrigating said lands, for the purpose of predicting the probable flow of water in such streams. He shall make, or cause to be made, careful measurements and estimates of the flow of water in all such streams. He shall prepare maps of such arid lands as can be thus irrigated, and plans showing the proposed modes of irrigation, showing the source and quantity of water proposed to be used, and the size and proposed location of the ditches, canals, flumes, pipe lines or reservoirs to be used for conveying or collecting the water upon the lands proposed to be irrigated, and the elevation thereof above said lands; and shall, as construction proceeds of any dams, ditches, canals, flumes, reservoirs, pumping works, or any other works for the purpose of irrigation under the provisions of this act, examine and see that all such construction work is done in a substantial manner and in accordance with the approved plans thereof. He shall have power to employ an engineer and such other assistants and employés to assist him in the discharge of the duties herein prescribed as may be necessary, and shall verify, as herein provided, all claims and applications of any of such assistants or employés for their compensation for the services performed by them, and he is further empowered to contract for the construction of ditches or canals, the building of dams and reservoirs, the irrigation, reclamation, settlement and sale of said arid lands, and to do and perform any and all things whatsoever necessary to be done in carrying into effect the objects of this act: *Provided*, That no contract or sale made by the said commissioner of arid lands shall be in force and effect until the

Commissioner,  
duties of.

Authorized  
to employ  
assistants.

Empowered to  
let contracts.

Same to be  
approved by  
governor and  
attorney  
general.

same shall be approved by the governor and attorney general. He shall prepare and render to the governor, at the time when other state officers' reports are required to be made, a full and true report of his work regarding all matters and duties devolving upon him by virtue of his office, which report shall contain a detailed and itemized statement of all expenses incurred in and arising out of his official duties and those of his assistants and employés, as well in and about his office as in the field.

Maps to be filed with secretary of the interior.

SEC. 4. As soon as a map or maps of any of such arid lands proposed to be irrigated, with the plans showing the mode of contemplated irrigation thereof, are completed, he shall from time to time file duplicates of such maps and plans with the secretary of the interior of the United States, and shall, on behalf of the state, make application to the said secretary of the interior in accordance with section four of said act of congress, approved August 18, 1894, and shall take all the necessary steps on behalf of the state to secure a contract binding the United States to donate, grant and patent to this state, or its assigns, the said arid land, and to secure to this state all the benefits and advantages accruing to it under the provisions of the said act.

Contractor to give bonds.

SEC. 5. That any contract made by the said commissioner of arid lands for the irrigation, reclamation and settlement thereof, shall be with some person or persons, corporation or corporations, who shall give bonds to the State of Washington in such sum as may be designated by the said commissioner, which shall not be less than fifty per cent. of the contract price, for the faithful performance thereof, and that all bids for said contracts shall be publicly opened and considered by the said commissioner of arid lands; and any person or persons, corporation or corporations, making bids which shall be accepted, shall be required to furnish a sufficient amount of water for the reclamation and irrigation of the lands lying under their canals, not less than one cubic foot of water per second of time to each 160 acres, and in ratio to each subdivision thereof, and the said lands shall be sold with a permanent water right, at a price not less than five dollars per acre, nor to exceed fifty dollars per acre, with an annual main-

tenance fee not to exceed one dollar and fifty cents per acre. The person or persons, corporation or corporations, whose bid shall be accepted, or their successors or assigns, shall own and must maintain all canals, flumes, dams and appurtenances for a term of at least fifteen years from the date of acceptance of the completed works, and thereafter the same shall revert to the land owners having the right to use water therefrom. That the successful bidder shall pay to the state for the privileges enjoyed in reclaiming and selling said lands, the price of seventy-five cents per acre, which sum shall be used to defray the expenses of the state in reclaiming the lands acquired under the acts of congress as aforesaid, and for reimbursing the state for the preliminary outlay in making surveys and selections of land necessary for the segregation of the same from the public domain, as provided for by the act of congress aforesaid.

SEC. 6. All titles to land sold by the said commissioner shall be given by the state, patent to be issued, signed by the governor, attested by the secretary of state, with seal of the state attached, upon proof by the settler that the terms of said act of congress have been fully complied with, said proof to be certified by the commissioner of arid lands, according to the requirements of the regulations of the department of the interior. State to give title.

SEC. 7. All moneys that may be received by the state from the sale and conveyance of such lands shall be kept in a separate fund, to be called the "irrigation fund," by the said treasurer, and shall never be used for any purpose except to reimburse the state for expenses incurred in reclaiming said arid lands, and for the purpose of reclaiming other desert lands in this state. Irrigation fund.

SEC. 8. That there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of sixteen thousand dollars for the purpose of carrying out the provisions of this act for the ensuing two fiscal years, and that upon the presentation of vouchers certified to by said commissioner of arid lands, the state auditor shall audit the same and draw his warrant for the proper Appropriation.

amount thereof upon the state treasurer, who shall pay the same.

Passed the house March 11, 1895.

Passed the senate March 13, 1895.

Approved March 22, 1895.

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## CHAPTER CLXVII.

[H. B. No. 491.]

### DEFINING THE DUTIES OF STATE VETERINARY SURGEON.

AN ACT providing for the creation of the office of state veterinary surgeon, and defining his duties

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

SECTION 1. There shall be and is hereby created the office of state veterinarian, which office shall be vested in the professor of veterinary science of the agricultural college and experiment station, who shall be chosen in the same manner as other members of the faculty and station staff of said college and station, and shall serve as state veterinarian without compensation in addition to the salary paid by the college and experiment station, except as hereinafter stated, paid by the college and experiment stations.

Qualifications  
of veteri-  
narian.

The veterinary surgeon shall be a graduate of some regular and established veterinary college and shall be skilled in veterinary science. He shall be a member of the state board of health, which membership shall be in addition to that now provided for by law. He shall be under the direction of the president of the state agricultural college and director of the experiment station and school of science, and perform such duties as the board of regents may prescribe. When actually engaged in the discharge of his official duties outside the said college and experiment station he shall receive, in addition to his salary, actual transportation expenses, which shall be presented to the president of the college under oath and covered with written vouchers