

SEC. 4. (RCW 36.75.090) All public highways in this state which have been a part of the route of a state highway and have been or may hereafter be no longer necessary as such shall, upon certification thereof by the director to the board of the county in which any portion of such highway is located, be and become a county road of such county, and upon such certification the director may certify to the governor the abandonment of such highways, giving a description thereof, and the governor may execute and the secretary of state shall attest and deliver to the county a deed of conveyance on behalf of the state to such abandoned highways or portions thereof.

Enacted without amendment.

Abandonment of state highway—become county road; procedure for.

Passed the House February 8, 1955.

Passed the Senate March 8, 1955.

Approved by the Governor March 21, 1955.

CHAPTER 362.

[H. B. 337.]

WATER RIGHTS—STORAGE DAMS, PLANS AND SPECIFICATIONS.

AN ACT relating to water and water rights and structures for the control and storage thereof, and amending section 36, chapter 117, Laws of 1917, as amended by section 1, chapter 107, Laws of 1939 and RCW 90.28.060.

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

SECTION 1. Section 36, chapter 117, Laws of 1917, as amended by section 1, chapter 107, Laws of 1939 and RCW 90.28.060 are each amended to read as follows:

Amendment.

Any person, corporation or association intending to construct or modify any dam or controlling works for the storage of ten acre-feet or more of water, shall before beginning said construction or modification, submit plans and specifications of the same to

Prerequisite to construction or modification of dam.

Plans submitted in duplicate.

Approved as to its safety.

Presumption of public nuisance.

Abatement proceedings.

the supervisor for his examination and approval as to its safety. Such plans and specifications shall be submitted in duplicate, one copy of which shall be retained as a public record, by the supervisor, and the other returned with his approval or rejection endorsed thereon. No such dam or controlling works shall be constructed or modified until the same or any modification thereof shall have been approved as to its safety by the supervisor. Any such dam or controlling works constructed or modified in any manner other than in accordance with plans and specifications approved by the supervisor or which shall not be maintained in accordance with the order of the supervisor shall be presumed to be a public nuisance and may be abated in the manner provided by law, and it shall be the duty of the prosecuting attorney of the county wherein such dam or controlling works, or the major portion thereof, is situated to institute abatement proceedings against the owner or owners of such dam or controlling works, whenever he is requested to do so by the supervisor.

Passed the House February 22, 1955.

Passed the Senate March 8, 1955.

Approved by the Governor March 21, 1955.