

two hundred and twenty-three thousand five hundred dollars for payment to members of the legislature and the president of the senate at the rate of twenty-five dollars per day, in lieu of subsistence and lodging while in attendance at the thirty-eighth legislative session.

SEC. 2. This act is necessary for the immediate support of state government and shall take effect immediately. Emergency.

Passed the Senate January 23, 1963.

Passed the House January 24, 1963.

Approved by the Governor January 25, 1963.

CHAPTER 3.

[H. B. 17.]

IRRIGATION AND RECLAMATION DISTRICTS.

AN ACT relating to irrigation and reclamation districts; amending section 4, chapter 275, Laws of 1943, as amended by section 2, chapter 165, Laws of 1957 and RCW 89.12.040; amending section 5, chapter 275, Laws of 1943, as last amended by section 3, chapter 165, Laws of 1957 and RCW 89.12.050; amending section 6, chapter 275, Laws of 1943, as amended by section 1, chapter 148, Laws of 1953 and RCW 89.12.060; repealing section 7, chapter 275, Laws of 1943, as amended by section 2, chapter 200, Laws of 1951 and RCW 89.12.070; repealing section 15, chapter 275, Laws of 1943, as amended by section 4, chapter 200, Laws of 1951 and RCW 89.12.130; adding a new section to chapter 89.12 RCW; and declaring an emergency.

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

SECTION 1. Section 4, chapter 275, Laws of 1943 as amended by section 2, chapter 165, Laws of 1957 and RCW 89.12.040 are each amended to read as follows:

In connection with a district contracting or intending to contract with the United States under this chapter, the secretary for the purpose of administer-

RCW 89.12.040 amended.

Irrigation, reclamation districts. Farm units authorized—Plats—Excess land.

ing the federal reclamation laws and of providing for the delivery of water thereto and the turnout therefor may segregate such lands, or any part thereof, into farm units, having in mind the character of soil, topography, location with respect to the irrigation system, and such other relevant factors as enter into the determination of the area and boundaries thereof. Plats showing the established farm units or revisions thereof when approved, may be filed by the United States for record with the auditor of the county in which the land is located. Lands in excess of the acreage in the amount specified by applicable federal law as not being excess lands held by any one landowner shall be deemed excess land.

RCW 89.12.050 amended.

SEC. 2. Section 5, chapter 275, Laws of 1943 as last amended by section 3, chapter 165, Laws of 1957 and RCW 89.12.050 are each amended to read as follows:

Contracts with U. S.— Permissible provisions.

A district may enter into repayment and other contracts with the United States under the terms of the federal reclamation laws in matters relating to federal reclamation projects, and may with respect to lands within its boundaries include in the contract, among others, an agreement that:

(1) The district will not deliver water by means of the project works provided by the United States to or for excess lands not eligible therefor under applicable federal law.

(2) As a condition to receiving water by means of the project works, each excess landowner in the district, unless his excess lands are otherwise eligible to receive water under applicable federal law, shall be required to execute a recordable contract covering all of his excess lands within the district.

(3) All excess lands within the district not eligible to receive water by means of the project works shall be subject to assessment in the same manner and to the same extent as lands eligible to receive

water, subject to such provisions as the secretary may prescribe for postponement in payment of all or part of the assessment but not beyond a date five years from the time water would have become available for such lands had they been eligible therefor.

(4) The secretary is authorized to amend any existing contract, deed, or other document to conform to the provisions of applicable federal law as it now exists. Any such amendment may be filed for record under RCW 89.12.080.

SEC. 3. Section 6, chapter 275, Laws of 1943 as amended by section 1, chapter 148, Laws of 1953 and RCW 89.12.060 are each amended to read as follows:

RCW 89.12.060
amended.

Any or all of the provisions which may be required to be included in recordable contracts may be made covenants running with any tract of land covered by the contract by expressly so providing therein. Recordable contracts expressly providing that any or all of such provisions shall be covenants running with the land covered thereby shall not be destroyed or extinguished by any tax or assessment foreclosure or deed issued pursuant thereto.

Covenants
running with
the land—
Contract
provisions.

Such of the limitations and provisions of RCW 89.12.050 as are included in the repayment contract between the district and the United States, shall govern all the lands within the district unless otherwise provided in such contract and shall govern notwithstanding any other provisions of the laws of this state.

SEC. 4. Section 7, chapter 275, Laws of 1943 as amended by section 2, chapter 200, Laws of 1951 and RCW 89.12.070 are each repealed.

Repeal.

SEC. 5. Section 15, chapter 275, Laws of 1943 as amended by section 4, chapter 200, Laws of 1951 and RCW 89.12.130 are each repealed and any adoption, enactment, or consent of this state to the provisions of the federal act, as amended, cited therein are hereby revoked.

Repeal—Prior
action
revoked.

New section.

SEC. 6. There is added to chapter 89.12 RCW a new section to read as follows:

Preservation of prior rights.

The rights of any vendee or grantee as defined in section 7 (b), chapter 275, Laws of 1943 as amended by section 2(b), chapter 200, Laws of 1951 and in RCW 89.12.070(2) are hereby preserved as to any transactions that were consummated by contract or deed prior to the repeal of said sections by this chapter.

Emergency.

SEC. 7. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House January 25, 1963.

Passed the Senate February 1, 1963.

Approved by the Governor February 6, 1963.