

RCW 90.03.635 Water rights adjudication—Filing of evidence.

(1) Within the date set by the court for filing evidence, each claimant shall file with the court evidence to support the claimant's adjudication claims. The court is encouraged to set a date for filing evidence that is reasonable and fair for the timely processing of the adjudication. The evidence may include, without limitation, permits or certificates of water right, statements of claim made under chapter 90.14 RCW, deeds, documents related to issuance of a land patent, aerial photographs, decrees of previous water rights adjudications, crop records, records of livestock purchases and sales, records of power use, metering records, declarations containing testimonial evidence, records of diversion, withdrawal or storage and delivery by irrigation districts or ditch companies, and any other evidence to support that a water right was obtained and was not thereafter abandoned or relinquished. The evidence filed may include matters that are outside the original adjudication claim filed, and within the date set by the court for filing evidence, the claimant may amend the adjudication claim to conform to the evidence filed. Thereafter, except for good cause shown, a claimant may not file additional evidence to support the claim.

(2) For an adjudication filed in water resource inventory area 1 after June 1, 2023, the latest date for filing evidence to support the claimant's adjudication claims shall be no less than three years after the date for the filing of adjudication claims by a party set by the court under RCW 90.03.120, unless special rules of procedure established by the court pursuant to RCW 90.03.160(3) provide for a later date. Simplified procedures for claimants of small uses of water under RCW 90.03.160(3) are not subject to this provision. [2023 c 160 s 5; 2009 c 332 s 8.]

Application—2009 c 332: See note following RCW 90.03.110.