

**RCW 85.28.060 Summons to landowners—Contents and form.** Upon the filing of the report of the viewers aforesaid, a summons shall be issued in the same manner as summons are issued in civil actions, and served upon each person owning or interested in any lands over which the proposed ditch or drain will pass. Said summons must inform the person to whom it is directed of the appointment and report of the viewers; a description of the land over which said ditch will pass of which such person is the owner, or in which he or she has an interest; the width and depth of said proposed ditch, and the distance which it traverses said land, also an accurate description of the course thereof. It must also show the amount of damages to said land as estimated by said viewers; and that unless the person so summoned appears and files objections to the report of the viewers, within twenty days after the service of said summons upon him or her, exclusive of the day of service, the same will be approved by the court, which summons may be in the following form:

In the Superior Court of the State of Washington, for . . . . .  
County.

In the matter of the application of . . . . . for a private ditch.

The state of Washington to . . . . .

Whereas, on the . . . . day of . . . . . (year) . . . . filed his or her petition in the above entitled court praying that a private ditch or drain be established across the following described lands, to wit: . . . . .

. . . . .  
for the purpose of draining certain lands belonging to said . . . . ., and whereas, on the . . . . day of . . . . ., (year) . . . ., Messrs. . . . . and . . . . with . . . . . \*county surveyor of . . . . . county, were appointed to view said premises in the manner provided by law, and said viewers having, on the . . . . day of . . . . ., (year) . . . ., filed their report in this court, finding in favor of said ditch and locating the same upon the following course: . . . . . for a distance of . . . . . upon said land, and of a width of . . . . feet and a depth of . . . . feet; and they further find that said land will be damaged by the establishing and construction of said ditch in the sum of \$. . . .: Now therefore, you are hereby summoned to appear within twenty days after the service of this summons, exclusive of the day of service, and file your objections to said petition and the report of said viewers, with this court; and in case of your failure so to do, said report will be approved and said petition granted.

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Plaintiff's Attorney.

P.O. Address .....

[2016 c 202 § 50; 2013 c 23 § 442; 1899 c 125 § 6; RRS § 4399. Formerly RCW 85.28.060 and 85.28.070.]

**\*Reviser's note:** "county surveyor," see note following RCW 85.28.040.