

WAC 332-14-150 Procedure where surface rights encumbered. The holder of a coal option contract or a coal lessee shall have a right of action in the superior court of the county in which the premises are located to ascertain and determine the amount of damages, if any, which will accrue to the holder of surface rights by reason of the exercise of any of the exploratory, prospecting or mining rights conveyed by the department if agreement cannot be reached regarding damages. The term of any coal option contract or coal mining lease shall begin thirty days after the entry of the final judgment in such action, if the action has been pursued with due diligence.

[Statutory Authority: RCW 79.01.668. WSR 85-10-040 (Order 443), § 332-14-150, filed 4/29/85.]