NOTE: These instructions provide additional information to help you complete the Court Claim Form. They are not intended as legal advice and do not change the law. Failure to submit a claim may result in the delay, denial, or loss of your claim.

GENERAL INSTRUCTIONS FOR COURT CLAIM FORM:

- The form has 4 (four) parts:
  - **Part A (Claimant Information)** required for everyone who fills out the form.
  - **Part B (Small Domestic Groundwater Use)** for single homes using wells.
  - **Part C (All Other Use)** for larger domestic, group residential, agricultural, municipal, commercial, and all other water uses.
  - **Part D (Signature)** required for everyone who fills out the form.

- This form is best completed online. Use the following link: https://www.whatcomcounty.us/4391/Water-Adjudication-Resources.

  If you are unable to file online, you may provide a paper copy to the Whatcom County Superior Court with payment. A $25.00 fee is due at the time of filing. If you cannot pay the fee, you may apply for a fee waiver at the Whatcom County Superior Court Clerk's office. Please see below for details (page 14).

- More information and additional court claim forms can be found at: https://ecology.wa.gov/nooksack-adjudication

- Assistance is available by:
  - Phone at 360-255-4406.
  - Email at wradjudications@ecy.wa.gov.

If you need help understanding this information, we provide free translation and interpretation services, as well as Braille and ASL for people with disabilities. To request these services, call 360-255-4406.

Si necesita ayuda para entender esta información, ofrecemos servicios gratuitos de traducción e interpretación, así como Braille y ASL para personas con discapacidades. Para solicitar estos servicios, llame al 360-255-4406.

Если вам нужна помощь в понимании этой информации, мы предоставляем бесплатные услуги письменного и устного перевода, а также информацию шрифтом Брайля и на американском языке жестов (American Sign Language, ASL) для людей с инвалидностью. Чтобы запросить эти услуги, позвоните по телефону 360-255-4406.

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਜਾਣਕਾਰੀ ਨੂੰ ਸਮਝਣ ਵਿੱਚ ਮਦਦ ਦੀ ਲੋੜ ਹੈ, ਅਸੀਂ ਮੁਫ਼ਤ ਅਨੁਵਾਦ ਅਤੇ ਵਿਆਖਿਆ ਸੇਵਾਵਾਂ ਪ੍ਰਦਾਨ ਕਰਦੇ ਹਾਂ, ਅਤੇ ਨਾਲ ਹੀ ਅਸਮਰਥ ਲੋਕਾਂ ਲਈ ਬ੍ਰੇਲ ਅਤੇ ਅਮਰੀਕੀ ਸੰਕੇਤ ਭਾਸ਼ਾ (American Sign Language, ASL) ਵੀ ਉਪਲਬਧ ਹਨ। ਇਹਨਾਂ ਸੇਵਾਵਾਂ ਦੀ ਬੇਨਤੀ ਕਰਨ ਲਈ, 360-255-4406 'ਤੇ ਕਾਲ ਕਰੋ।

Contents

COMPLETING THE COURT CLAIM FORM 3
Who needs to file a Court Claim Form? 3
Which part of the Court Claim Form do I complete? 3
PART A INSTRUCTIONS 4
A1. Who is claiming water? 4
PART B INSTRUCTIONS 5
B1. History of beneficial use of water 5
B2. Is this for domestic use under the groundwater permit exemption? 6
B3. Quantity of water use 6
B4. Well information 6
B5. Location of well 6
B6. Where is water used? 7
B7. Remarks or explanations 7
PART C INSTRUCTIONS 8
C1. Legal basis of water right 8
C2. When did water use begin? 8
C3. Source of water 9
C4. Surface water source information 9
C5. Groundwater well information 9
C6. Location of well or diversion 10
C7. Where is water used? 10
C8. Purpose of use and quantity 11
C9. Remarks or explanations 14
PART D INSTRUCTIONS 14
PART E LEGAL AUTHORITIES 15

COMPLETING THE COURT CLAIM FORM

Who needs to file a Court Claim Form?

The adjudication affects certain areas of Whatcom and Skagit counties known as Water Resource Inventory Area (WRIA) 1. All users of surface or groundwater in WRIA 1 must fill out and submit a court claim to verify their legal right to use water.

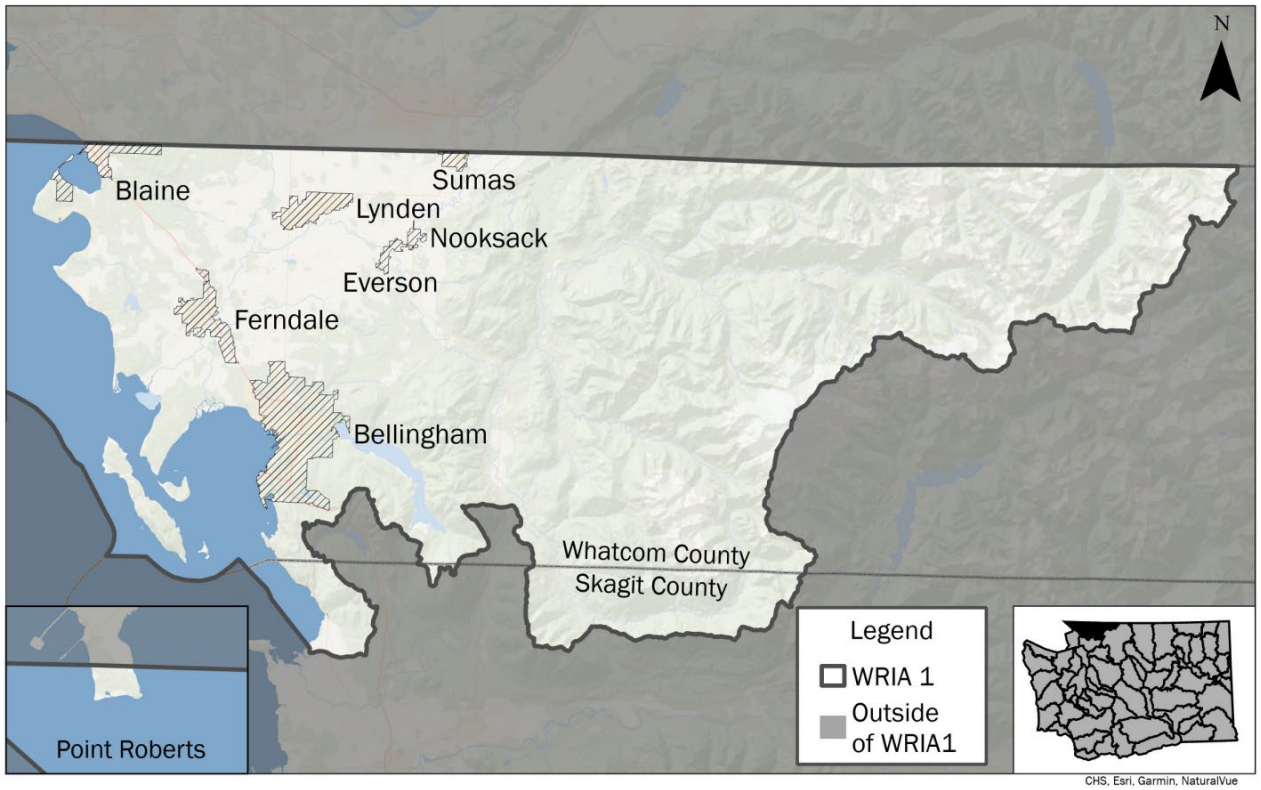
To confirm that your property is located in WRIA 1, you may check using the following link:

https://appswr.ecology.wa.gov/AdjudicationWebMap/

or call the assistance number: 360-255-4406.

If you only use water as a customer of a water system (for example, you pay a water bill to a city or town) you do not need to file a court claim for that use. If you are responsible for a group use of water, see subsection C8 “Domestic residential use including group residential.”

Figure 1. Map of Water Resources Inventory Area (WRIA) 1



Which part of the Court Claim Form do I complete?

The form has 2 (two) parts to choose from – Part B and Part C. All Claimants must fill out Part A and sign Part D.

Use Part B for home water use only if the home water use meets all these criteria:

- You withdraw groundwater from an existing permit-exempt well.
- You use no more than 500 (five hundred) gallons per day (gpd) for indoor domestic use such as cooking, bathing, laundry, and pets.
- Your outdoor watering (lawn or garden) totals no more than ½ (one half) of an acre (21,780 [twenty-one thousand seven hundred and eighty] square feet).

If there is no other water use on this property, complete Part B of the form, then proceed to Part D, sign it, and return it to Whatcom County Superior Court, regardless of the county where water is used.

Use Part C if:

- The criteria in Part B doesn't apply to your water use(s).
- Multiple homes on different parcels share a source of water.

Then proceed to Part D, sign it, and return it to Whatcom County Superior Court, regardless of the county of water use.

NOTE: If you are claiming multiple water rights and are seeking multiple water right certificates, you must submit a separate claim form for each claimed water right, including permit exempt uses. If you have both a home and one larger water use, you may fill out both Parts B and C on the same form. If you have more than one Part B water use or more than one Part C water use, you will need to submit these on additional Court Claim Forms.

PART A INSTRUCTIONS

A1. Who is claiming water?

Everyone claiming the right to use water in WRIA 1 needs to complete and submit a Court Claim Form to protect their legal right to use water.

- If you are the sole owner of property where groundwater is withdrawn and used, fill out the form as Claimant 1.
- If you share ownership of this property with others, see "multiple owners" below.
- If water is withdrawn from a different parcel than where it is used, only list the landowner(s) of the sites. Depending on if you fill out Part B, C, or both, describe the withdrawal location in section B5 or C6 and the use location in section B6 or C7.

What if I'm filing this claim for a business, government, or other entity?

If this water is claimed by a tribe, municipality, business, corporation, partnership, LLC, LLP, or other corporate form or nonprofit, enter the legal name of the entity as Claimant 1.

An authorized representative must sign the Court Claim Form at the end and write in their title.

What if there are multiple owners of this property?

If the parcel(s) where water is used is owned by more than 1 (one) person or group, you should complete a Court Claim Form together. Each of you need to sign as separate Claimants (Claimant 1, Claimant 2, and more if needed). Examples include:

- Both partners in a marriage or a legal domestic partnership should sign as separate Claimants.
- Multiple owners of the same property should sign as separate Claimants. If they are organized together as a partnership, nonprofit, or other association, follow instructions for "business or entity" above.

To submit 1 (one) form with multiple individuals or entities as Claimants, 1 (one) person will sign as **Claimant 1**, the second as **Claimant 2,** and all other Claimants will file as **Additional Claimants**. If there are more than 2 (two) Claimants, attach additional pages to submit each name and all other requested Claimant information.

PART B INSTRUCTIONS

Part B is intended for small residential uses on a single property using a permit-exempt well. If water from 1 (one) well is used for more than 1 (one) home on the same parcel, these may be combined in Part B if the total use is under 500 (five hundred) gallons per day (gpd) and ½ (one half) acre of outdoor watering. Otherwise, submit a separate form for each home.

If there is a single well shared by multiple homes, each homeowner may separately fill out Part B unless they operate together as a group water system. For group water systems, whether or not you rely on the permit exemption, complete **Part C and review guidance in Part A to identify Claimants**.

NOTE: Part B of the Court Claim Form is provided for the convenience of homes on wells. It is not a guarantee to a water right up to 500 (five hundred) gpd or ½ (one half) acre outdoor watering. You may be asked to provide additional information at a later date. Other laws may apply to your water use. Final decisions in the adjudication will be made by the Court.

B1. History of beneficial use of water

The simplest way to determine the first beneficial use is to find the date a house was first built on the property. You may submit the first date even if the current well or home structure are not the originals.

If you do not know the date a home was first built, the date may be available from County Assessor records. Search by owner name, address, account number, or parcel number to find the location subject to this form.

Whatcom County records are available here: https://property.whatcomcounty.us/

- Enter your information, click "View Details" on the right, scroll down, and click the "Improvement/Building" banner.

Skagit County records are available here: https://www.skagitcounty.net/Search/Property/

- Enter your information and scroll down to “Year Built.”

More information may also be found from aerial photographs available here:

https://appswr.ecology.wa.gov/AdjudicationWebMap/

B2. Is this for domestic use under the groundwater permit exemption?

Domestic use is water associated with human health and welfare needs, such as drinking, cooking, sanitary purposes, and other incidental uses at a home.

This use includes domestic animals associated with a home, such as household pets. If you use more than 500 (five hundred) gpd for domestic uses, proceed below and fill out Part C. If you claim the groundwater permit exemption for stockwater, use Part C to describe the stockwater use.

Part B of the Court Claim Form is for outdoor watering or irrigation from a well for a personal lawn or garden of up to ½ (one half) of an acre (21,780 [twenty-one thousand seven hundred and eighty] square feet), in addition to the 500 (five hundred) gpd maximum indoor use. If you use more than 500 (five hundred) gpd for domestic use or over ½ (one-half) acre of personal outdoor watering, proceed below and fill out Part C.

B3. Quantity of water use

You may determine whether your water use is 500 gpd or less by measuring or by estimating. A meter is not required to complete this form.

Additional help with estimating use is available at: https://www.whatcomcounty.us/4420/Water-Use-Estimators regardless of the county of water use. If you believe a different quantity is more accurate, include that information instead.

B4. Well information

Most groundwater is withdrawn using wells. Ecology’s Well Report Viewer (https://appswr.ecology.wa.gov/wellconstruction/map/WCLSWebMap/default.aspx) contains well logs submitted by well drillers. However, not all drilled wells have reports listed.

- If your well is recorded, the report has important information to help submit this claim form, including well depth and tag number (e.g., AAA123).
- If your well is not recorded, you still need to file a form with as much information as you have.

Some older wells are “dug” wells constructed through excavation, not drilling. If you withdraw groundwater from a dug well, you still need to file a form with as much information as you have.

You may withdraw water using multiple wells at different locations. If you already refer to these wells by different names, add them here. Otherwise, you may indicate different wells with different letters or numbers.

B5. Location of well

“Parcel number” is the county record number for the property. All land has an associated parcel number. You need to know the parcel number to complete this form. The parcel number

may be available from County Assessor records. Search by owner name, address, or account number to find the location subject to this form.

In Whatcom County:

- This may also be called the Geo ID number or “Geo Parcel Number.”
- This number is 12 (twelve) or 16 (sixteen) digits and can be found here: https://www.arcgis.com/apps/webappviewer/index.html?id=f2f8eaa500b04f54948c680bb280129f or https://property.whatcomcounty.us/.

In Skagit County:

- This number is 5 (five) or 6 (six) digits, usually starting with P, and can be found here: https://www.skagitcounty.net/Search/Property/.

“Street address” is the physical location of the parcel given as a number with the name of a street or road. This information is requested to ensure accuracy. If this parcel does not have a street address, you may answer “N/A” or “not available.”

“Legal description” is a narrative description of a parcel. The legal description may be available in county records (https://property.whatcomcounty.us/ or https://www.skagitcounty.net/Search/Property/) or in real estate transaction or title documents. If you do not know it, enter “not known” or “N/A.”

Often, water is withdrawn from a different parcel than the parcel where it is used. Sometimes the well or diversion location is held by a different owner. You must submit a Court Claim Form for water used on land you own. If the withdrawal is located on land owned by someone else, include that person’s name in the space provided.

If you have multiple withdrawals, add this information for each one. Refer to them by the name(s) you identify in section A5.

B6. Where is water used?

This section is for the location of the home and property of your water use. If it is the same parcel as listed above, please enter the information again in this section.

For information on **“Parcel number,” “Street address,”** and **“Legal description,”** see section B5.

The Court Claim Form is for water used on land you own. If you share ownership of this parcel with anyone else, see the instructions in Part A for “multiple Claimants.”

B7. Remarks or explanations

Please use this section for any additional information you would like the Court to consider as part of your adjudication claim.

PART C INSTRUCTIONS

C1. Legal basis of water right

Part C of the Court Claim Form asks whether you have a water right document. You can find your water right documents at: https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-rights-search.

- Water right documents often do not reflect the name of the current owner. You do not need to include the name of the original owner on your form.
- A documented water right may include several different documents (such as an application, permit, and certificate) with the same number. You only need to enter the number 1 (one) time on each form.
- Your water use may be supported by a chapter 90.14 RCW historical registry claim (Documents entitled "Water Right Claim" dated between 1967 and 1998). Refer to the claim document by date and number.

NOTE: If your water use has multiple water rights with different numbers, you will need to submit separate Court Claim Forms using Part C for each documented right.

While most new water uses in Washington require a permit before water use is allowed, some uses of groundwater are allowed without a permit. These are known as "permit-exempt" withdrawals. The groundwater permit exemption, outlined in RCW 90.44.050, allows for these purposes:

- Domestic water use, up to 5,000 (five thousand) gallons per day (gpd).
- Irrigation of a lawn or non-commercial garden ½ (one half) and acre or less in size.
- Industrial use of water, including some commercial farming, up to 5,000 (five thousand) gpd.
- Stockwater (water for livestock animals) without limitation.

If you claim water under the permit exemption, other than any claim in Part B above, indicate that in your response in section C1.

What if I do not qualify for the permit exemption?

If you do not have a water right document and your use does not qualify for a permit exemption, you can still ask the Court to consider your water use in the adjudication. You will need to indicate "other" as your answer in section C1. You will then need to present your evidence and reasoning to the Court.

C2. When did water use begin?

The law requires you to provide information about the history of your water use to support your claim. Ecology will consider this information, along with any document dates, when reporting water priority dates for the Court's review.

Construction of withdrawal or diversion works: This refers to the first drilling of a well or construction of a surface water diversion. This could be a gate, valve, pump, pipe or other constructed works. If you know when construction began and was completed, enter those dates here. The date of construction may be before you owned the property. If you have a well log, the log will list the date a well was drilled. This may not be the earliest date of water use. This may be a replacement well and was not the original use. In that case, enter the earlier date, if known.

Date the first steps were taken to put the water to beneficial use: This refers to the use of the water for the listed purpose. If you have a Proof of Appropriation document, you may use the date listed as "beneficial use." If you have a Water Right Claim document from the claims registry, you may use the date entered as "Date of First Putting Water to Use." If you do not have this information, provide as much information as you have at this time.

NOTE: Document priority dates: The legal priority of your water may relate back to the date on a document. This may not be the same date as the date you submit in section C2. If you have a water right document, be sure to add this document number in section C1.

C3. Source of water

"Surface water"- If you divert or collect water from a river, stream, creek, lake, spring, or reservoir, then you are using water above the land surface.

"Groundwater" - If you use a well to access water, then you are using water beneath the land surface.

If you have a water right document, it should (but may not always) specify your source of water.

C4. Surface water source information

"Source name" is the name of the river, stream, creek, lake, spring, or reservoir you take this water from. If this water does not have a name, you may enter "unnamed" or "N/A."

"Tributary to" means a water body that this water runs into. If you use water from a stream, it may be upstream of a larger stream or river. The smaller, upstream water is tributary to the downstream water.

"Diversion works" means the pump or other mechanism that diverts water from the source. If you only use a single diversion work, you do not need to name it. You may divert water using multiple diversion works at different locations. If you already refer to these works by different names, list each one. Otherwise, you may indicate different diversion works with different letters or numbers.

C5. Groundwater well information

Most groundwater is withdrawn using wells. Ecology's Well Report Viewer (https://appswr.ecology.wa.gov/wellconstruction/map/WCLSWebMap/default.aspx) contains well logs submitted by well drillers. However, not all drilled wells have reports listed.

- If your well is recorded, the report has important information to help to submit this claim form, including well depth and tag number.
- If your well is not recorded, you still need to file a form with as much information as you have.

Some older wells are "dug" wells constructed through excavation, not drilling. If you withdraw groundwater from a dug well, you still need to file a form with as much information as you have.

You may withdraw water using multiple wells at different locations. If you already refer to these wells by different names, add them here. Otherwise, you may indicate different wells with different letters or numbers. If you only have 1 (one) well, you do not need to name it.

C6. Location of well or diversion

"Parcel number" is the county record number for the property. All land has an associated parcel number. You need to know the parcel number to complete this form. The parcel number may be available from County Assessor records. Search by owner name, address, or account number to find the location subject to this form.

In Whatcom County:

- This may also be called the Geo ID number or "Geo Parcel Number."
- This number is 12 (twelve) or 16 (sixteen) digits and can be found here: https://www.arcgis.com/apps/webappviewer/index.html?id=f2f8eaa500b04f54948c680bb280129f or https://property.whatcomcounty.us/.

In Skagit County:

- This number is 5 (five) or 6 (six) digits, usually starting with P, and can be found here: https://www.skagitcounty.net/Search/Property/.

"Street address" is the physical location of the parcel given as a number with the name of a street or road. This information is requested to ensure accuracy. If this parcel does not have a street address, you may answer "N/A" or "not available."

"Legal description" is a narrative description of a parcel. The legal description may be available in county records (https://property.whatcomcounty.us/ or https://www.skagitcounty.net/Search/Property/) or in real estate transaction or title documents. If you do not know it, enter "not known" or "N/A."

Often, water is withdrawn or diverted from a different parcel than the parcel where it is used. Sometimes the well or diversion location is held by a different owner. You must submit a Court Claim Form for water used on land you own. If the withdrawal or diversion is located on land owned by someone else, include that person's name here.

If you have multiple withdrawals or diversions, add this information for each one. Refer to them by the name(s) you identify in section C4 and/or C5.

C7. Where is water used?

This section is for the location of your water use.

For information on **"Parcel number," "Street address,"** and **"Legal description,"** see section C6.

NOTE: If this water right involves multiple parcels owned by different users, each user should submit a separate Court Claim Form for their use. This often happens when properties with water rights are divided and sold over time. It may be helpful for you to contact the other owners to learn about the history of water use under this right. Each owner is responsible for describing their own claimed water use. The Department of Ecology will review all claims together and recommend to the Court how to divide the original right. You or any other owner who disagrees with Ecology's recommendation may object with the Court. The Court will make the final decision.

C8. Purpose of use and quantity

This Court Claim Form is your request to the Court to recognize your claimed water use for the quantity, purpose, place, and date claimed. If you use more than 1 (one) water right (or more than 1 [one] permit exemption) on this parcel or in related operations, you need to complete separate forms for each use. This will allow the Court to fairly consider the history of each use and identify the appropriate priority date, quantity, and purpose for each water right.

General Water Use

For the purposes of this form, identify the purpose of water use first and then list the quantity of water used for that purpose. This will allow you to include the necessary information relevant to each different use. Ecology recommends using the following definitions to determine your water use.

NOTE: The measure (size) of adjudicated water rights in this court process will be determined by legal beneficial use: where, how much, and when water has been used. Ecology will review your claim and make recommendations about your water right to the Court. You will be notified and have an opportunity to object. The Court will make all final decisions.

- **Current use:** The quantity of water used at the time of filing your claim or within the last season of full use.
- **Highest use:** The most water ever used under this water right. If you have a *water right certificate* or *proof of appropriation* for this use, the quantity listed here is usually the highest amount of water legally used. You may not be entitled to an adjudicated right for your highest water use. Ecology may recommend, upon review of your water right, that some of the water has been relinquished (lost) through more than 5 (five) years of nonuse. Whether or not you believe your right has been relinquished for nonuse, please include the highest use on the form here. The Court will make all final decisions.
- **Claimed use:** This is the amount of water you are asking the Court to adjudicate. This could be your current use, your highest use, or a number in between.
- **Annual quantity:** How much water is used per year, expressed in acre-feet per year.
- **Instantaneous quantity:** How much water is taken from the source, in gallons per minute or cubic feet per second.

Measuring Water Quantity

Water use may be measured directly or be estimated. A water meter is the most accurate way to know how much water you use. Ecology requires meters for many water right holders, but not all of them. If you have a water right document, you should read it carefully to see whether you are required to meter your use. If you are not required to have a water meter, you do not need a meter to measure your use to complete this form.

Metering information can be found by following this link:

https://ecology.wa.gov/water-metering.

Additional help with estimating use is available at:

https://www.whatcomcounty.us/4420/Water-Use-Estimators

regardless of the county of water use. If you believe a different quantity is more accurate, include that information instead.

Irrigation

Irrigation is water made available generally for agricultural purposes.

For large uses, metering will likely be easier and more accurate than estimating. Estimating water use is allowed; however, it does not provide the highest level of accuracy. If you choose to estimate your irrigation water use, consider the following information:

- The number of acres irrigated.
- The type of crops grown, and the water duty of crops irrigated in your area. Different crops require different amounts of water.
- The weather, timing, and amount of rain in your part of the watershed.
- The season of irrigation (what weeks during each year water is used).
- The efficiency of your irrigation system. Less water is used by highly efficient systems, such as drip irrigation. More water is used by inefficient systems.

Technical assistance is available to assist with meter use estimates here: https://www.whatcomcounty.us/4420/Water-Use-Estimators. This can be used regardless of the county of water use.

Stockwater

Stockwater is water for livestock, such as cattle. Ecology does not consider this to include irrigation, even when the crops irrigated are used for livestock consumption. If you grow crops for livestock consumption, Ecology will consider that water use under “irrigation” as described above. If you disagree with these definitions, it is important to still submit a Court Claim Form so that the Court can consider your water use. The Court will make all final decisions.

Groundwater used for stockwater is exempt from permitting requirements. The permit exemption for stockwater does not have a limitation. To keep your legal right to use permit-exempt stockwater, you must file a court claim form. This form asks permit-exempt stockwater users to estimate their historical quantity of use so that Ecology can make a recommendation to the Court. The Court will make all final decisions.

Other commercial / industrial use not listed above

Commercial and industrial is water for commerce and industry not claimed as water for irrigation. This includes cannery operations, food processing and packaging, sand and gravel processing, asphalt plants, lumber, shingle or plywood milling, metal processing and manufacturing, aquatic plant culture, petroleum refining, beverage manufacturing, car washing, laundries, and any other commercial or industrial purposes.

Domestic use including group residential

Domestic use is water associated with human health and welfare needs, such as drinking, cooking, sanitary purposes, and other incidental uses at a home. This use includes domestic animals associated with a home, such as household pets, and outdoor watering or irrigation for a personal lawn or garden.

If you live in an area where multiple homes operate under a single water right, including a

Group B water system, your group has options for completing Part C of the form:

- A representative of the water system, such as a manager, completes the form on behalf of the group. This will usually be the best approach for larger groups and may be required by group bylaws or other agreements; or
- All members sign the same form as separate Claimants. This approach may work best for smaller groups. If you share a water source with others who do not agree to sign a claim form with you, you may include their address in section C7.

Municipal use

If you are a local government or a service district defined as a Group A water system, you should claim water as a municipality. If you are a Group B water system (14 or fewer residential connections) that only provides water to homes, you should submit your claim under “Group residential.”

Municipalities often hold multiple water rights. Submit a separate Court Claim Form for each right. This will allow the Court to consider the history of each right and determine the appropriate quantity, purpose, and priority date of each.

Municipalities are generally required to have a Water System Plan on file at the Department of Health (DOH). Please reference the most current DOH approved plan by name and date. You do not need to attach the plan to this claim form.

The Court will make all final decisions.

Hydropower

Hydropower includes water for power generation, whether it is subject to other state or federal licensing laws.

A “bypass reach” is an area of a waterway between a point of diversion for hydroelectric use and the point of return to the waterway downstream. If you divert water from a natural stream course for hydropower, describe the length and location of the diversion and return points.

Surface water use in hydroelectric projects is nonconsumptive when the water is not diverted away from the natural confines of the river or stream channel (“run-of-the-river”). For non-diversionary hydropower uses, identify the maximum instantaneous quantity in cubic feet per second (cfs).

Surface water use may also be nonconsumptive when water is diverted, then returned to the same point of diversion (with no bypass reach), in the same quantity as diverted, and with no change in water quality. For nonconsumptive use of hydropower, identify the maximum instantaneous quantity in cfs.

If your hydropower water right document also includes a right for water storage, please list that under “storage.”

If your water right document for hydropower does not include an annual quantity, leave “annual quantity” blank.

Storage

If you store more than 10 (ten) acre-feet of water in a retention structure, or water to a depth of ten or more feet at its deepest point as described in WAC 508-12-260, indicate “storage” as the purpose of use of the water right and describe your retention structure here.

If you use water for another purpose but impound of less than 10 (ten) acre-feet of that water as a “small irrigation impoundment” under RCW 90.03.370(8), you do not need to claim storage as a purpose of us of this water right.

Water used for storage does not require an instantaneous quantity.

Other

If you claim a right to water for any other purpose, including instream flow, please describe your claim here. Please include the following, as applicable:

- Purpose of use
- Date of first beneficial use
- Highest historical instantaneous and annual quantities
- Current and instantaneous and annual quantities
- Claimed instantaneous and annual quantities
- Highest historical area of irrigation (if any)
- Current area of irrigation (if any)
- Claimed area of irrigation (if any)
- Seasonal period of use (if any)

C9. Remarks or explanations

Please use this section for any additional information you would like the Court to consider as part of your adjudication claim.

PART D INSTRUCTIONS

How do I sign the Court Claim Form?

All Claimants (entered as Claimant 1, Claimant 2, and more if necessary) need to sign the form. If you submit a Court Claim Form for an organization, such as a business or group water system, sign your name and enter your title on the line.

Your signature is verified on oath. Your form is under penalty of perjury and does not need to be notarized.

Email address

Please include your email address if you have one. Use an email address of an account you can check regularly. This email address may be used for the Court, Ecology, and other parties to send you documents and important notices about the adjudication.

Filing this form. File this form in Whatcom County Superior Court regardless of the county of water use. This form is best filed online.

To file online:

Visit https://www.whatcomcounty.us/4391/Water-Adjudication-Resources to file online. There are two options for e-filing:

1) Follow the Court’s “Guide and File” instructions to answer questions and generate a form for e-filing, ***or***

2) Complete this document on your own and upload the file following e-filing instructions.

To file a paper copy:

- Hand-deliver a signed original Court Claim Form to Whatcom County Superior Court. Payment of $25.00 may be made in person by cash, cashier's check, money order, credit card or debit card. If you cannot pay the fee, you may apply for a fee waiver in person.

  Whatcom County Superior Court
  311 Grand Avenue, Suite 301
  Bellingham, WA 98225

- If you cannot hand-deliver your Court Claim Form, call 360-255-4406 for assistance.
- The Court and Ecology will maintain copies of all claims filed, but you may keep a copy for your personal records.

What happens after I submit this form?

You will have until the date listed on your Summons to file this form with the Whatcom County Superior Court, regardless of the county of water use. If you find evidence later changing your answers to this form, there will be an opportunity for you to amend this form.

After the submission deadline, Ecology will review your form. Later, Ecology will make a recommendation about your claim to the Court. The Court will make all final decisions.

PART E LEGAL AUTHORITIES

Legal Authority	Section
RCW 90.03.140(1)(a)	A1
RCW 90.03.140(1)(c), (d)	B1
RCW 90.03.140(1)(b), (j)	B2
RCW 90.03.140(1)(b), (l)	B3
RCW 90.03.140(1)(i), (k)	B4
RCW 90.03.140(1)(h)	B5
RCW 90.03.140(1)(g), (h)	B6
RCW 90.03.140(1)(j), (k)	C1
RCW 90.03.140(1)(c), (d)	C2
RCW 90.03.140(1)(i)	C3
RCW 90.03.140(1)(i)	C4
RCW 90.03.140(1)(i)	C5
RCW 90.03.140(1)(h)	C6
RCW 90.03.140(1)(g)	C7
RCW 90.03.140(1)(b), (e), (f), (l)	C8