



STATE OF WASHINGTON  
**APPLICATION FOR CHANGE/TRANSFER  
 OF WATER RIGHT**

8 MAY 12 10 56 AM '08  
 DEPT. OF ECOLOGY  
 FISCAL & BUDGET

For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- Change purpose(s) of use
- Add purpose(s) of use
- Change point(s) of diversion/withdrawal
- Add point(s) of diversion/withdrawal
- Change/transfer place of use
- Other (i.e. consolidation, intertie, trust water)

Explain: \_\_\_\_\_

FOR OFFICE USE ONLY	
CHANGE No.	061-00694C WRIA 1
DATE ACCEPTED	5 / 12 / 08 BY ok
FEE \$	50- REC'D 5 / 12 / 08
CHECK No.	4457484917
ECY Coding:	001-002-WR10285-000011
SEPA:	<input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Not exempt
	RET 5/19/08

**\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\***

**1. Applicant Information:**

APPLICANT/BUSINESS NAME Rathbone Park Water Associaton	PHONE NO. (360)354-0586	CELL NO. (360)920-5049
ADDRESS 821 Parklyn WAY		
CITY Ferndale	STATE WA	ZIP CODE 98248

CONTACT NAME (IF DIFFERENT FROM ABOVE) Same as above	PHONE NO. ( )	FAX NO. ( )
ADDRESS		
CITY	STATE	ZIP CODE

**2. Water Right Information:**

WATER RIGHT OR CLAIM NUMBER Gi-00694C	RECORDED NAME(S) Rathbone Park Water Association
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

**Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.**

**3. Point(s) of Diversion/Withdrawal:**

**A. Existing**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
<b>WELL</b>	<b>1</b>	<b>SW</b>	<b>NW</b>	<b>26</b>	<b>40</b>	<b>2E</b>	<b>400226 121306 0000</b>	

**B. Proposed**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
	<b>1</b>	<b>SW</b>	<b>SW</b>	<b>21</b>	<b>40</b>	<b>3</b>		

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?  
 EXISTING:  YES  NO      PROPOSED:  YES  NO – IF NO, PROVIDE OWNER(S) NAME:  
**CITY OF LYNDEN**

*Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.*

**4. Purpose of Use:**

**A. Existing**

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
<b>Community Domestic supply</b>	<b>85</b>	<b>59.4</b>	<b>Continuous</b>
<b>65 homes</b>			

**B. Proposed**

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
<b>Community Domestic supply</b>	<b>46</b>	<b>29.7</b>	<b>Continuous</b>
<b>65 homes</b>			

**5. Place of Use:**

**A. Existing**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
<b>Division 1 and 2, plat of Rathbone Park, Whatcom County, Washington,</b>							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
<b>SW</b>	<b>NW</b>	<b>26</b>	<b>40</b>	<b>2</b>	<b>Whatcom</b>		<b>X244, y634</b>

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE?  YES  NO – IF NO, PROVIDE OWNER(S) NAME:

**B. Proposed**

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?  
 YES  NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

6. Remarks and Other Relevant Information:

**This transfer is necessary to provide the best long term water supply to our community as our current supply has high nitrates. The Dept. of Health has mandated mitigation to remove nitrates. This mitigation would cost our association \$500,000+ to complete and \$ 1.5 million over 20 years; it will only last 20 years. We feel this tranfer to Lynden will outlast any other option as we see the water supply around become contaminated.**

IF FOR SEASONAL OR TEMPORARY, START DATE \_\_\_/\_\_\_/\_\_\_ END DATE \_\_\_/\_\_\_/\_\_\_

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

*I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.*

SHAWN SHOOK 5/8/08  
(Applicant) (Date)

RATHBONE PARK WATER ASSOC. 5/8/08  
(Water Right Holder) (Date)

\_\_\_\_\_  
(Land Owner(s) of Existing Place of Use)  / /   
(Date)





## Instructions for Completing an Application for Change or Transfer of a Water Right

Please type or print clearly in ink

**Introduction:** An application for change or transfer of water right and a non-refundable minimum fee of \$50.00, is required by Ecology to propose certain changes to an existing water right or claim. Additional fees may be required if the application is filed with a County Conservancy Board. General information about the process and considerations involved in making changes to water rights is available from each Ecology region office. Once an application is filed, a public notice is prepared for publication in at least one designated newspaper at your cost and the application is made available for review. The information requested upon this application, as it relates to your proposed change, **must** be provided or the application will be returned to you for completion. Spaces bordered with a dark outline are for office staff use in processing the application, please do not mark within those spaces. If additional space is required, you may attach additional sheets of paper or use the Application Attachment Form that is available at any Ecology regional office or from any County Conservancy Board.

A County Conservancy Board is a board established by the County Commissioners and authorized by Ecology to accept and make recommendations for approval or denial of an application for Change or Transfer of a Water Right. Statutory authority for County Conservancy Boards can be found within Chapter 90.80 RCW.

This application requests information about your actual water use and the changes you propose to make. Please **do not** simply copy information about your water use from a water right document. Inaccurate information about your water use may cause substantial delays in processing a decision on your application.

Applications for Change of Water Right are subject to the State Environmental Policy Act, Chapter 43.21C Revised Code of Washington and Chapter 197-11, Washington Administrative Code.

**Check the type of change proposed:** For your convenience, boxes are located within the upper left-hand corner on the first page of the application form. The following are instructions for completing the boxes that indicate the type of changes that are proposed. The boxes found on the application form are shown in example no. 1.

- Change purpose(s) of use
- Add purpose(s) of use
- Change point(s) of diversion/withdrawal
- Add point(s) of diversion/withdrawal
- Change/transfer place of use
- Other (i.e. consolidation, intertie, trust water)

**Explain:**

Example No.1

Check the boxes to indicate the changes that are proposed. You may mark as many types of changes as are appropriate, but you must mark at least one box. If none of the boxes provided appear to represent the change or transfer that you wish to propose, please contact the appropriate region office shown on the last page of the form for assistance. If you mark "other," you **must** describe the change that you propose. Possible explanations are that the change proposes "consolidation" of a water use that was exempt from a groundwater permit with a water system for which a certificate of water right has issued, that the application proposes to "intertie" two or more public water supplies, or that you propose to enter a "trust water program." The space for explanation may also be used to further explain any proposed changes. If additional space is needed to fully explain the intent of the application...

Provide the name of the person(s) that should be contacted regarding the application, if contact should be made to someone other than the applicant listed above. If a contact person(s) is identified, provide their mailing address and telephone number. All mail concerning the application will be directed to the contact person unless amended by the applicant.

**2. Water Right Information:** You **must** identify a water right or water right claim to be changed.

**2. WATER RIGHT INFORMATION:**

WATER RIGHT OR CLAIM NUMBER <i>Certificate No. G1-26483C</i>	RECORDED NAME(S) <i>The person(s) name appearing on the water right document</i>
DO YOU HOLD LEGAL TITLE TO THE RIGHT TO BE CHANGED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME AND ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input type="checkbox"/> YES <input type="checkbox"/> NO	

*Example No. 2*

Identify the water right document that describes the water right. For instance, provide a water right certificate number or water right claim number. Provide the name of the person(s) under which the document was filed or recorded.

Indicate whether the applicant is the current owner of the water right proposed to be changed or transferred by marking the appropriate box. If the current owner of the right is different than the applicant, provide the name and address of the water right owner.

Indicate, by marking the appropriate box whether the water right to be changed has been in beneficial use at any time during the most recent five-year period. If you check "no," you may wish to describe past use of the right on a separate attachment.

Please attach copies of any documentation or records that support the consistent, historical use of water since the right was established. Examples of documents or records that may assist in supporting historic use of water include electric bills for a pumping station, receipt for purchase of water system equipment, dated aerial photographs, and affidavit(s) of persons familiar with water use under the water right. Also, if you have a water system plan or conservation plan written for your water use, please include a copy with your application.

**3. Point(s) of Diversion/Withdrawal:**

Existing: You **must** describe the existing point(s) of diversion/withdrawal on your application. The point(s) of diversion/withdrawal is the location that you take water from a public water body (a lake, stream, etc.) for use of the water right proposed to be changed.

**A. EXISTING**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
<i>well</i>	<i>1</i>	<i>NW</i>	<i>SW</i>	<i>10</i>	<i>15 E</i>	<i>25</i>	<i>854321-237</i>	<i>043986</i>
<i>Wilson Well</i>	<i>2</i>	<i>SE</i>	<i>SW</i>	<i>10</i>	<i>15 E</i>	<i>25</i>	<i>854321-238</i>	<i>043987</i>

*Example No. 3*

Identify the name of the source of water that is used under your water right. If the source is surface water and has no name write "unnamed." If the source is a well and has no name, write "well." If you refer to the listed water sources by number, provide the number.

The spaces for ¼¼, SEC., TWP., AND RGE are provided for identifying the general location of the point(s) of diversion/withdrawal. The SEC., TWP., AND RGE refer to the section, township and range that the

Well Tag #. Every well within the State of Washington is required to have a well tag number displayed. The well tag number is a unique number assigned at the time of construction or upon request by the well owner to the Water Resources Program, Department of Ecology. Please see section 173-160-311, What are the well tagging requirements?, Washington Administrative Code, for specific requirements. If no well tag number is prominently displayed on your well head, you may assume that no number has been assigned and may leave this space blank. Upon verification that no number has been assigned, Ecology will assign a number and provide a tag for permanent installation upon the well.

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?  
 EXISTING  YES  NO PROPOSED  YES  NO - IF NO, PROVIDE OWNER(S) NAME:

Example No. 4

**Ownership:** Below part 3B. of the application, state whether you own the land(s) that contains the existing point(s) of diversion/withdrawal. If you do not own the land, provide the owner's name.

**B. Proposed Point(s) of diversion/withdrawal:**

Complete this section of the application **only** if you propose to change or add points of diversion/withdrawal to your water right. Follow the instructions provided above for Part A to describe the point(s) you wish to add or change. Include water well reports for any constructed wells you have described and any information that describes the precise location of the point of diversion/withdrawal.

**4. Purpose of Use:**

**Existing**

You **must** complete Part 4 A., existing purpose of use, to have your application accepted.

**A. EXISTING**

PURPOSE OF USE	GPM OR CFS	ACRE-FT/YR	PERIOD OF USE
3 domestic uses	45	3	throughout the year
irrigation	150	45	April 1 to September 15

Example No. 5

In the spaces provided on the application, identify **all** the uses you currently make of the water taken under the water right that you propose to change.

**Purpose of Use:** List each purpose of use currently made of your water right. For example, "irrigation," "stockwater," and "municipal supply" are typical uses. If you are proposing a domestic use other than for a municipality, include the number of units to be served in the description of the purpose of use. For example, if you propose to serve 10 homes, indicate this by entering "10 domestic uses" in the space provided.

**GPM or CFS:** State the rate of water actually used for each listed purpose. You **must** indicate whether the rate you have stated is in units of gallons per minute (GPM) or cubic feet per second (CFS).

**Acre-Feet/Yr:** State the volume of water that is used during a calendar year in the unit of acre-feet for each listed purpose. One acre-foot is equal to 325,851 gallons or 43,560 cubic feet of water.

The volume of water that is reasonably required for beneficial use is highly variable from one water right to another. The acre-feet required is dependent upon the type of beneficial use, the geographic location of use, soil types, slope, and other case specific factors. The following are suggestions that may assist in estimating the volume

Multiply your answer by 2 if you've stated your diversion in CFS

Multiply your answer by 0.005 if you've stated your diversion is GPM.

For water uses that are in continuous use during an entire day, your answer will be a rough estimate of the number of acre-feet of water you currently use based upon your water use practices.

Period of Use: Identify the timeframe from the beginning month and day of use to the ending month and day of use, in which water is actually used for each listed purpose.

**B. Proposed**

Complete Part B. of Section 4, Purpose of Use, **only** if you are proposing to change or add uses of water authorized by your water right. If you are proposing to change the purpose of use, you **must** list **all** purposes for which you wish to use water. Follow the instructions provided by Part A of Section 4 to describe each intended water use through the change application.

**5. Place of Use:**

The place of use is the lands on which water is actually used. You **must** describe the existing place of water use and, if you proposed a change/transfer of place of use or to add place of use, you must describe the proposed place of use. Follow the instructions below to complete Section 5 of the application:

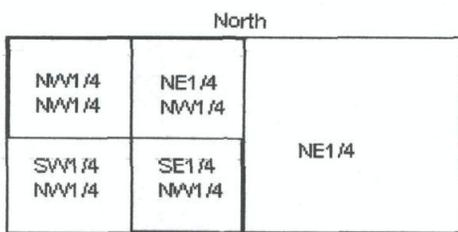
**A. EXISTING**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
<b>The south 500 feet of the north 600 feet of the:</b>							
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NW	SW	10	15	25 E	Grant	854321-237	15
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input type="checkbox"/> NO - IF NO, PROVIDE OWNER(S) NAME:							

Example No. 6

Print or type a complete description of the area of existing water use. You may find a description of your property on a property deed. Exclude from your description any lands you own that do not have a water use under the right you are changing. If necessary, you may attach a description of the place of use as a separate attachment.

The spaces for 1/4, SEC., TWP., AND RGE are provided for identifying the general location of the place(s) of use. The SEC., TWP., AND RGE refer to the section, township and range containing the place(s) of use. The "1/4" (of the "1/4" spaces refer to (from right to left) the quarter of the identified section and then to the quarter of the identified quarter section of the place(s) of use. The following illustration shows how a section of land is divided into 1/4 sections:



If you do not understand this geographic location system, please contact the appropriate Ecology region office, County Conservancy Board, or seek professional assistance in completing your application.

County: Identify every county that contains any portion of the existing place of water use.

You must indicate whether you own the lands associated with the proposed change. If not, provide the landowner's name.

**Map:** In addition to describing the point(s) of diversion/withdrawal and place(s) of water use on the application, attach a detailed map. The map **must** have reference to the Township, Range and Section of the area illustrated. Indicate on the map: a) the lands upon which water is used for each purpose of water use; b) the points from which water is taken from the water source; c) any lands to which the water use is proposed to be changed; d) any new points from which water is proposed to be taken d) show a reference point such as a section corner e) show the location of structures, the water system and other features relevant to your proposed change/transfer. It is recommended that you base your map on a published map of your area. If your place of use is platted property, you **must** include a certified copy of the plat.

**B. Proposed Place of Use:** If you are proposing to add place of use or change/transfer place of use then you **must** complete Part 5B. of the application. Follow the instructions for Part 5A. to describe the new lands that you propose is associated with your water right.

**Other rights:** Below Part 5B. in a separate border is the following question:

ARE THERE ANY ADDITIONAL WATER RIGHTS OR CLAIMS RELATED TO THE SAME PROPERTY AS THE ONE PROPOSED FOR CHANGE/TRANSFER?  YES  NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

Example No. 7

If you are aware of other rights associated with any of the property you have describe on the application, please indicate so by marking the "yes" box provided and provide the identifying document number.

**6. Remarks and Other Relevant Information:** Your application will be reviewed by several interested agencies and is available to the public for inspection. You may use this space to provide additional information or an explanation for your change proposal. Your remarks or explanation may include any information that you believe should be considered in the review of your application. You may also explain the reasons that you are proposing the change/transfer, for example, that you are updating your water distribution system or relocating a water well.

**Please note:** If your application is being submitted for a seasonal or temporary change in water right, whether or not in conjunction with a permanent change or transfer, you **must** indicate the date that you desire the change/transfer to be effective and the date that you desire the change/transfer to terminate. It is recommended that you submit your application as far in advance of the date you wish the change/transfer to be effective as possible.

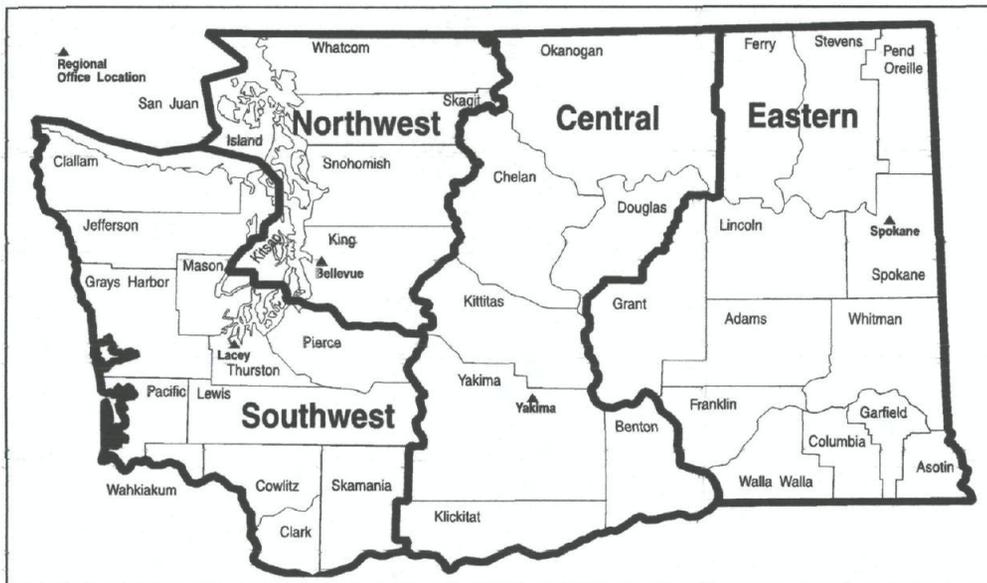
**7. Signature and Date:** The applicant must sign and date the application. In addition, the owner of the water right and the owner of the existing place of use must sign and date the application if different than the applicant.

**IMPORTANT!**

Submit your application to Ecology at:

DEPARTMENT OF ECOLOGY  
CASHIERING SECTION  
PO BOX 5128  
LACEY WA 98509-5128

Alternatively, you may submit your application at a Conservancy Board with jurisdiction. Below is a map of the State of Washington, with outlines of the four Ecology regional offices. If you have questions about your application or whether a County Conservancy Board with jurisdiction exists, contact the Water Resources program at the regional office in which your project is located.



Please check the regional office in which your project is located.

Central Regional Office  
15 W Yakima Avenue, Suite 200  
Yakima, WA 98902  
(509) 575-2490

Eastern Regional Office  
4601 N. Monroe  
Spokane, WA 99205-1295  
(509) 329-3400

Northwest Regional Office  
3190 - 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452  
(425) 649-7000

Southwest Regional Office  
PO Box 47775  
Olympia, WA 98504-7775  
(360) 407-6300