



WATER AVAILABILITY FORM
PRIVATE WATER SUPPLY

WHATCOM COUNTY HEALTH DEPARTMENT
509 Girard Street
Bellingham, WA 98225
Telephone: 360-778-6000
Fax: 360-778-6001

WELL

1 Connection or 2 Connection

Applicant Information:

Applicant/Owner(s): Phone:
Address: City: State: Zip:
Contact Person: Phone:
Email and/or Alternate Contact:

Property Information:

Tax Parcel Number (twelve digit number):
2nd Tax Parcel Number (twelve digit number):
Project Type (check one): Single Shared (2) ADU (2) Commercial (1 or 2) Plat (1 or 2)
Address of Project:
Building Permit Number: Plat Name: Lot:

Well Location (if different) Tax Parcel Number (twelve digits):

Document Checklist:

See Instructions for more information on required application documentation.

- 1. Public Water Denial Form, if applicable
2. Well Site Inspection (\$339.90 fee)
3. Legal Water Availability Documentation
4. Water Well Report (well log) and Ecology Well Tag Number:
5. Water Quality Tests:
a. Bacteriological date Inorganic Chemicals date
6. Current site plan drawn to scale on 8 1/2 x 11 inch paper
7. Recorded Covenant(s)
8. Shared Well Agreement, if applicable

I certify that I am the owner or authorized representative of the above noted property. I have read and examined this application and attachments and know the same to be true and correct. I understand that nothing in this approval shall be construed as satisfying other applicable federal, state, or local, statutes, ordinances or regulations and that information submitted is subject to the Public Records Act RCW 42.56.

Sign: Print: Date:

For Health Department Use Only:

Confined Aquifer: Yes No Unknown
Sanitary Control Area: 50ft 100ft Radius
Information for Applicant: Arsenic EDB1,2-DCP Fluoride Lead Nitrate Sodium/Chloride
Approved Denied Date WCHD Approval Expires
By: Well Construction Date:
Comments or Conditions

Notify Via: Email Phone Mail

The subdivision/building permit is located in an area that is governed by chapter 173-501 WAC and in which instream flows are not met and/or are subject to closure. In compliance with chapter 58.17 RCW/RCW 19.27.097 the County has determined adequate potable water is available for this subdivision/building permit on the basis of evidence supplied by the Applicant. Other authorities, including courts of competent jurisdiction and the Department of Ecology, exercise jurisdiction over water resources in the state of Washington. Those authorities may determine that the proposed source of water for this project identified by the Applicant is not a valid water right appropriation or is subject to curtailment or seasonal restrictions on availability that could impact its reliability for the intended use. The County's issuance of this subdivision/building permit should not be relied upon by the Applicant or any successor in interest as an assurance, warranty or guarantee of the future availability of water to serve the subdivision/building permit.



WATER AVAILABILITY FORM
PRIVATE WATER SUPPLY
WELL

**WHATCOM COUNTY
HEALTH DEPARTMENT**
509 Girard Street
Bellingham, WA 98225
Telephone: 360-778-6000
Fax: 360-778-6001

Instructions:

Please read the following information on how to obtain Water Availability approval for a 1 or 2 connection private water supply well. The applicant must document an adequate supply of potable water in terms of quality, quantity and legal availability. Submit the **original (copies are not accepted)** signed Water Availability Form (WAF) and one of each document required on the application checklist, to Whatcom County Health Department (WCHD) for review per Whatcom County Code 24.11.

The approved WAF expires three years after the earliest water testing date. **Please allow at least 1 week for the review process.**

APPLICABILITY:

WCHD approval of Water Availability **may not** be required if the building project:

- Does not include plumbing for potable water, **or**;
- Is a remodel or addition of an existing building, **or**;
- Is a replacement of a demolished or removed building **or**;
- Does not result in a change of use.

Contact Whatcom County Planning & Development Services (PDS) for more information on applicability at 360-778-5900.

1. PUBLIC WATER DENIAL

The applicant must first determine if the project can be served by a Public Water System (PWS) per Whatcom County Code 24.11 and the Whatcom County Coordinated Water System Plan. If the PWS has connections available and is willing to provide water, the applicant **must** connect to the PWS when any one or more of the following apply:

- a. The applicant proposes to use spring water, rainwater or contaminated ground water **or**,
- b. The applicant proposes to build on a lot in a short subdivision or long subdivision that was approved based on the availability of public water per PDS **or**,
- c. The existing PWS has distribution lines adjacent to the project property **or**,
- d. The project property is within the PWS Service Area Boundary as defined in accordance with the Whatcom County Coordinated Water System Plan.

If the PWS **does not** have connections available or is **unable** to provide public water to the project, the applicant **must** obtain a signed Public Water Denial form from the PWS.

Submit the **original** Public Water Denial form, signed by the PWS Authorized Representative, with the Water Availability Application to the WCHD. Contact WCHD for more information on the location of PWS service area boundaries.

2. WELL SITE INSPECTION

An approved WCHD well site inspection is required for ALL private water supply wells. Submit a well site inspection application and fee to WCHD and you will be contacted to set up an appointment for a site visit. The well site inspection is to verify the location of the well, check to see that well construction meets the minimum well construction standards in WAC 173-160 and identify any potential sources of contamination within the sanitary control area.

3. LEGAL WATER AVAILABILITY DOCUMENTATION

According to WCC 24.11, in order to use a permit-exempt well for a building permit, the applicant must provide documentation of legal water availability or evidence that the project will not impair any senior water right, including instream flows per WAC 173-501. Provide one or more of the following with your WAF application:

- a. A document showing that the location of the well is in the Samish River watershed, or in Point Roberts, or Eliza Island, or Lummi Island.
- b. A Water Right Permit or Certificate from the Department of Ecology.
- c. A study by a WA State licensed hydrogeologist demonstrating that the proposed well would not impair any senior water right, including instream flows.
- d. A mitigation plan prepared by a WA State licensed hydrogeologist demonstrating that the proposed well, with mitigation, would not impair any senior water right, including instream flows.

Review of legal water availability documentation may require a third party review. The cost of the third party review will be at the expense of the applicant.

4. WATER WELL REPORT AND CONSTRUCTION OF WELL

Obtain a Water Well Report (well log) from the Department of Ecology (Ecology) and submit with the WAF Application. The well construction **must** be in compliance with Ecology's Minimum Well Construction Standards in WAC 173-160. Contact Ecology for more information on obtaining a well log at 360-715-5200.

If a copy of the original well log cannot be found, a licensed well driller must inspect the well and make a report addressing to what extent the well is in compliance with WAC 173-160.

If the well is found to **not** meet the well constructions standards or the well driller is unable to determine if the well is in compliance with WAC 173-160, then **the well may not be able to be approved for the project**. A new well may be required and the old well decommissioned by a licensed well driller per WAC 173-160.

WATER QUANTITY REQUIREMENTS AND STORAGE RESERVOIRS

Well yield test results are listed on the well log and must be conducted for a minimum of one hour using a bailer, air lift, or pump. If the yield is less than 8 gallons per minute, a longer test may be required. If the yield test results are less than 1 gpm, a dry season pump test is required.

1 – Connection Well

A 1-connection well, for a single family residence, must produce at least 400 gallons per day. **If the well yield is less than 4 gpm, at least 400 gallons of water storage is required.**

2 – Connection Well

A 2-connection well, for two single family residences, must produce at least 800 gallons per day. **If the well yield is less than 8 gpm, at least 800 gallons of water storage is required.** The 2 property owners have the option for one 800 gallon reservoir or two individual 400 gallon reservoirs.

Storage Reservoir Requirements

Reservoir plans must be submitted with the WAF Application. Reservoir plans must include location, size, materials, and a schematic drawing of the installation. Reservoir materials, other than concrete and steel, must be approved by EPA, FDA, or NSF for contact with potable water.

All reservoirs must be installed with at least the upper portion of the tank above grade. The tank must be sealed so that inspection ports and lid seams are not subject to surface water infiltration and contamination from pests or debris entering the reservoir.

Commercial Well

Well yield requirements for commercial applications may vary depending on the type of commercial operation. Contact WCHD for more information.

5. WATER QUALITY REQUIREMENTS

All tests must be conducted by a laboratory certified by the Washington State Department of Health. See WCHD for a list of local certified laboratories.

The following **water quality tests must be less than three years old** when submitted for WAF approval:

Bacteriological:

A water sample must be collected prior to any treatment device that includes a disinfectant such as chlorine, UV light, or ozone. Water must have no detectable chlorine residual when collected for analysis. Satisfactory results are reported as absent of coliform bacteria.

Inorganic Chemicals:

A water sample must be analyzed for arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver, fluoride and nitrate. Samples must be collected prior to any treatment device. If water sample test results indicate that any Maximum Contaminant Level (MCL) is exceeded, contact the WCHD for more information on options for water treatment system approval.

Other Contaminants:

The WCHD may require additional water sampling deemed significant based on local trends in water quality and the vulnerability of the source to known or suspected water quality problems. For example: the WCHD may require tests for pesticides if your well is located within the Ecology Study Sites (roughly the Bertrand Creek and Northwood Road areas). The required water tests in this area are for ethylene dibromide (EPA method 504) and 1,2 dichloropropane (EPA method 524.2). A map of the study areas is available at the WCHD.

The WCHD recommends that well water also be tested for chloride, iron, manganese, sodium, sulfate, copper, and zinc which may cause corrosion or staining of fixtures or clogging of water pipes. In addition, some of these chemicals may be of significance to individuals with known medical problems.

6. SITE PLAN AND LOCATION OF WELL SANITARY CONTROL AREA

Submit a site plan on 8 ½ x 11 inch paper, drawn to scale. Show the location of the well and a 100 ft. radius around the well site, called the sanitary control area (SCA). Show the location of buildings and distances from the well to property lines, septic tank, drainfield and indicate all potential sources of contamination. Potential contamination sources include, but are not limited to: property not controlled by the well owner, septic drainfields, underground fuel tanks, pesticide and herbicide storage and application areas, surface water such as lakes and streams, and roads. Driveways accessing one or two properties are permitted within the SCA.

No wells shall be located within 1,000 ft. from the property line surrounding any active or closed solid waste landfill or within 100 ft. of a septic drainfield or within 200 ft. of a manure lagoon or sewage lagoon.

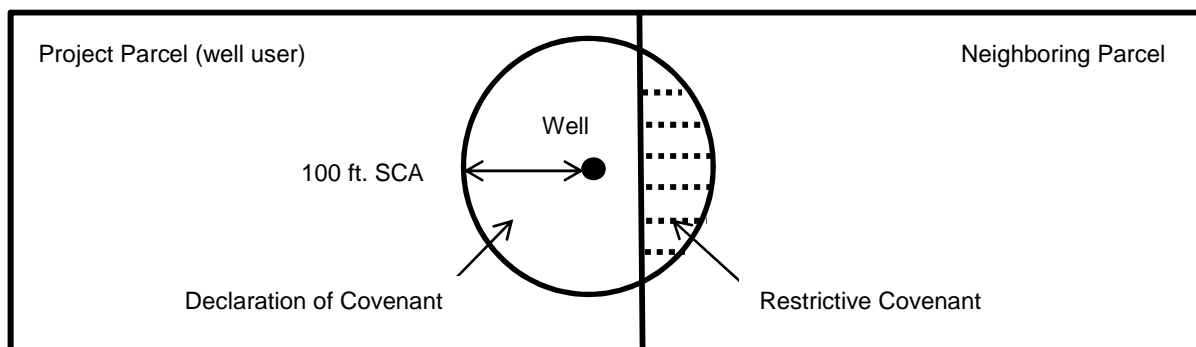
7. RECORDED COVENANTS AND SHARED WELL AGREEMENT

For wells constructed after October 1, 1990, a Restrictive Covenant must be signed, notarized, and recorded at the Whatcom County Auditor's office establishing the 100 ft. SCA around the well that is located on any **other** parcel that does not belong to the well user. Please refer to the figure below for more information.

An **Accessory Dwelling Unit** located on the same parcel as the other well user, does not require a Shared Well Agreement or a Declaration of Covenant. A Restrictive might still apply.

A **Declaration of Covenant** is a document, which establishes the SCA around the well on property owned by the user of the well, and is required for commercial and 2 connections wells.

A **Restrictive Covenant** establishes the SCA on property that is owned by someone other than the user of the well (see example below). For a Restrictive Covenant, the owner(s) of the neighboring parcel are the Grantor(s) and the owner(s) of the well on the project parcel are the Grantee(s).



All Covenants must be signed, notarized, and recorded with the Whatcom County Auditor. Please see WCHD for example covenant documents.

8. SHARED WELL AGREEMENT

Wells shared by 2 residences, projects or parcels must submit a Shared Well Agreement with the Water Availability application. The agreement must be signed, notarized, and recorded with the Whatcom County Auditor. See WCHD for specific guidelines and an example Shared Well Agreement.

An Accessory Dwelling Unit located on the same parcel as the other well user, does not require a Shared Well Agreement but does require a Declaration of Covenant.

Additional Information

VARIANCE REQUEST

An applicant may submit a Variance Request application and fee requesting a variance from the provisions of the Whatcom County Drinking Water Ordinance 24.11. Upon review, WCHD **may** approve a variance when the result of the variance meets the purpose and intent of the ordinance and the variance will not create a health hazard. Contact the WCHD for more information on the application process to request a variance.



WATER AVAILABILITY FORM
PUBLIC WATER SYSTEM
DENIAL

WHATCOM COUNTY
HEALTH DEPARTMENT
509 Girard Street
Bellingham, WA 98225
Telephone: 360-778-6000
Fax: 360-778-6001

Applicability:

This form is for new land use applications where the project parcel is located within the service area boundary of a public water system (PWS) or within 1/2 mile of an existing PWS. According to Whatcom County Code 24.11 and the Coordinated Water System Plan, the applicant must first attempt to obtain water service from an existing PWS. If a PWS is unable to provide water service, complete and submit this form with original signatures (copies are not accepted) to WCHD with your Water Availability Form application.

Applicant Information:

Applicant/Owner(s): Phone:
Address: City: State: Zip:
Contact Person: Phone:
Email and/or Alternate Contact:

Property Information:

Tax Parcel Number (twelve digit number):
Project Type (check one): Single Shared (2) ADU (2) Commercial (1 or 2) Plat (1 or 2)
Address of Project:
Building Permit Number: Plat Name: Lot:

Certification of DENIAL of Public Water:

This Section to be Completed by the Public Water System Authorized Representative

Public Water System Name: DOH ID#:
This PWS is currently unable to supply water to the above listed parcel for the noted land use application.
This form expires three years from the date of water system authorized representative signature.

- Reason for denial:
Conditions of denial if applicable:

I certify that I am an authorized representative of the above PWS. I understand that information submitted is subject to the Public Records Act RCW 42.56.

Sign: Print: Date:
Title: Address: Phone:

For Health Department Use Only:

Received Date: Expires:

By:

Comments or Conditions



WELL SITE INSPECTION
PRIVATE WATER SUPPLY

APPLICATION Fee: \$330 + \$9.90 (3% County Technology Fee) = \$339.90

WHATCOM COUNTY HEALTH DEPARTMENT
509 Girard Street
Bellingham, WA 98225
Telephone: 360-778-6000
Fax: 360-778-6001

Instructions:

An approved well site inspection is required for a building permit for ALL private water supply wells per Whatcom County Code 24.11. The inspection is to verify the location, well construction per WAC 173-160 and identify potential sources of contamination. Do not drill a new well until the site has been approved. A well in an unapproved location may be required to be decommissioned. Approval expires in three years.

- 1. Submit a site plan drawn to scale on 8 1/2 x 11 inch paper. Mark the location of the well site with a 100 ft. radius around the well. Label the distances from the well to buildings, property lines, septic tank, drainfield and any other potential source of contamination within a 100 ft. of the well site.
2. Include a Water Well Report (well log) for existing wells. Well Tag #:
3. Clearly stake or flag the well site location and clear access to the well site (brush cutting as needed).
4. The owner or an authorized representative is required to attend the inspection.

Applicant Information:

Applicant/Owner(s): Phone:
Address: City: State: Zip:
Contact Person: Phone:
Email and/or Alternate Contact:

Property Information: New Well Site Existing Well

Tax Parcel Number (twelve digit number):

2nd Tax Parcel Number (twelve digit number):

Project Type (check one): Single Shared (2) ADU (2) Commercial (1 or 2) Plat (1or 2)

Address of Project:

Building Permit Number: Plat Name: Lot:

Well Location (if different) Tax Parcel Number (twelve digits):

I certify that I have read and examined this application with attachments and know the same to be true and correct. I understand that nothing in this approval shall be construed as satisfying other applicable federal, state, or local, statutes, ordinances or regulations and that information submitted is subject to the Public Records Act RCW 42.56.

Sign: Print: Date:

For Health Department Use Only: GPS Coordinates:

Notes:

- Well Site Approved with the following conditions: Expiration Date:
Evidence of Legal Water Availability
Declaration of Covenant Restrictive Covenant, Shared Well Agreement
Denial of Public Water from:
Approved Variance Request for:
Other:
Wells constructed after January 19, 2018 must have a well covenant signed, notarized and recorded prior to building permit issuance per ESSB 6091. After applying for a building permit, contact the Health Department Liaison at the Planning Department to obtain the well covenant.
Denied for:

Environmental Health Specialist: Date:

The subdivision/building permit is located in an area that is governed by chapter 173-501 WAC and in which instream flows are not met and/or are subject to closure. In compliance with chapter 58.17 RCW/RCW 19.27.097 the County has determined adequate potable water is available for this subdivision/building permit on the basis of evidence supplied by the Applicant. Other authorities, including courts of competent jurisdiction and the Department of Ecology, exercise jurisdiction over water resources in the state of Washington. Those authorities may determine that the proposed source of water for this project identified by the Applicant is not a valid water right appropriation or is subject to curtailment or seasonal restrictions on availability that could impact its reliability for the intended use. The County's issuance of this subdivision/building permit should not be relied upon by the Applicant or any successor in interest as an assurance, warranty or guarantee of the future availability of water to serve the subdivision/building permit.

RETURN DOCUMENT TO:

Whatcom County Health Department
509 Girard Street
Bellingham, WA 98225

Use dark black ink and print legibly. Documents not legible will be rejected per RCW.

Document Title(s): Declaration of Covenant
Grantor(s): Page number where additional grantor(s) can be found:
Grantee(s): Page number where additional grantee(s) can be found:
Abbreviated legal description: (lot, block, plat name or; qtr/qtr , section , township & range or; unit, building and condo name). Page number where complete legal description can be found:
Assessor's Parcel Number:

RETURN DOCUMENT TO:

Whatcom County Health Department
509 Girard Street
Bellingham, WA 98225

Use dark black ink and print legibly. Documents not legible will be rejected per RCW 65.04.

**DECLARATION OF COVENANT
1 OR 2 CONNECTION PRIVATE WATER SUPPLY WELL**

GRANTOR: _____

GRANTEE: _____

TAX PARCEL #: _____

TAX PARCEL # (IF 2 CONNECTION): _____

The grantor herein is (are) owner(s) of (an interest in) the following described real estate situated in Whatcom County, State of Washington, to-wit: _____

On which the grantor owns and operates a well and waterworks supplying water for private use located on said real estate, to-wit: (pinpoint the accurate location of the well site. For example: 125 feet north of the south property line and 100 feet east of the west property line) _____

Said grantor is required to keep said well or waterworks potable.

It is the purpose of these grants and covenants to prevent certain practices hereinafter in the use of the said grantors land which might contaminate said water supply.

NOW, THEREFORE, the grantor(s) agree(s) and covenant(s) that said grantor its (their) heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor and within _____ feet (50 feet or 100 feet; if not filled out assumed to be 100 feet) of the well on the land of the grantor any potential source of contamination (per Whatcom County Drinking Water Ordinance 24.11 and WAC 173-160) including but not limited to any road, easements for ingress or egress, cesspool, sewer main, privy, septic tank, drainfield, manure pile, manure lagoon, garbage of any kind or description, barn, chicken house, rabbit hutch, pigeon, or other enclosure or structure for the keeping of fowl or animal, storage of liquid or dry chemical, application or storage of herbicides or pesticides, ponds, lakes or any other item that may have the potential for adversely affecting the quality of the water.

These covenants shall run with the land and shall be binding on all parties having or acquiring the right, title or interest in the land described herein or any part thereof, as long as said well or waterworks is used for the purpose of supplying potable water.

WITNESS my hand this _____ day of _____, 20_____.

_____ Grantor

_____ Grantor

State of Washington)

County of Whatcom County)

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this _____ day of ____, 20, personally appeared before me _____ to me known to be the individual described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

Notary Public in and for the State of Washington

Residing at: _____

(SEAL or STAMP)

FILING:

Whatcom County Auditor (Recording Department)
311 Grand Avenue
Bellingham, WA 98225
(360) 778-5100

RETURN DOCUMENT TO:

Whatcom County Health Department
509 Girard Street
Bellingham, WA 98225

Use dark black ink and print legibly. Documents not legible will be rejected per RCW.

Document Title(s): Restrictive Covenant
Grantor(s): Page number where additional grantor(s) can be found:
Grantee(s): Page number where additional grantee(s) can be found:
Abbreviated legal description: (lot, block, plat name or; qtr/qtr , section , township & range or; unit, building and condo name). Page number where complete legal description can be found:
Assessor's Parcel Number:

RETURN DOCUMENT TO:

Whatcom County Health Department
509 Girard Street
Bellingham, WA 98225

Use dark black ink and print legibly. Documents not legible will be rejected per RCW.

RESTRICTIVE COVENANT for 1 OR 2 CONNECTION PRIVATE WATER SUPPLY

GRANTOR: _____

GRANTEE: _____

TAX PARCEL #: _____

TAX PARCEL # (IF 2 CONNECTION): _____

The grantor(s) herein is (are) owner(s) of (an interest in) the following described real estate situated in Whatcom County, State of Washington, to-wit: (neighbor's legal, parcel number, and address)

The grantee(s) herein, is (are) the owner(s) in fee simple of (an interest in) the following real estate situated in Whatcom County, State of Washington, to-wit: (neighbor's legal, parcel number, and address) _____

on which the grantee owns and operates a well and waterworks supplying water for private use located on said real estate, to-wit: (Example: well location 125 feet north of south property line and 100 feet east of west property line) _____

which well and waterworks is in close proximity to the land of the grantor, and said grantee is required to keep the water supplied from said well or waterworks potable.

It is the purpose of these grants and covenants to prevent certain practices hereinafter in the use of the said grantors land which might contaminate said water supply.

NOW, THEREFORE, the grantor(s) agree(s) and covenant(s) with the grantee(s), its successors and assigns, said covenants to run with land for the benefit of the land of the grantee(s), that said grantor(s), its (their) heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor's and within _____ feet (if not filled out assumed to be 100 feet) of the well on the land of the grantee(s) any potential source of contamination (per Whatcom County Drinking Water Ordinance 24.11 and WAC 173-160) including but not limited to any road, sewer main, privy, sewage or manure lagoon, railroad tracks, manure pile, drainfield or any other receptacle for the disposal of sewage, storm water facility, underground fuel tank, structure for the storage of liquid or dry chemicals, application or storage of herbicides or pesticides, ponds, lakes or any other item that may have the potential for adversely affecting the quality of the water.

These covenants shall run with the land and shall be binding on all parties having or acquiring the right, title or interest in the land described herein or any part thereof, as long as said well or waterworks is used for the purpose of supplying potable water.

WITNESS my hand this _____ day of _____, 20_____.

_____ Grantor

_____ Grantor

State of Washington)

County of Whatcom County)

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this _____ day of ____, 20, personally appeared before me _____ to me known to be the individual described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

Notary Public in and for the State of Washington

Residing at: _____

(SEAL or STAMP)

FILING:

Whatcom County Auditor (Recording Department)
311 Grand Avenue
Bellingham, WA 98225
(360) 778-5100

RETURN DOCUMENT TO:

Whatcom County Health Department
509 Girard Street
Bellingham, WA 98225

Use dark black ink and type or print legibly. Documents not legible will be rejected per RCW.

PRIVATE WATER SUPPLY WELL - TWO PARTY USERS AGREEMENT

OWNERSHIP OF THE WELL AND WATERWORKS

It is agreed by the parties that each of said parties shall be and is hereby granted an undivided one-half interest in and to the use of the water well and the associated water system on parcel _____.

Each party shall be entitled to receive a supply of water for one residential dwelling and shall be furnished a reasonable supply of potable and healthful water for domestic purposes. The following parcels have the right of usage of this water source:

(Parcel 1) _____

Legal Description:

Property 1 Owner(s): _____

(Parcel 2) _____

Legal Description:

Property 2 Owner(s): _____

COST OF WATER SYSTEM CONSTRUCTION

Both parties herein agree to share equally in the cost incurred in well site approval, well construction, design of the water system for approval by the WCHD, and construction and/or installation of the waterworks equipment, the pump house and water distribution pipes, and initial well water quality tests.

COST OF MAINTENANCE OF WATER SYSTEM

Each party hereto covenants and agrees that they shall share the maintenance and operational costs of the well and water system based upon water usage herein described. The expense of water quality sampling as required by the State of Washington and Whatcom County shall be shared equally by both parties. The parties shall establish and maintain a reserve account at a mutually agreed upon banking institution. Each party shall be entitled to receive an annual statement from said banking institution regarding the status of the reserve account. The monetary funds in the reserve account shall be utilized for the sole purpose of submitting water samples for quality analysis and maintaining, repairing or replacing the well and common waterworks equipment or appurtenance thereto.

WATER CONSERVATION GUIDELINES

Each party hereto agrees that they shall encourage conservation of water in conformance with guidelines established by the Washington State Department of Health. Outdoor water use can be minimized by limiting turf area per lot, limiting watering to hours when evaporation is lowest, selecting low water demand plants and landscaping techniques, and/or using drip irrigation and hand watering. Indoor water use can be minimized by installing water saving fixtures and reducing system water pressure to 45 psi.

EASEMENT OF WELL SITE AND PUMP HOUSE

There shall be an easement for the purpose of maintaining or repairing the well and appurtenances thereto, within 30 feet of the well site in any direction. Said easement shall allow the installation of well house, pumps, water storage reservoirs, pressure tanks, and anything necessary to the operation of the water system.

WELL ACCESS EASEMENTS (this is not needed if the well is located within 30' of a common property line)

_____ (parcel) grants _____
(parcel) an easement for accessing the well site for inspecting, maintaining, and repairing the well and accessory structures and components. Said easement shall be fifteen (15) feet in width and shall follow the water line easement described below (or describe alternate here.).

WATER LINE EASEMENTS

_____ (parcel) grants _____
(parcel) an easement for the use and purpose of conveying water from the well to the property of _____. Said easement shall be fifteen (15) feet in width and shall extend on, over, across, and underneath said strip of land from designated well site to common point as referred to. The centerline of said fifteen (15) foot strip of land shall be the (describe)

No permanent type of building shall be constructed upon the water line easement except as needed for the operation of the well and water system.

MAINTENANCE AND REPAIR OF PIPELINES

All pipelines in the water system shall be maintained so that there will be no leakage or seepage, or other defects which may cause contamination of the water, or injury, or damage to persons or property. Pipe material used in repairs shall meet approval of the WCHD. Cost of repairing or maintaining common distribution pipelines shall be born equally by both parties. Each party in this agreement shall be responsible for the maintenance, repair, and replacement of pipe supplying water from the common water distribution piping to their own particular dwelling and property. Water pipelines shall not be installed within 10 feet of a septic tank or the sewage disposal drainfield lines.

PROHIBITED PRACTICES

The parties herein, their heirs, successors and/or assigns, will not construct, maintain or suffer to be constructed or maintained upon the said land and within 100 feet of the well herein described, so long as the same is operated to furnish water for public consumption, any of the following: septic tanks and drainfields, sewer lines, underground storage tanks, county or state roads, railroad tracks, structures, barns, feeding stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste or garbage of any kind. The parties will not cross connect any portion or segment of the water system with any other water source without prior written approval of the Whatcom County Health Department (WCHD) and/or other appropriate governmental agency.

PROVISIONS FOR CONTINUATION OF WATER SERVICE

The parties agree to maintain a continuous flow of water from the well and water system, herein described in accordance with Whatcom County. In the event that the quality or quantity of water from the well becomes unsatisfactory as determined by the WCHD, the parties shall take steps to mitigate these problems or develop a new source of water. Prior to development of, or connection to a new source of water, the parties shall obtain written approval from the WCHD. Each undivided interest and/or party shall share equally in the cost of developing the new source of water and installing the necessary equipment associated with the new source.

RESTRICTION ON FURNISHING WATER TO ADDITIONAL PARTIES

It is further agreed by the parties hereto that they shall not furnish water from the well and water system herein above described to any other persons, properties or dwelling without prior consent of both properties and written approval from the WCHD.

HEIRS, SUCCESSORS AND ASSIGNS

These covenants and agreements shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in this land described herein or any part hereof, and it shall pass to and be for the benefit of each owner thereof.

ENFORCEMENT OF AGREEMENT ON NON-CONFORMING PARTIES AND PROPERTIES

The parties herein agree to establish the right to make reasonable regulations for the operation of the system, such as the termination of service if bills are not paid within forty-five days of the due date, additional charges for disconnection, reconnection, etc. Parties not conforming with the provisions of this agreement shall be subject to interest charges of ____% per annum together with all collection fees.

WITNESS my hand this _____ day of _____, 20_____.

Parcel 1 Property Owner(s) Date

Parcel 2 Property Owner(s) Date

State of Washington)
County of Whatcom)

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this day of _____, 20____, personally appeared before me _____ to me known to be the individual described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as free and voluntary act and deed, for the uses and purposes therein mentioned. GIVEN under my hand and official seal the day and year last above written.

Notary Public in and for the State of Washington
Residing at: _____



WHATCOM COUNTY HEALTH DEPARTMENT

509 Girard Street
Bellingham, WA 98225
Telephone: 360-778-6000
Fax: 360-778-6001

Certified Labs in Whatcom County **Certified by State of Washington**

The following laboratories are certified by the Washington State Department of Ecology. Please contact the laboratory to verify correct sampling processes and associated fees.

Edge Analytical Inc. – Bellingham
805 W. Orchard Street, Suite 4
Bellingham, WA 98225
(360) 715-1212
(800) 755-9295

Exact Scientific Services, Inc.
1355 Pacific Place Suite #101
Ferndale, WA 98248
(360) 733-1205

Please note, this list of laboratories is for Whatcom County only.

A complete list of State Certified Laboratories is available on the Department of Ecology's website at: <http://www.ecy.wa.gov/programs/eap/labs/search.html>