



200804180215

Skagit County Auditor

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Document Title: Shared Well Agreement

Reference Number:

Grantor(s): additional grantor names on page ____

1. *Elliott Ward* Elliott Ward

2. Stephanie Ward

Grantee(s): additional grantee names on page ____

1. *Elliott Ward* Elliott Ward

2. Stephanie Ward

Abbreviated legal description: full legal on page(s) ____

Lot 2 short Plat NO. PLO6-0416

Assessor Parcel / Tax ID Number: additional tax parcel number(s) on page ____

P# 125108

Elliott Ward
10795 Wilson Lane
Mount Vernon, WA 98273

SHARED WELL AGREEMENT

This document is to constitute an agreement that well #APR370 located on Skagit County Parcel 125108 is to supply water for residential use on the short card land division of Skagit County Parcel 125108 currently owned by Elliott, and Stephanie Ward, husband and wife . The Ward short card land division of P125108 will, when divided become two residential lots, thus well #APR370 will become a two connection system. Each lot owner shall grant the other lot owner an undivided one-half interest in and to the use of the well and water system of well #APR370. "Lot owner A" and "lot owner B" as indicated on the plat map acknowledge that the water rights described herein shall belong to the Parcels and owners of said parcels.

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OWNERSHIP OF THE WELL AND WATERWORKS

It is agreed by the "lot owner A" and "lot owner B" that each shall be granted an undivided one-half interest in and to the use of the well and water system to be constructed. "Lot owner A" and "lot owner B" 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.

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COST OF WATER SYSTEM CONSTRUCTION

Each lot owner hereto covenants and agrees that they shall equally share the maintenance and operational costs of the well and water system herein described. The expense of water quality sampling as required by the State of Washington and Skagit County shall be shared equally by "lot owner A" and "lot owner B." The lot owners shall establish and maintain a reserve account at a mutually agreed upon banking institution. Each lot owner 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.

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EASE OF WELL SITE AND PUMPHOUSE

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 pumps, water storage reservoirs, pressure tanks, and anything necessary to the operation of the water system.

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WATER LINE EASEMENTS

"Lot owner B" grants "lot owner A" an easement for the use and purpose of conveying water from the well to the party one. Said easement shall be ten (10) feet in width and shall not extend on, over, across, and underneath said strip of land from designated well site to common point as referred to. The centerline of said ten (10) foot strip of land shall be shown on Skagit County approved plat map of the Ward short card land division herein described. 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.

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MAINTAINANCE 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 Health Officer. Cost of repairing or maintaining common distribution pipelines shall be born equally by both lot owners. 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 20 feet of septic tank or within 10 feet of sewage disposal drain field lines.

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PROHIBITED PRACTICES

"Lot owner A" and "lot owner B," their heirs successors and/or assigns or owners of such, 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, and of the following: septic tanks and drain fields, sewer lines, underground storage tanks, county or state roads, railroad tracks, vehicles, 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 lot owners will not cross connect any portion or segment of the water system with any other water source without prior written approval of the Skagit County Department of Public Health and/or appropriate governmental agency.

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WATER SYSTEM PURVEYOR

Elliott Ward or current "lot owner B" is the designated "Purveyor" of the water system. The purveyor shall be responsible for arranging submission of all necessary water samples as required in the WAC, and Skagit County Rules and Regulations and handling emergencies such as system shutdown and repair. The purveyor shall provide his/her name, address and telephone number to the Health Officer and shall serve as a contact person to the Health Officer.

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PROVISIONS FOR CONTINUATION OF WATER SERVICE

"Lot owner A" and "lot owner B" herein agree to maintain a continuous flow of water from the well and water system, herein described in accordance with public water supply requirements of the State of Washington and Skagit County. In the event that the quality or quantity of water from the well becomes unsatisfactory as determined by the Health Officer, the parties shall develop a new source of water. Prior to development of, or connection to a new source of water, the parties or owners of said parcels shall obtain written approval from the Health officer. 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.

EW SW EW SW

Elliott Ward

Parcel #1 owner

SW

Parcel #1 owner

4/18/08

Date

Elliott Ward

Parcel #2 owner

SW

Parcel #2 owner

4/18/08

Date

Purveyor: Elliott Ward. 10795 Wilson Lane. Mount Vernon, WA 98273 (360)757-6890



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NOTICE TO FUTURE PROPERTY OWNERS

This property is served by a public water system which is subject to the provisions of Chapter 246-291 WAC. This system may also be subject to other state and local regulations. The system owner is responsible for maintaining this system in compliance.

The name of this system is: **Ward Water System**

The state Department of Health and Skagit County Public Health Departments share administration of the public drinking water regulations. Therefore, when the term "department" is used, it refers to whichever agency regulates this particular system. You can contact the local health department to find out which agency is applicable.

This water system is designed to provide for 2 residential services (one residence on each lot of the land division PL07-0520). Additional planning and design approvals must be obtained from the department prior to expanding beyond this number of services. Please note that the design flow standards account for domestic use and watering of a typical lawn and garden space only. The design assumes that all residences will be equipped with ultra low flow plumbing fixtures and that all users will keep conservation in mind whenever they use this system. Additionally, if system wide water use exceeds 5000 gallons per day or if the total property being irrigated by the system exceeds 1/2 acre, a water right permit must be obtained from the Department of Ecology.

Public water systems are subject to on-going requirements. These include periodic water quality monitoring, system maintenance and various record keeping. Prior to purchasing this property, it is recommended that you contact the Skagit County Public Health Department to determine whether this system is in compliance with applicable regulations. Fees may be charged by the department for providing various services.

The department maintains current information on this system to expedite retrieval of information for your use or for lending institutions which require information on the system as part of their loan approval process. Each time information changes, such as a change in the number of homes connected to the system; a change in owner/operator name, address or phone number; etc., the owner of your system must submit an updated *Water Facilities Report Form* to the Skagit County Public Health Department.

Group B public water systems are not required to have back-up facilities to cover power outages or other system failures. Contact the system owner for information regarding the reliability of this system.

The design of this water system was not required to meet the minimum designs for Group B public water systems since it is a two-connection residential public water system (allowed for in Skagit County Policy).

Current information on costs is available from the system owner.



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