

**POINT ROBERTS WATER DISTRICT NO. 4
79 TYEE DRIVE, SUITE 4
POINT ROBERTS, WA 98281**

RESOLUTION NO. 629

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
POINT ROBERTS WATER DISTRICT NO. 4, WHATCOM
COUNTY, WASHINGTON, RESCINDING RESOLUTIONS NOS.
608 AND ESTABLISHING POLICIES AND PROCEDURES
RELATING TO THE ISSUANCE OF WATER AVAILABILITY
NOTIFICATIONS AND ASSOCIATED WATER DEVELOPER
EXTENSION AGREEMENTS BY THE DISTRICT.**

WHEREAS, Whatcom County ("County") requires parties undertaking certain land use actions such as the subdivision of, development of real property to obtain water availability notifications from a public purveyor of such utility services as a condition of the County's consideration and approval of various permits and approvals relating to such land use actions; and

WHEREAS, Point Roberts Water District No. 4 ("District"), as a purveyor of water service, receives requests for water service and requests to certify to Whatcom County the availability of water utility service("Water Availability Notification" or Notification") for certain land use actions; and the County relies on such Notifications to approve the issuance of building permits, the creation of building lots in residential plats; and

WHEREAS, the District allocates water supply to certain properties identified by the District through service applications, previously approved/issued Notifications, Developer Extension Agreements; and

WHEREAS, the District by the adoption of Resolution No. 608 on October 17, 2008, previously adopted policies and procedures relating to the issuance of Notifications, including the requirement that parties seeking Notifications for submission to the County pay a portions of the District's Water General Facility Connection Charge ("GFC") to be credited against the total GFCs owing by the party or the party's successors at the time of the connection of the party's property to and the receipt of water service from the District's water system; and

WHEREAS, the District Board of Commissioners is concerned that parties have utilized Notifications to obtain the issuance of land use development permits and approvals from the County such as building permits, building lots in residential plats or commercial developments and have not paid the full GFC related to such approvals; and the District desires to require the full payment of GFCs owing relating to the land use actions for which Notifications are issued to insure that such water connections for which partial GFCs have been paid are fully and timely utilized and to discourage speculation and uncertainty regarding the use and availability of District water supply; and

WHEREAS, pursuant to RCW 57.16.010(1), the District is required to determine and select a water supply for the District area suitable and adequate for the present and reasonably foreseeable future needs thereof, consider and determine a general system of plan for acquiring such water supply, for storing and conveying such water supply throughout the District, and to prepare and adopt a general comprehensive plan for distributing such water supply throughout the District together with a long-term plan for financing the planned projects and method of distributing the cost and expense thereof; and pursuant to such authority the District Board of Commissioners approved an updated and revised comprehensive water system plan entitled "Point Roberts Water District No. 4 Water System Plan" dated March 8, 2007 ("Comprehensive Plan") by the adoption of Resolution No. 586 on March 20, 2007; and

WHEREAS, pursuant to the Comprehensive Plan was approved and under taken a capital improvement plan ("CIP") to construct water facilities to provide for the present and reasonably foreseeable future water supply needs of the District; and has and will utilize GFCs and other funding sources to pay for CIP facilities; and

WHEREAS, pursuant to RCW 43.20.260, the District has a duty to provide retail water service within its retail water service area if its service can be available in a timely and reasonable manner, it has sufficient water rights to provide the service, it has sufficient capacity to serve water in a safe and reliable manner as determined by the Washington State Department of Health , and District service is consistent with the District's service area; and given the District's duty to serve, it requires parties desiring to connect their real property to and receive water service from the District's water system to pay the equitable share of the cost of the District water system pursuant to RCW 57.08.055(11); and

WHEREAS, in addition to all other powers and authority, pursuant to RCW57.08.005(3), the District has full authority to regulate and control the use, content, distribution, and price of water supply; and ; now, therefore,

BE IT RESOLVED by the Board of Commissioners of Point Roberts Water District No. 4, Whatcom County, Washington, as follows:

1. Water supply shall be made available to parties applying to the District for water service to their property ("Applicant") on the terms and conditions set forth in and consistent with all other

applicable District rules, regulations, policies and procedures, including the Comprehensive Plan; and for water service to be considered allocated to an Applicant by the issuance of a Notification or provision of water service to an Applicant, the Applicant shall comply with all District policies and procedures for such action..

2. The administrative process as set forth on **Exhibit "A"** attached hereto and incorporated herein by this reference for applying for water service from the District and for the issuance of Notifications, and for entering into District water developer extension agreements, is hereby approved and adopted.
3. An application in the form attached hereto as **Exhibit "B"** and incorporated herein by this reference for a Notification and any associated water developer extension agreement is hereby approved and adopted.
4. Standard conditions to Notifications attached hereto as **Exhibits "C"** and **"D"** and incorporated herein by this reference, imposing additional terms and conditions thereon for applications for water service requiring either (a) a water developer extension agreement, or (b) not requiring a water developer extension agreement are hereby approved.
5. Notifications shall be issued by the District on the following terms and conditions:
 - a. Parties desiring such Notifications shall be required to pay a non-refundable administrative fee to the District in the amount of (i) \$100.00 per notification for County land use actions involving only one (1) single family residence, and \$250.00 per notification for County land use actions involving more than one (1) single family residence or other land use proposals, and (ii) the full GFC per residential unit or equivalent residential unit ("ERU") applicable to their property and County land user development proposal or permit application for which the Notification is requested by such party to be credited against the total GFCs owing the District at the time the property is connected to and receives water service from the District water system.
 - b. Any Notification issued by the District requiring a developer extension agreement as provided herein relating to Whatcom County's consideration and approval of various permits and approvals relating to land use actions/development proposals shall expire, be null and void, and have no further validity and

effect if the party receiving the Notification fails to apply for the designated land use approval/development proposal to Whatcom County within one (1) year of the issuance of such Notification by the District; provided, when Notification has been accepted by the County as part of a land use supplication, such as a plat or building permit application, the Notification shall remain valid while the land use application is pending and active with the County.

- c. Any Applicant applying to the District for the issuance of a Notification for any County land use action/development proposal requiring (i) the extension of the District's water system, (ii) the subdivision of property, and/or (iii) as otherwise required by the District, shall also be required to enter into a water developer extension agreement with the District as a condition of the issuance of the Notification; provided if the GFC paid by the Applicant to the District is revised by District for ownership, the Applicant shall pay to the District the GFC in effect at the time of final acceptance; provided however , if the Applicant obtains County approval of the land use action or development approval for a number of ERUs less than the number of ERUs for which the Applicant paid GFCs to the District, the Applicant may apply to the District for a GFC refund in the amount of the difference in the number of ERUs approved by the County, provided such refund application must be submitted to the District within sixty (60) days of the County's approval of the land use action or development proposal.
- d. In the event any party receiving a notification as referenced in Paragraph 7(b) above fails to apply for the designated land use approval to Whatcom County within one (1) year of the issuance of the Notification and the notification is thereafter invalidated as referenced in Paragraph 5(b) above, the GFC paid to the District related to the Notification shall be applied as a monetary credit to any future GFCs owing to the District for the future connection of the property to and receipt of water service from the District's water system, provided such connection shall be subject to the District's GFC in effect at the time of such connection.
- e. Any Applicant applying to the District for the issuance of a Notification for a single tax lot which (i) is not proposed by the party to be subdivided, (ii) only requires the Notification for water service for only one ERU, and (iii) does not require

extension of the District's water system to serve the real property shall not be required to enter into a developer extension agreement with the District as a condition of the issuance of a Notification. Any Availability Notification issued by the District as provided in this subsection relating to Whatcom County's land use actions/development proposals such as a building permit application shall expire, be null and void, and have no further validity and effect if the party receiving the Notification fails to apply for the designated land use approval/development proposal to Whatcom County within one (1) year of the issuance of such Notification by the District, and the GFC paid to the District related to the Notification shall be applied as a monetary credit to any future GFC owing to the District for the future connection of the property to and receipt of water service from the District's water system, provided such connection shall be subject to the District's GFC in effect at the time of such connection. When the Notification has been accepted by the County as part of a land use application, such as a building permit application, the Notification shall remain valid with the land use application while the land use application is pending and active with the County.

f. The party or applicant shall be required to pay, within thirty (30) days of the County approval of the land use application for a single tax lot, all required District fees and charges, including but not limited to, water service application and meter installation charges owing relating to the Notification; provided that if the GFC is revised by District resolution after the Notification is issued by the District and before the property is connected to the District water system, the revised GFC shall apply and the Applicant shall pay such revised charge to the District at the time the property is connected to and receives water service from the District water system.

6. If (a) prior to the adoption of the resolution parties received Notifications from the District for the purpose of obtaining, and did obtain, County land use development permits and approvals such as the creation of building lots in residential plats or commercial developments, and (b) such parties did not pay the full GFC owing the District relating to such Notification, but only paid a partial GFC, the District shall record against the Property which was the subject of the Notification a "Notice of Connection Charge Owing" to provide notice to the owner of such property and the owner's successors in interest that the full District GFC in effect at

the time future application is made to the District for connection of the property to the District water system must be paid to the District as a condition of such connection; provided any partial GFCs paid to the District related to a Notification shall be applied as a monetary credit to any GFCs owing to the District for connection of the property to and receipt of water service from the District's water system.

7. The policies and procedures set forth in this resolution shall be effective March 13, 2012 and shall supersede and modify all prior District resolutions, policies and procedures including Resolution No. 608, to the extent such resolutions, policies and procedures are inconsistent with this resolution.

ADOPTED at a Regular Open Public Meeting of the Board of Commissioners of Point Roberts Water District No. 4, Whatcom County, Washington, held on the of March 13, 2012

William H. Meursing, Secretary

Scott Hackleman, Commissioner

N. Madeleine Anderson, Chairperson

EXHIBIT A

**POINT ROBERTS WATER DISTRICT NO. 4
PROCESS TO OBTAIN
WATER SERVICE
WATER AVAILABILITY NOTIFICATION
AND ASSOCIATED DEVELOPER EXTENSION AGREEMENTS**

1. Obtain and fill out an Application for Water Service, a Water Availability Notification (“Notification”) and associated Developer Extension Agreement (“DEA”) from the District. [DEAs are required if the application is for a project of more than 1 Equivalent Residential Unit (“ERU”) or requires, in the District’s opinion, an extension or improvement to water facilities to provide water utility service to the property which is the subject of the application.]
2. Applications will be accepted by the District during normal working hours, usually 9:00 AM - 12:00 PM and 1:00 P.M. – 5:00 P.M., Monday - Friday, at the District’s office located at 79 Tyee Drive, Suite A, Point Roberts, WA 98281. Applications must be complete as determined by the District to be considered, including a description of the proposed project, the number of ERUs requested, property legal description, and applicant and property owner signatures.
3. Applications received shall be reviewed by District staff and, if determined to be complete, the District will inform the applicant of the expected conditions for obtaining the requested water availability notification or DEA. The identification of these conditions does not guarantee that the District Board of Commissioners will subsequently approve a DEA, if required, or approve the issuance of a water availability notification.

SERVICE CONNECTION ONLY

4. The Applicant pays required fees, including but not limited to, water service application, meter installation and general facility connection charges, and executes the documents necessary to receive service from the District. Water Meter Application required.

WATER AVAILABILITY NOTIFICATION, WITH NO DEA REQUIREMENT

5. Applicant provides required fees to the District.
For a Project involving only one (1) single family residence, the fees shall include, where applicable:
A non-refundable administrative fee in the amount of \$100 per Notification.
The full GFC per ERU requested to be credited against the total water general facility connection charges owing the District at the time of connection related to the Notification.
For all Projects involving more than one (1) single family residence or other land use proposal, the fees shall include where applicable: the fees shall include, where applicable:
A non-refundable administrative fee in the amount of \$250 per Notification.
The full GFC per ERU requested to be credited against the total water general facility connection charges owing the District at the time of connection related to the Notification.
6. District staff will prepare the current version of the County Notification form and provide it to the Applicant.
7. If the Notification is not submitted to Whatcom County (County) within ONE (1) YEAR of its date of issuance by the District, as part of a complete project/land use application, the Notification shall

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PROCESS TO OBTAIN
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be invalidated by the District and the Applicant shall be required to repeat the District application process.

When a Notification has been accepted by the County as part of a complete land use application such as a building permit or plat application, the Notification shall remain valid with the project/land use application pending and active with the County.

DEVELOPER EXTENSION AGREEMENTS

8. Based on the information provided in the Application, District will prepare a DEA and provide it to the Applicant.
9. Applicant and Property Owner execute the DEA and return it to the District with applicable fees required by the District to enter into the DEA. The DEA and fees must be returned to the District within 60 days of the District providing the DEA to the Applicant. If Applicant fails to return the fully-executed DEA and fees to District within 60 days, Applicant shall be required to repeat the application process.
10. The fees include, at a minimum, an administration fee.
11. District staff will schedule consideration of the DEA for the next regular Board of Commissioner meeting, when the approval of the execution of the DEA by Resolution will be considered by the Board.
12. If the Board approves the DEA, District will execute the DEA, prepare the related Water Availability Notification (if appropriate), and return the DEA and Notification to the Applicant.
13. If the Notification is not submitted to the County having land use jurisdiction over the project/property within one year of the date of its issuance by the District, as part of a complete land use application, the Notification shall be invalidated by the District. If the Applicant is unable to meet the one year deadline, the Applicant may request an extension, to be considered on a case by case basis by the Board of Commissioners.

When a Certificate(s) has been accepted by the County as part of a complete land use application, the Notification shall remain valid with the project/land use application through that process.

14. If the General Facility Connection Charge is revised by District resolution after the water developer extension agreement has been entered into and before the water extension improvements have been granted final acceptance by the District for ownership, the General Facility Connection Charge in effect at the time of final acceptance shall apply and shall be paid by the applicant to the District. The resolution establishing the General Facility Connection Charge shall be available at the District office.

**POINT ROBERTS WATER DISTRICT NO. 4
PROCESS TO OBTAIN
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WATER AVAILABILITY NOTIFICATION
AND ASSOCIATED DEVELOPER EXTENSION AGREEMENTS**

15. The Design/Inspection phase of the DEA also has associated fees and charges which must be paid to the District as detailed in the Developer Extension Agreement. See the DEA for the remaining procedure for the DEA process which is provided in a checklist format.

All fees and charges provided in this process description are those in effect at the time this description was printed, and are subject to change at any time, without prior notice. The fees charged will be those in effect when the fees are paid to the District, at the time of the District's final acceptance of the DEA extension improvements, or at the time of the connection of the property with which is the subject of the Notification of DEA, whichever event is later, in accordance with District rules and regulations in effect at that time.

District offices are located at:

Point Roberts Water District No. 4
79 Tyee Drive, Suite A
Point Roberts, WA 98281
Tel:(360) 945-4696
FAX: (360) 945-3021

PROJECT NAME: _____	
<u>APPLICANT</u>	<u>APPLICANT'S AGENT</u> (OPTIONAL INFORMATION)
Name:	Name:
Designate Applicant Status __ Corporation, __ Partnership __ Joint Venture, __ Sole Proprietorship __ LLC, __ Other: _____	Address:
Address:	e-mail:
	Telephone:
	Fax:
e-mail:	<u>APPLICANT'S ENGINEER</u> (OPTIONAL INFORMATION)
Telephone:	Name:
Fax:	Address:
Is Applicant the Property Owner: Yes/No If No: <u>OWNER</u>	
Name:	e-mail:
Address:	Telephone:
	Fax:
e-mail:	PRIMARY CONTACT
Telephone:	__ Applicant, __ Owner
Fax:	__ Agent, __ Engineer

PROPERTY INFORMATION

Tax Lot Number(s): _____ Attach legal description and property map/depiction (District-approved ERUs are only applicable to the identified real property and are not transferable to any other property)
Property Size: _____ Property Zoning: _____

79 Tyee Drive, Suite A, Point Roberts, WA 98281
(360) 945-4696, FAX (360) 945-3021

Application Form including Number of requested ERUs, Legal Description, and Applicant Signature and Owner Signature (if Applicant is not the Owner) are all required to be considered a complete application.

PROJECT INFORMATION

Project Name: _____

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Description of Proposed Project:							
Water _____	Water & On-Site Septic _____			Water Only (Irrigation) _____			
New Service Only _____ Use for service _____							
Certificate Requested: _____ Building Permit; _____ Short Subdivision _____ Preliminary Plat; _____ Rezone; _____ Other _____							
Calculation of Equivalent Residential Units (ERUs)							
Meter Size	3/4"	1"	1-1/2"	2"	3"	4"	Total
# Existing Meters							
x ERUs/ size meter	1	2.5	5	8	16	25	
# Total Existing ERUs							
Meter Size	3/4"	1"	1-1/2"	2"	3"	4"	Total
# New Domestic Meters							
# New Irrigation Meters							
Total # New meters							
x ERUs/ size meter	1	2.5	5	8	16	25	
# Total New ERUs							
Fill in Total ERUs from calculations above			WATER SERVICE				
			EXIST	NEW	TOTAL		
ERU Summary							

The following terms and conditions, including all other District Resolutions, policies and procedures, apply to this Application to the District for Water Service, Water Availability Notification(s) and associated Developer Extension Agreement, if required by District:

1. This application is valid only for the real property referenced on this application.
2. This application is not transferable or assignable to any party.
3. The District makes no representations, express or implied, that the applicant will be able to obtain the necessary permits, approvals, and authorizations from Whatcom County or any other governmental agency necessary before the applicant can utilize the utility service which is the subject of this application.
4. The District's receipt of this application creates no contractual relationship between the District and the applicant, and the receipt of this application does not imply or guarantee that water service, Water Availability Notification(s) and/or Developer Extension Agreements will be approved and issued by the District. **District reserves the right to discontinue processing applications at any time without prior notice for any reason, including limited, diminished or lack of supply, and/or demand considerations.**

APPLICANT: (printed name) _____ Organization: _____ Title: _____ Signature: _____ Date: _____	OWNER: (printed name) _____ Organization: _____ Title: _____ Signature: _____ Date: _____
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EXHIBIT C

SUPPLEMENTAL TERMS AND CONDITIONS TO WHATCOM COUNTY AVAILABILITY NOTIFICATION FOR PUBLIC WATER

POINT ROBERTS WATER DISTRICT NO. 4

(Project Requires Developer Extension Agreement)

The following terms and conditions apply to the attached Whatcom County Availability Notification for Public Water (**Notification**) issued by Point Roberts Water District No. 4 (**District**):

1. This Notification is valid only for the real property referenced herein for the sole purpose of submission to the Whatcom County Health Department and/or Whatcom County Planning & Development Services (collectively "**Whatcom County**"). This Notification is between the District and the Applicant only, and no third person or party shall have any rights hereunder whether by agency or as a third-party beneficiary or otherwise.

2. The Applicant has entered into an agreement dated the ___ day of _____, 20___ with the District to construct extensions to the District's water system (**Developer Extension Agreement**) to provide the water system facilities necessary to adequately provide water service to the real property referenced in Section Four "Certification" herein. The Developer Extension Agreement provides that the water facilities will be designed, approved and installed per WAC 246-290. The terms and conditions of the Developer Extension Agreement are hereby incorporated in this Availability Notification by this reference as if set forth herein in full.

3. Any Notification issued by the District, in conjunction with a District Developer Extension Agreement, relating to Whatcom County's consideration and approval of various permits and approvals relating to land use actions referenced in this Notification **shall expire, be null and void, and have no further validity and effect if the Applicant receiving the Notification fails to apply for the designated land use approval to Whatcom County within one (1) year of the issuance of this Notification** by the District, unless **this Notification** is specifically updated or extended by approval of the District.

4. If the Water General Facility Connection Charges paid by the Applicant to the District is revised by District resolution after a Developer Extension Agreement has been entered into and before the water extension improvements have been granted final acceptance by the District for ownership, the Applicant shall pay to the District the GFC in effect at the time of final acceptance.

5. The District makes no representations, express or implied, that the Applicant/owners of the real property which is the subject of this Notification will be

able to obtain the necessary permits, approvals, and authorizations from Whatcom County or any other governmental agency necessary before the owners of the real property may utilize the water service which is the subject of this Notification. In addition, other governmental agencies may establish requirements, as a condition of granting any such permits, approvals, or authorizations relating to this Notification that may make the provision of utility services impractical or impossible to the real property which is the subject of this Notification.

EXHIBIT A

**POINT ROBERTS WATER DISTRICT NO. 4
PROCESS TO OBTAIN
WATER SERVICE
WATER AVAILABILITY NOTIFICATION
AND ASSOCIATED DEVELOPER EXTENSION AGREEMENTS**

1. Obtain and fill out an Application for Water Service, a Water Availability Notification and associated Developer Extension Agreement (“DEA”) from the District. [DEAs are required if in the District’s opinion, an extension or improvement to water facilities to provide water utility service to the property which is the subject of the application.]
2. Applications will be accepted by the District during normal working hours, usually 8:30 AM - 12:00 PM and 12:30 P.M. – 5:00 P.M., Monday - Friday, at the District’s office located at 79 Tyee Drive, Suite A, Point Roberts, WA 98281. Applications must be complete as determined by the District to be considered, including a description of the proposed project, the number of ERUs requested, property legal description, and applicant and property owner signatures.
3. Applications received shall be reviewed by District staff and, if determined to be complete, the District will inform the applicant of the expected conditions for obtaining the requested water availability notification or DEA. The identification of these conditions does not guarantee that the District Board of Commissioners will subsequently approve a DEA, if required, or approve the issuance of a water availability notification.

SERVICE CONNECTION ONLY

4. The Applicant pays required fees, including but not limited to, water service application, meter installation and general facility connection charges, and executes the documents necessary to receive service from the District. Water Meter Application required.

WATER AVAILABILITY NOTIFICATION, WITH NO DEA REQUIREMENT

5. Applicant provides required fees to the District.
For Single Family Residential Projects the fees shall include, where applicable:
A non-refundable administrative fee in the amount of \$250 per Water Availability Notification.
per ERU requested to be credited against the total water general facility connection charges owing the District related to the Notification.
For Non Single Family Residential Projects the fees shall include, where applicable:
A non-refundable administrative fee in the amount of \$250 per Water Availability Notification.
per ERU requested to be credited against the total water general facility connection charges owing the District related to the Notification.
6. District staff will prepare the Water Availability Notification and provide it to the Applicant.
7. If the Water Availability Notification is not submitted to Whatcom County (County) within ONE (1) YEAR of its date of issuance by the District, as part of a complete project/land use application, the Notification shall be invalidated by the District and the Applicant shall be required to repeat the District application process.

**POINT ROBERTS WATER DISTRICT NO. 4
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When a Notification has been accepted by the County as part of a complete land use application such as a building permit or plat application, the Notification shall remain valid while the project/land use application is pending and active with the County.

DEVELOPER EXTENSION AGREEMENTS

8. Based on the information provided in the Application, District will prepare a DEA and provide it to the Applicant.
9. Applicant and Property Owner execute the DEA and return it to the District with applicable fees required by the District to enter into the DEA. The DEA and fees must be returned to the District within 60 days of the District providing the DEA to the Applicant. If Applicant fails to return the fully-executed DEA and fees to District within 60 days, Applicant shall be required to repeat the application process.
10. The fees include, at a minimum, an administration fee .
11. District staff will schedule consideration of the DEA for the next regular Board of Commissioner meeting, when the approval of the execution of the DEA by Resolution will be considered by the Board.
12. If the Board approves the DEA, District will execute the DEA, prepare the related Water Availability Notification (if appropriate), and return the DEA and Notification to the Applicant.
13. If the Notification is not submitted to the County having land use jurisdiction over the project/property within one year of the date of its issuance by the District, as part of a complete land use application, the Notification shall be invalidated by the District. If the Applicant is unable to meet the one year deadline, the Applicant may request an extension, to be considered on a case by case basis by the Board of Commissioners.

When a Notification has been accepted by the County as part of a complete land use application, the Notification shall remain valid while the project/land use application is pending and active with the County.

14.

If the General Facility Connection Charge is revised by District resolution after the water developer extension agreement has been entered into and before the water extension improvements have been granted final acceptance by the District for ownership, the General Facility Connection Charge in effect at the time of final acceptance shall apply and shall be paid by the applicant to the District. The resolution establishing the General Facility Connection Charge shall be available at the District office.

**POINT ROBERTS WATER DISTRICT NO. 4
PROCESS TO OBTAIN
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WATER AVAILABILITY NOTIFICATION
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15. The Design/Inspection phase of the DEA also has associated fees and charges which must be paid to the District as detailed in the Developer Extension Agreement. See the DEA for the remaining procedure for the DEA process which is provided in a checklist format.

All fees and charges provided in this process description are those in effect at the time this description was printed, and are subject to change at any time, without prior notice. The fees charged will be those in effect when the fees are paid to the District, or at the time of the District's final acceptance of the DEA extension improvements, whichever event is later, in accordance with District rules and regulations in effect at that time.

District offices are located at:

Point Roberts Water District No. 4
79 Tyee Drive, Suite A
Point Roberts, WA 98281
Tel:(360) 945-4696
FAX: (360) 945-3021

EXHIBIT B

**POINT ROBERTS WATER DISTRICT NO. 4
APPLICATION FOR
WATER SERVICE
WATER AVAILABILITY NOTIFICATION &
ASSOCIATED DEVELOPER EXTENSION AGREEMENT**

PROJECT NAME: _____	
<u>APPLICANT</u>	<u>APPLICANT'S AGENT</u> (OPTIONAL INFORMATION)
Name:	Name:
Designate Applicant Status __ Corporation, __ Partnership __ Joint Venture, __ Sole Proprietorship __ LLC, __ Other: _____	Address:
Address:	e-mail:
	Telephone:
	Fax:
e-mail:	<u>APPLICANT'S ENGINEER</u> (OPTIONAL INFORMATION)
Telephone:	
Fax:	
Is Applicant the Property Owner: Yes/No If No: <u>OWNER</u>	Name:
Name:	Address:
Address:	e-mail:
	Telephone:
	Fax:
e-mail:	PRIMARY CONTACT __ Applicant, __ Owner __ Agent, __ Engineer
Telephone:	
Fax:	

PROPERTY INFORMATION

Tax Lot Number(s): _____ Attach legal description
Property Size: _____ Property Zoning: _____

**79 Tye Drive, Suite A, Point Roberts, WA 98281
(360) 945-4696, FAX (360) 945-3021**

Application Form including Number of requested ERUs, Legal Description, and Applicant Signature and Owner Signature (if Applicant is not the Owner) are all required to be considered a complete application.

District Use Only	Date Received _____
Legal Description Attached _____	ERUs Requested _____ Applicant and Owners Signed _____

PROJECT INFORMATION

Project Name: _____							
Description of Proposed Project: _____							
Water _____	Water & On-Site Septic _____	Water Only (Irrigation) _____					
New Service Only _____ Use for service _____							
Certificate Requested: _____ Building Permit; _____ Short Subdivision _____ Preliminary Plat; _____ Rezone; _____ Other _____							
Calculation of Equivalent Residential Units (ERUs)							
Meter Size	3/4"	1"	1-1/2"	2"	3"	4"	Total
# Existing Meters							
x ERUs/ size meter	1	2.5	5	8	16	25	
# Total Existing ERUs							
Meter Size	3/4"	1"	1-1/2"	2"	3"	4"	Total
# New Domestic Meters							
# New Irrigation Meters							
Total # New meters							
x ERUs/ size meter	1	2.5	5	8	16	25	
# Total New ERUs							
Fill in Total ERUs from calculations above				WATER SERVICE			
				EXIST	NEW	TOTAL	
ERU Summary							

The following terms and conditions, including all other District Resolutions, policies and procedures, apply to this Application to the District for Water Service, Water Availability Notification(s) and associated Developer Extension Agreement, if required by District:

1. This application is valid only for the real property referenced on this application.
2. This application is not transferable or assignable to any party.
3. The District makes no representations, express or implied, that the applicant will be able to obtain the necessary permits, approvals, and authorizations from Whatcom County or any other governmental agency necessary before the applicant can utilize the utility service which is the subject of this application.
4. The District's receipt of this application creates no contractual relationship between the District and the applicant, and the receipt of this application does not imply or guarantee that water service, Water Availability Notification(s) and/or Developer Extension Agreements will be approved and issued by the District. **District reserves the right to discontinue processing applications at any time without prior notice for any reason, including limited, diminished or lack of supply, and/or demand considerations.**

APPLICANT: (printed name) _____ Organization: _____ Title: _____ Signature: _____ Date: _____	OWNER: (printed name) _____ Organization: _____ Title: _____ Signature: _____ Date: _____
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EXHIBIT C

SUPPLEMENTAL TERMS AND CONDITIONS TO WHATCOM COUNTY AVAILABILITY NOTIFICATION FOR PUBLIC WATER

POINT ROBERTS WATER DISTRICT NO. 4

The following terms and conditions apply to the attached Whatcom County Availability Notification for Public Water (**Notification**) issued by Point Roberts Water District No. 4 (**District**):

1. This Availability Notification is valid only for the real property referenced herein for the sole purpose of submission to the Whatcom County Health Department and/or Whatcom County Planning & Development Services (collectively "**Whatcom County**"). This Notification is between the District and the Applicant only, and no third person or party shall have any rights hereunder whether by agency or as a third-party beneficiary or otherwise.

2. The Applicant has entered into an agreement dated the __ day of _____, 20__ with the District to construct extensions to the District's water system (**Developer Extension Agreement**) to provide the water system facilities necessary to adequately provide water service to the real property referenced in Section Four "Certification" herein. The Developer Extension Agreement provides the water facilities will be designed, approved and installed per WAC 246-290. The terms and conditions of the Developer Extension Agreement are hereby incorporated in this Notification by this reference as if set forth herein in full.

3. Any Availability Notification issued by the District, in conjunction with a District Developer Extension Agreement, relating to Whatcom County's consideration and approval of various permits and approvals relating to land use actions referenced in this Availability Notification **shall expire, be null and void, and have no further validity and effect if the Applicant receiving the Notification fails to apply for the designated land use approval to Whatcom County within one (1) year of the issuance of this Notification** by the District, unless **this Notification** is specifically updated or extended by approval of the District.

4. The District makes no representations, express or implied, that the Applicant/owners of the real property which is the subject of this Availability Notification will be able to obtain the necessary permits, approvals, and authorizations from Whatcom County or any other governmental agency necessary before the owners of the real property may utilize the water service which is the subject of this Notification. In addition, other governmental agencies may establish requirements, as a condition of granting any such permits, approvals, or authorizations relating to this Availability Notification that may make the provision of utility services impractical or impossible to the real property which is the subject of this Availability Notification.