



BENTON COUNTY RURAL WATER SUPPLY
MITIGATION CERTIFICATE APPLICATION CHECKLIST
FOR SUBDIVISIONS AND SHORT PLATS

For all Mitigation Certificate Applications submitted as part of the Benton County subdivision or short plat application, all components below must be met. Please follow the checklist below to ensure that you meet all timelines and requirements. Incomplete applications will be returned to the applicant. **All fees are non-refundable.**

FOR THE INITIAL MITIGATION CERTIFICATE APPLICATION SUBMITTAL:

- | | |
|--------------------------|---|
| ☐ | Complete one Mitigation Certificate application for each new lot within a proposed subdivision or short plat. All parts of each Mitigation Certificate application, including the Statements of Understanding and the notary pages must be completed. |
| ☐ | Attach a full legal description of the parent parcel. Legal descriptions can be found on the property's title report. Alternatively, the legal description may be obtained through the Benton County Assessor's office. |
| ☐ | Attach a completed Irrigation Water Availability Affidavit. |
| ☐ | Submit the completed applications for each lot and all attachments to the Benton County Planning Division. |

ISSUANCE OF THE MITIGATION CERTIFICATES:

- | | |
|--------------------------|--|
| ☐ | Applicant shall pay the applicable Mitigation Certificate Package fees for each lot to the Benton County Planning Division. Payments may be made in cash, check, or credit card; however, a 2.5% surcharge will be incurred if paying by credit card.
PACKAGE A: \$663.00; or PACKAGE B: \$1,410.00; or PACKAGE C: \$2,157.00. |
| ☐ | Applicants shall then sign the Mitigation Certificates issued by the Planning Division. The Planning Division will retain the signed Mitigation Certificates for recording after the final plat has been approved and recorded. |

AFTER MITIGATION FEES HAVE BEEN PAID:

- | | |
|--------------------------|--|
| ☐ | Applicant may proceed with subdivision/short plat application to obtain final plat approval. |
| ☐ | Once final approval of the subdivision/short plat has been issued and the plat is ready to be recorded, the applicant shall provide a check (made payable to the Benton County Auditor) to the Planning Division for the recording fees of the Mitigation Certificates for each lot. The applicant is responsible for all applicable recording fees. |
| ☐ | After the Planning Division has received the check for the recording fees and the final plat has been legally recorded; Planning Staff shall then record the Mitigation Certificates with the Benton County Auditor's Office on the title of record associated with the subject property. |
| ☐ | Once the Certificates have been recorded, Planning Staff will send the applicant the receipt for the recording fees and a letter stating the documents have been recorded against the title of the property. |



BENTON COUNTY RURAL WATER SUPPLY PROGRAM WATER MITIGATION CERTIFICATE APPLICATION

Certificate No. RWSP

Incomplete applications, including applications without all required attachments, will not be accepted.

A COMPLETE APPLICATION SHALL INCLUDE THE FOLLOWING:

- ☐ Signed Statement of Understanding
- ☐ Executed Notarized Statement
- ☐ Completed Irrigation Water Availability Affidavit
- ☐ Full Legal Description of Parcel
- ☐ Well Log

APPLICANT INFORMATION

Property Owner(s): _____

Mailing Address: _____ City: _____

State: _____ ZIP: _____ Phone: _____

Email Address: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

**If there are additional owners please copy this section, sign, and attach to the application*

WELL INFORMATION

1. Subject property address: _____

2. Parcel number: ____ - ____ - ____ - ____ - ____ 3. Well Tag ID: _____

4. Subdivision/short plat file number: _____ Proposed # of Lots: _____

5. Please describe the proposed project: _____

6. Please choose one of the following: ☐ Existing Well ☐ No well has been drilled

7. Is the well part of a public water system? ☐ No ☐ Yes

If yes, name of public water system: _____

8. Is the well part of a shared well? ☐ No ☐ Yes

If yes, parcel # where well is located: _____

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.56) and all other applicable law that may require the release of the documents to the public.

BENTON COUNTY WATER BANK PACKAGES

Please choose one of the packages below

☐ **PACKAGE A - \$663.00:**

Applicants with access to outdoor irrigation water or subject to an assessment by an irrigation district may only purchase mitigation Package A. Authorizes use of annual average of two hundred (200) gallons per day, in the aggregate, of private well water for indoor domestic use only. So long as the annual daily average is not exceeded in any consecutive twelve (12) month period, the maximum daily withdrawal on any given day shall be six hundred seventy-five (675) gallons.

☐ **PACKAGE B - \$1,410.00:**

Applicants located outside an irrigation district or within a district but not subject to assessment by the district may purchase mitigation Package B. Authorizes use of an annual average of three hundred (300) gallons per day, in the aggregate, of private well water for indoor domestic use and outdoor irrigation of up to 1500 square feet. So long as the annual daily average is not exceeded in any consecutive twelve (12) month period, the maximum daily withdrawal on any given day shall be one thousand (1000) gallons.

☐ **PACKAGE C - \$2,157.00:**

Applicants located outside an irrigation district or within a district but not subject to assessment by the district and who do not purchase Package B, may purchase mitigation Package C. Authorizes use of an annual average of four hundred (400) gallons per day, in the aggregate, of private well water for indoor domestic use and outdoor irrigation of up to 3000 square feet. So long as the annual daily average is not exceeded in any consecutive twelve (12) month period, the maximum daily withdrawal on any given day shall one thousand three hundred (1300) gallons.

STATEMENTS OF UNDERSTANDING

I understand that a Mitigation Certificate shall only be issued as part of a Benton County Building Permit or a subdivision/short plat application and that a separate Mitigation Certificate is required for each new lot that is proposed as part of a subdivision or short plat application.

 Initials Water use on this parcel from the groundwater well with the tag number listed above should not exceed the limitations set for in the Mitigation Certificate issued.

Mitigation is for use on the above-mentioned parcel only and is not transferable for use at other locations or for any other uses.

Mitigation for indoor domestic use applies to water for drinking, bathing, sanitary purposes, cooking and laundering. It also includes incidental uses such as washing windows, car washing, cleaning exterior structures, care of household pets, etc.

I understand that if package A is purchased, then I am limited to an annual average of two hundred (200) gallons per day, in the aggregate, of private well water for indoor domestic use only. So long as the annual daily average is not exceeded in any consecutive twelve (12) month period, the maximum daily withdrawal on any given day shall be six hundred seventy-five (675) gallons.

I understand that if package B is purchased, then I am limited to an annual average of three hundred (300) gallons per day, in the aggregate, of private well water for indoor domestic use and outdoor irrigation use of up to 1500 square feet. So long as the annual daily average is not exceeded in any consecutive twelve (12) month period, the maximum daily withdrawal on any given day shall be one thousand (1000) gallons.

I understand that if package C is purchased, then I am limited to an annual average of four hundred (400) gallons per day, in the aggregate, of private well water for indoor domestic use and outdoor irrigation use of up to 3000 square feet. So long as the annual daily average is not exceeded in any consecutive twelve (12) month period, the maximum daily withdrawal on any given day shall be one thousand three hundred (1300) gallons.

I understand that should I not comply with the statements above and all requirements in Benton County Code Title 15, enforcement action shall be taken through Benton County Code Title 15.

I have read and understand the statements listed above.

Initials

Property Owner(s) Signature(s)

Date

Property Owner(s) Signature(s)

Date

NOTARIZED STATEMENT

I/We, (the undersigned applicant), under penalty of perjury in the State of Washington agree to comply with all sections of this document, federal, state, and local provisions, codes, and ordinances in regard to water use. These covenants and agreements 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. I certify that the information provided is true and accurate and I understand that if the project description should change that it is my responsibility to inform Benton County and that the department may require different and/or additional requirements. As the applicant, I assume all risk in its entirety and agree to indemnify defend and hold Benton County, its departments, elected and appointed officials, employees, and agents, harmless from and against any and all claims, damages, losses and expenses, including reasonable attorney's fees, for any bodily injury, sickness, disease, or death, or any damage to or reduction in value of property including the loss of use resulting there from which are alleged or proven to be caused in whole or in part by a negligent act or omission of its officers, directors, and employees. As the applicant, I understand that I am legally and financially responsible for ensuring there is a legal right to the water to be used, and that all water supply systems are engineered, designed, and constructed in accordance with federal, state and local requirements. I understand that all applicable fees may be non-refundable, and that Benton County may have additional requirements to ensure that sufficient and adequate water supply is available for use and I shall comply with all requests made by Benton County.

Signed: _____ Property Owner(s)

Print Name: _____ Property Owner(s)

State of Washington

County of _____

INDIVIDUAL ACKNOWLEDGEMENT:

I certify that I know or have satisfactory evidence that on this ____ day of _____, 20 ____, _____ is/are the person(s) who appeared before me; and said person(s) acknowledged that (he/she/they) signed this instrument and acknowledged it to be (his/her/their) free and voluntary act for the uses and purposes mentioned in the instrument.

NOTARY PUBLIC, State of Washington

Printed Name

My commission expires: _____

REPRESENTATIVE ACKNOWLEDGEMENT:

I certify that I know or have satisfactory evidence that on this ____ day of _____, 20 ____, _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she/they) was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

NOTARY PUBLIC, State of Washington

Printed Name

My commission expires: _____



BENTON COUNTY RURAL WATER SUPPLY PROGRAM
AFFIDAVIT OF IRRIGATION WATER AVAILABILITY

STATE OF WASHINGTON)
COUNTY of _____)

I/We, _____, the undersigned, do hereby affirm and attest to the following:

- 1) I am the owner of the certain real property located in Benton County, Washington, with a physical address and/or parcel number of:

Parcel Number: _____

Address: _____

- 2) I declare that: (please check one of the boxes below)

☐ The above described property is located within the boundaries of the _____ Irrigation District and is subject to an assessment by that irrigation district. (Package A is required)

☐ The above described property is not located within the boundaries of an irrigation district and there is no irrigation water right for the above described property. (Packages B or C may be selected)

☐ The above described property is located within the boundaries of the _____ Irrigation District but is not subject to an assessment by that irrigation district. (Packages B or C may be selected)

- 3) I further declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED this _____ day of _____, 20_____ at _____, Washington.

Affiant Signature

Affiant Signature

SIGNED and SWORN to (or affirmed) before me this _____ day of _____, 20_____

By _____
(Affiant Name)

(Affiant Name)

NOTARY PUBLIC, State of Washington

Printed Name

My commission expires: _____



BENTON COUNTY RURAL WATER SUPPLY PROGRAM
AFFIDAVIT OF IRRIGATION WATER AVAILABILITY (ENTITY/CORPORATION)

STATE OF WASHINGTON)

COUNTY of _____)

I, _____, the undersigned, do hereby affirm and attest to the following:

- 1) I am the owner of the certain real property located in Benton County, Washington, with a physical address and/or parcel number of:

Parcel Number: _____

Address: _____

- 2) I declare that: (please check one of the boxes below)

- ☐ The above described property is located within the boundaries of the _____ Irrigation District and is subject to an assessment by that irrigation district. (Package A is required)
- ☐ The above described property is not located within the boundaries of an irrigation district and there is no irrigation water right for the above described property. (Packages B or C may be selected)
- ☐ The above described property is located within the boundaries of the _____ Irrigation District but is not subject to an assessment by that irrigation district. (Packages B or C may be selected)

- 3) I further declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED this ____ day of _____, 20____ at _____, Washington.

Affiant Signature

I certify that I know or have satisfactory evidence that on this ____ day of _____, 20____, _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

NOTARY PUBLIC, State of Washington

Printed Name

My commission expires: _____