

INSTRUCTIONS FOR MOTIONS TO
JOIN OR SUBSTITUTE PARTIES

Attached are suggested forms for use to change the Court records to show the identify of new owner(s) of property for which the previous owner has filed a Court claim in this action (*State of Washington, Department of Ecology v. James J. Acquavella, et al.*)

1. Complete the attached motion to join or substitute parties (or similar form with the same information). Indicate which type motion by circling join or substitute as applicable.
2. Complete the attached proposed order granting the motion to join or the attached order to substitute (or similar form with the same information).
3. Present the motion and proposed order at the next scheduled hearing date. If you want the Yakima County Clerk to present your motion and proposed order, mail or deliver the paperwork with a \$30.00 fee to the Clerk. The Clerk's address is: Yakima County Clerk, 128 North 2nd Street, Room 323, Yakima, WA 98901. The Clerk does not accept personal checks.
4. The Judge will sign your order and have it filed for the record. Notice of filing the motion and entry of the order will be published in the monthly notice. If no objections to the motion and order are filed with the clerk within 30 days after publication, the order will be deemed entered without objection. If there is an objection, the motion and order will be reconsidered at a hearing or other appropriate proceeding as the Judge deems advisable. The order is effective upon filing.
5. After the order becomes effective, all future notices will be mailed to both the original claimant and the additional party (movant).

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR YAKIMA COUNTY

IN THE MATTER OF THE DETERMINATION)
OF THE RIGHTS TO THE USE OF THE)
SURFACE WATERS OF THE YAKIMA)
RIVER DRAINAGE BASIN, IN)
ACCORDANCE WITH THE PROVISIONS OF)
CHAPTER 90.03, REVISED CODE OF)
WASHINGTON, DEPARTMENT OF)
ECOLOGY,)
Plaintiff)
vs.)
JAMES J. ACQUAVELLA, et al.,)
Defendants.)

Cause No. 77-2-01484-5
ORDER GRANTING MOTION TO
SUBSTITUTE PARTIES
CLAIM NO. _____
SUBBASIN NO. _____

This ex parte matter came before the Court on a motion of _____, Claim
No. _____, Subbasin No. _____. The Court having considered the motion to
substitute parties and for good cause shown, finds that claimant has transferred this claim.
Therefore, _____ is substituted for _____.

This ex parte Order shall be effective upon filing with the Clerk. Any objection to the
Order must be filed with the Clerk within 30 days of its publication in the Monthly Notice
or shall be deemed waived.

Dated this _____ Day of _____, 20__.

SUPERIOR COURT JUDGE

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4 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR YAKIMA COUNTY

5 IN THE MATTER OF THE DETERMINATION)
6 OF THE RIGHTS TO THE USE OF THE)
7 SURFACE WATERS OF THE YAKIMA RIVER)
8 DRAINAGE BASIN, IN ACCORDANCE WITH)
9 THE PROVISIONS OF CHAPTER 90.03,)
10 REVISED CODE OF WASHINGTON)
11 STATE OF WASHINGTON,)
12 DEPARTMENT OF ECOLOGY,)
13 Plaintiff,)
14 vs.)
15 JAMES J. ACQUAVELLA, et al.,)
16 Defendant)

Case No.: 77-2-01484-5

MOTION TO
JOIN ADDITIONAL PARTIES
OR SUBSTITUTE PARTIES
(CIRCLE ONE)

CLAIM NO. _____

SUBBASIN NO. _____

13
14 1. DEFENDANT (Claimant) has filed one or more claims in this action and states the following:

15 (A) Claimant Name: _____

16 (B) Claimant Address: _____

17 (C) Telephone No.: _____

18 (D) Court Claim No.: _____

19
20 2. Claimant states that the following person has succeeded to (circle one) "ALL" OR "A PORTION" of the claim(s) filed by claimant:

21 (a) Successor's Name: _____

22 (b) Successors Address: _____

23 (c) Telephone No.: _____

24 DO NOT COMPLETE SECTION 2.(d) UNLESS YOU HAVE CIRCLED "A PORTION"
25 ABOVE

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(d) Portion of claimed water rights involved:

(1) Claimed water right description:

(a) Point of Diversion being within _____ 1/4 _____ 1/4, Section _____

T. _____ N., R. _____ E. W. M.

(b) Place of Use of Water: _____ acres in _____ 1/4 _____ 1/4, Section _____

T. _____ N., R. _____ E.W.M. (attach complete legal description)

(c) Purpose of Use _____

3. DECLARATION OF CLAIMANT:

I, _____ certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

Date and Place

Signature