

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,)

Cause No. 77-2-01484-5

ORDER GRANTING MOTION TO
JOIN PARTIES

Plaintiff

CLAIM NO. _____

Vs.

SUBBASIN NO. _____

JAMES J. ACQUAVELLA, et al.,

Defendants.

This ex parte matter came before the Court by motion of

_____, Claim No. _____, Subbasin No. _____.

The court, having considered the motion, and for good cause shown, joins

_____ as additional party defendant(s).

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. _____

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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