

WATER ADJUDICATION

WHATCOM COUNTY COUNCIL

February 24, 2026



WHATCOM COUNTY

WASHINGTON

Geosyntec 
consultants

WHAT IS AN ADJUDICATION?



WRIA 1
Adjudication
Resources



- Superior Court process to review all water use
- Case area is WRIA 1 (Nooksack)
- Clarifies who has a legal right to use water
- Court issues priority schedule (old to new)
- Ecology issues adjudicated certificates



Water Resources Inventory Area 1 (WRIA 1)

WHO OWNS THE WATER?



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Adjudication
Resources



**In Washington water is “owned” in common by the people.
Access to use the water managed by State.**



WATER LAWS AND WATER RIGHTS



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- RCW 90.03 – Surface Water Code (1917)
- RCW 90.44 – Groundwater Code (1945)
- RCW 90-14 – Water Rights, Registration, etc. (1967)

In a nutshell, a water right is:

A right to the beneficial use of a reasonable quantity of public water for a beneficial purpose during a certain period of time that occurs at a certain place.

PAST WRIA-1 EFFORTS



WRIA 1
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- **1998:** Watershed Planning Act (RCW 90.82)
- **2005:** WRIA-1 Watershed Management Plan
- **2006-2010** (approx.): Instream flow pilot negotiations
- **2009:** Lummi Peninsula Groundwater Settlement Agreement (United States, Lummi Nation v. Ecology, et. al.)
- **2011:** Nooksack Indian Tribe and Lummi Nation seek quantification of Tribal water rights in Federal court
- **2015:** Lummi Nation proposed Water Right Settlement Initiative
- **2018:** Streamflow Restoration Act (RCW 90.94; a.k.a., “Hirst-fix”)
- **2020:** WRIA-1 rule amendment (WAC-173-501)
- **2020:** Ecology Adjudication Assessment (Publication 20-11-084)

ADJUDICATION TIMELINE



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- May 2024: Ecology files with Superior Court
- March 2025: Ecology sends packet with summons, court claim forms, instructions, and court information
- **May 1, 2026: Current* deadline to file Court Claim Form**

Adjudication timeline



Future includes:

- Claimants file evidence (3-years)
- Ecology investigation and report
- Claimants may respond
- Parties may object (...)

*As of February 6, 2026

Department of Ecology



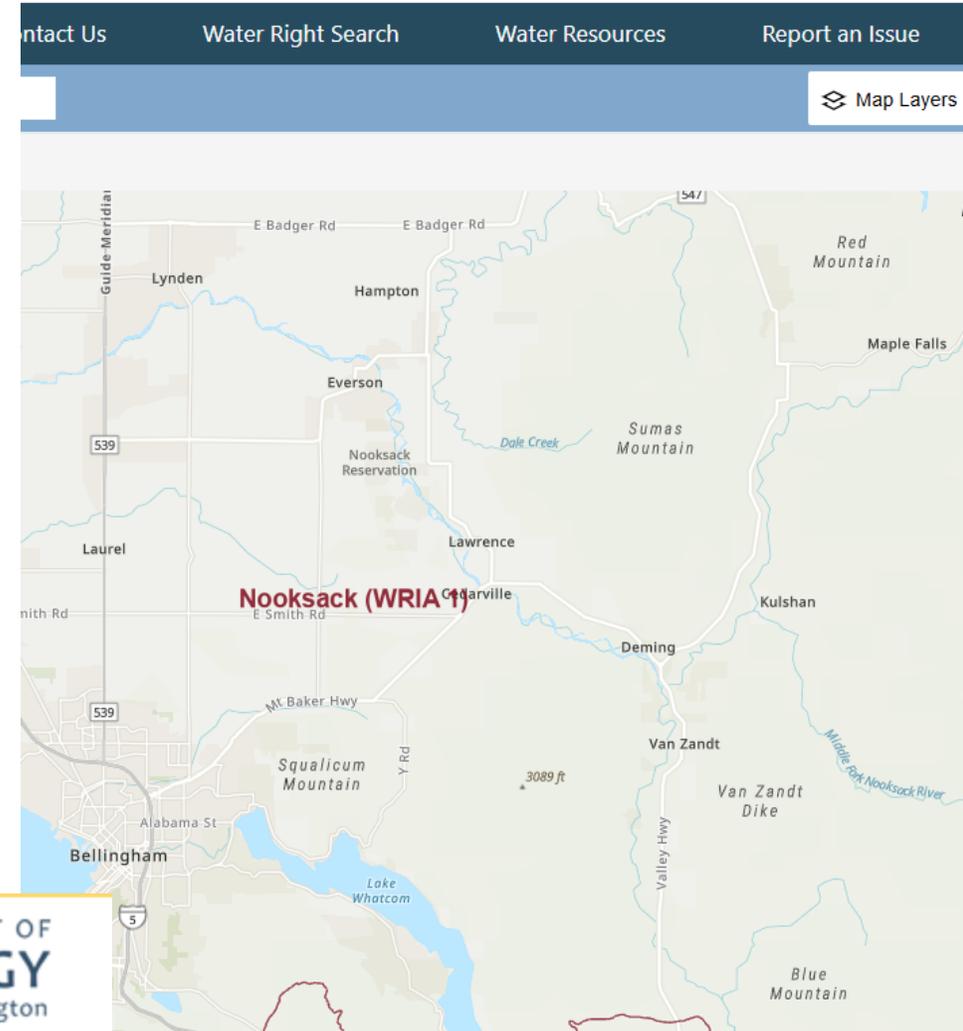
WRIA 1
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Ecology is the state agency responsible for managing water resources in Washington

- Filed lawsuit and served summons
- Facilitates public outreach & education
- Provides technical assistance to claimants
- Investigates claims and files Report of Findings with the Court
- Issues Adjudicated Certificates

Nooksack Adjudication Map



Whatcom County Superior Court



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The Washington State Department of Ecology has filed a Water Adjudication under RCW 90.03.140 and RCW 90.44.220 for the WRIA 1 Nooksack Basin in Whatcom County Superior Court.

- Adjudicates the case: formalizes water rights within WRIA 1 and issues final court decrees
- Reviews submitted claims and evidence, hears from all parties, & issues a decree
- Holds traveling court hearings, creates WRIA 1 newsletter, provides adjudication outreach, & offers publicly available e-file stations

<https://www.whatcomcounty.us/4391/Water-Adjudication-Resources>

WATER ADJUDICATION



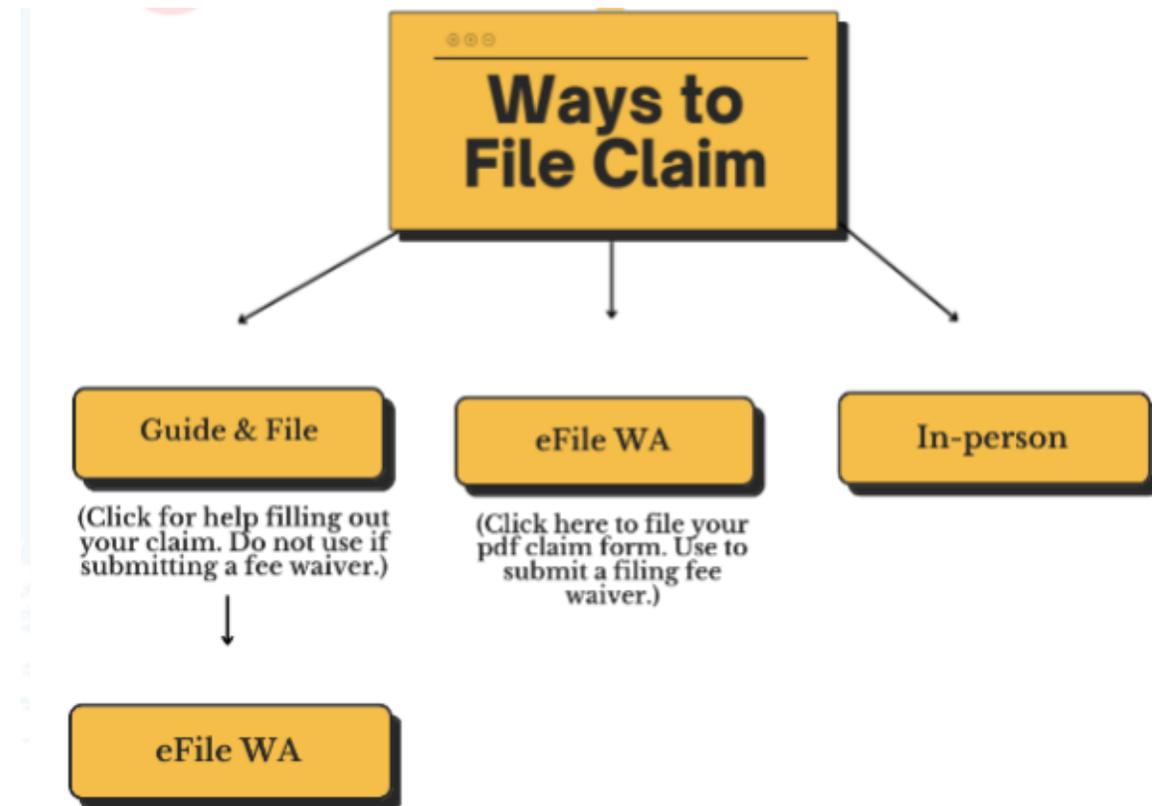
Whatcom County Superior Court Clerk's Office



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- Maintains and files water rights claims (>30,000)
- Ensures claims are properly documented and that legal documents are filed correctly and publicly available
- Assists in court proceedings and assist in overall administration of the legal process
- Produces and maintains Docket Sheet.
- Maintains email and phone line for adjudication questions
 - Email: WaterCourtClerk@co.whatcom.wa.us
 - Phone: 360-778-5786



Whatcom County Public Works



WRIA 1
Adjudication
Resources



- Water use calculators
- Hosts community workshops, pop-up events, outreach/communication projects
- Works with Ag Water Board and Geosyntec Consulting, Inc. to provide resources and one-on-one assistance
- Maintains email and phone line for adjudication questions
 - Email: WRA-PublicWorks@whatcomcounty.us
 - Phone: 360-778-6314

**Do you need help
estimating your Water Use
on your claim form?**



**Scan QR code to find water use calculators for
residential, irrigation, livestock &
miscellaneous use!**

EVENTS AND NEWSLETTERS

- For upcoming events, check out [Whatcom County Public Works website](#)
- Sign up for Ecology's [Lets Talk About Adjudication Newsletter](#)
- Sign up for the Court's [WRIA-1 Newsletter](#)



Completing Your Water Adjudication Court Claim Form Free Community Workshop

Learn what adjudication means for you and get help completing your claim form. For all water users, including people with a groundwater permit-exemption, homes on wells, small farms, group B water systems, & commercial/industrial uses.

 **Tuesday, November 18, 2025 and December 2, 2025**
Both sessions are from 5:00pm - 7:00pm

 **Rome Grange**
2821 Mt. Baker Highway, Bellingham, WA

What to Expect

Each session will include a short presentation and several tables with information on how to fill out and file your claim form. Whatcom County Public Works, the Department of Ecology, and technical experts from Geosyntec Consultants, Inc. will be available to answer questions and share resources on the claim form.

Registration is highly encouraged, but not required. Call 360.778.6314 or scan the QR code to register.



HAVE MORE QUESTIONS?



WRIA 1
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- Ecology [WRIA-1 \(Nooksack\) Adjudication Website](#)
- County Public Works [WRIA 1 Water Rights Adjudication Resources](#)
- Courts [Water Adjudication Guidance Website](#)

