

**MEMORANDUM OF UNDERSTANDING AMONG PEND OREILLE COUNTY,  
SPOKANE COUNTY, AND STEVENS COUNTY RELATING TO THE  
COORDINATION OF WATER RESOURCE PLANNING IN WRIA 55**

1. PARTIES:

The Parties to this Memorandum of Understanding (MOU) are: Pend Oreille County, Spokane County and Stevens County, which are political subdivisions of the State of Washington, jointly referred to as the "PARTIES."

2. RECITALS:

WHEREAS, groundwater and surface water resources within Water Resource Inventory Area (WRIA) 55 are vitally important resources, in that they provide the foundation to maintain current and fulfill future agricultural, domestic, environmental, industrial, municipal and other needs, as well as maintain the economic viability and prosperity of those who reside in WRIA 55;

WHEREAS, to-date the PARTIES have supported a cooperative approach toward a feasibility study to evaluate the development of a water bank in WRIA 55;

WHEREAS, said feasibility study to evaluate the development of a water bank in WRIA 55 is complete as of June 30, 2015 and indicates a water bank is feasible in WRIA 55;

WHEREAS, funding for a subsequent phase to develop an operational and management mechanism for the WRIA 55 water bank is pending in the form of a grant application submitted to the Washington State Department of Ecology;

WHEREAS, a MOU is considered to be the most effective means to provide for constructive consultation and information sharing among the PARTIES related to water resource policy issues within each of the PARTIES jurisdictions.

THEREFORE, the PARTIES desire to enter into this MOU to promote certain goals and provide coordinated planning to make the best use of available water resources to meet the needs of the PARTIES, their respective constituents and service territories in the mutual best interests of the inhabitants and resources of WRIA 55.

IT IS THE PURPOSE OF THIS MOU TO:

- 1) Have the PARTIES acknowledge the completion of the water bank feasibility study and agree that the feasibility study provides that a water bank in WRIA 55 is viable.

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- 2) Have the PARTIES continue to participate collaboratively in water resource planning as it relates to issues of mutual interest, and to move forward in discussing the potential establishment of a water bank in WRJA 55.
- 3) Have the PARTIES actively participate in the development of a cooperative management and operational mechanism to govern the operation of a potential water bank.
- 4) Have the PARTIES support current and future grant agreements between the Washington State Department of Ecology and Spokane County Utilities to support continue development of a potential water bank for WRJA 55.

IT IS MUTUALLY AGREED THAT:

1. Statement of Work

The PARTIES agree in order to provide for timely consultation among them relating to the coordination of water resource planning in WRJA 55 to:

- (a) Work cooperatively in sharing and providing information with each other throughout each phase and/or process, in order to develop and operate a potential water bank in WRJA 55;
- (b) Designate appropriate staff from their respective counties to participate as primary points of contact throughout the process; and
- (c) Constructively participate in identifying issues of concern to be considered in the development of the management and operational aspects of a WRJA 55 water bank, and to cooperate in the development of mutually agreeable solutions.

2. Termination

Any PARTY may terminate this MOU by giving 30 days written notice of termination to the other PARTIES.

3. General

This MOU is not intended to constitute a contractually binding relationship between the PARTIES, but is intended to:

- (a) Identify each PARTIES' interests in water resource planning as it relates to the potential development of a water bank in WRJA 55, and
- (b) Set forth the PARTIES' desire to support current and future grant agreements between the Washington State Department of Ecology and Spokane County Utilities associated with a WRJA 55 water bank, including evaluation of a cooperative approach between the PARTIES to develop an operational management mechanism to implement a potential water bank

4. All Writings Contained Herein

This MOU contains all the terms and conditions agreed upon by the PARTIES. No other understandings, oral or otherwise, regarding the subject matter of this MOU shall be deemed to exist or to bind any of the PARTIES hereto.

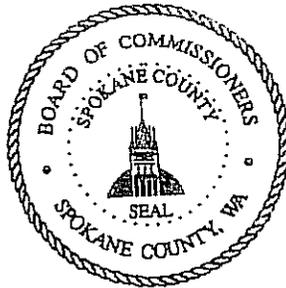
5. Consistent with the provisions of chapter 39.34 RCW, the Parties agree and acknowledge:

- (a) Purposes: See provisions above.
- (b) Duration: See paragraph 2 above.
- (c) Separate Legal Entity: This MOU does not create, nor seek to create, a separate legal entity pursuant to RCW 39.34.030.
- (d) Responsibilities of the Parties: See provisions above.
- (e) Agreement to be Filed: The PARTIES shall be responsible for filing this MOU as provided for in RCW 39.34.040.
- (f) Financing: Each party shall be solely responsible for financing its obligations under this MOU or as otherwise provided for herein.
- (g) Termination: See Paragraph 2 above.
- (h) Property upon Termination: Except as provided for to the contrary herein, title to all personal property acquired by any party in the performance of this MOU shall remain with the acquiring party upon termination of the MOU.

IN WITNESS WHEREOF, we the undersigned have executed this MOU as of the date indicated.

Dated: 10.21.15

BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY, WASHINGTON



ATTEST:

Ginna Vasquez  
Ginna Vasquez, Clerk of the Board  
(15-0546)

Todd Mielke  
TODD MIELKE, CHAIR

Shelly O'Quinn  
SHELLY O'QUINN, VICE CHAIR

Al French  
AL FRENCH, COMMISSIONER

Dated: October 19, 2015

BOARD OF COUNTY COMMISSIONERS  
OF PEND OREILLE, WASHINGTON

Stephen Kiss  
STEPHEN KISS, CHAIR

Mike Manus  
MIKE MANUS, VICE CHAIR

Karen Skoog  
KAREN SKOOG, COMMISSIONER

ATTEST:

Rhonda Cary  
Rhonda Cary, Clerk of the Board

Dated: \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
OF STEVENS, WASHINGTON

\_\_\_\_\_  
STEVE PARKER, CHAIR

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DON DASHIELL, VICE CHAIR

ATTEST:

\_\_\_\_\_  
Polly Coleman, Clerk of the Board

\_\_\_\_\_  
WES MCCART, COMMISSIONER

Dated: October 19, 2015

BOARD OF COUNTY COMMISSIONERS  
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STEPHEN KISS, CHAIR

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ATTEST:

Rhonda Cary  
Rhonda Cary, Clerk of the Board

Dated: 12-3-2015

BOARD OF COUNTY COMMISSIONERS  
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STEVE PARKER, CHAIR

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ATTEST:

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Polly Coleman, Clerk of the Board

Wes McCart  
WES MCCART, COMMISSIONER