

Table of Cases

A

- Abenroth v. Skagit County, 1998 WL 43202—§ 18.23 n.5
- ACandS, Inc. v. Aetna Cas. and Sur. Co., 576 F. Supp. 936 (E.D. Pa. 1983)—§ 24.2 n.4
- A.C. Reorganization v. Dupont, 1997 WL 381962 (E.D. Wis. 1997)—§ 22.75 n.3
- Adams v. Thurston County, 70 Wash. App. 471, 855 P.2d 284 (Div. 2 1993)—§§ 17.41 n.3; 18.22 n.11; 18.32 n.4
- Aerojet-General Corp. v. Chesire & Cos., 211 Cal. App. 3d 216, 257 Cal. Rptr. 621 (1989)—§ 24.7 n.8
- Aetna Cas. and Sur. Co., Inc. v. Pintlar Corp., 948 F.2d 1507 (9th Cir. 1991)—§ 24.10 n.1
- Agins v. City of Tiburon, 447 U.S. 255, 100 S. Ct. 2138, 65 L. Ed. 2d 106 (1980)—§§ 21.5 n.22; 21.8 n.1; 21.12 n.1
- Air Products and Chemicals, Inc. v. Hartford Acc. and Indem. Co., 707 F. Supp. 762 (E.D. Pa. 1989)—§ 24.2 n.4
- AIU Ins. Co. v. Superior Court, 51 Cal. 3d 807, 274 Cal. Rptr. 820, 799 P.2d 1253 (1990)—§ 24.7 n.1
- Akada v. Park 12-01 Corp., 103 Wash. 2d 717, 695 P.2d 994 (1985)—§ 17.56 n.8
- Alaska Center for the Environment v. Reilly, 762 F. Supp. 1422 (W.D. Wash. 1991)—§ 7.59 n.14
- Albuquerque, City of v. Browner, 97 F.3d 415 (10th Cir. 1996)—§ 3.13 n.11
- Alger v. City of Mukilteo, 107 Wash. 2d 541, 730 P.2d 1333 (1987)—§ 4.4 n.1
- All-Pure Chemical Co. v. White, 127 Wash. 2d 1, 896 P.2d 697 (1995)—§ 26.14 n.2
- Allegheny Intern., Inc., In re, 126 B.R. 919 (W.D. Pa. 1991)—§ 23.13 n.9
- Allied-Signal, Inc. v. Comm’r, Internal Revenue Service, 54 F.3d 767 (3d Cir. 1995)—§ 22.112 n.2
- Allingham v. City of Seattle, 109 Wash. 2d 947, 749 P.2d 160 (1988)—§ 21.5 n.6
- Allstate Ins. Co. v. Klock Oil Co., 73 A.D.2d 486, 426 N.Y.S.2d 603 (4th Dep’t 1980)—§ 24.5 n.1
- Alma, City of v. U.S., 744 F. Supp. 1546 (S.D. Ga. 1990)—§ 10.24 n.5
- Alpine Lakes Protection Soc. v. Washington State Dept of Ecology, 135 Wash. App. 376, 144 P.3d 385 (Div. 2 2006)—§ 17.11 n.2
- Alpine Lakes Protection Society v. State of Washington, et al., Final Findings of Fact, Conclusions of Law and Order. FPAB No. 92-31, May 17, 1993, 1993 WL 289417 (Wash.Forest.App.Bd.)—§ 19.23 n.2
- Alpine Lakes Protection Society v. State of Washington, et al., FPAB No. 89-18 and 90-1, 1991 WL 53712—§§ 19.24 n.3, 5, 6, 7, 8

ENVIRONMENTAL LAW AND PRACTICE

- Alpine Lakes Protection Society v. State of Washington, et al., FPAB No. 92-31, May 17, 1993, 1993 WL 289417 (Wash.Forest.App.Bd.)—§ 19.24 n.4
- Alpine Lakes Protection Society v. State of Washington, et al., FPAB Nos. 89-18 and 90-1, 1991 WL 53712—§ 19.24 n.2
- Alpine Lakes Protection Society v. State of Washington, FPAB No. 97-4 (Apr. 28, 1997), 1997 WL 233291—§ 19.25 n.16
- Alpine Lakes Protection Society v. Washington State Dept. of Natural Resources, 102 Wash. App. 1, 979 P.2d 929 (Div. 1 1999)—§§ 17.1 n.6; 17.59 n.6; 19.23 n.10; 19.25 n.18
- Alverado v. Washington Public Power Supply System (WPPSS), 111 Wash. 2d 424, 759 P.2d 427 (1988)—§§ 26.11 n.4, 5
- American Cyanamid Co. v. O'Neil, 493 U.S. 1071, 110 S. Ct. 1115, 107 L. Ed. 2d 1022 (1990)—§ 15.3 n.4
- American Dog Owners Ass'n v. City of Yakima, 113 Wash. 2d 213, 777 P.2d 1046 (1989)—§ 26.13 n.12
- American Home Products Corp. v. Liberty Mut. Ins. Co., 565 F. Supp. 1485 (S.D. N.Y. 1983)—§ 24.2 n.5
- American Iron and Steel Institute v. E.P.A., 568 F.2d 284 (3d Cir. 1977)—§ 7.31 n.1
- American Meat Institute v. E.P.A., 526 F.2d 442 (7th Cir. 1975)—§ 7.34 n.2
- American Min. Congress v. U.S. Army Corps of Engineers, 951 F. Supp. 267 (D.D.C. 1997)—§ 10.21 n.9
- American Nat. Fire Ins. Co. v. B & L Trucking and Const. Co., Inc., 134 Wash. 2d 413, 951 P.2d 250 (1998)—§§ 24.2 n.9; 24.3 n.8
- American Nat. Fire Ins. Co. v. B & L Trucking & Const. Co., Inc., 82 Wash. App. 646, 920 P.2d 192 (Div. 2 1996)—§ 24.3 n.4
- American Paper Institute v. U.S. E.P.A., 660 F.2d 954 (4th Cir. 1981)—§ 7.35 n.3
- American Paper Institute, Inc. v. U.S. E.P.A., 996 F.2d 346 (D.C. Cir. 1993)—§ 7.55 n.8
- American Rivers, Inc. v. F.E.R.C., 129 F.3d 99 (2d Cir. 1997)—§ 8.62 n.8
- American Star Ins. Co. v. Grice, 121 Wash. 2d 869, 854 P.2d 622 (1993)—§§ 24.9 n.27, 33
- Aminoil, Inc. v. U.S. E.P.A., 599 F. Supp. 69 (C.D. Cal. 1984)—§ 15.56 n.1
- AM Intern., Inc. v. International Forging Equipment Corp., 982 F.2d 989 (6th Cir. 1993)—§§ 22.36 n.3; 22.75 n.1, 3
- Anchor Cas. Co. v. McCaleb, 178 F.2d 322 (5th Cir. 1949)—§ 24.6 n.2
- Anderson v. Pierce County, 86 Wash. App. 290, 936 P.2d 432 (Div. 2 1997)—§§ 17.3 n.2; 17.12 n.7, 16, 17; 17.15 n.1, 3, 6; 17.55 n.4; 17.59 n.2
- Anderson, Leech & Morse, Inc. v. Washington State Liquor Control Bd., 89 Wash. 2d 688, 575 P.2d 221 (1978)—§ 25.14 n.1
- Andritz Sprout-Bauer, Inc. v. Beazer East, Inc., 174 F.R.D. 609 (M.D. Pa. 1997)—§ 22.102 n.2
- Anthony Ferrante & Sons, Inc., In re, 119 B.R. 45 (D.N.J. 1990)—§ 23.42 n.4
- Appalachian Ins. Co. v. Liberty Mut. Ins. Co., 676 F.2d 56 (3d Cir. 1982)—§ 24.6 n.1

TABLE OF CASES

- Appalachian Power Co. v. U.S. E.P.A., 671 F.2d 801 (4th Cir. 1982)—
§ 7.21 n.6
- Appeals from Water Rights Decision of the Department of Ecology,
PCHB Nos. 96-8 through 96-181 (nonsequential)(the “Statewide
Orders”), In the Matter of, 1996 WL 514630 (1996)—§§ 8.27 n.2; 8.35
n.4, 5, 6, 8, 10, 11; 8.61 n.20
- Ariz., State of v. State of Cal., 373 U.S. 546, 83 S. Ct. 1468, 10 L. Ed. 2d
542 (1963)—§§ 3.32 n.3; 8.81 n.3, 5
- Arizona, State of v. State of California, 376 U.S. 340, 84 S. Ct. 755, 11
L. Ed. 2d 757 (1964)—§ 8.81 n.6
- Arnold v. Mundy, 6 N.J.L. 1, 1821 WL 1269 (N.J. 1821)—§§ 8.90 n.2, 3, 4
- ASARCO Inc. v. Air Quality Coalition, 92 Wash. 2d 685, 601 P.2d 501
(1979)—§ 17.12 n.10
- Asarco Inc. v. Department of Ecology, 145 Wash. 2d 750, 43 P.3d 471
(2002)—§§ 15.2 n.36, 37, 38; 21.9 n.1, 17; 21.10 n.5, 12
- ASARCO, Inc. v. Puget Sound Air Pollution Control Agency, 112 Wash.
2d 314, 771 P.2d 335, 74 A.L.R.4th 557 (1989)—§§ 5.12 n.4; 5.13 n.11
- Association of Rural Residents v. Kitsap County, 95 Wash. App. 383,
974 P.2d 863 (Div. 1 1999)—§ 18.3 n.12
- Atchison, Topeka and Santa Fe Ry. Co. v. Brown & Bryant, Inc., 132
F.3d 1295 (9th Cir. 1997)—§ 22.38 n.3
- Atlantic States Legal Foundation v. Salt River Pima-Maricopa Indian
Community, 827 F. Supp. 608 (D. Ariz. 1993)—§ 3.19 n.4
- Atlantic States Legal Foundation, Inc. v. Eastman Kodak Co., 12 F.3d
353 (2d Cir. 1993)—§ 7.163 n.1
- Atwood v. Shanks, 91 Wash. App. 404, 958 P.2d 332 (Div. 1 1998)—
§ 3.33 n.13
- Austin, City of v. Teague, 570 S.W.2d 389 (Tex. 1978)—§ 21.12 n.33
- Avery v. Johnson, 59 Wash. 332, 109 P. 1028 (1910)—§ 8.10 n.6
- Avondale Industries, Inc. v. Travelers Indem. Co., 887 F.2d 1200, 14
Fed. R. Serv. 3d 1239 (2d Cir. 1989)—§ 24.8 n.1
- A.W. Duckett & Co. v. U.S., 266 U.S. 149, 45 S. Ct. 38, 69 L. Ed. 216
(1924)—§ 21.12 n.8

B

- Bach v. Sarich, 74 Wash. 2d 575, 445 P.2d 648 (1968)—§ 8.51 n.18
- Backcountry Against Dumps v. E.P.A., 100 F.3d 147 (D.C. Cir. 1996)—
§ 3.18 n.2
- Bagley v. Controlled Environment Corp., 127 N.H. 556, 503 A.2d 823
(1986)—§ 4.5 n.9
- Ballard Shipping Co., Complaint of, 810 F. Supp. 359 (D.R.I. 1993)—
§ 9.96 n.11
- Baltimore & O. R. Co. v. Interstate Commerce Com’n, 221 U.S. 612, 31
S. Ct. 621, 55 L. Ed. 878 (1911)—§ 26.16 n.6
- Bankers Trust Co. v. Hartford Acc. and Indem. Co., 518 F. Supp. 371
(S.D. N.Y. 1981)—§ 24.10 n.10
- Barci v. Intalco Aluminum Corp., 11 Wash. App. 342, 522 P.2d 1159
(Div. 1 1974)—§ 4.8 n.4
- Barmet of Indiana, Inc. v. Security Ins. Group, 425 N.E.2d 201 (Ind. Ct.
App. 1981)—§ 24.5 n.2

ENVIRONMENTAL LAW AND PRACTICE

- Barr v. Interbay Citizens Bank of Tampa, Fla., 96 Wash. 2d 692, 635 P.2d 441 (1981)—§§ 9.96 n.13; 9.121 n.1
- Barrie v. Kitsap County, 84 Wash. 2d 579, 527 P.2d 1377 (1974)—§§ 20.14 n.1, 2
- Basic Inc. v. Levinson, 485 U.S. 224, 108 S. Ct. 978, 99 L. Ed. 2d 194, 24 Fed. R. Evid. Serv. 961, 10 Fed. R. Serv. 3d 308 (1988)—§ 22.92 n.6
- Baugh Const. Co. v. Mission Ins. Co., 836 F.2d 1164 (9th Cir. 1988)—§ 24.4 n.3
- Beard v. King County, 76 Wash. App. 863, 889 P.2d 501 (Div. 1 1995)—§ 25.30 n.1
- Bellevue Farm Owners Ass'n v. State of Washington Shorelines Hearings Bd., 100 Wash. App. 341, 997 P.2d 380 (Div. 2 2000)—§§ 17.41 n.6, 7; 17.59 n.5; 20.2 n.5; 20.11 n.1; 20.14 n.12; 20.21 n.3; 20.31 n.7; 20.33 n.8
- Bellingham, City of v. Ecology, PCHB 84-211, 1985 WL 21854 (Wash. Pol. Control Bd. 1985)—§ 7.1 n.18
- Benchmark Land Co. v. City of Battle Ground, 146 Wash. 2d 685, 49 P.3d 860 (2002)—§ 21.5 n.30
- Benchmark Land Co. v. City of Battle Ground, 103 Wash. App. 721, 14 P.3d 172 (Div. 2 2000)—§ 21.5 n.25
- Benchmark Land Co. v. City of Battle Ground, 94 Wash. App. 537, 972 P.2d 944 (Div. 2 1999)—§ 21.5 n.23
- Berg v. Hudesman, 115 Wash. 2d 657, 801 P.2d 222 (1990)—§§ 22.75 n.2; 24.9 n.32
- Berger v. Personal Products, Inc., 115 Wash. 2d 267, 797 P.2d 1148 (1990)—§ 26.14 n.3
- Bergsoe Metal Corp., In re, 910 F.2d 668 (9th Cir. 1990)—§ 22.15 n.4
- Bersani v. U.S. E.P.A., 850 F.2d 36 (2d Cir. 1988)—§§ 10.24 n.5, 10
- B.F. Goodrich v. Betkoski, 99 F.3d 505, 45 Fed. R. Evid. Serv. 1303, 36 Fed. R. Serv. 3d 500 (2d Cir. 1996)—§ 22.38 n.2
- Biggers v. City of Bainbridge Island, 124 Wash. App. 858, 103 P.3d 244 (Div. 2 2004)—§§ 25.29 n.8, 9
- Bill's Coal Co., Inc., In re, 124 B.R. 827 (D. Kan. 1991)—§ 23.15 n.18
- Bird-Johnson Corp. v. Dana Corp., 119 Wash. 2d 423, 833 P.2d 375 (1992)—§§ 15.58 n.1; 22.3 n.2
- Blue Legs v. U.S. Bureau of Indian Affairs, 867 F.2d 1094 (8th Cir. 1989)—§ 3.19 n.4
- Boeing Co. v. Aetna Cas. and Sur. Co., 113 Wash. 2d 869, 784 P.2d 507, 87 A.L.R.4th 405 (1990)—§§ 24.7 n.1, 2, 5, 6
- Boise Cascade Corp. v. Washington Toxics Coalition, 68 Wash. App. 447, 843 P.2d 1092 (Div. 3 1993)—§§ 19.61 n.5, 8, 9
- Borden v. City of Olympia, 113 Wash. App. 359, 53 P.3d 1020 (Div. 2 2002)—§ 4.3 n.11
- Bowers v. Pollution Control Hearings Bd., 103 Wash. App. 587, 13 P.3d 1076 (Div. 1 2000)—§ 5.39 n.7
- Bowles v. U.S. Army Corps of Engineers, 841 F.2d 112 (5th Cir. 1988)—§ 10.24 n.15
- Bradford, State ex rel. v. Stubblefield, 36 Wash. 2d 664, 220 P.2d 305, 17 A.L.R.2d 1258 (1950)—§ 4.2 n.9

TABLE OF CASES

- Bradley v. American Smelting and Refining Co., 104 Wash. 2d 677, 709 P.2d 782 (1985)—§§ 4.3 n.1, 5, 6, 9; 4.8 n.10, 11
- Braswell v. U.S., 487 U.S. 99, 108 S. Ct. 2284, 101 L. Ed. 2d 98, 25 Fed. R. Evid. Serv. 609, 25 Fed. R. Evid. Serv. 632 (1988)—§ 26.16 n.4
- Bremerton, City of v. Sesko, 100 Wash. App. 158, 995 P.2d 1257 (Div. 2 2000)—§ 20.11 n.5
- Bremerton, City of v. Spears, 134 Wash. 2d 141, 949 P.2d 347 (1998)—§ 26.13 n.2
- Brendale v. Confederated Tribes and Bands of Yakima Indian Nation, 492 U.S. 408, 109 S. Ct. 2994, 106 L. Ed. 2d 343 (1989)—§ 3.34 n.1
- Briggs & Stratton Corp. v. Concrete Sales & Services, Inc., 971 F. Supp. 566 (M.D. Ga. 1997)—§ 22.32 n.8
- Broomall Industries, Inc. v. Data Design Logic Systems, Inc., 786 F.2d 401 (Fed. Cir. 1986)—§ 23.22 n.14
- Brown v. McAnally, 97 Wash. 2d 360, 644 P.2d 1153 (1982)—§ 24.9 n.10
- Brown v. State Farm Fire & Cas. Co., 66 Wash. App. 273, 831 P.2d 1122, 18 U.C.C. Rep. Serv. 2d 435 (Div. 3 1992)—§ 24.13 n.3
- Bruskland v. Oak Theater, Inc., 42 Wash. 2d 346, 254 P.2d 1035 (1953)—§ 4.2 n.11
- Buchanan v. Simplot Feeders, Ltd. Partnership, 134 Wash. 2d 673, 952 P.2d 610 (1998)—§ 4.2 n.12
- Buechel v. State Dept. of Ecology, 125 Wash. 2d 196, 884 P.2d 910 (1994)—§§ 20.3 n.2; 20.17 n.7; 20.33 n.2; 25.41 n.8
- Bugenig v. Hoopa Valley Tribe, 229 F.3d 1210 (9th Cir. 2000)—§§ 3.3 n.4, 5
- Burlington Northern, Inc. v. Johnston, 89 Wash. 2d 321, 572 P.2d 1085 (1977)—§§ 1.1 n.1, 2
- Burlington Northern R. Co. v. Time Oil Co., 738 F. Supp. 1339 (W.D. Wash. 1990)—§ 15.3 n.7
- Burton v. Clark County, 91 Wash. App. 505, 958 P.2d 343 (Div. 2 1998)—§§ 17.15 n.5; 17.41 n.10; 21.5 n.19

C

- Camara v. Municipal Court of City and County of San Francisco, 387 U.S. 523, 87 S. Ct. 1727, 18 L. Ed. 2d 930 (1967)—§ 26.11 n.1
- Caminiti v. Boyle, 107 Wash. 2d 662, 732 P.2d 989 (1987)—§§ 8.35 n.11; 8.92 n.2, 4, 5, 6, 9
- Canadyne-Georgia Corp. v. NationsBank, N.A. (South), 183 F.3d 1269 (11th Cir. 1999)—§ 22.16 n.3
- C & A Carbone, Inc. v. Town of Clarkstown, N.Y., 511 U.S. 383, 114 S. Ct. 1677, 128 L. Ed. 2d 399 (1994)—§ 13.93 n.1
- Canron, Inc. v. Federal Ins. Co., 82 Wash. App. 480, 918 P.2d 937 (Div. 1 1996)—§§ 24.1 n.2; 24.12 n.3
- Cappaert v. U. S., 426 U.S. 128, 96 S. Ct. 2062, 48 L. Ed. 2d 523 (1976)—§ 8.80 n.5
- Carter-Jones Lumber Co. v. Dixie Distributing Co., 166 F.3d 840, 1999 FED App. 0038P (6th Cir. 1999)—§ 22.53 n.12
- Car Wash Enterprises, Inc. v. Kampanos, 74 Wash. App. 537, 874 P.2d 868 (Div. 1 1994)—§§ 9.110 n.3; 15.58 n.10; 22.36 n.4; 22.75 n.1, 3; 22.78 n.1

ENVIRONMENTAL LAW AND PRACTICE

- Castle Homes and Development, Inc. v. City of Brier, 76 Wash. App. 95, 882 P.2d 1172 (Div. 1 1994)—§§ 17.15 n.5; 17.41 n.10
- Catellus Development Corp. v. U.S., 34 F.3d 748 (9th Cir. 1994)—§ 22.32 n.6
- C.D. Spangler Const. Co. v. Industrial Crankshaft and Engineering Co., Inc., 326 N.C. 133, 388 S.E.2d 557 (1990)—§§ 24.7 n.1; 24.8 n.1
- Cenex Transportation v. State of Washington, 1999 WL 137851—§ 16.12 n.2
- Chambers v. City of Mount Vernon, 11 Wash. App. 357, 522 P.2d 1184 (Div. 1 1974)—§ 4.2 n.11
- Champion Intern. Corp. v. U.S. E.P.A., 850 F.2d 182 (4th Cir. 1988)—§ 7.104 n.8
- Charter Co., In re, 862 F.2d 1500 (11th Cir. 1989)—§ 23.14 n.1
- Chateaugay Corp., In re, 944 F.2d 997 (2d Cir. 1991)—§§ 23.12 n.2, 5, 6, 8, 9, 10; 23.15 n.6, 7, 8; 23.22 n.7, 8
- Chem-Nuclear Systems, Inc. v. Arivec Chemicals, Inc., 978 F. Supp. 1105 (N.D. Ga. 1997)—§ 22.32 n.4
- Chemical Mfrs. Ass'n v. U.S. E.P.A., 870 F.2d 177 (5th Cir. 1989)—§ 7.34 n.5
- Chemical Waste Management, Inc. v. U.S.E.P.A., 869 F.2d 1526 (D.C. Cir. 1989)—§ 14.24 n.17
- Chemithon Corp. v. Puget Sound Air Pollution Control Agency, 31 Wash. App. 276, 640 P.2d 1085 (Div. 3 1982)—§ 5.37 n.15
- Cheney v. City of Mountlake Terrace, 87 Wash. 2d 338, 552 P.2d 184 (1976)—§§ 17.22 n.3; 17.58 n.5
- Chesapeake and Potomac Telephone Co. of Virginia v. Peck Iron & Metal Co., Inc., 814 F. Supp. 1269 (E.D. Va. 1992)—§ 22.35 n.2
- Chesapeake Bay Foundation, Inc. v. Gwaltney of Smithfield, Ltd., 791 F.2d 304 (4th Cir. 1986)—§ 7.107 n.2
- Chiarella v. U. S., 445 U.S. 222, 100 S. Ct. 1108, 63 L. Ed. 2d 348 (1980)—§ 22.92 n.8
- Chicago, City of v. Environmental Defense Fund, 511 U.S. 328, 114 S. Ct. 1588, 128 L. Ed. 2d 302 (1994)—§ 13.62 n.11
- Chicago, Milwaukee, St. Paul & Pacific R. Co., Matter of, 974 F.2d 775 (7th Cir. 1992)—§ 23.13 n.6
- Chmela v. State Dept. of Motor Vehicles, 88 Wash. 2d 385, 561 P.2d 1085 (1977)—§ 25.24 n.1
- Chumstick Creek Drainage Basin in Chelan County, Matter of, 103 Wash. 2d 698, 694 P.2d 1065 (1985)—§ 8.2 n.20
- Churchill v. Factory Mut. Ins. Co., 234 F. Supp. 2d 1182 (W.D. Wash. 2002)—§ 24.9 n.35
- Churchill v. F/V Fjord, 857 F.2d 571, 26 Fed. R. Evid. Serv. 985 (9th Cir. 1988)—§ 9.4 n.5
- Citizens Alliance To Protect Our Wetlands v. City of Auburn, 126 Wash. 2d 356, 894 P.2d 1300 (1995)—§§ 17.58 n.6, 7
- Citizens for Clean Air v. City of Spokane, 114 Wash. 2d 20, 785 P.2d 447 (1990)—§ 17.55 n.3
- Clam Shacks of America, Inc. v. Skagit County, 109 Wash. 2d 91, 743 P.2d 265 (1987)—§§ 20.11 n.3, 4
- Clark v. Washington Horse Racing Com'n, 106 Wash. 2d 84, 720 P.2d 831 (1986)—§ 25.12 n.1

TABLE OF CASES

- Clark County Natural Resources Council v. Clark County Citizens United, Inc., 94 Wash. App. 670, 972 P.2d 941 (Div. 2 1999)—§ 18.14 n.14
- Clemco Industries v. Commercial Union Ins. Co., 665 F. Supp. 816 (N.D. Cal. 1987)—§ 24.2 n.2
- CMC Heartland Partners, Matter of, 966 F.2d 1143 (7th Cir. 1992)—§§ 23.22 n.4, 6
- Cobb v. Snohomish County, 64 Wash. App. 451, 829 P.2d 169 (Div. 1 1991)—§§ 17.15 n.5; 17.41 n.10
- Coleman v. Alabama, 399 U.S. 1, 90 S. Ct. 1999, 26 L. Ed. 2d 387 (1970)—§ 26.15 n.1
- Colorado River Water Conservation Dist. v. U. S., 424 U.S. 800, 96 S. Ct. 1236, 47 L. Ed. 2d 483 (1976)—§§ 3.32 n.6, 8
- Columbia Gorge Coalition v. State of Washington, FPAB No. 97-8 (April 28, 1997), 1997 WL 233292—§ 19.61 n.3
- Colville Confederated Tribes v. Walton, 752 F.2d 397 (9th Cir. 1985)—§ 8.81 n.7
- Colville Confederated Tribes v. Walton, 647 F.2d 42 (9th Cir. 1981)—§§ 3.32 n.10, 11, 12, 14, 16, 17, 20
- Colville Confederated Tribes v. Walton, 460 F. Supp. 1320 (E.D. Wash. 1978)—§ 8.81 n.7
- Community Ass'n for Restoration of the Environment v. Henry Bosma Dairy, 65 F. Supp. 2d 1129 (E.D. Wash. 1999)—§ 7.90 n.16
- Concerned Taxpayers Opposed to Modified Mid-South Sequim Bypass v. State, Dept. of Transp., 90 Wash. App. 225, 951 P.2d 812 (Div. 2 1998)—§§ 17.18 n.8; 17.23 n.3; 17.58 n.3, 4, 5
- Connolly v. Pension Ben. Guar. Corp., 475 U.S. 211, 106 S. Ct. 1018, 89 L. Ed. 2d 166 (1986)—§ 21.12 n.2
- Cooley v. U.S., 324 F.3d 1297 (Fed. Cir. 2003)—§ 21.12 n.28
- Cooper Point Ass'n, The v. Thurston County, 108 Wash. App. 429, 31 P.3d 28 (Div. 2 2001)—§ 18.14 n.20
- Cordeco Development Corp. v. Santiago Vasquez, 539 F.2d 256 (1st Cir. 1976)—§ 21.12 n.34
- Corrigan v. City of Scottsdale, 149 Ariz. 538, 720 P.2d 513 (1986)—§ 21.12 n.23
- Cougar Mountain Associates v. King County, 111 Wash. 2d 742, 765 P.2d 264 (1988)—§ 17.41 n.11
- Courtaulds Aerospace, Inc. v. Huffman, 826 F. Supp. 345 (E.D. Cal. 1993)—§ 22.32 n.5
- Cowiche Canyon Conservancy v. Bosley, 118 Wash. 2d 801, 828 P.2d 549 (1992)—§§ 20.11 n.3; 20.33 n.10
- CPC Intern., Inc. v. Aerojet-General Corp., 759 F. Supp. 1269 (W.D. Mich. 1991)—§ 22.32 n.4
- Crook v. Hewitt, 4 Wash. 749, 31 P. 28 (1892)—§§ 8.2 n.4, 5, 6
- Crystal Oil Co., Matter of, 158 F.3d 291 (5th Cir. 1998)—§ 23.13 n.6

D

- Daniels, In re, 130 B.R. 239 (E.D. Ky. 1991)—§ 23.21 n.5
- Dant & Russell, Inc., In re, 951 F.2d 246 (9th Cir. 1991)—§§ 23.15 n.12, 13, 14

ENVIRONMENTAL LAW AND PRACTICE

- Dant & Russell, Inc., In re, 853 F.2d 700 (9th Cir. 1988)—§§ 23.15 n.5, 9, 11
- Dash Point Village Associates v. Exxon Corp., 86 Wash. App. 596, 937 P.2d 1148 (Div. 1 1997)—§§ 9.110 n.3; 15.58 n.7, 14; 22.3 n.3
- Davenport v. Neely, 7 F. Supp. 2d 1219 (M.D. Ala. 1998)—§ 23.22 n.13
- Davis v. Morton, 469 F.2d 593 (10th Cir. 1972)—§ 3.35 n.2
- Dawson Pile Driving, Inc. v. Dept. of Ecology, 1989 Westlaw 168838—§ 9.98 n.6
- Dawson Pile Driving, Inc. v. Dept. of Ecology, PCHB No. 89-30, 1989 Westlaw 168838 (Dec. 7, 1989)—§ 9.98 n.4
- Deaconess Hospital v. Washington State Highway Commission, 66 Wash. 2d 378, 403 P.2d 54 (1965)—§ 4.2 n.15
- Deadman Creek Drainage Basin in Spokane County, Matter of, 103 Wash. 2d 686, 694 P.2d 1071 (1985)—§§ 8.1 n.1; 8.2 n.10; 8.12 n.4; 8.43 n.7; 8.51 n.20
- Den Beste v. State, Pollution Control Hearings Bd., 81 Wash. App. 330, 914 P.2d 144 (Div. 3 1996)—§§ 5.34 n.40; 25.56 n.1, 6, 9, 11
- Department of Natural Resources of State of Wash. v. Marr, 54 Wash. App. 589, 774 P.2d 1260 (Div. 1 1989)—§§ 19.11 n.1, 3
- Department of Social and Health Services v. State Personnel Bd., 61 Wash. App. 778, 812 P.2d 500 (Div. 2 1991)—§ 25.20 n.1
- Des Moines, City of v. Puget Sound Regional Council, 98 Wash. App. 23, 108 Wash. App. 836, 988 P.2d 27 (Div. 1 1999)—§ 18.32 n.7
- DeTray v. City of Olympia, 121 Wash. App. 777, 90 P.3d 1116 (Div. 2 2004)—§ 18.44 n.14
- Diamond Shamrock Chemicals Co. v. Aetna Cas. and Sur. Co., 231 N.J. Super. 1, 554 A.2d 1342 (App. Div. 1989)—§ 24.5 n.2
- Diehl v. Mason County, 94 Wash. App. 645, 972 P.2d 543 (Div. 2 1999)—§§ 17.32 n.10; 18.1 n.7, 8; 18.42 n.10
- Dioxin/Organochlorine Center v. Clarke, 57 F.3d 1517 (9th Cir. 1995)—§ 7.59 n.17
- Dioxin/Organochlorine Center v. Department of Ecology, 119 Wash. 2d 761, 837 P.2d 1007 (1992)—§ 25.30 n.3
- Dioxin/Organochlorine Center v. EPA, 37 E.R.C. 1845 (W.D.Wa.1993)—§§ 7.57 n.3; 7.59 n.2
- Dioxin/Organochlorine Center v. Pollution Control Hearings Bd., 131 Wash. 2d 345, 932 P.2d 158 (1997)—§ 17.11 n.8
- Dolan v. City of Tigard, 512 U.S. 374, 114 S. Ct. 2309, 129 L. Ed. 2d 304 (1994)—§§ 17.15 n.5; 17.41 n.10; 21.5 n.18, 21; 21.9 n.11
- Donahay v. Bogle, 129 F.3d 838, 1997 FED App. 0335P (6th Cir. 1997)—§ 22.52 n.3
- Donwood, Inc. v. Spokane County, 90 Wash. App. 389, 957 P.2d 775 (Div. 3 1998)—§§ 17.15 n.3; 17.41 n.4, 8
- Downtown Traffic Planning Committee v. Royer, 26 Wash. App. 156, 612 P.2d 430 (Div. 1 1980)—§ 17.11 n.10
- Dufau v. U.S., 22 Cl. Ct. 156, 1990 WL 192924 (1990)—§ 10.24 n.15
- Duplan Corp., In re, 212 F.3d 144 (2d Cir. 2000)—§ 23.22 n.11

E

- E-Z Loader Boat Trailers, Inc. v. Travelers Indem. Co., 106 Wash. 2d 901, 726 P.2d 439 (1986)—§ 24.4 n.3

TABLE OF CASES

- Eagle-Picher Industries, Inc. v. Liberty Mut. Ins. Co., 682 F.2d 12 (1st Cir. 1982)—§ 24.2 n.3
- Eagle-Picher Industries, Inc., In re, 177 B.R. 869 (Bankr. S.D. Ohio 1995)—§ 23.14 n.1
- East County Reclamation Co. v. Bjornsen, 125 Wash. App. 432, 105 P.3d 94 (Div. 2 2005)—§§ 17.18 n.12; 18.22 n.12
- Eastern Enterprises v. Apfel, 524 U.S. 498, 118 S. Ct. 2131, 141 L. Ed. 2d 451 (1998)—§§ 15.2 n.35; 21.10 n.3
- East River S.S. Corp. v. Transamerica Delaval, Inc., 476 U.S. 858, 106 S. Ct. 2295, 90 L. Ed. 2d 865, 1 U.C.C. Rep. Serv. 2d 609 (1986)—§ 9.4 n.2
- Eaton's Estate, In re, 170 Wash. 280, 16 P.2d 433 (1932)—§ 15.3 n.6
- Edge, In re, 60 B.R. 690 (Bankr. M.D. Tenn. 1986)—§ 23.13 n.7
- Edgerton, City of v. General Cas. Co. of Wisconsin, 172 Wis. 2d 518, 493 N.W.2d 768 (Ct. App. 1992)—§ 24.9 n.11
- E. I. du Pont de Nemours & Co. v. Train, 430 U.S. 112, 97 S. Ct. 965, 51 L. Ed. 2d 204 (1977)—§ 7.32 n.2
- Eisenbach v. Hatfield, 2 Wash. 236, 26 P. 539 (1891)—§ 8.91 n.4
- Ekotek Site PRP Committee v. Self, 1 F. Supp. 2d 1282 (D. Utah 1998)—§ 23.15 n.6
- Ellis v. Pomeroy Imp. Co., 1 Wash. 572, 21 P. 27 (1889)—§§ 8.2 n.1, 2; 8.10 n.4
- English Bay Enterprises, Ltd. v. Island County, 89 Wash. 2d 16, 568 P.2d 783 (1977)—§ 20.2 n.5
- Environmental Defense Fund v. Tidwell, 837 F. Supp. 1344 (E.D. N.C. 1992)—§ 10.25 n.2
- Environmental Protection Agency v. California ex rel. State Water Resources Control Bd., 426 U.S. 200, 96 S. Ct. 2022, 48 L. Ed. 2d 578 (1976)—§§ 7.1 n.4; 7.12 n.7
- E.P.A. v. National Crushed Stone Ass'n, 449 U.S. 64, 101 S. Ct. 295, 66 L. Ed. 2d 268 (1980)—§§ 7.34 n.4; 7.43 n.1
- Erickson Paving Co. v. Yardley Drilling Co., 7 Wash. App. 681, 502 P.2d 334 (Div. 1 1972)—§ 4.5 n.12
- Everett ex rel. Cattle, City of v. Everett Dist. Court, Snohomish County, 31 Wash. App. 319, 641 P.2d 714 (Div. 1 1982)—§ 6.6 n.6
- Executive Jet Aviation, Inc. v. City of Cleveland, Ohio, 409 U.S. 249, 93 S. Ct. 493, 34 L. Ed. 2d 454 (1972)—§ 9.4 n.2
- Exxon Corp. v. Train, 554 F.2d 1310 (5th Cir. 1977)—§ 7.71 n.1
- Exxon Valdez, In re, 767 F. Supp. 1509 (D. Alaska 1991)—§ 9.4 n.3

F

- Failor's Pharmacy v. Department of Social and Health Services, 125 Wash. 2d 488, 886 P.2d 147 (1994)—§§ 25.13 n.4, 7
- Faust Trust ex rel. Carlson v. Pierce County, 2003 WL 352934 (Wash. Ct. App. Div. 2 2003)—§§ 15.2 n.39, 40
- FCX, Inc., In re, 96 B.R. 49 (Bankr. E.D. N.C. 1989)—§ 23.42 n.6
- Federal Power Commission v. Tuscarora Indian Nation, 362 U.S. 99, 80 S. Ct. 543, 4 L. Ed. 2d 584 (1960)—§ 3.2 n.3
- Fee v. DNR, FPAB No. 02-016, FPAB No. 02-217, 2003 WL 21663660 (July 9, 2003)—§ 19.21 n.5

ENVIRONMENTAL LAW AND PRACTICE

- Felida Neighborhood Ass'n v. Clark County, 81 Wash. App. 155, 913 P.2d 823 (Div. 2 1996)—§ 25.27 n.7
- Fireman's Fund Ins. Companies v. Ex-Cell-O Corp., 685 F. Supp. 621 (E.D. Mich. 1987)—§ 24.8 n.1
- First English Evangelical Lutheran Church of Glendale v. Los Angeles County, Cal., 482 U.S. 304, 107 S. Ct. 2378, 96 L. Ed. 2d 250 (1987)—§§ 10.24 n.14; 21.2 n.8; 21.11 n.1, 2
- First English Evangelical Lutheran Church of Glendale v. Los Angeles County, Cal., 482 U.S. 304, 107 S. Ct. 2378, 96 L. Ed. 2d 250 (1987)—§ 21.12 n.15
- Fisher Properties, Inc. v. Arden-Mayfair, Inc., 106 Wash. 2d 826, 726 P.2d 8 (1986)—§§ 9.96 n.13; 9.121 n.1
- Fleener v. State of Washington, et al., PCHB No. 89-110, June 6, 1990, 1990 WL 150983 (Wash.Pol.Control.Bd.)—§ 19.51 n.3
- Fleming v. City of Tacoma, 81 Wash. 2d 292, 502 P.2d 327 (1972)—§ 25.24 n.22
- Fletcher v. Rylands, L.R. 1 Ex. 265 (1866)—§§ 4.5 n.1, 2
- Fletcher v. Rylands, 2 H. & C. 774, 159 Eng. Rep. 737 (1865)—§ 4.5 n.1
- Florida Paraplegic, Ass'n, Inc. v. Miccosukee Tribe of Indians of Florida, 166 F.3d 1126 (11th Cir. 1999)—§ 3.2 n.5
- Florida Rock Industries, Inc. v. U.S., 18 F.3d 1560 (Fed. Cir. 1994)—§ 10.24 n.15
- FMC Corp. v. Northern Pump Co., 668 F. Supp. 1285 (D. Minn. 1987)—§ 22.36 n.1
- Formanek v. U.S., 26 Cl. Ct. 332, 1992 WL 102477 (1992)—§ 10.24 n.15
- Franklin Signal Corp., In re, 65 B.R. 268 (Bankr. D. Minn. 1986)—§ 23.42 n.8
- Fraser, In re, 225 B.R. 511 (Bankr. D. Me. 1998)—§ 23.15 n.2
- Friends of Sakonnet v. Dutra, 125 B.R. 69 (D.R.I. 1991)—§ 23.32 n.4
- Friends of Sumas Mountain, et al. v. State of Washington, et al., FPAB No. 92-13, November 4, 1992, 1992 WL 425154 (Wash.Forest.App.Bd.)—§ 19.23 n.1
- Friends of the Earth v. Facet Enterprises, Inc., 618 F. Supp. 532 (W.D. N.Y. 1984)—§ 7.107 n.1
- Friends of the White Salmon v. State of Washington, et al., FPAB Nos. 89-18 & 90-1, January 16, 1991, 1991 WL 53712 (Wash.Forest.App.Bd.)—§ 19.24 n.9
- Friends of White Salmon v. State of Washington, et al., FPAB Nos. 89-18 & 90-1, 1991 WL 53712 (Wash.Forest.App.Bd.)—§ 19.23 n.2
- Funk v. Bartholet, 157 Wash. 584, 289 P. 1018 (1930)—§ 8.43 n.2

G

- Gaines v. Pierce County, 66 Wash. App. 715, 834 P.2d 631 (Div. 2 1992)—§§ 4.4 n.2, 3; 4.6 n.5
- Gardner v. Pierce County Bd. of Com'rs, 27 Wash. App. 241, 617 P.2d 743 (Div. 2 1980)—§ 17.12 n.15
- Garneau v. City of Seattle, 147 F.3d 802 (9th Cir. 1998)—§§ 21.5 n.5; 21.8 n.4; 21.10 n.8
- Geddis v. Parrish, 1 Wash. 587, 21 P. 314 (1889)—§ 8.2 n.4
- General Adjudication of All Rights to Use Water in the Big Horn River System, In re, 753 P.2d 76 (Wyo. 1988)—§ 8.81 n.4

TABLE OF CASES

- General Elec. Co. v. AAMCO Transmissions, Inc., 962 F.2d 281 (2d Cir. 1992)—§§ 22.32 n.4, 8
- George Campbell Painting Corp. v. Reid, 392 U.S. 286, 88 S. Ct. 1978, 20 L. Ed. 2d 1094 (1968)—§ 26.16 n.4
- Gerrard v. Craig, 122 Wash. 2d 288, 857 P.2d 1033 (1993)—§ 4.7 n.5
- Gill v. LDI, 19 F. Supp. 2d 1188 (W.D. Wash. 1998)—§ 4.3 n.10
- Gloucester Tp. v. Maryland Cas. Co., 668 F. Supp. 394 (D.N.J. 1987)—§ 24.10 n.9
- Gobin v. Snohomish County, 304 F.3d 909 (9th Cir. 2002)—§ 3.34 n.4
- Goldberg v. Kelly, 397 U.S. 254, 90 S. Ct. 1011, 25 L. Ed. 2d 287 (1970)—§§ 25.24 n.18, 20
- Golden Gate Audubon Soc., Inc. v. U.S. Army Corps of Engineers, 717 F. Supp. 1417 (N.D. Cal. 1988)—§ 10.3 n.2
- Graff v. Allstate Ins. Co., 113 Wash. App. 799, 54 P.3d 1266 (Div. 2 2002)—§ 24.9 n.36
- Grant Realty Co. v. Ham, Yearsley & Ryrie, 96 Wash. 616, 165 P. 495 (1917)—§ 8.10 n.6
- Grays Harbor Boom Co. v. Lownsdale, 54 Wash. 83, 102 P. 1041 (1909)—§ 8.92 n.3
- Grayson v. Nordic Const. Co., Inc., 92 Wash. 2d 548, 599 P.2d 1271 (1979)—§ 22.52 n.2
- Green v. A.P.C. (American Pharmaceutical Co.), 86 Wash. App. 63, 935 P.2d 652 (Div. 1 1997)—§ 4.9 n.8
- Griffith v. Holman, 23 Wash. 347, 63 P. 239 (1900)—§ 8.2 n.5
- Griffith v. State, Dept. of Environmental Protection, 340 N.J. Super. 596, 775 A.2d 54 (App. Div. 2001)—§ 21.12 n.22
- GRM Industries, Inc. v. Wickes Mfg. Co., 749 F. Supp. 810 (W.D. Mich. 1990)—§ 22.34 n.3
- Gruol Const. Co., Inc. v. Insurance Co. of North America, 11 Wash. App. 632, 524 P.2d 427 (Div. 1 1974)—§§ 24.2 n.6, 7; 24.3 n.1
- Guimont v. Clarke, 121 Wash. 2d 586, 854 P.2d 1 (1993)—§§ 21.1 n.2; 21.3 n.1; 21.4 n.5, 8; 21.5 n.2, 6, 16; 21.6 n.4, 8, 9; 21.8 n.3; 21.10 n.2, 5
- Gwaltney of Smithfield, Ltd. v. Chesapeake Bay Foundation, Inc., 484 U.S. 49, 108 S. Ct. 376, 98 L. Ed. 2d 306, 9 Fed. R. Serv. 3d 1029 (1987)—§ 7.163 n.3

H

- Haberman v. Sander, 166 Wash. 453, 7 P.2d 563 (1932)—§ 8.12 n.3
- Hale v. Henkel, 201 U.S. 43, 26 S. Ct. 370, 50 L. Ed. 652 (1906)—§ 26.16 n.3
- Haley v. Medical Disciplinary Bd., 117 Wash. 2d 720, 818 P.2d 1062 (1991)—§ 26.13 n.1
- Hallauer v. Spectrum Properties, Inc., 143 Wash. 2d 126, 18 P.3d 540 (2001)—§ 8.2 n.7
- H & H Partnership v. State, 115 Wash. App. 164, 62 P.3d 510 (Div. 2 2003)—§§ 20.14 n.13; 20.31 n.4
- Hanford Nuclear Reservation Litigation, In re, 780 F. Supp. 1551 (E.D. Wash. 1991)—§ 4.2 n.25
- Hanna, In re, 168 B.R. 386 (B.A.P. 9th Cir. 1994)—§§ 23.15 n.15, 16
- Harbor Steps Ltd. Partnership v. Seattle Technical Finishing, Inc., 93 Wash. App. 792, 970 P.2d 797 (Div. 1 1999)—§§ 15.2 n.24; 22.15 n.2

ENVIRONMENTAL LAW AND PRACTICE

- Harris v. Hylebos Industries, Inc., 81 Wash. 2d 770, 505 P.2d 457 (1973)—§ 8.92 n.3
- Hartford Underwriters Ins. Co. v. Union Planters Bank, N.A., 530 U.S. 1, 120 S. Ct. 1942, 147 L. Ed. 2d 1 (2000)—§ 23.15 n.19
- Harvey v. Board of County Com'rs of San Juan County, 90 Wash. 2d 473, 584 P.2d 391 (1978)—§ 25.27 n.2
- Hayden v. City of Port Townsend, 93 Wash. 2d 870, 613 P.2d 1164 (1980)—§ 17.12 n.15
- Hedlund v. White, 67 Wash. App. 409, 836 P.2d 250 (Div. 2 1992)—§§ 20.33 n.9; 20.34 n.10
- Heidgerken v. State, Dept. of Natural Resources, 99 Wash. App. 380, 993 P.2d 934 (Div. 2 2000)—§ 19.31 n.12
- Hess v. North Pacific Ins. Co., 67 Wash. App. 783, 841 P.2d 767 (Div. 3 1992)—§ 24.13 n.3
- Hickle v. Whitney Farms, Inc., 148 Wash. 2d 911, 64 P.3d 1244 (2003)—§§ 14.4 n.2, 4
- Higgins v. Dept. of Ecology, PCHB No. 95-8, 1995 Westlaw 879310 (May 4, 1995)—§ 9.103 n.3
- Highline School Dist. No. 401, King County v. Port of Seattle, 87 Wash. 2d 6, 548 P.2d 1085 (1976)—§ 6.6 n.5
- Hill v. Newell, 86 Wash. 227, 149 P. 951 (1915)—§ 8.92 n.1
- Hillis v. State, Dept. of Ecology, 131 Wash. 2d 373, 932 P.2d 139 (1997)—§§ 8.21 n.1; 8.24 n.10; 8.25 n.2; 8.31 n.2; 8.33 n.5; 8.36 n.7; 25.13 n.7
- Hillsborough County v. A & E Road Oiling Service, Inc., 853 F. Supp. 1402 (M.D. Fla. 1994)—§ 22.17 n.1
- Hirschberg v. Lumbermens Mut. Cas., 798 F. Supp. 600 (N.D. Cal. 1992)—§ 24.9 n.11
- H.L.S. Energy Co., Inc., Matter of, 151 F.3d 434 (5th Cir. 1998)—§§ 23.15 n.11, 19
- Hoddevik v. Arctic Alaska Fisheries Corp., 94 Wash. App. 268, 970 P.2d 828 (Div. 1 1999)—§ 26.14 n.4
- Hoffman Homes, Inc. v. Administrator, U.S. E.P.A., 999 F.2d 256 (7th Cir. 1993)—§ 7.102 n.6
- Honesty in Environmental Analysis and Legislation (HEAL) v. Central Puget Sound Growth Management Hearings Bd., 96 Wash. App. 522, 979 P.2d 864 (Div. 1 1999)—§§ 18.13 n.7, 10; 21.5 n.28
- Hough v. Marsh, 557 F. Supp. 74 (D. Mass. 1982)—§ 10.24 n.7
- Hubbard v. State, 86 Wash. App. 119, 936 P.2d 27 (Div. 3 1997)—§§ 8.26 n.5; 8.35 n.7, 8; 8.43 n.2; 8.61 n.14, 15
- Hub Recycling, Inc., In re, 106 B.R. 372 (D.N.J. 1989)—§ 24.9 n.25
- Hue v. Farmboy Spray Co., Inc., 127 Wash. 2d 67, 896 P.2d 682 (1995)—§ 26.14 n.3
- Hunter Land Co. v. Laugenour, 140 Wash. 558, 250 P. 41 (1926)—§§ 8.2 n.5; 8.36 n.8
- Hurd v. Ecology, PCHB No. 85-58, 1985 WL 21869 (Wash. Pol. Control Bd., 1985)—§ 7.55 n.5

I

- Idaho v. Coeur d'Alene Tribe of Idaho, 521 U.S. 261, 117 S. Ct. 2028, 138 L. Ed. 2d 438 (1997)—§ 8.90 n.6

TABLE OF CASES

- Idaho Conservation League v. Caswell, 1996 WL 938215 (D. Idaho 1996)—§ 8.62 n.11
- Independent Petrochemical Corp. v. Aetna Cas. & Sur. Co., 105 F.R.D. 106 (D.D.C. 1985)—§ 24.7 n.1
- Indian Trail Property Owner's Ass'n v. City of Spokane, 76 Wash. App. 430, 886 P.2d 209 (Div. 3 1994)—§ 17.18 n.8
- Inlandboatmen's Union of the Pacific v. Department of Transp., 119 Wash. 2d 697, 836 P.2d 823 (1992)—§ 9.4 n.1
- In re Acushnet River & New Bedford Harbor Proceedings re Alleged PCB Pollution, 712 F. Supp. 994 (D. Mass. 1989)—§ 9.130 n.4
- Insurance Co. of North America v. Forty-Eight Insulations, Inc., 451 F. Supp. 1230 (E.D. Mich. 1978)—§ 24.2 n.2
- Intel Corp. v. Hartford Acc. and Indem. Co., 692 F. Supp. 1171 (N.D. Cal. 1988)—§§ 24.7 n.1; 24.10 n.9
- Intern. Ass'n of Independent Tanker Owners (Intertanko) v. Locke, 216 F.3d 880 (9th Cir. 2000)—§ 9.34 n.21
- Isla Verde Intern. Holdings, Inc. v. City of Camas, 146 Wash. 2d 740, 49 P.3d 867 (2002)—§ 21.5 n.30
- Isla Verde Intern. Holdings, Inc. v. City of Camas, 99 Wash. App. 127, 990 P.2d 429 (Div. 2 1999)—§§ 21.5 n.26, 27

J

- Jackson Tp. Municipal Utilities Authority v. Hartford Acc. and Indem. Co., 186 N.J. Super. 156, 451 A.2d 990 (Law Div. 1982)—§§ 24.2 n.4; 24.5 n.1
- Jacksonville Elec. Authority v. Bernuth Corp., 996 F.2d 1107, 84 Ed. Law Rep. 100 (11th Cir. 1993)—§ 22.53 n.3
- James City County, Va. v. U.S. E.P.A., 758 F. Supp. 348 (E.D. Va. 1990)—§ 10.24 n.5
- Jefferson County v. Lakeside Industries, 106 Wash. App. 380, 23 P.3d 542 (Div. 2 2001)—§ 18.21 n.18
- Jefferson County v. Seattle Yacht Club, 73 Wash. App. 576, 870 P.2d 987 (Div. 2 1994)—§§ 20.14 n.8; 20.18 n.2
- Jennings v. Klein and San Juan County, 1998 WL 377652—§§ 20.32 n.5, 6, 7
- Jensen v. Department of Ecology, 102 Wash. 2d 109, 685 P.2d 1068 (1984)—§§ 8.11 n.5; 8.29 n.3
- Jensen, In re, 995 F.2d 925 (9th Cir. 1993)—§§ 23.13 n.1, 2, 4, 6
- J. M. Martinac Shipbuilding Corp. v. Ecology, PCHB 91-46, 1992 WL 293379 (Wash. Pol. Control Bd. 1992)—§ 7.1 n.16
- J.M. Martinac Shipbuilding Corp. v. Ecology, PCHB NO. 91-46, 1992 WL 293379 (Wash. Pol. Control Bd., 1992)—§ 7.56 n.2
- J. M. Martinac Shipbuilding Corp. v. Ecology, PCHB No. 91-46, 1992 WL 293379 (Wash. Pol. Control Bd.)—§§ 7.45 n.3; 7.59 n.19
- Joiner v. Hercules, Inc., 169 F.R.D. 695 (S.D. Ga. 1996)—§ 26.12 n.4
- Jones v. Chemetron Corp., 212 F.3d 199 (3d Cir. 2000)—§§ 23.13 n.8; 23.22 n.12
- Jones v. King County, 74 Wash. App. 467, 874 P.2d 853 (Div. 1 1994)—§ 21.3 n.4
- Jordan by Jordan, Estate of v. Hartford Acc. and Indem. Co., 120 Wash. 2d 490, 844 P.2d 403 (1993)—§ 24.13 n.3

ENVIRONMENTAL LAW AND PRACTICE

Joslyn Mfg. Co. v. T.L. James & Co., Inc., 836 F. Supp. 1264 (W.D. La. 1993)—§ 22.18 n.4

Joslyn Mfg. Co. v. T.L. James & Co., Inc., 893 F.2d 80 (5th Cir. 1990)—§ 22.52 n.1

K

Kaech v. Lewis County Public Utility Dist. No. 1, 106 Wash. App. 260, 23 P.3d 529, 91 A.L.R.5th 727 (Div. 2 2001)—§ 4.3 n.6

Kahuna Land Co. v. Spokane County, 94 Wash. App. 836, 974 P.2d 1249 (Div. 3 1999)—§ 21.5 n.29

Kaiser Group International, Inc., In re, 289 B.R. 597 (Bankr. D. Del. 2003)—§ 23.14 n.1

Keene Corp. v. Insurance Co. of North America, 667 F.2d 1034 (D.C. Cir. 1981)—§ 24.2 n.4

Keller v. City of Bellingham, 20 Wash. App. 1, 578 P.2d 881 (Div. 1 1978)—§ 20.18 n.2

Kelley v. E.P.A., 15 F.3d 1100 (D.C. Cir. 1994)—§ 22.15 n.5

Kelley v. Thomas Solvent Co., 727 F. Supp. 1532 (W.D. Mich. 1989)—§ 22.53 n.5

Kelley v. Thomas Solvent Co., 725 F. Supp. 1446 (W.D. Mich. 1988)—§§ 22.38 n.1; 22.39 n.1

Kelley for and on Behalf of People of State of Mich. v. U.S., 618 F. Supp. 1103 (W.D. Mich. 1985)—§ 7.71 n.2

Kennecott Copper Corp. v. E.P.A., 612 F.2d 1232 (10th Cir. 1979)—§ 7.32 n.7

Kerr-McGee Chemical Corp. v. Lefton Iron & Metal Co., 14 F.3d 321 (7th Cir. 1994)—§ 22.19 n.5

Keystone Bituminous Coal Ass'n v. DeBenedictis, 480 U.S. 470, 107 S. Ct. 1232, 94 L. Ed. 2d 472 (1987)—§§ 21.2 n.9; 21.8 n.1

Key Tronic Corp. v. U.S., 511 U.S. 809, 114 S. Ct. 1960, 128 L. Ed. 2d 797 (1994)—§§ 15.57 n.11; 15.58 n.6

Kiewit Const. Group Inc. v. Clark County, 83 Wash. App. 133, 920 P.2d 1207 (Div. 2 1996)—§§ 17.22 n.2, 4

Kim v. Pollution Control Hearing Bd., 115 Wash. App. 157, 61 P.3d 1211 (Div. 2 2003)—§ 8.30 n.5

Kimball Laundry Co. v. U.S., 338 U.S. 1, 69 S. Ct. 1434, 93 L. Ed. 1765, 7 A.L.R.2d 1280 (1949)—§§ 21.12 n.10, 31

King County v. Central Puget Sound Growth Management Hearings Bd., 138 Wash. 2d 161, 979 P.2d 374 (1999)—§§ 17.23 n.9; 18.11 n.5

King County v. Central Puget Sound Growth Management Hearings Bd., 91 Wash. App. 1, 951 P.2d 1151 (Div. 1 1998)—§§ 17.23 n.3; 17.58 n.4, 5, 6

King County v. Washington State Boundary Review Bd. for King County, 122 Wash. 2d 648, 860 P.2d 1024 (1993)—§ 17.18 n.2

King County Hearing Examiner, In re, 135 Wash. App. 312, 144 P.3d 345 (Div. 1 2006)—§ 17.52 n.5

Kinley Corp. v. Iowa Utilities Bd., Utilities Div., Dept. of Commerce, 999 F.2d 354 (8th Cir. 1993)—§ 9.4 n.10

Kirby Forest Industries, Inc. v. U.S., 467 U.S. 1, 104 S. Ct. 2187, 81 L. Ed. 2d 1, 39 Fed. R. Serv. 2d 929 (1984)—§ 21.12 n.3

TABLE OF CASES

- Kirk v. Washington State University, 109 Wash. 2d 448, 746 P.2d 285, 43 Ed. Law Rep. 417 (1987)—§ 4.9 n.3
- Kitsap County v. Allstate Ins. Co., 136 Wash. 2d 567, 964 P.2d 1173 (1998)—§ 24.9 n.13
- Kitsap County v. Allstate Ins. Co., 1995 WL 423912 (W.D. Wash. 1995)—§§ 24.4 n.5, 6, 7; 24.11 n.8
- Kitsap County v. State Dept. of Natural Resources, 99 Wash. 2d 386, 662 P.2d 381 (1983)—§ 20.32 n.1
- Kleenwell Biohazard Waste and General Ecology Consultants, Inc. v. Nelson, 48 F.3d 391 (9th Cir. 1995)—§ 13.22 n.9
- Klein v. Pyrodyne Corp., 117 Wash. 2d 1, 810 P.2d 917 (1991)—§§ 4.5 n.6, 14
- Klickitat County Citizens Against Imported Waste v. Klickitat County, 122 Wash. 2d 619, 860 P.2d 390 (1993)—§ 17.18 n.2
- Knickerbocker Ice Co. v. Stewart, 253 U.S. 149, 40 S. Ct. 438, 64 L. Ed. 834, 11 A.L.R. 1145 (1920)—§ 9.4 n.5
- Kolender v. Lawson, 461 U.S. 352, 103 S. Ct. 1855, 75 L. Ed. 2d 903 (1983)—§ 26.13 n.13
- Krull v. Celotex Corp., 611 F. Supp. 146 (N.D. Ill. 1985)—§ 22.34 n.1
- Kucera v. State, Dept. of Transp., 140 Wash. 2d 200, 995 P.2d 63 (2000)—§§ 17.1 n.7; 17.55 n.4
- Kuhiman Diecasting Company, Respondent, In re, 1983 WL 31584 (E.P.A. 1983)—§ 14.36 n.8

L

- Lake Cumberland Trust, Inc. v. U.S. E.P.A., 954 F.2d 1218 (6th Cir. 1992)—§§ 7.60 n.7, 8
- Lambier v. City of Kennewick, 56 Wash. App. 275, 783 P.2d 596 (Div. 3 1989)—§§ 4.6 n.2, 6
- Lampa v. Graham, 179 Wash. 184, 36 P.2d 543 (1934)—§ 4.2 n.25
- Langan v. Valicopters, Inc., 88 Wash. 2d 855, 567 P.2d 218 (1977)—§ 4.5 n.13
- Largent v. Klickitat County, 101 Wash. App. 1033, 2000 WL 896411 (Div. 3 2000)—§ 21.5 n.29
- Lawrence v. Southard, 192 Wash. 287, 73 P.2d 722, 115 A.L.R. 1308 (1937)—§ 8.51 n.27
- League of Minnesota Cities Ins. Trust v. City of Coon Rapids, 446 N.W.2d 419 (Minn. Ct. App. 1989)—§ 24.9 n.25
- Lee, In re, 222 B.R. 32 (Bankr. W.D. N.Y. 1998)—§ 23.22 n.6
- Leiser v. Brown, 121 Wash. 125, 208 P. 257 (1922)—§ 8.10 n.2
- Leslie Salt Co. v. U.S., 896 F.2d 354 (9th Cir. 1990)—§ 10.3 n.3
- Leson v. State, 72 Wash. App. 558, 864 P.2d 384 (Div. 1 1993)—§§ 9.4 n.11, 12; 9.101 n.2; 9.108 n.4; 9.111 n.9
- Leson v. State Dept. of Ecology, 59 Wash. App. 407, 799 P.2d 268 (Div. 2 1990)—§§ 25.27 n.7, 8
- Levine v. Jefferson County, 116 Wash. 2d 575, 807 P.2d 363 (1991)—§§ 17.12 n.16; 17.15 n.3; 17.41 n.5, 8
- Levin Metals Corp. v. Parr-Richmond Terminal Co., 781 F. Supp. 1454 (N.D. Cal. 1991)—§ 22.53 n.4
- Lewis, County of v. Allen, 163 F.3d 509 (9th Cir. 1998)—§ 3.3 n.6

ENVIRONMENTAL LAW AND PRACTICE

- Licciardi v. Murphy Oil U.S.A., Inc., 111 F.3d 396 (5th Cir. 1997)—§ 22.4 n.4
- Lomarch Corp. v. Mayor and Common Council of City of Englewood, 51 N.J. 108, 237 A.2d 881, 36 A.L.R.3d 745 (1968)—§ 21.12 n.32
- Long Beach Unified School Dist. v. Dorothy B. Godwin California Living Trust, 32 F.3d 1364, 93 Ed. Law Rep. 1163 (9th Cir. 1994)—§ 22.12 n.3
- Longmire v. Smith, 26 Wash. 439, 67 P. 246 (1901)—§ 8.10 n.2
- Longview Fibre Co. v. Rasmussen, 980 F.2d 1307 (9th Cir. 1992)—§§ 7.59 n.10, 16
- Longview Fibre Co. v. State, Dept. of Ecology, 89 Wash. App. 627, 949 P.2d 851 (Div. 2 1998)—§§ 5.12 n.8; 5.37 n.17
- Los Angeles Department of Water & Power, City of v. National Audubon Society, 464 U.S. 977, 104 S. Ct. 413, 78 L. Ed. 2d 351 (1983)—§ 8.92 n.15
- Louisiana-Pacific Corp. v. Asarco Inc., 131 Wash. 2d 587, 934 P.2d 685 (1997)—§ 15.58 n.13
- Louisiana-Pacific Corp. v. Asarco, Inc., 909 F.2d 1260 (9th Cir. 1990)—§§ 22.34 n.2; 22.37 n.1
- Louisiana Wildlife Federation, Inc. v. York, 761 F.2d 1044 (5th Cir. 1985)—§ 10.24 n.9
- Loveladies Harbor, Inc. v. U.S., 21 Cl. Ct. 153, 1990 WL 103691 (1990)—§§ 10.24 n.15; 21.12 n.1
- Lucas v. South Carolina Coastal Council, 505 U.S. 1003, 112 S. Ct. 2886, 120 L. Ed. 2d 798 (1992)—§§ 10.24 n.14; 21.3 n.6; 21.4 n.4, 6, 8; 21.5 n.6; 21.6 n.7; 21.9 n.7; 21.10 n.6, 14; 21.12 n.19
- Luxembourg Group, Inc. v. Snohomish County, 76 Wash. App. 502, 887 P.2d 446 (Div. 1 1995)—§ 21.9 n.11
- Lynch v. State, 19 Wash. 2d 802, 145 P.2d 265 (1944)—§ 15.1 n.7

M

- MacDonald, Sommer & Frates v. Yolo County, 477 U.S. 340, 106 S. Ct. 2561, 91 L. Ed. 2d 285 (1986)—§ 21.9 n.4
- Mack v. Eldorado Water Dist., 56 Wash. 2d 584, 354 P.2d 917 (1960)—§ 8.1 n.5
- Madison v. McNeal, 171 Wash. 669, 19 P.2d 97 (1933)—§§ 8.10 n.5; 8.12 n.1; 8.43 n.2
- Madson v. Spokane Valley Land & Water Co., 40 Wash. 414, 82 P. 718 (1905)—§ 8.92 n.1
- Manke Lumber Co., Inc. v. Diehl, 91 Wash. App. 793, 959 P.2d 1173 (Div. 2 1998)—§§ 25.32 n.6, 7, 8
- Manufactured Housing Communities of Washington v. State, 142 Wash. 2d 347, 13 P.3d 183 (2000)—§§ 21.2 n.15, 16, 17
- Manville Forest Products Corp., In re, 209 F.3d 125 (2d Cir. 2000)—§ 23.13 n.10
- Marathon Oil Co. v. E.P.A., 564 F.2d 1253 (9th Cir. 1977)—§ 7.45 n.1
- Marine Environmental Consortium et al. v. Dept of Ecology, 1999 WL 934931—§ 17.3 n.14
- Martin v. Dayton School Dist. No. 2, 85 Wash. 2d 411, 536 P.2d 169 (1975)—§ 25.27 n.14

TABLE OF CASES

- Martin v. Waddell's Lessee, 41 U.S. 367, 10 L. Ed. 997, 1842 WL 5744 (1842)—§ 8.90 n.6
- Martin Marietta Aluminum, Inc., State ex rel. v. Woodward, 84 Wash. 2d 329, 525 P.2d 247 (1974)—§§ 1.1 n.9; 1.11 n.5; 25.53 n.1
- Mathews v. Eldridge, 424 U.S. 319, 96 S. Ct. 893, 47 L. Ed. 2d 18 (1976)—§ 25.24 n.19
- Mathewson v. Primeau, 64 Wash. 2d 929, 395 P.2d 183 (1964)—§§ 4.2 n.19, 21; 4.8 n.8
- Mauzy v. Gibbs, 44 Wash. App. 625, 723 P.2d 458 (Div. 2 1986)—§ 25.17 n.2
- Mayer v. City of Seattle, 102 Wash. App. 66, 10 P.3d 408 (Div. 1 2000)—§ 4.2 n.4
- McCrea, In re, 28 Wash. App. 777, 626 P.2d 992 (Div. 3 1981)—§§ 25.14 n.7; 25.27 n.3, 4
- McGreevy v. Oregon Mut. Ins. Co., 128 Wash. 2d 26, 904 P.2d 731 (1995)—§ 24.13 n.4
- McGuire v. Sigma Coatings, Inc., 48 F.3d 902, 32 Fed. R. Serv. 3d 531 (5th Cir. 1995)—§ 26.12 n.4
- McLeary v. State, Dept. of Game, 91 Wash. 2d 647, 591 P.2d 778 (1979)—§ 8.50 n.6
- McMahan & Baker, Inc. v. Continental Cas. Co. (CNA), 68 Wash. App. 573, 843 P.2d 1133 (Div. 1 1993)—§ 24.13 n.3
- Metropolitan Services, Inc. v. City of Spokane, 32 Wash. App. 714, 649 P.2d 642 (Div. 2 1982)—§ 13.23 n.2
- M. Frenville Co., Inc., Matter of, 744 F.2d 332 (3d Cir. 1984)—§ 23.13 n.8
- Michigan Chemical Corp. v. American Home Assur. Co., 728 F.2d 374 (6th Cir. 1984)—§ 24.6 n.1
- Midlantic Nat. Bank v. New Jersey Dept. of Environmental Protection, 474 U.S. 494, 106 S. Ct. 755, 88 L. Ed. 2d 859 (1986)—§§ 23.1 n.2; 23.42 n.1, 2
- Mielke v. Yellowstone Pipeline Co., 73 Wash. App. 621, 870 P.2d 1005 (Div. 3 1994)—§ 4.3 n.1
- Miller v. City of Tacoma, 2000 WL 1838372 (Wash.Shore.Hrg.Bd.)—§ 20.33 n.1
- Miller v. Wheeler, 54 Wash. 429, 103 P. 641 (1909)—§ 8.11 n.5
- Miotke v. City of Spokane, 101 Wash. 2d 307, 678 P.2d 803 (1984)—§§ 4.2 n.20; 4.6 n.4; 9.109 n.1
- Mission Springs, Inc. v. City of Spokane, 134 Wash. 2d 947, 954 P.2d 250 (1998)—§ 21.11 n.4
- Mobay Corp. v. Allied-Signal, Inc., 761 F. Supp. 345 (D.N.J. 1991)—§ 22.36 n.2
- Modern Sewer Corp. v. Nelson Distributing, Inc., 125 Wash. App. 564, 109 P.3d 11 (Div. 1 2005)—§§ 15.2 n.7, 8, 34
- Mont., State of v. U.S. E.P.A., 941 F. Supp. 945 (D. Mont. 1996)—§ 3.13 n.14
- Montana v. U. S., 450 U.S. 544, 101 S. Ct. 1245, 67 L. Ed. 2d 493 (1981)—§§ 3.1 n.1; 3.3 n.2, 3; 3.34 n.2
- Monterey, City of v. Del Monte Dunes at Monterey, Ltd., 526 U.S. 687, 119 S. Ct. 1624, 143 L. Ed. 2d 882 (1999)—§§ 21.5 n.20, 24
- Moore v. City of Costa Mesa, 886 F.2d 260 (9th Cir. 1989)—§ 21.12 n.5

ENVIRONMENTAL LAW AND PRACTICE

- Morin v. Johnson, 49 Wash. 2d 275, 300 P.2d 569 (1956)—§§ 4.2 n.19, 21
 Motor Car Dealers' Ass'n of Seattle v. Fred S. Haines Co., 128 Wash. 267, 222 P. 611, 36 A.L.R. 493 (1924)—§ 4.2 n.17
 Mozingo v. Correct Mfg. Corp., 752 F.2d 168 (5th Cir. 1985)—§ 22.38 n.1
 Muckleshoot Indian Tribe v. Trans-Canada Enterprises, Ltd., 713 F.2d 455 (9th Cir. 1983)—§ 8.81 n.7
 Municipal Authority of Borough of St. Marys v. U.S. E.P.A., 945 F.2d 67 (3d Cir. 1991)—§ 7.60 n.8
 Murchison, In re, 349 U.S. 133, 75 S. Ct. 623, 99 L. Ed. 942 (1955)—§ 25.24 n.21
 Mutual of Enumclaw Ins. Co. v. Jerome, 66 Wash. App. 756, 833 P.2d 429 (Div. 1 1992)—§ 24.13 n.3
 M/V An Ping 6 v. Dept. of Ecology, PCHB No. 94-118, 1995 Westlaw 878771—§§ 9.101 n.2; 9.103 n.1

N

- Nagatani Bros., Inc. v. Skagit County Bd. of Com'rs, 108 Wash. 2d 477, 739 P.2d 696 (1987)—§ 18.21 n.10
 NAPCO, Inc. v. Fireman's Fund Ins. Co., 1991 WL 734015 (W.D. Pa. 1991)—§ 24.9 n.11
 National Audubon Society v. Superior Court, 33 Cal. 3d 419, 189 Cal. Rptr. 346, 658 P.2d 709 (1983)—§ 8.92 n.15
 National Gypsum Co., In re, 139 B.R. 397 (N.D. Tex. 1992)—§ 23.13 n.2
 National Min. Ass'n v. U.S. Army Corps of Engineers, 145 F.3d 1399 (D.C. Cir. 1998)—§§ 10.21 n.9, 11
 National Wildlife Federation v. Gorsuch, 530 F. Supp. 1291 (D.D.C. 1982)—§ 7.21 n.5
 Natural Resources Defense Council v. Train, 8 E.R.C. 2120 (D.D.C.1976)—§§ 7.36 n.5; 7.54 n.4
 Natural Resources Defense Council v. U.S.E.P.A., 915 F.2d 1314 (9th Cir. 1990)—§§ 7.1 n.4; 7.59 n.2; 7.60 n.5, 11, 12
 Natural Resources Defense Council, Inc. v. Callaway, 392 F. Supp. 685 (D.D.C. 1975)—§ 7.102 n.6
 Natural Resources Defense Council, Inc. v. U.S.E.P.A., 859 F.2d 156 (D.C. Cir. 1988)—§§ 7.41 n.5; 7.45 n.1; 7.58 n.3; 7.108 n.2; 7.109 n.2
 Neah Bay Chamber of Commerce v. Department of Fisheries, 119 Wash. 2d 464, 832 P.2d 1310 (1992)—§§ 25.16 n.6; 25.28 n.4, 7; 25.31 n.2, 5
 Nesalhaus v. Walker, 45 Wash. 621, 88 P. 1032 (1907)—§ 8.2 n.5
 Neubert v. Yakima-Tieton Irr. Dist., 117 Wash. 2d 232, 814 P.2d 199 (1991)—§§ 8.1 n.5; 8.13 n.1
 Nevada v. U.S., 463 U.S. 110, 103 S. Ct. 2906, 77 L. Ed. 2d 509 (1983)—§ 8.51 n.15
 New Castle County v. Hartford Acc. and Indem. Co., 673 F. Supp. 1359 (D. Del. 1987)—§ 24.7 n.1
 New Jersey v. T.L.O., 469 U.S. 325, 105 S. Ct. 733, 83 L. Ed. 2d 720, 21 Ed. Law Rep. 1122 (1985)—§ 26.11 n.5
 New Meadows Holding Co. by Raugust v. Washington Water Power Co., 102 Wash. 2d 495, 687 P.2d 212 (1984)—§§ 4.5 n.3, 6, 7
 New Mexico v. Mescalero Apache Tribe, 462 U.S. 324, 103 S. Ct. 2378, 76 L. Ed. 2d 611 (1983)—§§ 3.4 n.7, 8

TABLE OF CASES

- New York, City of v. Exxon Corp., 112 B.R. 540 (S.D. N.Y. 1990)—
§ 23.32 n.4
- New York, City of v. New York, N. H. & H. R. Co., 344 U.S. 293, 73 S.
Ct. 299, 97 L. Ed. 333 (1953)—§ 23.22 n.14
- Nghiem v. State, 73 Wash. App. 405, 869 P.2d 1086 (Div. 2 1994)—
§ 20.33 n.7
- Nickelson v. Cameron Lumber Co., 39 Wash. 569, 81 P. 1059 (1905)—
§ 24.9 n.10
- Niecko v. Emro Marketing Co., 769 F. Supp. 973 (E.D. Mich. 1991)—
§ 15.3 n.10
- Nielson v. Sponer, 46 Wash. 14, 89 P. 155 (1907)—§ 8.2 n.5
- Nisqually Delta Ass'n v. City of DuPont, 103 Wash. 2d 720, 696 P.2d
1222 (1985)—§§ 20.2 n.6; 20.14 n.1, 2; 25.24 n.6; 25.63 n.9
- Noel v. Cole, 98 Wash. 2d 375, 655 P.2d 245 (1982)—§ 17.11 n.10
- Nollan v. California Coastal Com'n, 483 U.S. 825, 107 S. Ct. 3141, 97 L.
Ed. 2d 677 (1987)—§§ 10.24 n.14; 21.2 n.7; 21.5 n.21; 21.6 n.3; 21.9 n.10
- Northwest Ecosystem Alliance v. Washington Forest Practices Bd., 149
Wash. 2d 67, 66 P.3d 614 (2003)—§§ 25.31 n.10, 11
- Northwest Environmental Advocates v. City of Portland, 56 F.3d 979
(9th Cir. 1995)—§§ 7.53 n.4; 7.163 n.1
- Norway Hill Preservation and Protection Ass'n v. King County Council,
87 Wash. 2d 267, 552 P.2d 674 (1976)—§ 17.12 n.8
- N.P. Min. Co., Inc., In re, 963 F.2d 1449 (11th Cir. 1992)—§ 23.15 n.17
- Nurad, Inc. v. William E. Hooper & Sons Co., 966 F.2d 837, 122 A.L.R.
Fed. 743 (4th Cir. 1992)—§§ 22.13 n.1; 22.18 n.4
- N.Y., State of v. Lashins Arcade Co., 91 F.3d 353 (2d Cir. 1996)—§§ 22.11
n.1; 22.12 n.9; 22.19 n.4
- N.Y., State of v. Shore Realty Corp., 759 F.2d 1032 (2d Cir. 1985)—
§§ 22.4 n.1; 22.53 n.1

O

- Oconomowoc Lake, Village of v. Dayton Hudson Corp., 24 F.3d 962 (7th
Cir. 1994)—§ 7.71 n.2
- Ohio v. Kovacs, 469 U.S. 274, 105 S. Ct. 705, 83 L. Ed. 2d 649 (1985)—
§§ 23.12 n.3; 23.22 n.1; 23.32 n.5, 6
- Ohio, State of v. U.S. Dept. of the Interior, 880 F.2d 432 (D.C. Cir.
1989)—§ 9.127 n.5
- Ohio, State of v. U.S. E.P.A., 784 F.2d 224, 84 A.L.R. Fed. 695 (6th Cir.
1986)—§ 5.45 n.9
- Okanogan Wilderness League, Inc. v. Town of Twisp, 133 Wash. 2d 769,
947 P.2d 732 (1997)—§§ 8.11 n.2; 8.12 n.2, 3, 11; 8.13 n.1; 8.14 n.1, 2, 3,
5; 8.27 n.7; 8.29 n.4
- Oklahoma Refining Co., In re, 63 B.R. 562 (Bankr. W.D. Okla. 1986)—
§ 23.42 n.3
- Oklahoma Tax Com'n v. Citizen Band Potawatomi Indian Tribe of Okla-
homa, 498 U.S. 505, 111 S. Ct. 905, 112 L. Ed. 2d 1112 (1991)—§ 3.2
n.4
- Olds-Olympic, Inc. v. Commercial Union Ins. Co., 129 Wash. 2d 464,
918 P.2d 923 (1996)—§§ 22.12 n.7; 22.18 n.5; 24.7 n.8; 24.10 n.4, 5, 16;
24.12 n.2

ENVIRONMENTAL LAW AND PRACTICE

- Oliphant v. Suquamish Indian Tribe, 435 U.S. 191, 98 S. Ct. 1011, 55 L. Ed. 2d 209 (1978)—§§ 3.3 n.1; 3.13 n.7
- Olympia, City of v. Drebeck, 156 Wash. 2d 289, 126 P.3d 802 (2006)—§ 17.14 n.5
- Olympia, City of v. State of Washington, et al., 1993 WL 136503—§ 19.22 n.26
- Olympia, City of v. State of Washington, et al., FPAB No. 92-32, March 3, 1993, 1993 WL 136503 (Wash.Forest.App.Bd.)—§§ 19.22 n.26, 27, 28, 29
- Olympic S.S. Co., Inc. v. Centennial Ins. Co., 117 Wash. 2d 37, 811 P.2d 673 (1991)—§ 24.13 n.1
- O'Neil v. Picillo, 883 F.2d 176 (1st Cir. 1989)—§ 15.3 n.4
- Oregon v. United States, 467 U.S. 1252, 104 S.Ct. 3536, 82 L.Ed.2d 841 (1984)—§ 8.81 n.7
- Oregon Auto. Ins. Co. v. Salzberg, 85 Wash. 2d 372, 535 P.2d 816 (1975)—§ 24.12 n.4
- Oregon ex rel. State Land Bd. v. Corvallis Sand & Gravel Co., 429 U.S. 363, 97 S. Ct. 582, 50 L. Ed. 2d 550 (1977)—§ 8.90 n.5
- Oregon Waste Systems, Inc. v. Department of Environmental Quality of State of Or., 511 U.S. 93, 114 S. Ct. 1345, 128 L. Ed. 2d 13 (1994)—§ 13.94 n.1
- Organization to Preserve Agricultural Lands v. Adams County Health District, 1997 WL 709345 (Wash.Pol.Control Bd. Sept. 26, 1997)—§ 13.36 n.3
- Organization to Preserve Agr. Lands v. Adams County, 128 Wash. 2d 869, 913 P.2d 793 (1996)—§§ 17.18 n.7; 17.23 n.7; 25.24 n.22
- Orion Corp. v. State, 109 Wash. 2d 621, 747 P.2d 1062 (1987)—§§ 8.35 n.11; 8.90 n.7; 8.92 n.11, 12, 13, 14, 15, 16, 17; 10.9 n.13; 21.2 n.2, 6, 11, 12, 13, 14; 21.5 n.3; 21.9 n.6, 7, 14
- Orion Corp. v. State, 103 Wash. 2d 441, 693 P.2d 1369 (1985)—§§ 20.3 n.1; 21.9 n.5
- Ortel v. Stone, 119 Wash. 500, 205 P. 1055 (1922)—§§ 8.10 n.3; 8.11 n.2
- Overlake Fund v. Shoreline Hearings Bd. (State Report Title: Overlake Fund v. Shorelines Hearings Board), 90 Wash. App. 746, 954 P.2d 304 (Div. 1 1998)—§§ 20.33 n.5, 6
- Overton v. Consolidated Ins. Co., 145 Wash. 2d 417, 38 P.3d 322 (2002)—§§ 24.2 n.10; 24.11 n.9

P

- Pacific Northwest Bell Tel. Co. v. Port of Seattle, 80 Wash. 2d 59, 491 P.2d 1037 (1971)—§ 4.5 n.3
- Pacific Rock Environmental Enhancement Group v. Clark County, 92 Wash. App. 777, 964 P.2d 1211 (Div. 2 1998)—§§ 18.44 n.5, 6
- Pa., Dept. of Environmental Resources, Com. of v. Conroy, 24 F.3d 568 (3d Cir. 1994)—§ 23.42 n.7
- Panorama Village Condominium Owners Ass'n Bd. of Directors v. Allstate Ins. Co., 144 Wash. 2d 130, 26 P.3d 910 (2001)—§ 15.58 n.14
- Pan Pacific Trading Corp. v. Department of Labor and Industries, 88 Wash. 2d 347, 560 P.2d 1141 (1977)—§ 25.14 n.8
- Panter v. Marshall Field & Co., 646 F.2d 271 (7th Cir. 1981)—§ 22.92 n.7

TABLE OF CASES

- Paradise, Inc. v. Pierce County, 124 Wash. App. 759, 102 P.3d 173 (Div. 1 2004)—§ 21.5 n.17
- Pease Hill Community Group v. County of Spokane, 62 Wash. App. 800, 816 P.2d 37 (Div. 3 1991)—§§ 17.12 n.15; 17.14 n.1
- Pedersen v. Washington State Dept. of Transp., 25 Wash. App. 781, 611 P.2d 1293 (Div. 1 1980)—§§ 7.21 n.2, 7
- Pederson's Fryer Farms, Inc. v. Transamerica Ins. Co., 83 Wash. App. 432, 922 P.2d 126 (Div. 2 1996)—§§ 24.10 n.4, 15; 24.12 n.3, 6
- Penn Cent. Transp. Co. v. City of New York, 438 U.S. 104, 98 S. Ct. 2646, 57 L. Ed. 2d 631 (1978)—§ 21.9 n.9
- Penn Terra Ltd. v. Department of Environmental Resources, Com. of Pa., 733 F.2d 267 (3d Cir. 1984)—§§ 23.32 n.1, 2
- Pepper v. J.J. Welcome Const. Co., 73 Wash. App. 523, 871 P.2d 601 (Div. 1 1994)—§§ 4.4 n.1, 4
- Peterson v. Department of Ecology, 92 Wash. 2d 306, 596 P.2d 285 (1979)—§ 8.25 n.2
- Peterson v. King County, 45 Wash. 2d 860, 278 P.2d 774 (1954)—§ 4.2 n.3
- P.H. Glatfelter Co. v. U.S. E.P.A., 921 F.2d 516 (4th Cir. 1990)—§ 7.60 n.8
- Phoenix, Ariz., City of v. Garbage Services Co., 816 F. Supp. 564 (D. Ariz. 1993)—§ 22.16 n.1
- Pilchuck Audubon Society v. State of Washington, et al., FPAB No. 92-7, December 11, 1992, 1992 WL 420838 (Wash.Forest.App.Bd.)—§§ 19.24 n.2, 3
- Pilgrim v. State Farm Fire & Cas. Ins. Co., 89 Wash. App. 712, 950 P.2d 479 (Div. 1 1997)—§ 24.12 n.4
- Pipefitters Welfare Educational Fund v. Westchester Fire Ins. Co., 976 F.2d 1037 (7th Cir. 1992)—§ 24.9 n.11
- Plum Creek Timber Co., L.P. v. Washington State Forest Practices Appeals Bd., 99 Wash. App. 579, 993 P.2d 287 (Div. 1 2000)—§§ 17.59 n.6; 19.11 n.3; 19.25 n.19
- PMC, Inc. v. Sherwin-Williams Co., 151 F.3d 610 (7th Cir. 1998)—§ 22.12 n.10
- Portage Bay-Roanoke Park Community Council v. Shorelines Hearings Bd., 92 Wash. 2d 1, 593 P.2d 151 (1979)—§§ 10.9 n.13; 20.14 n.8
- Portland, Port of v. Water Quality Ins. Syndicate, 796 F.2d 1188 (9th Cir. 1986)—§ 24.7 n.1
- Postema v. Pollution Control Hearings Bd., 142 Wash. 2d 68, 11 P.3d 726 (2000)—§§ 8.61 n.16, 17
- Powell v. Superior Portland Cement, 15 Wash. 2d 14, 129 P.2d 536 (1942)—§ 4.2 n.6
- Powers v. Skagit County, 67 Wash. App. 180, 835 P.2d 230 (Div. 1 1992)—§§ 21.3 n.3, 7, 8, 9; 21.4 n.3, 4, 6; 21.10 n.7
- Presbytery of Seattle v. King County, 114 Wash. 2d 320, 787 P.2d 907 (1990)—§§ 21.1 n.2, 3, 4, 5; 21.2 n.1, 3; 21.3 n.1, 2, 4; 21.4 n.4, 6, 7, 8; 21.5 n.1, 2, 3, 4, 5, 6, 7, 11; 21.6 n.2, 3, 5, 6; 21.8 n.3; 21.9 n.1, 2, 3, 4, 5, 8, 9, 10, 16; 21.10 n.1, 8
- Prescott Irrigation Co. v. Flathers, 20 Wash. 454, 55 P. 635 (1899)—§ 8.1 n.3

ENVIRONMENTAL LAW AND PRACTICE

- Preserve Our Islands v. Shorelines Hearings Bd., 133 Wash. App. 503, 137 P.3d 31 (Div. 1 2006)—§§ 18.24 n.4; 20.2 n.2, 9
- Price ex rel. Estate of Price v. City of Seattle, 106 Wash. App. 647, 24 P.3d 1098 (Div. 1 2001)—§ 4.3 n.6
- Progressive Northwestern Ins. Co. v. Hoverter, 65 Wash. App. 872, 829 P.2d 783 (Div. 1 1992)—§ 24.13 n.3
- Project For Informed Citizens v. Columbia County, 92 Wash. App. 290, 966 P.2d 338 (Div. 2 1998)—§§ 25.29 n.4, 5, 6
- Protect the Peninsula's Future v. Clallam County, 66 Wash. App. 671, 833 P.2d 406 (Div. 2 1992)—§ 25.59 n.2
- Prudential-LMI Com. Insurance v. Superior Court, 51 Cal. 3d 674, 274 Cal. Rptr. 387, 798 P.2d 1230 (1990)—§ 24.11 n.2
- Prudential Property and Cas. Ins. Co. v. Lawrence, 45 Wash. App. 111, 724 P.2d 418 (Div. 1 1986)—§ 24.4 n.5
- Pruitt v. Douglas County, 116 Wash. App. 547, 66 P.3d 1111 (Div. 3 2003)—§ 4.3 n.11
- Public Employees Mut. Ins. Co. v. Fitzgerald, 65 Wash. App. 307, 828 P.2d 63 (Div. 2 1992)—§ 24.13 n.3
- Public Utility Dist. No. 1 of Klickitat County v. International Ins. Co., 124 Wash. 2d 789, 881 P.2d 1020 (1994)—§§ 24.11 n.5, 7; 24.12 n.5
- Public Utility Dist. No. 1 of Pend Oreille County v. State, Dept. of Ecology, 146 Wash. 2d 778, 51 P.3d 744 (2002)—§§ 8.12 n.8; 8.41 n.12; 8.62 n.5
- PUD No. 1 of Jefferson County v. Washington Dept. of Ecology, 511 U.S. 700, 114 S. Ct. 1900, 128 L. Ed. 2d 716 (1994)—§§ 8.62 n.7; 10.7 n.4; 25.41 n.9
- Puget Sound Air Pollution Control Agency v. Fields Products, Inc., 68 Wash. App. 83, 841 P.2d 1297 (Div. 2 1992)—§§ 5.86 n.3; 25.64 n.2, 3
- Puget Sound Air Pollution Control Agency v. Kaiser Aluminum & Chemical Corp., 25 Wash. App. 273, 607 P.2d 870 (Div. 2 1980)—§ 5.13 n.12
- Puget Sound Energy, Inc. v. Alba General Ins. Co., 149 Wash. 2d 135, 68 P.3d 1061 (2003)—§ 24.12 n.7
- Puget Soundkeeper Alliance v. State, Dept. of Ecology, 102 Wash. App. 783, 9 P.3d 892 (Div. 1 2000)—§§ 7.1 n.13; 7.31 n.5
- Puget Sound Traction, Light & Power Co. v. Grassmeyer, 102 Wash. 482, 173 P. 504 (1918)—§ 4.2 n.8
- Puget Sound Water Quality Defense Fund v. Municipality of Metropolitan Seattle (Metro), 59 Wash. App. 613, 800 P.2d 387 (Div. 2 1990)—§ 20.33 n.3
- Purse Seine Vessel Owners Ass'n v. State, 92 Wash. App. 381, 966 P.2d 928 (Div. 2 1998)—§ 3.33 n.12
- Puyallup Tribe, Inc. v. Department of Game of State of Wash., 433 U.S. 165, 97 S. Ct. 2616, 53 L. Ed. 2d 667 (1977)—§ 3.4 n.8

Q

- Quadrant Corp. v. State Growth Management Hearings Bd., 119 Wash. App. 562, 81 P.3d 918 (Div. 1 2003)—§§ 18.3 n.4; 18.14 n.3, 12
- Queen City Farms, Inc. v. Central Nat. Ins. Co. of Omaha, 126 Wash. 2d 50, 882 P.2d 703 (1994)—§§ 24.1 n.1; 24.5 n.3; 24.9 n.4

TABLE OF CASES

R

- R. A. Hanson Co., Inc. v. Aetna Ins. Co., 26 Wash. App. 290, 612 P.2d 456 (Div. 3 1980)—§ 24.4 n.3
- Rapanos v. U.S., 126 S. Ct. 2208, 165 L. Ed. 2d 159 (U.S. 2006)—§§ 10.2 n.7; 10.3 n.1; 10.4 n.2; 10.5 n.5
- Ray v. Atlantic Richfield Co., 435 U.S. 151, 98 S. Ct. 988, 55 L. Ed. 2d 179 (1978)—§§ 9.4 n.1; 9.72 n.6
- Raynes v. City of Leavenworth, 118 Wash. 2d 237, 821 P.2d 1204 (1992)—§ 17.51 n.2
- R.D. Merrill Co. v. State, Pollution Control Hearings Bd., 137 Wash. 2d 118, 969 P.2d 458 (1999)—§§ 8.2 n.3; 8.34 n.8; 8.92 n.18
- Redmond, City of v. Hartford Acc. & Indem. Ins. Co., 88 Wash. App. 1, 943 P.2d 665 (Div. 1 1997)—§ 24.5 n.2
- Reichhold Chemicals, Inc. v. Textron, Inc., 157 F.R.D. 522, 29 Fed. R. Serv. 3d 1153 (N.D. Fla. 1994)—§§ 22.102 n.2; 26.12 n.2, 3, 5
- Reliable Elec. Co., Inc. v. Olson Const. Co., 726 F.2d 620 (10th Cir. 1984)—§ 23.22 n.14
- Resource Investments, Inc. v. U.S. Army Corps of Engineers, 151 F.3d 1162 (9th Cir. 1998)—§§ 10.21 n.18, 19, 20; 13.34 n.3, 4, 5
- Rettkowski v. Department of Ecology, 122 Wash. 2d 219, 858 P.2d 232 (1993)—§§ 8.35 n.2, 3; 8.40 n.12; 8.43 n.2; 8.45 n.1, 3, 4; 8.52 n.3; 8.92 n.5, 6; 25.53 n.5
- Riblet v. Spokane-Portland Cement Co., 45 Wash. 2d 346, 274 P.2d 574 (1954)—§§ 4.8 n.2, 3, 5, 9
- Riblet v. Spokane-Portland Cement Co., 41 Wash. 2d 249, 248 P.2d 380 (1952)—§§ 4.2 n.5, 6, 7; 4.3 n.8; 4.9 n.9
- Ritter v. Board of Com'rs of Adams County Public Hospital Dist. No. 1, 96 Wash. 2d 503, 637 P.2d 940 (1981)—§ 25.23 n.4
- Riverside Irr. Dist. v. Andrews, 758 F.2d 508 (10th Cir. 1985)—§ 10.23 n.7
- R/L Associates, Inc. v. City of Seattle, 113 Wash. 2d 402, 780 P.2d 838 (1989)—§ 21.5 n.8
- Robins Dry Dock & Repair Co. v. Flint, 275 U.S. 303, 48 S. Ct. 134, 72 L. Ed. 290 (1927)—§ 9.96 n.11
- Robinson v. City of Seattle, 119 Wash. 2d 34, 830 P.2d 318 (1992)—§§ 21.1 n.2; 21.2 n.5, 10; 21.3 n.1, 3; 21.4 n.2, 3, 4, 7; 21.5 n.12, 13, 14, 15, 16; 21.6 n.2, 3, 6; 21.7 n.2, 4, 5; 21.8 n.2, 4; 21.10 n.3, 4, 10, 11; 21.11 n.4, 5
- Rockwell Intern. Corp. v. IU Intern. Corp., 702 F. Supp. 1384 (N.D. Ill. 1988)—§ 22.53 n.3
- Rose v. Locke, 423 U.S. 48, 96 S. Ct. 243, 46 L. Ed. 2d 185 (1975)—§ 26.13 n.1
- Rylands v. Flethcer, L.R. 3 H.L. 330 (1868)—§ 4.5 n.1

S

- Safeco Title Ins. Co. v. Gannon, 54 Wash. App. 330, 774 P.2d 30 (Div. 1 1989)—§ 24.12 n.2
- Saldin Securities, Inc. v. Snohomish County, 134 Wash. 2d 288, 949 P.2d 370 (1998)—§§ 17.51 n.2; 17.55 n.1, 2
- Samuel's Furniture, Inc. v. State, Dept. of Ecology, 147 Wash. 2d 440, 54 P.3d 1194 (2002)—§§ 20.31 n.8, 10

ENVIRONMENTAL LAW AND PRACTICE

- Samuel's Furniture, Inc. v. Washington State Dept. of Ecology, 105 Wash. App. 278, 19 P.3d 474 (Div. 1 2001)—§§ 20.34 n.6, 7
- Sander v. Bull, 76 Wash. 1, 135 P. 489 (1913)—§§ 8.2 n.2; 8.10 n.4
- San Diego Gas & Elec. Co. v. City of San Diego, 450 U.S. 621, 101 S. Ct. 1287, 67 L. Ed. 2d 551 (1981)—§§ 21.11 n.3; 21.12 n.11
- San Juan Citizens Committee v. State of Washington, et al., FPAB No. 90-25, March 12, 1991, 1991 WL 115383 (Wash.Forest.App.Bd.)—§ 19.61 n.4
- San Juan County v. Department of Natural Resources, 28 Wash. App. 796, 626 P.2d 995 (Div. 1 1981)—§§ 20.32 n.3; 25.41 n.8; 25.55 n.3; 25.64 n.2, 5
- San Telmo Associates v. City of Seattle, 108 Wash. 2d 20, 735 P.2d 673 (1987)—§§ 21.5 n.8; 21.9 n.11
- Save Lake Washington v. Frank, 641 F.2d 1330 (9th Cir. 1981)—§ 20.43 n.3
- Save Our Rural Environment v. Snohomish County, 99 Wash. 2d 363, 662 P.2d 816 (1983)—§ 17.1 n.8
- Scarsella Bros., Inc. v. State Dept. of Licensing, 53 Wash. App. 882, 771 P.2d 760 (Div. 1 1989)—§ 25.28 n.8
- Schuh v. State Dept. of Ecology, 100 Wash. 2d 180, 667 P.2d 64 (1983)—§§ 8.12 n.7, 11; 8.27 n.7, 8, 9; 8.30 n.4
- Scott By and Through Scott v. Pacific West Mountain Resort, 119 Wash. 2d 484, 834 P.2d 6 (1992)—§§ 4.9 n.2, 3
- Scott Galvanizing, Inc. v. Northwest EnviroServices, Inc., 120 Wash. 2d 573, 844 P.2d 428 (1993)—§ 22.78 n.1
- SDS Lumber Co. v. State of Washington, et al., No. 92-27, December 11, 1992, 1992 WL 420835 (Wash.Forest.App.Bd.)—§ 19.23 n.3
- Seal v. Naches-Selah Irr. Dist., 51 Wash. App. 1, 751 P.2d 873 (Div. 3 1988)—§§ 4.6 n.6, 7
- SEAPC v. Cammack II Orchards, 49 Wash. App. 609, 744 P.2d 1101 (Div. 3 1987)—§§ 17.2 n.6; 17.3 n.6
- Seattle, City of v. Department of Ecology, 37 Wash. App. 819, 683 P.2d 244 (Div. 2 1984)—§§ 25.53 n.3, 7
- Seattle, City of v. McCready, 124 Wash. 2d 300, 877 P.2d 686 (1994)—§ 26.11 n.3
- Seattle, City of v. McCready, 123 Wash. 2d 260, 868 P.2d 134 (1994)—§ 26.11 n.2
- Seattle, City of v. Public Employment Relations Com'n, 116 Wash. 2d 923, 809 P.2d 1377 (1991)—§ 25.27 n.8
- Seattle, Port of v. Pollution Control Hearings Bd., 151 Wash. 2d 568, 90 P.3d 659 (2004)—§ 25.26 n.3
- Seattle Audubon Society, In re v. State of Washington, et al., FPAB No. 87-5, March 8, 1989, 1989 WL 67468 (Wash.Forest. App.Bd.)—§§ 19.24 n.10, 11
- Seattle (Seattle City Light), City of v. Washington State Dept. of Transp., 98 Wash. App. 165, 989 P.2d 1164 (Div. 2 1999)—§§ 15.2 n.34; 15.16 n.6; 15.58 n.10
- Secretary of the Interior v. California, 464 U.S. 312, 104 S. Ct. 656, 78 L. Ed. 2d 496 (1984)—§ 20.43 n.3
- Shafford v. White Bluffs Land & Irr. Co., 63 Wash. 10, 114 P. 883 (1911)—§ 8.13 n.9

TABLE OF CASES

- Sheep Mountain Cattle Co. v. State, Dept. of Ecology, 45 Wash. App. 427, 726 P.2d 55 (Div. 3 1986)—§ 8.42 n.4
- Shell Oil Co. v. E.P.A., 950 F.2d 741 (D.C. Cir. 1991)—§§ 14.24 n.9; 25.16 n.2
- Siegler v. Kuhlman, 81 Wash. 2d 448, 502 P.2d 1181 (1972)—§§ 4.5 n.8, 9, 10
- Sierra Club v. Colorado Refining Co., 838 F. Supp. 1428 (D. Colo. 1993)—§ 7.71 n.2
- Sierra Club v. Morton, 405 U.S. 727, 92 S. Ct. 1361, 31 L. Ed. 2d 636 (1972)—§ 7.163 n.2
- Sierra Club v. Union Oil Co. of California, 813 F.2d 1480 (9th Cir. 1987)—§ 7.107 n.1
- Sim v. Washington State Parks and Recreation Commission, 90 Wash. 2d 378, 583 P.2d 1193 (1978)—§ 25.27 n.2
- Simpson Tacoma Kraft Co. v. Department of Ecology, 119 Wash. 2d 640, 835 P.2d 1030 (1992)—§§ 7.55 n.11; 7.59 n.19; 7.105 n.1; 9.40 n.2; 11.3 n.9; 11.16 n.6; 14.24 n.14; 15.13 n.3; 25.13 n.1, 3, 6, 7
- Sintra, Inc. v. City of Seattle, 119 Wash. 2d 1, 829 P.2d 765 (1992)—§§ 21.1 n.2; 21.2 n.4; 21.4 n.3; 21.5 n.7, 9, 10, 11, 16; 21.6 n.3, 6; 21.7 n.3, 4, 6; 21.8 n.1, 5; 21.9 n.11, 12, 13, 15; 21.10 n.9; 21.11 n.4
- Sisley v. San Juan County, 89 Wash. 2d 78, 569 P.2d 712 (1977)—§ 17.12 n.11
- Sittner v. City of Seattle, 62 Wash. 2d 834, 384 P.2d 859 (1963)—§ 5.37 n.14
- Skagit County v. State, Dept. of Ecology, 93 Wash. 2d 742, 613 P.2d 115 (1980)—§ 20.33 n.4
- Skagit Surveyors and Engineers, LLC v. Friends of Skagit County, 135 Wash. 2d 542, 958 P.2d 962 (1998)—§§ 18.42 n.7; 25.27 n.15, 16, 17
- Smith-Douglass, Inc., In re, 856 F.2d 12, 103 A.L.R. Fed. 61 (4th Cir. 1988)—§ 23.42 n.5
- Smith v. Spokane County, 89 Wash. App. 340, 948 P.2d 1301 (Div. 3 1997)—§§ 17.15 n.5; 17.41 n.10
- Smith Land & Imp. Corp. v. Celotex Corp., 851 F.2d 86 (3d Cir. 1988)—§ 22.34 n.2
- Snider v. Board of County Com'rs of Walla Walla County, Wash., 85 Wash. App. 371, 932 P.2d 704 (Div. 3 1997)—§ 21.5 n.29
- Snohomish County v. State, 69 Wash. App. 655, 850 P.2d 546 (Div. 1 1993)—§§ 19.23 n.4, 5, 6, 7, 8, 9; 19.24 n.1; 19.61 n.2, 3, 10; 25.53 n.7
- Snokist Growers v. Washington Ins. Guar. Ass'n, 83 Wash. App. 496, 922 P.2d 821 (Div. 3 1996)—§ 15.1 n.13
- Sofie v. Fibreboard Corp., 112 Wash. 2d 636, 771 P.2d 711 (1989)—§ 4.7 n.2
- Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, 531 U.S. 159, 121 S. Ct. 675, 148 L. Ed. 2d 576 (2001)—§ 10.5 n.4
- Solid Waste Alternative Proponents v. Okanogan County, 66 Wash. App. 439, 832 P.2d 503 (Div. 3 1992)—§ 17.23 n.8
- Solo Cup Co. v. Federal Ins. Co., 619 F.2d 1178 (7th Cir. 1980)—§ 24.4 n.3
- Somer v. Woodhouse, 28 Wash. App. 262, 623 P.2d 1164 (Div. 2 1981)—§ 25.28 n.4

ENVIRONMENTAL LAW AND PRACTICE

- Soo Line R. Co. v. B.J. Carney & Co., 797 F. Supp. 1472 (D. Minn. 1992)—§ 22.35 n.2
- Spangler v. Insurance Co. of North America, 17 Wash. App. 121, 562 P.2d 635 (Div. 1 1977)—§ 24.12 n.2
- Spokane, City of v. Carlson, 73 Wash. 2d 76, 436 P.2d 454 (1968)—§ 13.21 n.2
- Spokane, City of v. Douglass, 115 Wash. 2d 171, 795 P.2d 693 (1990)—§§ 26.13 n.3, 4, 9, 10, 11
- Spokane, City of v. United Nat. Ins.Co., 190 F. Supp. 2d 1209 (E.D. Wash. 2002)—§ 24.9 n.34
- Spring Valley Farms, Inc., In re, 863 F.2d 832 (11th Cir. 1989)—§ 23.22 n.14
- State v. Alexander, 76 Wash. App. 830, 888 P.2d 175 (Div. 1 1995)—§ 26.13 n.2
- State v. Boren, 42 Wash. 2d 155, 253 P.2d 939 (1953)—§ 4.2 n.8
- State v. Buchanan, 138 Wash. 2d 186, 978 P.2d 1070 (1999)—§ 3.4 n.10
- State v. Davis, 34 Wash. App. 546, 662 P.2d 78 (Div. 1 1983)—§ 26.16 n.2
- State v. Dexter, 32 Wash. 2d 551, 202 P.2d 906, 13 A.L.R.2d 1081 (1949)—§ 19.41 n.1
- State v. Dougall, 89 Wash. 2d 118, 570 P.2d 135 (1977)—§ 26.13 n.5
- State v. Ficklin, 190 Wash. 168, 67 P.2d 897 (1937)—§§ 15.3 n.5; 22.3 n.1
- State v. Grant, 156 Wash. 96, 286 P. 63 (1930)—§ 4.2 n.25
- State v. Grays Harbor County, 122 Wash. 2d 244, 857 P.2d 1039 (1993)—§ 17.51 n.2
- State v. Hamrick, 19 Wash. App. 417, 576 P.2d 912 (Div. 2 1978)—§ 26.22 n.2
- State v. Harell, 80 Wash. App. 802, 911 P.2d 1034 (Div. 1 1996)—§ 26.15 n.1
- State v. Kerry, 34 Wash. App. 674, 663 P.2d 500 (Div. 1 1983)—§ 6.6 n.7
- State v. Mason, 31 Wash. App. 41, 639 P.2d 800 (Div. 2 1982)—§ 26.16 n.2
- State v. Maxwell, 74 Wash. App. 688, 878 P.2d 1220 (Div. 3 1994)—§§ 26.13 n.6, 8
- State v. McLennen, 116 Wash. 612, 200 P. 319 (1921)—§ 9.98 n.6
- State v. Primeau, 70 Wash. 2d 109, 422 P.2d 302 (1966)—§ 4.2 n.19
- State v. Smith, 115 Wash. 2d 775, 801 P.2d 975 (1990)—§ 26.22 n.1
- State v. Squally, 78 Wash. 2d 475, 474 P.2d 897 (1970)—§ 25.14 n.7
- State v. Straka, 116 Wash. 2d 859, 810 P.2d 888 (1991)—§§ 25.13 n.4, 8
- State v. Sturtevant, 76 Wash. 158, 135 P. 1035 (1913)—§§ 8.91 n.4; 8.92 n.1
- State v. Superior Court of Lincoln County, 119 Wash. 406, 205 P. 1051 (1922)—§ 8.2 n.12
- State v. Superior Court of Stevens County, 46 Wash. 500, 90 P. 650 (1907)—§ 8.2 n.12
- State v. Tim S., 41 Wash. App. 60, 701 P.2d 1120 (Div. 3 1985)—§ 26.16 n.1
- State, Dept. of Ecology v. Acquavella, 131 Wash. 2d 746, 935 P.2d 595 (1997)—§§ 8.11 n.4; 8.13 n.3, 9
- State, Dept. of Ecology v. Acquavella, 100 Wash. 2d 651, 674 P.2d 160 (1983)—§§ 8.13 n.8; 8.50 n.3; 8.51 n.13, 27; 8.81 n.8

TABLE OF CASES

- State Dept. of Ecology v. Ballard Elks Lodge No. 827, 84 Wash. 2d 551, 527 P.2d 1121 (1974)—§ 25.64 n.5
- State, Dept. of Ecology v. Campbell & Gwinn, L.L.C., 146 Wash. 2d 1, 43 P.3d 4 (2002)—§§ 8.2 n.15; 8.30 n.11, 12
- State Dept. of Ecology v. Grimes, 121 Wash. 2d 459, 852 P.2d 1044 (1993)—§§ 8.11 n.2; 8.13 n.2, 3, 4, 6, 7; 8.51 n.27
- State, Dept. of Ecology v. Lundgren, 94 Wash. App. 236, 971 P.2d 948 (Div. 2 1999)—§ 7.161 n.15
- State, Dept. of Ecology v. Public Utility Dist. No. 1 of Jefferson County, 121 Wash. 2d 179, 849 P.2d 646 (1993)—§ 8.62 n.5
- State, Dept. of Ecology v. Theodoratus, 135 Wash. 2d 582, 957 P.2d 1241 (1998)—§§ 8.11 n.2; 8.29 n.2
- State, Dept. of Ecology v. Yakima Reservation Irr. Dist., 121 Wash. 2d 257, 850 P.2d 1306 (1993)—§ 3.32 n.9
- Stempel v. Department of Water Resources, 82 Wash. 2d 109, 508 P.2d 166 (1973)—§§ 8.21 n.1; 8.43 n.2
- Stevens, In re, 68 B.R. 774 (D. Me. 1987)—§ 23.42 n.3
- Stewart v. Washington State Boundary Review Bd. for King County, 100 Wash. App. 165, 996 P.2d 1087 (Div. 1 2000)—§ 18.32 n.13
- Steyer v. Westvaco Corp., 450 F. Supp. 384 (D. Md. 1978)—§ 24.5 n.1
- Stikes Woods Neighborhood Ass'n v. City of Lacey, 124 Wash. 2d 459, 880 P.2d 25 (1994)—§ 25.56 n.11
- Still v. Palouse Irr. & Power Co., 64 Wash. 606, 117 P. 466 (1911)—§ 8.2 n.2
- St. Lawrence Corp., In re, 239 B.R. 720 (Bankr. D. N.J. 1999)—§ 23.42 n.8
- Strate v. A-1 Contractors, 520 U.S. 438, 117 S. Ct. 1404, 137 L. Ed. 2d 661 (1997)—§ 3.3 n.5
- Sumner Lumber & Shingle Co. v. Pacific Coast Power Co., 72 Wash. 631, 131 P. 220 (1913)—§ 8.10 n.6
- Sun Pipe Line Co. v. Conewago Contractors, Inc., 39 Env't. Rep. Cas. (BNA) 1710, 1994 WL 539326 (M.D. Pa. 1994)—§ 9.33 n.6
- Superior Refuse Removal, Inc. v. Washington Utilities and Transp. Com'n, 86 Wash. App. 1020, 1997 WL 270583 (Div. 3 1997)—§§ 13.22 n.15, 16
- Suquamish Indian Tribe v. Kitsap County, 92 Wash. App. 816, 965 P.2d 636 (Div. 1 1998)—§§ 25.27 n.18; 25.29 n.7; 25.47 n.10
- Sylvester v. U.S. Army Corps of Engineers, 882 F.2d 407 (9th Cir. 1989)—§ 10.24 n.9

T

- Tabb Lakes, Ltd. v. U.S., 10 F.3d 796 (Fed. Cir. 1993)—§ 10.24 n.15
- Tabb Lakes, Ltd. v. U.S., 715 F. Supp. 726 (E.D. Va. 1988)—§ 10.5 n.3
- Tacoma, City of v. Department of Ecology, PCHB No. 90-150, 1992 WL 109770 (1992)—§ 25.55 n.1
- Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency, 535 U.S. 302, 122 S. Ct. 1465, 152 L. Ed. 2d 517, 10 A.L.R. Fed. 2d 681 (2002)—§§ 21.3 n.5; 21.4 n.6; 21.6 n.10; 21.11 n.1; 21.12 n.21
- Taliesen Corp. v. Razore Land Co., 135 Wash. App. 106, 144 P.3d 1185 (Div. 1 2006)—§§ 15.26 n.32; 15.53 n.18; 15.58 n.11, 12

ENVIRONMENTAL LAW AND PRACTICE

- Tegman v. Accident & Medical Investigations, Inc., 150 Wash. 2d 102, 75 P.3d 497 (2003)—§ 4.9 n.10
- the City of Bellingham, In the Matter of v. Department of Ecology, PCHB No. 84-211, 1985 WL 21584 (Wash. Pol. Control Bd. 1985)—§§ 7.39 n.11, 13
- Third Lake Washington Bridge by City of Seattle, In re, 82 Wash. 2d 280, 510 P.2d 216 (1973)—§ 25.12 n.2
- Thompson v. Short, 6 Wash. 2d 71, 106 P.2d 720 (1940)—§ 8.10 n.5
- Thorp v. McBride, 75 Wash. 466, 135 P. 228 (1913)—§§ 8.2 n.2; 8.13 n.5
- Tiegs v. Watts, 135 Wash. 2d 1, 954 P.2d 877 (1998)—§§ 4.2 n.10, 11, 16
- Time Oil Co. v. Cigna Property & Cas. Ins. Co., 1990 WL 515585 (W.D. Wash. 1990)—§ 24.9 n.26
- Time Oil Co. v. Cigna Property & Cas. Ins. Co., 743 F. Supp. 1400 (W.D. Wash. 1990)—§§ 24.2 n.8; 24.3 n.3; 24.4 n.1, 2; 24.8 n.5; 24.11 n.3, 4
- Tincani v. Inland Empire Zoological Soc., 66 Wash. App. 852, 837 P.2d 640 (Div. 3 1992)—§ 4.9 n.1
- Titan Holdings Syndicate, Inc. v. City of Keene, N.H., 898 F.2d 265 (1st Cir. 1990)—§ 24.9 n.11
- Tocco v. New Jersey Council on Affordable Housing, 242 N.J. Super. 218, 576 A.2d 328 (App. Div. 1990)—§ 21.12 n.7
- Torrance v. King County, 136 Wash. 2d 783, 966 P.2d 891 (1998)—§§ 18.42 n.28, 29, 30, 31
- Torwico Electronics, Inc., In re, 8 F.3d 146 (3d Cir. 1993)—§§ 23.22 n.6, 9, 10; 23.32 n.2, 6
- Transcontinental Ins. Co. v. Washington Public Utilities Districts' Utility System, 111 Wash. 2d 452, 760 P.2d 337 (1988)—§§ 24.2 n.7; 24.6 n.3
- Travelers Ins. Co. v. Waltham Indus. Laboratories Corp., 722 F. Supp. 814 (D. Mass. 1988)—§ 24.5 n.2
- Travelers Ins. Companies v. North Seattle Christian and Missionary Alliance, 32 Wash. App. 836, 650 P.2d 250 (Div. 1 1982)—§§ 24.4 n.2, 3
- Trepanier v. City of Everett, 64 Wash. App. 380, 824 P.2d 524 (Div. 1 1992)—§ 17.55 n.4
- Tucker v. Paxson Mach. Co., 645 F.2d 620 (8th Cir. 1981)—§ 22.34 n.1
- Tull v. U.S., 481 U.S. 412, 107 S. Ct. 1831, 95 L. Ed. 2d 365, 7 Fed. R. Serv. 3d 673 (1987)—§ 7.162 n.4
- Tyler Pipe Industries, Inc. v. State, Dept. of Revenue, 96 Wash. 2d 785, 638 P.2d 1213 (1982)—§§ 19.62 n.7; 25.59 n.2

U

- Unidigital, Inc., In re, 262 B.R. 283 (Bankr. D. Del. 2001)—§§ 23.15 n.5; 23.42 n.8
- Unigard Ins. Co. v. Leven, 97 Wash. App. 417, 983 P.2d 1155 (Div. 1 1999)—§ 24.4 n.4
- Union Bay Preservation Coalition v. Cosmos Development & Admin. Corp., 127 Wash. 2d 614, 902 P.2d 1247 (1995)—§ 25.65 n.4
- Union Pacific R. Co. v. Mower, 219 F.3d 1069 (9th Cir. 2000)—§ 26.12 n.6
- United Pacific Ins. Co. v. Van's Westlake Union, Inc., 34 Wash. App. 708, 664 P.2d 1262, 39 A.L.R.4th 1040 (Div. 1 1983)—§ 24.9 n.2

TABLE OF CASES

- Unlimited v. Kitsap County, 50 Wash. App. 723, 750 P.2d 651 (Div. 2 1988)—§ 21.9 n.10
- U.S. v. A & N Cleaners and Launderers, Inc., 788 F. Supp. 1317 (S.D. N.Y. 1992)—§ 22.62 n.3
- U.S. v. Aceto Agr. Chemicals Corp., 872 F.2d 1373, 115 A.L.R. Fed. 817 (8th Cir. 1989)—§§ 22.4 n.4; 22.32 n.5
- U.S. v. Adair, 723 F.2d 1394 (9th Cir. 1983)—§§ 3.32 n.10, 12, 13, 14
- U.S. v. Adair, 478 F. Supp. 336 (D. Or. 1979)—§ 8.81 n.7
- U.S. v. Ahtanum Irr. Dist., 330 F.2d 897 (9th Cir. 1964)—§§ 8.2 n.11; 8.50 n.2
- U.S. v. Akers, 785 F.2d 814 (9th Cir. 1986)—§§ 10.22 n.7, 11
- U.S. v. Alcan Aluminum Corp., 49 F. Supp. 2d 96 (N.D. N.Y. 1999)—§ 15.2 n.35
- U.S. v. Alcan Aluminum Corp., 964 F.2d 252 (3d Cir. 1992)—§ 22.4 n.7
- U.S. v. Anderson, 736 F.2d 1358 (9th Cir. 1984)—§§ 3.32 n.11, 16, 17, 19, 21
- U.S. v. Arrowhead Refining Co., 829 F. Supp. 1078 (D. Minn. 1992)—§§ 22.32 n.3, 4
- U.S. v. Bestfoods, 524 U.S. 51, 118 S. Ct. 1876, 141 L. Ed. 2d 43, 157 A.L.R. Fed. 735 (1998)—§§ 22.52 n.5, 6; 22.53 n.7, 8, 9, 10, 11
- U.S. v. Bethlehem Steel Corp., 38 F.3d 862 (7th Cir. 1994)—§ 14.24 n.12
- U.S. v. Billie, 667 F. Supp. 1485 (S.D. Fla. 1987)—§ 3.36 n.2
- U.S. v. Bresette, 761 F. Supp. 658 (D. Minn. 1991)—§ 3.36 n.3
- U.S. v. Byrd, 609 F.2d 1204 (7th Cir. 1979)—§§ 10.2 n.4; 10.5 n.3
- U.S. v. Carolina Transformer Co., 978 F.2d 832 (4th Cir. 1992)—§§ 22.35 n.1; 22.53 n.6
- U.S. v. Causby, 328 U.S. 256, 66 S. Ct. 1062, 90 L. Ed. 1206 (1946)—§ 21.12 n.35
- U.S. v. Cello-Foil Products, Inc., 100 F.3d 1227, 1996 FED App. 0368P (6th Cir. 1996)—§ 22.32 n.7
- U.S. v. Cello-Foil Products, Inc., 848 F. Supp. 1352 (W.D. Mich. 1994)—§ 22.32 n.7
- U.S. v. Chem-Dyne Corp., 572 F. Supp. 802, 70 A.L.R. Fed. 314 (S.D. Ohio 1983)—§ 22.4 n.5
- U.S. v. Conservation Chemical Co., 653 F. Supp. 152 (W.D. Mo. 1986)—§ 24.4 n.8
- U.S. v. Cordova Chemical Co. of Michigan, 59 F.3d 584, 1995 FED App. 0211P (6th Cir. 1995)—§ 22.52 n.3
- U.S. v. Dion, 476 U.S. 734, 106 S. Ct. 2216, 90 L. Ed. 2d 767 (1986)—§ 3.36 n.1
- U.S. v. Distler, 741 F. Supp. 637 (W.D. Ky. 1990)—§ 22.38 n.2
- U.S. v. Fleet Factors Corp., 901 F.2d 1550 (11th Cir. 1990)—§ 22.12 n.1
- U.S. v. Hamel, 551 F.2d 107 (6th Cir. 1977)—§ 7.21 n.5
- U.S. v. Hardage, 761 F. Supp. 1501 (W.D. Okla. 1990)—§ 22.4 n.1
- U.S. v. Huebner, 752 F.2d 1235 (7th Cir. 1985)—§§ 10.22 n.2, 8
- U.S. v. Iron Mountain Mines, Inc., 987 F. Supp. 1233 (E.D. Cal. 1997)—§ 22.36 n.1
- U.S. v. Johns-Manville Sales Corp., 18 Env't. Rep. Cas. (BNA) 1177, 13 Env'tl. L. Rep. 20310 (D.N.H. 1982)—§§ 23.32 n.3, 6
- U.S. v. Kayser-Roth Corp., 724 F. Supp. 15 (D.R.I. 1989)—§ 22.52 n.4

ENVIRONMENTAL LAW AND PRACTICE

- U.S. v. Larkins, 657 F. Supp. 76 (W.D. Ky. 1987)—§ 10.21 n.5
 U.S. v. Lee Wood Contracting, Inc., 529 F. Supp. 119 (E.D. Mich. 1981)—
 § 10.21 n.22
 U.S. v. Locke, 529 U.S. 89, 120 S. Ct. 1135, 146 L. Ed. 2d 69 (2000)—
 §§ 9.2 n.8; 9.4 n.13, 14; 9.34 n.19
 U.S. v. Louisiana-Pacific Corp., 682 F. Supp. 1122 (D. Colo. 1987)—
 § 5.46 n.2
 U.S. v. Lowe, 118 F.3d 399 (5th Cir. 1997)—§ 15.57 n.16
 U.S. v. Marisol, Inc., 725 F. Supp. 833 (M.D. Pa. 1989)—§ 15.3 n.4
 U.S. v. Maryland Bank & Trust Co., 632 F. Supp. 573 (D. Md. 1986)—
 § 22.2 n.1
 U.S. v. Mexico Feed and Seed Co., Inc., 980 F.2d 478, 24 Fed. R. Serv.
 3d 1032 (8th Cir. 1992)—§ 22.35 n.3
 U.S. v. Monsanto Co., 858 F.2d 160 (4th Cir. 1988)—§§ 22.4 n.2; 22.13 n.1;
 22.14 n.1
 U.S. v. New Mexico, 438 U.S. 696, 98 S. Ct. 3012, 57 L. Ed. 2d 1052
 (1978)—§§ 8.80 n.2; 8.81 n.1
 U.S. v. Nicolet, Inc., 857 F.2d 202 (3d Cir. 1988)—§ 23.32 n.7
 U.S. v. Northeastern Pharmaceutical & Chemical Co., Inc., 810 F.2d
 726 (8th Cir. 1986)—§ 22.4 n.2
 U.S. v. Olin Corp., 107 F.3d 1506 (11th Cir. 1997)—§ 22.4 n.2
 U.S. v. Olin Corp., 927 F. Supp. 1502 (S.D. Ala. 1996)—§ 22.4 n.2
 U.S. v. Ottati & Goss, Inc., 900 F.2d 429 (1st Cir. 1990)—§ 15.57 n.13
 U.S. v. Petersen Sand and Gravel, Inc., 806 F. Supp. 1346 (N.D. Ill.
 1992)—§ 22.16 n.3
 U.S. v. Petty Motor Co., 327 U.S. 372, 66 S. Ct. 596, 90 L. Ed. 729
 (1946)—§ 21.12 n.9
 U.S. v. Powers, 305 U.S. 527, 59 S. Ct. 344, 83 L. Ed. 330 (1939)—§ 8.81
 n.6
 U.S. v. Riverside Bayview Homes, Inc., 474 U.S. 121, 106 S. Ct. 455, 88
 L. Ed. 2d 419 (1985)—§§ 10.4 n.4; 10.24 n.14
 U.S. v. Robinson, 570 F. Supp. 1157 (M.D. Fla. 1983)—§ 10.21 n.22
 U.S. v. Rohm and Haas Co., 2 F.3d 1265 (3d Cir. 1993)—§§ 15.57 n.16;
 22.2 n.1
 U.S. v. Sargent County Water Resource Dist., 876 F. Supp. 1081 (D.N.D.
 1992)—§ 10.22 n.8
 U.S. v. City of Seattle, 33 Env't. Rep. Cas. (BNA) 1549, 1991 WL 208805
 (W.D. Wash. 1991)—§ 9.130 n.4
 U.S. v. Serafini, 791 F. Supp. 107 (M.D. Pa. 1990)—§ 22.62 n.3
 U.S. v. South Carolina Recycling and Disposal, Inc., 653 F. Supp. 984
 (D.S.C. 1984)—§§ 15.57 n.10; 22.14 n.1
 U.S. v. State, 131 Idaho 468, 959 P.2d 449 (1998)—§§ 8.80 n.1, 4, 5
 U.S. v. County of Stearns, 1990 WL 606673 (D. Minn. 1990)—§ 10.22 n.8
 U.S. v. Stringfellow, 661 F. Supp. 1053 (C.D. Cal. 1987)—§§ 22.4 n.3;
 22.19 n.3
 U.S. v. Trident Seafoods Corp., 60 F.3d 556 (9th Cir. 1995)—§§ 5.71 n.11;
 5.83 n.7
 U.S. v. Union Scrap Iron & Metal, 123 B.R. 831 (D. Minn. 1990)—§ 23.13
 n.8
 U.S. v. USX Corp., 68 F.3d 811, 33 Fed. R. Serv. 3d 64 (3d Cir. 1995)—
 § 22.53 n.2

TABLE OF CASES

- U.S. v. Wade, 653 F. Supp. 11 (E.D. Pa. 1984)—§ 9.130 n.4
U.S. v. Walker River Irr. Dist., 104 F.2d 334 (C.C.A. 9th Cir. 1939)—
§ 8.81 n.6
U.S. v. State of Wash., 909 F. Supp. 787 (W.D. Wash. 1995)—§ 3.33 n.11
U.S. v. State of Wash., 898 F. Supp. 1453 (W.D. Wash. 1995)—§ 3.33 n.11
U.S. v. State of Wash., 873 F. Supp. 1422 (W.D. Wash. 1994)—§§ 3.33
n.7, 8, 9; 8.91 n.5
U.S. v. State of Wash., 384 F. Supp. 312 (W.D. Wash. 1974)—§ 3.33 n.3
U.S. v. State of Washington, 135 F.3d 618 (9th Cir. 1998)—§§ 3.33 n.8, 9,
10, 11
U.S. v. Western Processing Co., Inc., 756 F. Supp. 1416, 112 A.L.R. Fed.
705 (W.D. Wash. 1991)—§ 15.2 n.11
U.S. v. White, 322 U.S. 694, 64 S. Ct. 1248, 88 L. Ed. 1542, 152 A.L.R.
1202 (1944)—§ 26.16 n.6
U.S. v. Whizco, Inc., 841 F.2d 147 (6th Cir. 1988)—§§ 23.12 n.4; 23.22 n.2
U.S. v. Winnebago Tribe of Nebraska, 542 F.2d 1002 (8th Cir. 1976)—
§ 3.2 n.6
U.S. Fidelity and Guar. Co. v. Thomas Solvent Co., 683 F. Supp. 1139
(W.D. Mich. 1988)—§ 24.7 n.1
U.S. Oil & Refining Co. v. State Dept. of Ecology, 96 Wash. 2d 85, 633
P.2d 1329 (1981)—§ 7.161 n.4
U. S. Steel Corp. v. Train, 556 F.2d 822 (7th Cir. 1977)—§ 7.71 n.1

V

- Valley View Indus. Park v. City of Redmond, 107 Wash. 2d 621, 733
P.2d 182 (1987)—§ 18.22 n.11
Vern J. Oja & Associates v. Washington Park Towers, Inc., 89 Wash. 2d
72, 569 P.2d 1141 (1977)—§ 4.5 n.11

W

- Wagner Seed Co. v. Daggett, 800 F.2d 310, 87 A.L.R. Fed. 205 (2d Cir.
1986)—§ 15.56 n.1
Walker v. Munro, 124 Wash. 2d 402, 879 P.2d 920 (1994)—§ 5.36 n.15
Wallace v. Weitman, 52 Wash. 2d 585, 328 P.2d 157 (1958)—§§ 8.2 n.4;
8.11 n.1
Wall Tube & Metal Products Co., In re, 831 F.2d 118 (6th Cir. 1987)—
§ 23.15 n.6
Washington v. Washington State Commercial Passenger Fishing Vessel
Ass'n, 443 U.S. 658, 99 S. Ct. 3055, 61 L. Ed. 2d 823 (1979)—§ 3.33
n.4
Washington, Dept. of Ecology, State of v. U.S.E.P.A., 752 F.2d 1465 (9th
Cir. 1985)—§§ 3.4 n.9; 3.18 n.4, 5
Washington Massage Foundation v. Nelson, 87 Wash. 2d 948, 558 P.2d
231 (1976)—§§ 26.11 n.6, 7
Washington Public Emp. Ass'n v. Community College Dist. 9, 31 Wash.
App. 203, 642 P.2d 1248, 3 Ed. Law Rep. 421 (Div. 2 1982)—§ 25.28
n.8
Washington State Human Rights Commission ex rel. Spangenberg v.
Cheney School Dist. No. 30, 97 Wash. 2d 118, 641 P.2d 163, 2 Ed.
Law Rep. 1169 (1982)—§ 25.14 n.1

ENVIRONMENTAL LAW AND PRACTICE

- Washington Toxics Coalition v. State of Washington, et al., FPAB No. 91-7, October 29, 1991, 1991 WL 255050 (Wash.Forest.App.Bd.)—§ 19.62 n.8
- Washington Toxics Coalition v. State of Washington, FPAB No. 91-7 (Oct. 29, 1991), 1991 WL 255050 (Wash. Forest. App. Bd.)—§ 19.62 n.9
- Washington Waste Systems, Inc. v. Clark County, 115 Wash. 2d 74, 794 P.2d 508 (1990)—§ 13.91 n.9
- Waste Management of Seattle, Inc. v. Utilities and Transp. Com'n, 123 Wash. 2d 621, 869 P.2d 1034 (1994)—§§ 13.25 n.7; 13.26 n.3
- Water Rights in Alpowa Creek in Garfield and Asotin Counties, In re, 129 Wash. 9, 224 P. 29 (1924)—§§ 8.2 n.2; 8.10 n.1, 2; 8.11 n.3; 8.12 n.3; 8.28 n.1
- Water Rights in Crab Creek and Moses Lake, In re, 134 Wash. 7, 235 P. 37 (1925)—§§ 8.2 n.2; 8.10 n.4
- Watershed Defense Fund v. Riveland, 91 Wash. App. 454, 959 P.2d 130 (Div. 2 1998)—§§ 25.53 n.9; 25.55 n.1
- Waters of Doan Creek, In re, 125 Wash. 14, 215 P. 343 (1923)—§§ 8.2 n.2; 8.10 n.2
- Weden v. San Juan County, 135 Wash. 2d 678, 958 P.2d 273 (1998)—§ 20.3 n.4
- Wells v. Western Washington Growth Management Hearings Bd., 100 Wash. App. 657, 997 P.2d 405 (Div. 1 2000)—§§ 18.42 n.12, 13, 22; 18.44 n.3
- Wells et al. v. Whatcom County, 1998 WL 692065—§ 25.44 n.2
- Wenatchee Sportsmen Ass'n v. Chelan County, 141 Wash. 2d 169, 4 P.3d 123 (2000)—§ 18.42 n.29
- West 514, Inc. v. County of Spokane, 53 Wash. App. 838, 770 P.2d 1065 (Div. 3 1989)—§§ 17.2 n.6; 17.3 n.6
- West Main Associates v. City of Bellevue, 106 Wash. 2d 47, 720 P.2d 782 (1986)—§ 18.22 n.11
- West Richland, City of v. Department of Ecology, 124 Wash. App. 683, 103 P.3d 818 (Div. 3 2004)—§ 8.102 n.14
- Weyerhaeuser v. Pierce County, 124 Wash. 2d 26, 873 P.2d 498 (1994)—§§ 17.23 n.2, 7; 17.58 n.4; 25.24 n.6
- Weyerhaeuser Co. v. Aetna Cas. and Sur. Co., 123 Wash. 2d 891, 874 P.2d 142 (1994)—§§ 24.7 n.11; 24.8 n.6; 24.10 n.13
- Weyerhaeuser Co. v. Costle, 590 F.2d 1011 (D.C. Cir. 1978)—§ 7.43 n.1
- Weyerhaeuser Co. v. Southwest Air Pollution Control Authority, 91 Wash. 2d 77, 586 P.2d 1163 (1978)—§ 5.41 n.2
- Weyerhaeuser Co., Inc. v. Cowlitz-Wahkiakum Health District & Dept. of Ecology, 1991 WL 115365 (Wash.1991)—§§ 13.5 n.5; 13.38 n.1
- Weyerhaeuser Co. Inc. v. Cowlitz Wahkiakum Health District & Dept. of Ecology, 1991 WL 115365 (Wash. Pol. Control Bd. 1991)—§ 13.5 n.6
- Wheeler v. City of Pleasant Grove, 896 F.2d 1347 (11th Cir. 1990)—§ 21.12 n.25
- Wheeler v. City of Pleasant Grove, 833 F.2d 267 (11th Cir. 1987)—§§ 21.12 n.6, 24, 29
- White v. Stout, 72 Wash. 62, 129 P. 917 (1913)—§ 8.2 n.12

TABLE OF CASES

- Whitehead Oil Co. v. City of Lincoln, 245 Neb. 680, 515 N.W.2d 401 (1994)—§ 21.12 n.26
- White Mountain Apache Tribe v. Bracker, 448 U.S. 136, 100 S. Ct. 2578, 65 L. Ed. 2d 665 (1980)—§§ 3.4 n.1, 2, 3, 5, 6
- Wilbour v. Gallagher, 77 Wash. 2d 306, 316, 462 P.2d 232 (1969)—§ 21.9 n.6
- Wilbour v. Gallagher, 77 Wash. 2d 306, 462 P.2d 232, 40 A.L.R.3d 760 (1969)—§§ 8.35 n.11; 8.90 n.8; 8.92 n.1, 7, 16
- William Dickson Co. v. Puget Sound Air Pollution Control Agency, 81 Wash. App. 403, 914 P.2d 750 (Div. 2 1996)—§ 5.83 n.5
- Williamson County Regional Planning Com'n v. Hamilton Bank of Johnson City, 473 U.S. 172, 105 S. Ct. 3108, 87 L. Ed. 2d 126 (1985)—§§ 21.2 n.11; 21.12 n.12
- Wilshire Westwood Associates v. Atlantic Richfield Corp., 881 F.2d 801 (9th Cir. 1989)—§§ 9.2 n.4; 15.3 n.10
- Wilson v. Board of Governors, Washington State Bar Ass'n, 90 Wash. 2d 649, 585 P.2d 136 (1978)—§ 25.12 n.1
- Wilson v. Key Tronic Corp., 40 Wash. App. 802, 701 P.2d 518 (Div. 3 1985)—§ 4.2 n.18
- Wilson v. U.S., 221 U.S. 361, 31 S. Ct. 538, 55 L. Ed. 771 (1911)—§ 26.16 n.5
- Winters v. U. S., 207 U.S. 564, 28 S. Ct. 207, 52 L. Ed. 340 (1908)—§§ 3.32 n.1; 8.51 n.16; 8.80 n.1, 3, 4; 8.81 n.2
- Woodland Manor III Associates v. Keeney, 713 A.2d 806 (R.I. 1998)—§ 21.12 n.27
- Wyoming v. U.S., 492 U.S. 406, 109 S. Ct. 2994, 106 L. Ed. 2d 342 (1989)—§ 8.81 n.4

Y

- Yakima County Clean Air Authority v. Glascam Builders, Inc., 85 Wash. 2d 255, 534 P.2d 33 (1975)—§ 25.53 n.8
- Yearsley v. Cater, 149 Wash. 285, 270 P. 804 (1928)—§ 8.12 n.1
- Yee v. City of Escondido, Cal., 503 U.S. 519, 112 S. Ct. 1522, 118 L. Ed. 2d 153 (1992)—§ 21.6 n.9
- York v. Stone, 178 Wash. 280, 34 P.2d 911 (1934)—§ 24.9 n.10

Z

- Zilog, Inc., In re, 450 F.3d 996 (9th Cir. 2006)—§ 23.13 n.1
- Zimmer v. Stephenson, 66 Wash. 2d 477, 403 P.2d 343 (1965)—§§ 4.3 n.1, 3, 4, 7
- Zodiac Maritime Agencies, Ltd. v. Department of Ecology, PCHB No. 90-210, 1992 Westlaw 45381 (Feb. 6, 1992)—§ 9.94 n.2
- Zodiac Maritime Agencies, Ltd. v. Dept. of Ecology, PCHB No. 90-210, 1992 Westlaw 45381—§ 9.103 n.5