



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

AUG 01 2016

Ms. Dalene Koetje
HDK Enterprises, Inc.
PO Box 231
Lynden, WA 98264

**RE: Temporary Trust Water Right Donation of a Portion of Ground Water Certificate
4616-A – Whatcom County (WRIA 1)**

Dear Ms. Koetje:

The purpose of this letter is to acknowledge the Department of Ecology (Ecology) has accepted your request to donate a portion of Ground Water Certificate (GWC) 4616-A into the Washington State Trust Water Right Program. The subject trust water right has been assigned control number CG1-*06243C. Please refer to this number when corresponding with us about this trust water right.

Attributes of GWC 4616-A

Issued to:	C.V. and Jesse E. Wilder
Priority Date:	April 10, 1962
Point of Withdrawal:	W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15, Township 40 North, Range 3 East, W. M.
Instantaneous Rate:	600 gallons per minute (gpm)
Annual Volume:	120 acre-feet per year (ac-ft/yr)
Purpose of Use:	Irrigation of 60 acres – during the irrigation season
Place of Use:	W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15, Township 40 North, Range 3 East, W. M.

Application Information

On June 7, 2016, Ecology received your request to temporarily donate a portion of GWC 4616-A to the trust program. According to the information supplied with your request, up to 600 gpm and 120 ac-ft/yr have been put to beneficial use within the past 5 years. You requested to place 540 gpm and 108 ac-ft/yr into the trust program. You requested to retain 60 gpm and 12 ac-ft/yr on your property for irrigation purposes.



You indicated on the trust water donation form you are the owner of the majority of the right. You supplied information showing other (small parcel) owners within the authorized place of use (POU) are not interested in using water under the authority of GWC 4616-A.

Information regarding the irrigation activities on your property was provided by Andy Enfield of Enfield Farms and Galen Koetje (your operations manager) through Charles Lindsay (Associated Earth Sciences, Inc.). The following is Mr. Lindsay's summary of the irrigation activities and information used to estimate the total irrigation water use on your property.

1. Aerial photographs of the past five years indicate that approximately 57.8 acres of the POU has been in pasture grass and 2.2 acres has been used to grow blueberries. It should be noted that the estimate of pasture grass acreage does not include the lawns associated with the recently constructed single-family residences located within the POU. These recent single-family residences receive their water from the City of Lynden.
2. The pasture grass has been irrigated with up to two big gun sprinklers and the blueberries have been irrigated using an overhead (solid-set) sprinkler system.
3. The source of irrigation water is a small infiltration trench/pond located at latitude: 48.952492, longitude: -122.414754. The infiltration pond is located within the originally published point of withdrawal location for the water right.
4. Mr. Koetje operates several irrigation pumps at the pond. The primary pumps are a 25 hp high volume pump and a Cornell PTO pump powered by a 160 hp tractor. When needed, Mr. Koetje can also supplement the primary pumps with two other pumps (20 hp and 30 hp) to pump water from the pond into the irrigation system. The combined pumping capacity of these pumps is in excess of the 600 gpm water right instantaneous rate.

The water right POU is located roughly 4 miles west of the Clearbrook Washington Irrigation Guide (WIG) climatic station and 12 miles east of the Blaine WIG station. For the Clearbrook station, the Crop Irrigation Requirement (CIR) for pasture grass is 12.79 inches and the CIR for blueberries is 15.57 inches. For the Blaine WIG station, the pasture grass CIR is 14.69 inches and the CIR for blueberries is 17.48 inches. Therefore, the distance-weighted average CIR is 13.27 inches for pasture grass and 16.05 inches for blueberries. To conservatively account for periodic drought conditions, the WIG pasture grass and blueberry CIRs were increased by 23% and 17%, respectively, based on the return period data presented in Extension Bulletin (EB) 1513, resulting in a CIR of 16.32 inches for pasture grass and 18.78 inches for blueberries.

The POU's pasture grass has been irrigated using big gun methods with an average efficiency of 65% and the blueberries have been irrigated with overhead sprinklers that have an average efficiency of 70%. Dividing the pasture grass CIR of 16.32 inches by the average efficiency (65%) calculates to a Total Irrigation Requirement (TIR) of 25.11 inches (2.09 feet). Dividing the blueberry CIR of 18.78 inches by the average efficiency (70%) calculates to a TIR of 26.83 inches (2.24 feet).

Multiplying the pasture grass TIR (2.09 ft) by the total irrigation acres (57.8 acres) results in an irrigation water use of 120.8 ac-ft/yr. Multiplying the blueberry TIR (2.24 ft) by the total irrigation acres (2.2 acres) results in an irrigation water use of 4.9 ac-ft/yr. This indicates a potential annual irrigation water use in the POU of 125.7 ac-ft/yr. The total potential irrigation water use of 125.7 ac-ft/yr slightly exceeds the water right annual volume (Qa) of 120 ac-ft/yr. Therefore, it is likely the entire water right Qa has been used in the POU and has not been relinquished due to non-use.

Your intent for placing a portion of the subject water right into trust is to protect it from relinquishment while a determination is made on the future use of the property and the water right, and to provide for groundwater preservation and stream/fisheries enhancement in Kamm Creek and the Nooksack River.

Terms for Temporary Donation

1. You requested to donate an instantaneous rate of 540 gpm (of the certificated 600 gpm) into temporary trust.
2. You requested to retain the right to use up to 60 gpm for irrigation purposes.
3. You requested to donate an annual volume of 108 ac-ft/yr (of the certificated 120 ac-ft/yr) into temporary trust.
4. You requested to retain the right to use up to 12 ac-ft/yr for irrigation purposes.
5. You requested a donation period through January 1, 2026.

Ecology's Acceptance

The Department of Ecology pursuant to RCW 90.42.080(1)(b) **accepts your temporary donation of 540 gpm and 108 ac-ft/yr** for groundwater preservation and stream/fisheries enhancement. As per your request, this temporary donation **will expire on January 1, 2026**. If, prior to the expiration of this temporary donation, you would like to extend or revoke the donation, or modify its terms, please send us a written request. If you decide to withdraw your donation from the trust program, please provide Ecology with a 72 hour written notice.

Ecology's acceptance of the donated portion of the water right into the trust water right program is not evidence of the extent, validity, or quantities of the water right.

This authorization shall in no manner be construed to guarantee or imply that a water right change authorization will issue for the future use of the water herein accepted into the Trust Water Right Program.

In accordance with RCW 90.42.040(6), RCW 90.14.140(h), and RCW 90.14.215, a water right is not subject to relinquishment while it is managed within the Trust Water Right Program.

Ms. Dalene Koetje
HDK Enterprises, Inc.
CG1-*06243C TW Donation
Page 4

If you have questions or concerns, please contact Buck Smith at (425) 649-7147 or buck.smith@ecy.wa.gov.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of the Order.

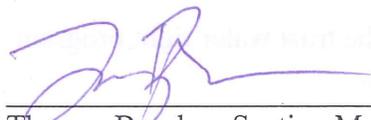
File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.
- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office
Website: <http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State
Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.

Signed at Bellevue, Washington, this 15th day of August, 2016.



Thomas Buroker, Section Manager

Enclosure: Your Right To Be Heard

cc: Lesa Starkenburg-Kroontje
Charles Lindsay, Associated Earth Sciences, Inc.

Ms. Dalene Koetje
HDK Enterprises, Inc.
CG1-*06243C TW Donation
Page 5

By Certified Mail: 9171 9690 0935 0135 5032 13