

**Addendum to Trust Water Right Agreement  
(Harry J. Masterson Testamentary Trust)**

This Addendum to Trust Water Right Agreement (“Addendum”) is made and entered into as of the 4<sup>th</sup> day of June, 2013, by and between the Washington State Department of Ecology, State Trust Water Right Program (“Ecology”) and the Harry J. Masterson Testamentary Trust (“Masterson”), and supplements the Trust Water Right Agreement between Ecology and Masterson’s predecessor, the Estate of Harry Masterson, dated June 20, 2012, and pertaining to the application submitted by Masterson under WRTS File Nos. CS4-01467@11sb3a (“Application”), and the water rights described therein (“Agreement”).

In consideration of the mutual covenants and undertakings as hereinafter set forth, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto hereby agree to supplement the Agreement as follows:

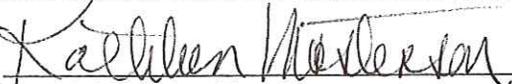
1. Add to the Water (as that term is defined in the Agreement) those water rights described in Exhibit E, which water rights were conveyed to the Harry J. Masterson Testamentary Trust from Donald I. and Doris Tidwell on March 25, 2013 under Kittitas County Auditor’s file number 201303250036 (the “Tidwell Water Rights”). The Tidwell Water Rights were previously appurtenant to the land described in Exhibit F. The consumptive quantities of the Tidwell Water Rights are shown in Exhibit G. Exhibits E, F, and G are attached hereto and by this reference incorporated herein.
2. The Tidwell Water Rights are subject to all terms and conditions set forth in the Agreement applicable to the Water.

This Addendum is executed as of the date first above written.

WASHINGTON STATE DEPARTMENT OF ECOLOGY

By:   
Mark Kemner, Section Manager  
Water Resources Program, CRO

HARRY J. MASTERSON TESTAMENTARY TRUST

By:   
Kathleen Masterson, Trustee

**EXHIBIT E**  
**The Tidwell Water Rights**

Note: Water right is currently designated as instream flow until such time as Ecology issues a final ROE under Yakima County Superior Court, Acquavella Adjudication.

Court Claim No.: #00914

Source: Teanaway River

Purpose of Use: Instream flow for mitigation

Period of Use: Year-round

Instant. Quantity: 0.041 cfs May 1 – September 15

Annual Quantity: 10.169 acre-feet per year from May 1 - September 15 (3 acre-feet consumptive)

Priority Date: June 30, 1889

Point of Diversion: 150 feet north and 800 feet west from the southeast corner of Section 10, being within the SE ¼ SE ¼ of Section 10, T. 20 N., R. 16 E. W.M.

Place of Use: Instream flow to the confluence of the Yakima and Columbia Rivers.

**EXHIBIT F**  
**The Land to Which the Tidwell Water Rights Were Appurtenant**

**Severed from the following legally described subdivision of land:**

Parcel 1:

Lot A of TIDWELL SHORT PLAT, SP 06-76, recorded February 1, 2007, in Book 1 of Short Plats at Page(s) 118-119, under recording number 200702010048, Being a portion of the East Half of Section 14, Township 20 North, Range 16 East, W.M., records of Kittitas County, State of Washington.

Parcel 2:

Lot 2 of that certain survey recorded March 24, 2006, in Book 32 of Surveys, Page 90, under Auditor's File No. 200603240017, records of Kittitas County, State of Washington; being a portion of the East half of Section 14, Township 20 North, Range 16 East, W.M., Kittitas County, State of Washington.

EXCEPTING therefrom any portion that lies within the TIDWELL SHORT PLAT, SP 06-76, recorded February 1, 2007, in Book 1 of Short Plats at Page(s) 118-119, under recording number 200702010048. Being a portion of the East Half of Section 14, Township 20 North, Range 16 East, W.M., records of Kittitas County, State of Washington.

Parcel 3:

Lots B, C, and D of TIDWELL SHORT PLAT, SP 06-76, recorded February 1, 2007, Book 1 of Short Plats at Page(s) 118-119, under recording number 200702010048, Being a portion of the East Half of Section 14, Township 20 North, Range 16 East, W.M., records of Kittitas County, State of Washington.

Parcel 4:

TOGETHER WITH AND SUBJECT TO that portion of that certain 40 foot access and utility easement as delineated as Easement Q on Survey recorded March 24, 2006, in Book 32 of Surveys at Page 90 recorded under Auditor's File No. 200603240017, which is delineated on the face of the Tidwell Short Plat SP-06-76.

**EXHIBIT G**

**CONSUMPTIVE QUANTITIES  
ASSOCIATED WITH Court Claim No. 00914**

	May	June	July	August	September 1-15	Total
CU Acre-feet/month	0.00	0.5559	1.0737	0.7944	0.5760	3.0000
cfs/month	0	0.0093	0.0174	0.0129	0.0096	