

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

<input type="checkbox"/> EXPEDITE <input type="checkbox"/> No hearing is set <input checked="" type="checkbox"/> Hearing is set: Date: _____ October 21, 2016 Time: _____ 1:30 P.M. _____ Judge/Calendar: ___ Gary Tabor ___

**SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON**

MAGDALENA T. BASSETT;
DENMAN J. BASSETT; JUDY
STIRTON; and OLYMPIC
RESOURCE PRESERVATION
COUNCIL,

Petitioners,

v.

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

Respondent.

No. 14-2-02466-2

DECLARATION OF DAN J. VON
SEGGERN IN SUPPORT OF
CENTER FOR ENVIRONMENTAL
LAW & POLICY'S RESPONSE TO
PLAINTIFFS' OPENING BRIEF

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Dan J. Von Seggern states and declares as follows:

- 1. I am over the age of 18 and competent to testify in this matter.
- 2. Attached to this Declaration as Exhibit 1 is a true and correct copy of an email message I received from Amanda Cronin at Washington Water Trust, dated March 14, 2016.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED in Seattle, Washington, this 28th day of December, 2015.

/s/ Dan J. Von Seggern /s/

Dan J. Von Seggern

EXHIBIT 1

From: [Amanda Cronin](#)
To: [Dan Von Seggern](#)
Subject: RE: Dungeness water banking question
Date: Monday, March 14, 2016 1:10:48 PM

Sure! Water banking is working well in watersheds where we can do in kind water for water mitigation.

Domestic Indoor only certs issued: 105
Basic Outdoor Irrigation certs: 7
Extended Outdoor Irrigation certs: 7
Stockwater certs: 1

Now a couple questions for you:

What is the status of the lawsuit? What is the status and impact of SB 6513? Is the intent just to affirm that the reserves in Wenatchee and Dungeness rule still stand?

Looking forward to the article. Let me know if you have additional questions.

Amanda

From: Dan Von Seggern [mailto:dvonseggern@celp.org]
Sent: Monday, March 14, 2016 12:56 PM
To: Amanda Cronin <amanda@washingtonwatertrust.org>
Subject: Dungeness water banking question

Hi Amanda-

I am writing an article for the Water Report (actually a pair of them-Tom Pors & I each have a paper in the March issue & I am now writing a counterpoint to his for the April edition). I'd like to be able to discuss how well water banking is working now. Do you have a number that you would be willing to provide on how many domestic mitigation packages have been sold to date for the Dungeness watershed?

Thanks,

Dan

Dan J. Von Seggern
Staff Attorney
[Center for Environmental Law & Policy \(CELP\)](#)
85 South Washington St., Suite 301
Seattle, WA 98104
dvonseggern@celp.org | 206-829-8299

Your communications with CELP, including this email message, do not and are not intended to create an attorney-client relationship, and you should not act or rely on any information in this

message without seeking the advice of an attorney. If you communicate with CELP regarding a matter in which CELP does not represent you, your communication may not be treated as privileged or confidential, nor shall such communication alone establish an attorney-client relationship with CELP.