



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

August 2, 2016

John M. & Linda L. Rice
18435 S.E. 280th Street
Kent, WA 98042-5447

Re: Determination of Water Budget Neutrality for Request No. G4-35838

Dear Mr. & Mrs. Rice:

This water budget neutral (WBN) determination letter is amended to reflect a change in mitigating rights. Trust water right S4-05259CTCL@2sb7 was originally used to mitigate for the new uses under G4-35838, however John and Linda Rice's agent, Jessica Kuchan, has requested that the trust water right CS4-00626CTCL@2sb7 be used as the mitigating right instead. Both trust water rights discussed above belong to the Suncadia Water Bank, and as such no additional hydrogeologic review is needed. No other change has been made to this letter of determination.

Thank you for submitting a Request for Determination of Water Budget Neutrality, which was received by the Department of Ecology (Ecology) office on March 25, 2016.

In accordance with Washington Administrative Code (WAC) 173-539A, Ecology has determined your proposed appropriation of groundwater, as mitigated by the trust water right identified in your request, will be water budget neutral with respect to Total Water Supply Available (TWSA) at Parker.

The information in the table below was based on the documents you provided.

Proposed Uses and Mitigation Offered:

Use	Proposed Total Annual Quantity (ac-ft/yr*)	Proposed Mitigation (ac-ft/yr*)
Indoor	0.392	0.118
Outdoor	0.022	0.019
Total	0.414	0.137

*ac-ft/yr = acre-feet per year (1 acre-foot = 325,851 gallons)

Consumptive use, totaling 0.137 ac-ft/yr, is proposed to be offset with Trust Water Right No. CS4-00626CTCL@2sb7. The total consumptive use does not exceed the amount of water available under the subject trust water right during the irrigation season. Please refer to the enclosed Advisory Letter for additional information.

Ecology has determined, based on review of your Request for Determination of Water Budget Neutrality and the accompanying materials, your proposed use of groundwater will be Water Budget Neutral as follows:



1. Water use is to be made within Parcel No. 12456 located within the SE¼ of Section 7, T. 19 N., R. 16 E.W.M. In-home water use is for 1 connection, using 350 gallons per day, resulting in a consumptive use of 0.118 ac-ft/yr.
2. Outdoor irrigation water use for 0.011 acres results in a consumptive use of 0.019 ac-ft/yr.
3. Water will be obtained from a well, located in Parcel No. 12451 located within the NE¼ SE¼ of Section 7, T. 19 N., R. 16 E.W.M.
4. Water use shall be recorded and reported as required under WAC 173-539A-070, and as described in the Advisory Letter enclosure.
5. You will record with the Kittitas County Auditor a property covenant as required under WAC 173-539A-050 that restricts or prohibits trees or shrubs over septic drain fields on Parcel No. 12456.
6. You will record with the Kittitas County Auditor an appropriate conveyance instrument under which the applicant obtains an interest in Trust Water Right No. CS4-00626CTCL@2sb7 to offset consumptive use as described in this letter.
7. You will pay to Ecology the sum of \$52.27, which represents a proportionate amount of the payment due and owing to the United States for storage and delivery of water under Paragraph 15(a) of Water Storage and Exchange Contract No. 09XX101700, between the U.S. Bureau of Reclamation and the State of Washington Department of Ecology, Yakima Project, Washington, dated January 29, 2009¹. The consumptive use of 0.072 acre-feet from September 1 through March 31, is subject to the terms and conditions in the Water Storage and Exchange Contract No. 09XX101700.
8. Any valid priority calls against Trust Water Right No. CS4-00626CTCL@2sb7 based on local limitations in water availability, will result in temporary curtailment of the use of water until the priority call for water ends.

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this decision. 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 this decision:

- File your appeal and a copy of this decision 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 decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

¹Water Storage and Exchange Contract No. 09XX101700 between the U.S. Bureau of Reclamation and the State of Washington Department of Ecology.

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You must also comply with other applicable requirements in chapter 43.21B RCW and chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION	
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 Road 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://www.leg.wa.gov/CodeReviser>

If you have any questions, please contact the Water Resources Help Desk at (509) 575-2597.

Sincerely,



Trevor Hutton, Section Manager
Water Resources Program
Central Regional Office

TH:CP:FG/160719
WR ID# 6799149

Enclosures: Your Right To Be Heard
Advisory Letter (white sheet)
Water Measuring Requirement and Form 1
Invoice and return envelope

By Certified Mail: 7014 3490 0001 5527 2675

cc: Holly Duncan, Kittitas County Public Health Department (ecc)
Philip Rigdon, Director, Natural Resources Division, Yakama Nation
William Ferry, USBR, Columbia-Cascades Area Office
Jessica Kuchan, Attorney, Mentor Law Group (ecc)
Suncadia, LLC