May 11, 2010

Gordon Gaub
PO Box 369
North Bend WA 98045-0369

Re: Determination of Water Budget Neutrality for Request No. G4-35283

Dear Mr. Gaub:

Thank you for submitting a Request for Determination of Water Budget Neutrality, which was received by the Department of Ecology (Ecology) office on April 27, 2010.

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.

<table>
<thead>
<tr>
<th>Use</th>
<th>Proposed Total Annual Quantity (ac-ft/yr*)</th>
<th>Proposed Mitigation (ac-ft/yr*)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor</td>
<td>0.392</td>
<td>0.118</td>
</tr>
<tr>
<td>Outdoor</td>
<td>0.022</td>
<td>0.019</td>
</tr>
<tr>
<td>Total</td>
<td>0.414</td>
<td>0.137</td>
</tr>
</tbody>
</table>

*ac-ft/yr = acre-feet per year

Consumptive use, totaling 0.137 ac-ft/yr, is proposed to be offset with Trust Water Right No. CS4-05259CTCL@2sb7.

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

- Water use is to be made within Parcel No. 880334, located within NW¼ of Section 18, T. 20 N., R. 14 E.W.M.
- In-home water use is one connection, resulting in a consumptive use of 0.118 ac-ft/yr.
- Outdoor irrigation use is 0.011 acres, resulting in a consumptive use of 0.019 ac-ft/yr.
- The proposed well(s) will be located in NW¼ of Section 18, T. 20 N., R. 14 E.W.M.
- Water use shall be recorded and reported as described in the Advisory Letter enclosure.
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 a septic drainfield on Parcel No. 880334.

You will record with the Kittitas County Auditor an appropriate conveyance instrument under which the applicant obtains an interest in Trust Water Right No. CS4-05259CTCL@2sb7 to offset consumptive use as described in this letter.

You will pay to Ecology the sum of $61.78, which represents a proportionate amount of the payment due and owing to the United States for storage and deliver of water under Paragraph 15(a) of Water Storage and Exchange Contract No. 09XX101700, between the Bureau of Reclamation and the State of Washington Department of Ecology, Yakima Project, Washington, dated January 29, 2009.

You have a right to appeal this determination. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the “date of receipt” of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the “date of receipt” of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). “Date of receipt” is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

   Mail appeal to:
   The Pollution Control Hearings Board
   PO Box 40903
   Olympia WA 98504-0903

   OR

   Deliver your appeal in person to:
   The Pollution Control Hearings Board
   4224 – 6th Ave SE Rowe Six, Bldg 2
   Lacey WA 98503

2. To serve your appeal on the Department of Ecology

   Mail appeal to:
   The Department of Ecology
   Appeals & Application for Relief Coordinator
   PO Box 47608
   Olympia WA 98504-7608

   OR

   Deliver your appeal in person to:
   The Department of Ecology
   Appeals & Application for Relief Coordinator
   300 Desmond Dr SE
   Lacey WA 98503
3. And send a copy of your appeal to:

Mark C. Schuppe  
Department of Ecology  
Central Regional Office  
15 W. Yakima Ave, Ste 200  
Yakima, WA 98902-3452

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 Teresa Mitchell at (509) 575-2597.

Sincerely,

Mark C. Schuppe  
Section Manager  
Water Resources Program

MCS:IE:gg/100504

Enclosures:  
Your Right To Be Heard  
Advisory Letter  
Water Measuring Requirements

By Certified Mail: 7006 0100 0002 8191 9789

cc: Cathy Bambrick, Kittitas County Health Department  
    Joe Mentor, Mentor Law Group  
    Suncadia, LLC  
    Philip Rigdon, Director, Natural Resources Division, Yakama Nation