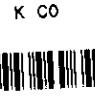


PROSECUTOR 62  
COMMISSIONERS JK  
DEPARTMENT KIT  
INSURANCE JD

01/06/2011 03:45:29 PM  
\$0.00  
Claims Against County/r/s/misc  
Kittitas County Auditor

201101060033  
Page 1 of 4



KITTITAS COUNTY CLAIM FOR DAMAGES

Return to: County Auditor  
205 W 5th, Suite 105  
Ellensburg, WA 98926



Instructions:

Please read the entire form before completion. Fill out each question as completely as possible, to the best of your ability. Do not hesitate to use the back side of this form if you need more than the space provided. An incomplete response may delay the processing of your claim.

1. Name (Including spouse, if married): Wilbur H. & Mary Ann Mundy
2. Date of Birth: 3-22-40
3. Phone #: (Home): 206-725-6628 (Work): 206 499-7002
4. Address (include former address if at present address for less than 6 months): 1501 Masterson Rd., Cle Elum 98922
5. Date of Incident: 1-7-09
6. Location of Incident: (1) Approx. 1501 Masterson Rd (2) SR 970 along Teanaway River

7. Describe in detail the defect which caused the injury: Flooding of Tenaway River, plugged culvert & flooding along Masterson Rd.

8. Describe in narrative form and in detail exactly how the incident occurred: Flood waters washed out pump station & flooded hay barn / and see attached

9. Was claim investigated by a police officer? No

Sheriff \_\_\_\_\_ State Patrol \_\_\_\_\_ City Police \_\_\_\_\_

10. Description of claimant's vehicle: N.A. Make \_\_\_\_\_ Year \_\_\_\_\_

Model \_\_\_\_\_ License No. \_\_\_\_\_

11. Describe what you did after the accident occurred: Discussed with insurance co. - no coverage. Met with state (fisheries, ecology) & federal (NIECS) & private (excavator, builder, engineer, hay dealer) to assess damage & develop repair strategy

12. Describe the conversations you had, if any, with County personnel during or after the incident occurred: Discuss permitting w/ county but they deferred to state

13. Describe the damages or injuries which you sustained as a result of the incident: Loss of pump station, Loss of hay

14. What is the amount of damages claimed? (Include estimates and bills, if available): \$99,417.27 at this time

15. How did you identify the County as the party responsible for your damage? Maintenance failure over time / and see attached

16. List the names and addresses of all witnesses to the incident: NOT REQUIRED

BY STATUTE

17. Are you covered by insurance? NO If yes, who is your insurance agent/carrier? \_\_\_\_\_

Dated this 20<sup>th</sup> Day of December, 20 10.

Gregory B. Mundy

Signature of Claimant

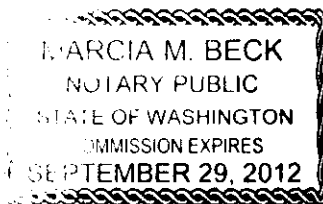
\*\*\*Notary\*\*\*

Marcia Beck

Verified signature of Claimant

Subscribed and sworn (affirmed) to before me this 20<sup>th</sup> Day of December, 20 10.

Seal



Notary Public in and for the State of Washington

Residing at Edmonds WA

**Answers to Questions 7, 8 and 15:**

Claimants live along or near the Teanaway River in the vicinity of Washington State Highways 10 and 970, and Lambert Road and Quail Valley Road. These public highways and Kittitas County roads are protected from the Teanaway River by a series of levees and dikes designed, constructed, improved, maintained, and repaired by the State of Washington and Kittitas County, or their predecessors in interest. These river control measures diverted and altered the natural watercourse of the Teanaway River. During high water events, the system is designed to confine the river to its main channel, thereby reducing its flood conveyance capacity.

On or about January 7, 2009, a high water event in the Teanaway River caused the failure of certain levees and dikes. The river flowed out of its confined channel and onto and across Claimants' properties, causing significant damage.

The State and County agencies responsible for the Teanaway River knew or should have known of the insufficiencies of the flood control projects along the river and the dangers posed to Claimants' properties. Claimants were not told of the dangers, nor were their properties in designated floodplains or floodways.