



STATE OF WASHINGTON
 DEPARTMENT OF ECOLOGY
 1250 W Akter St • Union Gap, Washington 98903-0009 • (509) 575-2490

November 15, 2018

Ron and Sonja Mitchell
 1351 Naneum Road
 Ellensburg, WA 98926

Re: Determination of Water Budget Neutrality for Request No. G4-36013

Dear Ron and Sonja Mitchell:

Thank you for submitting a Request for Determination of Water Budget Neutrality, which was received by the Department of Ecology (Ecology) office on July 18, 2018. 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	0.924	0.277
Outdoor	0	0
Total	0.924	0.277

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

Consumptive use, totaling 0.277 ac-ft/yr, is proposed to be offset with Trust Water Right No. CS4-YRB03CC02255. 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. 614834 located within the NW¼ of Section 33, T. 18 N., R. 19 E.W.M. In-home water use is for 3 connection, using 275 gallons per day, resulting in a consumptive use of 0.277 ac-ft/yr.
2. Outdoor irrigation is not authorized from the wells.

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.

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>*



WATER WELL REPORT

Original & 1st copy - Ecology, 2nd copy - owner, 3rd copy - driller

DEPARTMENT OF
ECOLOGY
State of Washington

Construction/Decommission ("x" in circle)

Construction

Decommission ORIGINAL INSTALLATION

Notice of Intent Number

PROPOSED USE: Domestic Industrial Municipal
 DeWater Irrigation Test Well Other

TYPE OF WORK: Owner's number of well (if more than one) _____
 New well Reconditioned Method: Dug Bored Driven
 Deepened Cable Rotary Jetted

DIMENSIONS: Diameter of well 6 inches, drilled 283 ft.
 Depth of completed well 282 ft.

CONSTRUCTION DETAILS
 Casing Welded 6" Diam. from 43 ft. to 240 ft.
 Installed: Liner installed _____" Diam. from _____ ft. to _____ ft.
 Threaded _____" Diam. From _____ ft. to _____ ft.

Perforations: Yes No
 Type of perforator used _____
 SIZE of perfs _____ in. by _____ in. and no. of perfs _____ from _____ ft. to _____ ft.

Screens: Yes No K-Pac Location _____
 Manufacturer's Name _____
 Type _____ Model No. _____
 Diam. _____ Slot size _____ from _____ ft. to _____ ft.
 Diam. _____ Slot size _____ from _____ ft. to _____ ft.

Gravel/Filter packed: Yes No Size of gravel/sand _____
 Materials placed from _____ ft. to _____ ft.

Surface Seal: Yes No To what depth? 18 ft.
 Material used in seal Bentonite
 Did any strata contain unusable water? Yes No
 Type of water? _____ Depth of strata _____
 Method of sealing strata off _____

PUMP: Manufacturer's Name _____
 Type: _____ HP.

WATER LEVELS: Land-surface elevation above mean sea level _____ ft.
 Static level 31 ft. below top of well Date 11/27/18
 Artesian pressure _____ lbs. per square inch Date _____
 Artesian water is controlled by _____ (cap, valve, etc.)

WELL TESTS: Drawdown is amount water level is lowered below static level
 Was a pump test made? Yes No If yes, by whom? _____
 Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.
 Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.
 Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Date of test _____
 Bailor test _____ gal./min. with _____ ft. drawdown after _____ hrs.
 Airtest 40+ gal./min. with stem set at 263 ft. for 1 hrs.
 Artesian flow _____ g.p.m. Date _____
 Temperature of water _____ Was a chemical analysis made? Yes No

CURRENT

Notice of Intent No. W315785
 Unique Ecology Well ID Tag No. BJA288
 Water Right Permit No. _____
 Property Owner Name Rona Sonja Mitchell
 Well Street Address Naney road
 City Elensburg county Kittitas
 Location NW 1/4-1/4 NW 1/4 Sec 33 Twn 18 R 19 EWM
 (s, t, r Still REQUIRED) Or WWM

Lat/Long _____
 Lat Deg _____ Lat Min/Sec _____
 Long Deg _____ Long Min/Sec _____

Tax parcel No. (Required) 614834

CONSTRUCTION OR DECOMMISSION PROCEDURE
 Formation: Describe by color, character, size of material and structure, and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of information. (USE ADDITIONAL SHEETS IF NECESSARY.)

MATERIAL	FROM	TO
topsoil	0	5
cobble	5	13
sandstone/gravel	13	30
sandstone	30	100
clay	100	107
sandstone	107	140
clay	140	145
sandstone	145	160
clay	160	163
sandstone	163	272
gravel	272	283

Start Date 11/21/18 Completed Date 11/24/18

WELL CONSTRUCTION CERTIFICATION: I constructed and/or accept responsibility for construction of this well, and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief.

Driller Engineer Trainee Name Jeremy Bach
 Driller/Engineer/Trainee Signature _____
 Driller or trainee License No. #2536
 IF TRAINEE: Driller's License No: _____
 Driller's Signature: _____

Drilling Company Bach Drilling Company
 Address 3340 Wilson Creek Road
 City, State, Zip Ellensburg, Wa 98926
 Contractor's _____
 Registration No. MIKEBDC942R6 Date _____

ECY 050-1-20 (Rev 02-2010) To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

Upon Recording Return to:
Ron and Sonja Mitchell
1351 Naneum Rd.
Ellensburg, WA 98926

12/03/2018 10:20:56 AM

201812030004

Page: 1 of 3

\$161 00
Covenants AMT
Kittitas County Auditor



DECLARATION OF COVENANT

234574M-2

OWNER NAME: Ron and Sonja Mitchell	PHONE NO.: 509-856-7094
MAILING ADDRESS: 1351 Naneum Rd.	TAX PARCEL NO.: <u>614834</u>
CITY, STATE, ZIP: Ellensburg, WA 98926	EMAIL: sonjamitchell1961@hotmail.com; rmitchell@fairpoint.net
PROJECT LOCATION: Parcel 1, Book 40 of Surveys, pgs 172-173, ptn NW Quarter of Section 33, Township 18N, Range 19E, W.M.	WELL TAG NO.:

Water use on this parcel from the groundwater well with the tag number listed above should not exceed the use described in the recorded Groundwater Mitigation Certificate.

Mitigation is only for use on the above-mentioned parcel, further described in Exhibit A, and is not transferrable for use at other locations or for any other uses.

I will meter my use of water in accordance with requirements under local and state laws.

I agree not to plant any trees or shrubs over my septic drain field.

I have read and understand the statements listed above.

Property owner signature:

Sonja H. Mitchell

Date: 6-21-18

Property owner signature: [Signature] Date: 6/21/2018

STATE OF WASHINGTON)
COUNTY OF Kittitas)ss.

I certify that I know or have satisfactory evidence that **Ron Mitchell** is the person who appeared before me, and acknowledged signing this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

SUBSCRIBED and SWORN to before me this 21st day of June, 2018.



Name: Marlak Williams
NOTARY PUBLIC in and for the State of Washington, residing at Ellensburg
My Commission expires: 08/25/21

STATE OF WASHINGTON)
COUNTY OF Kittitas)ss.

I certify that I know or have satisfactory evidence that **Sonja Mitchell** is the person who appeared before me, and acknowledged signing this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

SUBSCRIBED and SWORN to before me this 21st day of June, 2018.



Name: Marlak Williams
NOTARY PUBLIC in and for the State of Washington, residing at Ellensburg
My Commission expires: 08/25/21

EXHIBIT "A"

Parcel 1 of that certain Survey as recorded December 1, 2016, in Book 40 of Surveys, pages 172 and 173, under Auditor's File No. 201612010004, records of Kittitas County, Washington; being a portion of the Northwest Quarter of Section 33, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington.



Upon Recording Return to:
 Ron and Sonja Mitchell
 1351 Naneum Road
 Ellensburg, WA 98926

RE EXCISE TAX PAID
 Amount 146.37
 Date 12/03/2018
 Affidavit No. 2018-2605
 KITTITAS COUNTY TREASURER
 By Kyle Washhoff

WATER MITIGATION CERTIFICATE 234574AM-2

GRANTOR: NEW SUNCADIA, LLC
GRANTEES: RON MITCHELLAND
 SONJA MITCHELL
PARCEL NO.: 614834
ABBREVIATED LEGAL DESCRIPTION: Parcel 1, Book 40 of Surveys, pgs
 172-173, ptn NE Quarter of Section
 33, Township 18N, Range 19E. W.M.

THE GRANTOR, New Suncadia, LLC, a Delaware Limited Liability Company, for and in consideration of mutual promises in hand paid, conveys and quit claims to Ron Mitchell and Sonja Mitchell, Husband and Wife, Grantees, all rights, title and interest the Grantors may have in a portion of the following described water rights, not to exceed 0.277 acre-feet of water annually, as follows:

ECOLOGY WATER USE AUTHORIZATION NO.:	G4-36013
WATER QUANTITY:	0.924 a.f./yr (total use) (0.277 a.f./yr CU) 3 Equivalent residential unit (350 gpd, average)
TRUST WATER RIGHT NO.:	CS4-YRB03CC02255
DATE ISSUED:	November 15, 2018

Arising under or related to Claim No. 02255 as confirmed in the Conditional Final Order Subbasin No. 3 (Teanaway Creek) on February 8, 2001, in State of Washington v. Acquavella, et al, Yakima County Superior Court Cause No. 77-2-01484-5, more fully described in Exhibit A attached hereto and incorporated herein by reference.


The Groundwater Mitigation Certificate entitles the Grantees to mitigation for water use on the real property situated in the County of Kittitas, State of Washington, legally described in Exhibit B attached hereto and incorporated herein by reference, as approved by the Department of Ecology on November 15, 2018 attached hereto as Exhibit C.

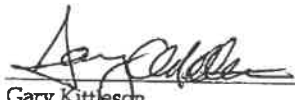
SIGNED:

NEW SUNCADIA, LLC, a Delaware limited liability company

By: Suncadia Operating Member, LLC, a Delaware limited liability company, its managing member

By: LDD Suncadia Manager, Inc., a Delaware corporation, its manager

By: 
Roger Beck
Sr. Vice President
Date: 11/30/18

By: 
Gary Kittleson
Vice President
Date: 11/30/2018

Address: 770 Suncadia Trail
Cle Elum, WA 98922

STATE OF WASHINGTON)
)ss.
COUNTY OF KITTITAS)

On this 30th day of November 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared ROGER BECK and GARY KITTLESON, to me known to be the Senior Vice President and Vice President, respectively, of LDD SUNCADIA MANAGER, INC., a Delaware corporation, manager of SUNCADIA OPERATING MEMBER, LLC, a Delaware limited liability company, managing member of NEW SUNCADIA, LLC, a Delaware limited liability company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act of said company, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

Dated: 11/30/2018

Name: Jane B. Logg-Sibert

NOTARY PUBLIC for the State of Washington,
residing at Cle Elum

My appointment expires: 5-17-2020



EXHIBIT A

(Water Rights)

Claimant Name:	New Suncadia, LLC
WATER RIGHT DESCRIPTION	
Water Right Number:	CS4-YRB03CC02255
Source:	Teanaway River
Current Use:	Instream Flows
Period of Use:	May 1 to September 15
Place of Use:	Within Teanaway River downstream from the existing points of diversion and Yakima River downstream of confluence with Teanaway River.
Point of Diversion:	Section 25, Township 20 N., Range 16 E.W.M.
Priority Date:	June 30, 1883

EXHIBIT B

(Legal Description)

Parcel 1 of that certain Survey as recorded December 1, 2016, in Book 40 of Surveys, pages 172 and 173, under Auditor's File No. 201612010004, records of Kittitas County, Washington; being a portion of the Northwest Quarter of Section 33, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington.



STATE OF WASHINGTON
 DEPARTMENT OF ECOLOGY
 1230 W Alder St - Union Gap, Washington 98903-0009 • (509) 575-2400

Exhibit C

November 15, 2018

Ron and Sonja Mitchell
 1351 Naticum Road
 Ellensburg, WA 98926

Re: Determination of Water Budget Neutrality for Request No. G4-36013

Dear Ron and Sonja Mitchell:

Thank you for submitting a Request for Determination of Water Budget Neutrality, which was received by the Department of Ecology (Ecology) office on July 18, 2018.

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 ^a)	Proposed Mitigation (ac-ft/yr ^a)
Indoor	0.924	0.277
Outdoor	0	0
Total	0.924	0.277

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

Consumptive use, totaling 0.277 ac-ft/yr, is proposed to be offset with Trust Water Right No. CS4-YRB03CC02255. 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. 614834 located within the NW¼ of Section 33, T. 18 N., R. 19 E.W.M. In-home water use is for 3 connection; using 275 gallons per day, resulting in a consumptive use of 0.277 ac-ft/yr.
2. Outdoor irrigation is not authorized from the wells.

Ron and Sonja Mitchell
November 15, 2018
Page 2 of 3

3. Water will be obtained from two wells, located in Parcel No. 614834 located within the NW¼ of Section 33, T. 18 N., R. 19 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. 614834.
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-YRB03CC02255 to offset consumptive use as described in this letter.
7. Any valid priority calls against Trust Water Right No. CS4-YRB03CC02255 based on local limitations in water availability, will result in temporary curtailment of the use of water until the priority call for water ends.

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

Sincerely,



Trevor Hutton, Section Manager
Water Resources Program
Central Regional Office

TH:CK:KB/181120
WRTS No. 6801588

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

By Certified Mail: 91 7199 9991 7037 9104 7710

cc: Holly Erdman, Kittitas County Public Health Department (ecc)
Philip Rigdon, Director, Natural Resources Division, Yakama Nation
Jessica Kuchan, Attorney, Mentor Law Group PLLC

Ron and Sonja Mitchell
November 15, 2018
Page 3 of 3

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.

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/CodeRevisor>