



KITTTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: All Staff
FROM: Arden Thomas, Water Resource Manager
DATE: September 3, 2020
SUBJECT: SPF-20-00003 JD's Happy Heights Final Short Plat

In addition to the comments provided by the Department of Public Works on September 3, 2020, we have the following comments on the final plat regarding legal availability and metering requirements:

The applicant must provide legal water availability for all new uses on the proposed lots of this project, which can be provided through mitigation certificates (see conditions for final plat approval and recording).

Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations (see Condition C-1).

The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law (settlement agreement) (see Condition C-2).

Final Plat Review & Recording (Prior to Final Plat Approval)

Prior to final plat approval and recording, the following conditions shall be met:

In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:

1. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
2. An adequate water right for the proposed new use; or
3. A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.

All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended.

Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.

Final Plat Notes

The following notes shall be placed on the face of the plat:

- C-1 "Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations."
- C-2 "The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law."