

Water Right  
Kittitas County, County Auditor

Upon Recording Return to:

Michael E. & Sandra A. Colson  
5485 Corabells Xing  
Cumming, GA 30050

RE EXCISE TAX PAID  
Amount \$73.85  
Date 07/22/2021  
Affidavit No. 2021-1862  
KITTITAS COUNTY TREASURER  
By Michelle L. Nixon

(Space above this line for recorder's use only)

<b>DOCUMENT TITLE:</b>	GROUNDWATER MITIGATION CERTIFICATE
<b>GRANTORS:</b>	BOURNE WATER BANK, LLC
<b>GRANTEE:</b>	<del>COLSON</del> , MICHAEL E & SANDRA A COLSON
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	Kittitas County Parcel No. 840663. ACRES 158.50, CD. 11003; SEC. 10; TWP. 17; RGE. 20; S1/2 NE1/4; N1/2 SE1/4; ROAD @9.20
<b>ASSESSOR'S TAX PARCEL NO(S).</b>	840633

**GROUNDWATER MITIGATION CERTIFICATE**

THE GRANTOR, BOURNE WATER BANK, LLC, for and in consideration of mutual promises in hand paid, conveys and quit claims to ~~COLSON~~, MICHAEL E & SANDRA A, <sup>Colson</sup> Grantees, all right, title, and interest in and to a beneficial interest of a portion of certain water rights (the "Trust Water Right"), with priority date June 30, 1886, and more fully described in Exhibit A attached hereto and incorporated herein by reference, in a quantity not to exceed 0.112 acre-feet (consumptive use) of water per calendar year.

The beneficial interest conveyed herein by this Groundwater Mitigation Certificate entitles the Grantees to mitigation for water use on to the real property ("Buyer's Property") situated in County of Kittitas, State of Washington, legally described in Exhibit B attached hereto and incorporated herein by reference, as follows:

- 1 Residential unit, connected to an approved septic system; and
- 500 Square feet of lawn or noncommercial garden

as approved by and subject to the Washington State Department of Ecology on June 24, 2021, attached hereto as Exhibit C and incorporated herein by reference.

**RECEIVED**  
AUG 06 2021  
Kittitas County CDS

THIS GROUNDWATER MITIGATION CERTIFICATE shall become and remain appurtenant to Buyer's Property described in Exhibit B.

Dated this 25<sup>th</sup> day of June, 2021

BOUNRE WATER BANK, LLC  
3715 SHORE AVE  
EVERETT, WA 98203-1230

By: [Signature]  
Jason Bourne,  
Owner  
Bourne Water Bank, LLC

State of Washington  
County of Schumish

I certify that I know or have satisfactory evidence that Jason Bourne 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.

Dated: June 25, 2021

Name: Hae Ji Chong  
NOTARY PUBLIC for the State of Washington,  
residing at Mt. Rainier  
My appointment expires: Aug 19, 2022

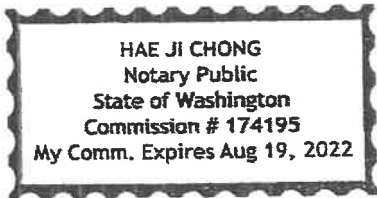


Exhibit A

Description of the Trust Water Right

Water Right Number: CS4-01863sb3@27

Priority Date: June 30, 1886

Source: Teanaway River

Water Rights Adjudication: Court Claim No. 01863 as confirmed in the Conditional Final Order Subbasin No. 3 (Teanaway River) on February 08, 2001, in State of Washington v. Acquavella, et al. Yakima County Superior Court Cause No. 77-2-01484-5

Title Holder: State of Washington Department of Ecology, State Trust Water Right Program

Subject to: Trust Water Right Agreement, dated July 23, 2015, by and between the State of Washington Department of Ecology and Jason and Danica Bourne

**Exhibit B**

**Legal Description of Buyer's Property**

**Tract 1:**

Farm Unit "E", according to the Farm Unit Plat, or the North Half of the Southeast Quarter of Section 10, Township 17 North, Range 20 East, W.M., EXCEPT right of way for County Road along the North and East boundaries thereof.

**Tract 2:**

The South Half of the Northeast Quarter of Section 10, Township 17 North, Range 20 East, W.M., EXCEPT:

1. Right of way of County Roads along the South and West boundary lines thereof.
2. Right of way of Kittitas Reclamation District Lateral across said tract.
3. A tract of land bounded by a line described as follows:

Beginning at a point which is 30 feet East of the Northwest corner of said Half of Quarter section and running thence South along the East boundary line of County Road right of way 506.0 feet; thence North 70°53'; East 344.0 feet; thence North 19°56' East 417.0 feet to the North boundary line of said Half of Quarter section; thence West along said North boundary 467.1 feet to the point of beginning.

ALL in the County of Kittitas, State of Washington .

**Exhibit C:**

**Washington State Department of Ecology  
Water Budget Neutral Determination and Report of Examination  
Dated June 24, 2021**



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

**SENT VIA EMAIL**

Original to be sent once this office resumes normal business under Washington's Safe Start reopening plan.

June 24, 2021

Michael E. & Sandra A. Colson  
5485 Corabells Xing  
Cumming, GA 30040-3222  
[sandraacolson@gmail.com](mailto:sandraacolson@gmail.com)

Re: Determination of Water Budget Neutrality for Request No. G4-36121

Dear Michael & Sandra Colson:

Thank you for submitting a Request for Determination of Water Budget Neutrality, which was received by the Department of Ecology (Ecology) office on March 15, 2021.

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 <sup>2</sup> )	Proposed Mitigation (ac-ft/yr <sup>2</sup> )
Indoor	0.308	0.092
Outdoor	0.038	0.034
<b>Total</b>	<b>0.346</b>	<b>0.126</b>

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

Consumptive use, totaling 0.126 ac-ft/yr, is proposed to be offset with Trust Water Right No. CS4-01863sb3@27. The total consumptive use does not exceed the amount of water available under the subject trust water right during the irrigation season.

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. 840633 located within the S½NE¼; N½SE¼ of Section 10, T. 17 N., R. 20 E.W.M. In-home water use is for 1 connection, using 275 gallons per day, resulting in a consumptive use of 0.092 ac-ft/yr.

Michael E. & Sandra A. Colson  
 June 24, 2021  
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2. Outdoor irrigation water use for 0.011 acres results in a consumptive use 0.034 of ac-ft/yr.
3. Water will be obtained from a well, located in Parcel No. 840633 located within the S½NE¼; N½SE¼ of Section 10, T. 17 N., R. 20 E.W.M.
4. Water use shall be recorded and reported as required under WAC 173-539A-070.
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. .
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. CS4-01863sb3@27 to offset consumptive use as described in this letter.
7. Any valid priority calls against Trust Water Right No. CS4-01863sb3@27 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 Water Resources Help Desk at (509) 575-2597.

**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.

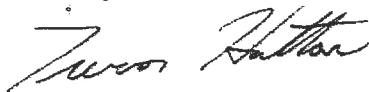
You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

<b>ADDRESS AND LOCATION INFORMATION</b>	
<b>Street Addresses</b>	<b>Mailing Addresses</b>
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel Road SW, Ste 301 Tumwater WA 98501	<b>Pollution Control Hearings Board</b> 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>

Michael E. & Sandra A. Colson  
June 24, 2021  
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Sincerely,



Trevor Hutton, Section Manager  
Water Resources Program  
Central Regional Office

TH:JR:SS/210649  
WRTS ID# 6803529

Enclosures: Your Right To Be Heard

By certified mail: *To be mailed certified once this office resumes normal  
business under Washington's Safe Start reopening plan.*

cc: Tyson Carlson, Aspect Consulting (ecc)  
Philip Rigdon, Director, Natural Resources Division, Yakama Nation (ecc)  
Kerrie Mathews, Water Rights Specialists, USBR, Columbia-Cascades Area Office (ecc)