The Hassler Local Water Plan (LWP) Agreement is between Greta Hassler, the water management board (established as the Walla Walla Watershed Management Partnership), and the Washington State Department of Ecology. The Local Water Plan is subject to all conditions and provisions of Chapter 90.92 RCW, and is effective March 1, 2015 through the earlier of (1) the expiration of legislative authorization of the Walla Walla Watershed Management Partnership (currently June 30, 2019, as may be amended) OR (2) March 1, 2025.

Part A - Introduction

This document is a Local Water Plan approved in accordance and consistent with RCW 90.92.

- The purpose of the Hassler Local Water Plan is to provide flexibility to the landowner’s water use while enhancing instream flow conditions (“Flow From Flexibility”). Instream flow enhancement is anticipated for a combination of Mud Creek (Washington) and the mainstem of the Walla Walla River.

- Instream flow enhancement will be enabled by:

  1. Addition of shallow aquifer recharge (SAR) as a purpose of use. SAR will utilize a portion (Between 3 surface water sources: Up to 5.13 cfs; up to 783.7 acre-feet/year) of the baseline water use for included surface water rights, from November 1 – May 30. A minimum of 5% of the baseline water use annual quantity for included surface water rights (no less than 26.46 acre-feet/year) shall be used for (a) SAR OR (b) will not be diverted from the surface water sources and used, and will be considered banked and left instream for stream flow enhancement;

  2. Deposit of portions of the included water rights, not included in baseline water use quantities, into the Partnership Water Bank (See Part B, Section 5);

  3. Maintenance of flexibilities for the landowner to obtain water right rates and volumes above those defined in this LWP, for the specific purpose of SAR, via an Environmental Enhancement Project (EEP) permit from the State of Washington;

  4. Conservation/restoration of Mud Creek (tributary to the Walla Walla River) and associated wetlands/riparian areas, on the reach that flows through the landowner’s property, by requisite enrollment in the Conservation Reserve Enhancement Program (CREP; Farm Service Agency/Natural Resources Conservation Service).

- Benefit to the landowner will be enabled by:
(1) Ability to expand the place of use, for surface and groundwater sources, for the irrigation of up to 105 acres west of McDonald Road, within Walla Walla County parcel #340604310004. Total water use will remain within baseline quantities;

(2) Addition of the alluvial aquifer (Also referred to as: shallow or gravel aquifer) as a source for a Lowden #2 water right off of the Walla Walla River, accessible only during times when this allocation can be met at the original surface water point of diversion;

(3) Establishment of an additional point of withdrawal for groundwater and surface water sources, to enable water to be withdrawn from a well on the adjacent landowner’s property (Stuart Byerley);

(5) Rectification of a discrepancy between an authorized place of use and the historically irrigated lands (Lowden #2 rights).

- Implementation of the Local Water Plan will not result in enlargement of the landowner’s existing water rights.

- This Local Water Plan builds upon successful efforts in recent years to implement irrigation efficiencies and improve instream flows on the Walla Walla River, which are resulting in a dramatic reduction in calls for regulation by water right holders. Consequently, water placed instream through implementation of this Local Water Plan is increasingly likely to remain instream.

- The Local Water Plan will enhance flows in a critical reach for Steelhead, Spring Chinook and Bull Trout; it is not anticipated that execution of this Local Water Plan will result in any impairment to existing water rights or instream flows.

- The landowner will pilot local water management through the earlier of (1) the expiration of legislative authorization of the Walla Walla Watershed Management Partnership OR (2) March 1, 2025, complying with monitoring and reporting requirements, and operating consistently with the baseline water use determination and existing rules and regulations.

- Figure 1 below shows the project area and stream reaches likely to be impacted by the project. Reach 1 is defined as the reach of Mud Creek that begins at the eastern boundary of the landowner’s property, extending to its confluence with the mainstem Walla Walla River. Reach 2 is defined as the reach of the mainstem Walla Walla River that begins at the consolidated diversions for Bergevin Williams/Old Lowden/Garden City/Lowden #2 irrigators, extending to its confluence with Mud Creek. Reach 3 is defined as the reach of the mainstem Walla Walla River that begins at its confluence with Mud Creek, extending to the confluence of the Walla Walla and Columbia Rivers.
Part B - Local Water Plan

SECTION 1. PROCESS

The Hassler Local Water Plan (LWP) process information and documentation are available on the Walla Walla Watershed Management Partnership (Partnership) website at:

http://wallawallawatershed.org/

The Local Water Plan follows all requirements of Chapter 90.92 RCW and the Partnership adopted guidelines and criteria for filing, review and approval of a Local Water Plan.

- As filed on October 14, 2014, the Draft Hassler LWP served as the proposal. This draft LWP originally included provisions to change and add points of diversion/withdrawal; add the alluvial aquifer as a source a surface water right; change and add places of use; add aquifer recharge as a purpose of use, where such uses are not otherwise authorized in all or portions of Walla Walla River Adjudicated Certificate Number 192; Surface Water Certificates 7730, 9411, and 10334; Ground Water Certificate Numbers 3514-A, 3519-A(A), 4486-A, G3-24732, and G3-25251, and recognize aquifer recharge as a purpose of use under Walla Walla River Adjudicated Certificate Number 606 (Gardena Farms Irrigation District), subject to the terms and conditions of existing LWP No. 10-01.

- Public notice and solicitation of comments by the Walla Walla Watershed Management Partnership was provided through the posting of public notice on the Partnership website, The Walla Walla Union Bulletin, The Dayton Chronicle, and the Waitsburg Times. Public comment was entertained from October 27, 2014 to November 27, 2014. No public comments were received.
• The Water Resource Panel convened one pre-meeting for assessment of LWP options (8/21/2014), one meeting to review the Local Water Plan Draft LWP (10/21/2014), and provided confirmation of approved changes prior to the issuance of their Report to the Board. The work of the Water Resource Panel led to modifications and clarifications in the final Local Water Plan and issuance of a Water Resource Panel report to the Board on December 30, 2014. The Water Resource Panel report is available on the Partnership website: http://wallawallawatershed.org/

• The Local Water Plan is categorically exempt under the State Environmental Policy Act (SEPA), {RCW 43.21C.035}. A Local Water Plan is subject to a SEPA threshold determination (i.e., an evaluation whether there are likely to be significant adverse environmental impacts) if any one of the following conditions are met.
  o It is a surface water right application for more than 1 cubic feet per second, unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cubic feet per second, so long as that irrigation project will not receive public subsidies;
  o It is a groundwater right application for more than 2,250 gallons per minute;
  o It is an application that, in combination with other water right applications for the same project, collectively exceed the amounts above;
  o It is a part of a larger proposal that is subject to SEPA for other reasons (e.g., the need to obtain other permits that are not exempt from SEPA);
  o It is part of a series of exempt actions that, together, trigger the need to do a threshold determination, as defined under WAC 197-11-305.

Because this local water plan does not meet any of these conditions, it is categorically exempt from SEPA and a threshold determination is not required.

SECTION 2. EVALUATION CRITERIA

The parties considered mandatory evaluation criteria under Chapter 90.92 and find the Hassler Local Water Plan:
• contains, in adequate detail, the required elements outlined in RCW 90.92.080(3);
• substantially enhances instream flow conditions {RCW 90.92.090(2)};
• does not impair existing out-of-stream water rights {RCW 90.92.120(1)(c)};
• flow benefits provided outweigh any impacts on existing instream flow rights {RCW 90.92.120(1)(c)};
• considered public comments/concerns;
• does not exceed total water use which was determined to have been used in the baseline water use determination;
• is economically sustainable for the duration of the proposed project; and
• meets State Environmental Policy Act (SEPA) requirements.
SECTION 3. CURRENTLY AUTHORIZED WATER USE

The Hassler Local Water Plan relates to Walla Walla River Adjudicated Certificate Number 192; Walla Walla River Adjudicated Certificate Number 406 (Gardena Farms Irrigation District); Surface Water Certificates 7730, 9411, and 10334; Ground Water Certificate Numbers 3514-A, 3519-A(A), 4486-A, G3-24732, and G3-25251, as appurtenant to Walla Walla County parcels #340603110007, #340603310004, #340734340006, and #340604310004. Table 1a and 1b describe key parameters of the water rights. Table 2a and 2b describe results from the baseline water use determination. Appendix A provides each water right document, and Appendix B provides a more detailed overview of baseline water use calculations for each water right.

The combined existing surface water and ground water rights are provisioned to an overall limit of 415 acres and 1564 acre-feet per year, though each right and subsets of these rights are subject to more specific provisions detailed in Tables 1a and 1b.

Table 1a. Hassler Local Water Plan existing water rights, surface water

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<td>Mad Cr</td>
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<td>1.373</td>
<td>1.373</td>
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<td>2.06</td>
<td>2.06</td>
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<td>0</td>
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<td>Total SW Right (Not to Exceed)</td>
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<td>3.79</td>
<td>3.79</td>
<td>3.58</td>
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<td>1.03</td>
<td>4.48</td>
<td>4.48</td>
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<td>WW Adj. 406</td>
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<td>0.66</td>
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<tr>
<td>(GFID)</td>
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<td></td>
<td></td>
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<td>130</td>
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</tr>
</tbody>
</table>

Combined Total (SW+GW): 415 acres, 1564 acre-feet per year

1 Allocation to May 15 (May 15-31 is 0.39 cfs)
2 This right is a primary right for 32.53 acres of land within the place of use of GW Cert. No. 3519-A

Note: WW Adj. Cert. No. 192 and SW Cert. Nos. 7730, 9411, 10334 and GW Cert. Nos. 4486-A, G3-24732 and G3-25251 are provisioned to an overall limit of 1340 acre-feet per year for irrigation of 335 acres.

Note: GW Cert. Nos. 3514-A & 3519-A(A) are provisioned to an overall limit of 370 gallons per minute, 224 acre-feet per year, for the irrigation of 80 acres.
Table 1b. Hassler Local Water Plan existing water rights, ground water

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<tr>
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<td>150</td>
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<td>Totals (Not to Exceed)</td>
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<td>80</td>
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<td>370</td>
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<td>224</td>
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<td>GW 4486-A1</td>
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<td>140</td>
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<td>200</td>
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<td>200</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>160</td>
<td></td>
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<tr>
<td>G3-24732</td>
<td>4 wells</td>
<td>72</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>160</td>
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<tr>
<td>G3-25251</td>
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<td>480</td>
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<td>480</td>
<td>480</td>
<td>480</td>
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<td>480</td>
<td>768</td>
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<tr>
<td>Totals (Not to Exceed)</td>
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<td>780</td>
<td>780</td>
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<td>780</td>
<td>780</td>
<td>780</td>
<td>780</td>
<td>1088</td>
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<tr>
<td>Combined Total GW Right</td>
<td>415</td>
<td>1150</td>
<td>1150</td>
<td>1150</td>
<td>1150</td>
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<td>1150</td>
<td>1150</td>
<td>1150</td>
<td>1312</td>
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</tr>
</tbody>
</table>

Combined Total (SW+GW): 415 acres, 1564 acre-feet per year

1 Is currently in change status with Ecology (final certificate reflecting extent of development of change has not issued). Quantities listed reflect those allocated in change ROEs issued by Ecology.

2 The POU for this water right also enjoys allocation from Gardena Farms Irrigation District in amount not to exceed 244 gpm (0.54 cfs) for irrigation of 32.53 acres. The quantities under GW 3519-A(A) are issued as an alternate supply to the 32.53 acres covered by the GFID water right.

Note: WW Adj. Cert. No. 192 and SW Cert. Nos. 7730, 9411, 10334 and GW Cert. Nos. 4486-A, G3-24732 and G3-25251 are provisioned to an overall limit of 1340 acre-feet per year for irrigation of 335 acres.

Note: GW Cert. Nos. 3514-A & 3519-A(A) are provisioned to an overall limit of 370 gallons per minute, 224 acre-feet per year, for the irrigation of 80 acres.

SECTION 4. BASELINE WATER USE DETERMINATION

The Walla Walla Watershed Management Partnership’s determination of baseline water use for each water right is detailed in Appendix B and summarized in Tables 2a and 2b, created with input from the Water Resource Panel and consistent with guidelines adopted by the Partnership in consultation with the Water Resource Panel. The combined baseline water use for surface water and ground water is 402.7 acres and 1227 acre-feet per year, though each right and subset of rights (surface and ground water) are subject to more specific provisions detailed in Tables 2a and 2b. Water use under the Local Water Plan shall not exceed the baseline quantities identified in Tables 2a and 2b. Baseline Water Use, all located to the east of McDonald Bridge Road, can be broken down as follows:

- 32.53 acres south of Mud Creek, with surface water from GFID and supplemental ground water (Within Parcel #340603310004);
- 42.47 acres of land south of Mud Creek, irrigated exclusively with ground water (Within Parcel #340603310004);
- 170.7 acres of land north of Mud Creek, with Mud Creek water and supplemental ground water (Within Parcel #3406033110007);
- 157 acres of land north of Mud Creek, with recently expired CRP, previously irrigated from the Lowden #2 canal (Within Parcel #3406033110007).
Table 2a. Hassler Local Water Plan baseline water use determination, surface water

<table>
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</tr>
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<tbody>
<tr>
<td>WW Adj. 1921</td>
<td>Mud Cr (A)</td>
<td>83.6</td>
<td>2.06</td>
<td>1.373</td>
<td>1.373</td>
<td>1.373</td>
<td>1.03</td>
<td>1.03</td>
<td>2.06</td>
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<td>0</td>
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<td>46.4</td>
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<tr>
<td>SW Cert. 94113</td>
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<tr>
<td>SW Cert. 103341</td>
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<td>51</td>
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<td>Total (Not to Exceed)</td>
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<td>3.79</td>
<td>3.58</td>
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<td>4.48</td>
<td>4.48</td>
<td>4.48</td>
<td>687.7</td>
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</tbody>
</table>

| WW Adj. 406 (GFID) | WWR | 32.53 | 0.66 | 0.42 | 0.42 | 0.42 | 0.33 | 0.33 | 0.66 | 0.66 | 0.66 | 130   |

Combined Total (SW+GW): 402.7 acres, 1227 acre-feet per year

1 Has supplemental ground water right.
2 Allocation to May 15
3 These acres last irrigated 18 years ago (G. Hassler). Lands enrolled in CRP since 1999.

Table 2b. Hassler Local Water Plan baseline water use determination, ground water

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</tr>
</thead>
<tbody>
<tr>
<td>GW 3514-A1</td>
<td>2 wells</td>
<td>20 (A)</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
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<tr>
<td>GW 3519-A(A)</td>
<td>2 wells</td>
<td>55 (A)</td>
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<td>220</td>
<td>220</td>
<td>220</td>
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<td>220</td>
<td>220</td>
<td>220</td>
<td>144</td>
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</tr>
<tr>
<td>Total2 (Not to Exceed)</td>
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<td>370</td>
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<td>221.4</td>
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<td>GW 4486-A1</td>
<td>4 wells</td>
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<td>160</td>
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<tr>
<td>G3-247321</td>
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<td>500</td>
<td>317.9</td>
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Combined Total (SW+GW): 402.7 acres, 1227 acre-feet per year

1 Is currently in change status (final certificate reflecting extent of development of change has not issued).
2 Up to 56.4 acres, 64.7 acre-feet are additive
3 Up to 30.7 acres, 121.5 acre-feet are additive
4 Up to 131.7 acre-feet are additive
5 Combined Water Right Certificate allocations under GW 3514-A & 3519-A not to exceed 370 gpm, 4 acre-feet per acre
6 Combined Water Right Certificate allocations under GW 4486-A, G3-24732 & G3-25251 not to exceed 500 gpm, 4 acre-feet per acre.
7 These lands also enjoy allocation from GFID in amount not to exceed 244 gpm (0.54 cfs) for irrigation of 32.53 acres. These allocations are included within the 75 acres of irrigation and 221.4 acre-feet allocated under the ground water rights.

SECTION 5. WATER EXCLUDED FROM BASELINE DETERMINATION

A portion of the landowner's water rights were not included in the baseline water use determination due to non-use during the Partnership's look back period. This portion, as it applies to each water right, is detailed in Tables 3a and 3b. Through execution of this Local
Water Plan, these water rights are deposited in the Partnership’s Water Bank on a non-use basis under RCW 90.92.070(2)(a). Because this amount is not part of the baseline water use, it shall not be considered in evaluating a request for permanent authorization of the Local Water Plan via superseding certificate. Additional considerations are set forth in Part C.

Table 3a. Portion of Rights not Included in Baseline and Temporarily Banked, surface water

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</table>

Table 3b. Portion of Rights not Included in Baseline and Temporarily Banked, ground water

<table>
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<tbody>
<tr>
<td>GW 3514-A(^1)</td>
<td>2 wells</td>
<td>5</td>
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<tr>
<td>GW 3519-A(A)</td>
<td>2 wells</td>
<td>5</td>
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<td><strong>2.6</strong></td>
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<td>GW 4486-A(^1)</td>
<td>4 wells</td>
<td>149.3</td>
<td>280</td>
<td>280</td>
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<td>G3-24732(^1)</td>
<td>4 wells</td>
<td>149.3</td>
<td>280</td>
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<td>G3-25251(^1)</td>
<td>4 wells</td>
<td>149.3</td>
<td>280</td>
<td>280</td>
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<td>280</td>
<td>280</td>
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<td>280</td>
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\(^1\) Currently in change status (final certificate reflecting extent of development of change has not issued)

SECTION 6. APPROVAL OF PROPOSED FLEXIBILITIES

The parties, under authority of Chapter 90.92 RCW, approve the following flexibilities of use and application of water related to the portions of Walla Walla River Adjudicated Certificate Number 192; Walla Walla River Adjudicated Certificate Number 406 (Gardena Farms Irrigation District); Surface Water Certificates 7730, 9411, and 10334; Ground Water Certificate Numbers 3514-A, 3519-A(A), 4486-A, G3-24732, and G3-25251 (see Appendix A) as appurtenant to Walla Walla County parcels #340603110007, #340603310004, #340734340006, and #340604310004 for a term to extend to the earlier of (1) the expiration of legislative authorization of the Walla Walla Watershed Management Partnership OR (2) March 1, 2025. The flexibilities granted are summarized below.
• Add Points of Diversion/Withdrawal
• Add Water Source
• Add/Change Places of Use
• Add Purpose of Use
• Recognition of Purpose of Use

(1) Add Points of Diversion/Withdrawal: Addition of several points of withdrawal allows the following water rights to withdraw water from two shallow aquifer wells located on the adjacent landowner’s (Stuart Byerley) property. It should be noted all groundwater rights below and the wells at the additional points of withdrawal below are of a hydraulically connected, shallow aquifer source. This is detailed in Tables 4a and 4b.

Add Two (2) Points of Withdrawal for the Following Ground Water Rights: GWC 3514-A, GWC 3519-A(A), GWC 4486-A, G3-24732, and G3-25251:

“Byerley Well #1 – SE¼NE¼ of Sec. 9, T. 6 N., R. 34 E.W.M. (N. 46.01523 W. 118.55739)”
“Byerley Well #2 – SW¼NE¼ of Sec. 9, T. 6 N., R. 34 E.W.M. (N. 46.01528 W. 118.56005)”

Add Two (2) Points of Withdrawal for the following Surface Water Rights: SWC 9411:

“Byerley Well #1 – SE¼NE¼ of Sec. 9, T. 6 N., R. 34 E.W.M. (N. 46.01523 W. 118.55739)”
“Byerley Well #2 – SW¼NE¼ of Sec. 9, T. 6 N., R. 34 E.W.M. (N. 46.01528 W. 118.56005)”

Note: Use of these points of withdrawal by SWC 9411 will only be allowed within the authorized time of use for SWC 9411 (October 1-June 30) and during times when this water right can be satisfied at the original surface water point of diversion.
Table 4a. Well specifics for authorized wells for Hassler water rights, “Hassler Wells”

<table>
<thead>
<tr>
<th>Well No.</th>
<th>Location (Lat.)</th>
<th>Location (Long.)</th>
<th>Casing (in)</th>
<th>Depth (ft)</th>
<th>Aquifer</th>
<th>Pump (HP)</th>
<th>Capacity (est.)</th>
<th>Meter</th>
<th>Notes</th>
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<tr>
<td>1</td>
<td>46.02531</td>
<td>118.549</td>
<td>12</td>
<td>172</td>
<td>Alluvial</td>
<td>50</td>
<td>450 gpm</td>
<td>Yes</td>
<td></td>
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<tr>
<td>2</td>
<td>46.02640</td>
<td>118.553</td>
<td>10</td>
<td>150</td>
<td>Alluvial</td>
<td>N/A</td>
<td>N/A</td>
<td>No</td>
<td>Not Utilized (no pump/power)</td>
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<tr>
<td>3</td>
<td>46.03028</td>
<td>118.553</td>
<td>6</td>
<td>125</td>
<td>Alluvial</td>
<td>10</td>
<td>50 gpm</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Not Used</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td>Not Utilized (no pump/power)</td>
</tr>
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</table>

Table 4b. Well specifics for additional points of withdrawal, “Byerley Wells”

<table>
<thead>
<tr>
<th>Well No.</th>
<th>Location (Lat.)</th>
<th>Location (Long.)</th>
<th>Casing (in)</th>
<th>Depth (ft)</th>
<th>Aquifer</th>
<th>Pump (HP)</th>
<th>Capacity (est.)</th>
<th>Meter</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>46.01523</td>
<td>118.557</td>
<td>12</td>
<td>360</td>
<td>Alluvial</td>
<td>100</td>
<td>1000+ gpm</td>
<td>Yes</td>
<td>Existing right 800 gpm primary</td>
</tr>
<tr>
<td>2</td>
<td>46.01528</td>
<td>118.566</td>
<td>12</td>
<td>160</td>
<td>Alluvial</td>
<td>100</td>
<td>1000+ gpm</td>
<td>Yes</td>
<td>Existing right 800 gpm primary</td>
</tr>
</tbody>
</table>

(2) Add Water Source: At the additional points of withdrawal, the alluvial/gravel/shallow aquifer will be added as a new water source for Surface Water Certificate No. 9411, accessible only within the authorized time of use for SWC 9411 (October 1-June 30) and during times when this water right can be satisfied at the original surface water point of diversion. Two wells will be used to access this source.

(3) Add/Change Places of Use: Additional places of use are included to enable the irrigation of lands to the west of McDonald Road. The change in place of use is included to rectify a discrepancy between an authorized place of use and historically irrigated lands. Additional places of use are also included for purpose of shallow aquifer recharge.

i. Add Place of Use for the following ground water rights: GWC 3514-A, GWC 3519-A(A), GWC 4486-A, G3-24732, G3-25251


ii. Add Place of Use for the following surface water rights: SWC 9411:


Walla Walla County Tax Parcel No. 34-07-34-30006"

iii. Change Place of Use for the following surface water rights: SWC 7730, SWC 10334
"The SW\%SE\% of Sec. 34, T. 7 N., R. 34 E.W.M.

ALSO, that part of the SW\%SE\% and SE\%SW\% of Sec. 34 lying south of a line 14 feet southerly of the Lowden Irrigation District No. 2 canal.

EXCEPTING THEREFROM, that portion of the following described tract, to wit:

Commencing at the SW corner of the SE\%, thence N 01°14'30" W a distance of 140.43 feet along the West line of the SE\% to THE TRUE POINT OF BEGINNING; thence N 01°14'30" W a distance of 1,328.08 feet continuing along said West line to a point in the South line of Detour Road; thence S 88°09'40" E a distance of 330.48 feet along the South line of Detour Road to the NW corner of Parcel 1 of that Short Plat filed in the Office of the Auditor of Walla Walla County in Volume 3 of Short Plats at Page 123; thence S 01°14'30" E for a distance of 1,311.92 feet along the West line of Parcel 1 and the Southerly projection thereof; thence S 89°02'10" W for a distance of 330.00 feet to THE TRUE POINT OF BEGINNING.

Walla Walla County Tax Parcel No. 34-07-34-34-0006"

iv. **Add Place of Use** for the following surface water rights: WWRAC No. 192; SWC Nos. 7730, 9411, and 10334.

"For the specific purpose of use of shallow aquifer recharge, water appropriated by these rights may be recharged at one or multiple locations within Walla Walla County parcels #340603110007, #340603310004, #340734340006, and #340604310004."

#340603110007 and #340603310004."

(4) **Add Purpose of Use:** Shallow Aquifer Recharge (SAR) is added as a purpose of use for Walla Walla River Adjudicated Certificate Number 192; Surface Water Certificate Nos. 7730, 9411, and 10334. Diversion for SAR may occur at any of the currently authorized points of diversion, from November 1st to May 30th. Diversion for SAR must be coordinated alongside irrigation such that baseline water use is not exceeded, both in terms of annual quantity (acre-feet) and instantaneous quantity (cubic feet per second or gallons per minute).

(5) **Recognize and SAR Purpose of Use (WWRAC No. 406):** Shallow Aquifer Recharge (SAR) is recognized as a purpose of use for 32.53 acres of Walla Walla River Adjudicated Certificate (WWRAC) Number 406 (portion of Gardena Farms Irrigation, District No. 13 water right benefiting Landowner), within the place of use already authorized under WWRAC No. 406, and subject to Gardena Farms Irrigation District #13 Local Water Plan Agreement, No. LWP 10-01 (May 16, 2011), incorporated herein by this reference, and specifically including, but not limited to, the limitations, conditions, and term set forth therein. Unless earlier terminated or extended, LWP is intended to remain in effect through June 30, 2016.
SECTION 7. NEW WATER MANAGEMENT

The default water management scenario by this LWP is to adhere to the quantities outlined in the baseline water use determination (Part B, Section 3): Totals not to exceed 402.7 acres and 1227 acre-feet per year.

Under alternative water management scenarios, the landowner can opt to irrigate lands within the expanded place of use west of McDonald Road, to be decided on a year-to-year basis. In this case, for each acre irrigated west of McDonald Road, total potential irrigated acreage east of McDonald will be reduced by 2 acres ("1-for-2"). This is due to the fact that the primary right from SW Cert. 9411 will be used as a supplemental supply to the primary groundwater rights when irrigating lands west of McDonald Road. The groundwater and surface water rights are combined to enable a more robust supply for lands on both sides of McDonald Road. Irrigation of up to 105 acres west of McDonald Road is allowed by this LWP, which would result in a net reduction of 210 irrigated acres east of McDonald Road and a net reduction of 105 irrigated acres for the entire water right portfolio. Tables 5a and 5b detail the overall water use limitations in the scenario where the full 105 acres are irrigated west of McDonald Road. Under this “extreme” scenario, up to 297.7 acres could be irrigated as follows (see description in Part B, Section 4 for comparison to Baseline):

- 32.53 acres south of Mud Creek, with surface water from GFID and supplemental ground water (Within Parcel #340603310004);
- 83.6 acres north of Mud Creek, with Mud Creek water and supplemental ground water (Within Parcel #340603110007);
- 24.57 acres south of Mud Creek, irrigated exclusively with ground water (Within Parcel #340603310004);
- 52 acres north of Mud Creek, with recently expired CRP, but which could be irrigated from the Lowden #2 canal (Within Parcel #340603110007);
- 105 acres west of McDonald Road with combined groundwater and surface water (Within Parcel #340604310004)

Table 5a. East of McDonald Road restrictions, with full 105 acres irrigated west of McDonald Road

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<tbody>
<tr>
<td>Total</td>
<td>168.1</td>
<td>3.73</td>
<td>2.82</td>
<td>2.82</td>
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<td>1.35</td>
<td>1.35</td>
<td>3.73</td>
<td>3.73</td>
<td>529.2</td>
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</table>

*Instantaneous Diversion Rates (cubic feet per second)*

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<td>Total</td>
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<td>500¹</td>
<td>500¹</td>
<td>500¹</td>
<td>500¹</td>
<td>500¹</td>
<td>500¹</td>
<td>500¹</td>
<td>500¹</td>
<td>500¹</td>
<td>495.5</td>
</tr>
</tbody>
</table>

*Instantaneous Withdrawal Rates (gallons per minute)*

Combined Total (SW+GW): 192.7 acres, 587.1 acre-feet per year

¹ Q for ground water must be coordinated so that the total withdrawal does not exceed 500 gpm at any one time.
Table 5b. West of McDonald Road restrictions, with full 105 acres irrigated west of McDonald Road

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**Instantaneous Diversion Rates (cubic feet per second)**

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<td>500(^1)</td>
<td>500(^1)</td>
<td>500(^1)</td>
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<td>500(^1)</td>
<td>500(^1)</td>
<td>500(^1)</td>
<td>500(^1)</td>
<td>369.8</td>
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</table>

**Instantaneous Withdrawal Rates (gallons per minute)**

Combined Total (SW+GW): 105 acres, 369.8 acre-feet per year

\(^1\) Qi for ground water must be coordinated so that the total withdrawal does not exceed 500 gpm at any one time.

As a component of any Local Water Plan, a portion of the baseline water use must be used for instream flow enhancement. For this Local Water Plan, instream flow enhancement is achieved through bypassing a minimum of 5% of the baseline water use annual quantity for the included surface water rights OR through using this minimum quantity for the purpose of SAR. As a safeguard for uncertain project funding and currently high water quality monitoring costs, no minimum recharge rate or annual quantity is specified for SAR. The minimum baseline water use remaining instream OR recharged to the shallow aquifer totals 26.46 acre-feet per year, as described in Table 6. Rate and timing of this quantity is not specified. The landowner may elect to utilize additional portions of the baseline water use for SAR, which could total up to 5.13 cfs and 783.7 acre-feet per year from various sources. These maximum expected quantities are described in Tables 7a and 7b. The Partnership and Walla Walla Basin Watershed Council will work with the landowner to identify the portions of these maximum values that will be available on a given year, and to prioritize recharge by source and specific recharge site.

Figure 2 on the following pages is provided to reference key features in the Local Water Plan.

Table 6. Minimum baseline water use bypassed or recharged for instream for flow enhancement

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</tbody>
</table>
5 Baseline quantities left instream are distributed between surface rights at non-specified proportions

Table 7a. Maximum potential surface water baseline water use bypassed or recharged for instream flow enhancement

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<td>2.06</td>
<td>2.06</td>
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<td>323.5</td>
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<td>5.13</td>
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<td>783.7</td>
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</table>

Table 7b. Maximum potential surface water baseline water use bypassed or recharged for instream flow enhancement, by source

<table>
<thead>
<tr>
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<td>Instantaneous Diversion Rates (cubic feet per second)</td>
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<td>Mud Creek</td>
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<td>2.42</td>
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<td></td>
<td></td>
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<td>0.65</td>
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<td></td>
<td></td>
<td>0.65</td>
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<td>0.65</td>
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<td>96</td>
</tr>
<tr>
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<td>5.13</td>
<td>4.22</td>
<td>4.22</td>
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<td>5.13</td>
<td>5.13</td>
<td>5.13</td>
<td></td>
<td>783.7</td>
</tr>
</tbody>
</table>
Figure 2. Project map, Hassler and Byerley points of interest
SECTION 8. ADDITIONAL ACTIVITIES

The Parties acknowledge the following additional activities to enhance stream flows and ecological functions, which meet the intent of a Local Water Plan.

a. **CREP Enrollment [Mandatory]:** As a condition of this LWP, the landowner shall apply to enroll owned lands adjacent to Mud Creek (within Parcels #340603110007 and #340603310004) with the Conservation Reserve Enhancement Program (CREP; Farm Service Agency/Natural Resources Conservation Service). Expected enrollment is for 0.5-0.75 lineal miles of Mud Creek and the adjacent riparian lands, as determined by CREP guidelines, and shall enroll said lands, at the time or approval or subsequent approval of eligibility, for such minimum or recommended minimum lineal miles as recommended by the Walla Walla Conservation District and the Partnership.

b. **Environmental Enhancement Project [Optional]:** Landowner may pursue a permit for an Environmental Enhancement Project (EEP) through Washington Department of Ecology.
   i. An EEP can be used to increase the maximum rate and annual quantity of water supplied from Mud Creek and the mainstem Walla Walla River (via Gardena Farms/Burlingame and Lowden #2 canals) for the purpose of SAR, and to enable a larger SAR project on her lands.
   ii. An EEP would allow the landowner to increase quantities recharged via SAR while allowing more of their baseline water use to be utilized for irrigation. In the event that the entirety of the SAR project is supplied via EEP, the landowner will be required to leave instream 5% of the baseline water use for the included surface water rights.

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**Part C - Terms and Conditions**

**SECTION 1. LANDOWNER REQUIREMENTS**

The landowner shall implement the aforementioned flexibilities in water use in compliance with the Terms and Conditions of the Local Water Plan, and adhere to the following duties and obligations as a condition of this agreement:

a. Comply with baseline water use provisions in Table 2a and 2b;

b. Use of the water right for the purpose of shallow aquifer recharge shall be contingent upon operating under a monitoring and testing plan developed by the Walla Walla Basin Watershed Council and approved by Ecology. Approval of such a plan should not require revision of the Local Water Plan;

c. Allow a minimum of 26.46 acre-feet annually, the amount identified in Table 6, to remain instream (not be diverted) or be recharged to the shallow aquifer and not subsequently withdrawn, during the term of the Local Water Plan;

d. Deposit non-baseline water rights from Tables 3a and 3b into the Partnership water bank on a temporary non-use basis under RCW 90.92.070(2)(a);

e. Water use under this authorization shall continue to be subject to regulation;
f. The water rights in the Local Water Plan, shall not be exercised in a manner that would result in injury or
detriment to other existing water rights. If injury or detriment to existing water rights occurs during the
term of this Local Water Plan, as determined by Ecology, the landowner shall eliminate the impairment by
either implementing a mitigation plan approved by the Partnership and Ecology, or shall obtain express
written approval waiving such injury from the holder(s) of the impaired water right, or shall cease
diversion/withdrawal causing the impairment.

g. Produce an annual report for the period of October 1-September 30, by November 15 of each full year
beginning in 2015, in conjunction with the Walla Walla Basin Watershed Council (contingent upon
funding), which provides:
i) Meter data for water use under the plan, both instantaneous and total, for all participating points of
withdrawal reported separately. This is the responsibility of the landowner and the lessees;
ii) Daily average flows above and below the boundaries of the plan, to be monitored in conjunction with
aquifer recharge operations. This will be the responsibility of the Walla Walla Basin Watershed
Council, contingent upon funding;
iii) Groundwater levels within the boundaries of the plan. This will be the responsibility of the Walla
Walla Basin Watershed Council, contingent upon funding;
iv) Photo documentation of implementation of the Local Water Plan.

The landowner is ultimately responsible for coordinating and ensuring the cooperation of any lessee,
licensee, or other water user with respect to any of the rights or properties covered by this LWP to ensure
fulfillment of the monitoring and reporting requirements herein. The use of water of any lessee, licensee,
or other water user shall be subject to and contingent upon cooperation with this provision.

h. Cooperate with installation of telemetry for existing and subsequently installed water meters, contingent
upon the availability of cost-share funding. The landowner will provide the Partnership; along with any
other entities interested in the project, with consistent access to flow data to be used for compliance
monitoring and effectiveness monitoring of the Partnership’s efforts via this Local Water Plan.

i. Provide notice to and a copy of this Local Water Plan, and any amendments or modifications thereto, to
any lessee, licensee, or other water user with respect to any of the rights or properties covered by this
LWP, and to any prospective purchaser of all or any portion of the rights or properties covered by this
LWP.

SECTION 2. REQUIREMENTS OF RCW 90.92

All actions by any of the parties must be consistent with the specific requirements of Chapter 90.92 RCW.

SECTION 3. PROTECTION OF LANDOWNER’S WATER RIGHTS

a. The water rights, and associated changes to those water rights, in the Local Water Plan are, as authorized
for the uses described in Part B of the Local Water Plan:

i. Not subject to either the approval of Ecology under RCW 90.03.380 through 90.03.390, 90.44.100,
and 90.44.105, or a tentative determination of the validity and extent of the water rights;
ii. Not subject to loss by forfeiture under RCW 90.14.130 through 90.14.200 during the period of time from when the Local Water Plan is approved to the expiration or nullification of the Local Water Plan as provided herein; and

iii. Not to be exercised in a manner that would result in injury or detriment to other existing water rights unless express written approval is obtained from the holder of the impaired water right. To allow impacts to existing instream flow rights, the Partnership and Ecology must agree that the flow benefits provided the Local Water Plan outweigh the impacts.

b. The years during the period of time when the Local Water Plan is operational may not be considered or calculated as a period of time that the water was not applied to use for purposes of RCW 90.14.130 through 90.14.200. Further, the years during this period of time under the rights subject to the Local Water Plan may not be considered or calculated as a period of time that the water was not applied to use and for purposes of future applications to change the water right for additional purposes or acreage under RCW 90.03.380.

SECTION 4. PROTECTION OF OTHER WATER RIGHTS EXCLUSIVE OF LANDOWNER’S WATER RIGHTS

a. Nothing in this Local Water Plan authorizes the impairment of existing water rights.

b. A water right holder who believes the holder’s water right has been impaired by any action authorized under this Local Water Plan may request that Ecology review the impairment claim. If Ecology determines that some action under this Local Water Plan is impairing existing rights, Ecology, the Partnership, and the landowner must amend the Local Water Plan to eliminate the impairment. Any decision by Ecology to alter or not alter the Local Water Plan is appealable to the Pollution Control Hearings Board under RCW 43.21B.230. (RCW 90.92.100)

SECTION 5. LIMITED USE OF DOCUMENTS

All documents regarding water use submitted to the Partnership by the water users shall not be used by Ecology at any time to determine the validity of the water rights in any future administrative or regulatory action (RCW 90.92.080(3)a), unless authorization for such use is granted by the landowner. This section will remain in effect after the termination of the Local Water Plan.

SECTION 6. ACCESS FOR MONITORING

a. The landowner shall allow the Partnership and its employees, agents, successors and assigns, at all times during the term of the Local Water Plan access to the lands necessary for the implementing monitoring and compliance terms of the Local Water Plan. Access will be used solely for the purpose of allowing the Partnership and its employees, agents, successors and assigns to:

i. Monitor and enforce the terms of the Local Water Plan; and
ii. Measure instream flows, return flows, and collect other hydrological data relating to any water body, whether on the surface or underground, affecting or affected by the Local Water Plan.

iii. Monitor and measure changes in habitat, fish, and other aquatic life at various times of the year.

b. The Partnership will provide notice to the landowner no less than 48 hours prior to access to the land. The landowner are entitled to be present when the Partnership accesses the land, if they so desire. If the landowner is unable to provide access within 24 hours, they shall provide alternative times acceptable to the Partnership for access within 7 days.

SECTION 7. CONTINUATION OF LOCAL WATER PLAN

a. Upon the expiration of the Local Water Plan that has been operating for five or more years, the landowner may request that the Partnership and Ecology make the elements of the Local Water Plan—including the water rights deposited to the water bank, water rights used for stream flow enhancement, and water rights placed in the trust water rights program—permanent authorizations and conditions for use of the water rights. The request will be evaluated based on whether:

i. The determination of the baseline water use adequately represents the extent and validity of the donated water rights; and

ii. Whether there is injury or detriment to other existing water rights; or

iii. The written approval obtained from the holder of an impaired water right is continued or renewed.

b. If the Partnership and Ecology approve the request under subsection (a) of this section, Ecology shall issue superseding water rights consistent with the management and uses of the water under the Local Water Plan. That portion of the baseline water rights deposited in the water bank for placement in the trust water rights program must be made permanent and transferred in accordance with Chapter 90.42 RCW.

SECTION 8. TERMINATION

a. The Local Water Plan expires by its terms, by written withdrawal of any party, or upon agreement by all parties to the contract. For the avoidance of doubt, notwithstanding the above, if LWP No. 10-01, referenced herein, expires or is terminated, the remainder of this LWP shall remain in full force and effect.

b. If the landowner is not in compliance with the terms of the Local Water Plan, the Partnership shall, consistent with the dispute resolution process adopted by the Partnership, seek compliance. If the Partnership revokes the Local Water Plan due to noncompliance, the water users in the Local Water Plan must thereafter exercise the water rights only as the water rights were authorized and conditioned prior to the approval of the Local Water Plan, and all rights and duties that were terms in the Local Water Plan lapse and are not valid or enforceable.

c. If the Local Water Plan expires and the water management and uses under the local water plan are not granted approval to be permanent, the water users in the Local Water Plan must thereafter exercise the water rights only as the water rights were authorized and conditioned prior to the Local Water Plan, and all rights and duties that were terms in the Local Water Plan lapse and are not valid or enforceable.
SECTION 9. DISPUTE RESOLUTION
Parties agree to utilize, to the extent applicable, the Dispute Resolution process identified in the “Partnership’s Guidelines and Criteria for the Implementation of RCW 90.92,” current revision:

SECTION 10. ADDITIONAL PROVISIONS
a. An approved data-logging measuring device shall be installed and maintained for each source authorized by this Local Water Plan in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173 http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html.
b. Use of water under this authorization shall be contingent upon the water right holder’s maintenance of efficient water delivery systems and use of up-to-date water conservation practices consistent with established regulation requirements and facility capabilities.

SECTION 11. ENTIRE AGREEMENT; MODIFICATIONS; CONSTRUCTION
a. This Local Water Plan constitutes the entire agreement of the landowner, the Partnership and Ecology with respect to the Local Water Plan.
b. This Local Water Plan shall not be modified or amended except by a written instrument signed by all parties.
c. This Local Water Plan will be governed by and construed under the laws of the state of Washington. The captions and paragraph titles used in this Local Water Plan are for reference only and will not be used in the interpretation of this Local Water Plan or any related document. If any provision of this Local Water Plan is determined to be illegal, void, or unenforceable, such determination will not affect any other provision of this Local Water Plan and all such other provisions will remain in full force and effect.
SECTION 12. NOTICE AND CONTACTS

The names, addresses, telephone, and fax numbers of the parties to this Local Water Plan for use in written communication and notice between the parties are as follows:

**Landowner:**
Greta Hassler  
1581 McDonald Rd.  
Touchet, WA 99360  
Tel: 509-529-2769  
Email: N/A

**Partnership:**
Walla Walla Watershed Management Partnership  
500 Tausick Way  
Walla Walla, WA 99362  
Attn: Chris Hyland  
Tel: 509-524-5217  
Fax: 509-524-5209  
Email: chris.hyland@wwcc.edu

**Ecology:**
WA State Department of Ecology  
PO Box 47600  
Olympia, WA 98504  
Attn: Teri North  
Tel: 360-407-7009  
Fax: 360-407-6989  
Email: teno461@ecy.wa.gov

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**Part D - Local Water Plan Approval**

**APPROVAL SIGNATURES**

a. The Local Water Plan is a contract among the Partnership Board, Director of WA State Department of Ecology, and by the participating landowner; by signing below all parties agree to abide by all terms and conditions of the Local Water Plan.

b. The landowner, has the authority to execute this Local Water Plan, as owners and controllers of the lands included in the Local Water Plan project area. By Resolution 15-01, the Partnership Board has approved the execution of this Local Water Plan by the Executive Director.

---

**Greta Hassler, Landowner**  
1-6-2015

**Chris Hyland, Executive Director, Walla Walla Watershed Management Partnership**  
1-6-15

**Maia Bellon, Director, WA State Department of Ecology**  
1-21-15
<table>
<thead>
<tr>
<th>Document</th>
<th>Appendix</th>
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<td>Current Water Use Authorization</td>
<td>A</td>
</tr>
<tr>
<td>Baseline Water Use</td>
<td>B</td>
</tr>
<tr>
<td>Letter of Acknowledgement from Gardena Farms</td>
<td>C</td>
</tr>
<tr>
<td>Irrigation District #13</td>
<td></td>
</tr>
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</table>
Appendix A. Current Water Use Authorizations, Hassler LWP

Affixed Documents:

- Walla Walla River Adjudicated Certificate Number 192
- Surface Water Certificate No. 7730
- Surface Water Certificate No. 9411
- Surface Water Certificate No. 10334
- Ground Water Certificate No. 3519-A(A)
- Ground Water Certificate No. 3514-A (Change ROE)
- Ground Water Certificate No. 4486-A (Change ROE)
- Ground Water Certificate No. G3-24732 (Change ROE)
- Ground Water Certificate No. G3-25251 (Change ROE)
Surface Water Rights
(Certificate Copies)
Certificate of Water Right

THIS IS TO CERTIFY:

That by virtue of a decree of the Superior Court of the State of Washington in and for Walla Walla County, made and entered on the 25th day of September, 1936, and recorded in Volume 16 of the Superior Court Journal of said County at page 1, from which decree no appeal was taken, and which decree determined the rights of all known claimants to the use of the waters of

13th Creek, a tributary of

Walla Walla River

JOSEPH DAVIS

of

426 Chase St.

Walla Walla, Washington

is entitled to use, subject to provisions set forth in said decree, and the laws of the State of Washington, the waters of said 13th Creek

for the purpose of Irrigation

That the amount of water to which said water right is entitled is limited to the quantity which is reasonably and actually necessary for the purpose aforesaid and shall not exceed

1.375 second feet from April 1st to July 1st, 1.030 second feet from July 1st to October 1st and .060 second feet from October 1st to April 1st for the irrigation of 100.0 acres of the lands hereinafter described. If water is used during the last named period in addition to either or both of the two first named periods, the combined supply shall not exceed five acre feet per acre.

That the date of priority of said water right is 1880; that the decree aforesaid establishes said right in Class Eighteen.

That the point of diversion of said water right is as follows:

W2/3 of the S1/3 of Sec. 2, T21N., R19E., W1/2

and cannot be changed except as provided in Section 39, Chapter 117, Session Laws of 1917.

That said water right was adjudged by said decree to be and is appurtenant to the following described real property situated in Walla Walla County, Washington, to wit:

'Lot 1 and 2 and the S 1/3 of Section 3 in T21N., R19E., W1/2, and beginning at the NW cor. of Sec. 3, T21N., R19E., W1/2, running thence south on the center line 160.0 rods, more or less, to the SE cor. of the N1/2 of Sec. 3; thence at right angles east to the center of the channel of 13th Creek; thence following down the middle of the channel of 13th Creek to the intersection of the north and south center line of said Section 3; thence north in the NE cor. of the N1/2 of said Section 3; thence west at right angles to the place of beginning.

This instrument is recorded in the office of the Supervisor of Hydraulics, at Olympia, Washington, in Volume 4 of Water Right Certificates at Page 192.

WITNESS the seal and signature of the Supervisor of Hydraulics affixed this 31st day of July, 1936.

[Signature]
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
APPLICATION FOR CHANGE/TRANSFER
REPORT OF EXAMINATION

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ Surface Water  (Issued in accordance with the provisions of Chapter 171, Laws of Washington of 1977, and
amendatory thereof, and the rules and regulations of the Department of Ecology.)
☐ Ground Water  (Issued in accordance with the provisions of Chapter 28A, Laws of Washington of 1948, and
amendatory thereof, and the rules and regulations of the Department of Ecology.)

PROPERTY DATE
January 20, 1959

APPLICATION NUMBER
15244

PERMIT NUMBER
11279

CERTIFICATE NUMBER
7730

NAME
Hasler Ranch

ADDRESS (TOWNSHIP)
1581 McDonald Road

CITY
Touchet

STATE
Washington

ZIP CODE
99360

PUBLIC WATERS TO BE APPROPRIATED

SOURCE
Walla Walla River

COLUMBIA RIVER

MAXIMUM GALLONS PER MINUTE
120

MAXIMUM ACRE FEET PER YEAR
0.60 cfs from October 1 to May 15,
0.39 cfs from May 15 to July 1

0.60 cfs from October 1 to May 15, 0.39 cfs from May 15 to July 1, 120 acre-feet per year, for the irrigation of
30 acres.

LOCATION OF DIVERSION/WITHDRAWAL

APPARENT LOCATION OF DIVERSION/WITHDRAWAL

2050 feet South and 2620 feet East from the Northwest corner of Section 35

LOCATION WITHIN SMALLEST LEGAL SUBDIVISION
SB½NW¼

SECTION
35

TOWNSHIP
7

RANGE (W.C. or W.)
34E.

WALLA WALLA COUNTY
32

Walla Walla

RECORDED PLATTED PROPERTY

LOT

BLOCK

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

30 acres within the N½N½ and N½S½N½ of Sec. 3, T. 6 N., R. 34 E.W.M.
DESCRIPTION OF PROPOSED WORKS

Diversion works, pump, distribution lines, and irrigation systems.

DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>Began project by this date</th>
<th>Completed project by this date</th>
<th>Water put to full use by this date</th>
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<tr>
<td>Started</td>
<td>Completed</td>
<td>July 1, 2004</td>
</tr>
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REPORT

BACKGROUND

Application: An application for change was submitted by Hassler Ranch to the Department of Ecology on July 23, 1997. The application was accepted and processed. The applicant proposes to change the place of use (POU) for Surface Water Certificate (SWC) No. 7730.

Notice: A notice of application was duly published in accordance with RCW 90.03.280 in the Walla Walla Union Bulletin on February 22, 1998 and March 1, 1998. No protest letters were submitted.

SEPA: This application was determined to be categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21 RCW.

INVESTIGATION

In considering the proposed change, the investigation included, but was not limited to, research and review of (1) appropriate rules and statutes; (2) SWC No. 7730, and other water rights/claims/applications in the vicinity of the subject property; (3) water well reports for the subject wells, and other wells in the vicinity; (4) USGS topographic maps and Farm Services Administration (FSA) maps and records; (5) water use records; (6) analysis by staff hydrogeologists; and (7) and several site visits by Lynn Maser including one on April 23, 2002.

Project Description

The Hassler Ranch has six pending water right change applications under consideration now. They propose to change the place of use (POU) under this right. There are several other surface water rights appurtenant to the ranch, but they are not being changed. This change for SWC 7730 moves the POU from within Section 34 into Section 3 where many of the other Hassler rights are appurtenant. In this case the property for the original POU was sold but the water rights were retained by the Hasslers.

Water for this right (SWC 7730) is supplied by the Lowden Ditch #2, and the point of diversion listed for this right is the point where this ditch begins.
The outlined areas show the main parts of the Hassler ranch. The four main Hassler wells are spotted (using GPS). Also shown are the four lots recently sold in the South part of the ranch. Not shown are the boundaries of the many water rights. Fifteen water rights are appurtenant to the outlined areas, but the lands in Section 34 have been farmed or owned by the Hasslers, but are no longer owned by them. All of the water rights in the area are delineated on several maps that are in the file.

Existing Water Rights/Claims

Following is a list of existing rights associated with the Hassler Ranch, or nearby, with sources and original acres (some are supplemental). (WWRAC stands for Walla Walla River Adjudicated Certificate, and the numbers beginning with S are surface water, and those beginning with G are ground water.). Below, is a listing of the six pending changes (the six water rights with pending changes have asterisks **), with details about each right and the proposed changes. (The nine ranch rights are in bold.)

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
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<tbody>
<tr>
<td>(East of McDonald Road:)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>N½ of Sec. 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WWRAC #192</td>
<td>Mud Creek</td>
<td>103 Ac</td>
<td>(some of these overlap into the S½)</td>
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<tr>
<td>**GWC #4486A</td>
<td>well #4</td>
<td>140</td>
<td>(Adj. decree #744-38)</td>
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<tr>
<td>**G3-24732C</td>
<td>well #3</td>
<td>72</td>
<td>(supp to 192)</td>
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<tr>
<td>**G3-25251C</td>
<td>well #2</td>
<td>320</td>
<td>(supp to 192)</td>
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<tr>
<td>Also, N½ of Sec. 3</td>
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<td></td>
</tr>
<tr>
<td>SWC #9411</td>
<td>Walla Walla</td>
<td>115</td>
<td>(was originally also in SE½ of Sec. 34; supp)</td>
</tr>
<tr>
<td>SWC #10334</td>
<td>Walla Walla</td>
<td>22</td>
<td>(was originally also in SE¾ of Sec. 34; supp)</td>
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<tr>
<td>Section 34</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>**SWC #7730</td>
<td>Walla Walla</td>
<td>30</td>
<td>(Being moved to Sec. 3)</td>
</tr>
</tbody>
</table>

The following group is not for Hassler Ranch; is for land in SW¼, farmed by the Hasslers, but owned by Grimms.

| WWRAC #453          | Walla Walla       | 74    | (Adj. decree#: 593-77, 78, 79)                 |
| WWRAC #877          | Mud Cr            | 40    | (Adj. decree#: 595-130)                        |
| WWRAC #878          | Walla Walla       | 36    | (Adj. decree#: 593-144)                        |
| SWC #37             | Mud Cr            | 40    |                                                 |
| SWC #1739           | Walla Walla       | 10    |                                                 |
| SWC #8614           | Walla Walla       | 40    | supp                                           |
The following group is not part of the Hassler Ranch and is for lands in the NE¼ of Sec. 4, and part of the SE¼ of Sec. 33 owned by others:

<table>
<thead>
<tr>
<th>GWC #</th>
<th>Well Name</th>
<th>Well #</th>
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<th>Quantity a</th>
<th>Purpose</th>
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<td>GWC #743</td>
<td>West well</td>
<td>148.8</td>
<td>Supp to 2 below</td>
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<td>WWRAC #424</td>
<td>Walla Walla (Lowden2)</td>
<td>34</td>
<td>(Adj. decree#: 600-74)</td>
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<tr>
<td>WWRAC #687</td>
<td>Walla Walla (Lowden2)</td>
<td>50</td>
<td>(Adj. decree#: 600-116)</td>
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</table>

Others:

The Hassler Ranch also includes some acreage in the S½ of Section 4. No water rights are appurtenant to those lands, but there are two new water right applications pending in Section 4 (no guarantee that they will be approved). Mrs. Hassler was under the impression that there was existing change applications on file to move water rights to that area, but numerous searches could not turn up any change applications for that purpose. There are also four other new water right applications on file for the Hasslers.

There is also an existing water right change application, filed with the local water conservancy board that involves moving some amount of water right #4486A from the main ranch to “Onion World” on Hwy 12.

The following group of six water rights has pending change applications under consideration here: **GWC 3514-A, **GWC 3519-A, **GWC 4486-A, **SWC 7730, **G3-24732C, **G3-25251C.

**GWC 3514-A (App #270, Permit 350)
- Priority: 6/10/1946
- Quantity, annual: 80 AF
- Source: A well
- Purpose: Irrigation of 20 acres & domestic
- Quantity, instantaneous: 150 gpm
- POU: 6/34 – Parts of SW¼ of Section 3
- POW: “Well #1” - Sec. 3; NE¼SW¼

Change Requested: Add One Well (Integrating)
“Well #2” - Sec. 3; NW¼SW¼

**GWC 3519-A (App 4668, permit 4429)
- Priority: 8/30/1957
- Quantity, annual: 240 AF
- Source: A well
- Purpose: Irrigation of 100 acres & stock & domestic
- Quantity, instantaneous: 300 gpm
- POU: 6/34 – Parts of SW¼ of Section 3
- POW: “Well #1” - Sec. 3; NE¼SW¼

Change Requested: Add One Well (Integrating)
“Well #2” - Sec. 3; NW¼SW¼

**GWC 4486-A (App. 6169, permit 5813)
- Priority: 2/06/1962
- Quantity, annual: 160 AF
- Source: A well
- Purpose: Irrigation of 140 acres
- Quantity, instantaneous: 200 gpm
- POU: 6/34 – Parts of N½ of Section 3
- POW: “Well #4” - Sec. 3; SE¼NW¼

Change Requested: Add three wells (Integrating), and change POU
“Well #1” - Sec. 3; NE¼SW¼
“Well #2” - Sec. 3; NW¼SW¼
“Well #3” - Sec. 3; W¼NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.
Report Continued
**SWC 7730**

Prior: 1/20/59; Quantity, annual: 120 AF
Source: Walla Walla River Purpose: Irrigation of 30 acres
Quantity, instantaneous:
0.39 cfs from May 15 to July 1 (if available)
0.0 cfs from July 1 to October 1 (no water in summer)
0.60 cfs from October 1 to May 15 (if available)

POU: 7/34 – Part of SE¼ of Section 34
POD: SE¼NW¼, Section 35, 7/34 (Lowden Ditch #2)

Change Requested: Change POU
New POU to be 30 acres within N½N¼ and N½S½N¼ of Section 3, 6/34.

G3-24732C**

Priority: 1/13/76 Quantity, annual: 160 AF
Source: A Well Purpose: Irrigation of 72 +stockwater
Quantity, instantaneous: 100 gpm
POU: 6/34 – N¼ of Section 3
POW: “Well #3” – W½NW¼ Sec. 3;

Change Requested: Add three wells (integrating), and change POU
“Well #1” – Sec. 3; NE¼SW¼
“Well #2” – Sec. 3; NW¼SW¼
“Well #4” – Sec. 3; SE¼NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

G3-25251C**

Priority: 3/2/1977 Quantity, annual: 768 AF
Source: A Well Purpose: Irrigation of 320 acres
Quantity, instantaneous: 480 gpm (Supplemental to WWRAC #192)

POU: 6/34 – N¼ of Section 3
POW: “Well #2” – NW¼SW¼ Sec. 3;

Change Requested: Add three wells (integrating), and change POU
“Well #1” – Sec. 3; NE¼SW¼
“Well #3” – Sec. 3; W½NW¼
“Well #4” – Sec. 3; SE¼NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

The following water right is appurtenant to some of the same lands that are involved in the changes above:

WWRAC #192
(Adj. Decree# 744,38)

Priority: 1880 Quantity, annual: 515 AF
Source: Mud Creek Purpose: Irrigation of 103 acres
Quantity, instantaneous:
1.373 cfs from April 1 to July 1
1.030 cfs from July 1 to October 1
2.060 cfs from October 1 to April 1

POU: 6/34 – N¼ Sec. 3; and that part of the SW¼ lying north of Mud Creek
POD: (1) Sec. 2, 6/34

The Hassler properties are South of Lowden along McDonald Bridge Rd. Mud Creek flows through the ranch and water from the Walla Walla River reaches the ranch via the old Lowden Ditch #2. There are four wells on the main part of the ranch that are intertied. The main ranch comprises the 320 acres in the N½ of Section 3 and the remaining 80 acres in the SW¼ of Section 3, and essentially that whole area has been irrigated in recent years. The area in the S½ of Section 4 is not currently covered by water rights. The effects of these six changes are discussed below.

GWC 3514-A and GWC 3519-A. These two changes only involve integrating two wells. These are the only two water rights on this part of the farm, which generally runs between Mud Creek and the Burlington ditch in the S½ of Section 3. (It is important to note, that 3519-A has changed recently because of the sale of forty acres).
Report Continued
GWC 3514-A authorizes: 150 gpm, 80 acre-feet per year for irrigation and domestic supply of 20 acres. Originally, 3514-A was going to use a different well (located at the intersection of McDonald Rd and the Burlingame ditch), but when still in the permit stage the point of withdrawal was changed to be the same well authorized by 3519-A, which was issued for 300 gpm, 240 acre-feet per year for the irrigation of 100 acres.

Under these two rights (3514-A & 3519-A), the combined allocation was originally for the irrigation of 450 gpm, 320 acre feet per year for 120 acres. Forty acres in the SE part of this POU have been sold, and were allocated for 80 gpm, 96 acre feet per year for 40 acres from 3519-A. The remaining allocation for the Hassler property under both rights is now 370 gpm, 224 acre feet per year for 80 acres of irrigation (+ domestic and stock).

Both of these rights (3514 & 3519) will authorize two wells when these two changes are approved. Other wells are being added to GWC 3519A under separate changes resulting from the short plat sale.

SWC 7730. The change for this right only involves moving the POU from an area in the SE¼ of Section 34 (7/34) to an area that is part of the N½ of Section 3 (6/34). The area that the right is being moved from has no other water rights on it, has been sold, and apparently is no longer being irrigated. The new area is partly or wholly covered by several other water rights, and will also be further covered by several of the other pending changes. So, 7730 will become a supplemental water right, but will allow more acres to be irrigated from the Lowden #2 ditch during the authorized seasons.

GWC 4486A. This change is for adding/integrating the three other wells with the existing well and partially modifying the POU. This right is one of the seven that cover part or all of the N½ of Section 3.

G324732C and G3-25251C. These two changes are similar. Both had one well originally authorized and are adding/integrating the other three wells. The POU change is the same for both, retaining the N½ of Section 3 and adding a small area in the SW¼ of Sec. 3.

The last four changes above affect the N½ of Section 3, where there will ultimately be 7 overlapping water rights, which includes the Mud Creek right, three Walla Walla River rights (Lowden ditch #2), and three ground water rights. There is typically not enough water in Mud Creek to satisfy that right. For the 320 acre area in the North half of Section 3, the following chart shows the breakdown of surface and ground water (ground is supplemental to surface).

<table>
<thead>
<tr>
<th>Surface Water Certs. (cfs):</th>
<th>4/1-7/1</th>
<th>7/1-10/1</th>
<th>10/1-4/1</th>
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<tr>
<td>SWC 7730</td>
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<td>.60</td>
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<td>SWC 9411</td>
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<tr>
<td>SWC 10334</td>
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<td>0.0</td>
<td>0.29</td>
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<table>
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<th>(gpm):</th>
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<tr>
<td>GWC 4486</td>
<td>200</td>
</tr>
<tr>
<td>G3-24732C</td>
<td>100</td>
</tr>
<tr>
<td>G3-25251C</td>
<td>480</td>
</tr>
</tbody>
</table>

A provision on G3-25251C reads as follows: "Total quantities authorized under this certificate and Certificate of Adjudication No. 192 shall be limited to 927 gallons per minute, 1488 acre feet per year, for the irrigation of 320 acres." However, neither several additional appurtenant water rights, nor the seasonal variations in the water right authorizations, were included in that analysis. Also, crop requirements are calculated now at about 4 acre-feet per acre for crops in this area. A more accurate summary of the total water rights is as follows:

"The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N½ of Section 3 and 15 acres North of Mud Creek in the SW¼ of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination."

Area Hydrology

Water for this right (SWC 7730) is supplied from the Walla Walla River by the Lowden Ditch #2, and the point of diversion listed for this right is the point where this ditch begins.
When considering an application for change to a water right, Ecology must determine that the proposed change can be made without detriment or injury to existing water rights. Factors considered when determining potential impact include the following:

- A valid right exists that is eligible to be changed;
- The change must not cause detriment or injury to existing rights;
- The change shall not allow for the enhancement of the right perfected under the original certificate; and
- All new points of withdrawal must tap the same source of water as authorized under the original certificate.

Validity of the Right:

While the Superior Court, through an adjudicative process, is the only authority that can make a final determination as to a water right’s extent, validity and priority, Ecology can make a tentative determination of these factors for purposes of making decisions on change applications.

Evidence indicates that the fields covered by SWC 7730 have been fully irrigated in recent years in alfalfa and/or pasture. The systems in place are capable of pumping the authorized instantaneous quantities, and those amounts are eligible to be changed. This right is being moved into an area where there are many other appurtenant water rights and so will be supplemental.

No Impairment to Existing Rights:

The proposed change has been evaluated as to the potential for impairment to existing water rights in the area. This change will not alter pumping amounts or practices.

No Enhancement of the Original Certificate:

No withdrawal of water over and above what has been historically put to beneficial use would be authorized through approval of this change.

Same Source of Water:

The source of water and point of diversion remain unchanged, since only the POU is being changed.

CONCLUSION

It is the conclusion of this examiner that, in accordance with RCW 90.44.100, this application for change to change the POU for Surface Water Certificate #7730 will not enlarge the right conveyed by the original certificate, nor will it impair existing rights.

RECOMMENDATIONS

The applicant’s request to change the POU for Surface Water Certificate #7730 is hereby approved, subject to the following provisions:

"The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N¼ of Section 3 and 15 acres North of Mud Creek in the SW¼ of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination."

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly (beginning the first week of January, 2003) and shall be submitted annually to Ecology by January 31st of each calendar year (beginning 2004). The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".

At a minimum, the following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit or Certificate No., source name, annual quantity used including units, maximum rate of diversion including units, and period of use.

In the future, Ecology may require additional parameters to be reported or more frequent reporting.
Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

"The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified."

"This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

"A superseding certificate of water right will not be issued until a final examination is made. Amounts may be reduced at the proof of appropriation stage."

"Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities."

Dated this 20th day of June, 2003 in Spokane, Washington.

[Signature]

Lynn Maser
Water Resources Program
Department of Ecology

LM:md
CERTIFICATE OF SURFACE WATER RIGHT

This is to certify that NAOMI E. & ELIZABETH SOULE and JAMES A. MARY FLORENCE BLACKARD
of TACOMA and PALE ALTO, State of WASHINGTON and CALIFORNIA, has made proof to the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of the waters of WALLA WALLA RIVER, a tributary of COLUMBIA RIVER, with point or points of diversion within the

Sec. 35, Twp. 7, N., R. 34, E., W.M., under and subject to provisions contained in appropriation Permit No. 19593, issued by the State Supervisor of Water Resources, and that said right to the use of said waters has been perfected in accordance with the laws of Washington, and is hereby confirmed by the State Supervisor of Water Resources of Washington and entered of record in Volume 19, at Page 911, on the 10 day of August, 1965.

that the priority date of the right hereby confirmed is January 20, 1964; that the amount of water under the right hereby confirmed, for the following purposes is limited to an amount actually beneficially used and shall not exceed 1,53 cubic feet per second, 575 acre-feet per year, October 1 to July 1 each year when available, for irrigation of 125 acres.

A description of the lands under such right to which the water right is appurtenant, and the place where such water is put to beneficial use, is as follows:

That portion of the SIXTH of Sec. 34, T. 7 N., R. 34 E.W., lying southeasterly of the canal of Lower Irrigation District No. 2, a municipal corporation.

All of Govt. Lot 1 and the 1/2 of Govt. Lot 2 and the 3/4 of the NE, all in Sec. 3, T. 6 N., R. 34 E.W.

Beginning at the Northeast corner of the SW, of the NE of Sec. 3, T. 6 N., R. 34 E.W.; thence West on the North line of said subdivision a distance of 980 feet; thence South parallel to the East line of said subdivision a distance of 660 feet; thence Southeasterly in a straight line to the Southeast corner of said subdivision of said Sec. 3; thence North to the point of beginning.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Sections 8 and 17, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Water Resources affixed this
10 day of August, 1965

[Signature]
State Supervisor of Water Resources
CERTIFICATE OF SURFACE WATER RIGHT

This is to certify that MAURICE S. and ELIZABETH COX, and JAMES RAY PORTER

of TACOMA, State of Washington, have made

proof to the satisfaction of the Department of Water Resources of Washington, of a right to the use

of the waters of WALLA WALLA RIVER, a tributary of COLUMBIA RIVER

with point or points of diversion within the

Sec. 32, Twp. 7 N., R. 34 E., W. M., under and subject to provisions contained in

appropciation, Permit No. 12721, issued by the Department of Water Resources, and

that said right to the use of said waters has been perfected in accordance with the laws of Washington

and is hereby confirmed by the Department of Water Resources of Washington and entered on

record in Volume 21, at Page 10334, on the 21st day of May 1963

that the priority date of the right hereby confirmed is

July 22, 1963

that the amount of water under the right hereby confirmed, for the following purposes is limited to an acre-foot

per year, from October 1 to July 1 each year for irrigation of 22 acres.

A description of the lands under such right to which the water right is appurtenant, and the

place where such water is put to beneficial use, is as follows:

The portion of the glaciers of Sec. 36, T. 7 N., R. 34 E.W., lying southeasterly

canal of London Irrigation District No. 2, a municipal corporation,

of Government Lot 3, the E 1/2 of Government Lot 2 and the W 1/2, all in Sec. 3,

T. 6 N., R. 34 E.W.

Beginning at the northeast corner of the SE 1/4, Sec. 3, T. 6 N., R. 34 E.W.;

thence east on the north line of said subdivision a distance of 928 feet; thence

south parallel to the east line of said subdivision a distance of 680 feet; thence

southwesterly in a straight line to the southeast corner of said subdivision of

said Sec. 3; thence north to the point of beginning.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of

use herein described, except as provided in Sections 6 and 7, Chapter 123, Laws of 1929.

This certificate of surface water right is specifically subject to relinquishment for nonuse of water

as provided in Section 18, Chapter 233, Laws of 1967.

WITNESS the seal and signature of the Assistant Director, Division of Water Management,

Department of Water Resources affixed this 21st day of May 1968.

[Signature]
Assistant Director
Division of Water Management
Department of Water Resources
Ground Water Rights
(Certificate Copies)
Hassler Ranch  
1581 McDonald Road  
Touchet, Washington 99360

STATE OF WASHINGTON  
SUPERSEDING CERTIFICATE OF WATER RIGHT

Document Title: Superseding Certificate of Water Right  
Agency: Department of Ecology  
Eastern Regional Office  
4601 North Monroe  
Spokane, WA 99205-1295  
Applicant: Hassler Ranch  
1581 McDonald Road  
Touchet, Washington 99360

Reference Number:  
THIS CERTIFICATE SUPERSEDES GROUND WATER CERTIFICATE NO. 3519-A ISSUED  
DECEMBER 31, 1959.

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<th>APPLICATION NUMBER</th>
<th>PERMIT NUMBER</th>
<th>CERTIFICATE NUMBER</th>
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<td>August 30, 1957</td>
<td>4608</td>
<td>4429</td>
<td>3519-A(A)</td>
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</tbody>
</table>

This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.

PUBLIC WATERS TO BE APPROPRIATED

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>TRIBUTARY OF (IF SURFACE WATERS)</th>
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<tbody>
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<td>Two (2) wells</td>
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<tr>
<th>MAX. CUBIC FEET PER SECOND</th>
<th>MAX. GALLONS PER MINUTE</th>
<th>MAX. ACRE-FEET PER YEAR</th>
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<tbody>
<tr>
<td>240</td>
<td>168</td>
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QUANTITY/TYPE OF USE/PERIOD OF USE

240 gallons per minute, 168 acre-feet per year, each year, for the seasonal irrigation of 70 acres, continuously for domestic supply and stockwater

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

<table>
<thead>
<tr>
<th>1/4 SW/4</th>
<th>SECTION</th>
<th>TOWNSHIP N.</th>
<th>RANGE (E. OR W.) W.M.</th>
<th>W.R.L.A.</th>
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<td>3</td>
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PARCEL # 340603310004

ADDITIONAL LEGAL IS ON PAGE 2

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

<table>
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<tr>
<th>1/4 SW/4</th>
<th>SECTION</th>
<th>TOWNSHIP N.</th>
<th>RANGE (E. OR W.) W.M.</th>
<th>W.R.L.A.</th>
<th>COUNTY</th>
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<tbody>
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<td></td>
<td>32</td>
<td>Walla Walla</td>
</tr>
</tbody>
</table>

PARCEL # 340603310004 and 340603340003

ADDITIONAL LEGAL IS ON PAGE 2
CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/withdrawal

Well No. 1) 1460 feet East and 1985 feet North from the Southwest corner of Sec. 3, T. 6 N., R. 34 E.W.M.
Well No. 2) 475 feet East and 2335 feet North from the Southwest corner of Sec. 3, T. 6 N., R. 34 E.W.M.

CONTINUED LEGAL DESCRIPTION FOR PROPERTY ON WHICH WATER IS TO BE USED

Hassler Ranch- Beginning at the northwest corner of the SW¼, Sec. 3, T. 6 N., R. 34 E.W.M., running thence south 160 rods to the Southwest corner of Said Sec. 3; thence East at right angles 160 rods to the Southeast corner of the SW¼ of Sec. 3; thence at right angles North to the center of the channel of Mud Creek; thence running up the center channel of Mud Creek to where said Mud Creek intersects the quarter section line dividing the NW¼ and the SW¼ of said Sec. 3; thence West to the place of beginning.

Excepting therefrom, however, that part of said SW¼ which lies south and west of the Walla Walla irrigation Company's Canal (Burlingame Ditch), subject to the right of way of said canal. ALSO, Lots B-1, B-2 and B-4 of Hassler Short Plat, Vol. 3 of Short Plats, Pg. 90, Walla Walla County.

PROVISIONS

All conditions and requirements contained in reports of examination or permits previously issued apply to this superseding certificate unless specifically noted below.

The total amount of water authorized for withdrawal under Ground Water Certificate No. 3519-A(A) is a maximum of 240 gallons per minute, 168 acre-feet per year, each year, for the seasonal irrigation of 70 acres, and continuous domestic supply and stockwater. (Jesse) Lot No. B-3 portion is up to a maximum of 20 gallons per minute, 24 acre-feet per year for the seasonal irrigation of 10 acres and Hassler Ranch portion is up to a maximum of 220 gallons per minute, 144 acre-feet per year, each year, for the seasonal irrigation of 60 acres, and continuous domestic supply and stockwater.

Issued as an alternate source (non-additive) to Walla Walla Adjudicated Certificate No. 406 (Gardenia Irrigation District).

The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified.

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.

Provisions continued on Page 3
Provisions continued from Page 2

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-165 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gauge may be installed in addition to the access port.

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.

This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

Use of water under this authorization shall be contingent upon the water right holder’s utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

Wells authorized for use under this authorization must be maintained in the original gravel aquifer.

Superseding Certificate 3 3519-A(A)
STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
APPLICATION FOR CHANGE/TRANSFER  
REPORT OF EXAMINATION  
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ Surface Water  
☐ Ground Water  

(Please fill in accordance with the provisions of Chapter 117, Laws of Washington for 1915, and amendments thereof, and the rules and regulations of the Department of Ecology)

<table>
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<tr>
<th>FAVORITY DATE</th>
<th>APPLICATION NUMBER</th>
<th>PERMIT NUMBER</th>
<th>CERTIFICATE NUMBER</th>
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<tr>
<td>August 30, 1957</td>
<td>4668</td>
<td>4429</td>
<td>3519-A</td>
</tr>
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NAME: Hassler Ranch

ADDRESS (STREET): 1581 McDonald Road

CITY: Touchet  
STATE: Washington  
ZIP CODE: 99360

PUBLIC WATERS TO BE APPROPRIATED

SOURCE: Two (2) wells

TERTIARY OF (IF SURFACE WATERS):

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<th>MAXIMUM CUBIC FEET PER SECOND</th>
<th>MAXIMUM GALLONS PER MINUTE</th>
<th>MAXIMUM ACRE FEET PER YEAR</th>
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</thead>
<tbody>
<tr>
<td>300</td>
<td>300</td>
<td>240</td>
</tr>
</tbody>
</table>

300 gallons per minute, 240 acre-feet per year, for the irrigation of 100 acres and for domestic supply and stock water.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION/WITHDRAWAL:

1. Well #1 - 1460 feet East and 1985 feet North from SW corner of Section 3, within the NE¼ SW¼ of Section 3. (GPS: 46°01'31.63"N, 118°32'53.03"W)

2. Well #2 - 475 feet East and 2335 feet North of SW corner of Section 3, within the NW¼ SW¼ of Section 3. (GPS: 46°01'35.77"N, 118°33'07.11"W)

(GPS data = NAD 27 Datum)

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) Both within the SW¼

SEC. 3  
TOWNSHIP 6N  
RANGE (E OR W) 34E  
W.R.A. 32  
COUNTY Walla Walla

RECORDED PLATTED PROPERTY

LOT  
BLOCK  
OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Beginning at the Northwest corner of SW¼, Section 3, T.6 N., R. 34 E.W.M., running thence South 160 rods to the Southwest corner of said Sec. 3; thence East at right angles 160 rods to the Southeast corner of the SW¼ of said Sec. 3; thence at right angles North to the center of the channel of Mud Creek; thence running up the center of the channel of Mud Creek to where said Mud Creek intersects the quarter section line dividing the NW¼ and SW¼ of said Sec. 3; thence West to the place of beginning.

EXCEPTING therefrom, however, that part of said SW¼ which lies South and West of the Walla Walla Irrigation Company's Canal, and subject to the right of way of said canal.
Two (2) wells, pumps, distribution lines, and irrigation systems.

DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>DATE</th>
<th>DESCRIPTION OF PROPOSED WORKS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Two (2) wells, pumps, distribution lines, and irrigation systems.</td>
</tr>
</tbody>
</table>

BACKGROUND

Application: An application for change was submitted by Hassler Ranch to the Department of Ecology on July 23, 1997. The application was accepted and processed. The applicant proposes to add one point of withdrawal (POW) to Ground Water Certificate (GWC) No. 3519-A. The well to be added is an existing well and is to be integrated into the water right.

Notice: A notice of application was duly published in accordance with RCW 90.03.280 in the Walla Walla Union Bulletin on February 22, 1998 and March 1, 1998. No protest letters were submitted.

SEPA: This application was determined to be categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21 RCW.

INVESTIGATION

In considering the proposed change, the investigation included, but was not limited to, research and review of (1) appropriate rules and statutes; (2) GWC No. 3519-A, and other water rights/claims/applications in the vicinity of the subject property; (3) water well reports for the subject wells, and other wells in the vicinity; (4) USGS topographic maps and Farm Services Administration (FSA) maps and records; (5) water use records; (6) analysis by staff hydrogeologists; and (7) and several site visits by Lynn Maser including one on April 23, 2002.

Project Description

The Hassler Ranch has six pending water right change applications under consideration now. They propose to integrate the two wells under this right. There are several other surface water rights appurtenant to the ranch, but they are not being changed.

The outlined areas show the main parts of the Hassler ranch. The four main Hassler wells are spotted (using GPS). Also shown are the four lots recently sold in the South part of the ranch. Not shown are the boundaries of the many water rights. Fifteen water rights are appurtenant to the outlined areas, but the lands in section 34 have been farmed or owned by the Hasslers, but are no longer owned by them. All of the water rights in the area are delineated on several maps that are in the file.
Following is a list of existing rights associated with the Hassler Ranch, or nearby, with sources and original acres (although some are supplemental). (WWRAC stands for Walla Walla River Adjudicated Certificate, and the numbers beginning with S are surface water, and those beginning with G are ground water.). Below, is a listing of the six pending changes (the six water rights with pending changes have asterisks **), with details about each right and the proposed changes. (The nine ranch rights are in bold.)

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(East of McDonald Road:)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N½ of Sec. 3</td>
<td>Mud Creek</td>
<td>103 Ac</td>
<td>(some of these overlap into the S½)</td>
</tr>
<tr>
<td>WWRAC #192</td>
<td>well #4</td>
<td>140</td>
<td>(Adj. decree #: 744-38)</td>
</tr>
<tr>
<td>**GWC #4486A</td>
<td>well #3</td>
<td>72</td>
<td>(supp to 192)</td>
</tr>
<tr>
<td>**G3-24732C</td>
<td>well #2</td>
<td>320</td>
<td>(supp to 192)</td>
</tr>
<tr>
<td>SWC #9411</td>
<td>Walla Walla</td>
<td>115</td>
<td>(was originally also in SE½ of Sec. 34; supp)</td>
</tr>
<tr>
<td>SWC #10334</td>
<td>Walla Walla</td>
<td>22</td>
<td>(was originally also in NE¼ of Sec. 34; supp)</td>
</tr>
<tr>
<td>Section 34 -</td>
<td>Walla Walla</td>
<td>30</td>
<td>(Being moved to Sec. 3)</td>
</tr>
<tr>
<td>**SWC #7730</td>
<td>Walla Walla</td>
<td>30</td>
<td></td>
</tr>
</tbody>
</table>

*The following group is not for Hassler Ranch; is for land in SW¼, farmed by the Hasslers, but owned by Grimms.*

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>West well</td>
<td>148.8</td>
<td>Supp to 2 below</td>
</tr>
<tr>
<td>WWRAC #453</td>
<td>Walla Walla</td>
<td>74</td>
<td>(Adj. decree #: 593-77, 78, 79)</td>
</tr>
<tr>
<td>WWRAC #787</td>
<td>Mud Cr</td>
<td>40</td>
<td>(Adj. decree #: 595-130)</td>
</tr>
<tr>
<td>WWRAC #878</td>
<td>Walla Walla</td>
<td>36</td>
<td>(Adj. decree #: 593-144)</td>
</tr>
<tr>
<td>SWC #37</td>
<td>Mud Cr</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>SWC #1739</td>
<td>Walla Walla</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>SWC #8614</td>
<td>Walla Walla</td>
<td>40</td>
<td>supp</td>
</tr>
<tr>
<td>S½ of Sec. 3</td>
<td>well #1</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>**GWC #3514A</td>
<td>well #1</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

*The following group is not part of the Hassler Ranch and is for lands in the NE¼ of Sec. 4, and part of the SE¼ of Sec. 33 owned by others;*

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>West well</td>
<td>148.8</td>
<td>Supp to 2 below</td>
</tr>
<tr>
<td>WWRAC #424</td>
<td>Walla Walla (Lowden2)</td>
<td>34</td>
<td>(Adj. decree #: 600-74)</td>
</tr>
<tr>
<td>WWRAC #687</td>
<td>Walla Walla (Lowden2)</td>
<td>50</td>
<td>(Adj. decree #: 600-116)</td>
</tr>
</tbody>
</table>

*Others:*

The Hassler Ranch also includes some acreage in the S½ of Section 4. No water rights are appurtenant to those lands, but there are two new water right applications pending in Section 4 (no guarantee that they will be approved). Mrs. Hassler was under the impression that there was existing change applications on file to move water rights to that area, but numerous searches could not turn up any change applications for that purpose. There are also four other new water right applications on file for the Hasslers.

There is also an existing water right change application, filed with the local water conservancy board that involves moving some amount of water right #4486-A from the main ranch to "Onion World" on Hwy 12.

The following group of six water rights has pending change applications under consideration here: **GWC 3514-A, **GWC 3519-A, **GWC 4486-A, **SWC 7730, **G3-24732C, **G3-25251C.
**GWC 3514-A**
(App #270, Permit 350)

Priority: 6/10/1946 Quantity, annual: 80 AF
Source: A well Purpose: Irrigation of 20 acres & domestic
Quantity, instantaneous: 150 gpm
POU: 6/34 – Parts of SW¼ of Section 3
POW: “Well #1” - Sec 3; NE¼SW¼

Change Requested: Add One Well (integrating)
“Well #2” - Sec 3; NW¼SW¼

**GWC 3519-A**
(App 4668, permit 4429)

Priority: 8/30/1957 Quantity, annual: 240 AF
Source: A well Purpose: Irrigation of 100 acres & stock & domestic
Quantity, instantaneous: 300 gpm
POU: 6/34 – Parts of SW¼ of Section 3
POW: “Well #1” - Sec 3; NE¼SW¼

Change Requested: Add One Well (integrating)
“Well #2” - Sec 3; NW¼SW¼

**GWC 4486-A**
(App. 6169, permit 5813)

Priority: 2/06/1962 Quantity, annual: 160 AF
Source: A well Purpose: Irrigation of 140 acres
Quantity, instantaneous: 200 gpm (Supplemental to WWRAC #192)
POU: 6/34 – Parts of N¼ of Section 3
POW: “Well #4” - Sec 3; SE¼NW¼

Change Requested: Add three wells (integrating), and change POU
“Well #1” - Sec 3; NE¼SW¼
“Well #2” - Sec 3; NW¼SW¼
“Well #3” – Sec 3; W¼NW¼

New place of use to include N¼, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

**SWC 7730**
(App 15244, permit 11279)

Priority: 1/20/59; Quantity, annual: 120 AF
Source: Walla Walla River Purpose: Irrigation of 30 acres
Quantity, instantaneous:
0.39 cfs from May 15 to July 1 (if available)
0.0 cfs from July 1 to October 1 (no water in summer)
0.60 cfs from October 1 to May 15 (if available)
POU: 7/34 – Part of SE¼ of Section 34
POD: SE¼NW¼, Section 35, 7/34 (Lowden Ditch #2)

Change Requested: Change POU
New POU to be 30 acres within N¼N½ and N¼S¼N½ of Section 3, 6/34.

G3-24732C**

Priority: 1/13/76 Quantity, annual: 160 AF
Source: A Well Purpose: Irrigation of 72 + stockwater
Quantity, instantaneous: 100 gpm
POU: 6/34 – N¼ of Section 3
POW: “Well #3” – W¼NW¼ Sec 3;

Change Requested: Add three wells (integrating), and change POU
“Well #1” - Sec 3; NE¼SW¼
“Well #2” - Sec 3; NW¼SW¼
“Well #4” – Sec 3; SE¼NW¼

New place of use to include N¼, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

G3-25251C**

Priority: 3/2/1977 Quantity, annual: 768 AF
Source: A Well. Purpose: Irrigation of 320 acres
Quantity, instantaneous: 480 gpm (Supplemental to WWRAC #192)
POU: 6/34 – N¼ of Section 3
POW: “Well #2” – NW¼SW¼ Sec 3;
Change Requested: Add three wells (integrating), and change POU

"Well #1" - Sec 3; NE 1/4 SW 1/4
"Well #3" - Sec 3; W 1/2 NW 1/4
"Well #4" - Sec 3; SE 1/4 NW 1/4

New place of use to include N 1/4, and that part of SW 1/4 lying North of Mud Creek, all within Section 3, 6/34.

The following water right is appurtenant to some of the same lands that are involved in the changes above:

**WWRAC #192**
(Adj. Decree # 744-38)

**Priority:** 1880
**Quantity, annual:** 515 AF
**Source:** Mud Creek
**Purpose:** Irrigation of 103 acres

**Quantity, instantaneous:**
1.373 cfs from April 1 to July 1
1.030 cfs from July 1 to October 1
2.060 cfs from October 1 to April 1

**POU:** 6/34 - Parts of N 1/4 Sec. 3, and that part of the SW 1/4 lying North of Mud Creek
**POD:** (1) Sec 2, 6/34

The Hassler properties are South of Lowden along McDonald Bridge Rd. Mud Creek flows through the ranch and water from the Walla Walla River reaches the ranch via the old Lowden Ditch #2. There are four wells on the main part of the ranch that are interted. The main ranch comprises the 320 acres in the N 1/4 of Section 3 and the remaining 80 acres in the SW 1/4 of Section 3, and essentially that whole area has been irrigated in recent years. The area in the S 1/4 of Section 4 is not currently covered by water rights. The effects of these six changes are discussed below.

**GWC 3514-A and GWC 3519-A.** These two changes only involve integrating two wells. These are the only two water rights on this part of the farm, which generally runs between Mud Creek and the Burlingame ditch in the S 1/4 of Section 3. (It is important to note, that 3519-A has changed recently because of the sale of forty acres).

GWC 3514-A authorizes: 150 gpm, 80 acre-feet per year for irrigation and domestic supply of 20 acres. Originally, 3514-A was going to use a different well (located at the intersection of McDonald Rd and the Burlingame ditch), but when still in the permit stage the point of withdrawal was changed to the same well authorized by 3519-A, which was issued for 300 gpm, 240 acre-feet per year for the irrigation of 100 acres.

Under these two rights (3514-A & 3519-A), the combined allocation was originally for the irrigation of 450 gpm, 320 acre feet per year for 120 acres. Forty acres in the SE part of this POU have been sold, and were allocated for 80 gpm, 96 acre feet per year for 40 acres from 3519-A. The remaining allocation for the Hassler property under both rights is now 370 gpm, 224 acre feet per year for 80 acres of irrigation (+ domestic and stock).

Both of these rights (3514 & 3519) will authorize two wells when these two changes are approved. Other wells are being added to GWC 3519A under separate changes resulting from the short plat sale.

**SWC 7730.** The change for this right only involves moving the POU from an area in the SE 1/4 of Section 34 (7/34) to an area that is part of the N 1/4 of Section 3 (6/34). The area that the right is being moved from has no other water rights on it, has been sold, and apparently is no longer being irrigated. The new area is partly or wholly covered by several other water rights, and will also be further covered by several of the other pending changes. So, 7730 will become a supplemental water right, but will allow more acres to be irrigated from the Lowden #2 ditch during the authorized seasons.

**GWC 4486A.** This change is for adding/integrating the three other wells with the existing well and partially modifying the POU. This right is one of the seven that cover part or all of the N 1/4 of section 3.

**G324732C and G3-25251C.** These two changes are similar. Both had one well originally authorized and are adding/integrating the other three wells. The POU change is the same for both, retaining the N 1/4 of Section 3 and adding a small area in the SW 1/4 of Sec. 3.

The last four changes above affect the N 1/4 of Section 3, where there will ultimately be 7 overlapping water rights, which includes the Mud Creek right, three Walla Walla River rights (Lowden ditch #2), and three ground water rights. There is typically not enough water in Mud Creek to satisfy that right. For the 320 acre area in the North half of Section 3, the following chart shows the breakdown of surface and ground water (ground is supplemental to surface).
Surface Water Certs. (cfs): | 4/1-7/1 | 7/1-10/1 | 10/1-4/1 |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>WWRAC 192</td>
<td>1.373</td>
<td>1.03</td>
<td>2.06</td>
</tr>
<tr>
<td>SWC 7730</td>
<td>.39</td>
<td>0.0</td>
<td>.60</td>
</tr>
<tr>
<td>SWC 9411</td>
<td>1.53</td>
<td>0.0</td>
<td>1.53</td>
</tr>
<tr>
<td>SWC 10334</td>
<td>.29</td>
<td>0.0</td>
<td>0.29</td>
</tr>
</tbody>
</table>

Ground water Certs. (gpm): |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>GWC 4486</td>
<td>200</td>
</tr>
<tr>
<td>G3-24732C</td>
<td>100</td>
</tr>
<tr>
<td>G3-25251C</td>
<td>480</td>
</tr>
</tbody>
</table>

A provision on G3-25251C reads as follows: “Total quantities authorized under this certificate and Certificate of Adjudication No. 192 shall be limited to 927 gallons per minute, 1488 acre feet per year, for the irrigation of 320 acres.” However, neither several additional appurtenant water rights, nor the seasonal variations in the water right authorizations, were included in that analysis. Also, crop requirements are calculated now at about 4 acre-feet per acre for crops in this area. A more accurate summary of the total water rights is as follows:

“The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N 1/4 of Section 3 and 15 acres North of Mud Creek in the SW 1/4 of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination.”

Area Hydrology

The Walla Walla River Basin is a structural trough, within the Columbia River Basin Basalt Group, that has been overlain by sediments. The lower most sediment is the “blue clay,” which rests directly on basalt bedrock. Directly over the blue clay, and interfingered with it, is the gravel unit. The gravels serve as the aquifer material for the shallow, or uppermost, aquifer. Gravel wells in the vicinity of the proposed wells do not vary from this general characterization of the Walla Walla River Basin.

Information from well drilling logs throughout the basin indicates that aquifers within the gravels are generally unconfined. Long term measurements of the water levels in the gravel aquifer indicate that there is no substantial difference in water levels from one year to the next. However, there is a seasonal variation in the water levels, which is generally the case in unconfined aquifers. (Water Supply Bulletin 45).

FINDINGS

When considering an application for change to a water right, Ecology must determine that the proposed change can be made without detriment or injury to existing water rights. Factors considered when determining potential impact include the following:

- A valid right exists that is eligible to be changed;
- The change must not cause detriment or injury to existing rights;
- The change must not be detrimental to the public welfare;
- The change shall not allow for the enhancement of the right perfected under the original certificate; and
- All new points of withdrawal must tap the same source of water as authorized under the original certificate.

Validity of the Right:

While the Superior Court, through an adjudicative process, is the only authority that can make a final determination as to a water right's extent, validity and priority, Ecology can make a tentative determination of these factors for purposes of making decisions on change applications.

Evidence indicates that the fields covered by GWC 3519-A have been fully irrigated in recent years with alfalfa and/or pasture. The systems in place are capable of pumping 300 gallons per minute. The acre foot allowance under the original right was 2.4 acre feet per acre, and that allowance is well within what is appropriate for these crops in this area.

No Impairment to Existing Rights:

The proposed change has been evaluated as to the potential for impairment to existing water rights in the area. These wells have been used for decades with no apparent impairment issues. This change will not alter pumping amounts or practices.
No Detriment to the Public Welfare:
There are no findings in this investigation to indicate that there would be any detrimental impact to the public welfare through issuance of the proposed changes.

No Enhancement of the Original Certificate:
No withdrawal of water over and above what has been historically put to beneficial use would be authorized through approval of this change.

Same Source of Water:
Both wells are relatively shallow, upper-aquifer, gravel wells withdrawing water from the same source of public ground water.

Well #1, originally authorized under GWC 3514 & GWC 3519, was constructed in 1959 to a depth of 172 feet. Well #2, originally authorized under G3-25281C, was constructed in 1971 to a depth of 150 feet.

CONCLUSION
It is the conclusion of this examiner that, in accordance with RCW 90.44.100, this application for change to add one (1) well under Ground Water Certificate # 3519A will not enlarge the right conveyed by the original certificate, nor will it impair existing rights or be detrimental to the public welfare.

RECOMMENDATIONS
The applicant’s request to add one (1) well located in the NW\(\frac{1}{4}\)SW\(\frac{1}{4}\), Section 3, Township 6 N., Range 34 E.W.M., to Ground Water Certificate #3519-A is hereby approved, subject to the following provisions:

"The total amount of water withdrawn and used for irrigation of 100 acres under this authorization shall not exceed 300 gallons per minute, 240 acre feet per year from the two wells. GWC 3514-A is also appurtenant to lands within the same legal description, and the total combined authorization for the two rights on the Hassler property is 370 gpm, 224 acre feet per year for the irrigation of 80 acres (+domestic and stock water)."

"Both wells authorized for use under this authorization must be maintained in the original gravel aquifer."

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly (beginning the first week of January, 2003) and shall be submitted annually to Ecology by January 31st of each calendar year (beginning 2004).

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements."

At a minimum, the following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit or Certificate #, source name, annual quantity used including units, maximum rate of diversion including units, and period of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting.

Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

"The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified."

"This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

"A superseding certificate of water right will not be issued until a final examination is made. Amounts may be reduced at the proof of appropriation stage."
Report Continued
“Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gauge may be installed in addition to the access port.”

“All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).”

“Use of water under this authorization shall be contingent upon the water right holder’s utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.”

“A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained.”

Dated this 20th day of June, 2003 in Spokane, Washington.

[Signature]

Lynn Maser
Water Resources Program
Department of Ecology

LM:md
STATE OF WASHINGTON
DEPARTMENT OF ECLOGY
APPLICATION FOR CHANGE/TRANSFER
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ Surface Water  (Issued in accordance with the provisions of Chapter 70A, Laws of Washington for 1971, as amended
and regulations of the Department of Ecology)
☒ Ground Water  (Issued in accordance with the provisions of Chapter 70A, Laws of Washington for 1965, as
amendments herein, and the rules and regulations of the Department of Ecology)

PROPERTY DATE  APPLICATION NUMBER  PERMIT NUMBER  CERTIFICATE NUMBER
February 6, 1962  6169  5813  4486-A

NAME  Hasler Ranch
ADDRESS (VILLAGE)  1581 McDonald Rd
(CITY)  Touchet
STATE  Washington
ZIP CODE  99360

PUBLIC WATERS TO BE APPROPRIATED

Four (4) wells

MATERIAL OF WATERS

MAXIMUM CUBIC FEET PER SECOND  200
MAXIMUM GALLONS PER MINUTE  160
MAXIMUM ACRES F'LY PER YEAR

APPRAISAL OF LOCATION OF DIVERSION/WITHDRAWAL

1. Well #1 - 1460 feet East and 1985 feet North from the SW corner of Section 3, within the NE¼SW¼ of Section 3. (GPS: 46°01'31.63"N, 118°32'53.03"W)
2. Well #2 - 475 feet East and 2335 feet North from the SW corner of Section 3, within the NW¼SW¼ of Section 3. (GPS: 46°01'35.7"N, 118°33'07.1"W)
3. Well #3 - 485 feet East and 1730 feet South from the NW corner of Section 3, within the W½NW¼ of Section 3. (GPS: 46°01'49.60"N, 118°33'16.40"W)
4. Well #4 - 1860 feet East and 1830 feet South from the NW corner of Section 3, within the SE¼NW¼ of Section 3. (GPS: 46°01'48.40"N, 118°32'47.30"W)
5. (GPS data = NAD 27 Datum)

LOCATION OF DIVERSION/WITHDRAWAL

Located Within Smallest Legal Subdivision  All Within the W½

SECTION  3
TOWNSHIP N.  6
RANGE E. OR W. 34 E.
W.A.L.  32
COUNTY  Walla Walla

RECORDED PLATTED PROPERTY

LOT  
BLOCK  
DEPARTMENT OF PLAT OR ADDITION  

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

The N½, and that part of the SW¼ lying North of Mud Creek; all in Sec. 3, T. 6 N., R. 34 E.W.M.

REPORT OF EXAMINATION
DESCRIPTION OF PROPOSED WORKS

Four (4) wells, pumps, distribution lines, and irrigation systems.

DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>meters projects by this date</th>
<th>completely projects by this date</th>
<th>water put to full use by this date</th>
</tr>
</thead>
<tbody>
<tr>
<td>STARTED</td>
<td>COMPLETED</td>
<td>July 1, 2004</td>
</tr>
</tbody>
</table>

BACKGROUND

Application: An application for change was submitted by Hassler Ranch to the Department of Ecology on July 23, 1997. The application was accepted and processed. The applicant proposes to add three points of withdrawal (POW) and change the place of use (POU) for Ground Water Certificate (GWC) No. 4486-A. The wells to be added are existing wells and are to be integrated into the water right.

Notice: A notice of application was duly published in accordance with RCW 90.03.280 in the Walla Walla Union Bulletin on February 22, 1998 and March 1, 1998. No protest letters were submitted.

SEPA: This application was determined to be categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21 RCW.

INVESTIGATION

In considering the proposed change, the investigation included, but was not limited to, research and review of (1) appropriate rules and statutes; (2) GWC No. 4486-A, and other water rights/claims/applications in the vicinity of the subject property; (3) water well reports for the subject wells, and other wells in the vicinity; (4) USGS topographic maps and Farm Services Administration (FSA) maps and records; (5) water use records; (6) analysis by staff hydrogeologists; and (7) and several site visits by Lynn Maser including one on April 23, 2002.

Project Description

The Hassler Ranch has six pending water right change applications under consideration now. They propose to integrate the four wells and the place of use (POU) under this right. There are several other surface water rights appurtenant to the ranch, but they are not being changed.

The outlined areas show the main parts of the Hassler ranch. The four main Hassler wells are spotted (using GPS). Also shown are the four lots recently sold in the South part of the ranch. Not shown are the boundaries of the many water rights. Fifteen water rights are appurtenant to the outlined areas, but the lands in Section 34 have been farmed or owned by the Hassles, but are now no longer owned by them. All of the water rights in the area are delineated on several maps that are in the file.
Following is a list of existing rights associated with the Hassler Ranch, or nearby, with sources and original acres (some are supplemental). (WWRAC stands for Walla Walla River Adjudicated Certificate, and the numbers beginning with S are surface water, and those beginning with G are ground water.). Below, is a listing of the six pending changes (the six water rights with pending changes have asterisks **), with details about each right and the proposed changes. (The nine ranch rights are in bold.)

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>(East of McDonald Road:)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N 1/4 of Sec. 3 -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WWRAC #192</td>
<td>Mud Creek</td>
<td>103 Ac</td>
<td>(some of these overlap into the S 1/4)</td>
</tr>
<tr>
<td>**GWC #4486A</td>
<td>well #4</td>
<td>140</td>
<td>(Adj. decree #744-38)</td>
</tr>
<tr>
<td>**G3-24732C</td>
<td>well #3</td>
<td>72</td>
<td>(supp to 192)</td>
</tr>
<tr>
<td>**G3-25251C</td>
<td>well #2</td>
<td>320</td>
<td>(supp to 192)</td>
</tr>
<tr>
<td>Also, N 1/4 of Sec. 3 -</td>
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<td></td>
<td></td>
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<tr>
<td>SWC #9411</td>
<td>Walla Walla</td>
<td>115</td>
<td>(was originally also in SE 1/4 of Sec. 34; supp)</td>
</tr>
<tr>
<td>SWC #10334</td>
<td>Walla Walla</td>
<td>22</td>
<td>(was originally also in SE 1/4 of Sec. 34; supp)</td>
</tr>
<tr>
<td>Section 34 -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>**SWC #7730</td>
<td>Walla Walla</td>
<td>30</td>
<td>(Being moved to Sec. 3)</td>
</tr>
</tbody>
</table>

The following group is not for Hassler Ranch; is for land in SW 1/4, farmed by the Hasslers, but owned by Grimms.

| WWRAC #453 | Walla Walla | 74 | (Adj. decree#: 593-77, 78, 79) |
| WWRAC #787 | Mud Cr     | 40 | (Adj. decree#: 593-130)       |
| WWRAC #878 | Walla Walla | 36 | (Adj. decree#: 593-144)       |
| SWC #37   | Mud Cr     | 40 |                               |
| SWC #1739 | Walla Walla | 10 |                               |
| SWC #8614 | Walla Walla | 40 | supp                         |

S 1/4 of Sec. 3 -

| **GWC #3514A | well #1  | 20  |
| **GWC #3519A | well #1  | 100 |

(West of McDonald Road:)

The following group is not part of the Hassler Ranch and is for lands in the NE 1/4 of Sec. 4, and part of the SE 1/4 of Sec. 33 owned by others;

| GWC #4743 | West well | 148.8 | Supp to 2 below |
| WWRAC #424 | Walla Walla (Lowden2) | 34 | (Adj. decree#: 600-74) |
| WWRAC #687 | Walla Walla (Lowden2) | 50 | (Adj. decree#: 600-116) |

Others:

The Hassler Ranch also includes some acreage in the S 1/4 of Section 4. No water rights are appurtenant to those lands, but there are two new water right applications pending in Section 4 (no guarantee that they will be approved). Mrs. Hassler was under the impression that there was existing change applications on file to move water rights to that area, but numerous searches could not turn up any change applications for that purpose. There are also four other new water right applications on file for the Hasslers.

There is also an existing water right change application, filed with the local water conservancy board that involves moving some amount of water right #4486-A from the main ranch to "Onion World" on Hwy 12.

The following group of six water rights has pending change applications under consideration here: **GWC 3514-A, **GWC 3519-A, **GWC 4486-A, **SWC 7730, **G3-24732C, **G3-25251C.
Report continued

**GWC 3514-A** (App #270, Permit 350)
Priority: 6/10/1946 Quantity, annual: 80 AF
Source: A well Purpose: Irrigation of 20 acres & domestic
Quantity, instantaneous: 150 gpm
POU: 6/34 – Parts of SW¼ of Section 3
POW: “Well #1” - Sec. 3; NE¼SW¼

Change Requested: Add One Well (Integrating)
“Well #2” - Sec. 3; NW¼SW¼

**GWC 3519-A** (App 4668, permit 4429)
Priority: 8/30/1957 Quantity, annual: 240 AF
Source: A well Purpose: Irrigation of 100 acres & stock & domestic
Quantity, instantaneous: 300 gpm
POU: 6/34 – Parts of SW¼ of Section 3
POW: “Well #1” - Sec. 3; NE¼SW¼

Change Requested: Add One Well (Integrating)
“Well #2” - Sec. 3; NW¼SW¼

**GWC 4486-A** (App. 6169, permit 5813)
Priority: 2/06/1962 Quantity, annual: 160 AF
Source: A well Purpose: Irrigation of 140 acres
Quantity, instantaneous: 200 gpm (Supplemental to WWRAC #192)
POU: 6/34 – Parts of N½ of Section 3
POW: “Well #4” - Sec. 3; SE¼NW¼

Change Requested: Add three wells (integrating), and change POU
“Well #1” - Sec. 3; NE¼SW¼
“Well #2” - Sec. 3; NW¼SW¼
“Well #3” - Sec. 3; W¼NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

**SWC 7730** (App 15244, permit 11279)
Priority: 1/20/59; Quantity, annual: 120 AF
Source: Walla Walla River Purpose: Irrigation of 30 acres
Quantity, instantaneous:
0.39 cfs from May 15 to July 1 (if available)
0.0 cfs from July 1 to October 1 (no water in summer)
0.60 cfs from October 1 to May 15 (if available)
POU: 7/34 – Part of SE¼ of Section 34
POD: SE¼NW¼, Section 35, 7/34 (Lowden Ditch #2)

Change Requested: Change POU
New POU to be 30 acres within N½N½ and N½S½N½ of Section 3, 6/34.

G3-24732C**
Priority: 1/13/76 Quantity, annual: 160 AF
Source: A Well Purpose: Irrigation of 72 +stockwater
Quantity, instantaneous: 100 gpm
POU: 6/34 – N½ of Section 3
POW: “Well #3” - W½NW¼ Sec. 3;

Change Requested: Add three wells (integrating), and change POU
“Well #1” - Sec. 3; NE¼SW¼
“Well #2” - Sec. 3; NW¼SW¼
“Well #4” - Sec. 3; SE¼NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.
Change Requested: Add three wells (integrating), and change POU

"Well #1" - Sec. 3; NE¼SW ¾
"Well #3" - Sec. 3; W¼NW ¼
"Well #4" - Sec. 3; SE¼NW ¼

New place of use to include N¼, and that part of SW ¼ lying North of Mud Creek, all within Section 3, 6/34.

The following water right is appurtenant to some of the same lands that are involved in the changes above:

WWRAC #192
Priority: 1880
Quantity, annual: 515 AF
Source: Mud Creek
Purpose: Irrigation of 103 acres
Quantity, instantaneous:
1.373 cfs from April 1 to July 1
1.030 cfs from July 1 to October 1
2.060 cfs from October 1 to April 1

POU: 6/34 - N¼ Sec. 3, and that part of SW¼ lying North of Mud Creek
POD: (1) Sec. 2, 6/34

The Hassler properties are South of Lowden along McDonald Bridge Rd. Mud Creek flows through the ranch and water from the Walla Walla River reaches the ranch via the old Lowden Ditch #2. There are four wells on the main part of the ranch that are intertied. The main ranch comprises the 320 acres in the N¼ of Section 3 and the remaining 80 acres in the SW¼ of Section 3, and essentially that whole area has been irrigated in recent years. The area in the S¼ of Section 4 is not currently covered by water rights. The effects of these six changes are discussed below.

Both of these rights (3514 & 3519) will authorize two wells when these two changes are approved. Other wells are being added to GWC 3519-A under separate changes resulting from the short plat sale.

GWC 3514-A and GWC 3519-A. These two changes only involve integrating two wells. These are the only two water rights on this part of the farm, which generally runs between Mud Creek and the Burlingame ditch in the S¼ of Section 3. (It is important to note, that 3519-A has changed recently because of the sale of forty acres).

GWC 3514-A authorizes: 150 gpm, 80 acre-feet per year for irrigation and domestic supply of 20 acres. Originally, 3514-A was going to use a different well (located at the intersection of McDonald Rd and the Burlingame ditch), but when still in the permit stage the point of withdrawal was changed to be the same well authorized by 3519-A, which was issued for 300 gpm, 240 acre-feet per year for the irrigation of 100 acres.

Under these two rights (3514-A & 3519-A), the combined allocation was originally for the irrigation of 450 gpm, 320 acre feet per year for 120 acres. Forty acres in the SE part of this POU have been sold, and were allocated for 80 gpm, 96 acre feet per year for 40 acres from 3519-A. The remaining allocation for the Hassler property under both rights is now 370 gpm, 224 acre feet per year for 80 acres of irrigation (+ domestic and stock).

SWC 7730. The change for this right only involves moving the POU from an area in the SE¼ of Section 34 (7/34) to an area that is part of the N¼ of Section 3 (6/34). The area that the right is being moved from has no other water rights on it, has been sold, and apparently is no longer being irrigated. The new area is partly or wholly covered by several other water rights, and will also be further covered by several of the other pending changes. So, 7730 will become a supplemental water right, but will allow more acres to be irrigated from the Lowden #2 ditch during the authorized seasons.

GWC 4486-A. This change is for adding/integrating the three other wells with the existing well and partially modifying the POU. This right is one of the seven that cover part or all of the N¼ of Section 3.

G324732C and G3-25251C. These two changes are similar. Both had one well originally authorized and are adding/integrating the other three wells. The POU change is the same for both, retaining the N¼ of Section 3 and adding a small area in the SW¼ of Sec. 3.
Report continued

The last four changes above affect the N¼ of Section 3, where there will ultimately be 7 overlapping water rights, which includes the Mud Creek right, three Walla Walla River rights (Lowden ditch #2), and three ground water rights. There is typically not enough water in Mud Creek to satisfy that right. For the 320 acre area in the North half of Section 3, the following chart shows the breakdown of surface and ground water (remembering that ground is supplemental to surface).

<table>
<thead>
<tr>
<th>Surface Water Certs. (cfs):</th>
<th>4/1-7/1</th>
<th>7/1-10/1</th>
<th>10/1-4/1</th>
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</thead>
<tbody>
<tr>
<td>WWRAC 192</td>
<td>1.373</td>
<td>1.03</td>
<td>2.06</td>
</tr>
<tr>
<td>SWC 7730</td>
<td>.39</td>
<td>0.0</td>
<td>.60</td>
</tr>
<tr>
<td>SWC 9411</td>
<td>1.53</td>
<td>0.0</td>
<td>1.53</td>
</tr>
<tr>
<td>SWC 10334</td>
<td>.29</td>
<td>0.0</td>
<td>0.29</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ground Water Certs. (gpm):</th>
</tr>
</thead>
<tbody>
<tr>
<td>GWC 4486</td>
</tr>
<tr>
<td>G3-24732C</td>
</tr>
<tr>
<td>G3-25251C</td>
</tr>
</tbody>
</table>

(early season has split amounts)

A provision on G3-25251C reads as follows: "Total quantities authorized under this certificate and Certificate of Adjudication No. 192 shall be limited to 927 gallons per minute, 1488 acre feet per year, for the irrigation of 320 acres." However, neither several additional appurtenant water rights, nor the seasonal variations in the water right authorizations, were included in that analysis. Also, crop requirements are calculated now at about 4 acre-feet per acre for crops in this area. A more accurate summary of the total water rights is as follows:

"The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N¼ of Section 3 and 15 acres North of Mud Creek in the SW½ of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination."

Area Hydrology

The Walla Walla River Basin is a structural trough, within the Columbia River Basin Basalt Group, that has been overlain by sediments. The lower most sediment is the "blue clay," which rests directly on basalt bedrock. Directly over the blue clay, and interfingered with it, is the gravel unit. The gravels serve as the aquifer material for the shallow, or uppermost, aquifer. Gravel wells in the vicinity of the proposed wells do not vary from this general characterization of the Walla Walla River Basin.

Information from well drilling logs throughout the basin indicates that aquifers within the gravels are generally unconfined. Long term measurements of the water levels in the gravel aquifer indicate that there is no substantial difference in water levels from one year to the next. However, there is a seasonal variation in the water levels, which is generally the case in unconfined aquifers. (Water Supply Bulletin 45).

FINDINGS

When considering an application for change to a water right, Ecology must determine that the proposed change can be made without detriment or injury to existing water rights. Factors considered when determining potential impact include the following:

- A valid right exists that is eligible to be changed;
- The change must not cause detriment or injury to existing rights;
- The change must not be detrimental to the public welfare;
- The change shall not allow for the enhancement of the right perfected under the original certificate; and
- All new points of withdrawal must tap the same source of water as authorized under the original certificate.

Validity of the Right:

While the Superior Court, through an adjudicative process, is the only authority that can make a final determination as to a water right's extent, validity and priority, Ecology can make a tentative determination of these factors for purposes of making decisions on change applications.

Evidence indicates that the fields covered by GWC 4486A have been fully irrigated in recent years with alfalfa and/or pasture. The systems in place are capable of pumping 200 gallons per minute. The acre foot allowance under the original right was 160 acre feet per year, and that allowance is within the amount appropriate for these crops in this area.
The proposed change has been evaluated as to the potential for impairment to existing water rights in the area. These wells have been used for decades with no apparent impairment issues. This change will not alter pumping amounts or practices.

No Detriment to the Public Welfare:
There are no findings in this investigation to indicate that there would be any detrimental impact to the public welfare through issuance of the proposed changes.

No Enhancement of the Original Certificate:
No withdrawal of water over and above what has been historically put to beneficial use would be authorized through approval of this change.

Same Source of Water:
All four (4) wells are relatively shallow, upper-aquifer, gravel wells withdrawing water from the same source of public ground water.

Well #1, originally authorized under GWC 3514-A & GWC 3519-A, was constructed in 1959 to a depth of 172 feet. Well #2, originally authorized under G3-25281C, was constructed in 1971 to a depth of 150 feet. Well #3, originally authorized under G3-24732C, was constructed in 1976 to a depth of 125 feet, and well #4 was constructed in 1962 to a depth of 120 feet.

CONCLUSION
It is the conclusion of this examiner that, in accordance with RCW 90.44.100, this application for change to add three (3) wells and change the POU for Ground Water Certificate #4486A will not enlarge the right conveyed by the original certificate, nor will it impair existing rights or be detrimental to the public welfare.

RECOMMENDATIONS
The applicant’s request to add three (3) wells and change the POU for Ground Water Certificate #4486A is hereby approved, subject to the following provisions:

“The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N½ of Section 3 and 15 acres North of Mud Creek in the SW¼ of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination.”

“All wells authorized for use under this authorization must be maintained in the original gravel aquifer.”

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly (beginning the first week of January, 2003) and shall be submitted annually to Ecology by January 31st of each calendar year (beginning 2004).

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled “Water Measurement Device Installation and Operation Requirements.

At a minimum, the following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit or Certificate #, source name, annual quantity used including units, maximum rate of diversion including units, and period of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting.

Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.
Report continued
"The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified."

"This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

"A superseding certificate of water right will not be issued until a final examination is made. Amounts may be reduced at the proof of appropriation stage."

"Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gauge may be installed in addition to the access port."

"All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells)."

"Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities."

"A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained."

Dated this 20th day of June, 2003 in Spokane, Washington.

Lynn Maser
Water Resources Program
Department of Ecology

LM:mmd
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
APPLICATION FOR CHANGE/TRANSFER
REPORT OF EXAMINATION
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ Surface Water (Issued in accordance with the provisions of Chapter 173, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology)
☒ Ground Water (Issued in accordance with the provisions of Chapter 266, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology)

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<tr>
<th>PRIORITY DATE</th>
<th>APPLICATION NUMBER</th>
<th>REPORT NUMBER</th>
<th>CERTIFICATE NUMBER</th>
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<tr>
<td>January 13, 1976</td>
<td>G3-24732</td>
<td>G3-24732P</td>
<td>G3-24732C</td>
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</table>

NAME: Hassler Ranch

ADDRESS (STREET): 1581 McDonald Rd

CITY: Touchet

STATE: Washington

ZIP CODE: 99360

PUBLIC WATERS TO BE APPROPRIATED

SOURCE
Four (4) wells

TRIBUTARY OF (IF SURFACE WATER): [Blank]

MAXIMUM CUBIC FEET PER SECOND: 100

MAXIMUM GALLONS PER MINUTE: 160

MAXIMUM ACRE FEET PER YEAR: [Blank]

QUANTITY, TYPE OF USE, PERIOD OF USE:

100 gallons per minute, 159 acre-feet per year, from January 1 to December 31, each year, for the irrigation of 72 acres; 1 acre-foot per year, continuously, for stockwater.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION/WITHDRAWAL:
1. Well #1 - 1460 feet East and 1985 feet North from the SW corner of Section 3, within the NE¼SW¼ of Section 3. (GPS: 46°01'31.63"N, 118°32'53.03"W)
2. Well #2 - 475 feet East and 2335 feet North from the SW corner of Section 3, within the NW¼SW¼ of Section 3. (GPS: 46°01'35.7"N, 118°33'07.1"W)
3. Well #3 - 485 feet East and 1730 feet South from the NW corner of Section 3, within the W¼NW¼ of Section 3 (46°01'49.60"N, 118°33'6.40"W)
4. Well #4 - 1860 feet East and 1830 feet South from the NW corner of Section 3, within the SE¼NW¼ of Section 3 (46°01'48.40"N, 118°32'47.30"W)

(GPS data = NAD 27 Datum)

LOCATED WITHIN SMALLEST LEGAL SUBDIVISION: All Within the W½

SECTION: 3

TOWNSHIP N: 6

RANGE, (E. OR W.) W.A. 34 E.

W.A. 32

COUNTY: Walla Walla

RECORDED PLATTED PROPERTY

LOT BLOCK

OR (GPS MARKS OR PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

The N½, and that part of the SW¼ lying North of Mud Creek; all in Sec. 3, T. 6 N., R. 34 E.W.M.
DESCRIPTION OF PROPOSED WORKS

Four (4) wells, pumps, distribution lines, and irrigation systems.

DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>DESCRIPTIVE CATEGORY</th>
<th>DATE</th>
<th>COMPLETED</th>
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<td>WATER TO FULL USE BY THIS DATE</td>
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BACKGROUND

Application: An application for change was submitted by Hassler Ranch to the Department of Ecology on July 23, 1997. The application was accepted and processed. The applicant proposes to add three points of withdrawal (POW) and change the place of use (POU) for Ground Water Certificate (GWC) No. G3-24732C. The wells to be added are existing wells and are to be integrated into the water right.

Notice: A notice of application was duly published in accordance with RCW 90.03.280 in the Walla Walla Union Bulletin on February 22, 1998 and March 1, 1998. No protest letters were submitted.

SEPA: This application was determined to be categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21 RCW, on January 8, 1998.

INVESTIGATION

In considering the proposed change, the investigation included, but was not limited to, research and review of (1) appropriate rules and statutes; (2) GWC G3-24732C, and other water rights/claims/applications in the vicinity of the subject property; (3) water well reports for the subject wells, and other wells in the vicinity; (4) USGS topographic maps and Farm Services Administration (FSA) maps and records; (5) water use records; (6) analysis by staff hydrogeologists; and (7) and several site visits by Lynn Maser including one on April 23, 2002.

Project Description

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The outlined areas show the main parts of the Hassler ranch. The four main Hassler wells are spotted (using GPS). Also shown are the four lots recently sold in the South part of the ranch. Not shown are the boundaries of the many water rights. Fifteen water rights are appurtenant to the outlined areas, but the lands in section 34 have been farmed, or owned by the Hasslers, but are now no longer owned by them. All of the water rights in the area are delineated on several maps that are in the file.
Existing Water Rights/Claims

Following is a list of existing rights associated with the Hassler Ranch, or nearby, with sources and original acres (although some are supplemental). (WWRAC stands for Walla Walla River Adjudicated Certificate, and those numbers beginning with S are surface water, and those beginning with G are ground water.). Below, is a listing of the six pending changes (the six water rights with pending changes have asterisks **), with details about each right and the proposed changes. (The nine ranch rights are in bold.)

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<td>WWRAC #192</td>
<td>well #4</td>
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<tr>
<td><strong>G3-25251C</strong></td>
<td>well #2</td>
<td>320</td>
<td>(supp to 192)</td>
</tr>
<tr>
<td>Also, N¼ of Sec. 3-</td>
<td>Walla Walla</td>
<td>115</td>
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</tr>
<tr>
<td>SWC #9411</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SWC #10334</td>
<td>Walla Walla</td>
<td>22</td>
<td>(was originally also in SE¼ of Sec. 34; supp)</td>
</tr>
<tr>
<td><strong>(West of McDonald Road:)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section 34 -</td>
<td>Walla Walla</td>
<td>30</td>
<td>(Being moved to Sec.3)</td>
</tr>
<tr>
<td><strong>SWC #7730</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The following group is not for Hassler Ranch: is for land in SW¼, farmed by the Hasslers, but owned by Grimms.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WWRAC #453</td>
<td>Walla Walla</td>
<td>74</td>
<td>(Adj. decrees: 593-77, 78, 79)</td>
</tr>
<tr>
<td>WWRAC #787</td>
<td>Mud Cr</td>
<td>40</td>
<td>(Adj. decrees: 595-130)</td>
</tr>
<tr>
<td>WWRAC #878</td>
<td>Walla Walla</td>
<td>36</td>
<td>(Adj. decrees: 593-144)</td>
</tr>
<tr>
<td>SWC #37</td>
<td>Mud Cr</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>SWC #1739</td>
<td>Walla Walla</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>SWC #8614</td>
<td>Walla Walla</td>
<td>40</td>
<td>supp</td>
</tr>
<tr>
<td>S ¼ of Sec. 3 -</td>
<td>well #1</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td><strong>GWC #3514-A</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>GWC #3519-A</strong></td>
<td>well #1</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

The following group is not part of the Hassler Ranch and is for lands in the NE¼ of Sec. 4, and part of the SE¼ of Sec. 33 owned by others;

| GWC #4743         | West well      | 148.8 | Supp to 2 below                           |
| WWRAC #424        | Walla Walla (Lowden2) | 34  | (Adj. decrees: 600-74)                   |
| WWRAC #687        | Walla Walla (Lowden2) | 50  | (Adj. decrees: 600-116)                   |

Others:

The Hassler Ranch also includes some acreage in the S¼ of Section 4. No water rights are appurtenant to those lands, but there are two new water right applications pending in Section 4 (no guarantee that they will be approved). Mrs. Hassler was under the impression that there was existing change applications on file to move water rights to that area, but numerous searches could not turn up any change applications for that purpose. There are also four other new water right applications on file for the Hasslers.

There is also an existing water right change application, filed with the local water conservancy board that involves moving some amount of water right #4486-A from the main ranch to “Onion World” on Hwy 12.

The following group of six water rights has pending change applications under consideration here: **GWC 3514-A, **GWC 3519-A, **GWC 4486-A, **SWC 7730, **G3-24732C, **G3-25251C.
**GWC 3514-A**
Priority: 6/10/1946  Quantity, annual: 80 AF
Source: A well  Purpose: Irrigation of 20 acres & domestic
Quantity, instantaneous: 150 gpm
POU: 6/34 – Parts of SW¼ of Section 3
POW: “Well #1” - Sec 3; NE¼SW¼

Change Requested: Add One Well (Integrating)
“Well #2” - Sec 3; NW¼SW¼

**GWC 3519-A**
Priority: 8/30/1957  Quantity, annual: 240 AF
Source: A well  Purpose: Irrigation of 100 acres & stock & domestic
Quantity, instantaneous: 300 gpm
POU: 6/34 – Parts of SW¼ of Section 3
POW: “Well #1” - Sec 3; NE¼SW¼

Change Requested: Add One Well (Integrating)
“Well #2” - Sec 3; NW¼SW¼

**GWC 4486-A**
Priority: 2/06/1962  Quantity, annual: 160 AF
Source: A well  Purpose: Irrigation of 140 acres
Quantity, instantaneous: 200 gpm  (Supplemental to WWRAC #192)
POU: 6/34 – Parts of N¼ of Section 3
POW: “Well #4” - Sec 3; SE¼NW¼

Change Requested: Add three wells ( Integrating), and change POU
“Well #1” - Sec 3; NE¼SW¼
“Well #2” - Sec 3; NW¼SW¼
“Well #3” - Sec 3; W¼NW¼

New place of use to include N¼, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

**SWC 7730**
Priority: 1/20/59;  Quantity, annual: 120 AF
Source: Walla Walla River  Purpose: Irrigation of 30 acres
Quantity, instantaneous:
0.39 cfs from May 15 to July 1 (if available)
0.0 cfs from July 1 to October 1 (no water in summer)
0.60 cfs from October 1 to May 15 (if available)
POU: 7/34 – Part of SE¼ of Section 34
POD: SE¼NW¼, Section 35, 7/34 (Lowden Ditch #2)

Change Requested: Change POU
New POU to be 30 acres within N¼N¼ and N¼S¼N¼ of Section 3, 6/34.

G3-24732C**
Priority: 1/13/76  Quantity, annual: 160 AF
Source: A Well  Purpose: Irrigation of 72 +stockwater
Quantity, instantaneous: 100 gpm
POU: 6/34 – N¼ of Section 3
POW: “Well #3” – W¼NW¼ Sec. 3;

Change Requested: Add three wells (Integrating), and change POU
“Well #1” - Sec 3; NE¼SW¼
“Well #2” - Sec 3; NW¼SW¼
“Well #4” - Sec 3; SE¼NW¼

New place of use to include N¼, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.
Report Continued

Prior: 3/2/1977 Quantity, annual: 58 AF
Source: A Well. Purpose: Irrigation of 320 acres
Quantity, instantaneous: 480 gpm (Supplemental to WWRAC #192)

POU: 6/34 – N¼ of Section 3
POW: “Well #2” – NW¼SW¼ Sec. 3;

Change Requested: Add three wells (Integrating), and change POU
“Well #1” - Sec 3; NE¼SW¼
“Well #3” - Sec 3; W¼NW¼
“Well #4” - Sec 3; SE¼NW¼

New place of use to include N¼, and that part of SW¼ lying North of Mud Creek, all
within Section 3, 6/34.

The following water right is appurtenant to some of the same lands that are involved in the changes above:

WWRAC #192 Priority: 1880 Quantity, annual: 515 AF
(Adj. Decree# 744-38) Source: Mud Creek Purpose: Irrigation of 103 acres
Quantity, instantaneous:
1.373 cfs from April 1 to July 1
1.030 cfs from July 1 to October 1
2.060 cfs from October 1 to April 1

POU: 6/34 – N¼ Sec. 3, and that part of SW¼ lying North of Mud Creek
POD: (1) Sec 2, 6/34

The Hassler properties are South of Lowden along McDonald Bridge Rd. Mud Creek flows through the ranch and
water from the Walla Walla River reaches the ranch via the old Lowden Ditch #2. There are four wells on the
main part of the ranch that are interted. The main ranch comprises the 320 acres in the N¼ of Section 3 and the
remaining 80 acres in the SW¼ of Section 3, and essentially that whole area has been irrigated in recent years.
The area in the S½ of Section 4 is not currently covered by water rights. The effects of these six changes are discussed
below.

GWC 3514-A and GWC 3519-A. These two changes only involve integrating two wells. These are the only two
water rights on this part of the farm, which generally runs between Mud Creek and the Burlingame ditch in the S½
of Section 3. (It is important to note, that 3519-A has changed recently because of the sale of forty acres).

GWC 3514-A authorizes: 150 gpm, 80 acre-feet per year for irrigation and domestic supply of 20 acres.
Originally, 3514-A was going to use a different well (located at the intersection of McDonald Rd and the
Burlingame ditch), but when still in the permit stage the point of withdrawal was changed to be the same well
authorized by 3519-A, which was issued for 300 gpm, 240 acre-feet per year for the irrigation of 100 acres.

Under these two rights (3514-A & 3519-A), the combined allocation was originally for the irrigation of 450 gpm,
320 acre-feet per year for 120 acres. Forty acres in the SE part of this POU have been sold, and were allocated for
80 gpm, 96 acre feet per year for 40 acres from 3519-A. The remaining allocation for the Hassler property
under both rights is now 370 gpm, 224 acre feet per year for 80 acres of irrigation (+ domestic and stock).

Both of these rights (3514-A & 3519-A) will authorize two wells when these two changes are approved. Other
wells are being added to GWC 3519-A under separate changes resulting from the short plat sale.

SWC 7730. The change for this right only involves moving the POU from an area in the SE¼ of Section 34 (7/34)
to an area that is part of the N¼ of Section 3 (6/34). The area that the right is being moved from has no other water
rights on it, has been sold, and apparently is no longer being irrigated. The new area is partly or wholly covered by
several other water rights, and will also be further covered by several of the other pending changes. So, 7730 will
become a supplemental water right, but will allow more acres to be irrigated from the Lowden #2 ditch during the
authorized seasons.

GWC 4486-A. This change is for adding/integrating the three other wells with the existing well and partially
modifying the POU. This right is one of the seven that cover part or all of the N¼ of section 3.

G324732C and G3-25251C. These two changes are similar. Both had one well originally authorized and are
adding/integrating the other three wells. The POU change is the same for both, retaining the N¼ of Section 3 and
adding a small area in the SW¼ of Sec. 3
The last four changes above affect the N/4 of Section 3, where there will ultimately be 7 overlapping water rights, which includes the Mud Creek right, three Walla Walla River rights (Lowden ditch #2), and three ground water rights. There is typically not enough water in Mud Creek to satisfy that right. For the 320 acre area in the North half of Section 3, the following chart shows the breakdown of surface and ground water (ground is supplemental to surface).

<table>
<thead>
<tr>
<th>Surface Water Certs. (cfs):</th>
<th>4/1-7/1</th>
<th>7/1-10/1</th>
<th>10/1-4/1</th>
</tr>
</thead>
<tbody>
<tr>
<td>WWRAC 192</td>
<td>1.373</td>
<td>1.03</td>
<td>2.06</td>
</tr>
<tr>
<td>SWC 7730</td>
<td>.39</td>
<td>0.0</td>
<td>.60</td>
</tr>
<tr>
<td>SWC 9411</td>
<td>1.53</td>
<td>0.0</td>
<td>1.53</td>
</tr>
<tr>
<td>SWC 10334</td>
<td>.29</td>
<td>0.0</td>
<td>0.29</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ground Water Certs. (gpm):</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>GWC 4486</td>
<td>200</td>
</tr>
<tr>
<td>G3-24732C</td>
<td>100</td>
</tr>
<tr>
<td>G3-25251C</td>
<td>480</td>
</tr>
</tbody>
</table>

A provision on G3-25251C reads as follows: “Total quantities authorized under this certificate and Certificate of Adjudication No. 192 shall be limited to 927 gallons per minute, 1488 acre feet per year, for the irrigation of 320 acres.” However, neither several additional appurtenant water rights, nor the seasonal variations in the water right authorizations, were included in that analysis. Also, crop requirements are calculated now at about 4 acre-feet per acre for crops in this area. A more accurate summary of the total water rights is as follows:

“The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N/4 of Section 3 and 15 acres North of Mud Creek in the SW1/4 of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination.”

Area Hydrology

The Walla Walla River Basin is a structural trough, within the Columbia River Basin Basalt Group, that has been overlain by sediments. The lower most sediment is the “blue clay,” which rests directly on basalt bedrock. Directly over the blue clay, and interfingered with it, is the gravel unit. The gravels serve as the aquifer material for the shallow, or uppermost, aquifer. Gravel wells in the vicinity of the proposed wells do not vary from this general characterization of the Walla Walla River Basin.

Information from well drilling logs throughout the basin indicates that aquifers within the gravels are generally unconfined. Long term measurements of the water levels in the gravel aquifer indicate that there is no substantial difference in water levels from one year to the next. However, there is a seasonal variation in the water levels, which is generally the case in unconfined aquifers. (Water Supply Bulletin 45).

**FINDINGS**

When considering an application for change to a water right, Ecology must determine that the proposed change can be made without detriment or injury to existing water rights. Factors considered when determining potential impact include the following:

- A valid right exists that is eligible to be changed;
- The change must not cause detriment or injury to existing rights;
- The change must not be detrimental to the public welfare;
- The change shall not allow for the enhancement of the right perfected under the original certificate; and
- All new points of withdrawal must tap the same source of water as authorized under the original certificate.

**Validity of the Right:**

While the Superior Court, through an adjudicative process, is the only authority that can make a final determination as to a water right’s extent, validity and priority, Ecology can make a tentative determination of these factors for purposes of making decisions on change applications.

Evidence indicates that the fields covered by G3-24732C have been fully irrigated in recent years with alfalfa and/or pasture. The systems in place are capable of pumping 100 gallons per minute. The acre feet allowance under the original right was 160 acre feet per year, and that allowance is within the amount appropriate for these crops in this area.
The proposed change has been evaluated as to the potential for impairment to existing water rights in the area. These wells have been used for decades with no apparent impairment issues. This change will not alter pumping amounts or practices.

No Detriment to the Public Welfare:
There are no findings in this investigation to indicate that there would be any detrimental impact to the public welfare through issuance of the proposed changes.

No Enhancement of the Original Certificate:
No withdrawal of water over and above what has been historically put to beneficial use would be authorized through approval of this change.

Same Source of Water:
All four (4) wells are relatively shallow, upper-aquifer, gravel wells withdrawing water from the same source of public ground water.

Well #1, originally authorized under GWC 3514 & GWC 3519, was constructed in 1959 to a depth of 172 feet. Well #2, originally authorized under G3-25281C, was constructed in 1971 to a depth of 150 feet. Well #3, originally authorized under G3-24732C, was constructed in 1976 to a depth of 125 feet, and well #4 was constructed in 1962 to a depth of 120 feet

CONCLUSION

It is the conclusion of this examiner that, in accordance with RCW 90.44.100, this application for change to add three (3) wells and change the POU for GWC G3-24732C will not enlarge the right conveyed by the original certificate, nor will it impair existing rights or be detrimental to the public welfare.

RECOMMENDATIONS

The applicant’s request to add three (3) wells and change the POU for GWC G3-24732C is hereby approved, subject to the following provisions:

“The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N1/4 of Section 3 and 15 acres North of Mud Creek in the SW1/4 of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination.”

“All wells authorized for use under this authorization must be maintained in the original gravel aquifer.”

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly (beginning the first week of January, 2003) and shall be submitted annually to Ecology by January 31st of each calendar year (beginning 2004).

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements."

At a minimum, the following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit or Certificate #, source name, annual quantity used including units, maximum rate of diversion including units, and period of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting.

Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.
Report Continued

"The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified."

"This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

"A superseding certificate of water right will not be issued until a final examination is made. Amounts may be reduced at the proof of appropriation stage."

"Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gauge may be installed in addition to the access port."

"All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells)."

"Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities."

"A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained."

Dated this 20th day of June, 2003 in Spokane, Washington.

Lynn Maser
Water Resources Program
Department of Ecology

LM:md
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
APPLICATION FOR CHANGE/TRANSFER
REPORT OF EXAMINATION
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ Surface Water
☐ Ground Water

The application is made in accordance with the provisions of Chapter 115, Laws of Washington for 1977, and amendments thereto, and the rules and regulations of the Department of Ecology.

PROPERTY

<table>
<thead>
<tr>
<th>March 2, 1977</th>
<th>APPLICATION NUMBER</th>
<th>REQUEST DUGGER</th>
<th>CERTIFICATE NUMBER</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>G3-25251</td>
<td>G3-25251P</td>
<td>G3-25251</td>
</tr>
</tbody>
</table>

NAME

Haseler Ranch

ADDRESS (STREET) | CITY | STATE | ZIP CODE
1581 McDonald Rd | Touchet | Washington | 99360

PUBLIC WATERS TO BE APPROPRIATED

Source

Four (4) wells

Maximum cubic feet per second | Maximum gallons per month | Maximum acre-feet per year
480 | 768 | 768

480 gallons per minute, 768 acre-feet per year, from January 1 to December 31, each year, for the irrigation of 320 acres.

LOCATION OF DIVERSION/WITHDRAWAL

Approximate Location of Diversion/Withdrawal
1. Well #1 - 1460 feet East and 1985 feet North from the SW corner of Section 3, within the NE¼ SW¼ of Section 3. (GPS: 46°01'31.63"N, 118°32'53.03"W)
2. Well #2 - 475 feet East and 2335 feet North from the SW corner of Section 3, within the NW¼SW¼ of Section 3. (GPS: 46°01'35.76"N, 118°33'07.10"W)
3. Well #3 - 485 feet East and 1730 feet South from the NW corner of Section 3, within the W½NW¼ of Section 3 (46°01'49.60"N, 118°33'6.40"W)
4. Well #4 - 1860 feet East and 1830 feet South from the NW corner of Section 3, within the SE¼NW¼ of Section 3 (46°01'48.40"N, 118°32'47.30"W)

(GPS data = NAD 27 Datum)

Located Within Smallest Legal Subdivision

<table>
<thead>
<tr>
<th>SECTION</th>
<th>TOWNSHIP N.</th>
<th>RANGE, (E OR W)</th>
<th>W.A.</th>
<th>COUNTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>6</td>
<td>34 E.</td>
<td>32</td>
<td>Walla Walla</td>
</tr>
</tbody>
</table>

RECORDED PLATTED PROPERTY

LOT BLOCK

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

The N½, and that part of the SW¼ lying North of Mud Creek; all in Sec. 3, T. 6 N., R. 34 E.W.M.
DESCRIPTION OF PROPOSED WORKS

Four (4) wells, pumps, distribution lines, and irrigation systems.

DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>DESIGN/PROJECT BY THIS DATE</th>
<th>COMPLETE PROJECT BY THIS DATE</th>
<th>WATER NOT TO FULL USE BY THIS DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>STARTED</td>
<td>COMPLETED</td>
<td>July 1, 2004</td>
</tr>
</tbody>
</table>

BACKGROUND

Application: An application for change was submitted by Hassler Ranch to the Department of Ecology on July 23, 1997. The application was accepted and processed. The applicant proposes to add three points of withdrawal (POW) and change the place of use (POU) for Ground Water Certificate (GWC) No. G3-25251C. The wells to be added are existing wells and are to be integrated into the water right.

Notice: A notice of application was duly published in accordance with RCW 90.03.280 in the Walla Walla Union Bulletin on February 22, 1998 and March 1, 1998. No protest letters were submitted.

SEPA: This application was determined to be categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21 RCW.

INVESTIGATION

In considering the proposed change, the investigation included, but was not limited to, research and review of (1) appropriate rules and statutes; (2) GWC G3-25251C, and other water rights/claims/applications in the vicinity of the subject property; (3) water well reports for the subject wells, and other wells in the vicinity; (4) USGS topographic maps and Farm Services Administration (FSA) maps and records; (5) water use records; (6) analysis by staff hydrogeologists; and (7) and several site visits by Lynn Maser including one on April 23, 2002.

Project Description

The Hassler Ranch has six pending water right change applications under consideration now. They propose to integrate the four wells and the place of use (POU) under this right. There are several other surface water rights appurtenant to the ranch, but they are not being changed.

The outlined areas show the main parts of the Hassler ranch. The four main Hassler wells are spotted (using GPS). Also shown are the four lots recently sold in the South part of the ranch. Not shown are the boundaries of the many water rights. Fifteen water rights are appurtenant to the outlined areas, but the lands in Section 34 have been farmed, or owned by the Hassler’s, but are no longer owned by them. All of the water rights in the area are delineated on several maps that are in the file.

Report of Examination

G3-25251C
Existing Water Rights/Claims

Following is a list of existing rights associated with the Hassler Ranch, or nearby, with sources and original acres (some are supplemental). (WWRAC stands for Walla Walla River Adjudicated Certificate, and those numbers beginning with S are surface water, and those beginning with G are ground water.) Below is a listing of the six pending changes (the six water rights with pending changes have asterisks **), with details about each right and the proposed changes. (The nine ranch rights are in bold.)

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>East of McDonald Road:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N⅔ of Sec. 3</td>
<td>Mud Creek</td>
<td>103 Ac</td>
<td>(some of these overlap into the S⅔)</td>
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<td>140</td>
<td>(Adj. decree #744-38)</td>
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<td>Walla Walla</td>
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<td>Section 34 -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>**SWC #7730</td>
<td>Walla Walla</td>
<td>30</td>
<td>(Being moved to Sec. 3)</td>
</tr>
</tbody>
</table>

The following group is not for Hassler Ranch; is for land in SW¼, farmed by the Hasslers, but owned by Grimms.

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>WWRAC #453</td>
<td>Walla Walla</td>
<td>74</td>
<td>(Adj. decree#: 593- 77, 78, 79)</td>
</tr>
<tr>
<td>WWRAC #787</td>
<td>Mud Cr</td>
<td>40</td>
<td>(Adj. decree#: 595-130)</td>
</tr>
<tr>
<td>WWRAC #878</td>
<td>Walla Walla</td>
<td>36</td>
<td>(Adj. decree#: 593-144)</td>
</tr>
<tr>
<td>SWC #37</td>
<td>Mud Cr</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>SWC #1739</td>
<td>Walla Walla</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>SWC #6614</td>
<td>Walla Walla</td>
<td>40</td>
<td>supp</td>
</tr>
<tr>
<td>S⅔ of Sec. 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>**GWC #3514A</td>
<td>well #1</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>**GWC #3519A</td>
<td>well #1</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

(West of McDonald Road:)

The following group is not part of the Hassler Ranch and is for lands in the NE⅔ of Sec. 4, and part of the SE⅔ of Sec. 33 owned by others;

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>GWC #7473</td>
<td>West well</td>
<td>148.8</td>
<td>Supp to 2 below</td>
</tr>
<tr>
<td>WWRAC #424</td>
<td>Walla Walla (Lowden2)</td>
<td>34</td>
<td>(Adj. decree#: 600-74)</td>
</tr>
<tr>
<td>WWRAC #687</td>
<td>Walla Walla (Lowden2)</td>
<td>50</td>
<td>(Adj. decree#: 600-116)</td>
</tr>
</tbody>
</table>

Others:

The Hassler Ranch also includes some acreage in the S⅔ of Section 4. No water rights are appurtenant to those lands, but there are two new water right applications pending in Section 4 (no guarantee that they will be approved). Mrs. Hassler was under the impression that there was existing change applications on file to move water rights to that area, but numerous searches could not turn up any change applications for that purpose. There are also four other new water right applications on file for the Hasslers.

There is also an existing water right change application, filed with the local water conservancy board that involves moving some amount of water right #4486A from the main ranch to “Onion World” on Hwy 12.

The following group of six water rights has pending change applications under consideration here: **GWC 3514A, **GWC 3519A, **GWC 4486A, **SWC 7730, **G3-24732C, **G3-25251C.
Report Continued

**GWC 3514-A**
(App #270, Permit 350)
Priority: 6/10/1946 Quantity, annual: 80 AF
Source: A well Purpose: Irrigation of 20 acres & domestic
Quantity, instantaneous: 150 gpm
POU: 6/34 – Parts of SW¼ of Section 3
POW: “Well #1” - Sec. 3; NE¼SW¼

Change Requested: Add One Well (Integrating)
“Well #2” - Sec. 3; NW¼SW¼

**GWC 3519-A**
(App 4668, permit 4429)
Priority: 8/30/1957 Quantity, annual: 240 AF
Source: A well Purpose: Irrigation of 100 acres & stock & domestic
Quantity, instantaneous: 300 gpm
POU: 6/34 – Parts of SW¼ of Section 3
POW: “Well #1” - Sec. 3; NE¼SW¼

Change Requested: Add One Well (Integrating)
“Well #2” - Sec. 3; NW¼SW¼

**GWC 4486-A**
(App. 6169, permit 5813)
Priority: 2/06/1962 Quantity, annual: 160 AF
Source: A well Purpose: Irrigation of 140 acres
Quantity, instantaneous: 200 gpm (Supplemental to WWRAC #192)
POU: 6/34 – Parts of N½ of Section 3
POW: “Well #4” - Sec. 3; SE¼NW¼

Change Requested: Add three wells (Integrating), and change POU
“Well #1” - Sec. 3; NE¼SW¼
“Well #2” - Sec. 3; NW¼SW¼
“Well #3” - Sec. 3; W½NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

**SWC 7730**
(App 15244, permit 11279)
Priority: 1/20/59; Quantity, annual: 120 AF
Source: Walla Walla River Purpose: Irrigation of 30 acres
Quantity, instantaneous:
0.39 cfs from May 15 to July 1 (if available)
0.0 cfs from July 1 to October 1 (no water in summer)
0.60 cfs from October 1 to May 15 (if available)
POU: 7/34 – Part of SE¼ of Section 34
POD: SE¼NW¼, Section 35, 7/34 (Lowden Ditch #2)

Change Requested: Change POU
New POU to be 30 acres within N½N½ and N½S½N of Section 3, 6/34.

G3-24732C**
Priority: 1/13/76 Quantity, annual: 160 AF
Source: A Well Purpose: Irrigation of 72 +stockwater
Quantity, instantaneous: 100 gpm
POU: 6/34 – N¼ of Section 3
POW: “Well #3” – W¼NW¼ Sec. 3;

Change Requested: Add three wells (Integrating), and change POU
“Well #1” - Sec. 3; NE¼SW¼
“Well #2” - Sec. 3; NW¼SW¼
“Well #4” - Sec. 3; SE¼NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.
The last four changes above affect 13% of Section 3, where there will ultimately be 7 overlapping water rights, which includes the Mud Creek right, three Walla Walla River rights (Lowden ditch #2), and three ground water rights. There is typically not enough water in Mud Creek to satisfy that right. For the 320 acre area in the North half of Section 3, the following chart shows the breakdown of surface and ground water (ground is supplemental to surface).

<table>
<thead>
<tr>
<th>Surface Water Certs. (cfs)</th>
<th>4/1-7/1</th>
<th>7/1-10/1</th>
<th>10/1-4/1</th>
</tr>
</thead>
<tbody>
<tr>
<td>WWRAC 192</td>
<td>1.373</td>
<td>1.03</td>
<td>2.06</td>
</tr>
<tr>
<td>SWC 7730</td>
<td>.39</td>
<td>0.0</td>
<td>.60</td>
</tr>
<tr>
<td>SWC 9411</td>
<td>1.53</td>
<td>0.0</td>
<td>1.53</td>
</tr>
<tr>
<td>SWC 10334</td>
<td>.29</td>
<td>0.0</td>
<td>0.29</td>
</tr>
</tbody>
</table>

(early season has split amounts)

<table>
<thead>
<tr>
<th>Ground Water Certs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>GWC 4486</td>
</tr>
<tr>
<td>G3-24732</td>
</tr>
<tr>
<td>G3-25251</td>
</tr>
</tbody>
</table>

A provision on G3-25251C reads as follows: "Total quantities authorized under this certificate and Certificate of Adjudication No. 192 shall be limited to 927 gallons per minute, 1488 acre feet per year, for the irrigation of 320 acres." However, neither several additional appurtenant water rights, nor the seasonal variations in the water right authorizations, were included in that analysis. Also, crop requirements are calculated now at about 4 acre-feet per acre for crops in this area. A more accurate summary of the total water rights is as follows:

"The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (13% of Section 3 and 15 acres North of Mud Creek in the SW1/4 of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination."

Area Hydrology

The Walla Walla River Basin is a structural trough, within the Columbia River Basin Basalt Group, that has been overlain by sediments. The lower most sediment is the "blue clay," which rests directly on basalt bedrock. Directly over the blue clay, and interbedded with it, is the gravel unit. The gravels serve as the aquifer material for the shallow, or uppermost, aquifer. Gravel wells in the vicinity of the proposed wells do not vary from this general characterization of the Walla Walla River Basin.

Information from well drilling logs throughout the basin indicates that aquifers within the gravels are generally unconfined. Long term measurements of the water levels in the gravel aquifer indicate that there is no substantial difference in water levels from one year to the next. However, there is a seasonal variation in the water levels, which is generally the case in unconfined aquifers. (Water Supply Bulletin 45).

FINDINGS

When considering an application for change to a water right, Ecology must determine that the proposed change can be made without detriment or injury to existing water rights. Factors considered when determining potential impact include the following:

- A valid right exists that is eligible to be changed;
- The change must not cause detriment or injury to existing rights;
- The change must not be detrimental to the public welfare;
- The change shall not allow for the enhancement of the right perfected under the original certificate; and
- All new points of withdrawal must tap the same source of water as authorized under the original certificate.

Validity of the Right:

While the Superior Court, through an adjudicative process, is the only authority that can make a final determination as to a water right's extent, validity and priority, Ecology can make a tentative determination of these factors for purposes of making decisions on change applications.

Evidence indicates that the fields covered by G3-25251C have been fully irrigated in recent years with alfalfa and/or pasture. The systems in place are capable of pumping 480 gallons per minute. The acre feet allowance under the original right was 768 acre feet per year, and that allowance is within the amount appropriate for these crops in this area.
Priority: 3/2/1977  Quantity, annual: 768 AF
Source: A Well  Purpose: Irrigation of 320 acres
Quantity, instantaneous: 480 gpm  (Supplemental to WWRAC #192)

POU: 6/34 – N½ of Section 3
POW: “Well #2” – NW¼SW¼ Sec. 3;

Change Requested: Add three wells (Integrating), and change POU
“Well #1” – Sec. 3; NE¼SW¼
“Well #3” – Sec. 3; W½NW¼
“Well #4” – Sec. 3; SE¼NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all
within Section 3, 6/34.

The following water right is appurtenant to some of the same lands that are involved in the changes above:

WWRAC #192
(Adj. Decree# 744-38)

Priority: 1880  Quantity, annual: 515 AF
Source: Mud Creek  Purpose: Irrigation of 103 acres
Quantity, instantaneous:
1.373 cfs from April 1 to July 1
1.030 cfs from July 1 to October 1
2.060 cfs from October 1 to April 1

POU: 6/34 – N½ Sec. 3, and that part of SW¼ lying North of Mud Creek
POD: (1) Sec. 2, 6/34

The Hassler properties are South of Lowden along McDonald Bridge Rd. Mud Creek flows through the ranch and
water from the Walla Walla River reaches the ranch via the old Lowden Ditch #2. There are four wells on the
main part of the ranch that are intertied. The main ranch comprises the 320 acres in the N½ of Section 3 and the
remaining 80 acres in the SW¼ of Section 3, and essentially that whole area has been irrigated in recent years. The
area in the S½ of Section 4 is not currently covered by water rights. The effects of these six changes are discussed
below.

GWC 3514-A and GWC 3519-A. These two changes only involve integrating two wells. These are the only two
water rights on this part of the farm, which generally runs between Mud Creek and the Burlingame ditch in the S½
of Section 3. (It is important to note, that 3519-A has changed recently because of the sale of forty acres).

GWC 3514-A authorizes: 150 gpm, 80 acre-feet per year for irrigation and domestic supply of 20 acres.
Originally, 3514-A was going to use a different well (located at the intersection of McDonald Rd and the
Burlingame ditch), but when still in the permit stage the point of withdrawal was changed to be the same well
authorized by 3519-A, which was issued for 300 gpm, 240 acre-feet per year for the irrigation of 100 acres.

Under these two rights (3514-A & 3519-A), the combined allocation was originally for the irrigation of 450 gpm,
320 acre feet per year for 120 acres. Forty acres in the SE part of this POU have been sold, and were allocated for
80 gpm, 96 acre feet per year for 40 acres from 3519-A. The remaining allocation for the Hassler property
under both rights is now 370 gpm, 224 acre feet per year for 80 acres of irrigation (+ domestic and stock).

Both of these rights (3514-A & 3519-A) will authorize two wells when these two changes are approved. Other
wells are being added to GWC 3519-A under separate changes resulting from the short plat sale.

SWC 7730. The change for this right only involves moving the POU from an area in the SE¼ of Section 34 (7/34)
to an area that is part of the N½ of Section 3 (6/34). The area that the right is being moved from has no other water
rights on it, has been sold, and apparently is no longer being irrigated. The new area is partly or wholly covered by
several other water rights, and will also be further covered by several of the other pending changes. So, 7730 will
become a supplemental water right, but will allow more acres to be irrigated from the Lowden #2 ditch during the
authorized seasons.

GWC 4486A. This change is for adding/integrating the three other wells with the existing well and partially
modifying the POU. This right is one of the seven that cover part or all of the N½ of Section 3.

G324732C and G3-25251C. These two changes are similar. Both had one well originally authorized and are
adding/integrating the other three wells. The POU change is the same for both, retaining the N½ of Section 3 and
adding a small area in the SW¼ of Sec. 3.
The proposed change has been evaluated as to the potential for impairment to existing water rights in the area. These wells have been used for decades with no apparent impairment issues. This change will not alter pumping amounts or practices.

**No Detriment to the Public Welfare:**
There are no findings in this investigation to indicate that there would be any detrimental impact to the public welfare through issuance of the proposed changes.

**No Enhancement of the Original Certificate:**
No withdrawal of water over and above what has been historically put to beneficial use would be authorized through approval of this change.

**Same Source of Water:**
All four (4) wells are relatively shallow, upper-aquifer, gravel wells withdrawing water from the same source of public ground water.

Well #1, originally authorized under GWC 3514 & GWC 3519, was constructed in 1959 to a depth of 172 feet. Well #2, originally authorized under G3-25281C, was constructed in 1971 to a depth of 150 feet. Well #3, originally authorized under G3-24732C, was constructed in 1976 to a depth of 125 feet, and well #4 was constructed in 1962 to a depth of 120 feet.

**CONCLUSION**
It is the conclusion of this examiner that, in accordance with RCW 90.44.100, this application for change to add three (3) wells and change the POU for GWC G3-25251C will not enlarge the right conveyed by the original certificate, nor will it impair existing rights or be detrimental to the public welfare.

**RECOMMENDATIONS**
The applicant’s request to add three (3) wells and change the POU for GWC G3-25251C is hereby approved, subject to the following provisions:

"The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N¼ of Section 3 and 15 acres North of Mud Creek in the SW¼ of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination."

"All wells authorized for use under this authorization must be maintained in the original gravel aquifer."

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly (beginning the first week of January, 2003) and shall be submitted annually to Ecology by January 31st of each calendar year (beginning 2004).

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements."

At a minimum, the following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit or Certificate #, source name, annual quantity used including units, maximum rate of diversion including units, and period of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting.

Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.
Report Continued

"The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified."

"This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

"A superseding certificate of water right will not be issued until a final examination is made. Amounts may be reduced at the proof of appropriation stage."

"Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gauge may be installed in addition to the access port."

"All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells)."

"Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities."

"A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained."

Dated this 20th day of June, 2003 in Spokane, Washington.

Lynn Maser
Water Resources Program
Department of Ecology

LM:md
Y: WR/Final ROE's/Maser/2003/Hasler Ranch G3-25251C 6-20-2003.doc
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
APPLICATION FOR CHANGE/TRANSFER
REPORT OF EXAMINATION
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ Surface Water  (Issued in accordance with the provisions of Chapter 177, Laws of Washington for 1977, and amendments thereto, and the rules and regulations of the Department of Ecology)
☐ Ground Water  (Issued in accordance with the provisions of Chapter 260, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology)

<table>
<thead>
<tr>
<th>PRIORITY DATE</th>
<th>APPLICATION NUMBER</th>
<th>PERMIT NUMBER</th>
<th>CERTIFICATE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 10, 1946</td>
<td>270</td>
<td>350</td>
<td>3514-A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS (STREET)</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hassler Ranch</td>
<td>1581 McDonald Rd</td>
<td>Touchet</td>
<td>Washington</td>
<td>99360</td>
</tr>
</tbody>
</table>

PUBLIC WATERS TO BE APPROPRIATED

<table>
<thead>
<tr>
<th>QUANTITY, TYPE OF USE, PERIOD OF USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>150 gallons per minute, 80 acre-feet per year, for the irrigation of 20 acres and for domestic supply.</td>
</tr>
</tbody>
</table>

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION/WITHDRAWAL
1). Original well (#1) - 1400 feet East and 1985 feet North from SW corner of Section 3, within the NE¼SW¼ of Section 3. (GPS: 46°01'31.63"N, 118°32'53.03"W)
2). Added well (#2) - 475 feet East and 2335 feet North of SW corner of Section 3, within the NW¼SW¼ of Section 3. (GPS: 46°01'35.77"N, 118°33'07.1"W)

(GPS data = NAD 27 Datum)

<table>
<thead>
<tr>
<th>LOCATED WITHIN</th>
<th>SECTION</th>
<th>TOWNSHIP</th>
<th>RANGE, 16 OR 160 W. &amp; N. M.</th>
<th>W. &amp; A.</th>
<th>COUNTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both Within the SW¼</td>
<td>3</td>
<td>6</td>
<td>34 E.</td>
<td>32</td>
<td>Walla Walla</td>
</tr>
</tbody>
</table>

RECORDED FLATTED PROPERTY

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Beginning at the Northwest corner of the SW¼, Section 3, T.6 N., R. 34 E.W.M., running thence South 160 rods to the Southwest corner of said Sec. 3; thence East at right angles 160 rods to the Southeast corner of the SW¼ of said Sec. 3; thence at right angles North to the center of the channel of Mud Creek; thence running up the center of the channel of Mud Creek to where said Mud Creek intersects the quarter section line dividing the NW¼ and SW¼ of said Sec. 3; thence West to the place of beginning.

EXCEPTING therefrom, however, that part of said SW¼ which lies South and West of the Walla Walla Irrigation Company’s Canal, and subject to the right of way of said canal.
DESCRIPTION OF PROPOSED WORKS

Two (2) wells, pumps, distribution lines, and irrigation systems.

DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>Began Project by This Date</th>
<th>Completed Project by This Date</th>
<th>Water Put to Full Use by This Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>July 1, 2004</td>
</tr>
</tbody>
</table>

REPORT

BACKGROUND

Application: An application for change was submitted by Hassler Ranch to the Department of Ecology on July 23, 1997. The application was accepted and processed. The applicant proposes to add one point of withdrawal (POW) to Ground Water Certificate (GWC) No. 3514-A. The well to be added is an existing well and is to be integrated into the water right.

Notice: A notice of application was duly published in accordance with RCW 90.03.280 in the Walla Walla Union Bulletin on February 22, 1998 and March 1, 1998. No protest letters were submitted.

SEPA: This application was determined to be categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21 RCW.

INVESTIGATION

In considering the proposed change, the investigation included, but was not limited to, research and review of (1) appropriate rules and statutes; (2) GWC No. 3514-A, and other water rights/claims/applications in the vicinity of the subject property; (3) water well reports for the subject wells, and other wells in the vicinity; (4) USGS topographic maps and Farm Services Administration (FSA) maps and records; (5) water use records; (6) analysis by staff hydrogeologists; and (7) and several site visits by Lynn Maser including one on April 23, 2002.

Project Description

The Hassler Ranch has six pending water right change applications under consideration now. They propose to integrate the two wells under this right. There are several other surface water rights appurtenant to the ranch, but they are not being changed.

The outlined areas show the main parts of the Hassler ranch. The four main Hassler wells are spotted (using GPS). Also shown are the four lots recently sold in the South part of the ranch. Not shown are the boundaries of the many water rights. Fifteen water rights are appurtenant to the outlined areas, but the lands in section 34 have been farmed or owned by the Hasslers, but are no longer owned by them. All of the water rights in the area are delineated on several maps that are in the file.
Following is a list of existing rights associated with the Hassler Ranch, or nearby, with sources and original acres (some are supplemental). (WWRAC stands for Walla Walla River Adjudicated Certificate, and the numbers beginning with S are surface water, and those beginning with G are ground water). Below, is a listing of the six pending changes (the six water rights with pending changes have asterisks **), with details about each right and the proposed changes. (The nine ranch rights are in bold.)

<table>
<thead>
<tr>
<th>Water Right #</th>
<th>Source</th>
<th>Acres</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>(East of McDonald Road:)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N½ of Sec. 3</td>
<td>Mud Creek</td>
<td>103 Ac</td>
<td>(some of these overlap into the S½)</td>
</tr>
<tr>
<td>WWRAC #192</td>
<td>well #4</td>
<td>140</td>
<td>(Adj. decree #744-38)</td>
</tr>
<tr>
<td>**GWC #4486A</td>
<td>well #3</td>
<td>72</td>
<td>(supp to 192)</td>
</tr>
<tr>
<td>**G3-24732C</td>
<td>well #2</td>
<td>320</td>
<td>(supp to 192)</td>
</tr>
<tr>
<td>Also, N½ of Sec. 3</td>
<td>Walla Walla</td>
<td>115</td>
<td>(was originally also in SE¼ of Sec. 34; supp)</td>
</tr>
<tr>
<td>SWC #9411</td>
<td>Walla Walla</td>
<td>22</td>
<td>(was originally also in SE¼ of Sec. 34; supp)</td>
</tr>
<tr>
<td>Section 34</td>
<td>Walla Walla</td>
<td>30</td>
<td>(Being moved to Sec.3)</td>
</tr>
<tr>
<td>**SWC #7730</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The following group is not for Hassler Ranch; is for land in SW¼, farmed by the Hasslers, but owned by Grimms.

- **WWRAC #453**
  - Walla Walla
  - 74
- WWRAC #787
  - Mud Cr
  - 40
- WWRAC #878
  - Walla Walla
  - 36
- SWC #37
  - Mud Cr
  - 40
- SWC #1739
  - Walla Walla
  - 10
- SWC #8614
  - Walla Walla
  - 40
- S½ of Sec. 3
- **GWC #3514A**
  - well #1
  - 20
- **GWC #3519A**
  - well #1
  - 100

(West of McDonald Road):

The following group is not part of the Hassler Ranch and is for lands in the NE¼ of Sec. 4, and part of the SE¼ of Sec. 33 owned by others;

- GWC #4743
  - West well
  - 148.8
  - Supp to 2 below
- WWRAC #424
  - Walla Walla (Lowden2)
  - 34
  - (Adj. decree: 600-74)
- WWRAC #687
  - Walla Walla (Lowden2)
  - 50
  - (Adj. decree: 600-116)

Others:

The Hassler Ranch also includes some acreage in the S½ of Section 4. No water rights are appurtenant to those lands, but there are two new water right applications pending in Section 4 (no guarantee that they will be approved). Mrs. Hassler was under the impression that there was existing change applications on file to move water rights to that area, but numerous searches could not turn up any change applications for that purpose. There are also four other new water right applications on file for the Hasslers.

There is also an existing water right change application, filed with the local water conservancy board that involves moving some amount of water right #4486-A from the main ranch to "Onion World" on Hwy 12.

The following group of six water rights has pending change applications under consideration here: **GWC 3514-A, **GWC 3519-A, **GWC 4486-A, **SWC 7730, **G3-24732C, **G3-25251C.
**GWC 3514-A**
(App #270, Permit 350)

- **Priority:** 6/10/1946
- **Source:** A well
- **Purpose:** Irrigation of 20 acres & domestic
- **Quantity, annual:** 80 AF
- **Quantity, instantaneous:** 150 gpm
- **POU:** 6/34 – Parts of SW¼ of Section 3
- **POW:** “Well #1” – Sec 3; NE½SW¼

- **Change Requested:** Add One Well (Integrating)
  “Well #2” – Sec 3; NW¼SW¼

**GWC 3519-A**
(App 4668, permit 4429)

- **Priority:** 8/30/1957
- **Source:** A well
- **Purpose:** Irrigation of 100 acres & stock & domestic
- **Quantity, annual:** 240 AF
- **Quantity, instantaneous:** 300 gpm
- **POU:** 6/34 – Parts of SW¼ of Section 3
- **POW:** “Well #1” – Sec 3; NE½SW¼

- **Change Requested:** Add One Well (Integrating)
  “Well #2” – Sec 3; NW¼SW¼

**GWC 4486-A**
(App 6169, permit 5813)

- **Priority:** 2/06/1962
- **Source:** A well
- **Purpose:** Irrigation of 140 acres
- **Quantity, annual:** 160 AF
- **Quantity, instantaneous:** 200 gpm (Supplemental to WWRAC #192)
- **POU:** 6/34 – Parts of N½ of Section 3
- **POW:** “Well #4” – Sec 3; SE½NW¼

- **Change Requested:** Add three wells (Integrating), and change POU
  “Well #1” – Sec 3; NE½SW¼
  “Well #2” – Sec 3; NW¼SW¼
  “Well #3” – Sec 3; W½NE¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

**SWC 7730**
(App 15244, permit 11279)

- **Priority:** 1/20/59;
- **Source:** Walla Walla River
- **Purpose:** Irrigation of 30 acres
- **Quantity, annual:** 120 AF
- **Quantity, instantaneous:**
  0.39 cfs from May 15 to July 1 (if available)
  0.0 cfs from July 1 to October 1 (no water in summer)
  0.60 cfs from October 1 to May 15 (if available)
- **POU:** 7/34 – Part of SE¼ of Section 34
- **POD:** SE½NW¼, Section 35, 7/34 (Lowden Ditch #2)

- **Change Requested:** Change POU
  New POU to be 30 acres within N½N½ and N½S½N½ of Section 3, 6/34.

**G3-24732C**

- **Priority:** 1/13/76
- **Source:** A Well
- **Purpose:** Irrigation of 72 + stockwater
- **Quantity, annual:** 160 AF
- **Quantity, instantaneous:** 100 gpm
- **POU:** 6/34 – N½ of Section 3
- **POW:** “Well #3” – W½NW¼ Sec. 3;

- **Change Requested:** Add three wells (Integrating), and change POU
  “Well #1” – Sec 3; NE½SW¼
  “Well #2” – Sec 3; NW¼SW¼
  “Well #4” – Sec 3; SE½NW¼

New place of use to include N½, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.
POU: 6/34 – N¼ of Section 3;
POW: "Well #2" – NW¼SW¼ Sec. 3;

Change Requested: Add three wells (integrating), and change POU
"Well #1" - Sec 3; NE¼SW¼
"Well #3" - Sec 3; W½NW¼
"Well #4" - Sec 3; SE¼NW¼

New place of use to include N¼, and that part of SW¼ lying North of Mud Creek, all within Section 3, 6/34.

The following water right is appurtenant to some of the same lands that are involved in the changes above:

WWRAC #192
(Adj. Decree # 744-38)
Priority: 1880 Quantity, annual: 515 AF
Source: Mud Creek Purpose: Irrigation of 103 acres
Quantity, instantaneous:
1.373 cfs from April 1 to July 1
1.030 cfs from July 1 to October 1
2.060 cfs from October 1 to April 1

POU: 6/34 – N½ Sec 3; and that part of the SW¼ lying North of Mud Creek
POD: (1) Sec 2, 6/34

The Hassler properties are South of Lowden along McDonald Bridge Rd. Mud Creek flows through the ranch and water from the Walla Walla River reaches the ranch via the old Lowden Ditch #2. There are four wells on the main part of the ranch that are intertid. The main ranch comprises the 320 acres in the N¼ of Section 3 and the remaining 80 acres in the SW¼ of Section 3, and essentially that whole area has been irrigated in recent years. The area in the S½ of Section 4 is not currently covered by water rights. The effects of these six changes are discussed below.

GWC 3514-A and GWC 3519-A. These two changes only involve integrating two wells. These are the only two water rights on this part of the farm, which generally runs between Mud Creek and the Burlingame ditch in the S½ of Section 3. (It is important to note, that 3519-A has changed recently because of the sale of forty acres).

GWC 3514-A authorizes: 150 gpm, 80 acre-feet per year for irrigation and domestic supply of 20 acres. Originally, 3514-A was going to use a different well (located at the intersection of McDonald Rd and the Burlingame ditch), but when still in the permit stage the point of withdrawal was changed to be the same well authorized by 3519-A, which was issued for 300 gpm, 240 acre-feet per year for the irrigation of 100 acres.

Under these two rights (3514-A & 3519-A), the combined allocation was originally for the irrigation of 450 gpm, 320 acre feet per year for 120 acres. Forty acres in the SE part of this POU have been sold, and were allocated for 80 gpm, 96 acre feet per year for 40 acres from 3519-A. The remaining allocation for the Hassler property under both rights is now 370 gpm, 224 acre feet per year for 80 acres of irrigation (+ domestic and stock).

Both of these rights (3514 & 3519) will authorize two wells when these two changes are approved. Other wells are being added to GWC 3519-A under separate changes resulting from the short plat sale.

SWC 7730. The change for this right only involves moving the POU from an area in the SE¼ of Section 34 (7/34) to an area that is part of the N½ of Section 3 (6/34). The area that the right is being moved from has no other water rights on it, has been sold, and apparently is no longer being irrigated. The new area is partly or wholly covered by several other water rights, and will also be further covered by several of the other pending changes. So, 7730 will become a supplemental water right, but will allow more acres to be irrigated from the Lowden #2 ditch during the authorized seasons.

GWC 4486-A. This change is for adding/integrating the three other wells with the existing well and partially modifying the POU. This right is one of the seven that cover part or all of the N½ of section 3.

G324732C and G3-25251C. These two changes are similar. Both had one well originally authorized and are adding/integrating the other three wells. The POU change is the same for both, retaining the N½ of Section 3 and adding a small area in the SW¼ of Sec. 3.
Report Continued

The last four changes above affect the N½ of Section 3, where there will ultimately be 7 overlapping water rights, which includes the Mud Creek right, three Walla Walla River rights (Lowden ditch #2), and three ground water rights. There is typically not enough water in Mud Creek to satisfy that right. For the 320 acre area in the North half of Section 3, the following chart shows the breakdown of surface and ground water (ground is supplemental to surface).

<table>
<thead>
<tr>
<th>Surface Water Certs. (cfs):</th>
<th>4/1-7/1</th>
<th>7/1-10/1</th>
<th>10/1-4/1</th>
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<td>WWRAC 192</td>
<td>1.373</td>
<td>1.03</td>
<td>2.06</td>
</tr>
<tr>
<td>SWC 7730</td>
<td>.39</td>
<td>0.0</td>
<td>.60</td>
</tr>
<tr>
<td>SWC 9411</td>
<td>1.53</td>
<td>0.0</td>
<td>1.53</td>
</tr>
<tr>
<td>SWC 10334</td>
<td>.29</td>
<td>0.0</td>
<td>0.29</td>
</tr>
</tbody>
</table>

Ground Water Certs. 
GWC 4486  200
G-3-24732C  100
G-3-25251C  480

(early season has split amounts)

A provision on G3-25251C reads as follows: “Total quantities authorized under this certificate and Certificate of Adjudication No. 192 shall be limited to 927 gallons per minute, 1488 acre feet per year, for the irrigation of 320 acres.” However, neither several additional appurtenant water rights, nor the seasonal variations in the water right authorizations, were included in that analysis. Also, crop requirements are calculated now at about 4 acre-feet per acre for crops in this area. A more accurate summary of the total water rights is as follows:

“The total quantities authorized under all appurtenant water rights (WWRAC 192, SWC 7730, SWC 9411, SWC 10334, GWC 4486, G-3-24732C, and G3-25251C) shall be limited to 1340 acre feet per year (4 acre-feet per acre), for the irrigation of 335 acres (N½ of Section 3 and 15 acres North of Mud Creek in the SW¼ of Section 3). The total authorized instantaneous amounts vary by season, and while many of the rights are supplemental in terms of acreage, they are additive in terms of instantaneous amounts. However, those amounts will be verified and may be reduced at the proof examination.”

Area Hydrology

The Walla Walla River Basin is a structural trough, within the Columbia River Basin Basalt Group, that has been overlain by sediments. The lowermost sediment is the “blue clay,” which rests directly on basalt bedrock. Directly over the blue clay, and interfingered with it, is the gravel unit. The gravels serve as the aquifer material for the shallow, or uppermost, aquifer. Gravel wells in the vicinity of the proposed wells do not vary from this general characterization of the Walla Walla River Basin.

Information from well drilling logs throughout the basin indicates that aquifers within the gravels are generally unconfined. Long term measurements of the water levels in the gravel aquifer indicate that there is no substantial difference in water levels from one year to the next. However, there is a seasonal variation in the water levels, which is generally the case in unconfined aquifers. (Water Supply Bulletin 45).

FINDINGS

When considering an application for change to a water right, Ecology must determine that the proposed change can be made without detriment or injury to existing water rights. Factors considered when determining potential impact include the following:

- A valid right exists that is eligible to be changed;
- The change must not cause detriment or injury to existing rights;
- The change must not be detrimental to the public welfare;
- The change shall not allow for the enhancement of the right perfected under the original certificate; and
- All new points of withdrawal must tap the same source of water as authorized under the original certificate.

Validity of the Right:

While the Superior Court, through an adjudicative process, is the only authority that can make a final determination as to a water right’s extent, validity and priority, Ecology can make a tentative determination of these factors for purposes of making decisions on change applications.

Evidence indicates that the fields covered by GWC 3514-A have been fully irrigated in recent years with alfalfa and/or pasture. The systems in place are capable of pumping 150 gallons per minute. The acre foot allowance under the original right was 4.0 acre feet per acre, and that allowance is appropriate for these crops in this area.
The proposed change has been evaluated as to the potential for impairment to existing water rights in the area. These wells have been used for decades with no apparent impairment issues. This change will not alter pumping amounts or practices.

No Detriment to the Public Welfare:
There are no findings in this investigation to indicate that there would be any detrimental impact to the public welfare through issuance of the proposed changes.

No Enhancement of the Original Certificate:
No withdrawal of water over and above what has been historically put to beneficial use would be authorized through approval of this change.

Same Sources of Water:

Both wells are relatively shallow, upper-aquifer, gravel wells withdrawing water from the same source of public ground water.

Well #1, originally authorized under GWC 3514 & GWC 3519, was constructed in 1959 to a depth of 172 feet. Well #2, originally authorized under G3-25281C, was constructed in 1971 to a depth of 150 feet.

CONCLUSION

It is the conclusion of this examiner that, in accordance with RCW 90.44.100, this application for change to add one (1) well under Ground Water Certificate #3514A will not enlarge the right conveyed by the original certificate, nor will it impair existing rights or be detrimental to the public welfare.

RECOMMENDATIONS

The applicant’s request to add one (1) well located in the NW¼SW¼, Section 3, Township 6 N., Range 34 E.W.M., to Ground Water Certificate #3514-A is hereby approved, subject to the following provisions:

"The total amount of water withdrawn and used for irrigation of twenty acres under this authorization shall not exceed 150 gallons per minute, 80 acre feet per year from the two wells. GWC 3519-A is also appurtenant to lands within the same legal description, and the total combined authorization for the two rights on the Hassler property is for 370 gpm, 224 acre feet per year for the irrigation of 80 acres (+domestic and stock water)."

"Both wells authorized for use under this authorization must be maintained in the original gravel aquifer."

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly (beginning the first week of January, 2003) and shall be submitted annually to Ecology by January 31st of each calendar year (beginning 2004).

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements.

At a minimum, the following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit or Certificate #, source name, annual quantity used including units, maximum rate of diversion including units, and period of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting. Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

"The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified."
"This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

"A superseding certificate of water right will not be issued until a final examination is made. Amounts may be reduced at the proof of appropriation stage."

"Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gauge may be installed in addition to the access port."

"All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells)."

"Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities."

"A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained."

Dated this 20th day of June, 2003 in Spokane, Washington.

[Signature]
Lynn Mason
Water Resources Program
Department of Ecology

LM:md
Y: WR/Final ROE\'s/Mason2003/Hasler Ranch GW Cert. No. 3514-A 6-20-2003.doc
Certificate of Ground Water Right

Issued in accordance with the provisions of Chapter 122, Laws of Washington for 1929, and amendments thereto, and the rules and regulations of the State Supervisor of Water Resources thereunder.

This is to certify that FRANK L. YAGER
of       London, Washington
has made proof

...to the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of the ground waters of a well
located within 1/4

Sec. 3, Twp. 6 N., R. 34 E., W.M.,

for the purpose of irrigation and domestic supply

under and subject to provisions contained in Ground Water Permit No. 350 issued by the State Supervisor of Water Resources and that said right to the use of said ground waters has been perfected

in accordance with the laws of Washington, and is hereby confirmed by the State Supervisor of Water Resources of Washington and entered of record in Volume 5 at page 3514.

that the right hereby confirmed dates from June 10, 1946; that the quantity of ground water under the right hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 150 gallons per minute; 40 acre-feet per year for the irrigation of 20 acres and for domestic supply.

A description of the lands to which such ground water right is appurtenant, and the place where such water is put to beneficial use, is as follows:

Beginning at the northeast corner of 30th, sec. 3, T. 6 N., R. 34 E., W.M.,
running thence south 160 rods to the southwest corner of said sec. 3;
thereto east 160 rods to the southeast corner of the 30th, sec. 3;
thereto south on the arc of a circle centered at the northwest corner of said sec. 3
and having a radius of 160 rods
and dividing the 30th and 30th, sec. 3;
thereto west to the place of beginning.

EXCEPTING therefrom, however, that part of said 30th which lies south and west of the Walla Walla Irrigation Company's Canal, and subject to the right of way of said canal.

The right to the use of the ground water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Sections 6 and 7, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Water Resources affixed this 31st day of December, 1959.

[Signature]

State Supervisor of Water Resources.
Affixed Documents:

- Baseline water use determination, Walla Walla River Adjudicated Certificate No. 192
- Baseline water use determination, Surface Water Certificate No. 7730
- Baseline water use determination, Surface Water Certificate No. 9411
- Baseline water use determination, Surface Water Certificate No. 10334
- Baseline water use determination, Ground Water Certificate No. 3519-A(A)
- Baseline water use determination, Ground Water Certificate No. 3514-A (Change ROE)
- Baseline water use determination, Ground Water Certificate No. 4486-A (Change ROE)
- Baseline water use determination, Ground Water Certificate No. G3-24732 (Change ROE)
- Baseline water use determination, Ground Water Certificate No. G3-25251 (Change ROE)
Greta Hassler – Proposed Local Water Plan
Summary of Water Rights/Baseline Water Use Estimates
(170.7 acres – Mud Creek/Main Farm)

Certificates of Water Right:

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<thead>
<tr>
<th>Surface</th>
<th>Ground</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
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<td>GW Cert. No. G3-24732:</td>
<td>100 gpm</td>
<td>160 ac-ft/yr</td>
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<td></td>
<td>GW Cert. No. G3-25251:</td>
<td>480 gpm</td>
<td>768 ac-ft/yr r</td>
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Baseline Water Use:

<table>
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<tr>
<th>Surface</th>
<th>Ground</th>
<th></th>
<th></th>
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<tbody>
<tr>
<td></td>
<td>GW Cert. No. G3-24732:</td>
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<td></td>
<td>GW Cert. No. G3-25251:</td>
<td>480 gpm</td>
<td>516 ac-ft/yr</td>
</tr>
</tbody>
</table>

Notes:

- **The combined pumping capacity of wells used under the above ground water certificates is ~ 500 gpm.**
- **The instantaneous quantity ascribed to WW Adj. Cert. No. 192 is an estimate. This right is used for flood irrigation, and diversion rates are not currently measured.**
**WW Adj. Cert. No. 192 - Historic Water Use**  
(Hassler Statements/Personal Knowledge)

**Walla Walla Adj. Cert. No. 192**

**Priority Date:** 1880 (Class 18)  
**Source:** Mud Creek  
**Quantities:**  
1.373 cubic feet per second from April 1 to July 1  
1.030 cubic feet per second from July 1 to October 1  
2.060 cubic feet per second from October 1 to April 1, up to 515 ac-ft  
**Purpose of use:** Irrigation of 103 acres  
**Diversion point:** NE¼SW¼ of Sec. 2, T. 6 N., R. 34 E.W.M.

**Table 1: Historic Water Use — (2002-2013)**

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<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR(^1) (inches)</th>
<th>TIR(^2) (ac-ft/acre)</th>
<th>TIR(^2) (Total ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>323.5</td>
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<td>2013</td>
<td>Pasture</td>
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<td>3.87</td>
<td>323.5</td>
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<td>2012</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>323.5</td>
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<tr>
<td>2011</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>323.5</td>
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<tr>
<td>2010</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>323.5</td>
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<td>2009</td>
<td>Pasture</td>
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<td>2008</td>
<td>Pasture</td>
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<td>Pasture</td>
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<td>34.83</td>
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<td>323.5</td>
</tr>
</tbody>
</table>

\(^1\) Crop Irrigation Requirement — from State of Washington Irrigation Guide  
\(^2\) Total Irrigation Requirement — assumes 75% application efficiency (Ecology GUID-1210, Table 1)

**Baseline Water Use (Highest 1-Year of Use: 2005-2014):**

2.060 cubic feet per second, 323.5 acre-feet per year, for the irrigation of 83.6 acres  
*All quantities are additive*

**Notes:**

- Based on theoretical use – assumes water available (typically only available until May to June)  
- Flood irrigated from Mud Creek canal; actual diversion rate unknown  
- Primary right for these 83.6 acres
GW Cert. No. 4486-A - Historic Water Use
(Farm Service Agency Records)

GW Cert. No. 4486-A (Information below reflects current change attributes)

Priority Date: February 6, 1962
Source: Four (4) wells (gravel aquifer) – Well #1 - 4
Quantities: 200 gallons per minute, 160 acre-feet per year
Purpose of use: Irrigation of 140 acres
Withdrawal point: W½ of Sec. 3, T. 6 N., R. 34 E.W.M.

Table 1: Historic Water Use – Farm Service Agency Records (2005-2014)

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR¹</th>
<th>TIR² (ac-ft/acre)</th>
<th>TIR³ (ac-ft)²</th>
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<tr>
<td>2014</td>
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<td>83.6</td>
<td>34.83</td>
<td>1.14 (3.87)</td>
<td>95.3 (NA)</td>
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<td>95.3 (NA)</td>
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<td>91.3</td>
<td>34.83</td>
<td>1.14 (3.87)</td>
<td>104.1 (95.3 NA)</td>
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<tr>
<td>2011</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>1.14 (3.87)</td>
<td>95.3 (NA)</td>
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<td>2010</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>1.14 (3.87)</td>
<td>95.3 (NA)</td>
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<td>1.14 (3.87)</td>
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<tr>
<td>2008</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>1.14 (3.87)</td>
<td>95.3 (NA)</td>
</tr>
<tr>
<td>2007</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>1.14 (3.87)</td>
<td>95.3 (NA)</td>
</tr>
<tr>
<td></td>
<td>Wheat</td>
<td>56.4</td>
<td>20.85</td>
<td>1.14 (2.32)</td>
<td>64.7 (A)</td>
</tr>
<tr>
<td>2006</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>1.14 (3.87)</td>
<td>95.3 (NA)</td>
</tr>
<tr>
<td></td>
<td>Wheat</td>
<td>56.4</td>
<td>20.85</td>
<td>1.14 (2.32)</td>
<td>64.7 (A)</td>
</tr>
<tr>
<td>2005</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>1.14 (3.87)</td>
<td>95.3 (NA)</td>
</tr>
<tr>
<td></td>
<td>Alfalfa</td>
<td>56.4</td>
<td>32.85</td>
<td>1.14 (3.65)</td>
<td>64.7 (A)</td>
</tr>
</tbody>
</table>

¹ Crop Irrigation Requirement – from State of Washington Irrigation Guide
² Total Irrigation Requirement – assumes 75% application efficiency (Ecology GUID-1210, Table 1)
³ A = Additive (Primary); NA = Non-Additive (Supplemental)

Baseline Water Use (Highest 1-Year of Use: 2005-2014):

200 gallons per minute, 160 acre-feet per year, irrigation of 140 acres (2005-2007)
200 gallons per minute, 64.7 acre-feet per year, for irrigation of 56.4 acres, are additive
GW Cert. No. G3-24732 - Historic Water Use
(Farm Service Agency Records)

GW Cert. No. G3-24732 (Information below reflects current change attributes)

Priority Date: January 13, 1976
Source: Four (4) wells (gravel aquifer) – Well # 1 - 4
Quantities: 100 gallons per minute, 160 acre-feet per year
Purpose of use: Irrigation of 72 acres; stockwater
Withdrawal point: W½ of Sec. 3, T. 6 N., R. 34 E.W.M.

Table 1: Historic Water Use – Farm Service Agency Records (2005-2014)

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR¹</th>
<th>TIR² (ac-ft/acre)</th>
<th>TIR³ (ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Pasture</td>
<td>72</td>
<td>34.83</td>
<td>1.49 (3.87)</td>
<td>121.5³ (NA)</td>
</tr>
<tr>
<td>2013</td>
<td>Pasture</td>
<td>72</td>
<td>34.83</td>
<td>1.49 (3.87)</td>
<td>121.5³ (NA)</td>
</tr>
<tr>
<td>2012</td>
<td>Pasture</td>
<td>72</td>
<td>34.83</td>
<td>1.49 (3.87)</td>
<td>121.5³ (NA)</td>
</tr>
<tr>
<td>2011</td>
<td>Pasture</td>
<td>72</td>
<td>34.83</td>
<td>1.49 (3.87)</td>
<td>121.5³ (NA)</td>
</tr>
<tr>
<td>2010</td>
<td>Pasture</td>
<td>72</td>
<td>34.83</td>
<td>1.49 (3.87)</td>
<td>121.5³ (NA)</td>
</tr>
<tr>
<td>2009</td>
<td>Pasture</td>
<td>72</td>
<td>34.83</td>
<td>1.49 (3.87)</td>
<td>121.5³ (NA)</td>
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<tr>
<td>2008</td>
<td>Pasture</td>
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<td>121.5³ (NA)</td>
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<td>2007</td>
<td>Wheat</td>
<td>72</td>
<td>20.85</td>
<td>1.49 (2.32)</td>
<td>121.5³ (A)</td>
</tr>
<tr>
<td>2006</td>
<td>Wheat</td>
<td>72</td>
<td>20.85</td>
<td>1.49 (2.32)</td>
<td>121.5³ (A)</td>
</tr>
<tr>
<td>2005</td>
<td>Alfalfa</td>
<td>72</td>
<td>32.85</td>
<td>1.49 (3.65)</td>
<td>121.5³ (A)</td>
</tr>
</tbody>
</table>

¹ Crop Irrigation Requirement – from State of Washington Irrigation Guide
² Total Irrigation Requirement – assumes 75% application efficiency (Ecology GUID-1210, Table 1)
³ 100 gpm from March 1 to November 30, continuously, will yield 121.5 acre-feet per year.

Baseline Water Use (Highest 1-Year of Use: 2005-2014):

100 gallons per minute, 121.5 acre-feet per year, irrigation of 72 acres (2005-2014)
100 gallons per minute, 121.5 acre-feet per year, 30.7 acres are additive to existing rights
GW Cert. No. G3-25251 - Historic Water Use
(Farm Service Agency Records)

GW Cert. No. G3-25251 (Information below reflects current change attributes)

Priority Date: March 2, 1977
Source: Four (4) wells (gravel aquifer) – Well # 1 - 4
Quantities: 480 gallons per minute, 768 acre-feet per year
Purpose of use: Irrigation of 320 acres
Withdrawal points: W½ of Sec. 3, T. 6 N., R. 34 E.W.M.

Table 1: Historic Water Use – Farm Service Agency Records (2005-2014)

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR</th>
<th>TIR² (in/ac-ft)</th>
<th>TIR² (ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>323.5 (NA)</td>
</tr>
<tr>
<td>2013</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>323.5 (NA)</td>
</tr>
<tr>
<td>2012</td>
<td>Pasture</td>
<td>91.3</td>
<td>34.83</td>
<td>3.87</td>
<td>353.3 (322.3 NA)</td>
</tr>
<tr>
<td>2011</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>323.5 (NA)</td>
</tr>
<tr>
<td>2010</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>323.5 (NA)</td>
</tr>
<tr>
<td>2009</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>322.5 (NA)</td>
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<td>34.83</td>
<td>3.87</td>
<td>323.5 (NA)</td>
</tr>
<tr>
<td>2007</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>313.9 (NA)</td>
</tr>
<tr>
<td></td>
<td>Wheat</td>
<td>87.1</td>
<td>20.85</td>
<td>2.32</td>
<td>202.1 (29.9 A)</td>
</tr>
<tr>
<td>2006</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
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<td>Wheat</td>
<td>87.1</td>
<td>20.85</td>
<td>2.32</td>
<td>202.1 (29.9 A)</td>
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<tr>
<td>2005</td>
<td>Pasture</td>
<td>83.6</td>
<td>34.83</td>
<td>3.87</td>
<td>198.1³ (NA)</td>
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<tr>
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<td>Alfalfa</td>
<td>87.1</td>
<td>32.85</td>
<td>3.65</td>
<td>317.9 (131.7 A)</td>
</tr>
</tbody>
</table>

¹ Crop Irrigation Requirement – from State of Washington Irrigation Guide
² Total Irrigation Requirement – assumes 75% application efficiency (Ecology GUID-1210, Table 1)
³ 480 gallons per minute, pumped continuously from March 1 – November 30, will yield 583 acre-feet per year.

Baseline Water Use (Highest 1-Year of Use: 2005-2014):

480 gallons per minute, 516 acre-feet per year, irrigation of 170.7 acres (2005-2006)
(Up to 131.7 acre-feet are additive)
# Greta Hassler – Proposed Local Water Plan

Summary of Water Rights/Baseline Water Use Estimates
(157 acres – CRP lands)

## Certificates of Water Right:

<table>
<thead>
<tr>
<th>Certificate No.</th>
<th>Maximum Flow Rate (cfs)</th>
<th>Annual Water Use (ac-ft/yr)</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>SW Cert. No. 7730</td>
<td>0.60 cfs (max)</td>
<td>80 ac-ft/yr</td>
<td>20 acres</td>
</tr>
<tr>
<td>SW Cert. No. 9411</td>
<td>1.53 cfs</td>
<td>575 ac-ft/yr</td>
<td>115 acres</td>
</tr>
<tr>
<td>SW Cert. No. 10334</td>
<td>0.29 cfs</td>
<td>110 ac-ft/yr</td>
<td>22 acres</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2.42 cfs (max)</strong></td>
<td><strong>765 ac-ft/yr</strong></td>
<td><strong>157 acres</strong></td>
</tr>
</tbody>
</table>

## Baseline Water Use:

<table>
<thead>
<tr>
<th>Certificate No.</th>
<th>Maximum Flow Rate (cfs)</th>
<th>Annual Water Use (ac-ft/yr)</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>SW Cert. No. 7730</td>
<td>0.60 cfs (max)</td>
<td>46.4 ac-ft/yr</td>
<td>20 acres</td>
</tr>
<tr>
<td>SW Cert. No. 9411</td>
<td>1.53 cfs</td>
<td>266.8 ac-ft/yr</td>
<td>115 acres</td>
</tr>
<tr>
<td>SW Cert. No. 10334</td>
<td>0.29 cfs</td>
<td>51 ac-ft/yr</td>
<td>22 acres</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2.42 cfs (max)</strong></td>
<td><strong>364.2 ac-ft/yr</strong></td>
<td><strong>157 acres</strong></td>
</tr>
</tbody>
</table>

## Notes:

- These allocations presume that the baseline water use look-back can exceed the standard 15 years due to CRP contacts in place on the existing place of use of SW Cert. Nos. 7730, 9411 & 10334.

- The place of use of these water rights does not exactly conform with the FSA field numbers/cropped acreage numbers. A slight change in place of use of all three of these water rights to conform to the irrigated area should be completed as part of the LWP.
SW Cert. Nos. 7730, 9411 & 10334: Place of Use/Irrigated Acres

Place of Use: SW Cert. No. 7730 (Lowden #2)

Irrigated Acres: SW Cert. Nos. 7730, 9411 & 10334 (157 acres)

Place of Use: SW Cert. Nos. 9411 & 10334 (Lowden #2)

SCALE 1:12000

LOWDEN SE, WA OR, WA
JUN 28, 2013
SW Cert. No. 7730 - Historic Water Use
(Farm Service Agency Records – Greta Hassler statements)

SW Cert. No. 7730

Priority Date: January 20, 1959
Source: Walla Walla River (Lowden #2)
Quantities: 0.60 cubic feet per second from October 1 to May 15
0.39 cubic feet per second from May 15 to July 1
Purpose of use: Irrigation of 20 acres
Diversion point: SE¼NW¼ of Sec. 35, T. 7 N., R. 34 E.W.M.

Table 1: Historic Water Use – Farm Service Agency Records (2005-2014)

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR¹</th>
<th>TIR² (in/ac-ft)</th>
<th>TIR³ (ac-ft)</th>
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</thead>
<tbody>
<tr>
<td>2014</td>
<td>CRP²</td>
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<tr>
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<td>2008</td>
<td>CRP²</td>
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<td>2007</td>
<td>CRP²</td>
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<tr>
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</tr>
<tr>
<td>2005</td>
<td>CRP²</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ Crop Irrigation Requirement – from State of Washington Irrigation Guide
² Total Irrigation Requirement – assumes 75% application efficiency (Ecology GUID-1210, Table 1)
³ Conservation Reserve Program (Ecology considers CRP to be sufficient cause for non-use for irrigation rights on enrolled lands)

Baseline Water Use (Highest 1-Year of Use: 2005-2014):
No record (FSA) of use from 2005-2014.

Additional Information: FSA records indicate that lands covered by SW Cert. Nos. 7730 (20 acres), 9411(115 acres), 10334 (22 acres) were enrolled in CRP beginning at least in the year 2000. Greta Hassler has stated that the last time these lands were irrigated was 18 years ago, in 1996. She also indicated that these lands were irrigated exclusively with water from the Lowden #2 Ditch, under Cert. Nos. 7730, 9411 & 10334. As enrollment of irrigated lands in CRP is considered sufficient cause for non-use, and provided that the information supplied is accurate, the extent and validity analysis could include years beyond the normal 15-year look-back in determining baseline water use.

Table 2: Historic Beneficial Use – Pre-CRP

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR¹</th>
<th>TIR² (in/ac-ft)</th>
<th>TIR³ (ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>Wheat</td>
<td>20</td>
<td>20.85</td>
<td>2.32</td>
<td>46.4</td>
</tr>
</tbody>
</table>

Baseline Water Use:

0.60 cubic feet per second (max), 46.4 acre-feet per year, irrigation of 20 acres

All quantities are considered as primary (additive).
SW Cert. No. 9411 - Historic Water Use
(Farm Service Agency Records – Great Hassler statements)

**SW Cert. No. 9411**

- **Priority Date:** January 20, 1964
- **Source:** Walla Walla River (Lowden #2)
- **Quantities:** 1.53 cubic feet per second from October 1 to July 1, 575 acre-feet per year
- **Purpose of use:** Irrigation of 115 acres
- **Diversion point:** SE¼NW¼ of Sec. 35, T. 7 N., R. 34 E.W.M.

**Table 1: Historic Water Use – Farm Service Agency Records (2005-2014)**

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR¹</th>
<th>TIR² (in/ac-ft)</th>
<th>TIR³ (ac-ft)</th>
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<tbody>
<tr>
<td>2014</td>
<td>CRP¹</td>
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<td>2013</td>
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<tr>
<td>2005</td>
<td>CRP¹</td>
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</tbody>
</table>

¹ Crop Irrigation Requirement – from State of Washington Irrigation Guide
² Total Irrigation Requirement – assumes 75% application efficiency (Ecology GUID-1210, Table 1)
³ Conservation Reserve Program (Ecology considers CRP to be sufficient cause for non-use for irrigation rights on enrolled lands)

**Baseline Water Use (Highest 1-Year of Use: 2005-2014):**

No record (FSA) of use from 2005-2014.

**Additional Information:** FSA records indicate that lands covered by SW Cert. Nos. 7730 (20 acres), 9411 (115 acres), 10334 (22 acres) were enrolled in CRP beginning at least in the year 2000. Greta Hassler has stated that the last time these lands were irrigated was 18 years ago, in 1996. She also indicated that these lands were irrigated exclusively with water from the Lowden #2 Ditch, under Cert. Nos. 7730, 9411 & 10334. As enrollment of irrigated lands in CRP is considered sufficient cause for non-use, and provided that the information supplied is accurate, the extent and validity analysis could include years beyond the normal 15-year look-back in determining baseline water use.

**Table 2: Historic Beneficial Use – Pre-CRP**

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR¹</th>
<th>TIR² (in/ac-ft)</th>
<th>TIR³ (ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>Wheat</td>
<td>115</td>
<td>20.85</td>
<td>2.32</td>
<td>266.8</td>
</tr>
</tbody>
</table>

**Baseline Water Use:**

1.53 cubic feet per second (max), 266.8 acre-feet per year, irrigation of 115 acres

*All quantities are considered as primary (additive).*
SW Cert. No. 10334 - Historic Water Use
(Farm Service Agency Records – Greta Hassler statements)

SW Cert. No. 10344

Priority Date: July 22, 1965
Source: Walla Walla River (Lowden #2)
Quantities: 0.29 cubic feet per second from October 1 to July 1, 110 acre-feet per year
Purpose of use: Irrigation of 22 acres
Diversion point: SE¼NW¼ of Sec. 35, T. 7 N., R. 34 E.W.M.

Table 1: Historic Water Use – Farm Service Agency Records (2005-2014)

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR¹</th>
<th>TIR² (in/ac-ft)</th>
<th>TIR³ (ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>CRP³</td>
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<td>2013</td>
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<tr>
<td>2005</td>
<td>CRP³</td>
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</tr>
</tbody>
</table>

¹ Crop Irrigation Requirement – from State of Washington Irrigation Guide
² Total Irrigation Requirement – assumes 75% application efficiency (Ecology GUID-1210, Table 1)
³ Conservation Reserve Program (Ecology considers CRP to be sufficient cause for non-use for irrigation rights on enrolled lands)

Baseline Water Use (Highest 1-Year of Use: 2005-2014):
No record (FSA) of use from 2005-2014. Land enrolled in CRP.

Additional Information: FSA records indicate that lands covered by SW Cert. Nos. 7730 (20 acres), 9411 (115 acres), 10334 (22 acres) were enrolled in CRP beginning at least in the year 2000. Greta Hassler has stated that the last time these lands were irrigated was 18 years ago, in 1996. She also indicated that these lands were irrigated exclusively with water from the Lowden #2 Ditch, under Cert. Nos. 7730, 9411 & 10334. As enrollment of irrigated lands in CRP is considered sufficient cause for non-use, and provided that the information supplied is accurate, the extent and validity analysis could include years beyond the normal 15-year look-back in determining baseline water use.

Table 2: Historic Beneficial Use – Pre-CRP

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR¹</th>
<th>TIR² (in/ac-ft)</th>
<th>TIR³ (ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>Wheat</td>
<td>22</td>
<td>20.85</td>
<td>2.32</td>
<td>51</td>
</tr>
</tbody>
</table>

Baseline Water Use:
0.29 cubic feet per second (max), 51 acre-feet per year, irrigation of 22 acres
All quantities are considered as primary (additive).
# Greta Hassler – Proposed Local Water Plan

**Summary of Water Rights/Baseline Water Use Estimates**

(75 acres – Southwest Hillside)

## Certificates of Water Right:

<table>
<thead>
<tr>
<th></th>
<th>Surface</th>
<th>Ground</th>
</tr>
</thead>
<tbody>
<tr>
<td>WW Adj. Cert. No. 406 (GFID)</td>
<td>0.54 cfs</td>
<td>162.6 ac-ft/yr</td>
</tr>
<tr>
<td>GW Cert. No. 3514-A:</td>
<td>150 gpm</td>
<td>80 ac-ft/yr</td>
</tr>
<tr>
<td>GW Cert. No. G3-24732:</td>
<td>220 gpm</td>
<td>144 ac-ft/yr</td>
</tr>
</tbody>
</table>

## Baseline Water Use:

<table>
<thead>
<tr>
<th></th>
<th>Surface</th>
<th>Ground</th>
</tr>
</thead>
<tbody>
<tr>
<td>WW Adj. Cert. No. 192 (GFID)</td>
<td>0.54 cfs</td>
<td>162.6 ac-ft/yr</td>
</tr>
<tr>
<td>GW Cert. No. 3514-A:</td>
<td>150 gpm</td>
<td>77.4 ac-ft/yr</td>
</tr>
<tr>
<td>GW Cert. No. 3519-A(A):</td>
<td>220 gpm</td>
<td>144 ac-ft/yr</td>
</tr>
<tr>
<td>Total Baseline Water Use:</td>
<td>370 gpm</td>
<td>221.4 ac-ft/yr</td>
</tr>
</tbody>
</table>

+ 0.54 cfs

## Notes:

- The allocation of water for these same lands from GFID authorizes irrigation of 32.53 acres at a rate not to exceed 244 gallons per minute. The above ground water rights are issued as an alternate supply to these 32.53 acres.

- The total number of acres authorized for irrigation under all three rights are 75 acres.

- The total number of acres irrigated reflect FSA crop records. These records may overestimate acres actually irrigated.
GW Cert. Nos. 3524-A & 3519-A(A): Place of Use/Irrigated

Place of Use: GW Cert. Nos. 3514-A & 3519-A (Also 32.53 acres of GFID water right)

Irrigated Area (75 acres)
GW Cert. No. 3514-A - Historic Water Use  
(Farm Service Agency Records)

**GW Cert. No. 3514-A (Information below reflects current change attributes)**

**Priority Date:** June 10, 1946  
**Source:** Two (2) wells (gravel aquifer) – Well # 1 & 2  
**Quantities:** 150 gallons per minute, 80 acre-feet per year  
**Purpose of use:** Irrigation of 20 acres  
**Withdrawal point:** SW¼ of Sec. 3, T. 6 N., R. 34 E.W.M.

### Table 1: Historic Water Use – Farm Service Agency Records (2005-2014)

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR(^1) (inches)</th>
<th>TIR(^2) (ac-ft/acre)</th>
<th>TIR(^3) (ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2013</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2012</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2011</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2010</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2009</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2008</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2007</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2006</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
<tr>
<td>2005</td>
<td>Pasture</td>
<td>20</td>
<td>34.83</td>
<td>3.87</td>
<td>77.4 (A)</td>
</tr>
</tbody>
</table>

\(^1\) Crop Irrigation Requirement – from State of Washington Irrigation Guide  
\(^2\) Total Irrigation Requirement – assumes 75% application efficiency (Ecology GUID-1210, Table 1)

**Baseline Water Use (Highest 1-Year of Use: 2005-2014):**

150 gallons per minute, 77.4 acre-feet per year, irrigation of 20 acres (2005-2014)  
*(All quantities are additive to GW 3519-A(A))*

**Notes:**

- Issued as alternate source to Gardena Farms Irrigation District (32.53 acres – 244 gallons per minute).
- Acres reflect FSA crop numbers. These totals may overestimate acres actually irrigated within the authorized place of use.
GW Cert. No. 3519-A - Historic Water Use
(Farm Service Agency Records)

GW Cert. No. 3519-A

Priority Date: August 30, 1957
Source: Two (2) wells (gravel aquifer) – Well # 1 & 2
Quantities: 240 (220\(^1\)) gallons per minute, 168 (144\(^1\)) acre-feet per year
Purpose of use: Irrigation of 70 (60\(^1\)) acres: stockwater & single domestic supply
Withdrawal point: SW/4 of Sec. 3, T. 6 N., R. 34 E.W.M.
\(^1\)Italicized quantities reflect portion of total right available for use on Hassler property

Table 1: Historic Water Use – Farm Service Agency Records (2002-2013)

<table>
<thead>
<tr>
<th>Year</th>
<th>Crop Type</th>
<th>Acres</th>
<th>CIR(^1)</th>
<th>TIR(^2) (ac-ft/ac)</th>
<th>TIR(^2) (ac-ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Pasture</td>
<td>55 (A)</td>
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</tbody>
</table>

\(^1\)Crop Irrigation Requirement – from State of Washington Irrigation Guide
\(^2\)Total Irrigation Requirement – assumes 75% application efficiency (Ecology GUID-1210, Table 1)

Baseline Water Use (Highest 1-Year of Use: 2005-2014):

220 gallons per minute, 144 acre-feet per year, irrigation of 55 acres (2005-2014)
(All quantities are additive to GW Cert. No. 3514-A)

Notes:

- Total quantity of water available under GW Cert. No. 3514-A & 3519-A not to exceed 370 gpm, 224 ac/ft/yr, irrigation of 80 acres
- Issued as alternate source of water to Gardena Farms Irrigation District (32.53 acres)
- Acres reflect FSA crop numbers. These totals may overestimate acres actually irrigated within the authorized place of use.
Appendix C. Letter of Acknowledgement from Gardena Farms Irrigation District #13

Affixed Document:

Letter of Acknowledgement from Gardena Farms Irrigation District #13
GARDENA FARMS IRRIGATION DISTRICT NO. 13
539 WHITE ROAD – TOUCHE, WA 99360
(509) 394-2331

December 15, 2014

Greta Hassler
1581 McDonald Rd
Touche, WA 99360-9636

Dear Mrs. Hassler:

Gardena Farms Irrigation District No. 13 (District) has acted on a request by the Walla Walla Watershed Management Partnership (WWWMP) to secure for you the District’s permission for you (Landowner), a holder of a valid water right from the District, to use all or part of your District allocation of water for shallow aquifer recharge (SAR) and, if needed, to change your point of diversion for such use as part of a WWWWMP sponsored Local Water Plan (LWP).

The District hereby grants you that permission with the following stipulations and conditions:

• Landowner diversion and use of water allotted under Walla Walla River Adjudication Certificate No. 406 and used for Shallow Aquifer Recharge (SAR) shall be made available with the lowest priority within the District’s current water priority and delivery framework or with the lowest priority as that framework may be amended in the future. For example, the District currently serves irrigation water to its water rights holders with an A, B, and C internal priority system, with A or B allocations served first depending on the time of year, and C allocations served last, or only after A and B allocations are satisfied. Accordingly, water made available for Landowner’s SAR shall be delivered only after A, B, and C deliveries are satisfied. Provided that nothing in a LWP shall be interpreted to otherwise affect the priority or delivery of water under WWRAC No. 406 for purposes other than SAR.

• This permission for use of water for SAR may be revoked by the District at any time.

• Nothing in this letter shall obligate the District to perform beyond its normal conveyance and delivery duties.

• Landowner shall bear any and all costs associated with Landowner’s use of District’s water for SAR.

• Landowner’s SAR shall be part of the District’s SAR allowed under WWWWMP Local Water Plan 10-1

Please acknowledge receipt of this letter by signing and returning a copy of this letter to the District.

Sincerely,

[Signature]
Stuart A. Durfee
Secretary-Manager

I acknowledge receipt of and stipulations and conditions set forth in this letter.

Date

Greta Hassler, Landowner