



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

Ratray Farms
Attn: Charles R. Ratray
3451 Bethany Rd.
Sunnyside, WA 98944

Re: Emergency Drought Authorization No. G4-32978-15

In accordance with the provisions of RCW 43.83B.405, on March 17, 2015, the Director of the Department of Ecology (Ecology) ordered and determined that the Yakima Basin is under drought conditions. Pursuant to WAC 173-166-070, Ecology is issuing this EMERGENCY DROUGHT AUTHORIZATION. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF WATER HEREIN AUTHORIZED.

The terms of your authorization are as follows:

Total Quantity in acre-feet:	29.1
Well Location:	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T. 10 N., R 23 E.W.M.
Place of Use:	30.3 acres within the N $\frac{1}{2}$ of Section 15, T. 10 N., R 23 E.W.M.
Parcels:	231023-21001 and 231023-22001

This Temporary Emergency Drought Authorization expires December 31, 2015.

Provisions:

Use of water under this authorization is contingent upon the applicant's entry into and compliance with a cost-share agreement (Agreement) with Ecology. Failure to comply with the terms of the Agreement will result in cancellation of this authorization.

An approved measuring device must be installed and maintained for each of the sources identified in this temporary authorization in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173, which describes the requirements for data accuracy, device installation and operation, and information reporting.

Every two weeks, readings of the flow meter shall be recorded and maintained by the applicant. These readings shall be documented by time, date, withdrawal rate, and cumulative amount withdrawn. Copies of these records shall be submitted to Ecology by November 15, 2015.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with this authorization.

All wells constructed in the state shall meet the "Minimum Standards for the Construction and Maintenance of Wells" (WAC 173-160) and "Water Well Construction" (RCW 18.104). In general, wells shall be located at least 100 feet from sources of contamination and at least 1,000 feet of the boundary of



a solid waste landfill. Any well which is unusable, abandoned, or is an environmental, safety, or public health hazard shall be decommissioned.

Water may be used under this authorization only in relation to previously established activity as defined by Chapter 173.166 WAC. This authorization only authorizes a supplemental water supply to the applicant's normal source of water.

This authorization may be terminated, in whole or in part, whenever withdrawals conflict with the flows protected by RCW 43.83B.410(1)(a)(iii), or whenever the provisions of this authorization are violated.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by chapter 43.21B RCW and chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of the Order.

File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

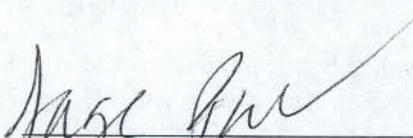
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.
- You must also comply with other applicable requirements in chapter 43.21B RCW and chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

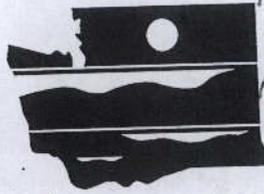
For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser>

Signed at Yakima, Washington, this 72 day of May, 2015.



Sage Park, Section Manager
Water Resources Program/CRO



DEPARTMENT OF
ECOLOGY
State of Washington

47,007.25
CK. 20990
Receipt # 209051
URG. 5/22/15



Mitigation Agreement Yakima River Basin Emergency Ground Water Pumping

Between the
Washington State Department of Ecology
and
Rattray Farms (Assignee)

Effective Date: Date of signature by the Washington State Department of Ecology (Ecology)
Expiration Date: October 31, 2015
Fiscal Code: 001-16V-0285-Drought

Assignee Contact Information	
Name:	Rattray Farms
Address:	3451 Bethany Rd
City, State:	Sunnyside, WA
Zip Code:	98944
Telephone:	(509) 837-7498 or (509) 840-3027
E-mail:	cindyratt@embarqmail.com
Fax:	
Emergency Authorization(s)	G4-32973-15 and G4-32978-15

Ecology Contact Person Information	
Name:	Kelsey Collins
Address:	15 W. Yakima Ave, Suite 200
City, State:	Yakima, WA
Zip Code:	98902
Telephone:	(509) 575-2640
E-mail:	kesi461@ecy.wa.gov
Fax:	(509) 454-7830

Terms of Agreement

The purposes of this agreement are: (1) to partially reimburse Ecology for its expenses incurred to acquire mitigation for impacts to the Yakima River caused by the Assignee pumping a drought emergency well during the term of this agreement, and (2) to ensure that impacts to the Yakima River flows from such pumping by the Assignee are mitigated.

Payment and Schedule

The Assignee will pay the following amounts:

1. \$875.00 estimated cost share (at \$137.50 per acre-foot) for Emergency use of groundwater for the supplemental irrigation of 66.3 acres within the Roza Irrigation District, Kittitas Irrigation District, or Kittitas Reclamation District.
2. \$350 for development and administration of this mitigation agreement.

In exchange for such payment submitted, Ecology will, at its option, either (1) assign a portion of its pre-May 10, 1905 water rights within its trust water right portfolio to provide mitigation for groundwater pumping under 2015 Emergency Drought Permit(s), or 2) acquire additional water rights specifically to mitigate for groundwater pumping under 2015 Emergency Drought Permit(s).

The first payment of \$4729.25 (half of the estimated cost share and the \$350 agreement fee) is due at the time the signed agreement is provided to Ecology for signature. Ecology is under no obligation under this agreement until payment of this amount is received. The second payment will be based on the total volume of water pumped, multiplied by the \$137.50/acre-foot, less the cost share portion of the first payment (Terms of Agreement, Item 1).

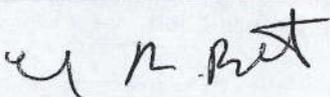
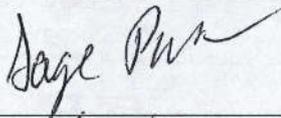
Ecology will review power and water meter records at the end of the irrigation season and notify the assignee of the volume of water pumped and the balance due. Payment of the remaining balance must be received by Ecology no later 60 days after receipt of the notice.

The Assignee shall provide two copies of the signed agreement and payment to the address below in the form of a hand delivered check or money order.

Department of Ecology
Attention: Kelsey Collins
15 W. Yakima Ave, Suite 200
Yakima, WA 98902

Entire Agreement and Signatures

IN WITNESS WHEREOF, the parties have executed this Agreement.

	Assignee Authorized Official	Ecology Authorized Official
Signature		
Date	22 May 2015	5/22/15
Name	Rod RATTRAY	Sage Park
Title	OWNER	Section Manager, Water Resources
Address	3451 BETHANY RD	15 W. Yakima Ave, Suite 200 Yakima, WA 98902
Telephone	Sunnyside, WA	(509) 454-7647
E-mail		sueb461@ecy.wa.gov
Fax	509 837-7498	(509) 454-7830