

Squeochs, Danielle (ECY)

From: Jessica Kuchan <Kuchan@mentorlaw.com>
Sent: Tuesday, February 09, 2016 9:17 AM
To: Squeochs, Danielle (ECY)
Cc: Rob Girling
Subject: RE: G4-35793 Girling
Attachments: Girling term_001.pdf

Danielle,

Mr. and Mrs. Girling and Suncadia have terminated their Groundwater Mitigation Agreement. My understanding is that the Girlings intend to rely on the existing permit for their property. On behalf of Suncadia, I respectfully request that the Girling's application pending to rely on Suncadia's mitigation water be withdrawn. I have cc'd Mr. Girling on this email.

Best regards,
Jessica

-----Original Message-----

From: Squeochs, Danielle (ECY) [mailto:daja461@ECY.WA.GOV]
Sent: Friday, February 5, 2016 8:10 AM
To: Jessica Kuchan <Kuchan@mentorlaw.com>
Subject: G4-35793 Girling

Hi Jessica,

I was just updating our records. I would like to check in on the status of Girling. Has the applicant decided how they would like to move forward?

Thank you,
Danielle

Danielle Jansik Squeochs, PhD, LHg | Technical Unit Supervisor, Water Resources Program Department of Ecology | Central Regional Office
1250 West Alder Street, Union Gap, WA 98903 Direct 509.575.2396 | Main 509.575.2490 | Fax 509.575.2809

Squeochs, Danielle (ECY)

From: Squeochs, Danielle (ECY)
Sent: Wednesday, November 18, 2015 4:32 PM
To: Jessica Kuchan
Subject: G4-35793 Girling
Attachments: 56480136_1213.pdf

Hi Jessica,

We have been reviewing the Girling application and it appears that this parcel is already part of an authorized permit. I have attached the ROE for your information. Would you like to withdraw the application?

Thank you,
Danielle



File NR: G4-35605
WR Doc ID: 5648013

State of Washington
REPORT OF EXAMINATION
FOR WATER RIGHT APPLICATION

PRIORITY DATE
March 12, 2013

WATER RIGHT NUMBER
G4-35605

MAILING ADDRESS
NEWPORT HILLS LAND COMPANY, INC.
PO BOX 687
ROSLYN WA 98941-0687

SITE ADDRESS (IF DIFFERENT)
UNKNOWN

Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
49	GPM	8.96

Total withdrawals from all sources must not exceed the total quantity authorized for withdrawal listed above.

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Domestic Multiple	49	0	GPM	8.96	0	01/01 - 12/31

REMARKS

The instantaneous quantity is a maximum shared equally between the four authorized sources. Multiple domestic use for up to 32 recreational residences.

Irrigation, including incidental lawn and/or garden is not authorized by this water right.

IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION		
ADDITIVE	NON-ADDITIVE	WATER SYSTEM ID	CONNECTIONS	
0	0	Anna Bell (AC239)	14	
3 additional systems pending				

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Well #1 (Anna Bell Water Club)	951652	APG953	21N	14E	21	NENW	47.30360	-121.09772
Well #2 (Newport Creek Plat)	20542	APE751	21N	14E	21	SENW	47.29869	-121.09512
Well #3 (Eagles Nest Plat)	957154	APE780	21N	14E	21	NWSW	47.29613	-121.09978
Well #4 (Hex Mountain Plat)	956697	APG996	21N	14E	21	NESW	47.29506	-121.09405



Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

12045, 12046, 12047, 18548, 18549, 18550, 18551, 20540, 20542, 951650, 951651, 951652, 951653, 951654, 951655, 951656, 951658, 951659, 951660, 951661, 951662, 956692, 956693, 956694, 956695, 956696, 956697, 956698, 956699, 956700, 956701, 956702, 956703, 956704, 956705, 956706, 956707, 957142, 957143, 957144, 957145, 957146, 957147, 957148, 957149, 957150, 957151, 957152, 957153, 957154, and 957155.

The place-of-use is owned by various private landowners. A mix of individual and small, public water supply systems will be developed.

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

A portion of the W½ of Section 21, T. 21 N., R. 14 E.W.M.:

Lot 10* of that certain record of survey filed on September 10, 2007, in Book 34 of Surveys at Page 136 under Kittitas County Auditor's File No. 200709100070, being a portion of the west half of Section 21, T. 21 N., R. 14 E.W.M., Kittitas County, state of Washington. (*Currently being subdivided into 10 lots, commonly referred to as Sasse Ridge Plat).

Lots 1-14* of that certain record of survey filed on April 7, 2011, in Book 12 of Plats at Page 19, under Kittitas County Auditor's File No. 201104070042, being a portion of the west half of Section 21, T. 21 N., R. 14 E.W.M., Kittitas County, state of Washington. (*Commonly referred to as Eagle Nest Plat).

Lots 1-8* of that certain record of survey filed on June 21, 2010, in Book 11 of Plats at Page 247, under Kittitas County Auditor's File No. 201007210063, being a portion of the west half of Section 21, T. 21 N., R. 14 E.W.M., Kittitas County, state of Washington. (*Commonly referred to as Hex Mountain Plat).

Lots 1-8* of that certain record of survey filed on June 7, 2010, in Book 11 of Plats at Page 245, under Kittitas County Auditor's File No. 201006070057, being a portion of the west half of Section 21 T. 21 N., R. 14 E.W.M., Kittitas County, state of Washington. (*Commonly referred to as Cedar Grove Plat).

Lots 2-5, 7, and 9-11,* of that certain record of survey filed on September 22, 2006, in Book 10 of Plats at Page 164 under Kittitas County Auditor's File No. 200609220067, being a portion of the west half of Section 21, T. 21 N., R. 14 E.W.M., Kittitas County, state of Washington. (*Commonly referred to as Anna Bell Plat).

Lots 1, 6, 12, and 14 of that certain boundary line adjustment filed on September 10, 2007, in Book 34 of Surveys at Page 136 under Kittitas County Auditor's File No. 200709100070, being a portion of the west half of Section 21, T. 21 N., R. 14 E.W.M., Kittitas County, state of Washington.

Lots 1-8 of that certain lot line adjustment filed on May 20, 2005, in Book 31 of Surveys at Page 89 under Kittitas County Auditor's File No. 200505200021, being a portion of the west half of Section 21, T. 21 N., R. 14 E.W.M., Kittitas County, state of Washington.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

October 9, 2015

Robert & Agnieszka Girling
16423 N.E. 148th Pl.
Woodinville, WA 98072-8175

Re: Requests for Determination of Water Budget Neutrality in the "Yellow Area"
Water Right Tracking No. G4-35793

Dear Mr. & Mrs. Girling:

Thank you for submitting your Request for Determination of Water Budget Neutrality. I am writing to inform you of some details that may require extra time for us to make a decision on your request.

The Department of Ecology (Ecology) is evaluating your request. The mitigation you have offered relies on the use of a contract (the Contract) between the United States Bureau of Reclamation and Ecology (Contract No. 09XX101700). Under the terms of this contract, Ecology must determine if requirements described in Paragraph 18(b) relative to the Endangered Species Act (ESA) are met.

The Contract requires Ecology to demonstrate the impact of a proposed diversion or a groundwater withdrawal on a stream reach bearing ESA-listed fish (Exhibit B to the Contract). Combined with all other diversions from that reach, the estimated impact must be less than 1% of the critical low flow. In most cases, requests on the Yakima River valley floor ("green area") are easily demonstrated to meet the requirements of Paragraph 18(b).

The areas beyond the Yakima River valley floor are far less certain to meet the contract requirements because tributary streams bearing ESA-listed fish may be affected. The "green area" on the mitigation suitability maps rely on water banks using mainstem rights for mitigation. On the mitigation suitability maps a "yellow area" denotes that we do not necessarily know, without further evaluation, whether the requirements of Paragraph 18(b) can be satisfied.

The proposed location of your withdrawal is within a "yellow area." Ecology works with the fish co-managers in the Yakima River Basin to identify if nearby streams bear ESA-listed fish. Additionally, Ecology and the Washington Department of Fish and Wildlife staff collect flow data from late August to early October to estimate the critical low flow. For the reasons stated



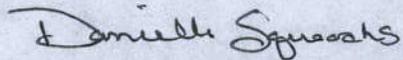
Robert & Agnieszka Girling
October 9, 2015
Page 2 of 2

above, it may take additional time before we can make a decision regarding your request. Thank you in advance for your patience in this matter.

When your request is scheduled to be presented to the Water Transfer Working Group, it will be listed on Ecology's website: <http://www.ecy.wa.gov/programs/wr/ywtwg/ywtwg.html>.

Please call me at (509) 454-7647 if you have any questions.

Sincerely,



Danielle Squoachs for Sage Park
Sage Park, Section Manager
Water Resources Program

SP:CLG:SS/151009
WR ID# 6726283

Enclosure: Suitability Map

cc: Jessica Kuchan, Attorney, Mentor Law Group PLLC (email pdf)

Water Budget Neutral Consumptive Use Calculator Report

Monday, November 16, 2015

Applicant Name

Girling

Bank Name

New Suncadia

WRTS File Number

G4-35793

Mitigated Right ID

500700

Assumptions for Irrigation

Irrigation Efficiency (%):	0.8
Irrigation Consumptive Use (%):	0.9
Square Feet Irrigated	500
Acres Irrigated	0.011

Assumptions for Domestic Use

Use per ERU (gpd):	350
Use per ERU (af/day):	0.001074
Number of ERUs:	1
Domestic Consumptive Use (%):	0.3

Crop Irrigation Requirement Assumptions

CIR Location:	Cle Elum
CIR Crop Type:	Pasture/Turf
CIR Unit:	Inches/Month
CIR Value Source:	WIG

Outdoor Use Portion

Month	CIR	TIR (AF/Acre)	TIR (AF)	CU (AF)
Jan	0.00	0.0000	0.0000	0.0000
Feb	0.00	0.0000	0.0000	0.0000
Mar	0.00	0.0000	0.0000	0.0000
Apr	0.00	0.0000	0.0000	0.0000
May	0.00	0.0000	0.0000	0.0000
Jun	3.34	0.3479	0.0040	0.0036
Jul	6.50	0.6771	0.0078	0.0070
Aug	4.79	0.4990	0.0057	0.0052
Sep	3.47	0.3615	0.0041	0.0037
Oct	0.00	0.0000	0.0000	0.0000
Nov	0.00	0.0000	0.0000	0.0000
Dec	0.00	0.0000	0.0000	0.0000
Totals	18.10	1.885	0.022	0.019

Indoor Use Portion

Total Use (AF)	CU (AF)
0.0333	0.0100
0.0301	0.0090
0.0333	0.0100
0.0322	0.0097
0.0333	0.0100
0.0322	0.0097
0.0333	0.0100
0.0333	0.0100
0.0322	0.0097
0.0333	0.0100
0.0322	0.0097
0.0333	0.0100
0.392	0.118

Totals

Total Use (AF)	Total CU (AF)
0.0333	0.0100
0.0301	0.0090
0.0333	0.0100
0.0322	0.0097
0.0333	0.0100
0.0362	0.0133
0.0411	0.0170
0.0390	0.0151
0.0364	0.0134
0.0333	0.0100
0.0322	0.0097
0.0333	0.0100
0.414	0.137

Results Summary:

Period of Use	AFY
4\1 - 8\31	0.065
9\1 - 3\31	0.072
Contract Quantity	0.072

Category	AFY
Water to add to Parker	0.024
Total CU to debit from TWR	0.161
Contract Cost	53.86

Water Bank: Suncadia
Robert & Agnieszka
Applicant name: Girling

TRS: T21R14521

WBN WRTS No. G4-35793

Checklist for Reviewing Requests for Determination of Water Budget Neutrality (RDWBN)
Existing (at PG-953)

- I. Does the rule apply?
 Is the well within the mapped Upper Kittitas area? X yes ___ no
 Is proposed use either domestic, group domestic, lawn or noncommercial garden, municipal, stock watering, or industrial? (Circle all that apply)
- II. Does the total proposed water use and purpose(s) fall under the limits of the groundwater permit exemption?
 Is this a group or non group use? (Circle one)
 If group use, number of parcels 1 of 14 (total # parcels in group)
 Does the owner have interest in any proximate parcel? X yes ___ no
 Does the owner have significant, voluntary joint activity and cooperation with the owner of a proximate parcel? X yes ___ no
 Exempt? X yes ___ no
 Require Permit? (Check parcel map, County website, Well logs, SEPA documents, etc, as appropriate) ___ yes X no
- III. Is the necessary information provided in RDWBN per WAC 173-539A-050(2)
 Mitigation trust water rights identified? X yes ___ no, TWR No. 54-05259K TCL@2567
 Site map provided? X yes ___ no
 Area to be irrigated provided: 0.011 acres
 Soil Report provided (if needed) ___ yes ___ no X n/a
 Provided signed covenant restricting trees/shrubs over drain field OR Sewer Utility agreement? (Circle one)
For parcel number: 951650
 Is the Request signed? X yes ___ no
 GW mitigation agreement provided: X yes ___ no
 Other necessary information missing: _____
- Group Use Reviewer: CG Date 10-1-15
- IV. Executed agreement to designate a portion of a TWR provided and signed?
- V. Is the TWR proposed for mitigation suitable for the applicant's proposal?
 Proposal complies with applicable TWR agreement ___ yes ___ no
 What is the suitability area for the subject Trust Water Right: green, red, or yellow? _____
 Is a USBR contract assignment required? ___ yes ___ no
 If yellow and a contract assignment is required, complete the ESA Consultation protocol and take to WTWG. Determine suitability based on HG analysis (check for related HG analysis and contact appropriate HG). If appropriate, fill out "Yellow Area Acquisition, Exchange and Storage Process" letter to send to USBR.
 If green and a contract assignment is required, fill out "Green Area Acquisition, Exchange and Storage Process" letter to send to USBR. WTWG already discussed green area Suncadia mitigation projects on March 8, 2010, so if this uses Lamb and Anderson mitigation, does not need to go to WTWG again.
 If other TWR provided by the applicant, is there any potential impact to surface water system upstream of the original TWR POD? If so, USBR contract assignment is required and needs to go to WTWG.
- VI. Is the consumptive use as a result of the total proposed use equal to or less than the quantity of mitigation water offered per WAC 173-539A-060(2)(a)? ___ yes ___ no (Use the calculator and CU values from WAC 173-539A unless additional specific information is provided by the applicant)
- VII. Has the RDWBN been provided to the Fish Group? ___ yes ___ no ___ n/a Date ready for fish group: _____
 Create/include a pdf version of 1) the request, 2) a map, 3) draft WBN determination, and 4) draft HGmemo.
And place these 4 pdfs in a new folder located in Sharepoint > WBN Templates and Tools > Fish group pdf's
Fish group response: _____
- VIII. Has the RDWBN been taken to WTWG? ___ yes ___ no If yes, date: _____ [date ready for WTWG: _____]
WTWG#: _____; WTWG Response: _____
- IX. Debit TWR (Accounting for * * mitigation.xls) and USBR-Ecology Contract Accounting spreadsheet

Reviewed by _____ Recommendation: Approve ___ Deny ___ or Reject ___ Date _____



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

September 22, 2015

Robert & Agnieszka Girling
16423 N.E. 148th Pl.
Woodinville, WA 98072-8175

Re: Water Right Tracking No. G4-35793

Dear Mr. & Mrs. Girling:

We have received your request for a determination of water budget neutrality and have assigned it the number shown above. Please use this number in future communications with our office.

Please note that construction of your water system and water use should begin only after you have received written confirmation from the Department of Ecology that your project is water budget neutral.

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

Sincerely,

Sage Park
Section Manager
Water Resources Program

SP:SA:SS/150922
WR ID# 6726283

cc: Jessica Kuchan, Attorney, Mentor Law Group PLLC (email pdf)

(FILE COPY)

