



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

August 6, 2013

Dodge Family LLC  
C/O Bob Dodge  
1751 Denmark Road  
Ellensburg, WA 98926-8798

**RE: Water Right Change Application No. CS4-00191sb10d (KITT-13-01)**

Dear Mr. Dodge;

In accordance with RCW 90.80.080 the Department of Ecology (Ecology) has reviewed the Record of Decision (ROD), Report of Examination (ROE), and all comments, protests, objections and other relevant information submitted by the Kittitas County Water Conservancy Board (the Board) for the above referenced application for change.

Ecology has **modified** the decision of the Board and the proposed change/transfer of water right is **approved** under the following conditions:

**Summary of Ecology's Final Order**

MAXIMUM CUB FT/ SECOND		MAXIMUM GAL/MINUTE		MAXIMUM ACRE-FT/YR		TYPE OF USE, PERIOD OF USE	
3.5				432		Irrigation of 72 acres and stock water; March 15 through November 15.	
SOURCE					TRIBUTARY OF (IF SURFACE WATER)		
Parke Creek					Cherry Creek		
¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.	
NW	NW	23	17	19 EWM	39	Kittitas	
AT A POINT LOCATED: PARCEL NO. 1 ft. South and 100 ft. East from the Northwest corner of Section 23. Parcel No. 510133							
<b>LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD</b>							
NE1/4 NE1/4 of Section 22 and NW1/4 NW1/4 of Section 23 in T17N, R19 E.W.M.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,		
Various as per ROE/ROD	NE	NE	22	17	19		
	NW	NW	23	17	19		
<b>DEVELOPMENT SCHEDULE</b>							
BEGIN PROJECT BY THIS DATE:				COMPLETE PROJECT BY THIS DATE:		WATER TO PUT TO FULL USE BY THIS DATE:	
August 5, 2013				December 1, 2013		November 15, 2015	

**FILE COPY**

Ecology has **MODIFIED** the decision of the Board as follows:

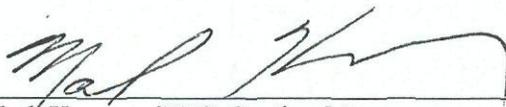
- 1) The Board's decision has been modified as noted in the table above.
- 2) The description of the new authorized point of diversion is corrected in the Board's decision table and throughout the Report of Examination to read as follows:  
**The new point of diversion is located 1 ft. South and 100 ft. East from the Northwest corner of Section 23, being within the N1/2 NW1/4 NW1/4 of Section 23, T.17 N., R.19E.W.M.**
- 3) The Board's decision table is corrected to delete 19 from the "township" box and insert 17 to reflect T17N as the correct Township location.

This decision may be appealed pursuant to RCW 34.05.514(3), RCW 90.03.210(2), and Pretrial Order No. 12 entered in *State of Washington, Department of Ecology v. James Acquavella, et al.*, Yakima County Superior Court No. 77-2-01484-5 (the general adjudication of surface water rights in the Yakima River Basin). The person to whom this decision is issued, if he or she wishes to file an appeal, must file the Notice of Appeal with the Yakima County Superior Court **within thirty (30) days of receipt of this decision**. Appeals must be filed with the Superior Court Clerk's Office, Yakima County Superior Court, 128 North 2<sup>nd</sup> Street, Yakima, WA 98901, RE: Yakima River Adjudication. Appeals must be served in accordance with Pretrial Order No. 12, Section III ("Appeals Procedures"). The content of the Notice of Appeal must conform to RCW 34.05.546. Specifically, the Notice of Appeal must include:

The name and mailing address of the appellant;  
Name and address of the appellant's attorney, if any;  
The name and address of the Department of Ecology;  
The specific application number of the decision being appealed;  
A copy of the decision;  
A brief explanation of Ecology's decision;  
Identification of persons who were parties in any adjudicative proceedings that led to Ecology's decision;  
Facts that demonstrate the appellant is entitled to obtain judicial review;  
The appellant's reasons for believing that relief should be granted; and  
A request for relief, specifying the type and extent of relief requested.

The "parties of record" who must be served with copies of the Notice of Appeal under RCW 34.05.542(3) are limited to the applicant of the decision subject to appeal, Ecology and the Office of the Attorney General.

All others receiving notice of this decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within **thirty (30) days of the date the Order was mailed**. The appeal must be filed in the same manner as described above.

  
\_\_\_\_\_  
Mark Kemner, LHG, Section Manager  
Water Resources Program

MK:MD:ba/130801

By Certified Mail: 7009 2250 0004 4950 9420

cc: Mark Dunbar, Department of Ecology (email pdf)  
Kittitas County Water Conservancy Board (email pdf)  
Philip Rigdon, Director, Yakama Nation

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1. Article Addressed to:

DODGE FAMILY LLC  
C/O BOB DODGE  
1751 DENMARK RD  
ELLENSBURG WA 98926

WR/ba CS4-00191sb10 d,g,e

2. Article Number

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X *Bob Dodge*

- Agent  
 Addressee

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X BOB DODGE

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PS Form 3800, August 2006

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