



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

September 23, 2013

Sunnyside Dairy, LLC  
4581 Maple Grove Rd  
Sunnyside, WA 98944-9793

**RE: Water Right Change Application No. CG4-30398P (YAKI-12-04)**

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 Yakima 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				
	200	158	157 ac-ft/yr for continuous dairy operation; and 1 ac-ft/yr for continuous group domestic supply to a single home and dairy facilities.				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
Four (4) wells							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
22100221401	W½	SW¼	35	11 N	22 EWM	37	Yakima
various	W½	SW¼	02	10 N	22 EWM		
22100314401,402	SE	NE	03	10 N	22 EWM		
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
NW¼ Section 2, T. 10 N., R. 22 E.W.M.							
AND Within Section 35, T. 11 N., R. 22 E.W.M.:							
That portion of SW¼ lying southerly of southerly Roza Canal right-of-way.							
AND All that part of the S½SE¼ of Section 35, lying South of the South right-of-way line of Roza Canal and west of a line described as: Beginning at the Southwest corner of the SW¼SE¼ of said Section 35; thence North 01°30' West along the West line of said SW¼SE¼ a distance of 21.32 feet; thence North 22°41' East to the Southerly right-of-way line of the Roza Canal.							
Except county road right of ways.							
Yakima County Parcel No. 22100221401.							

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PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,
See above.			See above.		
DEVELOPMENT SCHEDULE					
BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:		WATER TO PUT TO FULL USE BY THIS DATE:		
Begun	December 31, 2017		December 31, 2018		

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

- 1) The following provisions are added to the Provisions section:

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.

All wells shall be tagged with a Department of Ecology unique well identification number. If you have an existing well and it does not have a tag, please contact the well-drilling coordinator at the regional Department of Ecology office issuing this decision. This tag shall remain attached to the well. If you are required to submit water measuring reports, reference this tag number.

**YOUR RIGHT TO APPEAL**

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

To appeal you must do the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

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

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**ADDRESS AND LOCATION INFORMATION**

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

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>  
To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>

Mark Kemner, WR Section Mgr, by  


Mark Kemner, LHG, Section Manager  
Water Resources Program  
Central Region Office

MK:MD:ss/130933

Enclosures: Your Right to Be Heard  
Construction Notice  
Water Measurement Requirements & Form 1

By Certified Mail: 7010 0290 0000 7131 3129

cc: Mark Dunbar, Department of Ecology, Central Region Office (email pdf)  
Sylvia Cervantes, Yakima County Conservancy Board  
Philip Rigdon, Director Natural Resources Division Yakama Nation