



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

**TRUST WATER RIGHT
REPORT OF EXAMINATION**

Change of Purpose of Use to Instream Flow and Water Banking
WRTS File No.: CS4-01676(B)CTCL@1

PRIORITY DATE	CLAIM NO.	PERMIT NO.	CERTIFICATE NO.
June 30, 1900	Aquavella Court Claim No. 01676	N/A	N/A

NAME OF PARTY CONVEYING RIGHT TO TRUST WATER RIGHTS PROGRAM
Scatter Creek Resources LLC

ADDRESS/STREET	CITY/STATE	ZIP CODE
206 West First Street	Cle Elum, WA	98922-1108

TRUST WATER RIGHT ATTRIBUTES

SOURCE
Yakima River

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE FEET PER YEAR
0.7		120.1

QUANTITY, TYPE OF USE, PERIOD OF USE
0.7 cubic feet per second, 120.1 acre-feet per year for the purpose of instream flow and water banking from May 1 through September 15.

Instream Flow in the Secondary Reach

	May	June	July	August	September	Total
Avg. Qi (cubic feet per second)	0.10	0.28	0.35	0.36	0.26	---
Qa (acre-feet per year)	5.9	16.8	21.6	21.9	7.6	73.7

HISTORIC POINT OF DIVERSION OR WITHDRAWAL

APPROXIMATE LOCATION OF HISTORIC DIVERSION / WITHDRAWAL
750 feet south and 1,150 feet east from the north quarter corner of Section 35, T. 20 N., R. 15 E.W.M.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP	RANGE [E. or W.] W.M.	WRIA	COUNTY
SE¼NW¼NE¼	35	20 N.	15 E.W.M.	39	Kittitas
PARCEL NUMBER	LATITUDE	LONGITUDE		DATUM	
754735	47.188	-120.927		NAD 27	

AFFECTED REACHES -- DESCRIPTION OF PLACE OF USE
[See Attachment 1 for map of the trust water right location]

PLACE OF USE: Yakima River.
Primary Reach: begins at a point on the Yakima River approximately 750 feet south and 1,150 feet east from the north quarter corner of Section 35, T. 20 N., R. 15 E.W.M. (Approximately Yakima River Mile 181.5.)
Secondary Reach: begins at a point on the Yakima River approximately 500 feet south and 2,040 feet west of the NE¼ of Section 5, T. 19 N., R. 16 E.W.M. (Approximately Yakima River Mile 178.)

TRUST WATER RIGHT TERM

BEGIN DATE	END DATE
Permanent	N/A

FILE COPY

PROVISIONS

Provisions related to the Trust Water Right:

1. 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 wells or diversions and associated distribution systems for compliance with water law.
2. Exercise of this right is limited to the availability of water to satisfy a June 30, 1900, priority water right on the Teanaway River (Class 16).
3. Future use of stock water under the Real Estate Investment Group portion of Court Claim No. 01676 is not authorized.
4. The real property to which the Real Estate Investment Group portion of Court Claim No. 01676 is appurtenant shall remain fallow unless and until another valid water right is transferred to the place of use.

FINDINGS OF FACT AND ORDER

Upon reviewing the investigator's report, I find all facts relevant and material to the subject application have been thoroughly investigated. Furthermore, I find the change of water right as recommended will not be detrimental to existing rights or detrimental to the public interest.

Therefore, I ORDER the requested change of place and purpose of use under Trust Water Right Application No. CS4-01676(B)CTCL@1, be approved subject to existing rights and the provisions specified above.

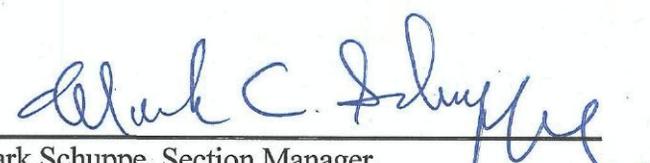
This Decision may be appealed pursuant to RCW 34.05.514(3), RCW 90.03.210(2), and Pretrial Order No. 12 entered in *State of Washington, Department of Ecology v. James Acquavella, et al.*, Yakima County Superior Court No. 77-2-01484-5 (the general adjudication of surface water rights in the Yakima River 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 2nd 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.

Signed at Yakima, Washington, this 14th day of May 2010.


Mark Schuppe, Section Manager
Water Resources Program
Central Region Office

INVESTIGATOR'S REPORT

BACKGROUND

Description and Purpose of Proposed Change

On October 11, 2001, Court Claim No. 01676 was divided between and allocated to five discrete parties. The Real Estate Investment Group portion is the subject of this application and will be referred to as the 01676(B) portion.

On July 16, 2009, Dave Blanchard of Northland Resources and Scatter Creek Resources LLC applied to place Court Claim No. 01676(B) into the State Trust Water Right Program. This application along with four other trust water right applications (Nos. CS4-02223CTCLsb2@1, CS4-00365CTCLsb5, CS4-01296CTCsb5@1(A), CS4-01296CTCLsb5@1(B)) were submitted by Northland Resources and associated LLC's for the purposes of water banking in order to offset the consumptive use associated with new groundwater uses.

Attributes of Court Claim No. 01676(B) and Proposed Change

Table 1

Summary of Existing Attributes and Proposed Changes to Water Right No. CS4-01676(B)CTCL@1

<i>Attributes</i>	<i>Documented</i>	<i>Proposed</i>
Name	The Real Estate Investment Group	N/A
Priority Date Date of Application for Change	Priority Date June 30, 1900	Application Date July 16, 2009
Instantaneous Quantity	0.7 cubic feet per second for irrigation	0.7 cfs In Trust
Annual Quantity	195 acre-feet per year for irrigation 0.495 acre-feet per year for stock water	120.1 acre-feet In Trust
Source	Yakima River	No Change
Point of Diversion	750 feet south and 1,150 feet east from the north quarter corner of Section 35, T. 20 N., R. 15 E.W.M.	No Change
Purpose of Use	Irrigation of 33.2 acres Stock water	In Trust
Period of Use	May 1 through September 15	No Change
Place of Use	The west 1470 feet of the SW¼ of Section 29, T. 20 N., R. 16 E.W.M., EXCEPT that portion thereof bounded by a line described as follows: Beginning at the southwest corner of said Section 29, the true point of beginning; thence north 1°03'17" east, 1222 feet along the west line of said Section; thence south 88°56'47" east, 1440 feet; thence south 1°03'17" west, 1212 feet to the south line of said Section; thence north 89°20'39" west, 1440.04 feet along said south line to the true point of beginning. Also, EXCEPT the following described tract: That portion of the west 1470 feet of the SW¼ of Section 29, T. 20 N., R. 16 E.W.M., lying northerly of an existing ditch bounded by a line described as follows: Beginning at the northwest corner of said southwest corner, the true point of beginning; thence south 1°03'17" west, 481.94 feet along the west line thereof to the centerline of said ditch; thence south 89°39'20" east, 96 feet along said ditch centerline; thence south 76°49'30" east, 329 feet along said ditch centerline; thence north 77°51'30" east, 378 feet along said ditch centerline; thence north 77°09'00" east, 705 feet along said ditch centerline to the east line of said west 1470 feet of the southwest corner; thence north 1°03'17" east, 303.69 feet along said line to the north line of said southwest quarter; thence north 89°11'17" west, 1470.01 feet along said north line to the true point of beginning.	In Trust

Legal Requirements for Proposed Change

The following is a list of requirements that must be met prior to authorizing the proposed change in Change Application No. CS4-01676(B)CTCL@1.

- **Public Notice**
Notice was published by the applicant in *The Daily Record* of Ellensburg for two consecutive weeks, commencing on October 24, 2009, and October 31, 2009.
- **State Environmental Policy Act (SEPA)**
This application is categorically exempt from the provisions of the SEPA, due to the fact that the water quantities proposed for change are less than 1.0 cubic feet per second (cfs). While the projects relying on this trust water right application are not exempt from SEPA, the Department of Ecology (Ecology) may proceed with exempt aspects of the proposals so long as the requirements of WAC 197-11-070 are met. Those requirements being: the agency actions will not have an adverse environmental impact; or, if such action would not limit the choice for reasonable alternatives. Issuing this trust water right will not result in an adverse environmental impact and will not limit the choice for reasonable alternatives.
- **Water Resources Statutes and Case Law**
 - RCW 90.03.380(5)(b) states that applications relating to existing surface or ground water rights may be processed and decisions on them rendered independently of processing and rendering decisions on pending applications for new water rights within the same source of supply without regard to the date of filing of the pending applications for new water rights.
 - RCW 90.38.040(1) states that all trust water rights acquired by the department shall be placed in the Yakima River Basin Trust Water Rights Program to be managed by Ecology. Ecology shall issue a Certificate of Water Right in the name of the state of Washington for each trust water right it acquires.
 - RCW 90.42.100(1) states that Ecology is authorized to use the Trust Water Rights Program in the Yakima River basin for water banking purposes.
 - RCW 90.42.100(2)(a) states that water banking may be used to mitigate for any beneficial use under chapter 90.03, 90.44, or 90.54 RCW, consistent with any terms and conditions established by the transferor, except that return flows from water rights authorized in whole or in part for any purpose shall remain available as part of the Yakima basin's total water supply available and to satisfy existing rights for other downstream uses and users.
 - RCW 90.42.100(2)(b) states that water banking may be used to transfer water rights to and from the Trust Water Rights Program.

INVESTIGATION

The water right change investigation was conducted by Kurt Walker, Ecology Permit Writer. A site investigation was made on September 8, 2009, and was attended by Joseph Morrice of Aspect Consulting. Additional information regarding the use of water was obtained through:

- Documentation submitted by the applicant, their consultants (Aspect Consulting and Washington Rivers Conservancy), and their attorney (Tom McDonald) including:
 - Project overview Memorandum by Aspect Consulting dated June 1, 2009.
 - Technical Memorandum regarding Evapotranspiration by Aspect Consulting dated July 29, 2009.
 - Power records.
- Conversations with:
 - Jon Newton.
 - Joseph Morrice.
 - Timothy Flynn.
 - Lisa Pelly.
- Review of digitized topographic maps and aerial photographs.
- Yakima County Superior Court *Reports of Referee* on the Yakima River Basin Water Rights Adjudication for Subbasin No. 5 (Elk Heights).

History of Water Use

Certificate No. 132 from the prior Teanaway River Adjudication is appurtenant to the subject property. It is a Class 16 water right and authorized the diversion of 5.8 cfs from the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T. 20 N., R. 16 E.W.M. for the irrigation of 290 acres. Around 1949 the point of diversion was change from the Teanaway to the Yakima River from a point which coincides with the intake of the Younger Ditch. The Department of Hydraulics, the predecessor to the Department of Ecology, modified Certificate No. 132 through a Certificate of Change to reflect this transfer in point of diversion (POD). The Certificate of Change contains a provision which limits the use of water from the Yakima River "... for periods only during the irrigation season when waters, or any part of it is available in the Teanaway River to fill a Class 16 Right..." The more recent Acquavella Adjudication confirmed a right under Court Claim No. 01676 for 5.8 cfs from the Yakima River for the irrigation of 270 acres. Diversion of water remained limited to the availability of the Class 16 Right on the Teanaway River. On October 11, 2001, Court Claim No. 01676 was divided by ownership of land and irrigable acres. The Real Estate Investment Group portion amounted to 0.7 cfs and 195 acre-feet per year (ac-ft/yr) for the irrigation of 33.2 acres and a stock water allocation of 0.495 ac-ft/yr. The Real Estate Investment Group portion of the right will be referred to as Court Claim No. 01676(B).

The Real Estate Investment Group land, which is owned by Jon Newton, is supplied water through the Younger Ditch. The Younger Ditch diversion on the Yakima River provides water to north and south ditch branches. The subject land is served by the north branch. The north branch flows in a generally eastward direction for approximately two miles and terminates at a pond just south of the Cle Elum airport. Water is then lifted by means of a 30 horsepower (hp) centrifugal pump to a series of open ditches and ponds which serve the Real Estate Investment land and the other lands associated with Court Claim No. 01676.

See Attached Map (Attachment 1) for POU and POD locations

The subject property is irrigated by two wheel lines. Each wheel line is constructed with 40-foot pipe sections, with one impact sprinkler (3/16" nozzle size) per section. One wheel line has 26 nozzles and the other has 28 nozzles. The wheel lines are served by a single 15 hp pump with a total delivery capacity around 0.78 cfs or 350 gallons per minute (gpm). Mr. Newton reports that he operates the system at 60 pounds per square inch (psi) and runs 24-hour sets with a 12-day rotation. Mr. Newton currently has around 20 horses which are allowed to freely drink from the ditch while water is available. Water is not pumped from the Younger Ditch pond near the airport after an alfalfa cutting or near the end of the growing season. During these periods, Mr. Newton re-circulates water on his property to provide water to a pond and his horses. Water is pumped to a high point near the northwest corner of the property where it flows down an open ditch to a pond which overflows to a connecting open ditch back to the pump location. For this reason, pump records alone cannot be used to estimate the annual quantity used for irrigation and stock water.

A review of the system capacity, power use records, discussions with Mr. Newton, and aerial photographs indicate that the full instantaneous quantity and nearly the full acreage awarded through the adjudication has been exercised. However, it appears that approximately 75 ac-ft/yr has not been beneficially used as affirmed by the Court's Conditional Final Order issued on February 8, 2001. While the Court granted a generous duty of approximately 5.8 ac-ft per acre, it appears that the water right holder has been able to fully develop a crop of alfalfa with a lower duty around 3.75 ac-ft per acre. A stock water use estimate is based on a water demand requirement listed in the Washington State Department of Health Water System Design Manual (DOH, 2001). The listed stock water requirement for horses is 12 gallons per days per head. Based on 20 horses for a period of use from May 1 through September 15 (138 days), the annual stock water use is estimated at 0.10 ac-ft/yr. In summary, Ecology recognizes 0.7 cfs and 120 ac-ft/yr for the irrigation of 32 acres, and 0.10 ac-ft/yr for stock water as the extent of the right and as the quantities available for change.

Class 16 Water Availability

As stated above, availability to exercise Court Claim No. 01676 is limited to the availability of Class 16 water on the Teanaway River. Of the 40+ cfs of diversionary rights in the senior classes (1-15), approximately 37 cfs are authorized below the United States Bureau of Reclamation Teanaway River at Forks(Forks) gauge. While this right has a priority of 1900, it may not be available for the entire irrigation season in all years. In 2005, a "limitation of use" condition was placed on Court Claim 01676 under Yakima Superior Court Order 77-2-01484-5. The limitation being as follows: "this water right authorizes diversion of Yakima River water for periods only during irrigation season when water is available in the Teanaway River to fulfill the Class 16 right (June 30 1900)." Since the Forks gauge began continuous monitoring in 1971, flows in the Teanaway River have dropped below 37 cfs every year during the irrigation season. On average, flows drop below 37 cfs in late July and often does not rise back above 37 cfs until early October or later. The parties confirmed rights under Court Claim No. 01676 were issued letters in 2005, 2006, 2007, 2008, and 2009 informing them that water

availability for Class 16 water rights was declining and that Younger Ditch diversions should be reduced when these junior rights are not being taken. A review of power records and statements from Mr. Newton indicate that the Real Estate Investment Group portion has not been voluntarily curtailed. In those years that letters were sent, Ecology did not receive any formal calls for water from senior water right holders.

Proposed Use

The applicant proposes to change Court Claim No. 01676(B) to trust for the purposes of instream flow and water banking in order to offset the consumptive use associated with new groundwater uses.

Other Rights Appurtenant to the Place of Use

A review of Ecology's records and database did not reveal any other rights or claims which are appurtenant to the subject property.

Trust Water Right Calculations

Water has been used on the subject property for irrigation, and stock water purposes under Court Claim No. 01676(B). The Trust Water Right calculations will be based on 0.7 cfs and 120 ac-ft/yr for the irrigation of 32 acres and 0.10 ac-ft/yr for stock water.

In general, water used for irrigation is not constantly diverted over the irrigation period. Water use often begins at a lower rate during the beginning of the growing season, ramps up during the warmer part of the season and decreases again in the later part of the season. Irrigation may also be interrupted while moving sprinklers, or to dry and harvest crops.

Water use on the Real Estate Investment Group land has not been directly measured. In the absence of direct water use records, Ecology uses various methods to estimate the amount of water used and consumed. One source of information frequently used by Ecology to estimate water used for irrigation is the Natural Resources Conservation Service's *Washington Irrigation Guide* (WIG). The WIG data show the estimated average amount of water required by the crop or crop irrigation requirement (CIR) in addition to the existing moisture in the root zone under average climatic conditions. The WIG is currently being updated by Washington State University (WSU) to include additional climatic stations, up to date estimates of evapotranspiration (ET). For purposes of this change application, CIR values for alfalfa in the Cle Elum area were calculated using the American Society of Civil Engineers (ASCE) Penman-Monteith method and available climate data. The ASCE Penman-Monteith method is one of the methods currently being used by WSU to estimate monthly CIR values.

Ecology's Guidance Document GUID 1210, *Determining Irrigation Efficiency and Consumptive Use*, was used in part to determine irrigation efficiency (Ea) and consumptive use (CU). The CIR was estimated using the ASCE Penman-Monteith and local climatic data. Given the local growing conditions and method of application, impact sprinklers on a wheel line, evaporative losses are estimated at ten percent of the total irrigation requirement (TIR). The percent CU for the irrigation portion of 01676(B) is 61.3% of the TIR of 120 ac-ft, which amounts to a CU value of 73.7 ac-ft. The total CU for Court Claim No. 01676(B) in monthly instantaneous rates and annual quantities are shown in Table 2. The remaining portion of used water which is not consumed is considered to be return flow.

Stock water is mostly consumptive, through respiration and evaporation, a small portion of return flow associated with animal waste is assumed. Limited data on the consumptive use of stock water have been identified. Provisional stock water use data available from the USGS Washington Water Science Center (<http://wa.water.usgs.gov/data/wuse/main.cnty.95.txt>) presents stock water use by county for 1995. Based on this data, consumptive use associated with stock water in Kittitas County is estimated at 87%. Therefore, the consumptive use associated with Mr. Newton's horses is estimated at 0.09 ac-ft/yr.

Trust Water Place of Use

Ecology typically manages its trust water rights by defining a primary and a secondary reach. The primary reach is the length of the river between the historic point of diversion and where any of the water diverted, but not consumed, returns to the river. The secondary reach begins at the downstream end of the primary reach and is defined as that length of river which benefits from a reduction in consumptive use.

The primary reach under this application begins from the historic authorized point of diversion on the Yakima River being approximately 750 feet south and 1,150 feet east from the north quarter corner of Section 35, T. 20 N., R. 15 E.W.M. The instantaneous rate of 0.7 cfs and 120 ac-ft/yr are being placed into trust from May 1 through September 15.

The secondary reach begins on the Yakima River at a point approximately 500 feet south and 2,040 feet west of the NE¼ of Section 5, T. 19 N., R. 16 E.W.M. The consumptive use associated with this right is eligible for protection under as a trust water right in the secondary reach as described in Table 2 below.

However, this water right is being changed from irrigation to instream flow and water banking. As such, this trust water right will serve as mitigation for new water rights from surface water sources and/or sources hydraulically related to the Yakima River. These new appropriations will be water budget neutral with respect to the "total water supply available," but the trusting of this right may not derive a specific reach benefit eligible for protection after the new appropriations are authorized.

**Table 2.
Instream Flow in the Secondary Reach**

	May	June	July	August	Sept.	Total
Avg. Qi (cfs)	0.10	0.28	0.35	0.36	0.26	---
Qa (ac-ft)	5.9	16.8	21.6	21.9	7.6	73.7

Trust Water Management

Court Claim No. 01676(B) is being changed to instream flow and water banking. As a condition of placing this water right into the State Trust Water Rights Program, the consumptive portion of water placed into trust may be available as mitigation to address the issue of impairment with respect to new out-of-priority water rights consistent with WAC 173-539A.

Impairment Considerations

Under RCW 90.38.040(5)(a), a trust water right may be exercised only if Ecology first determines that the authorization will not impair or injure any other water right. An attempt was made to identify any third parties who may be potentially affected by an approval of this application. Ecology sent a notice containing pertinent information to all appropriate state agencies, potentially affected local governments and federally recognized tribal governments, and other interested parties. Ecology did not receive any comments regarding the issue of impairment from any third party.

Public Interest Considerations

When investigating a change application, Ecology is required to consider whether the change is detrimental to the public interests. Ecology must consider how the change will affect an array of factors such as wildlife habitat, recreation, water quality, and human health. The environmental amenities and values associated with the area were taken into account during the consideration of this change application.

Consideration of Protests and Comments

No protest or comments were received for consideration.

CONCLUSIONS

- Court Claim No. 01676(B) is appurtenant to the subject property, 32 acres have been historically and beneficially irrigated and 0.10 ac-ft/yr has been used for stock water.
- The author makes a tentative determination that Court Claim No. 01676(B) represents a valid right to divert water from the Yakima River in quantities up to 0.7 cfs and 120 ac-ft for the irrigation of 32 acres and 0.10 ac-ft for stock water, both from May 1 through September 15.
- No water rights will be impaired or injured by no longer diverting 0.7 cfs from the Yakima River confirmed under Acquavella Court Claim 01676(B).
- Changing the purpose of this water right to instream flow and water banking are not contrary to the public interest.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that the request for change to Court Claim No. 01676(B) be approved in the amounts and within the limitations listed below and subject to the provisions listed in the Report of Examination.

Place of Use:

Yakima River.

Purpose of Use:

Instream Flow and Water Banking.

Trust Water Right Attributes:

Primary Reach:

0.7 cfs, 120.1 ac-ft/yr from May 1 to September 15 for instream flow purposes in the primary reach.

The primary reach begins at a point approximately 750 feet south and 1,150 feet east from the north quarter corner of Section 35, T. 20 N., R. 15 E.W.M.

Secondary Reach:

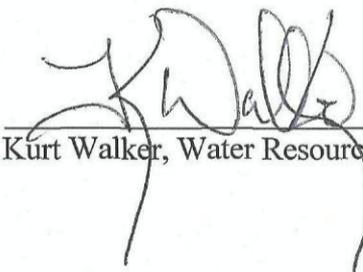
73.7 ac-ft/yr from May 1 to September 15 for instream flow purposes in the secondary reach as follows:

Instream Flow in the Secondary Reach

	May	June	July	August	Sept.	Total
Avg. Qi (cfs)	0.10	0.28	0.35	0.36	0.26	---
Qa (ac-ft)	5.9	16.8	21.6	21.9	7.6	73.7

The secondary reach begins at a point on the Yakima River approximately 500 feet south and 2,040 feet west of the NE¼ of Section 5, T. 19 N., R. 16 E.W.M.

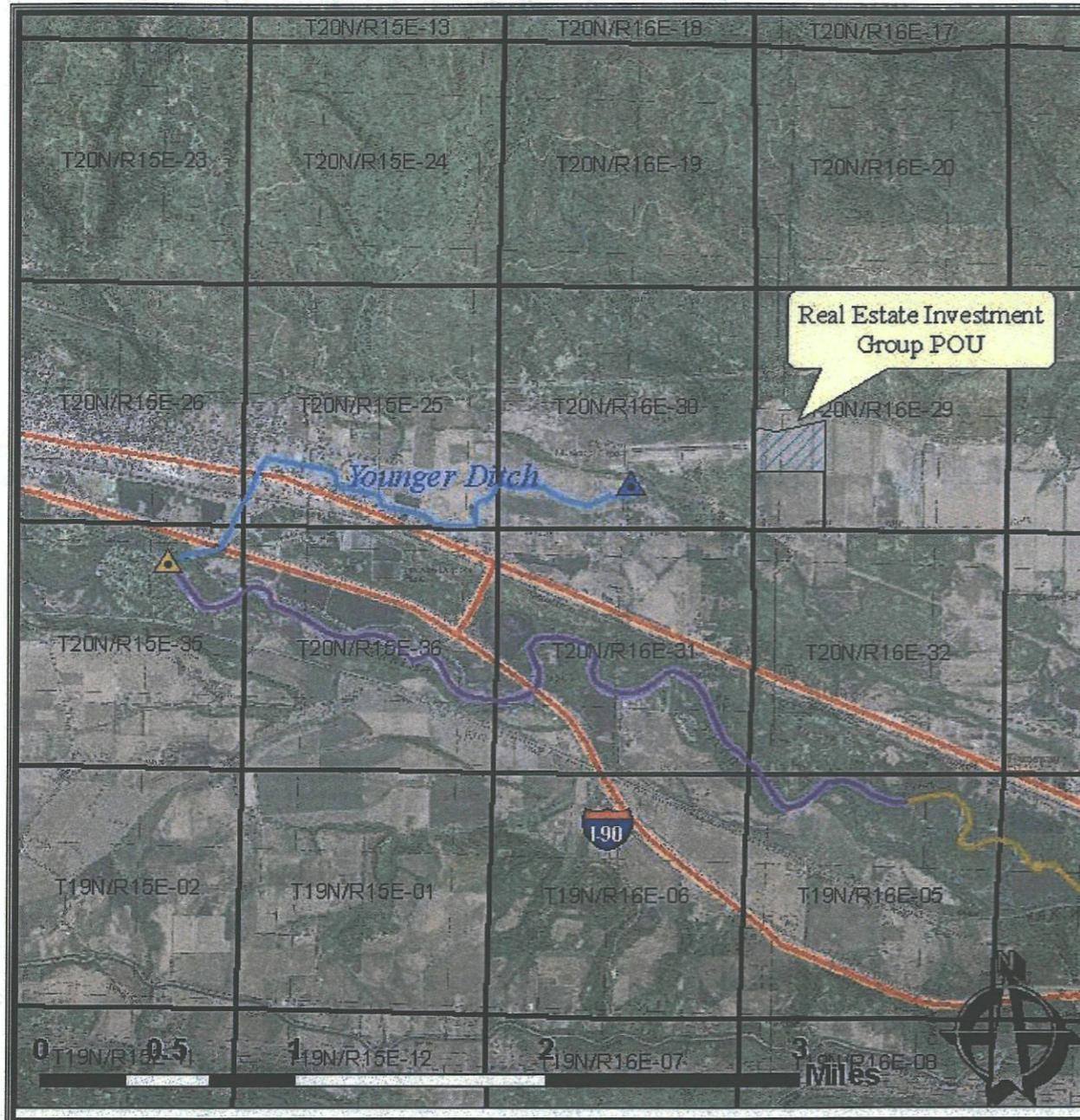
Report by:


Kurt Walker, Water Resources Program

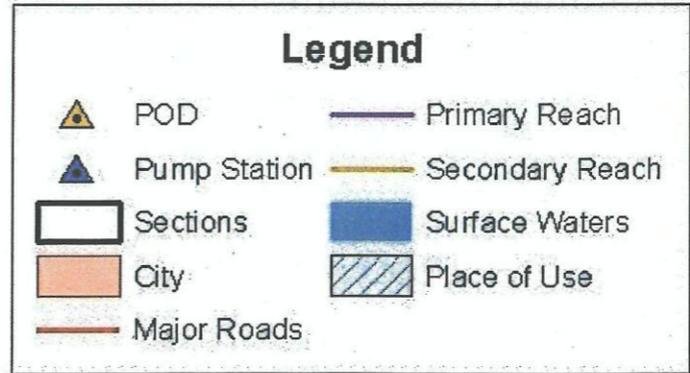
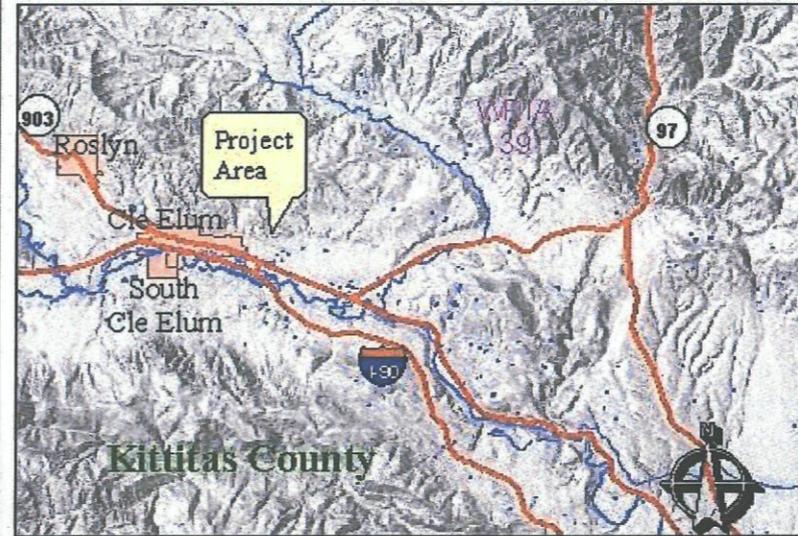
5-13-10
Date

REFERENCES

- Morrice, J. and Flynn, T. 2009. Technical Memorandum regarding Calculation of Evapotranspiration Rates and Crop Irrigation Requirements, Project No. 070207.
- Morrice, J. and Flynn, T. 2009. Technical Memorandum regarding Current and Proposed Water Use Estimates Northland Resources, L.L.C. Development Projects, Project No. 070207.
- Natural Resources Conservation Service, 1997. *Washington Irrigation Guide. Appendix B: Climatic Station for Consumptive Use (WA 210-VI-WAIG).*
- United States Geologic Survey, 1995. Provisional data of Livestock (stock) water use, by County, for Washington 1995. Available on line at: <http://wa.water.usgs.gov/data/wuse/main.cnty.95.txt>
- State of Washington, Department of Ecology v. Acquavella, et al., Yakima County Superior Court Case No. 77-2-01484-5, Reports of Referee Subbasin No. 5 (Elk Heights).
- Washington State Department of Health, 2001. Water System Design Manual. Chapter 5, Water Demand Requirements. Available on line at: <http://www.doh.wa.gov/ehp/dw/publications/design.htm>



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CS4-01676(B)CTCL@1



Attachment 1