



Douglas County WATER CONSERVANCY BOARD Application for Change/Transfer Record of Decision

For Ecology Use Only Received: OCT 27 2013 DEPT OF ECOLOGY CENTRAL REGION OFFICE Reviewed by: Date Reviewed:

Applicant: Excelsior Mortgage

Application Number: DOUG 13-03

This record of decision was made by a majority of the board at an open public meeting of the Douglas County Water Conservancy Board held on

Approval: The Douglas County Water Conservancy Board hereby grants conditional approval for the water right transfer described and conditioned within the report of examination on and submits this record of decision and report of examination to the Department of Ecology for final review.

Denial: The Douglas County Water Conservancy Board hereby denies conditional approval for the water right transfer as described within the report of examination on and submits this record of decision to the Department of Ecology for final review.

Signed:

Lee Hemmer, Chair Douglas County Water Conservancy Board

Date: 10-14-13

- Approve [checked] Deny [] Abstain [] Recuse [] Other []

Kathalene Humphrey, Vice Chairman Douglas County Water Conservancy Board

Date: 10-14-13

- Approve [checked] Deny [] Abstain [] Recuse [] Other []

Don Popoff, Member Douglas County Water Conservancy Board

Date: 10-14-13

- Approve [] Deny [] Abstain [] Recuse [checked] Other []

Mailed to the Department of Ecology Central Regional Office of Ecology, and other interested parties on 10-18-13 If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).

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**DOUGLAS COUNTY
WATER CONSERVANCY BOARD**
Application for Change/Transfer
OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF
THE STATE OF WASHINGTON



Report of Examination

Surface Water Ground Water

DATE APPLICATION RECEIVED 3/11/13	WATER RIGHT DOCUMENT NUMBER (i.e., claim, permit, certificate, etc.) G3-00670C	WATER RIGHT PRIORITY DATE August 5, 1969	BOARD-ASSIGNED CHANGE APPLICATION NUMBER DOUG 13-03
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NAME Excelsior Mortgage Equity Fund II, LLC			
ADDRESS (STREET) 5800 SW Meadows Road, Suite 230	(CITY) Lake Oswego	(STATE) OR	(ZIP CODE) 97035

Changes Proposed: Change purpose Add purpose Add irrigated acres Change point of diversion/withdrawal
 Add point of diversion/withdrawal Change place of use Other (Temporary, Trust, Interties, etc.) _____

SEPA

The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: Exempt Not exempt

BACKGROUND AND DECISION SUMMARY

Existing Right (Tentative Determination)

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE 130	MAXIMUM ACRE-FT/YR 1 133	TYPE OF USE, PERIOD OF USE Domestic-Year round Stock-Year round				
SOURCE 1 Well			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO. 20220510000	¼ Gov. Lot 13	¼	SECTION 5	TOWNSHIP N 20	RANGE 22	WRIA 41	COUNTY Douglas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED							
A strip of land 60 feet wide which lies parallel and adjacent to the westerly right of way of State Highway No. 28 within the West half of Southeast quarter; AND the northerly 1300 feet of the easterly 800 feet of the East half of Southwest quarter; ALL within Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N	RANGE		
20220430002	NE	SW	4	20	22		
	SW	SE	4	20	22		
20220440002	NW	SE	4	20	22		
20220430003	NE	SW	4	20	22		
	SW	SE	4	20	22		

Proposed Use

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE 130	MAXIMUM ACRE-FT/YR 134	TYPE OF USE, PERIOD OF USE Irrigation-4/1 to 10/31				
SOURCE 1 Well			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO. 20220510000	¼ Gov. Lot 13	¼	SECTION 5	TOWNSHIP N 20	RANGE 22	WRIA 41	COUNTY Douglas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
Attached as Exhibit 1.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N	RANGE		
20220430003	S ½ and NE	SW	4	20	22		
20220410003	NE	NW	4	20	22		
	NW	NE	4	20	22		
20220440002	SW	NE	4	20	22		
	NW	SE	4	20	22		
20220900001	NW and NE	NW	9	20	22		
20220420001	N ½ and SE	SW	4	20	22		
		NW	4	20	22		
20220430002	S ½	SE	4	20	22		
	E ½	SW	4	20	22		

Board's Decision on the Application

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	130	134	Irrigation-4/1 to 10/31				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
1 Well							
AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N	RANGE	WR1A	COUNTY
20220510000	Gov. Lot 13		5	20	22	41	Douglas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
Attached as Exhibit 1.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N	RANGE, E		
20220430003	S ½ and NE	SW	4	20	22		
20220410003	NE	NW	4	20	22		
	NW	NE	4	20	22		
20220440002	SW	NE	4	20	22		
	NW	SE	4	20	22		
20220900001	NW and NE	NW	9	20	22		
20220420001	N ½ and SE	SW	4	20	22		
20220430002		NW	4	20	22		
	S ½	SE	4	20	22		
	E ½	SW	4	20	22		

DESCRIPTION OF PROPOSED WORKS

The well, pump and mainline to the property already exist. A distribution system will have to be constructed for future farming of the property.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE:
12/30/2015	12/30/2020	12/30/2028

REPORT

BACKGROUND [See WAC 173-153-130(6)(a)]

On 3/11/13 Excelsior Mortgage Equity Fund II, LLC of Lake Oswego, Oregon, filed an application to change purpose and place of use under G3-00670C. The application was accepted at an open public meeting on 3/11/13, and the board assigned application number DOUG 13-03.

Attributes of the water right as currently documented

Name on certificate, claim, permit: Columbia Feeders, Inc.

Water right document number: G3-00670C

As modified by certificate of change number: N/A

Priority date, first use: 8/5/69

Water quantities: Qi: 500 gpm Qa: 220 afy

Source: 2 wells

Point of diversion/withdrawal: Approximately 100' North of the SE corner of Section 5 and on the easterly boundary of Section 5.

Purpose of use: 118 af of Irrigation; 1 af of domestic; 101 af of stock water

Period of use: 118 af of irrigation 4/1 to 10/31; 1 af of domestic year round; 101 af of stock water year round

Place of use: A strip of land 60 feet wide which lies parallel and adjacent to the westerly right of way of State Highway No. 28 within the West half of Southeast quarter; AND the northerly 1300 feet of the easterly 800 feet of the East half of Southwest quarter; ALL within Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.

Existing provisions: N/A

Tentative determination of the water right

The tentative determination is provided on the front page of this report.

History of water use

The history of the water use is detailed in the Columbia Feeders Water Right Tentative Determination Assessment by RH2 Engineering dated January 2013. The report acknowledges that the irrigation use on the property was relinquished many years ago. The power records show a very steady continuous use for stock watering through 2008. Using those power records the engineers have calculated an annual use of 134 afy for stock and domestic use.

Previous changes

N/A

SEPA

The board has reviewed the proposed project in its entirety. The governmental action relating to the subject application is exempt from the "detailed statement" preparation requirements of SEPA (WAC 197-11-800(4)) because the change requested involves less than 2,250 gallons per minute of groundwater.

Other

As detailed in the RH2 report the applicant acknowledges that the irrigation portion of this water right relinquished several years ago. The use of 134 afy for stock and domestic use is well documented through the pump records but the use of the property for raising stock ended four years ago and the applicant desires to change the purpose of the domestic and stock water to irrigation.

The information or conclusions in this section were authored and/or developed by Donald L. Dimmitt and the Board.

COMMENT AND PROTESTS [See WAC 173-153-130(6)(b)]

Public notice of the application was given in the Empire Press on March 28 and April 4, 2013. Protest period ended on May 6, 2013.

There were no protests received during the 30 day protest period. In addition, no oral and written comments were received at an open public meeting of the board or other means as designated by the board.

The information or conclusions in this section were authored and/or developed by Donald L. Dimmitt and the Board.

INVESTIGATION [See WAC 173-153-130(6)(c)]

The following information was obtained from a site inspection conducted by Lee Hemmer on April 16, 2013, technical reports, research of department records, and conversations with the applicant and/or other interested parties.

Proposed project plans and specifications

The applicant is marketing the property for future agricultural use. Based upon the response of an interested party it seems likely that the property will be acquired for future vineyard use. As a result, RH2 has provided a report detailing the amount of water necessary for vineyard production. Nonetheless, the request is simply to approve the water for irrigation use of any kind in case that expectation of vineyard use does not occur. The well, pump and mainline are already in place but the applicant proposes to wait to determine the method of irrigation until there is a sale of the property for a particular use.

Other water rights appurtenant to the property (if applicable)

None

Public Interest (groundwater only)

The proposed transfer is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities. The proposal is to continue to use water that has been continuously used under a valid water right for several decades. There is no detriment to the public interest resulting from the continued use.

Tentative Determination

In order to make a water right change decision, the Board must make a tentative determination on the validity and extent of the right. The Board has made the tentative determination as displayed upon the first page of this report. There are several circumstances that can cause the board's tentative determination to differ from the stated extent of the water right within water right documentation. Water right documents attempt to define a maximum limitation to a water right, rather than the actual extent to which a water right has been developed and maintained through historic beneficial use. Additionally, except for a sufficient cause pursuant to RCW 90.14.140, water rights, in whole or in part, not put to a beneficial use for five consecutive years since 1967 may be subject to relinquishment under Chapter 90.14.130 through 90.14.180 RCW. Water rights may additionally be lost through abandonment. The Board's tentative determination was based upon the following findings: Based upon the following findings the irrigation portion of this right relinquished several years ago. The pump records establish a very constant use of the domestic (1 afy) and stock water (133 afy) through 2009 for a total of 134 afy beneficial use.

Geologic, Hydrogeologic, or other scientific investigations (if applicable)

The RH2 report analyzes the expected output of the pump based upon the power records thus determining the annual volume. A separate analysis by RH2 details the expected volume of water necessary for the irrigation of a vineyard.

Other

N/A

The information or conclusions in this section were authored and/or developed by Donald L. Dimmitt and the Board.

CONCLUSIONS [See WAC 173-153-130(6)(d)]

Tentative determination (validity and extent of the right)

A valid water right exists for domestic and stock water at a Qa of 134 afy and a Qi of 130 gpm.

Relinquishment or abandonment concerns

The RH2 report details that the entire irrigation right relinquished several years ago.

Hydraulic analysis

The result of the RH2 calculations using the type of pump and power records supports a beneficial use of 134 afy.

Consideration of comments and protests

N/A

Impairment

Will not impair existing rights

Public Interest

The proposed transfer is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities. The proposal is to continue to use water that has been continuously used under a valid water right for several decades. There is no detriment to the public interest resulting from the continued use.

Other

The board also considered the previous provisions associated with the water right as identified in the background section of this report when making its decision.

DECISION [See WAC 173-153-130(6)(e)]

The applicant has acknowledged that the irrigation portion of this water right was relinquished several years ago. However, the power records show a very steady use for stock watering and domestic through 2008. Those meter records show the lowest five years of power use being 2003 through 2007 with 2007 being the highest of those years at 134 afy.

This amount is greater than the 101 afy originally allowed for stock water and 1 afy originally allowed for domestic. However, under Policy 1120 related to defacto changes this use constitutes a beneficial use of the water right in question. This beneficial use has not been relinquished due to more than five consecutive years of nonuse as it occurred through 2008. The applicants applied on March 13, 2013 to put the 134 acre feet into trust and the Department of Ecology confirmed by letter of April 1, 2013, that the Trust Water Right Application had been received and assigned Application No. CG3-00670C@1.

The meter records also indicate that the larger of the two wells originally permitted has not been used for an extended period. The power meter readings support an estimate of 130 gpm currently and thus the difference between the original 500 gpm and the current 130 gpm has been relinquished.

The Wine Grape Irrigation Report indicates that there is the potential to irrigate 108.9 acres of grapes using 134 acre feet at a rate of 130 gpm. The applicant is granted the right to irrigate up to 108.9 acres within the applicant's total acreage of approximately 200 acres.

No ACQ analysis is required. The original irrigation right was relinquished so there is no adding of additional acreage to that original right. There is also no addition of previously unauthorized purpose.

The information or conclusions in this section were authored and/or developed by Donald L. Dimmitt and the Board.

PROVISIONS [See WAC 173-153-130(6)(f)]

Conditions and limitations

Wells, Well Logs and Well Construction Standards

All wells constructed in the state shall meet the construction requirements of Chapter 173-160 WAC titled "Minimum Standards for the Construction and Maintenance of Wells" and Chapter 18.104 RCW titled "Water Well Construction." Any well which is unusable, abandoned, or whose use has been permanently discontinued, or which is in such disrepair that its continued use is impractical 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. All water measuring reports submitted to Ecology must reference this tag number.

Installation and maintenance of an access port as described in WAC 173-160-291(3) is required.

Measurements, Monitoring, Metering and Reporting

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

Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Central Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Central Regional Office for forms to submit your water use data.

Measurement of Water Use

How often must water use be measured?	Weekly
How often must water use data be reported to Ecology?	Annually on January 31 st of the following year
What volume should be reported?	Total Annual Volume (acre-feet)
What rate should be reported?	Annual Maximum Rate of Withdrawal (gpm)

Schedule and Inspections

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 water law.

Proof of Appropriation

The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the permit. Elements of a proof of inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Easement Right-of-Way

The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right change authorization by this Department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

Conservation

The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

Real Estate Excise Tax Notice

This decision may indicate a Real Estate Excise Tax liability for the seller of water rights. The Department of Revenue has requested notification of potentially taxable water right related actions, and therefore will be given notice of this decision, including document copies. Please contact the state Department of Revenue to obtain specific requirements for your project. Phone: (360) 570-3265. The mailing address is: Department of Revenue, Real Estate Excise Tax, P.O. Box 47477, Olympia, WA 98504-7477, Internet: <http://dor.wa.gov/> or E-mail: REETSP@DOR.WA.GOV.

Mitigation (if applicable)

N/A

Construction Schedule

The project is required to begin by December 30, 2015, be completed by December 30, 2020, with all of the water put to full use by December 30, 2028.

Other

The information or conclusions in this section were authored and/or developed by the Board.

The undersigned board commissioner certifies that he/she understands the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that he/she, having reviewed the report of examination, knows and understands the content of this report and concurs with the report's conclusions.

Signed at Waterville, Washington

This ~~9~~¹⁴ day of ~~September~~^{October}, 2013



Board Representative's Name, Board Representative
Board Name Water Conservancy Board

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EXHIBIT 1

LEGAL DESCRIPTIONS FOR AREA OF PROPOSED USE

Tax Parcel No. 20-22-04-300-03:

That portion of the Northeast quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter all of Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington, described as follows: Beginning at the Southeast corner of the said Section 4; thence along the South line of the said Section South 89°31'10" West 2666.57 feet to the South quarter corner of the said Section 4 as monumented by a found 1" iron pipe; thence North 19°03'10" East 1149.60 feet to the Point of Beginning of this description and a point on the westerly right of way line of State Highway 28 and a point on a curve whose tangent bears North 12°00'31" West; thence northerly along the said curve whose radius is 6478.50 feet through a central angle right of 01°47'48" for a distance of 203.15 feet to the North line of the said Southwest quarter of the Southeast quarter of the said Section 4; thence along the said North line South 88°58'33" West 397.32 feet to the Northwest corner of the said subdivision; thence continuing along the same line South 88°58'33" West 307.99 feet; thence North 02°44'12" West 1157.44 feet; thence South 88°26'47" West 623.17 feet; thence South 02°37'51" East 650.00 feet; thence South 24°16'29" East 379.57 feet; thence South 65°12'23" East 180.26 feet; thence South 06°16'27" West 276.41 feet; thence North 88°58'33" East 1103.40 feet to the Point of Beginning and the end of this description.

(Ptns. SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 20 N., R. 22, E.W.M., Douglas County, Washington)

Tax Parcel No. 20-22-04-100-03:

That portion of the following described property lying westerly of the westerly right of way for Primary State highway No. 10: Beginning at the Southeast corner of Government Lot 8, Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington, and run thence North along the section line between Sections 3 and 4, for 53 $\frac{1}{3}$ rods; thence turning to the left and running along a line parallel with the South line of said Section 4, to the West line of Lot 6 in said Section 4; thence South on a line parallel with the section line between said Sections 3 and 4 for 53 $\frac{1}{3}$ rods; thence easterly along a line parallel to the South line of said Section 4 to the Point of Beginning, EXCEPT portions conveyed to the State of Washington for road and highway by Deeds in Book 67 at Page 395 and Auditor's File No. 120750 in Book 131 at Page 344.

(Ptns. NE $\frac{1}{4}$ NW $\frac{1}{4}$ (aka Gov. Lot 6) and NW $\frac{1}{4}$ NE $\frac{1}{4}$ (a/k/a Gov. Lot 7) Sec. 4, T. 20 N., R. 22, E.W.M., Douglas County, Washington)

Tax Parcel No. 20-22-04-400-02:

That portion of the following described property lying westerly of the westerly right of way limit for Primary State Highway No. 10: Government Lot 10 and the North half of the Southeast quarter of Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.

(Ptn. SW $\frac{1}{4}$ NE $\frac{1}{4}$ (aka Gov. Lot 10) and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 20 N., R. 22, E.W.M., Douglas County, Washington)

Tax Parcel No. 20-22-09-000-01:

That portion of Section 9, Township 20 North, Range 22, E.W.M., Douglas County, Washington, which lies northeasterly of the Great Northern Railway right of way, and southwesterly of a line 50 feet southwesterly from and parallel to the center line of the unused railroad right of way running through said section and which lies northerly of the county road right of way conveyed to Douglas County, Washington, by Deeds recorded as Auditor's File No. 135714, in Book 150, Page 130.

(Ptn. NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 20 N., R. 22, E.W.M., Douglas County, Washington)

Tax Parcel No. 20-22-04-200-01:

Unused right of way in Lots 3, 4, 5, 6, 11 and 12 and the Northwest quarter of the Southwest quarter and conveyed to Thomas F. Roddy by Treasurer's Deed recorded in Book 99 of Deeds, page 376, Douglas County, Washington, in Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.

(Ptn. NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ (a/k/a Gov. Lot 12), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (a/k/a Gov. Lot 11), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (a/k/a Gov. Lots 4 & 5), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (a/k/a Gov. Lots 3 & 6), Sec. 4, T. 20 N., R. 22, E.W.M., Douglas County, Washington)

Tax Parcel No. 20-22-04-300-02

That portion of the following property lying westerly of the westerly right of way limit for Primary State Highway No. 10:

The South half of the Southeast quarter and the East half of the Southwest quarter of Section 4, Township 20 North, Range 22 East of the Willamette Meridian, Douglas County, Washington.

EXCEPT the unused right of way in Lots 3, 4, 5, 6, 11 and 12 and the Northwest quarter of the Southwest quarter and conveyed to Thomas F. Roddy by Treasurer's Deed recorded in Book 99 of Deeds, page 376, Douglas County, Washington, in Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.

AND EXCEPT That portion of the Northeast quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter all of Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington, described as follows: Beginning at the Southeast corner of the said Section 4; thence along the South line of the said Section South 89°31'10" West 2666.57 feet to the South quarter corner of the said Section 4 as monumented by a found 1" iron pipe; thence North 19°03'10" East 1149.60 feet to the Point of Beginning of this description and a point on the westerly right of way line of State Highway 28 and a point on a curve whose tangent bears North 12°00'31" West; thence northerly along the said curve whose radius is 6478.50 feet through a central angle right of 01°47'48" for a distance of 203.15 feet to the North line of the said Southwest quarter of the Southeast quarter of the said Section 4; thence along the said North line South 88°58'33" West 397.32 feet to the Northwest corner of the said subdivision; thence continuing along the same line South 88°58'33" West 307.99 feet; thence North 02°44'12" West 1157.44 feet; thence South 88°26'47" West 623.17 feet; thence South 02°37'51" East 650.00 feet; thence South 24°16'29" East 379.57 feet; thence South 65°12'23" East 180.26 feet; thence South 06°16'27" West 276.41 feet; thence North 88°58'33" East 1103.40 feet to the Point of Beginning and the end of this description.

(Ptn. NE¼SW¼, SE¼SW¼, SW¼SE¼, Sec. 4, T. 20 N., R. 22, E.W.M., Douglas County, Washington.