



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

May 5, 2016

Mr. Ralph Broetje
Broetje Orchards LLC
1111 Fishhook Road
Prescott, WA 99348

Re: Trust Water Application No. G3-27932C

This application for permanent trust was proposed to provide mitigation for new Water Right Application No. G3-30734. It was subsequently determined that a partial voluntary relinquishment of Ground Water Certificate No. G3-27932C right would provide a more streamline process and ensure the mitigation would remain in place. This relinquishment was received in April of 2016 and accepted by Ecology.

Therefore, Trust Water Application No. G3-27932C is hereby **REJECTED**.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. 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 the Order.

File your appeal and a copy of this Order 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 Order 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.

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

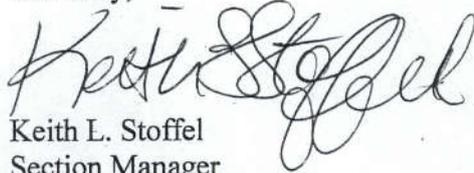


Broetje Land LLC
G3-27932C
Page 2
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For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov> . To find laws and agency rules visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.

If you have any questions, please contact Dan Tollison at 509-329-3526.

Sincerely,



Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS/DT:md
Enclosure: *Your Right to Be Heard*

By Certified Mail: 7015 0640 0003 6619 6471

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City, State, _____

Mr. Ralph Broetje
 Broetje Orchards LLC
 1111 Fishhook Road
 Prescott, WA 99348

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0003 6619 6471

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to

Mr. Ralph Broetje
 Broetje Orchards LLC
 1111 Fishhook Road
 Prescott, WA 99348

9590 9403 0885 5223 8073 13

2. _____

7015 0640 0003 6619 6471

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Sonia Patino* Agent
 Addressee

B. Received by (Printed Name)
Sonia Patino

C. Date of Delivery
5/9/16

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

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Certified Mail® Registered Mail Restricted Delivery

Certified Mail Restricted Delivery Return Receipt for Merchandise

Collect on Delivery Signature Confirmation™

Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery

Domestic Return Receipt

Department of Ecology
Eastern Regional Office
Water Resources Program
4601 North Monroe
Spokane, WA 99205-1295

Document Title: Voluntary Partial Relinquishment of Ground Water Certificate No.G3-27932C

Agency: Department of Ecology
Eastern Regional Office
4601 North Monroe
Spokane, WA 99205-1295

Applicant: First Fruits LLC
Ralph Broetje
1111 Fishhook Park Road
Prescott, WA 99348

LEGAL DESCRIPTION

SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
			33	Walla Walla

PARCEL # 331002210003, 331003110002, 331002210004, 331010110001,
331009110002, 331015110001

Partial Relinquishment of
Certificate Record No. G3-27932C
State of Washington, County of Walla Walla
Certificate of Ground Water Right

1. The undersigned, First Fruits LLC (Ralph Broetje), is the holder of Certificate of Superseding Ground Water Right No. G3-27932C, issued on July 23, 2003, by the Department of Ecology or one of its predecessor agencies.
2. Said Certificate authorizes withdrawal of public waters of the State of Washington for use for irrigation within the NW¼ of Section 15; all of Section 10, those portions of Sections 3, 4, and 9 lying southeasterly of the Union Pacific Railroad right-of-way; the SW¼ of Section 2; and that portion of the NW¼ of Section 2 lying north of Van Hollebeke Road, ALL WITHIN, Township 10 N., Range 33 E.W.M.
3. The Undersigned is the owner of lands within the authorized place of use of the subject water right.
4. The Undersigned proposed to relinquish 32 acres of irrigated agricultural land, along with proportionate instantaneous and annual quantities, to provide mitigation for new water right Application G3-30734. If water right application G3-30734 is withdrawn, rejected, or denied this voluntary relinquishment shall be rescinded. That portion of Certificate G3-27932C utilized for mitigation of a new permit under Application G3-30734 shall remain permanently relinquished, even if said permit is not developed or is only partially developed.
5. The Undersigned has not assigned or otherwise transferred his portion of the interest in the rights embodied in said Certificate.

*This relinquishment is
proposed to fund mitigation
reject Trust
application*

OT 5/4/2016

6. The Undersigned therefore quitclaims and relinquishes all rights embodied in his portion of said Certificate of Ground Water Right to the State of Washington as pertains to the following legal description: 32 acres within the east 1056 feet of the SE¼SW¼ of Section 2, Township 10 N., Range 33 E.W.M., within parcel number 331002210004.
7. A superseding certificate will be issued to First Fruits LLC in the amount of 2300 gallons per minute, 1711.2 acre-feet per year, each year for the seasonal irrigation of 368 acres. The place of use will be the NW¼ of Section 15; all of Section 10, those portions of Sections 3, 4, and 9 lying southeasterly of the Union Pacific Railroad right-of-way; the SW¼ of Section 2; and that portion of the NW¼ of Section 2 lying north of Van Hollebeke Road, ALL WITHIN, Township 10 N., Range 33 E.W.M.; LESS 32 acres within the east 1056 feet of the SE¼SW¼ of Section 2, Township 10 N., Range 33 E.W.M.
8. This document shall be recorded by the State of Washington in Spokane County wherein the lands affected by said right are located.

Dated this 14th day of April, 2016.

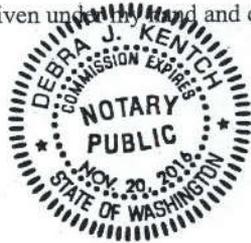
Ralph Bwojce
(Husband)

Cheryl Bwojce
(Wife)

State of Washington)
County of Walla Walla

On this day personally appeared before me Ralph and Cheryl Bwojce to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

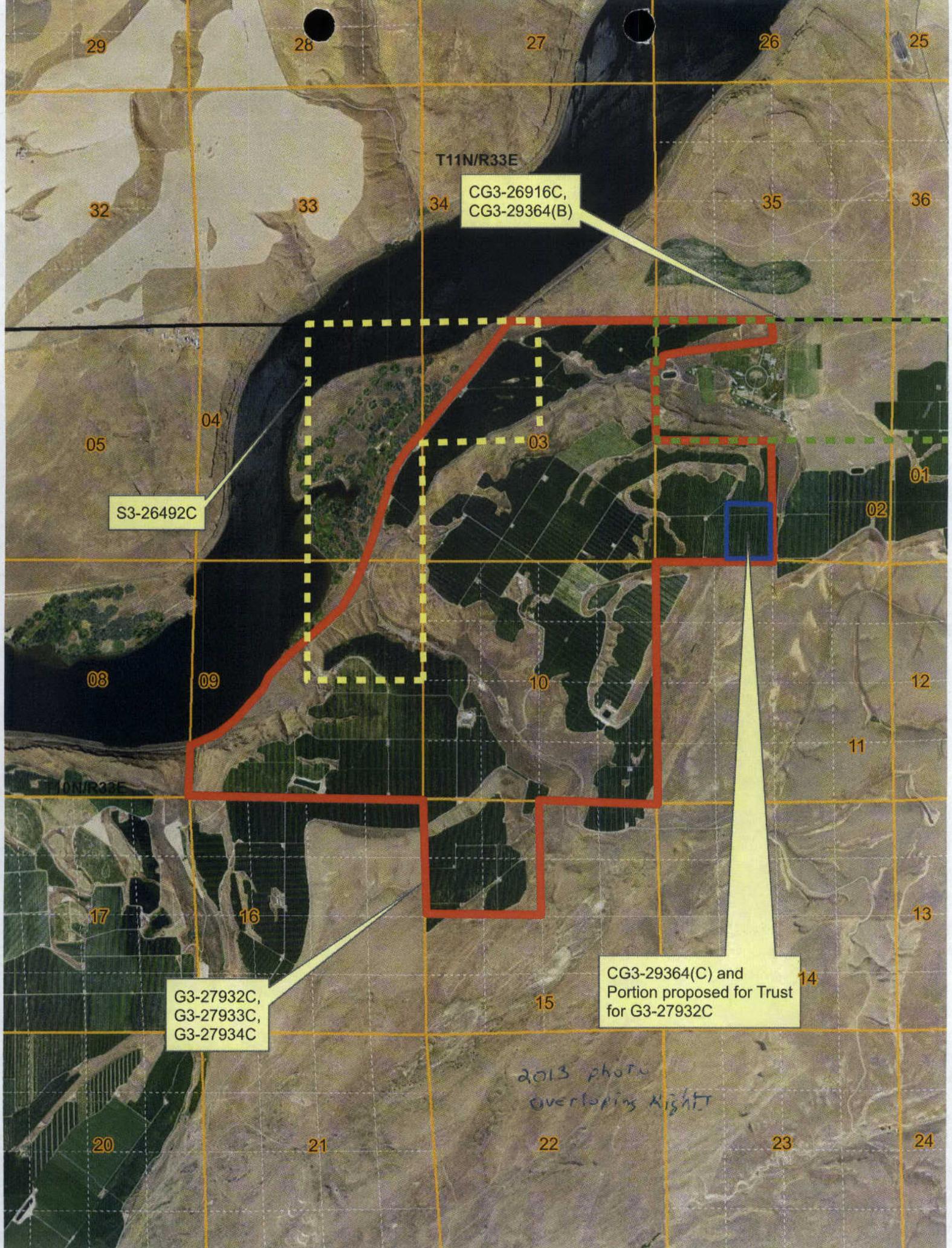
Given under my hand and official seal this 14th day of April, 2016.



Debra J. Kentch
Notary Public in and for the State of Washington

Residing in Sauchoy

DATA REVIEW
OK _____



CG3-26916C,
CG3-29364(B)

S3-26492C

G3-27932C,
G3-27933C,
G3-27934C

CG3-29364(C) and
Portion proposed for Trust
for G3-27932C

2013 photo
overlapping night



WATER RIGHT
SOLUTIONS

October 20, 2015

Department of Ecology, Eastern Regional Office
Attn: Dan Tolleson, Water Resources Program
4601 N. Monroe
Spokane, WA 99205-1295

RE: Broetje Application Question Response – G3-30734 & G3-27932

Dear Dan,

Enclosed, please find a response to your e-mail questions of 9/21 regarding the above described applications for change. The third application for this project, a change to G3-29364(C), is before the WW County Conservancy Board. I had expected them to make a decision on this application by now, but they have not been able to hold a meeting for the last 2 months. I expect that they will issue a decision at their next scheduled meeting on November 4.

I would like to get together with you at your convenience to go over coordination of these three applications, to answer any other questions you might have, and to assist with a site visit (should you need/want my assistance with that). Please let me know what works for you, and if you need any additional information.

Regards,

Bill Neve
Water Right Solutions

ENclousre: Response to e-mailed questions of 9/21/15

RECEIVED

OCT 22 2015

Department of Ecology
Eastern Washington Office

4. Is the place of use provided with the application the same as that detailed within the water system plan? If not, what is the legal for the Water system plan?

The State DOH does not have an existing service area for this system. The plan being developed, of which this water right will be part, should define that. The Walla Walla County Health Dept. has a general service area which is defined by 4 parcel numbers (see attached). The maps I have included with the application show a service area, or place of use, that encompasses these 4 parcels as well as Parcel 331032110003, but excludes the areas developed in orchard, as they are not part of this system. The County did supply a map that shows a general area currently served by the system, but the proposed development will take in lands to the east of the area delineated on that map. I believe the area I have delineated in blue on the applications map most closely relates to the proposed service area for the Snake River Housing system

5. G3-28328C: Is this industrial right intertied and/or part of this muni system?

Yes, this right is intertied with the rest of the system, and is metered separately. It is understood that an Application for Change will need to be filed to reflect a change in authorized point(s) of withdrawal for this water right.

6. S3-29063C: 30 acres of this right overlaps the location of the Vista Hermosa housing community. Is this right used to provide irrigation for the community?

Yes, this right supplies water for irrigation of fields, parks and landscaping associated with the Vista Hermosa development. The irrigation system is not intertied with the municipal water supply system delivering water under G3-28328C and G3-28748.

G3-27932

1. Is the attached well log the correct one for this right? It came from the permit file but doesn't match the authorized location of the Certificate. If not provide me what you can.

Yes, the log submitted with the application (Paul Bernsen – 200 deep well; SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 4) is the correct well for G3-27932. The well location listed on the well log is incorrect; it should be E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 4.

Walla Walla County

34434 FIRSTFRUITS LAND LLC for Year 2015 - 2016

Property

Account

Property ID:	34434	Legal Description:	SEC 2 TWN 10 RNG 33 NW1/4 LY NLY OF RD; SW1/4 LESS NELY CORNER; SLYPTN S1/2NW1/4 LESS PTN TO RD IN 2004 (SEE 331002210003)
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Parcel Number:	331002210004	Agent Code:	
Type:	Real		
Tax Area:	370 - 402-3-PR	Land Use Code	83
Open Space:	Y	DFL	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	10	Section:	2
Range:	33		

Location

Address:	WA 99348	Mapsco:	
Neighborhood:	0 Farm	Map ID:	
Neighborhood CD:	3230		

Owner

Name:	FIRSTFRUITS LAND LLC	Owner ID:	51915
Mailing Address:	1111 FISHHOOK PK RD PRESCOTT, WA 99348	% Ownership:	100.0000000000%
		Exemptions:	

Pay Tax Due

Taxes and Assessment Details

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

Roll Value History

Deed and Sales History

Payout Agreement

Website version: 9.0.37.2400

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Walla Walla County

34774 BROETJE ORCHARDS LLC for Year 2015 - 2016

Property

Account

Property ID:	34774	Legal Description:	SEC 2 TWN 10 RNG 33 NW1/4 LY NLY OF RD; SW1/4 LESS NELY CORNER; SLYPTN S1/2NW1/4 LESS PTN TO RD IN 2004 (SEE 331002210004)
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Parcel Number:	331002210003	Agent Code:	
Type:	Real		
Tax Area:	370 - 402-3-PR	Land Use Code	81
Open Space:	N	DFL	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	10	Section:	2
Range:	33		

Location

Address:	WA 99348	Mapsco:	
Neighborhood:	O Farm	Map ID:	
Neighborhood CD:	3230		

Owner

Name:	BROETJE ORCHARDS LLC	Owner ID:	52071
Mailing Address:	1111 FISHHOOK PK PRESCOTT, WA 99348	% Ownership:	100.0000000000%
		Exemptions:	

Pay Tax Due

Taxes and Assessment Details

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

Roll Value History

Deed and Sales History

Payout Agreement

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Walla Walla County

34381 FIRSTFRUITS LAND LLC for Year 2015 - 2016

Property

Account

Property ID:	34381	Legal Description:	SEC 9 TWN 10 RNG 33 ALL LESS OWR&N R/W & RD & PT TO USA (SEE331009110001)
Parcel Number:	331009110002	Agent Code:	
Type:	Real		
Tax Area:	370 - 402-3-PR	Land Use Code	83
Open Space:	Y	DFL	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	10	Section:	9
Range:	33		

Location

Address:	WA 99348	Mapsco:	
Neighborhood:	0 Farm	Map ID:	
Neighborhood CD:	3230		

Owner

Name:	FIRSTFRUITS LAND LLC	Owner ID:	51915
Mailing Address:	1111 FISHHOOK PK RD PRESCOTT, WA 99348	% Ownership:	100.0000000000%
		Exemptions:	

Pay Tax Due

Taxes and Assessment Details

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

Roll Value History

Deed and Sales History

Payout Agreement

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Walla Walla County

34435 FIRSTFRUITS LAND LLC for Year 2015 - 2016

Property

Account

Property ID:	34435	Legal Description:	SEC 3 TWN 10 RNG 33 ALL LESS OWR&N R/W & CO RD & PT TO USA & LESSTRIANGLE IN E1/2NE1/4 LESS RD TAKE IN 2004 (SEE 331003110001 ALSO)
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Parcel Number:	331003110002	Agent Code:	
Type:	Real		
Tax Area:	370 - 402-3-PR	Land Use Code	83
Open Space:	Y	DFL	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	10	Section:	3
Range:	33		

Location

Address:	WA 99348	Mapsco:	
Neighborhood:	0 Farm	Map ID:	
Neighborhood CD:	3230		

Owner

Name:	FIRSTFRUITS LAND LLC	Owner ID:	51915
Mailing Address:	1111 FISHHOOK PK RD PRESCOTT, WA 99348	% Ownership:	100.0000000000%
		Exemptions:	

Pay Tax Due

Taxes and Assessment Details

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

Roll Value History

Deed and Sales History

Payout Agreement

Website version: 9.0.37.2400

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Walla Walla County

34349 FIRSTFRUITS LAND LLC for Year 2015 - 2016

Property

Account

Property ID:	34349	Legal Description:	SEC 4 TWN 10 RNG 33 ALL OF FRACTIONAL LESS OWR&N R/W & CO RD & PTT USA (SEE 331004410001)
--------------	-------	--------------------	---

well

Parcel Number:	331004410002	Agent Code:	
Type:	Real		
Tax Area:	370 - 402-3-PR	Land Use Code	83
Open Space:	Y	DFL	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	10	Section:	4
Range:	33		

Location

Address:	WA 99348	Mapsco:	
Neighborhood:	O Farm	Map ID:	
Neighborhood CD:	3230		

Owner

Name:	FIRSTFRUITS LAND LLC	Owner ID:	51915
Mailing Address:	1111 FISHHOOK PK RD PRESCOTT, WA 99348	% Ownership:	100.0000000000%
		Exemptions:	

Pay Tax Due

Taxes and Assessment Details

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

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Payout Agreement

Website version: 9.0.37.2400

Database last updated on: 10/26/2015
2:10 AM

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Walla Walla County

34383 FIRSTFRUITS LAND LLC for Year 2015 - 2016

Property

Account

Property ID:	34383	Legal Description:	SEC 10 TWN 10 RNG 33 N1/2 LESS RD; SE1/4 LESS RD; SW1/4 LESS RDLESS RD TAKE IN 2004 (SEE 331010000001)
Parcel Number:	331010110001	Agent Code:	
Type:	Real		
Tax Area:	370 - 402-3-PR	Land Use Code	83
Open Space:	Y	DFL	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	10	Section:	10
Range:	33		

Location

Address:	WA 99348	Mapsco:	
Neighborhood:	0 Farm	Map ID:	
Neighborhood CD:	3230		

Owner

Name:	FIRSTFRUITS LAND LLC	Owner ID:	51915
Mailing Address:	1111 FISHHOOK PK RD PRESCOTT, WA 99348	% Ownership:	100.0000000000%

Exemptions:

Pay Tax Due

Taxes and Assessment Details

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

Roll Value History

Deed and Sales History

Payout Agreement

Website version: 9.0.37.2400

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