



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 25, 2012

Mr. Douglas B. Saturno
330 Craig Street
Walla Walla, WA 99362

Dear Sirs:

Re: Application for Change/Transfer under Ground Water Certificate 4956-A (WALL-11-10)

On March 15, 2012 our office received from the Walla Walla County Water Conservancy Board the Record of Decision for the above referenced Application for Change/Transfer. In accordance with RCW 90.80.080 the Department of Ecology has reviewed the Record of Decision and Report of Examination and has considered all comments, protests, objections, and other relevant information.

The Department 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 1060	MAXIMUM ACRE-FT/YR 482.6	TYPE OF USE, PERIOD OF USE 1060 gallons per minute, 480.6 acre-feet per year for irrigation of 165.6 acres; And 2 acre-feet per year continuously for stockwater				
SOURCE One (1) Well (Basalt Aquifer)			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO. A Well	$\frac{1}{4}$ S$\frac{1}{2}$S$\frac{1}{2}$	$\frac{1}{4}$ N$\frac{1}{2}$SW$\frac{1}{4}$	SECTION 33	TOWNSHIP N. 8 N	RANGE 37 E	WRIA 32	COUNTY. Walla



LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Beginning at a point in the south line of Sec. 33, T. 8 N., R. 37 E.W.M., which point is 6.675 chains east, measured along said south line, from the southwest corner of said Sec. 33; and running thence north, parallel to the west line of said Sec. 33, a distance of 20.59 chains to the center line of State Highway 12; thence along the center line of said Highway by the following courses and distances: N 63°27' E 5.09 1/3 chains; thence N 59°05' E 8.00 chains; thence N 67°12' E 32.80 chains; thence N 62°04' E 8.00 chains; thence N 50°23' E 6.30 chains to the east line of the SW¼NE¼ of said Sec. 33; thence south, along the subdivision line, a distance of 47.31 chains, more or less, to the southeast corner of the SW¼SE¼ of said Sec. 33; thence west, along the south line of said Sec. 33, a distance of 53.505 chains, more or less, to the point of beginning. EXCEPTING THEREFROM, HOWEVER, the right of way of the Northern Pacific Railway Company and the right of way of Primary State Highway 12 over and across said premises.

ALSO, Beginning at a point on the West line of the NW¼NW¼ of Sec. 33 in T. 8 N., R. 37 E.W.M., which point is distant 936 feet North from the Southwest corner of said NW¼NW¼; thence South 936 feet to the Southwest corner of said NW¼NW¼; thence East along the South line of the N¼NW¼ of said Sec. 33 a distance of 1400.0 feet; thence Northwesterly in a straight line to THE POINT OF BEGINNING.

Beginning at the Northeast corner of the SW¼NE¼ of Sec. 33 in T. 8 N., R. 37 E.W.M., and running thence West, along the North line of said SW¼NE¼ and the S½NW¼ of said Sec. 33, a distance of 60.39 chains to the Northwest corner of said S½NW¼; thence South, along the West line of said Sec. 33, a distance of 60.21 chains, more or less, to the Southwest corner of said Sec. 33; thence East along the South line of said Sec. 33, a distance of 6.675 chains; thence North parallel to the West line of said Sec. 33, a distance of 20.59 chains; thence N 63°27' E 5.09 1/3 chains; thence N 59°05' E 8.00 chains; thence N 67°12' E 32.80 chains; thence N 62°04' E 8.00 chains; thence N 50°23' E 6.30 chains to the East line of said SW¼NE¼; thence North, along said East line 12.64 chains to THE POINT OF BEGINNING.

EXCEPTING THEREFROM, however, the following described tract, to-wit:

Beginning at the Northeast corner of the SW¼NE¼ of Sec. 33 in T. 8 N., R. 37 E.W.M., and running thence N 89°45' W along the North line of said SW¼NE¼, 620.00 feet; thence S 8°12' E 1178.00 feet; thence N 54°35' E 552.00 feet to the East line of said SW¼NE¼; thence N 848.00 feet, more or less, to THE POINT OF BEGINNING.

ALSO EXCEPTING the right of way of the Inland Empire Highway, public roads, and that portion conveyed to the State of Washington by deed recorded under Auditor's File No. 8000413.

ALSO EXCEPTING all that portion of the above described tract lying South of State Highway 12.

All lying in the County of Walla Walla, State of Washington.

PARCEL NO.	¼	¼	SECTION 33	TOWNSHIP N. 8 N	RANGE 37 E
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On page 10 of the Report of Examination under the heading "Relinquishment of abandonment concerns" the second paragraph reads: " The difference between the tentative determination of the extent and validity of the water right determined above, being 1060 gallon per minute, 482.6 acre-feet per year, for the seasonal irrigation of 165.6 acres and those quantities issued through the original certificate, being 1060 gallons per minute, 684 acre-feet per year for the irrigation of 171 acres, and 5.6

Mr. Douglas B. Saturno
April 25, 2012
Page 3

stockwater and domestic supply, are 207 acre-feet, 5.4 acres, and domestic supply.”
Ecology modifies this paragraph to read: The difference between the tentative determination of the extent and validity of the water right determined above, being 1060 gallon per minute, 482.6 acre-feet per year for the seasonal irrigation of 165.6 acres and continuous stockwater supply and those quantities issued through the original certificate, being 1060 gallons per minute, 684 acre-feet per year for the irrigation of 171 acres, and 5.6 stockwater and domestic supply, are 207 acre-feet, 5.4 acres, and domestic supply.

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. 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 document:

- File your appeal and a copy of this document 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 document on Ecology in paper form - by mail or in person. (See addresses below.) Email 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 Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

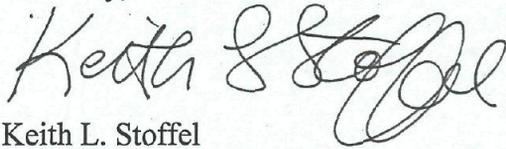
*For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State
Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.*

Mr. Douglas B. Saturno
 April 25, 2012
 Page 4

DATED at Spokane, Washington, this 25th day of April, 2012.

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>

Sincerely,



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

KLS:HS:ka
 Enclosure

By Certified Mail 7011 0110 0000 7276 0506

cc: Walla Walla County Water Conservancy B

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City, State, ZIP+4		330 CRAIG STREET WALLA WALLA, WA 99362
PS Form 3800, August 2006		See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. 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. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Lexington Saturno</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Lexington Saturno</i></p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> MR. DOUGLAS B. SATURNO 330 CRAIG STREET WALLA WALLA, WA 99362 </div>	<p>3. Service Type</p> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from ser) 7011 0110 0000 7276 0506</p>	
PS Form 3811, February 2004	Domestic Return Receipt
	102595-02-M-1540