

State of Washington
ADMINISTRATIVE DIVISION OF
REPORT OF EXAMINATION
FOR WATER RIGHT CHANGE
(RECORD A CREATED)

WR File NR CG1-*07005C
 Record A

Change Place of Use X Add Irrigated Acres X Add or Change Point of Diversion/Withdrawal X

| | |
|----------------------|---------------------------|
| PRIORITY DATE | WATER RIGHT NUMBER |
| February 4, 1964 | 5433-A (Record A) |

| | |
|---|------------------------------------|
| MAILING ADDRESS | SITE ADDRESS (IF DIFFERENT) |
| MJD Farms, LLC Mr. Mike Douma 8300 N. Enterprise Road Custer, WA 98240 360-410-2048 | |

| Total Quantity Authorized for Withdrawal | | |
|--|-------|-------------------------|
| WITHDRAWAL RATE | UNITS | ANNUAL QUANTITY (AF/YR) |
| 60 | GPM | 10 |

| Purpose | | | | | | |
|------------|-----------------|--------------|-------|-------------------------|--------------|-----------------------|
| PURPOSE | WITHDRAWAL RATE | | | ANNUAL QUANTITY (AF/YR) | | PERIOD OF USE (mm/dd) |
| | ADDITIVE | NON-ADDITIVE | UNITS | ADDITIVE | NON-ADDITIVE | |
| Irrigation | 60 | 0 | GPM | 10 | 0 | 4/15 – 10/1 |

| ADDITIVE | IRRIGATED ACRES | | PUBLIC WATER SYSTEM INFORMATION | |
|----------|-----------------|-------|---------------------------------|-------------|
| | NON-ADDITIVE | UNITS | WATER SYSTEM ID | CONNECTIONS |
| 302* | NA | GPM | NA | NA |

* Combined total of 302 acres authorized under GWC 3630-A (Record A), GWC 5433-A (Record A), G1-022169CL, G1-022170CL, G1-022172CL, and G1-022173CL

| Source Locations | | | |
|------------------|-------------|--------------|-------------------------------|
| COUNTY | WATERBODY | TRIBUTARY TO | WATER RESOURCE INVENTORY AREA |
| Whatcom | Groundwater | NA | 01 - Nooksack |

| SOURCE FACILITY/DEVICE | PARCEL | WELL TAG | TWN | RNG | SEC | QQ Q | LATITUDE | LONGITUDE |
|--------------------------------------|--------------|----------|-----|-----|-----|-------|----------|------------|
| IW-1 | 400216071150 | BHE783 | 40N | 02E | 16 | SW SW | 48.95219 | -122.57053 |
| IW-2 (Authorized until May 31, 2014) | 400221337280 | BHE785 | 40N | 02E | 21 | SW NE | 48.94407 | -122.56285 |
| IW-3 (Authorized until May 31, 2014) | 400221337280 | BHE786 | 40N | 02E | 21 | SW NE | 48.94433 | -122.56241 |

| | | | | | | | | |
|--------------------------------------|--------------|--------|-----|-----|----|-------|----------|------------|
| IW-4 (Authorized until May 31, 2014) | 400221337280 | AAX420 | 40N | 02E | 21 | SW NE | 48.94302 | -122.56295 |
| IW-5 | 400221235138 | BHE788 | 40N | 02E | 21 | SE NW | 48.94459 | -122.56375 |
| IW-7 | 400220472461 | BHN672 | 40N | 02E | 20 | NE NE | 48.94811 | -122.57685 |
| IW-8 | 400220472461 | BHN674 | 40N | 02E | 20 | NE NE | 48.94955 | -122.57669 |
| IW-9 | 400221100424 | BHN670 | 40N | 02E | 21 | NW NW | 48.94986 | -122.57235 |
| IW-10 | 400221100424 | BHN669 | 40N | 02E | 21 | NW NW | 48.94987 | -122.57212 |
| IW-11 | 400221337280 | BHN664 | 40N | 02E | 21 | SW SE | 48.93752 | -122.55785 |
| HW-1 | 400221234404 | BHN675 | 40N | 02E | 21 | NE NW | 48.94643 | -122.56519 |

Datum: NAD83/WGS84

Place of Use

PARCELS

400216071150, 400216090010, 400217523069, 400217490067, 400220472461, 400221100424, 400221077285, 400221267344, and 400221286059

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

- NW¼ SW¼ and East 30 acres of the SW¼ SW¼, Section 16, Township 40 North, Range 2 East W.M.
- East 20 acres of the SE¼ SE¼, Section 17, Township 40 North, Range 2 East W.M.
- NE¼ NE¼, Section 20, Township 40 North, Range 2 East W.M.
- NW¼, Section 21, Township 40 North, Range 2 East W.M.
- The North 1,319.26 Feet of the W½ NE¼ and the South 831.12 Feet of the W½ SE¼ of Section 21, Township 40 North, Range 2 East W.M.
- E½ E½ SW¼, Section 21, Township 40 North, Range 2 East W.M. EXCEPT the portion defined as follows – Beginning at the southeast corner of the southwest quarter, thence west along south line of southwest quarter 190 feet thence north at right angle 30 feet to the northerly right-of-way margin of Birch Bay Lynden Road, which is the point of beginning. Thence, continue north, perpendicular to said south line 270 feet, thence west parallel to said south line of southwest quarter 165 feet thence south perpendicular to said south line 270 feet, thence east parallel to said south line of southwest quarter 165 feet to the true point of beginning.

All less roads

Proposed Works

One infiltration trench (HW-1) and ten wells (IW-1, IW-2, IW-3, IW-4, IW-5, IW-7, IW-8, IW-9, IW-10, and IW-11). The authorization for wells IW-2, IW-3, and IW-4 will expire on May 31, 2014. The irrigation system consists of 6-inch PVC mainlines that extend across the entire place of use with 4-inch risers. Riser spacing is approximately 250 feet. One lined pond is currently used for storage of water that is later used for irrigation. Pumps include 5 hp submersibles installed in the wells, a diesel powered pump used at the infiltration trench, and a 150 hp tractor PTO (power take-off) pump that can be used to withdraw water from any of the wells.

| Development Schedule | | |
|----------------------|-------------------|-----------------------|
| BEGIN PROJECT | COMPLETE PROJECT | PUT WATER TO FULL USE |
| Started | December 31, 2014 | December 31, 2019 |

| Additional Actions and Due Dates | |
|--|-----------|
| ACTION | DATE DUE |
| Water Meter Installation and Metering Plan | See below |

Irrigation water will be withdrawn from the ponds, fed by the irrigation wells. Metering will occur at the point of withdrawal from the pond. Withdrawal from the pond for irrigation is via the tractor PTO pump. Wells used for stockwatering will not be metered. Should stockwatering wells be used for irrigation purposes in the future, metering will occur at that time.

| Measurement of Water Use | |
|---|-------------------------------|
| How often must water use be measured? | Weekly |
| How often must water use data be reported to Ecology? | Annually (by January 31) |
| What volume should be reported? | Annual Volume |
| What rate should be reported? | Peak Rate of Withdrawal (gpm) |

Provisions

New or Replacement Wells

RCW 90.44.100 allows for the drilling of new or replacement wells within the original advertised location for the point of withdrawal of the water right without requiring a water right change application. Because MJD Farms, LLC does not own all of the property included within the original advertised area, any new or replacement wells must be constructed within the area currently owned or controlled by MJD Farms, LLC, as listed below:

- SW¼ SW¼, Section 16, Township 40 North, Range 2 East, W.M.
- NE¼ NE¼, Section 20, Township 40 North, Range 2 East, W.M.
- NW¼ NW¼, Section 21, Township 40 North, Range 2 East, W.M.
- NW¼ NE¼, Section 21, Township 40 North, Range 2 East, W.M.
- S½ SW¼ SE¼, Section 21, Township 40 North, Range 2 East, W.M.
- E½ NW¼, Section 21, Township 40 North, Range 2 East, W.M.
- E½ E½ SW¼, Section 21, Township 40 North, Range 2 East, W.M.

New or replacement wells may not be located within 500-feet of IW-6 (a source of domestic water supply), as long as it continues to be the point of withdrawal under G1-022171CL, which is located in the SE¼ SE¼ SW¼, Section 21, Township 40 North, Range 2 East W.M.

Wells, Well Logs and Well Construction Standards

All wells constructed in the state must meet the construction requirements of WAC 173-160 titled "Minimum Standards for the Construction and Maintenance of Wells" and RCW 18.104 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 must be decommissioned.

All wells must 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 must remain attached to the well. If you are required to submit water measuring reports, all such reports shall reference this tag number.

Measurements, Monitoring, Metering and Reporting

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

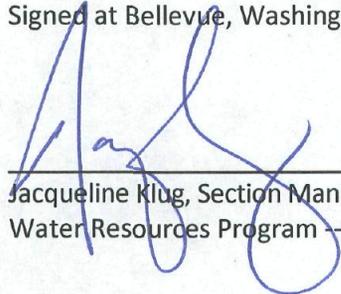
Proof of Appropriation

The water right holder must file the notice of Proof of Appropriation of water (under which the superseding 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 change authorization. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, will 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.

Signed at Bellevue, Washington, this 15 day of August 2013.



Jacqueline Klug, Section Manager
Water Resources Program -- Department of Ecology, Northwest Regional Office