



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

REPORT OF EXAMINATION
To Appropriate Public Waters of the State of Washington

PRIORITY DATE	APPLICATION NO.	PERMIT NO.	CERTIFICATE NO.
May 1, 2000	S1-28073		

NAME
Orcas Greens LLC

ADDRESS/STREET	CITY/STATE	ZIP CODE
P.O. Box 1295	Eastsound, WA	98245

PUBLIC WATERS TO BE APPROPRIATED

SOURCE

Two Ponds

TRIBUTARY OF (IF SURFACE WATERS)

Unnamed Stream tributary of Judd Bay of Eastsound

MAXIMUM CUBIC FEET PER SECOND (cfs)	MAXIMUM GALLONS PER MINUTE (gpm)	MAXIMUM ACRE FEET PER YEAR (ac-ft/yr)
0.223	100	64.6

TYPE OF USE, PERIOD OF USE, QUANTITIES

Irrigation, during irrigation season, 64.6 acre feet per year

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL

North pond diversion is located 588 ft West and 962 ft South from the NE corner of Sect 27
South pond diversion is located 572 ft West and 2,347 ft South from the NE corner of Sect 27

Within Township 37 North, Range 2 West, W. M. in San Juan County, Washington.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP	RANGE	WRIA	COUNTY
NE1/4 NE1/4 and SE1/4 NE1/4	27	37 N	2W	2	San Juan
PARCEL NUMBERS					
272711002, 272711003, 272711004, 272711005, 272714004					

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Attachment 1 shows the location of the authorized place of use and points of diversion
Attachment 2 provides the legal description of the property on which water is to be used

DESCRIPTION OF PROPOSED WORKS

The Orcas Greens irrigation system will consist of two ponds which will provide water to a fifty-acre nine-hole golf course located in the Eastsound area of Orcas Island. Water will be diverted from each pond through 2-inch PVC to a pump adjacent to each pond which distributes water through 2-inch PVC mains down the fairways, with 1 and 2 inch PVC laterals to sprinklers. A new irrigation system will be installed which will consist of pop-up sprinklers to irrigate up to 70% of the property (35 acres), including fairways and greens.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE	COMPLETE PROJECT BY THIS DATE	WATER PUT TO FULL USE BY THIS DATE
Already started	October 1, 2018	October 1, 2023

PROVISIONS

- An approved measuring device shall be installed and maintained in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.
 - Water use data shall be recorded monthly. Water use data shall be submitted via the Internet. To set up an Internet reporting account, access <https://fortress.wa.gov/ecy/wrx/wrx/Meteringx/>. If you do not have Internet access, data shall be maintained by the property owner and promptly submitted to Ecology upon request. Recording and retention of data by the water right holder are required to inform the water users about how much water is used, when the water is used and to assist users in efficient water management.
 - WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".
 - Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.
- A certificate of water right will issue for only that quantity of water that has been diverted and applied to actual beneficial use. Such quantity applied to actual beneficial use shall not exceed the quantity specified in this report of exam and will be calculated based on the best information available to Ecology, including metering data and/or water duty analysis.
- . 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 inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.
- A certificate of water right will not be issued until a final investigation is made.

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 concur with the investigator that water is available from the sources in question, the purpose of use is beneficial, there will be no impairment of existing rights, and there will be no detriment to the public interest.

Therefore, I ORDER approval of Application No. S1-28073, subject to existing rights and the provisions listed above.

You have a right to appeal this ORDER. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

Deliver your appeal in person to:

The Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

OR

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey, WA 98503

2. To serve your appeal on the Department of Ecology

Mail appeal to:

Deliver your appeal in person to:

The Department of Ecology
Appeals Coordinator
P.O. Box 47608
Olympia, WA 98504-7608

OR

The Department of Ecology
Appeals Coordinator
300 Desmond Dr SE
Lacey, WA 98503

3. And send a copy of your appeal to:

Andrew B. Dunn, LG, LHG
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008

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>.

Signed at Bellevue, Washington, this _____ day of _____, 2008.

Andrew B. Dunn, LG, LHG
Section Manager
Northwest Regional Office
Water Resources Program

INVESTIGATOR'S REPORT

BACKGROUND

Description and Purpose of the Project

The Orcas Greens LLC water right application for appropriation of waters from an unnamed stream for 0.223 cfs for irrigation was received May 1, 2000. The water source is an intermittent unnamed stream that flows into Judd Bay of East Sound, Orcas Island. Two in-stream ponds will hold water for two points of diversion. The publication for the source was NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, T.37N., R.2W. Currently one point of diversion exists in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, however, a second point of diversion will be excavated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27. Both ponds will be within the NE $\frac{1}{4}$ of Section 27 and divert from the same stream on the Orcas Greens LLC property. The second (South) pond will be 1380 feet to the south of the first (North) pond. We will not require a second publication to add SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, since the new pond will be on the same property, within the same stream 1380 feet from the existing pond, and the application was not protested.

The Blake family purchased this property in 1959 and built a 9-hole golf course. Water from an existing in-stream pond was used to irrigate the greens beginning in May 1962. Prior to the Blake's ownership the pond was reportedly used for animal watering and occasional irrigation. The pond was enlarged and deepened by the Blake family in 1985. An approximate estimate of the historical draw from the pond is 50 gpm (0.112 cfs). A Water Right Claim No. 128882 was submitted in June 1974 but is not considered consistent with the intent of Chapter 90.14 RCW because use occurring prior to 1917 was not proven.

Planned improvements include installing a second pump and point of diversion by excavating an in-stream peat bog to become the second (South) pond. This will require increasing the combined rate of diversion from 0.112 cfs to 0.223 cfs. Water will be diverted from each pond through 2-inch PVC to a pump adjacent to each pond which will distribute water through 2-inch PVC mains down the fairways with 1 and 2-inch PVC laterals to different sprinklers. There are 12 center-pivot impact sprinkler heads without guns, and 13 pop-up impact sprinkler heads. The present irrigation system is inadequate. The pump and supply lines are old, miss-sized and non-existent in most areas. A lot of time and labor are spent moving sprinklers. Details of a replacement system are described in Irrigation Water System Details section.

Legal Requirements for Application Processing

Chapter 90.03 RCW authorizes the appropriation of public water for beneficial use and describes the process for obtaining water rights. Laws governing the water right permitting process are contained in RCW 90.03.250 through 90.03.340.

The following legal requirements must be met prior to processing a water right application:

- **Public Notice**
Public notice of the application was published in *The Islands' Sounder* on October 19 and October 26, 2005. There were no written protests during the statutory 30-day protest period.
- **State Environmental Policy Act (SEPA)**
The subject water right application is categorically exempt under SEPA WAC 197-11-305 and WAC 197-11-800(4) because the instantaneous quantity is less than the one cubic foot per second threshold.

INVESTIGATION

In considering this application, my investigation included, but was not limited to, research and/or review of:

- USGS Eastsound, Wash. 7.5 minute topographic map
- Department of Ecology (1975): Water Supply Bulletin No. 46, Geology and Water Resources of the San Juan Islands
- Geological Society of America Special Paper 221 (1988): The Late Cretaceous San Juan thrust system, San Juan Islands, Washington
- U. S. Geological Survey Water-Resources Investigations Report 02-4114 (2002): Estimates of Ground-Water Recharge from Precipitation to Glacial-Deposit and Bedrock Aquifers on Lopez, San Juan, Orcas, and Shaw Islands, San Juan County, Washington
- Washington State University, (1985 and 1992): State of Washington Irrigation Guide
- Azous Environmental Sciences (2000) Attachment B: Water Right Description for Orcas Island Golf Course

- Water well reports for Orcas Island
- Notes and GPS data from my site visit on September 4, 2008
- Records of existing water rights in the vicinity

Geographic Setting of the Place of Use and Point of Diversion

The Orcas Green LLC property is located in the northeast portion of the west half of Orcas Island in the San Juan Islands immediately west of Eastsound. The property is located on Orcas Road about five miles north of the Orcas ferry dock (Attachment 1). Generally the area consists of relatively flat low lying areas to the west, most notably Crow Valley, and hills to the east. The most prominent feature in the area is Turtleback Mountain to the west with an elevation of 1519 feet. The mountains and hills are heavily forested and the lowlands have mostly been cleared as pastureland.

Geological Background of the San Juan Islands

The San Juan Islands expose a thick and regionally extensive sequence of Late Cretaceous thrust faults and nappes, referred to as the San Juan thrust system. A nappe is a fold in which the axial plane is horizontal or sub-horizontal. Nappes of the thrust system contain a diverse group of rocks ranging from early Paleozoic to middle Cretaceous in age. Based on stratigraphy, metamorphism, and geochemistry, five terranes have been identified within and peripheral to the thrust system. A terrane is a fault-bounded package composed of one or more related rock units and characterized by a distinctive geologic history. These terranes were widely separated from each other until Late Jurassic. (1) the Haro terrane, an Upper Triassic arc-volcanic sequence; (2) the Turtleback terrane, a Paleozoic arc-plutonic and volcanic unit; (3) the Deadman Bay terrane, a Permian to Lower Jurassic oceanic-island sequence containing Tethyan-fusulinid limestones; (4) the Garrison terrane, a Permo-Triassic, high-pressure metamorphic unit; and (5) the Decatur terrane, a Middle to Upper Jurassic ophiolite and superimposed arc-volcanic sequence. Thick Jura-Cretaceous clastic units are linked to these older San Juan terranes and to Wrangellia, either as directly overlapping units or by the presence of clastic material derived from the terranes. The voluminous amount of clastic material in the overlying Jura-Cretaceous units suggests a large, sub aerially exposed source region, presumably part of continental America.

Wrangellia is a large allochthonous terrane that underlies most of Vancouver Island and parts of Alaska. On Vancouver Island it is characterized as a coherent Paleozoic to Lower Jurassic stratigraphic sequence, dominantly volcanic. The thrust system straddles the southeastern edge of the Wrangellia terrane of Vancouver Island, contains important information on the accretionary history of Wrangellia and other, related, far-traveled terranes.

The former topography of the San Juan Islands has been greatly modified by glaciation, but the erosion beneath the glaciers was no doubt guided to a considerable extent by valleys and by the fracture zones and fault zones that were already in existence. It is probable that a fault of considerable magnitude occupies each of the major channels.

Orcas Island Geohydrology

Orcas Island has an aerial extent of about 57 square miles and consists of three distinct areas. A fault of small horizontal displacement follows East Sound and divides Orcas Island into two almost equal parts. From evidence occurring on the north shore of Orcas Island the fault is post-Cretaceous in age, and the eastern side moved southward and upward with respect to the western side. This has created the mountainous east and west portions of the island. The northern narrow area connecting the east and west portions north of East Sound and south of President Channel forms the third area. The northern area consists predominantly of unconsolidated Quaternary deposits. The east and west portions of the island are predominantly composed of bedrock with areas covered by Quaternary gravels of limited thickness. The Quaternary sediments are thin and discontinuous and bedrock commonly sticks up through them on the east and west portions and are not very conducive to providing ground water. Exceptions are Quaternary deposits in the West Beach area and some areas near West Sound. The other area of Quaternary deposits is along the shoreline on the southeast tip of the island.

The geology in the vicinity of the site consists of the Turtleback terrane, a Paleozoic arc-plutonic and volcanic unit of the San Juan Thrust System. Water Supply Bulletin No. 46 mapped rocks within this terrane as Turtleback Complex, consisting of Late Ordovician gabbro, diorite and quartz diorite. The bedrock in the immediate area of the applicant's property is overlain by a veneer of Pleistocene glacial deposits. Ponds and shallow wells are completed in the glacial deposits whereas deeper wells in the area are completed within the bedrock. Fractures within the bedrock supply water to the bedrock wells.

Mean annual precipitation in the area is from 32 to less than 34 inches per year. Recharge to the ground water system on Orcas Island occurs from percolation of precipitation. Recharge in the area varies from approximately 1 to less than 5.5 inch per year (USGS, 2002). Once infiltrated, ground water generally flows northerly toward Judd Bay of East Sound.

Site Visit

On September 4, 2008, John Rose and I met with the applicants who gave us a tour of the irrigation system. We observed the ponds, diversion, plumbing, pumps, and sprinklers for irrigation and the golf course.

Irrigation Water System Details

Currently there is one in-stream pond on the property being used for irrigation of the golf course. Two-inch PVC diverts water to a 5 HP Jacuzzi centrifugal pump. Water is distributed directly to the sprinklers through 1 and 2-inch PVC. A second pond will be excavated within the same unnamed stream to the south, 1380 feet upstream of the current pond for a second point of diversion. Water will be diverted from each pond through 2-inch PVC to a pump adjacent to each pond with a water meter at each diversion. Each pump will be capable of pumping 50 gpm or 0.112 cfs each for a total pumping capacity of 0.223 cfs (100 gpm). A second pump has been purchased which is a 3 HP Goulds centrifugal booster pump. Distribution will be through 2-inch PVC mains down the fairways with 1 and 2-inch PVC laterals. The current lines and sprinklers will be replaced with pop-up impact sprinklers. Hole #1 will have 4 pop-ups at each of 3 tees, 14 pop-ups running along the center line of the fairway, and 5 pop-ups at the green. Hole #2 will have 4 pop-ups at each of 3 tees and 10 along the fairway with 6 at the green. Hole #3 will have 3 pop-ups at the alternate tee and 4 at the other 2 tees, then two parallel runs of 9 each along the fairway and 5 at the green. Hole #4 will have 4 pop-ups at each of 3 tees and 6 along the fairway and 6 at the green. Hole #5 will have 4 pop-ups at each of 3 tees and 5 along the fairway and 6 at the green. Hole #6 will have 4 pop-ups at the alternate tee and 3 at the other 3 tees, then two parallel runs of 8 each along the fairway and 5 at the green. Hole #7 will have 3 pop-ups at each of 3 tees and 5 along the fairway and 5 at the green. Hole #8 will have 4 at each of 3 tees and two parallel runs of 12 each along the fairway with 7 around the green. Hole #9 will have 4 at each of 3 tees and two parallel runs of 12 each along the fairway and 6 around the green.

Other Water Rights in the Vicinity

The Department of Ecology Water Right Tracking System (WRTS) database was queried to determine the number of existing water rights within one-half mile of the points of diversion. An arbitrarily, yet conservatively chosen area of one-half mile is used to define "close proximity". This value is justified experimentally based on current and historical pump test data that show negligible drawdown, and therefore unlikely impairment to wells or surface water diversions, induced by groundwater withdrawal from wells at a distance of 1000 feet in most cases. Since this is a surface water diversion the effect will be less than expected from a ground water withdrawal. Two surface water certificates, one ground water certificate, one ground water permit, and one reservoir certificate were found to be located within this vicinity. The water rights are summarized in Table 1 below:

Water Right	Priority Date	Type	Qi	Qa (afy)	Purpose of Use
S1-*21741CWRIS	07/31/1969	Certificate	0.02 cfs	3	Multiple Domestic
S1-*20744CWRIS	02/14/1968	Certificate	0.22 cfs	2	Stock Watering, Single Domestic
R1-*21069CWRIS	07/15/1968	Certificate	0	5	Fish Propagation, Wildlife Refuge
G1-26206	05/30/1991	Permit	13 gpm	5.7	Multiple Domestic
G1-23395CWRIS	05/31/1979	Certificate	30 gpm	13	Multiple Domestic

In addition to the water rights listed in Table 1, there are ten ground water claims and two surface water claims within the ½ mile radius. One of the surface water claims was for the golf course covered by this application. A water right claim is a statement of the beneficial use of water that occurred prior to the adoption of the water right codes and is not authorized by a state-issued permit or certificate. The Department of Ecology cannot verify the validity of these claims, as water right claims can only be confirmed in an adjudication by the Washington State Superior Court. Many of the claims represent use under the ground water exemption (RCW 90.44.050) for single domestic use.

Ecology's well log database shows twenty-one water wells within one-half mile of the points of diversion. One of the wells serves the club house on the Orcas Greens LLC property. Some of the wells belong to the certificated and claimed water rights mentioned above. The remainder fall under the ground water exemption.

FINDINGS

Under state law the following four criteria must be met for an application to be approved:

- Water must be available
- There must be no impairment of existing rights
- The water use must be beneficial

- The water use must not be detrimental to the public interest

Water Availability

There are no regulatory closures or restrictions affecting water availability on Orcas Island, therefore, I find water is legally available for this appropriation. The ponds are connected to a stream with no native fish for which WDFW has a concern. The instantaneous quantity of 0.223 cfs is physically available for appropriation.

The annual quantity of water for appropriation was calculated using Crop Irrigation Requirement (CIR) data from the State of Washington Irrigation Guide (WAIG) 1985 and 1992. A CIR of 16.61 inches was based on the Olga rain gage on Orcas Island. This gave inches of irrigation water needed above average rainfall observed for this location. However, the CIR formula does not take into account the loss in conveyance from seepage, evaporation and surface runoff. Consequently, Irrigation Efficiency percentages were used from Ecology Water Resources Guidance 1210. For the pop-up sprinkler systems planned to be used on the golf course, estimates for efficiency average 75%. Adjusting the Crop Irrigation Requirement (CIR) by the efficiency of the irrigation system, the Total Irrigation Requirement (TIR) for thirty-five acres of turf would be approximately 64.6 acre-feet per year. The formula used to account for this is:

$$TIR = \# \text{ acres} \times CIR / CONV / EFF\%$$

Where: $TIR = \text{total irrigation requirement in acre-feet per year}$

$\# \text{ acres} = \text{area irrigated in acres}$

$CIR = \text{crop irrigation requirement needed above precipitation}$

$CONV = \text{conversion factor to change units (12, inches to feet)}$

$EFF\% = \text{application efficiency of irrigation system}$

$$TIR = (35 \text{ acres}) (16.61 \text{ inches}) / (12 \text{ in/ft}) / (75\%) = 64.6 \text{ acre feet}$$

Impairment Considerations

Two surface water certificates, one ground water certificate, one ground water permit, one reservoir certificate, ten ground water claims, two surface water claims, and twenty-one water wells all exist within one-half mile of the points of diversion for this application. The diversions for this application are from ponds that are on a stream downstream from the reservoir certificate. The two surface water rights are from springs on the other side of a hill. One of the two surface water claims is for the same property and use, as this application, and the other is from a pond not connected to the same surface water source. Therefore, there will be no impact or impairment to other surface water rights or claims. There will be no impacts or impairment to wells in the vicinity either.

Steve Boessow, Department of Fish and Wildlife, has no objection to this application since there are no known natural fish in the stream. However, an Area Habitat Biologist should be consulted before the second pond is excavated. He states: "Any fish impacts would likely be to privately owned and stocked fish in associated ponds. Any work done in the stream or pond will require consultation with a Department of Fish & Wildlife (WDFW) Area Habitat Biologist and possibly an HPA. For more information on WDFW permitting see: http://wdfw.wa.gov/habitat/permits_regs.html. You can contact our Area Habitat Biologist, Brendan Brokes, at brokebjb@dfw.wa.gov." Diversion intakes must be screened according to WDFW standards.

Beneficial Use

Irrigation is considered to be beneficial under RCW 90.54.020(1).

Public Interest Considerations

No potential for detriment to the public interest could be identified during the investigation of this application.

Consideration of Protests and Comments

No protests were filed against this application.

RECOMMENDATIONS

Based on the above investigation and findings, I recommend the request for a surface water permit be approved in the quantities and within the limitations listed below and subject to the provisions on page 2.

Purpose of Use and Authorized Quantities

The amount of water recommended is a maximum limit and the water user may only use that amount of water within the specified limit that is reasonable and beneficial:

- 0.223 cfs (100 gpm)
- 64.6 acre-feet per year for irrigation

Points of Diversion

NE¼ NE¼ and SE¼ NE¼, Section 27, Township 37 North, Range 2 West, W.M.

Place of Use

As described in Attachment 2.

Based on the above investigation and findings, I recommend the request for a surface water permit be approved in the quantities and within the limitations listed above and subject to the provisions on page 2.

CONCLUSIONS

In accordance with chapter 90.03 RCW, I conclude there is water available from the source in question, the purpose of use is beneficial, there will be no impairment of existing rights, and there will be no detriment to the public interest.

Report by: _____, 2008
 Jerry L. Liszak, LG, LHG Date
 Water Resources Program

 Licensed Geologist/Hydrogeologist No. 834

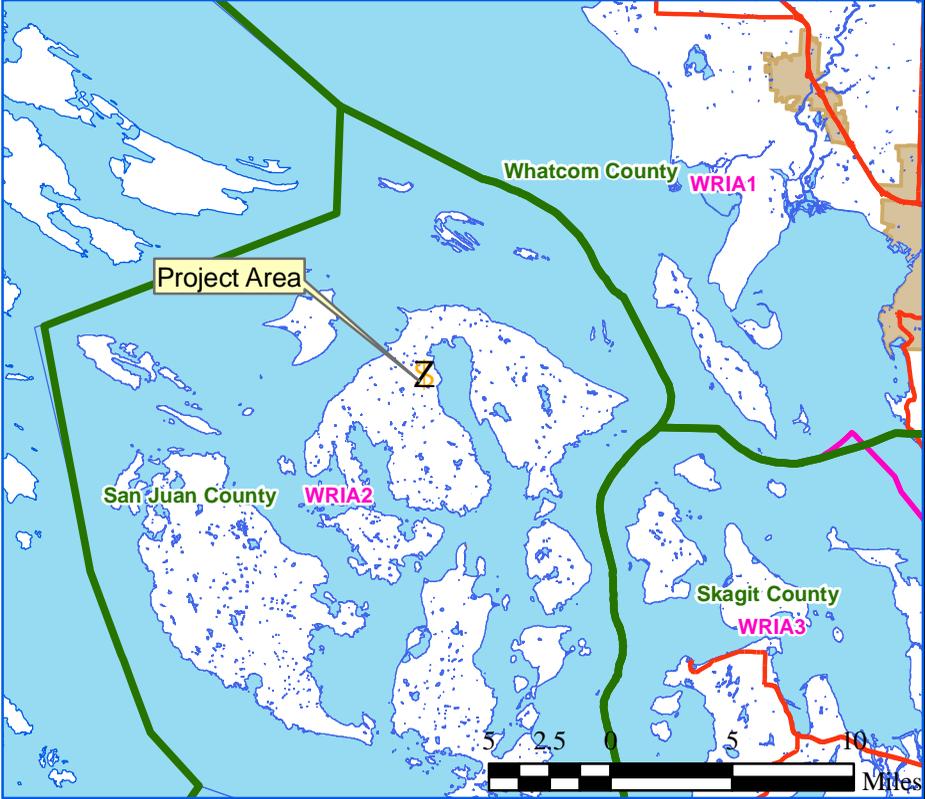
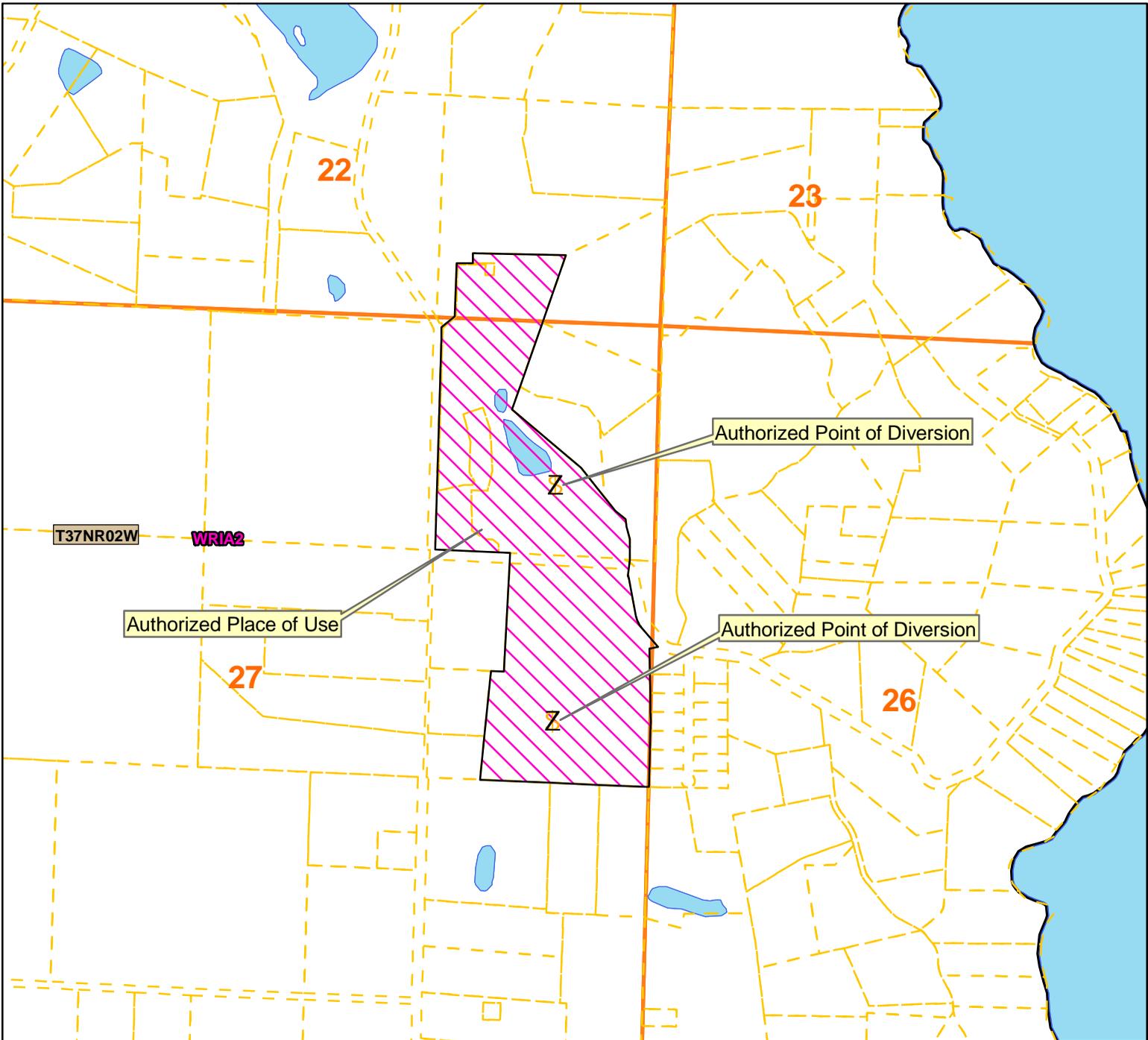
If you need this publication in an alternate format, please call the Water Resources Program at (425) 649-7000. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.



Orcas Greens LLC
 Water Right Number S1-28073
 Sec. 27 T 37N, R 02W W.M.
 WRIA 2 - San Juan County



DEPARTMENT OF
ECOLOGY
 State of Washington



Attachment 1

Legend

- County
- WRIA
- cities
- Highways
- Local Roads
- Townships
- Sections
- Authorized Point of Diversion
- Authorized Place of Use

Place of use and point(s) of diversion/withdrawal are as defined on the cover sheet under the headings, 'LOCATION OF DIVERSION/WITHDRAWAL' and 'LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED.'



PARCEL A:

Those portions of the Southeast Quarter of the Southeast Quarter of Section 22 and the Northeast Quarter of the Northeast Quarter of Section 27, all in Township 37 North, Range 2 West W.M., in San Juan County, Washington, described as follows;

Commencing at the Northeast corner of said Section 27; thence, along the North line of said Section, North 88°59'12" West 1314.74 feet to the Northwest corner of said Northeast Quarter of the Northeast Quarter; thence, along the West line thereof, South 0°27'17" East, 120.00 feet; thence, North 47°13'16" East 281.75 feet; thence North 02°08'03" West 286.67 feet to the True Point of Beginning, from which point 1" R&C pipe bears North 02°08'03" West 58.27 feet; thence, from said True Point of Beginning, North 87°51'57" East 125.02 feet; thence South 0°27'17" East 71.47 feet; thence South 89°34'43" West 50.00 feet; thence North 00°27'17" West 60.00 feet; thence South 87°51'57" West 158.37 feet; thence South 00°03'01" East 305.52 feet; thence South 47°13'16" West 100.65 feet; thence South 00°27'17" East 950.80 feet; thence North 75°00'00" East 155.20 feet; thence South 89°15'23" East 38.30 feet to the PC of a curve to the left with central angle of 122°46'10" and a radius of 20.00 feet; thence along said curve 42.85 feet to the PT; thence North 32°01'33" West 49.19 feet; thence North 00°27'17" West 180.64 feet; thence North 16°11'31" West 167.19 feet; thence North 69°01'46" East 118.98 feet; thence South 20°58'14" East 133.42 feet; thence South 05°11'35" East 243.52 feet; thence South 11°40'48" West 121.39 feet; thence South 89°56'29" West 92.03 feet; thence South 02°14'20" East 236.24 feet; thence South 61°01'04" East 96.66 feet; thence North 89°32'43" East 40.00 feet; thence South 51°48'12" East 44.82 feet; thence South 0°27'17" East 53.13 feet to a point on the South line of said Northeast Quarter of the Northeast Quarter; thence, along said South line, North 89°16'01" West 402.26 feet to the Southwest corner thereof; thence, along the West line of said Northeast Quarter of the Northeast Quarter, North 0°27'17" West 1276.19 feet; thence, leaving said West line, North 47°13'16" East 141.27 feet; thence North 00°03'01" West 310.79 feet; thence North 87°51'57" East 93.31 feet to the True Point of Beginning; AND ALSO

PARCEL B:

Those portions of the Southeast Quarter of the Southeast Quarter of Section 22 and the Northeast Quarter of the Northeast Quarter of Section 27, all in Township 37 North, Range 2 West W.M., in San Juan County, Washington, described as follows;

Commencing at the Northeast corner of said Section 27; thence, along the North line of said Section, North 88°59'12" West 1314.74 feet to the Northwest corner of said Northeast Quarter of the Northeast Quarter; thence, along the West line thereof, South 0°27'17" East, 120.00 feet; thence, North 47°13'16" East 281.75 feet; thence North 02°08'03" West 286.67 feet to the True Point of Beginning, from which point 1" R&C pipe bears North 02°08'03" West 58.27 feet; thence, from said True Point of Beginning, North 87°51'57" East 125.02 feet; thence South 0°27'17" East 71.47 feet; thence South 89°34'43" West 50.00 feet; thence North 00°27'17" West 60.00 feet; thence South 87°51'57" West 158.37 feet; thence South 00°03'01" East 305.52 feet; thence South 47°13'16" West 100.65 feet; thence South 00°27'17" East 950.80 feet; thence North 75°00'00" East 155.20 feet; thence South 89°15'23" East 38.30 feet to the PC of a curve to the left with central angle of 122°46'10" and a radius of 20.00 feet; thence along said curve 42.85 feet to the PT; thence North 32°01'33" West 49.19 feet; thence North 00°27'17" West 180.64 feet; thence North 16°11'31" West 167.19 feet; thence North 69°01'46" East 118.98 feet; thence South 20°58'14" East 133.42 feet; thence South 05°11'35" East 243.52 feet; thence South 11°40'48" West 121.39 feet; thence South 89°56'29" West 92.03 feet; thence South 02°14'20" East 236.24 feet; thence South 61°01'04" East 96.66 feet; thence North 89°32'43" East 40.00 feet; thence South 51°48'12" East 44.82 feet; thence South 0°27'17" East 53.13 feet to a point on the South line of said Northeast Quarter of the Northeast Quarter; thence, along said South line, North 89°16'01" East 761.02 feet; thence, leaving said South line, North 02°06'37" West 122.68 to a 1" R&C pipe; thence North 16°25'17" West 74.07 feet a 1" R&C pipe; thence North 10°26'31" West 43.64 feet to a 1" R&C pipe; thence North 51°55'27" West 76.14 feet to a 1" R&C pipe; thence North 40°34'50" West 322.12 feet; thence North 51°49'46" West 527.53 feet; thence North 17°06'24" East 955.71 feet to a 1" R&C pipe; thence South 89°08'24" West 542.59 feet to a 1" R&C pipe; thence South 02°08'03" East 58.27 feet to the True Point of Beginning.