WATER TRANSFER WORKING GROUP PROJECT DESCRIPTION

APPLICATION NO./COURT CLAIM NO.		
Commitment of Trust Water under Water Right Nos. CS4-00365CTCLsb5, CS4-01676(B)CTCL@1 and CS4-02223CTCLsb2@1for winter mitigation for 14 unit development permitted under Water Right No. G4-35273(B)P (Meadow Ridge Project). See attached Permit and map.		
APPLICANT NAME Northland Investments LLC Cooper Pass LLC	CONTACT NAME David Blanchard	TELEPHONE NO. (509) 674-6828
WATER RIGHT HOLDER'S NAME (if different) Scatter Creek Resources LLC		EMAIL

DATE OF APPLICATION	PRIORITY DATE
March 16, 2010	June 5, 1886 CS4-00365CTCLsb5 June 30, 1900 CS4-01676(B)CTCL@1 July 31, 1903 CS4-02223CTCLsb2@1

WATER SOURCE: Well(s)	CROP:
INSTANTANEOUS QUANTITY:	
PERIOD OF USE: Continuous	
PLACE OF USE: Plat of Meadow Ridge, Kittitas County, Washington, per plat recorded in Book 11 of plats, pages 159-160; and said easement under Auditors File No. 200507280018.	PURPOSE OF USE: Domestic and lawn and garden irrigation
IRRIGATION METHOD:	

CONSUMPTIVE USE CALCULATION:

Fourteen (14) ERUs at 30% consumptive use (CU) for septic system totals 2.35 afy with total CU = 0.71 afy.

The storage for the Bureau Exchange is based on the CU (Oct 1 to April 30) = 0.41 afy, and the additional 1/3 of stored quantity to add to Parker target flows = 0.14 afy.

The total placed into the Bureau Exchange = 0.55 afy (0.41 + 0.14).

NARRATIVE DESCRIPTION OF PROJECT:

This proposal is to use water already in the trust water right program and committed to an approved Water Right No. G4-35273(B)P for 14 lots in the Meadow Ridge Plat. The Water Right Permit authorizes winter mitigation for the development of 14 connections from storage that may be provided by the applicant's private storage or upon Ecology's approval, under the Bureau-Ecology Exchange contract. Because the applicant has not constructed storage, the winter use of water for this project will be mitigated by asking Ecology to use the available and already committed trust water for the water right for the Bureau Exchange contract. See attached letter to Mark Kemner. There is no new or additional impact to the system then already permitted; rather the applicant is using the Bureau Exchange as storage for mitigation and not its own storage. The drainage from the development is to the Yakima River.

WTWG Project form

DEPARTMENT OF
ECOLOGY
State of Washington

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)

☒ Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
March 16, 2010	G4-35273	G4-35273(B)P	

NAME
Northland Investments LLC (Meadow Ridge Project)

ADDRESS (STREET)	CITY	STATE)	ZIP CODE)
206 West First Street	Cle Elum	WA	98922

The applicant is hereby granted a permit to appropriate the following public waters of the State of Washington, subject to existing rights and to the limitations and provisions set out herein.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE
A well.

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE -FEET PER YEAR
	30	4.70

QUANTITY, TYPE OF USE, PERIOD OF USE
30 gallons per minute, 2.35 acre-feet per year for year-round multiple domestic supply for up to 14 units, and 2.35 acre-feet per year for the irrigation of 0.95 acres from May 1 through September 30.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL
Approximately 2,150 feet west and 100 feet south from the northest of Section 26, T. 20 N. R, 15 E.W.M.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
NW¼NE¼	26	20	15 E.	39	Kittitas

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Parcel 1: PLAT OF MEADOW RIDGE, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 11 of Plats, pages 159 and 160, records of said County; EXCEPT Lot 7.

Parcel 2: A sixty foot (60') easement for ingress, egress and utilities over and under the existing road of Parcel 11C of that certain survey as recorded July 28, 2005, in Book 31 of Surveys, Pages 136 and 137, under Auditor's File No. 200507280018, records of Kittitas County, Washington; being a portion of Lot 11-B and all of Lot 11-C, BROOKSIDE TRAILS WEST LARGE LOT SUBDIVISION, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 8 of Plats, Pages 229 and 230, records of said County.

COPY

COBA

DESCRIPTION OF PROPOSED WORKS

One existing point of withdrawal (Ecology Well ID AKW668) at the Meadow Ridge development will be used to provide domestic supply for a planned 14 unit residential development. Up to one additional well may also be completed under RCW 90.44.050 to provide additional instantaneous capacity. The proposed domestic use will be regulated as a Group B, community public water system by the Washington State Department of Health (System ID AB970J). Domestic wastewater will be discharged to individual septic systems or an onsite, engineered community drain field.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	WATER PUT TO FULL USE BY THIS DATE:
December 31, 2011	December 31, 2028	December 31, 2030

PROVISIONS

Wells

1. Any future water supply wells for Meadow Ridge shall be drilled and completed into the bedrock aquifer consistent with the existing authorized well.

2. In accordance with WAC 173-160, wells shall not be located within certain minimum distances of potential sources of contamination. These minimum distances shall comply with local health regulations, as appropriate. In general, wells shall be located at least 100 feet from sources of contamination. Wells shall not be located within 1,000 feet of the boundary of a solid waste landfill.

3. All wells constructed in the state shall 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 shall be decommissioned.

4. Flowing wells shall be constructed and equipped with valves to ensure that the flow of water can be completely stopped when not in use. Likewise, the well shall be continuously maintained to prevent the waste of water through leaky casings, pipes, fittings, valves, or pumps -- either above or below land surface.

5. 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 the Department of Ecology 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.

6. 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. If you are required to submit water measuring reports, reference this tag number.

7. Required installation and maintenance of an access port as described in WAC 173-160- 291(3).

8. In order to maintain a sustainable supply of water, pumping must be managed so that static water levels do not progressively decline from year to year. Static water level is defined as the water level in a well when no pumping is occurring and the water level has fully recovered from previous pumping. Static water levels at each well used under this authorization shall be measured and recorded bi-annually (May and September), using a consistent methodology. Data for the previous year shall be submitted by January 31 to the Department of Ecology.

9. Static water level data shall be submitted in digital format and shall include the following elements:

   a. Unique Well ID Number
   b. Measurement date and time
   c. Measurement method (air line, electric tape, pressure transducer, etc.)
   d. Measurement accuracy (to nearest foot, tenth of foot, etc.)
   e. Description of the measuring point (top of casing, sounding tube, etc.)
   f. Measuring point elevation above or below land surface to the nearest 0.1 foot
   g. Land surface elevation at the well head to the nearest foot
   h. Static water level below measuring point to the nearest 0.1 foot

Metering and Reporting

10. An approved measuring device shall be installed and maintained for each of the sources authorized by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173. http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html

11. Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years. The maximum monthly rate of diversion/withdrawal and the monthly total volume shall be submitted to the Department of Ecology by January 31st of each calendar year.

12. 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.

General

13. 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.

14. The water right holder shall file the notice of Proof of Appropriation of water (under which the permit 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. A certificate will reflect the extent of the project perfected within the limitations of the water right. 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.

15. The water source and/or water transmission facilities may not be wholly located upon land owned by the applicant. Issuance of a water right change authorization by the Department of Ecology 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.

16. Use of water under this authorization shall be contingent upon the water right holder's maintenance of efficient water delivery systems and use of up-to-date water conservation practices consistent with established regulation requirements and facility capabilities.

    a. Use of water under this authorization shall be contingent upon the Department of Ecology's written approval of, and the permit holder's compliance with a storage and release plan consistent with the mitigation offered, which addresses out-of-irrigation season (October 1 to March 31) impacts associated with the withdrawals under this authorization. If the aforementioned storage and release plan is not implemented consistent with the mitigation offered, all outdoor use shall no longer be authorized until such time that the Department of Ecology issues a letter stating that mitigation has been sufficiently reinstated.

17. Per WAC 173-539A consumptive use authorized under this authorization must be water budget neutral. Consumptive use quantities (total withdrawal minus return flow) must be fully offset by debit of an equal consumptive use quantity of seasonal irrigation water rights placed into permanent trust in the Washington State Trust Water Right Program (TWRP) by Northland Resources LLC.

18. Water use under this authorization is contingent upon the conveyance of an equal (2.8 acre-feet per year) or greater amount of consumptive use from a suitable instream flow right (see trust water right agreement) to the Washington State Trust Water Right Program.

19. The connection limit for Meadow Ridge (14 units) is an upper limit and is contingent upon the approval of a Group B Water System by the DOH. The permittee recognizes that the DOH may limit the connections to less than requested because the estimated indoor water use is not consistent with the DOH Water System Design Manual which recommends a minimum of 200 gpd for indoor use. If DOH requires greater than the 150 gpd per connection as proposed, the permittee may choose to reduce the number of connections and/or acres of irrigation to accommodate a greater minimum daily demand.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Given under my hand the seal of this office at Yakima, Washington, this 9th *day of* AUGUST *2011.*

Ted Sturdevant, Director
Department of Ecology

by_____
Robert F. Barwin, Acting Section Manager
Water Resources Program/CRO

DATA REVIEW
OK_____

If you need this publication in an alternate format, please call Water Resources Program at 509 575 2490.
Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

KITTITAS COUNTY
WASHINGTON
PLAT OF MEADOW RIDGE
P-06-14

RECORDING NO.

VOL./PAGE

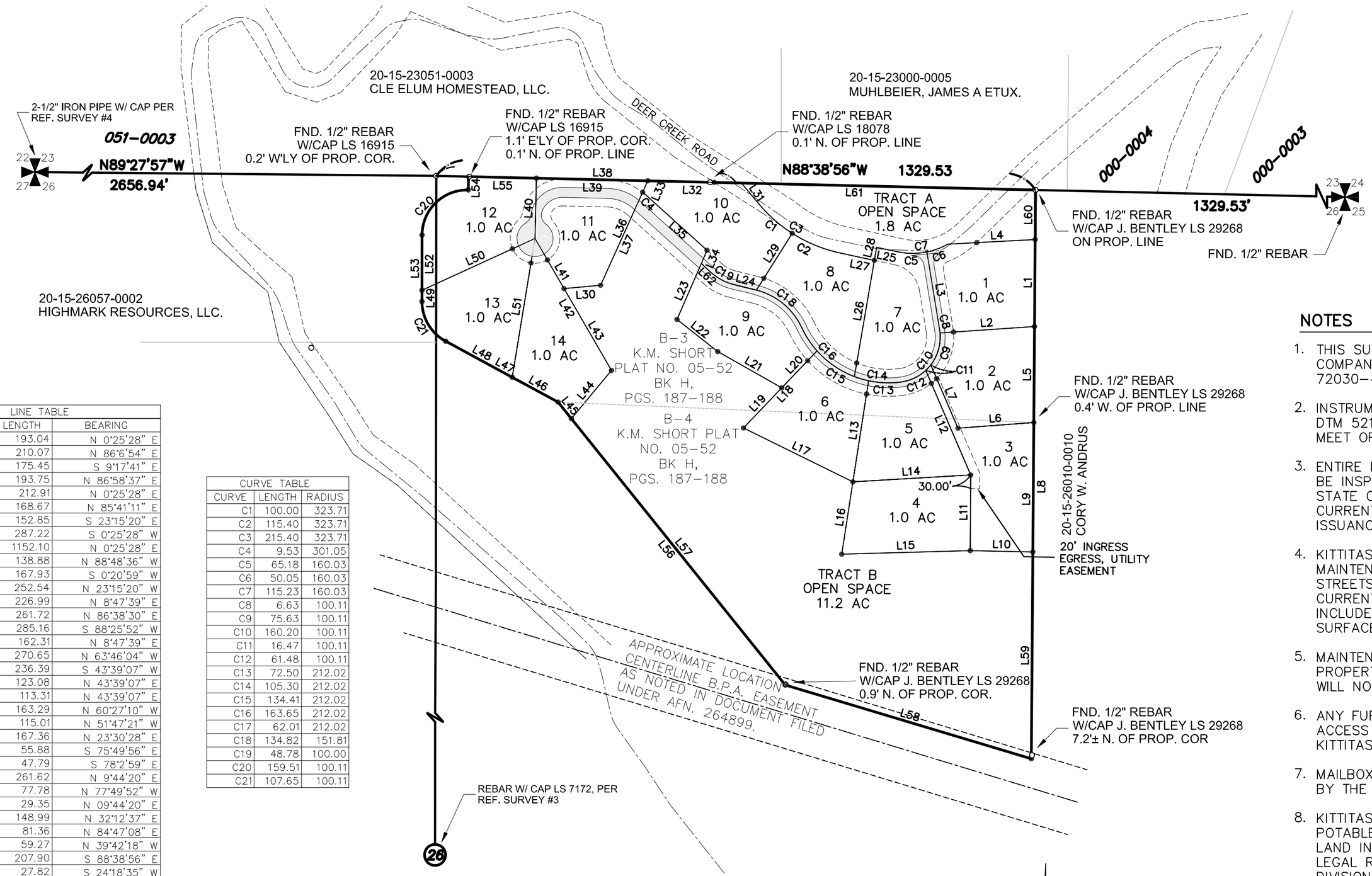
PORTION OF
NW 1/4 NE 1/4, SEC 26, TWP 20, RNG 15E, W.M.

LEGEND

- SET 3/4" X 24" STEEL ROD W/ 2-1/2" ALUMINUM CAP "GEODATUM, INC." "WOLDENDORP/PLOG" "38964 / 31976"

BASIS OF BEARINGS

BASIS OF BEARING: SURVEY FILED IN VOL. 28, PAGES 48-50, RECORDS OF KITTITAS COUNTY, WASHINGTON.



REFERENCE SURVEYS

#1) SURVEY FILED IN VOL. 27, PAGE 111 BY LS 29269
#2) SURVEY FILED IN VOL. 28, PAGES 48-50 BY LS 29269
#3) SURVEY FILED IN VOL. 11, PG. 79 BY LS 7172
#4) REVISED BLA SURVEY FILED IN VOL. 28, PG. 44-45 BY LS 29268
#5) LARGE LOT SUB. NO. SP-2003-09 AS FILED IN BK. 8, PG. 229-230 BY LS 29268
#6) BOUNDARY LINE ADJUSTMENT AS FILED UNDER AFN. 200507280018 BY LS 29268
#7) SHORT PLAT FILED IN BOOK H, PAGES 187 & 188 BY LS 29268

NOTES

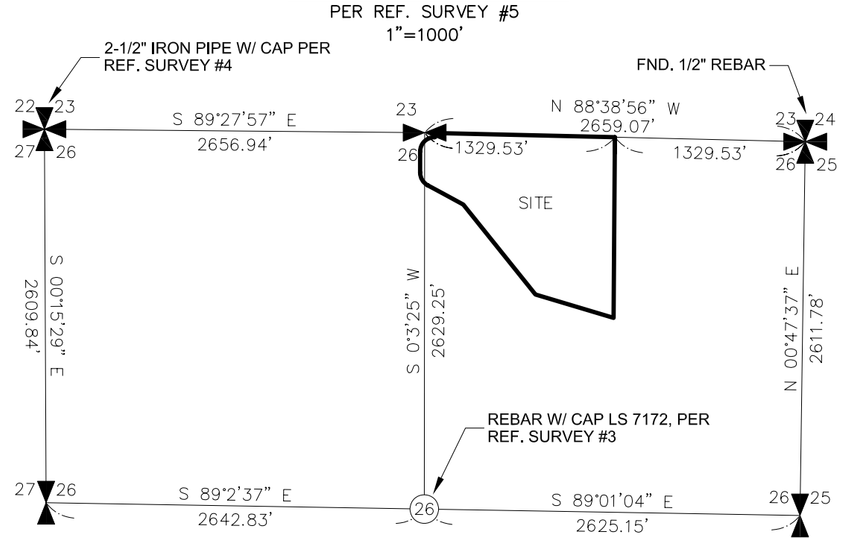
1. THIS SURVEY IS BASED ON THE CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, POLICY NO. 72030-4368 DATED JANUARY 31, 2006 AT 8:00 A.M.
2. INSTRUMENTATION FOR THIS SURVEY WAS A 3-SECOND NIKON DTM 521 TOTAL STATION. PROCEDURES USED IN THIS SURVEY MEET OR EXCEED STANDARDS SET BY WAC 332-130-090.
3. ENTIRE PLAT ROAD SHALL ACHIEVE 95% COMPACTION AND SHALL BE INSPECTED AND CERTIFIED BY A LICENSED ENGINEER IN THE STATE OF WASHINGTON SPECIFYING THAT THE ROAD MEETS CURRENT KITTITAS COUNTY ROAD STANDARDS PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS FOR THIS PLAT.
4. KITTITAS COUNTY WILL NOT ACCEPT PRIVATE ROADS FOR MAINTENANCE AS PUBLIC STREETS OR ROADS UNTIL SUCH STREETS OR ROADS ARE BROUGHT INTO CONFORMANCE WITH CURRENT COUNTY ROAD STANDARDS. THIS REQUIREMENT WILL INCLUDE THE HARD SURFACE PAVING OF ANY STREET OR ROAD SURFACED ORIGINALLY WITH GRAVEL.
5. MAINTENANCE OF THE ACCESS IS THE RESPONSIBILITY OF THE PROPERTY OWNERS WHO BENEFIT FROM ITS USE. THE COUNTY WILL NOT MAINTAIN THE ACCESS.
6. ANY FURTHER SUBDIVISION OF LOTS TO BE SERVED BY PROPOSED ACCESS MAY RESULT IN FURTHER ACCESS REQUIREMENTS. SEE KITTITAS COUNTY ROAD STANDARDS.
7. MAILBOXES SHALL BE "BREAK-AWAY" DESIGN AND BE APPROVED BY THE U.S. POSTAL SERVICE. DRAWINGS H-12, SHEET 1-3.
8. KITTITAS COUNTY RELIES ON ITS RECORD THAT A SUPPLY OF POTABLE WATER EXISTS. THE APPROVAL OF THIS DIVISION OF LAND INCLUDES NO GUARANTEE OR ASSURANCE THAT THERE IS A LEGAL RIGHT TO WITHDRAW GROUNDWATER WITHIN THE LAND DIVISION.
9. ALL PARCELS WITHIN THIS SUBDIVISION ARE CURRENTLY ZONED RURAL-3.
10. ACREAGE IS COMPUTED TO THE CENTERLINE OF THE ROADS EXCEPT WHERE SHOWN OTHERWISE.
11. THERE IS A TOTAL OF 12.5± ACRES OF OPEN SPACE ON THIS SITE.
12. EACH LOT TO BE SERVED BY ON SITE SEPTIC SYSTEM.
13. NO KNOWN CRITICAL AREAS EXIST ON SITE.

LINE TABLE		
LINE	LENGTH	BEARING
L1	193.04	N 0°25'28" E
L2	210.07	N 86°6'54" E
L3	175.45	S 9°17'41" E
L4	193.75	N 86°58'37" E
L5	212.91	N 0°25'28" E
L6	168.67	N 85°41'11" E
L7	152.85	S 23°15'20" E
L8	287.22	S 0°25'28" W
L9	1152.10	N 0°25'28" E
L10	138.88	N 88°48'36" W
L11	167.93	S 0°20'59" W
L12	252.54	N 23°15'20" W
L13	226.99	N 8°47'39" E
L14	261.72	N 86°38'30" E
L15	285.16	S 88°25'52" W
L16	162.31	N 8°47'39" E
L17	270.65	N 63°46'04" W
L18	236.39	S 43°39'07" W
L19	123.08	N 43°39'07" E
L20	113.31	N 43°39'07" E
L21	163.29	N 60°27'10" W
L22	115.01	N 51°47'21" W
L23	167.36	N 23°30'28" E
L24	55.88	S 75°49'56" E
L25	47.79	S 78°2'59" E
L26	261.62	N 9°44'20" E
L27	77.78	N 77°49'52" W
L28	29.35	N 09°44'20" E
L29	148.99	N 32°12'37" E
L30	81.36	N 84°47'08" E
L31	59.27	N 39°42'18" W
L32	207.90	S 88°38'56" E
L33	27.82	S 24°18'35" W
L34	227.09	S 47°52'59" E
L35	192.40	N 47°59'14" W
L36	254.30	S 24°18'35" W
L37	226.48	S 24°18'35" W
L38	594.13	S 88°38'56" E
L39	247.05	S 88°38'56" E
L40	133.84	N 1°21'04" E
L41	128.49	S 30°5'44" E
L42	338.18	S 30°5'44" E
L43	209.69	S 30°5'44" E
L44	139.21	S 39°41'21" W
L45	47.15	S 38°45'19" E
L46	115.73	S 61°33'29" E
L47	283.69	S 61°33'29" E
L48	167.96	S 61°33'29" E
L49	24.87	S 0°3'26" W
L50	275.74	N 65°23'16" E
L51	311.96	N 9°20'02" E
L52	122.54	S 0°3'26" W
L53	147.41	N 0°3'26" E
L54	29.68	S 1°21'05" W
L55	150.60	S 88°38'56" E
L56	804.96	S 38°45'19" E
L57	757.81	S 38°45'19" E
L58	569.77	S 73°18'16" E
L59	458.93	N 0°25'28" E
L60	109.99	S 0°25'28" W
L61	652.37	N88°38'56"W

CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	100.00	323.71
C2	115.40	323.71
C3	215.40	323.71
C4	9.53	301.05
C5	65.18	160.03
C6	50.05	160.03
C7	115.23	160.03
C8	6.63	100.11
C9	75.63	100.11
C10	160.20	100.11
C11	16.47	100.11
C12	61.48	100.11
C13	72.50	212.02
C14	105.30	212.02
C15	134.41	212.02
C16	163.65	212.02
C17	62.01	212.02
C18	134.82	151.81
C19	48.78	100.00
C20	159.51	100.11
C21	107.65	100.11

SECTION BREAKDOWN

PER REF. SURVEY #5
1"=1000'



PROJECT#:	SHEET: 2
2006-047	OF: 2

THOMAS N. WOLDENDORP
STATE OF WASHINGTON
38964
REGISTERED PROFESSIONAL LAND SURVEYOR
EXPIRES: 07-10-09

MEADOW RIDGE PLAT

HIGHMARK RESOURCES, LLC.
206 W. FIRST STREET
CLE ELUM, WA 98922

© 2008, GEODATUM, INC., ALL RIGHTS RESERVED

www.geodatum.com
GeoDatum
SURVEY -CIVIL-STRUCTURAL
1505 NW Mall Street
Issaquah, WA 98027
(425) 837-8083

P:\06047\dwg\3\plot\Final Plat\02-FP6047.dwg 5/23/2008 9:58:21 AM PDT

2012-11

2012-11

December 30, 2011

Mark Kemner
Water Resources Manager
Central Regional Office
Department of Ecology
15 West Yakima Ave., Suite 200
Yakima, WA 98902-3452

Cascadia Law Group
ENVIRONMENTAL ATTORNEYS

Re: Request for Trust Water Commitment for Bureau Exchange Contract

Dear Mark:

On behalf of Sapphire Skies, I am requesting that mitigation water available from the Sapphire Skies trust water rights represented by Henshaw, CS4-00365CTCLsb5, Newton, CS4-01676(B)CTCL@1, and Pasco, CS4-02223CTCLsb2@1, be assigned to the Bureau of Reclamation water exchange contract to provide storage for winter mitigation of the Meadow Ridge (G4-35273(B)) permit.

As described below, the amount assigned to the Bureau contract will be 0.55 acre-feet per year (afy).

The Meadow Ridge project has been approved in Water Right Permit No. G4-35273(B) for 14 residential units. The right is conditioned on mitigation allocated from the Sapphire Skies Instream Flow Water Rights in the state Trust Water Right Program as provided in the permit, and further recognized in the Superseding Trust Water Right Agreement between Ecology and Sapphire Skies. Therefore, this is not a request for a water budget neutral project. Rather, as we have completed in the past for other permitted projects, it is a request to have that portion of the approved mitigation quantity under the permit for winter mitigation be stored and available under the Bureau exchange contract, rather than private storage constructed by Sapphire Skies. This is consistent with the terms of the Superseding Trust Water Right Agreement.

The quantity of water allocated to the exchange for this permit is as follows:

> Ecology has authorized 150 gpd indoor use per Equivalent Residential Unit (ERU). Fourteen (14) ERUs with 30% consumptive use (CU) for septic system, equates to total use of 2.35 afy with total CU = 0.71 afy.

Cascadia Law Group PLLC
www.cascadialaw.com

SEATTLE
1201 Third Avenue
Suite 320
Seattle, WA 98101
(206) 292-6300 voice
(206) 292-6301 fax

OLYMPIA
606 Columbia Street NW
Suite 212
Olympia, WA 98501
(360) 786-5057 voice
(360) 786-1835 fax

WINTHROP
106 Bluff Street
Suite 201
P.O. Box 850
Winthrop, WA 98862
(509) 966-4121 voice

Ecology has authorized 0.168 afy per ERU for irrigation use from May 1 through September 30. Fourteen (14) ERUs with 90% CU equates to total use of 2.35 afy with total CU = 2.12 afy.

Trust water rights held in the Sapphire Skies Water Exchange exceed the CU for this and other projects mitigated by the exchange between May 1 and September 30.

The storage for the Bureau Exchange is based on the CU (Oct 1 to April 30) = 0.41 afy, and the additional 1/3 of stored quantity to add to Parker target flows = 0.14 afy.

Total debited from TWR is the sum of the indoor CU, irrigation CU, and additional 1/3 for storage (0.71 + 2.12 + 0.14) = 2.97 afy. The total placed into the Bureau Exchange = 0.55 afy (0.41 + 0.14).

We have also confirmed that the Contract Cost = $351.78 ($22 per afy of stored water with 0.41 afy stored for 39 years). We will provide you with a check for this amount upon your approval of this request.

When approved, please provide us with documentation that we can provide to the County for obtaining necessary permits to develop the project. We ask that the documentation state with specificity that Ecology certifies that the project has available water for year-round residential use in compliance with WAC 173-539A.

Thank you for attention to this matter.

Sincerely,

Thomas McDonald
Direct Line: (360) 786-5039
Email: tmcdonald@cascadialaw.com
Office: Olympia

TM:en

cc: Melissa Downes, DOE
David Blanchard and Sean Northrop, Northland Resources