

COMMISSIONERS RECORD 51
FRANKLIN COUNTY
Commissioners' Proceedings for May 2, 2012

This document is a summarized version of the Board of Commissioners proceedings. The minutes are paraphrased, not verbatim. Access to an electronic audio recording of the meeting is available upon request.

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Brad Peck, Chairman; Rick Miller, Chair Pro Tem; and Robert E. Koch, Member; Fred Bowen, County Administrator; and Mary Withers, Clerk to the Board. Meeting convened at 9:00 am.

RICHLAND PUBLIC FACILITIES DISTRICT (PFD)

Lisa Toomey, CEO, and Dan Boyd, Secretary/Treasurer, Richland Public Facilities District (PFD), met with the Board. Present in audience: Al Yenney, Jim and Pam Follansbee, Rich Lahtinen, Blaine Hulse, Roger Lenk, Lester Storms, Tom Larson, Cherryl Jones, Prosecutor Shawn Sant and Tri-City Herald Reporter John Trumbo.

Jim Nelson, Treasurer Josie Koelzer, Becky Mulkey, Yesenia Torres, Auditor Matt Beaton, Thomas Westerman and Robin Stanco joined the audience at 9:25 am.
Hanford Reach Interpretative Center

Ms. Toomey gave an update about the Hanford Reach Interpretative Center and gave the Board a packet of information. She requested help in identifying people who worked in this community from 1941-1947 so they can be interviewed. She explained how an educational piece of the project is currently being prepared prior to construction of the building. The building may be constructed in two stages.

Mr. Boyd responded to Mr. Peck's question about meeting future costs for operations and maintenance.

Mr. Peck referred to a statement made by Ms. Toomey that showcasing the Reach is the whole purpose of this project and asked how renting facilities for events that aren't showcasing the Reach but are essentially private parties fits into its mission. Ms. Toomey responded that it is an ancillary activity, a jumping off point for other activities in the community, used to cross-promote activities that are already existing, and that it is not set up to be a convention facility.

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Mr. Peck expressed his concern about entrepreneurial government, where local governments to some degree or another take tax dollars from citizens and create public facilities and then embed businesses within those with the hope or expectation that we're going to generate revenue for that facility. The problem is it puts us in direct competition with the citizens that pay taxes to build those buildings and in some cases it puts them out of business. He gave an example. He also stated for full disclosure that his wife runs an event center but his concern would be strong whether she had an event center or not. Mr. Peck referred to Ben-Franklin Transit and the Corps of Engineers being prohibited from commercial types of activities. He said it is a phenomenal project except for this one little piece.

Ms. Toomey said we are sensitive to those issues and will take it back to our board.

COUNTY CLERK

Cherryl Jones, Administrative Assistant, Clerk's Office, met with the Board.

Public Hearing: to take testimony for and against increasing the revenue and expenditure bottom lines of the 2012 Miscellaneous Clerk LFO Budget #117-000-001 by \$10,431 from \$4749 to \$15,180

Hearing convened at 9:31 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; Clerk's Office Administrative Assistant Cherryl Jones; and Clerk to the Board Mary Withers. Present in audience: Al Yenney, Jim and Pam Follansbee, Rich Lahtinen, Blaine Hulse, Roger Lenk, Lester Storms, Tom Larson, Prosecutor Shawn Sant. Tri-City Herald Reporter John Trumbo, Jim Nelson, Treasurer Josie Koelzer, Becky Mulkey, Yesenia Torres, Auditor Matt Beaton, Thomas Westerman, Robin Stanco and Jeff Burckhard.

Mr. Peck asked if anyone would like to comment for or against the request.

Tom Larson asked what an LFO is. Ms. Jones said it is legal financial obligations. It is money that the defendants owe based on their judgments and sentences so it's funds that we can pursue to collect. No one else wished to comment.

Motion – Mr. Koch: I would move for approval of Resolution 2012-154 regarding increasing revenue and expenditure bottom lines of the 2012 Miscellaneous Clerks LFO budget by \$10,431. Second by Mr. Miller. 3:0 vote in favor.

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COUNTY BOND INFORMATION WORKSHOP

Jim Nelson, bond underwriter with Martin Nelson Company, met with the Board. Present in audience: Al Yenney, Jim and Pam Follansbee, Rich Lahtinen, Blaine Hulse, Roger Lenk, Lester Storms, Tom Larson, Prosecutor Shawn Sant, Tri-City Herald Reporter John Trumbo, Treasurer Josie Koelzer, Becky Mulkey, Yesenia Torres, Auditor Matt Beaton, Thomas Westerman, Robin Stanco and Jeff Burckhard.

Mr. Nelson explained the bond financing information to the county for a combined bond for jail construction and software purchase (Exhibit 1). In response to a question about summarizing the benefits of combining the two, he said there would be administrative cost savings from economies of scale. He estimates it would cost an additional approximately \$15,000 if the two bond issues were done separately.

Mr. Peck noted that 2/10ths of the new .3% sales tax is being bonded while the other 1/10th is not.

Mr. Peck asked if anyone in the audience had any questions. There was no response.

OFFICE BUSINESS

Administrative Assistant Toni Fulton met with the Board. Present in audience: Rich Lahtinen, John Trumbo, Blaine Hulse, Shawn Sant, Al Yenney, Tom Larson, Jim and Pam Follansbee, Roger Lenk, Lester Storms and Jerrod MacPherson.

Vouchers

Motion - Mr. Koch moved for approval of payroll for Public Works for a total of \$115,198.40. It is signed by our interim PE Mr. Malcolm Bowie and by Whitney Osborn. Second by Mr. Miller. 3:0 vote in favor.

Payroll: County Road for \$98,004.86 and Motor Vehicle for \$17,193.54. Total amount is \$115,198.40. (Exhibit 2)

Motion – Mr. Koch moved for approval of County Road vouchers for \$121,434.80, Motor Vehicle for \$16,224.08, Solid Waste for \$1122.53, and Probation Work Crew of \$931.93, for a total of \$139,713.34. It is signed by Guy Walters and Len Langston. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 3)

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Motion – Mr. Koch moved for approval of fund expenditures totaling \$218,869.23. It is signed by Matt Beaton and Julie Jordan. Second by Mr. Miller. 3:0 vote in favor.

Fund Expenditures	<u>Warrants</u>		Amount Issued
Current Expense	65084	65121	\$16,919.33
FC Capital Projects Fund	65122	-	\$2,092.50
Current Expense	65123	65164	\$51,819.37
Election Equipment Revolving	65166	65168	\$2,374.20
Treasurer O & M	65169	-	\$24.80
Jail Commissary	65170	65176	\$12,069.06
Enhanced 911	65177	-	\$200.46
Law Library	65178	65180	\$3,822.38
.3% Criminal Justice Const Fund	65181	65182	\$612.86
TRAC Operations Fund	65813	65206	\$30,224.64
Franklin County RV Facility	65207	65209	\$2,589.04
Current Expense	65210	-	\$5.30
Auditor O & M	65211	65212	\$342.46
Dept of Commerce Pass Through	65245	65247	\$91,860.44
Current Expense	65248	-	\$3,912.39

(Exhibit 4)

Consent Agenda

Consent Agenda item #1 was not yet complete.

Motion - Mr. Miller: Mr. Chairman, I move that we approve the consent agenda for items 2, 3 and 4. Second by Mr. Koch. Mr. Koch said he would also authorize the chairman to sign the titles and necessary documentation for item 2. There was discussion about the contract in item 2. Mr. Koch explained how the contract was prepared with Booker Auction Co. and said it is consistent with what was requested by Prosecutor Shawn Sant and Deputy Prosecutor Ryan Verhulp. 3:0 vote in favor.

(Clerk's Note: Item 1 was removed from the agenda.)

1. Approval of Resolution 2012-____, acceptance of software maintenance quote from Intergraph for Computer-aided design and mobile systems for Franklin County Dispatch, effective July 1, 2012 through June 30, 2013

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2. Approval of Resolution 2012-155, Auction Sale Agreement between Franklin County and Booker Auction Company
3. Approval of Resolution 2012-156, Standard Services Contract Amendment #1 between the Juvenile Justice Center and Desertgreen Lawn and Tree Care, LLC, amending Resolution 2012-098
4. Approval of Resolution 2012-157, Public Works Contract between Franklin County and Legacy Telecommunications, Inc.

PLANNING AND BUILDING DEPARTMENT

Planning Director Jerrod MacPherson and Assistant Director Greg Wendt met with the Board.

Public Meeting: CUP 2012-03, a Conditional Use Permit application request to operate a dairy replacement growing facility in the Agricultural Production 20 (AP-20) Zoning District. For zoning purposes, the operation is being processed as a feedlot. The operation is proposed to have a maximum head count of 3,500 animals. The property is located east of Mesa, east of Highway 395, west of the intersection of Joyce Road and Coordes Road, near site address 2270 Joyce Road (Parcel Numbers 109-220-022 and 109-270-022).

Public Meeting convened at 10:00 am. Present: Commissioners Peck, Miller and Koch; County Administrator Fred Bowen; Planning Director Jerrod MacPherson; Assistant Director Greg Wendt; and Clerk to the Board Mary Withers. Present in audience: John Trumbo, Rich Lahtinen, Blaine Hulse, Al Yenney, Tom Larson, Jim and Pam Follansbee, Roger Lenk, Lester Storms and Case VanderMuelen.

Mr. Wendt reviewed the information on the Agenda Summary Report (Exhibit 5). It is a request to operate a dairy replacement facility in the AP-20 zoning district. For zoning purposes, it is being processed as a feedlot. The reason is that by definition a dairy has milking cows. Up to 499 cows are allowed without a conditional use permit. A feedlot is essentially all the other animals that would be deemed not milking cows. This application is for young stock. Mr. Peck asked so it allows more animals and a wider variety of animals? The planners agreed.

Mr. MacPherson said the applicant has an existing dairy. This is for his young stock, so they are dairy replacement animals. We wanted to make sure it is not a stand-alone feedlot, it is

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really tied in with the dairy, but we have to process it under the zoning code like a feedlot.

Mr. Peck asked but if approved under feedlot guidelines, it certainly could become that, correct?

Mr. MacPherson said yes, but the applicant would have to comply with feedlot standards.

Mr. Peck said sure. He just wanted to be sure everyone understood.

Mr. Wendt reviewed information about those who spoke in favor and in opposition, both at the Planning Commission meeting and by letter.

On the screen, Mr. MacPherson showed aerial photographs of the area. An inventory of existing homes in the area was done. Two homes within a 16-square-mile radius were not associated with the applicant's process.

Mr. Peck asked if there is a prevailing wind direction. Mr. MacPherson said it is tough to measure that. There was agreement that primarily the wind direction comes from the southwest and goes to the northeast. Mr. Peck said sometimes the wind comes from the north and that in the scablands, the wind gets channeled. Mr. MacPherson said we looked at wind factors when we did our analysis.

Mr. MacPherson showed an aerial photograph with the site plan on the screen that was provided by the applicant.

Mr. Wendt reviewed the findings of fact and conditions of approval.

Mr. Peck asked if Mr. Koch or Mr. Miller had comments. Mr. Miller had none.

Mr. Koch said he has listened to neighbors and has read the information presented. He thinks all the neighbors' questions have been answered positively. He has heard no one talk against it once they realized where it was and what it was. He expressed appreciation for the Planning Office's diligence in going through the information and having it available for us.

Mr. Peck said we have had a little more involvement with potentially affected citizens in the vicinity than we normally get. He wanted to be extra diligent in making sure those comments were addressed. He asked the planners if there are still people you know of that have concerns.

Mr. MacPherson said the concerns we have heard have been about odors and smell, flies and water. He is pretty sure all those concerns have been addressed through requiring a nutrient management plan, conditions placed on the applicant to update odor and fly control guidelines for this facility based on Resolution 2001-238, and in addition the applicant proposed having a

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well impairment analysis prepared and will comply with the findings. It recommended that the applicant drill into the Grand Ronde aquifer and fully case the well to protect his own existing wells and the wells of those people in the vicinity from impairment. Mr. MacPherson said those were the main concerns from the citizens that he thinks have been addressed.

Mr. Peck asked has it been to the satisfaction of those people or are there still concerns? Mr. MacPherson said we've run the process that includes an appeal process. Three people submitted oral testimony. Written testimony that was received was also included in the record. The City of Connell was not opposed to the application but wanted to start dialogue with the county about what would be an appropriate distance. He expects to meet with the City of Connell for further discussions.

Mr. Peck asked about the difference between a determination of nonsignificance as opposed to a mitigated determination of nonsignificance. Mr. MacPherson said the mitigation that we required was that they comply with the Department of Ecology's standards. Mr. Peck noted they are listed.

Mr. Miller expressed appreciation for the people who make efforts to meet the DOE standards.

Motion - Mr. Miller: I move that we approve Conditional Use Permit CUP 2012-03 subject to the six findings of fact and 18 conditions of approval. Second by Mr. Koch. 3:0 vote in favor. Resolution 2012-158 was approved.

PUBLIC WORKS

Guy Walters, Acting Public Works Director, and Darrel Farnsworth, Shop Superintendent, met with the Board. Present in audience: John Trumbo, Rich Lahtinen, Blaine Hulse, Al Yenney, Tom Larson, Jim and Pam Follansbee, Roger Lenk and Lester Storms. Approval of award of bid to Rowand Machinery for three new motor graders at a cost of \$94,762.50 per grader including sales tax and trade-in

Mr. Farnsworth reviewed the bid tabulation information. He explained the timing for purchasing two motor graders and that a decision about purchasing the third motor grader is expected to be made in August.

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Motion – Mr. Koch: I move for approval to award the bid for three new motor graders, two coming relatively soon, option one for two motor graders, and an open option for a third, at \$94,762.50 cost per motor grader which includes sales tax and trade-in to Rowand Machine of Pasco. Second by Mr. Miller. 3:0 vote in favor. (Exhibit 6)

COUNTY ADMINISTRATOR

County Administrator Fred Bowen met with the Board. Present in audience: John Trumbo, Rich Lahtinen, Al Yenney, Tom Larson, Jim and Pam Follansbee, Roger Lenk and Lester Storms.

Facilities: Apollo Sheet Metal

Facilities Director Gordon Hanscom met with the Board.

Motion – Mr. Koch: Mr. Chairman, I move to approve Public Works Contract between Franklin County and Apollo Sheet Metal for installation of HVAC supply duct and thermostat installation in the basement of the Public Safety Building located at our address for \$4007.00 including tax and permit. Second by Mr. Miller. 3:0 vote in favor. Resolution 2012-159 was approved.

Sanderson Estates Fire System

Deputy Prosecutor Ryan Verhulp joined the meeting. Present in audience: John Trumbo, Rich Lahtinen, Al Yenney, Tom Larson, Jim and Pam Follansbee, Roger Lenk, Lester Storms and Jerrod MacPherson.

Mr. Peck said each commissioner has received a letter from the Sanderson Estates Fire System asking for some relief on an agreement they previously made.

Mr. Verhulp stated he has had limited time to do a legal review of the request. He gave the Board a briefing about his review.

Mr. Verhulp and Mr. MacPherson left the meeting.

Preparation for Jail Construction: moving work update

For moving services prior to jail construction, at least five moving companies in the area were contacted and the county received two bids back. Kennewick Transfer had the low bid.

The areas that offices are moving into during the construction are not large enough to accommodate existing office equipment and furnishings. Mr. Bowen presented two options:

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The county can buy a used 40' storage container for \$2750 (new cost would be \$4300). It could be used for Information Services Department (IS) storage for the 12 to 14 months that IS is re-located, then used by the Facilities Department for equipment storage.

Another option is to purchase storage through Kennewick Transfer for a 24-month period at a cost of \$2400.

Mr. Bowen requested approval to purchase the storage container.

Mr. Peck questioned whether the materials need to be saved or would it be a better option to surplus them and replace them. Mr. Bowen said they are in fairly good condition. Mr. Koch said he has also inquired at Booker Auction Co. to try to locate a storage container and expects an answer later today. Mr. Bowen believes the storage container would also be beneficial for the Facilities Department because equipment is being left outside such as lawnmowers. The container would be placed in the yard at the Facilities building.

The Board decided to wait a week to try to find a better price.

OTHER BUSINESS

Annexation

Mr. Peck reported on a recent meeting with City of Pasco staff regarding annexation.

ADJOURNMENT


Motion – Mr. Miller: I move for adjournment. Second by Mr. Koch. 3:0 vote in favor.


Adjourned at 10:59 am.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until May 9, 2012.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Brad Peck, Chairman


Rick Miller, Chairman Pro Tem

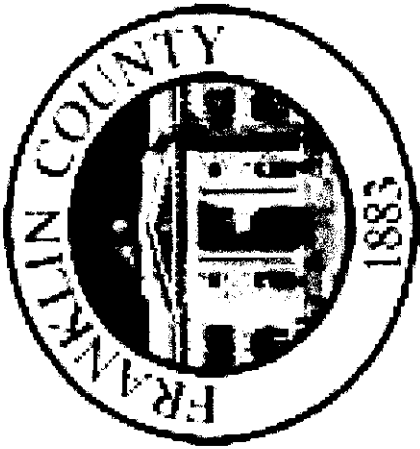

Robert E. Koch, Member

Attest:


Clerk to the Board

Approved and signed May 9, 2012.

PRESENTATION TO



FINANCING THE JAIL PROJECT AND SOFTWARE PURCHASE

Presented by: Jim Nelson, Vice President & Senior Municipal Underwriter
May 2, 2012 9:30 AM

A Pacific Northwest

Financial Services

Company



Public Finance Department

1500 Westlake Avenue North, Suite 200, Seattle, Washington 98109

Phone: (206) 682-2763 or 1-888-342-6864

Email: JimNelson@MartinNelsonCo.com

SUMMARY

1. The County is preparing for a bond sale to finance the Jail Project (approximately \$18,500,000 over 30 years) and the software purchase (\$1,240,000 over 12 years).
2. The County is timing the sale of the Limited Tax General Obligation Bonds near a historic low in interest rates.
3. The County was notified on April 24th that the underlying bond rating grade was re-affirmed at “A” with a “positive outlook”.
4. A bond insurance contract with Assured Guaranty (current rating is down to “AA-”) will also be considered.



SALES TAX ANALYSIS FOR THE JAIL PROJECT BONDS

(local economist and Department of Revenue analyst agree that using the "6-year average" with a "no growth scenario" is a conservative estimate)

FRANKLIN COUNTY TAXABLE RETAIL SALES AND UNIT COUNT QUARTERLY TRENDS As of April 6, 2012

Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total	2 Year Average	3 Year Average	4 Year Average	5 Year Average	6 Year Average	7 Year Average	8 Year Average
2011	232,124,612	259,774,819	0	0	0							
2010	222,066,272	258,043,128	244,745,880	239,729,600	964,584,880							
2009	199,551,346	238,700,510	250,301,573	231,865,522	906,000,037 ⁽¹⁾	935,292,459						
2008	257,041,456	300,658,790	268,977,477	225,424,478	1,052,102,201		974,229,039					
2007	221,173,963	285,775,285	276,331,188	273,724,026	1,057,004,462			994,922,895				
2006	199,975,123	239,420,354	252,976,409	237,827,654	930,199,540				981,978,224			
2005	201,664,743	231,897,892	227,563,455	202,238,825	863,364,915					962,209,339		
2004	180,394,043	221,831,408	221,904,100	204,965,111	829,094,662						943,192,957	
2003	165,220,788	197,867,609	197,405,094	174,314,052	734,807,543							917,144,780
2002	152,149,005	178,606,506	188,636,197	165,863,285	685,254,993							
2001	142,688,143	170,495,914	172,431,036	166,819,392	652,434,485							

(1) Spoke with Ray Phillen of the Department of Revenue on 11/16/11, Ray explained the 2009 Total was adjusted and not reflected in the Department's historical reports.
The 2009 Total changed from \$920,418,951 to \$906,000,037.

Source: Taxable Retail Sales and Unit Count for All Cities and Counties in Washington State By Calendar Year Comparison from the Washington State Department of Revenue.
Department of Revenue analyst and local economist both agreed that using the "6-year average" with a future "no growth scenario" is very conservative.
Using the 2010 Total of \$964,584,880 is similar to using the 6-year average above.

Department of Revenue estimates that Farm Equipment Sales account for 2.50% to 5.0% of all Taxable Retail Sales in Franklin County, we used 5.0% to be conservative.

	Total Taxable Retail Sales	Less 5% Farm Equipmt	Adjusted Taxable Retail Sales	County 60%		County 60%		"A" Rated Bond (2)	
				1/10th for Jail related costs	2/10th for Jail Bond Payments & related costs over 30 Years	3/10th for Jail Bond	4th for Jail Bond	Amount	
2010	964,584,880	(48,229,244)	916,355,636	549,813	1,099,627	1,649,440			
2009	906,000,037	(45,300,002)	860,700,035	516,420	1,032,840	1,549,260			
2008	1,052,102,201	(52,605,110)	999,497,091	599,698	1,199,397	1,799,095			
6-yr Avg.	962,209,339	(48,110,467)	914,098,872	548,459	1,096,919	1,649,378			\$18,525,000

(2) Assumes a rating grade of "A" with a 30-year Net Borrowing Rate of 3.96%, which is preliminary and subject to change.

Financing the Jail Project and Software Purchase					
1	2	3	4	5	6
	Option 1	[Local economist said using the 6yr Average is realistic.]			
	Assume	[Also, we have NOT assumed future growth in Taxable Retail Sales.]			
	2/10th of 1%	Series A - Jail Project, 29.5-years			
	6-year Average	Fund \$18,520,000			
	Taxable Retail	Payment Dates of Jan. 1 and July 1			
	Sales figure of	[Column 2 minus Column 5]			
Year Ending		Principal	Interest (I)	Debt Service	Surplus/(Deficit)
2013	\$962,209,339	\$548,460	140,000	392,784	15,676
2014		1,096,919	410,000	672,602	14,317
2015		1,096,919	415,000	669,527	12,392
2016		1,096,919	415,000	665,170	16,750
2017		1,096,919	425,000	659,443	12,477
2018		1,096,919	430,000	651,580	15,339
2019		1,096,919	440,000	642,335	14,584
2020		1,096,919	450,000	631,555	15,364
2021		1,096,919	465,000	619,360	12,559
2022		1,096,919	475,000	605,736	16,184
2023		1,096,919	490,000	590,821	16,099
2024		1,096,919	510,000	574,602	12,318
2025		1,096,919	525,000	557,058	14,862
2026		1,096,919	545,000	538,315	13,604
2027		1,096,919	565,000	518,259	13,660
2028		1,096,919	585,000	497,015	14,904
2029		1,096,919	610,000	473,615	13,304
2030		1,096,919	635,000	449,215	12,704
2031		1,096,919	660,000	423,815	13,104
2032		1,096,919	685,000	397,415	14,504
2033		1,096,919	710,000	370,015	16,904
2034		1,096,919	740,000	339,840	17,079
2035		1,096,919	775,000	308,390	13,529
2036		1,096,919	805,000	275,453	16,467
2037		1,096,919	840,000	241,240	15,679
2038		1,096,919	875,000	205,540	16,379
2039		1,096,919	915,000	167,915	14,004
2040		1,096,919	955,000	128,570	13,349
2041		1,096,919	995,000	87,505	14,414
2042		1,096,919	1,040,000	44,720	12,199
Totals		\$ 18,525,000	\$ 13,399,407	\$ 31,924,407	\$ 434,704
			Est. Net Borrowing Cost (I):		3.96%
			Est. Avg. Annual Payment (I):		\$1,082,470

(I) Interest cost is preliminary and subject to change.

Martin Nelson & Co., Inc - Providing Investment Banking Services to Municipalities.



Financing the Jail Project and Software Purchase

1	2	3	4	5	6	
	Option 1A	[The additional 1/10th is available to pay for the Bonds.]				
	Assume all	[1/10th of 6yr Average is an additional \$550,000 per year.]				
	3/10th of 1%	Series A - Jail Project, 29.5-years				
	6-year Average	Fund \$18,520,000				
	Taxable Retail	Payment Dates of Jan. 1 and July 1				
Year	Sales figure of	Principal	Interest (1)	Debt Service	Surplus/(Deficit)	[Column 2 minus Column 5]
Ending	\$962,209,339	140,000	392,784	532,784	289,905	
2013	\$822,689	410,000	672,602	1,082,602	562,776	
2014	\$1,645,378	415,000	669,527	1,084,527	560,851	
2015	\$1,645,378	415,000	665,170	1,080,170	565,209	
2016	\$1,645,378	425,000	659,443	1,084,443	560,936	
2017	\$1,645,378	430,000	651,580	1,081,580	563,798	
2018	\$1,645,378	440,000	642,335	1,082,335	563,043	
2019	\$1,645,378	450,000	631,555	1,081,555	563,823	
2020	\$1,645,378	465,000	619,360	1,084,360	561,018	
2021	\$1,645,378	475,000	605,736	1,080,736	564,643	
2022	\$1,645,378	490,000	590,821	1,080,821	564,558	
2023	\$1,645,378	510,000	574,602	1,084,602	560,777	
2024	\$1,645,378	525,000	557,058	1,082,058	563,321	
2025	\$1,645,378	545,000	538,315	1,083,315	562,063	
2026	\$1,645,378	565,000	518,259	1,083,259	562,119	
2027	\$1,645,378	585,000	497,015	1,082,015	563,363	
2028	\$1,645,378	610,000	473,615	1,083,615	561,763	
2029	\$1,645,378	635,000	449,215	1,084,215	561,163	
2030	\$1,645,378	660,000	423,815	1,083,815	561,563	
2031	\$1,645,378	685,000	397,415	1,082,415	562,963	
2032	\$1,645,378	710,000	370,015	1,080,015	565,363	
2033	\$1,645,378	740,000	339,840	1,079,840	565,538	
2034	\$1,645,378	775,000	308,390	1,083,390	561,988	
2035	\$1,645,378	805,000	275,453	1,080,453	564,926	
2036	\$1,645,378	840,000	241,240	1,081,240	564,138	
2037	\$1,645,378	875,000	205,540	1,080,540	564,838	
2038	\$1,645,378	915,000	167,915	1,082,915	562,463	
2039	\$1,645,378	955,000	128,570	1,083,570	561,808	
2040	\$1,645,378	995,000	87,505	1,082,505	562,873	
2041	\$1,645,378	1,040,000	44,720	1,084,720	560,658	
2042	\$1,645,378	-	-	-	-	
Totals		\$ 18,525,000	\$ 13,399,407	\$ 31,924,407	\$ 16,614,245	

(1) Interest cost is preliminary and subject to change.


Martin Nelson & Co., Inc - Providing Investment Banking Services to Municipalities.



Financing the Jail Project and Software Purchase

1	2	3	4	5	6
	Option 2	[This is a more conservative assumption, and assumes			
	Assume	no growth in Taxable Retail Sales.]			
	2/10th of 1%	[The additional 1/10th is available to cover any deficits.]			
	7-Year Average	Series A - Jail Project, 29.5-years			
	Taxable Retail	Fund \$18,520,000			
	Sales figure of	Payment Dates of Jan. 1 and July 1			
	\$943,192,957	Principal	Interest (1)	Debt Service	Surplus/(Deficit)
Year					minus
Ending					Column 5]
2013	\$537,620	140,000	392,784	532,784	4,836
2014	1,075,240	410,000	672,602	1,082,602	(7,362)
2015	1,075,240	415,000	669,527	1,084,527	(9,287)
2016	1,075,240	415,000	665,170	1,080,170	(4,930)
2017	1,075,240	425,000	659,443	1,084,443	(9,203)
2018	1,075,240	430,000	651,580	1,081,580	(6,340)
2019	1,075,240	440,000	642,335	1,082,335	(7,095)
2020	1,075,240	450,000	631,555	1,081,555	(6,315)
2021	1,075,240	465,000	619,360	1,084,360	(9,120)
2022	1,075,240	475,000	605,736	1,080,736	(5,496)
2023	1,075,240	490,000	590,821	1,080,821	(5,581)
2024	1,075,240	510,000	574,602	1,084,602	(9,362)
2025	1,075,240	525,000	557,058	1,082,058	(6,818)
2026	1,075,240	545,000	538,315	1,083,315	(8,075)
2027	1,075,240	565,000	518,259	1,083,259	(8,019)
2028	1,075,240	585,000	497,015	1,082,015	(6,775)
2029	1,075,240	610,000	473,615	1,083,615	(8,375)
2030	1,075,240	635,000	449,215	1,084,215	(8,975)
2031	1,075,240	660,000	423,815	1,083,815	(8,575)
2032	1,075,240	685,000	397,415	1,082,415	(7,175)
2033	1,075,240	710,000	370,015	1,080,015	(4,775)
2034	1,075,240	740,000	339,840	1,079,840	(4,600)
2035	1,075,240	775,000	308,390	1,083,390	(8,150)
2036	1,075,240	805,000	275,453	1,080,453	(5,213)
2037	1,075,240	840,000	241,240	1,081,240	(6,000)
2038	1,075,240	875,000	205,540	1,080,540	(5,300)
2039	1,075,240	915,000	167,915	1,082,915	(7,675)
2040	1,075,240	955,000	128,570	1,083,570	(8,330)
2041	1,075,240	995,000	87,505	1,082,505	(7,265)
2042	1,075,240	1,040,000	44,720	1,084,720	(9,480)
Totals		\$ 18,525,000	\$ 13,399,407	\$ 31,924,407	\$ (204,827)
			Est. Net Borrowing Cost (1):	3.96%	
			Est. Avg. Annual Payment (1):	\$1,082,470	

(1) Interest cost is preliminary and subject to change.


Martin Nelson & Co., Inc. - Providing Investment Banking Services to Municipalities.

Financing the Jail Project and Software Purchase Franklin County Limited Tax General Obligation Bonds, 2012

Jail Project, 29.5-years

Software Purchase, 12.5 years

Paid from the voter approved

Paid from the General Fund

sales tax increase for the next 30 years.

Fund \$18,520,000

Fund \$1,240,000

Payment Dates of Jan. 1 and July 1

Payment Dates of Jan. 1 and July 1

Year	Principal	Interest (1)	Debt Service	Principal	Interest (1)	Debt Service	Combined Debt Service
Ending							
2013	140,000	392,784	532,784	-	18,051	18,051	550,835
2014	410,000	672,602	1,082,602	95,000	30,945	125,945	1,208,547
2015	415,000	669,527	1,084,527	95,000	30,232	125,232	1,209,759
2016	415,000	665,170	1,080,170	95,000	29,235	124,235	1,204,404
2017	425,000	659,443	1,084,443	95,000	27,924	122,924	1,207,366
2018	430,000	651,580	1,081,580	100,000	26,166	126,166	1,207,746
2019	440,000	642,335	1,082,335	100,000	24,016	124,016	1,206,351
2020	450,000	631,555	1,081,555	105,000	21,566	126,566	1,208,121
2021	465,000	619,360	1,084,360	105,000	18,721	123,721	1,208,081
2022	475,000	605,736	1,080,736	110,000	15,539	125,539	1,206,275
2023	490,000	590,821	1,080,821	110,000	12,085	122,085	1,202,906
2024	510,000	574,602	1,084,602	115,000	8,345	123,345	1,207,947
2025	525,000	557,058	1,082,058	120,000	4,320	124,320	1,206,378
2026	545,000	538,315	1,083,315	-	-	-	1,083,315
2027	565,000	518,259	1,083,259	-	-	-	1,083,259
2028	585,000	497,015	1,082,015	-	-	-	1,082,015
2029	610,000	473,615	1,083,615	-	-	-	1,083,615
2030	635,000	449,215	1,084,215	-	-	-	1,084,215
2031	660,000	423,815	1,083,815	-	-	-	1,083,815
2032	685,000	397,415	1,082,415	-	-	-	1,082,415
2033	710,000	370,015	1,080,015	-	-	-	1,080,015
2034	740,000	339,840	1,079,840	-	-	-	1,079,840
2035	775,000	308,390	1,083,390	-	-	-	1,083,390
2036	805,000	275,453	1,080,453	-	-	-	1,080,453
2037	840,000	241,240	1,081,240	-	-	-	1,081,240
2038	875,000	205,540	1,080,540	-	-	-	1,080,540
2039	915,000	167,915	1,082,915	-	-	-	1,082,915
2040	955,000	128,570	1,083,570	-	-	-	1,083,570
2041	995,000	87,505	1,082,505	-	-	-	1,082,505
2042	1,040,000	44,720	1,084,720	-	-	-	1,084,720
Totals	\$ 18,525,000	\$ 13,399,407	\$ 31,924,407	\$ 1,245,000	\$ 267,143	\$ 1,512,143	\$ 33,436,549
Est. Net Borrowing Cost (1):		3.96%			2.83%		
Est. Avg. Annual Payment (1):		\$1,082,470			\$124,508		

(1) Interest cost is preliminary and subject to change.



Martin Nelson & Co., Inc. - Providing Investment Banking Services to Municipalities.

BOND RATING CATEGORIES FOR INVESTMENT GRADE BONDS

	Standard & Poor's	Moody's	Fitch's
Highest Quality	AAA	Aaa	AAA
	AA+	Aa1	AA+
High Quality	AA	Aa2	AA
	AA-	Aa3	AA-
	A+	A1	A+
Upper Medium Grade	A	A2	A
	A-	A3	A-
	BBB+	Baa1	BBB+
Medium Grade	BBB	Baa2	BBB
	BBB-	Baa3	BBB-

Key Factors for Franklin County's "A" rating grade with a "positive outlook"

1. Growth in population and assessed value;
2. Fund Balance and reserves
3. New Financial Policy;
4. Experienced management in operating the County in an efficient manner; and
5. Strength of the Tri-Cities economy.

Special thanks to Fred Bowen, Josie Koelzer, Matt Beaton, Tom Westerman, Becky Mulkey, Robin Stanco and Jerrod MacPherson for participating in the conference call on April 16, 2012 with Standard & Poor's.

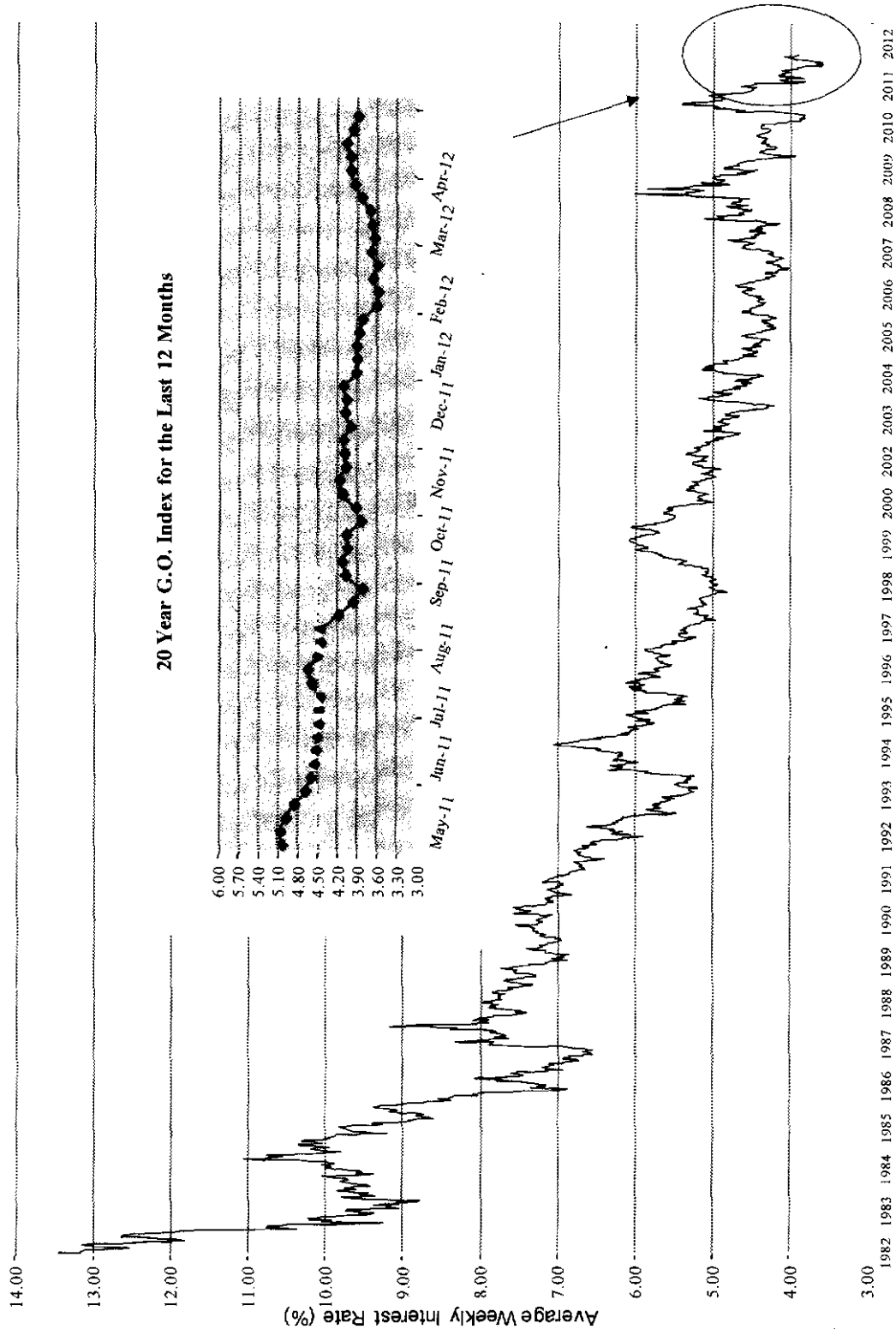


Financing the Jail Project and Software Purchase

BOND BUYER INDEX

01/01/82 thru 04/19/12

20-YEAR GENERAL OBLIGATION BOND INDEX*



*The 20 G.O. Index is made up of bond issues with a rating of "AA-" maturing in 20 years.

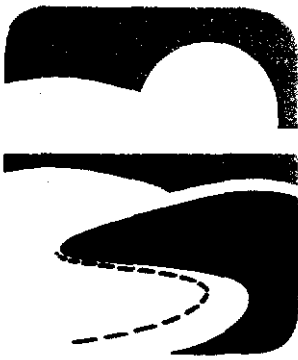


Martin Nelson & Co., Inc. - Providing Investment Banking Services to Municipalities.

SCHEDULE GOING FORWARD

<u>Steps:</u>	<u>Date</u>	
1	Completed	Release draft Preliminary Official Statement (POS) for review and comments.
2	Completed	Receive comments and remaining information from County & Bond Attorney.
3	Completed	Receive draft Bond Resolution and Legal Opinion from the Bond Attorney.
4	Completed	Release information package to Standard & Poor's.
5	Completed	Practice conference call with the County staff (60 minutes).
6	Completed	Conference call with the County and Standard & Poor's (60 minutes).
7	05/03/12	Release the Preliminary Official Statement and begin marketing the Bonds to prospective investors.
8	05/15/12	Set the final interest rates for the Bonds.
9	05/16/12	Presentation of final interest rates and Bond Resolution at Commissioner's Meeting (8:15 or 10:00 AM?).
10	06/01/12	Closing Date/Delivery Date to receive Bond Proceeds.





FRANKLIN COUNTY

PUBLIC WORKS DEPARTMENT

Tim Fife, P.E., Public Works Director/County Engineer
Guy F. Walters, Assistant Public Works Director

April 26, 2012

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

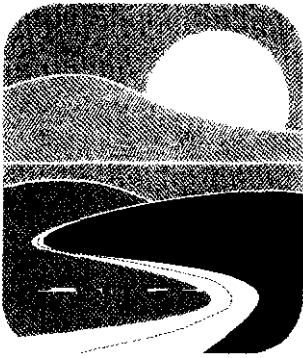
Action: As of this date, April 26, 2012
move that the following warrants be approved for payment:

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
County Road		
- Payroll	64817-64839	30,039.90
- Direct Deposit (3426-3452)		34,122.10
		\$64,162.00
- Benefits	64840-64849	33,842.86
	Total	\$98,004.86
Motor Vehicle		
- Payroll	34850-34867	5,260.10
- Direct Deposit (3453-3457)		5,703.63
		\$10,963.73
- Benefits	64868-64877	6,229.81
	Total	\$17,193.54

in the total amount of **\$115,198.40** (\$98,004.86 + \$17,193.54). The motion was seconded
by and passed by a vote of 3 to 0.

The attached payroll has been approved by the Public Works Director

Payroll Prepared By



FRANKLIN COUNTY

PUBLIC WORKS DEPARTMENT

Malcolm Bowle, P.E., County Engineer
Guy Walters, Interim Public Works Director

May 2, 2012

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.90, have been recorded on a listing, which has been sent to the board members.

Action: As of this date, May 2, 2012, move that the following vouchers be approved for payment:

<u>FUND</u>	<u>AMOUNT</u>
County Road	
- Vouchers	\$121,434.80
Total	\$121,434.80
Motor Vehicle	
- Vouchers	\$16,224.08
Total	\$16,224.08
Solid Waste	
- Vouchers	\$1,122.53
Total	\$1,122.53
Probation Work Crew	
- Vouchers	\$931.93
Total	\$931.93

in the total amount of **\$139,713.34** (\$931.93 + \$1,122.53 + \$16,224.08 + \$121,434.80).
The motion was seconded by and passed by a vote of 2 to 0.

The attached vouchers have been approved by
the Public Works Director

Vouchers Prepared By



FRANKLIN COUNTY AUDITOR

Matt Beaton, Auditor

5/5/2012

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims.

Action: As of this date, 5/5/2012

Move that the following warrants be approved for payment:

certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

FUND Expenditures	WARRANTS		AMOUNT ISSUED
Current Expense	65084	65121	\$16,919.33
FC Capital Projects Fund	65122	-	\$2,092.50
Current Expense	65123	65164	\$51,819.37
Election Equipment Revolving	65166	65168	\$2,374.20
Treasurer O & M	65169	-	\$24.80
Jail Commissary	65170	65176	\$12,069.06
Enhanced 911	65177	-	\$200.46
Law Library	65178	65180	\$3,822.38
.3% Criminal Justice Const Fund	65181	65182	\$612.86
TRAC Operations Fund	65813	65206	\$30,224.64
Franklin County RV Facility	65207	65209	\$2,589.04
Current Expense	65210	-	\$5.30
Auditor O & M	65211	65212	\$342.46
Dept of Commerce Pass Through	65245	65247	\$91,860.44
Current Expense	65248	-	\$3,912.39

In the amount of

\$218,869.23

The motion was seconded by

And passed by a vote of 3 to 0

Matt Beaton

The attached vouchers have been approved by Auditor or Deputy

Julie Jordan
Vouchers Audited By

Franklin County
Board of Commissioners
Agenda Summary Report

DATE: April 24, 2012

PRESENTED BY: Jerrod MacPherson

ITEM: (Select One) ☐ Consent Agenda.
 ☒ To Be Brought Before the Board. Date: May 2, 2012
 Time needed: 30 minutes

SUBJECT / ISSUE: CUP 2012-03, a Conditional Use Permit (CUP) application to operate a dairy replacement growing facility in the Agricultural Production 20 (AP-20) Zoning District. For zoning purposes, the operation is being processed as a feedlot.

ACTION(S) REQUESTED:

Review the Planning Commission Recommendation in a Public Meeting; Pass a motion; and Pass a Resolution.

BACKGROUND:

A Conditional Use Permit application request to operate a dairy replacement growing facility in the Agricultural Production 20 (AP-20) Zoning District. For zoning purposes, the operation is being processed as a feedlot.

The calves and heifers raised at the facility will be used as replacement animals for the applicant's dairy operation located on Pepiot Road in Franklin County. The facility is proposed to have a maximum head count of 3,500 animals. A Conditional Use Permit is required for a feedlot operation when the headcount exceeds 1000 animals.

The property is located east of Mesa, east of Highway 395, west of the intersection of Joyce Road and Coordes Road near site address 2270 Joyce Road (Parcel Numbers 109-220-022 and 109-270-022).

Public Testimony and Discussions:

Phone and/or In-Office Discussions: Planning Staff did receive numerous phone calls and office inquiries regarding this application.

Open Record Hearing Testimony:

-In support of application: Approximately 20 people spoke in support of the application.

-Opposed to application: 3 people spoke against the application. 3 letters of opposition were additionally submitted.

- Clarification only: 1 letter from the City of Connell was submitted discussing concerns and zoning issues.

Planning Commission Voting/Discussion: Positive recommendation with 5 in favor; 1 against.

Summary: At the regularly scheduled Planning Commission hearing on April 10, 2012 the Franklin County Planning Commission voted to forward a positive recommendation for this application to the Board of County Commissioners subject to the following six (6) findings of fact and eighteen (18) conditions of approval:

Finding of Fact:

1. The placement and operation of a feedlot for the raising of calves and heifers in the Agricultural Production 20 (AP-20) Zoning District **IS** in accordance with goals and policies of the County Development Regulations (Zoning) and the County Comprehensive Plan.

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Agenda Summary Report

- a. The property is zoned Agricultural-Production 20 (AP-20);
 - b. The Comprehensive Plan designation for the property is Agricultural;
 - c. As directed in the County Comprehensive Plan, Resource Lands Section, a special permit review process is required and has been established in the County Zoning Ordinance for large scale confined animal feeding operations. A Feedlot that is greater in size than 1000 head count or a dairy operation that is greater in size than 500 headcount requires a special/conditional use permit. This process involves a public hearing before the County Planning Commission and final review by the Board of County Commissioners;
 - d. County Zoning Ordinance requires a 2 mile separation buffer for dairy operations requiring the approval of a Conditional Use Permit. This separation standard does not apply to feedlot operations; and
 - e. The location of the proposed animal operation has a distance separation of greater than five (5) miles to the nearest feedlot animal operation (Easterday Feedlot) and greater than two (2) miles to the nearest dairy operation (owned and operated by the applicant).
2. The proposal **WILL NOT** adversely affect public infrastructure.
- a. The primary access to the site is Joyce Road and Coordes Road. These roadways are not currently constructed to an all-weather standard. Road restrictions may apply in Winter-Spring.
 - b. As indicated by the applicant in the SEPA checklist, most traffic will be utilizing existing private farm roads (non-public internal roads) between the applicant's existing dairy operation and the proposed feedlot operation.
3. The proposal **WILL BE** constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.
- a. The existing and intended character of the area is agricultural.
 - b. The minimum parcel size in the area is 20 acres. The lands to the east of the proposed site are zoned Agricultural Production 40 (minimum lot size of 40 acres). Over 80% of Franklin County's land area is currently zoned AP-20 or AP-40.
 - c. The proposed use of the property is animal agricultural and the surrounding uses are agricultural in nature.
4. The location and height of proposed structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
- a. The location of the proposed use is located on approximately 646 acres and will not discourage permitted agricultural uses in the surrounding area.
 - b. Other permitted agricultural uses such as agricultural operations, animal operations, farm family homes, and commercial or private stables in the general vicinity will not be discouraged due to the proposed application request.
 - c. The farm site is surrounded by large farms. Very few scattered single family homes exist in the surrounding area.

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Agenda Summary Report

- i. The farm site is located approximately 4 miles northeast of the City of Mesa and is approximately 4 miles south of the City of Connell.
 - ii. The location of the proposed animal operation has a distance separation of greater than five (5) miles to the nearest feedlot animal operation (Easterday Feedlot) and greater than two (2) miles to the nearest dairy operation (owned and operated by the applicant).
 - iii. In a 16 square mile area surrounding the proposed operation site, an aerial review has found 2 single family homes (other than homes owned by the applicant). Based upon an average of 3.5 people per home, a total of approximately 7 people live within the 16 square mile radius (10,240 acres) surrounding the proposal. (Township 13, Range 31, Sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36). Two other homes in the region are located approximately 3.6 miles and 4.4 miles from the proposed animal operation.
5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. The AP-20 Zoning District allows a wide range of activities that may produce noise, fumes, vibrations, dust, traffic and flashing lights. The proposed use is consistent with the activities allowed as a permitted use in the AP-20 Zoning District and the neighboring AP-40 Zoning District.
 - b. The area is zoned Agricultural Production 20 (AP-20). Typical agricultural uses are permitted in the area.
 - c. With the implementation of a Fly and Odor Control Plan, a Nutrient Management Plan, and compliance with the mitigation measures established in the required State Environmental Policy Act Review for this land use request, the animal operation will further its compatibility with other permitted uses allowed in the area.
6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
 - a. The operation will not endanger the public health, safety, or welfare at this site.
 - b. Compliance with the following is required through the SEPA and/or Conditional Use Permit process:
 - i. An Odor and Fly Control Plan is required for the operation;
 - ii. A Nutrient Management Plan is required for the operation;
 - iii. Compliance with a hydrologic or well impairment analysis for the protection of water resources (specifically March 20, 2012 hydrologic impairment analysis relating to proposal);
 - iv. Compliance with State of Washington standards regarding air and water quality;
 - v. Compliance with the standards and requirements of the Benton Franklin Health Department at all times; and
 - vi. Compliance with the mitigation measures established in the SEPA Review for the proposed operation.
 - c. Land Use/Critical Area Review:
 - i. There are no Wetlands near the proposed feedlot operation.

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Agenda Summary Report

- ii. The feedlot is not located within a designated Aquifer Recharge Area.
- iii. The feedlot is not located within a designated Fish and Wildlife Conservation Area.
- iv. The feedlot is not located within a 100 year Floodplain.
- v. 100 year Floodplain and Seismic Hazard (soil liquefaction susceptibility) Areas are located west of the feedlot (approximately 1,000 feet) and east of the feedlot near the intersection of Joyce Road-Coordes Road.
- vi. If discharge (to waters of the state) from the feedlot occurs, compliance with the State Department of Ecology Concentrated Animal Feeding Operations (CAFO) and National Pollution Discharge Elimination System (NPDES) permit program standards apply.

Conditions of Approval:

1. A Conditional Use Permit application request to operate a dairy replacement growing facility in the Agricultural Production 20 (AP-20) Zoning District. For zoning purposes, the operation is being processed as a feedlot.

The calves and heifers raised at the facility will be used as replacement animals for the applicant's dairy operation located on Pepiot Road in Franklin County. The facility is proposed to have a maximum head count of 3,500 animals.

The property is located east of Mesa, east of Highway 395, west of the intersection of Joyce Road and Coordes Road near site address 2270 Joyce Road (Parcel Numbers 109-220-022 and 109-270-022).

2. **SITE PLAN:** The operation, facilities, and the site development shall occur and be developed in accordance with the submitted application packet included in the official case file. Location of facilities have the flexibility to change slightly as needed depending on soil, slope, grade, etc. which will be decided during the time of site development.
3. **SEPA:** A Mitigated Determination of Non-Significance (MDNS) has been issued as part of the SEPA review and determination. Compliance with the required mitigation measures is required.
4. **HEADCOUNT:** The maximum head count number at the site shall not exceed 3,500.
5. **CAFO:** Applicant shall comply with current and future Federal/State standards for Confined Animal Feeding Operations (CAFO's), if applicable.
6. **ODOR AND FLY CONTROL:** This operation shall comply with the Odor and Fly Control Guidelines adopted by County Resolution 2001-238 by the Board of County Commissioners. This includes developing an Odor and Fly Control Plan (as described on Page 7 of the Odor and Fly Control Guidelines) and submitting a copy to the County Planning Department for placement in the applicant's CUP file. This shall be completed within eighteen (18) months of CUP approval.
7. **NUTRIENT MANAGEMENT:**
 - a. The applicant shall complete and submit an approved Nutrient Management Plan (NMP) for the operation that is developed in accordance with State law for Nutrient Management Plans. Applicant shall submit a copy of an approved NMP to the Planning Department within eighteen (18) months of CUP approval.
 - b. Best management practices (BMP's) shall be implemented to prevent surface and ground water discharges as described in the required Nutrient Management Plan.

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Agenda Summary Report

8. **BUILDING DIVISION:** Applicant shall comply with the County Building Division requirements for the activities at the site. Future buildings will require review to determine if permits or engineer designs are required.
9. **HEALTH DEPARTMENT:** Project shall be in compliance with the rules and regulations of the Benton Franklin Health Department at all times. Specifically, the Department has no objections to this use provided:
 - a. Employees at this facility shall be provided domestic drinking water by a public water supply in accordance with WAC 246-291, reviewed and approved by the WA State Department of Health Office of Drinking Water.
 - b. Employees at this facility shall have available to them on-site sewage systems that are permitted, installed, and approved in accordance with Benton Franklin District Board of Health Rules and Regulations #2.
 - c. Operation shall follow publication No. 05-07-034 for Composting of Mortalities and allow BFHD to inspect if complaints arise.
 - d. Requirement of a Dairy Nutrient Management Plan will help address the potential for build up of nitrates and nutrients in the soil.
10. **AIR/WATER:** Applicant shall meet and comply with State of Washington (Department of Agriculture and State Department of Ecology) standards, if applicable, as it relates to air and water quality standards for the proposed operation.
11. **LIVESTOCK WATERING:** Applicant plans to obtain water for the operation via a well that is an exempt ground water withdrawal for livestock watering. A hydrologic impairment analysis, dated March 20, 2012, shall be complied with. A copy of this analysis is maintained in the Planning Case file for this application.
12. **OUTDOOR LIGHTING:** Outdoor lighting at the operation shall be shielded down to the best extent possible. This will assist in ensuring the outdoor lighting will not become a nuisance to neighboring properties and will limit light pollution in rural Franklin County.
13. **PUBLIC WORKS:** The proposal shall comply with the rules and regulations of the Franklin County Public Works Department.
 - a. The owner(s) shall be informed that the proposed feedlot is located in an area of the county that possesses few All-Weather Roads for access to and from said feedlot. Currently Joyce Road and Coordes Road are not constructed to an All-Weather standard. As such, during times of freeze/thaw conditions, typically the Winter and early Spring, shall be subject to Road Restrictions. These restrictions will not allow for the hauling of most legal loads. Blanton Road is currently the only All-Weather road that services the immediate area, and would not normally be restricted during the specified time periods. Advance arrangements for access to Blanton Road should be considered a priority when planning for the hauling of cattle, feed, supplies, etc. during the Winter and early Spring time periods.
 - b. Approach Permits are required for any new approaches onto County Roads.
14. **SETBACKS:** All new corrals/holding pens shall be located a minimum of 25' from a road right of way/road easement and 10' from an adjoining property owners' property line.
15. The applicant shall begin the new animal operation within one (1) year after the effective date of the special permit, or the special permit shall expire.

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16. In accordance with the County's Zoning Ordinance, any special permit may be revoked by the Board of Commissioners if, after a public hearing, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.
17. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
18. This permit applies to the described lands and shall be for the above named individual and/or his heirs and/or assigns. Any transferring of this permit will require that notice be granted to the Franklin County Planning Department or the permit will be cancelled. It cannot be transferred to another site.

COORDINATION:

N/A

RECOMMENDATION:

The County Planning Commission recommends the Board of Commissioners approve CUP 2012-03 with the following motion:

Motion:

Grant approval of CUP-2012-03, subject to the six (6) findings of fact and eighteen (18) conditions of approval.

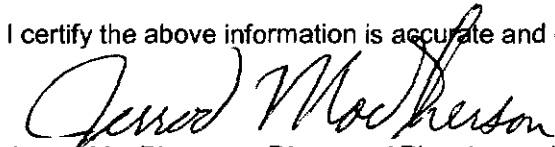
HANDLING / ROUTING:

N/A

ATTACHMENTS:

Five (5) exhibits are attached for consideration: 1) An aerial map of the general area along with the distances of the proposal to the City of Connell and the City of Mesa; 2) A detailed aerial overlay map of the proposed project location with the referenced 16 square mile radius identifying the existing homes in the area; 3) A detailed aerial and parcel overlay map along with the proposed site plan of the project in question; 4) A copy of the hydrologic (well) impairment analysis as provided by the applicant; and 5) Copies of the written public and agency comments.

I certify the above information is accurate and complete.



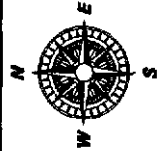
Jerrod MacPherson – Director of Planning and Building

Proposed Site Location

4.2 miles

5.2 miles

3.9 miles



CUP 2012-03 - VanderMeulen

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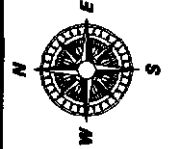
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April 10, 2012

<http://www.co.franklin.wa.us>
gr@co.franklin.wa.us

Proposed Site Location

**Referenced 16 square mile
radius which include 2 homes
not associated with the applicant**



CUP 2012-03 - VanderMeulen

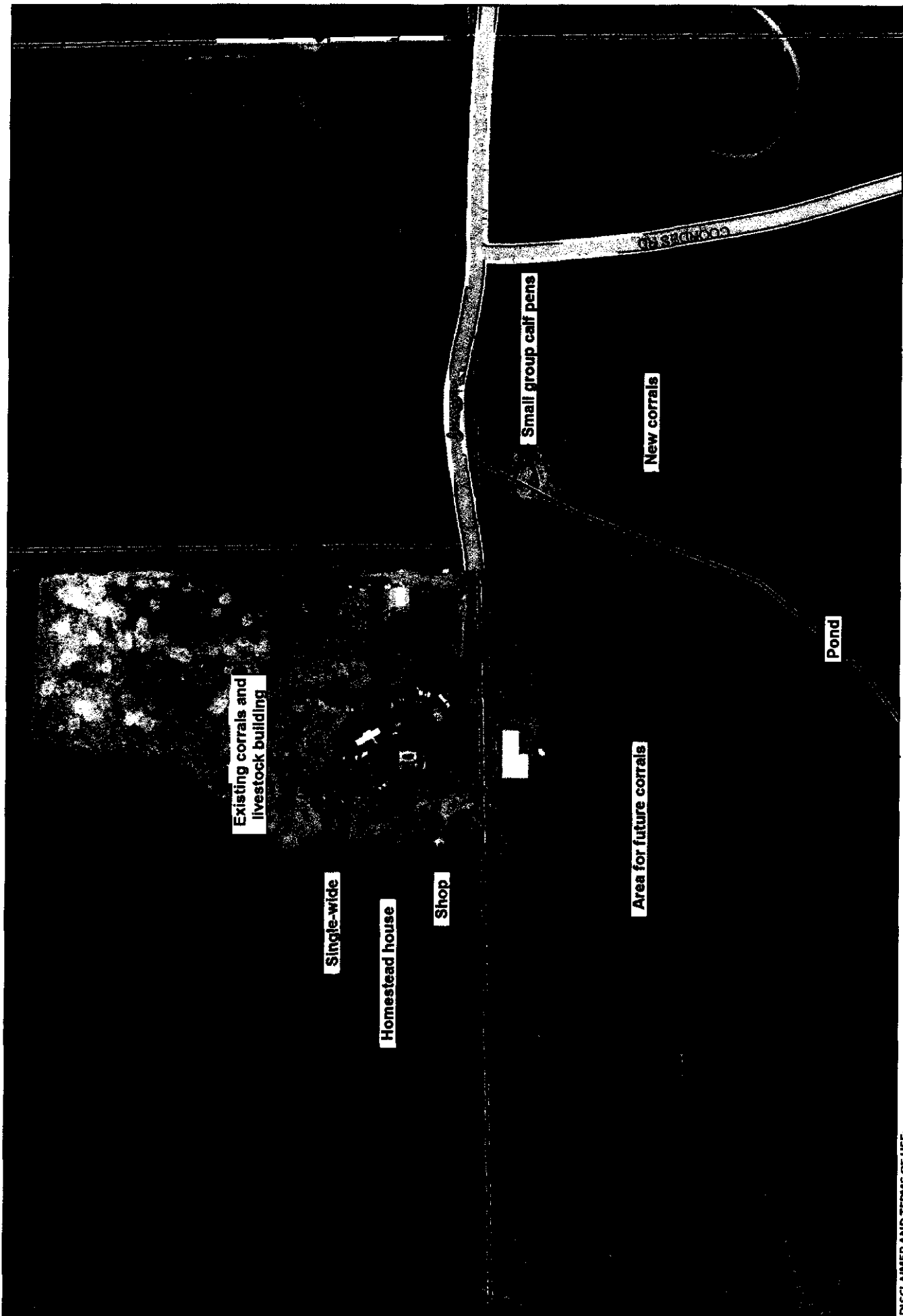
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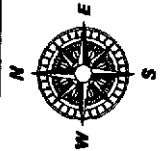
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CUP 2012-03 - VanderMeulen

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April 10, 2012

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Columbia-Snake River Irrigators Association Documentation Packet

DATE: March 20, 2012

TO: Washington State/County Agencies and Interested Parties

FROM: *P.O.* Darryll Olsen, Ph.D., CSRIA Principal Consultant, Board Rep.

SUBJECT: Coulee Flats Dairy Declaration of Appropriation of Groundwater
For Stock Watering Purposes under Exempt Well Status

The recent Washington State Supreme Court decision affirming the Superior Court summary judgment (Franklin County) and the Attorney General's opinion on the status of stock watering purposes under exempt wells¹ determines that "stock water purposes"² are exempt from requiring groundwater, water right permits (per RCW 90.44.050). Stock water purposes, and the quantity of water for purposes thereof, may be obtained through exempt wells.

To implement this State case law and AG opinion relative to a new stock watering withdrawal, and to provide appropriate water use information to subject regulating agencies, Mesa Dairy provides the attached Documentation Packet.

The Documentation Packet includes:

- 1) A formal declaration—plan of development—identifying (legal description) the existing well, or proposed well, that will be used as an exempt well for stock watering purposes; and including a detailed description of the stock watering project, providing the project start date and full development schedule, and that water use will be measured according to legal standards required under the water code and WAC.
- 2) The Supreme Court decision and AG opinion per "stock watering purposes."
- 3) Franklin County's lead agency review for SEPA compliance.
- 4) A hydrologic impairment analysis, determining no impairment to other water rights (or wells) from this new appropriation.

**3030 W. Clearwater, Suite 205-A, Kennewick, WA, 99336
509-783-1623, FAX 509-735-3140**

¹ WA State Supreme Court Decision filed December 22, 2012, Case No. 84632-4; Office of Attorney General, Washington, Opinion, Stock Watering Purposes, November 18, 2005, cited as AGO 2005, No. 17.

² In "DeVries v. Dept. of Ecology, PCHB 01-073 (2001), the PCHB stated that stock watering purposes "includes, but is not limited to, drinking, feeding, cleaning their stalls, washing them, washing the equipment used to feed or milk them, controlling dust around them and cooling them."

**Declaration of Appropriation of Ground Water
For Beneficial Use and Plan of Development**

Coulee Flats Dairy

Declaration of Appropriation of Ground Water for Beneficial Use And Plan of Development

Appropriation for Stock Watering Purposes Exempt From Water Right Permit Requirement Under RCW 90.44.050

1. I, Case VanderMeulen, owner and representative of Coulee Flats Dairy, am qualified to make the statements of declaration herein.

The following information describes the intent, actions taken, and the beneficial use to be made for a project involving permit-exempt stockwatering purposes of ground water. The purpose of this declaration is to provide notice to the Washington Department of Ecology (Ecology), and other pertinent agencies, for record keeping purposes.

The Washington State Supreme Court in its December 22, 2011, Affirmation Decision of the Superior Courts (Franklin County) Summary Judgment concluded that water withdrawals of groundwater for stock-watering purposes are not limited to any particular quantity by RCW 90.44.050. The Office of Rob McKenna, Attorney General of Washington State, previously provided a formal Opinion on Stock Watering Purposes, as well (see attachments). The Supreme Court Decision (Superior Court Summary Judgment) and AG Opinion affirm that stock watering purposes supplied by ground water sources fall under an exemption from water right permitting, and the exemption is not limited to 5,000 gallons per day.

During the late winter-early spring period of 2011-12, Coulee Flats Dairy has worked to formulate a plan of development to construct a feedlot facility for replacement herd, adjacent to its existing dairy operations, at its existing farm location. The feedlot facility (project) is fixed and determined, and Mesa Dairy has initiated the process to appropriate sufficient groundwater to meet the needs of the project. This replacement herd feedlot project is a major undertaking with anticipated capital expenditures exceeding several million dollars.

The nature of the project requires that it be carried out in stages over time. The project stock watering purposes include, but are not limited to: drinking, feeding, cleaning stalls, washing cattle, washing the equipment used to feed cattle, and direct dust control and temperature cooling. This non-exclusive list of stock watering purposes is consistent with the definition of "stock watering purposes" given in DeVries v. Dept. of Ecology, Pollution Control Hearings Board No. 01-073 (2001).

Coulee Flats Dairy

2. The project requires an adequate water supply (in terms of physical supply and water rights), State Environmental Policy Act (SEPA) review and compliance, facility planning and design, building permit approvals, nutrient management planning, wastewater handling facility design, staffing, financing and marketing. Without a sufficient water right appropriation, the project would be unable to operate.

3. The project plan of development to pursue the dairy project was fixed as of February 2012 by Coulee Flats Dairy.

4. The following steps have been taken to date, or are scheduled to take place, to carry out the ground water appropriation and develop the project. These steps have been taken in coordination with a groundwater review and impairment analysis to determine potential impacts to existing wells, from the new well described below (and within attached impairment analysis).

- ✓ 4.a. Contact well drilling contractors and take bids for drilling a water supply well, in February-April 2012.
- ✓ 4.b. Select drilling contractor, driller mobilizes rig, begins drilling during March-April 2012 (approximate date per driller schedule).
- ✓ 4.c. Hire consulting firm to prepare environmental checklist and ensure compliance with SEPA requirements, see attached SEPA compliance notice provide by Franklin County Planning and Building Department.
- ✓ 4.d. Well construction in progress, encountered good supply and completed construction, on or about March-April 2012.
- ✓ 4.e. Obtain engineering consulting services for well power requirements, on or about March-May 2012.
- ✓ 4.f. Contract and order power service to well site, on or about March-May 2012.
- ✓ 4.g. Order pump and contract for pump installation, install pump, on or about March-May 2012.
- ✓ 4.h. Install discharge piping at well head, on or about March-May 2012.
- ✓ 4.i. Connect well to water storage tank, to be completed in spring-summer 2012.

Coulee Flats Dairy

- ✓ 4.j. Begin phased arrival of livestock to farm, approximately, to be initiated April-May 2012.
- ✓ 4.k. Site facility construction on or about April-June 2012.
- ✓ 4.l. Grow replacement herd size to approximately 3,500 animals. Completion targeted for January 2013-2015.

5. Declared appropriation attributes follow.

5.a. Source: A well located all within: SW1/4 of SE1/4 of Section 22, T.13N, R.31 EWM and approximately at N.46.35.435 W.118.54.532 (see attached maps). The well will be constructed to yield water from the Grande Ronde Basalt Aquifer, and constructed so as to case-off any interaction with the Wanapum Basalt Aquifer. The well will be withdrawing from below the Wanapum Basalt Aquifer yielding formations.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance, as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (minimum Standards for Construction and Maintenance of Water Wells). Installation and maintenance of an access port as described in Groundwater Bulletin No.1 is required. An air line and gage shall be installed in addition to the access port.

5.b. Place of Use: See attached maps and location documents, and legal descriptions therein. At project site.

5c. Purpose of Use: Continuous stock watering purposes.

5.d. Quantities:

- ✓ Not to exceed a daily peak use of 140,000 gallons per day (per full development); this is equivalent to a peak use of about 100 gpm.
- ✓ Under full development, total annual acre-ft. usage not to exceed 160 acre-ft.

This is the total appropriation declared for stock watering purposes, per the development project described herein, and the final appropriation shall be limited to actual beneficial use.

Coulee Flats Dairy

6. Voluntary Conditions. Coulee Flats Dairy voluntarily meter water use for the project consistent with metering standards for permitted water right uses (WAC 173-173).

An approved measuring device(s) shall be installed and maintained for the sources (all points of withdrawal) identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC.

Water use data shall be recorded weekly and shall be submitted annually to Ecology by January 31st of each calendar year typically.

7. It is further noted that an evaluation of hydrologic conditions has been performed, with a finding that no existing rights (or wells) will be impaired due to the new appropriation/well site for stock watering purposes (see attached documents used for analyses). The evaluations further suggest that empirically measureable impacts are not likely, given the well withdrawal zone (depth), and the material stratification between other well withdrawal zones.

The hydrologic conditions of the new well site were further reviewed with staff from the Benton and Franklin Conservation District who supervise and review the groundwater modeling work conducted under the multi-county GWMA project. Their observations are consistent with the no impairment findings, and that the new well would be withdrawing from the Grande Ronde Basalt Aquifer.

In summary, the analyses indicate:

- ✓ The new stock watering well output would be established at about 100 gpm peak. This amounts to about 160 acre-ft. per year, roughly equivalent to the seasonal use of about one-half of an irrigation center pivot. It will be constructed to case fully through the Wanapum Basalt Aquifer, extending into the Grand Ronde Basalt Aquifer.
- ✓ The nearest existing wells to the new exempt well site are: 1) a domestic well owned by Mesa Dairy; and 2) a recently constructed domestic well (Zehm) located approximately 0.25 miles east of the new well site. These wells are relatively shallow wells and constructed for domestic use purposes, with relatively low-flow (gpm) output.

The new stock watering well will be constructed (with casing) to a depth well below the direct water bearing zones of either the existing Mesa Well or the Zehm Well, to prevent interference or impairment conditions. The new stock watering well will be effectively in a separate body of groundwater management (Grande Ronde Basalt

Coulee Flats Dairy

Aquifer) than the existing, more shallow wells. The attached analyses indicate no impairment.

- ✓ The nearest, larger producing irrigation well is owned by Mesa (Coulee Flats) Dairy and is located about 0.75 miles west of the new stock watering well site (Germain/Lundgren Well); and it is at a depth of about 1,235 ft. (reconditioned well) and produces about 800 gpm (as log tested). It serves nearby center pivot irrigation. This well is in the same approximate yielding zone as the new stock watering well.

The attached analyses and previous investigations in the area (Mesa Dairy main well and Pepiots Well) indicate that the new stock watering well would not impair production at the existing Germain/Lundgren Well, and any measurable impact to pumping levels would be small.

- ✓ Approximately located 1.25 miles south of the new well site is the Pepiots Well, an irrigation well (and water right) no longer in service—could be used as limited domestic exempt well. The analyses indicated that impairment is not an issue at the Pepiots Well site.
- ✓ Per the well log registry, an original “municipal use well” is located approximately 1.5 miles northeast of the new well site (Loeber-Connell Well, all within SE/1/4 of Section 14, T.13N, R.31 EWM). This well is about 1,005 ft. deep, and withdraws from the Wanapum Basalt Aquifer (per well log and groundwater mapping review). It would not be impaired by the new Grande Ronde Aquifer withdrawal, and any empirically measurable impact is unlikely.
- ✓ Approximately located 1.75-2.0 miles north-northeast of the new stock watering well site are an irrigation well and a domestic well (Loeber Wells).

The irrigation well (NE1/4 of NW1/4 of Section 14) is at a depth of about 1,210 ft. and produces about 1,800-2,000 gpm (as log tested). This well is in the same approximate yielding zone as the new stock watering well (unclear whether it is withdrawing from both Wanapum and Grande Ronde formations absent full casing).

The attached analyses and previous investigations in the area (Mesa Dairy main well and Pepiots Well) indicate that the new stock watering well would not impair production at this existing irrigation well, and measurable impact to pumping levels, if any, would be small (the Pepiots well is located physically closer to the new well site).

Coulee Flats Dairy

The domestic well (NE1/4 of NE1/4 of section 14) is at a depth of about 525 ft. and produces about 7-25 gpm (as log tested).

The new stock watering well will be constructed (with casing) to a depth well below the direct water bearing zones of this existing domestic well, to prevent interference or impairment conditions. The new stock watering well will be effectively in a separate body of groundwater management than this existing, more shallow well.

Based on distance and location, this domestic well could potentially be affected more greatly, relative to the exiting (Loeber) irrigation well to the west, depending on the irrigation well construction and casing.

8. I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

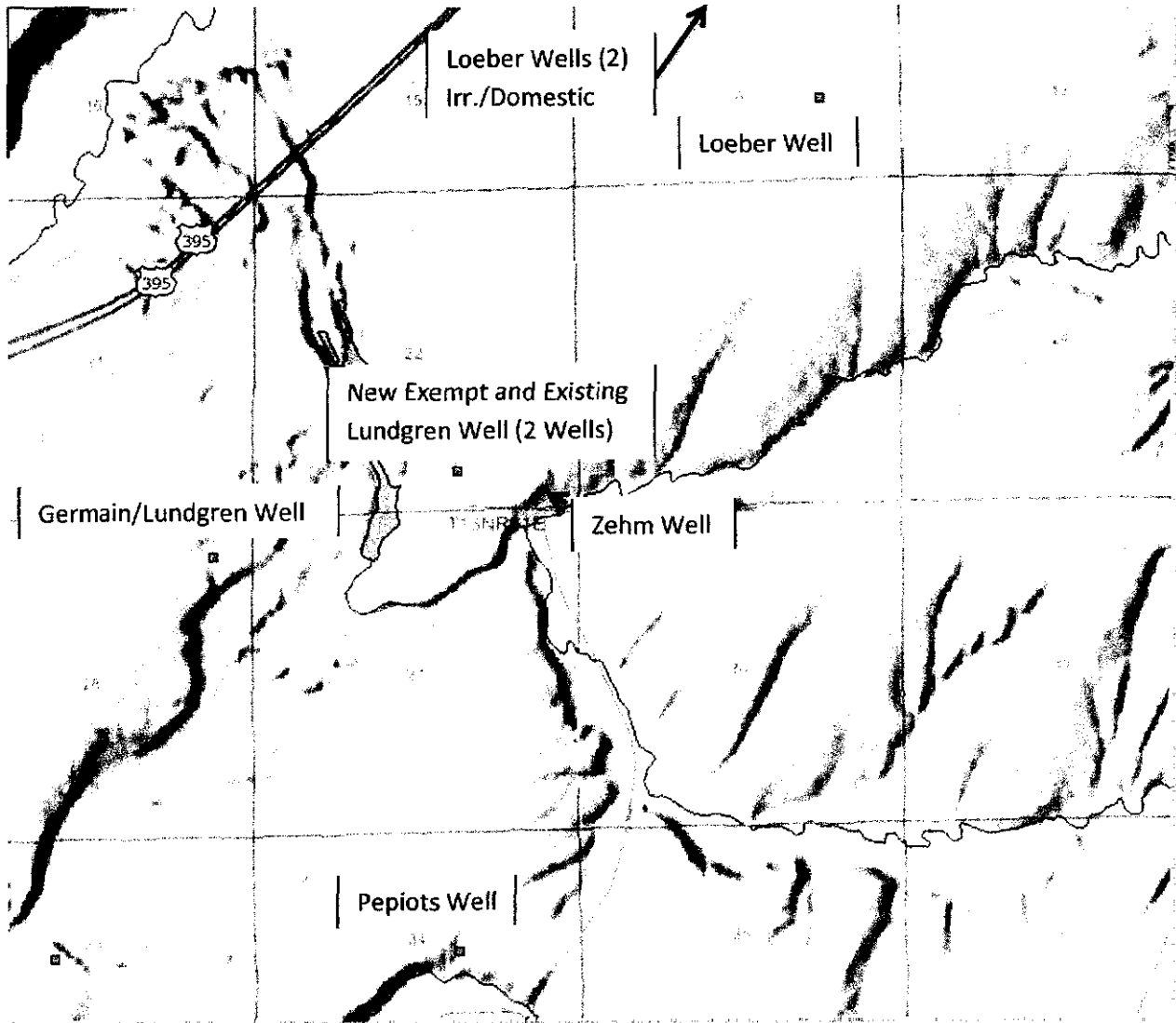
DATED this 20th day of March, 2012, in Franklin County, Washington.



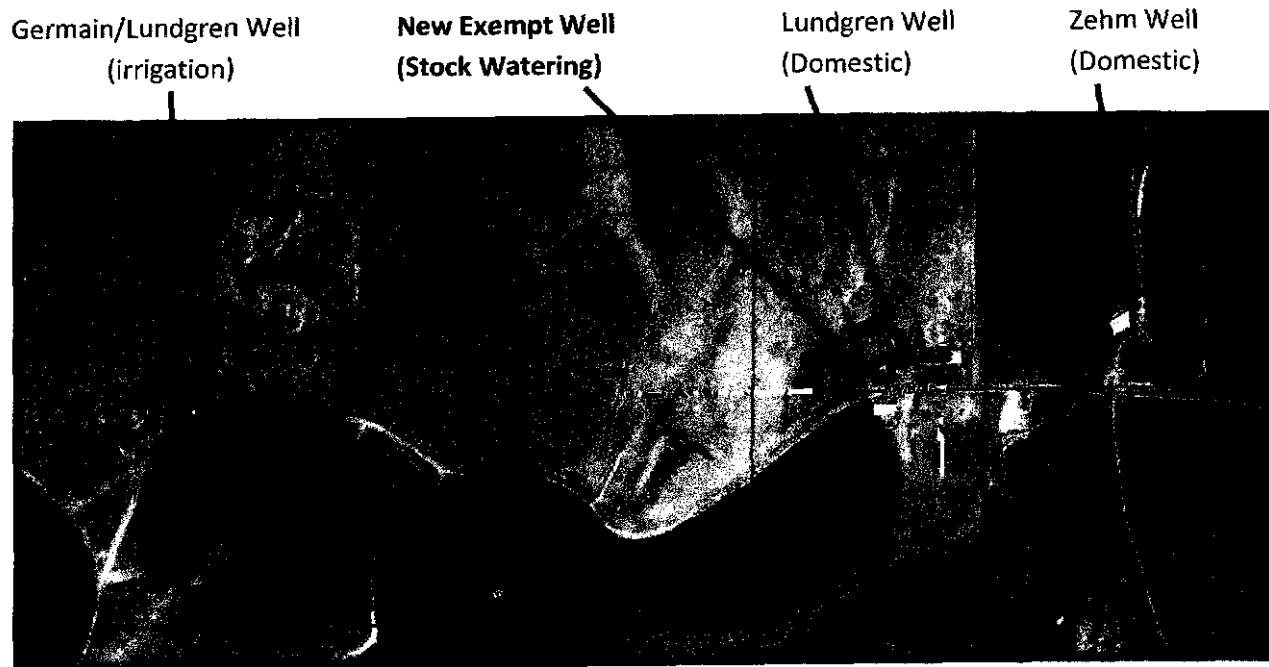
Case VanderMeulen
(signed original)

Owner/Representative, Coulee Flats Dairy

Mesa Dairy New Exempt Stock Watering Well and Nearest Existing Wells



Mesa Dairy New Exempt Stock Watering Well and Nearest Existing Wells



Location:

All within:

Germain/Lundgren Well (Irrigation): NE1/4 of NE1/4 of Section 28, T.13N, R.31 EWM.
N. 46.35.438, W. 118.55.466

New Exempt Well (Stock Watering): SW1/4 of SE1/4 of Section 22, T.13N, R.31 EWM.
N. 46.35.435, W. 118.54.532

Lundgren Well (Domestic): SW1/4 of SE1/4 of Section 22, T.13N, R.31 EWM.
N. 46.35.436, W. 118.52.461

Zehm Well (Domestic): SE1/4 of SE1/4 of Section 22, T.13, R.31 EWM.
N. 46.35.447, W. 118.54.183

**Attorney General's Opinion
AGO 2005, No. 17**

**WATER – WATER RIGHTS – DEPARTMENT OF ECOLOGY – RULES AND REGULATIONS –
Interpretation of statutory language exempting withdrawals of groundwater for stock-
watering from permitting requirements.**

1. **RCW 90.44.050 exempts withdrawals of groundwater for stock-watering purposes from the permitting requirement, without setting a numeric limit on the quantity of water withdrawn.**
2. **The Department of Ecology does not have authority to impose a categorical limit on the quantity of groundwater that may be withdrawn for stock-watering without a permit. In certain circumstances, the Department of Ecology's statutory authority to regulate the use of water may affect or limit such withdrawals, just as it may affect or limit withdrawals for other purposes.**
3. **An agency may not alter its interpretation of a statute in a manner that is inconsistent with statutory language and legislative intent to address changed societal conditions.**

November 18, 2005

The Honorable Bob Morton
State Senator, 7th District
P. O. Box 40407
Olympia, WA 98504-0407

Cite As:

AGO 2005 No. 17

The Honorable Janéa Holmquist
State Representative, 13th District
P. O. Box 40600
Olympia, WA 98504-0600

Dear Senator Morton and Representative Holmquist:

By letter previously acknowledged, you have asked for an opinion interpreting RCW 90.44.050. Under this statute, certain withdrawals of groundwater may be made without applying for and receiving a water right permit. You have posed the following questions:

1. **Does RCW 90.44.050 restrict groundwater withdrawals without a permit, for stock-watering purposes, to 5,000 gallons per day?**
2. **If RCW 90.44.050 does not limit such groundwater withdrawals for stock-watering to 5,000 gallons per day, may the Department of Ecology**

implement rules imposing such a limit?

***[original page 2]* 3. May an agency interpret and apply statutory language differently over time due to its perception of changing societal needs or the agency's evolving public policy perspective?**

BRIEF ANSWERS

RCW 90.44.050 authorizes groundwater withdrawals for stock-watering purposes without a water right permit and does not limit the amount of such withdrawals to any specific quantity. The Department of Ecology (Ecology) lacks statutory authority to require a permit as a condition to the withdrawal of groundwater for stock-watering purposes, or to categorically limit the amount of water that may be withdrawn for such purposes. In certain circumstances, statutes administered by Ecology would authorize it to affect or limit withdrawals of water for stock-watering purposes, just as they would authorize Ecology to affect or limit other exempt and nonexempt withdrawals. An administrative agency may not interpret a statute in a manner that is inconsistent with its language and legislative intent based on its belief that a different interpretation would better advance sound public policy, but may change its interpretation based on changes in case law, new information about legislative intent in enacting the statute, or where the statute is sufficiently broad to reasonably permit a changed interpretation.

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

FIVE CORNERS FAMILY FARMERS,
SCOTT COLLIN, THE CENTER FOR
ENVIRONMENTAL LAW AND POLICY,
and SIERRA CLUB,

No. 84632-4

En Banc

Appellants/Cross-Respondents,

v.

STATE OF WASHINGTON, and
WASHINGTON DEPARTMENT OF
ECOLOGY,

Respondents,

EASTERDAY RANCHES, INC.,

Respondent/Cross-Appellant,

WASHINGTON CATTLEMEN'S
ASSOCIATION, COLUMBIA SNAKE
RIVER IRRIGATORS ASSOCIATION,
WASHINGTON STATE DAIRY
FEDERATION, NORTHWEST DAIRY
ASSOCIATION, WASHINGTON CATTLE
FEEDERS ASSOCIATION, CATTLE
PRODUCERS OF WASHINGTON,
WASHINGTON STATE SHEEP
PRODUCERS, and WASHINGTON FARM
BUREAU,

Filed December 22, 2011

Respondents/Intervenors.

Five Corners Family Farmers v. State
No.84632-4

OWENS, J. — By statute, the legislature requires a permit to withdraw public groundwater or to construct a well to do so. RCW 90.44.050. The statute also provides exemptions from the permit requirement for certain uses. This case concerns the scope of one of those exemptions. We conclude that, under the plain language of the statute, withdrawals of groundwater for stock-watering purposes are not limited to any particular quantity by RCW 90.44.050. Accordingly, we affirm the superior court's grant of summary judgment to the respondents. We also affirm the superior court's refusal to grant summary judgment against the appellants on the basis of standing and its determination that Easterday Ranches Inc. (Easterday) is not entitled to attorney fees as a result of the change of venue.

Facts

Easterday seeks to operate a large cattle feedlot in Franklin County. In order to provide water for the 30,000 head of cattle operation, Easterday drilled a well into the Grande Ronde aquifer. At the suggestion of the Department of Ecology (Department), Easterday acquired water rights from a neighboring farm. This transfer, referred to as the Pepiot Transfer, gave Easterday the right to withdraw 316 acre feet¹ of water per year, which is approximately 282,106 gallons per day. This water is used both for stock drinking water and other feedlot purposes; under the transfer up to 66 acre feet per year, or approximately 58,921 gallons per day, may be used of stock drinking

¹ One acre foot is approximately 325,851 gallons.

Five Corners Family Farmers v. State
No.84632-4

water. The estimated stock drinking water required is between 450,000 and 600,000 gallons per day. Easterday contends, and the Department agreed, that Easterday's withdrawal of the additional groundwater for stock-watering purposes is exempt from statutory permit requirements. *See* RCW 90.44.050.

Scott Collin, Five Corners Family Farmers, the Center for Environmental Law and Policy (CELP), and the Sierra Club (collectively Appellants) filed a declaratory judgment action against the State of Washington, the Department, and Easterday in Thurston County Superior Court. Appellants sought a declaration that the stock-watering exemption from the permit requirement in RCW 90.44.050 is limited to uses of less than 5,000 gallons per day. Appellants further sought an injunction ordering Easterday to cease groundwater use without a permit. Thurston County Superior Court granted Easterday's motion to change venue to Franklin County but denied Easterday's request for attorney fees pursuant to RCW 4.12.090.

Franklin County Superior Court allowed multiple agricultural organizations to intervene as defendants. The parties filed cross motions for summary judgment. The court concluded that genuine issues of material fact precluded Easterday's motion for summary judgment on the basis of standing but granted the summary judgment motions of Easterday, the Department, and the intervenors (collectively Respondents) with respect to the interpretation of RCW 90.44.050, which the court held

Five Corners Family Farmers v. State
No.84632-4

unambiguously provides an exemption from the permit requirement for withdrawal of any amount of groundwater for stock-watering purposes. Appellants filed a notice of appeal, seeking direct review by this court. Easterday filed a notice of cross appeal, seeking review of Thurston County Superior Court's refusal to grant Easterday attorney fees for the change of venue and Franklin County Superior Court's failure to dismiss for lack of standing. We retained the case for decision.

issues

1. Do Appellants possess standing to bring this declaratory judgment action?
2. Is the stock-watering exemption in RCW 90.44.050 limited to 5,000 gallons per day?
3. Is Easterday entitled to attorney fees under RCW 4.12.090?

Analysis

I. Standing

Appellants have standing to bring this declaratory judgment action. Standing for purposes of the Uniform Declaratory Judgments Act, chapter 7.24 RCW, is set forth in RCW 7.24.020, which provides, in relevant part, that

[a] person . . . whose rights, status or other legal relations are affected by a statute . . . may have determined any question of construction or validity arising under the . . . statute . . . and obtain a declaration of rights, status or other legal relations thereunder.

In order to establish that a party's "rights, status or other legal relations are affected by

**Franklin County Planning and Building Dept.
SEPA Compliance and MDNS**

May 2, 2012



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

JERROD B. MACPHERSON – DIRECTOR

DATE: February 3, 2012
TO: SEPA Reviewing Agencies
FROM: Franklin County Planning and Building Department
RE: SEPA Checklist
Franklin County Case file – CUP 2012-03

This is to notify all public and private agencies with jurisdiction and/or environmental expertise, that the Franklin County Planning and Building Department has been established as the Lead Agency pursuant to the Washington State Environmental Policy Act of 1971, as amended, for the following proposal:

Project/Location: Said application is to operate a feedlot for the raising of calves and heifers in the Agricultural Production 20 (AP-20) Zoning District. The operation is proposed to have a maximum head count of 3,500 animals. A Conditional Use Permit is required for a feedlot operation when the headcount exceeds 1000 animals.

The property is located east of Mesa, east of Highway 395, west of the intersection of Joyce Road and Coordes Road near site address 2270 Joyce Road (Parcel Numbers 109-220-022 and 109-270-022).

Enclosed please find a Mitigated Determination of Non-Significance (MDNS), the Environmental Checklist, mitigation measures, and other materials pertaining to the proposal. Receipt of these materials constitutes designation of your agency as a possible "Agency with Jurisdiction" pursuant to SEPA. As such, procedures and regulations set forth in WAC 197-11 must be met.

Written comments on the Mitigated Determination of Non-Significance (MDNS) may be submitted to this agency within fourteen (14) days from the date of publication (publication date – February 16, 2012, and comment deadline date – March 1, 2012).

This proposal was registered in the SEPA Public Information Center of this department on February 3, 2012. Comments should be received by 5:00 p.m. Thursday March 1, 2012, at which time the Mitigated Determination of Non-Significance (MDNS) will become final.

If you have any questions, comments and/or concerns don't hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerrod MacPherson".

Jerrod MacPherson,
Director

Enclosures



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

JERROD B. MACPHERSON – DIRECTOR

FRANKLIN COUNTY NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission an application by Case VanderMeulen, PO Box 228, Mesa, WA 99343 for a Conditional Use Permit, CUP 2012-03.

Said application is to operate a feedlot for the raising of calves and heifers in the Agricultural Production 20 Zoning District. The operation is proposed to have a maximum head count of 3,500 animals.

A Conditional Use Permit is required for a feedlot operation when the headcount exceeds 1000 animals.

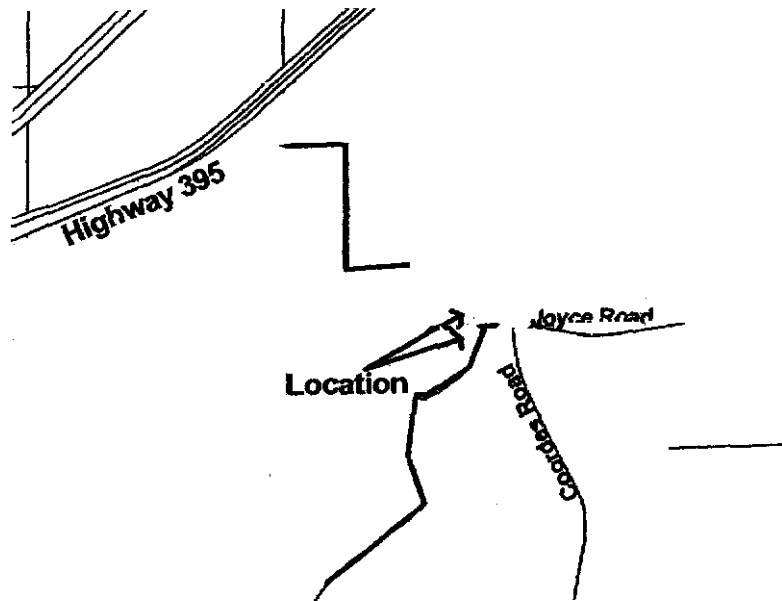
The subject parcel is described as follows:

LEGAL DESCRIPTION:

The proposed feedlot is located on portions of the following Franklin County Tax Parcels: 109-220-022 and 109-270-022.

NON-LEGAL DESCRIPTION: The property is located east of Mesa, east of Highway 395, west of the intersection of Joyce Road and Coordes Road near site address 2270 Joyce Road (Parcel Numbers 109-220-022 and 109-270-022).

VICINITY MAP:



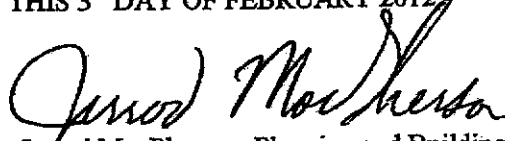
NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. Said consideration will be a public hearing on **March 6, 2012** at the hour of **7:00 p.m.** in the **Franklin County Courthouse, Commissioners Meeting Room, 1016 North 4th Avenue, Pasco, WA 99301** and all concerned may appear and present any support for or objections to the application.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a **Mitigated Declaration of Non-Significance (MDNS)** has been issued. Accordingly, an Environmental Impact Statement is not required. This determination was made on **February 3, 2012** and comments regarding the determination and the environmental impacts of the proposal can be made to the Planning Department by **March 1, 2012**.

Information concerning the proposal can be obtained at the Franklin County Planning Department, 1016 North 4th, Pasco, Washington 99301, or by calling 545-3521.

DATED AT PASCO, WASHINGTON ON THIS 3rd DAY OF FEBRUARY 2012.

PUBLISH:
February 16, 2012



Jerod MacPherson, Planning and Building Director

MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of proposal: *Said application is to operate a feedlot for the raising of dairy replacement calves and heifers in the Agricultural Production 20 (AP-20) Zoning District. The operation is proposed to have a maximum head count of 3,500 animals. A Conditional Use Permit is required for a feedlot operation when the headcount exceeds 1000 animals – CUP 2012-03.*

Mitigation Measures: *1) Apply for and obtain a Franklin County Conditional Use Permit for land use approval.
2) If land use approval is granted by Franklin County, the applicant shall:*

- a) Comply with all conditions of the Franklin County Conditional Use Permit – if granted.*
- b) Comply with the Washington State Department of Ecology's permit requirements for Confined Animal Feeding Operations.*
- c) An update to the applicant's existing dairy nutrient management plan is required in order to incorporate the proposed calf and heifer feedlot as dairy replacement animals. Additionally, the applicant's dairy Fly and Odor Control Plan shall be updated and incorporated with the new feedlot proposal.*
- d) A well impairment analysis by a qualified professional shall be prepared to ensure the exempt well being drilled for the feedlot operation will not impair existing wells or water resources in the area.*

3) Nothing in this MDNS shall excuse the applicant from complying with all other Local, State and Federal regulations relating to feedlot operations, etc.

Proponent: *Case VanderMeulen, P.O. Box 228, Mesa, WA 99343.*

Location of proposal, including street address, if any: *The property is located east of Mesa, east of Highway 395, west of the intersection of Joyce Road and Coordes Road near site address 2270 Joyce Road (Parcel Numbers 109-220-022 and 109-270-022).*

Lead agency: *Franklin County, Washington.*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

 There is no comment period for this DNS.

 This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

 X This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the publish date below. Comments must be submitted by: *March 1, 2012.*

Responsible official: *Jerrold MacPherson*

Position/title/Phone: *Planning and Building Director – (509) 545-3521*

Address: *1016 North 4th Avenue, Pasco, Washington 99301*

Date/Signature: *2/3/2012 - Jerrold MacPherson*

Publish Date: *February 16, 2012*

(optional)

 X You may appeal this determination to (name):
at (location):

*Franklin County Planning and Building Department
1016 North 4th Avenue
Pasco, WA 99301*

no later than (date):

March 1, 2012

by (method):

In writing

You should be prepared to make specific factual objections.
Contact the Lead Agency to read or ask about the procedures for SEPA appeals.

PART ELEVEN - FORMS

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:
2. Name of applicant: *CASE VANDERMEULEN*
3. Address and phone number of applicant and contact person:
PO BOX 228 MESA WA 509 840-0141
1321 PEPLOT RD 99343
4. Date checklist prepared: *1-25-12*
5. Agency requesting checklist: *FRANKLIN CO. BUILDING + PLANNING DEP.*
6. Proposed timing or schedule (including phasing, if applicable):
SEE ATTACHED PROJECT DESCRIPTION.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
NOT AT THIS TIME.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR
AGENCY USE ONLY

3. Water

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

NO STREAMS OR WATER FOR SEVERAL MILES.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

NO

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

NOT THAT I KNOW OF.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

NO

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

A LIVESTOCK EXEMPT WELL WILL BE DRILLED
NO DISCHARGES TO GROUND WATER. A well impairment
analysts will be required to ensure no impact to existing
wells or water resources. *BFHD confers 2/14/12*
2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. *2/3/12*

SEE PROJECT DESCRIPTION.

**Hydrologic Impairment Analysis
No Impairment of Other Water Rights**



MESA DAIRY FEEDLOT EXEMPT DAIRY WELL IMPAIRMENT ANALYSIS

BACKGROUND

Case Vander Muelen is proposing to develop a feedlot for replacement herd cows for his working dairy located near Mesa, Washington. This feedlot would be located in Section 22, Township 13 North, Range 31 East. As part of the establishment of this new feedlot a well is required to provide water for the cattle. This well would fall under the exemption for needing a water permit, now recognized by the Department of Ecology, for dairy and feedlot operations.

WATER REQUIREMENTS

This feedlot operation will entail the handling of up to 3,500 animals. The water requirement of these cows is very dependent upon environmental conditions, especially the air temperature. With peak temperatures reaching in excess of 100° it is anticipated that the peak water requirement for these animals will be 40 gallons per day. This would then yield a daily peak volume required of approximately 140,000 gallons. It is anticipated that the total usage would not exceed 160 acre-feet per year.

It is anticipated that the well to be constructed will be cased to approximately 1,150 feet to minimize impacts to adjacent wells. The total depth of the well will be approximately 1,300 feet deep. At this depth it is anticipated that it will yield from the Grande Ronde Basalt Aquifer. For purposes of this analysis we will consider the 160 acre-feet a year as the peak demand. This will effectively yield an equivalent of approximately 100 gpm continuous demand on the aquifer.

ANALYSIS

The new well will be constructed so that the Wanapum Basalt Aquifer will be cased off and sealed. It is anticipated that casing and sealing to an approximate depth of 1,150' will accomplish this. Drilling approximately 150 feet below the bottom of the casing will provide the volume of water required.

There appears to be 5 wells located within approximately 1 1/2 miles of the proposed well: They are the following:

The Lundgren Domestic Well is located in Section 22. It is 680 feet deep, penetrates the basalts 644 feet, and is located approximately 675 feet east of the new well. This well yields from the Wanapum Basalt Aquifer. It is one of the wells that will be utilized by Mesa Dairy for a domestic supply.



The Zehm Domestic Well is located in Section 22. It is 682 feet deep, penetrates the basalts 679 feet, and is located approximately 2,500 feet east of the new well. This well yields from the Wanapum Basalt Aquifer. The new well will be cased, and sealed through the Wanapum Basalt Aquifer, no impact to the Zehm Domestic Well will result from the pumping of the new well.

The Germain/Lundgren Well is located in Section 28. It is 1,235 feet deep, penetrates approximately 1,229 feet of basalt, and lies approximately 3,550 feet southwest of the new well. This well yields from the same flows/aquifers anticipated to be penetrated in the new well. This well is utilized by the Mesa Dairy to produce crops.

The Loeber/Town of Connell Well is located in Section 14. It is 1,005 feet deep, penetrates approximately 895 feet of basalt, and lies approximately 8,300 feet northeast of the new well. This well yields from the Wanapum Basalt Aquifer. The new well will be cased and sealed through the Wanapum Basalt Aquifer, no impact to the Loeber/Town of Connell Well will result from the pumping of the new well.

The Pepiots Inc. Well is located in Section 34. It is 1,311 feet deep, penetrates approximately 1,185 feet of basalt, and lies approximately 7,930 feet south of the new well. This well yields from the same flows/aquifers anticipated to be penetrated in the new well. This well is currently a non-producing irrigation well that could be utilized as a domestic or stockwater well. As such it is the closest well that is yielding from the Grande Ronde Basalt Aquifer to the new well. For these reasons an analysis of potential impacts to that well will be run.

There are several other wells, as noted on the map, that are located within 5 miles of the new well. These wells have either not penetrated the basalt zones that will yield water to the new well, or are shallow gravel wells located in or near the bottom of the Esquatzel Coulee. It is anticipated, owing to vertical and horizontal separation, that there will be little if any impact to the water levels in these wells caused by the pumping of the new well.

In order to determine the potential impacts of pumping the new well on these other wells noted above, a model utilizing the Modified Theis Equation was utilized. This equation provides for a very rough estimation of impacts of pumping of one well on another well in the same aquifer. There are many assumptions that are made in order to utilize this equation, and so it is indeed only a tool to provide a very rough estimation.



The equation is as follows:

$$s = (264Q/T) (\log(.3Tt/r^2S))$$

s – feet of drawdown

Q – pumping rate in gpm's

T – coefficient of transmissivity of the aquifer in gpd/ft

r – distance in feet from pumped well

S – coefficient of storage (which is dimensionless)

t – time since pumping started in days

This equation can be solved utilizing pump test information captured at an observation well penetrating the same aquifer. This information is rarely available, and so a range of values for T and S have been established for the Grande Ronde Basalt Aquifer. These ranges are 50,000 – 100,000 gpd/ft for T, and .00002 - .0005 for S. Given those values along with knowing the maximum pumping requirement of 160 acre-feet a year with the equivalent rate of 100 gpm instantaneous flow, and the distance to the subject well, a rough approximation of impacts to water levels can be determined. The model graphically shows these estimated impacts. Copies of a map showing the locations of the various wells along with maps showing the estimated water surface impacts are attached.

When looking at the Pepiots Inc. Well located in Section 34 for potential impairment, the model, the above equation and the values for the various parts of the equation noted above have been utilized. It can be anticipated that at the end of one year of pumping the new well, the Pepiots Inc. Well would notice a decline of the water level in the well of between .7 and 1.9 feet.

CONCLUSION

A well being constructed to supply water for a new feedlot operation is located in the SW 1/4 SE1/4 Section 22, Township 13 North, Range 31 East. This well is required to provide water for the replacement herd for a nearby dairy. This well will be constructed under the exemption provided for dairy and feedlot operations that now exists.

There are several wells located within 5 miles of the proposed new well. Several of these wells are producing from sands and gravels, or shallow basalts that will not be impacted by this well. The closest well yielding out of the Grande Ronde Basalt Aquifer that will serve the new well is the Pepiots Inc. well. It is anticipated that after one year of pumping on the new well this well would be impacted .7 to 1.9 feet. This falls well below the magnitude that can be described as impairment. Any other wells yielding from this aquifer, but lying further from the new well would be impacted even less.



When one considers all factors of casing, penetration depths, distances from other wells, and the relatively low withdrawal rate the resulting potential impacts to other well and water right owners will be minimal. The magnitude of these potential impacts falls well below the magnitude that can be described as impairment as described by statute. Additionally, from personal experience of over 30 years of actually monitoring of pumping of wells in the area, it is highly unlikely that the actual impacts will approach those noted.

Thomas R. Buchholtz PE – March 13, 2012





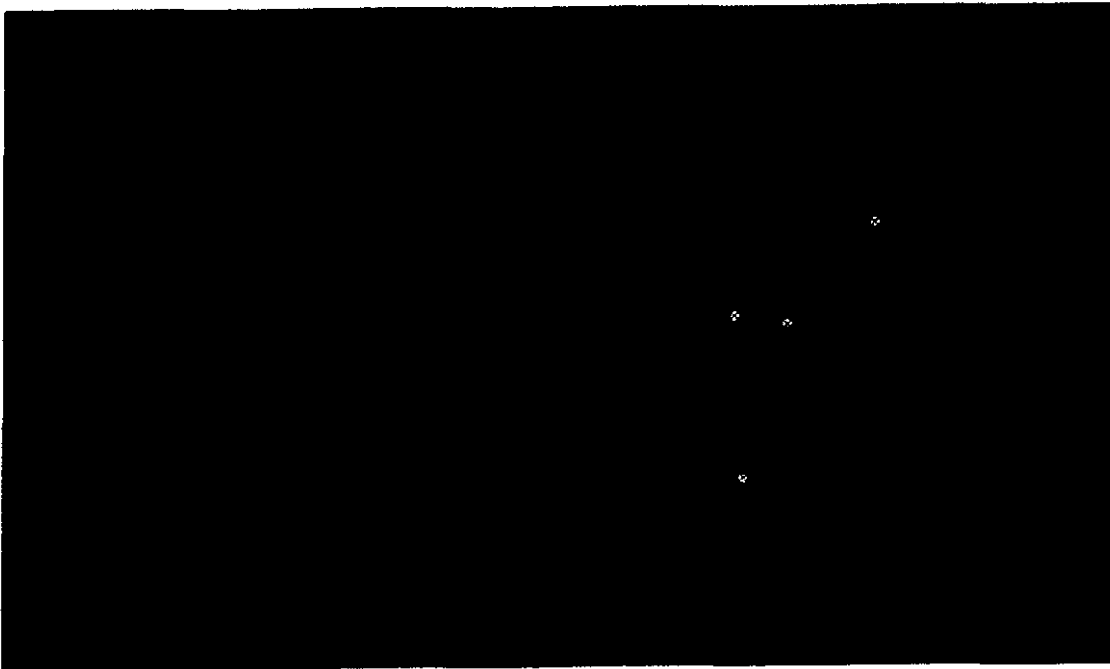


Fig. 2. Drawdown contours after 365 days of constant pumping at 100 gpm (161 ac-ft/yr) at the Proposed Exempt Well, assuming no aquifer recharge during that time period. Transmissivity = 100,000 gpd/ft, storativity = 0.0005. Calculated drawdown at the Peplot Well = 0.7 ft.

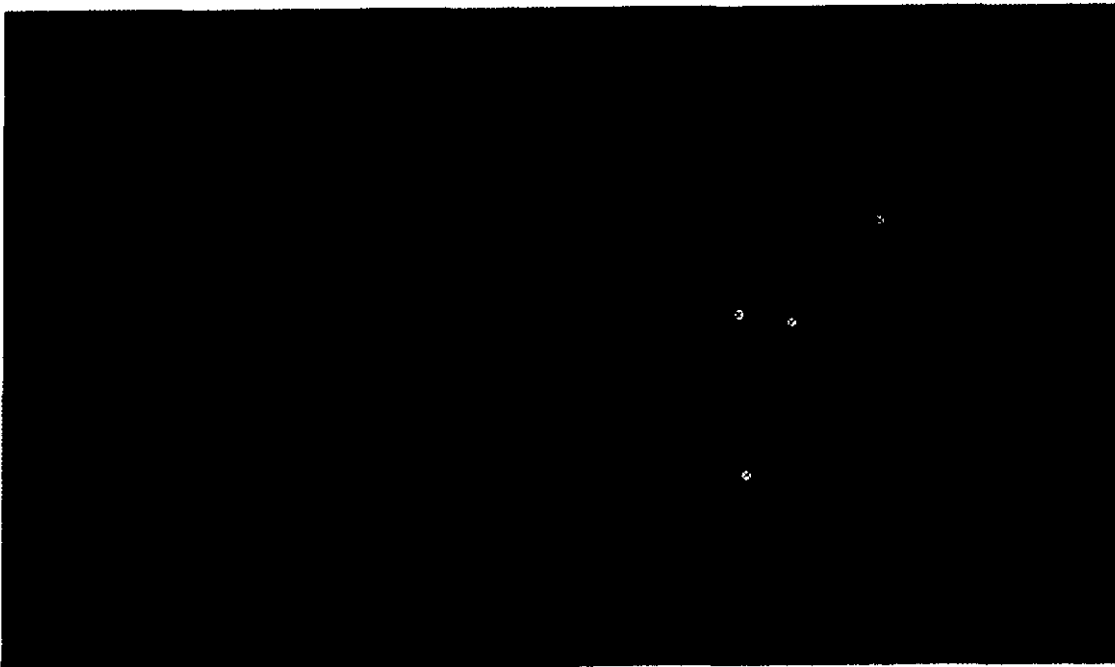
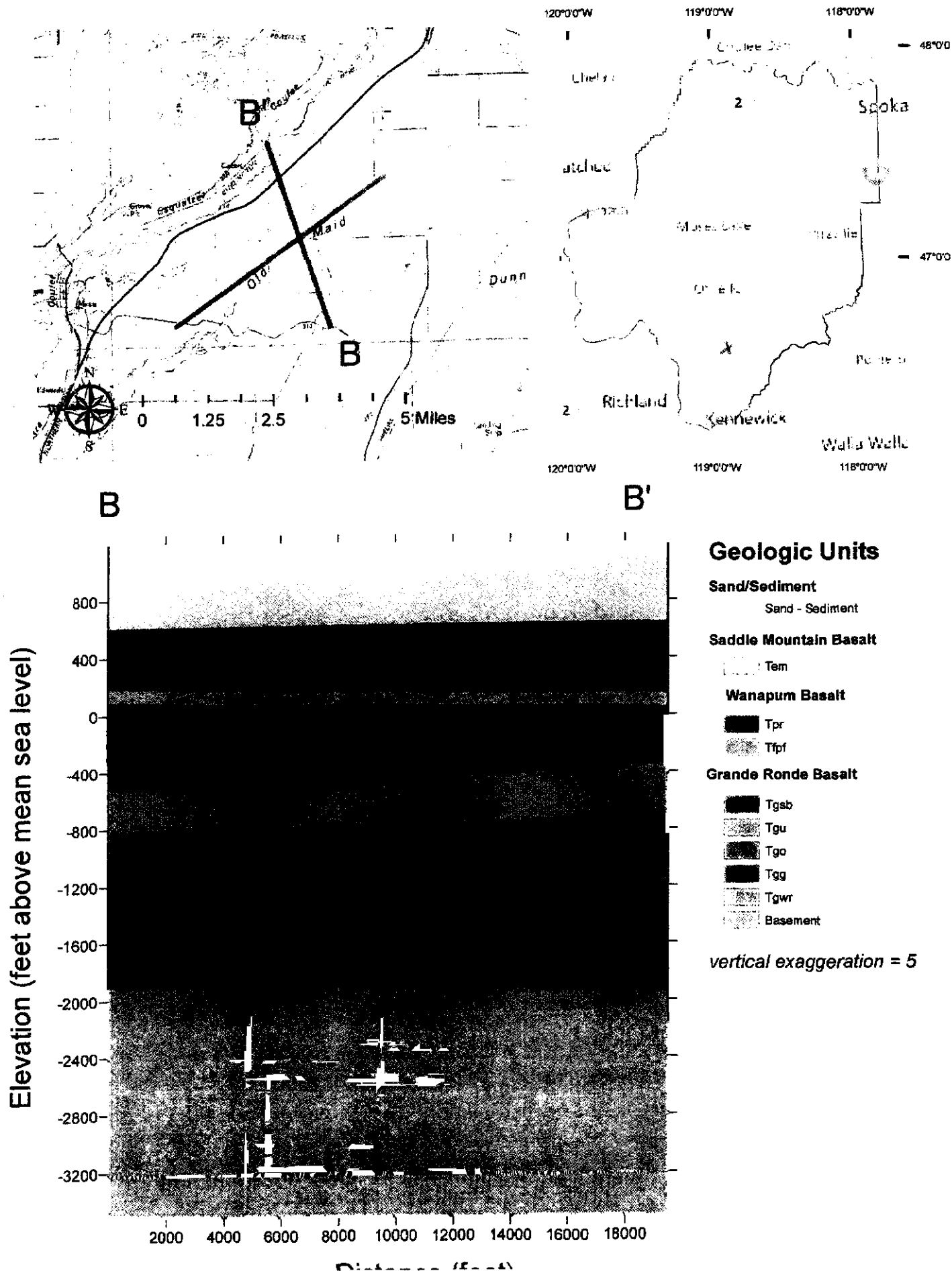
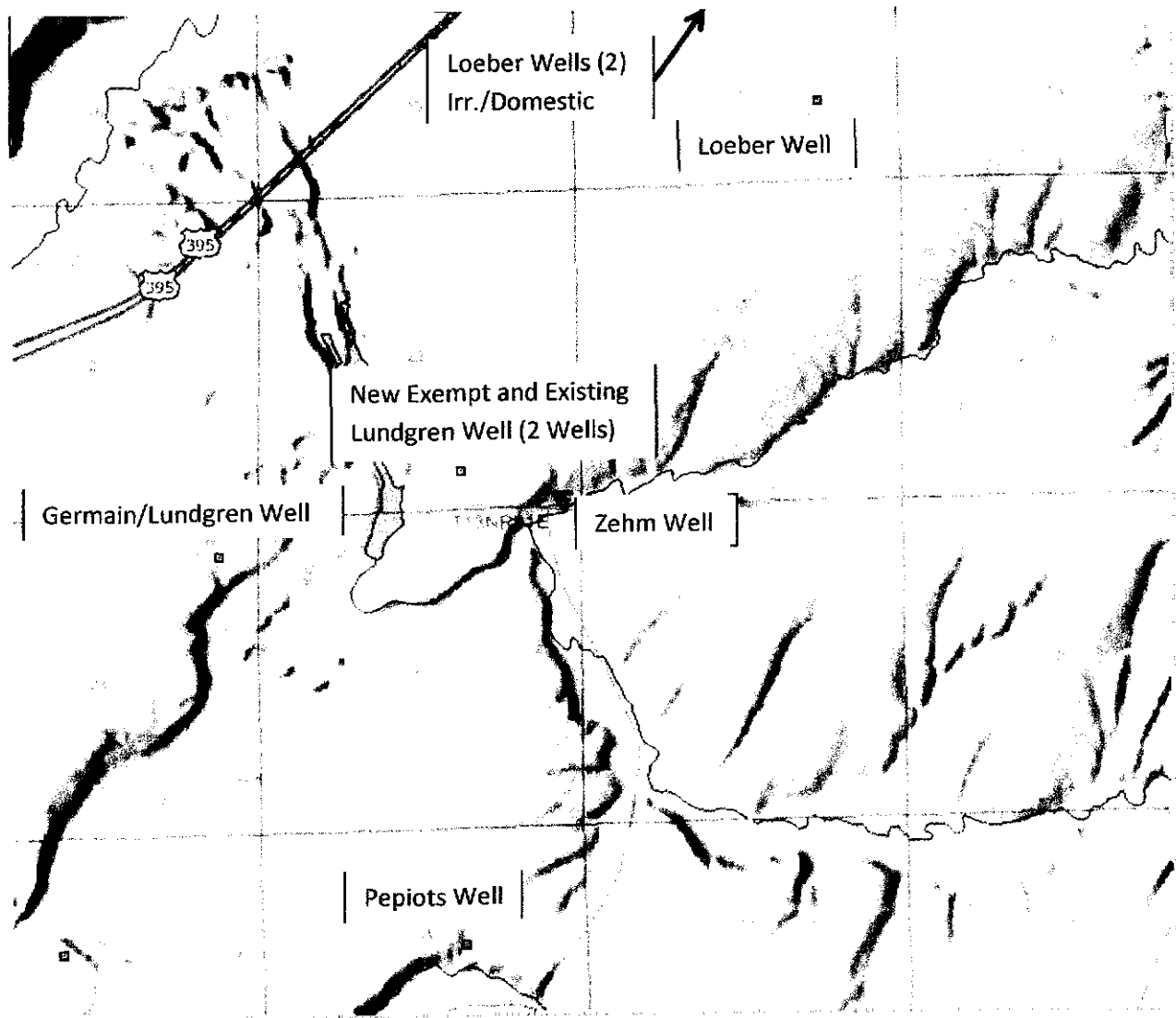


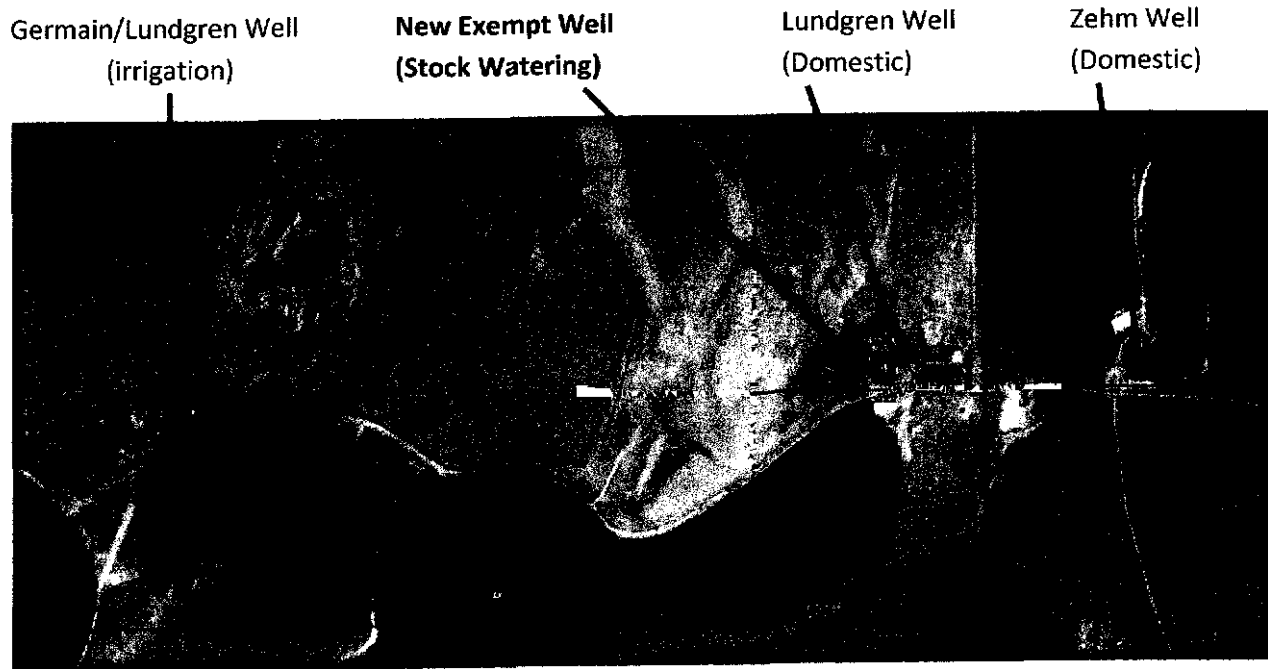
Fig. 3. Drawdown contours after 365 days of constant pumping at 100 gpm (161 ac-ft/yr) at the Proposed Exempt Well, assuming no aquifer recharge during that time period. Transmissivity = 50,000 gpd/ft, storativity = 0.00002. Calculated drawdown at the Peplot Well = 1.9 ft.



Mesa Dairy New Exempt Stock Watering Well and Nearest Existing Wells



Mesa Dairy New Exempt Stock Watering Well and Nearest Existing Wells



Location:

All within:

Germain/Lundgren Well (Irrigation): NE1/4 of NE1/4 of Section 28, T.13N, R.31 EWM.
N. 46.35.438, W. 118.55.466

New Exempt Well (Stock Watering): SW1/4 of SE1/4 of Section 22, T.13N, R.31 EWM.
N. 46.35.435, W. 118.54.532

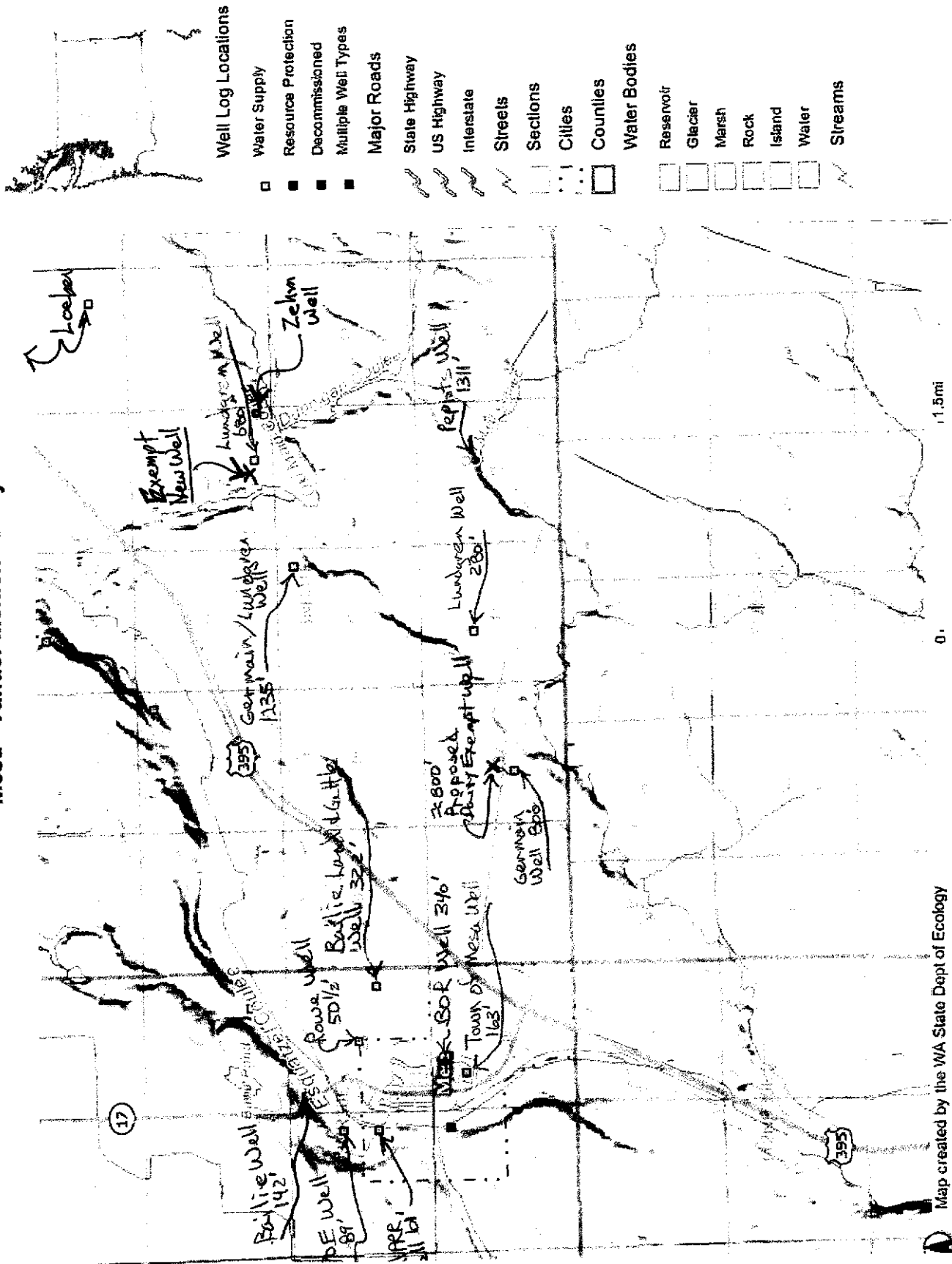
Lundgren Well (Domestic): SW1/4 of SE1/4 of Section 22, T.13N, R.31 EWM.
N. 46.35.436, W. 118.52.461

Zehm Well (Domestic): SE1/4 of SE1/4 of Section 22, T.13, R.31 EWM.
N. 46.35.447, W. 118.54.183

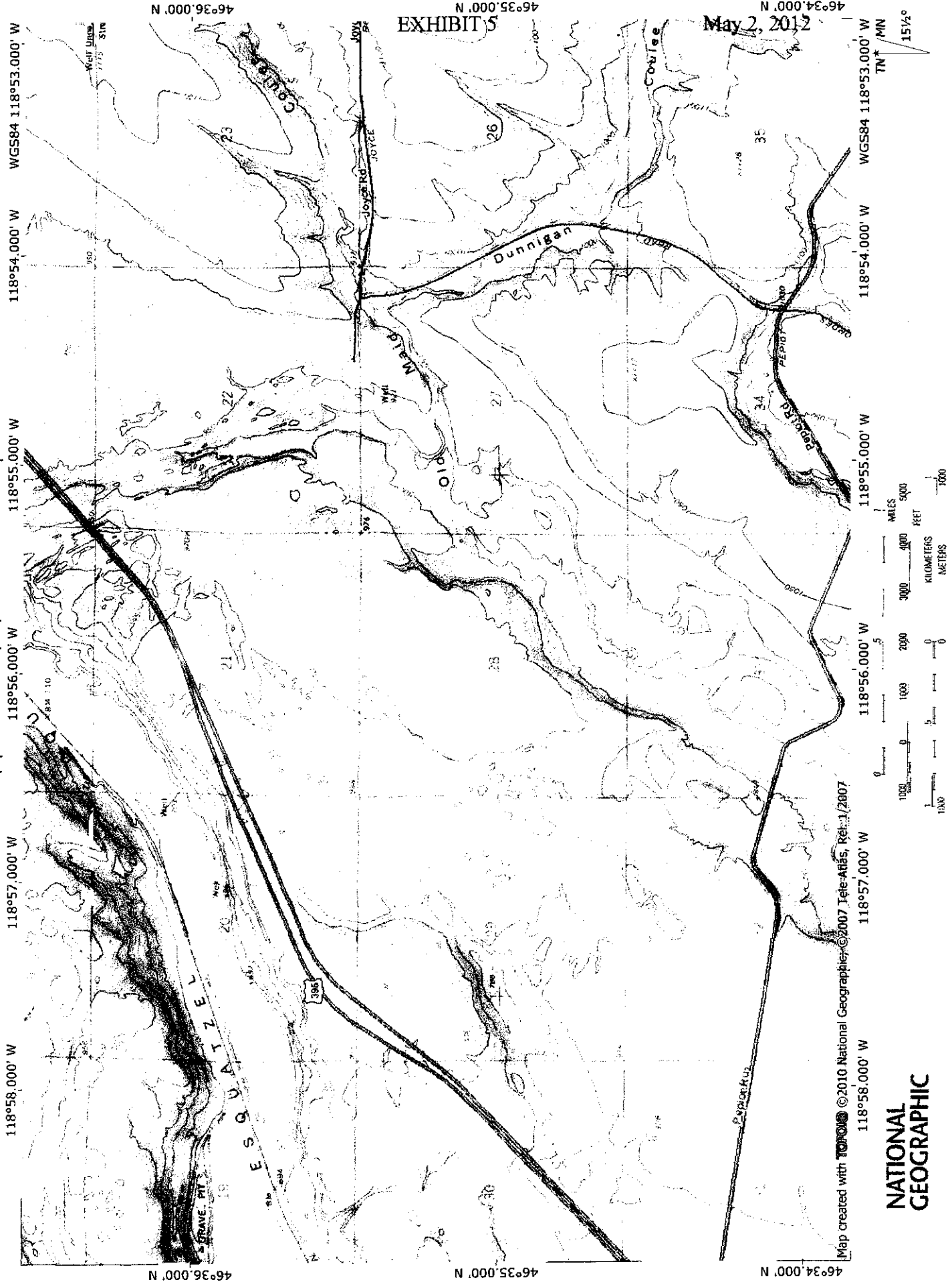


New Exempt Well (Stock Watering)

Mesa - Vander Menlen - Dairy



TOPO! map printed on 02/27/12 from "Untitled.tpo"



Map created with TOPO! © 2010 National Geographic, © 2007 TeleAtlas, Rel: 1/2007

NATIONAL
GEOGRAPHIC

1944.1.1.1.23

The Department of Ecology does NOT warrant the data and/or use information on this Well Report.

The Original and First Copy with
Department of Ecology
Second Copy -- Owner's Copy
Third Copy -- Driller's Copy

EXHIBIT
WATER WELL REPORT
STATE OF WASHINGTON

Application No. _____
May 2, 2012
Permit No. 6324734

(1) OWNER: Name Bill Germain Address Mesa, Wa.
(2) LOCATION OF WELL: County Franklin N 1/2 NE 1/4 NE 1/4 Sec 28 T 13 N. R 31 W.M.
bearing and distance from section or subdivision corner

(3) PROPOSED USE: Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(4) TYPE OF WORK: Owner's number of well (if more than one) _____
New well ☐ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☐ Jetted ☐

(5) DIMENSIONS: Diameter of well _____ inches.
Drilled _____ ft. Depth of completed well _____ ft.

(6) CONSTRUCTION DETAILS:
Casing installed: _____ " Diam. from _____ ft. to _____ ft.
Threaded ☐ _____ " Diam. from _____ ft. to _____ ft.
Welded ☐ _____ " Diam. from _____ ft. to _____ ft.

Perforations: Yes ☐ No ☐
Type of perforator used _____
SIZE of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

Screens: Yes ☐ No ☐
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ from _____ ft. to _____ ft.
Diam. _____ Slot size _____ from _____ ft. to _____ ft.

Gravel packed: Yes ☐ No ☐ Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

Surface seal: Yes ☐ No ☐ To what depth? _____ ft.
Material used in seal _____
Did any strata contain unusable water? Yes ☐ No ☐
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(7) PUMP: Manufacturer's Name _____
Type: _____ H.P. _____

(8) WATER LEVELS: Land-surface elevation _____ ft.
above mean sea level. _____
Static level _____ ft. below top of well Date _____
Artesian pressure _____ lbs. per square inch Date _____
Artesian water is controlled by _____ (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☐ No ☐ If yes, by whom? _____
Yield: gal./min. with _____ ft. drawdown after _____ hrs.
" " " " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test _____
Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m. Date _____
Temperature of water _____ Was a chemical analysis made? Yes ☐ No ☐

(10) WELL LOG:
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Basalt, soft black	761	775
Basalt, hard black	775	912
Basalt, soft black	912	942
Basalt, med black	942	1015
Basalt, soft black	1015	1018
Basalt, hard black	1018	1133

Handwritten:
3000 90' af
1983.8 AC
H50
COP

Work started _____, 19____ Completed _____, 19____

WELL DRILLER'S STATEMENT:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME _____
(Person, firm, or corporation) (Type or print)

Address _____

[Signed] _____ (Well Driller)

License No. _____ Date _____, 19____

12/3/74

the Department of Ecology does NOT warrant the data and/or the information on this Well Report.

File Original and First Copy with
Department of Ecology
Second Copy—Owner's Copy
Third Copy—Driller's Copy

WATER WELL REPORT

STATE OF WASHINGTON

May 2, 2012
Start Card No. **EX** W28144

Water Right Permit No.

Address **430 Ferguson Lane Eitopia, WA 99330**

(1) OWNER: Name **Robert Lundgren**

(2) LOCATION OF WELL: County **Franklin**

(2a) STREET ADDRESS OF WELL (or nearest address)

(3) PROPOSED USE: ☐ Domestic ☐ Industrial ☐ Municipal ☐
☒ Irrigation ☐ Test Well ☐ Other ☐
☐ DeWater

(4) TYPE OF WORK: Owner's number of well
(if more than one)

Abandoned ☐ New well ☐ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☒ Rotary ☒ Jetted ☐

(5) DIMENSIONS: Diameter of well **14** inches.
Drilled **0** feet. Depth of completed well **1235** ft.

(6) CONSTRUCTION DETAILS:

Casing installed: n/a Diam. from _____ ft. to _____ ft.
Welded ☐ _____ Diam. from _____ ft. to _____ ft.
Liner installed ☐ _____ Diam. from _____ ft. to _____ ft.
Threaded ☐ _____ Diam. from _____ ft. to _____ ft.

Perforations: Yes ☐ No ☒

Type of perforator used

SIZE of perforations in. by _____ in.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

Screens: Yes ☐ No ☒

Manufacturer's Name

Type _____ Model No. _____

Diam. _____ Slot size _____ from _____ ft. to _____ ft.

Diam. _____ Slot size _____ from _____ ft. to _____ ft.

Gravel packed: Yes ☐ No ☒ Size of gravel

Gravel placed from _____ ft. to _____ ft.

Surface seal: Yes ☐ No ☐ To what depth? _____ ft.

Material used in seal **Done Previously**

Did any strata contain unusable water? Yes ☐ No ☒

Type of water? _____ Depth of strata _____

Method of sealing strata off _____

(7) PUMP: Manufacturer's Name

Type: _____ H.P. _____

(8) WATER LEVELS: Land-surface elevation above mean sea level _____ ft.

Static level **410** ft. below top of well Date _____

Artesian pressure _____ lbs. per square inch Date _____

Artesian water is controlled by _____ (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? Yes ☐ No ☐ If yes, by whom?

Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.

" " " " " "

" " " " " "

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time Water Level Time Water Level Time Water Level

Date of test

Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Airtest **800** gal./min. with stem set at **1200** ft. for **1** hrs.

Artesian flow _____ g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? Yes ☐ No ☐

(10) WELL LOG or ABANDONMENT PROCEDURE DESCRIPTION

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of information.

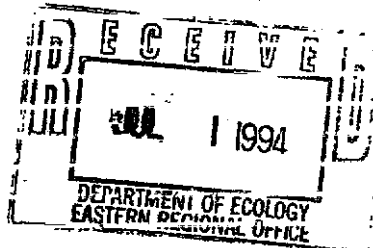
MATERIAL

FROM

TO

Hole is 13" to 831'.

Hole is 9 7/8" to bottom.



Work started **4/25/94**, 19. Completed **5/9/94**, 19.

WELL CONSTRUCTOR CERTIFICATION:

I constructed and/or accept responsibility for construction of this well, and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief.

NAME **BJ Exploration Co., Inc.**
(PERSON, FIRM, OR CORPORATION)

(TYPE OR PRINT)

Address **Rt 4 box 4517 Clodfelter Rd Kennewick WA**

(Signed) *[Signature]* License No **0337**
(WELL DRILLER)

Contractor's
Registration
No **BJEXPCI132QK**

Date **6/8/94**, 19.

(USE ADDITIONAL SHEETS IF NECESSARY)



[Home](#) [Text Search](#) [Map Search](#) [Site Info](#) [Forms](#) [Contact Us](#) [Water Portal](#)

MAP SEARCH RESULTS

[← Back ...](#) [🔍 New Search](#)

- **Search Criteria Used:** Left Coordinate: 2037162, Right Coordinate: 2052374, Top Coordinate: 472535, Bottom Coordinate: 457529
- There are 3 well logs that match your search criteria.
- The results are sorted by Well Owner Name.

[📷 Download all 3 Images](#) | [📄 Download all 3 Records](#) | [🖨 Print this Page](#) | [🔗 Help](#)

Displaying 1 - 3 of 3 well log results

Sort results by: Well Owner Name

1. **E. C. LOEBER** - { [view PDF](#) }
Public Land Survey: (blank), SE, S-14, T-13-N, R-31-E, Tax Parcel Number: (blank)
County: FRANKLIN, Well Address: NKA CONNELL, 99323
Well Log ID: 293617, Well Tag ID: (blank), Notice of Intent Number: (blank)
Well Diameter: 16 (inches), Well Depth: 800 (feet)
Well Type: Water, Well Completion Date: 11/1/1967, Well Log Received Date: 11/7/1975
2. **E.C. LOEBER & TOWN OF COUNCIL** - { [view PDF](#) }
Public Land Survey: (blank), SE, S-14, T-13-N, R-31-E, Tax Parcel Number: (blank)
County: FRANKLIN, Well Address: NKA CONNELL, 99323
Well Log ID: 166080, Well Tag ID: (blank), Notice of Intent Number: (blank)
Well Diameter: 8 (inches), Well Depth: 1005 (feet)
Well Type: Water, Well Completion Date: 11/7/1975, Well Log Received Date: 3/26/1976
3. **ROBERT LUNDGREN** - { [view PDF](#) }
Public Land Survey: SW, SE, S-22, T-13-N, R-31-E, Tax Parcel Number: (blank)
County: FRANKLIN, Well Address: (blank)
Well Log ID: 341547, Well Tag ID: AAO682, Notice of Intent Number: W051047
Well Diameter: 6 (inches), Well Depth: 680 (feet)
Well Type: Water, Well Completion Date: 10/24/1994, Well Log Received Date: 10/29/1994

[Ecology Home](#) | [Water Resources](#) | [Water Portal](#) | [Well Log Home Page](#) | [Links](#) | [Disclaimer](#) | [Privacy Notice](#)

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WATER WELL REPORT
STATE OF WASHINGTON

Book No. 21
May 20, 1975
Page No 10278
Permit No.

(1) OWNER: Name E. C. Loeber & Town of Council Address Council Wash 43-00476 Cent

LOCATION OF WELL: County 5 1/2 S 1/2 SE 1/4 Sec 14 T. 13 N. R. 31 E. W.M.

Bearing and distance from section or subdivision corner

(3) PROPOSED USE: Domestic ☐ Industrial ☐ Municipal ☒
Irrigation ☐ Test Well ☐ Other ☐

(4) TYPE OF WORK: Owner's number of well (if more than one).....
New well ☐ Method: Dug ☐ Bored ☐
Deepened ☒ Cable ☐ Driven ☐
Reconditioned ☒ Rotary ☒ Jetted ☐

(5) DIMENSIONS: Diameter of well _____ inches.
Drilled 8" ft. Depth of completed well 1005' ft.

(6) CONSTRUCTION DETAILS:

Casing installed: _____ " Diam. from _____ ft. to _____ ft.
Threaded ☐ _____ " Diam. from _____ ft. to _____ ft.
Welded ☐ _____ " Diam. from _____ ft. to _____ ft.

Perforations: Yes ☐ No ☒
Type of perforator used _____
SIZE of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

Screens: Yes ☐ No ☒
Manufacturer's Name _____
Type _____ Model No _____
Diam. _____ Slot size _____ from _____ ft. to _____ ft.
Diam. _____ Slot size _____ from _____ ft. to _____ ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

Surface seal: Yes ☐ No ☐ To what depth? _____ ft.
Material used in seal _____
Did any strata contain unusable water? Yes ☐ No ☒
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(7) PUMP: Manufacturer's Name _____
Type: _____ H.P.

(8) WATER LEVELS: Land-surface elevation _____ ft.
Static level 350' ft. below top of well Date Nov 7/75
Artesian pressure _____ lbs. per square inch Date _____
Artesian water is controlled by _____ (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☐ No ☒ If yes, by whom? _____
Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level
------	-------------	------	-------------	------	-------------

Estimate Well Will Produce
200 Gallon Per Min.

Date of test _____

Ballot test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m. Date _____

Temperature of water 68 Was a chemical analysis made? Yes ☐ No ☒

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL FROM TO

Reamed Well From 12"
Diameter to 19 1/4" from 390' ft
to 650 feet.

Deepened Well From 800'
Feet To 1005' 8" dia.

Hard Gray Basalt 800' 975'
fine texture.

Positively Unaltered Basalt
Brown - and Red Color
Coarse Texture. 975' 1000'

Hard Fractured Basalt
fine texture. 1000' 1005'

T.W.D. 1350' 91" AF/100'
1935' 100' Down

Work started OCT, 19____ Completed Nov 7, 1975

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Leach Well Drilling Co.
(Person, firm, or corporation) (Type or print)

Address RT 2, Box 243 M. L. Wash.

[Signed] Matthew L. Leach
(Well Driller)

License No. 0276 Date Nov 8, 1975

Appl. 8184

Perm. 7740

Cert. 6023

WELL LOG

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION
DIVISION OF WATER RESOURCESRecord by DrillerSource Driller's Record

Location: State of WASHINGTON

County Franklin

Area _____

Map _____

S $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 14 T. 13 N., R. 31 E.

Diagram of Section

Drilling Co. Henry Bach Well DrillingAddress 2904 Brackett Ave., Yakima, Wash.Method of Drilling Cable Date Nov, 1967Owner E. C. LoeberAddress P. O. Box 126, Connell, WashingtonLand surface, datum 1000 ft. aboveSWL 431' Date Nov., 1967 Dims. 16" x 800'

350

11/7/75

8" x 1005

CORRE-
LATION

MATERIAL

From
(feet)To
(feet)

(Transcribe driller's terminology literally but paraphrase as necessary, in parentheses. If material water-bearing, so state and record static level if reported. Give depths in feet below land-surface datum unless otherwise indicated. Correlate with stratigraphic column, if feasible. Following log of materials, list all casings, perforations, screens, etc.)

Irrigation

Sandy soil	0	65
Sand & clay.	65	75
Clay	75	110
Basalt, black	110	150
Rock red, rotten	150	190
Basalt, black	190	245
Basalt, grey	245	335
Rock, red, rotten	335	355
Basalt, grey (reduced to 12" @)	355	464
Rock, broken	464	483
Basalt, black	483	505
Rock, red	505	510
Basalt, black	510	525
Basalt, grey (reduced to 8")	525	559
Basalt, black	559	585

Turn up

10201

Sheet _____ of _____ sheets

WELL LOG—Continued

No. _____

COM- LATION	DEPTH	MATERIAL	From (feet)	To (feet)
	Depth forward			
		Basalt, black (rotten water)	585	610
		Basalt, black	610	768
		Rock, soft, black	768	773
		Basalt, black (caving some)	773	800
		Casing: 16" from +1' to 113'		
		12" from 400' to 525'		
		8" from 525' to 800'		
		Yield: 1500 gpm		
		Pump: 200 H.P., Turbine, Layne Boulder		
		Well deepened, 11/8/75, by Leach Well Drilling		
		Box 243 Rt. 2, Moses Lake		
		Hard gray -basalt	800	975
		Red vesicular basalt	975	1000
		Hard fractured basalt	1000	1005

Permitted:

1530 gpm., 1925 ac.ft./yr, Com. Domestic

File Original with
Department of Ecology
Second Copy - Owner's Copy
Third Copy - Driller's Copy

WATER WELL REPORT

STATE OF WASHINGTON

Notice of Intent W 110842
UNIQUE WELL ID # AEN 451

Water Right Permit No

(1) OWNER Name Ron Locher
(2) LOCATION OF WELL County Franklin
(2a) STREET ADDRESS OF WELL (or nearest address) Locher Rd
TAX PARCEL NO 109140042

Address PD Box 788 Connell, wa 99326

NE 1/4 NE 1/4 Sec 14 T 13 NR 31 WM

(3) PROPOSED USE ☒ Domestic ☐ Industrial ☐ Municipal
☐ Irrigation ☐ Test Well ☐ Other
☐ DeWater

(10) **WELL LOG or DECOMMISSIONING PROCEDURE DESCRIPTION**
Formation Describes by color, character, size of material and structure, and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of information. Indicate all water encountered.

(4) TYPE OF WORK

<input checked="" type="checkbox"/> New Well	Owner's number of well (if more than one)
<input type="checkbox"/> Deepened	Method
<input type="checkbox"/> Reconditioned	<input type="checkbox"/> Dug
<input type="checkbox"/> Decommission	<input type="checkbox"/> Cable
	<input checked="" type="checkbox"/> Rotary

MATERIAL	FROM	TO
----------	------	----

(5) DIMENSIONS Diameter of well 6
Drilled 525 feet Depth of completed well 525

inches
12

(6) CONSTRUCTION DETAILS

Casing Installed 6 ft to 59 ft
☒ Welded 4 ft to 325 ft
☒ Liner installed _____ ft to _____ ft
☐ Threaded _____ ft to _____ ft

Perforations ☒ Yes ☐ No

Type of perforator used S&W

SIZE of perforations

1/4 in by 6 in
20 perforations from 505 ft to 525 ft

Screens ☐ Yes ☒ No ☐ K-Pac Location

Manufacturer's Name

Type _____ Model No _____

Diam _____ Slot Size _____ from _____ ft to _____ ft

Diam _____ Slot Size _____ from _____ ft to _____ ft

Gravel/Filter packed ☐ Yes ☒ No ☐ Size of gravel/sand

Material placed from . R to fr

Surface seal ☒ Yes ☐ No To what depth? 39 ft

Material used in seal Bentonite

Did any strata contain unusable water? ☐ Yes ☒ No

Time of water? _____ Depth of strata _____

Method of sealing strata off

(7) PUMP Manufacturer's Name

Type _____ HP

(8) **WATER LEVELS** Land-surface elevation above mean sea level ft
 Static level 450 ft below top of well Date 7-21-61

Work Started 7-18 01 Completed 7-21 01

Artesian pressure _____ lbs per square inch Date _____
Artesian water is controlled by _____ (Cap, valve, etc.)

WELL CONSTRUCTION CERTIFICATION

I constructed and/or accept responsibility for construction of this well and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief.

Type or Print Name Robert Kern License No 2304
(Licensed Driver/Engineer)

Trainee Name _____ License No _____

Drilling Company L & L Drilling Co. Inc. L.L.C.

(Signed) Mike License No. 2309
(Licensed Driller/Engineer)

Address PO Box 13 Ritzville, Wn. 992169

Contractor's
Registration No. 1LDRICN004M Date 1-23-01

(USE ADDITIONAL SHEETS IF NECESSARY)

Ecology is an Equal Opportunity and Affirmative Action employer. For special accommodation needs contact the Water Resources Program at (360) 407-

"The Department or Ecology does NOT warranty the data and/or the information on this Well Report."

2000 163 360 A

S. F. No. 7356—OS—[Rev. 4-71]
ECY-070-2B

WATER WELL REPORT

STATE OF WASHINGTON

May 2, 2012

Application No.

Permit No.

6324734

(1) OWNER: Name Bill Germain

Address Mesa, Va.

(2) LOCATION OF WELL: County Franklin

N 1/2 NE 1/4 NE 1/4 Sec. 28 T. 13 N. R. 31 W.M.

ing and distance from section or subdivision corner

(3) PROPOSED USE: Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

(4) TYPE OF WORK: Owner's number of well (if more than one) #1
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☒ Jetted ☐

(5) DIMENSIONS: Diameter of well 16" - 600
Drill 1133 ft. Depth of completed well 1133 ft.

(6) CONSTRUCTION DETAILS:

Casing installed: 16 " Diam. from 1 ft. to 21 ft.
Threaded ☐ " Diam. from _____ ft. to _____ ft.
Welded ☒ " Diam. from _____ ft. to _____ ft.

Perforations: Yes ☐ No ☒

Type of perforator used _____
SIZE of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

Screens: Yes ☐ No ☒

Manufacturer's Name _____
Type _____ Model No _____
Diam. _____ Slot size _____ from _____ ft. to _____ ft.
Diam. _____ Slot size _____ from _____ ft. to _____ ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

Surface seal: Yes ☒ No ☐ To what depth? 21 ft.
Material used in seal Cement
Did any strata contain unusable water? Yes ☐ No ☒
Type of water _____ Depth of strata _____
Method of sealing strata off _____

(7) PUMP: Manufacturer's Name _____
Type: _____ H.P.

(8) WATER LEVELS: Land-surface elevation above mean sea level _____ ft.
Static level 296 ft. below top of well Date 8/16/76
Artesian pressure _____ lbs. per square inch Date _____
Artesian water is controlled by _____ (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☒ No ☐ If yes, by whom? Irrigators
Yield: 1500 gal./min. with 208 ft. drawdown after 8 hrs.

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)
Time Water Level Time Water Level Time Water Level
5 min. 397'
10 min. 367'

Date of test _____
Baller test _____ gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m. Date _____
Temperature of water _____ Was a chemical analysis made? Yes ☐ No ☒

MATERIAL	FROM	TO
Top soil	0	3
Boulders & soft brown basalt	3	6
Basalt, soft black	6	12
Basalt, hard gray	12	28
Basalt, soft black	28	49
Basalt, hard gray	49	66
Basalt, med. black	66	73
Basalt, hard black	73	102
Basalt, soft brown	102	142
Basalt, hard black	142	186
Basalt, med. black	186	215
Basalt, hard black	215	276
Basalt, soft black & brown	276	284
Basalt, soft brown & red	284	311
Basalt, soft black	311	325
Basalt, hard black	325	412
Basalt, soft black & brown	412	418
Basalt, med. black	418	424
Basalt, soft brown (vesicular)	424	430
Basalt, hard black	430	443
Basalt, soft brown	443	462
Basalt, hard black	462	465
Basalt, soft black & brown	465	492
Basalt, hard black	492	551
Basalt, soft black	551	565
Basalt, med black	565	603
Basalt, soft brown & black	603	610
Basalt, hard black	610	615
Basalt, soft black	615	622
Basalt, hard black	622	630
Basalt, soft black	630	669
Basalt, hard black	669	691
Basalt, soft black	691	697
Basalt, hard black	697	701
Basalt, soft black	701	710
Basalt, hard black	710	761

Work started 7/3, 19 76. Completed 8/16, 19 76

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME MOORE DRILLING, INC.
(Person, firm, or corporation) (Type or print)

Address P. O. Drawer E, Moses Lake, Wa. 98837

(Signed) Steve Moore
(Well Driller)

License No. 317 Date 11/30, 19 76

12/3/74

EXHIBIT 5
WATER WELL REPORT
STATE OF WASHINGTON

May 2 2012
Application No. G3-00101P
Permit No.

(1) OWNER: Name Pepiots, Inc. Address 907 S. Auburn, Kennewick, Wa. 99336
(2) LOCATION OF WELL: County Franklin SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34 T. 13 N., R. 31 W.M.
Distance and distance from section or subdivision corner 915' E of West Line - 1085' N of South Line

(3) PROPOSED USE: Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(4) TYPE OF WORK: Owner's number of well (if more than one).....
New well ☒ Method: Dug ☐ Bored ☐
Deepened ☐ Cable ☐ Driven ☐
Reconditioned ☐ Rotary ☒ Jetted ☐
14" - 750

(5) DIMENSIONS: Diameter of well 10" - 1311 ft.
Drilled 1311 ft. Depth of completed well 1311 ft.

(6) CONSTRUCTION DETAILS:

Casing installed: _____" Diam. from _____ ft. to _____ ft.
Threaded ☐ _____" Diam. from _____ ft. to _____ ft.
Welded ☒ 14" Diam. from +1 ft. to 131 ft.

Perforations: Yes ☐ No ☒
Type of perforator used _____
SIZE of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

Screens: Yes ☐ No ☒
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ from _____ ft. to _____ ft.
Diam. _____ Slot size _____ from _____ ft. to _____ ft.

Gravel packed: Yes ☐ No ☒ Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

Surface seal: Yes ☒ No ☐ To what depth? 131 ft.
Material used in seal Cement
Did any strata contain unusable water? Yes ☐ No ☒
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(7) PUMP: Manufacturer's Name _____
Type: _____ H.P.

(8) WATER LEVELS: Land-surface elevation 1170 ft.
Static level 578.8 ft. above mean sea level. Date 9/2/75
Artesian pressure _____ lbs. per square inch Date _____
Artesian water is controlled by _____ (Cap, valve, etc.)

(9) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes ☒ No ☐ If yes, by whom? Lad Irr.
Yield: 300 gal./min. with 46 ft. drawdown after 2 hrs.

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level
6:45	620				
6:46	570				

Date of test 9/2/75
Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m. Date _____
Temperature of water 72 Was a chemical analysis made? Yes ☐ No ☒

(10) WELL LOG:

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0	6
Clay, tan	6	126
Basalt, blk & Brn, med soft	126	208
Basalt, blk hard	208	224
Basalt, brn, tr of clay, blue & brn	224	230
Basalt, brn soft	230	287
Basalt, blk hard	287	421
Basalt, soft blk & red	421	431
Basalt, blk soft	431	440
Basalt, blk hard	440	507
Basalt, red soft	507	512
Basalt, blk med soft	512	598
Clay yellow	598	600
Basalt, blk soft	600	604
Clay, yellow	604	605
Basalt, blk & brn soft, tr of clay	605	614
Basalt, blk hard	614	639
Basalt, soft, tr of clay	639	698
Basalt, blk hard & soft layers	698	1042
Basalt, blk & brn soft	1042	1074
Basalt, hard gray	1074	1204
Basalt, blk soft, tr of clay	1204	1220
Basalt, black hard	1220	1294
Basalt, black soft	1294	1311

Work started May 1, 19 75. Completed 7/15, 19 75.

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Maddox & Moore, Inc.
(Person, firm, or corporation) (Type or print)

Address P.O. Drawer P, Moses Lake, Wa. 98837

[Signed] Richard F. Pinter
(Well Driller)

License No. 0405 Date December 1, 19 75

266871

* Corrected Copy *

May 2, 2012

WATER WELL REPORT

Original & 1st copy - Ecology, 2nd copy - owner, 3rd copy - driller

Construction/Decommission (X in circle)

☒ Construction☐ Decommission ORIGINAL INSTALLATION

Notice of Intent Number

PROPOSED USE: ☐ Domestic ☐ Industrial ☐ Municipal ☐ Dairy
☐ DeWater ☒ Irrigation ☐ Test Well ☒ Other

TYPE OF WORK: Owner's number of well (if more than one)

☒ New well ☐ Reconditioned Method: ☐ Dug ☐ Bored ☐ Driven
☐ Deepened ☐ Cable ☒ Rotary ☐ JettedDIMENSIONS: Diameter of well 12" inches, drilled 12.5" ft.
Depth of completed well 325 ft.

CONSTRUCTION DETAILS

Casing ☒ Welded 16" Diam. from +1 ft. to 146 ft.
Installed: ☒ Liner installed 12" Diam. from +1 ft. to 360 ft.
☐ Threaded Diam. From ft. to ft.Perforations: ☐ Yes ☒ No

Type of perforator used

SIZE of ports in. by in. and no. of ports from ft. to ft.

Screens: ☐ Yes ☒ No ☐ K-Pac Location

Manufacturer's Name

Type Model No.

Diam. Slot size from ft. to ft.
Diam. Slot size from ft. to ft.Gravel/Filter pack: ☐ Yes ☒ No Size of gravel/sand

Materials placed from ft. to ft.

Surface Seal: ☒ Yes ☐ No To what depth? 146 ft.

Material used in seal cement

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? Depth of strata

Method of sealing strata off

PUMP: Manufacturer's Name

Type: H.P.

WATER LEVELS: Land-surface elevation above mean sea level ft.

Static level 314' ft. below top of well Date

Artesian pressure lbs. per square inch Date

Artesian water is controlled by (cap, valve, etc.)

WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☐ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

Yield: gal./min. with ft. drawdown after hrs.

Yield: gal./min. with ft. drawdown after hrs.

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test

Bailer Test gal./min. with ft. drawdown after hrs.

Airtest 600 gal./min. with stem set at 800 ft. for 1 hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

WELL CONSTRUCTION CERTIFICATION: I constructed and/or accept responsibility for construction of this well, and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief.

☒ Driller ☐ Engineer ☐ Trainee Name: Larry McLanahan

Driller/Engineer/Trainee Signature

Driller or trainee License No. 0337

IF TRAINEE: Driller's License No.

Driller's Signature:

ECY 050-1-20 (Rev 4/07)

CURRENT

Notice of Intent No. W242768

Unique Ecology Well ID Tag No. AHP755

Water Right Permit No. Livestock Exempt

Property Owner Name Mesa Dairy LLC

Well Street Address 1120 Khundi Rd

City Pasco

County FRANKLIN

Location W 1/4-1/4 1/4 Sec 32' Twn 13N R 31 ☐ Check
(s, t, r Still REQUIRED) ☐ OneLat/Long Lat Deg Lat Min/Sec
Long Deg Long Min/Sec

Tax Parcel No. (Required) 109-320-012

CONSTRUCTION OR DECOMMISSION PROCEDURE

Formation: Describe by color, character, size of material and structure, and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of information. (USE ADDITIONAL SHEETS IF NECESSARY.)

MATERIAL	FROM	TO
Brown silt	0	5
Sand gravel & cobbles	5	24
Gravel cobbles & brown basalt	24	55
Sand & gravel	55	75
Brown sandy clay	75	103
Caliche & reddish brown sandstone	103	108
Med. hard gray & brown basalt	108	167
Soft broken brown (some tan clay) & gray		
visicular basalt	167	180
Med. soft brown & gray basalt	180	205
Med. hard brown & gray basalt	205	343
Soft broken brown & gray basalt (little water)	343	356
Hard gray	356	407
Soft broken reddish brown basalt (little water)	407	428
Hard gray basalt	428	440
Med. hard gray & some brown basalt broken	440	447
Hard gray basalt	447	502
Soft broken brown visicular basalt Little water	502	508
Med. hard porous black basalt	508	553
Soft porous black basalt Trace of green clay		
little water	553	556
Med. hard black basalt	556	597
Soft black & brown visicular basalt	597	612
Med. hard gray basalt	612	619
Soft broken brown & black basalt Little water	619	642
Hard gray basalt	642	654
Very broken brown visicular basalt some tan		
clay stone water	654	665
Med. hard dark gray porous basalt	665	680
Hard dark gray basalt	680	798
Soft brown black & reddish brown basalt water	798	811

Start Date 6-4-07

Completed Date 6-19-07

Drilling Company BJ Exploration Co., Inc

Address 404 N. Conway Street

City, State, Zip Kennewick, WA 99336

Contractor's
Registration No. BJEXPCI132QK

Date 7-19-07

DEPARTMENT
EASTERN

Ecology is an Equal Opportunity Employer

Th: pa ent Ecc yd NC Var tyt Dat: d/c eir ma on s W Rel

266871

EXHIBIT 5

May 2, 2012

WATER WELL REPORT

Original & 1st copy - Ecology, 2nd copy - owner, 3rd copy - driller

Construction/Decommission ('X' in circle)

☒ Construction

☐ Decommission **ORIGINAL INSTALLATION**

Notice of Intent Number

PROPOSED USE: ☐ Domestic ☐ Industrial ☐ Municipal ☐ Dairy
☐ DeWater ☒ Irrigation ☐ Test Well ☐ Other

TYPE OF WORK: Owner's number of well (if more than one)
☒ New well ☐ Reconditioned Method: ☐ Dug ☐ Bored ☐ Driven
☐ Deepened ☐ Cable ☒ Rotary ☐ Jetted

DIMENSIONS: Diameter of well 12" inches, drilled 825 ft.
Depth of completed well 825 ft.

CONSTRUCTION DETAILS

Casing ☒ Welded 16" Diam. from +1 ft. to 146 ft.
Installed: ☒ Liner installed 12" Diam. from +1 ft. to 360 ft.
☐ Threaded Diam. From ft. to ft.

Perforations: ☐ Yes ☒ No

Type of perforator used

SIZE of perforations in. by in. and no. of perforations from ft. to ft.

Screens: ☐ Yes ☒ No ☐ K-Pac Location

Manufacturer's Name

Type Model No.

Diam. Slot size from ft. to ft.
Diam. Slot size from ft. to ft.

Gravel/Fill pack: ☐ Yes ☒ No Size of gravel/sand

Materials placed from ft. to ft.
Surface Seal: ☒ Yes ☐ No To what depth? 146 ft.

Material used in seal CEMENT

Did any strata contain potable water? ☐ Yes ☒ No

Type of water? Depth of strata

Method of sealing strata off

PUMP: Manufacturer's Name

Type H.P.

WATER LEVELS: Land-surface elevation above mean sea level ft.

Static level 314' ft. below top of well Date

Artesian pressure lbs. per square inch Date

Artesian water is controlled by (cap, valve, etc.)

WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: gal/min. with ft. drawdown after hrs.

Yield: gal/min. with ft. drawdown after hrs.

Yield: gal/min. with ft. drawdown after hrs.

Recovery data (time taken as zero when pump turned off) (water level measured from well top to water level)

Time	Water Level	Time	Water Level	Time	Water Level

Date of test
Bailer Test gal/min. with ft. drawdown after hrs.

Airtest 600 gal/min. with stem set at 800 ft. for 1 hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

CURRENT

Notice of Intent No. W242768

Unique Ecology Well ID Tag No. AHP755

Water Right Permit No. Livestock Exempt

Property Owner Name Mesa Dairy LLC

Well Street Address 1120 Khndt Rd

City Pasco

County FRANKLIN

Location 1/2 1/4-1/4 1/4 Sec 32' Twn 13N R 31E
(s, t, r Still REQUIRED) ☐ Check ☐ One

Lat/Long Lat Deg Lat Min/Sec

Long Deg Long Min/Sec

Tax Parcel No. (Required) 109-320-012

CONSTRUCTION OR DECOMMISSION PHASE
Formation: Describe by color, character, size of material and structure, and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of information. (USE ADDITIONAL SHEETS IF NECESSARY.)

MATERIAL	FROM	TO
Hard gray basalt	180psi 68degrees	811 825

360' of 12" casing
360 to 400' 14 3/4"
400 to 825' 12 1/4"
bottom 825'

Start Date 6-4-07

Completed Date 6-19-07

WELL CONSTRUCTION CERTIFICATION: I constructed and/or accept responsibility for construction of this well, and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief.

☒ Driller ☐ Engineer ☐ Trainee Name (Print) Larry McLanahan

Drilling Company BJ Exploration Co., Inc

Driller/Engineer/Trainee Signature

Address 404 N. Conway Street

Driller or trainee License No. 0337

City, State, Zip Kennewick, WA 99336

IF TRAINER: Driller's License No.

Registration No. BJEXPCI132QK

Driller's Signature:

Date 7-19-07

BCY 050-1-20 (Rev 4/07)

DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

Ecology is an Equal Opportunity Employer

MESA DAIRY LLC EXEMPT DAIRY WELL IMPAIRMENT ANALYSIS

BACKGROUND

Case Vander Menlen is proposing to relocate a working dairy to an existing irrigated farm near Mesa, Washington. This dairy would be located in Section 32, Township 13 North, Range 31 East. As part of the establishment of this new dairy a well is required to provide drinking water for the cattle, and potentially for the milking parlor operation. This well would fall under the exemption for needing a water permit, now recognized by the Department of Ecology, for dairy operations.

WATER REQUIREMENTS

This dairy operation will entail the milking of up to 4,300 cows, with an additional 900 dry cows, 3,000 heifers and 1,000 calves. The drinking water requirement of these cows is very dependant upon environmental conditions, especially the air temperature. In order to determine the peak drinking water needs of these cows we will look at the estimated requirements that the various types of cows would have at 100 degrees F, as it can be expected that the temperature will reach this level in Mesa several days each year.

DAILY WATER REQUIREMENTS AT 100 DEGREES F - Summer

4,300 Lactating Cows @ 53 Gallons Per Day Per Cow	227,900 Gallons
900 Dry Cows @ 21 Gallons Per Day Per Cow	18,900 Gallons
3,000 Heifers @ 19 Gallons Per Day Per Cow	57,000 Gallons
1,000 Calves @ 4 Gallons Per Day Per Cow	4,000 Gallons

Total Peak Gallons Required Per Day	307,800 Gallons
--	------------------------

DAILY WATER REQUIREMENTS AT 40 DEGREES F - Winter

4,300 Lactating Cows @ 32 Gallons Per Day Per Cow	137,600 Gallons
900 Dry Cows @ 12 Gallons Per Day Per Cow	10,800 Gallons
3,000 Heifers @ 9 Gallons Per Day Per Cow	27,000 Gallons
1,000 Calves @ 2 Gallons Per Day Per Cow	2,000 Gallons

Total Peak Gallons Required Per Day	177,400 Gallons
--	------------------------

DAILY WATER REQUIREMENTS AT 64 DEGREES F – Spring & Fall

4300 Lactating Cows @ 42 Gallons Per Day Per Cow	180,600 Gallons
900 Dry Cows @ 15 Gallons Per Day Per Cow	13,500 Gallons
3,000 Heifers @ 12.5 Gallons Per Day Per Cow	37,500 Gallons
1,000 Calves @ 2.9 Gallons Per Day Per Cow	2,900 Gallons

Total Peak Daily Water Requirement 234,500 Gallons

DAILY MILK HOUSE AND MILK PARLOR WATER REQUIREMENTS

Bulk Tank Automatic Washing	1,200 Gallons
Milk House & Parlor Pipeline Washing	500 Gallons
Milkers Washing	160 Gallons
Cow Prep Washing	38,700 Gallons
Extra Cow Prep Washing 3 Months In Winter	270,000 Gallons
Cooling Water 4 Months In Summer	156,000 Gallons
Milk House Washing	190 Gallons
Misc.	60 Gallons

**Total Milk House & Parlor Gallons Required Per Day 40,810 Gallons
Spring & Fall**

**Total Milk House & Parlor Gallons Required Per Day 310,810 Gallons
Winter Months**

**Total Milk House & Parlor Gallons Required Per Day 196,810 Gallons
Summer Months**

**Grand Total Peak Daily Water Requirement 275,310 Gallons
Spring & Fall**

**Grand Total Peak Daily Water Requirement 488,210 Gallons
Winter**

**Grand Total Peak Daily Water Requirement 504,610 Gallons
Summer**

Assuming a 90% operating factor, the peak instantaneous water requirement would then be approximately 390 Gallons Per Minute on a 100 degree day in the Summer.

In order to determine the estimated annual water consumption of this proposed dairy the average annual high temperature for Mesa was determined to be 64 degrees F. Utilizing a similar analysis to that used to determine the peak daily water requirement yields the following:

The average year round daily water requirement for lactating cows, dry cows, heifers and calves is 234,500 gallons. For 5 months during the Spring and Fall months the average daily milk house and parlor water requirements will be 40,810 gallons. During the 4 hottest Summer months the average daily milk house and parlor water requirements will be 196,810 gallons. During the 3 coldest Winter months the average daily milk house and parlor water requirements will be 310,810 gallons.

Averaging these average daily requirements over a year yields an average annual daily requirement of 394,810 gallons. This yields an average annual withdrawal of 144,105,650 gallons, or approximately 442 acre-feet.

It is anticipated that the well to be constructed will be similar to the existing irrigation well that is currently located in Section 32, and is 800' deep, yielding from the Wanapum Basalt Aquifer. The new well will be located approximately 700' from the existing well. When looking at the anticipated well, available pumps, and the fact that a pond will be utilized the pump that is being proposed will pump 420 Gallons Per Minute. This will meet and exceed the peak instantaneous requirement of 390 Gallons Per Minute. Based on the 420 Gallons Per Minute instantaneous capacity, the pump will only be running 65% of the time annually to meet the annual water requirement. 420 Gallons Per Minute pumping 65% of the time will be the basis for the following impairment analysis.

ANALYSIS

The new well will be constructed to nearly fully penetrate the Wanapum Aquifer, similar to the well noted on the attached map as the Germain Well that is located in Section 32. This well is 800' deep and penetrated approximately 645' of basalt. The original well driller, Larry McLanahan was contacted, and he indicated that the vast majority of the water encountered in this well is located in the two lower soft black and brown basalt zones located near the bottom of this well. These zones were located at depths of 670' – 685' and 782' – 794' respectively.

When looking at the wells located within 3 miles of the proposed well, there appears to be 4 wells that have penetrated the same basalt zones that are anticipated to be the yielding zone in the new well. They are the following:

As previously noted the Germain Well located in Section 32, and penetrated the basalts 645', and is located approximately 700' east of the new well, and is one of the wells that will be utilized by the new dairy operation for irrigation of crops.

Next closest is the well noted as the Germain/Lungren Well on the map, that is located in Section 28, and penetrated approximately 1229' of basalt. This well is located approximately 10,500' northeast of the new well, and is another well that will be utilized by the new dairy operation for the irrigation of crops. Several additional water bearing zones have been penetrated in this well that will not be penetrated in the new well

At approximately 11,600' east of the new well lies the well noted as the Pepiots Well located in Section 34 on the map, and penetrated approximately 1185' of basalt. This well is owned by other parties, and will be the subject of the final analysis.

Lastly, at approximately 3 miles northeast of the new well lies a domestic well, noted as the Lundgren Well located in Section 22 on the map that penetrated approximately 644' of basalt. This well provides domestic water for another area of the operation currently owned by the new dairy.

There are several other wells, as noted on the map that are located within 3 miles of the new well. These wells have either not penetrated the basalt zones that will yield water to the new well, or are shallow gravel wells located in or near the bottom of the Esquatzel Coulee. It is anticipated, owing to vertical and horizontal separation, that there will be little if any impact to the water levels in these wells caused by the pumping of the new well.

In order to determine the potential impacts of pumping the new well on these other wells noted above, the Modified Theis Equation was utilized. This equation provides for a very rough estimation of impacts of pumping of one well on another well in the same aquifer. There are many assumptions that are made in order to utilize this equation, and so it is indeed only a tool to provide a very rough estimation. The equation is as follows:

$$s = (264Q/T) (\log(.3Tt/r^2S))$$

s – feet of drawdown

Q – pumping rate in gpm's

T – coefficient of transmissivity of the aquifer in gpd/ft

r – distance in feet from pumped well

S – coefficient of storage (which is dimensionless)

t – time since pumping started in days

This equation can be solved utilizing pump test information captured at a observation well penetrating the same aquifer. This information is rarely available, and so a range of values for T and S have been established. These ranges are 50,000 – 100,000 gpd/ft for T, and .00002 - .0005 for S. Given those values along with knowing the pumping rate of 420 gpm's, annual pumping requirement of 65% operating time, looking at a 365 day time period, and the distance to the subject wells, a rough approximation of impacts to water levels can be determined.

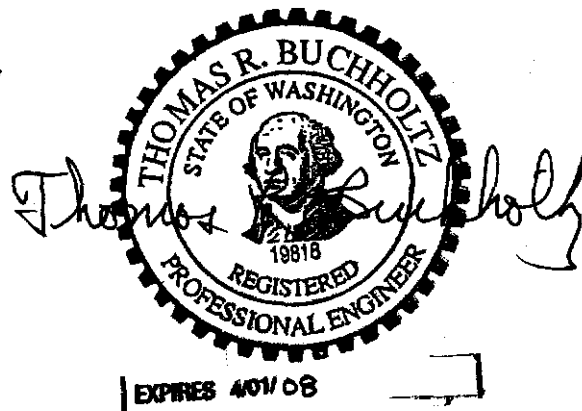
We will look at the Germain Well located in Section 32, and the Pepiots Well located in Section 34. Utilizing the above equation and the values for the various parts of the equation noted above, it can be anticipated that at the end of one year of pumping the new well, the Germain Well would notice a decline of the water level in the well of between 3.4' and 8.3'. Assuming that the Pepiots Well only yielded from the same zones as the new well it could be assumed that it would see a decline of 1.5' and 4.7' after one year of pumping the new well. Since this well penetrated approximately 540' deeper into the basalts it can be anticipated that other water bearing zones were penetrated and that this estimate is far larger than what will actually take place.

CONCLUSION

A new well, being constructed to supply water for a new dairy operation, is located in the NE 1/4 SW1/4 Section 32, Township 13 North, Range 31 East. This well is required to provide drinking water for the dairy herd, as well as providing the milk house and milk parlor needs. This well will be constructed under the exemption provided for dairy operations that now exist.

There are several wells located within 3 miles of the proposed new well. Several of these wells are producing from sands and gravels, or shallow basalts that will not be impacted by this well. The worst impact will be to the new dairy operations own irrigation well, where an annual impact of a few feet will be experienced. The closest well serving others is the Pepiots Well located nearly 2 ½ miles away. This well penetrates more than 500' deeper into the basalts, and that along with the worst case scenario of a potential 1.5' to 5' impact, lead one to believe that there will likely be little or minimal impact to this well by pumping the new well. When these factors are taken into account, certainly the impacts to the existing dairy operation irrigation wells, the adjacent shallow wells, and to the Pepiots Well fall well below the magnitude that can be described as impairment to these adjacent well and water permit holders.

Thomas R. Buchholtz PE - July 16, 2007



Memorandum

Date: 9/15/08
TO: Keith Stoffel
FROM: John Covert
SUBJECT: Easterday CAFO: Impact to nearby groundwater wells.

On behalf of the project proponent, Tom Buchholtz of Water Man Consulting performed a series of calculations to determine potential impacts to existing wells from pumping a new well at the feedlot location in the SW¼ SW¼ Section 13, T 12N R31E. We received these calculations attached to SEPA documents following the decision by Franklin County Planning.

The consultant used the Modified Theis Equation to calculate drawdown after one year of continuous pumping. The numbers he used for the variables needed to perform the calculation were reasonable for Wanapum basalt wells. The variables used in his calculations are conservative (given the specific capacity numbers listed on nearby well logs), thus this approach probably over-estimated potential drawdown effects. I verified his calculations.

I do believe he should have added additional calculations for 2 other potential well locations at what appears to be two separate home sites that straddle the proposed feedlot's location. From the 2006 NAIP aerial photo, it looks like there could be an exempt well located within about 4,000 feet of the proposed well, and another additional well about 6000 feet from the proposed feedlot well. The Consultant's closest calculation assumed a distance of 8,500 feet to the nearest well. Utilizing appropriate numbers, the Modified Theis Equation indicates that a well at 4,000 feet from the feedlot well will experience approximately 4.5 feet of drawdown at the end of one year's continuous pumping (300gpm) assuming both wells are completed in the same aquifer.

The Consultant is proposing that the feedlot well be cased and sealed to a depth of 1200 feet with the remainder of the well being completed open hole to a total depth sufficient to produce the required volumes. The Department's well log website has almost no well logs for domestic exempt wells in the vicinity of the proposed feedlot. It is unclear how deep these existing exempt wells have been constructed. The irrigation wells drilled in the vicinity are typically completed to depths in the 1150 to 1300 foot range with limited surface seals and open hole construction. It would seem reasonable to assume that most of the domestic wells in the area have shallower completion depths. If the feedlot well(s) are completed with 1200 foot surface seals, this will provide vertical separation between the aquifers being pumped by the feedlot well and the surrounding domestic exempt wells. This separation would further reduce the drawdown impacts that have been calculated by the project's Consultant. It is likely that the drawdown impact to existing wells caused by the pumping of the new feedlot well(s) will be minimal and will not cause impairment to existing wells.

A WRTS pull of pending groundwater applications for new water rights in Franklin County lists 90 applications requesting more than 150,000 gpm of new withdrawals. The oldest of these pending applications dates back to 1983. The majority of these pending applications have been waiting for more than a decade. Three pending applications for more than 11,000 gpm are located within six miles of this proposed feedlot.

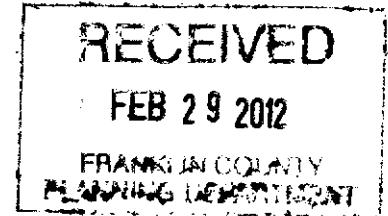
Written Public and Agency Comments

CUP 2012-03

May 2, 2012

February 28, 2012

Scott J. Collin, Secretary for Five Corners Family Farmers
PO Box 3157
Pasco WA 99302



Franklin County Planning Department
1016 North 4th Ave.
Pasco, WA 99301
RE: CUP 2012-03
Attention: Jerrod B. MacPherson, Director

Dear Sir:

Five Corners Family Farmers is a registered non-profit organization of the State of Washington. Furthermore it is a local Franklin County grass-roots organization, whose membership includes Franklin County Farmers of the Five Corners area.

Our request to you, Mr. MacPherson, as a representative of Franklin County government, is that through you, this letter be submitted to the Franklin County Planning Commission, when they consider this current Conditional Use Permit. I am submitting this letter in regards to the proposed new feedlot near Pepiot, Coordes and Joyce Roads in North Franklin County, CUP 2012-03.


It is my concern as well as the concerns of many of my neighbors, that this new establishment represents a significant impact to our local health and environment, specifically as a significant cumulative addition, to air quality health concerns for people residing in and around North Franklin County.

The addition of another large confined animal feeding operation in this area, has a significant environmental impact, due to the on-going expansion of feeding operations, in this area over the last several years. Impact to our water, air quality, the enjoyment of our own personal property (including our homes), and general health issues generated from this continuing development is affecting, the health, enjoyment of property and well being, of the people who reside in the immediate area.

We request an in depth study of this development, and that the Department of Ecology handle the study and issuance of any findings, in regard to safe water usage, waste disposal, air quality, health, and impact studies in regards to the loss of use of property, in any manner, to neighboring landowners. Further more we specifically request a withdrawal of any "Determination of Non-Significance" and we request formally a full Environmental Impact Study.

As stated above it is this continuing development of large confined animal feeding operations that adds to and constitutes the issue of cumulative effect. Finally it is our understanding that Franklin County limits these types of developments to a "two mile rule". It is our belief that this new feedlot lies within that area in regard to the proximity of the current dairy located on Pepiot Road. We therefore request these further studies be conducted before any "Conditional Use" is considered.

Respectfully,

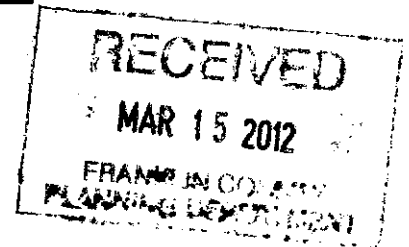


Scott J. Collin, Secretary: Five Corners Family Farmers

May 2, 2012

LOEBER FARMS

**PO Box 788 1112 Loeber Road
Connell, WA 99326**



March 12, 2012

Franklin County Planning and Building Department
Jerrod B MacPherson, Director

RE: CUP 2012-03 Case VanderMeulen Feedlot at 2270 Joyce Road

I am writing in protest of the VanderMuelen Feedlot. We have existing wells in an Aguafer that has limited supply, government has set up by Department of Ecology to monitor. Are they going to abolish Dept of Ecology in Spokane? Dairies basically have a free for all and will undoubtedly tap out the water supply.

A current supreme ruling granting water was not thought out well. It will result in farmers like myself who have been pumping water since the 1960s undue hardship. Odessa farmers and some by Lind had to deal with the sinking water table to the point they had to disolve their business.

People on the planning department should ask themselves if they would like to live downwind of feedlots and dairies. That is their job to put themselves in my position. When someone has a job they should treat it as if it was their own (put yourself in someone else's position). All of Connell is down wind of this project. We were told that when the 1st dairy went in, we would have no smell- NOT TRUE! We smelled the dairy many times in the last year. Case VanderMuelen, if you let him will overextend his operation. You need to think how you would like the smell in your back yard. He was kicked out of Sunnyside area for smell and ruining ground water. Why should we have him here?

The governmental agency in Spokane has placed a moratoreum on our deep well projects to protect the investment of those who are there and protect their economic livelihood.

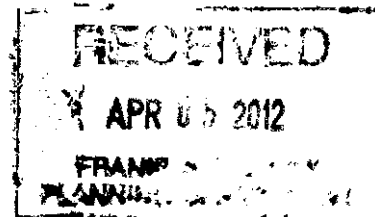
I am Ron Loeber, 2nd generation farmer, located just 1 1/2 miles north of the proposed VanderMuelen feelot. My dad purchased a permit to drill deep wells for irrigation. Over the years the water table has gone down. Domestic wells throughout Franklin County have had to be deepened. The Aguafer is not an endless supply of water.

I have talked with Mr. VanderMuelen and I know that he is ambitious to the extent that he can cause our irrigation and farming livelihood to end.

Ron Loeber

LOEBER FARMS

**PO Box 788 1112 Loeber Road
Connell, WA 99326**



April 4, 2012

Franklin County Planning and Building Department
Jerrod B MacPherson, Director

RE: CUP 2012-03 Case VanderMeulen Feedlot at 2270 Joyce Road-Additional Info

The facts I used in my first letter regarding the water level in the aquafer were received from Jim in the Department of Ecology in Spokane. He measured our wells as part of a group for study to see if the level was dropping. He told me levels dropped 4'/year and more with new wells, such as Bennett's. I was farming the irrigated ground then and remember losing over 5 pounds of pressure at the pumps in the middle of the season when he fired up the well by the Connell Airport, loss of water height=loss of pressure. The Department of Ecology has a moritorium for new irrigation wells. A lot of local domestic wells, including Havlina and ours have had to be deepened. They are generally at 400 to 500 feet. The water supply seems to move down. The commercial wells are at a aquafer level of 1000 to 1100 feet. Esterday, VanderMeulen and ours. I'm not sure of the others, as over the years well work has been done and I do not stay current of all the wells.

Sincerely,

Ron Loeber

Robert Koch

From: Jim Riddell [jim@tullamoor.com]
Sent: Monday, March 26, 2012 2:37 PM
To: Brad Peck; Robert Koch; Rick Miller
Cc: Fred Bowen; Steve Taylor
Subject: Proposed Feedlot - VanderMeulen

Dear Commissioners, Beck, Koch and Miller

I am 100% against the approval of the additional feed lot proposed by VanderMeulen. This lot would have financial devastating effect on the future development of Tullamoor in Connell, Washington.

We already have a problem with the feed lot just constructed in Mesa that has created a smell on our property. This lot we were assured would not create a problem, well we have one and now we have to spend a great amount of money with attorneys to deal with it.

With the uncontrolled growth in our county of dairy and feed lots we will forever destroy any possibility for other developments in North County. These feed lots ventures leave no one else around because of the smell.

I request advance notice of any hearings that might be connected to this proposal so that we would have time to prepare for the hearings. I do not want to wake up one day and find it approved and that I am now out of business and have lost millions in investment.

Thank you

Jim Riddell - 3/26/2012 2:33:12 PM



Jim Riddell
P.O. Box 280
Connell, WA 99326
360-281-4400 - Mobile
425 354-3239 - Fax
jim@tullamoor.com
www.tullamoor.com

Robert Koch

From: Jim Riddell [jim@tullamoor.com]
Sent: Tuesday, March 27, 2012 5:31 AM
To: Brad Peck; Robert Koch; Rick Miller
Cc: Fred Bowen; Steve Taylor
Subject: Additional information - FW: Proposed Feedlot - VanderMeulen

Tullamoor is an approved PUD located within the City of Connell, 1,400 acres and designed around over 2,000 home sites, golf courses, RV resort, commerce areas and other amenities. When completed the build out will be over \$1 Billion and employ hundreds of people. This project was approved by the City of Connell before the approval and construction of the dairy and feed lots in the Mesa area.

At this time our primary market is from the West of the Cascade – any increase of smell will kill this development. When I moved here and purchased the property for development there was no smell. The approval of the dairy and feed lots in the Mesa area has changed that. That issue will be dealt with in separate communications.

This communications is about additional approvals that will push the locking out of other development activities in North County beyond the tipping point. Dairies and feed lots do not allow tourist based business to survive.

Just drive down 395 to Tri Cities from Connell today and most of the time you have to hold your breath when coming near Mesa and after that you get attacked by the chicken smell just south of Eltopia. These projects should have had restrictions requiring them not to pollute the air for people. When the feed and dairy lots were going through approval I was informed that air quality issues were being required. If they were they are not being enforced.

In a county that has 1,242 square miles and a wind pattern that blows 95% of the time from the Southwest you would hope that these feed lots would be approved someplace other than next to the freeway just south of Connell and this development.

People from other areas will not invest with increases to this air problem. Living in Seattle and having a vacation home in Connell at Tullamoor with the advantage of 395 and 25 minutes to Tri Cities for shopping will be lost forever with increases to the smell around Connell.

I would be happy to send any additional information that you might wish regarding the development.

Commissioner Koch is aware of the development because he lives in Connell.

My best

Jim Riddell 3/27/2012 4:57:04 AM

**Brian H. Wolfe, P.C.**

ATTORNEY AT LAW

bwolfe@bhw-law.com

105 W. Evergreen Blvd, Suite 200
Vancouver, WA 98660

Telephone: (360) 693-5883
Facsimile: (360) 693-1777

April 10, 2012

Franklin County Planning Commission
1016 N. Fourth Avenue
Pasco, WA 99301

Re: CUP 2012-03
Applicant: VanderMeulen
Proposed: Replacement Feed Lot

Dear Planning Commission:

Please accept this letter as an addition to your Public Record. I am unable to attend tonight's meeting because of learning of your hearing late in the process.

I represent Jim Riddell, the owner and developer of Tullamoor, a destination community. Mr. Riddell's project is in the southeast portion of the City of Connell, shown on the overhead photo of the application before you to be 5.2 miles, as the crow flies, from the proposed site location. Mr. Riddell has already spent hundreds of thousands of dollars in site preparation, acquisition and development of this site for a destination resort. He anticipates that he could, in fact, spend hundreds of thousands more.

Tullamoor is an approved Planned Unit Development (PUD) 1,400 acres in size and designed around over 2000 home sites, golf courses, RV resort, commercial areas and other amenities. When completed the build-out will be in excess of one billion dollars and should employ hundreds of people. This project was approved by the City of Connell before the approval and construction of any dairy and feed lots in the Mesa area.

Franklin County is an agricultural county. However, I want to bring to your attention some facts that would adversely affect Tullamoor if the VanderMeulen feed lot is approved. There were some cattle and feed lots prior to Tullamoor. Mr. Bennett's

Franklin County Planning Commission
April 10, 2012
Page 2

property is to the north and ConAg is to the west and the Curtis feed lot is also to the west. These were all here before. No odors from any of those operations get to the Tullamoor location.

However, when the dairy opened in Mesa, some ten (10) miles from Connell along Highway 395, the odors began. A feed lot was created southeast from the dairy in Mesa and the odors increased.

The prevailing winds in this part of the County are from the southwest, estimated at 95% of the time. The proposed VanderMeulen feed lot lies to the southwest of the Tullamoor project. Unfortunately, the market for the type of facility being created at Tullamoor will most likely be non-agricultural people from more urban areas. While they will tremendously enjoy seeing cows in the field, they will not appreciate at all the odors associated with a feed lot.

I note in the Staff Report that the proposed facility is to be limited to a maximum head count of 3,500 animals. Under the County Code a conditional use permit is required for a feed lot operation when the head count exceeds 1,000 animals. I would strongly recommend that the head count be limited even more severely. It is proposed that this is a "replacement facility" for the applicant's dairy operation. The information needs to be put in the record about exactly how many cows per year need to be replaced at the applicant's dairy farm. I note below that the current inventory at the existing dairy is approximately 5,000 cows. A Conditional Use Permit should not be granted unless and until it is demonstrated by the applicant that such an increase in size is required . . . not just because he wants it.

Under County Resolution 2001-238, the applicant is to be required to complete a Fly and Odor Control Plan. What kind of safeguards is there for people downwind of such a facility? Please note that in the SEPA checklist the County Planner has made a note on page 3 that the air quality will require updated Odor and Fly Control Plan as the feed lot increases in size.

The Staff Report indicates that the proposal will not be more objectionable to nearby properties by reason of noise, fumes, vibration, dust, traffic, or flashing lights, then would be the operation of any permitted use within a district. That list of objectionable criteria omits the criteria of odor.

The Staff Report also indicates that the proposal will not endanger the public health, safety or general welfare if located where proposed. I take issue with that finding. Anytime there is a feed lot with odor and fly issues, there will be a threat to public health and general welfare, even with the implication of an odor control plan.

I note that the recommendations of County staff include a suggestion that the applicant shall begin the new animal operation with one-year after the effective date of

Franklin County Planning Commission
April 10, 2012
Page 3

the special permit or the special permit shall expire. Yet at the same time, the Odor and Fly Control Plan does not need to be completed except within eighteen (18) months of the project approval. Certainly there should be some better coordination of the Odor and Fly Control Plan with the commencement of operation.

I understand that the zoning in the area of the proposed feed lot is an Agricultural Production 20 (AP-20). In looking at Franklin County Code 5.2.0 under Ordinance 7-2005 permitted uses in this zone is for feed lots of 1,000 head. The head count numbers may be exceeded only upon approval of a conditional or special use permit. I urge the planning commission to limit the feed lot to 1,000 as allowed in the zoning code and therefore deny the conditional use permit or the special permit as applied for as indicated above. There is no shown need for more than 1,000 head in a replacement lot..

In his application, Mr. VanderMeulen indicates that the total head count for the application is 3,500 head including the current corrals, but to build for around 1,800 head initially and expand "as needed" but applied for 3,500 head so he doesn't have to come back again. At the same time his application under the Dairy Nutrient Management Program Inspection Report dated December 6, 2011 indicates a current inventory as follows:

1. Milking cows 4,446;
2. Dry cows 438;
3. Calves 1,361 (which apparently are on the site and 0-6 months in age); and
4. An additional 221 heifers are indicated to be in Royal City.

In the same report, he is currently milking 4,300 head which is the size that the NMP was developed for.

In the document labeled the "Columbia-Snake River Irrigators Association Documentation Packet, in a Declaration signed by Mr. VanderMeulen on March 20, 2012, he indicates this is a "replacement herd feed lot project" with a major undertaking. But the nature of the project requires that it be carried out in stages over time. The owners of Tullamoor also want this project to be carried out in stages over a period of time. As indicated above the odor created by a feed lot of this nature could be enormously adverse to the project being proposed at Tullamoor. Both projects have some development ahead of them. One not necessarily precludes the other but the odors generated by the feed lot project will not be confined to the feed lot itself.

In summary, I urge the planning commission to reach the following conclusions:

1. That the proposed feed lot should not exceed 1,000 head;

Franklin County Planning Commission
April 10, 2012
Page 4

2. That if a greater head count is approved that it should be phased in in stages so that it's affect, if any, to areas surrounding the feed lot are monitored;
3. That the Odor and Fly Control plan required by County Resolution 2001-238 be completed in conjunction with the commencement of operation; and
4. That the Odor and Fly Control Plan assure surrounding areas that there will be no odor. Only under that condition should the feed lot be allowed to expand.

Sincerely,

BRIAN H. WOLFE, P.C.



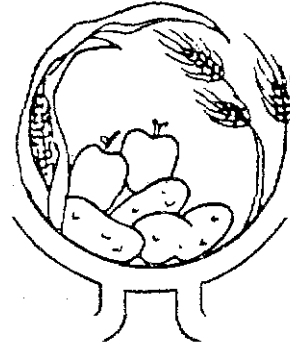
Brian H. Wolfe

BHW:rw

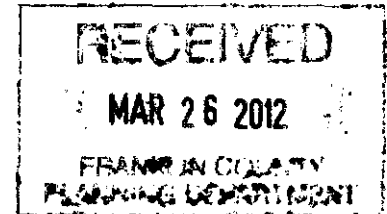
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May 2, 2012

City of Connell

EASTERN
WASHINGTON'S
HARVESTLAND

March 20, 2012

P.O. BOX 1200 • CONNELL, WASHINGTON • 99326-1200
(509) 234-2701Franklin County Planning Commission
1016 N. 4th Avenue
Pasco, Washington 99301**RE: CUP Application 2012-03 – Proposed Feedlot**

Dear Commissioners:

The following comments are being provided at the direction of the Connell City Council to address community concerns regarding the proposed placement of a calf and heifer feedlot approximately three miles south and west of the City's borders. The feedlot is proposed under Conditional Use Permit Application 2012-03 through Franklin County.

Numerous Connell residents have shared their concerns with me and City Councilmembers, and the matter has been heard twice at the regular Council meetings of March 7th and March 19th. The Council also provided an opportunity for the applicant to describe and discuss the proposed feedlot in open session, which he chose to take on March 7th.

In pface to the concerns of potential impacts the feedlot may have on City residents, it is important to note Connell's geographical location in relation to prevailing winds and existing agricultural operations in northern Franklin County. Presently, Connell residents experience various odors from feedlot operations west of city limits, ConAgra Lamb Weston potato processing operations within city boundaries, and dairy operations located outside of Mesa. Winds generally move through the city from the west, south, and southwest and regularly carry odors of varying types and intensities depending upon climate conditions, season, and agricultural operations conducted at the time of the wind events.

City residents have expressed concerns toward the proliferation of additional odors and flies emanating from the proposed new source. Comments were heard relative to potential impacts on ground water quality and whether the authorization of additional groundwater withdrawal points in a declining aquifer will have negative effects on existing wells, including municipal facilities. The City acknowledges the current allowed uses within Franklin County's zoning code as it relates to animal feedlot operations, and it appreciates that the applicant has chosen to undergo the conditional use permitting process as well as the regulatory oversight inherent within that process. The City's primary concern is not to single out this application for additional scrutiny,

but rather ask the Planning Commission and County Commission to carefully review the cumulative impact of concentrating current and potential future intensive-use feedlot operations in such close proximity to the Connell Urban Growth Area (UGA).

Connell is a rural city with a long history of agricultural support. Agriculture and agri-business makes up the greater portion of the City's economic base. Connell's residents and elected leaders strongly support agricultural development both within the City and the surrounding area. However, the City serves to protect its residents' quality of life to keep the community a desirable location to live, work, recreate, and retire.

The City recognizes that the MDNS issued by Franklin County and the Department of Ecology's Air Quality Control Program correspondence has outlined various measures to mitigate the potential impacts of this project and ensure the application of best available control technology in addressing emissions concerns. Adherence to these measures over the short and long terms is essential to protecting Connell's air quality. It is also encouraging to note that the applicant's existing dairy operations in Mesa have a consistent history of compliance with the Department of Agriculture's Livestock Nutrient Management Program guidelines and regulations.

Finally, the City Council is interested in discussing the consideration and employment of a buffering strategy as it relates to the siting of new or expansion of existing intense livestock-feeding operations or other odor-producing enterprises near the Connell UGA. Defining such an area and restricting the concentration of these uses within such may provide a long term solution to prevent further degradation of the City's air quality and reduce future conflicts between community and agricultural interests.

Thank you for providing the opportunity to comment on the Conditional Use Permit application, and for your consideration of the City's concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Garland D. Walton", written in a cursive style.

Garland D. Walton
Mayor

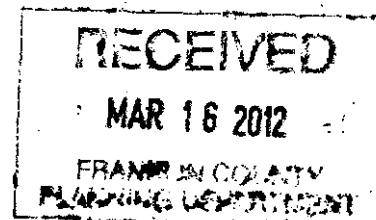


STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 14, 2012

Case Vander Meulen
Coulee Flats Dairy, LLC
P.O. Box 228
Mesa, WA 99343



Dear Mr. Vander Meulen:

The Ecology Air Quality Program (AQP) was notified under the State Environmental Policy Act (SEPA) that you have proposed a heifer replacement feedlot in Franklin County. The proposed feedlot would be located approximately 4 miles northeast of Mesa at the west end of Joyce Road.

The AQP considers a heifer replacement feedlot to be a *source of air contaminants* and that your project constitutes a new source that requires approval prior to construction under Washington Administrative Code (WAC) 173-400-110, **New source review**. All Ecology rules and laws, including Chapters 173-400 WAC and 173-460 WAC, can be found on-line linked to the Ecology homepage. I have enclosed a copy of a focus sheet that should be helpful in explaining what pre-construction activities are restricted before permit issuance. Because the focus sheet is general in nature, the AQP can provide further information on what pre-construction activities are allowed for your project.

Enclosed is a Notice of Construction (NOC) application that should be submitted to the AQP. An electronic copy of the NOC application, as well as information on the permitting process can be found linked to the Ecology homepage. Please fill out the NOC application and include sufficient supporting documentation so that we can fully understand all of the emissions units that will be part of your project. We consider the animal pens, vehicle access areas, wastewater impoundments, feed alleys, and feed handling and processing equipment to be emission units that will require approval.

The AQP worked with the Washington Cattle Feeders Association and area feed lots during the mid 1990's on fugitive dust control for existing feedlots. All parties agreed on the development of a fugitive dust control plan for existing feedlots to minimize fugitive dust emissions. A fugitive dust control plan may be required as part of a NOC approval Order for a heifer replacement feedlot.

Since your proposed project is considered a new source, all emission units will be required to meet best available control technology (BACT) for each air contaminant being discharged. Best available control technology is determined by cost analysis of the technologies or practices used to control emissions. The air contaminants that should be evaluated include particulate matter (PM₁₀ and PM_{2.5}), ammonia, and hydrogen sulfide. It is anticipated that modeling will be required to evaluate any toxic air contaminant emission impacts and compliance with the state and federal ambient air quality standards.

Case Vander Meulen
Coulee Flats Dairy, LLC
Page 2

The largest emission units at the feedlot will be the animal pens, the wastewater lagoons, and manure storage. For the cattle pens, BACT for particulate matter may be a sprinkler system that provides complete coverage and can apply water at a rate that is equal to or greater than daily evaporation. The AQP may also require you to evaluate the odor potential for manure stockpiles and runoff water lagoons due to anaerobic decomposition. The formation and release of highly odoriferous compounds from other confined animal feeding operations in the Mesa area has resulted in impacts to surrounding neighbors.

Please contact me at (509) 329-3452 if you have any questions.

Sincerely,

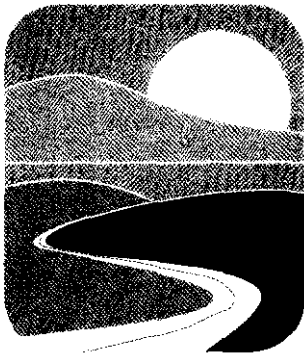


Gregory S. Flibbert, Manager
Ecology Air Quality Program

Enclosures: Notice of Construction application under cover dated July 1, 2011

Focus Sheet: Requirements for New Sources of Air Pollution, Pre-Construction Approval, June 2011

cc: Jerrod MacPherson, Planning Director, 1016 North 4th Avenue, Pasco, WA 99301
Mayor Walton, City of Connell, P.O. Box 1200, Connell, WA 99326-1200



FRANKLIN COUNTY

PUBLIC WORKS DEPARTMENT

Malcolm Bowie, P.E., County Engineer
Guy Walters, Interim Public Works Director

DATE: April 26, 2012
GW-12-001

TO: Board of County Commissioners
Franklin County, Washington

FROM: Guy Walters
Interim Public Works Director

SUBJECT: Award of Bid: **THREE (3) NEW MOTOR GRADERS**

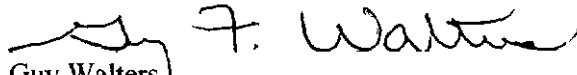
We received bids from four vendors for our 2012 Motor Grader Purchase. Rowand Machinery of Pasco, Washington was the apparent low bid. I have attached the Bid Tabulation as well as the recommendation letter of Darrel Farnsworth, Franklin County Public Works Shop Superintendent.

I recommend that the bid be awarded to Rowand Machinery of Pasco, Washington, Option 1, for two new motor graders with the option open for a third. \$94,762.50 is the total cost per motor grader which includes sales tax and trade in.


Your review and approval is hereby requested.

Dated this 26th of April, 2012

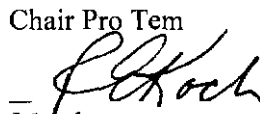
Recommended:


Guy Walters
Interim Public Works Director

Approved:


Chair


Chair Pro Tem


Member

Attest:


Clerk of the Board



PUBLIC WORKS DEPARTMENT

Malcolm Bowie, P.E., County Engineer
Guy Walters, Interim Public Works Director

DATE: April 25, 2012
DF-12-005

TO: Guy Walters

FROM: Darrel Farnsworth

SUBJECT: Motor Grader Bids

A handwritten signature in dark ink, appearing to read 'Darrel Farnsworth', is written over the 'FROM:' line of the memo.

I recommend we accept Rowand Machinery's bid for motor graders. I recommend the purchase of two new motor graders, with the option open for the third. Rowand Machinery's' bid is the best value for Franklin County. The guaranteed repurchase price of \$135,000.00 for each new motor grader, warranty and included services and filters fixes most of cost of operation. From the bid, this is Motor grader 1 and Motor Grader 2 options number 1, trading in MG-1259 and MG-1269. With sales tax and trade the total is \$94,762.50 per Motor Grader.

FRANKLIN COUNTY PUBLIC WORKS NEW MOTOR GRADER PRICE QUOTES

BID OPENING February 29, 2012	Rowand Machinery Company P.O. Box 2761 Pasco, WA 99302 <i>John Deere Model 770G</i>	Central Machinery Sales 1810 E. James Street Pasco, WA 99302 <i>Case 865B</i>	Clyde / West Inc. 4030 E. Trent Ave. Spokane, WA 99202 <i>Volvo G940B</i>	Western States Equipment 2100 E. Frontier Loop Pasco, WA 99301 <i>Caterpillar 140M2</i>
ITEM	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
MOTOR GRADER NO. 1 OPTION NO. 1				
Unit Complete as Specified	\$222,500.00			\$242,900.00
Existing Motor Grader Trade-In	\$135,000.00			\$140,000.00
SUBTOTAL	\$87,500.00	N/A		\$102,900.00
WA STATE SALES TAX	\$7,262.50			\$8,540.70
TOTAL	\$94,762.50			\$111,440.70
Guaranteed Repurchase Price After 5 Years	\$165,000.00			\$143,200.00
MOTOR GRADER NO. 1 OPTION NO. 2				
Unit Complete as Specified	\$222,500.00	\$225,000.00		\$242,900.00
Existing Motor Grader Trade-In	\$18,467.50	\$18,675.00		\$20,160.70
WA STATE SALES TAX	\$240,967.50	\$243,675.00		\$263,060.70
TOTAL				\$296,878.46
Guaranteed Repurchase Price After 5 Years	\$165,000.00	\$139,000.00		\$143,200.00
MOTOR GRADER NO. 2 OPTION NO. 1				
Unit Complete as Specified	\$222,500.00			\$242,900.00
Existing Motor Grader Trade-In	\$135,000.00			\$120,000.00
SUBTOTAL	\$87,500.00	N/A		\$122,900.00
WA STATE SALES TAX	\$7,262.50			\$10,200.70
TOTAL	\$94,762.50			\$133,100.70
Guaranteed Repurchase Price After 5 Years	\$165,000.00			\$143,200.00
MOTOR GRADER NO. 2 OPTION NO. 2				
Unit Complete as Specified	\$222,500.00	\$225,000.00		\$242,900.00
Existing Motor Grader Trade-In	\$18,467.50	\$18,675.00		\$20,160.70
WA STATE SALES TAX	\$240,967.50	\$243,675.00		\$263,060.70
TOTAL				\$296,878.46
Guaranteed Repurchase Price After 5 Years	\$165,000.00	\$139,000.00		\$175,000.00
MOTOR GRADER NO. 3 OPTION NO. 1				
Unit Complete as Specified	\$222,500.00			\$242,900.00
Existing Motor Grader Trade-In	\$135,000.00			\$95,000.00
SUBTOTAL	\$87,500.00	N/A		\$147,900.00
WA STATE SALES TAX (Math Error \$7,262.50)	\$18,467.50			\$12,275.70
TOTAL (Math Error \$94,762.50)	\$240,967.50			\$160,175.70
Guaranteed Repurchase Price After 5 Years	\$165,000.00			\$143,200.00
MOTOR GRADER NO. 3 OPTION NO. 2				
Unit Complete as Specified	\$222,500.00	\$225,000.00		\$242,900.00
Existing Motor Grader Trade-In	\$18,467.50	\$18,675.00		\$20,160.70
WA STATE SALES TAX	\$240,967.50	\$243,675.00		\$263,060.70
TOTAL				\$296,878.46
Guaranteed Repurchase Price After 5 Years	\$165,000.00	\$139,000.00		\$175,000.00


www.rowand.com

27 April 2012

Mr. Darrel Farnsworth
Equipment Superintendent
Franklin County Public Works Department
3416 Stearman Ave.
Pasco, WA 99301


Re: Clerical Error in Bid

Dear Mr. Farnsworth;

In our bid dated 2/29/2012 for three motor graders, we made a clerical error that we would hope to correct at this time. On the page for Motor Grader #3, Option 1, we inadvertently typed the figure of \$240,967.50 instead of the correct figure of \$94,762.50. Both of the previous grader offers in this bid indicated our intent to provide these graders for the same price for all three. The incorrect figure was for the machines without trades, and because of its similarity to other figures in the bid, it was not caught in our review. Addition of the other figures in Motor Grader #3, Option 1 also supports our intention to provide all three graders for the same price under the same conditions as required by the bid.

We apologize for this error, and ask your organization to accept this correction to our offer. All other terms and conditions outlined in the bid will be met as stated in our offer.

Sincerely


Jay Allen
Branch Manager
Rowand Machinery Co.
Pasco, WA

ROWAND MACHINERY COMPANY		HITACHI	DYNAPAC
	JOHN DEERE	TRAIL KING Industries	
	Blaine Hulse		
	Territory Manager Cell: 509/539-2361 bhulse@rowand.com		
	6210 W. Rowand Rd. Spokane, WA 99224 509/838-5252 800/541-0847 Fax: 509/747-2949	1907 East James Pasco, WA 99301 509/547-8813 800/338-1052 Fax: 509/547-7959	



6210 W Rowand Rd
Spokane, WA 99224
509.838.5252 • 800.541.0847
Fax 509.747.2949

53 W. Boekel Road
Hayden, ID 83835
208.762.2657
Fax: 208.762.5687

1607 E. James
Pasco, WA 99301
509.547.8813 • 800.338.1052
Fax 509.747.7959

