



## DRAFT Water Mitigation Allotment

### Applicant Address

Bailey Nursery Inc.  
1700 Holmason Rd  
Sunnyside, WA 98944

Grantor:	Selah-Moxee Irrigation District (SMID)	Certificate Number:	2025-04
Grantee:	Bailey Nursery Inc	Date Issued:	5-20-25
Parcel Number(s):	G4-32989-24		
Site Address:	See Ecology Application		
Proposed Project Description:	2025 Emergency Drought Well Lease is offered at 5 years @20% of mitigation quantity		
Water use on these parcels is from:		Mitigation Quantity: <u>8</u> AF	
<input checked="" type="checkbox"/> groundwater well(s)		Duration: <input type="checkbox"/> Purchase	
<input type="checkbox"/> surface water		<input checked="" type="checkbox"/> Lease: <u>1</u> years	

### Abbreviated Legal Description:

(see page 2 for full legal description, if needed)

### Terms and Conditions:

1. This Mitigation Certificate is for use on the above-mentioned parcel(s) and legal description only and is not transferable for use at other locations or for any other uses without SMID concurrence.
2. Grantee is required to independently develop its source of water and obtain permit approval from Ecology.
3. SMID agrees it will reserve water authority for this Draft Mitigation Certificate for the time period allotted in the "Water Right Short-Term Lease Agreement"
4. SMID may cancel this Draft Mitigation Certificate if the applicant is unable to obtain the Permit Authorization or any other Ecology approvals.
5. If Ecology grants permit authority for this project, then following payment of remaining required fees, SMID will issue a Final Mitigation Certificate to Grantee.
6. Grantee shall provide the Final Mitigation Certificate to Ecology and record it with the County Auditor.
7. If Ecology or a Court determines that any water use authorized by this Mitigation Certificate has been abandoned, relinquished, cancelled, or otherwise forfeited, then such quantity of water reverts to SMID without compensation to the Grantee. The applicant has a duty to use and protect such water for its own use.
8. SMID is pledging senior water rights held in the Ecology Trust Water Right Program to offset the Grantee's project. However, all water rights, even senior water rights held by SMID to offset this mitigation certificate, may be subject to curtailment due to drought, lack of water, or other reasons. SMID makes no guarantee against such future curtailment or of any future Department of Ecology regulation, Court adjudication, or other legal action as to the validity or use of the water right.

### Issued By

SMID

*Nathan Draper*  
District Manager

*Mark Durr*  
Manager Signature

**Full Legal Description:** *(if abbreviated on page 1)*