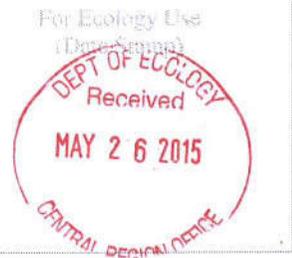




WATER RESOURCES
Application for Change/Transfer of Water Right



For filing with the Department of Ecology *or* with County Conservancy Boards

A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION IF FILED WITH THE DEPARTMENT OF ECOLOGY

(Check all that apply.)

- Change purpose(s) of use
- Add purpose(s) of use
- Change point(s) of diversion/withdrawal
- Add point(s) of diversion/withdrawal
- Change/transfer place of use
- Other (i.e. consolidation, intertie, trust water)

FOR OFFICIAL USE ONLY	
DATE APPLICATION RECEIVED	05-26-2015
CHECK NO.	5
FEE \$	EXEMPT
DATE ACCEPTED	

Explain: Request for irrigation of additional acres

COST REIMBURSEMENT
 CG4-23969C@3
 37 BENTON

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

I have participated in a pre-application conference with Ecology.

1. Applicant Information

APPLICANT/BUSINESS NAME WA State Department of Natural Resources	PHONE NO. (509) 925-8510	FAX NO. (509)925-8522
ADDRESS 713 Bowers Road		
CITY Ellensburg	STATE WA	ZIP CODE 98926
EMAIL ADDRESS (IF AVAILABLE)		

CONTACT (IF DIFFERENT FROM ABOVE) Ingrid Ekstrom or Rick Roeder (DNR)	PHONE NO. (509) 925-0944	FAX NO.
ADDRESS same		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE) ingrid.ekstrom@dnr.wa.gov or rick.roeder@dnr.wa.gov		

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE WA State Department of Natural Resources	PHONE NO.	FAX NO.
ADDRESS same		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE)		

2. Water Right Information

WATER RIGHT OR CLAIM NUMBER CG4-23969C@1	RECORDED NAME(S) Washington State Department of Natural Resources
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: _____	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
see attachment								

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
same as existing								

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: YES NO PROPOSED: YES NO - IF NO, PROVIDE OWNER(S) NAME: _____

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 317 acres	1550 gpm	535	seasonal

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 356.7 acres	1550 gpm	535	seasonal

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

E1/2SW1/4, N1/2NW1/4SW1/4, N1/2S1/2NW1/4SW1/4 of Section 4; N1/2NE1/4, N1/2S1/2NE1/4, W1/2, S1/2SE1/4 of Section 10; All of Section 14; NW1/4NW1/4 of Section 16; NE1/4, E1/2NW1/4, N1/2N1/2SW1/4, SE1/4NW1/4SW1/4, NE1/4NE1/4SW1/4SW1/4, NE1/4SE1/4, N1/2NW1/4SE1/4 of Section 20; S1/2 of Section 23; NE1/4 of Section 24; W1/2NW1/4, NE1/4NW1/4, N1/2NW1/4NE1/4, NW1/4SW1/4 of Section 25; NE1/4NW1/4, N1/2NE1/4, SE1/4NE1/4 of Section 26; all being within T. 9 N., R. 27 E.W.M. SE1/4, E1/2SW1/4, SW1/4SW1/4 of Section 32, T. 10 N., R. 27 E.W.M.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					Benton	multiple	317ac irrigated

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? YES NO

IF NO, PROVIDE OWNER(S) NAME: City of Benton City owns a small portion of the undeveloped place of use within Section 20, T. 9 N, R 27 EWM., west of Field Road.

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

See Attachments for approximate legal description and map of proposed place of use.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
							356.7ac irrigated

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? YES NO

IF NO, PROVIDE OWNER(S) NAME: Monson Snake River Orchards owns a 22.3 acre portion of the land within the proposed place of use within Section 19, T9N, R28EWM and a small portion of NE1/4NE1/4 of Section 25, T9N, R27EWM. However, the ownership interest of the entire water right CG4-23969C@1 is retained by WA State Department of Natural Resources.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
see attachment								

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
same as existing								

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: YES NO PROPOSED: YES NO – IF NO, PROVIDE OWNER(S) NAME: _____

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 317 acres	1550 gpm	535	seasonal

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 356.7 acres	1550 gpm	535	seasonal

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

E1/2SW1/4, N1/2NW1/4SW1/4, N1/2S1/2NW1/4SW1/4 of Section 4; N1/2NE1/4, N1/2S1/2NE1/4, W1/2, S1/2SE1/4 of Section 10; All of Section 14; NW1/4NW1/4 of Section 16; NE1/4, E1/2NW1/4, N1/2N1/2SW1/4, SE1/4NW1/4SW1/4, NE1/4NE1/4SW1/4SW1/4, NE1/4SE1/4, N1/2NW1/4SE1/4 of Section 20; S1/2 of Section 23; NE1/4 of Section 24; W1/2NW1/4, NE1/4NW1/4, N1/2NW1/4NE1/4, NW1/4SW1/4 of Section 25; NE1/4NW1/4, N1/2NE1/4, SE1/4NE1/4 of Section 26; all being within T. 9 N., R. 27 E.W.M. SE1/4, E1/2SW1/4, SW1/4SW1/4 of Section 32, T. 10 N., R. 27 E.W.M.

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					Benton	multiple	317ac irrigated

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? YES NO

IF NO, PROVIDE OWNER(S) NAME: City of Benton City owns a small portion of the undeveloped place of use within Section 20, T. 9 N, R 27 EWM., west of Field Road.

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

See Attachments for approximate legal description and map of proposed place of use.

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							356.7ac irrigated

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IF NO, PROVIDE OWNER(S) NAME: Monson Snake River Orchards owns a 22.3 acre portion of the land within the proposed place of use within Section 19, T9N, R28EWM and a small portion of NE1/4NE1/4 of Section 25, T9N, R27EWM. However, the ownership interest of the entire water right CG4-23969C@1 is retained by WA State Department of Natural Resources.

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

YES NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): **G4-28833P, G4-30827P, CG4-23968C@2, CG4-23977C, G4-23653C, and G4-26001C.**

6. Remarks and Other Relevant Information:

This change application is one of 5 water right change applications submitted together for the DNR's Red Mountain/Goose Gap (RMGG) project. Please refer to the attached cover letter for a general description of the change proposals. Details specific to CG4-23969C@1 are described below:

1) Irrigation of additional acres: This change application proposes to irrigate an additional 39.7 acres for a total of 356.7 acres of wine grapes within a consolidated RMGG proposed place of use. The 2004 change authorization no. CG4-23969C@1 determined a total annual quantity and annual consumptive quantity of 535 acre-ft/yr and authorized 317 acres for irrigation under the subject right. See bullet #2b of Ecology's March 18, 2004 Modification of the Board's decision. Based on a March 10, 2013 email from Ecology (D. Haller) to DNR (T. Buchholtz)(attached), the intent was for this 535afy to be used for 292.6 acres of wine grapes (at 18 inches/ac) and 23.98 acres of higher water duty crop (at 48 inches/ac). Please refer to attached email, bullet #5. DNR now wishes to plant all 356.7 acres to wine grapes under the right.

DNR asserts the attached Determined Future Development (DFD) plan, fixed in 1999, as an exemption from relinquishment for non-use of portions of the DNR RMGG water rights under RCW 90.44.140(2)(c). DNR requests that the annual consumptive quantity (ACQ) be calculated based on RCW 90.03.615 for the 5 years immediately preceding the establishment of the DFD in 1999 (5yr period: 1994 to 1998). DNR estimates the ACQ to be 593.2 acre-ft/yr (please see attached calculation table and imagery). However, in order to remain under the total authorized quantities of the right as determined in the most recent change decision (CG4-23969C@1), DNR assumes the ACQ is limited to 535 acre-ft/yr and requests to irrigate 356.7 acres of wine grapes under the subject right.

2) Farm plan and metering: DNR will provide a farm plan each year showing which crops and fields are planted under each water right. In addition, DNR will provide metering data from each well under the 7 water rights which serve ground within the proposed place of use, and DNR will summarize the data to show that yearly withdrawals comply with the total acre-ft per year quantities authorized from each source and associated water rights. Please find attached the Farm Plan Summary Table and Proposed water right Map documenting the proposed farm plan for the RMGG water rights.

3) Development Schedule status: CG4-23969C@1 is currently under an active development schedule and is in good standing with completion of construction under the 2004 change authorization due on January 10, 2016. DNR has made steady progress on the RMGG project in planting acres to wine grapes and currently has 254.2 acres planted within the existing place of use.

The following attachments provide documentation of historic water use under the water right:

- 1) Determined Future Development Plan and supporting documentation.
- 2) Existing Water Right Map
- 3) Proposed Water Right Map
- 4) Farm Plan Summary Table
- 5) 2014 Map with Field numbers and crop type
- 6) Air photos for the following years: 2006, 2009, 2011, and 2013.
- 7) March 18, 2004 Ecology Modification of Benton County Water Conservancy Board 12/20/2002 ROE/ROD for CG4-23968C@1, CG4-23969C@1, and CG4-23977C.
- 8a) Table documenting DNR's estimate of Annual Consumptive Quantity under the right based on the 5 years preceding the fixing of the DFD (1994-1998) to determine number of acres requested.
- 8b) Imagery showing irrigated acres under water right from 1994-1998.

Additional attachments include:

- 9) RMGG Water Right Summary Table
- 10) Well logs for existing points of withdrawal
- 11) Map of proposed place of use
- 12) Approximate legal description of proposed place of use
- 13) March 10, 2013 email from Ecology to DNR
- 14) Water Right Transfer summary map for CG4-23969C@1C

IF FOR SEASONAL OR TEMPORARY, START DATE ___/___/___ END DATE ___/___/___

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request. For further information, contact: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Phone (360) 570-3265.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I hereby grant staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

WA State DNR (Todd Welker - Region Manager)	<u>Todd Welker</u>	<u>5/21/15</u>
<i>Applicant Printed Name - Title</i>	<i>Applicant Signature</i>	<i>(Date)</i>
WA State DNR (Todd Welker - Region Manager)	<u>Todd Welker</u>	<u>5/21/15</u>
<i>Water Right Holder Printed Name</i>	<i>Water Right Holder Signature</i>	<i>(Date)</i>
WA State DNR (Todd Welker - Region Manager)	<u>Todd Welker</u>	<u>5/21/15</u>
<i>Land Owner of Existing Place of Use Printed Name</i>	<i>Land Owner of Existing Place of Use Signature</i>	<i>(Date)</i>
WA State DNR (Todd Welker - Region Manager)	<u>Todd Welker</u>	<u>5/21/15</u>
<i>Land Owner of Proposed Place of Use Printed Name</i>	<i>Land Owner of Proposed Place of Use Signature</i>	<i>(Date)</i>

Please check the region in which the project is located:

<p>*Submit your application to:</p> <p>DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611</p>	<input checked="" type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902-3463 (509) 575-2490	<input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Street Spokane, WA 99205-1265 (509) 329-3400
	<input type="checkbox"/> Northwest Regional Office 3190 - 160 th Avenue SE Bellevue, WA 98008-5452 (425) 649-7000	<input type="checkbox"/> Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):	
<input type="checkbox"/> APPLICATION FEE NOT ENCLOSED INCLUDED or INCOMPLETE	<input type="checkbox"/> MAP NOT
<input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED	<input type="checkbox"/> SECTION

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

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Water Right Holder Printed Name Water Right Holder Signature (Date)

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Land Owner of Existing Place of Use Printed Name Land Owner of Existing Place of Use Signature (Date)

WA State DNR (Todd Welker - Region Manager) Todd Welker 5/21/15
Land Owner of Proposed Place of Use Printed Name Land Owner of Proposed Place of Use Signature (Date)

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**ATTACHMENT FOR
Application for Change/Transfer of Water Right**

Signatures:

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- Applicant Printed Name – Title
- Water Right Holder Printed Name
- Land Owner of Existing Place of Use Printed Name
- Land Owner of Proposed Place of Use Printed Name

Applicant Signature
Water Right Holder Signature
Land Owner of Existing Place of Use Signature
Land Owner of Proposed Place of Use Signature

/ /
(Date)

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