DEPT OF ECOLOGY
Received
NOV 2 7 2013
CENTRAL REGION OFFICE

WASHINGTON STATE DEPARTMENT OF ECOLOGY

STATE OF WASHINGTON
APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS **ONLY** TO BE USED FOR THE ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

FOR OFFICE USE ONLY CHELAN

FILE No. CS4-09551C(A)@1 **WRIA** 47

DATE ACCEPTED 12 / 24 / 2013 **BY** [illegible]

FEE $ 0 **REC'D** 11 / 27 / 2013

CHECK No. 0

SEPA: ☐ **Exempt** ☐ **Not exempt**

(Check all that apply.)

☐ Lease
☐ Purchase
☒ Donation
Other
Explain: Contingent trust transfer for in-stream flow benefit and to mitigate new out-of-stream uses per approval of water apps S4-29956 and S4-31083
☒ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE:
END DATE:

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

1. Applicant Information:

APPLICANT/BUSINESS NAME	PHONE NO	FAX NO.
Bear Mountain Water District		( )
ADDRESS		
P.O. Box 3091		
CITY	STATE	ZIP CODE
Chelan	WA	98816

CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Marc Marquis, Peterson & Marquis Law Office	(509) 679-0337	( )
ADDRESS		
1227 First Street		
CITY	STATE	ZIP CODE
Wenatchee	WA	98801

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
CS4-09551C	Bear Mountain Water District

DO YOU OWN THE RIGHT? X YES ☐ NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:

HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? X YES ☐ NO
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? XYES NO

IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS

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.

CS4-09551C (CHEL-08-12) CHRoemed 07-05-2012 SPLIT TO (A) + (B)

FOR OFFICE USE ONLY

WATER RIGHT NO. _____ FILE (contract) NO. _____

CS4-09551C(A)@1

3. How is Water to be Made Available for Trust?

☐ Alteration in method of diversion	☐ Alteration in water use/ irrigated acreage
☐ Alteration in method of delivery/conveyance	☐ Nonuse of one or more points of diversion
☐ Alteration in method of water application	X Nonuse of all or a portion of the named water right
☐ Alteration in type of crop	☐ Other, Explain below:
Name of funding source(s): NA	

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Lake Chelan		SE	SW	8	27N	22E	272208705125	
		NW	NW	16	27N	22E	272216220050	

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.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Municipal	0.0877cfs	20.5af	Continuous

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
Trust transfer for in-stream benefit and to mitigate new downstream uses	20.5af

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

The service area of the 2005 Lakeview Utilities Company Water System Plan as amended in 2006, so long as the water right holder is and remains in compliance with the criteria of RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right. If the criteria of RCW 90.03..386(2) are not met and a Water System Plan/Small Water System Management Program was approved after September 9, 2003, then the place of use of the water right reverts back to the service area described in that document.

The place of use for the BMWD portion of this water right is expected to conform to any subsequently approved Bear Mountain Water District Water System Plan. Until such approval is obtained, the place of use of this water right shall be confined to the existing approved plan of the 2005 Lakeview Utilities Company Water System Plan as amended in 2006.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		7, 8,16, and 17	27N	22E	Chelan	Multiple	

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? X YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
LAKE CHELAN WHICH IS TRIBUTARY TO CHELAN RIVER AND COLUMBIA RIVER

7. Remarks and Other Relevant Information:

Proposed trust transfer is intended to serve as a component of a transfer
for in-stream benefit and to mitigate new downstream uses. Transfer is contingent upon
approval of water applications S4-29956 and S4-31083.

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.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

8. Signatures:

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

BMWD ATTY 01/06/2014
(Applicant) (Date)

SAME ____/____/____
(Water Right Holder) (Date)

SAME ____/____/____
(Land Owner(s) of Existing Place of Use) (Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE

☐ OTHER/EXPLANATION:_____

STAFF: _____ ***DATE:*** ____/____/____

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_____ ____/____/____
(Applicant) ***(Date)***

_____ ____/____/____
(Water Right Holder) ***(Date)***

_____ ____/____/____
(Land Owner(s) of Existing Place of Use) ***(Date)***

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