



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

March 13, 2014

Steven & Michelle Heck
1720 Sunset Ave SW
Seattle WA 98116

Re: Change Application CS4-00914sb3f (KITT-13-05)

Dear Mr. & Mrs. Heck:

On February 26, 2014 this office received information from the Kittitas County Conservancy Board requesting this application be withdrawn.

This letter is to notify you that application CS4-00914sb3f (KITT-13-05) has been withdrawn from the Department of Ecology processing line.

If you have any questions please contact Teresa Mitchell of this office at 509-575-2597. Thank you.

Sincerely,

Sandy Anderson
Water Resources Program

SA:ba
140344

cc: Kittitas County Water Conservancy Board

Kittitas County Water Conservancy Board

**PO Box 605
Ellensburg, Washington 98926
509 899 5707**



February 23, 2014

Washington State Department of Ecology
15 West Yakima Avenue, Suite 200
Yakima, WA 98901

Attention: Mark Dunbar

RE: Steven and Michelle Heck –our file No. KITT-13-05

Dear Mark:

The Kittitas County Water Conservancy Board is withdrawing from DOE and closing the above file at the request of the applicant. If you would please let me know if there is anything further that we need to do, to properly close this file on our end.

Sincerely,

A handwritten signature in blue ink that reads "Chery Byers".

Chery Byers
Clerk of the Board

Subject: Re: application status
From: Chery Byers (kcwcb_clerk@yahoo.com)
To: heck.michelle@gmail.com;
Cc: steve.heck@gettyimages.com; mark-crowley@conservewa.net;
Date: Friday, February 14, 2014 3:39 PM

 Thank you Michelle for the quick response. I will bring this email to the Boards attention at the meeting this coming Tuesday to have the Board withdraw your application. If we can help you in the future with anything don't hesitate to contact us. Thank you

Chery Byers
Kittitas County Water Conservancy Board Clerk
PO Box 605
Ellensburg, WA 98926
509 899 5707

On Friday, February 14, 2014 2:06 PM, Michelle Heck <heck.michelle@gmail.com> wrote:
Hi Chery,

 Thanks for you email. We would like to withdraw our application at this time.

Regards,
Michelle

On Feb 13, 2014, at 9:30 AM, Chery Byers <kcwcb_clerk@yahoo.com> wrote:

Good Morning Steve and Michelle

I am preparing our current meeting agenda and wanted to touch base with you regarding your application.

We currently have your application in an on hold status. Will you be proceeding with this process or should we withdraw your application? If you could please let me know before our next Board meeting which is Tuesday February 18th. I can update the Board of your intentions. Thank you

Chery Byers
Kittitas County Water Conservancy Board Clerk
PO Box 605
Ellensburg, WA 98926
509 899 5707

Anderson, Sandra K. (ECY)

From: Anderson, Sandra K. (ECY)
Sent: Thursday, May 02, 2013 1:31 PM
To: 'Chery Byers'
Cc: Park, Sage (ECY); Dunbar, Mark (ECY); Johnson, Roger E. (ECY)
Subject: KITT-13-04, KITT-13-05 & KITT-13-06

Hi Chery,
I've assigned Ecology control number to the above-referenced apps:

KITT-13-04	CS4-01832sb9	Ronald & Toni Carlson
KITT-13-05	CS4-00914sb3f	Steven F & Michelle Heck
KITT-13-06	CS4-00991sb9d	SK Ranches Inc

Sandy Anderson
Water Resources Program - CRO Yakima
(509)454-4172
sand461@ecy.wa.gov

Court Claim 00914 (Sub 3 Teanaway)
(from DRAFT Schedule – updated 01-29-2013)

From Draft Schedule Nov 2010, page:	Priority Date	Assigned letter for WRATS changes	Source	Claimant Name
S4-83727-J	06-30-1889 Irr 12 acres Stockwater	a	Teanaway River T20N R16E-10 SESE	Robert J Badda & Cecilia A Badda
S4-83779-J	06-30-1889 Irr 0.70 acres Stockwater	b	Teanaway River T20N R16E-10 SESE	Albeno G Carollo & Violet Carollo Michael J Carollo
S4-83728-J CS4-00914sb3c@1- can'd ChROE Split to Heck 5/2012	06-30-1889 Irr 10.8 acres Stockwater	c	Teanaway River T20N R16E-14 NWSE 0.28 cfs; 70.4 ac-ft/yr	Don Tidwell & Doris Tidwell
S4-83796-J	06-30-1890 Stockwater	d	Two unnamed springs T20N R16E-14 N2N2 T20N R16E-14 NWNE	Albeno G Carollo & Violet Carollo Michael J Carollo
S4-83729-J	06-30-1910 Irr 11.3 acres Stockwater	e	Teanaway River T20N R16E-10 SESE	Albeno G Carollo & Violet Carollo Michael J Carollo
S4-85147-J Split from Tidwell 5/2012	06-30-1889 Irr 0.77 acres Stockwater	f	Teanaway River T20N R16E-14 NWSE 0.02 cfs; 5 ac-ft/yr	Steve Heck & Michelle Heck

CLAIMANT NAME: **Steve Heck** COURT CLAIM NO. 00914
& **Michelle Heck**

Certificate Number: S4-85147-J

Subbasin: 03 Teanaway River

Source: Teanaway River

Use: Irrigation of 0.77 acres and stock water

Period of Use: May 1 through September 15

Quantity: 0.02 cubic foot per second; 5 acre-feet per year

Priority Date: **June 30, 1889**

Point of Diversion: 200 feet south and 50 feet east from the center of Section 14, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 20 N., R. 16 E.W.M., to be relocated as necessary in the future within a $\frac{1}{4}$ -mile reach of the Teanaway River's left/northerly bank within the Tidwell property located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 20 N., R. 16 E.W.M., in order to river channel changes over time caused by flooding or other erosion.

Place of Use: Lots B, C, and D of Tidwell Short Plat, SP 06-76, recorded February 1, 2007 Book 1 of Short Plats at Pages 118-119, under recording number 200702010048, being a portion of the E $\frac{1}{2}$ of Section 14, T. 20 N., R. 16 E.W.M., Kittitas County, State of Washington. (Kittitas County Assessor Parcel Numbers 952209 through 952213).

Limitations Of Use: When surplus water is available in excess of that needed to satisfy all existing rights, an additional 0.02 cfs may be diverted.

F

CLAIMANT NAME:

**Don Tidwell
& Doris Tidwell**

COURT CLAIM NO. 00914

Certificate Number:

S4-83728-J

Subbasin:

03 Teanaway River

Source:

Teanaway River

Use:

Irrigation of 10.8 acres and stock water¹

Period of Use:

May 1 through September 15

Quantity:

0.28 cubic foot per second; 70.4 acre-feet per year for irrigation

Priority Date:

June 30, 1889

Point of Diversion:

200 feet south and 50 feet east from the center of Section 14, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 20 N., R. 16 E.W.M.; but to be relocated as necessary in the future within a $\frac{1}{4}$ -mile reach of the Teanaway River's left/northerly bank on Parcel Nos. 952210 and 952211, located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 20 N., R. 16 E.W.M., in order to respond to river channel changes over time caused by flooding or other erosion.

Place of Use:

That portion of the Former Place of Use described as follows: Lot A of Tidwell Short Plat, SP-06-76, in Book 1 of Short Plats at Pages 118-119, recorded February 1, 2007, under recording number 200702010048 ("Tidwell Short Plat"), and Lot 2 of that certain survey recorded March 24, 2006, in Book 32 of surveys, Page 90, under recording number 200603240017, EXCEPT that portion of said Lot 2 that lies within the Tidwell Short Plat, being a portion of the E $\frac{1}{2}$ of Section 14, T. 20 N., R. 16 E.W.M., Kittitas County, State of Washington. (Kittitas County Assessor Parcel Numbers 952208 and 216036).

Limitations Of Use:

When surplus water is available in excess of that needed to satisfy all existing rights, an additional 0.28 cubic feet per second may be diverted. This water will normally only be available for a 30 day period in May and June.

¹ The Tidwells own approximately 6.05 acres within the described place of use for the subject claim with a house and pond. A very conservative estimate for the house and pond would be an area of at least .55 acre. This means that no more than 5.5 acres of the Tidwell parcels are irrigable. The water duty for the subject claim is 6.5 acre-feet per acre. Assuming 5.5 acres of irrigation with a water duty of 6.5 acre-feet per acre, the maximum annual quantity of water allocated to the Tidwells for irrigation cannot exceed 35.75 acre-feet. All remaining quantities of water allotted to the Tidwells that cannot be used by the Tidwells for irrigation are being held by the Tidwells until that excess water can be transferred into trust.

INFO

Comments:

This water right reflects changes approved pursuant to
Water Right Change Application No. CS4-00914sb3c@1.

*Cancelled
CHOT*

RECEIVED

Judge F. James Gavin
Ex Parte

12 MAY -3 AM 9:59

KIM EATON
EX OFFICIO CLERK OF
SUPERIOR COURT
YAKIMA, WASHINGTON

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF YAKIMA

IN THE MATTER OF THE DETERMINATION))	
OF THE RIGHTS TO THE USE OF THE)	
SURFACE WATER OF THE YAKIMA RIVER))	No. 77-2-01484-5
DRAINAGE BASIN, IN ACCORDANCE)	
WITH THE PROVISIONS OF CHAPTER)	ORDERING JOINING PARTY
90.03, REVISED CODE OF WASHINGTON)	AND DIVIDING WATER
)	RIGHTS
STATE OF WASHINGTON DEPARTMENT)	
OF ECOLOGY,)	COURT CLAIM NO. 00914
)	
Plaintiff,)	SUBBASIN NO. 3 (TEANAWAY)
)	
vs.)	
)	
JAMES J. ACQUAVELLA, et al.)	
)	
Defendants.)	
)	
)	
)	
)	

THIS MATTER having come before this Court upon the Motion of DON AND DORIS TIDWELL to join STEVEN AND MICHELLE HECK, and to divide their water rights, and the Court having heard from all interested parties, if any, and being otherwise fully advised,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT the water rights previously confirmed hereunder in favor of DON AND DORIS TIDWELL are hereby divided among the parties, as follows, with STEVEN AND MICHELLE HECK being joined as parties in the above captioned proceedings, as applicable:

Claimant Names: Steve and Michelle Heck, husband and wife;

Claimant Address: 1720 Sunset Ave SW, Seattle, WA 98116

ORDER-1

22,464

1 Telephone No: (206) 925-5000
2 Court Claim No.: 000914
3 Purpose of Use: Irrigation of 0.77 acres & stockwater
4 Period of Use: May 1 through September 15
5 Share of Quantity: Qi: 0.30 cfs Qa: Five (5) acre feet/year
6 Priority Date: June 30, 1889
7 Point of diversion/withdrawal: 200 feet south and 50 feet east from the center of Section
8 14, being within the NW ¼ SE ¼ of Section 14, T20N, R16E, W.M., to be relocated as necessary in
9 the future within a ¼ mile reach of the Teanaway River's left/northerly bank within the Tidwell
10 property located within the NW ¼ SE ¼ of Section 14, T20N, R16E, W.M., in order to respond to
11 river channel changes over time caused by flooding or other erosion.

12 Existing provisions: When surplus water is available in excess of that needed to satisfy all
13 existing rights, an additional 0.30 cfs may be diverted.

14 Place of Use: Lots B, C, and D of Tidwell Short Plat, SP 06-76, recorded February 1, 2007,
15 Book 1 of Short Plats at Pages 118-119, under recording number 200702010048, being a portion of
16 the East half of Section 14, Township 20 North, Range 16 East, W.M., Kittitas County, State of
17 Washington. (Kittitas County Assessor Parcel Numbers 952209 through 952213).

18 A;; remaining real property, the water rights appurtenant thereto, and the water rights not
19 otherwise conveyed to STEVEN AND MICHELLE HECK, were retained by DON AND DORIS
20 TIDWELL and are described as follows:

21 Claimant Names: Don and Doris Tidwell
22 Source: Teanaway River
23 Priority Date: June 30, 1889
24 Purpose of Use: Irrigation of 10.8 acres & stockwater
25 Share of Quantity: Qi: 0.30 cfs Qa: 75.4 acre feet/year
26 Period of Use: May 1 through September 15
27 Place of Use: That portion of the westerly 460 feet of the SW ¼ NE ¼
28 of Section 14, T20N, R16E, W.M., lying south of the Teanaway Road, EXCEPT the east 30 feet
ORDER-2

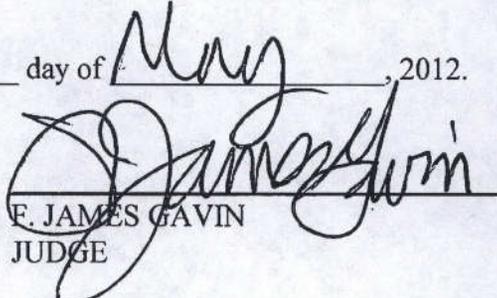
1 thereof, AND EXCEPT Lots B, C, and D of Tidwell Short Plat, SP 06-76, recorded February 1, 2007,
2 Book 1 of Short Plats at Pages 118-119, under recording number 200702010048, being a portion of
3 the East half of Section 14, Township 20 North, Range 16 East, W.M., Kittitas County, State of
4 Washington.

5 Tax Parcel Numbers: 952208 and 216036.

6 Point of diversion/withdrawal: 200 feet south and 50 feet east from the center of Section
7 14, being within the NW ¼ SE ¼ of Section 14, T20N, R16E, W.M., to be relocated as necessary in
8 the future within a ¼ mile reach of the Teanaway River's left/northerly bank within the Tidwell
9 property located within the NW ¼ SE ¼ of Section 14, T20N, R16E, W.M., in order to respond to
10 river channel changes over time caused by flooding or other erosion.

11 Existing provisions: When surplus water is available in excess of that needed to satisfy all
12 existing rights, an additional 0.30 cfs may be diverted.

13
14 DONE IN OPEN COURT this 3 day of May, 2012.

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16 
17 F. JAMES GAVIN
18 JUDGE
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