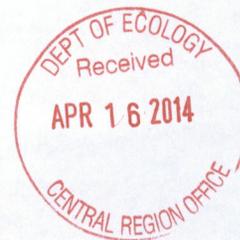




# Application for a Water Right Permit

For Ecology Use  
(Date Stamp)



\$50  
# 3183  
4-16-14  
TJB

Follow the attached instructions. Attach additional sheets as necessary.

- GROUND WATER       SURFACE WATER
- PERMANENT       SHORT TERM       TEMPORARY
- DROUGHT

**\*A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION.**

## Section 1. APPLICANT

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

Applicant/Business Name: Zirkle Fruit Company		Phone No: (509) 697-6101	Other No:
Address: PO Box 190			
City: Selah		State: WA	Zip: 98942
Email Address (if available):			

Contact Name (if different from above): Bill Wangler, JR		Phone No: same	Other No:
Relationship to Applicant: CFO and Secretary			
Address: same			
City:		State:	Zip:
Email Address (if available):			

Legal Land Owner or Part Owner Name of the Proposed Place of Use: Global Ag Properties USA LLC		Phone No: (217) 352-6000	Other No:
Address: 2004 Fox Drive Suite L			
City: Champaign		State: IL	Zip: 61820
Email Address (if available):			

For Ecology Use	APPLICATION NO: <u>54-33116</u>	SEPA: Exempt/Not Exempt
	Fee Paid: <u>50<sup>00</sup></u> Check No: <u>3183</u> <u>04-16-2014</u> ECY Coding: 001-001-WR1-0285-000011	
Date Returned _____	By _____	Priority Date <u>04-16-2014</u> By <u>[Signature]</u> WRIA: <u>44 DOUGLAS</u>
Pre-application interviewer:		

**Section 2. STATEMENT OF INTENT**

Do you own the land on which the proposed point of diversion/withdrawal is located?  YES  NO  
 If no, do you have legal authority to make this application for use of another's land?  YES  NO  
 River shore is within Corps of Engineers take line, but we have permission for the pump station.

Briefly describe the purpose of your proposed project: To irrigate approximately 47 acres of agricultural lands. This permit is being mitigated for 2014 by two water rights which are simultaneously being enrolled in the trust program. Zirkle has leased the rights for 2014 for this purpose. See Section 5.

Anticipated length of time to complete your project: With permit.

**Water Use** List all purposes for which water will be applied to a beneficial use and list quantity required for each.

Purpose(s) of Use	Rate (check one box only)		Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
	<input checked="" type="checkbox"/> Cubic Feet per Second (CFS)	<input type="checkbox"/> Gallons per Minute (GPM)		
irrigation	0.83 cfs		162 af/yr	Seasonal
<b>TOTAL:</b>	0.83 cfs		162 af/yr	

**Short Term/Temporary Water Use**

Is this a request for a short term project (less than four months and non-recurring)?  YES  NO

Is this request for a temporary permit?  YES  NO

If yes to either question above, indicate the dates that the water will be needed:

FROM: 04/01/2014 TO: 10/31/2014

**Section 3. POINT OF DIVERSION OR WITHDRAWAL**

(Complete A or B, and C below)

A.) If Surface Water Source	B.) If Ground Water Source
<input type="checkbox"/> Spring <input type="checkbox"/> Creek <input checked="" type="checkbox"/> River <input type="checkbox"/> Lake <input type="checkbox"/> Other: _____ Source Name: <u>Columbia River</u> Tributary to: <u>Pacific Ocean</u> Number of proposed diversion points: <u>Two</u> Do you have an existing diversion? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> Well(s) <input type="checkbox"/> Other: _____ _____ Well diameter & depth: _____ Number of proposed points of withdrawal: _____ Do you have an existing well? <input type="checkbox"/> YES <input type="checkbox"/> NO If available, attach Water Well Report and pump test. Well Tag ID No. _____

C.) Point of Diversion/Withdrawal – Legal Description						
Parcel No.	¼	¼	Section	Township	Range	County
212228-20021	GL	8	21	21N	22E	Douglas
Lot(s)	Block(s)		Subdivision			
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: <u>50</u> Feet ( <input checked="" type="checkbox"/> North/ <input type="checkbox"/> South) and <u>4100</u> feet ( <input type="checkbox"/> East/ <input checked="" type="checkbox"/> West) from the ( <input type="checkbox"/> NW <input type="checkbox"/> SW <input type="checkbox"/> NE <input checked="" type="checkbox"/> SE <input type="checkbox"/> ____) corner of Section <u>21</u> .						
Parcel No.	¼	¼	Section	Township	Range	County
212228-20016,20006,ptn 20017, ptn 20015	GL	4	28	21N	22E	Douglas
Lot(s)	Block(s)		Subdivision			
If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner: <u>1750</u> feet ( <input type="checkbox"/> North/ <input checked="" type="checkbox"/> South) and <u>4300</u> feet ( <input type="checkbox"/> East/ <input checked="" type="checkbox"/> West) from the ( <input type="checkbox"/> NW <input type="checkbox"/> SW <input checked="" type="checkbox"/> NE <input type="checkbox"/> SE <input type="checkbox"/> ____) corner of Section <u>28</u> .						

44  
Douglas

NOTE: If more than two points of diversion/withdrawal attach additional information on a separate sheet of paper.

### Section 4. PLACE OF USE

Attach a copy of the legal description of the property (on which the water will be used) taken from a real estate contract, property deed or title insurance policy, or copy it carefully in the space below.

See Attachment.						
¼	¼	Section	Twp.	Range	County	Parcel No.
		21,22	21N	22E	Douglas	

Do you own all the lands on which the proposed place of use is located?  YES  NO.

If no, do you have legal authority to make this application for use of another's land?  YES  NO  
 Provide owner name(s), address, and phone number: Global Ag Properties USA LLC; 2004 Fox Drive Suite L; Champaign, IL 61820; (217) 352-6000. Zirkle is lessee / operator of the farm.

Are there any other water rights or claims associated with this property or water system?  YES  NO  
 If yes, provide the water right and/or claim numbers: Irrigation water system has two certificates, Nos. 10860 and S4-24500C.

Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map.

## Attachment: Place of Use Description

That portion of the E1/2SE1/4 and S1/2SW1/4SE1/4 Section 21, T. 21 N., R. 22 E.W.M., Douglas County, Washington, more particularly described as follows:

Beginning at the SE corner of Section 21, thence S 89°32'31" W 2651.28 feet along the S line of said section to the S1/4 corner thereof, thence N 00°48'50" E 425.0 feet along the W side of said SE1/4, thence N 89°32'31" E 1321.80 feet to the W side of the SE1/4SE1/4, thence N 44°52'26" E 1325.61 feet, thence N 73°00'40" E 400.0 feet to a point on the E side of Section 21, thence S 00°13'02" E 1470.63 feet to the Point of Beginning.

That portion of the W1/2SW1/4 Section 22, T. 21 N., R. 22 E.W.M., Douglas County, Washington, described as follows:

Beginning at a point on the W line of said Section 22, which point is 369.70 feet N of the SW corner of said Section 22, thence N along said W line to the centerline of the Bonneville Power Administration substation easement road, thence Easterly along said easement road to the Westerly right of way line of SR 28, thence Southerly along said Westerly right of way line to the centerline of the Bonneville Power Administration spur railroad line, thence Westerly along the centerline of said spur railroad line to the Point of Beginning; EXCEPT any portion thereof deeded to Douglas County for road purposes contiguous to and abutting SR 28.

Douglas County Parcel Nos. ptn 21222820020, ptn 21222820005, 21222210004.

**Section 5. WATER SYSTEM DESCRIPTION**

Describe your proposed water system (include type and size of devices used to divert or withdraw water from source): An existing irrigation system that supplies the CRO Farm delivers water to the acreage requested in this application. Zirkle is in the process of bringing water right coverage to these lands and in the meantime has leased two water rights from Riverview at Crescent Bar, LLC to balance the water use. The trust enrollment applications for the two Riverview rights being leased are filed concurrently: on Certificate Nos. 7263(B) and S3-22143C. Both of these rights were upstream surface water certificates prior to being purchased and transferred to the Riverview project. The Riverview project is a development known as Sunsera, located at Crescent Bar, approximately 8 river miles downstream from the CRO Farm where this temporary permit is requested (all within Wanapum pool). Sunsera has acquired several rights over the years to supply its development, and used the "lease" water on site under valid change authorizations. Riverview bought the subject water rights while it was trying to acquire a much larger right for its development. When that transfer failed it actively pursued Lake Roosevelt storage / mitigated rights and can now supply its needs from that permit and other rights while allowing the two lease rights to go unused for 2014.

**Section 6. DOMESTIC WATER SUPPLY SYSTEM INFORMATION**

(Complete A or B, and C below)

A.) Domestic Water Systems only	B.) Municipal Water Systems only <i>(defined under RCW 90.03.015)</i>
Projected number of connections to be served: _____  Type of connections: _____ <i>(e.g., home, recreational cabin)</i>	Present population to be served water: _____  Estimate future population to be served: _____ (20 year projection)
<b>C.) Water System Planning</b>	
Do you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, date plan was approved ____/____/____ Water System Number: _____ Name of water system: _____ Are you within the service area of an existing water system? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, explain why you are unable to connect to the system: _____ _____ _____	

**Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES**

**Irrigation**

Total number of acres requested to be irrigated under this application = approx. 47 ACRES

NOTE: Outline the area to be irrigated on your attached map.

**Stockwater**

List number and kind of stock: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is the proposed project for a dairy farm?  YES  NO

**Other Proposed Farm Uses**

Describe all proposed uses: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Family Farm Water Act (RCW 90.66):**

Calculate the acreage in which you have a controlling interest, including only:

- Acreage irrigated under water rights acquired after December 8, 1977,
- Acreage proposed to be irrigated under this application, and
- Acreage proposed to be irrigated under other pending application(s).

Is the combined acreage under existing rights greater than 6000 acres?  YES  NO

Do you have a controlling interest in a Family Farm Development Permit?  YES  NO

If yes, enter Permit No: \_\_\_\_\_

**Section 8. OTHER WATER USES**

**Hydropower**

Indicate total feet of head \_\_\_\_\_ and proposed capacity in kilowatts: \_\_\_\_\_

Describe works: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Indicate all uses to which power is to be applied: \_\_\_\_\_

FERC License No: \_\_\_\_\_

**Mining/Industrial Use**

Describe use, method of supplying and utilizing water: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Other Use**

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**Section 9. WATER STORAGE**

Will you be using a dam, dike, or other structure to retain or store water?  YES  NO

Are you proposing to store more than 10 acre-feet of water?  YES  NO

Will the water depth be 10 feet or more?  YES  NO

If you answered yes to any of the above questions, please describe: A reservoir application is pending,

No. R4-35211.

*NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point and some portion of the storage will be above grade, you must also complete an Application for Permit to Construct a Reservoir and a Dam Construction Permit and Application.*

**Section 10. DRIVING DIRECTIONS**

Provide detailed driving directions to the project site: From Yakima, I-82W to I-90E. Take exit 149 to SR 281 N to Quincy. At Quincy turn left onto Hwy 28 W / F Street. Go 14.6 miles and turn left onto CRO Road, entry to farm; check in at farm office.

Site Address: 1510 SR 28, Rock Island WA 98850

**Section 11. REQUIRED SIGNATURES**

I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

*William W. Wangler, JR.,*  
CFO and Secretary of Zirkle Fruit Company  
 Print Name  
 (Applicant or authorized representative)

*William W. Wangler* 04.16.14  
 Signature Date

*Global Ag Properties USA LLC by*  
*Roderick T. Robertson for its manager*  
Westchester Group Investment Management, Inc.  
 Print Name  
 (Legal Owner or Part Owner Place of Use)

\_\_\_\_\_  
 Signature Date

**Please check the region in which the project is located:**

<p><b>*Submit your application to:</b>                   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 (509) 575-2490	<input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Spokane, WA 99205-1295 (509) 329-3400
	<input type="checkbox"/> Northwest Regional Office 3190 – 160 <sup>th</sup> 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

If you need this document in an alternate format, please call the Water Resources Program at 360-407-6872.  
 Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

If you have questions about your application, contact the Water Resources program at the regional office in which your project is located.

