



STATE OF WASHINGTON

# SEASONAL CHANGE APPLICATION

15 MAR 30 A8:39

GROUND WATER  SURFACE WATER (OFFICIAL USE) WRITE

DEPT. OF ECOLOGY  
FISCAL & BUDGET

**A NON-REFUNDABLE \$50.00 FILING FEE PAYABLE TO THE DEPARTMENT OF ECOLOGY MUST ACCOMPANY THIS APPLICATION**

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

## 1. APPLICANT INFORMATION:

APPLICANT/BUSINESS NAME ConAgra Foods Lamb Weston, Inc	PHONE NUMBER (509) 875-4010	FAX NUMBER ( )
ADDRESS PO Box 1900		
CITY Pasco	STATE WA	ZIP CODE 99302



CONTACT NAME (IF DIFFERENT FROM ABOVE) Matt Hawley	PHONE NUMBER ( ) same	FAX NUMBER ( )
ADDRESS		
CITY	STATE	ZIP CODE

## 2. WATER RIGHT INFORMATION: (One water right per application)

WATER RIGHT OR CLAIM NUMBER Portion of Surface Water Certificate (SWC) No. 9974* *As changed by Ecology Order dated 12/15/1987 (attached); and including all rights in that portion of SWC 9974 allocated to the Colbert party in that certain Order and Judgment dated July 19, 1994; Okanogan County Superior Court Cause No. 91-2-00227-6 (attached). Also note change approved by Water Board 10/25/2007 and Ecology 1/11/2008.	RECORDED NAME(S) Lake Wallula Vineyards, LLC
DO YOU HOLD LEGAL TITLE TO THE RIGHT TO BE CHANGED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO ConAgra Foods Lamb Weston, Inc. is leasing the water right from Lake Wallula Vineyards for the 2015-2016 seasons. IF NO, PROVIDE OWNER(S) NAME: Andy Den Hoed, Jr; managing member; Lake Wallula Vineyards, LLC; 63802 N Wilgus Rd, Grandview WA 98930.	

## 3. POINT(S) OF DIVERSION/WITHDRAWAL:

### A. EXISTING

SOURCE	#	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Okanogan River [1] (via two wells w/in the SE1/4NW1/4 Sec. 20)		GL	7	20	37N	27E	3727200150	
		GL	7	20	37N	27E	3727200150	
Columbia River [2] via pump diversion and two proposed well sites all within Benton County		Gov't Lot 4		27	6N	30E	127603000001000	(river)
		SENEorNESE		27	6N	30E	127603000001000	not yet drilled
		S1/2SE1/4		23	6N	30E	123604000000000	not yet drilled

[1] Ecology Order dated 12/15/1987; and that portion of SWC 9974 allocated to the Colbert party in that certain Order and Judgment dated July 19, 1994; Okanogan County Superior Court Cause No. 91-2-00227-6.

[2] Change approved by Water Board 10/25/2007 and Ecology (with modification) 1/11/2008.

### B. PROPOSED

SOURCE	#	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Columbia River		SW1/4	NE1/4	8	5N	26E	108563000001000	

DO YOU OWN THE EXISTING AND/OR PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL? No (Existing) and Yes (Proposed).  
EXISTING  YES  NO PROPOSED  YES  NO - IF NO, PROVIDE OWNER(S) NAME: Existing owned by Wallula; Proposed owned by ConAgra with access by permission from USACE.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner for the above point(s) of diversion/withdrawal, please include an attachment. See Item No. 5 for diversion location.

If you require this document in an alternate format, please contact the Water Resources Program at (360) 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

CS4-SWC 9974(A)

CS4-SWC 9974(A) e6

**4. PLACE OF USE:**

**A. EXISTING**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

**12/15/87 Order and Superior Court:**

SW1/4SE1/4 Sec. 7 and NW1/4NE1/4 Sec. 18; all within T. 37 N., R. 27 E.W.M. as per Okanogan County Superior Court July 19, 1994 order. For prior description see Ecology 12/15/1987 change order.

**Change approved by Water Board 10/25/2007 and Ecology (with modification) 1/11/2008:** See Attachment list. Parcel Nos. 3727072003,3727181004.

1/4	1/4	SEC.	TWP.	RGE.	COUNTY	TOTAL # OF IRRIGATED ACRES
					Okanogan	20

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

Wallula owns all lands where 20 water right acres were located as determined by superior court order, and Wallula also owns land under change approved by Water Board 10/25/2007 and Ecology 1/11/2008.

**B. PROPOSED**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PROPOSED TO BE USED:

Within NW1/4 Sec. 34 and north 3000 feet of the E1/2 Sec. 33, T. 6 N., R. 26 E.W.M.

Zephyr Ridge Vineyard parcels: ptn 133662000002004, 134662000004000. ConAgra parcels:

ptn 133662000002006, ptn 133661000001002; ptn 134661000002002, 1003; ptn 134662000002001.

1/4	1/4	SEC.	TWP.	RGE.	COUNTY	TOTAL # OF IRRIGATED ACRES
		33, 34	6N	26E	Benton	45.5 water right acres

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

Zephyr Ridge Vineyard LLC owns lands to be irrigated, ConAgra owns other lands within above description. ConAgra and Zephyr cooperate in the supply of water to these lands.

*Attach a detailed map of your proposed seasonal change. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. Also, for irrigation purposes, you must indicate on the map those lands that will not be irrigated within the original place of use. Maps are Attached.*

ARE THERE ANY PENDING APPLICATIONS, WATER RIGHTS OR CLAIMS RELATED TO THE SAME PROPERTY AS THE ONE PROPOSED FOR CHANGE?  YES  NO – IF YES, PROVIDE THE NUMBER(S): There are other permits at the ConAgra proposed site with partly overlapping places of use: SWP 16571(D), CS4-28590(B)C.

*Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. This may be included in your irrigation plan.*

**5. REMARKS AND OTHER RELEVANT INFORMATION:**

This change request is similar to seasonal changes requested since the 2011 season. In this request, only one water right, instead of two, is requested for change due to a smaller amount of water being needed.

This change request is for the 2015-2016 irrigation seasons. ConAgra is making the request in cooperation with Lake Wallula Vineyards. The entire right under SWC 9974 is requested for change. It is owned entirely by Wallula. An approved change also applies to this Certificate, owned entirely by Wallula. ConAgra is leasing this right from Wallula for the 2015-2016 irrigation seasons. ConAgra is seeking assistance from Ecology in pursuing the seasonal change in the most expedient fashion that maximizes the available right.

In concert with this application, for the 2015 season and 2016 if needed, each right is planned for participation in the trust water right program, expressly for instream flow within the benefited reaches, and as deemed necessary by Ecology. Quantities requested for seasonal change are:

WATER RIGHT NUMBER	PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
SWC9974(A)	irrigation of up to 45.5 acres	0.31 cfs	64.5 af/yr*	3/1-11/30

\*Taken from Ecology's prior seasonal change, decision report on this water right dated July 18, 2011, page 7. This is 60 af/yr consumptive use with a 93% consumptive application rate (4.5 af/yr non-consumptive conveyance).

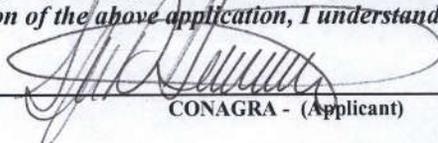
The proposed water source for both applications for 2015-2016 will be via diversion from the Columbia River.

Existing station located approximately:

2100 feet S and 354 feet E from the N1/4 corner of Sec. 8, T. 5 N., R. 26 E.W.M., Benton County.

**6. 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 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.*

  
 \_\_\_\_\_  
 CONAGRA - (Applicant)

02/27/2015  
 \_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 LAKE WALLULA - (Water Right Holder)

\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 LAKE WALLULA - (Land Owner(s) of Existing Place of Use)

\_\_\_\_\_  
 (Date)

NOTE: SIGNATURE OF ZEPHYR RIDGE VINEYARD, OWNER WHERE WATER WILL BE USED, TO BE PROVIDED SEPARATELY.

*If you require this document in an alternate format, please contact the Water Resources Program at (360) 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.*

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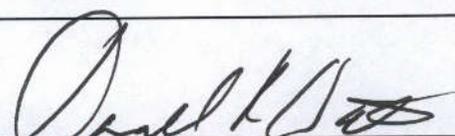
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**\*\*\* ADDITIONAL SIGNATURE FOR 2015-2016 SEASONAL REQUEST\*\*\***

\_\_\_\_\_ / /

**X**  \_\_\_\_\_ / /

ZEPHYR RIDGE VINEYARD LLC - (Land Owner(s) of Portion Transfer Place of Use) (Date)

NOTE: ZEPHYR RIDGE VINEYARD LLC permission is granted for 2015-2016 years if needed.

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