



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**

FOR OFFICIAL USE ONLY
DATE APPLICATION RECEIVED <i>05-26-2015</i>
CHECK NO. <i>6</i>
FEE \$ <i>EXEMPT</i>
DATE ACCEPTED

(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)

Explain: _____

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

COST REIMBURSEMENT
CG4-23968C@3
37 BENTON

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 CG4-23968C@2	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 820 acres	3800 gpm	1230	seasonal

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 820 acres	3800 gpm	1230	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; SW1/4 of Section 22; 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; NE1/4, N1/2NW1/4, N1/2S1/2NW1/4 of Section 27; 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	820ac 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
							820ac 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 CG4-23968C@2 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 #
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DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

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 SE1/4, E1/2SW1/4, SW1/4SW1/4 of Section 32, T. 10 N., R. 27 E.W.M.

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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, CG4-23969C@1, 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 CG4-23968C@2 are described below and presented in the attachments:

1) Proposed place of use change: DNR requests a consolidated place of use for its RMGG water right nos. CG4-23968C@2, CG4-23977C, CG4-23969C@1, G4-30827P, and G4-28833P. The reason for the consolidated place of use change is to resolve issues with water use under the existing water rights and to allow flexibility in new plantings. Specifically, water right issues to be resolved are as follows:

a.) Authorized POWs: Currently, portions of the irrigated acres within the authorized places of use (POU) for G4-28833P and CG4-23968C@2 are served by wells not authorized by the respective water right. That is, some fields within POU for CG4-23968C@2 are irrigated with water withdrawn from the authorized POWs for G4-28833P. The opposite is also true. To resolve this issue, first a consolidated place of use is proposed as part of this change and water rights are reassigned field-by-field based on the wells that serve a particular field. Secondly, re-piping of 34 acres within Section 23 is also proposed to extend the "lower/deep system" (using wells authorized by G4-28833P) to lands currently served by the "upper/shallow system" (using wells authorized by CG4-23968C@2 and G4-30827P). Please refer to the attached maps and table (Existing water right map, Proposed water right map, and Farm plan summary table) for field-by-field proposal.

b.) Existing limits on consumptive use and annual quantities: 4 of the 5 above water rights were changed in the past to add additional acres and are subject to consumptive use limits under their respective change authorizations. Given the crop types within the existing places of use for each of these water rights (see Farm Plan Summary Table), G4-28833P currently exceeds its consumptive use limit and CG4-23968C@2 is projected to slightly exceed its limit at full use, while G4-30827P is projected to underutilize its total annual quantity at full use. The consolidated place of use also allows this issue to be resolved by reassigning water rights field-by-field based on crop type and water use so that G4-30827P covers more high duty crops, G4-28833P covers more low duty wine grapes, and CG4-23968C@2 only covers wine grapes. Please refer to the attached Farm Plan Summary Table for field-by-field proposal.

c.) Irrigation outside existing POU: Finally, the consolidated place of use is proposed to include fields that have been planted and irrigated outside the existing POUs for DNR's RMGG water rights (see Existing WR map). The Proposed water right map and the Farm plan summary table show how the fields currently outside the POUs are proposed to be reassigned to specific water rights within the proposed consolidated place of use. Specifically, CG4-23968C@2 is proposed to cover the 10.9 acre field in Section 26 and G4-28833P is proposed to cover 56.7 acres of fields within Sections 25 and 19 outside currently authorized POUs.

d.) Emergency backup supply. DNR requests that the POW systems south and west of I-82 be intertied during limited periods of peak frost water demand and when emergency backup is needed (for example, pump repair or emergency water shortage from a given well/system). The meter reporting will be used to ensure compliance with water quantity limits under each water right and source.

2) No additional acres: CG4-23968C@2 was changed in 2004 to add acres with the intent to irrigate 820 acres of wine grapes at a 1.5ft duty. No additional spreading is proposed under this change application.

3) 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 respective water rights (5 of which are proposed for change) and will summarize the data to show that yearly withdrawals comply with the total acre-ft per year quantities authorized from each source.

4) Development Schedule status: CG4-23968C@2 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 in planting acres to wine grapes and currently has 717.3 acres planted

within the existing place of use. As a result of this change proposal, DNR proposes to have the full 820 acres served by reassigning fields to CG4-23968C@2 to cover irrigated lands not currently served by a water right and to match consumptive use limits with on the ground crop types and source wells, as described above.

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.

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) Water Right Transfer summary map for CG4-23968C@2

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>
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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 - 160th 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):

- APPLICATION FEE NOT ENCLOSED MAP NOT

*visually impaired, call Ecology Water Resources Program
is with speech disability may call TTY at 877-833-6341.*

within the existing place of use. As a result of this change proposal, DNR proposes to have the full 820 acres served by reassigning fields to CG4-23968C@2 to cover irrigated lands not currently served by a water right and to match consumptive use limits with on the ground crop types and source wells, as described above.

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

Point(s) of Diversion/Withdrawal - Existing Proposed:

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
well (KID #3/GG#5)		SW	SW	23	09N	27E		
well (KID #4/GG#4)		SW	NW	25	09N	27E		
well (Benton 40)		NW	NW	16	09N	27E		AAS907
well (well#5 - not drilled)		SE	NW	20	09N	27E		

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? YES NO

IF NO, PROVIDE OWNER(S) NAME: _____

Approximate locations of existing wells from nearest section corner:

KID#3: 1250 feet North and 1250 feet East of the SW corner of Section 23, T. 9 N., R. 27 E.W.M.

KID#4: 80 feet North and 680 feet East of the West quarter corner of Section 25, T. 9 N., R. 27 E.W.M.

Benton 40: 805 feet South and 650 feet East of the NW corner of Section 16, T. 9 N., R. 27 E.W.M.

NOTES:

- Existing wells and quarter-quarter well locations are the same as those authorized in the 03/11/2004 Benton County Water Conservancy Board decision as affirmed by the Department of Ecology on 04/15/2004. The legal descriptions are revised slightly here to reflect approximate well locations based on site visits.

Purpose(s) of Use - Existing Proposed:

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

Place of Use - Existing Proposed:

LEGAL DESCRIPTION OF LANDS							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

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

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