

For Ecology
(Date Stamp)



WATER RESOURCES Application for Change/Transfer of a Water Right

~~YAKI-15-03~~ YAKI-15-06

You must include a \$50.00 minimum filing fee with this application for:

(Check all that apply.)

- Change purpose(s) of use
- Add purpose(s) of use
- Change/transfer place of use
- Change point(s) of diversion/withdrawal
- Add point(s) of diversion/withdrawal
- Other (i.e. consolidation, intertie, trust water)

Explain: Change Season of Use

No filing fee is required for applications for:

- Drought
- Cost Reimbursement
- Water Conservancy Board

FOR OFFICIAL USE ONLY	
DATE APPLICATION RECEIVED	<u>08-14-2015</u>
CHECK NO. <u>5</u>	FEE \$ <u>5</u>
DATE ACCEPTED <u>09-23-2015</u>	BY <u>5</u>
CHANGE NO. <u>C64-28991C</u>	
COUNTY <u>YAKIMA</u>	WRIA <u>37</u>
SPECIAL AREA	
SEPA: <input type="checkbox"/> EXEMPT <input type="checkbox"/> NOT EXEMPT	
ECY CODING: 001-002-WR10285-000011	
APP NO. _____	PERMIT NO. _____
CERT NO. _____	CERT OF CHG NO. _____

I have completed a pre-application consultation with Ecology.

1. Applicant Information

APPLICANT/BUSINESS NAME Borton and Sons, Inc	PHONE NO. (509) 945-3717	FAX NO.
ADDRESS 2550 Borton Road		
CITY Yakima	STATE WA	ZIP CODE 98903-9766
EMAIL ADDRESS (IF AVAILABLE) malcolm@bortonfruit.com		
CONTACT (IF DIFFERENT FROM ABOVE) Malcolm Hanks	PHONE NO. (509) 945-3717	FAX NO.
ADDRESS 2550 Borton Road		
CITY Yakima	STATE WA	ZIP CODE 98903-9766
EMAIL ADDRESS (IF AVAILABLE) malcolm@bortonfruit.com		
LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE Borton and Sons, Inc.	PHONE NO. (509) 945-3717	FAX NO.
ADDRESS 2550 Borton Road		
CITY Yakima	STATE WA	ZIP CODE 98903-9766
EMAIL ADDRESS (IF AVAILABLE) malcolm@bortonfruit.com		

YAKI-15-06

C64-28991C

ECY 040-1-97 (Rev 04-2015) To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

~~YAKI-15-03~~

2. Water Right Information

WATER RIGHT OR CLAIM NUMBER G4-28991C	RECORDED NAME(S) Borton and Sons, Inc
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 USED AS AUTHORIZED IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

- Attach copies of any documentation that shows the historical use of water that has occurred since the right was established.
- 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 #
Well		NW	SW	02	12N	18E	18120232003	

B. Proposed (if different from 3.A.)

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Well		NE	SW	02	12N	18E	18120231002	BHT988

C. DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: YES NO PROPOSED: YES NO – IF NO, PROVIDE OWNER NAME(S): _____

- Include copies of all associated water well reports.
- 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 40 acres	200 gpm	160	April 1 to October 31

B. Proposed (if different from 4.A.)

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Industrial & Irrigation of 40 acres	200 gpm	160	Year Round

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Within the NW1/4 SW1/4 of Section 2, Township 12 N., Range 18 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NW	SW	02	12N	18E	Yakima	18120232003	40
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO							
IF NO, PROVIDE OWNER NAME(S):							

B. Proposed (if different than 5.A.)

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
Within the N½ of the SW¼, the N½ of the SW¼ of the SW¼, and the W¼ of the SE¼ of the SW¼ of Section 2 all lying North of Ahtanum Creek; and the N½ of the SE¼, the N½ of the SE¼ of the SE¼ and the W½ of Lot 3 of Section 3, Township 12 N., Range 18 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		2 & 3	12 N	18 E	Yakima	See Attachment 4	188.3
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO							
IF NO, PROVIDE OWNER NAME(S):							

- 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.

D. 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): CG4-30182(A), G4-30182(B)P, S4-84955-J, S4-84924-J, S4-84957-J, S4-84959-J, G4-*03007CWRIS, G4-*06733CWRIS, and six exempt wells

6. Remarks and Other Relevant Information:

Ecology approved a Certified Water Rights Examination in May of 2015. Borton is requesting a simplified tentative determination under Policy 1120.
Borton will be decommissioning four exempt wells and the City of Union Gap will be consolidating water withdrawn from these wells with their suite of water rights pursuant to RCW 90.44.105. This action is part of an annexation agreement.
Attachment 1: Project Description; Attachment 2: Certificate G4-28991 (evidence of beneficial use);
Attachment 3: Well Logs & Records (existing); Attachment 4: Well Log (proposed) Attachment 5: Parcel List; Attachment 6: Project Map
IF FOR SEASONAL OR TEMPORARY, START DATE ___/___/___ END DATE ___/___/___

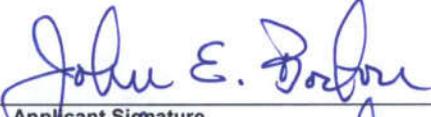
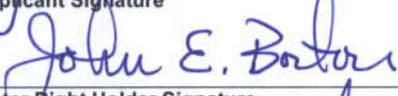
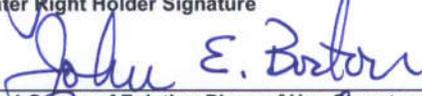
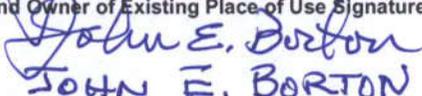
Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request. For further information, contact:

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.

John Borton, Owner Borton & Sons, Inc <hr/> Applicant Printed Name – Title	 <hr/> Applicant Signature	8/12/2015 <hr/> (Date: MM/DD/YYYY)
John Borton <hr/> Water Right Holder Printed Name	 <hr/> Water Right Holder Signature	8/12/2015 <hr/> (Date: MM/DD/YYYY)
John Borton <hr/> Land Owner of Existing Place of Use Printed Name	 <hr/> Land Owner of Existing Place of Use Signature	8/12/2015 <hr/> (Date: MM/DD/YYYY)
John Borton <hr/> Land Owner of Proposed Place of Use Printed Name	 <hr/> Land Owner of Proposed Place of Use Signature	8/12/2015 <hr/> (Date: MM/DD/YYYY)

<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 – 160 th 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