



## STATE OF WASHINGTON APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS ONLY TO BE USED FOR THE  
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- Lease  
 Purchase  
 Donation  
 Other

Explain: \_\_\_\_\_

- Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE: Upon acceptance

END DATE: 12/31/2013

(See Note #1 and Note #2)

<b>FOR OFFICE USE ONLY</b> <span style="float: right;">KITTING</span>	
FILE No. <u>CS4-00169sb7e9</u>	WRIA <u>39</u>
DATE ACCEPTED <u>08/25/2011</u>	BY <u>[Signature]</u>
FEE \$ <u>0</u>	REC'D <u>08/08/2011</u>
CHECK No. <u>[Signature]</u>	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

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

### 1. Applicant Information:

APPLICANT/BUSINESS NAME <b>Hutchinson Properties L.L.C.</b>		PHONE NO. <b>(509) 933-7050</b>	FAX NO. <b>( )</b>
ADDRESS <b>P.O. Box 938</b>			
CITY <b>Ellensburg</b>		STATE <b>WA</b>	ZIP CODE <b>98926-0938</b>

CONTACT NAME (IF DIFFERENT FROM ABOVE) <b>Jeff Slothower</b>		PHONE NO. <b>(509) 925-6916</b>	FAX NO. <b>(509) 962-8093</b>
ADDRESS <b>P.O. Box 1088</b>			
CITY <b>Ellensburg</b>		STATE <b>WA</b>	ZIP CODE <b>98926-1088</b>

### 2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER <b>00169</b>	RECORDED NAME(S) <b>James O. and Helen Hutchinson</b>
DO YOU OWN THE RIGHT? <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 (See Note #2)	
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (See Note #2)	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

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.

<b>FOR OFFICE USE ONLY</b>	
WATER RIGHT NO. _____	FILE (contract) NO. _____
<b>CS4-00169sb7e9</b>	

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**3. How is Water to be Made Available for Trust?**

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s):	

**WATER RIGHT DESCRIPTION \***

**4. Point(s) of Diversion/Withdrawal:**

**A. Existing**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Yakima River		NW	SE	12	18	17	(See Note #3)	

*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.*

**5. Purpose of Use:**

**A. Existing Use of the Water Right**

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
(See Note #4)			

**B. Proposed Purpose of the Trust Water Right:**

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
(See Note #5)	

**6. Place of Use:**

**A. Existing:**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Parcel B1, B2, B3, B4, B5, B6, and B7 of that certain survey recorded 9/15/1988, under Kittitas County Auditor's File 51581 in Book 15 of Surveys, Page 180 AND Parcel 2T of Survey recorded March 7, 1966, AFN 199603070020 in Book 21 of Surveys, at Page 232, records of Kittitas County, being a portion of the South 1/2 of the NW 1/4 of the SW 1/4 of Section 28, Township 18, N, Range 18 East, W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		28	18	18	Kittitas		54.36
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(S) NAME:							

\* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

**6. Place of Use (continued)**

**B. Proposed:**

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
(See Note #6)

**7. Remarks and Other Relevant Information:**

Note 1: The applicant desires to reserve the right to continue the portion of the water right placed into trust beyond the end date. The applicant owns and operates a gravel mining operation on portions of the place of use of the right. The mine is operated under DNR Surface Mine Reclamation Permit No. 70-010239. The applicant desires to donate the water described herein to the Trust while the mining of the place of use occurs. Once the mining ceases and the place of use is reclaimed, the applicant will remove the water from the Trust to use the water in the authorized place of use for the authorized purpose. The applicant proposes the applicant will notify the Washington State Department of Ecology (Ecology) by November 1 of the year and inform Ecology that the applicant wants to allow part of the water to remain in trust. If the applicant fails to notify Ecology of its intentions, then the water automatically remains in the Trust Water Right Program for the next calendar year.

Note 2: The water right was the subject of a transfer processed through the Kittitas County Water Conservancy Board under Water Right Change Application No. CS4-00169CTCL (KIT-04-13). The Kittitas County Water Conservancy Board signed a Report of Examination (ROE) on March 29, 2005. Ecology modified the Kittitas County Conservancy Board decision on May 17, 2005. The portion of the water right the applicant desires to place in trust was donated previously under Ecology Control No. CS4-00169CTCL@1. The applicant wishes to re-donate the same portion of the water right back into trust (see Ecology letters attached as Exhibits A and B).

Note 3: The complete description of the point of diversion is 500 feet south and 850 feet east from the center of Section 12, being within the NE 1/4 NW 1/4 SE 1/4 of Section 12, T 18 N, R. 17 E.W. M.

Note 4: a) 1.725 cfs; 866.8 acre feet per year for irrigation of 54.36 acres;  
 b) .46 cfs for conveyance loss;  
 c) .233 cfs, 24.215 acre feet per year from December 1 to March 31 for stock water;  
 d) April 1 to October 31 for irrigation – continuous for stock water;  
 e) The annual consumption quantity for this right shall not exceed 147 acre feet or 2.7 acre feet per acre. (See Exhibits "A" and "B").

Note 5: The applicant wishes to transfer to the Trust Water Right Program the following quantities of water:

Application No.	Purpose of Use	Acres Allowed	Period	Instantaneous Rate (cfs)	Annual Quantity (af/y)
CS4-00169@1	Irrigation	22.36	Apr 1 - Oct 31	0.6 cfs	301.40 afy
	Conveyance	22.36	Apr 1 - Oct 31	0.08 cfs	8.2 afy
	Stock water	--	Dec 1 - Mar 31	0.16 cfs	N/A

The water placed in trust may be used by the Trust for instream flow purposes or fish enhancement purposes so long as the water may be used for the authorized purposes when it is removed from trust.

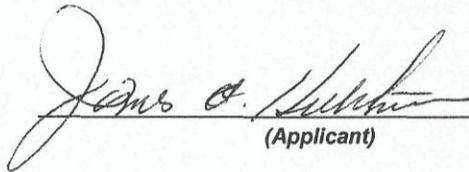
Note 6: The portion of the water right not transferred to the Trust Water Right Program would be used for the authorized uses including the irrigation of 32 acres located within Parcel 2T of the described place of use (20 acres) and B-1, B-2, and B-5 of the described place of use (12 acres). The portion of the right transferred to the Trust Water Rights Program shall be used for instream flow purposes or fish enhancement purposes in the Yakima River downstream from the point of diversion to the mouth of the Yakima.

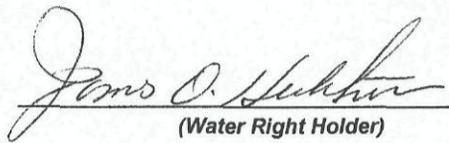
Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

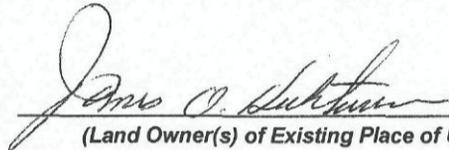
Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

**8. Signatures:**

*I certify that the information above is true and accurate to the best of my knowledge. I hereby 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.*

  
\_\_\_\_\_  
(Applicant) 814 111  
(Date)

  
\_\_\_\_\_  
(Water Right Holder) 814 111  
(Date)

  
\_\_\_\_\_  
(Land Owner(s) of Existing Place of Use) 814 111  
(Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

<b>WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):</b>	
<input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED	<input type="checkbox"/> SECTION _____ IS INCOMPLETE
<input type="checkbox"/> OTHER/EXPLANATION: _____	
STAFF: _____	DATE: ____/____/____