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OCT 03 2011

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE



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
X Donation
Other

Explain:

IF FOR SEASONAL OR TEMPORARY,

START DATE: 2011

END DATE: 2013

FOR OFFICE USE ONLY
FILE No. CS4-02206sb3d@3 WRIA 39
DATE ACCEPTED 10/20/2011 BY
FEE \$ REC'D 10/03/2011
CHECK No.
SEPA: Exempt Not exempt

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

1. Applicant Information: AFLC Water Right #43

APPLICANT/BUSINESS NAME: American Forest Holdings, LLC
PHONE NO.: 509-925-4650
FAX NO.: 509-925-4651
ADDRESS: 700 E. Mountain View Ave, Suite 507
CITY: Ellensburg STATE: WA ZIP CODE: 98926

CONTACT NAME (IF DIFFERENT FROM ABOVE): Dave Bowen, American Forest Holdings, LLC or Lisa Pelly, Trout Unlimited - WWP
PHONE NO.: 509-925-4650
FAX NO.: (509) 888-4352
ADDRESS: 103 Palouse, Suite 14
CITY: Wenatchee STATE: WA ZIP CODE: 98801

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER: CS4-02206CTCL@1
RECORDED NAME(S): US Timberlands Yakima LLC (USTY)
DO YOU OWN THE RIGHT? YES IF NO, PROVIDE OWNER(S) NAME and ADDRESS:
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? X YES NO
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? X YES
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.

54-83749-J
COVER CLAIM 02206 SUB 3 TEMPORARY FOR OFFICE USE ONLY
06-30-1889 = (d)
WATER RIGHT NO. FILE (contract) NO.
CS4-02206sb3d@3 (d)

**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): Donation	

**WATER RIGHT DESCRIPTION \***

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

**A. Existing**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
NF Teanaway River		SW	SE	20	21	16		

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
Irrigation	.52	104	May 1-September 15

**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
Instream Flow in the Teanaway River	104

**6. Place of Use:**

**A. Existing:**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
<b>Irrigation:</b> That portion of the SE1/4NW1/4 and W_NE1/4 of Section 29, T. 21 N., R. 16 EWM., lying southeast of the Teanaway Road, west of the Teanaway River and east of the primary irrigation ditch							
<b>Forestry Practices:</b> T. 20 N., R. 15 EWM: Sections 1-6, 10-14, and 24 T. 20 N., R. 16 EWM: Sections 1-15,17,18,20,22 and 23 T. 20 N., R. 17 EWM: Sections 7,8,17,18,22,23,26,27 and 34 T. 21 N., R. 15 EWM: Sections 11-15, 19-21, 23-25 and 27-36 T. 21 N., R. 16 EWM: Sections 2-11, 14, 15, 17-23 and 26-35 T. 22 N., R. 16 EWM: Sections 27, 33 and 33							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					Kittitas		26

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

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

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

**B. Proposed:**

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED

NF Teanaway River, Teanaway River, Yakima River

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

Donor reserves the right to withdraw the Water Rights, in part or in whole, at its sole discretion from trust at any time and for any reason whatsoever upon prior written notice to WWP of the withdrawal and the date of withdrawal.

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.*

David B. Bowen (Applicant) 7/12/11 (Date)

David B. Bowen (Water Right Holder) 7/12/11 (Date)

David B. Bowen (Land Owner(s) of Existing Place of Use) 7/12/11 (Date)

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

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

ADDITIONAL SIGNATURES REQUIRED  SECTION \_\_\_\_\_ IS INCOMPLETE

OTHER/EXPLANATION: \_\_\_\_\_

STAFF: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_