

STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
 OF WATER RIGHT**

DEPT OF ECOLOGY
 JAN 19 2012
 CENTRAL REGION OFFICE

For filing with the Department of Ecology or with County Conservancy Boards

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

(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: _____

FOR OFFICE USE ONLY

CHANGE No. KLIC-12-01 WRIA 29
02-06-2012

DATE ACCEPTED 1/10/12 BY KLWCB
01-19-2012

FEE \$ 500 REC'D 1/10/12
01-19-2012

CHECK No. _____

ECY Coding: 001-002-WR10285-000011

SEPA: Exempt Not exempt

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

1. Applicant Information:

APPLICANT/BUSINESS NAME Mt. Adams Orchards Corporation	PHONE NO. (509) 457-6177	FAX NO. ()
ADDRESS PO Box 1588		
CITY Yakima	STATE WA	ZIP CODE 98907

CONTACT NAME (IF DIFFERENT FROM ABOVE) Don Gibson	PHONE NO. () same	FAX NO. ()
ADDRESS		
CITY	STATE	ZIP CODE

LEGAL LAND OWNER or PART OWNER NAME OF PROPOSED PLACE OF USE same	PHONE NO. ()	FAX NO. ()
ADDRESS		
CITY	STATE	ZIP CODE

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER S4-25155C	RECORDED NAME(S) Mt. Adams Orchards Co.
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.

C54-25155C@1

FOR OFFICE USE ONLY

APP. NO. _____ PERMIT NO. _____ CERT. NO. _____ CERT. OF CHANGE NO. _____

S4-25155C WR15
KLIC-12-01

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Northwestern Lake of White Salmon River		NW	NE	10	03	10E	3101000001600	

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
See Attachment-Sources								

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
 EXISTING: YES NO PROPOSED: YES NO – IF NO, PROVIDE OWNER(S) NAME: See Attachment-Sources.
 We have an agreement that runs with the land for the existing diversion. Ownerships of proposed are given in Attachment-Sources.

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
No change.			

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
No change.			

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
In Section 10, T. 3 N., R. 10 E.W.M.; the NE1/4NE1/4; NW1/4 of the NE1/4, except that part thereof lying W of a line commencing at a point 212.5 feet east of the north quarter corner of said Section 10; thence S 703 feet; thence southeasterly 703.5 feet to the south line of the NW1/4 of the NE1/4 of said Section 10, SE1/4 of the NE1/4 except a strip of land along the E side thereof; that part of the N1/2 of the S1/2 of the SW1/4 of the NE1/4 of Sec. 10 T. 3 N., R. 10 E.W.M., lying E of a line beginning at a point in the S line of said tract 803.3 feet W of the SE corner of said tract; thence northerly to a point 752 feet W of the NE corner of said tract; Less rights of way.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		10	3N	10E	Klickitat		

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? YES NO – IF NO, PROVIDE OWNER(S) NAME:
 We own all the land where water is used and we are the only user from our pump station. Some of the land within the certificate place of use was sold years ago. The requested change in place of use is to conform the place of use to our current land ownership and updated survey dated January 1992. The change in source location is made necessary by the removal of Condit Dam. Northwestern Lake was drained in October 2011.

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
See Attachment Proposed Place of Use. This is a reduction to remove lands we do not own or farm and to update the description to a survey dated January 1992.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		10	3N	10E	Klickitat		

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

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. A Map is attached.

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): S4-23463C.

6. Remarks and Other Relevant Information:

PacifiCorp is removing Condit Dam and has agreed to re-locate our pump station which currently diverts water from Northwestern Lake (dam impoundment). The lake has now been drained. We have permanent crops which require water and so have a seasonal/temporary change request in progress with the Department of Ecology Yakima office for the 2012 season.

The application made herein is for a permanent change due to removal of the dam and draining of Northwestern Lake. Regarding the requested source locations: we are currently working on narrowing the alternatives to a preferred pump site. At this time we request approval for all the identified sites, to allow us some flexibility in case any of them prove unworkable. The river channel is in a very dynamic state and the location of the best permanent diversion site is not known for certain at this time.

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.

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.

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 am hereby granting 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 the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

<p><i>Mt Adams Orchards Corporation</i> x <u><i>[Signature]</i></u> (Applicant Signature)</p>	<p>_____ (Applicant Signature)</p>	<p><u>12/15/11</u> (Date)</p>
<p><i>Mt Adams Orchards Corporation</i> x <u><i>[Signature]</i></u> (Water Right Holder)</p>	<p>_____ (Water Right Holder)</p>	<p><u>12/15/11</u> (Date)</p>
<p><i>Mt Adams Orchards Corporation</i> x <u><i>[Signature]</i></u> (Land Owner(s) of Proposed Place of Use)</p>	<p>_____ (Land Owner(s) of Proposed Place of Use)</p>	<p><u>12/15/11</u> (Date)</p>

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

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

APPLICATION FEE NOT ENCLOSED MAP NOT INCLUDED or INCOMPLETE

ADDITIONAL SIGNATURES REQUIRED SECTION _____ IS INCOMPLETE

OTHER/EXPLANATION: _____

STAFF: _____ **DATE:** ___/___/___

Attachment - Source Locations

All within T. 3 N., R. 10 E.W.M.

Note: All sites are on land owned by PacifiCorp except Proposed Site 4, land owned by Mt. Adams Orchards Corp. Permission will be obtained as needed from PacifiCorp before constructing works.

Current Source per Water Right Certificate -- *Northwestern Lake of White Salmon River*

175 feet East and 775 feet South of N 1/4 corner Sec. 10, within NW1/4NE1/4.

Comment: The diversion was never at this location.

Actual Source Location (retain) -- *Northwestern Lake of White Salmon River*

2400 feet West and 100 feet South of NE corner Sec. 10, within NW1/4NE1/4.

Comment: This is the actual diversion that has always served this certificate. We request to retain this site for the time being, although it is very unlikely to be viable after the lake is drained.

Proposed Site 1 -- *White Salmon River*

2800 feet West and 500 feet South of NE corner Sec. 10, within NW1/4NE1/4 or NE1/4NW1/4.

Comment: This was the preferred site as recommended by PacifiCorp's consultant prior to draining the lake, to replace our historic diversion location after dam removal.

Proposed Site 2 -- *White Salmon River or Adjacent Withdrawal Works*

1900 feet West and 2650 feet South of NE corner Sec. 10, within NW1/4SE1/4 or SW1/4NE1/4.

Comment: An alternative site which we are proposing as a better protected site and with good proximity to our system. At this site we are considering a direct screened intake in the river; or to protect the pumping works and avoid a direct pipe in the river, we are considering an excavation set back from the river, or a shallow well in continuity with the river.

Proposed Site 3 -- *Well (to be constructed) on Land Owned by PacifiCorp*

1250 feet West and 2700 feet South of NE corner Sec. 10, within NW1/4SE1/4 or NE1/4SE1/4.

Comment: This is proposed as a well in continuity with the river that avoids a road crossing.

Proposed Site 4 -- *Well (to be constructed) on Land Owned by Mt. Adams Orchards Corporation*

1000 feet West and 2400 feet South of NE corner Sec. 10, within SE1/4NE1/4.

Comment: This is proposed as a well in continuity with the river that avoids a road crossing and would not require an easement from PacifiCorp.

Attachment - Proposed Place of Use

Note: The below description is based on an updated survey dated January 1992. All is owned by Mt. Adams Orchards Corporation.

In Section 10, T. 3 N., R. 10 E.W.M.;

That part of the NE1/4NE1/4 lying south of county road known as Powerhouse Road and west of state highway No. 14;

The NW1/4 of the NE1/4;

EXCEPT that part lying westerly of a line described as follows:

Beginning at the N1/4 corner of said Section 10, thence S 87°53'09" E 212.50 along the N line of the section to the Point of Beginning of said line, thence S 00°35'24" W 714.89 feet, thence S 26°46'22" E 690.42 feet to the south line of the NW1/4 of the NE1/4 of Section 10 and terminus of said line;

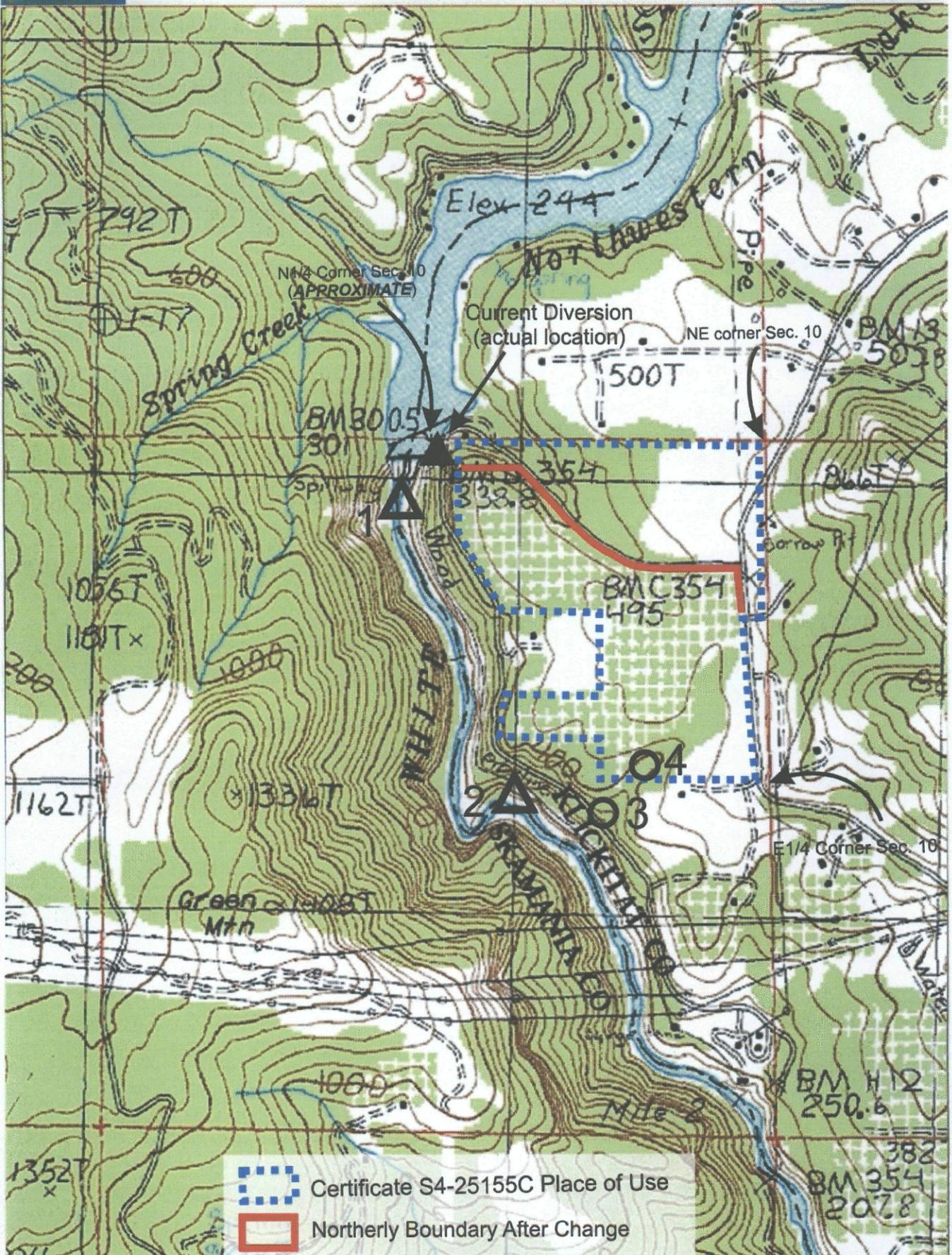
and EXCEPT that part lying northerly of a line described as follows:

Beginning at the N1/4 corner of said Section 10, thence S 87°53'09" E 212.50 along the N line of the section, thence S 00°35'24" W 230.00 feet to the Point of Beginning of said line, thence S 87°53'09" E 405.66 feet to county road and terminus of said line.

SE1/4 of the NE1/4 lying west of state highway No. 14;

That part of the N1/2 of the S1/2 of the SW1/4 of the NE1/4 of Sec. 10 T. 3 N., R. 10 E.W.M., lying E of a line beginning at a point in the S line of said tract 803.3 feet W of the SE corner of said tract; thence northerly to a point 752 feet W of the NE corner of said tract.

Klickitat County Parcel No. 3101000000600.



 Certificate S4-25155C Place of Use
 Northerly Boundary After Change

