



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 4 / 15 / 12
 END DATE 4 / 15 / 14

FOR OFFICE USE ONLY	
FILE No. <u>CS4-009275610</u>	WRIA <u>39</u>
DATE ACCEPTED <u>05, 24, 12</u>	BY <u>[Signature]</u>
FEE \$ <u>0</u>	REC'D <u>05, 18, 2012</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 Cooke Creek Developers, LLC		PHONE NO. (206) 332-1210	FAX NO. (206) 332-1201
ADDRESS 1301 Second Avenue, Suite 2850			
CITY Seattle	STATE Washington	ZIP CODE 98101	

CONTACT NAME (IF DIFFERENT FROM ABOVE) Gaylord M. Kellogg		PHONE NO. (206) 332-1210	FAX NO. (206) 332-1201
ADDRESS 1301 Second Avenue, Suite 2850			
CITY Seattle	STATE Washington	ZIP CODE 98101	

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Court Claim No. 00927	RECORDED NAME(S) Cooke-Coleman, LLC
DO YOU OWN THE RIGHT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS: Ownership of claim is described in the Declaration of Amendment of Irrigation Water Use Agreement (recorded June 30, 2007). Formal division of the claim is pending with Yakima Superior Court.	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
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.

FOR OFFICE USE ONLY	
WATER RIGHT NO. <u>CS4-009275610 a</u>	FILE (contract) NO. _____

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 #
Cooke Creek			SW	6	18 N	20 E		

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 of 156 acres and stock water	3.12 cfs	872.66	April 15 through 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	14.67

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
See attached claim sheet for legal description. Subbasin No. 10 CFO was signed December 2006. The 156 acre place of use has been irrigated since signing of the CFO, except for land fallowed prior to construction of the access road (Snipe Lane) and the house, barn, and driveway. Irrigation is supported by aerial and Landsat imagery (see attached).							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: All lands owned by Cooke Creek Developers, LLC, except for Parcel Nos. 1527 (Larry McDonell); 15246 (Mark Chmlewski); and 15244, 15245, and 15248 (German, LLC).							

* 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
Cooke Creek, Cherry Creek, and Yakima River.

7. Remarks and Other Relevant Information:

Water to be placed in trust includes irrigated land fallowed during construction of Snipe Lane (approximately 3,950 feet long, 20 feet wide; including 100-foot diameter cul-de-sac; total 86,850 ft ²) and the house, barn, and driveway (total 27,300 ft ²) located on Kittitas County Parcel No. 15247. Total area of land fallowed equals 114,150 ft ² or 2.62 acres.
Adjudicated irrigation water duty for Claim 00927 is equal to 5.59 feet/year (872.66 acre-feet/year divided by 156 acres); therefore, total quantity proposed for donation to temporary trust is 14.67 acre-feet/year.

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.

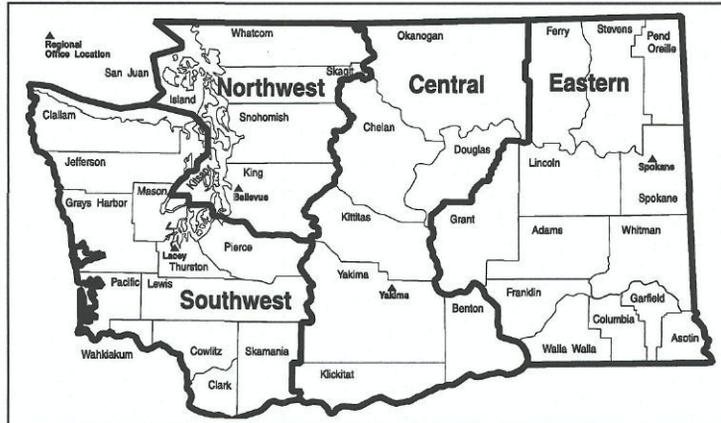
Cooke Creek Developers LLC Gaylord M Kellogg
 _____ 4 / 12 / 12
 (Applicant) (Date)
 Cooke Creek Developers LLC, Gaylord M Kellogg
 _____ 4 / 12 / 12
 (Water Right Holder) (Date)
 Cooke Creek Developers LLC, Gaylord M Kellogg
 _____ 4 / 12 / 12
 (Land Owner(s) of Existing Place of Use) (Date)

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

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

IMPORTANT!

Submit your application to Ecology at the regional office for the area of proposed or existing water use. Below is a map of the State of Washington, with outlines of the four Ecology regional offices. If you have questions about your application, contact the Water Resources program at the regional office in which your project is located.



Department of Ecology
Central Regional Office
15 W. Yakima Avenue, Suite 200
Yakima, WA 98902
Telephone: (509) 575-2490

Department of Ecology
Eastern Regional Office
N. 4601 Monroe, Suite 202
Spokane, WA 99205-1295
Telephone: (509) 329-3400

Department of Ecology
Northwest Regional Office
3190 - 160th Avenue SE
Bellevue, WA 98008-5452
Telephone: (425) 649-7000

Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775
Telephone: (360) 407-6300

If you need assistance in the application process or those needing this application in an alternate format, please call the Water Resources Program at (360) 407-6600 or 800-833-6388 (TTY).

6. Place of Use (continued)

B. Proposed:

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Cooke Creek Developers LLC. Gayle M McEllogg

Gayle M McEllogg 4 / 12 / 12
(Applicant) (Date)

Larry McDonald
(Water Right Holder)

Jacquelyn McDonald 4 / 11 / 12
(Date)

Larry McDonald
(Land Owner(s) of Existing Place of Use)

Jacquelyn McDonald 4 / 11 / 12
(Date)

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STAFF: _____	DATE: ____ / ____ / ____

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Cooke Creek Developers LLC, Gaylene M Kellogg
 _____ 4/12/12
 (Applicant) (Date)
 German LLC, Linda S Ferrer
 _____ 4, 9, 12
 (Water Right Holder) (Date)
 German LLC, Linda S Ferrer
 _____ 4, 9, 12
 (Land Owner(s) of Existing Place of Use) (Date)

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STAFF: _____	DATE: ____/____/____