DEPT OF ECOLOGY Received JUN 27 2012 CENTRAL REGION OFFICE

WASHINGTON STATE DEPARTMENT OF ECOLOGY

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:_____

☐ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE 4/15/12
END DATE 4/14/13

FOR OFFICE USE ONLY CHELAN
FILE No. CS4-006962CL01 WRIA 46
DATE ACCEPTED 07 / 19 / 2012 BY S
FEE $ 0 REC'D 06 / 27 / 2012
CHECK No. 0
SEPA: ☐ Exempt ☐ Not exempt

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

1. Applicant Information:

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Harris Orchard Co., LP	(509) 784-1827	( )
ADDRESS P.O. Box 477		
CITY Entiat	STATE WA	ZIP CODE 98822-0477

CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Donald L. Dimmitt	(509) 662-3685	(509) 662-2452
ADDRESS 2600 Chester Kimm Road, P.O. Box 1688		
CITY Wenatchee	STATE WA	ZIP CODE 98807-1688

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
CS4-006962	Premium Developments, LLC

DO YOU OWN THE RIGHT? x YES ☐ NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:
Premium Developments shows up as the current claimholder. However, Harris Orchard Co. has reacquired the property through foreclosure.

HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? ☐ YES x NO
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? ☐ YES x NO

IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS
SEE REMARKS AT #7.

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.

CS4-WRC006962 CHEL-06-02 CLROE DATED 01-23-2008

FOR OFFICE USE ONLY

WATER RIGHT NO. _____ FILE (contract) NO. CS4-006962CL01

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

☐ Alteration in method of diversion	☐ Alteration in water use/ irrigated acreage
☐ Alteration in method of delivery/conveyance	☐ Nonuse of one or more points of diversion
☐ Alteration in method of water application	x Nonuse of all or a portion of the named water right
☐ Alteration in type of crop	☐ 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 #
Well		SW	NE	16	26	21	262116110050	

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 (Premium Developments changed the water right to municipal but it may not be used as municipal as the farmer has regained the property.)	.3 cfs	73.21	April - October

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 (4.88 x 4 acres)	19.52 afy

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		16	26	21	Chelan	262116110050 262116340100 262116120050	15
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? x YES ❑ 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
Columbia River

7. Remarks and Other Relevant Information:

The well is located 1,593' east and 850' north of the SW corner of Sec. 16, T. 26 N., R. 21 E.W.M., Chelan County, Washington.
See attachment regarding nonuse.

This is not the well located from MOD. This is location of POD from Orig. Claim

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.

HARRIS ORCHARD CO., L.P.

By James R Small 6/25/12

James R. Small, Managing General Partner *(Applicant)* *(Date)*

HARRIS ORCHARD CO., L.P.

By James R Small 6/25/12

James R. Small, Managing General Partner *(Water Right Holder)* *(Date)*

HARRIS ORCHARD CO., L.P.

By James R Small 6/25/12

James R. Small, Managing General Partner *(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):

❑ ADDITIONAL SIGNATURES REQUIRED ❑ SECTION _____ IS INCOMPLETE

❑ OTHER/EXPLANATION: _____

STAFF: _____ ***DATE:*** ____/____/____