



STATE OF WASHINGTON
SEASONAL CHANGE APPLICATION

12 DEC -3 A10:17



GROUND WATER SURFACE WATER (OFFICIAL USE)WRIA
 DEPT. OF ECOLOGY
 FISCAL & BUDGET

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

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

1. APPLICANT INFORMATION:

APPLICANT/BUSINESS NAME ConAgra Foods Lamb Weston, Inc		PHONE NUMBER (509) 875-3154	FAX NUMBER ()
ADDRESS PO Box 1900			
CITY Pasco		STATE WA	ZIP CODE 99302
CONTACT NAME (IF DIFFERENT FROM ABOVE) Reagan Grabner		PHONE NUMBER () same	FAX NUMBER ()
ADDRESS			
CITY		STATE	ZIP CODE

2. WATER RIGHT INFORMATION: (One water right per application)

WATER RIGHT OR CLAIM NUMBER Portion of Surface Water Permit No. 16571(D)P * *An assignment of 70 acres to WA DNR, out of the 937 acres originally on this permit, was filed on June 16, 2010 and is being processed. ConAgra has retained 867 water right acres with associated quantities.	RECORDED NAME(S) ConAgra Foods Lamb Weston, Inc. (ConAgra is successor to Watts Brothers Farms LLC by merger).
DO YOU HOLD LEGAL TITLE TO THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ConAgra Foods Lamb Weston, Inc. owns 867 water right acres and associated quantities, including the 145 acre portion requested for change.	
IF NO, PROVIDE OWNER(S) NAME:	

3. POINT(S) OF DIVERSION/WITHDRAWAL:

A. EXISTING

SOURCE	#	¼	¼	SEC	TWP.	RGE.	PARCEL #	WELL TAG #
Columbia River		SW	NE	8	5N	26E	108563000001000	

B. PROPOSED

SOURCE	#	¼	¼	SEC	TWP.	RGE.	PARCEL #	WELL TAG #
Retain existing and add: Columbia River		Gov't Lot 1		4	4N	24E	104440000000000	

DO YOU OWN THE EXISTING AND/OR PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
 EXISTING YES NO PROPOSED YES NO - IF NO, PROVIDE OWNER(S) NAME: ConAgra owns or has permissions.
 Access within Corps of Engineer lands is by permission from USACOE.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner for the above point(s) of diversion/withdrawal, please include an attachment. See Item No. 5 for diversion location.

If you require this document in an alternate format, please contact the Water Resources Program at (360) 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

CS4-16571(A)04

4. PLACE OF USE:
A. EXISTING

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:						
937 acres of irrigated land located in Sections 16, 22, and 27; the S½S½ and the E½E½ of Section 33; and Section 34, all in T. 6 N., R. 26 E.W.M., Benton County, Washington, more specifically described as:						
125 acres within the NW¼, 125 acres within the SW¼, 125 acres within the SE¼, all within Section 16; 55 acres within the W½ NW¼, 72 acres within the SW¼, all within Section 22; 250 acres within the W½ Section 27; 90 acres within the N¾E½E½ Section 33; 95 acres within the N½S½ Section 34, all in T. 6 N., R. 26 E.W.M.						
[Note: This description is being superseded due to an assignment of 70 acres in Sec. 16 to WA DNR.]						
¼	¼	SEC.	TWP.	RGE.	COUNTY	TOTAL # OF IRRIGATED ACRES
					Benton	937 water right 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:						
The existing place of use description overlaps some lands owned by Zephyr Ridge Vineyard LLC and K2H Farms Inc. See parcel number attachment.						

B. PROPOSED

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PROPOSED TO BE USED:						
Request is to transfer 145 water right acres*, which have been beneficially used, to within the following: S1/2S1/2 Sec. 27 and N1/2N1/2 Sec. 34, T. 5 N., R. 24 E.W.M.						
*Permit quantities for transfer (prorating on acres) are: 3.23 cfs and 616.3 acre-feet/yr.						
¼	¼	SEC.	TWP.	RGE.	COUNTY	TOTAL # OF IRRIGATED ACRES
		27, 34	5N	24E	Benton	ptn 127543000000000 and 134541000000000.
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:						

Attach a detailed map of your proposed seasonal change. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. Also, for irrigation purposes, you must indicate on the map those lands that will not be irrigated within the original place of use. Maps are enclosed.

ARE THERE ANY PENDING APPLICATIONS, WATER RIGHTS OR CLAIMS RELATED TO THE SAME PROPERTY AS THE ONE PROPOSED FOR CHANGE? YES NO – IF YES, PROVIDE THE NUMBER(S): There are other permits that partly overlap the current (D) permit place of use: SWP 16571(A) and (C), CS4-28590(B)C. Also, see No. 5 below describing two rights being requested for transfer that will partly overlap the current (D) place of use.

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. This may be included in your irrigation plan.

5. REMARKS AND OTHER RELEVANT INFORMATION:

See attached remarks.

Quantities requested for 2013-2014 seasons seasonal change are:

WATER RIGHT NUMBER	PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Ptn 16571(D)P	irrigation of up to 145 acres**	3.23 cfs	616.3 af/yr	2/15-10/31***

** ConAgra will retain 867-145=722ac of irrigation, 16.1 cfs, 3068.7af/yr within current authorized place of use under (D) permit.
***Superseding Permit 16571(D) says 4/1-10/31, which is an error.

The proposed water source for the 145 acres requested for transfer will be via diversion from the Columbia River. Existing station located approximately:
250 feet S and 100 feet W from the NE corner of Sec. 4, T. 4 N., R. 24 E.W.M., Benton County.

6. 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 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.

 _____ CONAGRA - (Applicant)	11 / 30 / 2012 _____ (Date)
_____ CONAGRA - (Water Right Holder)	/ / _____ (Date)
_____ CONAGRA - (Land Owner(s) of Existing Place of Use)	/ / _____ (Date)

If you require this document in an alternate format, please contact the Water Resources Program at (360) 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

4. PLACE OF USE:
A. EXISTING

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

937 acres of irrigated land located in Sections 16, 22, and 27; the S½S½ and the E½E½ of Section 33; and Section 34, all in T. 6 N., R. 26 E.W.M., Benton County, Washington, more specifically described as:

125 acres within the NW¼,
 125 acres within the SW¼,
 125 acres within the SE¼, all within Section 16;
 55 acres within the W½ NW¼,
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 250 acres within the W½ Section 27;
 90 acres within the N¼E½E½ Section 33;
 95 acres within the N½S½ Section 34, all in T. 6 N., R. 25 E.W.M.

[Note: This description is being superseded due to an assignment of 70 acres in Sec. 16 to WA DNR.]

¼	¼	SEC.	TWP.	RGE.	COUNTY	TOTAL # OF IRRIGATED ACRES
					Benton	937 water right acres

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

The existing place of use description overlaps some lands owned by Zephyr Ridge Vineyard LLC and K2H Farms Inc. See parcel number attachment.

B. PROPOSED

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PROPOSED TO BE USED:

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		27, 34	5N	24E	Benton	ptn 127543000000000 and 134541000000000.

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Attach a detailed map of your proposed seasonal change. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. Also, for irrigation purposes, you must indicate on the map those lands that will not be irrigated within the original place of use. Maps are enclosed.

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Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. This may be included in your irrigation plan.

5. REMARKS AND OTHER RELEVANT INFORMATION:

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Quantities requested for 2013-2014 seasons seasonal change are:

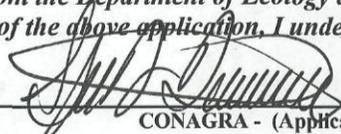
WATER RIGHT NUMBER	PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
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** ConAgra will retain 867-145=722ac of irrigation, 16.1 cfs, 3068.7af/yr within current authorized place of use under (D) permit.
 ***Superseding Permit 16571(D) says 4/1-10/31, which is an error.

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 250 feet S and 100 feet W from the NE corner of Sec. 4, T. 4 N., R. 24 E.W.M., Benton County.

6. 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 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.

 _____ CONAGRA - (Applicant)	11 / 30 / 2012 _____ (Date)
_____ CONAGRA - (Water Right Holder)	____/____/____ (Date)
_____ CONAGRA - (Land Owner(s) of Existing Place of Use)	____/____/____ (Date)
_____ ZEPHYR RIDGE VINEYARD LLC - (Land Owner(s) of Ptn Existing Place of Use)	____/____/____ (Date)

NOTE: ZEPHYR RIDGE VINEYARD LLC permission is granted for 2012-2014 years if needed.

If you require this document in an alternate format, please contact the Water Resources Program at (360) 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

* Extra Signature Page for Zephyr Ridge Vineyard *

Seasonal Change Application for ConAgra SWP 16571(D)P

Application Item No. 5 (cont'd)

Remarks and Other Relevant Information:

This change request is for the same quantities as a seasonal change application filed on this same permit for the 2011 season.

This request is for an acre-for-acre transfer application under surface water permit No. 16571(D)P. 70 acres out of the 937 ac permitted were assigned to WA DNR, as detailed in the assignment form excerpt below. (Note that ConAgra Foods Lamb Weston, Inc is successor to Watts Brothers Farms LLC by merger.)

Excerpt from assignment of 70 acres from (D) permit to WA DNR:

1. This assignment to WA DNR is for 1.55 cubic feet per second (cfs) and 297 acre feet per year (af/yr) for 70 acres of irrigated land from February 15 to October 31, within: Section 16, T. 6 N., R. 26 E.W.M.
2. Watts Brothers Farms LLC is retaining ownership of the remainder, which is 19.33 cfs and 3,685 af/yr for irrigation of 867 acres from February 15 to October 31 within: Sections 22 and 27; the S1/2S1/2 and the E1/2E1/2 of Section 33; and Section 34, all in T. 6 N., R. 26 E.W.M.
3. The point of diversion for both is from the Columbia River located approximately 2100 feet south and 354 feet east of the north quarter corner of Section 8, being within the SW1/4NE1/4 of said Section 8, T. 5 N., R. 26 E.W.M. within Benton County, Washington.

END EXCERPT.

This assignment does not affect the seasonal transfer except to reduce the permit by 70 acres and associated quantities held by ConAgra. All 937 of the water right acres permitted have previously been irrigated / beneficially used (see attached 1992 aerial photo, same also irrigated in 2005, for example). There will be a reduction of 145 water right acres within the current place of use of SWP No. 16571(D)P, within lands owned by ConAgra, leaving $(937-70-145=)$ 722 water right acres available for use within the current place of 16571(D)P for ConAgra while the transfer is in effect. A map is attached showing the proposed reduction to 722 irrigated acres at the Paterson farm. Rotational cropping has been in use at the current place of use, same as planned for the transfer site.

A trust water right program enrollment can be made for the intervening reach if deemed necessary by Ecology.

This change depends on companion seasonal changes being approved for 2013-2014 on water right numbers SWC9974(A) and S4-01228C(A) (each having modifications in effect), to partly overlap the current (D) permit place of use.

SWP 16571(D)P Current Place of Use - Benton County Parcels, T. 6 N., R. 26 E.W.M.

S1/2S1/2 and E1/2E1/2 Section 33

all:

133663000000000 ConAgra Foods Lamb Weston, Inc 3.96 ac
133661000001002 ConAgra Foods Lamb Weston, Inc 60.77 ac

portions of:

133663000001000 ConAgra Foods Lamb Weston, Inc
133662000002006 ConAgra Foods Lamb Weston, Inc
133662000002004 Zephyr Ridge Vineyard LLC

Section 34

all:

134663000000000 ConAgra Foods Lamb Weston, Inc 7.81 ac
134662000002001 ConAgra Foods Lamb Weston, Inc 80.01 ac
134662000004000 Zephyr Ridge Vineyard LLC 20.33 ac
134661000002002 ConAgra Foods Lamb Weston, Inc 263.35 ac
134661000001001 K2H Farms Inc 160.0 ac E1/2E1/2 Section 34.
134661000001003 ConAgra Foods Lamb Weston, Inc 69.68 ac

portions of:

133662000002004 Zephyr Ridge Vineyard (repeated from Section 33)

Section 27

127662000000000 ConAgra Foods Lamb Weston, Inc 250.7 ac
127663000000000 ConAgra Foods Lamb Weston, Inc 82.63 ac
127661000001000 K2H Farms Inc 306.67 ac

Section 22

122662000000000 ConAgra Foods Lamb Weston, Inc 169.3 ac
122661000000000 K2H Farms Inc 470.7 ac

NOTE: Section 16 is being removed from (D) Permit by assignment to WA DNR.

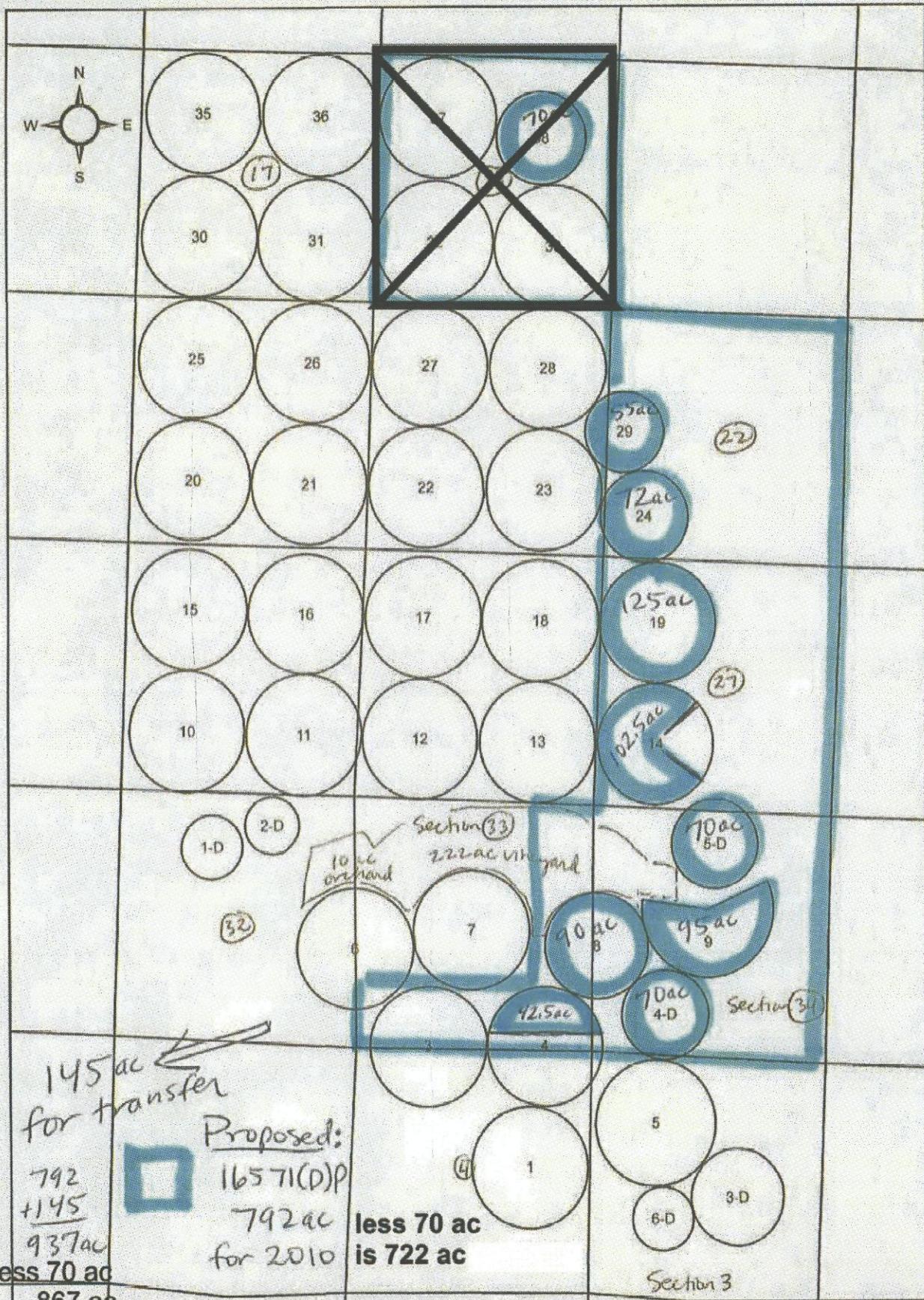
Section 16

116660000000000 State of Washington 640.0 ac

USGS NAPP BY AAS 1140000 S/N 141307
21-06-92 14126103 60% 2402 3760 277.0 17494

0194 NAPP 1426 3648-194 40 6-21-92





R26E
T6N
T5N

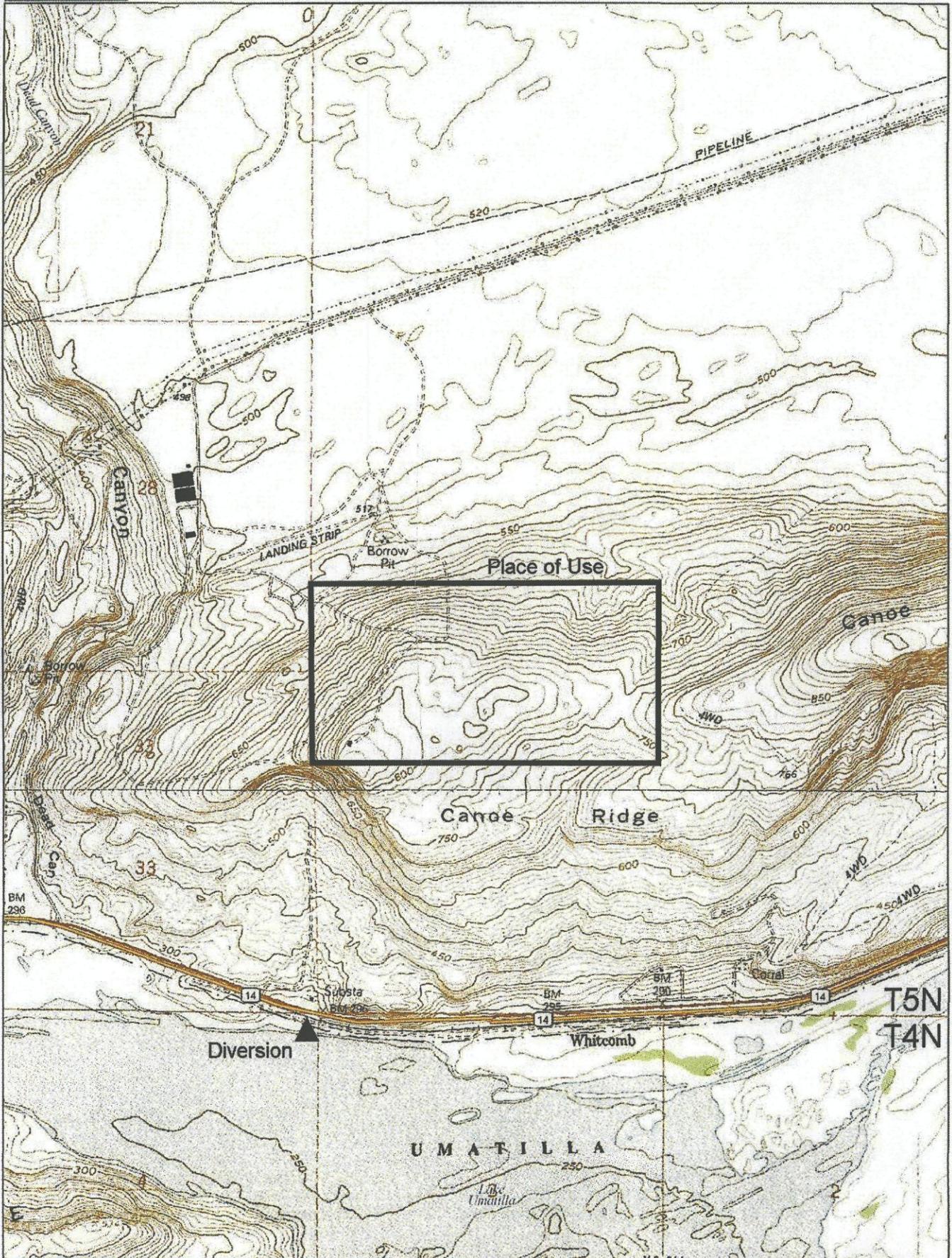
145 ac
for transfer

Proposed:
16571(D)P
792 ac
for 2010

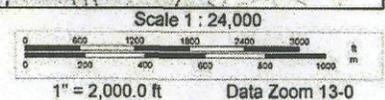
792
+145
937 ac
less 70 ac
867 ac

less 70 ac
is 722 ac

Paterson Farm



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Map Attachment Proposed Site