STATE OF WASHINGTON

APPLICATION FOR CHANGE/TRANSFER OF WATER RIGHT

DEPT OF ECOLOGY Received DEC 0 6 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: **Change POD Roaring Creek to Entiat, transfer Water in Roaring Creek to trust.**

FOR OFFICE USE ONLY

CHANGE No. CS4-CV1P20B
WRIA 46 CHELAN
DATE ACCEPTED 01 / 15 / 13 BY S
FEE $ EXEMPT REC'D 12 / 06 / 2012
CHECK No. COST REIMBURSEMENT
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.*
Roaring Creek Water Users ***(See Attachment A)***		( )
ADDRESS		
CITY	STATE	ZIP CODE

CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Jason Hatch, Trout Unlimited-Washington Water Project	**(509) 881-5464**	**(509) 888-4352**
ADDRESS **103 Palouse #14**		
CITY **Wenatchee**	STATE **WA**	ZIP CODE **98801**

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
S4-CV1P20B	Packwood
DO YOU OWN THE RIGHT TO BE CHANGED? **xYES** NO 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	

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. **See Attachment B.**

S4-CV1P20B

FOR OFFICE USE ONLY

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

CS4-CV1P20B

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Roaring Creek		SW	SE	4	25	20	252004000050	

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Entiat River (alternative 1-POD)		NE	SW	3	25	20	County right of way, below Roaring Creek bridge	
Entiat River (alternative 2-POD)		NW	NW	3	25	20	County right of way, below Old Roaring Creek bridge	

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: X YES PROPOSED: NO, PROVIDE OWNER(S) NAME: **Chelan County Office of Public Works**

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
Irrigation	.078 CFS		period of time can be beneficially used

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	.078 CFS		April 1-October 31
Instream flow in Roaring Creek	**.078 CFS**		April 1-October 31

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SW	NW	3	25	20	Chelan	252004140050, 252003230050	3.12

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

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

Irrigation is proposed on lands within the following locations. A trust water right for instream flow would be in Roaring Creek from the current POD to the confluence with the Entiat River.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SW	NW	3	25	20	Chelan	252004140050, 252003230050	3.12

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

See Attachment C

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.

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):

Are there other water rights? S4-02004JC, S4-CV1P21, S4-CV1P45, S4-142489CL

6. Remarks and Other Relevant Information:

This water right change is part of the Roaring Creek Flow Restoration and Barrier Removal Project. The users on the only two diversion on the creek, are seeking changes in points of diversions. The Upper Diversion (UD) users are seeking to move the point of diversion to a new location on the mainstem Entiat. The existing diversion with 7 water rights, plus the 6 water rights associated with the lower diversion (LD) divert 1.5 cfs an amount greater than the base flow of Roaring Creek, an important stream for ESA listed steelhead rearing. Roaring Creek is within the Lower Entiat River Assessment Unit (RM 0.0-16.2) of the Entiat subbasin. The ESA listed salmonids that utilize the mainstem Entiat River within the Lower AU and project portion of the subbasin include endangered Upper Columbia River spring Chinook (*Oncorhynchus tshawytscha*), as well as endangered steelhead (*Oncorhynchus mykiss*) and threatened bull trout (*Salvelinus confluentus*). Non-listed salmonids such as summer Chinook and Coho, and resident fish species such as westslope cutthroat trout are also found here.

The primary goal of this change is to improve flow conditions in Roaring Creek for the benefit of steelhead rearing.
This project addresses limiting factors and implements actions recommended in the Entiat WRIA 46 Watershed Management Plan approved in 2004, the Entiat Subbasin Plan, and draft Upper Columbia Salmon Recovery Plan. Therefore, we request expedited processing under WAC 173-152-050(2)(b) and (3)(a).

Concurrent with this application, water right change applications are being filed to move the UD POD from Roaring Creek upper diversion to a new location on the Entiat River, at location beneath the old Roaring Creek bridge (~RM 5.9) on the Chelan County Right of way or beneath the new Roaring Creek bridge (~RM 6.0) and on the Chelan County right of way, and provide an irrigation well on property for the largest of two landowners on the LD.

See Attachment A for list of Roaring Creek Water Users
See Attachment B for an explanation of all water rights involved with this project.
See Attachment C list of parcels associated with water rights in Roaring Creek Flow Restoration and Barrier Removal Project.
Additional documents include maps and other exhibits.

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.

Michael Jurgens — (Applicant) — 11 / 1 / 12 (Date)

Michael Jurgens — (Water Right Holder) — 11 / 1 / 12 (Date)

Michael Jurgens — 11 / 1 / 12

Michael Jurgens — (Land Owner(s) of Existing Place of Use) — 11 / 1 / 12 (Date)

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 A: Roaring Creek Water Users

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Taylor Farms (Michael Jurgens)	(509) 669-6349	( )
ADDRESS		
23 S Wenatchee Ave		
CITY	STATE	ZIP CODE
Wenatchee	WA	98801

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Dan Wood	(509) 784-2247	( )
ADDRESS		
6610 Roaring Creek Road		
CITY	STATE	ZIP CODE
Entiat	WA	98822

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Gerry Wood	(509) 784-1365	( )
ADDRESS		
6588 Roaring Creek		
CITY	STATE	ZIP CODE
Entiat	WA	98822

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Jim and Marylou Brooks	(509) 630-0761	( )
ADDRESS		
6644 Roaring Creek		
CITY	STATE	ZIP CODE
Entiat	WA	98822

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Joyce Keen	(541) 220-1349	( )
ADDRESS		
2931 SE Clay St		
CITY	STATE	ZIP CODE
Albany	OR	99322

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Carl Keen	(503) 784-1008	( )
ADDRESS		
6334 Roaring Creek Road		
CITY	STATE	ZIP CODE
Entiat	WA	98822

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Glen Wood	(509) 784-1960	( )
ADDRESS		
6619 Roaring Creek Road		
CITY	STATE	ZIP CODE
Entiat	WA	98822

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Michael Cada	(509) 784-3649	( )
ADDRESS		
6435 Roaring Creek Road		
CITY	STATE	ZIP CODE
Entiat	WA	98822