DEPARTMENT OF ECOLOGY
State of Washington

$ 50.00
Ck# 8940
4/18/13
VRG

For Ecology Use
(Date Stamp)

DEPT OF ECOLOGY
Received
APR 18 2013
CENTRAL REGION OFFICE

Water Resources Program
Application for a Water Right Permit

☐ SURFACE WATER ☒ GROUND WATER ☒ PERMANENT

☐ TEMPORARY ☐ SHORT TERM ☐ DROUGHT

Follow the attached instructions. Attach additional sheets as necessary.

***A NON-REFUNDABLE MINIMUM FEE OF $50.00 MUST ACCOMPANY THIS APPLICATION.**

Section 1. APPLICANT

Name: Robert and Anne Modarelli	Phone No: 253-370-2101	Other No:
Address: 1231 N. Sunset Drive		
City: Tacoma	State: WA	Zip:98406
Email Address (optional): annevamod@aol.com		

Contact Name (if different from above): Jessica Kuchan Mentor Law Group PLLC	Phone No: 206-838-7650	Other No:
Relationship to Applicant: Attorney representing seller of mitigation water		
Address: 315 Fifth Ave S., Ste 1000		
City: Seattle	State: WA	Zip: 98104
Email Address (optional): kuchan@mentorlaw.com		

Legal Land Owner or Part Owner Name of the Proposed Place of Use: Same	Phone No:	Other No:
Address:		
City:	State:	Zip:
Email Address (optional):		

Section 2. STATEMENT OF INTENT

Briefly describe the purpose of your proposed project: Obtain Water Right Permit based on mitigation from Court Claim No. 05259 (Suncadia, LLC). This application is for the Upper Kittitas County area. Under WAC 173-539A-060, Ecology can expedite the processing of this application.

64-35615 04-18-2013
WRIA 39 Kittitas

Anticipated length of time to complete your project: 20 years

Water Use List all purposes for which water will be applied to a beneficial use and list quantity required for each.

Purpose(s) of Use	Rate (check one box only) ☐ Cubic Feet per Second (CFS) ☒ Gallons per Minute (GPM)	Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
Domestic for 1 residence	33 gpd	0.392 (0.12 (CU))	Continuously
Irrigation for 500 s.f.	33 gpd	0.022 (0.019 (CU))	Seasonal
TOTAL:	33 gpd	0.414 (0.137 (CU))	

Short Term/Temporary Water Use

Is this a request for a short term project (less than four months and non-recurring)? ☐ YES ☒ NO

Is this request for a temporary permit? ☐ YES ☒ NO

If yes to either question above, indicate the dates that the water will be needed:

FROM: _____/_____/_____ TO: _____/_____/_____

Section 3. POINT OF DIVERSION OR WITHDRAWAL

(Complete A or B, and C below)

A.) If Surface Water Source

☐ Spring ☐ Creek ☐ River ☐ Lake

☐ Other:_____

Source Name:_____

Tributary to:_____

Number of proposed diversion points:_____

Do you have an existing diversion? ☐ YES ☐ NO

B.) If Ground Water Source

☒ Well(s) ☐ Other:_____

Well diameter & depth: 6"; 124.5

Number of proposed points of withdrawal: 1

Do you have an existing well? ☒ YES ☐ NO

If available, attach Water Well Report and pump test.

Well Tag ID No.: APG-192

C.) Points of Diversion/Withdrawal – Legal Description

Parcel No.	¼	¼	Section	Township	Range	County
953358 & 953359		NE	7	19N	15E	Kittitas

Lot(s)	Block(s)	Subdivision

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

_____ Feet (☐ North/☐ South) and _____feet (☐ East/☐ West)

from the (☐NW ☐SW ☐NE ☐SE ☐ ____) corner of Section_____.

Parcel No.	¼	¼	Section	Township	Range	County

Lot(s)	Block(s)	Subdivision

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

If no, do you have legal authority to make this application for use of another's land? ☒ YES ☐ NO
Provide the owner name(s), address, and phone number: Oren Development, LLC (Eli Shoval), c/o Maizel and Assoc., 9311 SE 36th Street #112, Mercer Island, WA, 98040, 206-232-1882

Section 4. PLACE OF USE

Attach a copy of the legal description of the property (on which the water will be used) taken from a real estate contract, property deed or title insurance policy, or copy it carefully in the space below.

Lot 7, CARMEL VIEWS PLAT, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 11 of Plats, pages 24 and 25, records of said County.

¼	¼	Section	Twp.	Range	County	Parcel No.
		7	19N	15E	Kittitas	953364

Do you own all the lands on which the proposed place of use is located? ☒ YES ☐ NO.

If no, do you have legal authority to make this application for use of another's land? ☐ YES ☐ NO
Provide owner name(s), address, and phone number:_____

Are there any other water rights or claims associated with this property or water system? ☐ YES ☒ NO

If yes, provide the water right and/or claim numbers:_____

Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map.

Section 5. WATER SYSTEM DESCRIPTION

Describe your proposed water system (include type and size of devices used to divert or withdraw water from source): Water for one single family home.

Section 6. DOMESTIC WATER SUPPLY SYSTEM INFORMATION

(Complete A or B, and C below)

A.) Domestic Water Systems only	**B.) Municipal Water Systems only** *(defined under RCW 90.03.015)*
Projected number of connections to be served: 1 (as part of Group B System)	Present population to be served water:
Type of connections: Residential *(e.g., home, recreational cabin)*	Estimate future population to be served: (20 year projection)

Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES

Irrigation

Total number of acres requested to be irrigated under this application = 0.011 ACRES
NOTE: Outline the area to be irrigated on your attached map.

Stockwater

List number and kind of stock: NA

Is the proposed project for a dairy farm? ☐ YES ☒ NO

Other Proposed Farm Uses
Describe all proposed uses: NA

Family Farm Water Act (RCW 90.66):

Calculate the acreage in which you have a controlling interest, including only:

- Acreage irrigated under water rights acquired after December 8, 1977,
- Acreage proposed to be irrigated under this application, and
- Acreage proposed to be irrigated under other pending application(s).

Is the combined acreage under existing rights greater than 6000 acres? ☐ YES ☒ NO

Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☒ NO

If yes, enter Permit No: _____

Section 8. OTHER WATER USES

Hydropower

Indicate total feet of head NA and proposed capacity in kilowatts:_____

Describe works:

Indicate all uses to which power is to be applied:

FERC License No:

Enter the name of the legal or part owner (person or business) of the land where the water is to be used. Enter a mailing address, including zip, daytime telephone, an alternate or cell phone number, and an Email address (if available).

Section 2. STATEMENT OF INTENT

Provide a brief description of the purpose of your proposed project and the anticipated length of time to complete the project.

Water Use
List the purpose(s) for which you are proposing to use the water **(see examples of purposes below)**. Check the appropriate box to indicate if the rate you have provided is measured in cubic feet per second or gallons per minute. For each purpose provide the maximum rate at which water is proposed to be taken from the water source. If known, provide the maximum quantity to be used for the purposes in acre-feet per year. Provide period of use (months) in which the water will be used for each purpose. Total the water needs for each purpose of use and write the total within the space provided.

Short Term/Temporary Water Use
If this application is being submitted for a short term (less than four months – see Policy 1037) or temporary water use (see Policy 1035), check the appropriate box and indicate the dates the water will be needed.

For more information on Water Resources Program Policies, contact your regional office or visit our website: <http://www.ecy.wa.gov/programs/wr/rules/pol_pro.html#wradminpolicy>.

Examples of purpose(s)
Be sure that you include ALL uses that you propose, not just the major use of water. Some examples are:

• Dairy	• Domestic-Multiple	• Domestic-Single
• Dust Control	• Fish Propagation	• Frost Protection
• Heat Exchange	• Hydropower	• Industrial/Manufacturing/Commercial
• Irrigation	• Mining	• Municipal
• Stockwater	• Other (describe)	

Section 3. POINT OF DIVERSION OR WITHDRAWAL
(Complete A or B, and C)

A.) If Surface Water Source
Check the appropriate box if you plan to divert water from a spring, creek, river, lake, or other (describe). Enter the source name, e.g. "Wenatchee River." If the source feeds another body of surface water, give the name of the body of water to which the source is a tributary, e.g. "Columbia River." Enter the number of proposed diversion points. Check the appropriate box if you have an existing diversion.

B.) If Ground Water Source
Check the appropriate box if you plan to withdraw water from a well or other ground water system (describe). Enter the diameter, depth, and the number of proposed points of withdrawal (wells). Check the appropriate box if you have an existing well. If the well has been constructed, attach a Water Well Report. If you have already done a pump test, attach a copy of the pump test results. Provide the Well Tag ID number, if available.

C.) Point of Diversion/Withdrawal Location – Legal Description
Enter the parcel number, quarter-quarter (¼¼), section, township, range and county in which each point of diversion or withdrawal is located. If the location has been platted (subdivided), enter the lot, block, and subdivision name. You can generally obtain this information from a legal description or plat of the property, or from your county assessor's office. If there are more than two points of diversion or withdrawal, attach additional information on a separate sheet of paper.

If known, enter the distances in feet from the nearest section corner to each point of diversion or withdrawal (e.g. 420 feet south and 150 feet west from the Northeast Corner of Section 12). You can obtain this information by measuring the distance on a USGS map, other map drawn to scale, or by measurement on the ground.

include a copy of your current and future service area map.
NOTE: Landowner's signature is required in Section 11.

Check if there are any other water rights or claims associated with this property or water system. If yes, provide the water right and/or claim numbers.

Attach a map of your project showing the point(s) of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map.

Section 5. WATER SYSTEM DESCRIPTION

Provide a description of your proposed project, explaining how you will divert, pump, distribute, and store the water, and any conservation measures you may be taking. Include proposed size, capacity, location, and motor horsepower of any pump.

Section 6. DOMESTIC WATER SUPPLY SYSTEM INFORMATION
(Complete A or B, and C)

A.) Domestic Water Systems
Enter the projected number of connections to be served and the type of connection (e.g. home, recreational cabin).

B.) Municipal Water Systems (as defined under RCW 90.03.015)
Enter the present population to be served water and estimate the future population to be served (20 year projection).

C.) Water System Planning
Check yes if you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division. Provide the date the plan was approved, as well as the water system number. Enter the name of the water system (e.g. Johnson Point Water Association).

Check yes, if you are within the service area of an existing water system and explain why you are unable to connect to the system.

Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES

Irrigation
Provide the total number of acres of land to be irrigated in the space provided. The number of acres to be irrigated should not include lands within the general irrigation area that may contain buildings, roads, etc. Outline the area to be irrigated on your attached map from Section 4.

Stockwater
Indicate total number of animals receiving stockwater and the type of animal (e.g. goats, chickens, llamas).

Check yes if the proposed project is for a dairy farm.

Other Proposed Farm Uses
Describe all other proposed farm uses (e.g. frost protection, heat control, or harvesting) listed in Section 2 and provide the proposed number of acres of land upon which each purpose would occur. Also note other uses of water on the farm (e.g. cleaning the milking parlor, washing cattle, or for a cooling system) and how much water is needed for each use.

Family Farm Water Act (RCW 90.66)
In order to comply with the Family Farm Water Act, indicate if you have a controlling interest in more than 6,000 acres of irrigation as defined in RCW 90.66.040(3). This includes the number of acres that are irrigated under water rights acquired after December 8, 1977, acreage that would be irrigated under this application, and acreage proposed to be irrigated under other pending applications on file with the Department of Ecology.

Check yes, if the proposed project is over 6,000 acres.

Other Use
Describe any other use(s) of water.

Section 9. WATER STORAGE

Check the appropriate box for each question in the above form.

If you answered yes to any of the questions, your project may require a reservoir permit, or an approval from Ecology's Dam Safety Program. For criteria on reservoir permits contact the regional office in which your project is located.

Section 10. DRIVING DIRECTIONS

Provide detailed driving directions from the nearest town to the project site. If applicable, provide the site address.

Section 11. REQUIRED SIGNATURES

The applicant or authorized representative (e.g. the Public Works Director of a municipality, or the chair of a community water system) AND the legal owner(s) or part owner of the place of use MUST sign the application.

Section 9. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water? ☐ YES ☒ NO

Are you proposing to store more than 10 acre-feet of water? ☐ YES ☒ NO

Will the water depth be 10 feet or more? ☐ YES ☒ NO

If you answered yes to any of the above questions, please describe:_____

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point and some portion of the storage will be above grade, you must also complete an Application for Permit to Construct a Reservoir and a Dam Construction Permit and Application.

Section 10. DRIVING DIRECTIONS

Provide detailed driving directions to the project site:

From I-90: Take Cle Elum exit; Turn left toward 4th St./S. Cle Elum Way; Turn left at 4th St/S Cle Elum Way; Continue to follow S. Cle Elum Way; Turn right at Madison Ave.; Take the 2nd left onto 6th St; Turn right at Marie Rd; Continue onto Westside Rd; Left on Woods and Steele Road; Left on Chandler Rd; Left on Carmel Views.

Site Address: Unknown

Section 11. REQUIRED SIGNATURES

I certify that the information provided in this application 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 site for inspection and monitoring purposes. Even though the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

Anne E. Modarelli Print Name (Applicant or authorized representative)	A Modarelli Signature	4-12-13 Date
Robert O. Modarelli Print Name (Legal Owner or Part Owner Place of Use)	Signature	4-13-13 Date
Anne Modarelli Print Name (Legal Owner or Part Owner Place of Use)	A Modarelli Signature	4-13-13 Date