

To: Washington Department of Ecology
15 W Yakima Ave Ste 200
Yakima, WA 98902

RECEIVED

SEP 05 2008

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

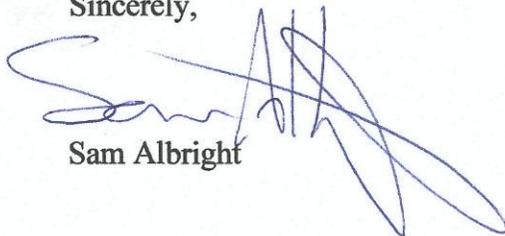
From: Sam Albright
4132 Hanson Rd
Ellensburg, WA 98926

RE: Mitigation Plan for Water Right Change Application CS4-01478CTCL@4.

I am submitting the "Manastash Creek Restoration Project In-Stream Flow Enhancement Implementation Plan" to the Washington Department of Ecology as an amendment to my water right change application. The mitigation is for the upstream move of the point of diversion for Yakima Adjudication Court Claim #01478 and any adverse environmental impacts that may be identified under the State Environmental Policy Act.

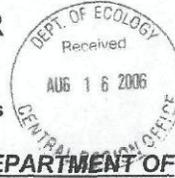
By submitting the Manastash Creek Restoration Project Instream Flow Enhancement Implementation Plan as my voluntary mitigation, I understand that my application or applications for POD change for the consolidation of Anderson, Reed Ditch, and Hatfield Ditch, upstream to the MWDA diversion, will commit not to divert water from the consolidated diversion until 6 cfs (before pro-rationing) of adjudicated water rights for instream flow purposes has been obtained and put into trust in perpetuity, in addition to any water saved by the consolidation of Reed, Anderson and Hatfield to the MWDA site.

Sincerely,


Sam Albright



STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
 OF WATER RIGHT**



For filing with 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: _____

FOR OFFICE USE ONLY	
CHANGE No. <u>CS4-01478-CL@4</u>	WRIA <u>39</u>
DATE ACCEPTED <u>09/25/06</u>	BY <u>S</u>
FEE \$ <u>170.00</u>	REC'D <u>09/18/2006</u>
CHECK No. <u>8942</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	PHONE NO.	FAX NO. ()
ADDRESS		
CITY	STATE	ZIP CODE
CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO. ()	FAX NO. ()
ADDRESS		
CITY	STATE	ZIP CODE

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER 01478 (Priority Date 06-30-1877, 86.2 ac)	RECORDED NAME(S) Peter Evans & Nora Evans
DO YOU OWN THE RIGHT TO BE CHANGED? <input type="checkbox"/> YES <input type="checkbox"/> NO Partially own this right.	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: 17-18-07020-0006 (308333) Samuel Albright – 4132 Hanson Rd, Ellensburg WA 98926 17-18-07020-0021 (140536) Samuel Albright – 4132 Hanson Rd, Ellensburg 17-18-07010-0009 (660136) Esther Manship – P.O. Box 1197, Issaquah, WA 98027 17-18-07010-0007 (190236) Michael Boyle – 2104 E Highland Drive, Seattle WA 98112 17-18-07055-0002 (17628) Zubair Hamir – 661 Buckboard Lane , Ellensburg <u>PO Box 217</u> 17-18-07055-0001 (938333) Craig Ronning – 4130 Hanson Rd, Ellensburg	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input type="checkbox"/> YES <input type="checkbox"/> 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 attached Yakima River Basin Water Rights Adjudication, Subbasin No. 11 (Manastash) info.

FOR OFFICE USE ONLY			
APP. NO. _____	PERMIT NO. _____	CERT. NO. _____	CERT. OF CHANGE NO. _____

*Count claim 01478
 sub 11 manastash
 06-30-1877*

CS4-01478CL@4



3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek Reed	1	SW	SW	12	17	18	17-17-12030-0029 (275033)	
Manastash Creek	2	SW	NE	7	17	18	17-18-07055-0001 (938333) north bank or 17-18-07010-0007 (190236) south bank	

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek MWDA		NW	NE	14	17	17	17-17-14010-0011 (215133)	

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
 EXISTING: YES NO PROPOSED: YES NO - IF NO, PROVIDE OWNER(S) NAME:
 Existing 1: Douglas John. Proposed: Scot Reeves, with easement to the Manastash Water Ditch Association.
 Existing 2: Craig Ronning (north bank) 17-18-07055-0001 (938333); or Michael Boyle (south bank) 17-18-07010-0007 (190236)

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	2.0 cfs		April 1 - June 30
Irrigation	1.0 cfs		July 1 - October 31
Irrigation		612 AF	Annually
Stockwater	0.01 cfs	1 AF	Year-round

B. Proposed SAME

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
The N ½ NE ¼, the SW ¼ NE ¼, and the SE ¼ NW ¼ of Section 7, T17N, R18E WM, EXCEPT: (1) A tract of land bounded by a line beginning at the northeast corner of said NE ¼ and running thence south along the east boundary line of said subdivision, 464.6 feet; thence west parallel with the north boundary line of said subdivision, 464.6 feet; thence north parallel with the east boundary line thereof, 464.6 feet; thence east along the north boundary line of said subdivision, 464.6 feet to the point of beginning; (2) That portion of the N ½ NE ¼ of Section 7, T17N R18E WM. Which is bounded by a line described as follows: Beginning at the northeast section corner of said Section 7; thence N 87°00'00" W along the north section line of said Section 7, 1086.08 feet; thence S 30°00'00" W 30.0 feet to the county road (Hanson Road) right of way, said point being the true point of beginning; thence S 50°29'02" E 443.18 feet; thence N 77°033'06" W 371.25 feet; thence N 30°00'00" E 377.39 feet to the southerly right of way line for said county road; thence S 87°00'00" E 300.83 feet to the true point of beginning; (3) Parcels A and B of that certain Survey recorded July 17, 1986, in Book 14 of Surveys, Page 78, under Kittitas County Auditor's File No. 496987, being a portion of the NE ¼ NE ¼ of Section 7, T17n, R18E WM.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
N 1/2	NE	7	17	18	Kittitas		86.2
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? YES <input checked="" type="checkbox"/> NO - IF NO, PROVIDE OWNER(S) NAME:							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
SAME							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

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

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):

6. Remarks and Other Relevant Information:

POD (1): 600 feet north and 700 feet east from the southwest corner of Section 12, being within the SW ¼ SW ¼ of Section 12, T17N, R17E WM (Reed).

POD (2): 250 feet north and 10 feet east from the center of Section 7, being within the SW ¼ NE ¼ of Section 7, T17N, R18E WM.

MWDA POD: 500 feet south and 150 feet east of the north quarter corner of section 14, being with in the NW ¼ NE ¼ of Section 14, T17N, R17E WM.

POU Parcel Number(s):

- 17-18-07020-0006 (308333) Samuel Albright - 4132 Hanson Rd, Ellensburg WA 98926
- 17-18-07020-0021 (140536) Samuel Albright - 4132 Hanson Rd, Ellensburg
- 17-18-07010-0009 (660136) Esther Manship - P.O. Box 1197, Issaquah, WA 98027
- 17-18-07010-0007 (190236) Michael Boyle - 2104 E Highland Drive, Seattle WA 98112
- 17-18-07055-0002 (17628) Zubair Hamir - ~~661 Buckboard Lane~~, Ellensburg *PO Box 217*
- 17-18-07055-0001 (938333) Craig Ronning - 4130 Hanson Rd, Ellensburg

IF FOR SEASONAL OR TEMPORARY, START DATE ___/___/___ END DATE ___/___/___

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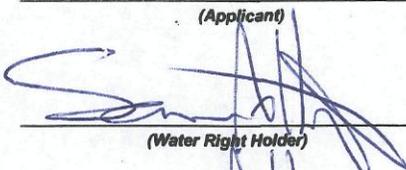
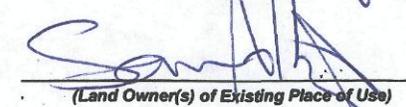
Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

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.

Sam Albright

	_____	____/____/____
	(Applicant)	(Date)
X		7, 8, 08
	(Water Right Holder)	(Date)
X		7, 8, 08
	(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):

- APPLICATION FEE NOT ENCLOSED
- MAP NOT INCLUDED or INCOMPLETE
- ADDITIONAL SIGNATURES REQUIRED
- SECTION _____ IS INCOMPLETE
- OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____



**ATTACHMENT FOR
APPLICATION FOR CHANGE**

Point(s) of Diversion/Withdrawal - Existing Proposed:

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek Reed	1	SW	SW	12	17	18	17-17-12030-0029 (275033)	
Manastash Creek	2	SW	NE	7	17	18	17-18-07055-0001 (938333) north bank or 17-18-07010-0007 (190236) south bank	
Manastash Creek MWDA		NW	NE	14	17	17	17-17-14010-0005	

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? YES NO - IF NO, PROVIDE OWNER(S) NAME:
 Existing 1: Douglas John. Proposed for 1: Scot Reeves, with easement to the Manastash Water Ditch Association.
 Existing 2: Craig Ronning (north bank) 17-18-07055-0001 (938333); or Michael Boyle (south bank) 17-18-07010-0007 (190236)
 Uncertain about whether to move POD 2 or leave as is.

Purpose(s) of Use - Existing Proposed: SAME

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	2.0 cfs		April 1 - June 30
Irrigation	1.0 cfs		July 1 - October 31
Irrigation		612 AF	Annually
Stockwater	0.01	1 AF	Year-round

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

Place of Use - Existing Proposed: SAME

A. Existing

LEGAL DESCRIPTION OF LANDS:							
The N ½ NE ¼, the SW ¼ NE ¼, and the SE ¼ NW ¼ of Section 7, T17N, R18E WM, EXCEPT: (1) A tract of land bounded by a line beginning at the northeast corner of said NE ¼ and running thence south along the east boundary line of said subdivision, 464.6 feet; thence west parallel with the north boundary line of said subdivision, 464.6 feet; thence north parallel with the east boundary line thereof, 464.6 feet; thence east along the north boundary line of said subdivision, 464.6 feet to the point of beginning; (2) That portion of the N ½ NE ¼ of Section 7, T17N R18E WM. Which is bounded by a line described as follows: Beginning at the northeast section corner of said Section 7; thence N 87°00'00" W along the north section line of said Section 7, 1086.08 feet; thence S 30°00'00" W 30.0 feet to the county road (Hanson Road) right of way, said point being the true point of beginning; thence S 50°29'02" E 443.18 feet; thence N 77°33'06" W 371.25 feet; thence N 30°00'00" E 377.39 feet to the southerly right of way line for said county road; thence S 87°00'00" E 300.83 feet to the true point of beginning; (3) Parcels A and B of that certain Survey recorded July 17, 1986, in Book 14 of Surveys, Page 78, under Kittitas County Auditor's File No. 496987, being a portion of the NE ¼ NE ¼ of Section 7, T17n, R18E WM.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NE	NW	7	17	18	Kittitas	See below	86.2
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: 17-18-07020-0006 (308333) Samuel Albright - 4132 Hanson Rd, Ellensburg WA 98926 17-18-07020-0021 (140536) Samuel Albright - 4132 Hanson Rd, Ellensburg 17-18-07010-0009 (660136) Esther Manship - P.O. Box 1197, Issaquah, WA 98027 17-18-07010-0007 (190236) Michael Boyle - 2104 E Highland Drive, Seattle WA 98112 17-18-07055-0002 (17628) Zubair Hamir - 661 Buckboard Lane , Ellensburg <i>PO Box 217</i> 17-18-07055-0001 (938333) Craig Ronning - 4130 Hanson Rd, Ellensburg							