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DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE



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
- Donation
- Other

Explain: _____

Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE 06 / 11 / 2009
END DATE 04 / 30 / 2012

FOR OFFICE USE ONLY	
FILE No. <u>CS4-01863 CTCLsb3@18</u> WRIA <u>39</u>	<i>RITTITAS</i>
DATE ACCEPTED <u>07 / 17 / 2009</u> BY <u>S</u>	
FEE \$ <u>0</u> REC'D <u>07 / 07 2009</u>	
CHECK No. <u>0</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 Washington Water Trust	PHONE NO. (206)675-1585	FAX NO. (509)925-5603
ADDRESS 1530 Westlake Avenue N, Suite 400		
CITY Seattle	STATE WA	ZIP CODE 98109-3011
CONTACT NAME (IF DIFFERENT FROM ABOVE) Jason McCormick, Project Manager - Washington Water Trust	PHONE NO. (509)925-5601	Cell No. (509)607-3513
ADDRESS 222 East 4 th Avenue, Suite 109		
CITY Ellensburg	STATE WA	ZIP CODE 98926-3163

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Court Claim No. 01863 (Attachment A)	RECORDED NAME(S) Norman J. & Shirley B. Cromarty
DO YOU OWN THE RIGHT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF NO, PROVIDE OWNER(S) NAME and ADDRESS:
Mark Schober 180 Hansen Rd, Ellensburg, WA 98926	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO - See Attachment B: Order Pendente Lite	
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

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.

FOR OFFICE USE ONLY	
COURT CLAIM <u>01863</u> SUB <u>3</u> TENANT <u>WY</u>	
WATER RIGHT NO. _____	FILE (contract) NO. _____
<u>CS4-01863 CTCLsb3@18</u>	

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

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s):none (donation)	

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
North Fork Teanaway River	1	NW	SW	29	21	16		n/a
North Fork Teanaway River	2	SE	SW	31	21	16		n/a

39
Kitt

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	0.067 cfs	13.36 acre-ft	May 1 to September 15
Stock water			Year-round

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	13.36

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Kittitas County Assessor's Parcel No. 952236 and legally described as follows: Acres 4.00; Schober Short Plat 06-21, Lot 2; located in Section 31, T21N R16E W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
S1/2		31	21	16	Kittitas	952236	4.00
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: Mark Schober 180 Hansen Rd, Ellensburg, WA 98926							

* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

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<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
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6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
<i>From the North Fork Teanaway River to the Pacific Ocean</i>

7. Remarks and Other Relevant Information:

Washington Water Trust is requesting a temporary donation of a portion of Court Claim No. 01863, Subbasin No. 3, to instream flow use on behalf of Mark Schober from the date of the attached Order Pendente Lite (OPL) as approved by Yakima County Superior Court, June 11, 2009, (Attachment B) through April 30, 2012.

This Change Application seeks to effectuate a donation of the 3.34 acres served by the above referenced court claim to be used exclusively for instream flows for fish maintenance and enhancement, recreational uses and preservation of environmental and aesthetic values as allowed under RCW Chapters 90.03, 90.42 and 90.38. Water use changes associated with this application will provide significant environmental benefits to the Teanaway and Yakima Rivers, thus this transfer should receive expedited processing under WAC 173-152-050(2)(b) and (3)(a).

This application is accompanied by an Order Pedente Lite as ordered by the Yakima Superior Court on June 11, 2009 (Attachment B).

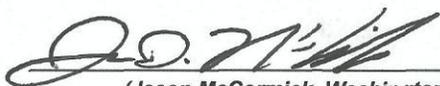
Washington Water Trust intends to protect this trust water right as instream flow in the Teanaway, Yakima, and Columbia Rivers.

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.

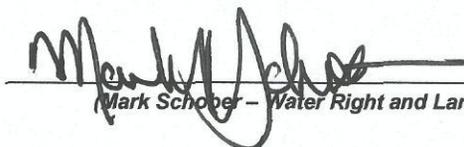
8. Signatures:

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.



(Jason McCormick, Washington Water Trust)

07 / 10 / 2009
(Date)



(Mark Schober - Water Right and Landowner)

7 / 6 / 09
(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: ____/____/____

**ATTACHMENT FOR
APPLICATION TO ENTER A WATER RIGHT INTO
THE TRUST WATER RIGHT PROGRAM**

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

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