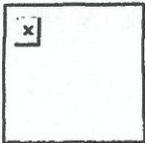


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JUL 16 2009

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

CS4-01296 CTCL 365 @ 1 (A)

(Check all that apply.)

- Lease
- Purchase
- Donation
- Other

Explain: For instream flow and mitigation bank

Portion of the identified existing water right

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

FOR OFFICE USE ONLY	
FILE No. <u>CS4-01296 CTCL 365 @ 1 (A)</u>	WRIA <u>39</u>
DATE ACCEPTED <u>08/13/09</u>	BY <u>[Signature]</u>
FEE \$ <u>P</u>	REC'D <u>07/16/2009</u>
CHECK No. <u>P</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 Dave Blanchard, Cooper Pass, LLC	PHONE NO. (509) 674-6828	FAX NO. (509) 674-6836
ADDRESS 206 West First Street		
CITY Cle Elum	STATE WA	ZIP CODE 98922

CONTACT NAME (IF DIFFERENT FROM ABOVE) Washington Rivers Conservancy, Lisa Pelly	PHONE NO. (509) 888-09790	FAX NO. (509) 888-4352
ADDRESS 103 Palouse St. Suite 14		
CITY Wenatchee	STATE WA	ZIP CODE 98801

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Court Claim No. 01296 (A)	RECORDED NAME(S) The Estate of John E Rothlisberger (White)
DO YOU OWN THE RIGHT? YES <input type="checkbox"/> X NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
<p>Mike and Lynda White 661 Godawa Ln Cle Elum WA 98922</p> <p>Lonny and Joanne White 280 Iron Mtn Rd Cle Elum WA 98922</p> <p>Pete White 8080 Lower Peoh Point Rd Cle Elum WA 98922</p>	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? X YES <input type="checkbox"/> NO	
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input checked="" type="checkbox"/> YES NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Parent: CS4-01296 CTCL

PORTION A: .70 cfs 212 acre-ft

ECY 070-54 (06/05)

1

Application to Enter a Water Right into
the Trust Water Right Program

Court Claim 01296
Sub 5 ERK HGT 615
05-24-1884

CS4-01296 CTCL 365 @ 1 (A)

A
.70 CFS
212 AC-FT/YR

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	
WATER RIGHT NO. _____	FILE (contract) NO. _____

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

<input type="checkbox"/> Alteration in method of diversion	<input checked="" type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input checked="" 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 checked="" type="checkbox"/> Other, Explain below:
These will be trust water rights available for mitigation of impacts to TWSA resulting from new water right applications. <i>under the Kittas Rule.</i>	
Name of funding source(s):	

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	%	%	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Unnamed Stream, 750 feet north and 500 feet east of the west quarter corner of Section 1, being within the NW1/4SW1/4NW1/4 of Section 1, T. 19 N., R. 15 E.W.M.				1	19	15		

39
KITO

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	.70 CFS	212	April 1 through October 31
Stock		2	April 1 through October 31

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
Temporary Instream flow for fish and wildlife benefits, and mitigation of impacts to TWSA resulting from new applications for water rights.	214

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

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Government Lot 2 of Section 1, T. 19 N., R. 15 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		1	19	15	Kittitas		55.5
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:							
Mike and Lynda White 661 Godawa Ln Cle Elum WA 98922							
Lonny and Joanne White 280 Iron Mtn Rd Cle Elum WA 98922							
Pete White 8080 Lower Peoh Point Rd Cle Elum WA 98922							

6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
Unnamed Stream, Yakima River and the Columbia River

7. Remarks and Other Relevant Information:

We are requesting expedited processing under WAC 173-539A-080 based on trust water used to mitigate for impacts to TWSA from applications for new water rights and under WAC 173-152-050(2)(b) and (3)(a) based on the project having biological benefits and addressing limiting factors for native fish species in Yakima River.
The water right for this project is one of four Northland Resources related Trust Water Right applications being proposed to contribute irrigation water rights to trust. The purpose of the trust, and as a condition of placing the water rights into trust, is to exercise the water rights for benefit instream flows in the short term and thereafter have the trust water available to the applicant as mitigation for any impairment to existing water rights, including the Yakima River Total Water Supply Available (TWSA) as a result of rights or authorizations for Applications for Water Right Permits. As proposed, the impact on the individual project and total impacts of all the projects' impacts will be TWSA neutral.
Applicant is submitting with this application reports from Aspect Consulting describing the current proposal for mitigation.
Included in the file: Water Right and Map

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.

