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JUN 24 2009

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE



STATE OF WASHINGTON
APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT

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: _____

FOR OFFICE USE ONLY	
CHANGE No. <u>C64-6WC7601-A @ 6</u>	<u>BENTON 40</u> OR <u>FRANKLIN 36</u>
DATE ACCEPTED <u>01/15/2010</u>	BY <u>[Signature]</u>
FEE \$ _____	REC'D <u>06/24/2009</u>
CHECK No. _____	
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 John Goroch	PHONE NO. (406) 362-4756	FAX NO. ()
ADDRESS PO Box 67		
CITY Lincoln	STATE MT	ZIP CODE 95639
CONTACT NAME (IF DIFFERENT FROM ABOVE) Clay Landry, WestWater Research LLC	PHONE NO. (208) 433-0255	FAX NO. (360) 695-6105
ADDRESS 205 N 10 th St, Ste 520		
CITY Boise	STATE ID	ZIP CODE 83702

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Ground Water Certificate No. 7601-A	RECORDED NAME(S) Parm Dickson
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
The right is claimed for a determined future development as an irrigation project on land owned or being acquired by Lynn J. Olsen II and Julie G. Olsen. The Olsen's are cooperating in the transfer and will assume ownership following the change.	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
A determined future development is being pursued and the Dept of Ecology has all usage information.	
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.	

<u>64-704741C(B) DICKSON</u>	
FOR OFFICE USE ONLY	
APP. NO. <u>4741</u>	PERMIT NO. <u>4472</u>
CERT. NO. <u>7601-A</u>	CERT. OF CHANGE NO. _____

C64 6WC7601-A @ 6

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
A well		NW	NW	11	33N	26E	3326114000	

49 OKAN

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Columbia River			SW	13	10N	28E	126-200-155 126-200-119	n/a

40 Bent OR 36 FRANK?

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
 EXISTING: YES NO PROPOSED: YES NO – IF NO, PROVIDE OWNER(S) NAME:
 The proposed site is owned by Lynn J. Olsen II and Julie G. Olsen.

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. Well documentation enclosed. Diversion site is near center of SW1/4 Sec. 13, T10N, R28EWM, Franklin County.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
irrigation of 141 acres	1500 gpm	564 af/yr	May 1 through October 31

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
no change – transferring 20 acre portion for irrigation	100 gpm portion	40 af/yr portion	no change

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
NW1/4 Sec. 11, T. 33 N., R. 26 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		11	33N	26E	Okanogan	3326114000	141 water right acres
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
See Attachment.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		13	10N	28E	Franklin	126-200-155 126-200-119 ptn 126-200-137	20 water right acres
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: Lynn J. Olsen II and Julie G. Olsen own parcels 126-200-155, 119; Jeremy A. Bonderman and Amber L. Bonderman own parcel 126-200-137. Olsen's are purchasing the Bonderman portion land included in this application.							

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. Maps are enclosed.

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):
 Rights under RCW 90.44.100 for domestic use.

6. Remarks and Other Relevant Information:

In the year 2006, Goroch and the Olsens made agreement and fixed a plan to cooperate to amend a portion of the original water right for a determined future development, using the irrigation water rights being transferred herein. During that time, the Department of Ecology was deliberating about its administrative procedure for transferring other portions of the Goroch water right downstream along the Okanogan and Columbia Rivers. Recently, Ecology concluded that the Goroch ground water right should be transferred to surface water diversions rather than wells "downstream". Goroch has waited to file this change application until the administrative procedure was determined by Ecology. This application now requests a change from ground water to surface water, consistent with Ecology's preferred administrative approach.

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.

Goroch:	<u>John Goroch</u> (Applicant)	<u>6/21/09</u> (Date)
Goroch:	<u>John Goroch</u> (Water Right Holder)	<u>6/21/09</u> (Date)
Goroch:	<u>John Goroch</u> (Land Owner(s) of Existing Place of Use)	<u>6/21/09</u> (Date)
Lynn J. Olsen II:	<u>Lynn J. Olsen II</u> (Land Owner of Amended Place of Use)	<u>6/4/09</u> (Date)
Julie G. Olsen:	<u>Julie G. Olsen</u> (Land Owner of Amended Place of Use)	<u>6/4/09</u> (Date)
Jeremy Bonderman:	<u>Jeremy Bonderman</u> (Land Owner of Amended Place of Use)	<u>6/17/09</u> (Date)
Amber Bonderman:	<u>Amber Bonderman</u> (Land Owner of Amended Place of Use)	<u>6/17/09</u> (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 – PROPOSED PLACE OF USE

That portion of Farm Unit 10, Irrigation Block 1 of the Columbia Basin Irrigation Project lying South and West of the following described line:

Beginning at the SE corner of Sec. 13, T. 10 N., R. 28 E.W.M.;
Thence N 01°05' E 889.29 ft to the South line of said Farm Unit 10;
Thence N 89°50' W along the South line of said Farm Unit 10, 1182.48 ft
to the True Point of Beginning;
Thence N 37°15' W 37.77 ft;
Thence N 89°50' W parallel with the South line of said Farm Unit 10, 1629.17 ft;
Thence N 03°25' W 869.30 ft;
Thence N 89°04' W 956.16 ft and terminus of said line;

AND lying North of the following described line:

Beginning at the previously described True Point of Beginning;
Thence N 89°50' W 2481 ft and terminus of said line;

AND lying Easterly of the Columbia River.

Together with a tract of land generally described as the North 10 acres of Franklin County Parcel No. 126-200-137, specific legal description to be provided.