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DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

DEPARTMENT OF ECOLOGY
State of Washington

# Water Resources Program
## Application for a Water Right Permit

☐ SURFACE WATER x☒ GROUND WATER x☐ PERMANENT

☐ TEMPORARY ☐ SHORT TERM ☐ DROUGHT

57 gpm = $50
fee ok. EG
4.7.2010

*Follow the attached instructions. Attach additional sheets as necessary.*

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

## Section 1. APPLICANT

| | | |
|---|---|---|
| Applicant/Business Name: Jim and Pat L'Heureux | Phone No: 509-945-6453 | Other No: 509-574-4247 |
| Address: 1260 Burbank Creek Road | | |
| City: Yakima | State: Washington | Zip: 98901-8353 |
| Email Address (optional): yakima.beauty@hotmail.com | | |

| | | |
|---|---|---|
| Contact Name (if different from above): | Phone No: | Other No: |
| Relationship to Applicant: | | |
| Address: | | |
| City: | State: | Zip: |
| Email Address (optional): | | |

| | | |
|---|---|---|
| Legal Land Owner or Part Owner Name of the Proposed Place of Use: James and Patricia L'Heureux | Phone No: 509-945-6453 | Other No: |
| Address: 1260 Burbank Creek Road | | |
| City: Yakima | State: Washington | Zip: 98901 |
| Email Address (optional): yakima.beauty@hotmail.com | | |

## Section 2. STATEMENT OF INTENT

Briefly describe the purpose of your proposed project: We have a Superseding Permit #G4-25809(H) that was awarded after a lawsuit with the Burbank Creek Well Users association controlled by Larson Fruit. It was found we were being charged power for water that we were not using. Larsen Fruit was charging us a portion of the power they were using to do frost control and cool their apples. Because of this, the cost the water was no longer affordable. We were told at the time we got our Superseding Permit we could drill our own well. The DOE would not grant us a permit to drill a well to the required 800' dept because of the artesian water in this area. We would like to get a permit to drill to the safe 400' dept. We have a small alfalfa field, and horses so we would like to keep on watering. Keeping our land irrigated also helps protect us from wild fires. We never would have

| For Ecology Use | |
|---|---|
| | APPLICATION NO: G4-35277 SEPA: Exempt/Not Exempt |
| | Fee Paid: $50.- Check No: ECY Coding: 001-001-WR1-0285-000011 |
| Date Returned By | Priority Date 4.5.2010 By WRIA: 39 Kittitas |

signed off on the original well if we knew we would not be allowed to drill. And the DOE did not tell us that until after the fact. The purpose of this well would be to get back the irrigation water we lost through this unfortunate Settlement we signed with Larson Fruit not realizing the DOE would no allow us to drill a well to the dept of the well we sighed off on. Total time for this project would be approx. 3 mo. Also drilling to the safe 400' level would be much more affordable for a single individual. Also after talking to the DOE no well driller was willing To drill a 800' well in this area.

Anticipated length of time to complete your project: 3 mo.

**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) x☒ Gallons per Minute (GPM) | Acre-Feet per Year (AF/YR) (If known) | Period of Use (Continuously or Seasonal) |
|---|---|---|---|
| irrigation | 57 | 45 | April 1 to Oct. 31 |
| | | | |
| | | | |
| | | | |
| **TOTAL:** | 57 | 45 | |

**Short Term/Temporary Water Use**

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

Is this request for a temporary permit? ☐ YES x☒ 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**

xx☒ Well(s) ☐ Other:

Well diameter & depth: 400'

Number of proposed points of withdrawal: 1

Do you have an existing well? x☒ YES A Domestic well. ☐ NO

If available, attach Water Well Report and pump test.

Well Tag ID No. ADW854

**C.) Point of Diversion/Withdrawal – Legal Description**

| Parcel No. | ¼ | ¼ | Section | Township | Range | County |
|---|---|---|---|---|---|---|
| 15-19-22000-0022 | NE | NE | 22 | 15 | 10 19? | Kittitas |

| Lot(s) | Block(s) | Subdivision |
|---|---|---|
| | | |

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| Date Returned By | Priority Date 4.5.2010 By WRIA: 39 Kittitas |

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

985feet (☐ North/☐ South) and _____feet (☐ East/x☒ West)

from the (☐NW ☐SW ☒NE x[ ]SE ☐____) corner of Section22

*NOTE: If more than two points of diversion/withdrawal attach additional information on a separate sheet of paper.*

Do you own the land on which the proposed point of diversion/withdrawal is located? x☒ YES ☐ NO
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:_____

## 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.**

Attached

| ¼ | ¼ | Section | Twp. | Range | County | Parcel No. |
|---|---|---|---|---|---|---|
| NE | NE | 22 | 15 | 19 | Kittitas | 15-19-22000-0022 |

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

If yes, provide the water right and/or claim numbers:G4-25890(H) Permit Number. G4-25809C this is our Superseding Permit number.

**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**. Attached

## Section 5. WATER SYSTEM DESCRIPTION

Describe your proposed water system (include type and size of devices used to divert or withdraw water from source): To drill an irrigation well to a 400' dept with 8" casing, install the appropriate pump needed to bring the water to the surface. All our lines are already in the ground and we use a wheel line to distribute the water.

## 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: _____ | Present population to be served water: _____ |

| Type of connections:_____ *(e.g., home, recreational cabin)* | Estimate future population to be served: _____ (20 year projection) |
|---|---|

**C.) Water System Planning**

Do you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division? ☐ YES ☒ NO

If yes, date plan was approved _____/_____/_____ Water System Number:_____

Name of water system:_____

Are you within the service area of an existing water system? ☐ YES ☐ NO

If yes, explain why you are unable to connect to the system:_____

## Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES

**Irrigation**

Total number of acres requested to be irrigated under this application = 15 ACRES

*NOTE: Outline the area to be irrigated on your attached map.*

**Stockwater**

List number and kind of stock :5 horses

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

**Other Proposed Farm Uses**

Describe all proposed uses: to raise a small amount of alfalfa and keep the land green. And pasture 5 horses.

**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 x☒ NO

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

If yes, enter Permit No: _____

## Section 8. OTHER WATER USES

**Hydropower**

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

Describe works:_____

Indicate all uses to which power is to be applied: _____

FERC License No: _____

**Mining/Industrial Use**

Describe use, method of supplying and utilizing water: _____

**Other Use**

## 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: Go N. on Hwy 821 off I-82 approx. 81/2 miles . Turn right On the Burbank Creek Rd. Go 11/4 miles we will be on the right.

Site Address: 1260 Burbank Creek Road, Yakima, Wash. 98901

## 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.**

| Print Name (Applicant or authorized representative) | Signature | Date |
|---|---|---|
| James W. L'Heureux | Jim W. L'Heureux | 4/1/2010 |
| Patricia C. L'Heureux | Patricia C. L'Heureux | 4/1/2010 |
| Print Name (Legal Owner or Part Owner Place of Use) | Signature | Date |
| Print Name (Legal Owner or Part Owner Place of Use) | Signature | Date |
| Print Name (Legal Owner or Part Owner Place of Use) | Signature | Date |

**Please check the region in which the project is located:**

| ***Submit your application to:** | ☒ Central Regional Office<br>15 W Yakima Avenue, Suite 200<br>Yakima, WA 98902<br>(509) 575-2490 | ☐ Eastern Regional Office<br>4601 N. Monroe<br>Spokane, WA 99205-1295<br>(509) 329-3400 |
|---|---|---|
| DEPARTMENT OF ECOLOGY<br>CASHIERING SECTION<br>PO BOX 47611<br>OLYMPIA, WA 98504-7611 | ☐ Northwest Regional Office<br>3190 – 160th Avenue SE<br>Bellevue, WA 98008-5452<br>(425) 649-7000 | ☐ Southwest Regional Office<br>PO Box 47775<br>Olympia, WA 98504-7775<br>(360) 407-6300 |

If you have questions about your application, contact the Water Resources program at the regional office in which your project is located.

## INSTRUCTIONS for the Application for a Water Right Permit

Please read these instructions carefully. Be accurate and complete in filling out your application, as the information you provide is very important in processing your application. Be sure to attach your fees, maps, and any additional information related to the water uses you are proposing.

If you need assistance, please contact the regional office in which your project will be located. A map of the Ecology regions is on the back page of the application. If your answers to any questions are longer than the space provided, you may attach additional sheets as necessary.

**Check Boxes**

Check the appropriate box for Surface or Ground Water.
Check the appropriate box for Permanent, Temporary, or Short Term use (duration of 4 months or less).

***Application Fee**

- A minimum fee of $50.00 is required for each new application for a water right permit.
- No fees are required for applications to be processed under a Cost Reimbursement contract.
- No fees are required for Emergency Drought Applications (only when a drought is declared).

If additional fees are required, Ecology will send you a letter requesting those fees. If you are unsure of the appropriate fee amount, contact your regional office for more information, or visit our website: <http://www.ecy.wa.gov/programs/wr/rights/wr_fees.html>.

**Please make checks or money orders payable to the "Department of Ecology." Cash cannot be accepted. ALL FEES ARE NONREFUNDABLE.**

### Section 1. APPLICANT

Enter the name of the person, organization, or water system for which the water right permit is requested. For instance, if the permit is required for a community water system, enter the name of the system (e.g. Green Acres Water Works). Enter a mailing address, including zip, daytime telephone, an alternate or cell phone number, and an Email address (if you have one).

Provide the name of a contact person (if different from above) to call in case we have questions about the