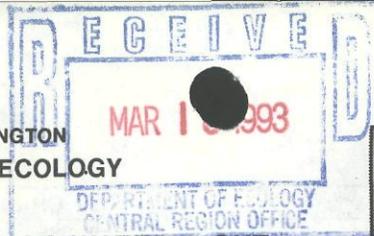


19

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY



Accepted By	<i>m jay</i>
Date	<i>4/29/93</i>
Is Field Exam. Required?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Determined By	

APPLICATION FOR CHANGE OF WATER RIGHT

PURPOSE DIVERSION OR WITHDRAWAL *by telecon of 4/29/93 m jay*

PLACE ADDITIONAL POINT OR POINTS

NAME ZASER & LONGSTON, INC. dba KEYSTONE RANCH		Bus. Tel. (206) 562-7997	
ADDRESS 1802 136th Place N.E.		(CITY) Bellevue	(STATE) Washington
		(ZIP CODE) 98005	
APPLICATION NUMBER	PERMIT NUMBER S4-28272P	CERTIFICATE NUMBER	

DECREED RIGHT (TITLE OF CASE)

APPROPRIATIONS MADE (GIVE DATE IF PRIOR TO JUNE 7, 1917 IF SURFACE WATER, OR JUNE 7, 1945 IF GROUND WATER)

IS THE WATER RIGHT RECORDED IN YOUR NAME? YES NO

IF NO, GIVE NAME RECORDED UNDER

1. RIGHT CONSISTS OF

WATERS USED FROM (STREAM, LAKE, WELL, OR TRENCH, ETC.) Okanogan River	GALLONS PER MINUTE OR CUBIC FEET PER SECOND 2.33 cubic feet per second
WATER CURRENTLY USED FOR Irrigation and frost control of Orchards	TIME OF USE Frost Control as required 4/1 - 8/31 Irrigation

2. LOCATION OF PRESENT POINT OF DIVERSION OR WITHDRAWAL

ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.
2,250 feet south and 1,850 feet west from the Northeast corner of said Section 5

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) Gov't Lot 2 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)	SECTION 5	TOWNSHIP N. 35 N.	RANGE (E. OR W.) W.M. 27 E.W.M.	COUNTY Okanogan
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IF THIS IS WITHIN THE LIMITS OF A RECORDED PLATTED PROPERTY, COMPLETE THIS SECTION

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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3. LEGAL DESCRIPTION OF LANDS WATER IS USED ON

The W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4, Township 35 North, Range 27 E.W.M.

per telecon of 4/29/93 m jay

*LEGAL DESCRIPTION OF PARCELS TO BE TRANSFERRED: *25* Approximately 6 acres, known as Rock Haven, located within the W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 4, T. *25* N., R. 27 E.W.M. This parcel is outlined on the enclosed map. The actual acreage to be transferred to land under SWC #11749 will have to be determined after the D.O.E.'s final approval of the transfer of SWC #11749. At this time we do not know specifically the acreage that will transfer up to lands under S4-282872P from SWC #11749. Only a portion of the irrigation rights will be transferred, up to 6 acres. All rights for frost control will remain in place.

SECTION 4	TOWNSHIP N. 35 N.	RANGE, (E. OR W.) W.M. 27 E.W.M.	COUNTY Okanogan
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(ATTACH SEPARATE SHEET IF NECESSARY)

ARE YOU THE LEGAL OWNER OF THE ABOVE DESCRIBED LANDS YES NO

IF NO, EXPLAIN YOUR INTEREST

REASONS FOR THE PROPOSED CHANGE

A non-interruptable water right (Certificate #11749) is currently in D.O.E.'s process to be transferred to a portion of those lands described under the above permit for irrigation. We request a transfer of a portion of the "Irrigation Only" rights described under S4-28272P as a reciprocal transfer to that of Certificate #11749. We want to transfer as much as 6 acres, as described above. Actual acres to be determined upon final transfer of SWC #11749.

A MINIMUM FEE OF \$10.00 MUST ACCOMPANY THIS APPLICATION

CONTINUE ON REVERSE SIDE

CHANGE

4. **CHANGE REQUESTED**

CHANGE WATER USE TO Irrigation of Alfalfa	TIME OF USE	GALLONS PER MINUTE OR CUBIC FEET PER SECOND
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5. **LOCATION OF PROPOSED POINT OF DIVERSION OR WITHDRAWAL**

ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION. SHOW NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER.

ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.
 At intersection of North boundary line of Gov't Lot 4 of said Section 7 & the Okanogan River

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NE ¹ / ₄ NE ¹ / ₄ of Gov't Lot 4	SECTION 7	TOWNSHIP N. 25 N.	RANGE (E. OR W.) W.M. 27 E.W.M.	COUNTY Okanogan
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IF THIS IS WITHIN THE LIMITS OF A RECORDED PLATTED PROPERTY, COMPLETE THIS SECTION

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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ARE YOU THE OWNER OF THE LAND ON WHICH THE PROPOSED POINT OF DIVERSION OR WITHDRAWAL IS TO BE LOCATED
 YES NO

6. **LEGAL DESCRIPTION OF LANDS WATER IS TO BE USED ON**

As much as 6 acres within the SE¹/₄SE¹/₄ AND that part of the SW¹/₄SE¹/₄ lying easterly of the county road; ALL in Sec. 12, T. 35 N., R. 26 E.W.M.; LESS road Actual acreage to be ascertained upon D.O.E.'s final determination of acreages transferred up river under SWC #11749 to lands under S4-28272P.

SECTION 12	TOWNSHIP N. 35 N.	RANGE, (E. OR W.) W.M. 26 E.W.M.	COUNTY Okanogan
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(ATTACH SEPARATE SHEET IF NECESSARY)

ARE YOU THE LEGAL OWNER OF THE ABOVE DESCRIBED LANDS IF NO, EXPLAIN YOUR INTEREST
 YES NO

ZASER & LONGSTON, INC. dba KEYSTONE RANCH

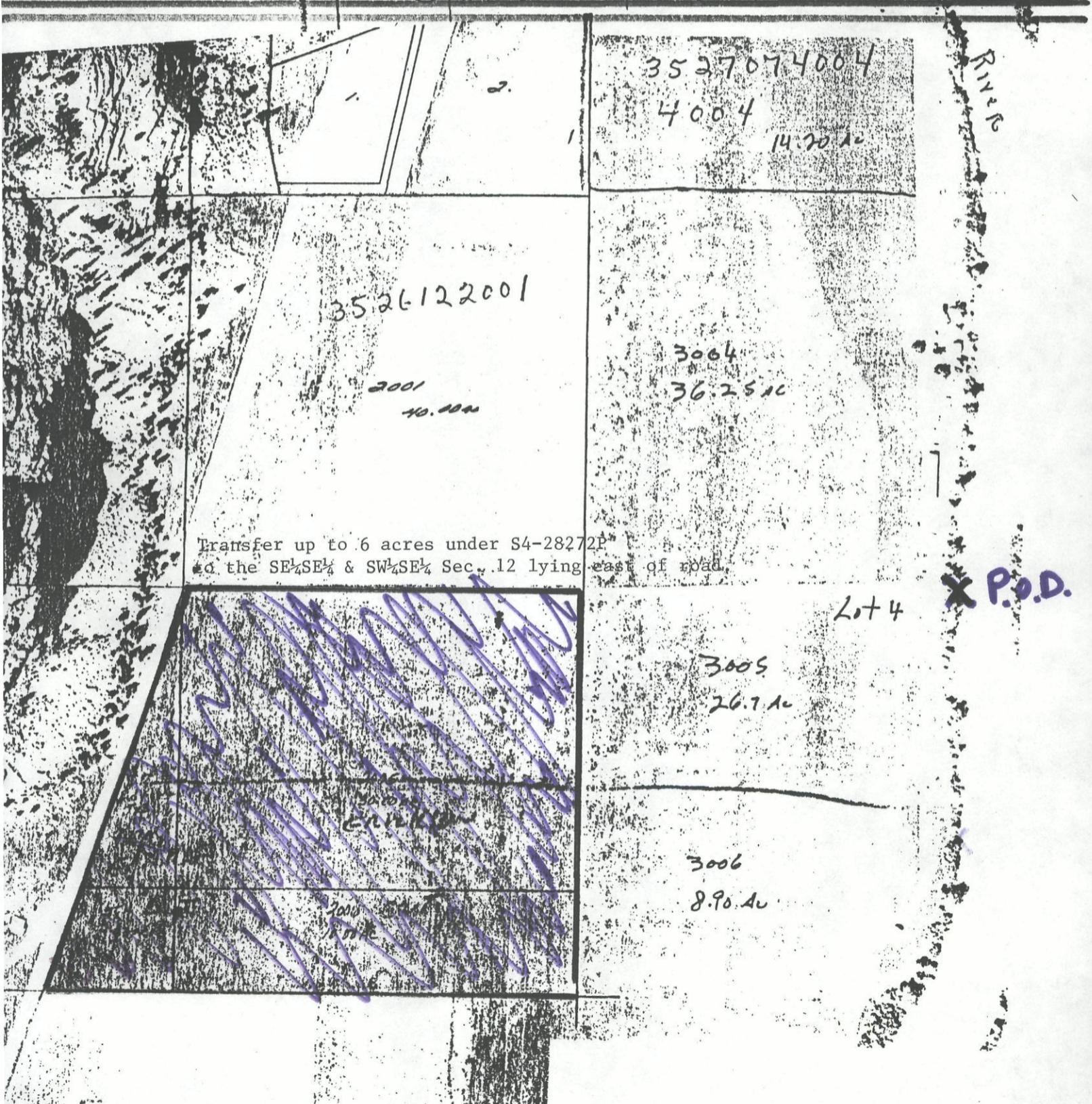
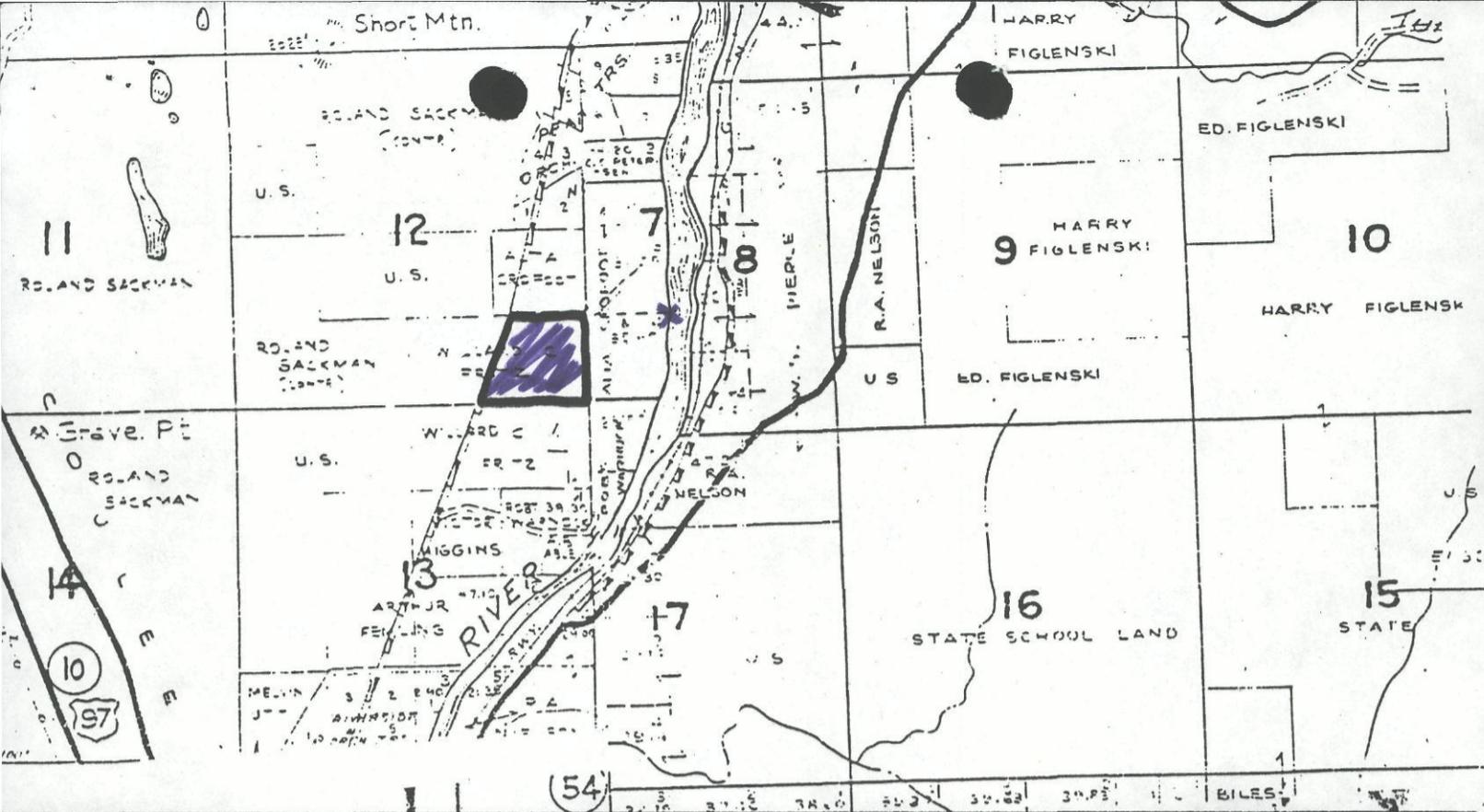
Greg D. Zaser
 APPLICANT'S SIGNATURE
 by Greg D. Zaser, President



* 2 8 *

App Supporting Docs

Document Type Code - 28
(Bar-code 39, Font 48)



ALL AERIAL PHOTO INFORMATION IS APPROXIMATE

T35 R26 S12

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

- Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)
- Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE August 5, 1983	APPLICATION NUMBER S4-28272	PERMIT NUMBER S4-28272P	CERTIFICATE NUMBER
---------------------------------	--------------------------------	----------------------------	--------------------

NAME ZASER AND LONGSTON, INC. dba KEYSTONE RANCH			
ADDRESS (STREET) 11005 NE 12th	(CITY) Bellevue,	(STATE) Washington	(ZIP CODE) 98004

The applicant is, pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the limitations and provisions set out herein.

PUBLIC WATER TO BE APPROPRIATED

SOURCE Okanogan River		
TRIBUTARY OF (IF SURFACE WATERS) Columbia River		
MAXIMUM CUBIC FEET PER SECOND 2.33	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR 138.56

QUANTITY, TYPE OF USE, PERIOD OF USE
120 acre-feet per year for irrigation of 30 acres from April 1 to August 31;
18.56 acre-feet per year for frost control for 30 acres as required (but not before April 1).

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
2250 feet south and 1850 feet west from the northeast corner of Section 5

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) Government Lot 2 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)	SECTION 5	TOWNSHIP N. 35	RANGE, (E. OR W.) W.M. 27	W.R.I.A. 49	COUNTY Okanogan
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RECORDED PLATTED PROPERTY

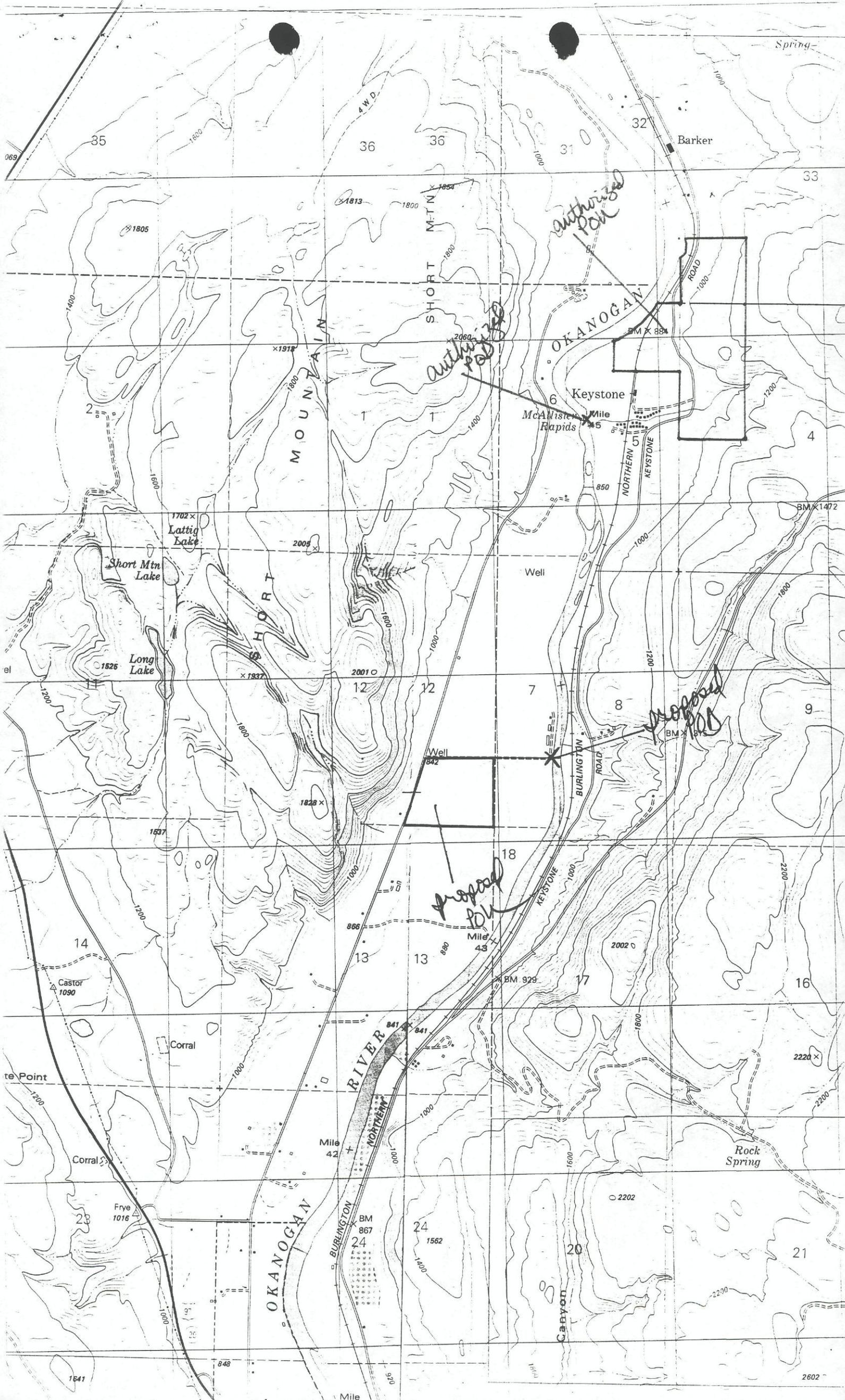
LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

The W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5; both within T. 35 N., R. 27 E.W.M., and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T. 36 N., R. 27 E.W.M. all in Okanogan County.

RETAIN FOR YOUR FILES

PERMIT



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

REC'D
MAR 1 1993

Accepted By <i>mas</i>
Date <i>4/29/93</i>
Is Field Exam. Required?
<input type="checkbox"/> YES <input type="checkbox"/> NO
Determined By _____

APPLICATION FOR CHANGE OF WATER RIGHT

- PURPOSE DIVERSION OR WITHDRAWAL
by telecon of 4/29/93 mas
- PLACE ADDITIONAL POINT OR POINTS

NAME ZASER & LONGSTON, INC. dba KEYSTONE RANCH		Bus. Tel. (206) 562-7997
ADDRESS 1802 136th Place N.E.		Home Tel. _____
(CITY) Bellevue		Other Tel. _____
(STATE) Washington		(ZIP CODE) 98005
APPLICATION NUMBER	PERMIT NUMBER S4-28272P	CERTIFICATE NUMBER

DECREED RIGHT (TITLE OF CASE)

APPROPRIATIONS MADE (GIVE DATE IF PRIOR TO JUNE 7, 1917 IF SURFACE WATER, OR JUNE 7, 1945 IF GROUND WATER)

IS THE WATER RIGHT RECORDED IN YOUR NAME? YES NO

IF NO, GIVE NAME RECORDED UNDER

1. RIGHT CONSISTS OF

WATERS USED FROM (STREAM, LAKE, WELL, OR TRENCH, ETC.) Okanogan River	GALLONS PER MINUTE OR CUBIC FEET PER SECOND 2.33 cubic feet per second
WATER CURRENTLY USED FOR Irrigation and frost control of Orchards	TIME OF USE Frost Control as required 4/1 - 8/31 Irrigation

2. LOCATION OF PRESENT POINT OF DIVERSION OR WITHDRAWAL

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2,250 feet south and 1,850 feet west from the Northeast corner of said Section 5

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) Gov't Lot 2 (SW $\frac{1}{2}$ NE $\frac{1}{2}$)	SECTION 5	TOWNSHIP N. 35 N.	RANGE (E. OR W.) W.M. 27 E.W.M.	COUNTY Okanogan
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LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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3. LEGAL DESCRIPTION OF LANDS WATER IS USED ON

The W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4, Township 35 North, Range 27 E.W.M.

part telecon of 4/29/93 mas

*LEGAL DESCRIPTION OF PARCELS TO BE TRANSFERRED: ⁵ Approximately 6 acres, known as Rock Haven, located within the W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 4, T. 35 N., R. 27 E.W.M. This parcel is outlined on the enclosed map. The actual acreage to be transferred to land under SWC #11749 will have to be determined after the D.O.E.'s final approval of the transfer of SWC #11749. At this time we do not know specifically the acreage that will transfer up to lands under S4-282872P from SWC #11749. Only a portion of the irrigation rights will be transferred, up to 6 acres. All rights for frost control will remain in place.

SECTION 4	TOWNSHIP N. 35 N.	RANGE, (E. OR W.) W.M. 27 E.W.M.	COUNTY Okanogan
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(ATTACH SEPARATE SHEET IF NECESSARY)

ARE YOU THE LEGAL OWNER OF THE ABOVE DESCRIBED LANDS YES NO

IF NO, EXPLAIN YOUR INTEREST

REASONS FOR THE PROPOSED CHANGE

A non-interruptable water right (Certificate #11749) is currently in D.O.E.'s process to be transferred to a portion of those lands described under the above permit for irrigation. We request a transfer of a portion of the "Irrigation Only" rights described under S4-28272P as a reciprocal transfer to that of Certificate #11749. We want to transfer as much as 6 acres, as described above. Actual acres to be determined upon final transfer of SWC #11749.

A MINIMUM FEE OF \$10.00 MUST ACCOMPANY THIS APPLICATION

CONTINUE ON REVERSE SIDE

CHANGE

4. **CHANGE REQUESTED**

CHANGE WATER USE TO Irrigaiton of Alfalfa	TIME OF USE	GALLONS PER MINUTE OR CUBIC FEET PER SECOND
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ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.

At intersection of North boundary line of Gov't Lot 4 of said Section 7 & the Okanogan River

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Gov't Lot 4	SECTION 7	TOWNSHIP N. 25 N.	RANGE (E. OR W.) W.M. 27 E.W.M.	COUNTY Okanogan
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IF THIS IS WITHIN THE LIMITS OF A RECORDED PLATTED PROPERTY, COMPLETE THIS SECTION

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

ARE YOU THE OWNER OF THE LAND ON WHICH THE PROPOSED POINT OF DIVERSION OR WITHDRAWAL IS TO BE LOCATED

YES NO

6. **LEGAL DESCRIPTION OF LANDS WATER IS TO BE USED ON**

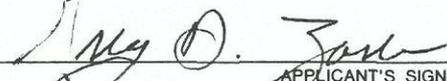
As much as 6 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ AND that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying easterly of the county road; ALL in Sec. 12, T. 35 N., R. 26 E.W.M.; LESS road Actual acreage to be ascertained upon D.O.E.'s final dtermination of acreages transferred up river under SWC #11749 to lands under S4-28272P.

SECTION 12	TOWNSHIP N. 35 N.	RANGE, (E. OR W.) W.M. 26 E.W.M.	COUNTY Okanogan
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(ATTACH SEPARATE SHEET IF NECESSARY)

ARE YOU THE LEGAL OWNER OF THE ABOVE DESCRIBED LANDS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF NO, EXPLAIN YOUR INTEREST
---	------------------------------

ZASER & LONGSTON, INC. dba KEYSTONE RANCH

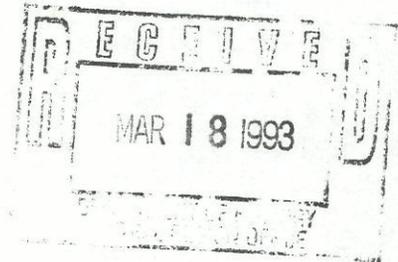


 APPLICANT'S SIGNATURE
 by Greg D. Zaser, President

Zaser & Longston, Inc.

Lessors of Commercial, Industrial and Agricultural Real Estate

March 16, 1993



Mr. Doug Clausing
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
3601 West Washington
Yakima, Washington 98903-1164

RE: Applications for change, Permits S4-26567P and S4-28272P.

Dear Mr. Clausing:

As you may remember, we purchased some alfalfa ground with non-interruptable water rights down river from our orchard. This land is irrigated under Certificate #11749 and your office is currently processing an application in regards to this certificate to transfers this water right upriver to our orchard.

Enclosed are the reciprocal change applications, the applications to transfer the interruptable rights pertinent to our orchard to those lands under Certificate #11749. There are two (2) applications enclosed, one for S4-26567P and another is for S4-28272P. The transfer of Certificate #11749 affects parcels under both surface water permits described. Therefore, an application for change is required for both permits.

Both of these permits represent surface water rights for frost control as well as irrigation purposes. The request for a change in the place of use for these water rights is only relative to "irrigation", not frost control. Non of the rights to frost control are being transferred and only portions of the "irrigation" rights under these permits are to be transferred. The two (2) permits described represent more acreage than does Certificate #11749. We do not want to transfer more acreage down river under these permits than the acreage which gets transferred upriver under #11749.

Certificate #11749 is for 42 acres, but at this time we do not know the D.O.E.'s determination of what acreage will transfer up river to our orchard. Right now Myra Johnson is issuing a corrected notice for publication. We have hesitated to submit the change applications for the above permits because we do not know what acreage will be covered on our orchard by the transfer of Certificate #11749. We do know that as much as 42 acres could transfer up river to the orchard under Certificate #11749. We have determined that there is up to 41 acres under both S4-26567P and S4-28272P which can be transferred down river depending upon what acreage is transferred upriver.

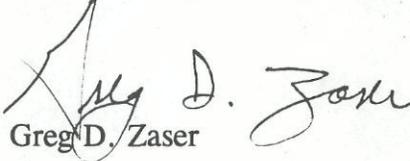
Mr. Doug Clausing
March 16, 1993
Page 2

The enclosed applications for change describe the affected parcels and acreage. There is approximately 35 acres total under S4-26567P and 6 acres under S4-28272P which could be transferred. Again actual parcels and acreage will have to be determined upon the D.O.E.'s final decision in regards to SWC #11749. It would seem to make sense though to transfer all 6 acres requested under S4-28272P since this covers one contiguous field. If we need to cut back on acreage to be transferred down river it should probably be that land under S4-26567P.

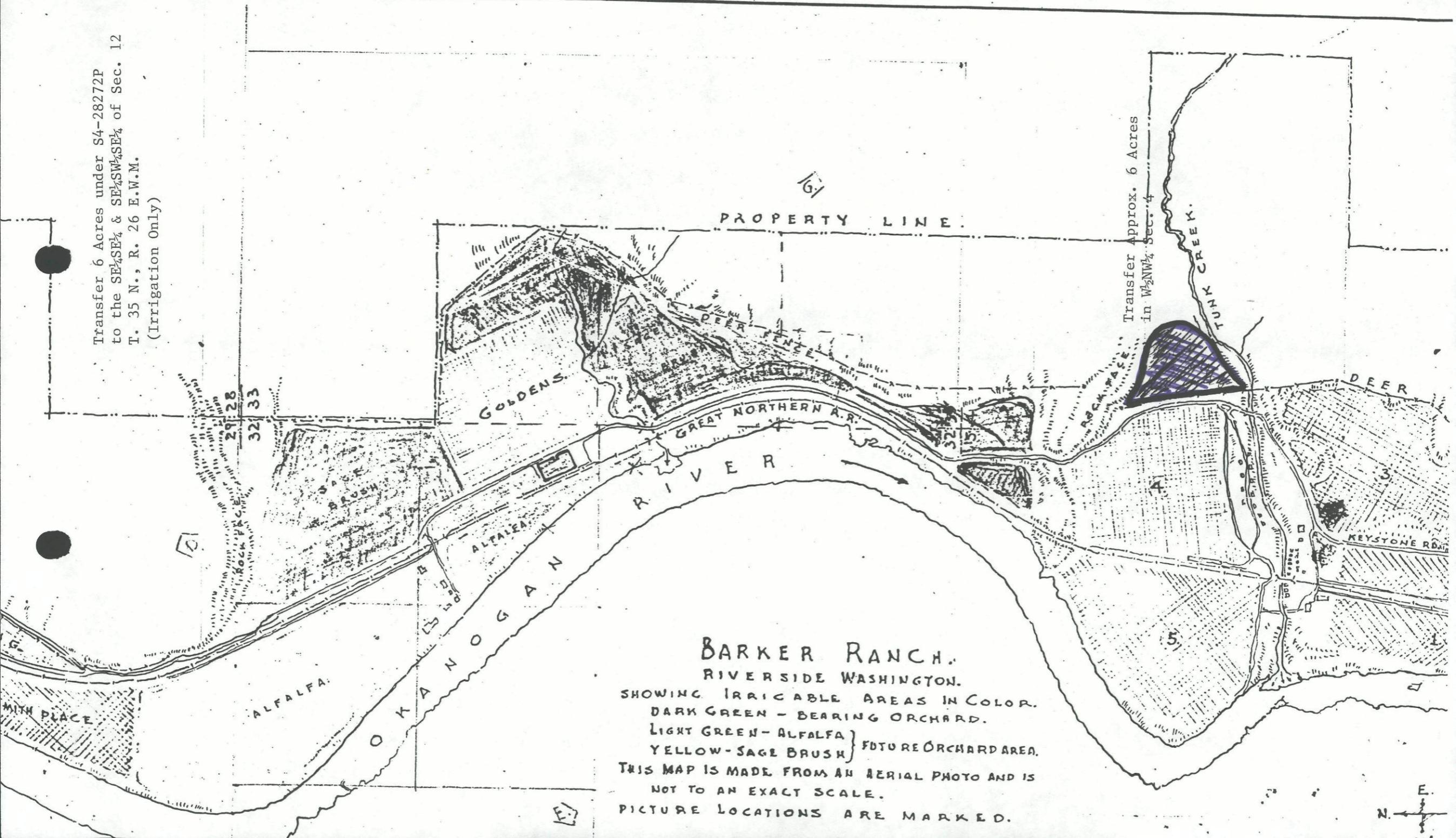
We hope that we can initiate the process of these applications for change with the information provided in the applications and this letter. Our final decision as to the specific parcels and acreage to be transferred down river will have to be determined upon working with your office and its decisions.

Sincerely Yours:

ZASER & LONGSTON, INC.


Greg D. Zaser

Transfer 6 Acres under S4-28272P
 to the SE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12
 T. 35 N., R. 26 E.W.M.
 (Irrigation Only)



BARKER RANCH.

RIVERSIDE WASHINGTON.

SHOWING IRRIGABLE AREAS IN COLOR.

DARK GREEN - BEARING ORCHARD.

LIGHT GREEN - ALFALFA

YELLOW - SAGE BRUSH

} FUTURE ORCHARD AREA.

THIS MAP IS MADE FROM AN AERIAL PHOTO AND IS NOT TO AN EXACT SCALE.

PICTURE LOCATIONS ARE MARKED.

