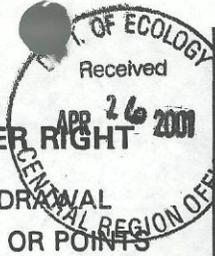


STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

APPLICATION FOR CHANGE OF WATER RIGHT

PURPOSE DIVERSION OR WITHDRAWAL
 PLACE ADDITIONAL POINT OR POINTS



Accepted by	FA
Date	4/26/01
Field Exam. Required?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Determined By	

NAME	c/o CHARLES B. ROE, JR., PERKINS COIE 1110 CAPITOL WAY SOUTH, SUITE 405 OLYMPIA, WA 98501-2251	Bus. Tel. 701-297-1547 (BRIAN MADSON) Home Tel. Other Tel. 360-956-3300 (CHARLES ROE)
ACL COMPANY		
ADDRESS	(CITY)	(STATE) (ZIP CODE)
1500 RADISSON TOWER, 201 - 5 TH ST. NORTH	FARGO	ND 58102
APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
		CERTIFICATE NO. S20-9887 CERTIFICATE NO. S27-8417

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? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF NO, GIVE NAME RECORDED UNDER: JOHNNY APPLESEED ORCHARDS, INC.	CR # 5099 RECEIPT # 200192 4/26/01 fm
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1. RIGHT CONSISTS OF	
WATERS USED FROM (STREAM, LAKE, WELL, OR TRENCH, ETC.) OKANOGAN RIVER	GALLONS PER MINUTE OR CUBIC FEET PER SECOND CERTIFICATE NO. S20-9887-8.1 cfs AND 2430 ACRE FEET YEARLY CERTIFICATE NO. S27-8417-12 cfs AND 4128 ACRE FEET YEARLY
WATER CURRENTLY USED FOR IRRIGATION	TIME OF USE IRRIGATION SEASON

2. LOCATION OF PRESENT POINT OF DIVERSION OR WITHDRAWAL - SEE APPENDIX A				
ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.				
LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	COUNTY

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
SEE APPENDIX A AND B. THE ORCHARDS ON THE ABOVE-DESCRIBED LANDS ARE OPERATED AS A SINGLE OPERATION.
NOTE: THE WATER RIGHTS REQUEST FOR CHANGE UNDER THIS APPLICATION (FOR THE 2001 IRRIGATION SEASON ONLY)
RELATE TO WATER DIVERSIONS FROM THE OKANOGAN RIVER APPLIED TO 425.2 ACRES OF APPLE ORCHARD (AT 4 ACRE FEET PER ACRE) THAT HAVE BEEN IRRIGATED UNTIL LAST YEAR (2000) BUT NOT IRRIGATED IN 2001.

SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	COUNTY
			OKANOGAN

(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:
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REASONS FOR THE PROPOSED CHANGE:
THE PROPOSED TEMPORARY ONE-SEASON CHANGE (2001) OF A PORTION OF THE TWO CERTIFICATE WATER RIGHTS NOTED ABOVE ARE DESIGNED TO ASSURE A STABLE, UNINTERRUPTIBLE WATER SUPPLY TO STEMILT IRRIGATION DISTRICT AND LOWER STEMILT IRRIGATION DISTRICT IN LIGHT OF FORECASTED DROUGHT CONDITIONS AND THE POTENTIAL INTERRUPTION IN THE EXERCISABILITY OF CERTAIN WATER RIGHTS OF THE DISTRICT ASSOCIATED WITH THE COLUMBIA RIVER. SEE APPENDIX C, APPENDIX D, AND APPENDIX E, ATTACHED.

A MINIMUM FEE OF \$10 MUST ACCOMPANY THIS APPLICATION.

CONTINUED ON REVERSE SIDE

ECY 040-1-97
Rev. 1/85 QX A-209
[09901-8179/01099.010]

PRIORITY DATE: APRIL 26, 2001
OK SA 05-01-2001

CHANGE
WR1A-40 CHELAN

C54-SWC 8417

4.

CHANGE REQUESTED

CHANGE WATER USE TO N/A	TIME OF USE N/A	GALLONS PER MINUTE OR CUBIC FEET PER SECOND 13.442 CFS (1320 ACRE FEET YEARLY)
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5.

LOCATION OF PROPOSED POINT OF DIVERSION OR WITHDRAWAL - SEE APPENDIX D

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.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	COUNTY
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6.

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
 THEY ARE OWNED BY STEMILT IRRIGATION DISTRICT AND LOWER
 STEMILT IRRIGATION DISTRICT

YES NO

LEGAL DESCRIPTION OF LANDS WATER IS TO BE USED ON

SEE APPENDIX C, ATTACHED (CERTIFICATE NO. S4-26539P), APPENDIX D (PERMIT NO. 26277) AND APPENDIX E (PERMIT NO. S4-29535) (ACRES IRRIGATED WITH SAID DESCRIPTIONS WILL NOT EXCEED IRRIGATIONS OF 880 ACRES WITHIN THE TWO DISTRICTS AND WILL NOT EXCEED (1) 1.50 ACRE FEET PER ACRE BASED ON THE RIGHTS EXERCISED UNDER THE PERMIT AND (2) 3.00 ACRE FEET WHEN COMBINED WITH AUTHORITY TO DIVERT WATER OF THE TWO DISTRICTS ON ANY OTHER BASIS.

SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	COUNTY CHELAN
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(ATTACH SEPARATE SHEET IF NECESSARY)

ARE YOU THE LEGAL OWNER OF THE ABOVE DESCRIBED LANDS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF NO, EXPLAIN YOUR INTEREST: LANDS ARE WITHIN STEMILT IRRIGATION DISTRICT
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* PLEASE NOTE LEGAL LAND OWNER SIGNATURE AND APPLICANT SIGNATURE ARE BOTH REQUIRED. IF THE LEGAL LAND OWNER AND APPLICANT ARE THE SAME, PLEASE SIGN IN BOTH PLACES. THANK YOU.

LEGAL LANDOWNER (please print)
 Stemilt Irrigation District
 by Jan D. Luebber - Director
 LEGAL LANDOWNER SIGNATURE
 (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 3)

Wapa D...
 APPLICANT'S SIGNATURE
 For Acl Company
 Lower Stemilt Irrig Dist
 by Ed Rame 10/10/00

LEGAL LANDOWNER'S ADDRESS