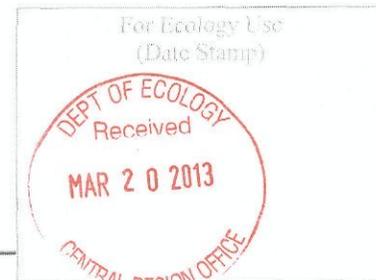




Application for Change/Transfer of Water Right



For filing with the Department of Ecology or with County Conservancy Boards

A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION IF FILED WITH THE DEPARTMENT OF ECOLOGY

Dou6-13-03 C63-00670Ced

(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: _____

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

FOR OFFICIAL USE ONLY	
DATE APPLICATION RECEIVED	<u>3-11-13</u>
CHECK NO. <u>3140</u>	FEE \$ <u>1000⁰⁰</u>
DATE ACCEPTED <u>3-11-13</u>	BY <u>CL</u>
CHANGE NO. <u>Dou6 13-03</u>	
COUNTY <u>Douglas</u>	WRIA <u>44</u>
SPECIAL AREA	<u>03/27/2013 SA</u>
SEPA: <input checked="" type="checkbox"/> EXEMPT <input type="checkbox"/> NOT EXEMPT	
ECY CODING: 001-002-WR10285-000011	
APP NO. <u>10338</u>	PERMIT NO. <u>C63+00670P</u>
CERT NO. <u>C63+00670C</u>	CERT OF CHG NO. _____

I have participated in a pre-application conference with Ecology.

1. Applicant Information

APPLICANT/BUSINESS NAME Excelsior Mortgage Equity Fund II, LLC	PHONE NO. 503-747-6910	FAX NO. 503-747-6803
ADDRESS 5800 SW Meadows Road, Suite 230		
CITY Lake Oswego	STATE OR	ZIP CODE 97035
EMAIL ADDRESS (IF AVAILABLE) ben@emef2.com		
CONTACT (IF DIFFERENT FROM ABOVE) Donald L. Dimmitt	PHONE NO. 509-662-3685	FAX NO. 509-662-2452
ADDRESS P.O. Box 1688		
CITY Wenatchee	STATE WA	ZIP CODE 98807-1688
EMAIL ADDRESS (IF AVAILABLE) dond@jdsalaw.com		
LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE Same as applicant	PHONE NO.	FAX NO.
ADDRESS		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE)		

2. Water Right Information

WATER RIGHT OR CLAIM NUMBER G3-00670C	RECORDED NAME(S) Columbia Feeders, Inc.
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: _____	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

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.

G3+00670 CW R15

C63-00670Ced

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
2 Wells adjacent to Columbia River	Gov. Lot 13			5	T20N	R22E	20220510000	

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
2 Wells adjacent to Columbia River	Gov. Lot 13			5	T20N	R22E	20220510000	

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: YES NO PROPOSED: YES NO - IF NO, PROVIDE OWNER(S) NAME: Grant County PUD

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.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	500 gpm	118	4/1 to 10/31
Domestic		1	Year round
Stock Water		101	Year round

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	130 gpm	134	4/1 to 10/31

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

A strip of land 60 feet wide which lies parallel and adjacent to the westerly right of way of State Highway No. 28 within the West half of Southeast quarter; AND the northerly 1300 feet of the easterly 800 feet of the East half of Southwest quarter; ALL within Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
E1/2	SW1/4	4	T20N	R22E	Douglas		27.5

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? YES NO

IF NO, PROVIDE OWNER(S) NAME: _____

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

Legal description attached.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		4	T20N	R22E	Douglas	Attached	200

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? YES NO

IF NO, PROVIDE OWNER(S) NAME: _____

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.

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): _____

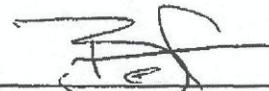
6. Remarks and Other Relevant Information:

See attached Narrative
2 Wells -The certificate indicates that the two wells are approximately 1,000' North and 100' West of the SE corner of Section 5. RH2's onsite visit determined that the wells were actually located approximately 100' North of the SE corner of Section 5 and virtually on the eastern boundary of Section 5.
Well logs - A note in the water file from 1978 indicates that the well logs cannot be located but that Well #1 is 8' in diameter and 62' deep and that Well #2 is 14' in diameter and 64' deep.
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. For further information, contact Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Phone (360) 570-3265.

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 hereby grant 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 preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

<u>Excelsior Mortgage Equity Fund II, LLC--</u> Applicant Printed Name - Title	 Applicant Signature	<u>3/17/13</u> (Date)
<u>Same</u> Water Right Holder Printed Name	_____ Water Right Holder Signature	<u> / / </u> (Date)
<u>Same</u> Land Owner of Existing Place of Use Printed Name	_____ Land Owner of Existing Place of Use Signature	<u> / / </u> (Date)
<u>Same</u> Land Owner of Proposed Place of Use Printed Name	_____ Land Owner of Proposed Place of Use Signature	<u> / / </u> (Date)

Please check the region in which the project is located:

<p>*Submit your application to:</p> <p>DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611</p>	<input type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490	<input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Street Spokane, WA 99205-1295 (509) 329-3400
	<input type="checkbox"/> Northwest Regional Office 3190 - 160 th Avenue SE	<input type="checkbox"/> Southwest Regional Office PO Box 47775

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

ES NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): _____

6. Remarks and Other Relevant Information:

See attached Narrative
2 Wells - The certificate indicates that the two wells are approximately 1,000' North and 100' West of the SE corner of Section 5. RH2's onsite visit determined that the wells were actually located approximately 100' North of the SE corner of Section 5 and virtually on the eastern boundary of Section 5.
Well logs - A note in the water file from 1978 indicates that the well logs cannot be located but that Well #1 is 8' in diameter and 62' deep and that Well #2 is 14' in diameter and 64' deep.
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. For further information, contact: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Phone (360) 570-3265.

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 hereby grant 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 preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

<u>Excelsior Mortgage Equity Fund II, LLC--</u> Applicant Printed Name - Title	_____	_____	____/____/____ (Date)
<u>Same</u> Water Right Holder Printed Name	_____	_____	____/____/____ (Date)
<u>Same</u> Land Owner of Existing Place of Use Printed Name	_____	_____	____/____/____ (Date)
<u>Same</u> Land Owner of Proposed Place of Use Printed Name	_____	_____	____/____/____ (Date)

Please check the region in which the project is located:

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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):	
<input type="checkbox"/> APPLICATION FEE NOT ENCLOSED	<input type="checkbox"/> MAP NOT INCLUDED or INCOMPLETE
<input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED	<input type="checkbox"/> SECTION _____ IS INCOMPLETE
<input type="checkbox"/> OTHER/EXPLANATION: _____	
STAFF: _____	DATE: ____/____/____

LEGAL DESCRIPTIONS FOR AREA OF PROPOSED USE

Tax Parcel No. 20-22-04-300-03:

That portion of the Northeast quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter all of Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington, described as follows: Beginning at the Southeast corner of the said Section 4; thence along the South line of the said Section South 89°31'10" West 2666.57 feet to the South quarter corner of the said Section 4 as monumented by a found 1" iron pipe; thence North 19°03'10" East 1149.60 feet to the Point of Beginning of this description and a point on the westerly right of way line of State Highway 28 and a point on a curve whose tangent bears North 12°00'31" West; thence northerly along the said curve whose radius is 6478.50 feet through a central angle right of 01°47'48" for a distance of 203.15 feet to the North line of the said Southwest quarter of the Southeast quarter of the said Section 4; thence along the said North line South 88°58'33" West 397.32 feet to the Northwest corner of the said subdivision; thence continuing along the same line South 88°58'33" West 307.99 feet; thence North 02°44'12" West 1157.44 feet; thence South 88°26'47" West 623.17 feet; thence South 02°37'51" East 650.00 feet; thence South 24°16'29" East 379.57 feet; thence South 65°12'23" East 180.26 feet; thence South 06°16'27" West 276.41 feet; thence North 88°58'33" East 1103.40 feet to the Point of Beginning and the end of this description.

Tax Parcel No. 20-22-04-100-03:

That portion of the following described property lying westerly of the westerly right of way for Primary State highway No. 10: Beginning at the Southeast corner of Government Lot 8, Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington, and run thence North along the section line between Sections 3 and 4, for 53 1/3 rods; thence turning to the left and running along a line parallel with the South line of said Section 4, to the West line of Lot 6 in said Section 4; thence South on a line parallel with the section line between said Sections 3 and 4 for 53 1/3 rods; thence easterly along a line parallel to the South line of said Section 4 to the Point of Beginning, EXCEPT portions conveyed to the State of Washington for road and highway by Deeds in Book 67 at Page 395 and Auditor's File No. 120750 in Book 131 at Page 344.

Tax Parcel No. 20-22-04-400-02:

That portion of the following described property lying westerly of the westerly right of way limit for Primary State Highway No. 10: Government Lot 10 and the North half of the Southeast quarter of Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.

Tax Parcel No. 20-22-09-000-01:

That portion of Section 9, Township 20 North, Range 22, E.W.M., Douglas County, Washington, which lies northeasterly of the Great Northern Railway right of way, and southwesterly of a line 50 feet southwesterly from and parallel to the center line of the unused railroad right of way running through said section and which lies northerly of the county road right of way conveyed to Douglas County, Washington, by Deeds recorded as Auditor's File No. 135714, in Book 150, Page 130.

Tax Parcel No. 20-22-04-200-01:

Unused right of way in Lots 3, 4, 5, 6, 11 and 12 and the Northwest quarter of the Southwest quarter and conveyed to Thomas F. Roddy by Treasurer's Deed recorded in Book 99 of Deeds, page 376, Douglas County, Washington, in Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.

Tax Parcel No. 20-22-04-300-02

That portion of the following property lying westerly of the westerly right of way limit for Primary State Highway No. 10:

The South half of the Southeast quarter and the East half of the Southwest quarter of Section 4, Township 20 North, Range 22 East of the Willamette Meridian, Douglas County, Washington.

EXCEPT the unused right of way in Lots 3, 4, 5, 6, 11 and 12 and the Northwest quarter of the Southwest quarter and conveyed to Thomas F. Roddy by Treasurer's Deed recorded in Book 99 of Deeds, page 376, Douglas County, Washington, in Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington.

AND EXCEPT That portion of the Northeast quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter all of Section 4, Township 20 North, Range 22, E.W.M., Douglas County, Washington, described as follows: Beginning at the Southeast corner of the said Section 4; thence along the South line of the said Section South 89°31'10" West 2666.57 feet to the South quarter corner of the said Section 4 as monumented by a found 1" iron pipe; thence North 19°03'10" East 1149.60 feet to the Point of Beginning of this description and a point on the westerly right of way line of State Highway 28 and a point on a curve whose tangent bears North 12°00'31" West; thence northerly along the said curve whose radius is 6478.50 feet through a central angle right of 01°47'48" for a distance of 203.15 feet to the North line of the said Southwest quarter of the Southeast quarter of the said Section 4; thence along the said North line South 88°58'33" West 397.32 feet to the Northwest corner of the said subdivision; thence continuing along the same line South 88°58'33" West 307.99 feet; thence North 02°44'12" West 1157.44 feet; thence South 88°26'47" West 623.17 feet; thence South 02°37'51" East 650.00 feet; thence South 24°16'29" East 379.57 feet; thence South 65°12'23" East 180.26 feet; thence South 06°16'27" West 276.41 feet; thence North 88°58'33" East 1103.40 feet to the Point of Beginning and the end of this description.

Summary Sheet for G3-00670C



Existing Certificate

Name: Columbia Feeders, Inc.
Applicant: Excelsior Mortgage Equity Fund, II, LLC
Priority Date: 1969
Qi: 500 gpm
Qa: 220 afy (1 afy domestic, 101 afy stock water, 118 afy irrigation)
Acres Irrigated: 27.5

Tentative Determination

Irrigation - Relinquished
Domestic - 1 afy
Stock Water - 133 afy - defacto use per policy 1120, pg. 5
Qi: 130 gpm

Proposed Change

Irrigation-Relinquished
Domestic and Stock - 134 afy for irrigation
Qi: 130 gpm
Place of Use-entire property (200 acres)
- Note that the wine grape irrigation report suggests there is sufficient water to irrigate 108.9 acres of grapes