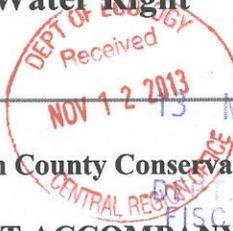




Application for Change/Transfer of Water Right

For Ecology Use
(Date Stamp)



NOV -7 A9:47

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

(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>11-07-2013</u>
CHECK NO.	FEE \$ <u>50.00</u>
DATE ACCEPTED	<u>12-26-2013</u> BY <u>G</u>
CHANGE NO.	<u>CS4-00438561501</u>
COUNTY	<u>YAKIMA</u> WRIA <u>39</u>
SPECIAL AREA	<u>S4-83161-J 06-30-1882</u>
SEPA: <input type="checkbox"/> EXEMPT <input type="checkbox"/> NOT EXEMPT	
ECY CODING: 001-002-WR10285-000011	
APP NO.	PERMIT NO.
CERT NO.	CERT OF CHG NO.

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

1. Applicant Information

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Mrs. Hazel Cameron	509.961.2749	
ADDRESS		
13030 North Wenas Road		
CITY	STATE	ZIP CODE
Selah	WA	98942
EMAIL ADDRESS (IF AVAILABLE)		

CONTACT (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Lawrence E. Martin, Esq. and Paul C. Dempsey, Esq. c/o Halverson NW Law Group	509.248.6030	509.453.6880
ADDRESS		
P.O. Box 22550		
CITY	STATE	ZIP CODE
Yakima	WA	98907
EMAIL ADDRESS (IF AVAILABLE)		
lmartin@halversonnw.com ; pdempsey@halversonnw.com		

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE	PHONE NO.	FAX NO.
Mrs. Hazel Cameron		
ADDRESS		
13030 North Wenas Road		
CITY	STATE	ZIP CODE
Selah	WA	98942

2. Water Right Information

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
00438 (A)01378 (Proposed Cert. S4-83161-J)	Mrs. Hazel Cameron
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 (See 2011 and 2008 aerial photography, annotated to show place of use under the subject water right, Exhibit "A," attached.)	

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.

S4-83161-J

CS4-00438561501

06-30-1882

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Wenas Creek	1	SE	SW	12	15N	17E	171512-31004 (Ashbaugh)	N/A
Wenas Creek	2	SW	NW	12	15N	17E	171512-31004 (Ashbaugh)	

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Wenas Creek	1	NE	NW	13	15N	17E	171513-12004 (Cameron)	N/A
Wenas Creek	2	SW	NW	12	15N	17E	171512-31004 (Ashbaugh)	

← This parcel is in SW¼ NOT SWNW

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

EXISTING: YES NO PROPOSED: YES NO - IF NO, PROVIDE OWNER(S) NAME: Existing POD No. 1 (which is proposed for change under this Application) and existing POD No. 2 (which will be maintained by Applicant) are both located on Parcel No. 171512-31004, which is owned by the John C. and Linda L. Ashbaugh Living Trust. Proposed POD No. 1 is owned by Applicant.

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 of 40 acres	0.80 cfs	120 AF/y	March 1 through October 15
Stock water		2 AF/y	

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 40 acres	0.80 cfs	120 AF/y	March 1 through October 15
Stock water		2 AF/y	

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
That portion of the NW ¼ NE ¼ Section 13, T. 15 N., R. 17 E.W.M. lying southwest of the North Wenas Road							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NW	NE	13	15N	17E	Yakima	Ptns. of 171513-12004 and 171513-13001	40
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:							
Same - No change to Place of Use.							
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> 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. (See Exhibit "B," attached.)

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): Per proposed Cert. S4-83161-J, the place of use under the subject water right also receives supplemental water from Wenas Irrigation District; historically, a combined maximum of 200 AF/y has been used for irrigation of this land.
--

6. Remarks and Other Relevant Information:

Use by Applicant of the proposed POD #1 as requested herein was previously approved on a temporary basis by the <i>Acquavella</i> Court, pursuant to its July 14, 2011, Order <i>Pendente Lite</i> re Petition of Hazel Cameron / Court Claim No. 00438 (the "Cameron OPL"), a true and correct copy of which is attached as Exhibit "C." Following issuance of the Cameron OPL, Applicant has installed and is now operating a diversion and pump
--

system at the proposed POD #1 location. By this Application, Applicant seeks administrative permission to use proposed POD #1 (in addition to previously Court-approved POD # 2) on a permanent basis.

POD No. 1 (current): 500' north and 1100' west from the south quarter corner of Section 12, being within the SW ¼ SE ¼ SW¼ Section 12, T. 15 N., R. 17 E.W.M.

POD No. 1 (proposed): Approximately 100' south and 800' west from the north quarter corner of Section 13, being within the NW ¼ NE ¼ NW ¼ Section 13, T. 15., R. 17 E.W.M.

POD No. 2 (current/proposed): 550' north and 650' east from the west quarter corner of Section 12, being within the SW ¼ NW ¼ Section 12, T. 15 N., R. 17 E.W.M.

Applicant is also filing an application with the Board concerning a separate 100-acre irrigation right on Wenas Creek, by which Applicant seeks authorization for use of the same point of diversion as herein proposed. Insofar as the points of diversion to be changed are identical under both applications, Applicant requests concurrent review by Ecology.

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.

Hazel Cameron
Applicant

Hazel Cameron
Applicant Signature

10/24/13
(Date)

Hazel Cameron
Water Right Holder

Hazel Cameron
Water Right Holder Signature

10/24/13
(Date)

Hazel Cameron
Land Owner of Existing & Proposed Place of Use

Hazel Cameron
Land Owner of Existing Place of Use Signature

10/24/13
(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 checked="" 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):

- APPLICATION FEE NOT ENCLOSED
- MAP NOT INCLUDED or INCOMPLETE
- ADDITIONAL SIGNATURES REQUIRED
- SECTION _____ IS INCOMPLETE
- OTHER/EXPLANATION: _____

STAFF: _____ **DATE:** ____/____/____

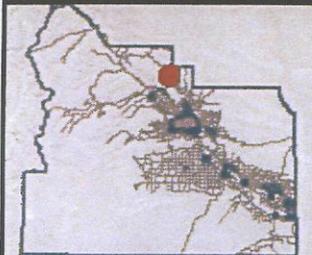
EXHIBIT

A



2011 Ortho Photography

Map Center: Range:17 Township:15 Section:13

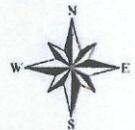


City Limits
 Sections

2011

WWW.YAKIMAP.COM

Yakima County GIS
 128 N 2nd Street
 Yakima, WA 98901
 (509)574-2992



One Inch = 1200 Feet

Feet 500 1000 1500 2000

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT
 AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

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Yakima County GIS - Washington Land Information Portal

[Print Map]
[Close Map]

Yakimap.com



2008 Ortho Photography

Map Center: Range:17 Township:15 Section:13



City Limits
 Sections

2008

WWW.YAKIMAP.COM

Yakima County GIS
 128 N 2nd Street
 Yakima, WA 98901
 (509)574-2992



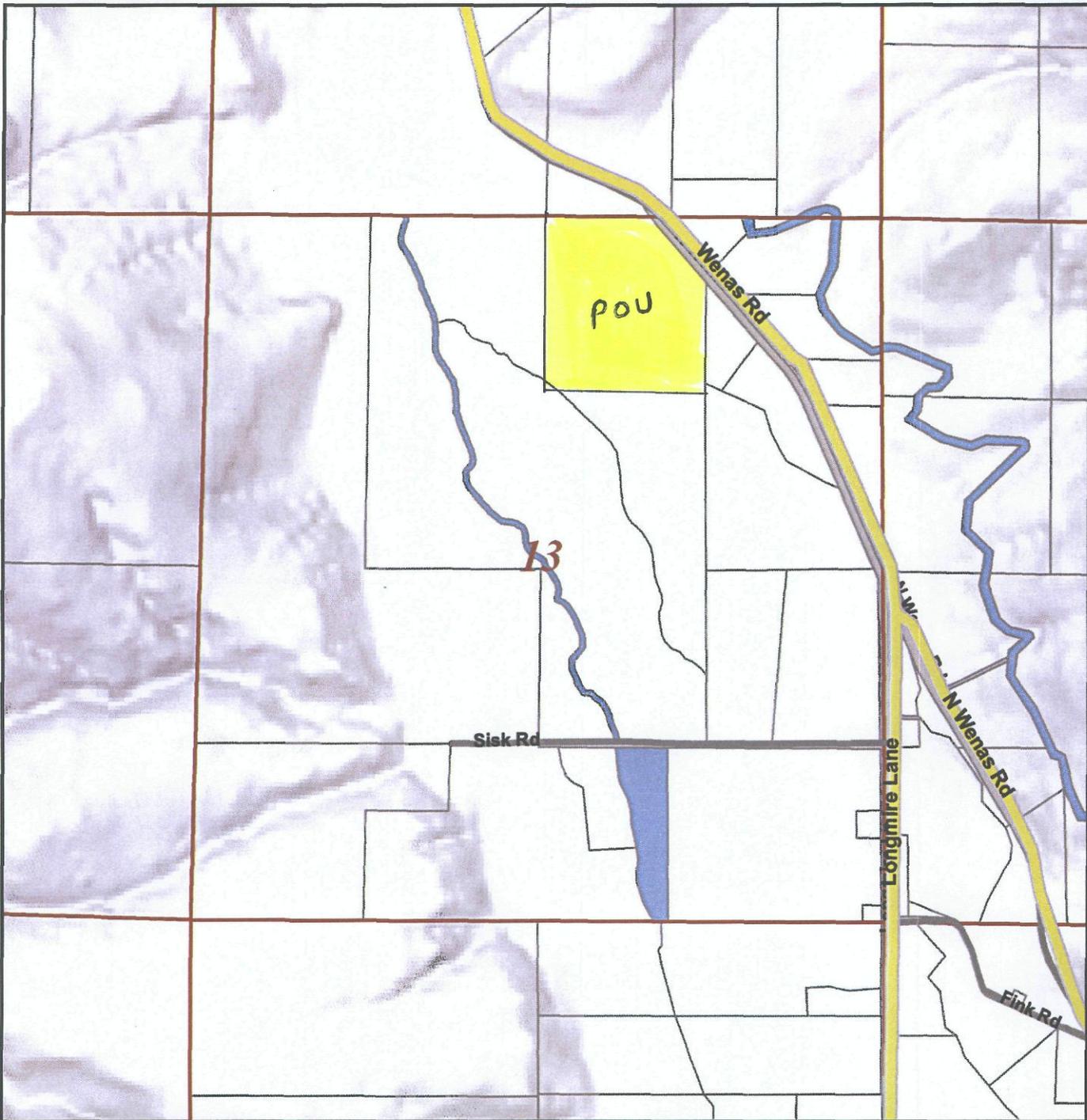
One Inch = 1200 Feet

Feet 500 1000 1500 2000

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EXHIBIT
B



Map Center: Range:17 Township:15 Section:13

- City Limits
- Sections

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Yakima County GIS
128 N 2nd Street
Yakima, WA 98901
(509)574-2992



One Inch = 1200 Feet

Feet 500 1000 1500 2000

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S4-83161-J



S4-83161-J POD Map



EXHIBIT
C

JUL 14 2011

KIM M. EATON, YAKIMA COUNTY CLERK

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR YAKIMA COUNTY

IN THE MATTER OF THE DETER-)
MINATION OF THE RIGHTS TO THE) NO. 77-2-01484-5
USE OF THE SURFACE WATERS OF)
THE YAKIMA RIVER DRAINAGE) (Amended Proposed)
BASIN, IN ACCORDANCE WITH THE) ORDER PENDENTE LITE
PROVISIONS OF CHAPTER 90.03,) RE: PETITION OF
REVISED CODE OF WASHINGTON,) HAZEL CAMERON
)
STATE OF WASHINGTON,)
DEPARTMENT OF ECOLOGY) COURT CLAIM NO. 00438
) (A) 1378
Plaintiff,) SUBBASIN NO. 15
vs.) (Wenas)
)
JAMES J. ACQUAVELLA, et al.,)
)
Defendants.)
)

THIS MATTER having come on for hearing at the request of Petitioner, HAZEL CAMERON by and through its attorneys of record, Lawrence E. Martin of Velikanje Halverson P.C., in its Petition for Order *Pendente Lite*, heard in open court on July 14, 2011, and the Court having considered the Petition and the oral presentation of petitioner's attorney, and being otherwise fully advised in the premises; now, therefore,

IT IS ORDERED, ADJUDGED AND DECREED that Hazel Cameron is authorized to temporarily change a point of diversion on Wenas Creek from the current point:

Current Point of Diversion: 500 feet north and 1100 feet west from the south quarter corner of Section 12, being within the SW ¼ SE ¼ SW ¼ of Section 12, T. 15., R. 17 E.W.M.

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To the following:

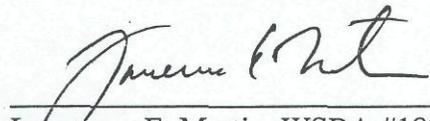
New Point of Diversion: Approximately 100 feet south and 800 feet west from the north quarter corner of Section 13, being within the NE ¼ NW ¼ of Section 13, T. 15., R. 17 E.W.M.

DONE IN OPEN COURT this 14th day of July, 2011.

F. JAMES GAVIN

JUDGE

Presented by:



Lawrence E. Martin, WSBA #18743
Velikanje Halverson P.C.
Attorneys for Petitioner Hazel Cameron

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6/8/2011 tia