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DEPARTMENT OF ECOLOGY
 EASTERN REGIONAL OFFICE



STATE OF WASHINGTON
 APPLICATION TO ENTER A WATER RIGHT INTO
 THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS ONLY TO BE USED FOR THE
 ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

FOR OFFICE USE ONLY

FILE No. _____ WRIA _____

DATE ACCEPTED ___/___/___ BY _____

FEE \$ _____ REC'D ___/___/___

CHECK No. _____

SEPA: Exempt Not exempt

(Check all that apply.)

- Lease
- Purchase
- Donation
- Other

Explain: Mitigation for budget neutral G3-30632 application

Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE ___/___/___
 END DATE ___/___/___

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

1. Applicant Information:

APPLICANT/BUSINESS NAME Avista Corporation	PHONE NO. (509) 495-2571	FAX NO. (509) 495-4852
ADDRESS MSC-1, Post Office Box 3727		
CITY Spokane	STATE WA	ZIP CODE 99220-3727

CONTACT NAME (IF DIFFERENT FROM ABOVE) Linda Kiefer, Environmental Affairs Dept., Avista Corporation	PHONE NO. (509) 495-2571	FAX NO. (509) 495-4852
ADDRESS MSC-1, Post Office Box 3727		
CITY Spokane	STATE WA	ZIP CODE 99220-3727

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Water Right Claim No. 043871 (Avista's portion)	RECORDED NAME(S) Van Doren Bros.
DO YOU OWN THE RIGHT? <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	
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

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.

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WATER RIGHT NO. _____ FILE (contract) NO. _____

3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input checked="" type="checkbox"/> Other, Explain below:

The entire portion of Surface Water Claim No. 043871 appurtenant to the current place of use described below is to be placed into the thrust water right program for instream flow to be used as mitigation as explained in Section 7 below.

Name of funding source(s): **Avista Corporation**

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Outlet of Waitts Lk	1	N2	SW	15	31	40	2525200	n/a

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.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	829 gpm	426.89	May 1 – Sept. 15

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:		ACRE-FEET/YR
PURPOSE OF USE		
For permanent year round Instream Flow and Mitigation purposes for Application No. G3-30632.		426.89 AFY

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
N1/2SW1/4 and the NW1/4SE1/4, All in Sect. 15, T. 31 N, R. 40 E.W.M., within parcel No. 2525200. Avista's portion of this claim is for irrigation of 106.72 acres within the 113.18 acres within this parcel.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		15	31	40	Stevens	2525200	113.18

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? YES NO – IF NO, PROVIDE OWNER(S) NAME:
 Avista Corporation purchased all of the Rainbolt Farm water rights separate from the Rainbolt farmland on May 15, 2011. Ed & Donna Talbott purchased the Rainbolt farmland on the same date. (Copies of these deeds of purchase are on file in the water rights records at the Dept. of Ecology.)

* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED

The Colville River near the current place of use described above to the confluence of the Columbia River, and downstream in the Columbia River, including Lk. Roosevelt. The Lower Aquifer under the Colville River Basin will also benefit from this trust.

7. Remarks and Other Relevant Information:

Avista is the owner of the Rainbolt portion of Surface Water Right Claim No. 043871. Avista is also the owner of Certificate of Change Vol. II-3, PP.49 of Ground Water Right Certificate No. G3-21870C, which is the Portion "A" (Rainbolt) as approved by the Dept. of Ecology's on March 31, 2011 in its letter affirming the Stevens County Water Conservancy Board's (SCWCB) 1/19/2011 Record of Decision and Report of Examination (ROE) #STEV 10-05. The ROE determined the proven beneficial use of the Rainbolt Farm's water rights, which included this Surface Water Right Claim No. 043871 combined with the Certificate of Change Vol. II-3, PP.49 of Ground Water Right Certificate No. G3-21870C, and Avista's (Rainbolt) portion of Surface Water Right Certificate No. 74. **These rights are not additive.**

Avista is making this Trust Water Right Application for its divided interest in Surface Water Right Claim No. 043871, together with the two additional applications for change into Trust Water (Certificate of Change Vol. II-3, PP.49 of Ground Water Right Certificate No. G3-21870C, and Avista's divided interest in Surface Water Right Certificate No. 74 solely for the purpose of mitigating impacts to instream flows and other water rights that may be caused by approval of Avista's water right application G3-30632.

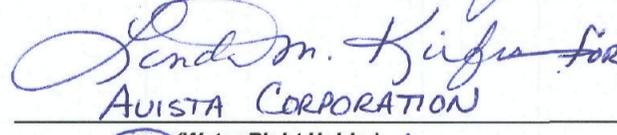
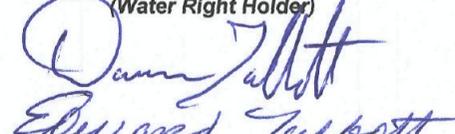
The permanent transfer of these water rights to the trust water right program is conditioned upon approval of Avista's Water Right Application G3-30632.

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.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

8. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

 _____ (Applicant) LINDA M. KIEFER	1 / 6 / 2012 _____ (Date)
 _____ AVISTA CORPORATION (Water Right Holder)	1 / 6 / 2012 _____ (Date)
 _____ Edward Tubott (Land Owner(s) of Existing Place of Use)	1 / 6 / 2012 _____ (Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

ADDITIONAL SIGNATURES REQUIRED
 SECTION _____ IS INCOMPLETE

OTHER/EXPLANATION: _____

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

EC _____ into gram