DEPARTMENT OF ECOLOGY
State of Washington

Application for Change/Transfer of Water Right

For Ecology Use (Date Stamp)

RECEIVED
FEB 08 2013
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

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 1-28-2013
CHECK NO. 20406 FEE $ 500.00
DATE ACCEPTED 1-28-2013 BY _____
CHANGE NO. _____
COUNTY Adams WRIA _____
SPECIAL AREA _____

SEPA: ☐ EXEMPT ☐ NOT EXEMPT
ECY CODING: 001-002-WR10285-000011
APP NO. ADAM-13-01 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.
McCain Foods USA, Inc.	(800) 938-7799	
ADDRESS		
PO Box 607		
CITY	STATE	ZIP CODE
Othello	WA	99344
EMAIL ADDRESS (IF AVAILABLE)		

CONTACT (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Aspect Consulting, Dan Haller	(509) 895-5462	
ADDRESS		
123 E. Yakima Ave., Ste. 250		
CITY	STATE	ZIP CODE
Yakima	WA	98901
EMAIL ADDRESS (IF AVAILABLE)		
dhaller@aspectconsulting.com		

LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE	PHONE NO.	FAX NO.
ADDRESS		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE)		

2. Water Right Information

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
4671-A	Chicago, Milwaukee, St. Paul & Pacific R.R. Co.

DO YOU OWN THE RIGHT TO BE CHANGED? ☒ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME and ADDRESS: _____

HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? ☒ YES ☐ NO – (Please see "6. Remarks…" for further information)

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. (see attached Table)

CG3-#06296C@1 5605015

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
McCain Well 2		NW	NW	34	16 N.	29 E.W.M.	1529030681008	AAS230

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
McCain Well 2 (existing)		NW	NW	34	16 N.	29 E.W.M.	1529030681008	AAS230
McCain Well 1 (proposed)		NW	NW	34	16 N.	29 E.W.M.	1529030680289	Well log attached
Proposed Well 3 (proposed)		NW	NW	34	16 N.	29 E.W.M.	*	
Proposed Well 4 (proposed)		W½	E½	28	16 N.	29 E.W.M.	*	
Proposed Well 4 (alternate)				33	16 N.	29 E.W.M.	*	
Proposed Well 4 (alternate)			S½	32	16 N.	29 E.W.M.	*	

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

EXISTING: ☒ YES ☐ NO PROPOSED: ☒ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME: _____

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
Manufacturing and domestic supply	700	445	continuous

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

The point of beginning is 30 feet south and 30 feet east of the northwest corner of Sec. 34, T. 16 N., R. 29 E.W.M, thence 90°00'east 670 feet, thence 90°00' south 668 feet, thence west 90°00' 670 feet, thence 90°00' north 668 feet to the point of beginning.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					Adams		

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:

To generally include the W½E½ of Section 28, S½ of Section 32, Section 33, and the NW¼NW¼ of Section 34 all located within T. 16 N., R. 29 E.W.M. More specifically, parcel no. 2629280120001 located in Section 28; parcel nos. 2629320310003 and 2100490060100 located in Section 32; parcel nos. 2629330320175, 2100490030200, 2629330320175, 2100490050200, and 2100490040100; parcel nos. 152903068-1008, -0289, -0978, -0921, -1063, -0113, and -1064.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
			16	29	Adams		

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?

☒ ES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): Water Right No. G3-00246C.

6. Remarks and Other Relevant Information:

McCain Foods proposes to add an existing well, add two new wells, and correct the place of use under this change application. The location of proposed well 3 is being investigated including appropriate pipeline alignments, so the applicant has

identified alternate locations for well 3. An impairment analysis will be done for all 3 locations to provide flexibility.

Note: Although named differently in water right files in the past, McCain refers to Well 2 as the old well, which is authorized both under Certificate 4671-A and G3-00246C. Well 1 is the name associated with newest well, which is authorized under G3-00246C by virtue of a showing of compliance filed in 2003 (see attached).

*Proposed Well No. 3 will be located on one of the following parcels in the NW¼NW¼ of Section 34, T. 16 N., R. 29 E.W.M.: 152903068-1008, -0289, -0978, -0921, -1063, -0113, or -1064

*Proposed Well No. 4 will be located on one of the following parcels: 2629330320175, 2100490040100, 2100490050200, 2629280120001, 2629320310003, or 2100490060100.

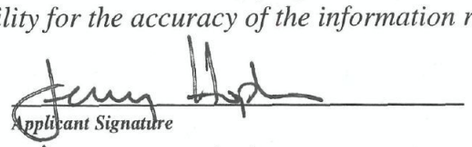
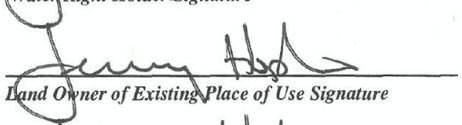
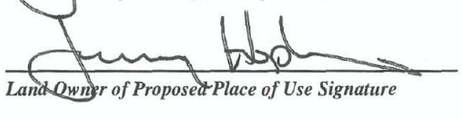
*Signatures were not obtained from property owners within the place of use, but outside the boundaries of historical beneficial use. Only those parcels owned by McCain Foods USA, Inc. was water applied to beneficial use (Orondo Fruit, Griggs v. Department of Ecology).

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.

Jeremy Hopkins - Engineering Manager ***Applicant Printed Name – Title***	 ***Applicant Signature***	1/8/2013 ***(Date)***
Jeremy Hopkins - Engineering Manager ***Water Right Holder Printed Name***	 ***Water Right Holder Signature***	1/8/2013 ***(Date)***
Jeremy Hopkins - Engineering Manager ***Land Owner of Existing Place of Use Printed Name***	 ***Land Owner of Existing Place of Use Signature***	1/8/2013 ***(Date)***
Jeremy Hopkins - Engineering Manager ***Land Owner of Proposed Place of Use Printed Name***	 ***Land Owner of Proposed Place of Use Signature***	1/8/2013 ***(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	☐ Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490	☐ Eastern Regional Office 4601 N. Monroe Street Spokane, WA 99205-1295 (509) 329-3400
	☐ Northwest Regional Office 3190 – 160th Avenue SE Bellevue, WA 98008-5452 (425) 649-7000	☐ 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:*** ____/____/____