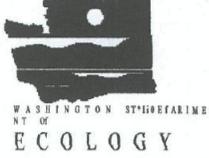


RECEIVED

APR 15 2013

DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE



STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT**
For filing with Ecology or with County Conservancy Boards

A MINIMUM FEE OF \$10.00 PAYABLE TO ECOLOGY MUST ACCOMPANY THIS APPLICATION

(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:

FOR OFFICE USE ONLY

CHANGE No. ^{Walla} 13-02 WRIA 32
 DATE ACCEPTED 4/3/12 BY AK
 FEE \$ 500.00 REC'D 4/3/12
 CHECK No. 3015
 SEPA: Exempt () Not exempt

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

1. Applicant Information:

APPLICANT/BUSINESS NAME Scott Byerley	PHONE NO. 509. 520. 2895	FAX NO. 509 529 4354
ADDRESS 501 W. Langdon Rd.		
CITY Walla Walla	STATE WA	ZIP CODE 99362
CONTACT NAME (IF DIFFERENT FROM ABOVE) SAME	PHONE NO.	FAX NO.
ADDRESS		
CITY	STATE	ZIP CODE

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER 284 - A (A)	RECORDED NAME(S) Alfalfa LLC, Bye Far Golf LLC
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES () NO IF NO, PROVIDE OWNER(S) NAME:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES () 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.

FOR OFFICE USE ONLY

APP. NO. 97 PERMIT NO. 90 CERT. NO. 284-A(A) CERT. OF CHANGE NO. _____

CG3-#00097C(A)@2 5685569

ATTACHMENT FOR APPLICATION FOR CHANGE

Point(s) of Diversion/Withdrawal – (x) Existing () Proposed:

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
3 Wells				24, 25	7	34		
1. 474 feet North and 667 feet West from the SE corner of Sec. 24, being within the SE ¼ SE ¼								
2. 534 feet North and 717 feet West from the SE corner of Sec. 24, being within the SE ¼ SE ¼								
3. 575 feet North and 450 feet East from the SW corner of Sec. 25, being within the SW ¼ SW ¼								
DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? () YES (x) NO - IF NO, PROVIDE OWNER(S) NAME: Byerley owns 1 and 2. Frenchtown owns property around well 3 and Byerley and J and J Golf have easements.								

Purpose(s) of Use - (x) Existing () Proposed:

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 85 acres	375 GPM	224.2	January 1 to December 31
Portion being changed – irrigation of 80 acres	354 GPM	211	January 1 to December 31

Place of Use – (x) Existing () Proposed:

LEGAL DESCRIPTION OF LANDS							
See Cert. 284-A(C) recorded 12/22/11 Walla Walla County							
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		25, 36	7	34	Walla Walla		85
DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? () YES (x) NO - IF NO, PROVIDE OWNER(S) NAME: Byerley and Frenchtown							

If you require this document in an alternate format, please contact the Water Resources Program at (360 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

ATTACHMENT FOR APPLICATION FOR CHANGE

Point(s) of Diversion/Withdrawal – () Existing (x) Proposed:

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
3 Wells (no changes)				24, 25	7	34		
1. 474 feet North and 667 feet West from the SE corner of Sec. 24, being within the SE ¼ SE ¼								
2. 534 feet North and 717 feet West from the SE corner of Sec. 24, being within the SE ¼ SE ¼								
3. 575 feet North and 450 feet East from the SW corner of Sec. 25, being within the SW ¼ SW ¼								

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? () YES () NO - IF NO, PROVIDE OWNER(S) NAME: **Well 3 is on Frenchtown property with Byerley owning the well and having easements. 1 and 2 owned by Byerley.**

Purpose(s) of Use - () Existing (x) Proposed:

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Unchanged portion-Irrigation of 5 acres	21 GPM	13.2	January 1 to December 31
Changed portion- Irrigation of 80 acres	354 GPM	211	January 1 to December 31

Place of Use – () Existing (x) Proposed:

LEGAL DESCRIPTION OF LANDS

5 acres will remain at the existing place of use excepting Parcel C
 80 acres will follow 630(A) and 833(A) to the golf course parcel # 340725-110006- See attached legal for the golf parcel.
 N1/2 SE1/4 Sec. 24 T.7 R34EWM
 Parcel #s 340725-110007, 340724-410001, 340736-510082, 340736-510083, 340736-510084, 340736-510077, 340736-510076, 340736-510071, 340736-510070

1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		25, 24,36	7N	34EWM	Walla Walla		85

DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? () YES () NO - IF NO, PROVIDE OWNER(S) NAME: **Byerley and J&J Golf**

If you require this document in an alternate format, please contact the Water Resources Program at (360 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

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

Surface 833(A), Surface 630(A), S3-29174C, and 6914-A(A)

6. Remarks and Other Relevant Information:

80 supplemental acres of this right is following 630(A) and 833(A) to the golf course and N1/2SE1/4 Sec. 24 and the certificate should be issued to J&J Golf, LLC.

5 supplemental acres remain at the existing place of use excluding Parcel C and the certificate should be issued to Alfalfa, LLC.

G3-23614(C) can also be used to irrigate the golf course.

The golf course can also be irrigated using that portion of 2917-A(C) that is not needed for housing or winery purposes. This allows 80 acres of this right to continue to be used for ag irrigation until such time that it is needed for irrigation of the golf course. As housing demand for water under 2917-A(C) increases fewer ag acres will be irrigated under 630, 833, and G3-23614(C).

The POU for the 80 acre portion will be approximately 315 acres but will be used to irrigate a total of 80 acres in any given year. The POU for the 5 acre portion will be approximately 45 acres but will be used to irrigate a total of 5 acres in any given year.

S3-29174C already covers the golf parcel.

6914-A(A) remains at the existing place of use.

The legal description for 284-A(A) incorrectly excluded parcel numbers 340736-510076, 340736-510077, 340736-510070, and 340736-510071. 284-A(A) is supplemental to 630(A) and 833(A) and should follow them.

Frenchtown has acquired Parcel C of the existing POU with Byerley retaining the water rights, therefore Parcel C is being excluded from the proposed POU.

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 Depart 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

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 am hereby granting 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 the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Scott Byerley
 (Applicant)

4, 2, 13
 (Date)

Scott Byerley
 (Water Right Holder)

4, 2, 13
 (Date)

Scott Byerley
 (Land Owner(s) of Existing Place of Use)

4, 2, 13
 (Date)

Frenchtown Historical Foundation

4-2-13

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:** _____ / _____ / _____