



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

(Check all that apply.)

- Lease
 Purchase
 Donation
 Other

Explain: _____

- Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE 12/12/2008
 END DATE 12/12/2013 *

FOR OFFICE USE ONLY	
FILE No. <u>652-160822-001</u>	WRIA <u>10</u>
DATE ACCEPTED <u>2,4,09</u>	BY <u>JC</u>
FEE \$ <u>—</u>	REC'D <u>2,4,09</u>
CHECK No. _____	

* This donation is authorized by Puget Sound Energy, Inc ("PSE") to be made, on a temporary basis, for a period not to exceed five (5) years, such five year period beginning no later than December 12, 2008. If such donation is accepted by Ecology, the trust water rights acquired thereby may be terminated at any time prior to the expiration of such five (5) year period by: (a) PSE notifying Ecology that the transactions contemplated by the Agreement have not closed; or (b) subsequent to the transfer of assets contemplated by the Agreement, Cascade applying for and Ecology accepting a permanent donation of the Water Right.

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

1. Applicant Information:

APPLICANT/BUSINESS NAME Cascade Water Alliance	PHONE NO. (425) 453-0930	FAX NO. (425) 453-0953
ADDRESS 11400 SE 8th Street, Suite 440		
CITY Bellevue	STATE WA	ZIP CODE 98004

CONTACT NAME (IF DIFFERENT FROM ABOVE) Michael Gagliardo	PHONE NO. (425) 453-0930	FAX NO. (425) 453-0953
ADDRESS Cascade Water Alliance, 11400 SE 8th Street, Suite 440		
CITY Bellevue	CITY Bellevue	CITY Bellevue

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Claim No. 60822 and Application for Change No. 160882	RECORDED NAME(S)
DO YOU OWN THE RIGHT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS: Puget Sound Energy, Inc., C/O Edward R.Schild PO Box 97034, M/S 81-3022, P.O. Box 97034, Bellevue, WA 98009	
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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS: <u>(SEE ENCLOSED CD WITH USE SUMMARY)</u>	

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	
WATER RIGHT NO. <u>652-160822CL-001</u>	FILE (contract) NO. _____
RECEIVED <u>2/10/09</u>	

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 checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s): N/A	

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
White River								
Pt of Diversion: 200' E and 200' S from N1/4 Section Corner of				2	19	6E		

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
Hydropower and other beneficial uses (including but not limited to Recreational Reservoir Levels; Winter Reservoir Levels to Maintain Reservoir; Protect and Enhance Fish and Wildlife; Maintenance of Water Quality for Recreational Purposes in the Reservoir and to Meet Other Regulatory Requirements)	2000 cfs	1,440,000	Year Round

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
Instream flows for fish and wildlife maintenance and enhancement, and recreational purposes, and preservation of environmental and aesthetic values as authorized under RCW 90.54.020 and RCW 90.42.040	Max 1,440,000 acre-ft/yr
	Max 2000 cfs. Actual 2000 cfs minus quantity diverted pursuant Section II. B. of the attached Management Agreement and anticipated water right permits for municipal and reservoir maintenance purposes.

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
See attached description of Project Lands							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

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

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? YES NO – IF NO, PROVIDE OWNER(S) NAME:

6. Place of Use (continued)

B. Proposed:

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

The primary reach is 20.7 miles of the White River from the Point of Diversion at River Mile 24.3 to the confluence of the White River and the Tailrace Canal at River Mile 3.6. This reach is called the "Reservation Reach" or the "Bypass Reach." The secondary reach is the Lower White River from River Mile 3.6 to the confluence of the White River and the Puyallup River at River Mile 10.4 and the Lower Puyallup River from River Mile 10.4 to its confluence with Commencement Bay.

7. Remarks and Other Relevant Information:

Several species of salmon utilize the main channel and side channels in the White River Reservation Reach throughout the year for migration, spawning, rearing, and flood refuge. Critical habitat has been designated for the Puget Sound Chinook salmon (69 FR 74572; December 14, 2004). Portions of the Puyallup River system have been designated, including the Reservation Reach of the White River. The Reservation Reach contains several of the essential elements to sustain Chinook salmon populations, including spawning, rearing, and migration habitat (70 FR 52630; September 2, 2005). Spring Chinook, fall Chinook, coho, chum, and pink salmon and steelhead trout utilize the main channel and side channels of the White River Reservation Reach for various life-history stages. Juvenile fall and spring Chinook use side channels and stream margin habitats for rearing. Coho juveniles rear in side channels for extended periods including overwintering before migrating to the ocean. Significant use of side channels by spawning Chinook, steelhead, coho and chum has been observed in the White River Reservation Reach.

Higher flows in the river can provide water quality benefits to fish associated with dissolved oxygen, periphyton, pH, and temperature. Data are available quantifying the benefits of higher flows on lowering temperature in the main stem of the White River.

Increased flow in the Reservation Reach will make more suitable habitat available to rearing juvenile salmonids. More floodplain habitats will be activated with higher flows which will create additional rearing habitat in the lower turbidity water typically found in side channels. The results of a study conducted by Herrera Environmental Consultants in 2005 showed that the quantity and quality of side-channel habitat in the unconfined segment of the Reservation Reach is a direct function of flow rate, floodplain roughness, and valley confinement. Herrera's hydraulic modeling studies showed a steady increase in side channel habitat as flows increase in the Reservation Reach. An additional benefit to fish is that more diverse habitat and terrestrial insect prey may be available to salmonid juveniles in the re-activated side channels due to their added interface with densely vegetated riparian areas compared to the main river channel. Higher flows have been documented in several Washington rivers to result in increased survival rates for juvenile Chinook and other species of salmon during downstream migration.

In addition to these fishery benefits, increased instream flows are expected to enhance wildlife, provide recreational benefits, and preserve aesthetic and environmental values.

Sources:

- Kerwin, J. 1999. Salmon Habitat Limiting Factors Report for the Puyallup River Basin (WRIA 10). Washington Conservation Commission, Olympia, WA.
Marks, Eric; Ladley, Russell; Smith, Blake; and Sebastian, Terry. 2007. Annual Salmon, Steelhead, and Bull Trout Report: Puyallup/White River Watershed - Water Resource Inventory Area 10. Puyallup Tribal Fisheries, Puyallup, WA.

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.

Michael Gagliardo 12 / 11 / 2008
(Applicant) Michael Gagliardo, Cascade Water Alliance (Date)

_____/_____/_____
(Water Right Holder): See Attached letter from Edward R.Schild, Puget Sound Energy, Inc

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:** ____/____/____