

**Water Resources Program  
Application for Change/Transfer  
of Water Right**

For Ecology Use  
(Date Stamp)

**RECEIVED**

**MAR 26 2015**

DEPT OF ECOLOGY  
NWRO - WR

For filing with the Department of Ecology or with  
County Water 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: **See Associated Earth Sciences Inc. Project  
Summary Report for Water Right S1-11410C.**

FOR OFFICIAL USE ONLY	
DATE APPLICATION RECEIVED	3-26-15
CHECK NO.	COST REIMBURSEMENT
DATE ACCEPTED	3/26/15 BY DJE
CHANGE NO.	CSI-* 11410C
COUNTY	What WRIA 1
SPECIAL AREA	
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.

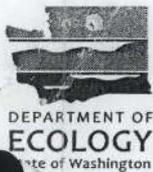
RECEIVED 3/30/15

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

**1. Applicant Information**

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Marty Maberry/MDM Properties	360-354-2094	
ADDRESS		
816 Loomis Trail Road		
CITY	STATE	ZIP CODE
Lynden	WA	98264-911
CONTACT (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Charles S. Lindsay/Associated Earth Sciences, Inc.	425-259-0522	425-252-3408
ADDRESS		
2911 1/2 Hewitt Ave, Suite 2		
CITY	STATE	ZIP CODE
Everett	WA	98201
LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE	PHONE NO.	FAX NO.
Marty Maberry/Maberry Land Holdings, LLC	360-354-2094	
ADDRESS		
816 Loomis Trail Road		
CITY	STATE	ZIP CODE
Lynden	WA	98264-911

6/2/07



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CITY	STATE	ZIP CODE
Lynden	WA	98264-911

6/2/07

## 2. Water Right Information

WATER RIGHT OR CLAIM NUMBER S1-11410CWRIS	RECORDED NAME(S) W.O. Honrud
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	

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 Associated Earth Sciences Inc. Project Summary Report for Water Right S1-11410C.

## 3. Point(s) of Diversion/Withdrawal:

### A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Diversion	SD-1	NE	NW	13	40N	1E	400113205446	

### B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Well	13G01	SW	NE	13	40N	1E	400113337414	BHN676
Well	13K01	NW	SE	13	40N	1E	400113337327	BHN679
Well	13K02	NW	SE	13	40N	1E	400113337327	BHN680
Well	13K03	NW	SE	13	40N	1E	400113337327	BHN681
Well	13K04	NW	SE	13	40N	1E	400113337327	BHN682
Well	13K05	NW	SE	13	40N	1E	400113337327	BHN683
Horizontal Well	13G02	SW	NE	13	40N	1E	400113337327	BHE779
Future Wells	W1/2	NE	NE	13	40N	1E	400113435465	
		SE	NW	13	40N	1E	400113200382	
		SE	NW	13	40N	1E	400113249320	
		SE	NW	13	40N	1E	400113174314	
	N1/2	NE	SW	13	40N	1E	400113185264	

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
Irrigation	0.15 CFS	29.1 afy	April 15 through October 1

### B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	67.3 GPM	27.1 afy	April 15 through October 1

## 5. Place of Use:

### A. Existing

**LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:**

NE ¼, NE ¼, except 1 acre in NW corner for cemetery. Also the north 2 rods of the SE ¼, NE ¼, less road. Also one square acre in NE corner of NW ¼, NE ¼ of Section 13, T40N, R1E.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NE	NE	13	40N	1E	Whatcom	400113435465	15.0
NE	NE	13	40N	1E	Whatcom	400113501477	0.0
NE	NE	13	40N	1E	Whatcom	400113500445	0.0
NE	NE	13	40N	1E	Whatcom	400113501418	0.0
NE	NE	13	40N	1E	Whatcom	400113501513	0.0
NW	NE	13	40N	1E	Whatcom	400113360485	0.0
NE	NE	13	40N	1E	Whatcom	400113505532	0.0

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE?  YES  NO

IF NO, PROVIDE OWNER(S) NAME: **See AESI Project Summary Report for Water Right S1-11410C.**

### B. Proposed

**LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:**

The proposed Place of Use is comprised of ten tax parcels.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SW	NE	13	40N	1E	Whatcom	400113337327	40.5
SE	NW	13	40N	1E	Whatcom	400113200382	27.5
NE	SW	13	40N	1E	Whatcom	400113185264	22.0
NW	NE	13	40N	1E	Whatcom	400113337414	21.0
NE	NE	13	40N	1E	Whatcom	400113435465	17.5
NE	SW	13	40N	1E	Whatcom	400113174314	2.0
NE	SW	13	40N	1E	Whatcom	400113249320	2.5
NW	NE	13	40N	1E	Whatcom	400113283468	0.5
NW	NE	13	40N	1E	Whatcom	400113307480	1.5
NW	NE	13	40N	1E	Whatcom	400113360485	8.5

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE?  YES  NO

IF NO, PROVIDE OWNER(S) NAME: **See AESI Project Summary Report for Water Right S1-11410C.**

*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 AESI Project Summary Report for Water Right S1-11410C.*

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

YES  NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): **See AESI Project Summary Report for Water Rights S1-11410C.**

**6. Remarks and Other Relevant Information:**

Deficit irrigation methods are proposed to increase irrigation acres (15 acres) to 143.5 acres. See AESI Project Summary Report for Water Right S1-11410C. The proposed change/transfer will result in an increase in flow in Dakota Creek and should be considered for priority processing 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 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 preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

Marty Maberry—President MDM Properties  
Applicant Printed Name – Title

Marty Maberry  
Applicant Signature

3 / 20 / 2015  
(Date)

Marty Maberry—President MDM Properties  
Water Right Holder Printed Name

Marty Maberry  
Water Right Holder Signature

3 / 20 / 2015  
(Date)

Marty Maberry—President MDM Properties  
Land Owner of Existing Place of Use Printed Name

Marty Maberry  
Land-Owner of Existing Place of Use Signature

3 / 20 / 2015  
(Date)

Marty Maberry—President MDM Properties  
Land Owner of Proposed Place of Use Printed Name

Marty Maberry  
Land Owner of Proposed Place of Use Signature

3 / 20 / 2015  
(Date)

Please check the region in which the project is located:

<p><b>*Submit your application to:</b></p> <p>DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611</p>	<input 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 checked="" type="checkbox"/> Northwest Regional Office 3190 – 160 <sup>th</sup> 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: \_\_\_/\_\_\_/\_\_\_

