

WATER TRANSFER WORKING GROUP PROJECT DESCRIPTION

APPLICATION NO. or COURT CLAIM NO. CS4-00648CTCL		
APPLICANT NAME Washington Water Trust	CONTACT NAME Greg McLaughlin	TELEPHONE NO. 509 925-5600
WATER RIGHT HOLDER'S NAME (if different) First Creek Water users Association - JP Roan, Jack R. White, Suncadia LLC		EMAIL greg@washingtonwatertrust.org

DATE OF APPLICATION TBA	PRIORITY DATE November 2, 1877
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WATER SOURCE: First Creek		CROP:							
	Suncadia		Roan		White		Total		
Option	Trust	Retained	Trust	Retained	Trust	Retained	Trust	Retained	
1	2.76/915	0/0	1.91/625	0/0	1.85/605	0/0	6.52/2157	0/0	
2	2.76/915	0/0	1.63/539	.28/92	1.58/522	.27/89	5.97/1976	.55/181	
3	2.76/915	0/0	1.19/394	.72/237	1.16/382	.69/229	5.11/1691	1.41/466	
Option #1 trusts 27 AF total of Consumptive water while #2 and #3 only trusts Suncadia's 11.45 AF									
PERIOD OF USE: October 16 – March 31 (167 days)									
PLACE OF USE: Trust Water: Within First creek downstream from the current point of diversion, Swauk Creek from First Creek to the Yakima River, and the Yakima River Downstream to the Columbia River for consumptive use water and to the confluence with Reecer Creek for conveyance water. Roan and White retained water: All in T. 19 N., R. 18 E.W.M.; SW ¼ sec 17, W ½ E ½ of Sec 20, W ½ SE ¼, E ½ SW ¼, and SW ¼ SW ¼ of sec 21, then NE ½ and E ½ NW ¼ of Sec 29, and a portion of the N ½ of Sec 21. Exhibit No. 1.							PURPOSE OF USE: Instream Flow Stockwater		
IRRIGATION METHOD: N/A									

CONSUMPTIVE USE CALCULATION: The 1877 winter stockwater portion of court claim #00648 confirmed by the Yakima County Superior Court in Conditional Final Order for Subbasin #4 -Swauk Creek (<u>Washington v. Aquavella</u> - 10-08-02), further defined by the Yakima County Superior Court Order of Partition signed on November 13, 2008. Suncadia 11.45 AF/year, Roan, 7.90 AF/ year, and White 7.65 AF/Year
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NARRATIVE DESCRIPTION OF PROJECT: This project includes three options – 1) All FCWUA place into trust for the winter; 2) Retaining only the south fork of First Creek with Roan and White; and 3) Retaining both the middle and south fork of First Creek with Roan and White. The Project will place into permanent trust all of the Suncadia share of the 1877 October 16 – March 31st portion of Claim #00648 further described above. The project will also place into permanent trust all of the White and Roan shares of the same portion of Claim #00648, except as stated in options 2 and 3. Maps/analysis are in Exhibits 1-3. While WDFW and the landowners are negotiating between options 2 and 3, all
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are water budget neutral. WWT is seeking WTWG approval pending these negotiations and will withdraw the application if agreement cannot be reached.

WTWG Project form

EXHIBIT NO.1 – Map of Place of Use of Water Rights

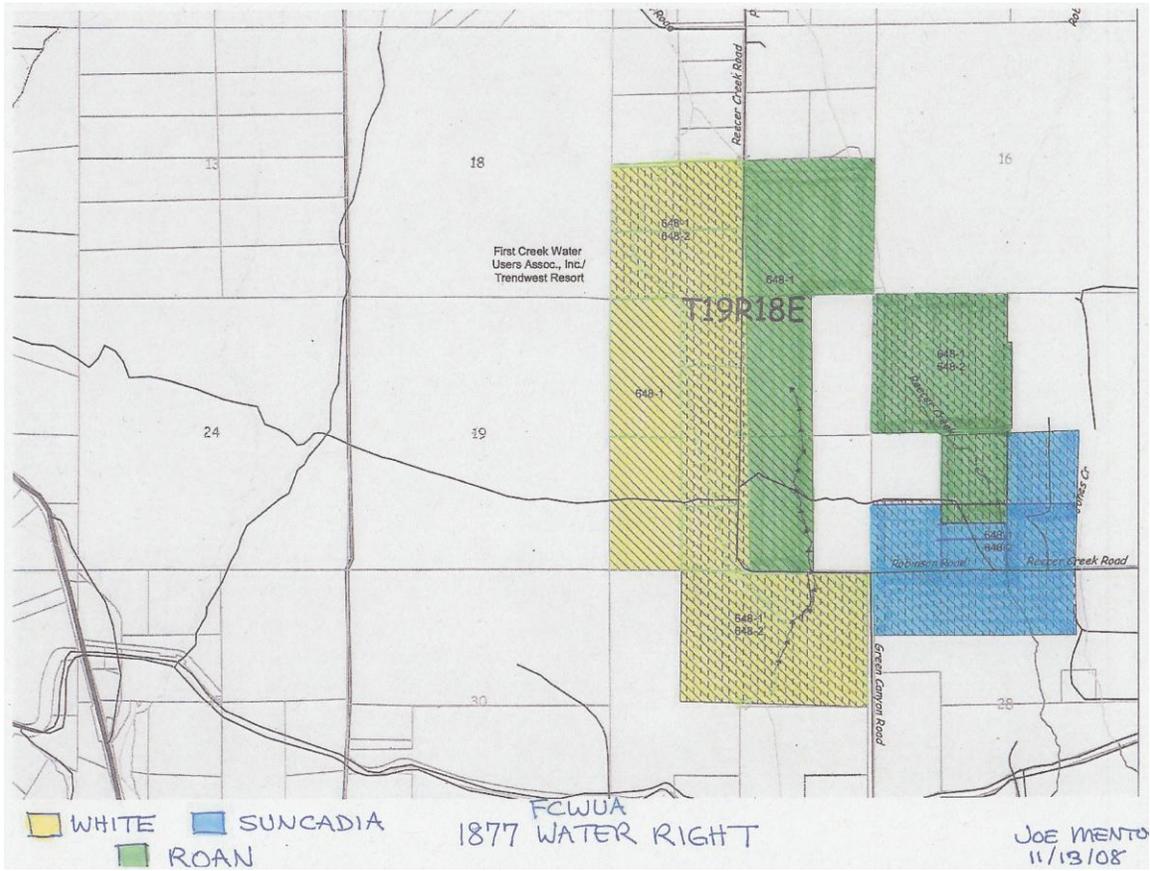
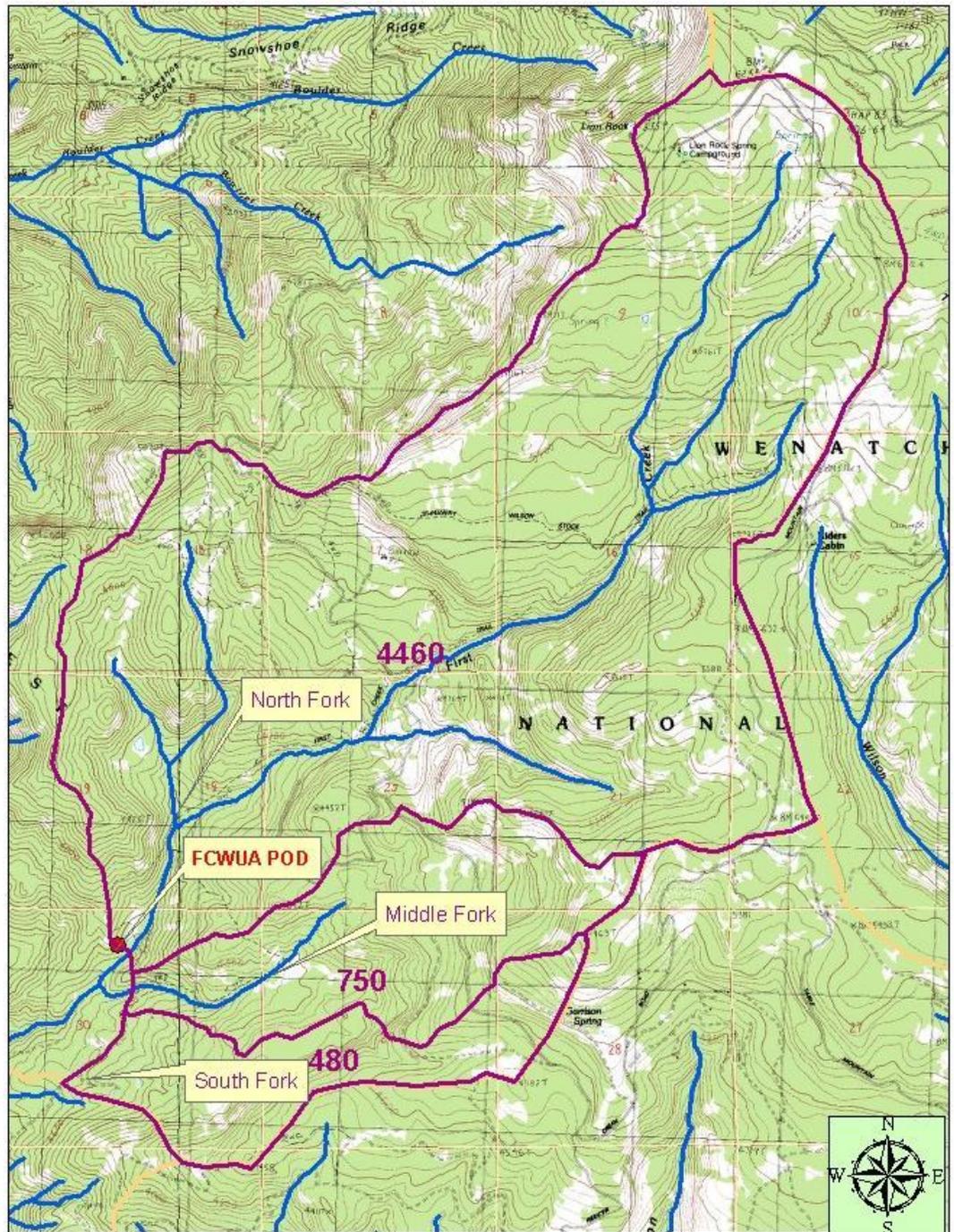


EXHIBIT NO. 2 – Map of FCWUA diversion and intercepted tributaries

FCWUA Catchment Boundaries



Source: NRCS 1:24,000 Topographic Map 0 1,500 3,000 6,000 9,000 12,000 Feet

Legend

- POD
- Subarea (AC)



August 25, 2009
WASHINGTON WATER TRUST
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EXHIBIT NO. 3 – Tributary Analysis Report – FCWUA diversion

Background

Water rights owners comprising FCWUA are proposing, in cooperation with Washington Water Trust, a project to permanently add winter water as to instream flow in First Creek. The water rights, totaling 6.52 AF and 2157 AF, include the 1877 winter stockwater portion of court claim #00648 confirmed by the Yakima County Superior Court in the Conditional Final Order for Subbasin #4 – Swauk Creek (Washington v. Aquavella – 10-08-2002). On November 13, 2008, the Court authorized the partition of these water rights. For the 1877 winter stockwater portion (October 16 – March 31), 2.761 CFS and 914.56 AF/Year (11.45 AF consumptive use) is assigned to Suncadia LLC, 1.911 CFS and 632.48 AF (7.90 AF consumptive use) is assigned to JP Roan, and 1.851 CFS and 612.96 AF (7.65 AF consumptive use) is assigned to Jack R. White. Mr. White and Mr. Roan have requested that two tributaries, shown as the Middle Fork and the South Fork of First Creek in Exhibit A attached, remain with the water right and not go into trust, including the consumptive portion of the water right. While these two tributaries historically intercepted the FCWUA, the contribution of these tributaries to the water right was never quantified. Subsequent review of the legal status of the tributaries suggests that they are part of, and not additional to, the original court claim #00648. In July, 2009, the Water Transfer Working Group requested that Washington Water Trust (WWT) quantify the water intercepted by these two tributaries and subtract it from the proposed trust water proposal according to relative area (in acres) of each of the catchments. This report summarizes the methods and results of those calculations according to four project development scenarios, outlined below

Methods and Results

WWT staff used Digital Raster Graphic scans of the U.S. Geological Survey's 1:24,000 standard series topographic map and ARCGIS software to calculate relative areas of the First Creek basin above the FCWUA Point of Diversion (POD) and the two intercept points of the middle and south forks of First Creek. The total area above the FCWUA POD was calculated 5,690 Acres, including 750 acres (13.2%) in the Middle Fork and 480 acres (8.4%) in the South Fork. Assuming constant runoff curves throughout the target area, we applied these ratios to court claim #00648. The results show that 21.6% (1.41 CFS and 466 AF) is contained in the two tributaries, including .86 CFS and 285 AF in the middle fork and .55 CFS and 181 AF in the south fork. The remainder is 5.11 CFS and 1691 AF.

Project Development Scenarios

The four project scenarios described below include the partitioned quantities for each landowner. Note that scenarios #2 and #3 only subtract water from Roan and White's shares according to their relative shares (50.8% and 49.2% respectively) of what remains, as Suncadia will not be diverting any water for livestock purposes from the tributaries. In options 2-4, Roan and White retain the entire consumptive portion of the water right.

1. Completely close the FCWUA ditch during the winter and create bypasses to return all winter flow to First Creek from both tributaries.
2. Intercept only the south fork of First Creek into the FCWUA ditch, and create a winter bypass back to First Creek for the middle fork.
3. Intercept both tributaries in the FCWUA ditch
4. Default option – maintain the historic diversion of the current POD and the two tributaries into the FCWUA ditch.

Table: Trust Water and Retained Water by FCWUA member for each project option

Option	Suncadia		Roan		White		Total	
	Trust	Retained	Trust	Retained	Trust	Retained	Trust	Retained
1	2.76/915	0/0	1.91/625	0/0	1.85/605	0/0	6.52/2157	0/0
2	2.76/915	0/0	1.63/539	.28/92	1.58/522	.27/89	5.97/1976	.55/181
3	2.76/915	0/0	1.19/394	.72/237	1.16/382	.69/229	5.11/1691	1.41/466
4	0/0	2.76/915	0/0	1.91/625	0/0	1.85/605	0/0	6.52/2157

Note: Values given as cfs/af