

## WATER TRANSFER WORKING GROUP PROJECT DESCRIPTION

APPLICATION NO./COURT CLAIM NO.		
<b>00657; and 00477 / Subbasin No. 11 (Manastash Creek)</b>		
APPLICANT NAME	CONTACT NAME	TELEPHONE NO.
Harrell & Sons Farms, LLC	Lawrence E. Martin, Velikanje Halverson P.C.	509-248-6030
WATER RIGHT HOLDER'S NAME (if different)		EMAIL
Harrell & Sons Farms, LLC		lmartin@vhlegal.com

DATE OF APPLICATION	PRIORITY DATE(S)
February 9, 2012 (Petition <i>pendente lite</i> to <i>Acquavella</i> Court)	<p><b>Under Claim No. 00657:</b> 6/30/1871; and 6/30/1874</p> <p><b>Under Claim No. 00477:</b> 6/30/1871; 6/30/1871; 6/30/1872; 6/30/1872; 6/30/1877; 6/30/1877; and 6/30/1878 (See Attachment "A" for details.)</p>

WATER SOURCE:	CROP:
Manastash Creek	Timothy hay
INSTANTANEOUS QUANTITY:	ANNUAL QUANTITY:
16.243 cfs, peak, in the aggregate. (See Attachment "A" for details.)	5,458.8 AF/year in the aggregate. (See Attachment "A" for details.)
PERIOD OF USE:	
March 1 through October 31	
PLACE(S) OF USE:	PURPOSE OF USE:
Multiple locations on lands lying north of Manastash Creek and south and east of the Yakima River. (See Attachment "A" for details.)	Irrigation of 698.3 acres in the aggregate. (See Attachment "A" for details.)
IRRIGATION METHOD:	
Current: rill irrigation. Under Project as described below, the Applicant is converting to a piped sprinkler system.	

CONSUMPTIVE USE CALCULATION:
As described below, the Project does not involve any change to irrigated crop (Timothy hay), nor will there be any change to actual acreage irrigated under each of the subject individual water rights. As such, there will be no consumptive use impacts under the temporary change to be proposed to the Court. Applicant anticipates that consumptive use will be addressed, however, in connection with future applications to Ecology for <i>permanent</i> water right changes, which will also address the impact of planned conservation measures and instream flow donations.

## NARRATIVE DESCRIPTION OF PROJECT:

The Applicant seeks a temporary change in places of use as to nine (9) separate water rights (collectively, the “Harrell Rights”) under the above-noted Court Claim numbers. As currently constituted, the individual water rights have separately defined, but generally contiguous (and, in some cases, partially overlapping) places of use on lands lying north of Manastash Creek and south and east of the mainstem Yakima River. Applicant wishes to change the respective places of use under the Harrell Rights to describe a single, common place of use for all. The boundaries of the newly described single place of use are to be identical to the exterior boundaries of the aggregated places of use under the currently constituted individual water rights, i.e., Applicant does not seek to transfer water to any lands not currently designated as a place of use under at least one of the subject individual water rights. The proposed common place of use for all Harrell Rights is as follows:

**Within Township 17 N., Range 18 E., WM:**

Within Section 5: Gov Lots 3 & 4, and the NE  $\frac{1}{4}$ , and the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ , and the N  $\frac{1}{2}$  and SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  plus that portion of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  north of Hanson Rd, and the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the N  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  plus that portion of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  north of Hanson Rd.; and

The SE  $\frac{1}{4}$  of Section 6; and

The NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 7; and

**Within Township 18 N., Range 18 E., WM:**

The S  $\frac{1}{2}$  SE  $\frac{1}{4}$  of Section 32.

No other attributes of the Harrell Rights (including instantaneous/annual quantities or points of diversion) are to be changed under this project.

The establishment of a common place of use for the Harrell Rights will facilitate water conservation goals under a proposed cost-share agreement between Applicant and Kittitas County Conservation District (the “Conservation Agreement”). Under the Conservation Agreement, Applicant will be changing some of its historical rill irrigation practices in favor of a more efficient sprinkler irrigation system. And in connection therewith, Applicant will donate, in perpetuity, the “saved” Harrell Rights water under water delivery and on-farm irrigation improvements to the Washington Trust Water Right Program for enhancement of Manastash Creek instream flows. The initial phase of improvements is expected to result in approximately 0.57 cfs, 172.42 AF/year in water savings; additional saved water will be trusted in connection with additional irrigation improvements in the next several years under the Conservation Agreement.

Applicant will ask the Court to grant the temporary change until the earlier of (1) approval by Ecology of permanent change in places of use for the Harrell Rights under RCW 90.03.380; or (2) issuance by the Court of a Final Decree in the *Acquavella* adjudication.

## Attachment "A"

Individual water rights comprising the Harrell Rights, all of which were originally recommended for approval under the Court's June 14, 2001, Conditional Final Order for Subbasin No. 11 and most recently modified under Ecology Change Authorization Nos. CS4-00477CTCL, CS4-00477CTCL@1, CS4-00477CTCL@2, CS4-00477CTCL@3, CS4-00477CTCL@4, CS4-00477CTCL@5, CS4-00477CTCL@6, CS4-00657CTCL and CS4-00657CTCL@, are as follows:

### Claim No. 00657

Priority Date: **June 30, 1871**  
Source: Manastash Creek  
Quantity: 2.80 cfs from April 1 through June 30, 1.40 cfs from March 1 through March 31 and July 1 through October 31; 942 AF/y  
Purpose of Use: Irrigation of 120 acres  
Period of Use: March 1 through October 31  
Place of Use: The SE ¼ of Section 6, T. 17 N., R. 18 E.W.M.

Priority Date: **June 30, 1874**  
Source: Manastash Creek  
Quantity: 0.583 cfs from April 1 through June 30, 0.292 cfs from March 1 through March 31 and from July 1 through October 31; 196 AF/y  
Purpose of Use: Irrigation of 25 acres  
Period of Use: March 1 through October 31  
Place of Use: The SE ¼ of Section 6, T. 17 N., R. 18 E.W.M.

### Claim No. 00477

Priority Date: **June 30, 1871**  
Source: Manastash Creek  
Quantity: 3.26 cfs from April 1 through June 30, 1.63 cfs from March 1 through March 31 and from July 1 through October 31; 1098.6 AF/y.  
Purpose of Use: Irrigation of 140 acres  
Period of Use: March 1 through October 31  
Place of Use: The W ½ SW ¼, NE ¼ SW ¼ and the SW ¼ NW¼ of Section 5, T. 17 N., R. 18 E.W.M.

Priority Date: **June 30, 1871**  
Source: Manastash Creek  
Quantity: 0.583 cfs from April 1 through June 30, 0.292 cfs March 1 through March 31 and from July 1 through October 31; 196 AF/y  
Purpose of Use: Irrigation of 25 acres  
Period of Use: March 1 through October 31  
Place of Use: The W ½ SW ¼, S½ NW ¼ and NE ¼ SW¼ of Section 5, T. 17 N., R. 18 E.W.M.

Priority Date: **June 30, 1872**  
Source: Manastash Creek  
Quantity: 0.315 cfs April 1 through June 30, 0.157 cfs March 1 through March 31 and July 1 through October 31; 105.8 AF/y  
Purpose of Use: Irrigation of 13.5 acres  
Period of Use: March 1 through October 31  
Place of Use: That portion of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 5, T. 17 N., R. 18 E.W.M. lying north of Hanson Road.

Priority Date: **June 30, 1872**  
Source: Manastash Creek  
Quantity: 3.84 cfs from April 1 through June 30, 1.92 cfs from March 1 through March 31 and from July 1 through October 31; 1294.1 AF/y  
Purpose of Use: Irrigation of 165 acres  
Period of Use: March 1 through October 31  
Place of Use: S $\frac{1}{2}$  SE  $\frac{1}{4}$  of Section 32, T. 18 N., R. 18 E.W.M. and the N  $\frac{1}{2}$  NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 5, T. 17 N., R. 18 E.W.M.

Priority Date: **June 30, 1877**  
Source: Manastash Creek  
Quantity: 0.112 cfs from April 1 through June 30, 0.056 cfs from March 1 through March 31 and from July 1 through October 31; 37.5 AF/y  
Purpose of Use: Irrigation of 4.8 acres  
Period of Use: March 1 through October 31  
Place of Use: The NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 7, T. 17 N., R. 18 E.W.M.

Priority Date: **June 30, 1877**  
Source: Manastash Creek  
Quantity: 2.91 cfs from April 1 through June 30, 1.45 cfs from March 1 through March 31 and from July 1 through October 31; 962 AF/y  
Purpose of Use: Irrigation of 125 acres  
Period of Use: March 1 through October 31  
Place of Use: Government Lots 3 and 4, the NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  and that portion of the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  north of Hanson Road, all in Section 5, T. 17 N., R. 18 E.W.M.

Priority Date: **June 30, 1878**  
Source: Manastash Creek  
Quantity: 1.84 cfs from April 1 through June 30, 0.92 cfs from March 1 through March 31 and from July 1 through October 31; 626.8 AF/y  
Purpose of Use: Irrigation of 80 acres  
Period of Use: March 1 through October 31  
Place of Use: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  and the N  $\frac{1}{2}$  NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 5, T. 17 N., R. 18 E.W.M.