

WATER TRANSFER WORKING GROUP PROJECT DESCRIPTION

APPLICATION NO./COURT CLAIM NO.		
1) CS4-01042sb3 and 2) CS4-01042sb3@1		
APPLICANT NAME 1) Mack Creek Ranch, LLC; 2) WA Dept Ecology	CONTACT NAME Stan Isley	TELEPHONE NO. (509) 575-5848, ext. 281
WATER RIGHT HOLDER'S NAME (if different) 1) Mack Creek Ranch, LLC; 2) Washington State Department of Ecology		EMAIL sisley@usbr.gov

DATE OF APPLICATION 12-17-2014	PRIORITY DATE 6-30-1889
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WATER SOURCE: Teanaway River	CROP: 1) Timothy Hay; 2) Instream Flow
INSTANTANEOUS QUANTITY: 1) 2.324 cfs (4.648 cfs when surplus water is available); 2) 0.996 cfs (1.992 cfs when surplus water is available);	ANNUAL QUANTITY: 1) 755.3 af/yr; 2) 323.7 af/yr.
PERIOD OF USE: May 1 – September 15 each year	
PLACE OF USE: 1) ptn SE1/4SW1/4 of Section 19 and the NW1/4 of Section 30, all in T. 20 N., R. 17 E.W.M. 2) Teanaway River instream from historic 3M Ditch POD in SE1/4SE1/4 Section 10, downstream to MCR pump site in NW1/4NE1/4 of Section 25, all in T. 20 N., R. 17 E.W.M.	PURPOSE OF USE: 1) Irrigation and stock water; 2) Instream flow use, primary-reach-only trust water right
IRRIGATION METHOD: Sprinklers, wheel lines.	

CONSUMPTIVE USE CALCULATION: Not applicable - no fallowed consumptive use associated with this proposal.

<p>NARRATIVE DESCRIPTION OF PROJECT:</p> <ul style="list-style-type: none"> - MCR recently purchased the former Teanaway Ranch Incorporated (TRI) lands and water right, closing on 12/16/2014. - In 2000, BPA funded construction of 3 new pumped irrigation systems in the lower Teanaway River: 1 for TRI; 1 for the Teanaway River Ranch Owners Association (TRROA); and 1 for the Seaton Water Users Association (SWUA). - Adjudication Court Orders Pendente Lite (OPL) dated 3/09/2000 and 6/14/2007 protect and assign the water conserved by these 3 irrigation system efficiency upgrades to primary-reach-only instream flow use in the Teanaway River from the historic upstream ditch diversion points to the new downstream pump sites. - MCR (and separately, also the SWUA & TRROA water right holders) and Ecology are submitting Joint Motions to Divide and Partially Substitute Party, and Proposed Orders to Divide..., to the Adjudication Court, which will divide the confirmed MCR (former TRI) water right into a retained portion for continuing off-stream use by the water right holder and a portion transferred to Ecology to be placed by Ecology in the State Trust Water Rights Program for primary-reach-only instream flow trust water use in the Teanaway River. - The MCR/Ecology Joint Motion to Divide and Partially Substitute Party is on the Acquavella Court's March 12th Water Day Hearing docket. - On 12/17/2014, MCR filed with Ecology an application to change the POD for the retained portion of its water right from the abandoned 3M Ditch diversion point to the new downstream pump site; and with Ecology as applicant, also filed on 12/17/2014 an application to place the conserved water portion of its water right in the State Trust Water Rights Program. - MCR is transferring 30% of its court-confirmed water right to Ecology for instream flow trust water use in the Teanaway River. - MCR is retaining for continuing irrigation and stock water use 70% of its court-confirmed water quantity, including its surplus water right (when available for use). - These two MCR/Ecology change applications, once approved by Ecology, will provide permanent approval for the current
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temporary authorizations for MCR (formerly TRI) in the 3/09/2000 OPL – i.e., MCR’s ‘new’ pump site diversion point for its retained portion and the instream flow trust water use of the conserved water portion (30%).

- TRROA & SWUA:

- WTWG provided a thumbs up approval on 5/21/2007, under WTWG 2007-36, for the 6/14/2007 OPL affecting the TRROA and SWUA water rights (i.e., ‘new’ pump site diversion and up to 50% of the rights for instream flow use in the Teanaway River).

- TRROA and SWUA members/water right holders, with Ecology, are also currently submitting Joint Motions to Divide and Partially Substitute Party (and Proposed Orders) to the Adjudication Court (same template and purpose as MCR) for ex parte approval; and they are also currently submitting, with Ecology, POD change applications and instream flow trust water right applications, seeking permanent approval from Ecology for their currently-temporary change approvals provided by the 2 Court Orders Pendente Lite.

- The 5 year demonstration/proof period required under the 1999 TRROA and SWUA contracts with BPA and USBR have shown that the TRROA and SWUA water users have used, and will retain, 70% of their court-confirmed diversion rate in cfs, and 50% of their court-confirmed annual water duty in af/yr, for continuing off-stream irrigation and stock water use.

- Therefore, for the TRROA and SWUA members’ water rights, 30% of the confirmed diversion rate in cfs and 50% of the annual water duty will transfer to Ecology for placement in the State Trust Water Rights Program for primary-reach-only instream flow trust water use in the Teanaway River.

- Any and all ‘surplus water’ rights confirmed by the Adjudication Court to TRROA and SWUA members were retired in 2000 when their new irrigation systems were built – without the capacity to deliver ‘surplus water’ - and that ‘surplus water’ has relinquished.

- **I’m seeking a simple straightforward ‘thumbs up’ approval from WTWG for: 1) the MCR POD change application, and 2) the Ecology Trust Water application.**

- **AND, I’m seeking a blanket ‘thumbs up’ approval for the TRROA and SWUA POD change and Trust Water applications.**

NOTE: The TRROA and SWUA water rights are a total of 25 individually-confirmed water rights (13 to TRROA members and 12 to SWUA members). WTWG has already given its ‘thumbs up’ approval to these downstream POD changes and primary-reach instream flow uses on 5/21/2007 under WTWG #2007-36. **A summary spreadsheet of the water quantities associated with the MCR, TRROA, and SWUA irrigation system upgrades (aka Teanaway Restoration Project) is attached to this project description.**

The Teanaway Restoration Project is a successful model for improving instream flows and fish passage and habitat by upgrading irrigation diversions and irrigation system efficiency.

Stan Isley, 1-26-2015

WTWG Project form

Exhibit 1 - Teanaway Restoration Project Results & Benefits

Seaton Water Users Association (SWUA) Members, Teanaway River Ranch Owners

Association (TRROA) Water Users, & Teanaway Ranch, Inc. (TRI) Water Rights

Showing the 70% Irrigation & Stock Water Qi (cfs) & 50% Irrigation & Stock Water Qa (af/yr) Portions Retained by the SWUA & TRROA Water Users, and the 30% Instream Flow Qi (cfs) & 50% Instream Flow Qa (af/yr) Portions of the SWUA & TRROA Rights For Instream Flow Trust Water Right Use; and Showing the 70% Qi & Qa Portions Retained by TRI, and the 30% Qi & Qa Portions of the TRI Right for Instream Flow Trust Water Right Use.

SWUA Members Name & Court Claim Number	Priority Date	Court Confirmed Irrigated Acres	Court Confirmed 100% CFS	Court Confirmed 100% AF/YR	70% Qi (cfs) Irrigation & Stock Water Retained Portion	50% of Qa (af/yr) Irrigation & Stock Water Retained Portion	Other Uses (Diver-sionary Stock Water - 5/1 - 9/15)	Retired Surplus Water (cfs)	Retired Surplus Water (af/yr)	30% of Qi (cfs) Instream Flow Trust Portion	50% of Qa (af/yr) Instream Flow Trust Portion	County Parcel Numbers
Bonetto, Bruno N. - #12485	6-30-1882	5.10	0.102	27.54	0.071	13.770	Yes			0.031	13.770	925235, 645235, & 325235
McClure, June & Joe Riley - #00553	6-30-1882	8.50	0.170	45.90	0.119	22.950	Yes			0.051	22.950	(735235 & 14529), & 836036
Osmonovich, Ivan J. & Davene A.* - #01692	6-30-1882	2.00	0.040	13.00	0.028	5.400		0.040	2.200	0.012	5.400	595235
Miller, Beverly - #02226	6-30-1884	1.00	0.020	5.40	0.014	2.700				0.006	2.700	825235
Montgomery, Ronald J. & Becky* - #01286	6-30-1885	26.81	0.536	174.27	0.375	72.390	Yes	0.536	29.491	0.161	72.389	412636, & 402636
Osmonovich, Ivan J. & Davene A.* - #01286	6-30-1885	20.44	0.410	132.86	0.287	55.188		0.410	22.484	0.123	55.188	428236
Bergstrom, Mary* (was Pratt, Tommy & Genine) - #01286	6-30-1885	8.36	0.167	54.34	0.117	22.572		0.167	9.196	0.050	22.572	19730, 15223, 19727, & 548236
Stephenson, Catherine* - #01286	6-30-1885	4.39	0.088	28.54	0.062	11.856		0.088	4.829	0.026	11.855	21052, & 392636
Cernick, Robert M. & Debbie Lee - #02148	6-30-1891	16.00	0.320	86.40	0.224	43.200	Yes			0.096	43.200	365235
Miller, Beverly - #02226	6-30-1891	8.00	0.160	43.20	0.112	21.600	0.5 af/yr			0.048	21.600	395235
Osmonovich, Donald L. & Janice C. - #01284	6-30-1891	2.00	0.040	10.80	0.028	5.400	Yes			0.012	5.400	19330, 19329, & 19328
Starkovich, Daryle Thomas - #01201	6-30-1891	32.81	0.660	178.20	0.459	88.587	1.0 af/yr			0.198	89.100	15140, 15139, 15138, 335235, & 815235
SWUA TOTALS*	6-30-1882 to 6-30-1891	135.41	2.713	800.45	1.896	365.613	1.5 af/yr - 7 rights	1.241	68.200	0.814	366.124	

*The two Ivan and Davene Osmonovich, the Montgomery, the Bergstrom (Pratt), and the Stephenson water rights were all confirmed the right to divert additional "surplus" water for up to 30 days, when available, in the Court's Conditional Final Order for Subbasin No. 3 (Teanaway River). SWUA is contractually not entitled to divert this "surplus" water into the new SWUA pressurized irrigation system. The 70%, 50%, and 30%, portion quantities for the SWUA members water rights are all derived based only on the standard 0.02 cfs, 5.4 af/yr per acre water duty in the Teanaway Subbasin.

Note: The instream flow columns show the 30% Qi (cfs) portions and the 50% Qa (af/yr) portions of each of the SWUA members water rights that are to be assigned to instream flow trust water right use from the historic point of diversion of the abandoned Seaton Ditch (in the NE¼SE¼ of Section 26, T. 20 N., R. 16 E.W.M.) to the new SWUA pumpsite located downstream at the Lambert Road Bridge on the lower Teanaway River (in the SE¼SE¼ of Section 33, T. 20 N., R. 16 E.W.M.).

Note: The Court's 3-10-2011 Order to Divide and Partially Substitute Party divided the Starkovich 1891 water right into 3 portions: 1) the portion retained by the Starkoviches, and 2) the instream flow trust portion, both described here, and 3) 0.003 cfs, 0.513 af/yr of water for instream flow trust water use and mitigation for a domestic water supply for a new home on the Starkovich property, derived by fallowing 0.19 acre of the original 33 acre Starkovich irrigation water right, and subsequently approved by Ecology's 10-21-2011 ROE.

TRROA Water Users Names - Court Claim #01942 Applies to All TRROA Water Users	Priority Date	Court Confirmed Irrigated Acres	Court Confirmed 100% CFS	Court Confirmed 100% AF/YR	70% Qi (cfs) Irrigation & Stock Water Retained Portion	50% of Qa (af/yr) Irrigation & Stock Water Retained Portion	Other Uses (Diversionary Stock Water - 5/1 - 9/15)	Retired Surplus Water (cfs)	Retired Surplus Water (af/yr)	30% of Qi (cfs) Instream Flow Trust Portion	50% of Qa (af/yr) Instream Flow Trust Portion	Lot Numbers	County Parcel Numbers
Ronald Graff, et ux.; (Dickhaus, Frederick)	6-30-1885	28.42	0.570	184.73	0.399	76.734	Yes	0.570	31.262	0.171	76.734	C-5	620436
Sole, Andrew; (Drotning, Norman & Lael)	6-30-1885	8.00	0.160	52.00	0.112	21.600	Yes	0.160	8.800	0.048	21.600	D-4	130436
Fookes, Larry & Sharon Almborg	6-30-1885	24.48	0.490	159.12	0.343	66.096	Yes	0.490	26.928	0.147	66.096	C-6	110436
Hancock, Richard & Shirley	6-30-1885	69.54	1.390	452.01	0.973	187.758	Yes	1.390	76.494	0.417	187.758	C-10, D-5, D-9, D-10, & D-11	930436, 630436, 050436, 080436, & 290436
Hollingsworth, Patrick & Jenny	6-30-1885	10.00	0.200	65.00	0.140	27.000	Yes	0.200	11.000	0.060	27.000	D-6	040436
Johnson, William S.	6-30-1885	11.41	0.230	74.17	0.161	30.812		0.230	12.551	0.069	30.807	D-7	030436
Abeyta, Terry; (Liven-good, John & Ann)	6-30-1885	13.00	0.260	84.50	0.182	35.100	Yes	0.260	14.300	0.078	35.100	D-2 & D-3	910436 & 590436
Lixvar, John	6-30-1885	24.46	0.490	158.99	0.343	66.042	Yes	0.490	26.906	0.147	66.042	C-11	610436
Lloyd, William A. & Geraldine C.	6-30-1885	4.25	0.085	27.63	0.060	11.480	Yes	0.085	4.675	0.025	11.475	C-12	280436
Nichols, T. Olin	6-30-1885	75.24	1.500	489.06	1.050	203.148	Yes	1.500	82.764	0.450	203.148	C-1 & C-2	704935, 264835, & 920436
Sparks, William F. & Sandra N.	6-30-1885	50.75	1.010	329.88	0.707	137.030	Yes	1.010	55.825	0.303	137.025	(C-4), C-7, C-8, & C-9	940436, 270436, 100436, & 260436
Bryan, Fletcher, Perkins (Teanaway Associates)	6-30-1885	25.45	0.510	165.43	0.357	68.720	Yes	0.510	27.995	0.153	68.715	D-8, D-12, & C-13	(120436 & 060436)
Nichols, T. Olin	6-30-1894	2.00	0.040	10.80	0.028	5.400	Yes	0.040	0.000	0.012	5.400	C-1	264835
TRROA TOTALS*	6-30-1885 & 6-30-1894	347.00	6.935	2253.32	4.855	936.920	12 Stock Water Rights	6.935	379.500	2.080	936.900		

*All 13 of the TRROA water users water rights were confirmed the right to divert additional "surplus" water for up to 30 days, when available, in the Court's Conditional Final Order for Subbasin No. 3 (Teanaway River). TRROA is contractually not entitled to divert this "surplus" water into the new TRROA pressurized irrigation system. The 70%, 50%, and 30% portion quantities for the TRROA water users water rights are all derived based only on the standard 0.02 cfs, 5.4 af/yr per acre water duty in the Teanaway Subbasin.

Note: The instream flow columns show the 30% Qi (cfs) portions and the 50% Qa (af/yr) portions of each of the TRROA water users water rights that are to be assigned to instream flow trust water right use from the historic point of diversion of the abandoned Haida-Peterson Ditch (in the SW¼SW¼ of Section 13, T. 20 N., R. 16 E.W.M.) to the new TRROA pumpsite located downstream at the Red Bridge Road Bridge on the Teanaway River (in the NW¼NE¼ of Section 25, T. 20 N., R. 16 E.W.M.).

TRI - Name & Court Claim Number	Priority Date	Court Confirmed Irrigated Acres	Court Confirmed 100% CFS	Court Confirmed 100% AF/YR	70% Qi (cfs) Irrigation & Stock Water Retained Portion	70% of Qa (af/yr) Irrigation & Stock Water Retained Portion	Other Uses (Diver-sionary Stock Water - 5/1 - 9/15)	Retired 30% of Surplus Water (cfs)	Retired 30% of Surplus Water (af/yr)	30% of Qi (cfs) Instream Flow Trust Portion	30% of Qa (af/yr) Instream Flow Trust Portion	County Parcel Numbers
TRI - #01042	6-30-1889	166.00	3.32 (or 6.64)	1079.00	2.324 (or 4.648)	755.30	Yes	0.996	0.00	0.996	323.70	115535, 605435, & 135435

Note: The Court's CFO confirmed TRI the right to divert "surplus" water, confirming TRI's historic right to divert up to 6.64 cfs for up to 30 days, when available. TRI retains 70% of its total confirmed water right, including 70% of its "surplus" water right, allowing TRI to continue to divert up to 4.648 cfs for up to 30 days when "surplus" water is available, generally in May and June. TRI's maximum (70%) retained diversion rate for the rest of the irrigation season is now 2.324 cfs; and TRI's maximum retained annual diversion limit is now 755.30 af/yr (5/01-9/15).

Note: The instream flow columns show the 30% Qi (cfs) portion and the 30% Qa (af/yr) portion of the TRI water right that are to be assigned to instream flow trust water right use from the historic point of diversion of the 3-M Ditch (in the SE¼SE¼ of Section 10, T. 20 N., R. 16 E.W.M.) to the new TRI pumpsite located downstream at the Red Bridge Road Bridge on the Teanaway River (in the NW¼NE¼ of Section 25, T. 20 N., R. 16 E.W.M.), totaling 0.996 cfs, 323.70 af/yr, from May 1 through September 15 each year.

Teanaway Restoration Project Benefit Analysis:

- 1) SWUA water rights (12) were originally confirmed for a total of 2.713 cfs, 800.45 af/yr, for irrigation of 135.41 acres and stock water from 5/01-9/15. The SWUA diversion point (POD) is now moved downstream 2.8 river miles, from the historic Teanaway River Mile (RM) 3.4 location, to RM 0.6, at which point SWUA retains the right to pump 1.896 cfs, 365.613 af/yr for irrigation of 135.41 acres and 1.5 af/yr for stock water, to satisfy SWUA's off-stream water needs. Thus 2.8 river miles now enjoy 2.713 cfs, 367.113 af/yr, of flow augmentation from 5/01-9/15. The confirmed SWUA "surplus water" rights (5 rights) are now permanently retired, and remain instream, totaling an additional 1.241 cfs instream for up to 30 days when available, 68.20 af/yr. And 0.814 cfs, 366.124 af/yr of the SWUA confirmed rights are permanently protected from 5/01-9/15 as instream flow trust water rights from RM 3.4 to RM 0.6.
- 2) TRROA water rights (13) were originally confirmed for a total of 6.935 cfs, 2,253.32 af/yr, for irrigation of 347 acres and stock water from 5/01-9/15. The TRROA diversion point (POD) is now moved downstream 0.9 river mile, from the historic Teanaway River Mile (RM) 5.1 location, to RM 4.2, at which point TRROA retains the right to pump 4.855 cfs, 936.92 af/yr, of water for irrigation of 347 acres and stock water, to satisfy TRROA's off-stream water needs. Thus 0.9 river mile now enjoys 6.935 cfs, 2,253.32 af/yr, of flow augmentation from 5/01-9/15. The confirmed TRROA "surplus water" rights (13 rights) are now permanently retired, and remain instream, totaling an additional 6.935 cfs instream for up to 30 days when available, 379.50 af/yr. And 2.08 cfs, 936.90 af/yr of the TRROA confirmed rights are permanently protected from 5/01-9/15 as instream flow trust water rights from RM 5.1 to RM 4.2.
- 3) The TRI water right was originally confirmed for a total of 3.32 cfs (plus an additional 3.32 cfs of "surplus water" for up to 30 days when available), 1,079 af/yr, for irrigation of 166 acres and stock water from 5/01-9/15. The TRI diversion point (POD) is now moved downstream 3.3 river miles, from the historic Teanaway River Mile (RM) 7.5 location, to RM 4.2, at which point TRI retains the right to pump 2.324 cfs (plus an additional 2.324 cfs of "surplus water" for up to 30 days when available), 755.30 af/yr, of water for irrigation of 166 acres and stock water, to satisfy TRI's off-stream water needs. Thus 3.3 river miles now enjoy 3.32 cfs (6.64 cfs for 30 days), 1,079 af/yr, of flow augmentation from 5/01-9/15. A 0.996 cfs portion of the confirmed TRI "surplus water" right is now permanently retired, and remains instream. And 0.996 cfs, 323.70 af/yr of the TRI confirmed right is permanently protected from 5/01-9/15 as an instream flow trust water right from RM 7.5 to RM 4.2.
- 4) Teanaway River Spring chinook salmon redd counts (conducted annually since 1981 by YKFP staff) were 0 redds in 13 of the years from 1981-1999, with an average of 0.79 redd per year during this 19 year period. Upon completion of these Teanaway Restoration Projects, Teanaway spring chinook redd counts jumped to 21 in both 2000 and 2001, 110 in 2002, and a high count of 253 redds in 2010. The average Teanaway spring chinook redd count for the 14 post-project years from 2000 through 2013 was 63.93 redds. The Teanaway Restoration Project has opened up fish passage and restored adequate flows to the Teanaway River system, benefiting multiple species of salmonids and other wildlife.