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MAR 18 2005

State of Washington DEPT OF ECOLOGY

Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

FEE PAID

10.00

For Ecology Use

Fee Paid

Date

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name: Bullerville Utility District; Home Tel: (360) 873-2250; Mailing Address: 58468 Clark Cabin Rd.; Cell Work Tel: (360) 708-3967; City: Rockport; State: WA; Zip+4: 98283; FAX: (360) 873-4077

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

Same as above; Name: Donald Clark; Home Tel: () - ; Mailing Address: Same; Work Tel: () - ; City: ; State: ; Zip+4: + ; FAX: () - ; Relationship to applicant: President, B.U.D.

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 160 (X) gallons per minute or cubic feet per second from a surface water source or ground water source (check only one) for the purpose(s) of utility district service - all purposes. ATTACH A "LEGAL" DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient. Estimate a maximum annual quantity to be used in acre-feet per year: 260

Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed: From / / to / /

Section 4. WATER SOURCE

Table with 2 columns: If SURFACE WATER, If GROUNDWATER. Includes fields for Name, Number of diversions, Source flows into, and Size & depth of well(s).

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:

Table with columns: 1/4 of, 1/4 of, Section, Township, Range(E/W), County, and If location of source is platted, complete below (Lot, Block, Subdivision).

For Ecology Use Date Received: 3/18/2005 Priority Date: 3/18/05 SEPA: Exempt/Not Exempt FERC License # Dept. Of Health # Date Accepted As Complete: 3/18/05 By: DDO Date Returned By: WRIA: 4

Appl. No.: 61-28239

Section 5. GENERAL WATER SYSTEM INFORMATION

- A. Name of system, if named: Bulleruille Utility District
- B. Briefly describe your proposed water system. (See instructions.)
 To provide the land area known as Bulleruille (since 1888) with domestic/public supply; irrigation/agricultural/farm water supply; Industrial/Munif./Commercial; road construction and watering maintenance; in effect, all water uses and needs.
 This water has been in use since 1888.
- C. Do you already have any water rights or claims associated with this property or system? YES NO
 PROVIDE DOCUMENTATION. See report to Ecology from B.U.D. WRCN/158491/158490

Section 6. DOMESTIC / PUBLIC WATER SUPPLY SYSTEM INFORMATION
 (Completed for all domestic/public supply uses.)

- A. Number of "connections" requested: WRCN 158491 Type of connection See report to Ecology
 (Homes, Apartment, Recreational, etc.)
- B. Are you within the area of an approved water system? YES NO
 If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by your County Health Department. Waiting for DOE water right approval -- Over one year! Bulleruille Utility District area of service.
- Complete C. and D. only if the proposed water system will have fifteen or more connections.**
- C. Do you have a current water system plan approved by the Washington State Department of Health? YES NO
 If yes, when was it approved? 7-29-04 Please attach the current approved version of your plan. Plan already at Ecology
- D. Do you have an approved conservation plan? YES NO
 If yes, when was it approved? 7-29-04 Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION
 (Complete for all irrigation and agriculture uses.)

- A. Total number of acres to be irrigated: 125
- B. List total number of acres for other specified agricultural uses:
 Use _____ Acres _____
 Use _____ Acres _____
 Use _____ Acres _____
- C. Total number of acres to be covered by this application: 125
- D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)
 Add up the acreage in which you have a controlling interest, including only:
 ‡ Acreage irrigated under water rights acquired after December 8, 1977;
 ‡ Acreage proposed to be irrigated under this application;
 ‡ Acreage proposed to be irrigated under other pending application(s).
1. Is the combined acreage greater than 6000 acres? YES NO
 2. Do you have a controlling interest in a Family Farm Development Permit? YES NO
 If yes, enter permit no: _____
- E. Farm uses:
 Stockwater - Total # of animals 200-250 Animal type rabbits (If dairy cattle, see below)
 Dairy - # Milking _____ # Non-milking _____

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Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

YES NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

6 miles East of Rockport, between SR20 mileposts 103 and 104.

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.)

Attached

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used? Through LLC's YES NO
If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

B. Does the applicant own the land on which the water source is located?
If no, submit a copy of agreement:

YES NO

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 grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

Donald R. Claw
Applicant (or authorized representative)

2-18-05
Date

Same
Landowner for place of use (if same as applicant, write "same")

2-18-05
Date

Use this page to continue your answers to any questions on the application. Please indicate section number before answer.

Section 3 - This Application for a Water Right is not for a new water claim to use. This water has been used on this property since 1888 - long before water right law was developed. This water use was documented on Water Right Claim # 158491, which has been challenged by WSDOE. Contact at DOE - Peggy Williams. This water claim is not interruptable, and is a claim to water used by what is now called the Bulleroville Utility District.

We are returning your application for the following reason(s):	
Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128
Section number(s) _____ is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation:	
Please provide the additional information requested above and return your application by _____ (date).	

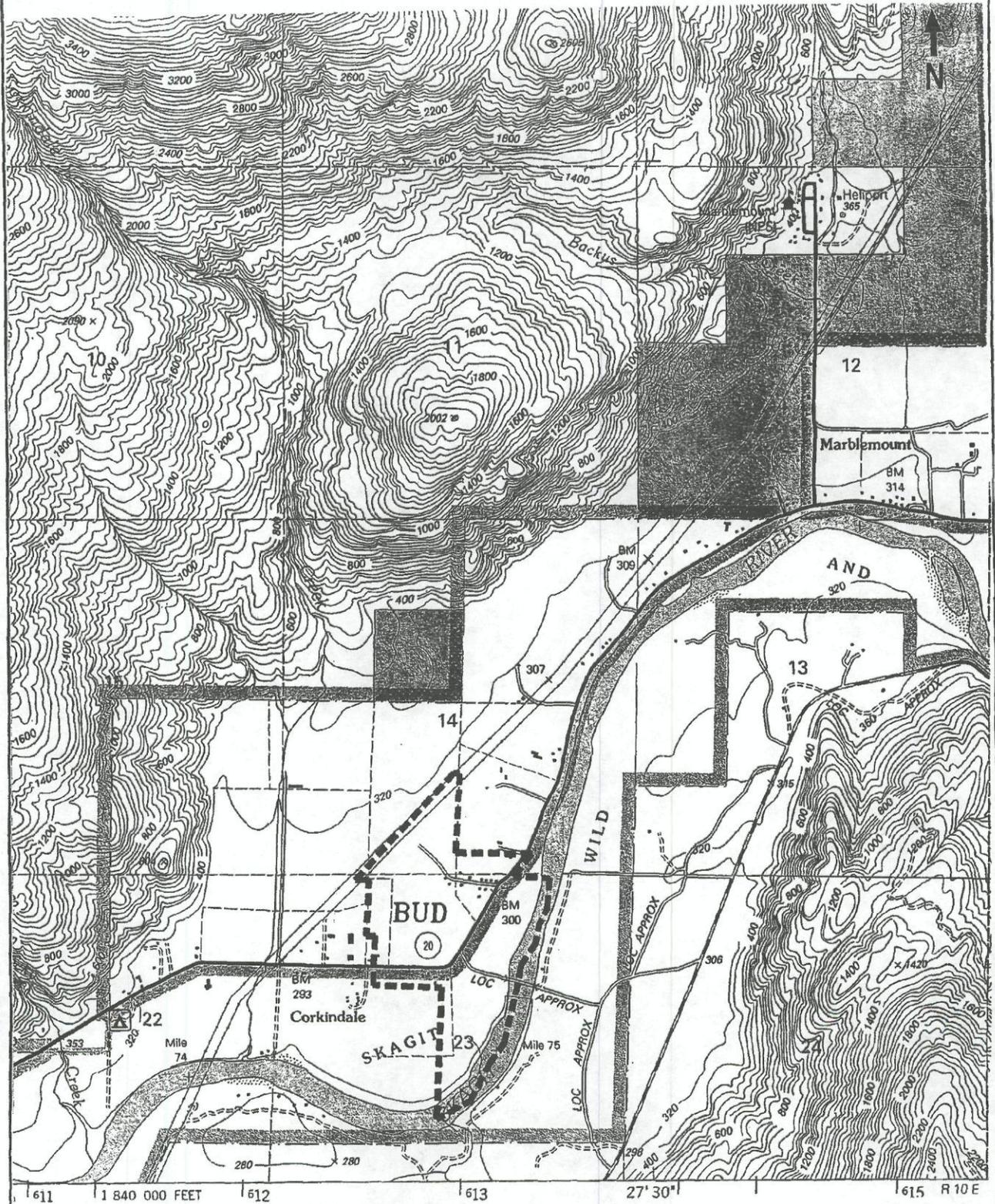
Ecology staff _____ Date _____

Ecology is an Equal Opportunity employer. To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).

LEGAL DESCRIPTION
for
BULLERVILLE BOUNDARY AREA

That portion of the South $\frac{1}{2}$ of Section 14 and the North $\frac{3}{4}$ th of Section 23, all in Township 35 North, Range 10 East, W.M., described as follows:

Beginning at the intersection of the City of Seattle right-of-way with the North and South center line of said Section 14,
thence South, along said center section line to the Northwest corner of Tract 3, Short Plat No. 31-82, entitled Bosse Short Plat, approved December 10, 1982, recorded December 13, 1982 in Volume 6 of Short Plats, page 34, under Auditor's File No. 8212130001;
thence North $89^{\circ} 46' 47''$ East, along the north line of said Tract 3 a distance of 914.96 feet to the Northeast corner thereof;
thence Southwesterly, along the Easterly line of said Tract 3 to the Southeast corner thereof;
thence Easterly, along the North line of said Section 23 to the Westerly bank of the Skagit River;
thence Southwesterly, along the Westerly bank of the Skagit River to an intersection with the North-South center section line;
thence North, along said North-South center section line to the Southeast corner of the Northeast $\frac{1}{4}$, of the Northwest $\frac{1}{4}$ of said Section 23;
thence West, along the South line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ to a point which is 430 feet East of the West line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, said point also being a point of intersection with the Southerly extension of the East line of a tract conveyed to Wade E. Buller by deed recorded in Volume 199 of Deeds, page 413;
thence North a distance of 660 feet, more or less, to the Northeast corner of said Buller Tract;
thence West 100 feet to the East line of the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 23;
thence North along the said East line a distance of 660 feet, more or less, to the North line of said Section 23;
thence West along said North line to an intersection with the Southeasterly line of the City of Seattle right-of-way;
thence Northeasterly, along said Southeasterly line, to the point of beginning.



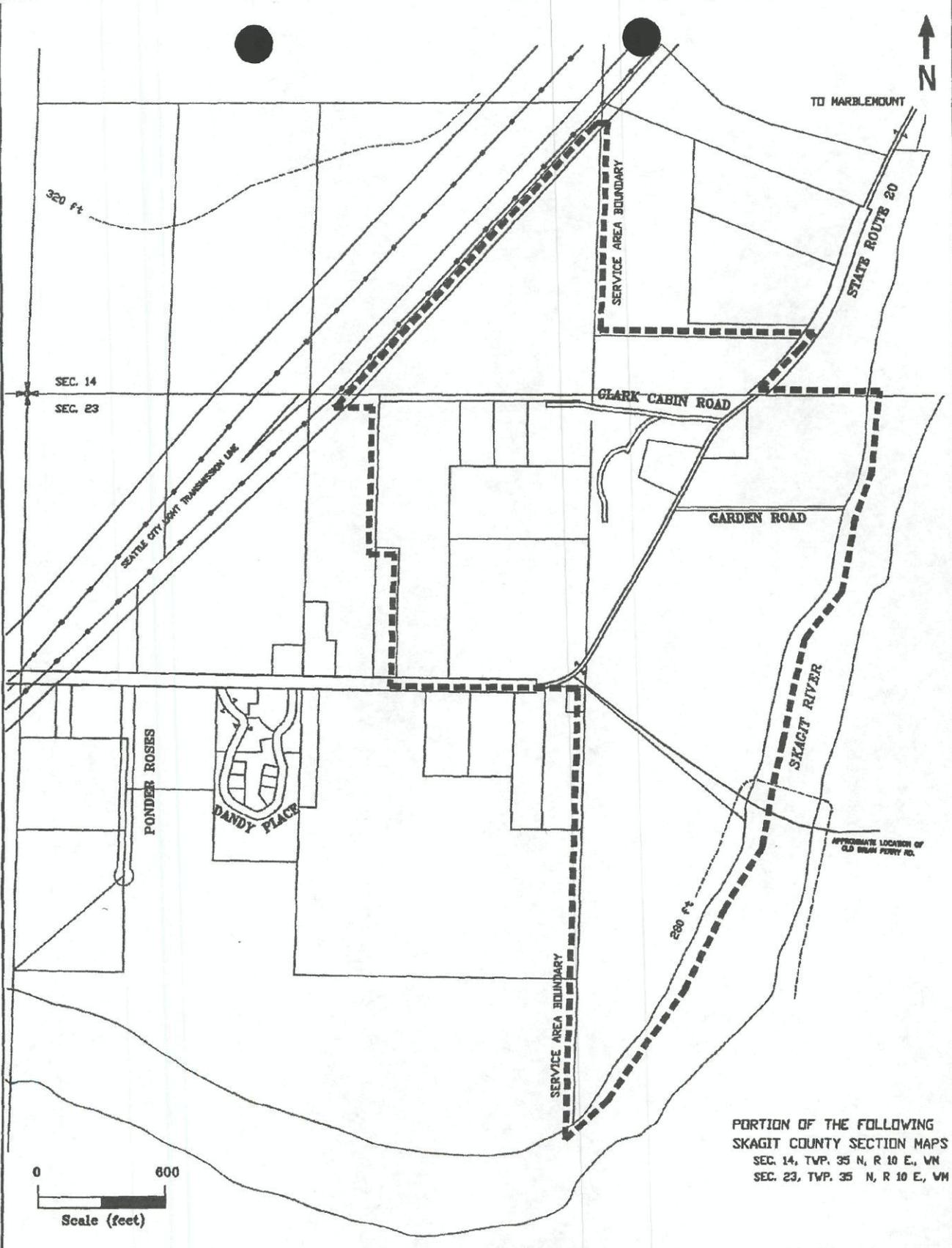
PORTION OF USGS MAP "MARBLEMOUNT QUADRANGLE"

Date: Mar. 04 Scale: 1" = 2000'

By: GEORGE BRATTON, P.E.
CIVIL ENGINEER

BULLERVILLE UTILITY DISTRICT
Location Plan / Topography

Fig. #
2



Date: Feb. 04	Scale: as shown	BULLERVILLE UTILITY DISTRICT Service Area Map	Fig. #
By:	GEORGE BRATTON, P.E. CIVIL ENGINEER		1