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DEPARTMENT OF ECOLOGY
SECONDARY REGIONAL OFFICE

A minimum fee of $10.00 must accompany this application.

APPLICATION FOR CHANGE OF POINT OF DIVERSION OF WATER

TO THE DIRECTOR OF THE DEPARTMENT OF ECOLOGY, STATE OF WASHINGTON:

The undersigned, your applicant, respectfully represents:

First: That he is a user of waters of ANTANUM CREEK under
(Stream or lake)
Permit No. _____, Certificate No. _____, decreed right No 4
VIRTUE OF DECREE OF THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR YAKIMA COUNTY 7TH DAY OF MAY 1925
(Title or case)
appropriation made _____.
(Give date, if prior to June 15th, 1917

Second: That such right consists of 5" NO 4
(cubic feet per second)

and that he wishes to change the point of diversion of such right to the extent of 5" NO. 4 TO BACHLER CREEK THE CENTER OF BACHLER CREEK IS THE NORTH BOUNDRY LINE OF 5 ACRES I PURCHED
(cubic feet per second)

Third: That the use of such water is for the purpose of IRRIGATION 5 ACRES and that he diverts water from said stream at a point situated in the NW 1/4 quarter of SE 1/4 quarter of Section 4, Township 12 N., Range 18E., W.M.

Fourth: That he wishes to change the above point of diversion to BACHLER CREEK a point situated in the NE 1/4 quarter of SE 1/4 quarter of Section 4, Township 12 N., Range 18E. W.M., YAKIMA County, Washington, such point being 1/4 MILE BELOW AND NORTH 900 FT the present point of
(Distance above or below)
diversion, and that such change can be made without detriment or injury to existing rights or the State's interest in water, as provided in Section 39, Chapter 117, Session Laws of 1917.

Dated this 27 day of April, 1973.

James E. Heater	2702 So. 42nd Ave. Rt #7 Yakima, Wash. 98903
(Applicants)	(Postoffice address)

Copy sent to Hank Kim for comments 5-10-73

Cert # 80

THIS IS TO CERTIFY:

That by virtue of a decree of the Superior Court of the State of Washington in and for Yakima County, made and entered on the 7th day of May, 1925, and recorded in Volume 22 of the Superior Court Journal of said County at page 246, from which decree no appeal was taken, and which decree determined the rights of all known claimants to the use of the waters of Ahtanum Creek a tributary of Yakima River

WALTER C. COPE

is entitled to use, subject to the laws of the State of Washington, the waters of said Ahtanum Creek for the purpose of irrigation during the period from April 1st to October 15th each year and for the purpose of stock and domestic use continuously.

That the amount of water to which said water right is entitled is limited to the quantity which is reasonably and actually necessary for the purpose aforesaid and shall not exceed 1.77 second feet for the irrigation of 88.87 acres of the lands hereinafter described.

That the date of priority of said water right is 1867; that the decree aforesaid establishes said right in Class Four, which said class includes a total maximum of 5.97 second feet; that the possible maximum amount of water which is comprehended in rights prior to this right is 11.90 second feet.

That the point of diversion of said water right is as follows:

On the west line of the NE¼ of the SE¼ of Sec. 4; In the NW¼ of the SW¼ of Sec. 4; On the South boundary of Lot 6, in Section 4; On the line between Lots 7 and 8 of Sec. 4, all being in Township 12 N., Range 18 E. W. M.

and cannot be changed except as provided in Section 39, Chapter 117, Session Laws of 1917.

That said water right was adjudged by said decree to be and is appurtenant to the following described real property situated in Yakima County, Washington, to wit:

The NW¼ of the SW¼ and Lot 8 in Section 4, and the East 13.21 chains of Lot 7, and a strip of land 13.21 chains wide off the east side of the NW¼ of the SE¼ of Sec. 4, Twp. 12 N., Rge 18 E. W. M.