

Pd \$10.00 TMM
MO #980630 188120
7/1/98

APPLICATION FOR PERMIT

DEPARTMENT OF ECOLOGY PUBLIC WATERS OF THE STATE OF WASHINGTON
CENTRAL REGION OFFICE

SURFACE WATER GROUND WATER

\$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION

(GRAY BOXES FOR OFFICE USE ONLY)

APPLICATION NO. 04-32751	W.R.I.A. 48	COUNTY OKANOGAN	PRIORITY DATE JULY 1, 1998	TIME	ACCEPTED
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APPLICANT'S NAME — PLEASE PRINT
Charles R Miller

Bus. Tel. _____
Home Tel. **509 682 1200**
Other Tel. _____

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)
22905 Riverview Rd Chelan WA 98816

DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION

1. SOURCE OF SUPPLY

IF SURFACE WATER	IF GROUND WATER
SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE)	SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.) well
TRIBUTARY	SIZE AND DEPTH 160'

2. USE
USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.)

ENTER QUANTITY OF WATER REQUESTED USING UNITS OF: CUBIC FEET PER SECOND (CFS) **OR** GALLONS PER MINUTE (GPM) **130 gpm** ACRE FEET PER YEAR

TIMES DURING YEAR WATER WILL BE REQUIRED
April 1 - October 25

IF IRRIGATION, NUMBER OF ACRES 12	IF DOMESTIC USE, NUMBER OF UNITS BY TYPE, E.G. 1-HOME, 1-MOBILE HOME, 2-CAMPSITES, ETC.	IF MUNICIPAL USE, ESTIMATED POPULATION 20 YEARS FROM TODAY
DATE PROJECT WAS OR WILL BE STARTED 1941	DATE PROJECT WAS OR WILL BE COMPLETED 1942	

3. LOCATION OF POINT OF DIVERSION/WITHDRAWAL

3A. IF IN PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)	SECTION	TOWN	RANGE	ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION
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3B. IF NOT IN PLATTED PROPERTY

ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION, SHOW NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER

ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.
1900' EAST & 400' SOUTH FROM THE NW CORNER OF SEC 29 PMK

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NE of NW	SECTION 29	TOWNSHIP N. 30	RANGE (E. OR W.) W.M. 24 E.	COUNTY Okangon
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4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED, IF NOT, INSERT NAME & ADDRESS OF OWNER
Purchasing J. Ed Ulrich Box 367 Pateros WA 98846

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED
ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY (ON WHICH THE WATER WILL BE USED) TAKEN FROM A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY, OR, COPY CAREFULLY IN THE SPACE BELOW.

Parcel # 3024 29 0006 Okangon Co.

No copy available at this time, will forward information as it becomes available

WHAT IS YOUR INTEREST IN THE PROPERTY ON WHICH THE WATER IS TO BE USED (PROPERTY OWNER, LESSEE, CONTRACT PURCHASER, ETC.)

Purchaser

ARE THERE ANY EXISTING WATER RIGHTS RELATED TO THE LAND ON WHICH THE WATER IS TO BE USED (INCLUDING WATER PROVIDED BY IRRIGATION DISTRICTS OR DITCH COMPANIES.)

YES NO

IF YES, FROM WHAT SOURCE (i.e. SURFACE OR GROUND WATER) AND UNDER WHAT AUTHORITY

Ground water used prior to 1944; records being processed from previous deceased owner J. Ed Ulrich

6. DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(FOR EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

15 HP Submersible Pump
4" main line, 1" laterals, 1094 sprinklers

REMARKS

7. Am filling this out in reference to prior use that may not have had continuing documentation but has been in use since 1930s according to owner family

8. Filed before July 1, 1998 COMPLETE THIS SECTION ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE

IN ORDER TO IMPLEMENT THE PROVISIONS OF INITIATIVE MEASURE NUMBER 59, THE FAMILY FARM WATER ACT WHICH WAS PASSED BY THE VOTERS ON NOVEMBER 3, 1977, WE MUST ASK THE FOLLOWING QUESTIONS:

DOES THE TOTAL NUMBER OF ACRES IN WHICH YOU HAVE CONTROLLING INTEREST IN THE STATE OF WASHINGTON EXCEED 2000 ACRES FOR THE FOLLOWING THREE CATEGORIES:

- 1. LANDS THAT ARE BEING IRRIGATED UNDER WATER RIGHTS ACQUIRED AFTER DECEMBER 8, 1977. YES NO
- 2. LANDS THAT MAY BE IRRIGATED UNDER APPLICATIONS NOW ON FILE WITH THE DEPARTMENT OF ECOLOGY. YES NO
- 3. LANDS THAT MAY BE IRRIGATED UNDER THIS APPLICATION. YES NO

IF 10 ACRE-FEET OR MORE OF WATER IS TO BE STORED AND/OR IF THE WATER DEPTH WILL BE 10 FEET OR MORE AT THE DEEPEST POINT, A STORAGE PERMIT MUST BE FILED IN ADDITION TO THIS PERMIT. THESE FORMS CAN BE SECURED, TOGETHER WITH INSTRUCTIONS, FROM THE DEPARTMENT OF ECOLOGY.

SIGNATURES

Charles R. Miller

LEGAL LANDOWNER'S NAME (PLEASE PRINT)

Charles R. Miller

APPLICANT'S SIGNATURE

deceased

LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

LEGAL LANDOWNER'S ADDRESS

FOR OFFICE USE ONLY

STATE OF WASHINGTON }
DEPARTMENT OF ECOLOGY } ss.

This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows:

.....
.....

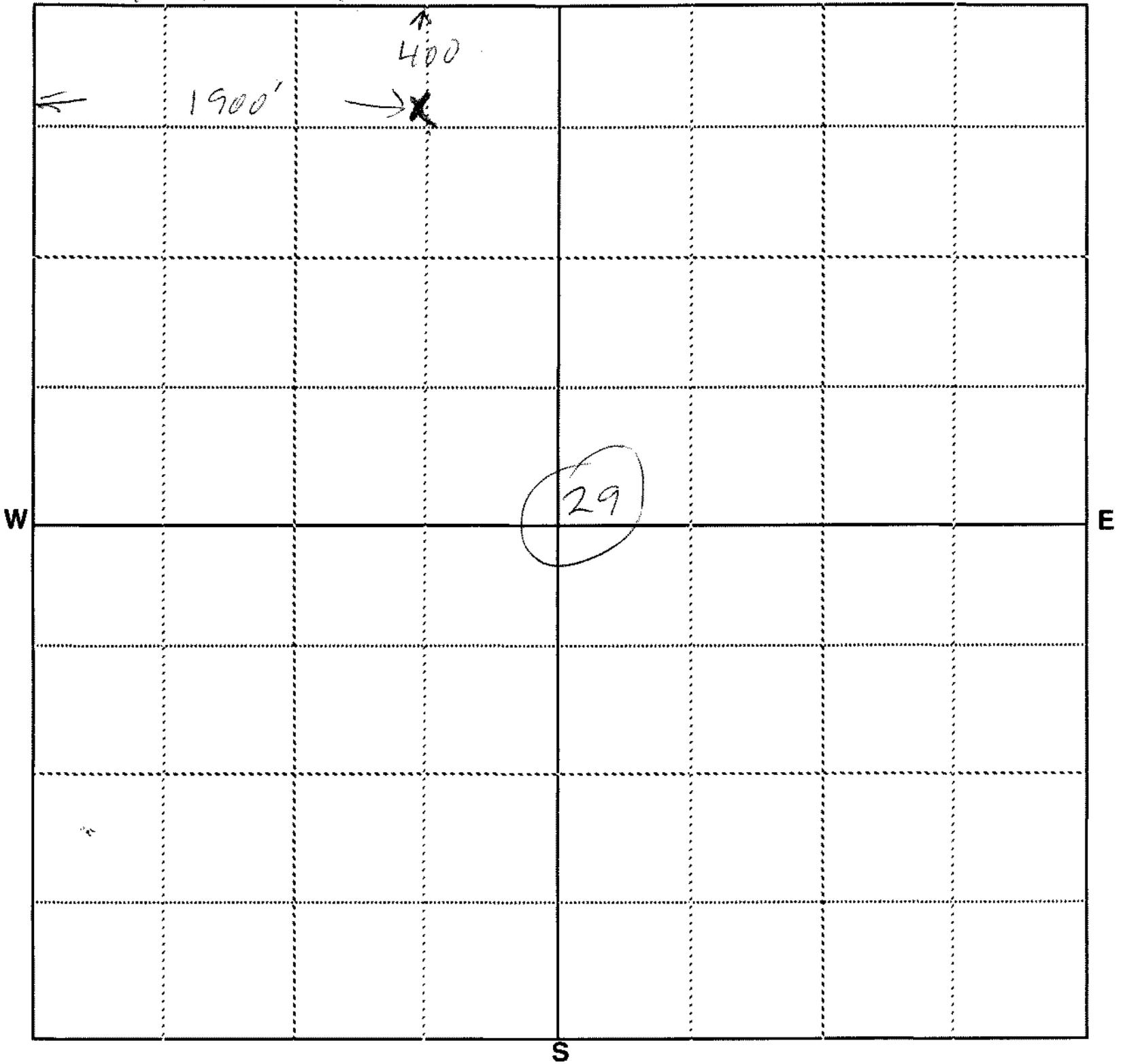
In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before, 19.....

Witness my hand this day of, 19.....

SECTION MAP

Sec. 29 Twp. 30 N. R. 24

1900' E + 400' S N



Scale: 1 inch = 800 feet (each small square = 10 acres)

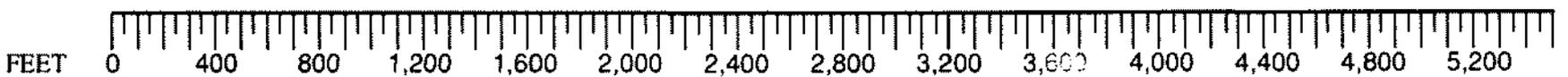
Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile.

Indicate traveling directions from nearest town in space below.

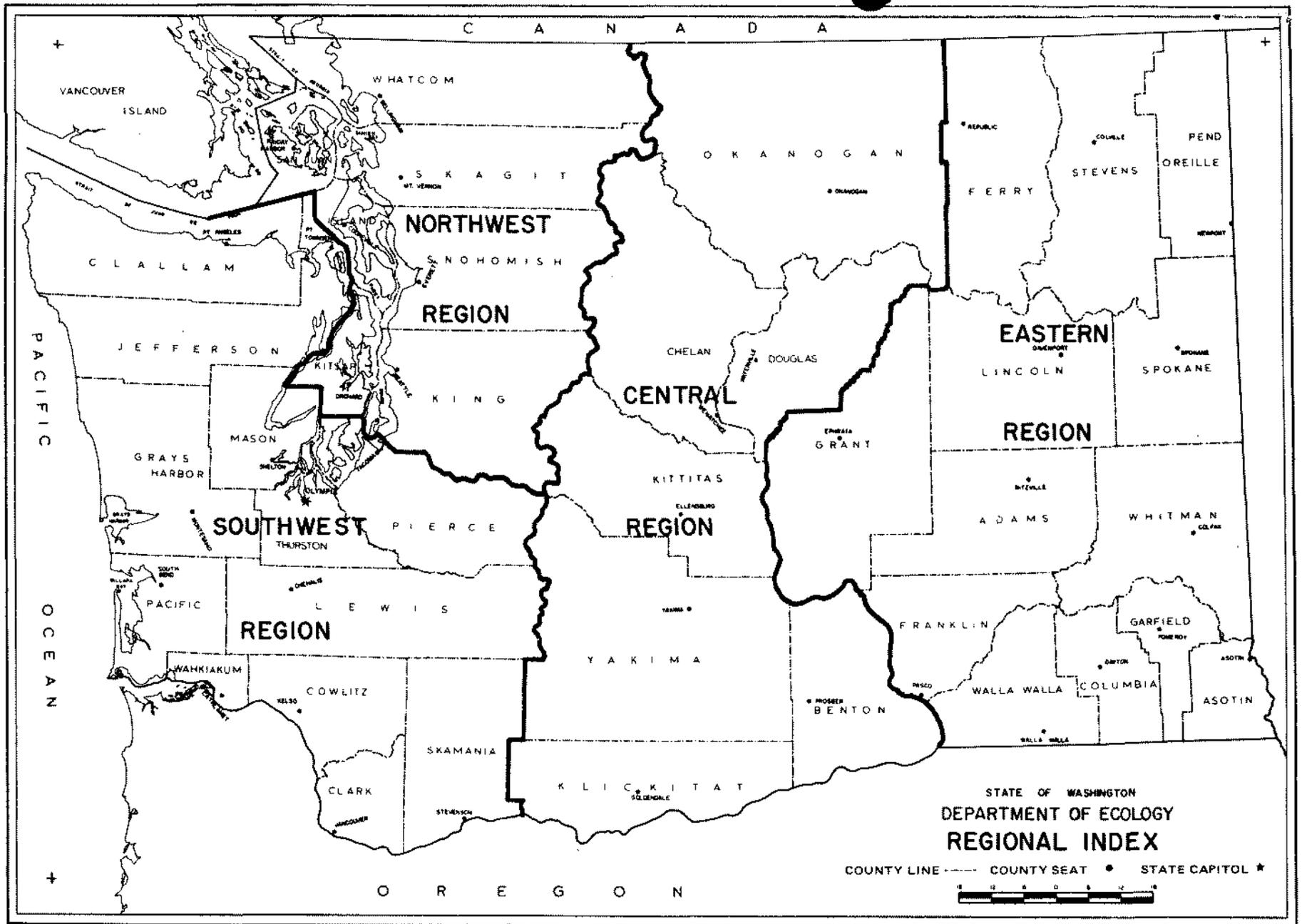
2 miles N. of Pateros Highway 97

Detach here

Fold along scale



Detach this scale at the performance, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and \$10.00 examination fee.



Your water right application will be processed by the Regional Office of the Department of Ecology having jurisdiction in the area in which your water works are located. **Please submit your completed application form, maps, sketches, and \$10.00 examination fee to the appropriate Regional Office.**

Northwest Regional Office
 3190 - 160th Avenue S.E.
 Bellevue, WA 98008-5452
 Tel. (206) 649-7000

Central Regional Office
 3601 West Washington
 Yakima, Washington 98903-1164
 Tel. (509) 575-2800

Southwest Regional Office
 7272 Cleanwater Lane
 Olympia, Washington 98504-6811
 Tel. (206) 586-6380

Eastern Regional Office
 N. 4601 Monroe, Suite 100
 Spokane, Washington 99205-1295
 Tel. (509) 456-2926

The appropriate Regional Office will be happy to answer any further questions you may have.

EXHIBIT A.

Government Lot 2, Section 29, Township 30 North, Range 24 S.W.M. and Government Lot 3, Section 20, Township 30 North, Range 24 S.W.M. Okanogan County, Washington.

SUBJECT Two acres located in sections 20 and 29, Township 30 North, Range 24 S.W.M. and described as follows.

Beginning at the intersection of the section line common to said sections 29 and 20, and the westerly line of Indian Allotment No. 29, thence North $26^{\circ} 22' 35''$ West a distance of 111.1 feet to the point of beginning - thence continuing North- $26^{\circ} 22' 35''$ West a distance of 208.7 feet, thence 90 degrees left a distance of 417.4 feet, thence 90 degrees left a distance of 208.7 feet, thence 90 degrees left a distance of 306.3 feet to the point of beginning. Deeded to Bill Adams.

Except a portion of Government Lot 2, Section 29, Township 30 North, Range 24 S.W.M. more particularly described as follows. Commencing at the meander corner common to sections 30 and 29, township 30 North, Range 24 S.W.M. on the Columbia River right bank (North Shore) marked by a stone monument, thence N $54^{\circ} 02' 48''$ E for 2155.60 feet to the North-east corner of Government Lot 1, Section 29, Township 30 North, Range 24 S.W.M. and the true point of beginning for this description; thence N $89^{\circ} 35' 32''$ W along the section subdivision line common to Government Lot 1 and Government Lot 2, Section 29, Township 30 North, Range 24 S.W.M. for 255.51 feet to an intersection with the southeasterly line of right of way of the Great Northern Railway; thence N $49^{\circ} 33' 51''$ E along the southeasterly right of way line of the Great Northern Railway for 1,146.08 feet to an intersection with the east line of said Government Lot 2; thence S $26^{\circ} 23' 35''$ E along the east line of said Government Lot 2 for 180.59 feet to the Government meander line on the Columbia River bank (North shore); thence S $50^{\circ} 04' 11''$ W along said meander line for 908.96 feet to the true point of beginning for this description.

Excepting that parcel or strip of land lying above the Government meander line for Government Lot 2 on the Columbia River Bank (North Shore) and below the mean high water line of the Columbia River right bank (North shore)

SUBJECT TO: Easements and reservations of record.

Legal Desc. of Land
upon which water is
used

RE: 44477
DESCRIPTION

A tract of land located in Section 20 and 29, Township 30 North, Range 24 East W.M., and described as follows:

Beginning at the intersection of the section line to said Sections 20 and 29, and the Westerly line of Indian Allotment No. 29;
Thence North $26^{\circ}22'35''$ West a distance of 111.1 feet to the POINT OF BEGINNING;
Thence continuing North $26^{\circ}22'35''$ West, a distance of 208.7 feet;
Thence 90° left a distance of 417.4 feet;
Thence 90° left a distance of 208.7 feet;
Thence 90° left a distance of 306.3 feet to the POINT OF BEGINNING.

WARRANTY DEED

IN THE MATTER OF State Route 97, Indian Dan Canyon to Co. Rd. 1685,

KNOW ALL MEN BY THESE PRESENTS, That the Grantors,
MARSHALL V. MILLER and JO A . MILLER, husband and wife and
ED ULRICH and BETTY ULRICH, husband and wife,
for and in consideration of the sum of TEN and NO/100 Dollars and other valuable
consideration, hereby convey and warrant to the STATE OF WASHINGTON, the following
described real estate situated in Okanogan County, in the State of Washington, to
the same extent and purpose as if the rights herein granted had been acquired
under Eminent Domain statute of the State of Washington:

All that portion of the hereinafter described Tract "X" lying southeasterly of the
following described line:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to
as HES) 989+00 on the survey line of SR 97, Indian Dan Canyon to Co. Rd. 1685, and
110.00 feet northwesterly therefrom; thence northeasterly parallel with said
survey line to a point opposite HES 991+75; thence northwesterly to a point
opposite HES 992+00 and 180.00 feet northwesterly therefrom; thence northeasterly
to a point opposite HES 993+00 and 225.00 feet northwesterly therefrom; thence
northeasterly to a point opposite HES 994+00 and 210.00 feet northwesterly
therefrom; thence northeasterly to a point opposite HES 997+00 and 190.00 feet
northwesterly therefrom; thence southeasterly to a point opposite HES 997+25 and
100.00 feet northwesterly therefrom; thence northeasterly parallel with said
survey line to a point opposite HES 1004+00; thence northeasterly to a point
opposite HES 1005+50 and 140.00 feet northwesterly therefrom, said point being the
terminus of this line description.

TRACT "X"

Government Lot 2 of Section 29, Township 30 North, Range 24 East W.M.,
AND Government Lot 3 of Section 20, Township 30 North, Range 24 East
W.M., EXCEPTING the following described parcels:

Parcel "A":

A tract of land located in Sections 20 and 29, Township 30 North, Range
24 East W.M., and described as follows:

Beginning at the intersection of the Section line common to said
Sections 20 and 29 and the westerly line of Indian Allotment No. 29;
thence North 26°22'35" West a distance of 111.1 feet to the POINT OF
BEGINNING; thence continuing North 26°22'35" West a distance of 208.7
feet; thence 90° left a distance of 417.4 feet; thence 90° left a
distance of 208.7 feet; thence 90° left a distance of 306.3 feet to the
POINT OF BEGINNING.

Parcel "B":

A portion of Government Lot 2 of Section 29, more particularly described
as follows:

Commencing at the meander corner common to Sections 30 and 29, Township
30 North, Range 24 East W.M., on the Columbia River right bank (north
shore) marked by a stone monument; thence North 54°02'48" East for
2,155.60 feet to the northeast corner of Government Lot 1 of Section 29
and the TRUE POINT OF BEGINNING for this description; thence North
89°35'32" West along the Section subdivision line common to Government
Lot 1 and Government Lot 2 of Section 29, Township 30 North, Range 24
East W.M., for 255.51 feet to an intersection with the southeasterly

right of way line of the Great Northern Railway; thence North 49°33'51" East along the southeasterly right of way line of the Great Northern Railway for 1,146.08 feet to an intersection with the east line of said Government Lot 2; thence South 26°23'35" East along the east line of said Government Lot 2 for 180.59 feet to the Government meander line of the Columbia River bank (north shore); thence South 50°04'11" West along said meander line of 908.96 feet to the TRUE POINT OF BEGINNING of this description.

Parcel "C":

That parcel or strip of land lying above the Government meander line for Government Lot 2 on the Columbia River bank (north shore) and below the mean high water line of the Columbia River right bank (north shore).

Parcel "D":

Those portions conveyed to the State of Washington for highway purposes as recorded in Volume 76 of Deeds, page 613, and those portions conveyed to Great Northern Railway for railroad purposes in Volume X of Deeds, page 599, Okanogan County Records.

Also, the grantors herein convey and grant to the State of Washington all rights of ingress and egress (including all existing, future, or potential easements of access, light, view, and air) to, from, and between SR 97, Indian Dan Canyon to Co. Rd. 1685, and the remainder of said Tract "X."

EXCEPT that the grantors herein reserve for themselves, their successors, or assigns, the right of reasonable access to the CR1 Line connection of said highway northerly of HES 1+30 on said CR1 Line connection.

The lands herein described contain an area of 2.58 acres, more or less, the specific details concerning all of which are to be found in that certain map of definite location now on file in the office of the Secretary of Transportation at Olympia and bearing date of approval August 18, 1983.

The undersigned agree to surrender occupancy of the lands herein conveyed upon receipt of payment.

The undersigned grantors hereby authorize and instruct the State of Washington to pay the entire consideration to Marshall V. Miller and Jo A. Miller, and direct that the State voucher in payment thereof shall be executed only by said Marshall V. Miller and Jo A. Miller.



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

15 West Yakima, Suite 200 • Yakima, Washington 98902-9404 • (509) 575-2490

July 23, 1998

Charles R Miller
22905 Riverview Road
Chelan, WA 98816

RE: Ground Water Application No. G4-32751

Your application does not include the legal description of the property where the water is to be used as required in Section 3 of the application form. The application also does not show the north-south and east-west distances in feet from the points of withdrawal to the nearest section corner as requested in Section 4 of the application. Please send a map showing your property and point of withdrawal within Section 29 and nearest section corner. A copy of your application is enclosed for your information. Your application cannot be processed further without the requested information.

You will retain your priority date of July 1, 1998, if you submit requested legal description and points of withdrawal by August 31, 1998.

If you have any questions or concerns about any of this information, please call Philip Kerr at (509) 575-2396. Thank you for your attention to this matter.

Sincerely,

Philip N. Kerr
Water Resources Program

PNK:gh
980731

Enclosure(s): Copy of Application

FILE COPY

