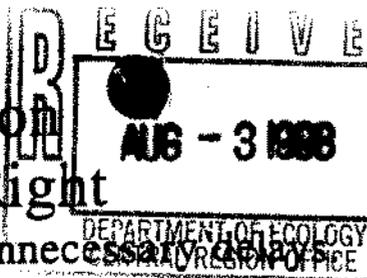




Pd CE # 939 8/3/98
TMM \$14.00

State of Washington

Application for a Water Right



For Ecology Use

Fee Paid _____

Date _____

Please follow the attached instructions to avoid unnecessary delay.

BRANDT

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

Name W. BRYAN & MARY LOU CHELTON Home Tel: (____) _____
Mailing Address 3005 L. NE Work Tel: (509) 686-8811
City BRIDGEPORT State WA Zip+4 98813 + _____ FAX: (509) 686-4204

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

Same as above

Name _____ Home Tel: (253) 584-0759
Mailing Address Mr. Kris G. Kauffman, P.E. Work Tel: (253) 581-9752
12228 Nyanza Road SW
City Lakewood, WA 98499 p+4 _____ + _____ FAX: (253) 588-1588
Relationship to applicant CONSULTANT

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 3,000 (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 IRRIGATION OF UP TO 300 ACRES. ATTACH A "LEGAL" DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient. SEE ATTACHMENT "A"
Estimate a maximum annual quantity to be used in acre-feet per year: 1,200 AF/YR.

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

If SURFACE WATER						If GROUNDWATER		
Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.:						A permit is desired for <u>UP TO 3</u> well(s). <u>IN DIRECT PROXIMITY TO THE COLUMBIA RIVER (RUFUS WOODS LAKE)</u>		
Number of diversions: _____						Size & depth of well(s): <u>TO BE DETERMINED</u>		
Source flows into (name of body of water): _____								
LOCATION								
Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner: <u>WELLS NOT DRILLED BUT ARE INTENDED TO BE WITHIN THE NE 1/4</u>								
1/4 of	1/4 of	Section	Township	Range(E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
<u>NE</u>	<u>NE</u>	<u>2</u>	<u>29</u>	<u>26 E</u>	<u>DOUGLAS</u>	<u>30</u>	<u>-</u>	<u>BRANDT'S LANDINGS</u>
					<u>SEE ATTACHMENT</u>			<u>"B"</u>
For Ecology Use Date Received: <u>AUGUST 3, 1998</u> Priority Date: <u>AUGUST 3, 1998</u>								
SEPA: Exempt/Not Exempt _____ FERC License # _____ Dept. Of Health # _____								
Date Accepted As Complete <u>AUGUST 17, 1998</u> By <u>PNK</u> Date Returned _____ By _____ WRIA: <u>50</u>								

WRITTEN DESCRIPTION
NE 1/4 NE 1/4 Section 2
MAPS SHOW NW 1/4 NW 1/4
of Section 2

E met mapped in NW NW
note mention of proximity
to Columbia River

TM
9/6/02

Section 5. GENERAL WATER SYSTEM INFORMATION

A. Name of system, if named: BRANDT TRACT IRRIGATION SYSTEM

B. Briefly describe your proposed water system. (See instructions.)
WILL PUMP FROM UP TO 3 WELLS LOCATED WITHIN 500 FEET OF LAKE RUFUS WOODS TO IRRIGATION SYSTEM ON PROPERTY

C. Do you already have any water rights or claims associated with this property or system? YES NO
PROVIDE DOCUMENTATION. EXISTING STOCKWATER & DOMESTIC CLAIMS FOR VESTED USE MAY EXIST ON POU.

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

A. Number of "connections" requested: _____ Type of connection (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.*

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? _____ Please attach the current approved version of your plan.
D. Do you have an approved conservation plan? YES NO
If yes, when was it approved? _____ 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: 300
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: 300

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 2000 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 _____ Animal type _____ (If dairy cattle, see below)
Dairy - # Milking _____ # Non-milking _____

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. SEVEN MILES UP RIVER, LEFT BANK FROM CHIEF JOSEPH DAM. SEE MAP & CONTACT APPLICANT. SEE ATTACHMENT "C"

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.) SEE ATTACHMENT "C"

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used? UNDER CONTRACT 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? YES NO
If no, submit a copy of agreement: SEE EASEMENT TO PREDECESSOR OWNER; ATTACHMENT "D"

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.

K. G. Kauffman
Applicant (or authorized representative)

Mr. Kris G. Kauffman, P.E.
12228 Nyanza Road SW
Lakewood, WA 98499

7/26/98
Date

W. BRYAN & MARY LOU CHESLEDON
Landowner for place of use (if same as applicant, write "same")

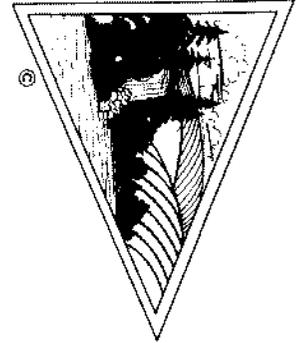
7/26/98
Date

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

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 _____

To receive this document in alternative format, contact Lisa Newman at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).



Brandt Irrigation Project

Legal descriptions

	Location		Acreage
T30N, R26EWM	Sect. 35	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
T30N, R26EWM	Sect. 36	S $\frac{1}{2}$ NW $\frac{1}{4}$	80
T30N, R26EWM	Sect. 36	W $\frac{1}{2}$ SW $\frac{1}{4}$	80
T30N, R26EWM	Sect. 2	E $\frac{1}{2}$ NE $\frac{1}{4}$	80
T30N, R26EWM	Sect. 1	NW $\frac{1}{4}$	160

Total acreage in Place of Use			440

Water Rights, Inc.

12228 Nyanza Rd. SW · Lakewood, WA 98499
Office (253) 581-9752 · Home (253) 584-0759
Mobile (253) 21-WATER · Fax (253) 588-1588
e-mail: waterrightsinc@msn.com

Kris G. Kauffman 7/98

ATTACHMENT "A"

HIGH VALLEY ESTATE

Short Plat No. 13-93

Part of Gov'l. Lots 3 & 4 of Section 2, T29N, R26E, W.M.,
Douglas County,
Washington

DESCRIPTION

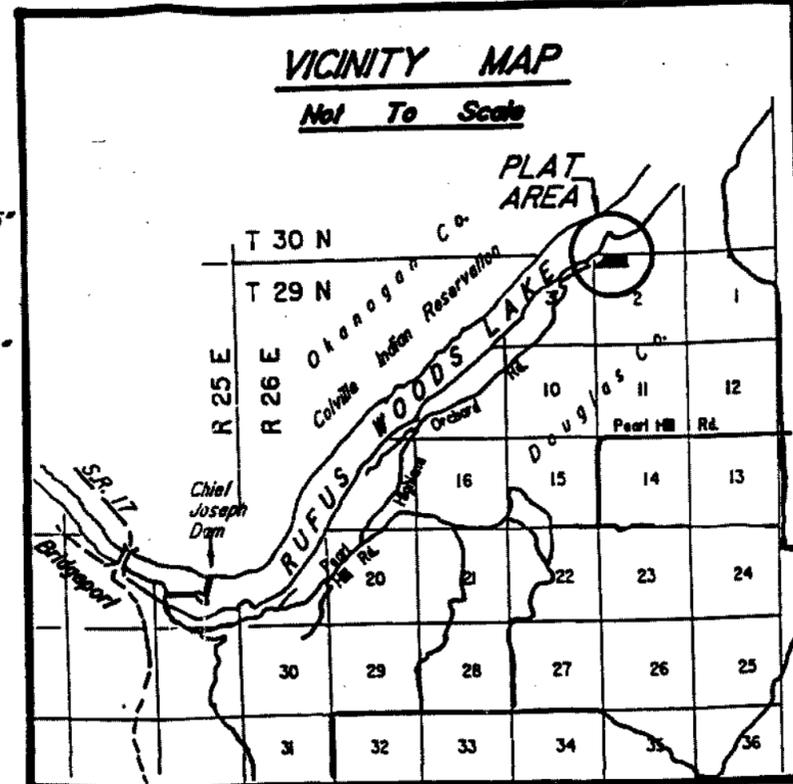
That part of the North half of Government Lots 3 and 4 of Township 29 North, Range 26 East, W.M., Douglas County, Washington further described as follows:
Commencing at the Northeast corner of said Government Lot 3, a found stone, thence SW 89°28'35" along the northerly boundary line of said Government Lot 3 for 664.78 feet to the TRUE POINT OF BEGINNING, thence from said Point of Beginning, leaving said Northerly boundary line, SE 00°57'37" for 688.68 feet to a found iron rod on the South boundary of the North 1/2 of said Government Lots 3 and 4, thence SW 89°20'20" along said southerly boundary line for 1940.28 feet to the easterly boundary line of the Plat of Brandt's Landing, thence leaving said southerly boundary line, NE 50°09'31" along the easterly boundary line of said Plat for 1094.20 feet to the northerly boundary line of said North 1/2 of Government Lots 3 & 4, thence NE 89°28'35", along said northerly boundary line, for 1088.50 feet to the Point of Beginning, containing 24.00 acres.
EXCEPT those portions platted in Brandt's Landing and the First Addition to Brandt's Landing according to the Plats thereof recorded in Volume C of Plats, page 41, and in Volume C of Plats, page 67, respectively, and EXCEPT those portions conveyed to Douglas County for roadway by instruments recorded March 23, 1964 and November 8, 1965 under Auditor's Numbers 139982 and 144323.

Note:

All Lots are situated in an agricultural area and are therefor subject to noise, dust, smoke, odors, and the application of chemicals resulting from usual and normal practices associated with nearby agricultural uses.

Note:

Well #2 as shown is for the exclusive use and enjoyment of Lot 3 of this Short Plat. Well #1 as shown is for the use and enjoyment of Lots 1 and 2 of this Short Plat, and are granted an easement 30' wide southerly of, and parallel to, the northerly boundary of Lot 30 of the Plat of Brandt's Landing, together with an easement having a 100' radius around the existing wells.



VICINITY MAP

Not To Scale

DO

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NOT FURTHER FROM

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authority...
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State of...
County of...
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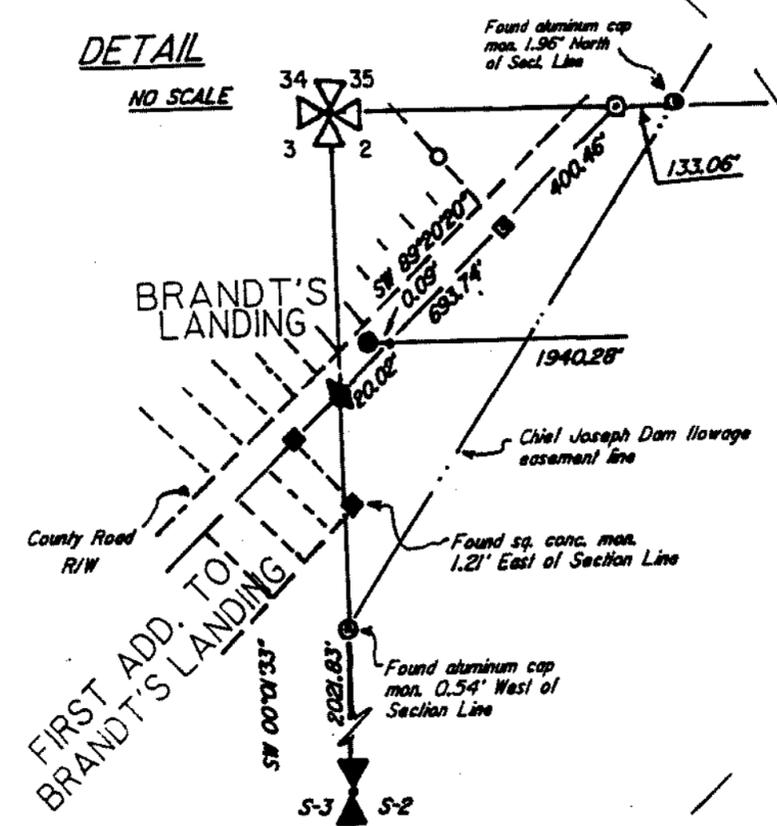
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ON SITE...
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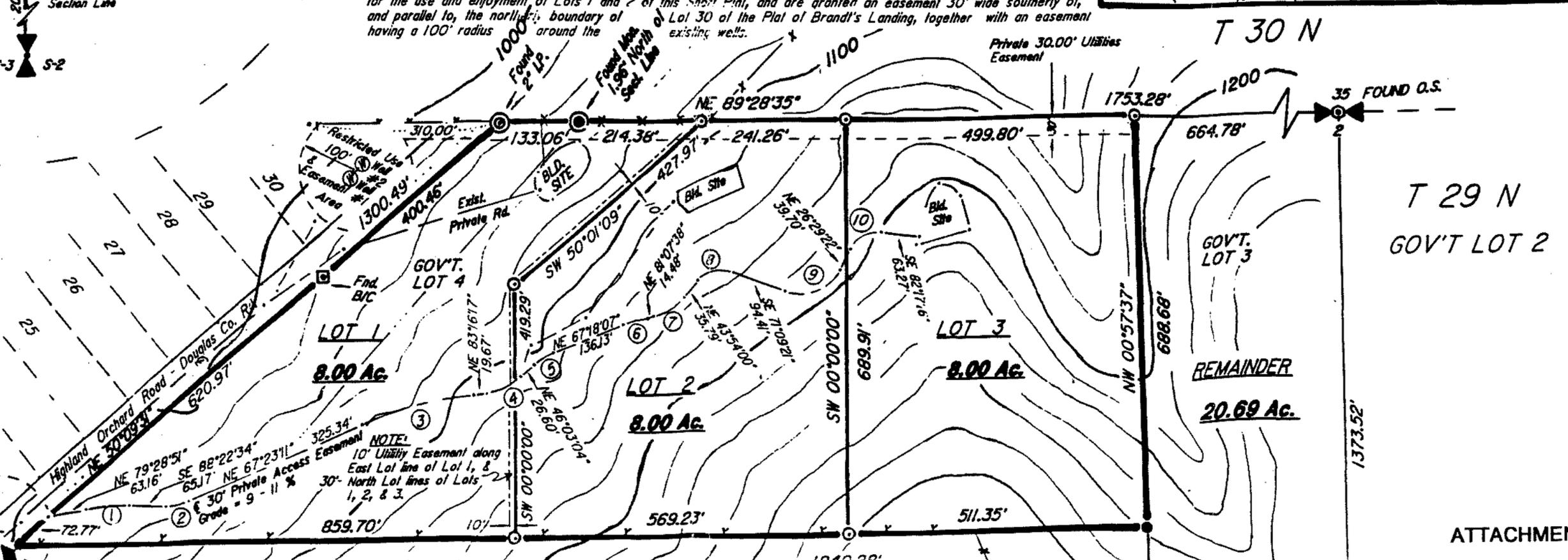
DETAIL

NO SCALE



Book "C" of Surveys, page 41

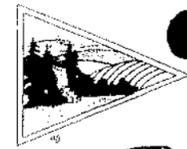
SEE DETAIL



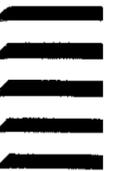
NOTE:
10' Utility Easement along East Lot line of Lot 1, 2, & 3.
30' Private Access Easement Grade = 9 - 11 %

ATTACHMENT "B"

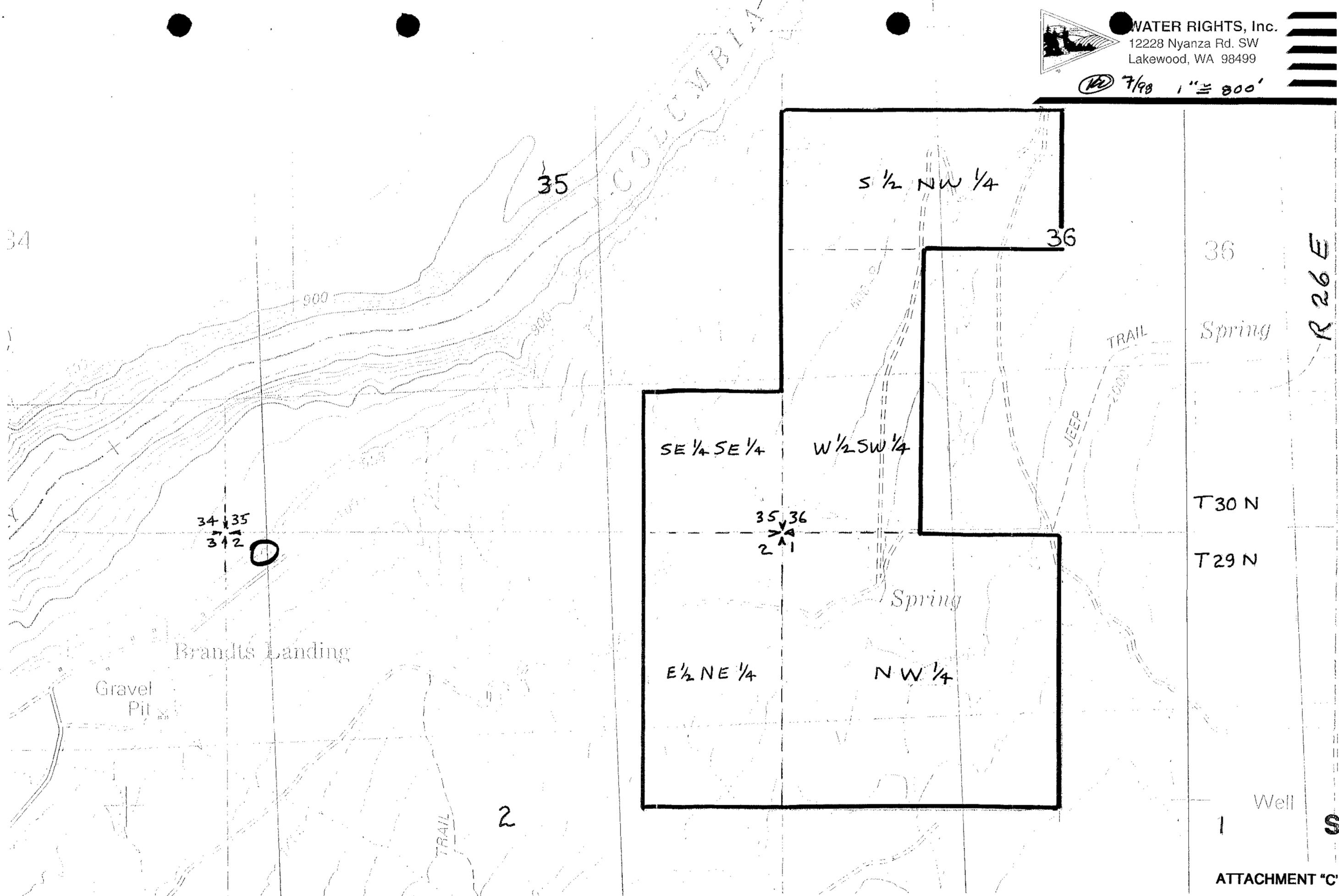
S



WATER RIGHTS, Inc.
 12228 Nyanza Rd. SW
 Lakewood, WA 98499



7/98 1" = 800'



36
 Spring
 T30 N
 T29 N

R 26 E

1 Well S

ATTACHMENT "C"

DEPARTMENT OF THE ARMY

NOTICE OF ACCEPTANCE OF OFFER TO SELL EASEMENT

Project Chief Joseph Addtl Units, WA

Tract Nr. 332E

Contract Nr. DACW67-9-79-14

Vendor Mr. V. M. Brock, President
Bro-Ben, Inc.
Riverview Plaza
Brewster, WA 98813

1 FEB 1979

Dear Mr. Brock:

Notice is hereby given that on the 31st day of January, 1979,
THE UNITED STATES OF AMERICA accepted your offer dated the 15th day of December,
1978, for the acquisition of the easement(s) in land situate in the County of Douglas,
State of Washington, said easement(s) being more particularly described in the offer.

A fully executed copy of the accepted offer is attached.

THE UNITED STATES OF AMERICA

By:


BRYAN L. TURNER
Chief, Acquisition Branch
Real Estate Division

1 Incl
Copy of Offer

CF w/incl:
Peter M. Welk, Pres.
Holy Names Foundation
North 1206 Superior St.
Spokane, WA 99207

DEPARTMENT OF THE ARMY

OFFER TO SELL EASEMENT

Project Chief Joseph Additional Units, WA

Tract No. 132E

Contract No. DACW67-9-79-14

The undersigned, hereinafter called the Vendor, in consideration of the mutual covenants and agreements herein set forth, offers to sell and convey to the UNITED STATES OF AMERICA and its assigns, a permanent and assignable easement for the purpose set forth in Exhibit B, in, upon, over, and across that certain tract of land described in Exhibit attached hereto and made part(s) hereof.

The terms and conditions of this offer are as follows:

(1) The Vendor hereby agrees that this offer may be accepted by the United States, through any duly authorized representative, by delivering, mailing, or telegraphing a notice of acceptance to the Vendor at the address stated below, at any time within six (6) month(s) from the date hereof, whereupon this offer and the acceptance thereof become a binding contract.

(2) The United States agrees to pay to the Vendor for said easement and rights the sum of *One Hundred Fifteen Thousand Two Hundred Dollars (\$15,200.00)*, payable upon acceptance of this offer and approval of the Vendor's title; provided the Vendor can execute and deliver a good and sufficient easement deed with warranty of title conveying said easement and rights to the United States of America and its assigns, free and clear from all liens, encumbrances, said conveyance to be subject only to the existing easements and rights set forth in said Exhibit B.

(3) The Vendor agrees to satisfy of record, at or before conveying said easement and rights, such taxes, assessments, and encumbrances which are a lien against the land, as the United States may require, and, if the Vendor fails to do so, the United States may pay any taxes, assessments, and encumbrances which are a lien against the land; that the amount of any such payments by the United States shall be deducted from the purchase price of the easement; that the Vendor will, at the request of the United States and without prior payment or tender of the purchase price, execute and deliver the easement deed to the United States conveying the easement and rights herein described, pay the documentary revenue stamp tax, and obtain and record such other curative evidence of title as may be required by the United States.

(4) It is agreed that the United States will defray the expenses incident to the preparation and recordation of the easement deed to the United States and the procurement of the necessary title evidence.

(5) The Vendor agrees that the United States may, notwithstanding the prior acceptance of this offer, acquire title to said easement and rights by condemnation or other judicial proceedings, in which event the Vendor agrees to cooperate with the United States in the prosecution of such proceedings; agrees that the consideration hereinabove stated shall be the full amount of just compensation, inclusive of interest, for the taking of said easement and rights; agrees that any and all awards of just compensation that may be made in the proceeding to any defendant shall be payable and deductible from the said amount; and agrees that the said consideration shall also be in full satisfaction of any and all claims of the Vendor for the payment of the right of occupancy and use hereinafter provided for in paragraph (6).

Holtzman Foundation to receive \$2.20, from agreement

NOTICE OF ACCEPTANCE OF THIS OFFER IS TO BE SENT TO:

Mr. V. M. Brock, President, Bro-Ben, Inc., Riverview Plaza, Brewster, WA 98813
(Name and address)

ACCEPTANCE OF OFFER TO SELL EASEMENT

Date: 31 January 1979

The offer of the Vendor contained herein is hereby accepted for and on behalf of the UNITED STATES OF AMERICA.

Dorothy T. Sangl

WITNESS: Dorothy T. Sangl

George Gregory Moen

GEORGE GREGORY MOEN
Chief, Real Estate Division
Seattle District, Corps of Engineers

~~Approved for sufficiency of funds~~ _____

Name and signature Date

*These spaces to be used for signatures of witnesses if required by state law.

S

CHIEF JOSEPH ADDITIONAL UNITS
(Reservoir Area)
Holy Names Foundation et al

Tract 332E (SEG 5)
(32.72 + ac)

LEGAL DESCRIPTION

A parcel of land being a portion of Government Lot 4 of Section 2 and Government Lots 1 and 2 and the south half of the northeast quarter (SE $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 3, all in Township 29 North, Range 26 East of the Willamette Meridian, Douglas County, Washington, said portion being described in three parts as follows:

Part 1:

Lots 1 and 30 of the Plat of Brandt's Landing as recorded 20 September 1955 in Volume "C" of Plats on Page 41 of Records of Douglas County. Together with, all that portion of a 60.00 foot road right-of-way that adjoins said Lots on the south.

Part 2:

Being all that land lying southerly of the Plat of Brandt's Landing as recorded 20 September 1955 in Volume "C" of Plats on Page 41, and of the Plat of First Addition to Brandt's Landing as recorded 16 August 1971 in Volume "C" of Plats on Page 67 of Records of Douglas County, and northerly of the following described line:

BEGINNING at the southwest corner of the north half of the north half of the southwest quarter of the southwest quarter of the northeast quarter (N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 3; thence northeasterly in a straight line to the southeast corner of the west half of

EXHIBIT A

Handwritten initials:
JW
RW
MD

the northeast quarter of the southwest quarter of the northeast quarter
(W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$); thence northeasterly in a straight line to the south-
west corner of the north half of the north half of the southeast
quarter of the northeast quarter (N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$); thence northeasterly
in a straight line to a point on the east line of said Section 3, said
point being north (as measured on said line) a distance of 1,650.00
feet from the east quarter corner of said Section; thence northeasterly
in a straight line to a point on the north line of said Section 2, said
point being west (as measured on said line) a distance of 1,620.00 feet
from the north quarter corner of said Section 2.

Part 3:

Being all that land lying southerly of ordinary high water of the
Columbia River and northerly of the Plat of Brandt's Landing, said Plat
being recorded 20 September 1955 in Volume "C" of Plats, Page 41, of
Records of Douglas County.

Contains 32.72 acres, more or less.

Estate to be acquired:

1. Permanent overflow Elev. 964' M.S.L.
2. Erosion, sloughing above Elev. 964'
M.S.L.

By: EHL 22 Feb 78
Chkd: JNG 22 Feb 78
WANG: 0145A
Prfd:

[Handwritten signature]
P.W.
40

CHIEF JOSEPH ADDITIONAL UNITS
(Reservoir Area)
Holy Names Foundation et al

Tract 332E (SEG 5)
(32.72 ± ac)

LEGAL DESCRIPTION

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BEGINNING at the southwest corner of the north half of the north half of the southwest quarter of the southwest quarter of the northeast quarter ($N\frac{1}{2} N\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$) of said Section 3; thence northeasterly in a straight line to the southeast corner of the west half of the northeast quarter of the southwest quarter of the northeast quarter ($W\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4} NE\frac{1}{4}$); thence northeasterly in a straight line to

CHIEF JOSEPH ADDITIONAL UNITS
(Reservoir Area)
Holy Names Foundation et al

Tract 332E (SEG 5)
(32.72 ± ac)

the southwest corner of the north half of the north half of the southeast quarter of the northeast quarter (N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$); thence northeasterly in a straight line to a point on the east line of said Section 3, said point being north (as measured on said line) a distance of 1,650.00 feet from the east quarter corner of said Section; thence northeasterly in a straight line to a point on the north line of said Section 2, said point being west (as measured on said line) a distance of 1,620.00 feet from the north quarter corner of said Section 2.

Part 3:

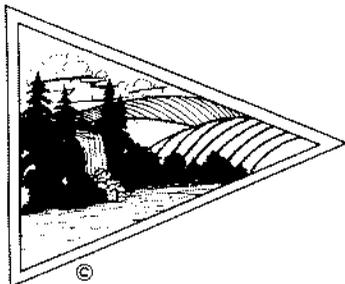
Being all that land lying southeasterly of ordinary high water of the Columbia River and northwesterly of the Plat of Brandt's Landing, said Plat being recorded 20 September 1955 in Volume "C" of Plats, Page 41, of Records of Douglas County.

Contains 32.72 acres, more or less.

Estate to be acquired:

1. Permanent overflow Elev. 964' M.S.L.
2. Erosion, sloughing above Elev. 964' M.S.L.

By: EHL 22 Feb 78
WANG: 0145A
Rev: RST 4 Jan 79
Chkd: EHL 4 Jan 79
Prfd: EHL 9 Jan 79

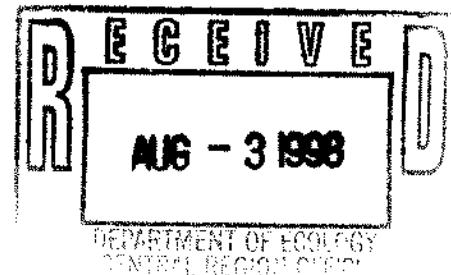


Water Rights, Inc.

12228 Nyanza Rd. SW · Lakewood, WA 98499
Office (253) 581-9752 · Home (253) 584-0759
Mobile (253) 21-WATER · Fax (253) 588-1588
e-mail: waterrightsinc@msn.com

July 30, 1998

Carol Mortenson
Dept. Of Ecology
15 W Yakima Ave #200
Yakima, WA 98902-3401



Re: GWA -- M/M Bryan Chesledon-- associated with the Columbia River;
Douglas County

Dear Carol,

Find enclosed an Application for a Water Right for Groundwater in proximity to the Columbia River (Rufus Woods Lake) with the filing fee (\$14 check No. 939 for the slightly under 7 cfs) and attachments as follows:

- A. Legal description (one page for POU).
- B. Vicinity map showing Bridgeport, Chief Joseph Dam and POW.
Note that the area to include the three wells is in a Plat.
- C. Map with POU and POW's noted on an annotated USGS Quad sheet map at 1"=800'.
- D. Easement agreement for access through USCE "take" zone.

Please note the priority date and direct inquiries to me, including required advertisement, when feasible, under applicable Statutes and Rules.

Sincerely yours,

Kris G. Kauffman, P. E.

Enclosures

cc: The Chesledons and the Brocks

KGK:sc