STATE OF WASHINGTON

APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT

For filing with Ecology or with County Conservancy Boards

DEPT OF ECOLOGY DEC 08 2004 CENTRAL REGION OFFICE

A MINIMUM FEE OF $10.00 PAYABLE TO ECOLOGY MUST ACCOMPANY THIS APPLICATION

(Check all that apply.)

- ☐ Change purpose(s) of use
- ☐ Add purpose(s) of use
- ☐ Change point(s) of diversion/withdrawal
- ☐ Add point(s) of diversion/withdrawal
- ☒ Change/transfer place of use
- ☐ Other (i.e. consolidation, intertie, trust water)

Explain:_____

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FOR OFFICE USE ONLY

CHANGE No. CS4-01724(A)CTCL@1 WRIA 39

DATE ACCEPTED 02/07/05 BY [illegible]

FEE $ 30.00 REC'D 12/8/04

CHECK No. 4756 VRG

SEPA: ☐ Exempt ☐ Not exempt

1 of 3

*****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)*****

1. Applicant Information:

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
MountainStar Resort Development, LLC Attention: George Cockill	(509) 649-3902	(509) 649-3059
ADDRESS PO Box 887		
CITY Roslyn	STATE WA	ZIP CODE 98941-3059

CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Joe Mentor, Jr. C/O Mentor Law Group, PLLC	(206) 493-2300	(206) 493-2310
ADDRESS 2025 First Avenue, Suite 1100		
CITY Seattle	STATE WA	ZIP CODE 98121-2100

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
CS4-01724(A)CTCL	MountainStar Resort Development, LLC
DO YOU OWN THE RIGHT TO BE CHANGED? ☒ YES ☐ NO IF NO, PROVIDE OWNER(S) NAME:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? ☐ YES ☐ NO N/A	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

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APP. NO._____ PERMIT NO. _____ CERT. NO._____ CERT. OF CHANGE NO._____

REET 02-08-2005 [illegible]

CS4-01724(A) CTCL@1

A

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Yakima River		SW	SE	27	20	15E		
Cle Elum River		SW	SE	30	20	15E		

B. Proposed

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SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Cle Elum River		NW	NE	14	20	14E		
Cle Elum River		E 1/2	SW	11	20	14E		
Cle Elum River		SW	SE	30	20	15E		
Yakima River		SW	SE	27	20	15E		

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
EXISTING: ☐ YES ☒ NO PROPOSED: ☒ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:
City of Cle Elum City of Cle Elum & MountainStar Resort Development, LLC

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Municipal Water Supply Purposes	0.58 cfs	88.94 AF/YR	April 1- October 15

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
No Change			

*****NOTE: The underlying water right is for 0.58 cfs, 123.64 AF/yr. MountainStar has applied to transfer a portion of the annual quantity of this water right (34.7 AF/yr) to the City of Roslyn for use with the Roslyn service area under a separate application.***

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:
Area served by the Cle Elum and South Cle Elum new regional water supply system located within the urban growth boundaries for Cle Elum and South Cle Elum established by Kittitas County. This place of use lies within portions of Section 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of T. 20 N., R.15 E.W.M. and Section 31 of T. 20 N., R. 16 E.W.M.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:
Area served by the Cle Elum and South Cle Elum new regional water supply system located within the urban growth boundaries for Cle Elum and South Cle Elum established by Kittitas County. This place of use lies within portions of Section 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of T. 20 N., R.15 E.W.M. and Section 31 of T. 20 N., R. 16 E.W.M. together with the area served by MountainStar Resort Resources, Inc .in accordance with a water system comprehensive plan or update approved by the Washington State Department of Health in Sections 11, 13, 14, 15, 23, 24 and 25 T. 20N., R. 14 E.W.M., and Sections 18, 19, 20, 21, 28, 29, 30 and 31, T. 20N., R. 15 E.W.M.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:
Municipal Water Supply Service Area

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?
☒ YES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): **CS4-YRBØ7CØ1724@ 1, CS4-YRBØ7CØ1724@ 2, CS4-YRBØ7CØ1724@ 3, CS4-YRBØ7CØ1724@ 4, CS4-YRBØ7CØ1724@ 5, CS4-YRBØ7CØ1724@ 6**

6. Remarks and Other Relevant Information:

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

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 am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Applicant, Water Right Holder and Landowner of Existing Place of Use

MOUNTAINSTAR RESORT DEVELOPMENT, LLC, a Delaware limited liability company
BY: EASTON RIDGE INVESTORS, LLC, a Delaware limited liability company, its Managing Member

By: _____
Name: **William G. Hunt**
Its: **Executive Vice President**
Dated:

By: _____
Name: **Del E. Goehring**
Its: **Vice President**
Dated:

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE

☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE

☐ OTHER/EXPLANATION: _____

STAFF: _____ ***DATE:*** ____/____/____