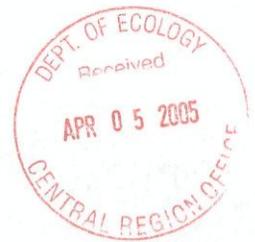




STATE OF WASHINGTON  
**APPLICATION FOR CHANGE/TRANSFER  
 OF WATER RIGHT**



For filing with Ecology or with County Conservancy Boards

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

Elements 1 and 2 immediately following:  
 (Check all that apply.) See Part 6.A., *infra*.

Element 1.

Change purpose(s) of use - applicable only to portion of right related to stockwater

Add purpose(s) of use

Change point(s) of diversion/withdrawal

Add point(s) of diversion/withdrawal

Change/transfer place of use

Element 2.

Other (i.e. consolidation, intertie, trust water)

Explain: Change to trust water right for fishing, wildlife, and other instream flow beneficial uses

|  |                                     |
|--|-------------------------------------|
| <b>FOR OFFICE USE ONLY</b>                       |                                     |
| CHANGE No. <u>CS4-00756CTCL</u>                  | WRIA <u>37</u>                      |
| DATE ACCEPTED <u>04/12/05</u>                    | BY <u>[Signature]</u>               |
| FEE \$ <u>10<sup>00</sup></u>                    | REC'D <u>4/5/05</u>                 |
| CHECK No. <u>2204</u>                            |                                     |
| SEPA: <input checked="" type="checkbox"/> Exempt | <input type="checkbox"/> Not exempt |

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

**1. Applicant Information:**

|   |                             |                           |
|---|-----------------------------|---------------------------|
| APPLICANT/BUSINESS NAME<br>STE. MICHELLE WINE ESTATES LTD., ATTN: STEVEN E. JOHNSON | PHONE NO.<br>(509) 875-2061 | FAX NO.<br>(509) 875-2568 |
| ADDRESS<br>COLUMBIA CREST DRIVE, P.O. BOX 231                                       |                             |                           |
| CITY<br>PATTERSON   | STATE<br>WA                 | ZIP CODE<br>99345         |

|   |                             |                           |
|---|-----------------------------|---------------------------|
| CONTACT NAME (IF DIFFERENT FROM ABOVE)<br>CHARLES B. ROE, JR., PERKINS COIE LLP | PHONE NO.<br>(360) 956-3300 | FAX NO.<br>(360) 956-1208 |
| ADDRESS<br>111 MARKET STREET N.E., SUITE 200                                    |                             |                           |
| CITY<br>OLYMPIA   | STATE<br>WA                 | ZIP CODE<br>98501         |

**2. Water Right Information:**

|   |  |
|---|--|
| WATER RIGHT OR CLAIM NUMBER<br>COURT CLAIM NO. 00756 - STATE V. ACQUAVELLA, YAKIMA COUNTY SUPERIOR COURT NO. 77-2-01485-5, SEE APPENDIX A ATTACHED. | RECORDED NAME(S)<br>GERALD J. GRIFFITH |
| DO YOU OWN THE RIGHT TO BE CHANGED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO   |  |
| IF NO, PROVIDE OWNER(S) NAME:<br>GERALD J. GRIFFITH CLE ELUM, WASHINGTON  |  |
| HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO            |  |

**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.**

|                            |                  |                 |                           |
|----------------------------|------------------|-----------------|---------------------------|
| <b>FOR OFFICE USE ONLY</b> |                  |                 |                           |
| APP. NO. _____             | PERMIT NO. _____ | CERT. NO. _____ | CERT. OF CHANGE NO. _____ |

COURT CLAIM 00756 (SUB 2 BIG CREEK)

CS4-00756CTCL

R177-05-02

**3. Point(s) of Diversion/Withdrawal:**

**A. Existing – SEE APPENDIX A ATTACHED**

| SOURCE                                | NO. | ¼  | ¼  | SEC. | TWP. | RGE.   | PARCEL # | WELL TAG # |
|---------------------------------------|-----|----|----|------|------|--------|----------|------------|
| BIG CREEK – TRIBUTARY TO YAKIMA RIVER |     | SW | SE | 29   | 20   | 14 EWM |          | NA         |

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KITT

**B. Proposed**

| SOURCE   | NO. | ¼ | ¼  | SEC. | TWP. | RGE. | PARCEL # | WELL TAG # |
|--|-----|---|----|------|------|------|----------|------------|
| GROUNDWATER BEARING ZONE – TRIBUTARY TO YAKIMA RIVER |     |   | NE | 9    | 9 N  | 27 E |          |            |

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(NOTE ALSO, PART 6.A.2., INFRA.

SEE APPENDIX C, ATTACHED. DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?  
 EXISTING:  YES  NO      PROPOSED:  YES  NO – IF NO, PROVIDE OWNER(S) NAME: JOHN WILLIAMS

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: N/A**

**A. Existing**

| PURPOSE OF USE   | GPM or CFS     | ACRES          | PERIOD OF USE  |
|--|----------------|----------------|--|
| (1) IRRIGATION   | .34 CFS        | 81.60 AFY      | MAY 1 TO SEPTEMBER 1                                       |
| (2) STOCKWATER (SEE APPENDIX A – LIMITATION ON EXERCISE) | SEE APPENDIX A | SEE APPENDIX A | YEAR-ROUND   |
| (3) IRRIGATION   | .68 CFS        | 20.0           | MAY 1 TO SEPTEMBER 1. SEE APPENDIX A – LIMITS ON EXERCISES |
| SEE COMMENT, PART 6.A., INFRA.                           |                |                |  |

**B. Proposed**

| PURPOSE OF USE  | GPM or CFS   | ACRES | PERIOD OF USE       |
|---|--------------|-------|---------------------|
| ELEMENT 1. NO CHANGE EXCEPT STOCKWATER TO IRRIGATION. (SEE 4.A.2. SUPRA.)   | SAME AS 4.A. | 28    | MAY 1 TO OCTOBER 31 |
| ELEMENT 2. ALL OF 4.A. TO INSTREAM BENEFICIAL USES INCLUDING FOR FISHERY, WILDLIFE, AND NAVIGATION, AMONG OTHERS, FOR REACHES OF YAKIMA RIVER AND BIG CREEK | SAME AS 4.A. |       | MAY 1 TO OCTOBER 31 |

**5. Place of Use: N/A**

**A. Existing**

| LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:   |   |      |      |      |                 |          |            |
|---|---|------|------|------|-----------------|----------|------------|
| THAT PART OF S1/2, NE1/4, SECTION 29, TOWNSHIP 20 NORTH, RANGE 14 E.W.M. LYING SOUTH OF THE KITTITAS RECLAMATION DISTRICT CANAL AND EASTERLY OF BIG CREEK, EXCEPT FOR THE EAST 400 FEET THEREOF.        |   |      |      |      |                 |          |            |
| ¼   | ¼ | SEC. | TWP. | RGE. | COUNTY          | PARCEL # | # OF ACRES |
|   |   |      |      |      | KITTITAS COUNTY |          |            |
| DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:<br>GERALD J. GRIFFITH AND JOANNE C. GRIFFITH |   |      |      |      |                 |          |            |

**B. Proposed**

| LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:   |   |      |      |      |   |          |            |
|---|---|------|------|------|---|----------|------------|
| ELEMENT 1. NE1/4 OF NE1/4, SECTION 9, TOWNSHIP 9 NORTH, RANGE 27 E.W.M. (FOR IRRIGATION)  |   |      |      |      |   |          |            |
| ELEMENT 2. INSTREAM IN (a) THE REACH OF BIG CREEK DOWNSTREAM OF THE LOCATION SET FORTH IN SECTION 3.A, HEREOF TO THE CREEK'S CONFLUENCE WITH THE YAKIMA RIVER AND (b) THE REACH OF THE YAKIMA RIVER FROM SAID CONFLUENCE TO RIVER MILE NUMBER 29.7 OF SAID RIVER (NEAR BENTON CITY, BENTON COUNTY). |   |      |      |      |   |          |            |
| ¼   | ¼ | SEC. | TWP. | RGE. | COUNTY  | PARCEL # | # OF ACRES |
|   |   |      |      |      | ELEMENT 1. BENTON<br>ELEMENT 2. BENTON,<br>YAKIMA, AND KITTITAS |          |            |
| DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:<br>JOHN WILLIAMS   |   |      |      |      |   |          |            |

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.

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):  
 DOMESTIC GROUNDWATER RIGHT (WITH NO DOWNTOWN NUMBER FOR A (1) WATER RIGHT PERMIT OR CERTIFICATE OR, (2) CLAIM).

**6. Remarks and Other Relevant Information:**

SEE APPENDIX B

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.

*Ste Michele Wine Estate*  
*Alan Johnson, Director*  
 \_\_\_\_\_ (Applicant) 2 | 15 | 05 (Date)

*Berard J. Huffith*  
 \_\_\_\_\_ (Water Right Holder) 2 | 15 | 05 (Date)

*Berard J. Huffith*  
 \_\_\_\_\_ (Land Owner(s) of Existing Place of Use) 2 | 15 | 05 (Date)