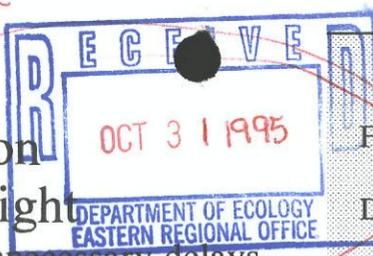
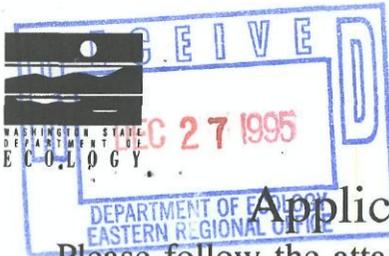


ex priority date
JK



For Ecology Use
Fee Paid \$1,400
Date 10-31-95 = 10.00
12-27-95 = 4.00
Total \$14.00
JK

State of Washington Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

G329902

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

Name ASSIGNMENT 10-3-2000 Home Tel: () -
Mailing Nestle USA, Inc. to Work Tel: (509) 488 - 2671
J.R. Simplot Company FAX: (509) 488 6700
City One Capitol Center Vic Courad
99 Main Street, Suite 1300 208-389-7359
Secti PO Box 27
Boise, Idaho 83707-0027
 Same as above

UT THE APPLICATION

Name Janet Benke Home Tel: () -
Mailing Address 1200 N. Broadway Work Tel: (509) 488 - 2671
City Othello State WA Zip +4 99344 + FAX: (509) 488 - 6700
Relationship to applicant Environmental Coordinator

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 3000 gpm (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 processing potato food products. Attach a "legal"
description of the place of use. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient.

Commercial/Industrial use

Estimate a maximum annual quantity to be used in acre-feet per year: 4500 AFPY

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>(1)</u> well(s). <u>(A Well)</u>
Number of diversions: _____	
Source flows into (name of body of water):	Size & depth of well(s): <u>16" OD x 1200'</u>

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:
see attached property description. Project is for Lot 1. N-S 2901' x 2088'; E-W 67' x 428'.

¼ of	¼ of	Section	Township	Range(E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
<u>SE</u>	<u>NE</u>	<u>33</u>	<u>16N</u>	<u>29E</u>	<u>Adams</u>	<u>1</u>		

For Ecology Use Date Received: 10-31-95 Priority Date: 10-31-95
SEPA: Exempt/Not Exempt (Not Exempt) FERC License # _____ Dept. Of Health # _____
Date Accepted As Complete 1-2-96 By JK Date Returned _____ By _____ WRIA: 41

"COLUMBIA BASIN"

Section 5. GENERAL WATER SYSTEM INFORMATION

A. Name of system, if named: n/a

B. Briefly describe your proposed water system. (See instructions.): To provide industrial process water for the production of frozen potato products. Nestle Brands proposes to construct and maintain a 3000 gpm well and distribution system for processing potato products. The well will provide water for processing and associated activities (e.g. cleanups); the system includes a 16" well pipe, 24" encasement pipe, instrumentation, pumps, pump houses, and standby power and controls. Pump size not finalized.

C. Do you already have any water rights or claims associated with this property or system? YES NO
PROVIDE DOCUMENTATION.

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: _____

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: _____

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. Nestle Brands is located in the northwest portion of Othello, at the city boundary. From HWY 17, follow directions to Othello; the plant is north of Main St. on N. Broadway, on the west side. The site is at the south end of the plant, an open, grassy lot. From HWY 26, turn north at First St, turn west at Main, turn north at Broadway (one block). Withdrawal is at the place of use.

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.) see attached property survey and legal description; street map (Othello). Lot one is approximately East-West of the South East corner of Section 33 67' by 428'; North-South from the South East corner of Section 33 2901' by 2088'.

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used? 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:

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.

Don J. Wilson plant mgr.
Applicant (or authorized representative)

10/20/95
Date

SAME
Landowner for place of use (if same as applicant, write "same")

Date

SEPA		THIS APPLICATION IS NOT EXEMPT:
LEAD AGENCY:	_____	
<u>1/30/96</u>	Completed Checklist	Received <input checked="" type="checkbox"/>
<u>/ /</u>	Determination of Nonsignificance	Issued
<u>/ /</u>	Determination of Significance	Issued
DRAFT EIS ISSUED	<u>/ /</u>	
FINAL EIS ISSUED	<u>/ /</u>	APPLICATION

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

Section 4. Water Source - Location: Lot 1 of Carnation South Short Plat, a portion of the east half of section 33, township 16 north, range 29 east, W.M., Adams County.

*Rec'd
12/27/95
\$4.00*

We are returning your application for the following reason(s):	
<input checked="" type="checkbox"/> <i>Full</i> Examination fee was not enclosed <i>Balance due = \$4.00</i>	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98503-0210
<input checked="" type="checkbox"/> Section number(s) <i>4 & 10</i> is/are <i>incomplete</i> <i>copy of legal description (deed)</i> <i>NEED: & certified plat map/survey map (AVAILABLE AT THE COUNTY ASSESSOR'S OFFICE)</i>	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation:	
Please provide the additional information requested above and return your application by <i>December 16, 1995</i> (date).	

Ecology staff *Ronda M. Kiefer* Date *11/15/95*

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