

I have examined this application as required by RCW 90.03.010 and find that it is: not an "action". categorically exempt.

APPLICATION FOR PERMIT TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

SURFACE WATER GROUND WATER

Shute 13 cfs
 \$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION

DATE: *3/21/93* SIGNATURE: _____ (GRAY BOXES FOR OFFICE USE ONLY)

APPLICATION NO. *Cl 27119* W.R.I.A. *1* COUNTY *Whatcom* RECEIVED *3/22/93* TIME _____ ACCEPTED *SB*

APPLICANT'S NAME - PLEASE PRINT *Irwin A. Noteboom* DEPT. OF ECOLOGY *MAR 22 1993* Bus. Tel. _____ Home Tel. *354-3888* Other Tel. _____

ADDRESS (STREET) *8000 Thiel Rd* (CITY) *Lynden* (STATE) *Wn.* (ZIP CODE) *98264*

DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION _____

1. SOURCE OF SUPPLY

IF SURFACE WATER SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE) _____

IF GROUND WATER SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.) *Well*

TRIBUTARY _____ SIZE AND DEPTH *3' casing - 22' deep*

2. USE

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

ENTER QUANTITY OF WATER REQUESTED USING UNITS OF: CUBIC FEET PER SECOND (CFS) _____ OR GALLONS PER MINUTE (GPM) *300 G.P.M.* ACRE FEET PER YEAR _____

TIMES DURING YEAR WATER WILL BE REQUIRED *Jan thru September*

IF IRRIGATION, NUMBER OF ACRES *80* 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 *well has been used for irrigation since the 1930's* DATE PROJECT WAS OR WILL BE COMPLETED _____

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

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.

735' from west boundary 610' from north boundary

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	COUNTY
<i>NW qtr of the N.W qtr.</i>	<i>27</i>	<i>40</i>	<i>3E</i>	<i>Whatcom</i>

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER

I own in common with neighbor whose farm I rent. His name is Marion Ausink

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED *1379 Polinder Rd Lynden, Wash 98264*

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.

*N.W. qtr of the N.W qtr section 27 Township 40N Range 3E. of W.M.
 North 1/2 of South 1/2 of NW. Qtr Sec 27 Township 40N. Range 3E. of W.M.*

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

owner of 62 acres, Lessee of 18 acres

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

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.)

25 HP 3 phase electric pump + motor

5 in mainline

4 in lateral

20-15 gpm sprinklers

7. REMARKS

7.

8. 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

Irwin A. Noteboom
APPLICANT'S SIGNATURE

IRWIN A. Noteboom
LEGAL LANDOWNERS NAME
(PLEASE PRINT)

Irwin A. Noteboom
LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

8000 Thiel Rd Lynden Wn
LEGAL LANDOWNER'S ADDRESS
98264

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.....

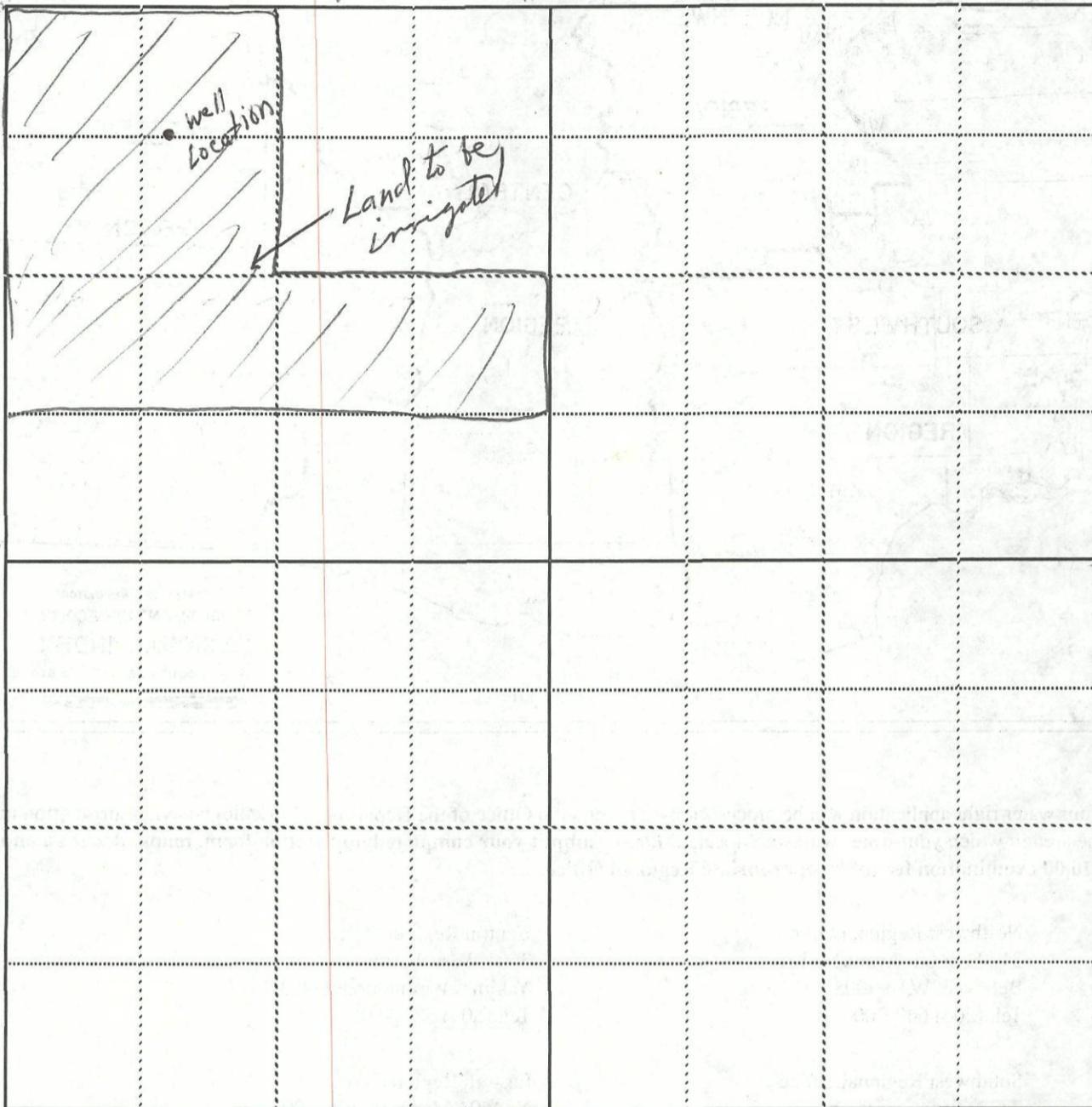
SECTION MAP

Sec. 27 Twp. 40 N N. R. 3E

Lynden 2 mi

Polinder Rd. N

Thiel Rd.



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.

Go south from Lynden on Hannegan Rd. Turn left on Polinder Rd for 1 mile and you are at N.W. corner of the property.

Detach here

Fold along scale



Detach this scale at the perforation, 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.

5/3/03

Use only if
Necessary.

Buck

RECEIVED

MAR 22 1993

DEPT. OF ECOLOGY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

APPLICATION FOR CHANGE OF WATER RIGHT

- PURPOSE
- DIVERSION OR WITHDRAWAL
- PLACE
- ADDITIONAL POINT OR POINTS

Accepted By _____
Date _____
Is Field Exam. Required?
<input type="checkbox"/> YES <input type="checkbox"/> NO
Determined By _____

NAME <i>Irwin A. Noteboom</i>		Bus. Tel. _____
ADDRESS <i>8000 Thiel Rd.</i>		Home Tel. <i>354-3888</i>
(CITY) <i>Lynden</i>	(STATE) <i>Wash</i>	(ZIP CODE) <i>98264</i>
APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER

DECREED RIGHT (TITLE OF CASE)

APPROPRIATIONS MADE (GIVE DATE IF PRIOR TO JUNE 7, 1917 IF SURFACE WATER, OR JUNE 7, 1945 IF GROUND WATER)
irrigation well placed in service approximately 1936-1939

IS THE WATER RIGHT RECORDED IN YOUR NAME? IF NO, GIVE NAME RECORDED UNDER
 YES NO *Not recorded*

1. RIGHT CONSISTS OF

WATERS USED FROM (STREAM, LAKE, WELL, OR TRENCH, ETC.) <i>Well</i>	GALLONS PER MINUTE OR CUBIC FEET PER SECOND <i>300 gpm</i>
WATER CURRENTLY USED FOR <i>irrigation</i>	TIME OF USE <i>June thru August</i>

2. LOCATION OF PRESENT POINT OF DIVERSION OR WITHDRAWAL

ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.
735' from west boundary - 610' from North boundary

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) <i>NW quarter of Northwest quarter</i>	SECTION <i>27</i>	TOWNSHIP N. <i>40</i>	RANGE (E. OR W.) W.M. <i>3E</i>	COUNTY <i>Wlatcom</i>
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IF THIS IS WITHIN THE LIMITS OF A RECORDED PLATTED PROPERTY, COMPLETE THIS SECTION

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

3. LEGAL DESCRIPTION OF LANDS WATER IS USED ON

a) NW quarter of the NW quarter, section 27, Township 40 N, Range 3 East of W.M.

b) North one-half of the South one-half of the NW quarter section 27 Township 40 N. Range 3 East of W.M.

SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	COUNTY
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(ATTACH SEPARATE SHEET IF NECESSARY)

ARE YOU THE LEGAL OWNER OF THE ABOVE DESCRIBED LANDS IF NO, EXPLAIN YOUR INTEREST
 YES NO *I own all except the East 585 feet of the NW quarter of the Northwest quarter, sec 27 Township 40 N. Range 3 East of W.M. which I rent.*

REASONS FOR THE PROPOSED CHANGE
The original well was established for land described in (3a) above. The well is used on land (3a + 3b) at present and I would like the change to reflect this.

A MINIMUM FEE OF \$10.00 MUST ACCOMPANY THIS APPLICATION

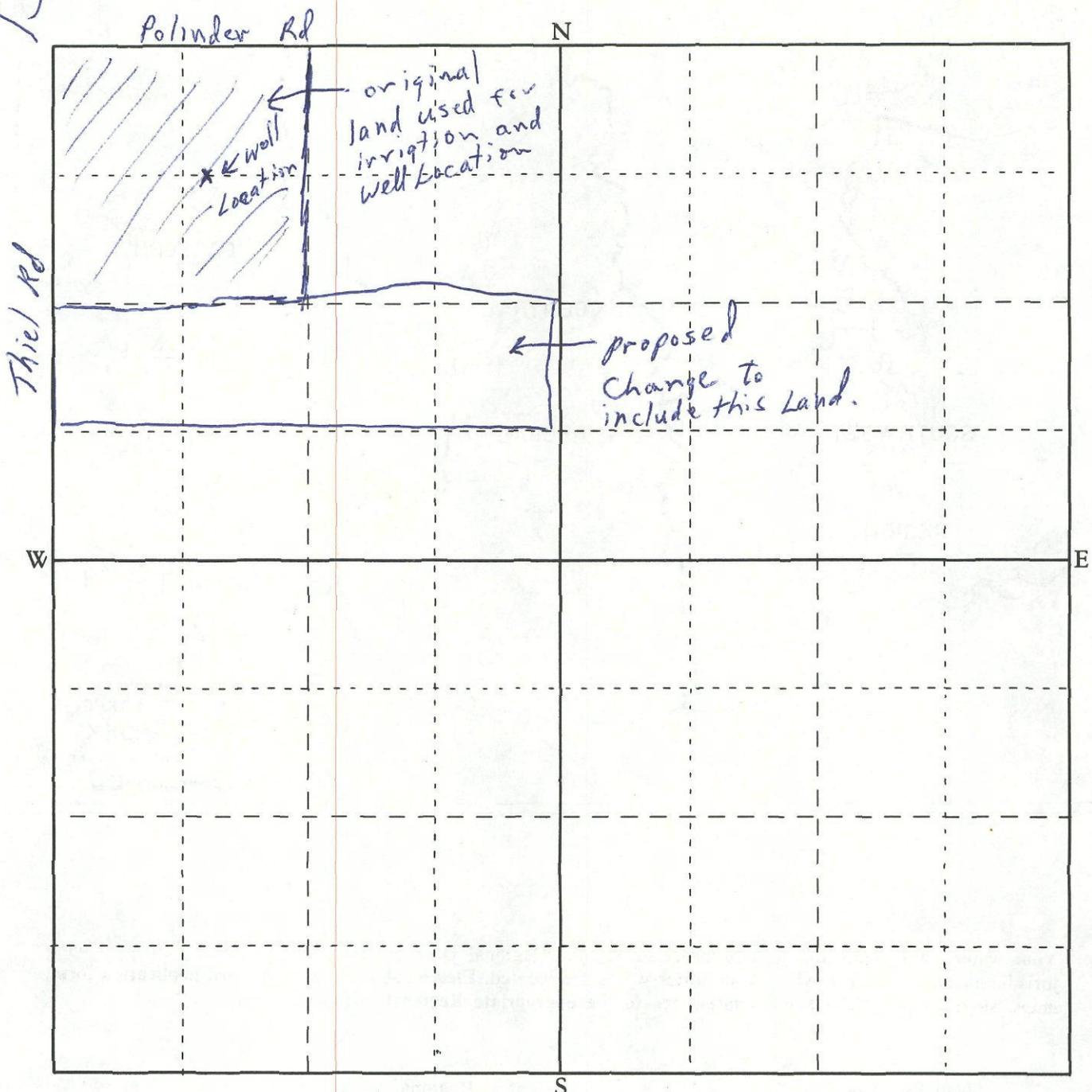
CONTINUE ON REVERSE SIDE

CHANGE

SECTION MAP

Sec. 27 Twp. 40 N N. R. 3 E

Lynden 2 m.



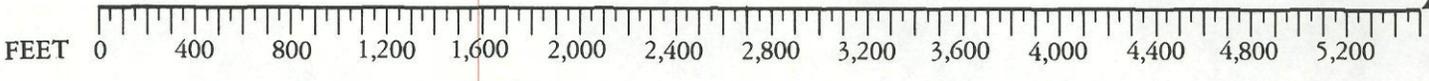
Scale: 1 inch = 800 feet (each small square = 10 acres)

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.

Go South from Lynden on Banegam Rd. Turn ~~right~~ ^{left} on Polinder Rd for 1 mile and your are at the N.W. corner of the property

Detach here

Fold along scale



Detach this scale at the perforation, 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.

5/3/93
Linda Pilkey-Jarvis
will make a determination
on this amendment.
Buck

Amended Claim for Water Right
Claim No. 084045

Name: Irwin A. Noteboom (C.W. Noteboom)
Address: 8000 Thiel Rd.
Lynden, WA Zip Code 98264
Source from which the right to take and make use of water is
claimed: Groundwater WRIA 1
(surface or ground water) (leave blank)

The quantities of water and times of use claimed:
A. Quantity of water claimed 300 GPM presently used 300 GPM
(cubic feet per second or gallons per minute)
B. Annual quantity claimed 40 A.F. presently used 40 A.F.
(acre-feet per year)
C. If for irrigation, acres claimed: 40 presently irrigated 40 ^{plus an additional} 40 Acres
D. Times during each year when water is used: June - September

Date of first putting the water to use: Month _____ Year 1936 or 1939
Location of the point(s) of diversion/withdrawal:
735 feet ~~East~~ ^{East} and 610 feet ~~South~~ ^{South} from the NW
corner of Section 27 being within the _____ of Section _____,
T. 40 N., R. 3 (E) or W) W.M.
If this is within the limits of a recorded platted property,
Lot _____ Block _____ Of _____
(give name of plat or addition)

Legal description of lands on which the water is used:
NW 1/4 of NW 1/4, Section 27, T 40 N, R 3 E

County Whatcom

Purpose(s) for which water is used: Irrigation
The legal doctrine upon which the right of claim is based: Appropriative

The original claim was filed by:
Name: C.W. Noteboom
Address: 8000 Thiel Rd. Lynden, WA 98264

Reason amendment is being sought: C.W. Noteboom mistakenly put
on the claim the legal description of the property he was
living on at the time, not the legal description of the
property irrigated prior to 1945.

I hereby swear that the above
information is true and accurate to
the best of my knowledge and belief
Irwin A. Noteboom
Date April 28, 1993
If claim is filed by designated
representative or agent, print or type
full name and mailing address :

March 9, 1993

RECEIVED

MAR 22 1993

DEPT. OF ECOLOGY

To whom it may concern:

The well in question dug in 1939, by Donald Chisholm, for irrigation purposes was purchased by my wife and I in 1951, with a 22 acre tract of land adjoining the property listed on the existing water right claim, which was at that time thought to be sufficient description. The well has provided water for irrigation every year since its purchase and is an integral part of the existing farm operation.

Affect
3-10-93

C. W. Noteboom

C. W. Noteboom

State of Washington
Department of Ecology



Water Right Claims Registration

Water Right Claim

RECEIVED
DEPARTMENT OF ECOLOGY

MAY 27 10 09 AM '74

CASH _____ OTHER _____ NONE _____

01

Name C. W. Noteboom

Address 8000 Theel Rd.

Lynden Zip Code 98264

Phone No 354-3067

1) Source from which the right to take and make use of water is claimed: Surface Water Ground Water

If surface water, please indicate source; give name if known:

(River, stream, lake, pond, spring, etc.)

2) Purpose(s) for which water is used:

Domestic Stockwatering Irrigation (lawn and garden) Other Use (specify) _____

3) Legal description of lands on which water is used:

The North one-half of the South one-half of the Northwest quarter, in Section 27, Township 40 North, Range 3 East

If located within the limits of a recorded platted property:

Lot _____ Block _____ of _____

(Give name of plat or addition)

In addition, please indicate Sec. 27 T. 40 N., R. 3E ~~EW~~, W.M.

County in which lands are located Whatcom

DO NOT USE THIS SPACE

The filing of a statement of claim does not constitute an adjudication of any claim to the right to use of waters as between the water use claimant and the state or as between one or more use claimants and another or others. This acknowledgment constitutes receipt for the filing fee.

Date Registered _____ This has been assigned Water Right Claim Registry No. _____

Director, Department of Ecology

001214004045

I hereby swear that the above information is true and accurate to the best of my knowledge and belief.

X C. W. Noteboom

Date May 1, 1974

If claim filed by designated representative print or type full name and mailing address of agent below.

Additional information relating to water quality and/or well construction is available.

A FEE OF \$2.00 MUST ACCOMPANY THIS WATER RIGHT CLAIM

Return all three copies with carbons intact, along with your fee to:
Department of Ecology, Water Right Claims Registration, Olympia, Washington 98504

May 13, 1993

RECEIVED

MAR 22 1993

DEPT. OF ECOLOGY

To: Dept. of Ecology--State of Washington

From: Irwin Noteboom, Whatcom County, Washington

Concerning: Water right of irrigation well located in the Northwest quarter of the Northwest quarter in sec. 27, Township 40 north, Range 3 East of W.M.

In trying to determine the usage of water drawn from the well described above, I am drawing on the recollection of various people whom I have talked to lately.

Albert Meenk remembers the irrigation system being used on the 40 acres described above. The pipes were steel 20' sections of 5" main and 4" lateral.

My dad bought 22 acres of this land in 1951 along with the original irrigation system and shared the well with a neighbor (see attached agreement). At that time my dad irrigated his original 40 acres, plus the purchased 22 acres. The neighbor also irrigated his 18 acres out of this same well but with another irrigation system. I now rent this 18 acres and have for a number of years.

The original motor was a 10HP Westinghouse, and Dad recalls that he purchased approximately 20 sprinklers rated at 15 gpm, and I myself recall the original irrigation pipes quite well and was quite happy when Dad started replacing the steel with aluminum. The last of the original sprinklers was in use up until about 10 years ago, but the lack of spare parts doomed them to the scrap pile. I maintain they were a superior sprinkler system to anything on the market today.

In conclusion, the original irrigation system was used on the above described 40 acres of land and pumped up to 300 gpm at peak irrigation time. At the present time, I am using approximately 300 gpm, but I am irrigating 80 acres instead of 40 acres.

Irwin Noteboom

AFFIDAVIT

To: Department of Ecology--State of Washington

From: Irwin Noteboom--Whatcom County, Washington

Concerning: Water right of irrigation well located in the Northwest quarter
of the Northwest quarter, in Section 27, Township 40 North, Range
3 East of W.M.

Be it known that the water well described above was placed in service
sometime between the years 1936 and 1939 for the purpose of irrigating
40 acres of land. This well has been in continuous use during the summer
months to the present.

Signature Albert J. Neenk

date 3-4-93

West 3-4-93
Irwin Noteboom

AFFIDAVIT

To: Department of Ecology--State of Washington

From: Irwin Noteboom--Whatcom County, Washington

Concerning: Water right of irrigation well located in the Northwest quarter of the Northwest quarter, in Section 27, Township 40 North, Range 3 East of W.M.

Be it known that the water well described above was placed in service sometime between the years 1936 and 1939 for the purpose of irrigating 40 acres of land. This well has been in continuous use during the summer months to the present.

Signature C. W. Noteboom

date March 10, 1993

Attest
3-10-93
[Signature]

AFFIDAVIT

To: Department of Ecology--State of Washington

From: Irwin Noteboom--Whatcom County, Washington

Concerning: Water right of irrigation well located in the Northwest quarter of the Northwest quarter, in Section 27, Township 40 North, Range 3 East of W.M.

Be it known that the water well described above was placed in service sometime between the years 1936 and 1939 for the purpose of irrigating 40 acres of land. This well has been in continuous use during the summer months to the present.

Signature

John R. Palm

date

3/4/93

*Attest
3-4-93
Irwin Noteboom*

AFFIDAVIT

To: Department of Ecology--State of Washington

From: Irwin Noteboom--Whatcom County, Washington

Concerning: Water right of irrigation well located in the Northwest quarter of the Northwest quarter, in Section 27, Township 40 North, Range 3 East of W.M.

Be it known that the water well described above was placed in service sometime between the years 1936 and 1939 for the purpose of irrigating 40 acres of land. This well has been in continuous use during the summer months to the present.

Signature Jack J. Frazier
date 3-4-93

Attest 3-4-93
[Signature]

AFFIDAVIT

To: Department of Ecology--State of Washington

From: Irwin Noteboom--Whatcom County, Washington

Concerning: Water right of irrigation well located in the Northwest quarter
of the Northwest quarter, in Section 27, Township 40 North, Range
3 East of W.M.

Be it known that the water well described above was placed in service
sometime between the years 1936 and 1939 for the purpose of irrigating
40 acres of land. This well has been in continuous use during the summer
months to the present.

Signature William B. Frasier

date 3-3-1993

Attest 3-4-93
[Signature]