

APPLICATION FOR PERMIT

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

have examined this application  
 and have determined that this application  
 meets the requirements of the act  
 and is:  not an "action" exempt,  
 categorically exempt.  
 \$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION  
 DATE: 11/2/93  
 SIGNATURE: [Signature]

SURFACE WATER  GROUND WATER

WASHINGTON STATE  
 DEPARTMENT OF  
**E C O L O G Y**

(GRAY BOXES FOR OFFICE USE ONLY)

APPLICATION NO <b>Gr 27347</b>	W.R.I.A. <b>3</b>	COUNTY <b>Skagit</b>	PRIORITY DATE <b>11-8-93</b>	TIME	ACCEPTED <b>SB</b>
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APPLICANT'S NAME — PLEASE PRINT  
**LEATHERWOOD TRUST**

Bus. Tel. (206) 766-7000  
 Home Tel. \_\_\_\_\_  
 Other Tel. \_\_\_\_\_

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)  
**907 Leatherwood Lane Bow Washington 98232**

DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION

**1. SOURCE OF SUPPLY**

IF SURFACE WATER	IF GROUND WATER
SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE)	SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.) <b>Well</b>
TRIBUTARY	SIZE AND DEPTH <b>8 inch casing</b>
	<b>159 foot depth</b>

**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)	<b>OR</b>	GALLONS PER MINUTE (GPM)	ACRE FEET PER YEAR
			<b>250 GPM</b>	<b>2.0 Max</b>

TIMES DURING YEAR WATER WILL BE REQUIRED  
**May 1 through October 31**

IF IRRIGATION, NUMBER OF ACRES <b>100</b>	IF DOMESTIC USE, NUMBER OF UNITS BY TYPE, E.G. 1-HOME, I-MOBILE HOME, 2-CAMPSITES, ETC.	IF MUNICIPAL USE, ESTIMATED POPULATION 20 YEARS FROM TODAY
DATE PROJECT WAS OR WILL BE STARTED <b>5-1-90</b>	DATE PROJECT WAS OR WILL BE COMPLETED <b>6-30-90</b>	

**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  
**See Attached Exhibit "A"**

ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.  
**270 feet from the SE corner of the SE 1/4 NE 1/4 NE 1/4**

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) <b>SE 1/4 NE 1/4 NE 1/4</b>	SECTION <b>19</b>	TOWNSHIP N. <b>35</b>	RANGE (E. OR W.) W.M. <b>R3E</b>	COUNTY <b>Skagit</b>
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**4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER**  
**Yes**

**5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED**

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.

**See Attached Exhibit "B"**

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

Related parties own the property

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

N.A.

**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.)

A 10 H.P electric submersible pump draws water from the well to a 5 H.P. centrifugal booster pump at the surface. The water is then conveyed through approximately 1/2 mile of 4" P.V.C. mainline to the farmland below.

**7. REMARKS**

7.

**8.**

**COMPLETE THIS SECTION ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE**

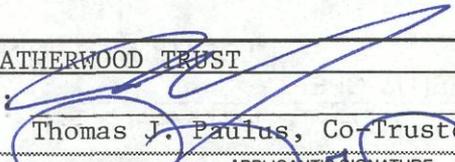
IN ORDER TO IMPLEMENT THE PROVISIONS OF INITIATIVE MEASURE NUMBER 59, THE FAMILY FARM WATER ACT WHICH WAS PASSED BY THE VOTERS ON NOVEMBER 3, 1977, WE MUST ASK THE FOLLOWING QUESTIONS:

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:

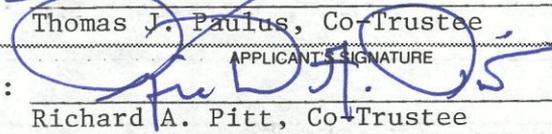
- 1. LANDS THAT ARE BEING IRRIGATED UNDER WATER RIGHTS ACQUIRED AFTER DECEMBER 8, 1977. YES  NO
- 2. LANDS THAT MAY BE IRRIGATED UNDER APPLICATIONS NOW ON FILE WITH THE DEPARTMENT OF ECOLOGY. YES  NO
- 3. LANDS THAT MAY BE IRRIGATED UNDER THIS APPLICATION. YES  NO

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 LEATHERWOOD TRUST**

By:   
Thomas J. Paulus, Co-Trustee

APPLICANT'S SIGNATURE

By:   
Richard A. Pitt, Co-Trustee

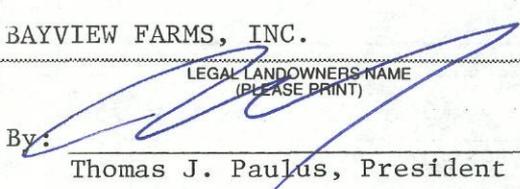
LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

P.O. Box 178  
907 Leatherwood Lane, Bow, WA 98232

LEGAL LANDOWNER'S ADDRESS

BAYVIEW FARMS, INC.

LEGAL LANDOWNER'S NAME (PLEASE PRINT)

By:   
Thomas J. Paulus, President

**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.....*

EXHIBIT "B"

The West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$ ; the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and the East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , all in Section 17, Township 35 North, Range 3 East W.M., EXCEPT the East 6 rods (99 feet) of the said East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , AND ALSO EXCEPT all ditch and dike rights of way; AND EXCEPT the D'Arcy Road running along the South line of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  and as said road was conveyed to Skagit County by deeds recorded under Auditor's File Nos. 340422, 340423 and 340424, records of Skagit County, Washington.

The West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  and the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and the East 6 rods (99 feet) of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , all in Section 17, Township 35 North, Range 3 East W.M., EXCEPT D'Arcy Road, as conveyed to Skagit County by deeds recorded under Auditor's File Nos. 340422, 340423 and 340424, AND ALSO EXCEPT ditch and dike rights of ways, if any.

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., LYING SOUTHERLY OF THE JOE LEARY SLOUGH, EXCEPT THE TRACT CONVEYED TO WILLIAM ESARY BY DEED DATED JANUARY 21, 1909 AND RECORDED JANUARY 21, 1909 UNDER AUDITOR'S FILE NO. 71571, DESCRIBED AS FOLLOWS:

"COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 3 EAST OF THE W.M.; THENCE RUNNING EAST ON THE SOUTH LINE OF SAID FORTY, 12 RODS; THENCE NORTH, PARALLEL WITH THE WEST LINE OF SAID FORTY, TO THE SOUTH BANK OF SAID JOE LEARY SLOUGH; THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING ALONG SAID SLOUGH, TO THE WEST LINE OF SAID ABOVE DESCRIBED FORTY; THENCE SOUTH ALONG THE WEST LINE OF SAID FORTY TO THE PLACE OF BEGINNING; (SAID TRACT OF LAND BEING 12 RODS IN WIDTH AND EXTENDING FROM THE SOUTH LINE OF SAID FORTY NORTH TO SAID JOE LEARY SLOUGH)."

ALL THAT PART OR PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., LYING AND BEING SOUTH OF THE JOE LEARY SLOUGH.

The Northeast quarter of the Northeast quarter and the Southeast quarter of the Northeast quarter, Section 18, Township 35 North, Range 3 East of the W.M.; EXCEPT right of way 6 feet in width, for an open ditch across the North side of said Northeast quarter of the Northeast quarter, as excepted in that certain Deed from Edward Ames to George D'Accey, dated March 12, 1892 and recorded March 17, 1892, in Volume 24 of Deeds, page 347, records of said county; ALSO EXCEPTING that portion lying West of the East line of that certain tract conveyed to Skagit County for road purposes by Deed recorded July 23, 1946 under Auditor's File No. 394232.

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 18, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M. DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18, WHICH IS 670 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE EAST TO A POINT ON THE NORTH LINE OF SAID QUARTER WHICH IS 661.1 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER TO A POINT EAST OF THE POINT OF BEGINNING; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER TO THE POINT OF BEGINNING,

EXCEPT THAT PORTION LYING WEST OF THE EAST LINE OF THAT CERTAIN TRACT CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED JULY 23, 1946 UNDER AUDITOR'S FILE NO. 394232.

That portion of the Northeast Quarter of the Southeast Quarter of Section 18, Township 35 North, Range 3 East, W.M. described as follows:

Beginning at the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence west along the South line thereof to the Southwest corner of said subdivision; thence North along the West line 670 feet; thence East parallel with the said South line to a point which is 661.1 feet West of the East line of said subdivision; thence North to the North line thereof; thence East 661.1 feet to the Northeast corner thereof; thence South to the point of beginning; except County roads.

That portion of the Southeast Quarter of the Southeast Quarter of Section 18, Township 35 North, Range 3 East, W.M., North of slough, except roads.

That portion of the Northeast Quarter of the Northeast Quarter, Section 19, Township 35 North, Range 3 East, W.M., lying Northerly of the Joe Leary Slough, except roads.

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 18, TOWNSHIP 35 NORTH, RANGE 3 EAST OF THE W.M.; EXCEPT RIGHT OF WAY 6 FEET IN WIDTH, FOR AN OPEN DITCH ACROSS THE NORTH SIDE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, AS EXCEPTED IN THAT CERTAIN DEED FROM EDWARD AMES TO GEORGE D'ARCEY, DATED MARCH 12, 1892 AND RECORDED MARCH 17, 1892, IN VOLUME 24 OF DEEDS PAGE 347, RECORDS OF SAID COUNTY; ALSO EXCEPTING THAT PORTION LYING WEST OF THE EAST LINE OF THAT CERTAIN TRACT CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED JULY 23, 1946 UNDER AUDITOR'S FILE NO. 394232.