



Application for a New Water Right Permit

Form No. ECY 040-1-14 (Rev 08-2022)

- Refer to accompanying guidance to complete this form.
- We strongly encourage applicants to seek pre-application consultation prior to applying.
- Incomplete applications will be returned.
- All fees are non-refundable (RCW 90.03.470(13)).

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WA State Department
of Ecology (SWRO)

Processing option you are choosing:

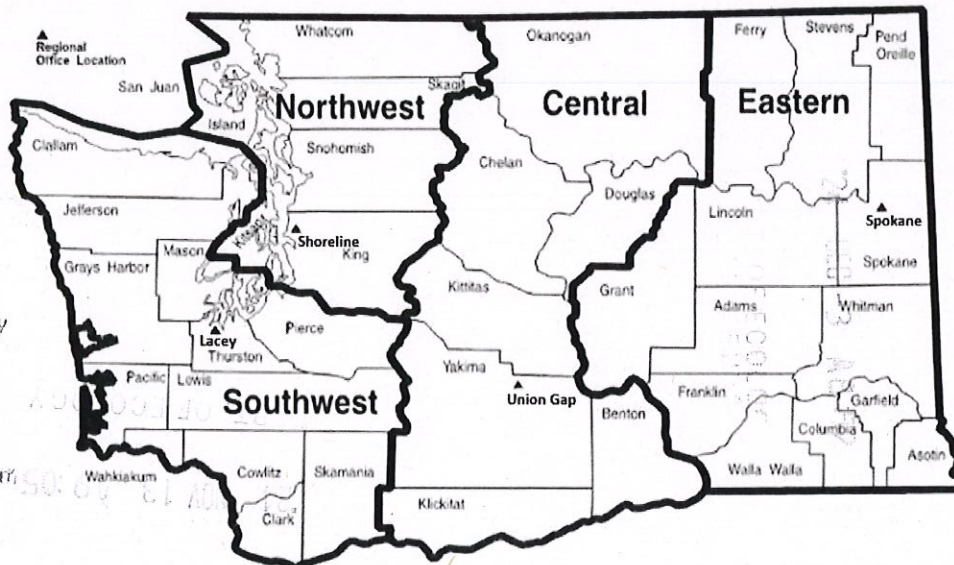
<input type="checkbox"/> Standard Processing (Department of Ecology)	<input checked="" type="checkbox"/> Cost Reimbursement (CR) Agreement Processing (Ecology Contractor)
A minimum \$50 fee is required to apply. Additional fees may apply. Drought applications are exempt.	Contact Department of Ecology to obtain information on this option.

Submit all applications and fees to:

DEPARTMENT OF ECOLOGY
CASHIERING SECTION
PO BOX 47611
OLYMPIA, WA 98504-7611

Check the box for the region where your project is located.

- ☐ Central Region
- ☐ Eastern Region
- ☐ Northwest Region
- ☐ Office of Columbia River (OCR)*
- ☒ Southwest Region



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* OCR has jurisdiction for designated OCR projects, and new projects located within one mile of the Columbia River.

To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.



WATER RESOURCES PROGRAM

Application for a New Water Right Permit

For Ecology Use
(Date Stamp)
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I am applying for a:

- ☐ New groundwater right permit
- ☒ New surface water right permit
- ☐ Short-term water right permit (less than 4 months, non-recurring)
- Dates the water will be needed:
- FROM: ____ / ____ / ____
- TO: ____ / ____ / ____
- ☒ Cost Reimbursement Processing
- ☐ Drought (see Attachment A)

Required submittals:

- ☐ A \$50 filing fee. This fee is not required for drought or cost reimbursement applications.
- ☐ A map showing the proposed point(s) of diversion/withdrawal and place(s) of use.
- ☐ A copy of the legal description of property where the water will be used (taken from a real estate contract, property deed, or title insurance policy).
- ☐ If platted property, a complete copy of the plat map.

Date of pre-application consultation with Ecology: ____

Name of Ecology contact for pre-application: Matthew Kogle and Jeff Marti

1. Applicant Information (Complete all applicable boxes)

APPLICANT/BUSINESS NAME: Columbia Fruit, LLC Attn: Garrett Dolan	PHONE NO:	OTHER NO:
ADDRESS: 2526 Dike Rd		
CITY: Woodland	STATE: WA	ZIP: 98674
EMAIL ADDRESS (IF AVAILABLE): garrett.dolan@columbia-fruit.com		

CONTACT NAME (IF DIFFERENT FROM ABOVE): Aspect Consulting Attn: Jill Van Hulle	PHONE NO: (360) 810-3508	OTHER NO:
RELATIONSHIP TO APPLICANT: Consultant		
ADDRESS: 504 14 th Ave SE, Suite 200		
CITY: Olympia	STATE: WA	ZIP: 98501
EMAIL ADDRESS (IF AVAILABLE): Jill.VanHulle@aspectconsulting.com		

FOR ECOLOGY USE	ECY CODING: 001-001-0285-000011		
	APPLICATION NO: _____	DOC ID NO. _____	SEPA: EXEMPT/NOT EXEMPT
FEE PAID: _____ CHECK NO: _____			
DATE RETURNED _____ BY _____ PRIORITY DATE _____ BY _____			
WRIA: _____ Department of Ecology			
PRE-APPLICATION INTERVIEWER: _____			

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2. Project Description

Attach a report with responses to the following required information, and reference the section number in your responses.

Section	Required information
2.1	Provide a brief narrative explaining the general nature and intent of the proposed water use.
2.2	If the proposed water use will include a diversion from a new or permitted reservoir, list any associated water rights, and the means of withdrawal.
2.3	Attach a copy of any SEPA checklists or environmental analyses related to this project with this application.
2.4	Describe how you will measure and control the rate and volume of your diversion or withdrawal.

3. Purpose(s) and Period of Use

List all purposes for which water will be applied to a beneficial use, and provide the quantity required for each.

Purpose(s) of use	Rate (check one box only) <input checked="" type="checkbox"/> CFS <input type="checkbox"/> GPM	Acre-feet per year (AF/YR)	Proposed number of irrigated acres	Period of use (continuous, or dates of proposed use)
Irrigation	2	250	77	May 1 to October 1
TOTAL:	2	250	77	

Section	Required information	Reference(s)
3.1	For domestic water supply systems proposals with fewer than 15 residential connections , provide: <ul style="list-style-type: none"> Projected number of connections to be served Type of connections (e.g., home, recreational cabin) 	
3.2	For domestic water supply systems proposals with more than 15 residential connections , provide: <ul style="list-style-type: none"> Present population to be served water Estimated future population to be served (20 year projection) Whether you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division, and the date of plan approval. Water System Identification Number 	RCW 90.03.015 Department of Ecology

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Section	Required information	Reference(s)
	<ul style="list-style-type: none"> Name of water system 	
3.3	For stockwater purposes , provide the number of animals and type of stock, and daily water requirements per animal.	
3.4	<p>For agricultural irrigation, calculate the acreage in which you have a controlling interest, including only:</p> <ul style="list-style-type: none"> Acreage irrigated under water rights acquired after December 8, 1977, Acreage proposed to be irrigated under this application, and Acreage proposed to be irrigated under other pending application(s). Is the combined acreage under existing rights greater than 6,000 acres? Do you have a controlling interest in a Family Farm Development Permit? <p>If yes, provide the permit number.</p>	RCW 90.66
3.5	For other farm uses , describe all proposed uses.	
3.6	<p>For hydropower uses, indicate:</p> <ul style="list-style-type: none"> Total feet of head Proposed capacity in kilowatts Describe works Indicate all uses to which power is to be applied FERC License Number 	RCW 90.03.260
3.7	For industrial/mining uses , describe the type of industrial/mining operations, and the method of supplying and utilizing water.	
3.8	For other uses , describe your use in detail.	

4. Point(s) of Diversion or Withdrawal Location(s)

Use a separate application for each source (either surface water or groundwater). Attach additional sheets if more than four points of diversion or withdrawal are proposed. Refer to the application guidance document for more information.

SOURCE NAME (Reference by number below)	QTR QTR	QTR	SEC	TWP	RGE	PARCEL NO.
1. Lewis River	NW	NW	1	4 N	1 W	TBD
2.						
3.						
4.						

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Complete one of the following tables: A for surface water, or B for groundwater

A) Point(s) of Diversion (surface water only)

☐ Spring ☐ Creek ☒ River ☐ Lake ☐ Other: _____

Source (identified above)	Tributary to:	GPS/ LAT-LONG
1.	Columbia River	TBD
2.		
3.		
4.		

Do you own the point(s) of diversion? ☒ yes ☐ no

B) Point(s) of Withdrawal (groundwater only)

Withdrawal device: ☐ well ☐ other:

Existing well: ☐ yes ☐ no

Source (identified above)	Well No.	Well Tag No.	GPS/ LAT-LONG
1.			
2.			
3.			
4.			

Do you own the point(s) of withdrawal? ☐ yes ☐ no

5. Water Storage

Section	Required information	Reference(s)
5.1	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 complete an "Application for Permit to Construct a Reservoir," and a "Dam Construction or Decommissioning Permit Application."	WAC 173-175 WAC 508-12-260
5.2	If applicable, describe your proposed impoundment, including the volume and maximum depth.	
5.3	If you are proposing an Aquifer Storage and Recovery (ASR) project, Do not use this form. Use "Form ECY 070-634: Application for Underground Artificial Storage and Recovery Reservoir Permit" <ul style="list-style-type: none">https://fortress.wa.gov/ecy/publications/summarypages/ECY070634	

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Section	Required information	Reference(s)
	4.html	Water Resources Program

6. Place of Use

QTR QTR	QTR	SEC	TWP	RGE	COUNTY	PARCEL NO.	NO. OF IRRIGATED ACRES
SW	SW	36	5 N	1 W	Cowlitz	WB3613001	77 acres
SW	SW	36	5 N	1 W	Cowlitz	WB3613002	
NW	NW	1	4 N	1 W	Cowlitz	WA0102001	
NW	NW	1	4 N	1 W	Cowlitz	WA0108002	
NW	NW	1	4 N	1 W	Cowlitz	WA0108003	

Outline the area to be irrigated on your attached map, if applicable.

LEGAL LANDOWNER OF PROPOSED PLACE OF USE (IF DIFFERENT THAN APPLICANT) Peterson Farm Land Holdings, LLC	PHONE NO.	ALT PHONE NO.
ADDRESS PO Box 2229		
CITY Woodland	STATE WA	ZIP CODE 98674
EMAIL ADDRESS (IF AVAILABLE)		

Attach additional sheets as necessary.

7. Related Water Rights (if applicable)

Section	Required information
7.1	List any other water rights (applications, permits, certificates, or claims) related to this application. Include any rights that overlap the place of use.
7.2	Explain how the water rights listed above have been exercised.

8. System Design and Operation

Section	Required information	Reference(s)
8.1	Provide a description of the proposed water supply system from the point of diversion or withdrawal to the proposed place of use.	
8.2	Provide preliminary design plans and specifications for the proposed use, including diversion or withdrawal and conveyance facilities, if applicable, and the proposed flow rate and volume design capacity.	
8.3	Provide the projected system efficiency.	Department of Ecology

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Section	Required information	Reference(s)
8.4	For surface water diversions , describe how your plans comply with WDFW fish screening requirements.	Water Resources Program RCW 9A.07.057
8.5	Provide a general timeline (development schedule) that includes the steps needed to begin the project, complete the project, and put the water to full beneficial use.	
8.6	Identify and discuss other land-use or environmental permits required and the timeline to obtain those permits.	

9. Hydrogeological Analysis

We strongly recommend that applicants consult with Ecology in a pre-application meeting prior to conducting any hydrogeological work, to determine the scope of data required for processing this application.

Section	Required information
9.1	If known, describe the hydrogeologic setting and identify all groundwater bodies and surface water bodies involved.
9.2	If known, describe: <ul style="list-style-type: none"> • Geographic recharge and discharge areas • Seasonal variations of groundwater elevations • Interrelationships between surface water and groundwater, and between aquifers • Barriers to flow • Hydrologic boundaries
9.3	Attach any available well information including: <ul style="list-style-type: none"> • Water well report • Well diameter and depth • Motor and pump specifications (i.e., make, horsepower, and type) • Pump test data • Well locations (must be identified as outlined in Section 11)
9.4	If known, describe the following characteristics of the aquifer, and cite the source of that information: <ul style="list-style-type: none"> • Aquifer transmissivity • Aquifer storage coefficient and specific yield • Saturated thickness • Aquitard leakage • A detailed description of groundwater-flow boundaries • Water-level hydrographs for wells • Associated water-quality information

If your proposed water use impacts or impairs a protected water source or an existing water right, you will need to discuss mitigation options in **Attachment B** with the appropriate regional office.

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10. Environmental Assessment

Section	Required information
10.1	Describe the aquatic uses of any related surface water bodies (i.e., fish and wildlife, recreation and aesthetic, water quality, etc.).
10.2	Indicate whether the related surface water is fish-bearing, including whether it is inhabited by salmonids. List species and the times of year they are present. https://apps.wdfw.wa.gov/salmonscape/

11. Driving Directions

Section	Required information	
11.1	Site address, and detailed driving directions to the project site.	

12. Maps and Other Documentation

Section	Required information
12.1	<p>Attach detailed map(s) clearly indicating the following:</p> <ul style="list-style-type: none">• The proposed places of use for all rights related to this application. If any overlapping water rights for the place of use, or multiple rights that share the same point(s) of diversion/withdrawal exist, provide one map depicting all of the historic points of diversion, means of conveyance, and places of use. Identify related rights as such by water right number.• The county parcel numbers for the proposed place of use, unless the place of use is for a large service area such as that served by an irrigation district or municipal water system. Identify the name of the irrigation district or the water system, if applicable.• The proposed locations of the point(s) of diversion/withdrawal.• The names, informal or formal, used to identify each point of diversion/withdrawal (e.g., Well No. 1, River Well, S01, Smith Dam, etc.).• A grid layer referencing Section, Township, and Range of the area.• The location of the water delivery system and other such features relevant to your proposed application (e.g., mainlines, reservoirs, booster pumps, etc.)

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13. Signatures

I certify that the information provided in this application 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 the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

Garrett Dolan
 Print Name
 Columbia Fruit, LLC

Garrett Dolan
 Signature

11/26/24
 Date

Mary Peterson
 Print Name
 Peterson Farm Land Holdings, LLC

Mary Peterson
 Signature

11/26/24
 Date

For additional information, contact the Ecology regional office where your project is located:

Region/ Office	Counties served	Mailing Address	Phone
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	wrCRO@ecy.wa.gov 1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	wrERO@ecy.wa.gov 4601 N Monroe Spokane, WA 99205	509-329-3400
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	wrNWRO@ecy.wa.gov PO Box 330316 Shoreline, WA 98133-9716	206-594-0000
Office of Columbia River*	OCR has jurisdiction for designated OCR projects, and new projects located within one mile of the Columbia River.	wrCRO@ecy.wa.gov 1250 W Alder St Union Gap, WA 98903	509-575-2490
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Thurston, Skamania, Wahkiakum	wrSWRO@ecy.wa.gov PO Box 47775 Olympia, WA 98504	360-407-6300

ADA Requests

To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

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Comments: Places of use and points of diversion are defined on the cover sheets under the heading "LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED."

- Proposed Point of Diversion
- Proposed Place of Use
- Cowlitz County Tax Parcel
- Township/Range
- Section

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New Application

Columbia Fruit, LLC
Woodland, Washington



NOV-2024
PROJECT NO.
240395

MP/ KMI
REVISED BY
*** / ***

FIGURE NO.
1

Attachment 1 - Certificate for S2-00330

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STATE OF WASHINGTON, COUNTY OF

Cowlitz

CERTIFICATE OF SURFACE WATER RIGHT

In accordance with the provisions of Chapter 90A Laws of Washington for 1971 and amendments thereto and the rules and regulations of the Department of Ecology.

THIS IS TO CERTIFY That **MYRON FERGUSON AND CHARLES FERGUSON d/b/a FERGUSON FARMS**
 of **Woodland, Washington**, has made
 proof to the satisfaction of the Department of Ecology of a right to the use of the public surface waters
 of the State of Washington from **an unnamed slough**
 a tributary of **Wallace Slough**, with point of diversion within **slough**

Sec. **16** Twp. **5** N. R. **1 W.** W.M. for the purpose(s) of **Irrigation**

under and specifically subject
 to provisions contained in **appropriation** Permit No. **S 2-00330 P** issued by the
 Department of Ecology and that said right to the use of said waters has been perfected in accordance
 with the laws of Washington and is hereby confirmed by the Department of Ecology and entered of
 record in Volume **S 2-00330 C**
 at Page **1** that the priority of the right hereby confirmed dates from
December 29, 1971 that the quantity of water under the right hereby confirmed, for
 the aforesaid purposes is limited to an amount actually, beneficially used and shall not exceed

1.44 cubic feet per second, 187.2 acre-feet per year, from May 1 to October 1
each year, for irrigation of 72 acres.

A description of the lands to which such surface water right is appurtenant is as follows:

The east 462 feet of the SW¹/₄SW¹/₄ lying southerly of the centerline of Wallace Slough;
 that part of the SW¹/₄SW¹/₄, Government Lot 2, and the Allan Gilson D.L.C. No. 36 lying
 westerly of the Northern Pacific Railroad right of way; ALL in Sec. 36, T. 5 N.,
 R. 1 W.W.M.; AND that part of the east 462 feet of Government Lot 1 and Government Lot 2,
 in Sec. 1, T. 4 N., R. 1 W.W.M. lying northerly of the Dike right of way and westerly
 of the Northern Pacific Railroad right of way LESS all rights of way.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
 of use herein described, except as provided in RCW 90.03.380 and 90.03.390.
 This certificate of surface water right is specifically subject to relinquishment for nonuse of water as
 provided in RCW 90.14.100.

Given under my hand and the seal of this office at Olympia, Washington, this **28th**

day of **February**

19 74

Department of Ecology

JOHN A. BIGGS, Director
 Department of Ecology

Engineering Date

DEC 03 2024

OR **27**

Water Resources Program

by

R. JERRY BOLLER, Assistant Director

Department of Ecology

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