

WATER TRANSFER WORKING GROUP PROJECT DESCRIPTION

APPLICATION NO./COURT CLAIM NO. KITT-20-04 (CS4-83763-J)		Proposed split of water right (A) Tom and Carol Conner (B) Charley and Lanora Rosenberry
APPLICANT NAME Charley Rosenberry and Lanora Rosenberry, husband and wife	CONTACT NAME Paul Dempsey / Halverson Northwest Law Group	TELEPHONE NO. 509-248-6030
WATER RIGHT HOLDER'S NAME (if different) Tom Conner and Carol Conner, husband and wife		EMAIL pdempsey@hnw.law

DATE OF APPLICATION November 17, 2020	PRIORITY DATE June 30, 1888
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WATER SOURCE: Teaway River	CROP: pastureland
INSTANTANEOUS QUANTITY: (A) 0.6 cfs (B) 0.4 cfs	ANNUAL QUANTITY: (A) 53.16 AF/y (B) 35.44 AF/y
PERIOD OF USE: May 1 through June 30	
PLACE OF USE: (A) NW¼ of Section 10, T. 20 N., R. 16 E.W.M., Following the 20-acre Rosenberry parcel upstream. (Assessor's Parcel No. 044835). (B) Lots 1 and 2 of Downs SP 12-00007, S. 14, T. 20 N., R. 16 E.W.M. (Assessor's Parcel Nos. 959263 and 959264)	PURPOSE OF USE: (A) Irrigation of 30 acres (B) Irrigation of 20 acres
IRRIGATION METHOD: (A) Wheel line sprinklers, fed by pipe from onsite pond, hydraulically connected to the Teaway River (POD 1). (B) Sprinklers, sourced from two proposed new points of diversion, downstream from the currently authorized points of diversion on the Teaway river: (1) a shallow well hydraulically connected to the Teaway River; and (2) an in-river diversion, both of which are to be located within the NE¼SE¼ Section 14, T. 20N, R. 16 E.W.M. (Assessor's Parcel No. 154835).	

NARRATIVE DESCRIPTION OF PROJECT:

Certificate S4-83763-J authorizes irrigation of 50 acres from May 1 through June 30, within that portion of the NW¼ of Section 10, T. 20 N., R. 16 E.W.M lying south of the Teanaway Road and north of the Teanaway River. The right authorizes the diversion of up to 1.0 cubic foot per second (cfs) and 88.6 acre-feet per year (AF/y) from three points of diversion: (1) 470 feet from the Teanaway River in the SW¼NW¼ of Section 10, T. 20 N., R. 16 E.W.M., approximately 7,600 feet downstream from the historical Ballard Ditch diversion located in the NE¼NE¼ of Section 8, T. 20 N., R. 16 E.W.M.; (2) 1,100 feet south and 400 feet east of the northwest corner of Section 10, being within the NW¼NW¼ of Section 10, T. 20 N., R. 16 E.W.M.; and (3) a pump in the Teanaway River in the NW¼SW¼ of Section 10, T. 20 N., R. 16 E.W.M.

Applicants recently purchased from Mr. and Mrs. Conner a 20-acre parcel, Kittitas County Parcel No. 044835, which lies entirely within the above-described, authorized POU, together with 0.4 cfs, 35.44 AF/y for irrigation of 20 acres under S4-83763-J. Applicants propose to transfer their purchased irrigation rights downstream on the Teanaway River to the proposed new/additional place of use on Applicants' farm, identified above. In connection therewith, Applicants will not irrigate any portion of said Parcel No. 044835 at the currently authorized POU. Likewise, Mr. and Mrs. Conner, who have consented to and are participating in this application, have agreed to the fallowing of 20 acres within the currently authorized POU, to facilitate the proposed downstream transfer. The Conners will continue to irrigate with their retained rights under S4-83763 (30 acres; 0.6 cfs, and 53.16 AF/y) within a modified upstream POU that will no longer include Applicants' Parcel No. 044835.

S4-83763-J was confirmed by Ecology in 2018 under change authorization CS4-00746sb3@6, by which portions of the Conner family's predecessor water right were transferred to instream flow and trust purposes. The portion of S4-83763-J recently purchased by Applicants comes from the Conner-retained irrigation rights under the CS4-00746sb3@6 change authorization. (The portion approved for transfer to instream flow is now recognized as S4-85353-J.) Under this application, for purposes of the required tentative determination, Applicants intend to rely on Ecology's findings under CS4-00746sb3@6.

Applicants conducted pre-application consultation with Ecology CRO Water Resources staff concerning the proposed downstream transfer. Additionally, Applicants conferred extensively with Department of Fish & Wildlife staff and Kittitas County, to identify acceptable locations for the proposed new points of diversion in light of Teanaway River seasonal flow and fish habitat considerations. Because the shallow well is located away from the River and approximately 240' from the ordinary highwater mark, both WDFW and the County have confirmed that neither Hydraulic Project Approval (HPA) nor shorelines substantial development permit requirements will apply in this case. Construction of the in-river diversion is expected to require an HPA permit.

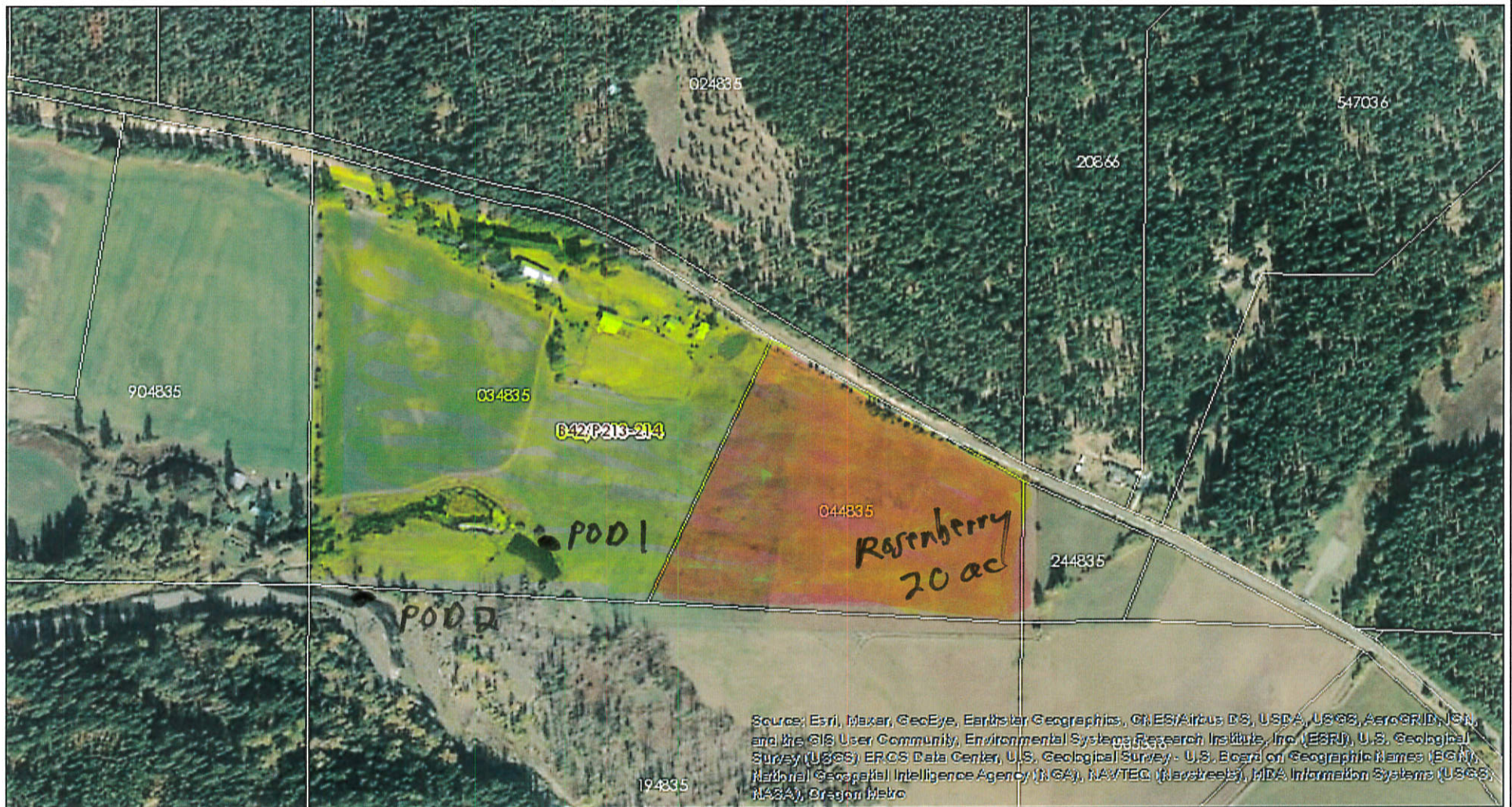
Applicants anticipate that application approvals will include metering and reporting conditions consistent with Ch. 173-173 WAC and *Acquavella* requirements to ensure combined upstream and downstream diversions will not exceed determined valid quantities under S4-83763-J.

Attached are the following:

- Annotated aerial photo of currently authorized POU and PODs under S4-83763-J.
 - Combined yellow and orange areas comprise the overall POU.
 - The yellow area (Conner-retained land) comprises the proposed POU for the "upstream" portion of the right.
- Annotated aerial photo of proposed "downstream" place of use for Rosenberry-purchased and transferred rights, shown in yellow (23.56 combined acres), including proposed new POD 1 (shallow well) and POD 2 (instream diversion).

(Applicants have also filed a companion change application to transfer a portion the Conners' late-season right under S4-83764-J, summarized in a separate WTWG Project Description.)

Upstream POU S4-83763-J

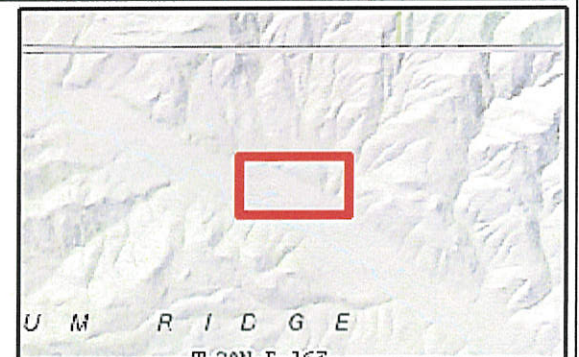
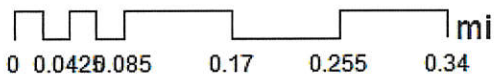


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Environmental Systems Research Institute, Inc (ESRI), U.S. Geological Survey (USGS) ERCS Data Center, U.S. Geological Survey - U.S. Board of Geographic Names (BGN), National Geospatial Intelligence Agency (NGA), NAVTEC (Navteq), MDA Information Systems (USGS), NASA, Oregon Metro

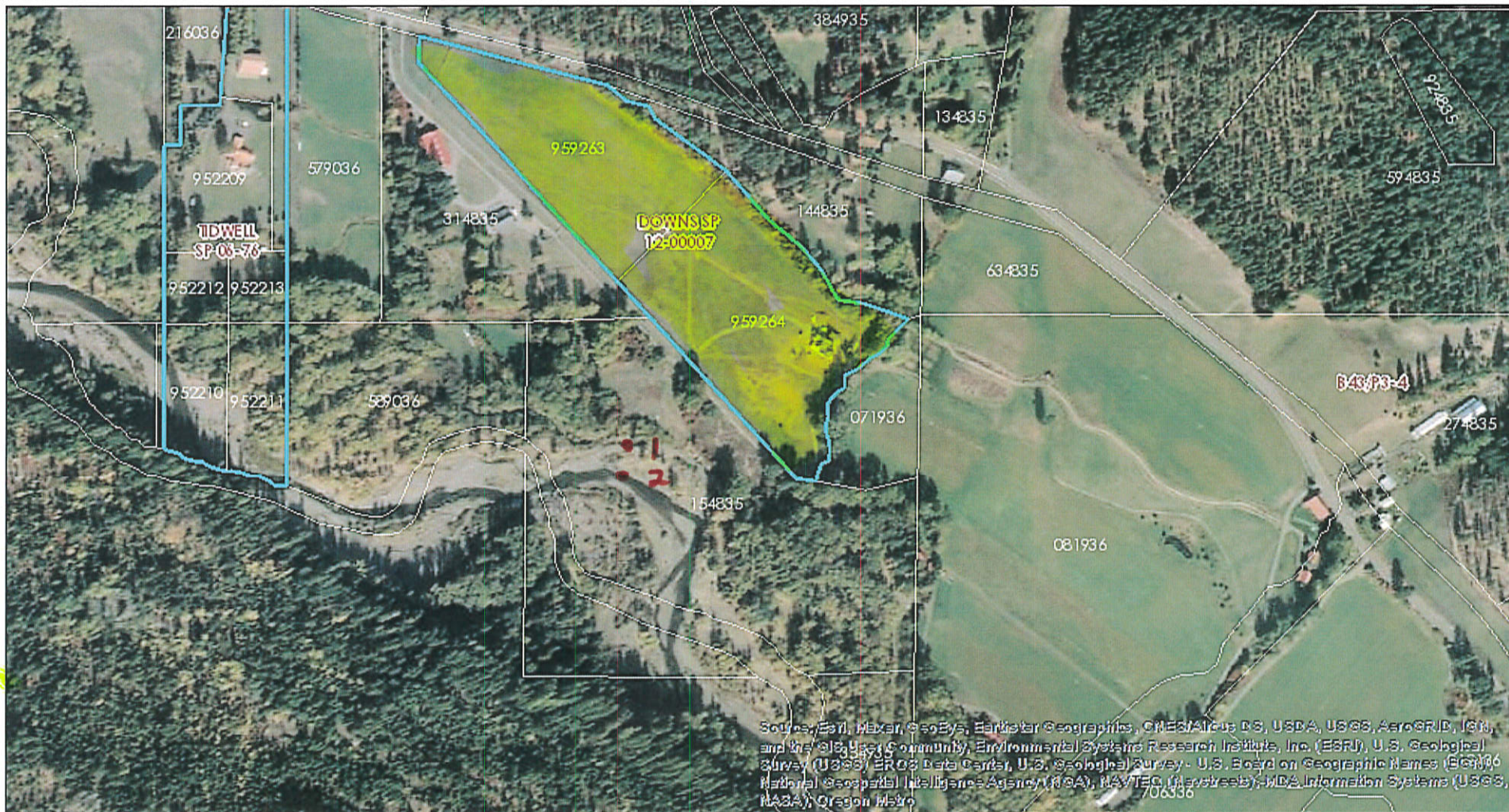
Date: 1/7/2021

1 inch = 752 feet
Relative Scale 1:9,028

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Proposed Rosenberry Downstream POU (83763 & 83764)



Date: 1/7/2021

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