Application for Use of State-owned Aquatic Lands

Applicant Name: Sunnyside Valley Irrigation District
County: Yakima County
Water Body: Yakima River
Type of Authorization - Use: Right of Entry – Geotech Exploration
Authorization Number: 23-087637
Term: 1 year

Description: This agreement would allow the use of State-owned aquatic lands for the sole purpose of Geotech Exploration. It is located in the Yakima River, in Yakima County, Washington.
SUNNYSIDE VALLEY IRRIGATION DISTRICT
Authorization No. 23-087637
Use Authorization: Geotech Exploration
Location: Yakima River, Yakima County

Vicinity Map

Every attempt was made to use the most accurate and current geographic data available. However, due to multiple sources, scales, and the currency of the data used to develop this map Washington Department of Natural Resources cannot accept responsibility for errors and omissions in the data. Furthermore, this data is not survey grade information and cannot be substituted for an official survey. Therefore, there are no warranties that accompany this material.

Legal Description

Latitude 46.20788 North, Longitude 119.88388 West
Section 1 Township 08 North, Range 23 East W.M.

Prepared By: CP     Date: 7-27-2011
APPLICATION FOR AUTHORIZATION TO USE STATE-OWNED AQUATIC LANDS

The Applicant may not begin work on the project area until the State Department of Natural Resources (DNR) grants a Use Authorization.

I. SUBMISSION OF APPLICATION

DNR will review your application and post it on the DNR Leasing and Land Transactions website as public information. Instructions:

- Fill out the application by computer or by hand in blue or black ink.
- Send the completed form to the appropriate district office in the table below.
- Enclose a $25.00 non-refundable application processing fee with the application. This fee is not required for local, state, and other government agencies.
- DNR will notify applicants in writing if the application is accepted for further review, and may reject the application at any time prior to the signed execution of a use authorization.
- Your project may require regulatory permits. Please do not apply for regulatory permits until you have discussed your proposal with your designated land manager.

For additional information, contact the office that serves your county:

<table>
<thead>
<tr>
<th>Aquatic Lands Offices</th>
<th>Counties Served</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rivers District</td>
<td>All of Eastern Washington, Grays Harbor, and Pacific counties</td>
</tr>
<tr>
<td>601 Bond Road</td>
<td>Thurston (fresh water only), Lewis, Wahkiakum, Cowlitz, Clark, and Skamania counties</td>
</tr>
<tr>
<td>PO Box 280</td>
<td></td>
</tr>
<tr>
<td>Castle Rock, WA 98611-0280</td>
<td></td>
</tr>
<tr>
<td>(360) 677-2026</td>
<td></td>
</tr>
<tr>
<td>Orcas Straits District</td>
<td>Island, Skagit, Snohomish, San Juan, and Whatcom counties</td>
</tr>
<tr>
<td>919 N Township Street</td>
<td></td>
</tr>
<tr>
<td>Sedro Woolley, WA 98284-9384</td>
<td></td>
</tr>
<tr>
<td>(360) 956-3500</td>
<td></td>
</tr>
<tr>
<td>Orcas Straits District</td>
<td>Jefferson and Clallam counties</td>
</tr>
<tr>
<td>5310 Eaglemount Rd</td>
<td></td>
</tr>
<tr>
<td>Chimacum, WA 98325-9720</td>
<td></td>
</tr>
<tr>
<td>(360) 732-0934</td>
<td></td>
</tr>
<tr>
<td>Shoreline District</td>
<td>King, Pierce, Kitsap, Thurston (marine waters), and Mason counties</td>
</tr>
<tr>
<td>950 Farmar Avenue N</td>
<td></td>
</tr>
<tr>
<td>Enumclaw, WA 98022-9282</td>
<td></td>
</tr>
<tr>
<td>(360) 925-1631</td>
<td></td>
</tr>
</tbody>
</table>

FOR OFFICIAL USE ONLY

Support staff: Application Fee Received □ Date:__________

Land Manager: ☐ New Application ☐ Renewal Application Land Manager Initials:__________

Land Manager: Type: (20, 21, 22, 23, 31, 51) NaturE Use Code:__________

Land Records: New Application Number__________; Trust__________; County__________; AQR Plate No.__________

Washington State Department of Natural Resources • Application for Use of State-owned Aquatic Lands • February 2011 1 of 8
II. APPLICANT INFORMATION - person or entity responsible for the project

Date of Application: 07/15/2011

Name of the person or entity that the Use Authorization should be issued to: Sunnyside Valley Irrigation District (Ron Cowin)

<table>
<thead>
<tr>
<th>Applicant’s Address: 120 South 11th Street</th>
<th>City: Sunnyside</th>
<th>State: WA</th>
<th>Zip Code: 98944</th>
</tr>
</thead>
</table>

| Telephone: 509-837-6980 | Fax: 509-837-2088 | E-mail: cowin@svid.org |

Department of Revenue Tax Registration Number (Unified Business Identifier) Required: UBI # 393002106

Which of the following applies to Applicant? Check one and attach the written authority - bylaws, power of attorney, etc.

<table>
<thead>
<tr>
<th>Corporation ☐</th>
<th>Limited Partnership ☐</th>
<th>General Partnership ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>State of Registration:</td>
<td>State of Registration:</td>
<td>State of Registration:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sole Proprietorship ☐</th>
<th>Marital Community ☐</th>
<th>Government Agency ☒</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spouse:</td>
<td>Government Agency</td>
<td>☒</td>
</tr>
</tbody>
</table>

Other ☐ (Please Explain)

Has DNR previously authorized this site or is it currently under an agreement with DNR? Yes ☐ Agreement Number: ☒ Don’t Know ☐ No ☐

III. AGENT INFORMATION - Person authorized to represent the applicant about the project, if applicable

Agent’s Name and Organization: Marlena Guhlke/CH2M HILL

Agent’s Relationship to Applicant: Consultant

<table>
<thead>
<tr>
<th>Address: 717 W Sprague Avenue Suite 800</th>
<th>City: Spokane</th>
<th>State: WA</th>
<th>Zip Code: 99201-0466</th>
</tr>
</thead>
</table>

| Telephone: 509-464-7245 | Fax: 509-252-1513 | E-Mail: mguhlke@ch2m.com |

Department of Revenue Tax Registration Number (Unified Business Identifier) is Required: UBI 601482400

Which of the following applies to Agent? Check one and attach written authority to sign - bylaws, power of attorney, etc.

<table>
<thead>
<tr>
<th>Corporation ☒</th>
<th>Limited Partnership ☐</th>
<th>General Partnership ☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>State of Registration: Florida</td>
<td>State of Registration:</td>
<td>State of Registration:</td>
</tr>
</tbody>
</table>

Washington State Department of Natural Resources • Application for Use of State-owned Aquatic Lands • February 2011 2 of 8
### Sole Proprietorship □  Marital Community □  Government Agency □

Other □ (Please Explain)

### IV. LOCATION

<table>
<thead>
<tr>
<th>On what body of water is the state property?</th>
<th>County Yakima</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yakima River</td>
<td>Government Lot:</td>
</tr>
<tr>
<td></td>
<td>Township: 08N</td>
</tr>
<tr>
<td></td>
<td>Range: 23E</td>
</tr>
<tr>
<td></td>
<td>East □ or West □</td>
</tr>
</tbody>
</table>

Note: DNR requires a legal property survey before they approve a use authorization. You do not need to furnish a survey now. The DNR survey requirements are included on this form.

Physical description of Project Area (For example, marsh, tidelat adjacent to the Chehalis River, etc.): Basalt shorelines on Yakima River.

Name of owner(s) of uplands, shorelands, and/or tidelands shoreward and adjacent to the Property: Ernie C & Sharon L Munck (info below) and City of Grandview, 207 West 2nd Street, Grandview, WA 98930 (509-882-9200)

<table>
<thead>
<tr>
<th>Address: 342 Krough R.</th>
<th>City: Prosser</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone Number: 509-786-1462</td>
<td>Fax Number</td>
</tr>
<tr>
<td>State: WA</td>
<td>E-mail:</td>
</tr>
</tbody>
</table>

Note: DNR may require proof of ownership, or authorization to use the adjacent tideland, shoreland, or upland property, except for established Harbor Areas.

Attach a copy of the deed if you own the adjacent upland property.

County parcel numbers for adjacent upland, and/or tideland properties:
Munck Parcel – 23080124004.
City of Grandview – 23080112001

### V. USE OF PROPERTY

Describe the proposed use of the Property in detail:
Geotech exploration for gathering site information to assist in the future design and construction for replacement of an existing 5-foot diameter irrigation pipeline that crosses the river and will be relocated and buried under the river (see attached narrative).

Do you plan to sublease the Property? Yes □  No □  If yes, submit a copy of the sublease.

Do you know the current and past uses of the site? Please describe them here.
The site is adjacent to an existing irrigation pipeline that crosses the Yakima River. The south side of the river is owned by the City of Grandview and is used for the city’s sewer outfall. The north side is used for irrigation for pasture and cropland.
Do you know of any toxic or hazardous substances on the site or past situations that could have caused contamination? Yes ☐ No ☒ If yes, please explain:

VI. IMPROVEMENTS - additions within, on, or attached to the land, or anything considered a fixture (RCW 79.105.060(6)). Examples include: pilings, dolphins, piers, wharves, buildings, pipelines and cables, and structures for bridges

What improvements currently exist on the site? DNR may require photos. Sunnyside Valley Irrigation District Irrigation trestle that includes support pilings.

If there are improvements currently on the site, describe their condition. The condition of the existing trestle is such that it should be replaced for reliability reasons.

Will you remove or remodel any of the existing improvements? Yes ☒ No ☐

Do you plan to construct any improvements? If yes, please describe: Yes, the existing pipeline will be relocated and placed under the river bed. The existing trestle will be demolished and removed from the river site.

Is there any fill material on the site? Yes ☐ No ☒ If yes, please describe:

Describe any habitat mitigation any permitting agency requires of you and where on this project it will occur: In consultation with wildlife agencies regarding the geotech work. No habitat mitigation has been required as of this date.

All answers and statements are true and correct to the best of my knowledge.

<table>
<thead>
<tr>
<th>Applicant name (please print): Ron Cowin</th>
<th>Title: Assistant Manager, Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant Signature: Ron Cowin</td>
<td>Date: 7/18/11</td>
</tr>
<tr>
<td>Authorized Agent name (please print):</td>
<td>Title: Environmental Scientist (Consultant to SVID)</td>
</tr>
<tr>
<td>Marlena Guhlke</td>
<td></td>
</tr>
<tr>
<td>Authorized Agent signature: Marlena</td>
<td>Date: 7/19/11</td>
</tr>
<tr>
<td>Guhlke</td>
<td></td>
</tr>
</tbody>
</table>

For the Applicant's convenience, the following pages 5 through 8 contain some information on potential permit and survey requirements.
LOCAL, STATE, AND FEDERAL REGULATORY PERMITS

- Do not apply for regulatory permits until you discuss your proposal with your DNR land manager. DNR may require terms or conditions that could affect your project and the permits.
- DNR must have copies of all government regulatory permits or waivers before they issue a Use Authorization.
- For permit assistance, contact the Office of Regulatory Assistance (ORA) at 1-800-917-0043 or via e-mail at help@ora.wa.gov.

DNR may require all or some of the following:

Joint Aquatic Resource Permit Application (JARPA) - This one form is used to apply for all of the following individual permits. It is on the website of the Office of Regulatory Assistance at www.ora.wa.gov:

1. **Section 10 Permit** - The US Army Corps of Engineers requires this for any work in or affecting navigable waters, e.g., floats, docks, piers, dredging, pilings, bridges, overhead power lines.

2. **Shoreline Substantial Development, Conditional Use, Variance Permit or Exemption** - Local governments issue these, and they are required for work or activity in the 100-year flood plain, or within 200 feet of the Ordinary High Water mark (OHW) of certain waters.

3. **Hydraulic Project Approval - Required by the Department of Fish and Wildlife** for projects that include work to use, divert, obstruct, or change the natural flow or bed of any fresh or salt water.

4. **Section 404 Permit** - The US Army Corps of Engineers requires this if your project discharges or excavates any dredged or fill material waterward of the Ordinary High Water mark or the Mean Higher High Tide Line in tidal areas.

5. **Section 401 Water Quality Certification** - Required by the Department of Ecology if they require a Section 404 permit.

NPDES (National Pollutant Discharge Elimination System Permit) - Required by the Department of Ecology by authority from the Federal Environmental Protection Agency for projects that include the discharge of fluid on or into surface water.

SEPA (State Environmental Policy Act) Checklist and Environmental Assessments - When you submit a permit application to any agency, if the project is not exempt, the lead agency requires you to fill out an environmental checklist to determine the environmental impacts of the project.
REQUIREMENTS FOR RECORDS OF SURVEY FOR LEASES AND EASEMENTS

Records of Survey are required for easements and leases granted by the department for:

- County roads
- Highways
- Basements across high value lands
- Basements across transition lands
- Drainage or irrigation easements
- **Aquatic land uses**: exemptions are provided for recreational docks and mooring buoys per RCW 79.105.430 and for those permits issued as a Right of Entry
- Other grants as determined by the department based upon site specific considerations

The applicant is responsible for:

- All costs and work associated with creating, submitting, revising and recording the Record of Survey
- Submitting a preliminary Record of Survey for review and approval by the department prior to approval of the agreement.
- Recording the final Record of Survey with the county auditor’s office.
- Submitting a digital copy in AutoCAD.DWG or DXF (drawing exchange format) of the final survey.
- Submitting two full size copies and one 8 1/2 X 11” copy and of the recorded survey including the auditor’s recording information to the department.

A Record of Survey must:

1. Be produced by a licensed surveyor.
2. **Meet the requirements of Title 58 RCW and Chapter 332-130 WAC.**
3. Include the name of the applicant, the purpose of the easement or lease and the DNR easement or lease number.
4. Clearly show easement or lease boundaries with distances and directions of all boundary lines.
5. Show the easement or lease area to an accuracy of (±) 0.5% of the total area or (±) 10 square feet, whichever is greater.
6. **(Not required for aquatic lands lease across the bed of Puget Sound or the Pacific Ocean) Indicate the acreage encompassed by the lease or easement within each quarter-quarter section or government lot.**
7. Show distances and directions from two or more controlling corners of a recorded subdivision, recorded survey or government survey (GLO) corners.
8. Be related by meridian and coordinate to the Washington Coordinate System NAD’83(1991) by closed ties to NGS Control stations, or the extension thereof. The designation of the control stations used shall appear on the plat.
9. Include a narrative legal description describing the servient estate (grantor’s parcel) on the Record of Survey.
10. Show a detailed plan of improvements to be constructed or already existing on the easement or lease area. All improvements must be shown in sufficient detail to determine what they are used for and to ensure they are entirely within the easement area.
11. Show the location of any proposed utility.
12. **(linear lease or easement)** Show the lineal footage along the centerline.
13. **(linear lease or easement)** Show the complete alignment information and width including any necessary curve data.
A Record of Survey must (continued):

14. (Easements or leases crossing a section line or state ownership boundary, not required for aquatic lands lease across the bed of Puget Sound or the Pacific Ocean) Provide ties to the centerline of an easement along the section or subdivision line from the nearest appropriate Public Land Survey System (PLSS) section corner, quarter section or subdivision corner, where the easement enters and leaves the section or state ownership.

15. (Easements or leases falling entirely within one section and not crossing a section line or state ownership boundary) Provide ties from both end points of the linear easement to PLSS corners or other subdivision corners shall be provided.

16. (A lease which encroaches on a previously leased site) Show the boundary for the senior lease in the vicinity of the proposed lease shall also be shown, together with ties between the two leases sufficient to determine the full extent of the encroachments.

Additional Requirements for Communication Site Leases

17. Show ties to the corners of previously monumented communication sites adjacent to, or in the immediate vicinity of the proposed communication site.

18. Show access to the site.

19. Mark the corners of the communication site, as described and granted, with substantial permanent magnetically locatable monuments. The monuments shall be in place and obviously marked on the ground after the construction of installations and improvements.

20. Show the center of any communication site tower by Washington Plane Coordinates, NAD83 (1991), or latitude and longitude. NAD83 datum must be used to determine global location coordinates and must be in decimal degrees. Coordinates must have at least five decimal places to the right of the decimal point and include a negative longitude.

21. On all communication sites where towers or beam paths are shown, an elevation is required at the base of the tower.

22. Show the tower height, and the height of the antenna or microwave dish and any beam path used shall have the diameter and tilt thereof shown.

23. The elevation shall be derived from an established benchmark in the vicinity of the site, or an elevation designated by the state Department of Natural Resources.

Additional Requirements for Aquatic Land Uses

24. The lease of aquatic lands is often subject to preference rights. Applicants and surveyors should carefully determine the direction, and show details of the protrusion of coves and irregular shoreline.

25. (Lease sites which contain existing or proposed structures and improvements that are classified as a non water-dependent or a water oriented use as described within RCW 79.105.060 and WAC 332-30-106) Provide the square footage of each structure and improvement.

26. Where applicable, the survey of aquatic lands must show the location of the following lines for:

   a. Tidal areas - Government meander line, the original and current locations of line of mean high tide, line of mean low tide, and line of extreme low tide. The survey must include the name of tidal bench mark(s) used or describe the alternate method employed for determining a Tidal Datum. Lease areas which contain tidelands and bedlands at a minimum must show the location of the line of extreme low tide crossing the lease area. Lease areas containing bedlands exclusively may be required to show the relationship to the line of extreme low tide and the -18 foot contour line only.

   b. Lakes - Government meander line, line of ordinary high water (original ordinary high water if the lake has experienced artificial raising or lowering of the water level), and line of ordinary low water (include source of data and line of navigability if established.

   c. Rivers - Line of ordinary high water and line of ordinary low water (include source of data and line of navigability if established.
d. Lots and blocks of platted tide lands or shore lands, inner and outer harbor lines, waterway lines, street boundaries, any local construction limit lines, any dredge or fill areas, and easements of record within the lease site.

e. All lines must be shown in sufficient detail to compute and show the area of each area of State-owned bedlands, tidelands, shore lands, harbor area, or waterways included within the proposed lease site.

Include any other data necessary for the complete understanding of the information shown on the survey. If, in the opinion of the department, such information is lacking, the survey may be rejected.

**Record of Survey Revisions:**

27. Any differences between the as-built road and the regulation plat must be reflected in a revised Record of Survey and recorded with the county by the applicant.

28. When any portion of the completed improvements are located outside of the granted lease site, the as-built locations must be reflected in a revised Record of Survey and legal description. In this instance, a new application for an amended lease site may be required if the as-built location creates adverse impacts. In the case of linear leases across the bed lands of the sound or the ocean, an as-built Record of Survey and a revised legal description of the linear lease must be provided.

*Survey Information updated July 2002*
Proposed Drilling for Mabton Pipeline Crossing

TO: Marlena Guhlke/SPK
FROM: Green, Ken/SEA
DATE: July 15, 2011

Borings are needed to investigate the subsurface conditions for the proposed Mabton Pipeline crossing of the Yakima River. The attached map shows the anticipated borings that are needed to explore the subsurface soil and bedrock conditions along the proposed pipeline.

It is proposed that the work begin on-shore, to verify subsurface conditions in these areas prior to advancing the work for exploration in the river.

On-Shore Geotechnical Investigation

The onshore work will consist of borings and test pits. The sequence of work will be dig test pits first along the proposed alignment. The proposed alignment and investigation locations are shown in Figure 1 which is attached. The purpose of the test pits is to:

1. Gain significant information about subsurface conditions throughout the proposed on-shore areas of possible pipeline alignment.
2. See if bedrock is encountered within the proposed pipeline depth along the alignment.
3. Examine the characteristics of soils and bedrock and determine if basalt bedrock is rippable.
4. Concrete debris exists along the right river bank (west side). Test pits will be used to explore the depth and lateral extend of this material.
5. Explore for possible groundwater within the depth of exploration
6. Examine the temporary trench stability of large test pit excavations.

Test pit purposes and coverage is anticipated to be about the same at both sides of the river within the on-shore areas.

Then next exploration is anticipated to consist of on-shore borings. A total of up to 4 borings are anticipated for this work. A boring will be drilled close to the edge of the river at both sides of the river along the proposed alignment. These borings will be used to determine depth to rock, groundwater conditions, soil conditions, and will extend into bedrock to a depth slightly below the elevation for the proposed pipeline excavation or a minimum of about 10 to 15' into bedrock. Rock quality will be recorded and observed, and cores will be obtained. Up to two additional borings will be drilled further away from the river (if bedrock is not encountered in test pit excavations near these locations), to assist in
extrapolating the orientation of bedrock surface, depth to top of bedrock, and bedrock quality.

In-River Borings

The proposed in-river explorations are expected to consist of borings from a barge-mounted drill rig and wash borings at selected locations.

The probes if permits allow, would be advanced from a small boat at a few selected locations within the large “hatched” areas shown on Figure 1. The purpose of these probes would be primarily to determine the depth to bedrock refusal over a relatively broad zone in areas where the bedrock is believed to be “closest” to the riverbed surface. The probes would also be used to generally determine the soil material types encountered. The probes can be advanced much faster than river borings and would be used to gather a broader base of information throughout the proposed work area to see if these conditions could have impact on the proposed alignment and construction.

The probes consist of 0.75 inch diameter pipe pushed by hand into the bottom of the river while circulating water through the pipe to aid in advancement of the tube into the sand.

River borings are planned at the proposed locations shown in Figure 1. The total number of borings is estimated to be up to 7 in the river. The river borings will consist of a small drill rig mounted on a small barge. The barge will be anchored into the desired position by tying off to the existing trestle and/or on the shore. The borings are advanced inside of a steel casing and no fluids or cuttings are released to the river at any time. This drilling method has been approved for used in wild and scenic river environments on many projects and has been found to have little or no detrimental effects to the environment.