

DEPARTMENT OF  
**ECOLOGY**  
State of Washington

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

**PERMIT**

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

PRIORITY DATE  
April 15, 1999

PERMIT NUMBER  
S3-30216

MAILING ADDRESS  
Mark Freiburger  
P.O. Box 169  
Sedro Wooley, WA 98284

SITE ADDRESS (IF DIFFERENT)

**Quantity Authorized for Diversion**

DIVERSION RATE  
0.02

UNITS  
CFS

ANNUAL QUANTITY (AF/YR)  
0

**Purpose**

PURPOSE	DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Non-consumptive hydropower	0.02		CFS	0		01/01 - 12/31

**Source Location**

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
STEVENS	UNNAMED STREAM	CHINA CREEK	61-UPPER LAKE ROOSEVELT

SOURCE FACILITY/DEVICE	PARCEL	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
UNNAMED STREAM	1994600	38 N.	38 E.	35	NWNW	48.7566224	117.9992737

Datum: NAD83/WGS84

**Place of Use**

PARCELS (NOT LISTED FOR SERVICE AREAS)

1994800

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 34, T. 38 N, R. 38 E.W.M.

**Proposed Works**

Ring tiles with a gravity feed pvc pipe to the property

PERMIT

### Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
October 1, 2016	October 1, 2018	October 1, 2020

### Measurement of Water Use

How often must water use be measured?	Monthly
How often must water use data be reported to Ecology?	Upon Request by Ecology
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal (cfs)

### Provisions

#### Measurements, Monitoring, Metering and Reporting

An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.

WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

#### Water Use Efficiency

The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

The construction of the facilities for the appropriation of water under the application may require removal of material from or adjacent to a stream channel or watercourse. A Hydraulic Approval may be obtained from the Department of Fish and Wildlife prior to commencing work. This authorization may be subject to Washington Department of Fish and Wildlife screening criteria as outlined in a Hydraulic Project Approval. Please contact the Department of Fish and Wildlife, 600 Capitol Way North, Olympia, Washington 98501-1091, Attention: Habitat Management Division, Phone (360) 902-2534, to obtain specific requirements for your project. <http://wdfw.wa.gov/about/contact/>

The water source and/or water transmission facilities are not wholly located upon the land owned by the applicant. Issuance of a permit by this Department for appropriation of the waters in question does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtainment of such right is a private matter between applicant and owner of that land.

At no time shall the diversion of water dewater the creek. Sufficient water shall be bypassed to ensure riparian habitat in the bypass reach of approximately 1000 feet.

**Proof of Appropriation**

The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the permit. Elements of a proof inspection may include as appropriate contracting with a Certified Water Right Examiner to confirm the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

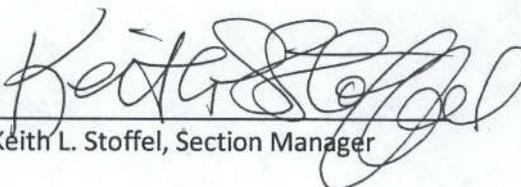
**Schedule and Inspections**

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Dated this 26<sup>th</sup> day of March, 2015, at Spokane, Washington,

Department of Ecology

by   
Keith L. Stoffel, Section Manager

DATA REVIEW  
OK KT

KLS/KT:md

W: Permits/Tusa/2015/Freiburger Mark S3-30216 permit 3-26-2015.doc