

GRANT COUNTY WATER CONSERVANCY BOARD Application for Change/Transfer

For Ecology Use Only RECEIVED Received: MAR 28 2016 DEPARTMENT OF ECOLOGY EASTERN REGIONAL OFFICE Date Stamp

Record of Decision

Applicant: Segale Properties LLC

Application Number: GRAN-15-06

This record of decision was made by a majority of the Board at an open public meeting of the Grant County Water Conservancy Board held on March 24, 2016. The undersigned board commissioners certify that they each understand the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that each commissioner, having reviewed the report of examination, knows and understands the content of the report.

[X] Approval: The Grant County Water Conservancy Board hereby grants conditional approval for the water right transfer described and conditioned within the report of examination on 3/24/2016 and submits this record of decision and report of examination to the Department of Ecology for final review.

[] Denial: The Grant County Water Conservancy Board hereby denies conditional approval for the water right transfer as described within the report of examination on _____ and submits this record of decision to the Department of Ecology for final review.

SIGNED:

David Stevens, Chairman Grant County Water Conservancy Board

Date: 3/24/16 Approve [X] Deny [] Abstain [] Recuse [] Other []

Kenneth Enns, Commissioner Grant County Water Conservancy Board

Date: 3/24/2016 Approve [X] Deny [] Abstain [] Recuse [] Other []

Grant County Water Conservancy Board

Date: Approve [] Deny [] Abstain [] Recuse [] Other []

Grant County Water Conservancy Board

Date: Approve [] Deny [] Abstain [] Recuse [] Other []

Mailed with all related documents to the Dept of Ecology Eastern Regional Office, and other interested parties on _____

Board's Decision on the Application

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	350 gpm	122.5	122.5 ac-ft/yr for the seasonal irrigation of 35 acres.				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
Three (3) Wells							
AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
ptn 170034000	SE	NE	20	17 N	28 EWM	41	Grant
ptn 170034000	NE	NW	20	17 N	28 EWM	41	Grant
ptn 170033000	NW	NE	19	17 N	28 EWM	41	Grant
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
35 acres of irrigation within the N1/2NW1/4 of Sec. 27, T. 17 N., R. 27 E.W.M.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,		
161282000			27	17 N	27E		

NOTE: The "A" Portion of Change Permit No. CG3-28949C@2 is documented under Ecology modification order dated May 1, 2013, and is not affected by this change on the "B" Portion.

DESCRIPTION OF PROPOSED WORKS

Pumps, mainlines, and equipment to irrigate up to 35 acres in a new location from three existing wells. The remainder of the water right ("A" Portion) is currently enrolled in the state trust water right program.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE:
Begun	December 1, 2018	December 1, 2022

REPORT**BACKGROUND** [See WAC 173-153-130(6)(a)]

On July 23, 2015 Segale Properties LLC filed four applications for change, one on each of the following Water Right Document Nos.: CG3-28949C@2 ("B" Portion), G3-29381(A), CG3-25083C@2, and CG3-25081C@2. The applications were accepted at an open public meeting on July 23, 2015, and the Board assigned application numbers GRAN-15-06, GRAN-15-07, GRAN-15-08, and GRAN-15-09, respectively. The Department of Ecology (Ecology) assigned application Nos. CG3-28949C@3, CG3-29381(A)@2, CG3-25083C@4, and CG3-25081C@4, respectively.

Each application requests a change in place of use only. The applications are being filed so the places of use for each of the four rights match with better suited cropping and to acres without federal contracts. For example, current Nos. CG3-25081C@2 and CG3-25083C@2 are best suited to lower duty crops, while G3-29381(A) and CG3-28949C@2 are best suited to higher duty crops. The applicant has acquired more land and some of the permits need to have a change in place of use to include the new ground. No added purpose, change in purpose or change in number of irrigated acres is requested for the permits. The same three wells currently supply all four permits and no changes to the well sources are requested.

Due to the similarities in the applications they will be discussed together, however this report addresses application GRAN-15-06, which is the change under Certificate G3-28949C (as changed by CG3-28949C@2 ("B" Portion)).

Attributes of the water right as currently documented

Name on certificate, claim, permit: Segale Properties LLC.

Water right document number: Certificate No. G3-28949C and as changed under CG3-28949C@2 ("B" Portion) issued 5/1/13.

As modified by certificate of change number: n/a.

Priority date, first use: February 7, 1991.

Water quantities: Qi: 350 gallons per minute (gpm) Qa:122.5 acre-feet/year (af/yr or ac-ft/yr).

Source: Three (3) wells.

Point of diversion/withdrawal:

Well 3 SE1/4NE1/4 100 ft N and 100 ft W from the E1/4 corner Sec. 20, Ecology Unique ID# AAP544.
S.20, T17N, R28E
More accurate location per applicant: 350 ft N and 286 ft W from the E1/4 corner of Sec. 20.

Well 4 NE1/4NW1/4 120 ft S and 450 ft W from the N1/4 corner Sec. 20, AHP796.
S.20, T17N, R28E

Well 6 NW1/4NE1/4 100 ft S and 80 ft E from the N1/4 corner Sec. 19, AAS155.
S.19, T17N, R28E

Purpose of use: Irrigation of 35 acres.

Period of use: Seasonal.

Place of use: N1/2NE1/4 and North 165 feet of S1/2NE1/4 of Sec. 19, T. 17 N., R. 28 E.W.M.

Existing provisions:

Note: The existing provisions Nos. 1-13 are given in the Water Board's Report of Examination under GRAN-11-22, which are repeated within this report subsection "PROVISIONS, Conditions and Limitations", item Nos. 1-13. Slight updates are made to provisions 1 and 13. Provision 1 currently reads:

1. The total authorized to be withdrawn from Segale Wells 3, 4 and 6 are additive among G3-29381(A)P, CG3-25081C@2, CG3-25083C@2, and CG3-28949C@2 resulting in total authorized quantities of 4450 gpm and 1438.4 af/yr for irrigation of 745 acres. Individual restrictions of each water right document apply. If CG3-25083C@2 were to revert to the certificate quantities under G3-25083C, then this would add another 49.1 af/yr. The trust water right component shall not be pumped from the original site wells during the period of trust enrollment, *see* CG3-28949C@1.

The Board intends to modify provision No. 13 regarding overlapping places of use, quoted in its current form below, to make it apply generally to all overlapping rights.

13. At the transfer site at proof of appropriation, the permit holder shall provide an accounting of acres and quantities used to irrigate those acres associated specifically with CG3-28949C@2, distinguishing said use from irrigation under G3-29381(A)P, which overlaps the place of use.

In addition to provisions 1-13, the Ecology May 1, 2013 modification order added the following provision:

This authorization for the withdrawal of public ground waters is within the boundaries of the Columbia Basin Project. (RCW 90.44.510) If water from facilities of any legally formed irrigation district is used on any or all of the lands described herein as the place of use, the quantities of water withdrawn under this authorization shall be proportionately reduced to correspond to the acreage for which district water is not available and become Standby Reserve.

Tentative determination of the water right

The tentative determination is provided on the front page of this report.

History of water use

Two of the water right documents originated at the farm site, Nos. G3-25081C and G3-25083C. The other two were transferred to the property by change of water right, to enable irrigation of more acres as additional land was acquired. All four authorizations are supplied by the same three deep basalt wells, and are used for a diversified cropping program of rotational crops and wine grapes. Three of the four authorizations are currently water right change permits and one is a superseding permit. As such, they are all permits in good standing and valid on their face. A full history of water use is available in public record documents associated with each water right.

Previous changes

The previous changes for each are summarized in Table 1 below:

Current Document No.	Previous Change Document No. and Description
CG3-28949C@3 GRAN-15-06	No. CG3-28949C@2, GRAN-11-22, Ecology modification order dated May 1, 2013. Approved change transferring 350 gpm, 122.5 af/yr for irrigation of 35 acres to Segale farm Wells 3, 4 and 6; formerly located at off-site property (Peter and Catherine Beaumont), the "B" portion. The "A" portion re-quantified a November 16, 2011 trust donation to the following: 450 gpm, 107.5 af/yr for irrigation of 26.7 acres (currently enrolled in the Trust Water Rights Program for groundwater preservation purposes).
CG3-29381(A)@2 GRAN-15-07	G3-29381(A), Superseding Permit issued August 5, 2009; Change Application on Prior Permit. Change/transfer processed under cost-reimbursement contract transferring 1500 gpm, 525 af/yr for irrigation of 150 acres to Segale farm Wells 3, 4 and 6; formerly located at off-site property (Nick and Donna Tommer).
CG3-25083C@4 GRAN-15-08	CG3-25083C@2, Report of Examination issued June 16, 2009. Change/transfer processed under cost-reimbursement contract increasing irrigated acres from 160 to 370 acres at Segale farm, and adding Well 6 to prior authorization which was for Wells 3 and 4 only. Reduced annual volume from 560 to 510.9 af/yr. Retained flow rate of 1700 gpm.
CG3-25081C@4 GRAN-15-09	CG3-25081C@2, Report of Examination issued June 16, 2009. Change/transfer processed under cost-reimbursement contract increasing irrigated acres from 80 to 190 acres at Segale farm, and adding Well 6 to prior authorization for Wells 3 and 4 only. Retained prior authorized quantities of 900 gpm and 280 af/yr.

Table 1. Summary of previous changes.

SEPA

The project is not subject to SEPA as the threshold set for groundwater withdrawals has not been met. The Board considers that State Environmental Policy Act compliance has been met for the project.

Other

See Investigation Section describing proposed plans and specifications.

The information or conclusions in this section were authored and/or developed by Tim Reierson.

COMMENT AND PROTESTS [See WAC 173-153-130(6)(b)]

Public notice of the application was given in the Columbia Basin Herald on October 7 and 14, 2015. The protest period ended on or around November 13, 2015. There were no protests received during the 30 day protest period. In addition, no oral or written comments were received at an open public meeting of the Board or other means as designated by the Board.

This application for change Public Notice was sent to the Eastern Washington Council of Governments, the Washington State Department of Fish and Wildlife, and the Washington State Department of Archaeology and Historic Preservation on January 14, 2016 by email.

No comments have been received.

Date: n/a.

This was recognized by the Board as a Protest Comment n/a.

Name/address of protestor/commenter: n/a.

Issue: n/a.

Board's analysis: n/a.

Other

n/a.

The information or conclusions in this section were authored and/or developed by Tim Reierson.

INVESTIGATION [See WAC 173-153-130(6)(c)]

The following information was obtained from technical reports, research of department records, and information provided by the applicant, who is the landowner of the current and proposed places of use and current well sources. A site inspection was not conducted; was conducted, by Board commissioner Kenneth Enns. Bob Rolfness, CWRE; and Tim Reierson, PE, the consultant for the applicant; were also present during the site inspection.

Proposed project plans and specifications

This project is located on Frenchman Hills southwesterly of Potholes Reservoir.

The current wells (no change) are described in Table 2.

Well	Location	Date Completed	Construction Details
Well 3	SE1/4NE1/4 Sec. 20, T. 17 N., R. 28 E.W.M.	8/9/1997 2/26/1998 (casing)	AAP544. 16 inch casing to 653 feet, total depth 1005 in basalt.
Well 4	NE1/4NW1/4 Sec. 20, T. 17 N., R. 28 E.W.M.	8/19/2003	AHP796. 14 inch casing to 954 feet, total depth 1713 feet in basalt.
Well 6	NW1/4NE1/4 Sec. 19, T. 17 N., R. 28 E.W.M.	1/26/2011	AAS155. 20 inch casing to 801 feet, total depth 2497 feet in basalt.

Table 2. Current Wells.

Part of the water right under CG3-28949C@2 ("A" Portion for 450 gpm, 107.5 af/yr for irrigation of 26.7 acres) is enrolled in the state trust water right program, effective December 1, 2011 through June 30, 2016 (Ecology No. CG3-28949C@1). The remainder of the water right is the part requested for transfer at the Segale Frenchman Hills farm site ("B" Portion):

Quantities requested for transfer: 350 gpm, 122.5 ac-ft/yr for seasonal irrigation of 35 acres.

This is an average water duty of 3.5 feet, suitable for high duty cropping such as corn, hay, double-crop combinations, and orchard. This is consistent with Segale's farm plan for the site for row or permanent cropping.

Aquifer. There is no change in well source. The current aquifer developed by the wells is within the boundaries of the Quincy Ground Water Management Subarea as defined in Chapter 173-124 Washington Administrative Code (WAC). The Quincy subarea lies mostly within Grant County, covering the northern portion of the Columbia Basin Project, a project of the U.S. Department of Interior, Bureau of Reclamation.

All Columbia River Basalt Group basalt rock flows in the Quincy subarea are assigned to the "Quincy basalt zone", as defined in WAC 173-124-050. The Quincy basalt zone varies from a few hundred feet to several thousand feet thick.

Two groundwater management units, the "shallow management unit" and the "deep management unit", were established for the Quincy subarea in WAC 173-134 (which was subsequently repealed and then amended and adopted as WAC 173-134A). The shallow management unit is defined as groundwater hydraulically continuous between land surface and a depth of 200 feet into basalt of the Columbia River Basalt Group (i.e., it includes all of the Quincy unconsolidated zone and the uppermost 200 feet of the Quincy basalt zone). The deep management unit is defined as all groundwater underlying the shallow management unit (i.e., it includes the entire Quincy basalt zone with the exception of the uppermost 200 feet of that zone).

All of the current wells are constructed to withdraw from the deep management unit of the Quincy subarea. In addition, all well sites are located within the Gray Area of the Quincy subarea.

With no change in source location, there will be no affect on other water rights, pending change applications or instream flows due to the requested changes.

Development Schedule. Construction has begun. The applicant proposes to complete construction by December 1, 2018, unless extended by Ecology. The applicant proposes to make full beneficial use of water being transferred by December 1, 2022, unless extended by Ecology.

Other water rights appurtenant to the property (if applicable)

As to federal project water, the applicant has informed the Board that it holds various contracts with the U.S. Bureau of Reclamation for irrigation water on adjoining lands, and including some lands within the requested places of use. The applicant has also informed the Board that they intend to use their state water rights on lands that are not assessed for federal delivery. The applicant has confirmed to the Board that there is no conflict with federal interruptible contract water. At proof of appropriation it is anticipated that the applicant will need to make a showing satisfactory to Ecology as to the location of acres irrigated under state rights, and treat overlapping rights, if any on federal assessed acres, appropriately as required by RCW 90.44.510. A provision specifically quoting this statute is included in the Board's decision.

As to state rights, all existing state-issued documents relating to the three current wells are summarized in Table 3. All are held by the applicant.

Document No.	Sources (Segale Nos.)	Maximum Flow Rate (gpm) [1]	Annual Volume (af/yr) [1]	Status / Comments
CG3-28949C@2 ("B" Portion)	Wells 3, 4, 6	350 gpm	122.5 af	Approved change for irrigation of 35 acres [2].
G3-29381(A)P	Wells 3, 4, 6	1500 gpm	525 af	Approved change for irrigation of 150 acres [2]
CG3-25081C@2	Wells 3, 4, 6	900 gpm	280 af	Approved change--to increase irrigation acres under G3-25081C to 190 acres [2].
CG3-25083C@2	Wells 3, 4, 6	1700 gpm	510.9 af	Approved change--to increase irrigation acres under G3-25083C to 370 acres [2].
G3-25081C	Wells 3, 4	900 gpm	280 af	Certificate--underlying right to @2 change.
G3-25083C	Wells 3, 4	1700 gpm	560 af	Certificate--underlying right to @2 change.
CG3-25081C@3	n/a	n/a	n/a not yet issued	Pending change application to enroll a part of the water right into the state trust water right program.
CG3-25083C@3	n/a	n/a	n/a not yet issued	Pending change application to enroll a part of the water right into the state trust water right program.
G3-29477	Well 4 site and other site.	800 gpm requested	n/a not yet issued	This is a pending application and does not authorize any water use. The "other" well site is within NE1/4NW1/4 Sec. 20, T. 17 N., R. 28 E.W.M.; not related to 3, 4 or 6.

Note [1]: The quantities are not all additive.

Note [2]: These acres, totaling 745 acres, are Family Farm water right acres under RCW 90.66. Acres under underlying certificates G3-25081C and G3-25083C are duplicative and do not add acres to this total.

Table 3. Water Right Documents Sharing Sources and/or Place of Use with Transfer Rights.

The quantities authorized to be withdrawn from Wells 3, 4 and 6 are additive among CG3-28949C@2, G3-29381(A)P, CG3-25081C@2 and CG3-25083C@2, resulting in total authorized quantities of $(350+1500+900+1700=)$ 4450 gpm and $(122.5+525+280+510.9=)$ 1438.4 af/yr. If CG3-25083C@2 were to revert to the certificate quantities under G3-25083C, then this would add another $(560-510.9=)$ 49.1 af/yr.

As requested for change, there is some overlap in the places of use. The applicant explained the necessity for the overlap as providing sufficient acres to all the areas planned for farming, and to allow flexibility to cover rotational cropping for higher uses as they rotate to other fields within the farm. A provision requiring the accounting of acres to each authorization can be included to address the overlap among water rights.

Public Interest (groundwater only)

The proposed transfer is subject to RCW 90.44.100 and therefore cannot be detrimental to the public interest, including impacts on any watershed planning activities. During its review, the Board did not encounter any evidence to suggest that approval of the requested changes would be detrimental to the public interest, including impacts on any watershed planning activities.

Tentative Determination

In order to make a water right change decision, the Board must make a tentative determination on the validity and extent of the right. The Board has made the tentative determination as displayed upon the first page of this report. There are several circumstances that can cause the Board's tentative determination to differ from the stated extent of the water right within water right documentation. Water right documents attempt to define a maximum limitation to a water right, rather than the actual extent to which a water right has been developed and maintained through historic beneficial use. Additionally, except for a sufficient cause pursuant to RCW 90.14.140, water rights, in whole or in part, not put to a beneficial use for five consecutive years since 1967 may be subject to relinquishment under Chapter 90.14.130 through 90.14.180 RCW. Water rights may additionally be lost through abandonment. The Board's tentative determination was based upon the following findings: all authorizations being changed are in a permit / change authorization status and as such are valid for their face value quantities.

Geologic, Hydrogeologic, or other scientific investigations (if applicable)

n/a.

Other

The applicant has informed the Board that its ownership interest in irrigated agricultural lands subject to the Family Farm Water Act is less than 6,000 acres and in compliance with the Act (RCW 90.66) ; and that the permit as changed will also be in compliance with the Act.

The information or conclusions in this section were authored and/or developed by Tim Reiersen.

CONCLUSIONS [See WAC 173-153-130(6)(d)]

Tentative determination (validity and extent of the right)

The Board has tentatively determined that a valid transferable right exists in the following quantities: (CG3-28949C@2 "B" Portion) 350 gpm; with 122.5 af/yr for seasonal irrigation of 35 acres.

The remainder ("A" Portion) is: 450 gpm, 107.5 af/yr for irrigation of 26.7 acres, which remains in the trust water right enrollment identified with Ecology No. CG3-28949C@1 and also affirmed within Ecology modification order on CG3-28949C@2 dated May 1, 2013.

Relinquishment or abandonment concerns

None.

Hydraulic analysis

Because the change only affects the place of use, no hydraulic analyses are needed.

Consideration of comments and protests

None.

Impairment

The requested change/transfer will not impair existing rights, including surface water rights.

Public Interest

The proposed change/transfer will not be detrimental to the public interest.

Other

The Board also considered the previous provisions associated with the water right as identified in the background section of this report when making its decision.

The Board is modifying Provision No. 13 below regarding overlapping places of use, to make it apply generally to all overlapping rights.

The Board notes that the Ecology May 1, 2013 modification order on CG3-28949C@2 added the following provision:

"This authorization for the withdrawal of public ground waters is within the boundaries of the Columbia Basin Project. (RCW 90.44.510) If water from facilities of any legally formed irrigation district is used on any or all of the lands described herein as the place of use, the quantities of water withdrawn under this authorization shall be proportionately reduced to correspond to the acreage for which district water is not available and become Standby Reserve." This provision is included as Provision No. 14.

In the current decision, the previous provisions are repeated as provision Nos. 1 through 13, with slight modifications to Provisions 1 and 13 as discussed previously (also see PROVISIONS section below). The locations of the wells are within the Columbia Basin Project exterior boundaries and the water uses are subject to RCW 90.44.510 which governs overlap with federal contracted and assessed lands. The text of RCW 90.44.510 is included as an added provision for clarity at Provision 15. In view of RCW 90.44.510, and communication from Ecology staff to the applicant's corporate counsel (email from Kevin Brown, 5/27/2014), it is concluded that Provision 14 below would only apply to acres irrigated under state rights which overlap directly on federal contracted or assessed acres of the Columbia Basin Project, as determined at proof of appropriation. Finally, Provision 16 is added for purposes of the trust enrollment ("A" Portion).

The information or conclusions in this section were authored and/or developed by Tim Reierson.

DECISION [See WAC 173-153-130(6)(e)]

The Board's decision is to conditionally recommend approval of the requested change/transfer proposal, in full description as follows:

1(a). The recommended quantification of valid water rights are:

"A" and "B" Portions

MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
800 gpm	230 ac-ft/yr	107.5 ac-ft/yr to preserve groundwater resources, and 122.5 ac-ft/yr for the seasonal irrigation of 35 acres.

1(b). The recommended quantification of transferable quantity totals, as requested by the subject application, are:

"B" Portion only

MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
350 gpm	122.5 ac-ft/yr	122.5 ac-ft/yr for the seasonal irrigation of 35 acres.

2. The source locations (no change) are:

SOURCE				TRIBUTARY OF (IF SURFACE WATER)			
Three (3) Wells							
AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY
ptn 170034000	SE	NE	20	17 N	28 EWM	41	Grant
ptn 170034000	NE	NW	20	17 N	28 EWM	41	Grant
ptn 170033000	NW	NE	19	17 N	28 EWM	41	Grant

3. The place of use as changed is:

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
35 acres of irrigation within the N1/2NW1/4 of Sec. 27, T. 17 N., R. 27 E.W.M.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,		
161282000			27	17 N	27E		

4. In conditionally approving the subject applications, the Board must by statute advise the applicant that they are not permitted to proceed to effect the proposed changes until a final decision is made by the director of the Department of Ecology.

The information or conclusions in this section were authored and/or developed by Tim Reierson.

PROVISIONS [See WAC 173-153-130(6)(f)]*Conditions and Limitations*

1. The total authorized to be withdrawn from Segale Wells 3, 4 and 6 are additive among G3-29381(A)P@2, CG3-25081C@4, CG3-25083C@4, and CG3-28949C@3 resulting in total authorized quantities of 4450 gpm and 1438.4 af/yr for irrigation of 745 acres. Individual restrictions of each water right document apply. The trust water right component of CG3-28949C@2 ("A" Portion) shall not be pumped from the original site wells during the period of trust enrollment.
2. The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required for the actual crop grown on the number of acres and the place of use specified.
3. This authorization to make use of public waters of the state is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.
4. Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.
5. All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under R.C.W. 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).
6. An access port, airline and pressure gage shall be properly installed and maintained in working order.
7. That portion of this authorization relating to irrigation is classified as a Family Farm Certificate in accordance with Chapter 90.66 RCW (Initiative Measure No. 59). This means the land being irrigated under this authorization shall comply with the following definition: Family Farm – a geographic area including not more than 6,000 acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than 6,000 acres of irrigated agricultural lands in the State of Washington which are irrigated under water rights acquired after December 8, 1977. Furthermore, the land being irrigated under this authorization must continue to conform to the definition of a family farm."
8. An approved measuring device shall be installed and maintained for the source(s) identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years, and the data shall be promptly submitted to Ecology annually during development of the project by January 31st of each calendar year typically.
9. The following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, Permit/Certificate No., source name, annual quantity used including units, maximum rate of diversion including units, weekly meter readings including units, peak weekly flow including units, Source number(s), purpose of use, well tag number, and period of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting. Ecology prefers web-based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.
10. Chapter 173-173 WAC describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".
11. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.
12. Segale Well Nos. 3, 4 and 6 shall be constructed or reconstructed to meet the following minimum casing and sealing provisions:
 - a. The minimum annular space for these wells shall be four (4) inches larger than the permanent casing.
 - b. Sealing shall be placed from the bottom of the well to the top until undiluted sealing material returns to the surface.
 - c. The casing requirement in these wells may be deepened if an interchange still occurs after casing and sealing is set.
 - d. The owner shall contact the Eastern Regional Well Construction Coordinator a minimum of 14 working days prior to any well construction or reconstruction associated with these wells.
 - e. Well number 3, if replaced or repaired, shall be sealed a minimum of 800 feet below ground surface.
 - f. Well number 4, if replaced or repaired, shall be sealed a minimum of 800 feet below ground surface.
 - g. Well number 6, if replaced or repaired, shall be sealed a minimum of 800 feet below ground surface.
13. At proof of appropriation, or if requested by Ecology, the permit holder shall identify and provide an accounting of acres and quantities used to irrigate, for each water right authorization within the place of use; including lands assessed for federal delivery of irrigation water.

14. This authorization for the withdrawal of public ground waters is within the boundaries of the Columbia Basin Project. (RCW 90.44.510) If water from facilities of any legally formed irrigation district is used on any or all of the lands described herein as the place of use, the quantities of water withdrawn under this authorization shall be proportionately reduced to correspond to the acreage for which district water is not available and become Standby Reserve.

15. This permit is subject to RCW 90.44.510 which states: "The department shall issue a superseding water right permit or certificate for a groundwater right where the source of water is an aquifer for which the department adopts rules establishing a groundwater management subarea and water from the federal Columbia Basin project is delivered for use by a person who holds such a groundwater right. The superseding water right permit or certificate shall designate that portion of the groundwater right that is replaced by water from the federal Columbia Basin project as a standby or reserve right that may be used when water delivered by the federal project is curtailed or otherwise not available. The period of curtailment or unavailability shall be deemed a low flow period under RCW 90.14.140(2)(b). The total number of acres irrigated by the person under the groundwater right and through the use of water delivered from the federal project must not exceed the quantity of water authorized by the federal bureau of reclamation and number of acres irrigated under the person's water right permit or certificate for the use of water from the aquifer."

16. The trust enrollment ("A" Portion) shall be withdrawn from trust upon 30 days written notice to Ecology from the water right holder.

Mitigation (if applicable)

No mitigation requirements apply.

Construction Schedule

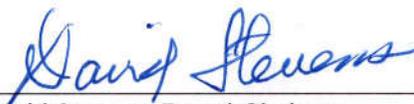
Construction has begun. Completion of Construction (mainline installed and equipped with capability to deliver the permitted water) shall occur by December 1, 2018, unless extended by Ecology. Beneficial use of water within the parameters of this change shall occur by December 1, 2022, unless extended by Ecology.

The information or conclusions in this section were authored and/or developed by Tim Reierson.

The undersigned Board commissioner certifies that he/she understands the Board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the Board's evaluation process, are thoroughly evaluated and discussed in the Board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that he/she, having reviewed the report of examination, knows and understands the content of this report and concurs with the report's conclusions.

Signed at Royal City, Washington

This 24 day of March, 2016.



David Stevens, Board Chairman
Grant County Water Conservancy Board

If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY). Ecology is an equal opportunity employer