STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

April 3, 2012

Mr. Troy Kissler
1075 Davis Road West
Odessa, WA 99159

Re: Applications for Change under Ground Water Certificate Nos. G3-00300C (ADAM-10-01) & G3-23008C (ADAM-10-02)

Dear Mr. Kissler:

On February 12, 2009, our office received notification that you have withdrawn your applications for change filed September 27, 2010, from the Adams County Water Conservancy Board. Because your applications are considered dual-filed with the Dept. of Ecology, they are considered withdrawn from our Department as well.

Therefore, in accordance with your request, your applications for change filed with the Conservancy Board September 27, 2010, are hereby **rejected**.

Please contact me at 509-329-3585 if you have any questions.

Sincerely,

Karen Tusa

Karen Tusa
Water Resources Program
Eastern Regional Office

KT:md

cc: Adams County Water Conservancy Board

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

December 2, 2011

Adams County Water Conservancy Board
c/o Adams County Conservation District
402 East Main Avenue
Ritzville, WA 99169

Dear Commissioners:

Re: Withdrawal of Final Reports of Examination and Records of Decision for Applications for Change under Ground Water Certificate Nos. G3-00300 and G3-23008

On Oct. 12, 2011, we received Final Reports of Examination and Records of Decision for Applications for Change under Ground Water Certificate Nos. G3-00300 and G3-23008.

On Nov. 30, 2011, we received your request to withdraw the above-referenced Reports of Examination and Records of Decision.

The Reports of Examination and Records of Decision for the above-referenced Certificates are hereby withdrawn. When the Adams County Water Conservancy Board resubmits the Reports of Examination, Ecology's 45-day review period will begin again.

Sincerely,

Keith L. Stoffel
Section Manager
Water Resources Program

KLS:KT:ka

RECEIVED
NOV 30 2011
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

November 28, 2011

To: Department of Ecology

From: Adams Water Conservancy Board

Re: Withdrawal of Record of Decision and Report of Examination

A meeting of the Adams Water Conservancy Board was conducted in compliance with Chapter 42.30 RCW at Adams Conservation District in Ritzville on 11/28/2011.

The board had previously issued a Record of Decision and Report of Examination on 9/26/2011 in the matter of Application for Change/Transfer No. ADAM-10-01 and filed by Troy Kissler. At the meeting mentioned above and by a majority vote, the board withdrew the referenced issued Record of Decision and Report of Examination for the following reason(s):

Discovery of errors in reports

The withdrawal of the referenced Record of Decision and Report of Examination is effective as of the adjournment of the meeting of the board during which it was adopted. Upon Ecology concurrence to this withdrawal, the Ecology review period provided by RCW 90.80.080 is terminated without prejudice for the referenced application for change/transfer.

The applicant did participate in the meeting and concurs with the withdrawal of the board's previous decision.

The board adopts the following plan for action on the application *(check one)*:

- [X] The board intends to revise and resubmit for Ecology review the record of decision and report of examination for the subject application.
- [ ] The board will take no further action on the subject application and has informed the applicant that the application may be filed with Ecology for processing.

Information relevant to the board's withdrawal action and a record of the Board's vote in this matter are attached.

RECEIVED
NOV 30 2011
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

WASHINGTON STATE DEPARTMENT OF ECOLOGY

ADAMS
WATER CONSERVANCY BOARD

Application for Change/Transfer
Decision to Withdraw a Record of Decision and Report of Examination

For Ecology Use Only
Received: Date Stamp
Reviewed by: _____ Date Reviewed: _____

Applicant: Troy Kissler Application Number: ADAM-10-01

The Adams Water Conservancy Board hereby **withdraws** the Record of Decision and the Report of Examination for the entitled water right transfer issued on 9-26-2011 in accordance with the accompanying resolution of the board and submits this resolution to the Department of Ecology.

It is understood that with the concurrence of Ecology to this withdrawal, that the decision review period provided by RCW 90.80.080 for Ecology review of the previous decision of the board is terminated without prejudice. No board decision regarding the titled application for change/transfer is before Ecology for review.

Signed:

Dennis E Swinger
Dennis Swinger, Chairman
Adams Water Conservancy Board
Date: 11/29/2011
Approve ☒ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

Chris Lyle
Chris Lyle, Vice Chairman
Adams Water Conservancy Board
Date: 11/29/2011
Approve ☒ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

Rudy Plager
Rudy Plager, Treasure
Adams Water Conservancy Board
Date: 11/29/11
Approve ☒ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

_____
(Name), (Title)
(Board Name) Water Conservancy Board
Date: _____
Approve ☐ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

_____
(Name), (Title)
(Board Name) Water Conservancy Board
Date: _____
Approve ☐ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

Mailed to the Department of Ecology Spokane Regional Office of Ecology, via certified mail, and other interested parties on 11/29/2011.

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).
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MR. DENNIS E. SWINGER
ADAMS COUNTY
WATER CONSERVANCY BOARD
402 E. MAIN AVENUE
RITZVILLE, WA 99169

PS Form 3800, August 2006 — See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR. DENNIS E. SWINGER
ADAMS COUNTY
WATER CONSERVANCY BOARD
402 E. MAIN AVENUE
RITZVILLE, WA 99169

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Gail Kiesz ☐ Agent ☐ Addressee

B. Received by (Printed Name) Gail Kiesz
C. Date of Delivery 11/22/11

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☑ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Numb *(Transfer fro* 7010 0290 0002 5455 6978

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

November 21, 2011

Mr. Dennis E. Swinger
Adams County Water Conservancy Board
402 E. Main Avenue
Ritzville, WA 99169

Dear Mr. Swinger:

Re: Thirty-day Extension Confirmation – Applications for Change/Transfer of Ground Water Certificate No's. G3-00300C and G3-23008C (Kissler)

In accordance with RCW 90.80.080(4), a 30-day extension for review of the Records of Decision referenced above has been invoked by the director of Ecology.

This letter confirms that the final review period is extended to December 26, 2011. This requires the department to review the record of decision and affirm, reverse, modify, or remand the action of the board by this date.

If Ecology fails to act by the date listed above, it is the responsibility of the water conservancy board to notify Ecology, the applicant, and any parties that have expressed interest to the conservancy board about the application [173-153-150(5) WAC]. With agreement from Ecology, the board's decision becomes final.

Sincerely,

Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS:HS:ka

By Certified Mail 7010 0290 0002 5455 69778

cc: Troy Kissler

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

October 13, 2011

Adams County Water Conservancy Board
c/o Adams County Conservation District
402 E Main Ave.
Ritzville, WA 99169

Dear Commissioners:

Re: Receipt of Records of Decision for Applications for Change under Ground Water Certificate Nos. G3-00300 & G3-23008

In accordance with RCW 90.80.080 and WAC 173-153-150, our office received the records of decision referenced above on October 12, 2011. The department will review the records of decision and affirm, reverse, modify, or remand the action of the board by November 26, 2011.

However, the director may invoke, or the board or applicant may request, a 30-day extension beyond the date listed above as allowed under RCW 90.80.080(4). The department will notify all necessary parties should an extension be required.

If Ecology does not act by the date listed above, the water conservancy board must notify Ecology, the applicant, and any parties that have expressed interest about the applications of Ecology's failure to act [WAC 173-153-150(11)]. With agreement from Ecology, the board's decision becomes final.

Should we have any questions or comments we will contact you prior to the end of the 45-day review period.

Sincerely,

Karen Tusa

Karen Tusa
Water Resources Program

kt
cc: Janet Rajala, Ecology

WASHINGTON STATE DEPARTMENT OF ECOLOGY

ADAMS
WATER CONSERVANCY BOARD
Application for Change/Transfer
Record of Decision

For Ecology Use Only

Received: OCT 12 2011

Date Stamp

DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

Reviewed by: _____

Date Reviewed: _____

Applicant: Troy Kissler Application Number: ADAM-10-01

This record of decision was made by a majority of the board at an open public meeting of the Adams Water Conservancy Board held on September 26, 2011. 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.

☒ **Approval:** The Adams Water Conservancy Board hereby **grants** conditional approval for the water right transfer described and conditioned within the report of examination on September 26, 2011 and submits this record of decision and report of examination to the Department of Ecology for final review.

☐ **Denial:** The (board name) Water Conservancy Board hereby **denies** conditional approval for the water right transfer as described within the report of examination on (date report of exam was signed) and submits this record of decision to the Department of Ecology for final review.

Signed:

Dennis E Swinger

Dennis Swinger, Chair
Adams Water Conservancy Board

Date: 09/26/2011

Approve ☒ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

Rudy Plager

Rudy Plager, Treasurer
Adams Water Conservancy Board

Date: 9/26/11

Approve ☒ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

Chris Lyle

Chris Lyle, Secretary
Adams Water Conservancy Board

Date: 9/26/2011

Approve ☒ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

_____

(Name), (Title)
(Board Name) Water Conservancy Board

Date: _____

Approve ☐ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

_____

(Name), (Title)
(Board Name) Water Conservancy Board

Date: _____

Approve ☐ Deny ☐ Abstain ☐ Recuse ☐ Other ☐

Mailed with all related documents to the Dept of Ecology (regional office name) Regional Office, and other interested parties on (date mailed).

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

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Adams County
WATER CONSERVANCY BOARD
Application for Change/Transfer
OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF THE STATE OF WASHINGTON

RECEIVED
OCT 12 2011
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

Report of Examination

NOTE TO APPLICANT: Pursuant to WAC 173-153-130(8), the applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. It is advised that the applicant not proceed until the appeal period of Ecology's decision is complete.

NOTE TO AUTHOR: *Read the instructions for completing a water conservancy board report of examination. Use the F11 key to move through the form.*

☐ Surface Water ☒ Ground Water

DATE APPLICATION RECEIVED	WATER RIGHT DOCUMENT NUMBER (i.e., claim, permit, certificate, etc.)	WATER RIGHT PRIORITY DATE	BOARD-ASSIGNED CHANGE APPLICATION NUMBER
September 27, 2010	G3-00300	August 27, 1964	ADAM-10-01

NAME: Troy Kissler

ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
1075 Davis Road W	Odessa	WA	99159

Changes Proposed: ☐ Change purpose ☐ Add purpose ☐ Add irrigated acres ☐ Change point of diversion/withdrawal ☒ Add point of diversion/withdrawal ☐ Change place of use ☐ Other (Temporary, Trust, Interties, etc.)_____

SEPA
The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: ☒ Exempt ☐ Not exempt

BACKGROUND AND DECISION SUMMARY

Existing Right (Tentative Determination)

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
	100 gpm	110 acre feet/year	100 gallons per minute, 110 acre feet per year (2 acre feet per year, each year, for continuous domestic supply and stock water and 108 acre feet per year, each year, for the seasonal irrigation of 235 acres).

SOURCE	TRIBUTARY OF (IF SURFACE WATER)
Well B) 1203 feet West and 290 feet South from the N1/4 corner of Sec. 5, within Government Lot 3 (NE1/4NW1/4) of Sec. 5, T. 20 N., R. 31 E.W.M, Adams County. Well C) 840 feet South and 1000 feet West from the NE corner of Sec. 19, within the NE1/4NE1/4 of Sec. 19, T. 21 N., R. 31 E.W.M., Lincoln County. Well D) 480 feet South and 864 feet West from the NE corner of Sec. 19, within the NE1/4NE1/4 of Sec. 19, T. 21 N., R. 31 E.W.M., Lincoln County.	

AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
ALL WITHIN	NE	NE	19	21	31	41	Adams/Lincoln

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED

The NE1/4 of Sec. 19, and the E1/2SE1/4 of Sec. 18, ALL IN T. 21 N., R. 31 E.W.M., Lincoln County, Less Roads.

PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,

Proposed Use

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
	100	110	100 gallons per minute, 110 acre feet per year (2 acre feet per year, each year, for continuous domestic supply and stockwater and 108 acre feet per year, each year, for the seasonal irrigation of 235 acres).

SOURCE	TRIBUTARY OF (IF SURFACE WATER)
Applicant proposes to add a point of withdrawal	

AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
2031170410001	NE	SE	17	20	31	41	Adams

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

The NE1/4 of Sec. 19, and the E1/2SE1/4 of Sec. 18, ALL IN T. 21 N., R. 31 E.W.M., Lincoln County, Less Roads.

PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,

Board's Decision on the Application

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
	100	110	100 gallons per minute, 110 acre feet per year (2 acre feet per year, each year, for continuous domestic supply and stock water and 108 acre feet per year, each year, for the seasonal irrigation of 235 acres).

SOURCE	TRIBUTARY OF (IF SURFACE WATER)
Add a point of withdrawal	

AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
203117041001	NE	SE	17	20	31 E	41	Adams

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD

The NE1/4 of Sec. 19, and the E1/2SE1/4 of Sec. 18, ALL IN T. 21 N., R. 31 E.W.M., Lincoln County, Less Roads.

PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,

DESCRIPTION OF PROPOSED WORKS

The applicant seeks to add point of withdrawal to the said water rights, effectively allowing for greater flexibility and reliability in water use for this water right.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE:
	4 years after approval by Dept. of Ecology	

REPORT

NOTE TO AUTHOR: This form reflects the minimum regulatory requirements as required in WAC 173-153-130(6). In accordance with WAC 173-153-130(5), "It is the responsibility of the water conservancy board 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." **Completion solely of the minimum regulatory requirements may not constitute a fully documented decision.**

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

On September 27, 2010, Troy Kissler of Odessa, WA filed an application for change/transfer to add a point of withdrawal under G3-00300. The application was accepted at an open public meeting on September 27, 2010, and the board assigned application number ADAM-10-01.

Attributes of the water right as currently documented

Name on certificate, claim, permit: Lamar Kissler (purchased by Troy Kissler 9-29-2009)

Water right document number: G3-00300

As modified by certificate of change number:

Priority date, first use: August 27, 1964

Water quantities: Qi: 100 gallons/minute Qa: 110 acre ft./ year

Source: Well B) 1203 feet West and 290 feet South from the N1/4 corner of Sec. 5, within Government Lot 3 (NE1/4NW1/4) of Sec.

5, T. 20 N., R. 31 E.W.M, Adams County.

Well C) 840 feet South and 1000 feet West from the NE corner of Sec. 19, within the NE1/4NE1/4 of Sec. 19, T. 21 N., R. 31 E.W.M., Lincoln County.

Well D) 480 feet South and 864 feet West from the NE corner of Sec. 19, within the NE1/4NE1/4 of Sec. 19, T. 21 N., R. 31 E.W.M., Lincoln County.

Proposed point of diversion/withdrawal: NE1/4SE1/4 of Sec.17, T. 20 N., R. 31 E.W.M., Adams County, Less Roads

Purpose of use: 100 gallons per minute, 110 acre feet per year (2 acre feet per year, each year, for continuous domestic supply and stockwater and 108 acre feet per year, each year, for the seasonal irrigation of 235 acres).

Period of use: Irrigation season

Place of use: The NE1/4 of Sec. 19, and the E1/2SE1/4 of Sec. 18, ALL IN T. 21 N., R. 31 E.W.M., Lincoln County, Less Roads.

Existing provisions:

"Ground Water Certificate G3-23008C is supplemental to Ground Water Certificate G3-00300C. Therefore, the quantity of G3-23008C will issue less any amount withdrawn under G3-00300C. The total of these two certificates shall not exceed 850 gallons per minute, 803 acre feet per year, for irrigation of 690 acres. The supplemental portion is factored into above quantities."

"A superseding certificate of water right will not be issued until a final examination is made."

"Water allocated for irrigation purposes in this permit may be withdrawn until such time as water from the Project facilities becomes available to the permittee or his successor in the interest for all or a portion of the lands described herein as the place of use. At that time, volumetric withdrawal shall be proportionately reduced to correspond to the acreage, if any, for which project water is not available."

"An approved measuring device shall be installed and maintained for each of the sources 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 shall be promptly submitted to Ecology upon request."

"The above 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 Devices Installation and Operation Requirements."

"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."

"The meter at Well C was not functioning properly, thus it will need to be inspected and repaired by a qualified person."

"The water quantities and uses recommended and/or the number of acres to be irrigated may be reduced at the time of issuance of a final water right commensurate with the capacity of the installed system and the uses and/or the number of acres actually irrigated."

"Any future pump test data for the new well shall be submitted as it is obtained to the Department of Ecology."

"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."

"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."

"All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells)."

"Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities."

"WAC 173-130A-170 Casing and Sealing. In order to protect existing shallow domestic and stock water wells, and springs, casing and sealing requirements will be determined on a case-by-case basis and included as a provision on all new permits issued. New permits will also be conditioned to prohibit cascading water in wells in accordance with Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells). Sealing of required casing shall consist of filling the annular space between casing and well bore with cement grout placed by pumping from the bottom of the casing to land surface. Alternative methods to provide the same protection afforded by casing and sealing may be submitted to the department for review and shall only be used if approved in writing by the department prior to well completion."

"WAC 173-130A-180 Reworking wells. Any well which is reworked shall be constructed to comply with the casing and sealing provisions of WAC 173-130A-170. Reworking shall include, but not be limited to, reaming to enlarge well diameter or deepening."

"WAC 173-130A-140 Airlines. An airline and pressure gauge shall be installed and maintained in operating condition on all new or reworked wells and equipped with a standard tire valve, placed in an accessible location. The airline shall extend from land surface to the top of the pump bowls. The total length of the airline and any changes in length shall be reported to the department."

Tentative determination of the water right

The board has tentatively determined that a water right exists based on the information provided on the front page of this report.

History of water use

Ground Water Certificate G3-00300C was certified on January 24, 1973. The land is owned by Lamar Kissler, but the water right is owned and the land is leased by Troy Kissler.

Previous changes

<Describe any previous change decisions associated with the water right>

SEPA

This application is exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21C RCW.

Other

In addition to this application for change filed under Ground Water Certificate G3-00300C, Troy Kissler is also applying for the change/transfer of Ground Water Certificate G3-23008C (refer to Table 3). Each application will have decisions based on its own respective findings.

The information or conclusions in this section were authored and/or developed by Adams County Water Conservancy Board.

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

Public notice of the application was given in the Odessa Record and Ritzville Journal on December 2 and 9, 2010 (2 consecutive weeks). Protest period ended on January 15, 2011.

There was one protest received during the 30 day protest period. In addition, no oral and written comments were received at an open public meeting of the board or other means as designated by the board.

Date: December 14, 2010

This was recognized by the board as a ☒ Protest ☐ Comment

Name/address of protestor/commenter: Jon and Sharon Fink

Issue: Protestor is in close proximity to the proposed point of withdrawal and felt it could adversely affect their domestic water supply.

Board's analysis: The protestor's domestic well is drawing water from the Wanapum aquifer; Mr. Kissler will be casing and sealing through the Wanapum aquifer and withdrawing water from the Grande Ronde. This should alleviate protestant's concerns.

NOTE to author: *Repeat this table as necessary to describe each protest or comment*

Other

<Provide any other pertinent information relative to the comments and protests received>

The information or conclusions in this section were authored and/or developed by Adams County Water Conservancy Board.

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

The following information was obtained from a site inspection conducted by Dennis Swinger on March 26, 2011, technical reports, research of department records, and conversations with the applicant and/or other interested parties.

Proposed project plans and specifications

On March 26, 2011 Dennis Swinger (Chairman of the Adams County Water Conservancy Board) and Troy Kissler (applicant) conducted a site inspection of the existing points of withdrawl. Site B is a well, Washington State Ground Water Right Certificate G3-23008, located in the farmyard, NE1/4NW1/4, Sec. 5 within T. 20 N., R. 31 E.W.M., Adams County, WA of Troy Kissler. The facilities include a 400hp deep well turbine pumps with control panel and a 40hp booster pump with control panel. Site C is a well, Washington State Ground Water Right Certificate G3-00300, located in the farmyard, NE1/4NE1/4 Sec. 19 within T. 21 N., R. 31 E.W.M., Lincoln County, WA of Melvin Kissler. The facilities include a 100hp deep well turbine pump with control panel and a 50hp booster pump with control panel. Mr. Kissler has the necessary buried main lines to deliver water from the wells to the permitted places of use.

<Describe proposed use of water to include # of connections, method of irrigation, type of crop, commercial use, etc.>, Also describe any issues related to development, such as the proposed development schedule and an analysis of the effect of the proposed transfer on other water rights, pending change applications & instream flows established under state law>

Other water rights appurtenant to the property (if applicable)

In considering the proposed change/transfer, the investigation included, but was not limited to research and review of (1) appropriate rules and statues; (2) Ground Water Certificate G3-23008C, Ground Water Certificate G3-01153C , Ground Water Certificate G3-00300C and other water rights/claims/applications in the vicinity; (3) water well reports for the applicant's wells and other wells in the vicinity; (4) USGS topographic maps; and (5) discussions with Department of Ecology regional program staff.

Ground Water Certificate G3-00300C's original place of use, described in Sections 18 & 19 appears to have been historically irrigated. The place of use describes roughly 240 acres, but the water right only authorized a maximum of 235 acres of irrigation. The area around the three houses appears to be the only part of the place of use that has not been cultivated. It appears that historically 235 acres were irrigated under this certificate. The place of use of GWC G3-23008C partially overlaps supplemental to GWC G3-00300C.

During our investigation the water right G3-01153C was found to be subject to litigation and was fully vested to Julianne Buckland, it was not requested or subject to this change.

Each year Troy Kissler intends to file seasonal changes to change the place of use of GWC G3-23008C and G3-00300C to land that is within the area served by Wells B & C (see below). Portions of the original place of use are currently in the CRP program and will not be irrigated or moved until the CRP contract expires.

Well B is capable of water delivery to the following: Sections 5, 8, 9 & 15 within T. 20 N., R. 31 E.W.M., Adams County and Section 31 within T. 21 N., R. 31 E.W.M., Lincoln County. Well C is capable of water delivery to the following: Sections 13 & 24 within T. 21 N., R. 30 E.W.M., Grant County and Sections 18 & 19 within T. 21 N., R. 31 E.W.M., Lincoln County.

* Well B: This well is online and is used as a primary source of withdrawal for this system. The meter appears to be operational and properly installed. There is a booster pump at the site, but it has no visible horse power rating.

* Well C: This well is online and is used as a primary source of withdrawal for this system. The meter doesn't appear to be operating properly. There is a 50 horse power boost pump at this site. This is the original well for this certificate. This well system was originally designed to serve the entire place of use of GWC G3-23008C.

* Well D: This was the original well for GWC G3-00300C. This well will no longer be used for irrigation, but it will still be used for domestic supply and stock watering. A meter will need to be installed on Well D, to comply with Chapter 173-173 WAC.

Table 1
Well Specifications

Well	Status	Size (in)	Depth (feet)	Casing	Pump Type	Pump HP	Unique Id Tag #
B	Online	13	777	30	Turbine	350	AAN-853
C	Online	10	440	32	Turbine	100	
D	Online	6	*126		Submersible		

Table 2
Well Locations

Well	1/41/4 Location	Section	Township	Range	County
B	Gov. Lot 3 NE1/4 NW1/4	5	20 N	31 E	Adams
C	NE1/4NE1/4	19	20 N	31 E	Lincoln
D	NE1/4NE1/4	19	20 N	31 E	Lincoln

<Describe any other water rights or other water uses associated with both the current and proposed place of use and an explanation of how those other rights or uses will be exercised in conjunction with the right proposed to be transferred>

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. The Washington State Supreme Court, in Okanogan Wilderness v. Town of Twisp and Department of Ecology, 133 Wn.2d 769, 947 P.2d 732 (1997), found that applications for change may be granted only to the extent the water has been historically put to beneficial use, as beneficial use determines the measure of a water right. They also found that the existence and quantification of a water right must be determined, including whether or not the water right has been lost for non-use before the Department can approve a change or transfer of the water right.

According to the FSA, 217 acres within the E3/4S1/2S1/2NE1/4 and SE1/4SW1/4 and SW1/4SE1/4 and E1/2SE1/4 of Sec. 18; N1/2NE1/4 of Sec. 19, ALL within T. 21 N., R. 31 E.W.M., Lincoln County, are now in CRP. Roughly 92 acres of CRP are within the original place of use of GWC G3-00300C and of that 80 acres will remain in CRP. This 80 acre plot of land is

located within the E1/2SE1/4 of Sec. 18, T. 21 N., R. 31 E.W.M. The contract period for this portion of CRP land is from 1998-2008. The land is now cleared of sage brush and is in native grasses. The evidence of previous cultivation helps support the historical and beneficial use of this water right. Although the CRP land is within two counties, it is all administered out of the Lincoln County FSA office.

It appears that historically this water right was used to supplement dry land wheat crops. The maximum water duty of Ground Water Certificate G3-00300C is 0.46 acre feet, per year, per acre. GWC G3-23008C was granted to help supplement this right, so more water could be applied to wheat or higher water duty crops could be grown. With the combination of these two rights, higher water duty crops have been grown as intended. It appears that this right has been historically and beneficially used to its full extent.

Ground Water Certificate G3-23008C is supplemental to Ground Water Certificate G3-00300C. Therefore, the quantity of G3-23008C will issue less any amount withdrawn under G3-00300C. The total of these two certificates shall not exceed 850 gallons per minute, 803 acre feet per year, for the irrigation of 690 acres.

Table 3
Water Rights Specifications for Irrigation

Water Right	Qi Primary	Qa Primary	Qi Supplemental	Qa Supplemental	Acres Primary	Acres Supplemental
G3-00300C	100	108**			235	
G3-23008C*	750	695	100	110	455	235
Irrigation Total:	850	803			690	

** 2 acre feet/year for stock water and domestic supply for a total of 110 acre feet per year
*Supplemental to G3-00300C

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: <Describe any information indicating that an existing water right or portion of a water right has been relinquished or abandoned due to nonuse and the basis for the determination>

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

Application for change of water right permits and certificates are governed by RCW 90.44.100, which states in part that: the holder of a valid right to withdraw public ground waters may, without losing his priority of right, construct wells at a new location in substitution for, or in addition to, those at the original location, or he may change the manner or the place of use of water. Such amendment shall be issued by the Department only on the conditions that: 1) the additional or substitute well or wells shall tap the same body of public ground water as the original well or wells; 2) use of the original well or wells shall be discontinued upon construction of the substitute well or wells; 3) the construction of an additional well or wells shall not enlarge the right conveyed by the original permit or certificate; and 4) other existing rights shall not be impaired. The Department may specify an approved manner of construction and shall require a showing of compliance with the terms of the amendment.

The proposed project lies within the boundaries of the Odessa Sub-area as defined in Chapter 173-128A WAC. The Odessa Sub-area encompasses approximately 2000 square miles. The relatively flat-lying land surface slopes in a southwesterly direction and is locally dissected by coulees.

Basalt aquifers of the Odessa Sub-area are part of a large ground water reservoir occurring in a thick series of basalt flows known as the Columbia River Basalt Group. The thickness of these basalts varies from a few hundred feet at the Spokane River to over 10,000 feet in the Pasco Basin. The original points of withdrawal for these change applications are completed within the Wanapum and the Grande Ronde formation of the Columbia River Basalt Group.

Existing Wells:

Well B, is identified as 10" x 545 feet deep. The well was constructed in 1967. The static water level was described as 192 feet below land surface in 1967. The well appears to have been deepened once and reamed once. The deepening occurred in 1976 and it was deepened to 770 feet. The static water level was not recorded at that time. The reaming occurred in 1990 and the static water level was not recorded at that time. The reaming record at completion describes the well as 13' x 777 feet deep. The well casing is not described after the reaming.

Well C, is identified as 8" x 385 feet deep. The well was constructed in 1974. The static water level was not described surface in 1974. The well appears to have been deepened once and reamed once. The deepening and reaming is described in a letter to Ecology that is dated June 14, 1978. The letter describes the well as 10" x 440 feet below land surface. There is no information on the static water level or the amount of casing.

Well D, is identified as 6" x 126 feet deep, with the possibility of it being deepened to 300 feet in depth. This information was obtained from the original Report of Exam and no other information is available.

Existing Rights

A review of Ecology records was conducted for existing ground water rights, permits, and claims in the surrounding area of the proposed service area around Wells B, C & D. the search focused primarily on Sections 4, 5, 6, 9, 10, 11, 14, 15, 16, 21, 22, T. 20 N., R. 31 E.W.M.; Section 17, 18, 19, 20, 31, 32, 32, 33, T. 21 N., R. 31 E.W.M. and Sections 13, 24, T. 21 N., R. 30 E.W.M.

A total of five (5) ground water certificates (GWC) and twelve (12) ground water claims were found recorded in this search area in addition to the water rights evaluated under this change. <Describe the results of any geologic, hydrogeologic, or other scientific investigations that were considered by the board and how this information contributed to the board's conclusions>

Other

<Provide any other pertinent information relative to the investigation of this application>

The information or conclusions in this section were authored and/or developed by Adams County Water Conservancy Board.

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

Tentative determination (validity and extent of the right)

There is a water right available for change transfer under Ground Water Certificate G3-00300C in the amount of 100 gallons per minute, 2 acre feet per year, each year, for continuous domestic supply and stock water; 108 acre feet per year, each year, for the seasonal irrigation of 235 acres.

Relinquishment or abandonment concerns

There are no relinquishment or abandonment concerns.

Hydraulic analysis

Ground water has been historically and beneficially used under this certificate. No withdrawal of water over and above what has been historically put to beneficial use would be authorized through approval of this change.

Consideration of comments and protests

<Discuss the board's conclusions of issues raised by any comments and protests received>

Impairment

"Impair" or "impairment" means to 1) adversely impact the physical availability of water for a beneficial use that is entitled to protection, and/or 2) to prevent the beneficial use of the water to which one is entitled, and /or 3) to adversely affect the flow of a surface water course at a time when the flows are at or below in-stream flow levels established by rule (POL01200); and/or 4) degrade the quality of the source to the point that water is unsuitable for use by existing water right holders (WAC173-150). Demonstration of impairment would require evidence of a substantial and lasting or frequent impact reflecting such conditions.

The existing wells have lost considerable production since 1981. The area has been experiencing significant declines since 1968.

This application is requesting authorization to add a well to Ground Water Certificate G3-00300C. It appears that the right has been historically and beneficially exercised. The proposed change will not increase the amount of water withdrawn from the aquifer nor will it increase the land under irrigation or expand the right.

There has been no documented history of pumping interference between existing wells in this area, and it is not anticipated that the proposed change would cause impairment to existing water rights. The protestor's domestic well is drawing water from the Wanapum aquifer; Mr. Kissler will be casing and sealing through the Wanapum aquifer and withdrawing water from the Grande Ronde. This should alleviate protestant's concerns.

Public Interest

It is the conclusion of the Adams County Water Conservancy Board that, in accordance with Chapters RCW 90.03 and 90.44, this application for change to add an additional well to be a total of 4 points of withdrawal under Ground Water Certificate G3-

00300C will not enlarge the quantity of water historically put to beneficial use, nor will it impair existing rights or be detrimental to the public welfare provided the terms and conditions below are followed.

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. <Provide any other pertinent information relative to the board's conclusions>

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

The board approves this application based on the information herein.

<Provide any other pertinent information relative to the board's decision>

The information or conclusions in this section were authored and/or developed by Adams County Water Conservancy Board.

PROVISIONS [See WAC 173-153-130(6)(f)]

Conditions and limitations

Department of Ecology -- Casing and Sealing pick for a well in the NE1/4 of the SE1/4 of Section 17, T. 20 N., R. 31 E.W.M. (letter from John Covert to Herman Spangle on 11-4-2010):

"WAC 173-130A-170 Casing and Sealing allows the determination of casing and sealing requirements on a case-by-case basis in order to protect existing shallow domestic and stock water wells and springs.

Information on static water level collected over a number of years by the U.S. Geologic Survey and Ecology indicates the hydrologic break between the Wanapum and Grande Ronde aquifers typically occurs 200 feet below the geologic division between the Wanapum and Grande Ronde Formations.

The altitude of the Grande Ronde Basalt Member (from the USGS WRI Report 87-4238, Sheet Three) for a well in the NE1/4 of the SE1/4 of Section 17, T. 20 N., R. 31 E.W.M. is approximately 1100 feet above sea level (ASL). With a land surface elevation of 1425 feet ASL, this puts the top of the Grande Ronde at 325 feet below land surface. The casing call for a well at this site would be 525 feet of casing. To properly construct a well at this location, it would be required to case and seal to a minimum depth of 525 feet below ground surface to allow for production from the Grande Ronde aquifer. The annular space shall be a minimum of 4 inches greater than the permanent casing. After casing is sealed in place, the well may be completed by drilling out the casing until sufficient water is obtained.

Sealing shall be placed from the bottom of the well to the top until undiluted sealing material returns to the surface.

Adequate annular space also needs to be maintained for proper sealing of the well and for proper pump sizing. It is important to start out with and maintain a large enough well diameter to accommodate future reworking of wells.

An airline measuring device will be installed pursuant to WAC 173-130A-140. Additionally, WAC 173-160-291(3) and the water right certificate require the well to be equipped with an access port. The length of the airline needs to be reported to the Department of Ecology, Water Resources Program, Eastern Regional Office, N. 4601 Monroe Street, Spokane, WA, 99205-1295."

Mitigation (if applicable)

<Describe any requirement to mitigate adverse effects of the project. Mitigation may be proposed by the applicant or the board and be required in the board's decision>

Construction Schedule

Applicant has four (4) years to complete well from time of approval.

Other

<Provide any other pertinent information relative to provisions>

The information or conclusions in this section were authored and/or developed by Adams County Water Conservancy Board.

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.

Dennis Swinger, Board Representative
Adams Water Conservancy Board

09/26/2011
Date

Rudy Plager, Board Representative
Adams Water Conservancy Board

9/26/11
Date

Chris Lyle, Board Representative
Adams Water Conservancy Board

9/26/2011
Date

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).

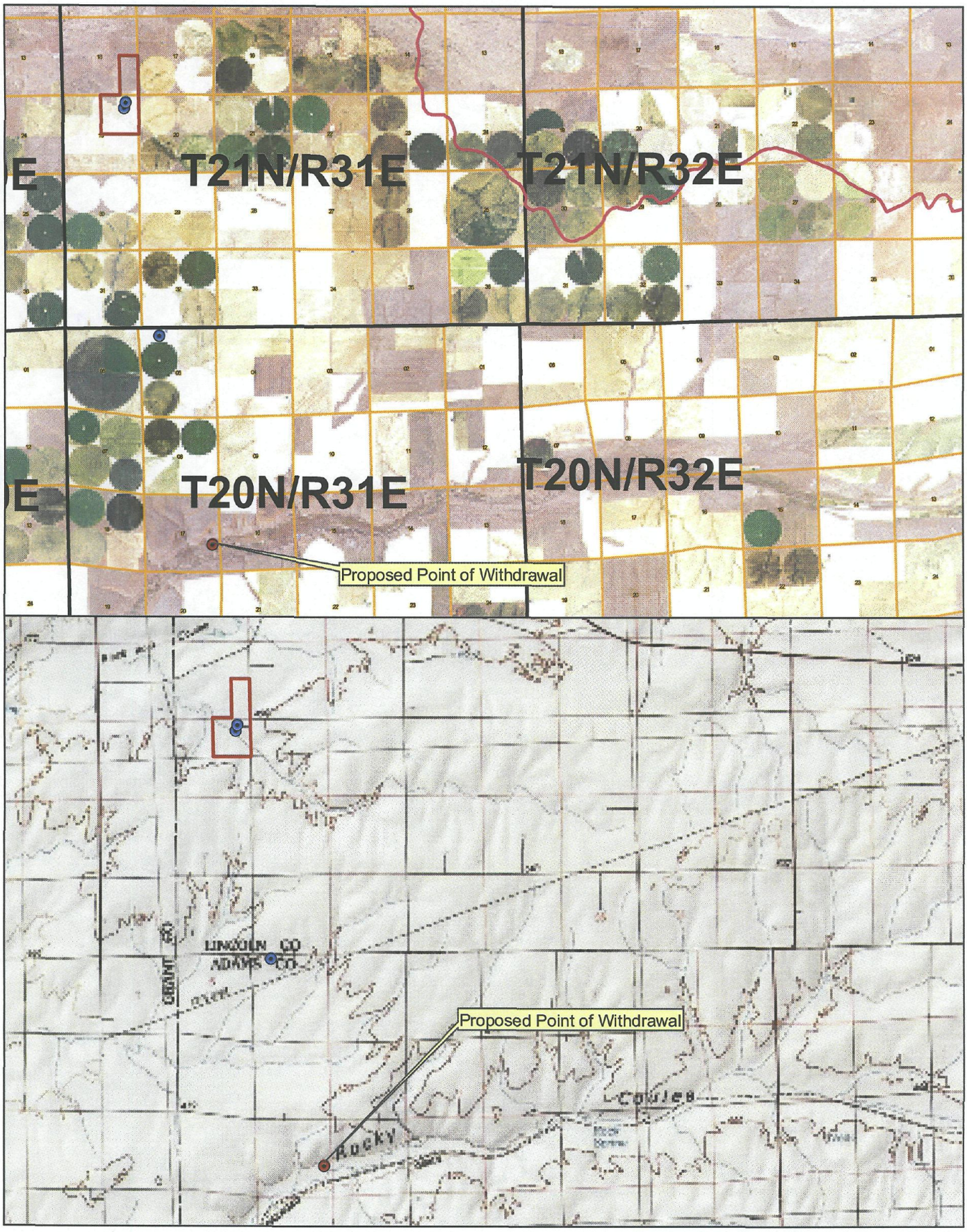
Ecology is an equal opportunity employer

DEPARTMENT OF ECOLOGY
State of Washington

1: 100,000 Scale

Troy Kissler
WRTS No. CG3-00300C@1
Cert No. g3-00300
T 21 N., R. 31 E.W.M.. T 20 N., R. 31 E.W.M.
WRIA 41 / Adams County

Map based on Application for a Change / Transfer of Water Right received 11/18/2010



0 5,280 10,560 21,120 Feet

- County
- WRIA
- Township / Range
- Section
- qtrqtr lines
- Major Roads
- Roads
- Existing Point of Withdrawal
- Proposed Point of Withdrawal
- Existing Place of Use
- Proposed Place of Use

Comments:

2009 Aerial Photo Mapped 5/6/2011

Protestant Questionnaire

(Please complete **both sides** of this form and return it to the Department of Ecology within fifteen (15) days)

RECEIVED
DEC 30 2010
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

Name: Jon + Sharon Fink
Address: 2308 moody Rd N Odessa, WA 99159-9760
Re: Water Right Change Application No's: G3-00300C & G3-23008C

A. Telephone number where you, or your representative, can be contacted during office hours (8 a.m.-5 p.m.)

509-982-0003 or 509-988-0321

B. Directions on how to find your residence:

Exit 196 off I-90, go N 3 miles, turn left on Rosenoff Rd, go 2 miles west, turn right on moody Rd, go 8 miles north to 2308 moody Rd N. Dome home on the west side of road

C. Do you have any state water rights or permits? Yes X No ____
If yes, give file numbers: G3-27952C

D. Legal description of the property you own that could be affected by the proposed project:

NE 1/4, SE 1/4 of SE 1/4 Sec 4 T20 R31

E. Location of the point of withdrawal or diversion you feel will be affected by the granting of this right.

(Example: A well located in the NW¼NW¼SW¼ of Section 28, Township 29 North., Range 33 E.W.M.)

same as above

F. Pertaining to your ground or surface water withdrawal:

1. Type of use:
   - X Domestic (includes ½ acre lawn & garden)
   - ___ Group domestic (2 or more units)
   - ___ Stock
   - X Irrigation 10 acres
2. Well information: Total depth 400
   Static water level 170
   Depth of pump setting 360

Pump horsepower 5 hp
Well driller D & F Drilling
Date well constructed may-Oct 1984

3. Maximum gallons per minute produced with existing pump: 30 gals/min

4. Pumping water level at maximum gallons per minute: _____

5. Are you aware of any changes in water levels?
   Yes_____ (If yes, include data with questionnaire)
   No X very little in 25 years

6. Is your well equipped with an access port or an airline?
   Yes X No _____
   If your well is equipped with an airline, what is the length of the airline? _____
   Is it operative? Yes _____ No _____

7. Do you take periodic measurements of your water source?
   Yes _____ No X
   (If yes, explain)
   but checked 4 years when pump was pulled

8. Maximum amount of water pumped per day: 43200 gals/day = 30gal/min-24 hrs

G. Have you ever filed a complaint before with the Department concerning water use?
   Yes _____ If yes, year filed _____
   No X not for this location

H. Additional comments you feel may help the Department of Ecology in evaluating your protest:
Simply, we are concerned for our water supply. To drill deeper in hopes of new water is quite expensive from the small irrigation user and domestic use stand point. For large irrigation, there is a budgeted pay back on drilling costs that doesn't exist on the smaller user level. We would not want to be forced to spend more money for our water supply for simply living on this farm.

RECEIPT

Department of Ecology (4610)
PO Box 47611
Olympia, WA 98504-7611
(360) 407-7095

Receipt Number **11CJ011554**
Manual Receipt

Document Number **461J2481 CJ** Date **12/28/2010** FM **18**

Remitter Name **FINKEROSA INC**
FINK, JON
FINK, SHARON

Receipt Name

Check/Draw Number **4650**
Document Amount **50.00**
Method of Payment **Check**
Comment Description **WATER RIGHT ERO** Protest to G3-00300 (Tony Kissler)

REF DOC NR	REF DOC SFX	INV NR	ID NR	SUB ID NR	T	C	R	FUND	MAJ GRP	MAG SRC	SUB SRC	CNTY	WORK CLS	PIC	AI	ORG	PRJ	SUB PRJ	PRJ PHS	SUB OBJ	SUB SUB OBJ	VAR GL	SUB DR	SUB CR	ALLOC AMT
					001		001		02	85	000011														50.00

RECEIVED
DEC 28 2010
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

December 22, 2010

Jon & Sharon Fink
2308 Moody Road N
Odessa, WA 99159-9760

Re: Water Right Change Application No's. G3-00300C & G3-23008C

Dear Mr. & Mrs. Fink:

We received your letter protesting the Applications for Change/Transfer of a water right by Troy Kissler.

Your protest will be considered before the Adams County Water Conservancy Board decision and Ecology's final decision on these applications. You will receive a copy of the reports of examination from the board and Ecology's subsequent decisions.

We have enclosed a Protestant Questionnaire to help you provide us additional information on your concerns. Please complete this form and return it to our office within 15 days from the date of this letter.

If you have any questions, please contact Herm Spangle at 509 329-3488.

Sincerely,

Karen Tusa

Karen Tusa
Water Resources Program
Eastern Regional Office

cc: Troy Kissler
Adams County Water Conservancy Board
Lincoln County Water Conservancy Board

Dept of Ecology
Eastern Regional Office
4601 N Monroe
Spokane, WA 99205-1295

RE: Notice of Application to Add a point of withdrawal under G3-00300 and G3-23008, Troy Kissler appliciant

December 12, 2010
Letter of protest

COPY

Dear Sirs:

We wish to protest this application for point of withdrawal. We are in close proximity from this proposed point of withdrawal and feel this could adversely affect our permitted irrigation and domestic water supply.

In 1971, when David Frick (application #8573, under permit #8006) was granted points of withdrawal, and the well was drilled and put into operation the domestic well at this location went dry. We redrilled the well in 1984, (**Sharon K Fink; certificate of water right No. G3-27952C**). This proposed point of withdrawal is in this same general area. We also are irrigated farmers with a nearby family farm in Lincoln County and understand trying to survive in an area of declining water supply.

The Odessa Subarea Special Study attests to the fact that water is precious. We can understand deepening wells and drilling in the same area, these wells are established and their effects are known. This new well will have no such establishment therefore prior wells could be put in danger of drawdowns. On page ES-7 of the Odessa Subarea Special Study states; "Groundwater decline in the Odessa Subarea has put the ability of farmers to irrigate their crops at risk. **Domestic**, commercial, municipal, and industrial users of groundwater are also affected. .... In the near term, the output from production wells in the Odessa Subarea will continue to steadily decrease. If no action is taken, it is estimated that, at the current rates of decline, about 70 percent of the production wells in the Odessa Subarea would cease production within 10 years." This is a serious statement. Production wells are much deeper than domestic wells and we would like to continue to draw water for our daily living.

It is our understanding this permit would allow previous dryland acres to become irrigated and water is basically being sold to a renter to raise irrigated crops on several different neighboring land owners. By allowing these acres to be irrigated, the new point of withdrawal is adding to the demise of the Odessa Aquifer. The restoration plans for the replacement of water in the Odessa aquifer are years away. Our concerns are for the here and now. We ask that you seriously consider if this is in the best interests of all the parties involved. We believe the new Odessa Subarea Special Study justifies our concerns and that granting new points of withdrawal do not fit in to reestablishing and protecting the aquifer that we rely on.

Sincerely,

Jon & Sharon Fink

Jon and Sharon Fink
2308 Moody Rd N
Odessa, WA 99159-9760
509-982-0003

RECEIVED
DEC 2 1 2010
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

Cc: Lincoln County Water Conservancy Board
Adams County Water Conservancy Board

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

November 22, 2010

Commissioners
Adams County Water Conservancy Board
c/o Adams County Conservation District
402 E Main Avenue
Ritzville, WA 99169

Dear Commissioners:

Re: Troy Kissler Applications for Change under Ground Water Certificate Nos. G3-00300 and G3-23008

In accordance with WAC 173-153-070, the Department of Ecology has received the above referenced applications for change and has noted your assigned numbers: ADAM-10-01 and ADAM-10-02. The Ecology WRTS number assigned to these applications are: CG3-00300C@1 and CG3-23008C@1.

The Board may now proceed with the processing of these applications under WAC 173-153.

I can be reached at 509-329-3585 if you have any questions.

Sincerely,

Karen Tusa

Karen Tusa
Processing Lead
Water Resources Program

KT:ka