



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

December 5, 2012

Avista Corporation
1411 East Mission
P.O. Box 3727 MSC-1
Spokane, Washington 99220

Re: Water Right No. G3-30632

Enclosed is your permit to be retained for your records. Please read the enclosed information sheet, as well as your entire permit.

This permit authorizes you to construct your project and put water to use.

We are enclosing a *Construction Notice* form. Once you begin construction, complete and submit the form to this office. **If you cannot begin your project by January 1, 2013, you must contact this office to apply for an extension.**

If you have any questions, please contact me at 509-329-3585.

Sincerely,

Karen Tusa
Water Resources Program
Eastern Regional Office

KT:md

W: Permits/Tusa-Davis/2012/Avista G3-30632 cvr letter 10-09-2012.doc

Enclosures: Permit

Construction Notice

Important Information About Your Water Right Permit

COPY



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

- Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)
- Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE December 20, 2010	APPLICATION NUMBER G3-30632	PERMIT NUMBER G3-30632	CERTIFICATE NUMBER
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NAME Avista Corporation			
ADDRESS (STREET) 1411 East Mission PO Box 3727 MSC-1	(CITY) Spokane	(STATE) WA	(ZIP CODE) 99220

The applicant is pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following public waters of the State of Washington, subject to existing rights and to the limitations and provisions set herein.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE 6 wells		
TRIBUTARY OF (IF SURFACE WATERS)		
MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 800	MAXIMUM ACRE FEET PER YEAR 566.1

QUANTITY, TYPE OF USE, PERIOD OF USE
800 gallons per minute, 566.1 acre feet per year, each year, for commercial and industrial use and fire protection, as needed.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL					
LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) SW ¹ / ₄ NE ¹ / ₄ & NW ¹ / ₄ SE ¹ / ₄	SECTION 14	TOWNSHIP N. 36	RANGE, (E. OR W.) W.M. 37 E.	W.R.I.A. 61	COUNTY Stevens

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

All that part of the NE¹/₄ of Section 14, Township 36 N., Range 37 E.W.M., in Stevens County, Washington, being further described as follows: Beginning at the East ¹/₄ corner of said Section 14, said point being marked with a 1-inch pipe; thence along the South line of the NE¹/₄ of said Section 14, S 87°47'49"W a distance of 402.32 feet to a point on the westerly right of way line of U.S. Highway No. 395, and the true Point of Beginning of the tract to be described: thence along the westerly right of way of said Highway No. 395 the following five courses and distances: N 34°21'43"W 1138.06 feet; N 45°40'19"W 101.98 feet; N 34°21'43"W 700.00 feet; N 17°39'46"W 104.40 feet; N 34°21'43"W 211.28 feet; thence S 55°38'17" W a distance of 206.31 feet to a point on the easterly right of way line of the Burlington Northern Railroad; thence along the easterly right of way line of said Railroad the following three courses and distances: S 13°33'30"W 564.00 feet; N 76°26'30"W 30.00 feet; S 13°33'30"W 906.16 feet; to the beginning of the tangent curve concave to the left of 2814.70 feet radius; thence continuing along said right of way line along said curve a distance of 396.16 feet to a point on the South line of the NE¹/₄ of said Section 14; thence N 87°57'49"E a distance of 1872.13 feet to the true Point of Beginning.

That part of the NW¹/₄ of the SE¹/₄ of Section 14, Township 36 N., Range 37 E.W.M., in Stevens County, Washington, lying East of the right of way for the Great Northern Railway Company.

The N¹/₂ of the NE¹/₄ of the SE¹/₄, the SW¹/₄ of the NE¹/₄ of the SE¹/₄ and the N¹/₂ of the SE¹/₄ of the NE¹/₄ of the SE¹/₄ of Section 14, Township 36 N., Range 37 E.W.M., in Stevens County, Washington, EXCEPT right of way for Primary State Highway No. 3, Meyers Falls to Kettle Falls bridge, conveyed to State of Washington, by deed recorded in Volume 104 of Deeds, page 538, and deed recorded under auditor's file No. 499697. EXCEPT that portion of the N¹/₂NE¹/₄SE¹/₄ lying North and East of Primary State Highway No. 3.

COPY

DESCRIPTION OF PROPOSED WORKS

Up to six wells

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: January 1, 2013	COMPLETE PROJECT BY THIS DATE: January 1, 2015	WATER PUT TO FULL USE BY THIS DATE: January 1, 2020
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PROVISIONS

Prior to the issuance of a permit, Avista shall file and record a deed transferring the Water rights identified for the mitigation to the State of Washington. A copy of the deed shall be submitted to the department after the deed is recorded with the Stevens County Auditor.

The continued discharge of water under the Water Quality Discharge Permit at the KFGS is required. In the event the waste water is no longer returned to the river, additional mitigation will be required.

The discharge of water from Waits Lake under Reservoir Certificate 538 shall continue and release of stored water annually to satisfy that portion of Surface Water Certificate No. 74 donated into trust and allow for continued operation for the remaining water users under Surface Water Certificate No. 74 should they continue to exercise their water rights. This provision does not have affect over the timing and release of stored water that may be subject to future water release and use agreements between lake owners, landowners and water users.

The total authorization under this right and Certificate 10372(B) shall not exceed 1040 gallons per minute, 766.1 acre-feet per year.

All wells constructed in the state shall meet the construction requirements of WAC 173-160 titled "Minimum Standards for the Construction and Maintenance of Wells" and RCW 18.104 titled "Water Well Construction". Any well which is unusable, abandoned, or whose use has been permanently discontinued, or which is in such disrepair that its continued use is impractical or is an environmental, safety or public health hazard shall be decommissioned.

All wells shall be tagged with a Department of Ecology unique well identification number. If you have an existing well and it does not have a tag, please contact the well-drilling coordinator at the regional Department of Ecology office issuing this decision. This tag shall remain attached to the well. If you are required to submit water measuring reports, reference this tag number.

Installation and maintenance of an access port as described in WAC 173-160- 291(3) is required.

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.

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.

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 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, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

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 5th day of December, 2012, at Spokane, Washington,

Department of Ecology

by 
Keith L. Stoffel, Section Manager

REVIEW DATA
OK 