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

February 6, 2013

COPY

Todd A. & Debra L. Sween
4432 North Frontage Road West
Ephrata, Washington 98823

Re: State - Artificially Stored Groundwater Permit No. QB-1575
Federal – Water Service Contract No. 2-07-16-W5008
WRIA 41 – Grant County – Quincy Groundwater Management Subarea

Dear Mr. & Mrs. Sween:

On December 19, 2012 our office received an Application for Change/Transfer under the above referenced permit to split the project into two; (A) 30 acres and (B) 10 acres. The intent is to transfer the (B) portion to 17-19-26. On January 2, 2013 Katherine Ryf of this office conducted an onsite examination of the existing and proposed places of use with Mr. Sween. Based on that visit the request is hereby **APPROVED**.

Enclosed are QB-1575(A) & (B) authorizing Artificially Stored Groundwater within the Quincy Groundwater Management Subarea. Pursuant to Chapter 43.21B.310 RCW these decisions are appealable actions. The appeal procedures are described in the Permits.

Chapter 173-134A-080(2)(h) WAC states that no permit shall authorize the withdrawal of waters for agricultural irrigation use for more acres than authorized by federal reclamation law. It is the water users' responsibility to work with Reclamation to comply with this rule.

Future correspondence concerning the above should refer to Artificially Stored Groundwater Permit No. QB-1575(A) & (B). Please direct all questions to:

Ecology: Katherine.Ryf@ecy.wa.gov; Spokane office 509-329-3586
Reclamation: Paula Chapel, MChapel@usbr.gov; Ephrata office 509-754-0225

In an effort to keep our records current, please notify our office of changes such as contact information (phone, address, etc.), property ownership, or variations in water use.

Sincerely,

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

KLS:KAR:md
Y:\ASGW-QB\QB Database\DATABASE-LINKED FOLDERS\QB-1575(A)\QB-1575(A)&(B) Sween permit cvr ltr 2-06-2013.doc
Enclosures: QB-1575(A) ASGW Permit & Exhibit A Map
QB-1575(B) ASGW Permit & Exhibit A Map

cc: Ms. Paula Chapel, U.S. Bureau of Reclamation, P.O. Box 815, Ephrata, WA 98823
RSS: Quincy Columbia Basin Irrigation District, P.O. Box 188, Quincy, WA 98848

DEPARTMENT OF
ECOLOGY
State of Washington

WATER RESOURCES PROGRAM
PERMIT TO USE
ARTIFICIALLY STORED GROUND WATER

Quincy Groundwater Management Subarea
Columbia Basin Project

Pursuant to Chapters 173-134A and 173-136 WAC

This water use permit is administered by the Department of Ecology (Ecology) and the U.S. Department of the Interior, Bureau of Reclamation (Reclamation) which authorizes the use of artificially stored ground water (ASGW) within the Quincy Groundwater Management Subarea (QGWMS), subject to Chapters 173-134A and 173-136 WAC, and to the specific parameters and provisions detailed below. This permit is not valid without obtaining and maintaining a federal Water Service Contract from Reclamation, which agreement requires compliance with certain provisions of federal law and the payment of an annual fee to Reclamation.

PRIORITY DATE	APPLICATION NO.	PERMIT NO.
April 29, 2009	QB-1575A	QB-1575(A)

This permit supersedes QB-1575 issued March 29, 2012
per a proof of appropriation to complete the development schedule.
and an Application for Change to split the project into an (A) & (B)
and to transfer 10 acres to 17-19-26.

PERMITTEE:

Todd A. & Debra L. Sween
4432 North Frontage Road West
Ephrata, Washington 98823

ARTIFICIALLY STORED GROUND WATER TO BE USED:

300 gallons per minute, 105 acre-feet per year, from March 1st to October 31st, each year, for the agricultural irrigation of 30 acres.

SOURCE:

Two wells to be no deeper than 200 feet into the basalt and shall not penetrate the top of the Grand Ronde Basalt unit. If water availability problems are encountered, contact Ecology to discuss options prior to reconstructing, deepening or redrilling said wells to a depth greater than 200 feet into the basalt as set forth in Chapter173-134A-080(2)(d) Washington Administrative Code. It is the water users responsibility to confirm the wells do not exceed this depth restriction.

In the event that you encounter water availability concerns you must submit a formal Well Depth Exemption request to Ecology.

NOTE: Ecology records do not reflect Water Well Reports were submitted for the above wells.

DESCRIPTION OF PROPOSED WORK:

Drilled wells, irrigation and water distribution system.

DEVELOPMENT SCHEDULE:

Completed; application of the water has been put to beneficial use.
If you do not maintain full water use as authorized the permit could be subject to reduction or cancellation due to non-use.

Failure of the Permitee to obtain and retain a License/Contract Agreement with Reclamation shall not be considered a delay in maintaining complete development of this water permit.

COMMINGLING WATER USE:

Ecology, Reclamation and the Columbia Basin Irrigation District administer an array of Water Service Contracts, Farm Unit (FU) Allotments, Artificially Stored Groundwater Permits and State Water Rights, including those for agricultural irrigation, municipal, industrial, and miscellaneous uses within the area of the proposed place of use, as depicted in the Exhibit A map. Washington water law does not allow for the stacking of water rights or water use authorizations. Any and all water use(s) at the proposed site locations will be evaluated by Ecology; if stacking of water occurs, the delivery of project water or the taking of water under this permit will need to be forfeited.

LOCATION OF WITHDRAWAL:

APPROXIMATE LOCATION OF WITHDRAWAL - GPS LOCATION:					
N 47.11918° W -119.58660°; Ecology Unique Well Id Tag No. BCE-122 N 47.12038° W 119.58424°; Ecology Unique Well Id Tag No. BCE-119					
LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE (E.W.M.)	W.R.I.A.	COUNTY
SW¼SE¼	20	19	26 E.	41	Grant

LEGAL DESCRIPTION OF PROPERTY WATER IS TO BE USED ON:

Grant County Parcel Nos. 160393000 & 160393001

SW¼SE¼ of Sec. 20, T. 19 N., R. 26 E.W.M., Grant County, Washington as depicted in the Exhibit A map.

PROVISIONS:

This permit is subject to the water management regulations of Chapter 173-134A WAC which includes, but is not limited to the following:

1. The authorization to use artificially stored ground water in the Quincy Ground Water Sub-area is subject to regulation for the purpose of (a) protecting all rights to the use of public waters; (b) protecting the right of the Bureau of Reclamation; (c) protect the usability of ground-water withdrawal facilities of the Bureau of Reclamation, U.S. Department of the Interior, which facilities are used to convey water to Potholes Reservoir; (d) to prohibit interference in any manner with the furnishing of adequate supplies of both surface and ground water for satisfying present and future needs of the Columbia Basin Project from the Potholes Reservoir facility of the Bureau of Reclamation, U.S. Department of the Interior; and (e) to protect to the maximum extent possible, consistent with rights and interest in the ground waters of the Quincy Ground Water Sub-area, wildlife, recreation, and other values associated with the general public interest in the groundwater in the sub-area.

2. Failure of the permittee to comply with terms of an executed agreement with the Bureau of Reclamation, U.S. Department of Interior, which agreement is a requirement of this permit, shall constitute grounds to suspend or terminate this permit.

3. The installation of an access port for measuring the depth to water or a pressure gage to measure the shut-in pressure of flowing wells shall be required on the completed well or wells. The permittee may, for his own convenience, wish to install an airline and gage in addition to the access port.

4. All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under chapter 18.104 RCW and chapter 173-160 WAC.

5. In times of shortage of water available to satisfy all ground-water withdrawals authorized under WAC 173-134A-080(2), the Department of Ecology shall reduce withdrawals in order of the Quincy Basin priority number assigned on the face of this permit, with the highest priority number being regulated against first. (WAC 173-134A-080(2)).

6. This permit does not establish or embody rights to ground water as provided by RCW 90.44.050 and RCW 90.44.060.

7. This permit authorizes a water duty of not more than 3.5 acre-feet per calendar year for each acre of land authorized to be irrigated. After development has been completed and permittee has identified his annual usage and the total number of acres actually irrigated to the satisfaction of the Department of Ecology, permittee is not precluded in future years from beneficial use of his total annual allocation on a lesser number of acres if necessary to satisfy the water requirement of a particular crop.

8. By accepting this permit, the permittee consents to provide for inspection, monitoring, entry, and reporting of data by or to the Department of Ecology and the Bureau of Reclamation, U.S. Department of the Interior.

9. This permit is subject to termination or modification, through issuance of supplement orders of the Department of Ecology, for good cause, including but not limited to:
   a. Violation of a permit condition;
   b. Obtaining a permit by misrepresentation or failure to fully disclose all relevant facts; and
   c. The receipt of new facts or information that dictate that termination or modification of this permit is necessary to comply with the objectives of chapter 173-134A-WAC.

10. The permit only authorizes water to be used for the purposes stated on the lands described above. This permit may be amended to allow for a change in place of use if it can be proven that the original land description was erroneous. This permit is also subject to amendment as to place of use or purpose of use if development and irrigation pursuant to the authority granted hereby has taken place. No amendment can be made without application to and approval of the Department of Ecology.

11. The well(s) shall be completed within the shallow management unit and is restricted to be drilled no deeper than 200 feet into the Quincy Basalt Zone. The depth of the well(s) in any event shall not penetrate the top of the Grand Ronde Basalt unit. (WAC 173-134A-080(2)(d)).

12. The Landowner assumes responsibility, during the life of this Permit, for disposal of irrigation runoff in connection with irrigating farming of the described land so as not to damage Project facilities or other properties. Failure of the Landowner to properly dispose of irrigation runoff may result in Permit termination, after the District or United States giving reasonable notice and opportunity to comply therewith. The Landowner shall be liable for any and all damage to the property of the United States, or of any third parties, by reason of the exercise of the privileges conferred by this Permit.

13. In the event that a Water Service Contract (WSC) or other agreement is obtained for this project from either Reclamation or one of the Columbia Basin Irrigation Districts this water permit may be subject to cancellation.

14. This permit states that water has been put to beneficial use. If the permittee does not maintain full water use as authorized the permit could be subject to reduction or cancellation due to non-use.

APPEAL PROCEEDURES:

Pursuant to Chapter 43.21B.310 RCW this water use permit decision is an appealable action.

YOUR RIGHT TO APPEAL

You have a right to appeal this permit to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do all of the following within 30 days of the date of receipt of this permit decision:

- File your appeal and a copy of this permit decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

- Serve a copy of your appeal and this permit decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW, Ste. 301 Tumwater, WA 98501	**Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

Signed at Spokane, Washington, on February 6, 2013.

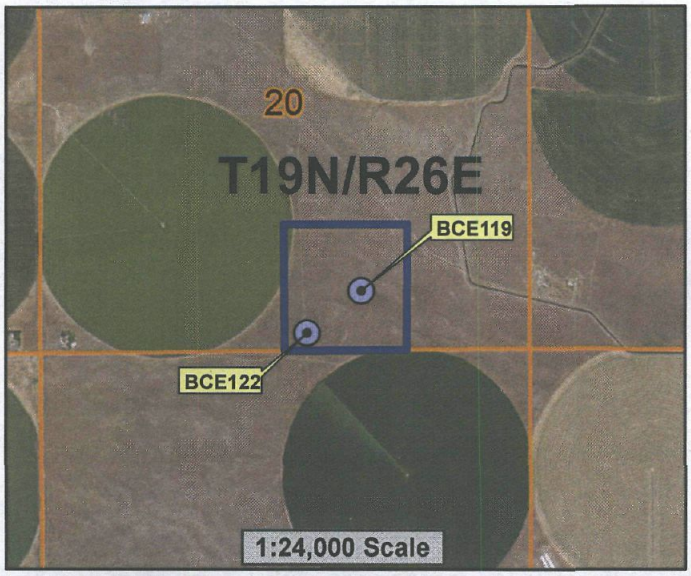
Department of Ecology,
Eastern Regional Office

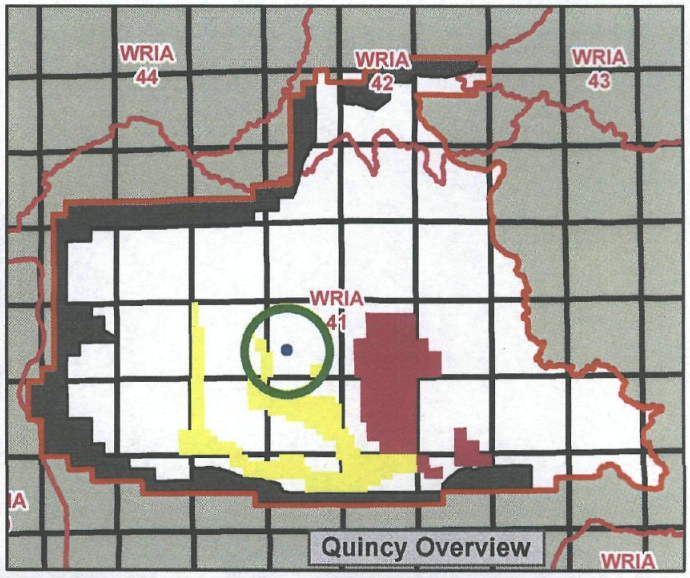
Keith L. Stoffel
Section Manager

DATA REVIEW
BY KB

KLS:KAR:md
Y:\ASGW-QB\QB Database\DATABASE-LINKED FOLDERS\QB-1575(A)\QB-1575(A) Sween permit 2-06-2013.doc

Exhibit A





0 560 1,120 1,680 2,240 Feet

Todd & Debra Sween / QB-1575(A)
T19NR26E, GRANT COUNTY WA, WRIA 41

Point of Withdrawal	Township	Quincy Buffer Zone
Place of Use	Section	Quincy Grey Area
	WRIA	Potholes Reservoir & Storage Area
		Quincy Basin Groundwater Management Subarea

Map based on Quincy Basin Permit 2/6/2013

2011 Aerial Photo

DEPARTMENT OF ECOLOGY State of Washington