



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 4, 2013

Whitworth Water District #2
10828 N. Waikiki
Spokane, WA 99218

Dear Ms. McGeorge:

Re: Application for Change/Transfer under Ground Water Certificate 6276-A (SPOK-12-4)

On January 30, 2013, our office received from the Spokane County Water Conservancy Board a Record of Decision for the above referenced application for change/transfer. In accordance with RCW 90.80.080 the Department of Ecology has reviewed the Record of Decision and Report of Examination and has considered all comments, protests, objections, and other relevant information.

The Department has modified the decision of the Board and the proposed change/transfer of water right is approved under the following conditions:

Summary of Ecology's Final Order

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR		TYPE OF USE, PERIOD OF USE			
	500	67.5		Continuous Municipal Supply			
SOURCE				TRIBUTARY OF (IF SURFACE WATER)			
One (1) Well							
AT A POINT LOCATED:	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY
Well #3C	SW¼	NW¼	8	26 N.	43 E.	55	Spokane
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
The place of use (POU) of this water right is the service area described in the most recent Water System Plan approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.							

On page 2 of the Report of Examination under the heading "**BACKGROUND**" the third sentence of the first paragraph reads; "The application proposes to add/change the point of withdrawal from the Anna J well located 1300 feet south and 300 feet west of the center of Sec. 12, T. 26 N., R.42 E.W.M. to the SW¼NW¼ of Sec. 8, T. 26 N., R. 43 E.W.M." **Ecology modifies the sentence to read: The application proposes to change the point of withdrawal from the Anna J well located 1300 feet south and 300 feet west of the center of Sec. 12, T. 26 N., R.42 E.W.M. to the**



SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T. 26 N., R. 43 E.W.M. The application requested to change the point of withdrawal only.

On page 2 of the Report of Examination under the heading "**BACKGROUND**" and sub-heading "***Attributes of the water right as currently documented***" list the "**Point of diversion/withdrawal**" as located in the "1300 feet South and 300 feet West of the center of Sec. 12, T. 26 N., R.42 E.W.M. Parcel # 26123.1206 Well Tag # AHC-769." **Ecology modifies this legal to read; Lot 4, Block 1 of Amended Plat of June's Addition in Section 12, T. 26 N., R. 42 E.W.M., Well Tag # AHC-769.**

On page 2 of the Report of Examination under the heading "**BACKGROUND**" and sub-heading "***Attributes of the water right as currently documented***" list the "**Place of use**" as "Area served by the Whitworth Water District No. 2". **Ecology modifies this place of use to read; Community of Kingswood and adjoining areas, served by the Washington Water Power Company, in T. 26 N., R. 42 E.W.M.**

On page 3 of the Report of Examination under the heading "**INVESTIGATION**" the second sentence of the second paragraph reads; "The application proposes to add/change the point of withdrawal to an existing Whitworth Water District well to the east in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T. 26 N., R. 43 E.W.M." **Ecology modifies this sentence to read; The application proposes to change the point of withdrawal to an existing Whitworth Water District well to the east in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T. 26 N., R. 43 E.W.M.**

On page 3 of the Report of Examination under the heading "**INVESTIGATION**" the first sentence of the third paragraph reads; "In 2005 Whitworth Water Dist. #2 made application to DOE for a change/transfer of Water Certificate # 3658-A." **Ecology modifies this sentence to read; On April 5, 2005, Whitworth Water Dist. #2 made application to Department of Ecology for a change/transfer of Ground Water Certificate # 6276-A.**

On page 3 and continued on page 4 of the Report of Examination under the heading "**Tentative Determination**" starting at the eighth sentence of the first paragraph reads; "The current water right under 6276-A is a municipal purpose right and not subject to relinquishment. Even if the current water right was subject to relinquishment, Whitworth Water District has used current water right continuously since acquiring the water right and well in 1969, only two years after the 1967 effective date of the relinquishment statute. The water under 6276-A is currently being used under existing authorized points of withdrawals and thus the right is in good standing." **Ecology modifies the section of the paragraph to read; The current water right under 6276-A is for community domestic supply. The current water right is subject to relinquishment for non-use, however, Whitworth Water District has used the entire water right continuously since acquiring the small water system and well in 1969.**

On page 4 of the Report of Examination under the heading "**Geologic, Hydrogeologic, or other scientific investigations**" the third paragraph reads; "It appears that the Anna J well is screened in the Little Spokane River Acquifer (LSRA) and Well 3c is screened in the

Spokane Valley Rathdrum Prairie Aquifer (SVRPA). In the vicinity of the two wells, a figure in the Spokane Valley-Rathdrum Prairie Aquifer Atlas (page 14) indicates that the Little Spokane is a gaining reach, being supplied water from the SVRPA. That would indicate that the two wells are in hydraulic communication which in turn, would indicate that these two wells draw water from the same body of water.” **Ecology modifies this sentence to read; Both the Anna J well in Section 12 and the #3C well in Section 8 are completed in the Spokane Valley Rathdrum Prairie aquifer. As such they are completed in the same body of public groundwater.**

On page 4 of the Report of Examination under the heading “Relinquishment or abandonment concerns” the first paragraph reads: “Groundwater Certificate 6276-A purpose is continuous municipal supply and is not subject to relinquishment. Further, this certificated water right has been use continuously for municipal supply since 1969.” **Ecology modifies this paragraph to read: Ground Water Certificate 6276-A was issued for community domestic supply and therefore subject to relinquishment for non-use. Ground Water Certificate 6276-A has continually been used to serve the Community of Kingswood and adjoining areas since Whitworth Water District #2 took over the small water system in 1969 and has continued to deliver water for domestic use.**

On page 4 of the Report of Examination under “DECISION” the first paragraph reads: “Ground Water Certificate 6276-A is valid and approved for the transfer of 500 gallons per minute, 67.5 acre feet per year to the Whitworth Water District #2 for continuous municipal supply. **Ecology modifies this paragraph to read: Ground Water Certificate 6276-A is valid and approved for the transfer of 500 gallons per minute, 67.5 acre-feet per year for Continuous Municipal Supply, change the point of withdrawal to Well #3C (Mayfair) located in the SW¼NW¼ of Section 8, T. 26 N., R. 43 E.W.M. and change the place of use to the area served by Whitworth Water District #2.**

On page 4 and continued on page 5 of the Report of Examination under the heading “Conditions and limitations” paragraph twelve reads: “A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of the completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained. **Ecology deletes this paragraph because the well has already been completed and the well log is on file with the Department of Ecology.**

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. 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 the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document 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 document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

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

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 Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

*For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov> . To find laws and agency rules visit the Washington State
Legislature Website: <http://www1.leg.wa.gov/CodeReviser> .*

DATED this 4th day of April, 2013 at Spokane, Washington.



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

KS:HS:ka

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10828 N. WAIKIKI
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