



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

July 18, 2013

City of Othello  
500 E. Main Street  
Othello, WA 99344

Dear Sir:

Re: Application for Change/Transfer under Ground Water Certificate G3-25933P (ADAM-12-04)

On March 29, 2013 our office received from the Adams 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 <b>2000</b>	MAXIMUM ACRE-FT/YR <b>3000</b>	TYPE OF USE, PERIOD OF USE <b>Continuous Municipal Supply</b>				
SOURCE <b>Nine (9) Wells</b>			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED:	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
Well #2	-	NW¼	3	15 N	29E	36	Adams
Well #3	SE¼	SE¼	34	16 N	29 E	36	Adams
Well #4	NE¼	SE¼	3	15 N	29 E	36	Adams
Well #5	SE¼	SW¼	3	15 N	29 E	36	Adams
Well #6	NE¼	NE¼	4	15 N	29 E	36	Adams
Well #7	SE¼	SE¼	9	15 N	29 E	36	Adams
Well #8	SW¼	SW¼	26	16 N	29 E	36	Adams
Well #9	SE¼	SW¼	36	16 N	29 E	36	Adams
Well #10	-	NW¼	27	16 N	29 E	36	Adams
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
<p>The place of use (POU) of this water right is the City of Othello's 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.</p>							



On page 3 of the Report of Examination under the heading "**DEVELOPMENT SCHEDULE**" the "**BEGIN PROJECT BY THIS DATE**" reads: "At least 75 days after Board's ROD issuance". **Ecology modifies this to read; November 1, 2014.** The "**COMPLETE PROJECT BY THIS DATE**" is blank. **Ecology modifies this to read; November 1, 2016.** The "**COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE**" is blank. **Ecology modifies this to read; November 1, 2020.**

On page 5 of the Report of Examination under the heading "**Geologic, Hydrogeologic, or other scientific investigations**" condition (b) of the first paragraph reads, "where a replacement well or wells is approved, the use of the original well or wells shall be discontinued and the original well or wells shall be properly decommissioned as required under chapter 17.104 RCW;" **Ecology modifies this sentence to read; where a replacement well or wells is approved, the use of the original well or wells shall be discontinued and the original well or wells shall be properly decommissioned as required under Chapter 18.104 RCW.**

On page 5 of the Report of Examination under the heading "**CONCLUSIONS**" and sub-heading "**Hydraulic analysis**" the sentence reads, "No hydraulic analysis was performed for the proposed change of point of withdrawal." **Ecology modifies this sentence to read; The Board requested technical assistance from Ecology and received an e-mail from John Covert on 1/10/2013. The e-mail, which is part of the file, provided casing requirements for the new proposed well # 9.**

On page 7 of the Report of Examination under the heading "**PROVISIONS**" the following provisions shall be included:

- 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.
- 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.
- The water source and/or water transmission facilities are not wholly located upon the land owned by the applicant. Issuance of a permit by this Department for appropriation of the waters in question does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtainment of such right is a private matter between applicant and owner of that land.
- 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.

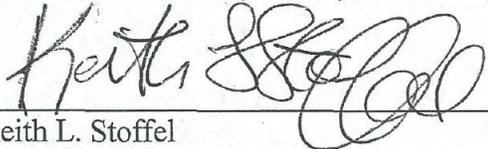
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

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 18th day of July, 2013 at Spokane, Washington.

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

KS:HS:ka  
 Enclosure: Your Right to Be Heard

By Certified Mail 7011 3500 0001 8626 3542

cc: Adams County Water Conservancy Board

- Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.
- 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 rule 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 Device 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.
- A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of 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.

On page 7 of the Report of Examination under "**Construction Schedule**" reads;

Well drilling:	August – November 2013
Well equipping design/const.:	December 2013-November 2014
Beneficial use:	November 2014

**Ecology modifies the construction dates as follows: Begin Construction by November 1, 2014; Complete Construction by November 1, 2016; Put water to full beneficial use by November 1, 2020.**

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.