

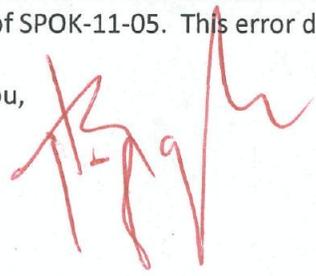
Spangle, Herm (ECY)

From: Spangle, Herm (ECY)
Sent: Thursday, October 10, 2013 2:49 PM
To: Doug Rider
Cc: 'Dick Price'; Tusa, Karen M. (ECY)
Subject: Stevens County PUD No. 1 Change to Certificate G3-26151C

Thank you for bringing our attention to the typo error on Ecology's modification of the Board's decision on Certificate G3-26151C. We have made the necessary change in our data base. The typo had to do with the Conservancy Board's number on our modification letter dated September 25, 2013. The correct number should have been SPOK-11-06 instead of SPOK-11-05. This error does not change Ecology decision on Certificate G3-26151C.

Thank you,

Herman

A handwritten signature in red ink, appearing to be 'Herman', is written over the typed name. The signature is stylized and cursive.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

September 25, 2013

Stevens County PUD No. 1
P.O. Box 592
Loon Lake, WA 99148-0592

Dear Mr. Price:

Re: Application for Change/Transfer under Ground Water Certificate G3-26151C (SPOK-11-05)

On July 29, 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.

Handwritten red notes:
06
7.29.13
[Signature]

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				
	125	59.4	Continuous Municipal Supply				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
Three (3) Wells							
AT A POINT LOCATED:	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
Well S05	SW¼	NW¼	35	29 N.	43 E.	55	Spokane
Well S02	SW¼	SW¼	35	29 N.	43 E.	55	Spokane
Well S06	SE¼SW¼	SW¼	35	29 N.	43 E.	55	Spokane
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
Area served by Stevens County Public Utility District No. 1. The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program 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 "Board's Decision on the Application" and sub-heading "AT A POINT LOCATED" lists four (4) wells. Ecology modifies this to list three (3) wells by deleting SO4 located in the SW¼NW¼ of Section 35, T. 29 N., R. 43 E.W.M. This Application for Change/Transfer together with exhibits had conflicting



information. Exhibit "B" listed SO4 as located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T. 29 N., R. 43 E.W.M., however on page 3 of the application for change/transfer SO4 was to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T. 29 N., R. 43 E.W.M. The public notice listed Well SO2 to be changed to SO5 and SO4 to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T. 29 N., R. 43 E.W.M.

On page 2 of the Report of Examination under the heading "Board's Decision on the Application" and sub-heading "LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD" reads; "Area served by Stevens County PUD Number 1 as outlined in the approved water system plan." Ecology modifies this to read; **Area served by Stevens County Public Utility District No. 1. The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program 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 3 of the Report of Examination under the heading "COMMENTS AND PROTESTS" the last sentence of the first paragraph reads; "The single republishing was reviewed with Ecology and found to be satisfactory" Ecology modifies the sentence by deleting it. **The original publication errors were not substantial enough to warrant republication. Additionally, a single publication would not meet the requirements under RCW 90.03.280.**

On page 5 of the Report of Examination under the heading "Tentative Determination" the second sentence of the first paragraph reads; "The existing purpose of use for is continuous domestic supply and not subject to relinquishment to non-use." Ecology modifies this sentence to read; **The existing purpose of use is continuous domestic supply.**

On page 5 of the Report of Examination under the heading "Relinquishment or Abandonment concerns" the sentence reads; "Groundwater Certificate G3-26151C is an inchoate certificate in good standing and not subject to relinquishment." Ecology deletes this sentence because the **water right is for continuous community domestic supply and is subject to relinquishment.**

On page 5 of the Report of Examination under the heading "DECISION" the sentence reads: "The Board approves the change to add up to 2 points of withdrawal for a total of 4 wells and to change the purpose to continuous municipal supply." Ecology modifies this sentence to read; **The Board approves the change/transfer to change the point of withdrawal of well #2 located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T. 28 N., R. 43 E.W.M. to SO5 located in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 29 N., R. 43 E.W.M. The change/transfer is also approved to change the purpose of use to continuous municipal supply.**

On page 5 of the Report of Examination under the heading "PROVISIONS" the fourth provision shall be changed to read; **The total withdrawal from the three (3) authorized wells shall not exceed 380 gallons per minute, 204.4 acre-feet per year, for continuous municipal supply under Ground Water Permit Nos. G3-28260P, G3-26151C and G3-21375C.**

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:

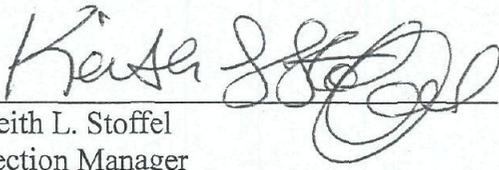
- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

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://www.l.leg.wa.gov/CodeReviser>

DATED this 25th day of September, 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 8621 8108

cc: Spokane County Water Conservancy Board