

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

**PERMIT**  
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

<b>PRIORITY DATE</b> August 22, 2013	<b>PERMIT NUMBER</b> S3-30696
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<b>MAILING ADDRESS</b> Gary Cotter 11 Dry Dock Court Kettle Falls, WA 99141	<b>SITE ADDRESS (IF DIFFERENT)</b>
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**Quantity Authorized for Diversion**

<b>DIVERSION RATE</b> 0.02	<b>UNITS</b> CFS	<b>ANNUAL QUANTITY (AF/YR)</b> 0.5
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**Purpose**

PURPOSE	DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Single domestic supply including up to 1/2 acre of lawn irrigation	0.02		CFS	0.5		01/01 - 12/31

**Source Location**

<b>COUNTY</b> FERRY	<b>WATERBODY</b> MINK CREEK	<b>TRIBUTARY TO</b>	<b>WATER RESOURCE INVENTORY AREA</b> 58-MIDDLE LAKE ROOSEVELT
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<b>SOURCE FACILITY/DEVICE</b> MINK CREEK	<b>PARCEL</b> 73520500032000	<b>TWP</b> 35 N.	<b>RNG</b> 37 E.	<b>SEC</b> 20	<b>QQ Q</b> NW1/4NE1/4	<b>LATITUDE</b> 48.5225788	<b>LONGITUDE</b> 118.1869024
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Datum: NAD83/WGS84

PERMIT

**Place of Use**

PARCELS (NOT LISTED FOR SERVICE AREAS)

73520500016000

**LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE**

Lot 16 of Martin Creek Tree Farm as per Plat volume 2 page 25 records of Ferry County and a parcel of land in Govt. Lot 3, Section 20, T. 35 N., R. 37 E.W.M. described as follows:

Beginning at a point on the North and South center line of Section 20, Township 35 North, Range 37 E.W.M., 980 feet South of the Northwest corner of the NE¼ of said Section; thence at right angles, easterly on a straight line to the intersection of said line with the West boundary of property owned by the United States adjacent to the Columbia River, said point of intersection being the NW¼ of the NE¼ (part of Lot 3) Section 20; thence in a southwesterly direction at various angles along the West boundary of said property owned by the United State to the point of intersection of said government property line with the North and South center line of said Section 20; thence northerly along said centerline to the place of beginning.

**Proposed Works**

Small diversion dam and gravity feed pipe to property

**Development Schedule**

BEGIN PROJECT

February 1, 2015

COMPLETE PROJECT

February 1, 2017

PUT WATER TO FULL USE

February 1, 2019

**Measurement of Water Use**

How often must water use be measured?	Annually
How often must water use data be reported to Ecology?	Upon Request by Ecology
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal (cfs)

**Provisions**

**Measurements, Monitoring, Metering and Reporting**

An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.

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.

At no time shall the diversion exceed ½ the flow of the creek. If the creek is less than 10 gallons per minute, this authorization is limited to in-house domestic supply only. The system design must include a shutoff. Water is not allowed to be diverted continuously when not in use. The applicant may want to evaluate the possibility of installing a storage tank to be used for a settling tank prior to piping to the house.

If this right is used on Lot 16 of the Plat of Martin Creek it shall be alternate/non-additive to the rights of the Martin Creek Community Association. If this right is developed on the small triangle piece of property, it is outside of the proposed service of the Martin Creek Community Association and will be a primary right.

**Department of Fish and Wildlife Requirement(s)**

The intake(s) shall be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria. <http://wdfw.wa.gov/about/contact/>

**Easement and Right-of-Way**

The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right authorization by this department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

**Water Use Efficiency**

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.

**Proof of Appropriation**

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, contracting with a Certified Water Rights Examiner (CWRE), the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

**Schedule and Inspections**

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.

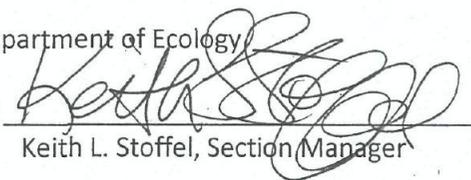
This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Dated this 18<sup>th</sup> day of February, 2014, at Spokane, Washington,

DATA REVIEW  
OK KT

KLS/KT:md

W: Permits/Tusa/2014/Cotter S3-30696 permit 2-18-2014.doc

Department of Ecology  
by   
Keith L. Stoffel, Section Manager