WASHINGTON STATE DEPARTMENT OF ECOLOGY

GRANT COUNTY
WATER CONSERVANCY BOARD
Application for Change/Transfer

For Ecology Use Only
Received:
Date Stamp

Record of Decision

Applicant: Isaak Land Inc. Application Number: 2802-A

This record of decision was made by a majority of the Board at an open public meeting of the Grant County Water Conservancy Board held on January 23, 2014. The undersigned board commissioners certify that they each understand the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that each commissioner, having reviewed the report of examination, knows and understands the content of the report.

X Approval: The Grant County Water Conservancy Board hereby **grants** conditional approval for the water right transfer described and conditioned within the report of examination on January 23, 2014 and submits this record of decision and report of examination to the Department of Ecology for final review.

☐ **Denial:** The Grant County Water Conservancy Board hereby **denies** conditional approval for the water right transfer as described within the report of examination on January 23, 2014 and submits this record of decision to the Department of Ecology for final review.

Signed:

W. Ron Baker, Chair
Grant County Water Conservancy Board
Date: January 23, 2014
Approve ☒
Deny ☐
Abstain ☐
Recuse ☐
Other ☐

David Stevens, Commissioner
Grant County Water Conservancy Board
Date: January 23, 2014
Approve ☒
Deny ☐
Abstain ☐
Recuse ☐
Other ☐

Kenneth Enns, Commissioner
Grant County Water Conservancy Board
Date: January 23, 2014
Approve ☒
Deny ☐
Abstain ☐
Recuse ☐
Other ☐

, Alternate Commissioner
Grant County Water Conservancy Board
Date: January 23, 2014
Approve ☐
Deny ☐
Abstain ☐
Recuse ☐
Other ☐
Approve ☐

Mailed with all related documents to the Dept of Ecology Eastern Regional Office, and other interested parties on _____.

If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).

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WASHINGTON STATE DEPARTMENT OF ECOLOGY

GRANT COUNTY
WATER CONSERVANCY BOARD
Application for Change/Transfer
OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF THE STATE OF WASHINGTON

Report of Examination

Reviewed by GCWCB Members
Prepared by Thomas R. Buchholtz PE

RECEIVED
JAN 24 2014
Department of Ecology
Eastern Regional Office

☐ Surface Water Ground Water X

DATE APPLICATION RECEIVED	WATER RIGHT DOCUMENT NUMBER (i.e., claim, permit, certificate, etc.)	WATER RIGHT PRIORITY DATE	BOARD-ASSIGNED CHANGE APPLICATION NUMBER
October 24, 2013	2802-A	May 20, 1957	GRAN-13-09

NAME
Isaak Land Inc.

ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
PO Box 953	Coulee City	WA	99115

Changes Proposed: ☐ Change purpose ☐ Add purpose Add irrigated acres Change point of diversion/withdrawal
X Add point of diversion/withdrawal X Change place of use ☐ Other (Temporary, Trust, Interties, etc.)_____

SEPA
The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: X Exempt Not exempt

BACKGROUND AND DECISION SUMMARY

Existing Right (Tentative Determination)

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
	325	190	Irrigation – March 1 – November 30 Domestic - Continuous

SOURCE	TRIBUTARY OF (IF SURFACE WATER)
Groundwater – Wanapum/Grande Ronde Aquifer System - Eight Wells	

AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
See "Existing Points of Withdrawal" Attachment							

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED
See Existing Place of Use Attachment

PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,

Proposed Use

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
	325	190	Irrigation – March 1 – November 30 Domestic - Continuous

SOURCE	TRIBUTARY OF (IF SURFACE WATER)
Groundwater – Wanapum/Grande Ronde Aquifer from Nine Wells	

AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY
See "Proposed Points of Withdrawal" Attachment							

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED
See Proposed Place of Use Attachment

PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,

Boards Decision

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE		MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
	325		190	Irrigation – March 1 – November 30 Domestic - Continuous

SOURCE	TRIBUTARY OF (IF SURFACE WATER)
Groundwater – Wanapum/Grande Ronde Aquifers Nine Wells	

AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY
See "Proposed Points of Withdrawal" Attachment							

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED
See Proposed Place of Use Attachment

PARCEL NO.	¼		¼	SECTION	TOWNSHIP N.	RANGE.

DESCRIPTION OF PROPOSED WORKS

Isaak Land plans to irrigate 51.8 acres lying within SE1/4 SW1/4 and the S1/2 NE1/4 SW1/4, Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; lying within parcel number 171554000 and 24.2 acres lying within the S1/2 Section 17, Township 25 North, Range 30 East, WM, Grant County, Washington; lying within parcel numbers 181827000, 181827001 and 181827010. All lying within WRIA 42. The acres that will be irrigated in Section 26 will utilize waters from the existing five wells and pump systems. This acreage will be irrigated as part of a larger integrated system. A portion of an existing part circle will be utilized to irrigate the 51.8 acres. The acres that will be irrigated in Section 17 will utilize waters from four existing wells and pump systems. This acreage will be irrigated as part of a larger integrated system. This acreage will be irrigated utilizing center pivots that will be installed or expanded in the future. The required pipelines will be installed as needed.

The applicant is not expanding the currently authorized Qi and Qa. The added point of withdrawal (well) will service the existing and additional places of use without any changes to the total amount of water withdrawn.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE:
January 1, 2015	January 1, 2017	January 1, 2018

REPORT

BACKGROUND [See WAC 173-153-130(6)(a)

On October 24, 2013, Isaak Land Inc. of Coulee City, Washington filed an Application for Change/Transfer to add points of withdrawal, and change place of use under this certificate with the Grant County Water Conservancy Board (Board). The application was accepted at an open public meeting on October 24, 2013, and the Board assigned application number GRAN-13-09. The Washington State Department of Ecology (Department) assigned WRATS number CG3-*02641@3 to this change request.

Isaak Land Inc. owns Ground Water Certificate 2802-A with a priority date of May 20, 1957, which authorizes the right to develop a system to withdraw water from eight (8) wells in the amount of 325 gpm, 190 acre-feet per year for the irrigation of 76 acres. The applicant has applied to change the place of use and add a point of withdrawal under the certificate.

The applicant requests to add one point of withdrawal to the existing points of withdrawal under this certificate. The locations of the proposed points of withdrawal are:

Well #1, 1380 feet north and 650 feet west from the SE corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the NE1/4 SE1/4 of said Section 26; lying within parcel number 171560000.
Well #2, 900 feet north and 30 feet west from the S1/4 corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 SW1/4 of said Section 26; lying within parcel number 171554000.
Well #3, 1300 feet north and 660 feet west from the E1/4 corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 NE1/4 of said Section 26; lying within parcel number 171549001.
Well #4, 1300 feet north and 60 feet west from the center of Section 35, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 NW1/4 of said Section 35; lying within parcel number 171589001.
Well #5, 250 feet south and 1200 feet east from the N1/4 corner of Section 35, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the NE1/4NW1/4NE1/4 of said Section 35; lying within parcel number 171588001.
Well #6, S1/2S1/2 Section 16, Township 25 North, Range 30 East, W.M., Grant County, Washington; lying within parcel numbers 181822001 & 181823000.

Well #7, S1/2 S1/2 Section 16, Township 25 North, Range 30 East, WM, Grant, County, Washington; lying with parcel numbers 181822001 & 181823000.
Well #8, 340 feet south and 600 feet east from the center of Section 16, Township 25 North, Range 30 East, WM; being within the NW1/4 SE1/4 of said Section 16, Grant County, Washington; lying within parcel number 181822001.
Well #9, SW1/4NE1/4 Section 16, Township 25 North, Range 30 East, WM, Grant County, Washington; lying within parcel number 181822001.
All lying within WRIA 42.

The applicant requests changes to the place of use.

The existing certificated place of use is: 51.8 acres lying within SE1/4 SW1/4 and the S1/2 NE1/4 SW1/4, Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; lying within parcel number 171554000 and 24.2 acres lying within the S1/2 Section 21, Township 25 North, Range 30 East, WM, Grant County, Washington; lying within parcel number 181836000. All lying within WRIA 42.

The locations of the proposed places of use are: 51.8 acres lying within SE1/4 SW1/4 and the S1/2 NE1/4 SW1/4, Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; lying within parcel number 171554000 and 24.2 acres lying within the S1/2 Section 17, Township 25 North, Range 30 East, WM, Grant County, Washington; lying within parcel numbers 181827000, 181827001 and 181827010. All lying within WRIA 42.

Isaak Land Inc. owns groundwater certificates 221-A, 1476-A, 2283-A, 2482-A, 2769-A, 2802-A, 3320-A, 5492-A, G3-00884C(B), G3-01352C(C), G3-01539C and G3-22021C. The intent of this change is to integrate these water rights, so that common systems with common points of withdrawal can be utilized to serve the irrigated acreage. The result of this change will be to have nine common points of withdrawal. The total combined quantities under these 12 water rights, based upon the current and previous changes would not exceed the following: 7183.9 gpm, 4511.06 acre-feet, 1171.03 acres primary and 628.5 acres supplemental. Additionally there is 10 gpm and 2 acre-feet designated for domestic and stock-water supply.

Attributes of the water right as currently documented

Name on certificate, claim, permit: **J.W. Buob**

Water right document number: **2802-A**

As modified by certificate of change number: **2802-A Signed on October 10, 2012**

Priority date, first use: **Priority Date May 20, 1957**

Water quantities: **Qi: 325 gpm Qa: 190 acre ft./ year**

Source: **8 wells yielding from the Wanapum/Grand Ronde Aquifer System**

Point of diversion/withdrawal: **Well #1, 1380 feet north and 650 feet west from the SE corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the NE1/4 SE1/4 of said Section 26; lying within parcel number 171560000. Well #2, 900 feet north and 30 feet west from the S1/4 corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 SW1/4 of said Section 26; lying within parcel number 171554000. Well #3, 1300 feet north and 660 feet west from the E1/4 corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 NE1/4 of said Section 26; lying within parcel number 171549001. Well #4, 1300 feet north and 60 feet west from the center of Section 35, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 NW1/4 of said Section 35; lying within parcel number 171589001. Well #5, 250 feet south and 1200 feet east from the N1/4 corner of Section 35, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the NE1/4NW1/4NE1/4 of said Section 35; lying within parcel number 171588001. Well #6, S1/2S1/2 Section 16, Township 25 North, Range 30 East, W.M., Grant County, Washington; lying within parcel numbers 181822001 & 181823000. Well #7, S1/2 S1/2 Section 16, Township 25 North, Range 30 East, WM, Grant, County, Washington; lying with parcel numbers 181822001 & 181823000. Well #8, 340 feet south and 600 feet east from the center of Section 16, Township 25 North, Range 30 East, WM; being within the NW1/4 SE1/4 of said Section 16, Grant County, Washington; lying within parcel number 181822001. All lying within WRIA 42.**

Purpose of use: **Irrigation – 76 Acres**

Period of use: **March 1 to November 30**

Place of use: **51.8 acres lying within SE1/4 SW1/4 and the S1/2 NE1/4 SW1/4, Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; lying within parcel number 171554000 and 24.2 acres lying within the S1/2 Section 21, Township 25 North, Range 30 East, WM, Grant County, Washington; lying within parcel number 181836000. All lying within WRIA 42.**

Existing provisions: **See Existing Certificate**

Tentative determination of the water right

The tentative determination is provided on the front page of this report.

History of water use

This water right was issued in 1957 and has been continuously utilized in the irrigation of crops since that time. The history of water use was established as part of the previous change process that was completed in 2012, and as such that history of water use is still applicable to this change as it has been less than five years since the previous approved change

Previous changes

An application for change associated with this water right was filed in 2012. That change, added acres, added points of withdrawal and modified the place of use. That application for change was approved by the Washington State Department of Ecology on October 10, 2012.

SEPA

The Board has reviewed the proposed project. This project is not subject to SEPA as the threshold set for changes to groundwater withdrawals has not been met.

The information or conclusions in this section were authored and/or developed by Thomas R. Buchholtz PE.

COMMENT AND PROTESTS [See WAC 173-153-130(6)(b)]

Public notice of the application was given in the Coulee City News-Standard on December 4, 2013 and December 11, 2013. The protest period ended on January 10, 2014. No protests, or oral or written comments were received at an open public meeting of the Board or other means as designated by the Board.

This application for change was distributed to the Eastern Washington Council of Governments, the Washington State Department of Fish and Wildlife, and the Washington State Department of Archaeology and Historic Preservation on December 3, 2013 by email.

No comments have been received.

The information or conclusions in this section were authored and/or developed by Thomas R. Buchholtz PE.

INVESTIGATION [See WAC 173-153-130(6)(c)]

The following information was obtained from a site inspection conducted by members of the Board, and the applicant on November 17, 2013 technical reports, research of Department records, and conversations with the applicant and/or other interested parties.

Proposed project plans and specifications

The acres that will be irrigated in Section 26 will utilize waters from five existing wells and pump systems currently serving this water right. This acreage will be irrigated as part of a larger integrated system. A portion of an existing part circle will be utilized to irrigate the 51.8 acres. The 24.2 acres that will be irrigated in Section 17 will utilize waters from four existing wells and pump systems. This acreage will be irrigated as part of a larger integrated system. This acreage will be irrigated utilizing center pivots that have been installed utilizing seasonal transfers or will be installed or expanded in the future. The required pipelines have been installed or will be installed as needed.

The following is a listing of the pumps currently being utilized:

Well 1 – 75 horsepower turbine
Well 2 – 100 horsepower turbine
Well 3 - 150 horsepower turbine
Well 4 – 100 horsepower turbine and 30 horsepower centrifugal booster
Well 5 – 100 horsepower submersible
Well 6 – 600 horsepower turbine and 150 horsepower centrifugal booster
Well 7 – 400 horsepower turbine and 60 horsepower centrifugal booster
Well 8 – 75 horsepower turbine and 30 horsepower centrifugal booster
Well 9 – 750 horsepower turbine

The wells, pumps, center pivots and pipelines will be maintained and upgraded in the future to optimize irrigation efficiency.

Other water rights appurtenant to the property (if applicable)

Isaak Land Inc. owns groundwater certificates 221-A, 1476-A, 2283-A, 2482-A, 2769-A, 2802-A, 3320-A, 5492-A, G3-00884C(B), G3-01352C(C), G3-01539C and G3-22021C. The intent of this change is to integrate these water rights, so that common systems with common points of withdrawal can be utilized to serve the irrigated acreage. The result of this change will be to have nine common points of withdrawal. The total combined quantities under these 12 water rights, based upon the current and previous changes would not exceed the following: 7183.9 gpm, 4511.06 acre-feet, 1171.03 acres primary and 628.5 acres supplemental. Additionally there is 10 gpm and 2 acre-feet designated for domestic and stock-water supply.

Public Interest (groundwater only)

The proposed transfer is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities.

A recent Washington State Supreme Court ruling has stated that "...a 'public interest' test is not a proper consideration when Ecology acts on a change application under RCW 90.03.380." PUD No. 1 of Pend Oreille County v. Dep't of Ecology, 70372-8 (2002). By extension, neither does the Board have authority to apply a public interest test when evaluating a change in water right request under RCW 90.03.380. Previous legal review has indicated that the above court case is in reference to surface water changes/transfers, and groundwater-serviced water right changes/transfers are subject to public interest consideration under the purview and scope of the groundwater code. The Board concludes that the requested change/transfer is not contrary to the public interest governing water use. To the extent review of public interest is applicable, the Board finds that the application for change is consistent with public policy objectives of the state to provide for efficient use of water resources, to encourage supply of new or expanding uses through change/transfer of existing water rights, to provide greater operational control to water managers, and to ensure no impairment exists.

Because the proposed action will not increase the existing permitted water use, or increase the water put to actual beneficial use, or result in a measurable impact on other existing water rights or applications for new water rights, it does not change the existing status

quo for water use impacts. Thus, no impairment is perceived, because of the change/transfer requested in the application. Water use is provided consistent with statutory requirements for beneficial use.

The proposed action does provide for a continuation of the existing beneficial use as stated within the permit of water right, increasing the economic benefits to the state and local area by allowing for continued use and development of irrigated lands. The development is taking place in the land-use management area of Grant County.

This action is consistent with the intent of RCW 90.03.380, 90.44.100, and 90.80 (amended May 10, 2001) and other applicable statutes; and it is consistent with Grant County's Comprehensive Land-Use Plan. No impairment is consistent with the public interest; all pertinent water right issues are addressed above; conditions are recommended within this ROE to further protect the public interest consistent with state water law.

The application for change/transfer is consistent with the public interest requirements for beneficial water use, and consistent with the procedural, technical, and legal review requirements by the state.

Tentative Determination

In order to make a water right change decision, the Board must make a tentative determination on the validity and extent of the right. The Board has made the tentative determination as displayed upon the first page of this report. Water right documents attempt to define a maximum limitation to a water right, rather than the actual extent to which a water right has been developed and maintained through historic beneficial use. Additionally, except for a sufficient cause pursuant to RCW 90.14.140, water rights, in whole or in part, not put to a beneficial use for five consecutive years since 1967 may be subject to relinquishment under Chapter 90.14.130 through 90.14.180 RCW. Water rights may additionally be lost through abandonment. The Board's tentative determination was based upon the following findings:

The water right applicant holds a valid water right in good standing, and it is on file with the Department. The Board confirms that the water right is being used subject to the existing certificate provisions.

The certificate is valid as stands, subject to subsequent change actions by the Board and any Department administrative changes affecting development.

Under the change request, the total amount of water withdrawal from the existing source cannot exceed the amount within the certificated water right. The change/transfer request must not exceed the existing water right limits; no enlargement of the water right is allowed.

The change/transfer request must be consistent with RCW 90.03.380, and related water code statutes. The required annual consumptive quantity (beneficial use) analysis indicates the following:

- This water right has been certificated, and is in good standing.
- The water under this certificate is being beneficially utilized for the irrigation of crops. Continued beneficial use will be completed based upon the development schedule outlined in the "Board Decision" above.
- The Board has determined that the full amount of the said water right available for change/transfer is presented within the above "Board Decision" summary, and should be the amount not exceeded by the applicant within the proof of appropriation filing and within the final certificate issued by the Department. The applicant's request for a change is allowed under the water code and case law.

Geologic, Hydrogeology, or other scientific investigations (if applicable)

Based on detailed technical review of the applicant's submittal, it is concluded that the requested change/transfer will withdraw water from the same body of water (and management area) as that allowed under the existing water right—and per applicant discussions with Department staff.

The added change cannot create impairment. The Board has reviewed the applicant's technical information on potential impairment, and concludes that impairment is not an issue for the water right change/transfer see the Impairment Analysis G3-1352C(C), G3-00884C(B), 2802-A, G3-22021C, 3320-A Attachment.

It is noted and concluded from existing WA State water law, Department water right data, the applicant's technical information (impairment analysis attached), and previous discussions with Department staff, that:

1) Impairment means that other water right holders are unable to use their water rights (whole or in part), given reasonable pumping lift with the construction of qualifying diversion works.

2) For this immediate area, no record/affirmation of impairment has been noted by the Board or Department.

3) The Department staff has not raised any impairment issues.

4) The Board has required the applicant to consider impairment issues for the applicant's change request, including technical consultations with the Board. There is no indication that the change action will impair other water rights. The Board has attached the formal impairment analysis prepared by a qualified professional engineer.

5) Based on the public notice of this change request, the Board has received no protests, or comments associated with this application.

The Board concludes that the proposed action will not create impairment to other water rights per the provisions and conditions established under the existing permit/change order and the conditions provided within this ROE/ROD; impairment is not an issue for the specific action related to this water right change.

Annual Consumptive Quantity (ACQ)

An ACQ analysis was prepared as part of the previous change that was approved by DOE on October 10, 2012. That analysis is still in good standing associated with this application. No changes associated with ACQ are a part of this change application.

The information or conclusions in this section were authored and/or developed by Thomas R. Buchholtz PE.

CONCLUSIONS [See WAC 173-153-130(6)(d)]

Tentative determination (validity and extent of the right)

The certificate of water right is verified and in good standing per Department records.

Relinquishment or abandonment concerns: **There are no relinquishment or abandonment concerns associated with this application.**

Hydraulic analysis

Based on detailed technical review of the applicant's submittal, it is concluded that the requested change/transfer will withdraw water from the same body of water (and management area) as that allowed under the existing water right—and per recent applicant discussion with Department staff.

The added change cannot create impairment. The Board has reviewed the applicant's technical information on potential impairment, and concludes that impairment is not an issue for the water right change/transfer (see attachment – Impairment Analysis G3-1352C(C), G3-00884C(B), 2802-A, G3-22021C, 3320-A).

It is noted and concluded from existing WA State water law, Department water right data, the applicant's technical information (impairment analysis attached), and previous discussions with Department staff, that:

1) Impairment means that other water right holders are unable to use their water rights (whole or in part), given reasonable pumping lift with the construction of qualifying diversion works.

2) For this immediate area, no record/affirmation of impairment has been noted by the Board or Department.

3) Department staff has not raised any impairment issues.

4) The Board has required the applicant to consider impairment issues for the applicant's change request, including technical consultations with the Board. There is no indication that the change action will impair other water rights. The Board has attached the formal impairment analysis prepared by a qualified professional engineer.

5) Based on the public notice of this change request, the Board has received no protests or comments concerning this application and impairment.

The Board concludes that the proposed action will not create impairment to other water rights per the provisions and conditions established under the existing permit/change order and the conditions provided within this ROE/ROD; impairment is not an issue for the specific action related to this water right change.

Consideration of comments and protests

No comments or protests have been received associated with this application.

Impairment

There will be no impairment of existing water rights or the holder of those rights associated with this change. See Impairment Analysis G3-1352C(C), G3-00884C(B), 2802-A, G3-22021C, 3320-A Attachment.

Public Interest

The Board concludes that the requested change/transfer is not contrary to the public interest governing water use. To the extent review of public interest is applicable, the Board finds that the application for change is consistent with public policy objectives of the state to provide for efficient use of water resources, to encourage supply of new or expanding uses through change/transfer of existing water rights, to provide greater operational control to water managers, and to ensure no impairment exists.

Annual Consumptive Quantity (ACQ)

An ACQ analysis was prepared as part of the previous change that was approved by DOE on October 10, 2012. That analysis is still in good standing associated with this application. No changes associated with ACQ are a part of this change application.

Other

The board also considered the previous provisions associated with the water right as identified in the background section of this report when making its decision.

DECISION [See WAC 173-153-130(6)(e)]

The Grant County Water Conservancy Board hereby RECOMMENDS APPROVAL of the water right change/transfer described within this Record of Examination and Record of Decision as summarized in the Board Decision section of this report, and submits this report for conditional approval to the Director of the Washington State Department of Ecology.

The information or conclusions in this section were authored and/or developed by Thomas R. Buchholtz PE.

PROVISIONS [See WAC 173-153-130(6)(f)]

Conditions and limitations

The applicant's water right change is conditioned by all provisions of the existing 2802-A certificate. These include and are not limited to:

- **The total withdrawal under Certificates 221-A, 1476-A, 2283-A, 2482-A, 2769-A, 2802-A, 3320-A, 5492-A, G3-00884C(B), G3-01352C(C), G3-01539C and G3-22021C shall not exceed the following annual quantities: 7183.9 gpm, 4511.06 acre-feet, for the irrigation of 1171.03 acres primary and 628.5 acres supplemental. Additionally there is 10 gpm and 2 acre-feet designated for domestic and stock-water supply.**
- **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.**
- **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.**
- **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 actual crop growth on the number of acres and place of use specified.**
- **A superseding certificate of water right will not be issued until a final examination is made.**
- **The water quantities and uses recommended and/or the number of acres to be irrigated may be reduced at the time of issuance of a final water right commensurate with the capacity of the installed system and the uses and/or the number of acres actually irrigated.**
- **Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statues.**
- **All wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 and Chapter 173-160 WAC.**
- **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.**
- **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.**

Construction Schedule

The Applicant will begin the work required to fulfill the requirements of this change by January 1, 2015. Work will be completed to fulfill the requirements of this change by January 1, 2017. The water authorized under this change shall be put to full beneficial use by January 1, 2018.

The information or conclusions in this section were authored and/or developed by Thomas R. Buchholtz PE.

The undersigned Board Commissioner certifies that he/she understands the Board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the Board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that he/she, having reviewed the report of examination, knows and understands the content of this report and concurs with the report's conclusions.

Signed at Moses Lake, Washington
This 23rd day of January, 2014

W. Ron Baker

W. Ron Baker, Commissioner
Grant County Water Conservancy Board

2802-A
EXISTING WELL LOCATION
ATTACHMENT

The proposed points of withdrawal are as follows:

Well #1, 1380 feet north and 650 feet west from the SE corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the NE1/4 SE1/4 of said Section 26; lying within parcel number 171560000.
Well #2, 900 feet north and 30 feet west from the S1/4 corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 SW1/4 of said Section 26; lying within parcel number 171554000.
Well #3, 1300 feet north and 660 feet west from the E1/4 corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 NE1/4 of said Section 26; lying within parcel number 171549001.
Well #4, 1300 feet north and 60 feet west from the center of Section 35, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 NW1/4 of said Section 35; lying within parcel number 171589001.
Well #5, 250 feet south and 1200 feet east from the N1/4 corner of Section 35, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the NE1/4NW1/4NE1/4 of said Section 35; lying within parcel number 171588001.
Well #6, S1/2S1/2 Section 16, Township 25 North, Range 30 East, W.M., Grant County, Washington; lying within parcel numbers 181822001 & 181823000.
Well #7, S1/2 S1/2 Section 16, Township 25 North, Range 30 East, WM, Grant, County, Washington; lying with parcel numbers 181822001 & 181823000.
Well #8, 340 feet south and 600 feet east from the center of Section 16, Township 25 North, Range 30 East, WM; being within the NW1/4 SE1/4 of said Section 16, Grant County, Washington; lying within parcel number 1818220.
All lying within WRIA 42.

2802-A
PROPOSED WELL LOCATION
ATTACHMENT

The proposed points of withdrawal are as follows:

Well #1, 1380 feet north and 650 feet west from the SE corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the NE1/4 SE1/4 of said Section 26; lying within parcel number 171560000.
Well #2, 900 feet north and 30 feet west from the S1/4 corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 SW1/4 of said Section 26; lying within parcel number 171554000.
Well #3, 1300 feet north and 660 feet west from the E1/4 corner of Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 NE1/4 of said Section 26; lying within parcel number 171549001.
Well #4, 1300 feet north and 60 feet west from the center of Section 35, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the SE1/4 NW1/4 of said Section 35; lying within parcel number 171589001.
Well #5, 250 feet south and 1200 feet east from the N1/4 corner of Section 35, Township 25 North, Range 28 East, WM, Grant County, Washington; being within the NE1/4NW1/4NE1/4 of said Section 35; lying within parcel number 171588001.
Well #6, S1/2S1/2 Section 16, Township 25 North, Range 30 East, W.M., Grant County, Washington; lying within parcel numbers 181822001 & 181823000.
Well #7, S1/2 S1/2 Section 16, Township 25 North, Range 30 East, WM, Grant, County, Washington; lying with parcel numbers 181822001 & 181823000.
Well #8, 340 feet south and 600 feet east from the center of Section 16, Township 25 North, Range 30 East, WM; being within the NW1/4 SE1/4 of said Section 16, Grant County, Washington; lying within parcel number 181822001.
Well #9, SW1/4NE1/4 Section 16, Township 25 North, Range 30 East, WM, Grant County, Washington; lying within parcel number 181822001.

All lying within WRIA 42.

WELL DESCRIPTION REPORT
G3-00884C(B), 2802-A, G3-22021C
ATTACHMENT

Under these proposed changes there will be nine common authorized points of withdrawal.

Well #1 is located in the SE1/4SE1/4 of Section 26, Township 25 North, Range 28 East. It was drilled for Vern Adams, and the total depth of the well is 370 feet deep, and penetrated into the basalts. The final work performed on the well was accomplished in 1969.

Well #2 is located in the SE1/4SW1/4 of Section 26, Township 25 North, Range 28 East, and is currently listed as a point of withdrawal under this right. It was drilled for William Buob, and the total depth of the well is 539 feet deep after a number of well modifications, and penetrated into the basalts. The final work performed on the well was accomplished in 1988.

Well #3 is located in the E1/2NE1/4 of Section 26, Township 25 North, Range 28 East. It was drilled for James Edgemon, and the total depth of the well is 473 feet deep, and penetrated 418 feet into the basalts. The well was drilled in 1966.

Well #4 is located in the SE1/4NW14 of Section 35, Township 25 North, Range 28 East. It was drilled for WT Steinmatz, and the total depth of the well is 375 feet deep, and penetrated 283 feet into the basalts. The well was drilled in 1953.

Well #5 is located in the NW1/4NE1/4 of Section 35, Township 25 North, Range 28 East. It was drilled for Gary Adams in 1977, and the total depth of the well is 200 feet deep, and penetrated approximately 140 feet into the basalts.

Well #6 is located in the NW1/4SE1/4 of Section 16, Township 25 North, Range 30 East. It was drilled for Vern Elder, and the total depth of the well is 595 feet deep, and penetrated 578 feet into the basalts. The well was drilled in 1976.

Well #7 is located in the S1/2S1/2 of Section 16, Township 25 North, Range 30 East. It was drilled for Isaak Brothers, and the total depth of the well is 1491 feet deep, and penetrated 1482 feet into the basalts. The well was drilled in 2011.

Well #8 is located in the S1/2S1/2 of Section 16, Township 25 North, Range 30 East. It was drilled for Minnis Elder, and the total depth of the well is 375 feet deep, and penetrated 358 feet into the basalts. The well was drilled in 1953.

Well #9 is located in the SW1/4NE1/4 Section 16, Township 25 North, Range 30 East. It was drilled for Isaak Brothers, and the total depth of the well is 1540 feet deep, and penetrated 1525 feet into the basalts. The well was drilled in 2012.

All nine of the proposed wells penetrate into the Wanapum/Grande Ronde Aquifer System. Thus they yield out of the same aquifer system, and from the same aquifer system as was utilized under the original certificates.

2802-A
EXISTING PLACE OF USE
ATTACHMENT

The existing place of use under this application is:

51.8 acres lying within SE1/4 SW1/4 and the S1/2 NE1/4 SW1/4, Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; lying within parcel number 171554000 and 24.2 acres lying within the S1/2 Section 21, Township 25 North, Range 30 East, WM, Grant County, Washington; lying within parcel number 181836000. All lying within WRIA 42.

2802-A
PROPOSED PLACE OF USE
ATTACHMENT

The proposed place of use under this application is:

51.8 acres lying within SE1/4 SW1/4 and the S1/2 NE1/4 SW1/4, Section 26, Township 25 North, Range 28 East, WM, Grant County, Washington; lying within parcel number 171554000 and 24.2 acres lying within the S1/2 Section 17, Township 25 North, Range 30 East, WM, Grant County, Washington; lying within parcel numbers 181827000, 181827001 and 181827010. All lying within WRIA 42.