



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

April 29, 2002

City of Buckley
PO Box 1960
Buckley WA 98321

Dear Sir or Madame:

Re: Water Right Amended Permit No's. **G2-27595 & G2-28335**

In compliance with your request, you are hereby granted an extension of time to put the water to full beneficial use and file notice of such action under the above mentioned amended permits.

As a condition of these permits extension, we are now requiring that your water source(s) be metered, and that data submitted to Ecology on an annual basis. As the original permit provisions are being modified, Ecology has issued the enclosed amended permits with your new development schedule.

Please submit the following when the actual water has been put to full beneficial use:

- Proof of Appropriation form filled out and notarized
- **\$22.00** check payable to the **Pierce County Auditor's Office**
- **\$10.00** check payable to the Department of Ecology

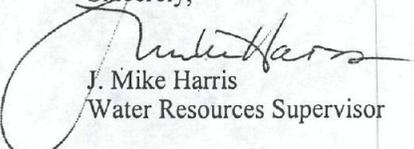
Please send both checks to the Department of Ecology and we will forward the Auditor check along with your Certificate to the County Auditor's Office for recording. **Also, the County Auditor is requiring that we have the parcel number for your property added to your Certificate. Please provide the parcel number for the point of withdrawal/diversion and the place of use.**

If you do not expect to have the water put to full beneficial use by **March 1, 2007**, you should request further extensions, as needed. To request additional extensions, you will need to submit a letter explaining why an extension is needed, including how many more connections are proposed on these water systems. You may extend for more than one year at a time at a rate of \$5.00 per year.

This order may be appealed. Your appeal must be filed with the Pollution Control Hearings Board, PO Box 40903, Olympia, WA 98504-0903 within thirty (30) days of the date this Order was mailed by the Department of Ecology. At the same time a copy of your appeal must be sent to the Department of Ecology, c/o Water Resources Appeal Coordinator, PO Box 47600, Olympia, WA 98504-7600. Your appeal alone will not stay the effectiveness of this order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Chapter 43.21B RCW.

If you have any questions or concerns about any of this information, please call Sheri Carroll at (360) 407-0240 or Deb Hunemuller at (360) 407-0290.

Sincerely,


J. Mike Harris
Water Resources Supervisor

JMH:th (paextension/metering)



RECEIVED
DEPT. OF ECOLOGY/SWRO

Office of Administration

02 APR 15 112 01

Mayor John Blanus

April 10, 2002

Jill Walsh
Department of Ecology
Water Resources Program
P.O. Box 47775
Olympia, WA 98504-7775

RE: Water Right Permits G2-28335 and G2-27595

Dear Ms. Walsh

I am writing to request a five-year extension on the *Proof of Appropriation* date of both of the above referenced permits to March 1, 2007. These sources up until now have not been fully used, however they have been identified in our water plan as future sources that will be needed.

We have a new staff and would appreciate the time to utilize as much of the water as is realistic to pump from the sources associated with these permits.

I have enclosed a check payable to the Department of Ecology for \$50. (\$5 per year x two permits.) If you have any further questions I may be reached at 360-829-1921, ext.200, or at cproffitt@tx3.com.

Sincerely,

City of Buckley

Cheryl Proffitt
Administrative Asst.

Enclosure

4/19/02
OK to extend PA. date
of Both permits 5 years to 3/1/2007
Walsh



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

March 28, 2002

Dave Schmidt
City of Buckley
PO Box 1960
Buckley, WA 98321

Dear Mr. Schmidt:

RE: Water Right Permits G2-28335 and G2-27595

I am writing in regards to our phone conversation the other day, as we discussed, I am returning the two *Proof of Appropriation* forms that you filed on behalf of the City. I am also returning the Pierce County auditor's check.

These forms should not be submitted to Ecology until you have perfected the water rights associated with these permits. This means that you have utilized all the water allocated by the permit, or at least as much of the water as is realistic to pump from these sources.

Since you are currently using only a small portion of the permits allocations, I recommend that the City request a five-year extension on each permit. To extend the *Proof of Appropriation* date of both permits to March 1, 2007 you will need to send a letter requesting the extension and a check made payable to the Department of Ecology for \$50 (that's \$5 a year for 5 years for two permits). The letter should state the reasons why the City hasn't used the full quantities of water yet.

Please call me at (360) 407-0274 if you have any questions.

Sincerely,

Jill Walsh
Water Resources Program
Southwest Regional Office

JW:th





STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

January 7, 2002

Mr. Joseph B. Triem, P.E.
City of Buckley
P.O. Box 1960
Buckley, WA 98321

Dear Mr. Triem:

RE: Water Permit No. G2-28335 (Well #2)
Water Permit No. G2-27595 (Well #4)

This letter is to acknowledge receipt of your request for an extension until March 1, 2003, on the Proof of Appropriation forms for the above mentioned water permits. In order for the Department of Ecology to grant this request we also need the appropriate extension fees of \$5.00 per year and a more detailed explanation of why an extension is needed (please see attached previous correspondence).

If we do not hear from you within thirty (30) days from the date of this letter, we shall be forced to assume that you are no longer interested in retaining the permit, and action will be taken resulting in cancellation.

If you have any questions or concerns about any of this information, please contact Jill Walsh at (360) 407-0274.

Sincerely,

Tina Russell
Water Resources

TR:tr
Enclosure





RECEIVED
DEPT. OF ECOLOGY/SWRD

Office of Administration

01 NOV 5 12 38

Mayor John Blanusca

October 29, 2001

State of Washington
Department of Ecology
Attn: Teresa Hanson
Water Resources
P.O. Box 47775
Olympia, WA 98504-7775

RE: Water Permit No. G2-28335 (Well #2)
Water Permit No. G2-27595 (Well #4)

Dear Ms. Hanson:

This letter is to request an extension until March 1, 2003, on the Proof of Appropriation Forms for the above mentioned permits due to the fact that the City Administrator/Public Works position is not been filled permanently at this time. The City anticipates that the position will be filled in the next two months.

If you have any questions, please contact me at (360) 829-1921 ext. 200.

Sincerely,

City of Buckley

Joseph B. Triem, P.E.
Interim City Administrator

JD/lm



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

October 18, 2001 *P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300*

City of Buckley
PO Box D
Buckley WA 98321-0040

Dear Sir or Madam:

Re: Water Permit No. G2-28335 (Well #2)

While checking the progress of your water rights, I noticed that you have not sent in the Proof of Appropriation Form.

If you are using the full amount of water shown on your permit, please fill out the enclosed Proof of Appropriation form, have it notarized, and return it to this office. The statutory recording fees are to be sent in as two separate remittances in the form of checks or money orders. Cash will NOT be accepted. Send both remittances to the Department of Ecology.

\$5.00 payable to the Department of Ecology
AND
\$9.00 payable to the Pierce County Auditor

Also, the County Auditor is requiring that we have the parcel number(s) for the point of withdrawal/diversion and the place of use if different. Please send those numbers to us with your recording fees.

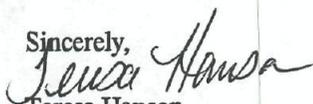
By following the above instruction, your final water right will be prepared, sent to your County Auditor for recording, and then forwarded to you by your County Auditor.

In addition, one of the provisions of the permit is that a metering device be installed and that meter readings be recorded at **least monthly**. Please include meter readings for a least the past year with the completed Proof of Appropriation form.

If more time is required to put the water to full use, you should request an extension of time in writing. By statute, a **\$5.00 fee per year must accompany such a request, together with a showing of good cause why your extension should be granted and a report of progress made during the last year**. The Proof of Appropriation for your water right permit was due on **March 1, 1994**, if an extension is needed, please send **\$45.00** payable to the Department of Ecology along with your request to extend your file until **March 1, 2003**.

If we do not hear from you within **thirty (30) days** from the date of this letter, we shall be forced to assume that you are no longer interested in retaining the permit, and action will be taken resulting in cancellation.

If you have any questions or concerns about any of this information, please contact Tina Russell at (360) 407-6918 or myself at (360) 407-0270.

Sincerely,

Teresa Hanson
Water Resources





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

July 10, 1997

City of Buckley
PO Box D
Buckley, Washington 98321-0040

Dear Sir or Madame:

Re: Ground Water Permit No. G2-27595 & G2-28335

I have reviewed your request for an extension, for making full beneficial use of the waters granted under the subject permit.

The requested extension is hereby granted. You now have until March 1, 2000, to make full use of the waters.

This order may be appealed. Your appeal must be filed with the Pollution Control Hearings Board, PO Box 40903, Olympia, WA 98504-0903 within thirty (30) days of the date this decision was mailed. At the same time your appeal must be sent to the Department of Ecology c/o Enforcement Officer, PO Box 47600, Olympia, WA 98504-7600. Your appeal alone will not stay the effectiveness of the Order. These procedures are consistent with Chapter 43.21B RCW.

Sincerely,

Gale Blomstrom
Shorelands & Water Resources Supervisor

GB:th
Enclosure



total annual allocation at 700 acre-feet per year from both sources. (As the Report of Examination originally recommended that the total be 706, it appears that a clerical error was made and the 6 became a 0.) An explanation of how this annual quantity of 706 acre-feet per year was calculated is not in the report, but it is probably based on the forecasted water demand at the time the right was filed. Because Buckley still was not serving 5,000 people, a determination was made that the existing water right was adequate. This quantity of 706 acre-feet per year is the City of Buckley's total annual allocation.

Ground water permits G2-27595 and G2-28335 both authorize the withdrawal of ground water, supplemental to the rights previously issued to Buckley. In the enclosed Reports of Examination, we reported that Buckley would require 643 acre-feet per year for municipal supply in the year 2000. Because of our concerns about the impact these wells could have on the surface water system, and the fact that the city already had rights for 706, additional primary quantities were not allocated.

As we discussed, the City of Buckley's permits are in need of some attention. Both permits were issued with provisions requiring data submittal, prior to issuance of the final water right certificates. The expiration date for permit G2-27595 was October 1, 1994, and the expiration date for G2-28335 was March 1, 1994.

To keep these permits active, the City will need to submit a \$5.00 per year extension fee for each permit, retroactive since 1994 - for a total of \$30.00. If the permits have not yet been perfected, you may request an additional extension in writing, submitting the extension fee of \$5.00 per year for each permit.

If the city is operating both wells at the full permitted capacity, please return the enclosed Proof of Appropriation forms with the other data indicated on the backs of the permits, and we will notify you when we have calculated the final certificate fees. As I previously mentioned, I believe that the figure of 700 acre-feet per year should have been 706 acre-feet per year, and when we issue the final certificates we will correct the error.

On the table of water rights you faxed to me, you included a surface water right from South Prairie Creek issued to the Rainier State School. Water right certificate 6109-A allocates a diversion rate of 3.5 cfs for the purposes of irrigation of 200 acres and domestic supply to approximately 3,000 people. This right consists of 3.0 cfs for irrigation and 0.5 cfs for domestic supply. The diversion point for this water right is 6 miles above Buckley, at the town's municipal intake. The right was issued for use at the school and for irrigation, and no amendments have been made to make this water right legally part of the Buckley water system. This is not a municipal water right, and this right should be valued at what the maximum extent of its use was. The domestic part of the allocation is based on the number of people at the school multiplied by the per capita usage. Irrigation quantities is based on 2 acre-feet per acre during the irrigation season. It is my opinion that the quantities associated with this water right should not be added to the City's other water right.

If the city now supplies water to the school, and the potable water systems have been combined, I suggest we use the Application for Change of Water Right process to "split" the water right





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

June 17, 1997

Tamara Knapp
City of Buckley
PO Box D
Buckley, WA 98321

Dear Ms. Knapp:

Re: City of Buckley's Water Rights

At your request, I have evaluated the City of Buckley's water rights. Currently, the City holds the following water rights:

WR #	Source	GPM	Ac-ft (primary)	Ac-ft (supp.)	Status
369-A	S. Prairie Crk.	898 (2 cfs)	unspecified		Certificate
G2-01024	Well #1	450	0	180	Caps Qa 706 acre-ft./year
G2-28335	Well #2	150	0	242	Permit
G2-27595	Well #4	280	0	36	Permit
Total		1,778	706	458*	

*The City has rights to 706 acre-feet per year, of which 458 acre-feet per year may be withdrawal from the wells.

The City of Buckley's water rights are somewhat difficult to evaluate because the original surface water right from South Prairie Creek does not specify an annual quantity. Even though an annual quantity is not specified, the water right is limited to the extent that it was perfected. To set an tentative annual value on an old water right of this type, we look at the original intent of the application.

In the case of the City's surface water right from South Prairie Creek, the permit was issued for the purpose of municipal supply for a projected 1940 population of 5,000 people. The application indicated that the City was planning for a future demand of 800,000 gallons per day. This figure appears to have been based on a per capita demand of about 150 gallons per day for the proposed 1940 population. Using these calculations, the maximum annual value of water right #369-A would have been 840 acre-feet per year.

However, in 1964 Buckley applied for a ground water permit, and was issued certificate G2-01024. This water right supersedes the previously issued surface water certificate and caps the



(6109-A) into two parts. The domestic part, which amounts to approximately 300 acre-feet per year, can be transferred to the city for municipal supply, and the irrigation portion, which amounts to approximately 400 acre-feet during the irrigation season, can be transferred to WSU, and two separate superseding certificates can be issued. This will give Buckley an additional 0.5 cfs (225 gpm) from South Prairie Creek and the annual quantity that the school would have been using.

Finally, I looked into the missing water right for the Rainier School well and found that in June 1990 the Washington Department of Social and Health Services filed application G2-27780 to withdraw ground water for domestic supply and irrigation. The application requested 1000 gpm and 1,613 acre-feet per year from the existing well on the site. However, during the aquifer test for the City's nearby production well, it was discovered that both of the wells had very minimal production capacity. It appears that DSHS voluntarily withdrew their application in the spring of 1992. No water right exists for that well.

I am enclosing copies of the Reports of Examination and permits for G2-27595 and G2-28335. You will see from the reports that even back in 1990, we had concerns about the issuance of additional water rights in the Puyallup-White watershed. We will not issue any new water rights in that drainage that have the potential of affecting instream flows. Any additional withdrawals will have to be mitigated in such a manner as to have no net impact on the system. As we discussed, the transfer or relinquishment of irrigation rights may be considered as mitigation, but mitigation must involve real water - not just paper rights.

I hope this is useful to you as you prepare your water system plan. I suspect you will have additional questions about how to proceed, and you may feel free to call me at (360) 407-0274 to further discuss any of these issues.

Sincerely;



Jill Walsh
Shorelands and Water Resources Program

JW:th
Enclosures



CHRISTINE O. GREGOIRE
Director



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

7272 Cleanwater Lane, LU-11 • Olympia, Washington 98504-6811 • (206) 753-2353

January 19, 1993

City of Buckley
PO Box D
Buckley, Washington 98321-0040

Dear Sir or Madame:

Re: Ground Water Permit No. G 2-28335

We have received your Notice of Completion of Construction in connection with the above referenced permit.

Enclosed is a Proof of Appropriation form which is to be filed when the water has actually been put to full beneficial use. The Proof of Appropriation form must be filed when the water has actually been put to full beneficial use. This form is not to be filed until the water has been put to full use. If you cannot put the water to full beneficial use by March 1, 1994, you must contact this office.

The fees for filing and recording your final certificate of water right are:

\$5.00 to the Department of Ecology and

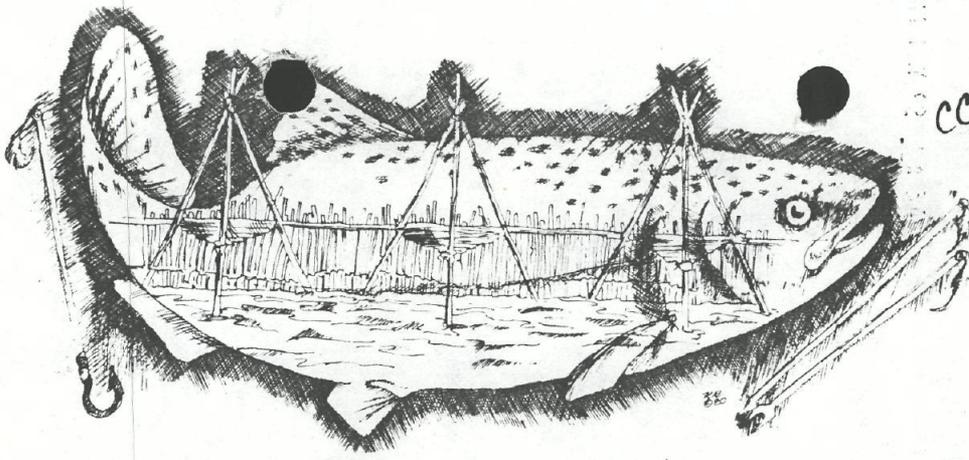
\$8.00 to the Pierce County Auditor

Please send two remittances and the completed Proof of Appropriation form (with notarized signature) to this office.

Sincerely,

Sheri Fox
Water Resources

SF:th
Enclosure



cc: Pat Lee
Tom Laurie
FYI
guc

MUCKLESHOOT INDIAN TRIBE FISHERIES DEPARTMENT

39015 172ND AVENUE S.E. - AUBURN, WASHINGTON 98002 - (206) 939-3311

May 8, 1992

Gale Blomstrom
Department of Ecology
SW Regional Office
7272 Cleanwater Lane, LU-11
Olympia, Washington
98504-6811

RE: City of Buckley water right applications #G-228335 and G-227595

Ms. Blomstrom,

This is a letter of concern regarding recent groundwater application and appropriation activity in the White River watershed. Appropriations for large withdrawal rates by the City of Buckley have recently been sought. The applications are #G-228335 and G-227595 with withdrawal rates of 150 and 2,000 gpm, respectively. Both wells are located in T19N, R6E, NW 1/4 of SW 1/4 in Section 1, just east of the city. The wells are screened at depths less than 110 feet and are within 1/4 mile of the White River.

S

We understand that a water right has already been issued for the City of Buckley's well #2 (G-228335) for 150 gpm and one is about to be issued for Well #4 for substantially less water than the original request of 2,000 gpm. The aquifers these wells tap may be in hydraulic continuity with the White River as they are in close proximity to it, (within 1/4 mile) and they are completed in shallow aquifers. If so, these appropriations would not be allowed as the White River is closed to further appropriation upstream of the Dieringer Powerhouse. These withdrawals may cause a depletion in streamflows of the White River by intercepting groundwater inflow or springs that discharge from the valley walls. This impact may occur on-site as well as at an unknown distance downstream. Puget Power diverts flows from the White River, about a mile east of Buckley, into Lake Tapps and then to the Dieringer Powerhouse north of Sumner. Puget Power has the capacity to divert up to 2,000 cfs year round into their flume for power production. The required instream flow at the Muckleshoot Reservation boundary, as agreed to in a settlement in 1986 is 130 cfs. The Tribe is therefore concerned that groundwater appropriations may reduce this instream flow as well as result in a decline of base flows year round. We understand that the City of Buckley will be relinquishing rights to South Prairie Creek, a tributary to the Puyallup River, of 2 1/2 cfs. However, these flows will not replace lost flows in the White River.

The cumulative effects of all other withdrawals in the watershed, including the City of Bonney Lake, which applied for 1,000 gpm and received an appropriation in August of 1990, and the Henderson Development application, #G-228100 which applied for 1,200 gpm need to be taken into account. The impacts of these withdrawals on the recharge and discharge characteristics of the aquifers that contribute flow to the White Rivers must be addressed for all appropriations. In addition, the loss of recharge from increased surface runoff must be included as well. *agree*

In addition, the Cities of Buckley and Bonney Lake must first pursue and implement aggressive water conservation measures before seeking additional water supplies.

The additional water supply sought by the City of Buckley should not promote interties and service area expansions into areas where the zoning and land use regulations do not protect tribal interests and fisheries and wildlife resources. The water right process should be consistent with tribal interests in land use for the area where the water appropriation will serve such that fisheries resources are not adversely impacted.

\$

Thank you for the opportunity to comment and please send copies of the report of exams for the above applications for our files.
Please call me at (206) 939-331 if you have any questions.

Carla Carlson

Carla Carlson
Water Resource Planner

cc: Hedia Adelsman, Department of Ecology
Don Davidson, Department of Ecology
Don Haring, Department of Fisheries
Robert Barnes, Puget Power
Gordy Zillges, Department of Wildlife

ES