

June 8, 2006



To: Water Right Application File G2-30289 & 30292
From: Mike Dixel

On June 7, 2006, I along with other Ecology staff, traveled to the Swift Reservoir area in Skamania County to observe the new development occurring. It was noted that many wells have been drilled to accomodate the number of lots being developed by Jerry Sauer and Dave Creagan at various locations along the Swift Reservoir.

Both of the above mentioned water right applications have requested up to 2 wells to serve their respective places of use: one is a 120 acre tract of land (G2-30289) the other a 684 acre tract of land (G2-30292).

It appears that the developers are "short-platting" the same place of use identified in the water right applications at the County level. Under most of the scenarios, a 20 acre parcel of land is being subdivided into 4 or more lots.

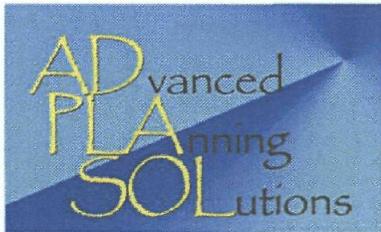
It is unclear whether the developers are going through the short-plat process at the County level or if they are intending to obtain a water right for the place of use identified in the water right application.

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SEP 13 2006

Washington State
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ENVIRONMENTAL PLANNING

September 8, 2006

Washington State Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775

Attention: Michael Dexel

Re: **Creagan & Sauer Water Right Applications in Skamania County, WA**
File No. 0504-030-00

Dear Mr. Dexel:

I am writing on behalf of Dave Creagan and Jerry Sauer to provide you with information you will find useful in evaluating their two water right applications included in file number 0504-030-00 referenced above. According to the Cost-Reimbursement Agreement between Ecology and the Three Rivers Development Water Rights Project you will be examining two applications – G2-30289 to serve the Marble Creek property on the north shore of Swift Reservoir and G2-30292 to serve the Three Rivers property at the east end of Swift Reservoir – relative to the four-part criteria for water right evaluation (resource availability, beneficial use, potential for impairment of existing rights, and public interest).

This letter addresses two main topics:

1. Erroneous statements made regarding the administrative status of surface water bodies as well as incorrect conclusions reached in the Draft Phase I Review Letter prepared by GeoEngineers regarding the above water right applications; and
2. The fourth part of the water right evaluation criteria – public interest.

On July 21, 2006 the Clark, Cowlitz, and Skamania Boards of County Commissioners unanimously voted in joint session to adopt the Water Resource Inventory Area (WRIA) 27 and 28 Watershed Plan (Plan). This plan contains recommendations regarding water quantity, water quality, fish habitat and instream flows for both WRIs. The area

surrounding Swift Reservoir is included in WRIA 28 and is located in the Plan's Middle Lewis Subbasin. The multi-WRIA planning unit consisting of over thirty members took six years to complete the Plan. Planning unit members included federal, state, county, city and tribal governments; environmental groups; industry representatives; area water purveyors; and local citizens. The plan was approved by all planning unit members prior to adoption by the three County Commissions.

Due to significant changes made between the Plan released in 2004 and the Plan adopted in 2006, the Draft Phase I Review Letter prepared by GeoEngineers contains several inaccurate statements and conclusions. To ensure accurate evaluation of the Marble Creek and Three Rivers water right applications, therefore, the entire draft letter should be re-evaluated in light of the changes made to the adopted Plan. Specifically, the following statements and conclusions should be corrected.

1. On page three, under the second paragraph of the section titled Administrative Status of Surface Water Bodies, the letter quotes the 2004 version of the WRIA 27/28 watershed plan and states that the plan closes the Middle Lewis Subbasin above Swift Reservoir 'to new water rights with exception for a water right reservation for single domestic use in Skamania County.' However, the reservation for this area actually included in the adopted Plan is for single domestic, small community water systems, and commercial uses. The amount of the reservation was also increased.
2. In the second paragraph of the Conclusions section of the draft letter, on page five, a conclusion is reached regarding the Three Rivers application. The conclusion reads: 'The applications are for residential (Group A water systems) supplies, however, and would, therefore, not be exempted under the proposed water right reservation for domestic use in Skamania County.' As mentioned above, the adopted watershed plan includes a reservation for domestic uses in Skamania County as well as for small community water systems and commercial uses. Thus, the Three Rivers application is, in fact, exempted under the adopted Plan reservation.
3. The next-to-last sentence of the letter states that GeoEngineers assumes 'the changes to the plan have been minor from the 2004 draft plan'. The changes incorporated into the Plan adopted in 2006 were not minor in relation to the examination of the Three Rivers water right application.

When it authorized the Watershed Planning Act, the Washington State Legislature described its purpose in RCW 90.82.005 as 'providing local citizens with the maximum possible input concerning their goals and objectives for water resource management and development' and as 'providing more specific guidance to manage the water resources of the state consistent with current law and direction provided by local entities and citizens through the process established in accordance with this chapter'. Additionally, in RCW 90.82.010 the Legislature found that the development of watershed plans 'serves the state's vital interests by ensuring that the state's water resources are used wisely, by protecting existing water rights, by protecting instream flows for fish, and by providing for the economic well-being of the state's citizenry and communities' and that these decisions are best left 'in

the hands of people who have the greatest knowledge of both the resources and the aspirations of those who live and work in the watershed'. Thus, the WRIA 27/28 watershed plan is the expression of the public's interest regarding the area surrounding Swift Reservoir.

Since the WRIA 27/28 watershed plan has now been adopted, Ecology is obligated under RCW 90.82.130 to implement its recommendations, including those governing instream flows and water quantity in the Swift area. Relative to the two water right applications referenced above, the Marble Creek application falls into the area of the Middle Lewis Subbasin that is open to new water right applications with no stream closure or instream flow restrictions. The watershed plan, therefore, leads to the conclusion that in the open area – which includes the Marble Creek property – applications for water rights meeting the remaining three parts of the four-part criteria are in the public's interest.

Stream closures have been recommended by the watershed plan for the area upstream of Swift Reservoir, which includes the Three Rivers property adjacent to Pine Creek, and the Muddy and Lewis Rivers. Instream flows have not been recommended. Reservations for small community water systems, commercial uses, and domestic uses were incorporated into the closure totaling a net stream flow depletion amount of 0.38 cubic feet per second (0.38cfs). These reservations represent the maximum day demand (MDD) assuming an average water usage of 300 gallons per day (gpd) per single-family dwelling with a 70% rate of return due to on-site septic system infiltration. The Three Rivers application does not exceed the reserved amount for small community water systems and commercial uses contained in the watershed plan; it is, therefore, in the public's interest and need only be examined in relation to the remaining three parts of the four-part criteria.

I hope this information will prove useful in your examination of the two water right applications submitted by Mr. Creagan and Mr. Sauer. Should you wish to review the adopted WRIA 27/28 Watershed Plan, please contact the Lower Columbia Fish Recovery Board or Scott McKinney, Ecology's Watershed Lead for these WRIAs.

Sincerely,

Charly Boyd
President

Crane, Philip G.

From: Ryan Hunter [Ryan@gptaskforce.org]
Sent: Friday, September 08, 2006 10:51 AM
To: Dixel, Michael E
Subject: Swift land-use plan proposed

I plan to speak with the County to get a better handle on the impact of this proposal. Will let everyone know what I learn. Please be prepared to submit comments to the County on this plan before the end of September. Thanks. - Ryan

Swift land-use plan proposed

Thursday, September 7, 2006

KATHIE DURBIN Columbian staff writer

Creation of new building lots north of Swift Reservoir would be restricted and most industrial forest land in the area would be protected for commercial forest use, not carved up for subdivisions, under a new land-use plan proposed by the Skamania County planning department.

The long-awaited "vision plan" for the Swift area, if adopted by county commissioners, could thwart developers' plans to build suburban-style subdivisions off the grid southeast of Mount St. Helens.

The densest development permitted would be one house on every 5 acres, although developers could cluster houses on smaller lots if they set aside adjacent land as green space, said county Planning Director Karen Witherspoon. Such cluster developments would require public hearings and approval by the county Board of Adjustment, she said.

The vision plan and an accompanying map cover 89,000 acres of public and private forest land in mid-Skamania County, including land managed by the Forest Service and state Department of Natural Resources, property owned by PacifiCorp along Swift Reservoir and the Lewis River, and private timberland, much of it in large blocks.

The statement written after the county polled residents of the Swift area and held several meetings to gather public opinion says the area "should continue to be predominantly a recreational area in a primitive rugged mountainous environment."

Since 2000, the county has approved 131 building lots and issued 24 building permits in the area, which is off the electrical grid and has no telephone service, public water or sewers. State agencies have raised concerns about how the developments will affect fish, wildlife and backwoods recreation. The Forest Service, which owns most access roads in the area, says it can't afford to maintain those roads for residential use.

Yet at least five landowners have their sights on converting additional logged-over forest land to nonforest use in the area. None has yet applied to the county to divide their land, Witherspoon said.

The county is not accepting such applications. Last month, county commissioners extended until December a moratorium on creation of new building lots smaller than 10 acres.

The proposal and a "vision map" were unveiled Sunday at the annual Labor Day weekend pancake breakfast in the community of Northwoods, near Swift Reservoir.

"We had folks from both sides of the spectrum," said Skamania County Commissioner Paul Pearce, whose

district includes the Swift area. "The developers were less than happy. The no-growth people were less than happy. Most people appreciated the fact that we were involved in the process. I certainly feel it's a balanced plan."

"The map itself doesn't cater to any one group," Witherspoon said. "It's pretty much down the middle."

K. Charly Boyd, a planning consultant hired by developers Dave and Jeff Creagan of Woodland and Jerry Sauers of Camas to help advance their plans for recreational housing north of Swift Reservoir, said she had not yet discussed the proposal with her clients.

She said she expects to work with them to submit alternative proposals to county commissioners.

Maintain 'rural character'

Ryan Hunter of the Gifford Pinchot Task Force, an environmental group that has been monitoring the land boom, said he hadn't yet studied the county's proposal.

"We'll be taking a close look at it to make sure it is adequate to protect fish and wildlife habitat and maintain a rural character in the Swift area," he said.

The proposal calls for leaving 500-foot buffers around the Mount St. Helens National Volcanic Monument and Cedar Flats Natural Area, winter range for a Roosevelt elk herd near the confluence of the Lewis River, Muddy River and Pine Creek.

However, the plan would allow residential development on pockets of land designated "mountain recreational," with minimum lot sizes of 5, 10 or 20 acres. Small-scale commercial activities related to recreation and tourism also would be allowed on those lands.

Most of the area, including most national forest land, would be designated as commercial resource land, with no dwellings allowed.

Other land north of Swift Reservoir would be designated as "forest land," with one dwelling allowed on a 20-acre lot.

Public land and land owned by utilities would be designated "Swift recreational." No new lots could be created on those lands unless it would promote recreation.

The plan grandfathers in the existing 204 privately owned cabins at Northwoods and allows replacement of those cabins if necessary. The existing Eagle Cliff General Store and other businesses serving the area also would be allowed to remain.

The county will accept comments on the proposal until the end of September.

The map and proposal are posted on the county's Web site,

[www.skamaniacounty.org/Planning/Planning% 20and%20Development% 20Department.htm](http://www.skamaniacounty.org/Planning/Planning%20and%20Development%20Department.htm)

Ryan Hunter
Program Director
Gifford Pinchot Task Force
917 SW Oak St., Suite 410
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September 07, 2006
MWG 4066.01

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Washington State
Department of Ecology

Attn: Mike Dexel
Water Resources Program
Department of Ecology - SW Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

**Re: Phase I Water Right Application Review
Dave Creagan/Jerry Sauer (Applications G2-30289 and G2-30292)**

Dear Mike:

Thank you for forwarding a draft copy of the Phase I Review letter for the subject water right application that was prepared under the cost reimbursement program by GeoEngineers, Inc. It is our understanding that the Phase I Review letter is still in draft format and that Ecology is in the process of providing comments to GeoEngineers that will be incorporated into a final letter. We request that you consider the following points as you prepare comments to be included in a final Phase I Review letter:

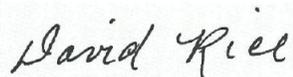
- Under "Groundwater Source Area", Page 3, Paragraph 2. The source area is identified based on the presumption that "the withdrawal has the potential to impact flow in the streams, and by extension, all downstream surface water rights and applications on Swift Reservoir and the North Fork Lewis River below Swift Reservoir". There are three large reservoirs and hydroelectric projects on the North Fork Lewis River; Swift (447,000 acre-feet active storage capacity), Yale (190,000 acre-feet active storage capacity) and Merwin (263,700 acre-feet active storage capacity). The total active storage capacity is 900,700 acre-feet. The operation of all three reservoirs are governed by FERC licensing agreements which dictate an operating regime and flows to be discharged to maintain instream flow in the North Fork Lewis River. The streamflow regime downstream of Merwin Dam is artificial; that is flows are lower in winter and spring and higher in summer than natural flow. The projects are operated to meet a required flow regime in summer regardless of inflow to the reservoirs. The conclusions reached in this paragraph are unsupported as there is no possible way that these projects could "impact flow in the streams, and by extension, all downstream surface water rights and applications on Swift Reservoir and the North Fork Lewis River".

We request that the Groundwater Source Area discussion be rewritten to reduce the geographic extent of the source area to within the Swift Reservoir area. If the Consultant does not agree, then a sound technical basis should be presented for the Groundwater Source Area determination that accounts for the operation of the three hydroelectric projects on the North Fork Lewis River.

- Please ensure that the language and intent of the final version of the WRIAs 27 and 28 Watershed Management Plan are reflected in the language of Phase I Review letter. Another letter, prepared by Charly Boyd of Advanced Planning Solutions, was submitted with this letter to provide information regarding the final Watershed Management Plan that should be considered as part of the Phase I Review.

We appreciate the effort made in processing these applications. Please let us know if you have any questions.

Sincerely,



David W. Rice, P.E.
Project Engineer

Anchor Environmental, L.L.C.
(Formerly Montgomery Water Group, Inc.)

Cc: Joel Purdy, GeoEngineers

Fax: 503-221-2146
Web: www.gptaskforce.org

Deleted an e-mail from Mike.
These were the attachments.

Other emails were deleted after saving
attachments to my hard drive

DC 11/15/06

Created 16MB in Outlook

Crane, Philip G.

From: Joel W. Purdy [jpurdy@geoengineers.com]
Sent: Wednesday, August 23, 2006 2:36 PM
To: Dexel, Michael E
Cc: Pearch, John; Michael A. P. Kenrick; Marti, Jeff (ECY)
Subject: RE: Draft Phase 1 Three Rivers Applications

Mike,

Yes, we received a letter from MWG dated August 10, after we submitted our draft report to you. Thus, we will have to revise the number of connections, acres and uses presented in our report. I have not begun to address your comments in a systematic way yet, but I do have a few main points:

1. According to the MWG letter and accompanying map, the wells associated with both applications are yet to be drilled as stated in our report. I would recommend that they conduct 24-hour tests on the new wells while monitoring one or two of the nearest existing wells.
2. We will need a copy of the final watershed management plan.
3. We will need copies of all protest letters.

John,

The available aquifer test information is not very impressive, to say the least. The estimate of higher transmissivity in the Quaternary deposits is based on the fact that the majority of the wells in these deposits have much higher specific capacities (only one had a specific capacity of 0.1 gpm/ft of dd) than the one well in the older deposits. I will call you next week to discuss your other comments.

Thanks,

Joel W. Purdy, Senior Hydrogeologist
GeoEngineers, Inc.

1550 Woodridge Dr SE
Port Orchard WA 98366

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F 360.769.8700
jpurdy@geoengineers.com

Please visit our new web page at www.geoengineers.com

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From: Dexel, Michael E [mailto:MDEX461@ECY.WA.GOV]
Sent: Wednesday, August 23, 2006 10:25 AM
To: Joel W. Purdy
Cc: Pearch, John; Michael A. P. Kenrick; Marti, Jeff (ECY); Dexel, Michael E
Subject: FW: Draft Phase 1 Three Rivers Applications

Hi Joel,

Here are our final comments on Phase 1. See the letter from Montgomery Water Group dated August 10, 2006 to incorporate into the final Phase 1 (it answers some of the questions John and I asked about the project i.e. number of wells in area, need for irrigation of golf course, etc.) Let me know what you have from these files, I

11/13/2006

suspect you are missing some of the information we have collected.

It might be helpful to do a quick telephone conference call if you feel it is necessary, otherwise call John or I if you have any questions. A pump test isn't a bad idea especially since the proposed wells have not been drilled yet, they may be able to utilize the existing wells to to the test but I'll leave that up to you HG's.

Mike Dexel
Department of Ecology
Water Resources Program
Southwest Regional Office
(360) 407-6167

From: Pearch, John
Sent: Tuesday, August 22, 2006 4:35 PM
To: Dexel, Michael E
Subject: FW: Draft Phase 1 Three Rivers Applications

Mike,
I made a couple comments on the word document, but overall it all looks good. I posed the question about a pump test because that is the usual thing that is required for new water rights, correct? Let me know if you have any questions.

Thanks

John

John Pearch, L.H.G.
Hydrogeologist
Southwest Regional Office - Water Resources Program
Department of Ecology
PO Box 47775 Olympia, WA 98504-7775
Voice: 360-407-0297 email: JOPE461@ecy.wa.gov

From: Dexel, Michael E
Sent: Wednesday, August 09, 2006 11:05 AM
To: 'Joel W. Purdy'; Michael A. P. Kenrick
Cc: Pearch, John; Marti, Jeff (ECY); Crane, Philip G.; Loranger, Thomas J.
Subject: Draft Phase 1 Three Rivers Applications

Joel & Michael,

Looks pretty darn good to me. I did add some comments (mostly factual) so incorporate those as you see fit. We will likely have more to say but I'll need some more time to get those to you.

Particularly below, I noted a couple of highlights:

1) I have sent David Rice (Montgomery Water Group) a formal letter to describe the project as it is proposed today. As you know, the legal description has changed on Marble Creek and we have a number of wells drilled at Three Rivers that are questionable in terms of how they will be using those. They may need to re-publish Public Notice, but I am going to wait and make that call once they have replied to my letter.

11/13/2006

2) As far as I know, a reservation for Group A systems was set aside for the Three Rivers area. This was requested by Sauer & Creagan because without Group A water, they have no reservation to tap into. The Final WRIA Plan has not been published but, in it, there is language to this effect along with any other changes that were made before adoption.

3) There was one protest to these applications and lately PacifiCorp has been raising concerns regarding impairment.

4) I did not see any proposed gauging stations for minimum instream flows on the North Fork Lewis River in the Watershed Plan. That being said, I am okay with your reasoning regarding same source of water and competing applications (John still needs to review). If, for some reason, there is a control point established on the North Fork, it will change the same source question considerably because all applicants, even those in the tributaries, will be regulated to meet those instream flows and if we had to regulate, they would have seniority over these applications.

I would like to get a firm idea of what this project will look like as we head into Phase 2 and it may change the way you scope it out.

I am out on Annual Leave starting tomorrow and won't be back until August 21. John Pearch is out all this week but will hopefully have a chance to review by the time I get back. Steve Manlow at LCFRB is the guy with the Final Plan making the changes as we speak. And David Rice had yet to respond to my letter. With all that going on, I hope to have some finality of Ecology comments to you for the DRAFT Phase 1 report on this by the end of the month, but it will likely be that long until we can get it straight on our end.

Thanks for the good work and we'll talk soon!

Mike Dixel
Department of Ecology
Water Resources Program
Southwest Regional Office
(360) 407-6167

From: Joel W. Purdy [mailto:jpurdy@geoengineers.com]
Sent: Monday, August 07, 2006 4:11 PM
To: Dixel, Michael E
Cc: Michael A. P. Kenrick
Subject: FW: 050403000DraftL.pdf

Mike,
Attached is our Phase 1 report for the Three Rivers applications for your review. The Word document contains the text so that you can edit it directly. The pdf file has the full text and the four figures.

Joel W. Purdy, Senior Hydrogeologist
GeoEngineers, Inc.

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11/13/2006

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Please visit our new web page at www.geoengineers.com

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From: Jennifer Lewis
Sent: Monday, August 07, 2006 3:58 PM
To: Joel W. Purdy
Subject: 050403000DraftL.pdf

Crane, Philip G.

From: Dexel, Michael E
Sent: Wednesday, August 23, 2006 10:25 AM
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Cc: Pearch, John; 'Michael A. P. Kenrick'; Marti, Jeff (ECY); Dexel, Michael E
Subject: FW: Draft Phase 1 Three Rivers Applications
Attachments: 050403000DraftL.pdf; 050403000DraftL.doc

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John Pearch, L.H.G.
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Southwest Regional Office - Water Resources Program
Department of Ecology
PO Box 47775 Olympia, WA 98504-7775
Voice: 360-407-0297 email: JOPE461@ecy.wa.gov

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Sent: Wednesday, August 09, 2006 11:05 AM
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Cc: Pearch, John; Marti, Jeff (ECY); Crane, Philip G.; Loranger, Thomas J.
Subject: Draft Phase 1 Three Rivers Applications

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Mike Dexel
Department of Ecology
Water Resources Program
Southwest Regional Office
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From: Joel W. Purdy [mailto:jpurdy@geoengineers.com]

11/13/2006



**MONTGOMERY
WATER GROUP, INC.**

Water Resources Engineering

RECEIVED

AUG 14 2006

Washington State
Department of Ecology

Attn: Mike Dixel
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Southwest Region Office
Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775

August 10, 2006

Subject: **Dave Creagan/Jerry Sauer Water Right Applications G2-30289 and G2-30292**

Dear Mike,

This letter and the attached information have been prepared in response to your letter, dated August 3, 2006. As you noted, some of the attributes of the above referenced water right applications have been revised. The following information has been provided, as requested in your letter:

- Application G2-30289 (Marble Creek Property)
 1. Revised legal descriptions and a revised location map were sent to you previously to correct an inconsistency between the legal description and location map that were submitted with the original application. The property described in the revised legal descriptions and shown on the location map totals 137 acres. The revisions to the legal descriptions and location map had no impact on the proposed development concept or withdrawal rate and volume outlined in the original application. The development of the property will include 40 residential cabin sites, as detailed in the original water right application.
 2. The wells that have been drilled to date within the Marble Creek property have been shown on the attached area map. These are exempt wells. The owner has indicated that he intends to construct a water system to serve the property outlined on the map from a single well, as noted on the water right application, and does not intend to continue use of these wells once a water right permit has been granted and a system is constructed. If the owner wishes to use these wells to serve the area outlined in the water right application after the water right permit is granted and the system is constructed, he may need to apply for a change in point of withdrawal to cover the use of those wells under the water right permit. A preliminary point of withdrawal was selected for a permanent water supply well as shown on the map and noted in the water right application. However, the owner intends to work with his engineer, his geologist, and Ecology to ensure that the water

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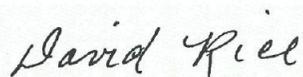
supply well is drilled at a location that will best serve the development and minimize impacts to the surrounding area.

- Application G2-30292 (Three Rivers Property)
 1. The development concept that was presented in the original application included residential cabin sites, a golf course, a club house with a pool, and an RV Park. An estimate of water demand generated by each of those uses was submitted with the water right application. The owner has indicated that the current development concept no longer includes a golf course. The development concept still includes the other uses described in the water right application. The maximum daily demand estimated for the golf course was 126 gpm, which would be equal to the maximum withdrawal rate associated with the golf course. The annual demand for the golf course was estimated at 41 acre-feet. The water right requested a maximum withdrawal rate of 351 gpm and an annual withdrawal of 156 acre-feet. If the demand for the golf course is deducted, the revised maximum withdrawal rate will be 225 gpm, and the annual withdrawal will be 115 acre-feet.
 2. Existing wells in the vicinity Three Rivers property have been shown on the attached area map. The wells within the Three Rivers property are exempt wells. The owner has indicated that he intends to construct a water system to serve the property outlined on the map from two source wells, as noted on the water right application, and does not intend to continue use of these wells once a water right permit has been granted and a system is constructed. If the owner wishes to use these wells to serve the area outlined in the water right application after the water right permit is granted and the system is constructed, he may need to apply for a change in point of withdrawal to cover the use of those wells under the water right permit. Two preliminary points of withdrawal were selected for a permanent water supply well as shown on the map and noted in the water right application. However, the owner intends to work with his engineer, his geologist, and Ecology to ensure that the water supply wells are drilled at locations that will best serve the development and minimize impacts to the surrounding area.

We appreciate your comments. Please let us know if you have any further questions.

Very truly yours,

MONTGOMERY WATER GROUP, INC.



David W. Rice, P.E.

Project Engineer

Encl: Location Map – Marble Creek

Location Map – Three Rivers

CC: Joel Purdy – GeoEngineers (Port Orchard), Jeff Creagan





\\Mwarcw\company\4000\4058 Cragen Excavating\40AD\Cragen Water Supply

● EXISTING WELL LOG (LOCATIONS APPROXIMATE TO NEAREST QUARTER, QUARTER SECTION, FROM DOE WELL LOG DATABASE)

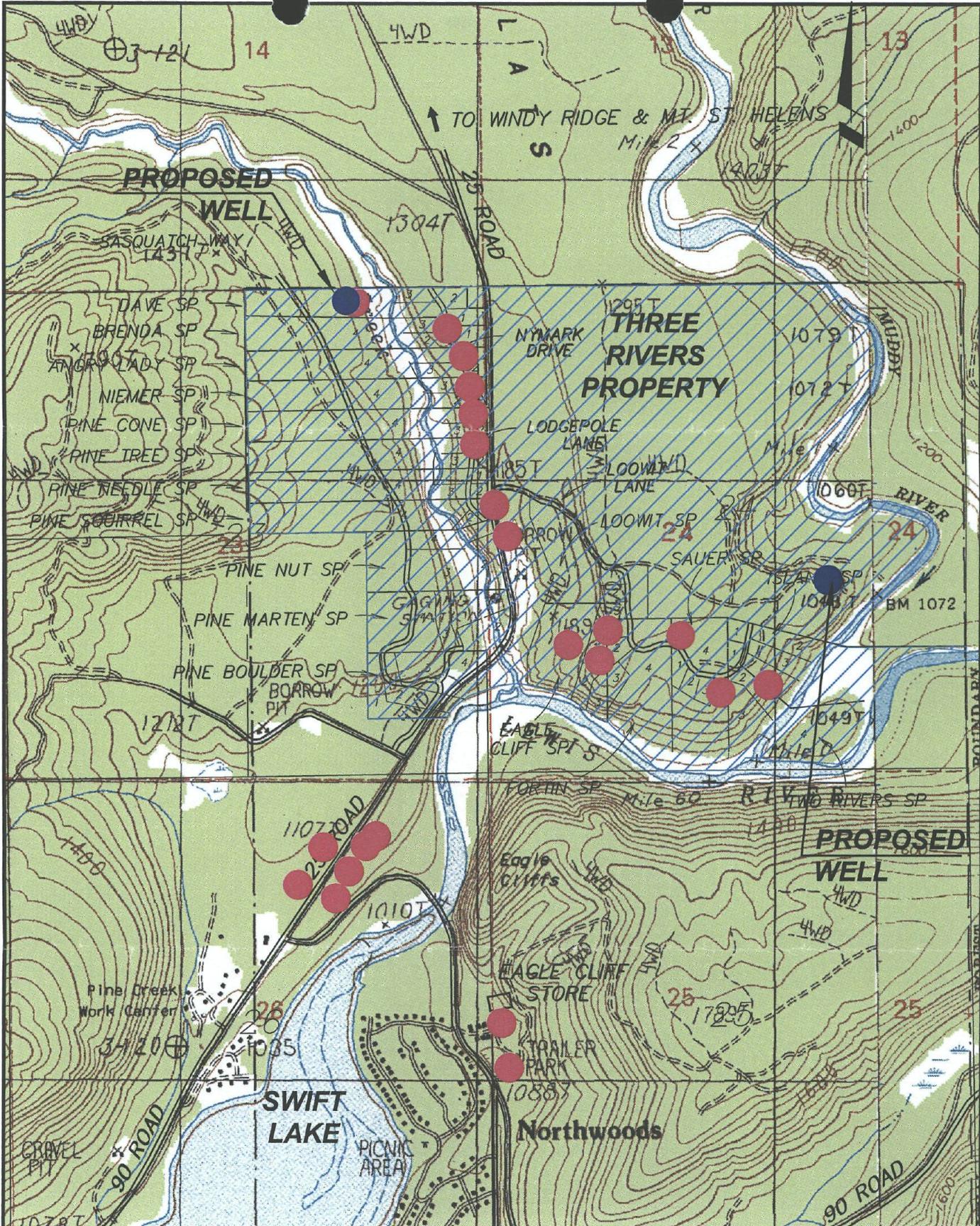


Exhibit 1
Marble Creek Development
Location Map

Marble Creek Development Water Rights Application



MONTGOMERY
WATER GROUP, INC.



\\wrsrvr\company\4000\4066_Crangan_Escavating\LOAD\Creegan_Water_Supply

dfcs

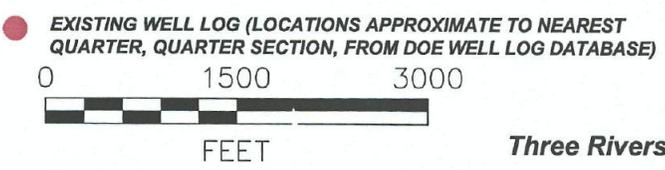


Exhibit 1
Three Rivers Development
Location Map

Three Rivers Development Water Rights Application





Skamania County
Department of Planning and
Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX: 509 427-3907

RECEIVED
SEP 05 2006
Washington State
Department of Ecology

NOTICE OF SHORT PLAT APPLICATION

The Skamania County Department of Planning and Community Development has received the following application outside of the National Scenic Area Boundary:

APPLICANT: Bill Coonrod
SHORT PLAT NAME: North Shore Short Plat
FILE NUMBER: SP-06-24
LOCATION: U.S.F.S. 90 Road & Monarch Lane, Swift Area
Tax Lot 07-06-34-0-0-0201-00
DESCRIPTION: N 1/2 of NW 1/4 of Section 34, Township 7 North, Range 6 East, W.M
Short plat of approximately 17.6 acres into four recreational lots; proposed lot 1 consisting of approximately 4.8 acres, proposed lot 2 consisting of approximately 2.5 acres, proposed lot 3 consisting of approximately 6.6 acres, and proposed lot 4 consisting of approximately 3.4 acres. Each proposed lot will utilize individual wells, individual on-site septic systems, and existing private roads.

As an adjacent property owner, or interested party, we are notifying you of a short plat application.

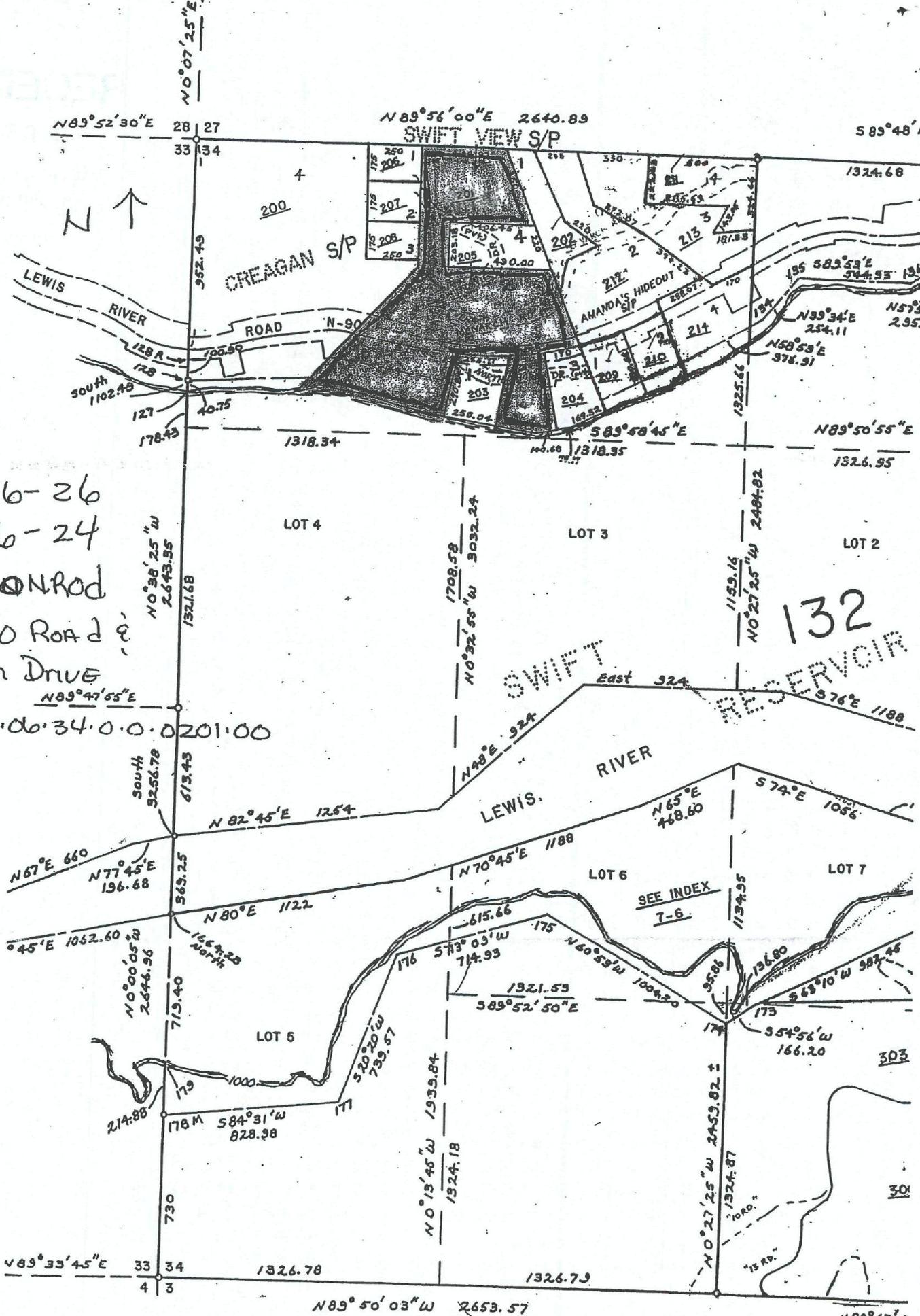
The deadline for submitting written comments on this proposal is 20 days from the date of this notice. Submit all comments in writing to Skamania County Planning and Community Development Department at 170 NW Vancouver Avenue, P.O. Box 790, Stevenson, WA 98648. Alternatively, you may email us your comments to planningdept@co.skamania.wa.us Comments must address the review criteria and any comments received are a matter of public record.

You may view the application and supporting documents at Skamania County Department Planning and Community Development office between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday. Alternatively, you may request copies of the application and supporting documents from Skamania County Department of Planning and Community Development Department for \$ 0.15 per page between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday.

Those who fail to submit written comments in a timely manner will not be considered interested parties and will be precluded from appealing the Administrative Decision.

Date: September 1, 2006

Debbie Cazaré, Planning Technician



SEP-06-26
 SP-06-24
 Bill Connor
 USFS 90 Road &
 Monarch Drive
 Tax Lot 07.06.34.0.0.0201.00

132

SEE INDEX
6-6

N 89° 52' 30" E 28 27
33 34

N 89° 56' 00" E 2640.89
SWIFT VIEW S/P

S 89° 48' 1

LEWIS RIVER

CREAGAN S/P

AMANDA'S HIDEOUT S/P

SWIFT RESERVOIR

LOT 4

LOT 3

LOT 2

LEWIS RIVER

LOT 6

LOT 7

SEE INDEX
7-6

LOT 5

N 89° 33' 45" E 33 34
4 3

N 89° 50' 03" W 2653.57

N 89° 47' 5

NORTHWEST CORNER OF SECTION 34

FOUND 3" DNR "1969" BRASS DISC IN 4" CONC. MON. (FALLEN OVER) DURING THIS SURVEY. RE-ESTABLISHED CORNER POSITION BY BT'S SHOWN BELOW:

1. FND 36" FIR STUMP W/ R.R. SPIKE IN CENTER OF STUMP N 84°W 39.80' FROM MON.
2. FND 47" FIR STUMP W/ R.R. SPIKE IN CENTER OF STUMP S 50°W 41.65' FROM MON.
3. FND 24" FIR STUMP W/ ORIGINAL BT TAG N 55°E 45.60' FROM MON.
4. FND 48" FIR STUMP W/ ORIGINAL BT TAG S 55°E 2.70' FROM MON. MATHEMATICAL POSITION OF CORNER BASED UPON P.P. & L. RETRACEMENT & SUBDIVISION OF SEC. 34 CONDUCTED BY N.W. PETTJOHN IN 1957 FALLS S. 0.37' AND W. 5.59' OF FND. DNR MONUMENT. ORIGINALLY ESTABLISHED AS A POST BY L. SHELTON IN 1900 WITH ACCESSORIES OF: A 10" FIR N45 1/4°E 72 LINKS, AN 18" FIR S67°E 7 LINKS, A 30" FIR S53°W 62 LINKS AND A 24" FIR N80°W 61 LINKS. IN 1969 DNR CREWS FOUND THE ORIGINAL BEARING TREES AND PLACED A STANDARD DNR MONUMENT WITH BRASS CAP AT THE RECORD BEARING AND DISTANCES.

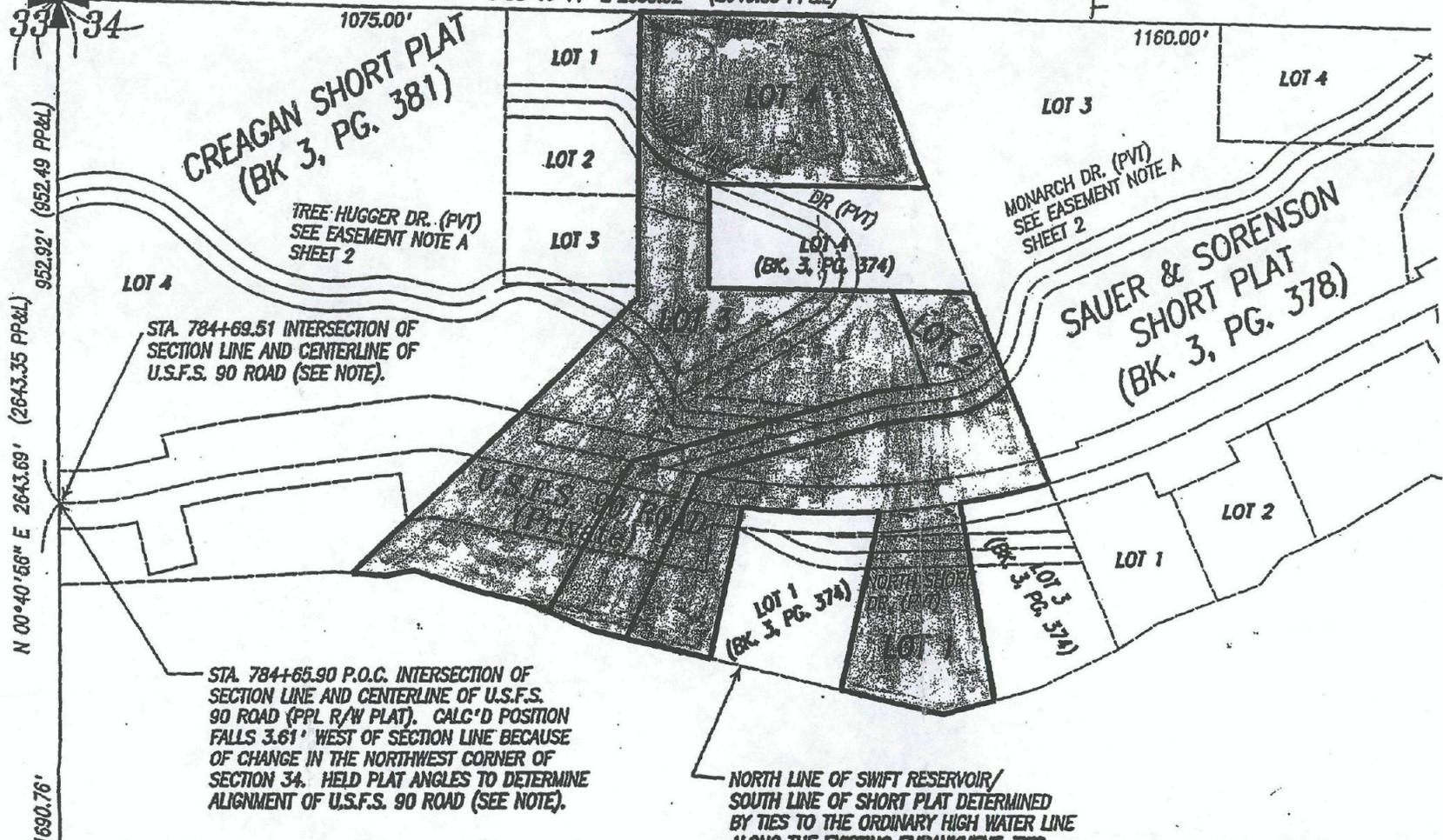
NORTH QUARTER

- FOUND 3" DNR B.T.'S
1. FND. 30" CE
 2. FND 16" FIR
 3. FND. 20" CE
- CORNER BAS N.W. PETTJO. ORIGINALLY ESTA. A 12" FIR S23 3 CREWS FOUND TI CAP IN THE CORN

SEP-06-26
 SP-06-24
 Bill Coonrod
 USFS 90 Road / Monarch Drive
 TAX lot 07.06.34.0.0.02d.20



S 88°46'11" E 2639.92' (2640.89 PP&L)



Sent: Monday, August 07, 2006 4:11 PM
To: Dexel, Michael E
Cc: Michael A. P. Kenrick
Subject: FW: 050403000DraftL.pdf

Mike,

Attached is our Phase 1 report for the Three Rivers applications for your review. The Word document contains the text so that you can edit it directly. The pdf file has the full text and the four figures.

Joel W. Purdy, Senior Hydrogeologist
GeoEngineers, Inc.

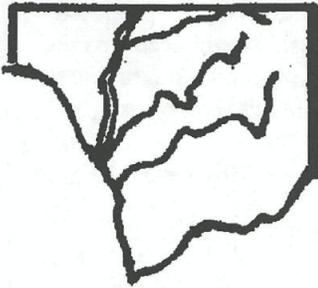
1550 Woodridge Dr SE
Port Orchard WA 98366

T 360.769.8400
F 360.769.8700
jpurdy@geoengineers.com

Please visit our new web page at www.geoengineers.com

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From: Jennifer Lewis
Sent: Monday, August 07, 2006 3:58 PM
To: Joel W. Purdy
Subject: 050403000DraftL.pdf



**DEPARTMENT OF
BUILDING AND PLANNING**

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

Print in ink or type - DO NOT USE PENCIL

- 1. Name of proposed project, if applicable: Road Project for Beekly
- 2. Name of applicant: Julius + Carol Beekly
- 3. Address and telephone number of applicant and contact person:
385 Stanford Drive - Woodland WA 98674
Contact Person - John Thomas 360 957-0039
- 4. Date checklist prepared: 12-15-05
- 5. Agency requiring checklist: Dept of Building and Planning
- 6. Proposed timing or schedule (including phasing, if applicable): Road Construction - immediate
- 7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain:
No additional Road Construction
- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
There is Geotechnical Field work near completion that pertain to this project
- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:
None
- 10. List any government approvals or permits that will be needed for your proposal, if known:
Road Construction permit for private county road SEPA - DNS - Critical Areas
- 11. Give brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.
Proposal to construct a type 'B' private county road into a short plat sub-division.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a large area, provide the boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans, required by the agency, you are not required to duplicate maps or detailed plans submitted with any applications related to this checklist.

Sections(s) 32 - Township 6N - Range 1E - Willamette Meridian

From Woodland, traveled east on 503 approx 4.5 miles to Butte Hill Rd. Left on Butte Hill Rd approx 2 miles to end of maintained road. In the 1000 block of Butte Hill Rd

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- a General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other:

- b What is the steepest slope on the site (approximate percent slope)?

50%

- c What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Silt-Clay Loam

- d Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe:

DNR Digital Landslide Map shows instability

- e Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source fill:

Cuts & fills to balance on road prism

- f Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Erosion control devices in place

- g About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approx 5%

EVALUATION FOR AGENCY USE ONLY

Geo-tech report completed.

h Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Placement of silt fence, Hay bales and Waddles

2. AIR

a What types of emissions to the air would result from the proposal (i.e., dust, automobiles, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known:

Possible dust created from road construction

b Are there any off-site sources of emissions or odor that may effect your proposal? If so, generally describe.

None

c Proposed measures to reduce or control emissions or other impacts to air, if any:

None

3. WATER

a. Surface

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, salt water, lakes, ponds, wetlands)? If yes describe type and provide names. If appropriate, state what stream or river it flows into:

No

2. Will the project require any work over, in, adjacent to (within 200 feet) the described waters? If yes, describe and attach available plans.

No

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site, which would be affected. Indicate the source of fill material.

None

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. **Ground**

1. Will ground water be with drawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

Single dwelling unique wells for lots

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Domestic Septic Systems

c. **Water Runoff** (including storm water)

1. Describe the source of runoff (including storm water) and the method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so describe:

Stormwater in upper regions runs down ditches through shallow rock sediment trap

2. Could waste materials enter the ground or surface waters? If so generally describe:

No

3. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Runoff directed into ditches through pile bales

4. **PLANTS**

a. Check or circle types of vegetation found on site:

Deciduous trees: Alder, maple, cottonwood, other _____

VALUATION FOR AGENCY USE ONLY

- evergreen trees: fir, cedar, pine, hemlock, other _____
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, skunk cabbage, other _____
- water plants: water lily, eelgrass, milfoil, other _____
- other types of vegetation: _____

b. What kind and amount of vegetation will be removed or altered?

Already done

c. List threatened or endangered species known to be on or near the site:

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Grass seeding - bark mulching
Landscaping of conifer & deciduous trees

5 **Animals**

a. Circle any birds and animals which have been observed on or near the site, or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other _____

Mammals: deer, bear, elk, beaver, other _____

Fish: bass, salmon, steelhead, trout, herring, shellfish, other _____

b. List any threatened or endangered species known to be on or near the site:

None

c. Is the site part of a migration route? If so explain:

No

d. Proposed measures to preserve or enhance wildlife, if any:

Preserve native plants & forest
wherever applicable

6 **Energy and Natural Resources**

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.:

Electricity

VALUATION FOR AGENCY USE ONLY

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Construction of energy efficient homes

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so describe:

No

1. Describe special emergency services that might be required:

Citizen protection services
Police - Fire - EMT

2. Proposed measures to reduce or control environmental health hazards, if any:

None

b. Noise

1. What types and levels of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Upon project completion - traffic

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site:

Construction equipment - short term
Traffic - long term 7:00A - 5:00P Mon - Fri.

3. Proposed measures to reduce or control noise impacts, if any:

None

8. Land and Shoreline Use

a. What is the current use of the site and the adjacent properties?

Open space - Forest lands

b. Has the site been used for agriculture? If so describe:

Timberlands only

c. Describe any structures on the site:

None

d. Will any structures be demolished? If so, what?

No

e. What is the current zoning classification of the site?

Unzoned - Timber Classification

unzoned

f. What is the current comprehensive plan designation of the site?

None at this time

RR-2

g. If applicable, what is the current shoreline master program designation of the site?

N/A

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify:

As per DNR Digital Landslide map

Yes - Ancient
landslide. See
attached map.

i. Approximately how many people would reside or work in the completed project?

15 ±

j. Approximately how many people would completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

None

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

~~Will~~ follow all Cowitz County land use ordinances

9

Housing

a. Approximately how many units would be provided, if any? Indicate whether high-, middle-, or low-income housing.

High income 4 homes

Approximately how many units, if any, would be eliminated? Indicate whether high-, middle-, or low-income housing:

None

b. Proposed measures to reduce or control housing impacts, if any:

CC & R's for protect the development

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

20 feet

b. What views in the immediate vicinity would be altered or obstructed?

No

c. Proposed measures to reduce or control aesthetic impacts, if any:

CC & R's

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

c. What existing off-site sources of light or glare may affect your proposal?

None

d. Proposed measures to reduce or control light and glare impacts, if any:

None

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Timberlands

recreation trails

b. Would the proposed project displace any existing recreational uses? If so, describe:

None

- c. Proposed measures to reduce or control impacts on recreation, including reception opportunities to be provided by the project or applicant, if any:

None

13. Historical and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be next to the site? If so, generally describe.

None

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site:

None

- c. Proposed measures to reduce or control impacts, if any:

N/A

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on-site plans, if any:

Butte N.11 Rd

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No
Woodland

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Create 4 parking spaces
per home site

- d. Will the proposal require any new roads or streets or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

Yes - Submitting a Type 'B'
engineered road plan

c. Will the project use (or occur in the immediate vicinity of) water, rail, or any transportation? If so, generally describe:

No

f. How many vehicular trips per day would be generated by the completed project? In known, indicate when peak volumes would occur:

15 per day

g. Proposed measures to reduce or control transportation impacts if any:

None

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe:

Yes fire-police protection

b. Proposed measures to reduce or control direct impacts on public services, if any:

None

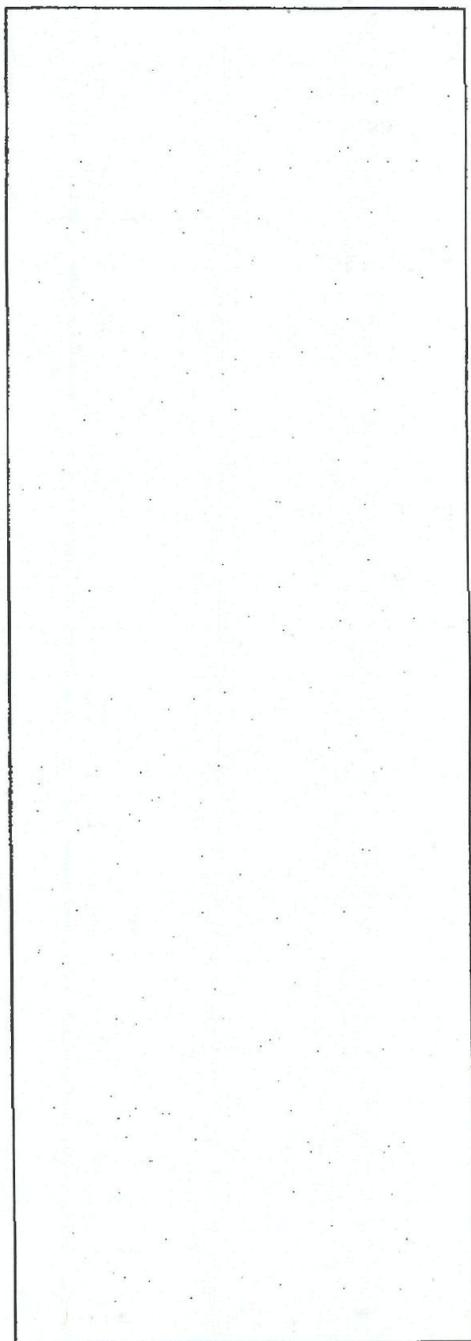
16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed:

Electricity - PUP
Phone Verizon

EVALUATION FOR AGENCY USE ONLY



C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

[Handwritten signature]

Date submitted:

12-16-05

"TOTAL THREE RIVERS PROPERTY"

684 ACRE TRACT:

A portion of the East half of Section 23 and a portion of Section 24, Township 7 North, Range 6 East, Willamette Meridian, Skamania County, Washington, described as follows (bearings are "NAD 83", Washington Coordinate System South Zone):

BEGINNING at a concrete monument at the Quarter Corner between Sections 23 and 14; thence South $01^{\circ} 20' 10''$ West, along the West line of the Northeast quarter of Section 23, for a distance of 2664.72 feet to the Center of Section 23; thence South $89^{\circ} 27' 43''$ East, to the Northwest corner of the Northeast quarter of the Southeast quarter of Section 23; thence South $01^{\circ} 14' 18''$ West, 1323.46 feet to the Northwest corner of Government Lot 1; thence South $01^{\circ} 14' 18''$ West, along the West line of Government Lot 1 (and the East line of the Southwest quarter of the Southeast quarter of Section 23), for a distance of 722.00 feet; thence South $89^{\circ} 22' 16''$ East, parallel with the North line of Government Lot 1, for a distance of 884.00 feet to the ordinary high water mark on the North Bank of the North Fork of the Lewis River; thence, following said ordinary high water mark, Easterly, and Northeasterly, 7037 feet, more or less, to the East line of the Southeast quarter of Section 24; thence North, along said East line, 44 feet, more or less, to the Northeast corner of the "Sauer and Creagan tract" as described in Skamania County Auditor's File No. 2005155968; thence North $88^{\circ} 41' 04''$ West, 1315.51 feet to an angle point on the North line of the "Sauer and Creagan tract"; thence North $74^{\circ} 41' 14''$ West, along said "North line", 103 feet, more or less, to the center of the Muddy River; thence Northeasterly and Northwesterly along said river centerline, 6200 feet, more or less, to the North line of Section 24; thence West, 1257 feet, more or less, to the Quarter Corner between Sections 13 and 24; thence West, 2647 feet, more or less, to the Northwest corner of Section 24; thence West, 2646 feet, more or less, to the POINT OF BEGINNING.