



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

July 18, 2007

Clark Public Utilities
PO Box 8900
Vancouver WA 98668

Dear Sir or Madame:

RE: Permit No. **G2-30313**

Enclosed is your permit No. **G2-30313**, which includes your Development Schedule.

Completion of Construction form

According to your permit, you are to finish construction on your water project on or before **September 30, 2016**. When the work is completed, you must complete and submit the enclosed "Construction Notice: Completion of Construction" form. Please return the form to the Water Resources Program at Ecology's Southwest Regional Office.

If we do not receive the completed form by **September 30, 2016**, and do not hear from you otherwise, your permit may be cancelled. We understand that occasionally there are extenuating circumstances that may delay the completion of a project. In this case, you **must** contact us, **in writing**, to request an **extension**.

This is the only notice you will receive from us about submitting the "Completion of Construction" form. It is your responsibility to keep track of the development schedule dates specified in your permit.

Completing construction and submitting the "Completion of Construction" form are essential parts of the process towards securing a water right certificate. After submission of that form, your next deadline is associated with putting the water to full beneficial use.

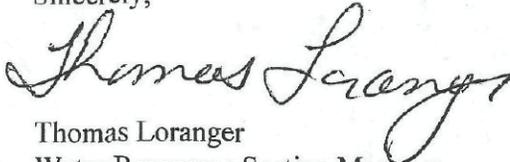
Read your permit

Please read through your entire permit, along with the enclosed water right information sheet, to be sure you fully understand the terms and responsibilities associated with your permit. It is important to remember that this permit is not a *final* water right; it is permission by the state to develop a water right.



If we can provide any further assistance, please contact our office at (360) 407-6300.

Sincerely,



Thomas Loranger
Water Resources Section Manager
Southwest Regional Office

TL:th

Enclosures: Permit #G2-30313
"Construction Notice: Completion of Construction" form
"Important Information Regarding Your Water Right"

permit-CC.doc



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MAY 14 2007
Washington State
Department of Ecology

Commissioners

Nancy E. Barnes
Carol J. Curtis
Byron H. Hanke

Chief Executive Officer/
General Manager

Wayne W. Nelson

May 11, 2007

Andy Anderson, PE
DOH Regional Engineer
Southwest Drinking Water Operations
P.O. Box 47823
Olympia, WA 98504-7823

Tom Culhane
Department of Ecology
Water Resources Program – SWRO
PO Box 47775
Olympia, WA 98504-7775

Re: Water Right Application No. G2-30313

Dear Mr. Anderson and Mr. Culhane:

Clark Public Utilities appreciates the joint effort between the Department of Health (DOH) and Ecology (DOE) to assist in finalizing the Report of Examination on the water right application that would alleviate the public health emergency due to arsenic contaminated private wells on NW Bridge Road and NW 411th Circle. Clark Public Utilities applied for a permit to withdraw 50 gallons per minute and 20 acre-feet per year from the Hayes Road Well for municipal supply to remediate the arsenic contamination in private wells through priority processing regulations on March 1, 2006. The following is Clark Public Utilities' response to justification of the water use assumptions as requested in an e-mail from Andy Anderson on May 7, 2007.

The NW Bridge Road and NW 411th Circle arsenic remediation project is located in the rural area of northwest Clark County. The parcels vary in size from 0.75 acres to 40 acres, with the average parcel size being approximately 5 acres. Zoning in this area is 5 acre and larger parcels with the smaller parcels being allowed through past land use decisions and are "grandfathered in." For a comparison of water usage Clark Public Utilities checked the records of our Amboy water system for similar sized lots and residences with comparable zoning, land use, housing, and rainfall. Clark Public Utilities pulled 29 annual meter readings from this water system and came up with an average water usage of 0.77 acre feet per meter, or an ADD of 687 gallons per day. This is much lower than the private exempt well allowable water use of 5,000 gallons per day, or 5.6 acre feet per year. All of the meters used to determine the average were 5/8" X 3/4", which is Clark Public Utilities' smallest meter size. This is

consistent with the DOE draft Report of Examination in which the DOE stated that the average water demand is typically 0.5 to 1.0 acre-feet per year for a single domestic rural household. We recommend using the actual recorded data of 0.77 acre-feet per year for the calculation of the annual flow. There are 24 residences within the area that Clark Public Utilities was intending to serve. Another residence called on May 4, 2007, which is located outside of the proposed LUD boundary, requesting service because their well was found to have arsenic present. Another property with a contaminated well, that is within the LUD boundary, has a sale pending on the land and the prospective buyer has requested to be served by the proposed new supply. Clark Public Utilities requests that these two parcels be included for a total of 26 parcels. Using the 26 parcels and 0.77 acre feet per year, Clark Public Utilities requests that 20 acre-feet be granted for Ground Water Right Application G2-30313.

We have nine residences that have requested that Clark Public Utilities abandon their current sources of supply and convert them totally to the proposed new source of supply. It was stated in the draft Report of Examination that "water use from exempt wells are entitled to a right equal to a state issued water right." It is assumed that the opposite should be true, that property owners that abandon their current sources should be entitled to a maximum water usage of 5,000 gallons per day, or 5.6 acre feet per year. For the nine parcels this would equate to 50.4 acre feet per year. Clark Public Utilities has agreed to abandon their wells with the funds available from the STAG and DWSRF loan. The cost will be paid back through the formation of a Local Utility District, over 20 years at 1.5% interest rate. The other 17 property owners currently desire to keep their private wells. They will be required to have a backflow prevention assembly installed to protect the public supply. They will also be responsible to have the assembly tested once a year with the test report submitted to the utility.

All the proposed residents that are impacted by this contamination understand the value of potable water and the need to conserve. They have been purchasing bottled water for over four years now. They understand that they will have individual 5/8" X 3/4" water meters and pressure reducing valves installed to minimize flows and that they will be responsible to pay for the amount of water used. As stated above, some wells will be abandoned, those wishing to retain their wells must pay an annual backflow testing fee and all connections will be metered. Metering with volume charges, in itself, promotes conservation. In addition, the residences in this area are on septic tank and drain fields which ultimately recharges the aquifer. Clark Public Utilities is working on a conservation rate that will probably be in place by next year which will encourage additional conservation. Increased awareness of how much water costs, by paying for their usage at a higher rate than what they could pump from their private wells, will create conservation and a reduction in groundwater withdrawals within this area.

Clark Public Utilities requests that the Qi be set at 50 gallons per minute and the Qa be set at 20 acre feet per year for Water Right Application No. G2-30313. This is a water budget neutral project that will offset the equivalent amount of water from the exempt wells that are entitled to a right equal to a state issued water right. The funding for this project is constrained to this year and requires the formation of a Local Utility District to pay back the loan for the improvements. Each lot within the boundary of the Local Utility District needs to benefit equally or the Local Utility District can not be formed. The draft Report of Examination suggesting 9.7 acre feet per year would not be sufficient for Clark Public Utilities to meet the water needs of the property owners. Clark Public Utilities looks forward to working with the Department of Health and the Department of Ecology to expedite this project because any delays will impact the costs and jeopardize the construction of this very important project. We would be willing to meet with you to discuss this further if more information is needed.

Sincerely,



Steven S. Prather
Water Quality Manager
360-992-8023

cc: Tom Loranger, Department of Ecology Water Resources
Jeff Marti, Department of Ecology Water Resources
Doug Quinn, Director of Water Services, Clark Public Utilities
Eric Beck, Engineering Manager, Clark Public Utilities