



Application for a Water Right Permit

For Ecology Use
(Date Stamp)

13 JUN 20 09:02

DEPT. OF ECOLOGY
FISCAL & BUDGET

Follow the attached instructions. Attach additional sheets as necessary.

- GROUND WATER SURFACE WATER
 PERMANENT SHORT TERM TEMPORARY
 DROUGHT

***A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION.**

Section 1. APPLICANT

I have participated in a pre-application conference with Ecology.

| | | |
|--|---------------------------|------------|
| Applicant/Business Name: Acme Properties LLC | Phone No: 360.714.8994 | Other No: |
| Address: 4214 Linnell Road | | |
| City: Deming | State: WA | Zip: 98244 |
| Email Address (if available): jlsx@earthlink.net | | |

| | | |
|---|---------------------------|------------|
| Contact Name (if different from above): Carl Hadley, Cedarock Consultants, Inc. | Phone No: 425.788.0961 | Other No: |
| Relationship to Applicant: Consultant | | |
| Address: 19609 244th Avenue NE | | |
| City: Woodinville | State: WA | Zip: 98077 |
| Email Address (if available): carl.hadley@frontier.com | | |

| | | |
|--|---------------------------|-----------------|
| Legal Land Owner or Part Owner Name of the Proposed Place of Use: Acme Properties LLC | Phone No: 360.714.8994 | Other No: |
| Address: P.O. Box 4227 | | |
| City: Bellingham | State: WA | Zip: 98227-4227 |
| Email Address (if available): jlsx@earthlink.net | | |

| | | |
|------------------------------------|---------------------------------|---|
| For Ecology Use | APPLICATION NO: <u>SI-28754</u> | SEPA <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Not Exempt |
| | Fee Paid: _____ Check No: _____ | ECY Coding: 001-001-WR1-0285-000011 |
| Date Returned _____ | By _____ | Priority Date <u>6/20/13</u> By <u>DK</u> WRIA: <u>1</u> |
| Pre-application interviewer: _____ | | |

Section 2. STATEMENT OF INTENT

Do you own the land on which the proposed point of diversion/withdrawal is located? YES NO
 If no, do you have legal authority to make this application for use of another's land? YES NO

Briefly describe the purpose of your proposed project: Micro hydroelectric facility to provide winter power for single family home.

Anticipated length of time to complete your project: One month

Water Use List all purposes for which water will be applied to a beneficial use and list quantity required for each.

| Purpose(s) of Use | Rate (check one box only) | | Acre-Feet per Year (AF/YR) (If known) | Period of Use (Continuously or Seasonal) |
|---------------------------|--|--|--|---|
| | <input type="checkbox"/> Cubic Feet per Second (CFS) | <input checked="" type="checkbox"/> Gallons per Minute (GPM) | | |
| Electric power generation | 60 gpm | <i>0.134 cfs</i> | | Seasonal (Nov 1-Jun 30) |
| | | | | |
| | | | | |
| TOTAL: | | | | |

Short Term/Temporary Water Use

Is this a request for a short term project (less than four months and non-recurring)? YES NO

Is this request for a temporary permit? YES NO

If yes to either question above, indicate the dates that the water will be needed:

FROM: ___/___/___ TO: ___/___/___

Section 3. POINT OF DIVERSION OR WITHDRAWAL

(Complete A or B, and C below)

| A.) If Surface Water Source | B.) If Ground Water Source |
|---|---|
| <input type="checkbox"/> Spring <input checked="" type="checkbox"/> Creek <input type="checkbox"/> River <input type="checkbox"/> Lake <input type="checkbox"/> Other: _____ Source Name: <u>Unnamed Creek</u> Tributary to: <u>South Fork Nooksack</u> Number of proposed diversion points: <u>One</u> Do you have an existing diversion? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | <input type="checkbox"/> Well(s) <input type="checkbox"/> Other: _____ _____ Well diameter & depth: _____ Number of proposed points of withdrawal: _____ Do you have an existing well? <input type="checkbox"/> YES <input type="checkbox"/> NO If available, attach Water Well Report and pump test. Well Tag ID No. _____ |

C.) Point of Diversion/Withdrawal – Legal Description

| | | | | | | |
|---------------|----------|----|-------------|----------|-------|---------|
| Parcel No. | ¼ | ¼ | Section | Township | Range | County |
| 380509 035150 | NW | SW | 9 | 38N | 5E | Whatcom |
| Lot(s) | Block(s) | | Subdivision | | | |

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

1,350 Feet (North/ South) and 1,250 feet (East/ West)
 from the (NW SW NE SE _____) corner of Section 09.

| | | | | | | |
|------------|----------|---|-------------|----------|-------|--------|
| Parcel No. | ¼ | ¼ | Section | Township | Range | County |
| | | | | | | |
| Lot(s) | Block(s) | | Subdivision | | | |

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

_____ feet (North/ South) and _____ feet (East/ West)
 from the (NW SW NE SE _____) corner of Section _____

NOTE: If more than two points of diversion/withdrawal attach additional information on a separate sheet of paper.

Section 4. PLACE OF USE

Attach a copy of the legal description of the property (on which the water will be used) taken from a real estate contract, property deed or title insurance policy, or copy it carefully in the space below.

TR IN S 1/2 NW SW DAF-BEG AT NW COR OF SD SUBDIV-TH S ALG SD SEC LI 330 FT TO TPOB-TH E 660 FT-TH S TO S LI OF SD SUBDIV-TH W ALG SD S LI TO SW COR-TH N ALG W SEC LI TO TPOB-LESS RD

| | | | | | | |
|----|----|---------|------|-------|-------------|---------------|
| ¼ | ¼ | Section | Twp. | Range | County | Parcel No. |
| NW | SW | 09 | 38N | 05E | Whatcom Co. | 380509 035150 |

Do you own all the lands on which the proposed place of use is located? YES NO.

If no, do you have legal authority to make this application for use of another's land? YES NO
 Provide owner name(s), address, and phone number: _____

Are there any other water rights or claims associated with this property or water system? YES NO

If yes, provide the water right and/or claim numbers: Claim #s S1-098188CL & G1-086529CL Both were filed by a previous owner of this property.

Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map.

Section 5. WATER SYSTEM DESCRIPTION

Describe your proposed water system (include type and size of devices used to divert or withdraw water from source): Micro hydroelectric power production for single family home to supplement solar power during the winter. 30 to 60 gpm will be diverted from near the high water mark during high flow events in the winter. The intake will consist of a small box (~2 sq.ft surface area) located near OHW and fitted with a fish screen meeting WDFW criteria. As water overtops the bank, it will enter the box and be diverted to a 2-3" pipe that will be buried in the adjacent field, running approximately 800 feet down to the generator. A small generator (3'x3'x3') will be located above OHW. After passing through the generator, water will spill through an energy dissipater and then return to the creek. No instream work is required and no trees will be removed to construct the project.

Section 6. DOMESTIC WATER SUPPLY SYSTEM INFORMATION

(Complete A or B, and C below)

| A.) Domestic Water Systems only | B.) Municipal Water Systems only <i>(defined under RCW 90.03.015)</i> |
|---|---|
| Projected number of connections to be served: _____ Type of connections: _____ <i>(e.g., home, recreational cabin)</i> | Present population to be served water: _____ Estimate future population to be served: _____ (20 year projection) |
| C.) Water System Planning | |
| Do you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, date plan was approved ____/____/____ Water System Number: _____ Name of water system: _____ Are you within the service area of an existing water system? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, explain why you are unable to connect to the system: _____ _____ _____ _____ | |

Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES

Irrigation

Total number of acres requested to be irrigated under this application = _____ ACRES

NOTE: Outline the area to be irrigated on your attached map.

Stockwater

List number and kind of stock: _____

Is the proposed project for a dairy farm? YES NO

Other Proposed Farm Uses

Describe all proposed uses: _____

Family Farm Water Act (RCW 90.66):

Calculate the acreage in which you have a controlling interest, including only:

- Acreage irrigated under water rights acquired after December 8, 1977,
- Acreage proposed to be irrigated under this application, and
- Acreage proposed to be irrigated under other pending application(s).

Is the combined acreage under existing rights greater than 6000 acres? YES NO

Do you have a controlling interest in a Family Farm Development Permit? YES NO

If yes, enter Permit No: _____

Section 8. OTHER WATER USES

Hydropower

Indicate total feet of head 30 and proposed capacity in kilowatts: 4.8kw

Describe works: Pre-constructed intake box with fish screen set near OHW; 2" pipe buried in adjacent field and lawn; stock generator set on ground or small slab.

Indicate all uses to which power is to be applied: Charge batteries for single family home use.

FERC License No: N.A. (does not meet criteria for FERC jurisdiction)

Mining/Industrial Use

Describe use, method of supplying and utilizing water: _____

Other Use

Section 9. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water? YES NO

Are you proposing to store more than 10 acre-feet of water? YES NO

Will the water depth be 10 feet or more? YES NO

If you answered yes to any of the above questions, please describe: _____

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point and some portion of the storage will be above grade, you must also complete an Application for Permit to Construct a Reservoir and a Dam Construction Permit and Application.

Section 10. DRIVING DIRECTIONS

Provide detailed driving directions to the project site: From Deming, head southeast on Mt Baker Highway one mile. Turn right (south) on SR-9 (South Valley Highway) and travel two miles to Potter Rd. Bear left onto Potter Rd, follow to left, and go to end (0.6 miles). Turn left on Linnell Rd. and go about 0.3 miles. Turn right into driveway at 4214 Linnell Road.

Site Address: 4214 Linnell Road, Deming, WA

Section 11. REQUIRED SIGNATURES

I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

James L. Swift
 Print Name
 (Applicant or authorized representative)

James L. Swift
 Signature

6/18/13
 Date

James L. Swift
 Print Name
 (Legal Owner or Part Owner Place of Use)

James L. Swift
 Signature

6/18/13
 Date

Print Name
 (Legal Owner or Part Owner Place of Use)

Signature

Date

Please check the region in which the project is located:

| | | |
|---|--|--|
| <p>*Submit your application to: DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611</p> | <input type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490 | <input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Spokane, WA 99205-1295 (509) 329-3400 |
| | <input checked="" type="checkbox"/> Northwest Regional Office 3190 - 160 th Avenue SE Bellevue, WA 98008-5452 (425) 649-7000 | <input type="checkbox"/> Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300 |

If you need this document in an alternate format, please call the Water Resources Program at 360-407-6872.
 Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

If you have questions about your application, contact the Water Resources program at the regional office in which your project is located.

