



File NR: G4-35795
WR Doc ID: 6727484

State of Washington REPORT OF EXAMINATION FOR WATER RIGHT APPLICATION

PRIORITY DATE September 21, 2015	WATER RIGHT NUMBER G4-35795
MAILING ADDRESS JILLIAN SANTI 5442 EMIL ROAD LANGLEY, WA 98260-8254	SITE ADDRESS (IF DIFFERENT) 212 TAKHOMA FARM LANE ELLENSBURG, WA 98926

Quantity Authorized for Withdrawal		
WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY (AF/YR)
4.48	GPM	0.28

Purpose						
PURPOSE	WITHDRAWAL RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Single Domestic	4.48		GPM	0.28		01/01 - 12/31

REMARKS: Incidental lawn/garden irrigation is **NOT** authorized.

IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
ADDITIVE	NON-ADDITIVE	WATER SYSTEM ID	CONNECTIONS
0	0	N/A	N/A

Source Location			
COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
KITTITAS	GROUNDWATER		39-UPPER YAKIMA

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
1 Proposed Well	17765	N/A	18N	20E	32	SW	N/A	N/A

Place of Use (See Attached Map)
PARCELS (NOT LISTED FOR SERVICE AREAS)
17765

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Parcel 3 of that certain survey as recorded June 17, 2002, in Book 27 of Surveys, page 186 under Auditor's File No. 200206170061, records of Kittitas County, Washington; being a portion of the SW¼ of Section 32, Township 18 N., Range 20 E.W.M., in the county of Kittitas, state of Washington.

Proposed Works

The proposed well is not yet drilled but shall accommodate a pump and a delivery system for one residence **without** domestic, incidental irrigation. The source shall be metered.

Domestic wastewater will be discharged to an on-site septic system, pursuant to the Declaration of Covenant signed September 8, 2015, by the applicant.

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
December 31, 2018	December 31, 2021	December 31, 2023

In determining a timeframe of the above development schedule, that is to say the amount of time for the applicant to implement the authorized use of water, a reasonable and just time was considered and allowed under the existing conditions to complete construction of the project. Sufficient time was also awarded in order for the applicant to collect water use data to put the water to full beneficial use. The development schedule also reflects consideration of the cost and magnitude of the project and the potential engineering and physical features typically to be encountered.

Measurement of Water Use

How often must water use be measured?	Monthly
How often must water use data be reported to Ecology?	Annually (Jan 31)
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal (gpm)

Provisions

A. Wells, Well Logs, and Well Construction Standards

1. The proposed well and the right to use water from it are restricted to and authorized for groundwater from the sediments aquifer.
2. All wells constructed in the state shall meet the construction requirements of WAC 173-160 titled "Minimum Standards for the Construction and Maintenance of Wells" and RCW 18.104 titled "Water Well Construction." Any well which is unusable, abandoned, or whose use has been permanently discontinued, or which is in such disrepair that its continued use is impractical or is an environmental, safety or public health hazard shall be decommissioned.
3. All wells shall be tagged with a Department of Ecology unique well identification number. If you have an existing well and it does not have a tag, please contact the well-drilling coordinator at the regional Department of Ecology office issuing this decision. This tag shall remain attached to the well. If you are required to submit water measuring reports, reference this tag number.
4. Installation and maintenance of an access port as described in WAC 173-160-291(3) is required.
5. In addition to the required access port, the applicant shall install and maintain, in operating condition, an airline and pressure gage. The pressure gage shall be equipped with a standard tire valve and placed in a location accessible to Department of Ecology personnel. The airline shall extend from land surface to the top of the pump bowls and the total airline length shall be reported to the Department of Ecology upon completion of the pump system.

6. It is recommended that new wells constructed under this authorization observe a minimum 50-foot setback from property boundaries to minimize potential for well interference.
7. In accordance with WAC 173-160, wells shall not be located within certain minimum distances of potential sources of contamination.

B. Measurements, Monitoring, Metering, and Reporting

1. An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use," WAC 173-173.
2. Water use data shall be recorded monthly and maintained by the property owner for a minimum of five years. The maximum rate of withdrawal and the annual total volume shall be submitted to Ecology by January 31st of each calendar year.
3. Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Central Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Central Regional Office for forms to submit your water use data.
4. WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

C. Water Level Measurements

1. In order to maintain a sustainable supply of water and ensure that your water source is not impaired by future withdrawals, static water levels **should** be measured and recorded monthly using a consistent methodology. Static water level is defined as the water level in a well when no pumping is occurring and the water level has fully recovered from previous pumping. Static water level data **should** include the following elements:
 - Unique Well ID Number.
 - Measurement date and time.
 - Measurement method (airline, electric tape, pressure transducer, etc.).
 - Measurement accuracy (to nearest foot, tenth of foot, etc.).
 - Description of the measuring point (top of casing, sounding tube, etc.).
 - Measuring point elevation above or below land surface to the nearest 0.1 foot.
 - Land surface elevation at the well head to the nearest foot.
 - Static water level below measuring point to the nearest 0.1 foot.

D. Department of Health Requirements

1. Prior to any new construction or alterations of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health. Please contact the Office of Drinking Water prior to beginning (or modifying) your project at:

DOH/Division of Environmental Health
16201 E. Indiana Avenue, Suite 1500
Spokane Valley, WA 99216
(509) 329-2100

E. Water Use Efficiency

1. The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

F. Proof of Appropriation

1. The water right holder shall file the notice of *Proof of Appropriation of Water* (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the permit. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

G. Schedule and Inspections

1. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

H. General Conditions

1. This authorization shall in no way excuse the permittee from compliance with any federal, state, or local statutes, ordinances, permits, or regulations, including those required and administered by other programs of Ecology.
2. You (applicant) will record with the Kittitas County Auditor a property covenant that restricts or prohibits trees or shrubs over a septic drain field on Parcel No. 17765.
3. You (applicant) will record with the Kittitas County Auditor an appropriate conveyance instrument under which the applicant obtains an interest in Trust Water Right No. S4-01724CTCLsb7 to offset consumptive use.
4. The quantity of mitigated water may not exceed the amount of water available under Trust Water Right No. S4-01724CTCLsb7 nor exceed the availability of unused storage capacity to retain the Trust Water Right for later release.
5. Any valid priority calls against the source Trust Water Right No. S4-01724CTCLsb7, based on local limitations in water availability, will result in temporary curtailment of the use of water under the permit until the priority call for water ends.

Findings of Fact

Upon reviewing the investigator's report, I find all facts, relevant and material to the subject application, have been thoroughly investigated. Furthermore, I concur with the investigator that water is available from the source in question, that there will be no impairment of existing rights, that the purpose(s) of use are beneficial, and that there will be no detriment to the public interest.

Therefore, I ORDER approval of Application No. G4-35800, subject to existing rights and the provisions specified above.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by RCW 43.21B and WAC 371-08. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of the Order.

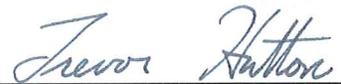
- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in RCW 43.21B and WAC 371-08.

ADDRESS AND LOCATION INFORMATION	
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>
To find laws and agency rules visit the Washington State Legislature Website: <http://www.leq.wa.gov/CodeReviser>

Signed at Union Gap, Washington, this 29th day of August 2016.



 Trevor Hutton, Section Manager
 Water Resources Program
 Central Regional Office

To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

BACKGROUND

This report serves as the written findings of fact concerning Water Right Application No. G4-35795.

Priority Processing

This application is being priority processed because it qualifies under the criteria under which an application may be processed prior to competing applications (WAC 173-152), where the proposed water use is water budget neutral as defined in WAC 173-152-020(18).

Table 1: Summary of "Requested" Water Right

Applicant Name	Jillian Santi
Date of Application	September 21, 2015
Place of Use	Parcel 3 of that certain survey as recorded June 17, 2002, in Book 27 of Surveys, page 186 under Auditor's File No. 200206170061, records of Kittitas County, Washington; being a portion of the SW¼ of Section 32, Township 18 N., Range 20 E.W.M., Parcel No. 17765 in the county of Kittitas, state of Washington.

County	Waterbody	Tributary To	WRIA
Kittitas	Groundwater		39-Upper Yakima

Purpose	Rate	Unit	Ac-ft/yr (CU)	Begin Season	End Season
Domestic Single	10	GPM	0.084	January 1	December 31

Source Name	Parcel	Well Tag	Twp	Rng	Sec	Q	Latitude	Longitude
1 Proposed Well	17765	N/A	18N	20E	32	SW	N/A	N/A

GPM = Gallons per Minute; Ac-ft/yr = Acre-feet per year; Sec. = Section; Q = Quarter of a section; Twp = Township; Rng = Range; WRIA = Water Resource Inventory Area; E.W.M. = East of the Willamette Meridian.

Legal Requirements for Approval of Appropriation of Water

Although mitigation in Lower Kittitas is not required by a rule or statute such as the case in Upper Kittitas (WAC 173-539A), Kittitas County has recently implemented new regulations requiring stricter mitigation standards for new uses of groundwater withdrawal in Lower Kittitas County, and Ecology has not approved new uses of groundwater in Lower Kittitas County since at least 2009 unless the proposed consumptive use is mitigated. These new County standards closely mirror the statutory standards placed on Upper Kittitas County since 2009, where new groundwater withdrawals require mitigation under a senior water right that has been placed into the Trust Water Right Program (TWRP) for water banking purposes. This proposal includes mitigation for the consumptive use.

RCWs 90.03 and 90.44 authorize the appropriation of public water for beneficial use and describe the process for obtaining a water right. Laws governing the water right permitting process are contained in RCW 90.03.250 through 90.03.340, and RCW 90.44.060. In accordance with RCW 90.03.290, determination must be made on the following four criteria in order for an application for a new water right to be approved:

- Water must be both physically and legally available.
- There must be no impairment of existing water rights.

- The water use must be beneficial.
- The water use must not be detrimental to the public interest.

Public Notice

RCW 90.03.280 requires that notice of a water right application be published once a week, for two consecutive weeks, in a newspaper of general circulation in the county or counties where the water is to be stored, diverted, and used. Notice of this application was published in the Daily Record of Ellensburg, Washington on June 21st and 28th, 2016. No comments were received by Ecology during the 30-day comment period.

Consultation with the Department of Fish and Wildlife

Ecology must give notice to the Department of Fish and Wildlife of applications to divert, withdraw, or store water. Notice was officially provided on June 27, 2016, by Ecology during a Yakima Water Transfer Working Group (WTWG) meeting. During this WTWG meeting and relating specifically to this proposal, Mr. Larry Martin, attorney and possible representative for unidentified irrigators using the Caribou and/or Warm Springs Creeks, posed the following general question to Ecology, "How will impairment of flows in Caribou Creek and Warm Springs be dealt with?" Other individuals in the group also felt that these potential impacts should be looked at by others at Ecology.

This proposal was presented a second time on August 1, 2016 to address Mr. Martin's comment from the previous meeting. Unfortunately Mr. Martin was absent from this meeting; however, Ecology's technical unit hydrogeologist, Chris Perra, conducted a thorough hydrogeologic review on potential impacts that may be caused by the proposed pumping under application number G4-35795. Under the review of Kurt Walker, licensed hydrogeologist, Mr. Perra conducted an analysis of impacts to both groundwater and surface water users in a Technical Memorandum, dated June 6, 2016. Mr. Perra concluded, "Because the sediment aquifer is connected to surface waters, it is possible that withdrawals from this proposal could affect down-gradient streamflow within Warm Springs Creek; however, any impacts of groundwater pumping under G4-35795 down gradient surface water bodies are expected to be very small in magnitude and diffuse over time and location." Further, Mr. Perra explains, "Local topography, subject well location, geology, area well logs, and locations of surface water bodies, suggests that the proposed well for use under request number G4-35795, may capture water that would otherwise discharge to Warm Springs and Caribou Creeks, and the lower reaches of Park and Cooke Creeks, and the Yakima River." Ecology, therefore, concluded that while there may be potential for some minor impact to the Creeks, the impacts would not rise to the level of impairment.

State Environmental Policy Act (SEPA)

A water right application is subject to a SEPA threshold determination (i.e., an evaluation whether there are likely to be significant adverse environmental impacts) if any one of the following conditions are met:

- (a) It is a surface water right application for more than 1 cubic foot per second (cfs), unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cfs, so long as that irrigation project will not receive public subsidies.
- (b) It is a groundwater right application for more than 2,250 gallons per minute (gpm).
- (c) It is an application that, in combination with other water right applications for the same project, collectively exceed the amounts above.

- (d) It is a part of a larger proposal that is subject to SEPA for other reasons (e.g., the need to obtain other permits that are not exempt from SEPA).
- (e) It is part of a series of exempt actions that, together, trigger the need to do a threshold determination, as defined under WAC 197-11-305.

Because this application does not meet any of these conditions, it is categorically exempt from SEPA and a threshold determination is not required.

INVESTIGATION

Proposed Use and Basis of Water Demand

The Department of Health’s (DOH) December 2009 Water System Design Manual (WSDM)¹ contains guidance for establishing water demands. The suggested methods, in order of preference include:

1. Meter water production and water-use records.
2. Comparable metered water production and use data from analogous water systems. See WAC 246-290-221(3)(a) and Section 5.2.3.
3. The criteria presented in Chapter 5.

According to the WSDM, for new systems or existing water systems that have no source meter records, information can be obtained from analogous water systems or from information presented in Appendix D of this document in order to estimate the Average Daily Demand (ADD) and Maximum Daily Demand (MDD) for residential connections (WAC 246-290-221(3)(a)).² Analogous water systems are defined in Section 5.2.3 of the WSDM as systems with similar characteristics, such as, but not limited to, demographics, housing size, lot sizes, climate, conservation practices, use restrictions, soils and landscaping, and maintenance practices. As such, “for projects that propose to have separate irrigation systems, the design of the potable (internal use) water systems can be predicted on the estimate of 350 gallons per minute/Equivalent Residential Unit (ERU).”³ The applicant and Ecology, however, estimated an average daily demand calculation of 250 gallons per day (gpd) for this water system.

Ecology assumes that 30% domestic in-house use on a septic system is to be consumptively used. Monthly and annual use at full build-out of the project were calculated based on the proposed 1 ERU and the estimated 250 gpd and are presented below in **Table 2**.

Table 2: Total and Consumptive Use Calculations*

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Total Use (af)	.024	.022	.024	.023	.024	.023	.024	.024	.023	.024	.023	.024	0.280
Total Consumptive (af)	.007	.006	.007	.007	.007	.007	.007	.007	.007	.007	.007	.007	0.084

Note: The calculations are rounded.

Proposed Mitigation

The applicant intends to mitigate for consumptive use under the requested appropriation through the transfer of a portion of Lower Kittitas mitigation credits through the Reecer Creek Golf Course/SC Aggregate Water Bank (RCGC). The RCGC was established by transferring a portion of Court Claim

¹ Department of Health, “Water System Design Manual” Olympia, WA, 2009, pp. 27-32.
www.doh.wa.gov/Portals/1/Documents/Pubs/331-123.pdf, accessed on March 9, 2016.

² Ibid., p. 28.

³ Ibid., p. 225.

No. 01724 into the Trust Water Right Program (TWRP). Consumptive loss resulting from the applicant's proposed use will be offset with Trust Water Right No. S4-01724CTCLsb7.

Other Rights Appurtenant to the Place of Use

A review of Ecology records was conducted for existing water right certificates, permits, and claims. There are several water rights appurtenant to the proposed POU and they are described in **Attachment 2**.

Impairment Considerations

Impairment is an adverse impact on the physical availability of water for a beneficial use that is entitled to protection. A water right application may not be approved if it would:

- Interrupt or interfere with the availability of water to an adequately constructed groundwater withdrawal facility of an existing right. An adequately constructed groundwater withdrawal facility is one that:
 - (a) Is constructed in compliance with well construction requirements, and
 - (b) Fully penetrates the saturated zone of an aquifer or withdraws water from a reasonable and feasible pumping lift.
- Interrupt or interfere with the availability of water at the authorized point of diversion of a surface water right. A surface water right conditioned with instream flows may be impaired if a proposed use or change would cause the flow of the stream to fall to or below the instream flow more frequently or for a longer duration than was previously the case.
- Interrupt or interfere with the flow of water allocated by rule, water rights, or court decree to instream flows.
- Degrade the water quality of the source to the point that the water is unsuitable for beneficial use by existing users (e.g., via sea water intrusion).

Availability and Impairment

According to Ecology's hydrogeologist and author of the hydrologic/hydrogeologic analysis, Technical Memorandum for this proposal, Chris Perra, it is expected that water is physically available from the sentiments aquifer in the subject area to satisfy the proposed use. Further, water is available without injury to the Total Water Supply Available (TWSA) by way of mitigation offered through use of Trust Water Right No. S4-01724CTCLsb7. Additionally, the proposed use is not expected to result in severe impacts or impairment to neighboring groundwater users or downstream surface water users.

Water Availability

For water to be available for appropriation, it must be both physically and legally available.

Physical Availability

For water to be physically available for appropriation there must be ground or surface water present in quantities and quality and on a sufficiently frequent basis to provide a reasonably reliable source for the requested beneficial use or uses. In addition, the following factors are considered:

- Volume of water represented by senior water rights, including federal or tribal reserved rights or claims.
- Water right claims registered under RCW 90.14.
- Ground water uses established in accordance with RCW 90.44, including those that are exempt from the requirement to obtain a permit.
- Potential riparian water rights, including non-diversionary stock water.
- Lack of data indicating water usage can also be a consideration in determining water availability, if the department cannot ascertain the extent to which existing rights are consistently utilized and cannot affirmatively find that water is available for further appropriation.

Based on the hydrogeologic setting, observation and interpretation of data from existing wells drilled in the same geographical area and elsewhere, groundwater is physically available from the sediments aquifer.

Legal Availability

To determine whether water to be legally available for appropriation, the following factors are considered:

- Regional water management plans – which may specifically close certain water bodies to further appropriation.
- Existing rights – which may already appropriate physically available water.
- Fisheries and other instream uses (e.g., recreation and navigation). Instream needs, including instream and base flows set by regulation. Water is not available for out of stream uses where further reducing the flow level of surface water would be detrimental to existing fishery resources.
- The Department may deny an application for a new appropriation in a drainage where adjudicated rights exceed the average low flow supply, even if the prior rights are not presently being exercised. Water would not become available for appropriation until existing rights are relinquished for non-use by state proceedings.

The subject of this proposal requires 0.084 acre-feet of mitigation water (see Table 2). Given that the applicant has acquired a portion of trust water under Trust Water Right No. S4-01724CTCLsb7 in the amount of 0.084 acre-feet of mitigation, this requirement will be met. This Trust Water Right is dedicated to instream flow for water-banking-mitigation purposes for as long as the right remains in the TWRP.

Based upon the plan mitigation described above, water is considered legally available for permitting purposes.

Beneficial Use

The proposed use of water is defined in statute as a beneficial use (RCW 90.54.020(1)). **Public Interest Considerations**

When Ecology investigates a water right application, consideration of whether the proposal is detrimental to the public interest is required. Ecology must consider how the proposal will affect an array of factors, such as wildlife habitat, recreation, water quality, and human health. The environmental resources and other natural values associated with the area were taken into account during the review of this proposal.

Consideration of Protests and Comments

No protests were filed against this application.

Conclusions

In conclusion:

- Water is physically and legally available for this appropriation.
- The proposed uses a beneficial use of water.
- The proposed use is not detrimental to the public interest.
- The proposed use will not cause impairment or injury to existing water rights.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that this request for a water right be approved in the amounts and within the limitations listed below and subject to the provisions listed above.

Purpose of Use and Authorized Quantities

The amount of water recommended is a maximum limit and the water user may only use that amount of water within the specified limit that is reasonable and beneficial:

- 4.48 gallons per minute (gpm).
- 0.28 acre-feet per year (af/yr).
- For the purpose of continuous single domestic use with **NO** incidental lawn/garden irrigation.

Point of Withdrawal

1 proposed well within the SW¼, Section 32, Township 18 North, Range 20 E.W.M., on Parcel No. 17765, Kittitas County, Washington.

Place of Use

Parcel 3 of that certain survey as recorded June 17, 2002, in Book 27 of Surveys, page 186 under Auditor's File No. 200206170061, records of Kittitas County, Washington; being a portion of the SW¼ of Section 32, Township 18 N., Range 20 E.W.M., in the county of Kittitas, state of Washington.

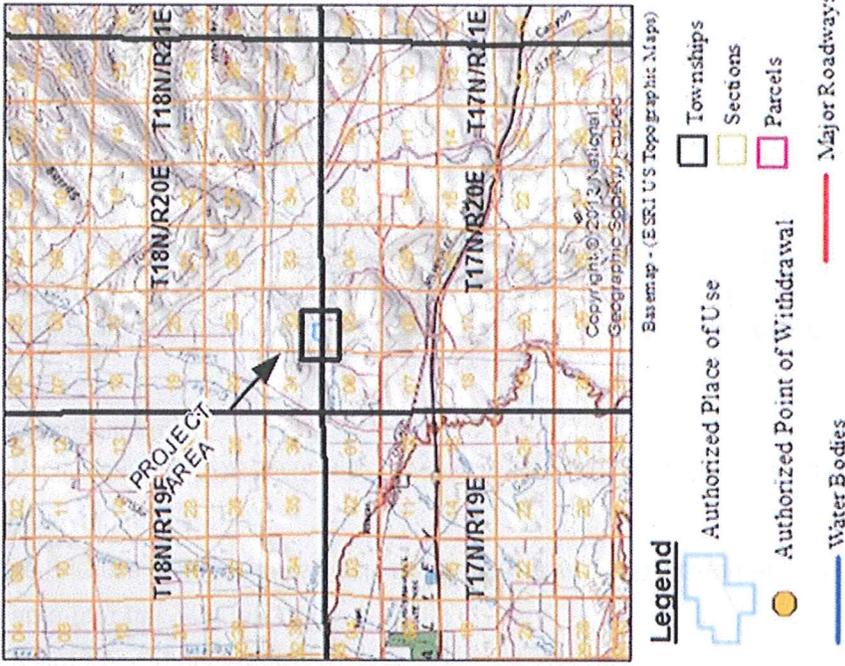

Candis L. Graff, Report Writer

August 29, 2016
Date

To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

ATTACHMENT 1

JILLIAN SANTI
 G4-35795
 T18N/R20E
 WRIA 39 - Kittitas County



Comment:
 Place of use and source locations are as defined within the Report of Examination cover sheet for the document identified in the header above.

Scale: 0 1,000 2,000 4,000 6,000 8,000 Feet

Map Date: 5/25/2016

Basemap - (N-AIP 2013 Maps)

ECOLGY

ATTACHMENT 2

WATER RIGHTS APPURTENANT TO PLACE OF USE

Control No.	Document Type	Purpose	Qa	Source
S4-84638-J	CFO	SR	166,846	Yakima River
S4-84639-J	CFO	SR	250,261	Kachees River
S4-84640-J	CFO	SR	446,610	Yakima River
S4-84641-J	CFO	SR	38,768	Bumping River
S4-84642-J	CFO	SR	216,850	Tieton River
S4-84643-J	CFO	SR	5,300	Tieton River
S4-84644-J	CFO	SR	472	Yakima River
S4-84645-J	CFO	SR	2	Tieton River
S4-84646-J	CFO	SR	56	Yakima River
S4-84647-J	CFO	SR	60	Yakima River
S4-84648-J	CFO	SR	408	Yakima River
S4-84649-J	CFO	SR	1,265	Tieton River
S4-84650-J	CFO	SR	5,120	Yakima River
S4-84558-J	CFO	IR, ST	250	1 Well
G4-072444CL ⁴	Claim	DG, ST	Unspecified	1 Well
G4-35799(A)	New Application	DM, IR	0.989	2 Wells
G4-35799(B)	New Application	DM, IR	0.659	1 Well

SR = Storage, CFO = Conditional Final Order, IR = Irrigation, ST = Stock water, DG = Domestic General, DM = Domestic Multiple

Surface Water Right Nos. S4-84638-J through S4-84650-J, owned by the United States Bureau of Reclamation, authorize water to be stored for flood-control purposes.

Surface Water Right No. S4-84558-J authorizes irrigation and stock water uses.

G4-072444CL is a short-form claim, which claims quantities for general domestic and stock water purposes. If valid, it will not be used on the proposed POU for this authorization.

G4-35799(A) and G4-35799(B) are mitigated portions from a water right owned by Kittitas County and will not be used on the proposed parcel nor used in conjunction with this proposal.

⁴ The above-referenced claim was filed under Claims Registration Act, RCW 90.14. The intent of this act was to document those uses of surface water in existence prior to the adoption of the State Surface Water Code, RCW 90.03, which was adopted in 1917, and those uses of groundwater in existence prior to the adoption of the State Ground Water Code, RCW 90.44, which was adopted in 1945. Since each code adoption, the only means of acquiring a water right within the state is by filing for, and receiving a permit from Ecology or one of its predecessors or by establishing a right under the "exemption" under that Ground Water Code RCW 90.44.050. Ecology recognizes that the final determination of the validity and extent associated with a claim registered in accordance with RCW 90.14 ultimately lies with the Superior Court through the general adjudication process provided for by RCW's 90.03.110 through 90.03.240. Ecology does, however, recognize that water use may be occurring under a claims.