State of Washington
REPORT OF EXAMINATION FOR WATER RIGHT CHANGE

DEPARTMENT OF ECOLOGY
State of Washington

PRIORITY DATE
January 30, 1990

WATER RIGHT NUMBER
G3-28732

MAILING ADDRESS
LENORA SEWER & WATER DISTRICT
1091 LENORA ROAD
USK, WA 99180

SITE ADDRESS (IF DIFFERENT)

Total Quantity Authorized for Withdrawal

WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY (AF/YR)
120	GPM	20

Purpose

PURPOSE	WITHDRAWAL RATE ADDITIVE	WITHDRAWAL RATE NON-ADDITIVE	UNITS	ANNUAL QUANTITY (AF/YR) ADDITIVE	ANNUAL QUANTITY (AF/YR) NON-ADDITIVE	PERIOD OF USE (mm/dd)
Municipal	120		GPM	20		01/01 - 12/31

Total amount authorized under Ground Water Certificate No. G3-28181C and Permit No. G3-28732P shall not exceed 133 gallons per minute and 40 acre-feet per year, continuously, for municipal supply.

IRRIGATED ACRES ADDITIVE	IRRIGATED ACRES NON-ADDITIVE	PUBLIC WATER SYSTEM INFORMATION WATER SYSTEM ID	PUBLIC WATER SYSTEM INFORMATION CONNECTIONS
		PWS ID #01281W	

Source Limitations

SOURCE	WITHDRAWAL RATE	ANNUAL QUANTITY (AF/YR)	PERIOD OF USE (mm/dd)
3 wells	120 GPM	20	01/01 - 12/31

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
PEND OREILLE	GROUNDWATER		62-PEND OREILLE

SOURCE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
SRRVP Well 1	051	N/A	32 N.	44 E.	04	SW¼SE¼	48.29665°N	-117.24946°W
Lancelot Well 1	443209529008	N/A	32 N.	44 E.	09	N½NE¼	48.29424°N	-117.24596°W
Lancelot Well 2	443209529008	N/A	32 N.	44 E.	09	N½NE¼	48.29441°N	-117.24622°W

Datum: WGS84

Place of Use (See Attached Map)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.

Proposed Works

3 wells, pumps, reservoirs and distribution system

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Begun	August 1, 2018	August 1, 2020

Measurement of Water Use

How often must water use be measured?	Weekly
How often must water use data be reported to Ecology?	Upon Request by Ecology
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal (gpm)

Provisions

Wells, Well Logs and Well Construction Standards

All wells constructed in the state must 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 must be decommissioned.

All wells must 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 must remain attached to the well. If you are required to submit water measuring reports, reference this tag number.

Installation and maintenance of an access port as described in WAC 173-160-291(3) is required.

Measurements, Monitoring, Metering and Reporting

An approved measuring device must 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 , which 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.

Water Use Efficiency
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.

Proof of Appropriation
The water right holder must 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 water right. 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.

Schedule and Inspections
Department of Ecology personnel, upon presentation of proper credentials, will 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.

Real Estate Excise Tax
This decision may indicate a Real Estate Excise Tax liability for the seller of water rights. The Department of Revenue has requested notification of potentially taxable water right related actions, and therefore will be given notice of this decision, including document copies. Please contact the state Department of Revenue to obtain specific requirements for your project. Phone: (360) 570-3265. The mailing address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia WA 98504-7477 Internet: http://dor.wa.gov/. E-mail: REETSP@DOR.WA.GOV.

Findings of Facts
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. CG3-28732, 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 Chapter 43.21B RCW and Chapter 371-08 WAC. "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 Chapter 43.21B RCW and Chapter 371-08 WAC.

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 Road SW Ste 301 Tumwater, WA 98501	**Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

Signed at Spokane, Washington, this 13th day of August, 2014.

Keith L. Stoffel, Section Manager

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://www1.leg.wa.gov/CodeReviser.

INVESTIGATOR'S REPORT
Gene Drury, Department of Ecology
Water Right Control Number CG3-28732

BACKGROUND

This report serves as the written findings of fact concerning Water Right Application Number CG3-28732.

EXISTING Water Right Attributes

Recorded Name:	Lenora Sewer & Water District
Priority Date:	January 30, 1990
Place of Use	See Permit

County	Waterbody	Tributary To	WRIA
Pend Oreille	Groundwater		62-Pend Oreille

Purpose	Rate	Unit	Ac-ft/yr	Begin Season	End Season
Domestic multiple	120	GPM	20	01/01	12/31

Source Name	Parcel	Well Tag	Twp	Rng	Sec	QQ Q	Latitude	Longitude
Lancelot Well 1	443209529008	N/A	32N	44E	09	N½NE¼	48.29424°N	117.24596°W

CFS = Cubic feet per second; Ac-ft/yr = Acre-feet per year; Sec. = Section; QQ Q = Quarter-quarter of a section; WRIA = Water Resource Inventory Area; E.W.M. = East of the Willamette Meridian; Datum in WGS84.

REQUESTED Water Right Attributes

Applicant Name:	Lenora Sewer & Water District
Date of Application:	October 1, 2007
Place of Use	Area served by Lenora Sewer & Water District

County	Waterbody	Tributary To	WRIA
Pend Oreille	Groundwater		62-Pend Oreille

Purpose	Rate	Unit	Acre-feet/yr	Begin Season	End Season
Municipal	120	GPM	20	01/01	12/31

SOURCE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
SRRVP Well 1	051	N/A	32 N.	44 E.	04	SW¼SE¼	48.29665°N	-117.24946°W
Lancelot Well 1	443209529008	N/A	32 N.	44 E.	09	N½NE¼	48.29424°N	-117.24596°W
Lancelot Well 2	443209529008	N/A	32 N.	44 E.	09	N½NE¼	48.29441°N	-117.24622°W

Datum: WGS84

GPM = Gallons per minute; Ac-ft/yr = Acre-feet per year; Sec. = Section; QQ Q = Quarter-quarter of a section; WRIA = Water Resource Inventory Area; E.W.M. = East of the Willamette Meridian; Datum in WGS84.

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 Newport Miner on December 5 and 12, 2007.

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 feet per second, unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cubic feet per second, 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;
(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

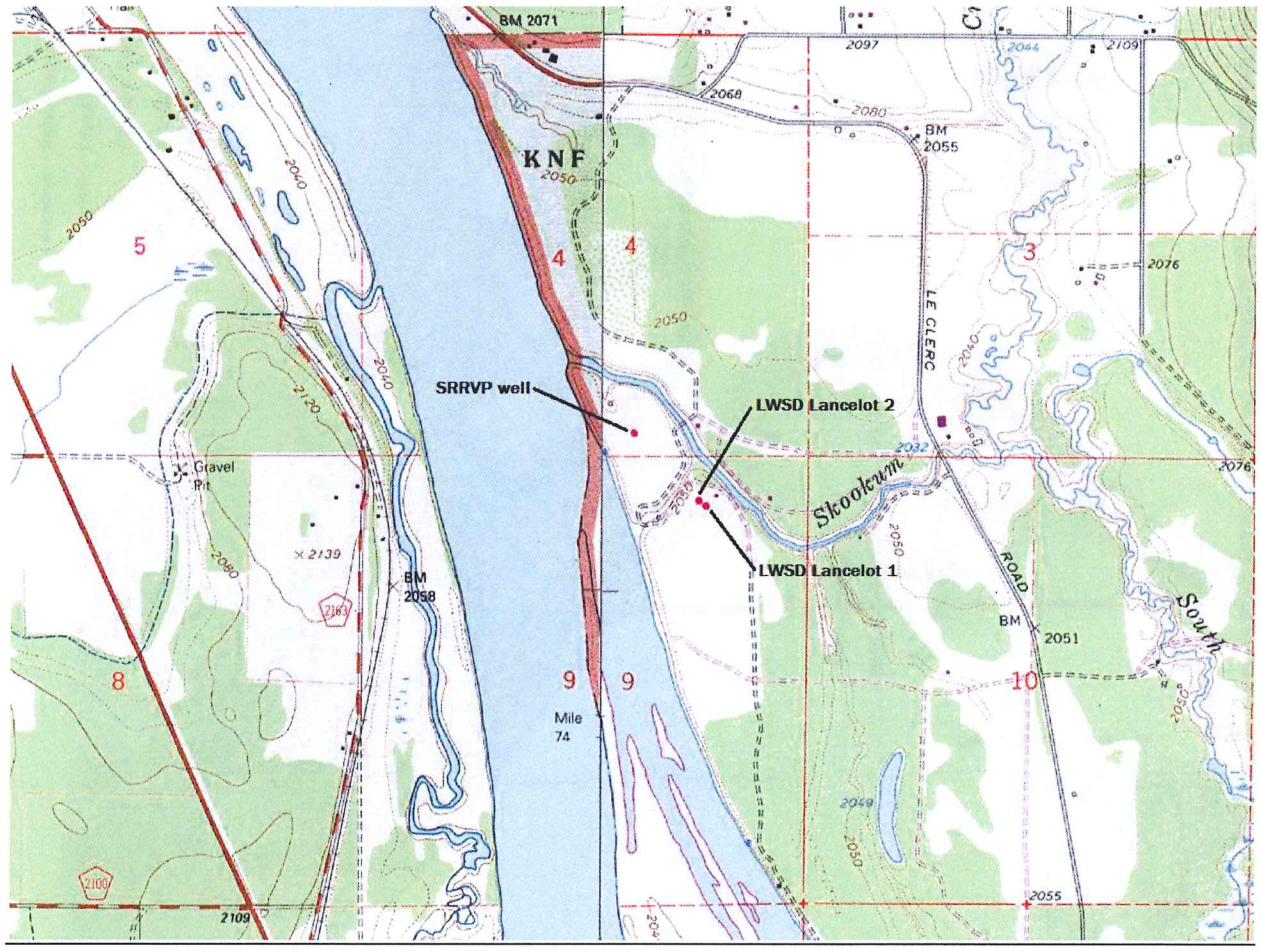
A field investigation was originally conducted by Gene Drury with Steve Shaw, John Sitton, Dick Johnson on April 28, 2009. This project is located in Pend Oreille County just south of Usk, WA on the eastside of the Pend Oreille River. Lenora Water & Sewer District (LWSD) has filed an application for change to integrate existing wells under its water rights, add one new point of withdrawal, change the purpose of use to municipal supply and change the place of use. Additional information was provided later in emails and telephone conversations with Bart North, a consultant for Lenora Water & Sewer District.

Water Use

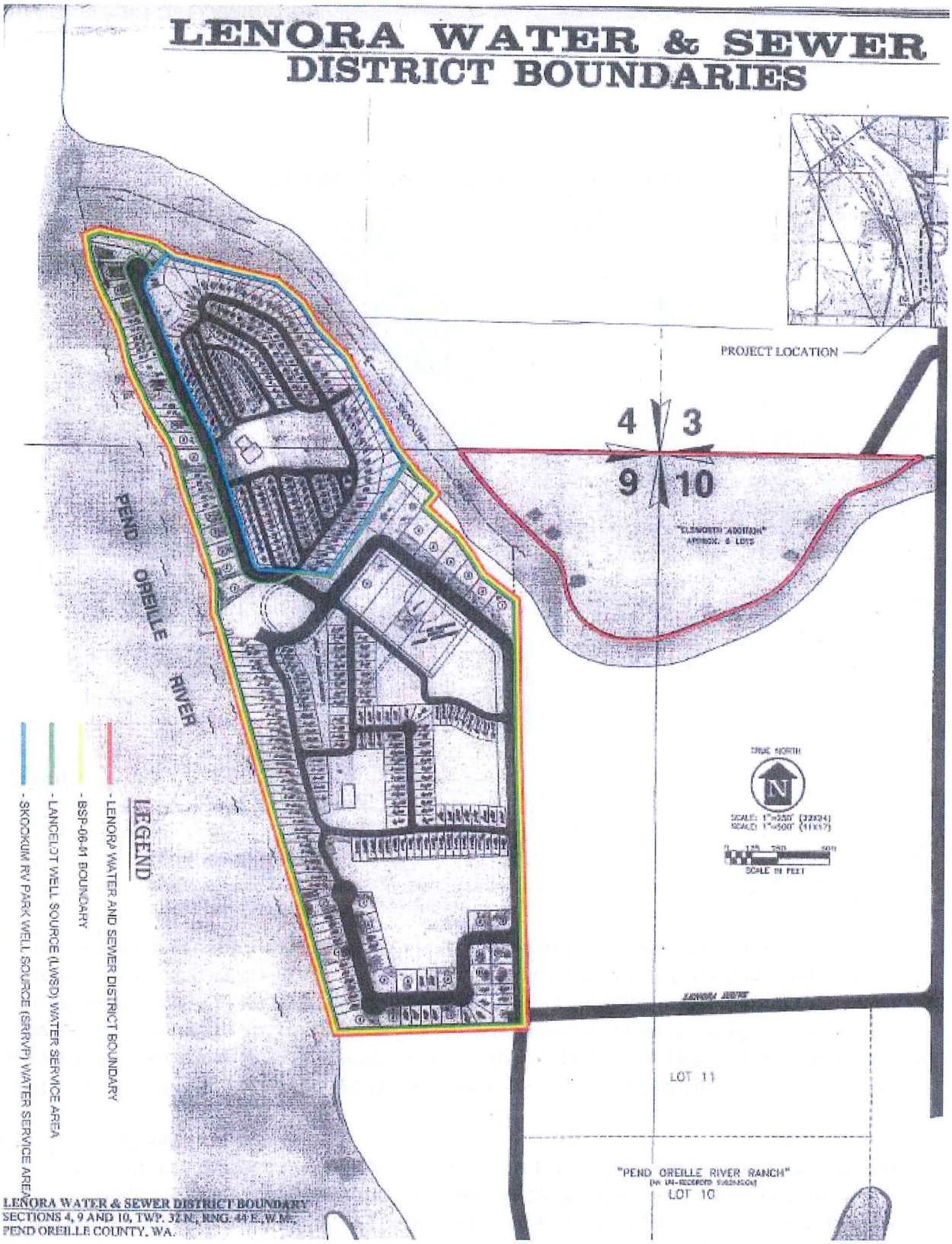
Ground Water Permit G3-28732P was issued to Steve Shaw of Lancelot Shores on January 29, 1992 with a priority date of January 30, 1990. The permit was assigned several times and is currently in the name of Lenora Sewer and Water District. This permit authorized 120 gallons per minute, 20 acre-feet per year, continuously, each year, for community domestic supply of 20 units. The well under this permit is known as the Lancelot Well #1 and is the primary well for the LWSD water system. A second well is currently operated by Skookum Rendezvous RV Park (SRRVP) and serves as a back-up supply well for the LWSD water system.

The water use under this right qualifies as municipal supply under RCW 90.03.015(4) in that it provides water for residential purposes through fifteen or more residential service connections or for providing residential use of water for a nonresidential population that is, on average, at least twenty-five people for at least sixty days a year. Additionally, LWSD is a municipal water supplier and currently provides water for "municipal water supply purposes" as defined under RCW 90.03.015(4). Therefore, the purpose of use will be changed to municipal supply and the place of you will be changed in accordance with RCW 90.03.386.

LWSD provides water to approximately 245 connections consisting of 224 RV pads, 20 residences and one clubhouse. According to the Water System Plan's 20 year projection, LWSD expects the number of connections to increase to 417 consisting of 385 RV pads, 30 residences and 2 clubhouses including Skookum Rendezvous RV Park (SRRVP). LWSD intends to serve municipal water to the SRRVP by integrating the existing wells and adding one new well (Lancelot Well #2). According to the water system plan, water use has averaged around 8 acre-feet per year for the existing uses.



USGS 7.5 Minute (Topographic Map) - "Skookum Creek"


LENORA WATER & SEWER
DISTRICT BOUNDARIES
PROJECT LOCATION
4
3
9
10
"ELSWORTH ADDITION"
APPROX. 6 LOTS
PEND OREILLE RIVER
TRUE NORTH
N
SCALE: 1"=350' (22X34)
SCALE: 1"=500' (11X17)
SCALE IN FEET
LEGEND
- LENORA WATER AND SEWER DISTRICT BOUNDARY
- BSP-06-41 BOUNDARY
- LANCELOT WELL SOURCE (LWSD) WATER SERVICE AREA
- SKOOKUM RV PARK WELL SOURCE (SRRVP) WATER SERVICE AREA
LENORA WATER & SEWER DISTRICT BOUNDARY
SECTIONS 4, 9 AND 10, TWP. 32 N., RNG. 44 E., W.M.
PEND OREILLE COUNTY, WA.
LOT 11
"PEND OREILLE RIVER RANCH"
LOT 10

Other Rights Appurtenant to the Place of Use

The water rights appurtenant to this project:

Ground Water Certificate Number G3-28181C

Recorded Name:	Softball Unlimited, Inc.
Priority Date:	June 24, 1986
Instantaneous Quantity - Qi:	13 gallons per minute
Annual Quantity - Qa:	20 acre-feet per year
Purpose of Use:	Domestic supply for recreational facility
Period of Use:	Continuous
Source:	A well

Surface Water Certificate Number S3-28153C

Recorded Name:	Softball Unlimited, Inc.
Priority Date:	March 26, 1986
Instantaneous Quantity - Qi:	0.10 cubic foot per second
Annual Quantity - Qa:	10 acre-feet per year
Purpose of Use:	Irrigation of 5 acres
Period of Use:	April 1 to October 1
Source:	Pend Oreille River

Surface Water Permit Number S3-29476P

Recorded Name:	Lenora Sewer & Water District
Priority Date:	May 21, 1993
Instantaneous Quantity - Qi:	1.0 cubic foot per second
Annual Quantity - Qa:	0 acre-feet per year
Purpose of Use:	Emergency fire protection
Period of Use:	As needed
Source:	Pend Oreille River

Hydrologic/Hydrogeologic Evaluation

Applications for change/transfer of water right permits and certificates are governed by RCW 90.44.100, which states in part that: the holder of a valid right to withdraw public ground waters may, without losing his priority of right, construct wells at a new location in substitution for, or in addition to, those at the original location, or he may change the manner or the place of use of the water. Such amendment shall be issued by the Department only on the conditions that: (1) the additional or substitute well or wells shall tap the same body of public ground water as the original well or wells; (2) use of the original well or wells shall be discontinued upon construction of the substitute well or wells; (3) the construction of an additional well or wells shall not enlarge the right conveyed by the original permit or certificate; and (4) other existing rights shall not be impaired. The Department may specify an approved manner of construction and shall require a showing of compliance with the terms of the amendment.

John Covert, Hydrogeologist with Ecology, provided the following analysis:
The existing Lancelot Well #1 is a 6 inch by 68 feet deep well drilled by Wood Well Drilling. It was drilled in the N½NE¼ of Section 9, T. 32 N., R. 44 E. The well was constructed in 1989 into clay, sand and gravel. It has a static water level of 19 feet and is cased to 56 feet. This well serves as the primary supply for the Lenora Water & Sewer District (LWSD) system.

The existing Skookum Rendezvous RV Park (SRRVP) Well #1 is an 8 inch by 80 feet deep well drilled in 1986 by Wood Well Drilling. It was drilled in the SW¼SE¼ of Section 4, T. 32 N., R. 44 E. The well was constructed in 1986 into clay, sand and gravel. It has a static water level of 21 feet and is cased to 75 feet. This well serves as the backup for the Lenora Water & Sewer District (LWSD) system.

The new well being added to the existing rights is the Lancelot Well #2, which is an 8 inch by 60 feet deep well drilled by Fogle Pump and Supply. It was drilled in the N½NE¼ of Section 9, T. 32 N., R. 44 E. The well was constructed in 2013 into coarse sand and gravel. It has a static water level of 15 feet and is cased to 53 feet. This well serves as a primary supply for the LWSD system.

All of the wells will withdraw from the same body of public ground water.

Impairment Considerations

A review of Ecology records was conducted for existing water rights in the vicinity of the LWSD wells. There has been no documented history of pumping interference between existing wells in this area, and it is not anticipated that this change would cause any impairment to any existing water rights.

No Enhancement of Original Right

No withdrawal of water over and above what has been historically put to beneficial use and/or originally authorized under existing rights will be allowed through approval of this change.

Public Interest Considerations

There has been no public expression of protest or concern regarding the subject proposal, and no findings through this investigation indicate that there would be any detrimental impact to the public welfare through issuance of the proposed change.

Consideration of Protests and Comments

No protests were filed.

Conclusions

It is the conclusion of this examiner that, in accordance with Chapters 90.03 and 90.44 RCW, this application to change under Ground Water Permit No. G3-28732P will not enlarge the quantity of water historically authorized, nor will it impair existing rights provided the terms and conditions below are followed.

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

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:

Total amount authorized under Ground Water Certificate No. G3-28181C and Permit No. G3-28732P shall not exceed 133 gallons per minute and 40 acre-feet per year, continuously, for municipal supply.

Quantity:
120 gallons per minute
20 acre-feet per year

Purpose of Use:
Continuous Municipal Supply

Points of Withdrawal:
3 Wells:

SOURCE	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
SRRVP Well 1	32 N.	44 E.	04	SW¼SE¼	48.29665°N	-117.24946°W
Lancelot Well 1	32 N.	44 E.	09	N½NE¼	48.29424°N	-117.24596°W
Lancelot Well 2	32 N.	44 E.	09	N½NE¼	48.29441°N	-117.24622°W

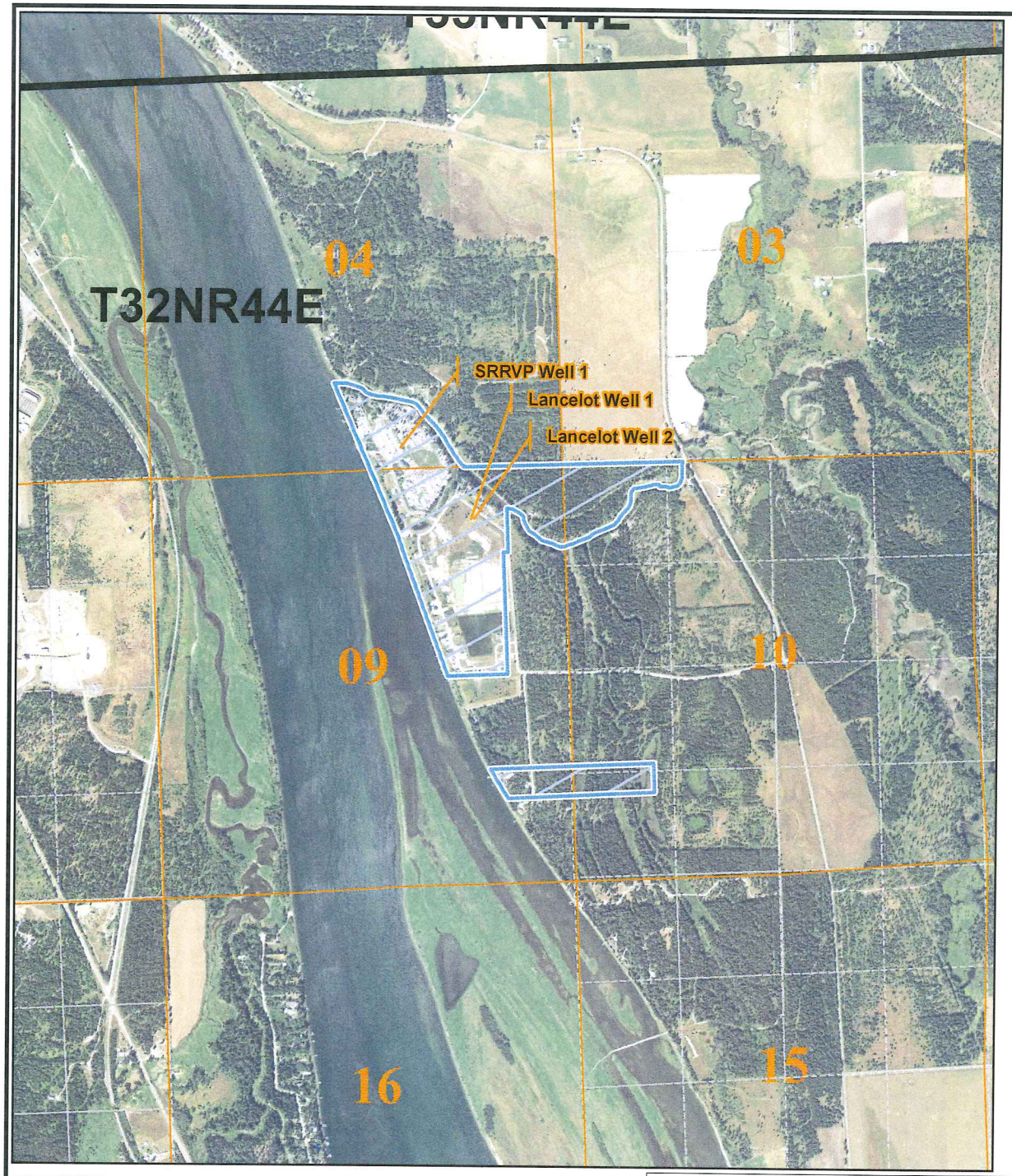
Place of Use:
The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.

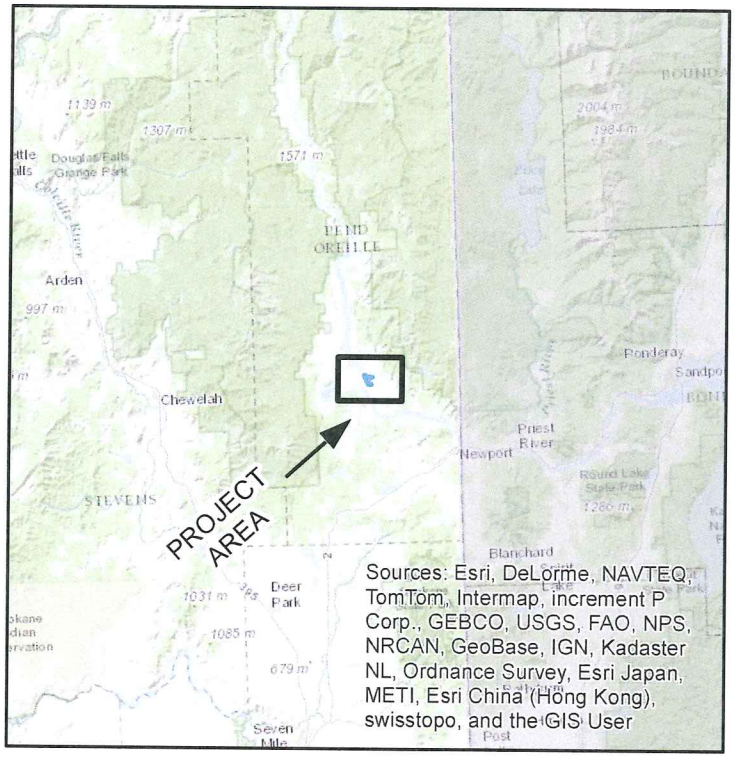
8-13-14

Gene Drury, Report Writer *Date*

If you need this publication in an alternate format, please call the Water Resources Program at (360) 407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

Lenora Water & Sewer District
G3-28732
T34N/R44E





Basemap - (ESRI US Topographic Maps)

Legend

Authorized Place of Use

Townships

Sections

Authorized Point of Withdrawl

0 660 1,320 2,640 3,960 5,280 6,600 Feet

Basemap - (NAIP 2011 1m color)

DEPARTMENT OF ECOLOGY State of Washington

Map Date: 7/11/2014

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

ATTACHMENT 1