State of Washington
Department of Ecology
Office Of Columbia River
Report of Examination for Lake Roosevelt
Incremental Storage Releases Water Permit

PRIORITY DATE
11/25/1997

APPLICATION NUMBER
G3-30123

MAILING ADDRESS
Whispering Pines, LLC
34798 Teel Hill Road North
Davenport, WA 99122

SITE ADDRESS (IF DIFFERENT)

Quantity Authorized for Withdrawal

WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY (AF/YR)
120	GPM	12

Purpose

PURPOSE	WITHDRAWAL RATE	ANNUAL QUANTITY (AF/YR)	PERIOD OF USE (mm/dd)
Multiple domestic supply (12 homes)	120 GPM	12	01/01 - 12/31

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Lincoln	Groundwater		54-Lower Spokane

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Well	2737004200100	BAL788	27N	37E.W.M.	4	NE¼NW¼	47.87480°	-118.15308°

Datum: WGS84

Well Location: 325 feet south and 2425 feet east of the NW corner of Section 4, T. 27 N., R. 37 E.W.M.

Place of Use (See Attached Map and Attached)

PARCELS (NOT LISTED FOR SERVICE AREAS)
2837033300050

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

That part of Government Lot 9 and the northwest quarter of the southwest quarter of Section 33, Township 28 North, Range 37 East W.M., Lincoln County, Washington, lying southwesterly of Porcupine Bay Road No. 9643 (as existing).

EXCEPT that portion lying northerly of the following described line:
Commencing at the northwest corner of the southwest quarter of Section 33, thence S 2°31'44"E along the west line of the southwest quarter 660.00 feet to the POINT OF BEGINNING, thence N 88°13'03"E on a line parallel with the north line of the southwest quarter 185.92 feet to a point on the southwesterly right of way line of Porcupine Bay Road No. 9643 (as existing) and there TERMINATING.

AND ALSO EXCEPT that portion lying within the following described parcel: (Record) Commencing at

the southwest corner of Section 33, thence N 84°31'20"E 1324.25 feet, thence N 2°26'05"W 885.75 feet to the POINT OF BEGINNING, thence N 50°25'W 217.87 feet, thence N 19°10'W 228.70 feet, thence N 9°54'W 138.30 feet, thence N 8°36'30"W 402.20 feet, thence N 86°30'E 294.28 feet, thence S 2°26'05"E to THE POINT OF BEGINNING.

Entire parcel area – 47.590 acres.

Proposed Works

1 existing 6 inch well drilled to a depth of 348 feet

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
11/31/2013	11/31/2018	11/31/2019

Measurement of Water Use

How often must water use be measured?	Weekly
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

Water Service Contract

Use of water under this permit or certificate is contingent upon the applicant's compliance with a water service contract with Ecology for recovery of costs associated with the Lake Roosevelt Incremental Release Project. Failure to comply with the terms of the water service contract will result in cancellation of the permit or revocation of the certificate.

Wells, Well Logs and Well Construction Standards

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.

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.

Installation and maintenance of an access port as described in WAC 173-160- 291(3) is required. Existing wells tagged ACW325 and ACW324 should be decommissioned in accordance with WAC 173-160 as they are not authorized for the development within Section 33 under this authorization.

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.

Recorded water use data may 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.

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.

Schedule and Inspections
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.

General
The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right permit by this Department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

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

Signed at Yakima, Washington, this 1st day of November 2012.

Mark C. Schuppe, Operations 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
Application for Water Right - Whispering Pines Hollow, LLC
Water Right Control Number G3-30123
Eastern Region Office, Department of Ecology

BACKGROUND

Description and Purpose of Proposed Application

On November 25, 1997 the Washington State Department of Ecology (Ecology) accepted Water Right Application Number G3-30123 submitted by Robert Tarbert requesting 500 gallons per minute for domestic supply of 12 homes and commercial use from 4 wells, 2 existing and 2 proposed. The applicant contacted Ecology on August 18, 2011 and requested to be included in the Lake Roosevelt Incremental Storage Releases Program (Program).

Ecology employees Leigh Bedell and Jeff MacLennan met with Robert Tarbert's son, Troy Tarbert at the property on September 14, 2011. The purpose of the site visit was to discuss the proposed project and locate the proposed wells. The original wells and well locations were determinedto not meet the requirements of the Program. Mr. Tarbert then proposed an existing well closer to the Lake. This well is completed in an aquifer found to be in continuity with Lake Roosevelt, but the well did not appear to be deep enough to access water when the Lake levels are lowered in the winter months.

Table 1 Proposed wells under the original application

Source	Parcel	WellTag	Twn	Rng	Sec	QQ Q
Existing Well	2837033300050	ACW324	28N	37E.W.M.	33	NW¼SW¼
Existing Well	2837033300050	ACW325	28N	37E.W.M.	33	SW¼SW¼
Proposed Well	2837033300050		28N	37E.W.M.	33	NW¼SW¼
Proposed Well	2837033300050		28N	37E.W.M.	33	SW¼SW¼

The applicant then proposed a well in the NE¼NW¼ of Section 4, approximately ½ mile southeast of the original well locations. The point of withdrawal of the application was amended to the well location in Section 4 and a new public notice was required.

The application was assigned to Troy Tarbert, Whispering Pines Hollow, LLC on July 18, 2012. On August 29, 2012, Troy Tarbert, acting as representative for Whispering Pines Hollow, LLC, further amended the project by dropping the commercial industrial purpose from the application. Attributes of the amended application are presented below in Table 2.

The proposed water use is for the development of 12 homes close to Porcupine Bay Campground in Lincoln County. Lands covered by the place of use and the proposed point of withdrawal are owned by Troy Tarbert, principle owner of Whispering Pines Hollow, LLC.

Table 2 Amended Application Summary

Name	Whispering Pines Hollow, LLC, (Troy Tarbert)
Priority Date	11/25/1997
Instantaneous Quantity	120 gpm
Annual Quantity	12 af/yr
Purpose(s) of Use	Community domestic supply for 12 homes
Period of Use	Continuous
Place(s) of Use	Lincoln County parcel #2837033300050

Legal Requirements for Approval of Appropriation of Water

Chapters 90.03 and 90.44 RCW authorize the appropriation of public water for beneficial use and describe the process for obtaining water rights. Laws governing the water right permitting process are contained in RCW 90.03.250 through 90.03.340 and RCW 90.44.050. In accordance with RCW 90.03.290, determinations must be made on the following four criteria in order for an application for water rights to be approved:

- Water must be available
- There must be no impairment of existing 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 *Davenport Times* during the weeks of June 6th and June 13th, 2002. A protest letter was submitted and signed by several members of the Laughbon Bay Homeowner's Association. The protest will be addressed within the "Consideration of Protests and Comments" section.

To ensure the source was in continuity with the Columbia River, the applicant chose to relocate from Section 33, about a half mile south to Section 4. The legal notice for this new well location was published July 12th and 19th, 2012, in the *Davenport Times*. There were no additional protests received following this publication.

Consultation under WAC 173-563-020
Under WAC 173-563-020(4), consultation is required before issuance of new Columbia River permits:

> *The instream flows established and implemented by this chapter for instream and out-of-stream uses, and the average weekly flows applied by this chapter to out-of-stream uses do not apply to any application for water from the main stem Columbia River on which a decision is made by the department of ecology on or after July 27, 1997. Any water right application considered for approval or denial after that date will be evaluated for possible impacts on fish and existing water rights. The department will consult with appropriate local, state, and federal agencies and Indian tribes in making this evaluation. Any permit which is then approved for the use of such waters will be, if deemed necessary, subjected to instream flow protection or mitigation conditions determined on a case-by-case basis through the evaluation conducted with the agencies and tribes.*

On December 14, 2009, Ecology contacted local, state, and federal agencies and Indian tribes requesting consultation and comments on issuing new municipal and industrial permits from the Columbia River mitigated by 13,527 acre-feet of water under the Program. On November 5, 2010, Ecology consulted with local, state, and federal agencies and Indian tribes again to update the quantity of water released, to 37,500 acre-feet of water released for municipal/industrial uses and associated instream releases.

From these consultations, Ecology received written responses from the WDFW, Bonneville Power Administration, U.S. Fish and Wildlife Service, Confederated Tribes of the Colville Reservation, the Confederated Tribes of the Umatilla Indian Reservation, and the United States Forest Service. Ecology also had several meetings with stakeholders, including the Columbia River Policy Advisory Group (PAG)

where it received oral comments.

Copies of the written comments received are available in the file and PAG meeting notes are available on-line at: http://www.ecy.wa.gov/programs/wr/cwp/cr_pag.html. The comments generally identified that the Lake Roosevelt Incremental Storage Release Project was adequate mitigation for up to 25,000 acre-feet of new municipal, domestic and industrial permits.

State Environmental Policy Act (SEPA)

Pursuant to the State Environmental Policy Act (SEPA) (Chapter 43.21C RCW) and the SEPA Rules (Chapter 197-11 WAC), the Program was addressed in the Final Programmatic Environmental Impact Statement (FPEIS) for the Columbia River Management Plan. A Final Supplemental Environmental Impact Statement (FSEIS) was released on August 29, 2008 and an Addendum to the FSEIS was released on December 29, 2009; both documents address the Program in detail. On June 12, 2009, the United States Bureau of Reclamation (Reclamation) issued an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the project under the National Environmental Policy Act (NEPA).

The above described SEPA Documents are available online:
FPEIS - http://www.ecy.wa.gov/programs/wr/cwp/eis.html
FSEIS & FSEIS Addendum - http://www.ecy.wa.gov/programs/wr/cwp/cr_lkroos.html
EA & FONSI - http://www.ecy.wa.gov/programs/wr/cwp/cr_lkroos_envirostudies.html.

Project specific SEPA compliance

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.

- It is a surface water right application for more than 1 cubic feet per second. If the project is for agricultural irrigation, the threshold is increased to 50 cubic feet per second, so long as the project will not receive public subsidies;
- It is a groundwater right application for more than 2,250 gallons per minute;
- It is an application combined with other water right applications for the same project, exceeds the amounts above;
- 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);
- It is part of a series of exempt actions that, considered 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.

Ecology received a letter from Lincoln County on November 2, 2011 stating this application is exempt from local SEPA requirements.

INVESTIGATION

A second field examination was conducted June 27, 2012. The proposed well was located and a static water level was taken. The well is located approximately ¼ mile southeast of the proposed property. The applicant owns both parcels of ground. To serve the proposed place of use may require easement across property the applicant does not own. The proposed place of use is mostly in natural vegetation

and trees. The property is steep with a bench along the northwest side parallel to the road. Most of the property may not be buildable for home sites other than the flat area next to the road.

Table 3 Proposed well per amended application

Source	Parcel	WellTag	Twn	Rng	Sec	QQ Q
Existing well	2737004200100	BAL788	27N	37E.W.M.	4	NE¼NW¼

Water Availability

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

Legal Availability

The Program involves releases of water stored in Lake Roosevelt under the U.S. Bureau of Reclamation's 1938 storage right (Reservoir Certificate Number R3-11793) to provide municipal, domestic and industrial water supply, provide water to replace some ground water in the Odessa Subarea, enhance stream flows in the Columbia River to benefit fish, and provide drought relief for interruptible water right holders.

Surface Water Permit Number S3-30556 was issued on September 25, 2008 to the U.S. Bureau of Reclamation, authorizing maximum of 305 cubic feet per second, 37,500 acre-feet per year for instream purposes in Lake Roosevelt and below Grand Coulee Dam with a priority date of May 16, 1938. Surface Water Permit Number S3-30556 is considered the "secondary" water use permit authorizing use of water stored under Reservoir Certificate Number R3-11793.

On December 21, 2010, Ecology issued Superseding Certificate of Trust Water Right S3-30556, accepting 305 cubic feet per second, 37,500 acre-feet per year to the Washington State Trust Water Right Program (TWRP) for the purpose of instream flow. Under Superseding Certificate of Trust Water Right S3-30556, water is held in the TWRP to mitigate the impacts of 25,000 acre-feet of new state water rights issued under the Program's municipal and industrial water right permitting; the remaining 12,500 acre-feet is reserved exclusively for instream flows. In June 2011, Ecology provided notice under RCW 90.42.040(5) that it would modify Superseding Certificate of Trust Water Right S3-30556 to allow for mitigation of domestic uses as well as municipal and industrial uses. No comments from this notification were received, and Ecology issued a second Superseding Certificate of Trust Water Right S3-30556 on August 17, 2011.

Physical Availability

Municipal, domestic, and industrial water uses associated with the Program will divert/withdraw water from the Columbia River or tributary groundwater on a continuous, year-round basis. In the preferred Alternative 1C, identified in the SEIS, mitigation releases from Lake Roosevelt will occur during time periods that will provide the greatest benefit to fish populations. These releases will occur during the months in which increased flow in the Columbia River will benefit fish the most, generally during April through September. The exact quantities and timing of the mitigation releases will be determined annually by the Fish Flow Releases Advisory Group (FFRAG). The membership of the FFRAG agrees that mitigation releases should be scheduled to help restore normative flows in the Columbia River. Since flows in October through March are higher than normative, mitigation for withdrawals under the Program during this time period are not seen as critical by FFRAG, leaving water available for release during the critical April through September period. This strategy was also supported in the consultations for the project.

The subject application is being investigated under the mitigation framework established under the Program. In order to mitigate the impacts of any new appropriation of water on the Columbia River, hydrologic evidence must indicate that impacts on the Columbia River associated with the proposed water use would be successfully mitigated by the Lake Roosevelt mitigation releases. Additionally, it must be possible to manage the impacts on the Columbia River of proposed pumping in a manner that avoids carry-over of impacts across mitigation cycles.

John Covert, a licensed Ecology staff hydrogeologist found that the groundwater source proposed for this project is in continuity with Lake Roosevelt. The well, BAL788, is located in Section 4, T. 27 N., R. 38 E.W.M. Nine existing well logs were listed in this section. All were completed in unconsolidated sediments, none penetrated basement rock. All existing wells logs identified production at rates significantly higher than most of the basement rock wells in Section 33.

According to Mr. Covert, the two originally proposed wells in Section 33, ACW324 and ACW325 cannot be considered for Program water because they are not in direct continuity with Lake Roosevelt. The applicant should consider decommissioning these wells if they are not going to be put to use.

Impairment Considerations

Columbia River Water Rights

An investigation of a water right application includes an analysis of whether the proposed water use will impair other existing water rights. The impairment analysis involves identifying how the proposed water use may impact the current water rights regime.

In considering impacts to existing water right holders and the instream flow rule, an analysis must consider actual river operation, particularly in drought years when water availability issues are most acute. In the context of this application, there are four classes of water uses that must be considered:

- Water right holders with priority dates senior to May 16, 1938.[1]
- Uninterruptible water rights with priority dates junior to May 16, 1938.
- Interruptible water rights with priority dates junior to May 16, 1938.
- The June 24, 1980 Instream Flow Rule (WAC 173-563).

A detailed analysis of the current water rights regime on the Columbia River was issued in the Report of Examination (ROE) for S3-30556.

Under the current Program, 37,500 acre feet per year of mitigation water is held in the TWRP for instream purposes under Superseding Trust Water Certificate S3-30556 with a priority date of May 16, 1938, 25,000 acre-feet of which may be used for mitigation of new out-of-stream uses. Under the State's priority system, the mitigation water is senior to all water rights issued after May 16, 1938. The mitigation water rights are specifically exempted from the Columbia River instream flow rule (WAC 173-563-020(5)). Additionally, the mitigation water is protected under the TWRP from diversion by junior water right holders who may be curtailed during low-flow years. These junior users total approximately 379 interruptible rights who are curtailed based on a forecast methodology outlined in WAC 173-563. Although junior to the mitigation that is available for this application, no conflict is expected between

[1] Although the priority date of this application is November 25, 1997 based on the date of filing with Ecology, the application is backed by mitigation with a priority date of May 16, 1938, which is how it will be managed if regulation of Columbia River water rights is required.

the applicant's diversions and interruptible water users because of the mitigation provided by Lake Roosevelt.

The proposed well in Section 4 is constructed into the unconsolidated sediments adjacent to Lake Roosevelt and is producing water from bank storage. Since moving the proposed location south, this new well will not impair the wells of the Laughbon Homeowners or other domestic wells in the vicinity.

Consideration of Protests and Comments

A protest letter was submitted and signed by several members of the Laughbon Bay Homeowner's Association, representing over 24 homes. This letter was received by Ecology on July 10, 2002. Their concern was the effect on their wells if the applicant withdraws water at 500 gallons per minute from wells located uphill from their development in Section 33. The applicant addressed this issue through two decisions. First, he chose a new location for his well in Section 4. This location is about a half mile south of the originally proposed site, and the aquifer appears to be in continuity with Lake Roosevelt. The applicant also reduced the scope of the project significantly by dropping the commercial industrial purpose. This reduced the proposed instantaneous rate from 500 gpm to 120 gpm and the annual rate from 80 acre-feet per year to 12 acre-feet per year.

Ecology notified the Laughbon Bay Homeowner's Association of these changes to the application in a letter sent August 30, 2012. No further comments were received.

Beneficial Use

The use of water for community domestic purposes is defined in statute as a beneficial use (RCW 90.54.020(1)).

Beneficial use encompasses two principal elements of a water right:

1. Beneficial use refers to the purpose for which water may be used.
2. Beneficial use determines the measure of a water right. The owner of a water right is entitled to the amount of water necessary for the purpose to which it has been used.

To determine the amount of water necessary for a beneficial use, courts have developed the principle of "reasonable use". Reasonable use of water is determined by analysis of the factors of water duty and waste. In this case, a water duty of 10 gallons per minute and 1 acre-foot per year were used per unit. This is determined to be a reasonable amount of water for this area. For the domestic supply of 12 homes, 120 gallons per minute and 12 acre-feet per year is considered reasonable use.

Public Interest Considerations

Analysis of whether this application meets the requirements of RCW 90.03.290 that the proposed use of water will not be detrimental to the public welfare involves analysis of how the approval of the proposed use of water will affect the range of values that are encompassed the public interest.

Several sections of statute list the legislative policies that guide the consideration of the public interest during the allocation of water, including sections of the 1971 Water Resources Act (Chapter 90.54 RCW) and Chapter 90.90 RCW entitled "Columbia River Basin Water Supply".

An analysis of the public interest considerations for the Program is contained in the Report of Examination for Application No. S3-30556, the "secondary use" permit for the Lake Roosevelt releases.

The public interests associated with the Program's municipal and industrial permitting are specifically cited in several sections of Chapter 90.90 RCW.

- RCW 90.90.005(1) states "The legislature finds that a key priority of water resource management in the Columbia river basin is the development of new water supplies that includes storage and conservation in order to meet the economic and community development needs of people and the instream flow needs of fish".
- RCW 90.90.005(2) directs Ecology to "aggressively pursue the development of water supplies to benefit both instream and out-of-stream uses".
- RCW 90.90.020(3)(b) instructs Ecology to focus on "Sources of water supply for pending water right applications".
- RCW 90.90.020(3)(d) instructs Ecology to focus on "New municipal, domestic industrial, and irrigation water needs within the Columbia river basin".
- RCW 90.90.060(3) states that Lake Roosevelt releases "will bolster the state economy and will meet the following critical needs" including "new water supplies for municipalities with pending water right applications".

The Program's municipal and industrial permitting achieves the statutorily mandated public interest requirements by allowing new state water rights to be issued while mitigating the impacts to fish.

If the subject application is approved, the public welfare may be affected in several ways:

- Economic activity is likely to result from the use of water for commercial/industrial purposes, as the associated construction and operation activities generate increased economic and social opportunities.
- The use of water for community domestic purposes is not expected to affect local cultural, recreational, or environmental resources.
- The adaptive management strategy for mitigation releases will ensure releases occur at times that are most beneficial for Endangered Species Act-listed salmon and steelhead species in the Columbia River, thus assuring effective mitigation for this appropriation of water.

Conclusions

Beneficial Use
The proposed use of water for community domestic supply for 12 units is considered to be a beneficial use.

Water Availability
The analysis provided above demonstrates that water is physically and legally available for the proposed use of water.

Impairment
The proposed beneficial use of water will not impair existing water rights.

Public Interest
The proposed use of water would not be detrimental to the public welfare.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that this request for a water right be approved and that a permit be issued 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:

120 gallons per minute
12 acre-feet per year
Community domestic supply for 12 homes

Point of Withdrawal

325 feet south and 2425 feet east of the NW corner of Section 4, T. 27 N., R. 37 E.W.M.

Place of Use

That part of Government Lot 9 and the northwest quarter of the southwest quarter of Section 33, Township 28 North, Range 37 East W.M., Lincoln County, Washington, lying southwesterly of Porcupine Bay Road No. 9643 (as existing).

EXCEPT that portion lying northerly of the following described line:
Commencing at the northwest corner of the southwest quarter of Section 33, thence S 2°31'44"E along the west line of the southwest quarter 660.00 feet to the POINT OF BEGINNING, thence N 88°13'03"E on a line parallel with the north line of the southwest quarter 185.92 feet to a point on the southwesterly right of way line of Porcupine Bay Road No. 9643 (as existing) and there TERMINATING.

AND ALSO EXCEPT that portion lying within the following described parcel: (Record) Commencing at the southwest corner of Section 33, thence N 84°31'20"E 1324.25 feet, thence N 2°26'05"W 885.75 feet to the POINT OF BEGINNING, thence N 50°25'W 217.87 feet, thence N 19°10'W 228.70 feet, thence N 9°54'W 138.30 feet, thence N 8°36'30"W 402.20 feet, thence N 86°30'E 294.28 feet, thence S 2°26'05"E to THE POINT OF BEGINNING.

Entire parcel area – 47.590 acres.

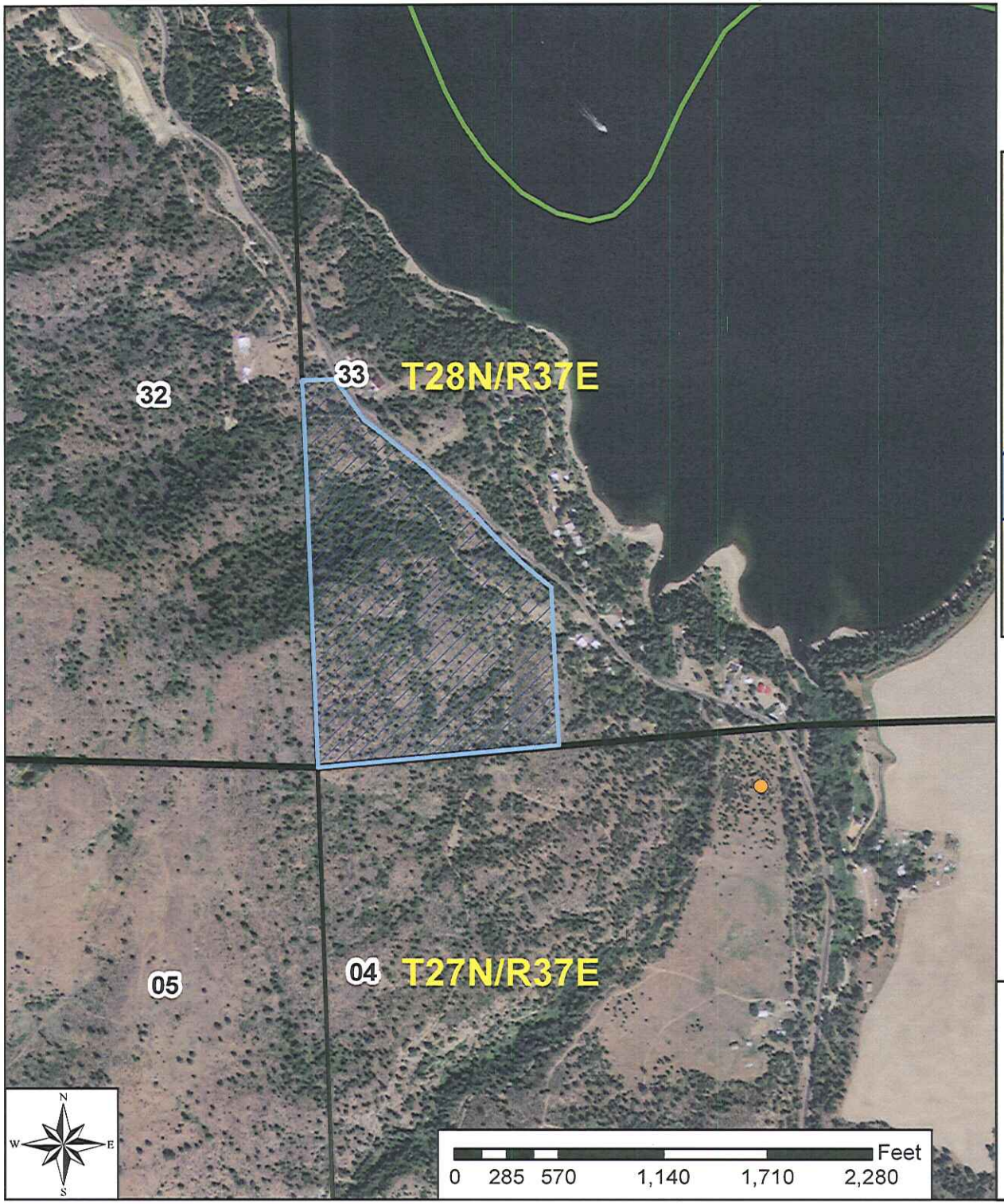
Mac Lennan — *Report Writer*

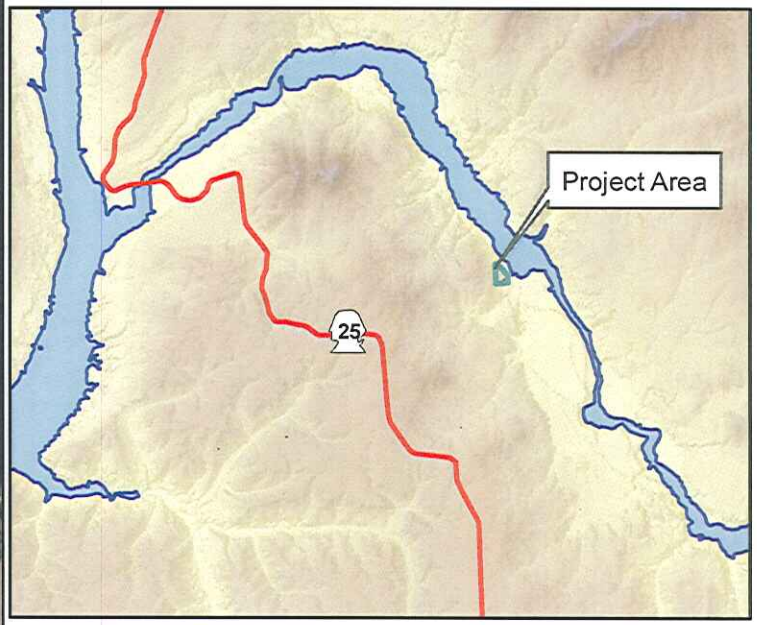
November 01, 2012 — *Date*

If you need this publication in an alternate format, please call 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.

Whispering Pines Hollow, LLC
Application Number G330123
Sec. 4, T. 27 N., R. 37 E.W.M.
WRIA 54 - Lincoln County

DEPARTMENT OF ECOLOGY
State of Washington





0 1.5 3 6 9 12 Miles

Authorized Place of Use

Authorized Point of Withdrawal

Highway

County

Section

Comments:
Map is for reference only. Place of use, points of withdrawal/diversion are as defined on the cover sheet of the Report of Examination.
Image is 2009 NAIP airphoto.