



File NR: G4-35777
WR Doc ID: 6688371

State of Washington REPORT OF EXAMINATION FOR WATER RIGHT APPLICATION

PRIORITY DATE August 3, 2015	WATER RIGHT NUMBER G4-35777
MAILING ADDRESS FLOYD WALKER & JOLENE C. HANECA 12504 N.E. 199TH ST. BOTHHELL, WA 98011-7620	SITE ADDRESS (IF DIFFERENT) ST. ANDREWS DRIVE CLE ELUM, WA 98922

Quantity Authorized for Withdrawal		
WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY (AF/YR)
4.48	GPM	0.414

Purpose						
PURPOSE	WITHDRAWAL RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Domestic Single	4.48		GPM	0.392		01/01 - 12/31
Irrigation of incidental Lawn/Garden		4.48	GPM	0.022		06/01 - 09/30

IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
ADDITIVE	NON-ADDITIVE	WATER SYSTEM ID	CONNECTIONS
0.011	0	AC208K	8

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 Well	951927	APF-674	20N	14E	26	S½SE¼	47.19125	-121.05372

REMARKS: This source is also authorized under G4-35723P, which allows 0.414 acre-feet per year, therefore, between both uses, 0.828 is authorized from this source.

Place of Use (See Attached Map)
PARCELS (NOT LISTED FOR SERVICE AREAS)
956961 (must be sold with 951932.)
LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE
Parcel 8 of that certain Survey recorded June 16, 2006, in Book 32 of Surveys, pages 205 through 212, under Auditor's File No. 202606160014, being a portion of the SE¼ of Section 26 and the NE¼ of Section 35, T. 20 N., R. 14 E.W.M., Kittitas County, Washington.

Proposed Works

The proposed work includes an existing well, which will supply up to **4.48** gpm of water under this proposal for indoor and outdoor domestic supply for 1 residence, using an average of **350** gallons per day year-round, and irrigation up to **500** square feet (sq. ft.) or 0.011-acre of incidental lawn and garden.

This proposal is part of an existing Group B water system known as the St. Andrews Water System with an effective date of October 15, 2015, and is approved through the Department of Health (DOH) for up to 8 connections.

Domestic wastewater will be discharged to individual or group on-site septic systems, pursuant to the requirements described in WAC 173-539A-050(2)(e) and per the Declaration of Covenant, which was signed by the applicant on July 24, 2015.

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Started	December 31, 2026	December 31, 2028

In determining the timeframe of the above Development Schedule, that being the amount of time for the applicant to implement the authorized use of water, a reasonable and just time was considered and allowed for reasonable progress under the existing conditions to complete construction of the project. Sufficient time was also awarded by Ecology in order for the applicant to collect water-use data and to put the water to full beneficial use. The Development Schedule reflects consideration of the cost and magnitude of the project to be feasibly encountered for a project of this size.

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 existing well and the right to use water from it are restricted to and authorized for groundwater withdrawal from the Evan's Creek Glacial Drift.
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. 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.
6. In accordance with WAC 173-160, wells shall not be located within certain minimum distances of potential sources of contamination. These minimum distances shall comply with local health regulations as appropriate. In general, wells shall be located at least 100 feet from sources of contamination. Wells shall not be located within 1,000 feet of the boundary of a solid waste landfill.

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 shall be recorded **monthly** and maintained by each property owner for a minimum of five years. The maximum, individual, and combined rate of withdrawal and the annual individual total volume for each residence 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

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. Easement and Right-of-Way

1. The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right authorization 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.

F. 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.

G. 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.

H. 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.

I. 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 the Department of Ecology.
2. You (applicant) will pay the sum of **\$52.27**, which represents a proportionate amount of the payment due and owing to the United States Bureau of Reclamation for storage and delivery of water under Paragraph 15(a) of Water Storage and Exchange Contract No. 09XX101700 (Storage Contract), between the United States Bureau of Reclamation and the State of Washington

Department of Ecology, Yakima Project, Washington, dated January 29, 2009.¹ The consumptive use of 0.065 acre-feet from April 1 through August 31 and 0.072 acre feet from September 1 through March 31 are subject to the terms and conditions in the Storage Contract.

3. You (applicant) will record with the Kittitas County auditor a property covenant as required under WAC 173-539A-050 that restricts or prohibits trees or shrubs over a septic drain field on Parcel Nos. 956961 and 951932.
4. 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. CS4-01467@11sb3a(A) to offset consumptive uses.
5. The quantity of mitigated water may not exceed the amount of water available under Trust Water Right No. CS4-01467@11sb3a(A) nor exceed the availability of unused storage capacity to retain the Trust Water Right for later release.
6. Any valid priority calls against the source Trust Water Right No. CS4-01467@11sb3a(A), 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. G4-35777, 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 RCW and WAC 371-08.

¹ "Long-Term Water Storage and Exchange between the United States Department of Reclamation and the state of Washington, Department of Ecology" (Contract No. 09XX101700), http://www.ecy.wa.gov/programs/wr/cro/images/pdfs/exchangecontract_012909.pdf, accessed on January 20, 2016.

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

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.leg.wa.gov/CodeReviser>

Signed at Union Gap, Washington, this 6th day of April, 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 of Examination (ROE) serves as the written findings of fact concerning Water Right Application Number G4-35777.

Priority Processing

This application is being priority processed because it qualified 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:	Floyd Walker and Jolene C. Haneca
Date of Application:	August 3, 2015
Place of Use:	Parcel Nos. 956961 and 951932, Kittitas County, Washington

County	Water body	Tributary To	WRIA
Kittitas	Groundwater		39-Upper Yakima

Purpose	Rate	Unit	Ac-ft/yr	Begin Season	End Season
Domestic Single	35	GPM	0.392	Continuous	
Irrigation	35	GPM	0.022	Seasonal	

Source Name	Parcel	Well Tag	Twp	Rng	Sec	QQ Q	Latitude	Longitude
APF-674	951928	APF674	20N	14E	26	SE SE	N/A	N/A

GPM = Gallons per Minute; Ac-ft/yr = Acre-feet per year; Sec. = Section; QQ Q = Quarter-Quarter of a Section; Twp. = Township, Rng. = Range.

On January 20, 2016, the application was amended by the applicant's representative to change the following parameter(s) to fix the source location to the accurate parcel:

Table 2: Summary of "Amended Requested" Water Right

Date of amendment	January 20, 2016
Amended location for point of withdrawal	S½SE¼, Sec. 26, T. 20 N., R. 14 E.W.M., Parcel No. 951927

Legal Requirements for Approval of Appropriation of Water

The place of use (POU) for the subject permit application, G4-35777, is located wholly within the area covered by the Upper Kittitas Groundwater Rule, WAC 173-539A, so the permit application is subject to the provisions of this rule, which provides that all new groundwater withdrawals in the area must be water budget neutral. A water budget neutral project is defined in rule as ". . . an appropriation or project where withdrawals of groundwater of the state are proposed in exchange for discharge of water from other water rights that are placed into the Trust Water Right Program (TWRP) where such discharge is at least equivalent to the amount of consumptive use."

The RCWs 90.03 and 90.44 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 90.44.060. 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 both physically and legally available.
- There must be no impairment of existing rights.
- The water use must be a beneficial use.
- 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 Northern Kittitas County Tribune, of Cle Elum, Washington on February 4 and 11th, 2016. No comments or protests were received by Ecology during the 30-day comment period.

Consultation with the Department of Fish and Wildlife

The Storage Contract and the Masterson Ranch Trust Water Agreement require that Ecology must give notice to the Department of Fish and Wildlife of applications to divert, withdraw, or store water. Notice of this proposal was provided on April 4, 2016, at the Yakima Water Transfer Working Group (WTWG) meeting, which received a majority approval.

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 December 2009 Water System Design Manual² (WSDM) by DOH contains guidance for establishing water demands. The suggested methods, in order of preference, include:

1. Metered water production and 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 for 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 manual in order to estimate the Average Daily Demand (ADD) and Maximum Daily Demand (MDD) for residential connections (WAC 246-290-221(3)(a)).³ 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, a reasonable level for a MDD for internal use(s) can be established at 350 gallons per day (GPD)/Equivalent Residential Unit (ERU).

Under WAC 173-539A, 30% domestic in-house use on a septic system is assumed 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 proposed 350 GPD. Factors specified in WAC 173-539A were considered in the calculated consumptive use and total calculation and are summarized in **Table 3** below. (For greater detail, refer to Ecology's consumptive use calculator found in the application file).

Table 3: Total and Consumptive Use Calculations*

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Total Use (af)	.033	.030	.033	.032	.033	.036	.041	.039	.036	.033	.032	.033	0.414
Total Consumptive (af)	.010	.009	.010	.010	.010	.013	.017	.015	.013	.010	.010	.010	0.137

*Calculations are rounded.

Proposed Mitigation

The applicant intends to mitigate for consumptive use under the requested appropriation through the purchase of a portion of Upper Kittitas mitigation credits through the Masterson Ranch Water Exchange. The Masterson Ranch Water Exchange was established by transferring a portion of the Masterson's June 30, 1883 Court Claim No. 01467 into the TWRP. Consumptive loss resulting from the applicant's proposed use will be offset with Trust Water Right No. CS4-01467@11sb3a(A).

Domestic and Irrigation Water Duty

In planning a development, source capacity must be considered and recognized. The total daily source capacity, in conjunction with storage designed to accommodate peak-use periods, must be able to

² 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 February 2, 2016.

³ Ibid., p. 28.

reliably provide sufficient water to meet the MDD for a water system. Reliability and sustainability must also be considered when planning for a water system. Lacking metered water-use records, Ecology relied on the Yakima River Basin Water Rights Adjudication: Report of Referee, Subbasin No. 2 for the purpose of domestic supply with a small lawn and garden (under ½-acre) to set the water duty at 0.01 cubic feet per second (cfs) or 4.48 gallons per minute (gpm) for 1 residence.

Other Rights Appurtenant to the Place of Use

There are several water rights appurtenant to the proposed POU and are described in **Attachment 2**; however, none of these appurtenant water rights are used in conjunction with the subject proposal.

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.
 - (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).

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.

Hydrologic/Hydrogeologic Analysis

According to Ecology's state licensed hydrogeologist and author of the hydrologic/hydrogeologic analysis, Memorandum for this proposal, Danielle Squeochs, it is expected that water is physically available from the Evan's Creek Glacial Drift in the subject area to satisfy the proposed uses. Further, water would be available without injury to the Total Water Supply Available (TWSA) by way of mitigation offered through use of Trust Water Right No. CS4-01467@11sb3a(A) in accordance with WAC 173-539A-060.

Based on the hydrogeologic setting, observation and interpretation of data from existing wells drilled in the same geographical area, groundwater would be physically available.

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.
- Ecology 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.

When evaluating legal availability regarding applications for new groundwater permits, Ecology must statutorily limit appropriations of groundwater to:

1. Uses for a structure for which a building permit is granted and the building permit application vested prior to July 16, 2009.
2. Uses determined to be water budget neutral pursuant to WAC 173-539A-050.

The subject of this proposal requires 0.137 acre-feet (af) of trust water. Given that the applicant has acquired a portion of trust water under Trust Water Right No. CS4-01467@11sb3a(A) in the amount of 0.137 af, this directive 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 planned mitigation described above, water is considered legally available for permitting purposes.

Beneficial Use

The proposed uses of water for single domestic and incidental irrigation are defined in statute as beneficial uses (RCW 90.54.020(1)).

Public Interest Considerations

When investigating a water right application, Ecology is required to consider whether the proposal is detrimental to the public interest. 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 consideration 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 are beneficial uses of water.
- The proposed uses are not detrimental to the public interest.
- The proposed uses will not cause impairment or injury to existing 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).
- 0.414 acre-feet per year (ac-ft/yr).
- For continuous single domestic and seasonal, incidental irrigation of lawn/garden, up to 500 square feet or 0.011-acre.

Point of Withdrawal

1 existing well located within the S½SE¼, Section 26, Township 20 N., Range 14 E. W.M.

Place of Use

Parcel 8 of that certain Survey recorded June 16, 2006, in Book 32 of Surveys, pages 205 through 212, under Auditor's File No. 202606160014, being a portion of the SE¼ of Section 26 and the NE¼ of Section 35, T. 20 N., R. 14 E.W.M., Parcel Nos. 956961 and 951932 in Kittitas County, Washington.

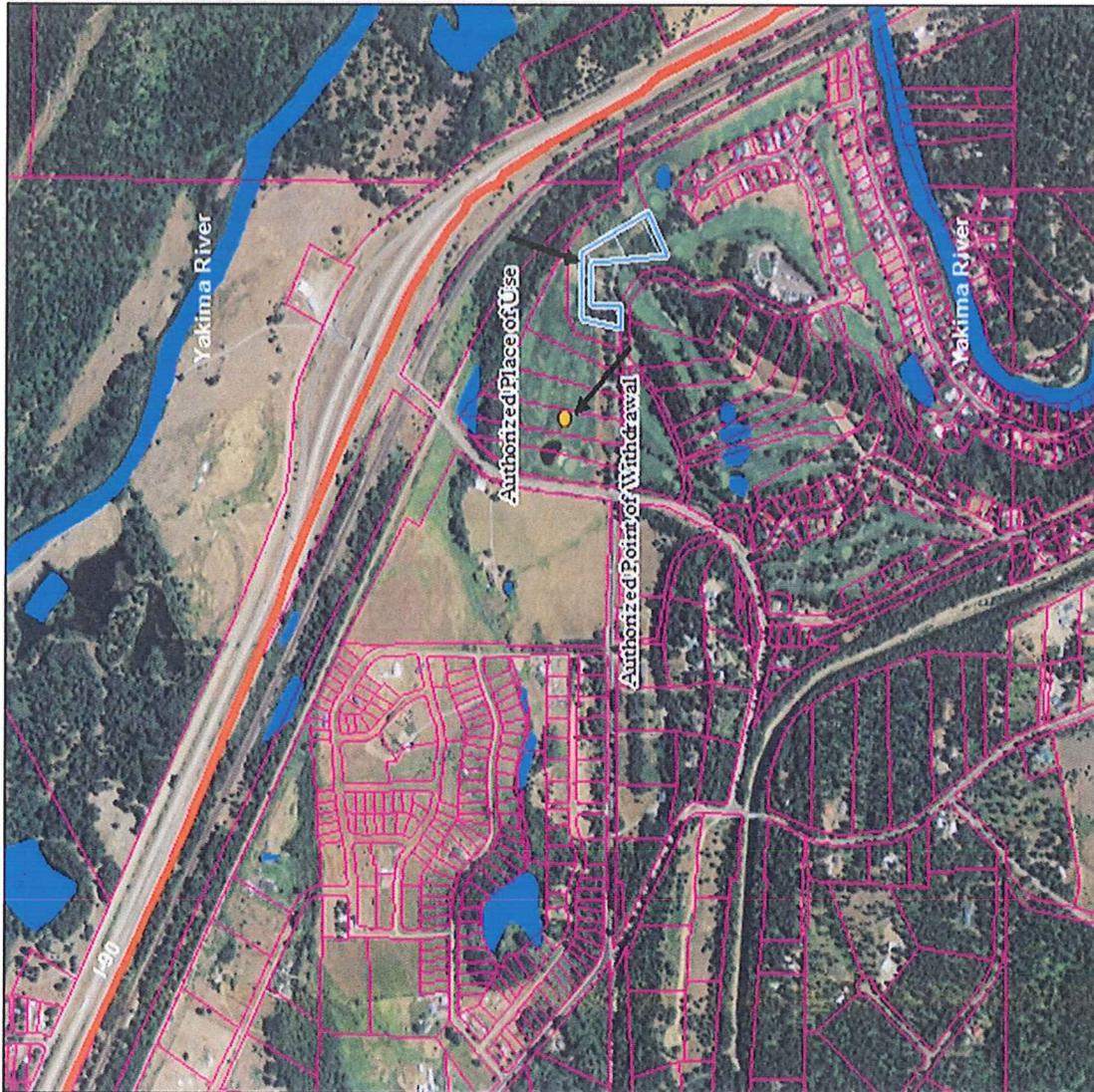
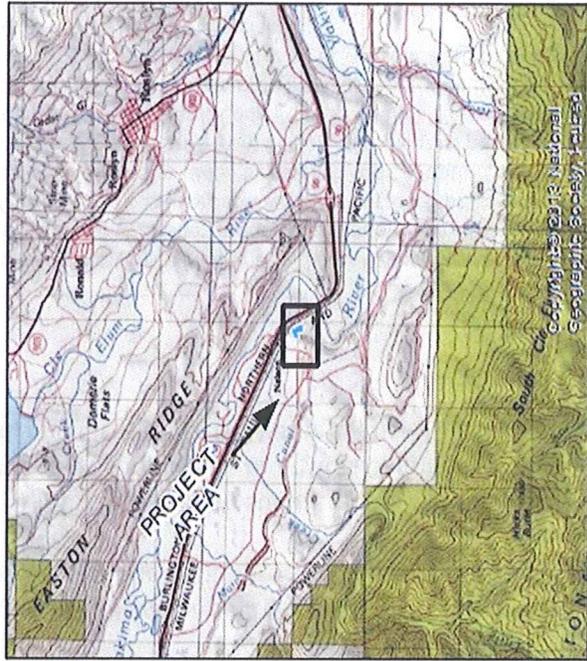

Candis L. Graff, Report Writer

April 1, 2016

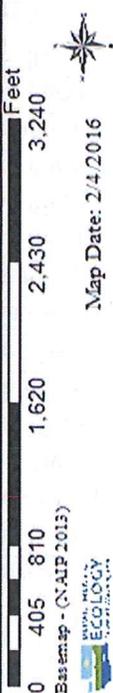
Date

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.

FLOYD WALKER & JOLENE C. HANECA
 G4-35777
 T20N/R14E
 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.



ATTACHMENT 2

Table 4: Other Rights Appurtenant to POU

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
G4-128968CL ⁴	Claim	DG	20	2 wells
G4-128969CL	Claim	DG	20	2 wells
S4-30920	Application	DM	Undetermined	Unnamed Spring
G4-35799	Application	DM, IR	149,60	468 wells

SR= Storage, DM=Domestic Multiple, IR=Irrigation, DG=Domestic General

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.

G4-128968CL is a claim for use on 550 dwelling units and golf course irrigation within Sun Country Estates.

G4-128969CL is a claim for use on 550 dwelling units and golf course irrigation within Sun Country Estates and duplicates the claim referenced above.

Application No. S4-30920 was submitted in 1991 for use of a golf course, RV Park, and living units; however, Ecology has not begun to process this proposal.

Application No. G4-35799 has been submitted by Kittitas County in order to provide groundwater mitigation certificates to applicants to Kittitas County Water Bank. Mitigation relies upon the Williams, Amerivest, Roth, and Clennon Trust Water Rights. This request proposes to use a separate water bank as mitigation.

⁴ The above referenced claims were 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 ground water 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 the 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 RCWs 90.03.110 through 90.03.240. Ecology does, however, recognize that water use may be occurring under these claims.