File NR CS3-*21493C
WR Doc ID 4254987

DEPARTMENT OF ECOLOGY
State of Washington

State of Washington
REPORT OF EXAMINATION FOR WATER RIGHT CHANGE

PRIORITY DATE	WATER RIGHT NUMBER
February 18, 1969	11303
MAILING ADDRESS	**SITE ADDRESS (IF DIFFERENT)**
WA State Parks & Recreation Commission 270 9th Street NE Ste 200 East Wenatchee, WA 98802	

Total Quantity Authorized for Withdrawal or Diversion

DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
0.09	CFS	2*

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Community domestic supply for public park	0.09	---	CFS	---	2	01/01 - 12/31

Source Limitations

SOURCE	DIVERSION RATE (CFS)	ANNUAL QUANTITY (AF/YR)	PERIOD OF USE (mm/dd)
SPRING - "Lost Woods" & WELL	0.09	2*	01/01 - 12/31

*Non-additive

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
SPOKANE	SPRING	BRICKEL CREEK	57-MIDDLE SPOKANE
SPOKANE	GROUNDWATER	---	57-MIDDLE SPOKANE

SOURCE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ	LATITUDE	LONGITUDE
SPRING - "Lost Woods"	582259002	---	28N	45E	22	NE¼NW¼	47.91484°N	117.10457°W
A WELL	581559002	AKA106	28N	45E	22	NE¼NW¼	47.91500°N	117.10034°W

Datum: WGS84

Place of Use (See Attached Map)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

W¾N¼ of Sec. 22, T. 28 N., R. 45 E.W.M., LESS roads

Proposed Works

Collection boxes, gravity fed system for surface water; drilled well, submersible pump for ground water; reservoirs for water storage

Development Schedule		
BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Started	Completed	In Full Use

Measurement of Water Use	
How often must water use be measured?	Monthly
How often must 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 or cfs)

Provisions

Non-Additive Annual Quantity (acre-feet per year)
The total annual diversion for community domestic supply for public park use shall not exceed 2 acre-feet per year less any amount diverted under Surface Water Certificate No. 11299.

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
Use of water under this authorization will be contingent upon the water right holder's maintenance of efficient water delivery systems and use of up-to-date water conservation practices consistent with established regulation requirements and facility capabilities.

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 there will be no impairment of existing rights.

Therefore, I ORDER approval of the change application to Surface Water Certificate No. 11303, 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 Hearing 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 **Pollution Control Hearings Board** 1111 Israel RD SW Ste 301 Tumwater, WA 98501	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 **Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

Signed at Spokane, Washington, this 21st day of March, 2012.

Keith L. Stoffel
Section Manager
Water Resources Program

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

WASHINGTON STATE - DEPARTMENT OF ECOLOGY
Water Resources Program – Eastern Regional Office
Water Right Control Number CS3-*21493C
Surface Water Certificate No. 11303

BACKGROUND

An application for change/transfer was submitted by the Washington State Parks & Recreation Commission (PARKS) of Olympia, Washington to the Department of Ecology on June 29, 2005. PARKS proposes to add one point of withdrawal (a well) and change the purpose of use to "municipal supply" as granted under Surface Water Certificate No. 11303.

Attributes of the Existing Water Right and Proposed Change

Change Application Filed: June 29, 2005

Attributes	Existing Water Right	Proposed Changes
Name	WA State Parks & Recreation Commission	---
Number	Surface Water Certificate No. 11303	---
Priority Date	February 18, 1969	---
Instantaneous Rate	0.09 cfs	---
Annual Quantity	24 af/yr (non-additive)	---
Purpose(s) of Use	Community domestic supply for public park	Municipal Supply
Period of Use	Continuous	---
Diversion/ Withdrawal	Unnamed stream	Unnamed stream and well
Place(s) of Use	W¾N¼, Sec 22, T. 28 N., R. 45 E.W.M. less roads	---

Existing Sources of Withdrawal or Diversion

Source Name	Parcel	WellTag	Twp	Rng	Sec	QQ	Latitude	Longitude
UNNAMED STREAM aka "Lost Woods" Spring	582259002	---	28N	45E	22	NE¼NW¼	47.91732°N	117.10208°W

Proposed Sources of Withdrawal or Diversion

Source Name	Parcel	WellTag	Twp	Rng	Sec	QQ	Latitude	Longitude
SPRING - "Lost Woods"	582259002	---	28N	45E	22	NE¼NW¼	47.91484°N	117.10457°W
A WELL	581559002	AKA106	28N	45E	22	NE¼NW¼	47.91500°N	117.10034°W

Datum: 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 the original application was published in the Spokesman Review during the weeks of December 20 and 27, 2005. No protests were received.

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, 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

In considering the proposed application, the investigation included, but was not limited to, research and review of:

- Water Resources – Related statutes and rules
- Existing water rights/claims/applications in the vicinity of the project
- Mt. Spokane Ski & Snowboard Park Lodge #2 Water System – Project Report prepared by Taylor Engineering (November 18, 2004)
- Lodge #2 – Water Use Meter Readings
- Preliminary Engineering Design Report for Snowblaze Condominiums prepared by J-U-B Engineers (March 1999)
- Snowblaze Condominiums Springs Improvement Project Plans prepared by J-U-B Engineers (August 2009)
- Water well reports for the applicant's wells
- USGS Topographic maps
- Aerial Photographs
- Meeting with PARKS/Mt. Spokane Ski/ Snowblaze officials
- Discussions with Regional Water Resources Program staff
- Review by Water Resources Program Hydrogeologists.

A field investigation was conducted by Gene Drury on September 20, 2011, with Tony Rapozo -PARKS, Steve Christensen - Park Manager, Lance Stegal - Operations Manager for Mt. Spokane Ski Area and Mike Coates Water System Manager for Snowblaze . This project is located in Spokane County at the Mt. Spokane State Park and Ski Area. It was noted that the project has started and water is being used from both the unnamed springs and the well.

Evaluation of the Water Rights and Beneficial Use Analysis

PARKS has filed for changes to three of its water right certificates which are recorded under Surface Water Certificate Nos. S3-01582C, 11299 and 11303. These three certificates authorize water use for the Mt. Spokane Ski area including the two ski lodges and Snowblaze condominiums.

Ski Lodge #1 is located at the southern end of the Mt. Spokane Ski Area and is considered the "secondary" lodge. Lodge #1 is used in the winter months during the ski season and closed in the summer. This lodge includes a kitchen, two public restrooms and a lift operator's restroom.

Ski lodge #2 is the main lodge (20,492 sf) and is located at the north end of the Ski Area. Lodge #2 is heavily used in the winter months during the ski season and closed in the summer. Lodge #2 includes the ticket office, rental and retail shop, ski school, food service, dining area, lounge, administrative offices and restrooms.

Snowblaze Condominiums is a 147 unit residential development constructed in the mid 1970's and located on the east slope of Mt. Spokane. The units are primarily recreational with peak usage during the ski season including Christmas and New Year's Day. However, about 17 units do have year round residents. Average day water demand has been estimated at 175 gallons/day/unit, while peak demand is 350 gallons/day/unit. In 1999, JUB Engineers estimated annual water usage at around 4 million gallons or about 12.5 acre-feet per year. Adjoining the Snowblaze site are about 70 lots which have been platted but not developed. Historically, the springs have provided water to the Snowblaze Condominiums.

Surface Water Certificate No. S3-01582C (together w/Certificate of Change Vol. 1-3, pp. 309) (Priority Date of April 12, 1967)

Certificate No. S3-01582C was issued to PARKS on September 17, 1981 for Ski Lodge #2 and the Snowblaze Condominiums. This right was changed on March 8, 1982 through Certificate of Change VOL. 1-3, PP. 309. This right authorized three (3) points of diversion from unnamed springs tributary to Brickel Creek in the amounts of 0.33 cfs and 24 af/yr for community domestic supply and fire protection. The recorded points of diversion are #1) E½NW¼ of Sec. 15, #2) E½SW¼ of Sec. 15 and #3) E½SW¼ of Sec. 15; ALL IN T. 28 N., R. 45 E.W.M. The recorded place of use is Washington State Parks and Recreation Commission Lands: W½SE¼, Sec. 15, T. 28 N., R. 45 E.W.M. (Ski Lodge #2) and Mt. Spokane Chair Lift, Inc. Lands: The south 2200 feet of the E¼ of Sec. 15 and the north 400 feet of the NE¼NE¼ of Sec. 22 (Snowblaze); ALL IN T. 28 N., R. 45 E.W.M.

PARKS has requested a change in purpose of use under this Certificate S3-01582C. Water used under this certificate has historically served fifteen or more residential service connections or provided water for a non-residential population that is, on average, at least twenty-five people for at least sixty days a year. The water use under this right meets the definition under RCW 90.03.015(4) as for "municipal supply" purposes. Therefore, the purpose of use will be changed from "community domestic supply and

fire protection" to municipal supply. PARKS also proposes to add an existing well (#AKA107) to this right.

Below is a summary of the findings in the field of the water sources used under Certificate S3-01582C:

Surface Water Certificate No. S3-01582C (Ski Lodge #2 & Snowblaze Condominiums)

- **Spring #1 - a.k.a. "Revised Location"**
  GPS Location: N 47.92845 W 117.10226 (Datum WGS 84)
  NE¼NW¼, Sec. 15, T. 28 N., R. 45 E.W.M.

- **Spring #2 - a.k.a. "Big 200"**
  GPS Location: N 47.92402 W 117.10266 (Datum WGS 84)
  NE¼SW¼, Sec. 15, T. 28 N., R. 45 E.W.M.

- **Snowblaze Spring #1**
  GPS Location: N 47.92002 W 117.10057 (Datum WGS 84)
  SE¼SW¼, Sec. 15, T. 28 N., R. 45 E.W.M.

- **Snowblaze Spring #2**
  GPS Location: N 47.92091 W 117.09837 (Datum WGS 84)
  NW¼SE¼, Sec. 15, T. 28 N., R. 45 E.W.M.

- **Snowblaze Spring #3**
  GPS Location: N 47.92143 W 117.09850 (Datum WGS 84)
  NW¼SE¼, Sec. 15, T. 28 N., R. 45 E.W.M.

- **Well Unique ID# AKA107**
  GPS Location: N 47.92201 W 117.09969 (Datum WGS 84)
  NE¼SW¼, Sec. 15, T. 28 N., R. 45 E.W.M.

In 2004, well #AKA107 was drilled by Fogle Pump & Supply, Inc. in the NE¼SW¼ of Sec. 15, T. 28 N., R. 45 E.W.M. to a depth of 222 feet in granite. The well was not tested and is proposed to be added to Certificate No. S3-01582C. This well is the primary water source for Ski Lodge #2. The "Revised Location" and "Big 200" Springs are kept for emergency/back-up purposes only for Ski Lodge 2.

The primary water source for the Snowblaze condominiums are the three "Snowblaze" springs listed above. No well water is provided to Snowblaze. In case of an emergency, the "Big 200" Spring can be used at Snowblaze in addition to the other springs.

Surface Water Certificate No. 11299 (Priority Date of December 31, 1968)

Certificate No. 11299 was issued to PARKS on November 17, 1970 for Ski Lodge #1. This right authorized diversion from two unnamed springs and an unnamed stream in the amounts of 0.10 cubic foot per second (cfs) and 24 acre-feet per year (af/yr) for community domestic supply for public park. The recorded points of diversion are in the NE¼NW¼ of Sec. 22 and SE¼SW¼ of Sec. 15, T. 28 N., R. 45 E.W.M. The recorded place of use is the W¾N¼ of Sec. 22, T. 28 N., R. 45 E.W.M. (Lodge #1).

PARKS has requested a change in purpose of use under this Certificate 11299 to "municipal supply purposes". However, the water use under this Certificate No. 11299 does not meet the definition of "municipal supply purposes" as defined under RCW 90.03.015(4). Water used under this certificate has not historically served fifteen or more residential service connections or provided water for a non-residential population that is, on average, at least twenty-five people for at least sixty days a year. In this case, the purpose of use will remain as "community domestic supply for a public park". PARKS also proposes to add an existing well (#AKA106) to this right.

PARKS estimates that only about 2 acre-feet per year has ever been used under this right at Lodge 1. Therefore, 2 acre-feet can be approved under this application for change. The instantaneous quantity of 0.10 cubic foot per second will be kept as that is the amount diverted from the springs to the storage reservoirs.

Below is a summary of the findings in the field of the water sources used under Certificate No. 11299:

Surface Water Certificate No. 11299 (Ski Lodge #1)

- **Spring #2 - a.k.a. "No Alibi" Collector**
  GPS Location: N 47.91732 W 117.10208 (Datum WGS 84)
  SE¼SW¼, Sec. 15, T. 28 N., R. 45 E.W.M.

- **Well Unique ID# AKA106**
  GPS Location: N 47.91500 W 117.10034 (Datum WGS 84)
  NE¼NW¼, Sec. 22, T. 28 N., R. 45 E.W.M.

NOTE: There is no "Unnamed Stream" used under this certificate. The No Alibi Spring is the only surface water source used under this right along with Well #AKA106. Therefore, the Unnamed Stream source will be removed from the right.

Surface Water Certificate No. 11303 (Priority Date of February 18, 1969)
Certificate No. 11303 was issued to PARKS on November 17, 1970 for Ski Lodge #1. This right authorized diversion from an unnamed stream in the amounts of 0.09 cfs and 24 af/yr for community domestic supply for a public park. The recorded point of diversion is in the SW¼NE¼NW¼ of Sec. 22, T. 28 N., R. 45 E.W.M. The recorded place of use is the W¾N¼ of Sec. 22, T. 28 N., R. 45 E.W.M. (Lodge #1). This right contained the following provision: *"The total annual diversion for community domestic supply for public park use authorized under permit for this application shall not exceed 24 acre-feet less any amount diverted for this use under existing rights appurtenant to the same lands."* This means that Surface Water Certificate Nos. 11299 and 11303 were both limited to a total annual withdrawal of 24 af/yr. The water use under this Certificate No. 11303 also does not meet the definition of "municipal supply purposes" as defined under RCW 90.03.015(4). Water used under this certificate has not historically served fifteen or more residential service connections or provided water for a non-residential population that is, on average, at least twenty-five people for at least sixty days a year. The purpose of use will continue to be described as "community domestic supply for a public park". PARKS also proposes to add an existing well (#AKA106) to this right.

As stated above, PARKS estimates 2 acre-feet per year of water use for Lodge 1. Therefore, a combined total of 2 acre-feet can be authorized under Certificate Nos. 11299 and 11303. The instantaneous

quantity of 0.09 cubic foot per second will be kept, as that is the amount diverted from the springs to the storage reservoirs.

Below is a summary of the findings in the field of the water sources used under Certificate No. 11303:

Surface Water Certificate No. 11303 (Ski Lodge #1)

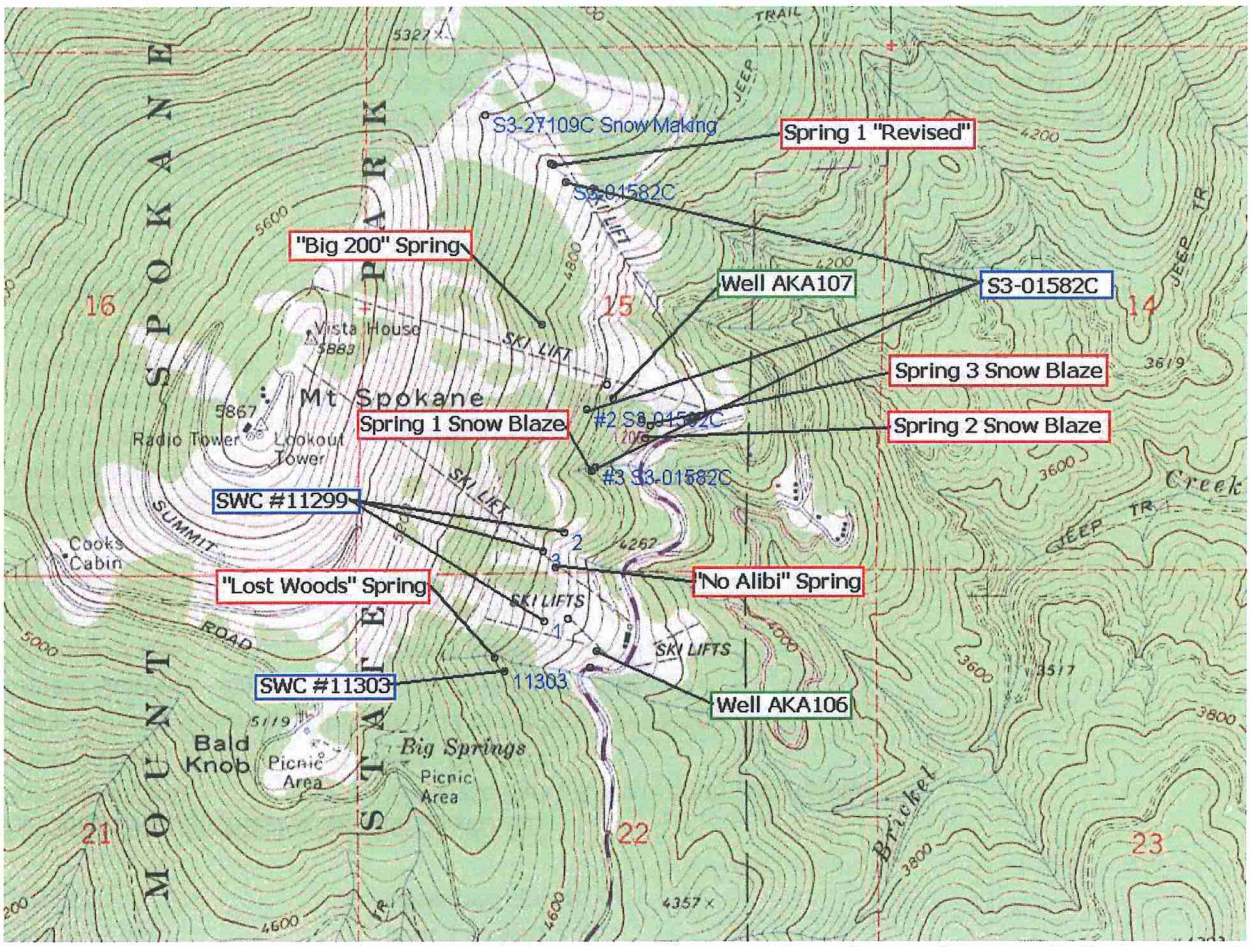
- **Spring #1 - a.k.a. "Lost Woods" Collector**
  GPS Location: N 47.91484 W 117.10457 (Datum WGS 84)
  NE¼NW¼, Sec. 22, T. 28 N., R. 45 E.W.M.

- **Well Unique ID# AKA106**
  GPS Location: N 47.91500 W 117.10034 (Datum WGS 84)
  NE¼NW¼, Sec. 22, T. 28 N., R. 45 E.W.M.

NOTE: The "Unnamed Stream" authorized under this certificate is also known as the "Lost Woods" Spring. The Lost Woods Spring is the only surface water source used under this right along with Well #AKA106. The new certificate will correctly identify the water source name as Lost Woods Spring.

In 2004, well #AKA106 was drilled in the NE¼NW¼, Sec. 22, T. 28 N., R. 45 E.W.M. to a depth of 151 feet in granite. The well only produces around 6.5 gallons per minute but is proposed to be added to both Certificate Nos. 11299 and 11303. This well is the primary water source for Ski Lodge #1 and the springs will be kept for emergency/back-up purposes.

During the September 20, 2011 site visit, all of the springs and the two wells were located and marked by GPS. Some of the springs located by GPS did match the locations on the original water right certificates while some did not. Through the filing of these change applications, PARKS plans to correct the legal descriptions of the water sources that they use under each water right. All of the springs were flowing quite well on the date of examination and appeared to produce the instantaneous quantities authorized on paper although flow measurements were not taken. All of the springs are gravity fed and piped to several reservoirs. Ski Lodge #1 has two 5,000 gallon reservoirs and Ski Lodge #2 has 22,000 gallon reservoir. Snowblaze has 110,000 and 40,000 gallons of storage. The map below shows the original spring locations as authorized under each certificate (11299, 11303, S3-01582C) along with the proposed new spring and well locations:



USGS 7.5 Minute (Topographic Map) - "Mt. Spokane"

Other Rights Appurtenant to the Place of Use

A review of Ecology records was conducted for existing water rights in Sections 15 and 22 of Township 28 North, Range 45 E.W.M. The search found the following water rights:

Surface Water Certificate Number S3-01582C (1-3-309)

Recorded Name:	WA State Parks & Recreation Commission
Priority Date:	April 12, 1967
Instantaneous Quantity - Qi:	0.33 cubic foot per second
Annual Quantity - Qa:	24 acre-feet per year
Purpose of Use:	Community domestic supply and fire protection
Period of Use:	Continuous
Source:	3 unnamed springs

Surface Water Certificate Number 11299

Recorded Name:	WA State Parks & Recreation Commission
Priority Date:	December 31, 1968
Instantaneous Quantity - Qi:	0.10 cubic foot per second
Annual Quantity - Qa:	24 acre-feet per year

Purpose of Use:	Community domestic supply for public park
Period of Use:	Continuous
Source:	2 unnamed springs & 1 unnamed stream

Surface Water Certificate Number 11303

Recorded Name:	WA State Parks & Recreation Commission
Priority Date:	February 18, 1969
Instantaneous Quantity - Qi:	0.09 cubic foot per second
Annual Quantity - Qa:	24 acre-feet per year*
Purpose of Use:	Community domestic supply for public park
Period of Use:	Continuous
Source:	Unnamed stream

**issued less existing water rights for same place of use*

Surface Water Certificate Number S3-27109C

Recorded Name:	WA State Parks & Recreation Commission
Priority Date:	September 4, 1981
Instantaneous Quantity - Qi:	0.22 cubic foot per second
Annual Quantity - Qa:	9 acre-feet per year
Purpose of Use:	Recreational use (snow-making)
Period of Use:	Sept 1 to May 1
Source:	Unnamed spring

Surface Water Certificate Number S3-28779C

Recorded Name:	WA State Parks & Recreation Commission
Priority Date:	May 15, 1990
Instantaneous Quantity - Qi:	0.0111 cubic foot per second
Annual Quantity - Qa:	5.4 acre-feet per year
Purpose of Use:	Group domestic supply
Period of Use:	Continuous
Source:	Unnamed spring

Surface Water Certificate Number S3-22945C

Recorded Name:	Spokane Mountaineers, Inc.
Priority Date:	April 9, 1974
Instantaneous Quantity - Qi:	0.02 cubic foot per second
Annual Quantity - Qa:	2 acre-feet per year
Purpose of Use:	Community domestic supply
Period of Use:	Continuous
Source:	Unnamed spring

Hydrologic/Hydrogeologic Evaluation

Applications for change/transfer of water right permits and certificates of ground water 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.

The hydrogeologic analysis for this application was provided by Guy Gregory, hydrogeologist for Ecology's Water Resources Program. This application proposes to change points of diversion for existing rights from surface water to wells. The prime hydrogeologic considerations in these cases are whether the waters in question have the same source, and whether or not the change will cause detriment or injury to existing rights.

Mt. Spokane is composed of intrusive igneous rocks of Cretaceous age, covered with a thin veneer of soil. The springs used as water source get their water from a fractured granite aquifer system. That system is recharged by precipitation falling upon Mt. Spokane, and percolating through fractured granite. Both the springs, and the proposed wells, obtain water from this source. Thus they produce from the same body of public groundwater.

Impairment Considerations

"Impair" or "impairment" means to: 1) adversely impact the physical availability of water for a beneficial use that is entitled to protection, and/or 2) to prevent the beneficial use of the water to which one is entitled, and/or 3) to adversely affect the flow of a surface water course at a time when the flows are at or below instream flow levels established by rule (POL-1200), and/or 4) degrade the quality of the source to the point that water is unsuitable for use by existing water right holders (WAC 173-150). Demonstration of impairment would require evidence of a substantial and lasting or frequent impact reflecting such conditions.

There has been no documented history of impairment in this area, and it is not anticipated that this change would cause any impairment to existing water rights.

No Enhancement of Original Right

No diversion 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.

Consideration of Protests and Comments

No protests were filed against this application.

Conclusions

It is the conclusion of this examiner that, in accordance with Chapters 90.03 and 90.44 RCW, this application for change under Surface Water Certificate No. 11303 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 the request for change to Surface Water Certificate 11303 be approved in the amounts and within the limitations listed below and subject

to the provisions beginning on Page 2, and following. However, the request to change the purpose of use to municipal supply is denied because the current use under Certificate 11303 does not qualify.

Authorized Quantities, Purpose of Use, Diversion/Withdrawal and Place of Use

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:

Quantities:

- 0.09 cubic foot per second
- 2 acre-feet per year (non-additive)

Purpose of Use

- Community domestic supply for public park

Point of Diversion/Withdrawal:

- Spring #1 - a.k.a. "Lost Woods" Collector
  NE¼NW¼, Sec. 22, T. 28 N., R. 45 E.W.M.

- Well Unique ID# AKA106
  NE¼NW¼, Sec. 22, T. 28 N., R. 45 E.W.M.

Place of Use:

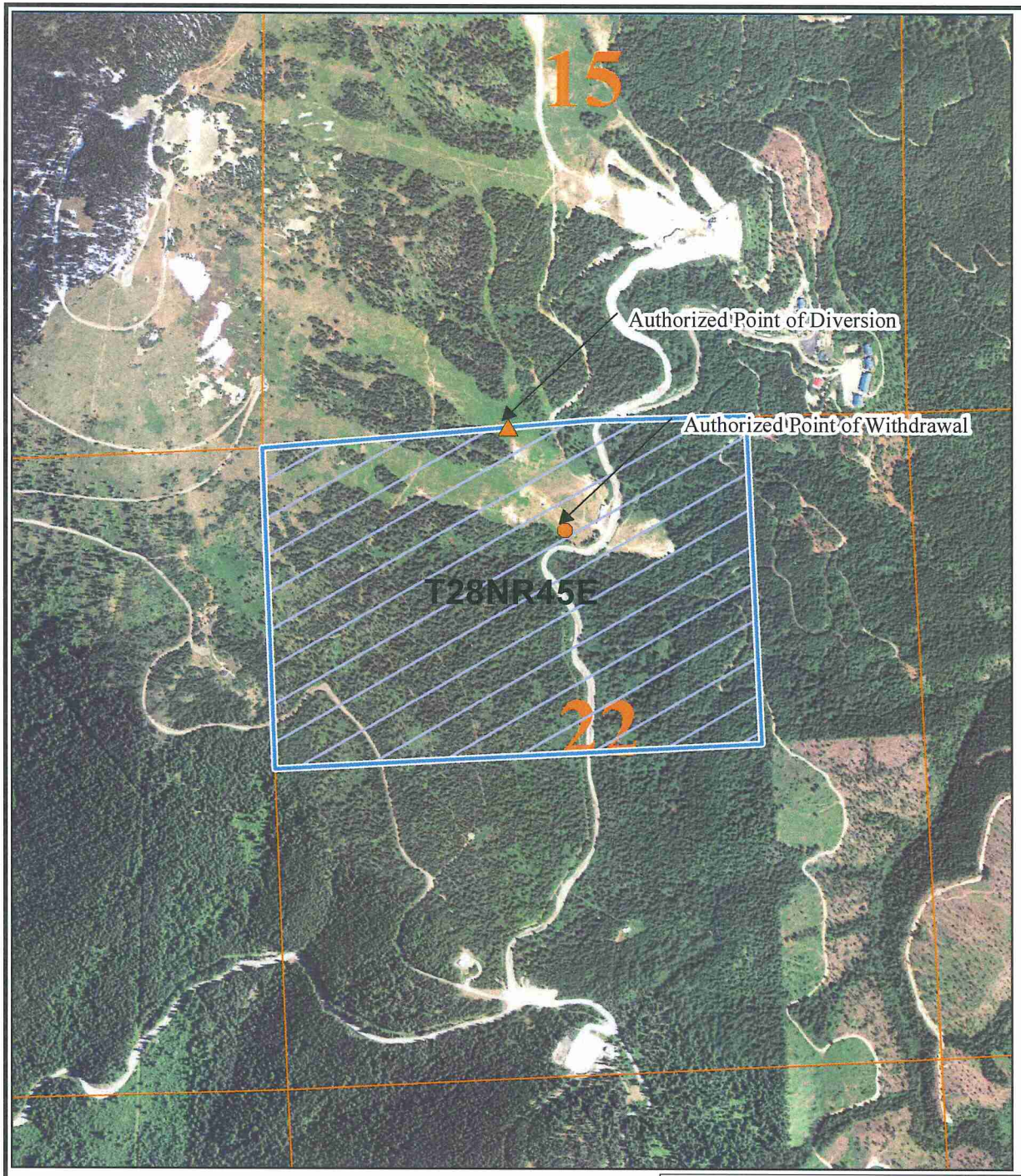
- As described on Page 1 of this Report of Examination.

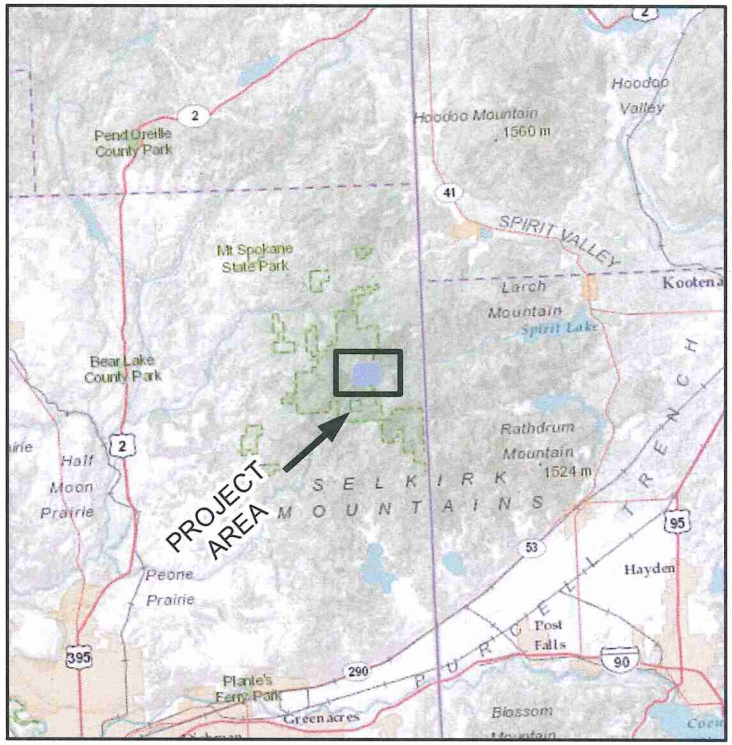
3-15-2012

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.

WA Parks & Recreation Commission
CS3-*21493C
T28N/R45E





Basemap - (ESRI US Topographic Maps)

Legend

- Authorized Place of Use
- Authorized Point of Withdrawal
- Authorized Point of Diversion
- Townships
- Sections

Feet
0 550 1,100 2,200 3,300 4,400

Basemap - (NAIP 2011 1m color)

DEPARTMENT OF ECOLOGY State of Washington

Map Date: 3/12/2012

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