STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

REPORT OF EXAMINATION
Application for Change to:
Ground Water Certificate No. G3-20534C

PRIORITY DATE	APPLICATION NO.	PERMIT NO.	CERTIFICATE NO.
September 28, 1972	G3-20534	G3-20534	G3-20534

NAME
NACO – Little Diamond RV Resort

ADDRESS/STREET	CITY/STATE	ZIP CODE
1002 McGowen Road	Newport, WA	99156

PUBLIC WATERS TO BE APPROPRIATED

SOURCE

Five (5) wells

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND (cfs)	MAXIMUM GALLONS PER MINUTE (gpm)	MAXIMUM ACRE FEET PER YEAR (ac-ft/yr)
---	40	26.6

QUANTITY, TYPE OF USE, PERIOD OF USE

40 gallons per minute and 26.6 acre-feet per year, continuously, for community domestic supply (NACO – Little Diamond RV Resort)

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION—WITHDRAWAL

Well #2) SE¼NE¼ of Sec. 34 - 475 feet north and 500 feet west from the E¼ corner of Section 34
Well #3) SE¼NE¼ of Sec. 34 - 450 feet north and 500 feet west from the E¼ corner of Section 34
Well #4) SW¼NE¼ of Sec. 34 - 1400 feet south and 2100 feet west from the NE¼ corner of Section 34
Well #5) SW¼SE¼ of Sec. 34 - 1050 feet north and 2000 feet west from the SE¼ corner of Section 34
Well #6) SE¼SE¼ of Sec. 34 - 500 feet north and 500 feet west from the SE¼ corner of Section 34

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP	RANGE	WRIA	COUNTY
See above	34	31 N.	44 E.W.M.	55	Pend Oreille

PARCEL NUMBER	LATITUDE	LONGITUDE	DATUM

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

[Attachment 1 shows location of the authorized place of use and point(s) of diversion or withdrawal.]

SE¼SE¼ of Sec. 27 and the E½ of Sec. 34; ALL IN T. 31 N., R. 44 E.W.M.; LESS roads

DESCRIPTION OF PROPOSED WORKS

Five (5) wells, submersible pumps, reservoir and distribution system

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE	COMPLETE PROJECT BY THIS DATE	WATER PUT TO FULL USE BY THIS DATE
Started	May 1, 2011	May 30, 2012

PROVISIONS

Quantity Limits, Flow and Regulation:

1. This change authorizes five (5) points of withdrawal in the amounts of 40 gallons per minute; 26.6 acre-feet per year, continuously, each year, for community domestic supply for NACO – Little Diamond RV Resort under Ground Water Certificate No. G3-20534C.

Public Water Systems:

2. 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 (DOH). Please contact the Office of Drinking Water prior to beginning (or modifying) your project at Eastern Drinking Water Operations, 16201 E. Indiana Avenue, Suite 1500, Spokane Valley, WA 99216, (509) 329-2100.

Wells, Well Logs and Well Construction Standards:

3. Well #1 shall be decommissioned in accordance with Chapter 173-160-381 WAC.

4. All wells constructed in the State shall meet the construction requirements of chapter 173-160 WAC entitled "Minimum Standards for the Construction and Maintenance of Wells" and chapter 18.104 RCW titled "Water Well Construction".

5. In accordance with chapter 173-160 WAC, 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 a solid waste landfill.

6. The subject well has been tagged with a well identification number. This unique well number shall remain attached to the well. Please reference this number when submitting data.

7. Installation and maintenance of an access port as described in chapter 173-160 WAC is required. An air line and gauge may be installed in addition to the access port.

General Conditions:

8. The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right change 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 the applicant and the owner of that land.

9. Use of water under this authorization shall 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.

Schedule and Inspections:

10. 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, wells or diversions and associated distribution systems for compliance with water law.

11. The water right holder shall file the notice of Proof of Appropriation of water (under which the superseding 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 superseding certificate will reflect the extent of the project perfected within the limitations of the change authorization. Elements of the proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Measurements, Monitoring, Metering and Reporting:

12. An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use," Chapter 173-173 WAC. Water use data shall be recorded bi-weekly and maintained by the property owner for a minimum of five

years, and shall be promptly submitted to Ecology upon request.
The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements.

13. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

Chapter 173-173 WAC describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".
http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html

FINDINGS OF FACT AND ORDER

Upon reviewing the investigator's report, I find all facts relevant and material to the subject application have been thoroughly investigated. Furthermore, I find the change of water right as recommended will not be detrimental to existing rights.

Therefore, I ORDER approval of the application to change one point of withdrawal and add four (4) points of withdrawal under Ground Water Certificate No. G3-20534C, subject to existing rights and the provisions listed above.

You have a right to appeal this Order. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:		Deliver your appeal in person to:
The Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903	OR	The Pollution Control Hearings Board 4224 – 6th Ave SE Rowe Six, Bldg 2 Lacey, WA 98503

2. To serve your appeal on the Department of Ecology

Mail appeal to:		Deliver your appeal in person to:
The Department of Ecology Appeals & Application for Relief Coordinator PO Box 47608 Olympia, WA 98504-7608	OR	The Department of Ecology Appeals & Application for Relief Coordinator 300 Desmond Dr SE Lacey, WA 98503

3. And send a copy of your appeal to:

Keith L. Stoffel
Department of Ecology
Eastern Regional Office
4601 North Monroe Street
Spokane, WA 99205

Signed at Spokane, Washington, this 27th day of April, 2010.

Keith L. Stoffel, Section Manager
Water Resources Program
Eastern Regional Office

BACKGROUND

An application for change/transfer was submitted by NACO – Little Diamond RV Resort of Newport, Washington to the Department of Ecology on June 30, 2005. The applicant proposes to change the point of withdrawal and add four (4) points of withdrawal under Ground Water Certificate No. G3-20534C. The current authorized point of withdrawal is a well located within the SW¼SE¼NE¼ of Sec. 34, T. 31 N., R. 44 E.W.M. The applicant proposes to change the existing well #1 to well #2 located in the SE¼NE¼ of Sec. 34 and add four (4) existing wells located as follows: well #3 within the SE¼NE¼ of Sec. 34; well #4 within the SW¼NE¼ of Sec. 34; well #5 within the SW¼SE¼ of Sec. 34 and well #6 within the SE¼SE¼ of Sec. 34; ALL IN T. 31 N., R. 44 E.W.M. No other changes are proposed.

This application was amended on August 22, 2006 and again on May 30, 2007 to correct the locations of the proposed wells. A notice of application was duly published in accordance with RCW 90.03.280 in the Newport Miner on November 22 and 29, 2006. An amended application notice was published on July 18, and July 25, 2007, and no protests were received.

This application is categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21C RCW.

Attributes of Ground Water Certificate No. G3-20534C

Recorded Name:	American Campgrounds, Inc.
Priority Date:	September 28, 1972
Instantaneous Quantity – Q(i):	40 gallons per minute
Annual Quantity – Q(a):	26.6 acre-feet per year
Source:	A well
Point of withdrawal:	SW¼SE¼NE¼ of Sec. 34, T. 31 N., R. 44 E.W.M.
Purpose of Use:	Community Domestic Supply
Period of Use:	Continuous
Place of Use:	SE¼SE¼ of Sec. 27 and the E½ of Sec. 34; ALL IN T. 31 N., R. 44 E.W.M.; LESS roads

INVESTIGATION

History

The water right for NACO- Little Diamond Resort water system was applied for on September 28, 1972 under Application No. G3-20534 by "American Campgrounds, Inc." The Report of Examination (findings) of this water right was issued on April 11, 1974 and recommended approval for 75 gallons per minute and 26.6 acre-feet per year. The annual quantity of 26.6 acre-feet per year was calculated as follows: 1,000 campsites at 25 gallons per day for 6 months for 14 acre-feet per year; one home at 2 acre-feet per year; 10 restrooms at 1,000 gallons per day for 6 months for 5.6 acre-feet per year and one lodge at 5 acre-feet per year. Permit G3-20534P was later issued in June of the same year for the same amount. The Proof of Appropriation was filed by the American Campgrounds, Inc. on February 28, 1975. Ground Water Certificate No. G3-20534C was issued on September 4, 1975 for 40 gallons per minute and 26.6 acre-feet per year.

Well #1 was drilled in 1972 and produced 75 gallons per minute. This well is located in the "Meadow Area" and had a history of problems including iron. The well was used until 1979 when it went dry in a hot summer.

Well #2 was drilled in 1979 to replace well #1. This well is also located in the meadow area but was high in iron and has a bad Hydrogen Sulfide or "rotten egg" odor. The well produced 60 gallons per minute. This well is currently not used – back-up/emergency use only.

Well #3 was drilled in 1981. This well, located in the meadow area, was drilled in an attempt to solve the iron water problems of the resort. This well produced about 5 gallons per minute and is used by the resort.

Well #4 was drilled in 1985 to also alleviate the iron problems. This well is located about ¼ mile south of the reservoir on the northwest end of the resort. This well produced 10 gallons per minute. This well is used by the resort.

Well #5 was drilled in 1991, produced 11 gallons per minute and is used by the resort.

Well #6 was drilled in 2004 and produced 14 gallons per minute. This well is located on the southeast corner of the property and is the primary well for the resort. Only about 10 gallons per minute is actually pumped into the water tower from this well due to its location.

Although the resort did not file an application to add these wells until 2005, it has continued to use ground water under this water right for the authorized purpose of use. The resort has been using water from this water source since 1972.

Water Use

A field investigation was conducted by Gene Drury on May 23, 2007 with Mike Johnson, Manager for Little Diamond Resort. Little Diamond Resort is located about 30 miles north of Spokane, Washington on 360 acres just north of Diamond Lake. The resort currently has about 300 RV/campsites with power and water, one "Family Lodge" with a spa, pool and picnic area, one "Granite Lodge" rental facility with a spa and sauna, one Adult lodge, 3 rental cabins, one shop, laundry area and the office. There are five restrooms with showers located throughout the resort and two RV dump stations. The irrigated areas are small with only some grass areas around the lodges. The ball field, playground, driving range and meadows are not irrigated according to Mr. Johnson. Mr. Johnson's home is also served water from this water system. The resort has a 60,000 gallon reservoir or "water tower" which was constructed in the early 1970's of cedar. A 36 ml poly liner was installed in October 2006 according to Mr. Johnson.

In 1999, water use for the resort was estimated to be around 12 acre-feet per year. This was calculated based on 7,000 camper nights at 50 gallons per day per camper night. According to Mr. Johnson, 6,000 to 7,000 camper nights is the norm. However, the resort has seen well over 13,000 camper nights in a season so the allocated 26.6 acre-feet per year under this right is reasonable.

Currently, well #6 is the only metered well. The meter reading on May 23, 2007 was 2,371,380 gallons (or 7.3 acre-feet). According to Mr. Johnson, this is the amount of water used since the meter was installed in the summer of 2004.

Water has continuously been used for the purpose of use authorized under Ground Water Certificate No. G3-20534C and within the authorized place of use. Water used under Certificate No. G3-20534C has historically provided water for a non-residential population that is, on average, at least twenty-five people for at least sixty days a year. The resort is defined as a Group A Water System by DOH.

Other Rights Appurtenant to the Place of Use

A search was conducted for existing water rights, permits, applications and claims in the surrounding area of the proposed wells. The search found no other water rights within the proposed place of use. There was one Water Right Claim (short form) filed by Paul P. Sturm on May 1, 1974 located in the NW¼ of Sec. 34, T. 31 N., R. 44 E.W.M.. The Sturm claim (No. 084085) was filed for ground water for the purposes of domestic, stockwatering and lawn and garden irrigation. There were no water rights or claims in Sec. 35, T. 31 N., R. 44 E.W.M. There were four (4) other recorded water right claims within the N½ of Sec. 3, T. 30 N., R. 44 E.W.M. They are as follows:

1) Inland Empire Council, Boy Scouts of America - Claim No. 127415
   Claimed for: a well, 5 gpm, 8.06 af/yr, domestic supply, date of first use - July 1930;
   SE¼NE¼, Sec. 3, T. 30 N., R. 44 E.W.M.

2) Granly, Adolph R. and Phyllis J. - Claim No. 011441
   Claimed for: a well, 15 gpm, 3 af/yr, household, lawn, garden, date of first use - July 1969;
   SW¼NW¼, Sec. 3, T. 30 N., R. 44 E.W.M.

3) Radke, Roger – Claim No. 011162
   Claimed for: a well, 10 gpm, 2 af/yr, domestic supply, date of first use – April 1972;
   SE¼NW¼, Sec. 3, T. 30 N., R. 44 E.W.M.

4) Radke, Roger – Claim No. 028961
   Claimed for: a spring, 0.01 cfs, 1 af/yr, fish propagation, fire protection, irrigation of lawn and garden, date of first use – June 1972;
   SE¼NW¼, Sec. 3, T. 30 N., R. 44 E.W.M.

The intent of the Claims Registration Act, Chapter 90.14 RCW, was to document those uses of surface water in existence prior to the adoption of the State Surface Water Code, Chapter 90.03 RCW, which was adopted in 1917, and those uses of ground water in existence prior to the adoption of the State Ground Water Code, Chapter 90.44 RCW, which was adopted in 1945. Since each code(s) adoption, the only means of acquiring a water right within the state is by filing for, and receiving, a permit from the Department of Ecology or one of its predecessors or by establishing a right under the "domestic exemption" under the ground water code (RCW 90.44.050). The Department of 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 Sections 90.03.110 through 90.03.240 RCW.

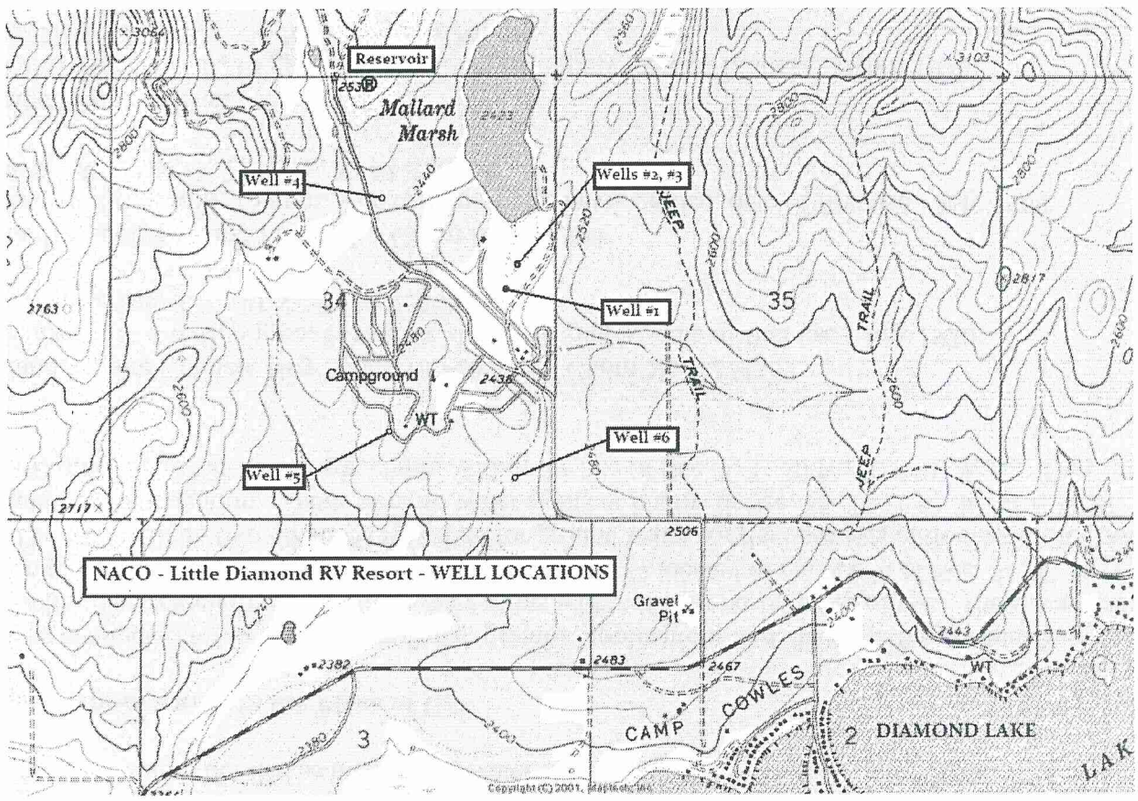
The Little Diamond RV Resort wells have been in use for several years and there have been no reported well

interference problems in this area.

Hydrologic/Hydrogeologic Evaluation

Applications for change of water right permits and certificates are governed by RCW 90.44.100, which states in part: 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 applicant proposes to change the location of the original point of withdrawal (Well #1) to existing Well #2 and add four (4) other existing points of withdrawal (Wells #3, #4, #5 and #6). The original well is no longer used. All of the wells are located in Sec. 34, T. 31 N., R. 44 E.W.M.



Well #1 (Unique Well ID# AHC037) is 39 feet deep and constructed into granitic alluvium and boulders. The well has a static water level of 18 feet. The well is cased to 25 feet. The elevation of this well is approximately 2420 feet above sea level (asl).

Well #2 (Unique Well ID# AHC038) is 40 feet deep, cased to 40 feet and has a static water level of 20 feet. There is no recorded water well report for this source.

Well #3 (Unique Well ID# AHC039) is 510 feet deep and constructed into granite. The well has a static water level of 40 feet. The well is cased to 56 feet. The elevation of this well is approximately 2420 feet asl.

Well #4 (Unique Well ID# AHC040) is 465 feet deep and constructed into granite. The well has a static water level of 60 feet. The well is cased to 49 feet. The elevation of this well is approximately 2460 feet asl.

Well #5 (Unique Well ID# AHC041) is 225 feet deep and constructed into granite. The well has a static water level of 12 feet. The well is cased to 118 feet. The elevation of this well is approximately 2479 feet asl.

Well #6 (Unique Well ID# AKM046) is 600 feet deep and constructed into granite. The well has a static water level of 45 feet. The well is cased to 44 feet with a perforated pvc liner to 600 feet. The elevation of this well is approximately 2422 feet asl.

All of the proposed wells are completed into the same crystalline basement rocks which outcrop in this area and will withdraw from the same body of public ground water.

Impairment Considerations

"Impair" or "impairment" means to: 1) adversely impact the physical availability of water for a beneficial use that is entitled to protection, including earlier filed applications; 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.

No significant increase in pumping rates is proposed and there has been no documented history of pumping interference between existing wells in this area, therefore it is not anticipated that this change would cause any impairment to existing water rights.

Public Interest Considerations

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

Consideration of Protests and Comments

No protests or objections were received.

Same Source of Water
All of the proposed wells will withdraw from the same body of public ground water and may be added under this certificate under RCW 90.44.100.

CONCLUSIONS

It is the conclusion of this examiner that, in accordance with Chapters 90.03 and 90.44 RCW, this application to change the point of withdrawal and add four (4) points point of withdrawal under Ground Water Certificate No. G3-20534C 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 to change the point of withdrawal and add four (4) points of withdrawal under Ground Water Certificate No. G3-20534C be approved in the amounts and within the limitations listed below and subject to the provisions beginning on Page 2.

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:

- 40 gallons per minute
- 26.6 acre-feet per year
- Community Domestic Supply purposes

Points of Withdrawal

Well #2) SE¼NE¼ of Sec. 34, T. 31 N., R. 44 E.W.M.
Well #3) SE¼NE¼ of Sec. 34, T. 31 N., R. 44 E.W.M.
Well #4) SW¼NE¼ of Sec. 34, T. 31 N., R. 44 E.W.M.
Well #5) SW¼SE¼ of Sec. 34, T. 31 N., R. 44 E.W.M.
Well #6) SE¼SE¼ of Sec. 34, T. 31 N., R. 44 E.W.M.

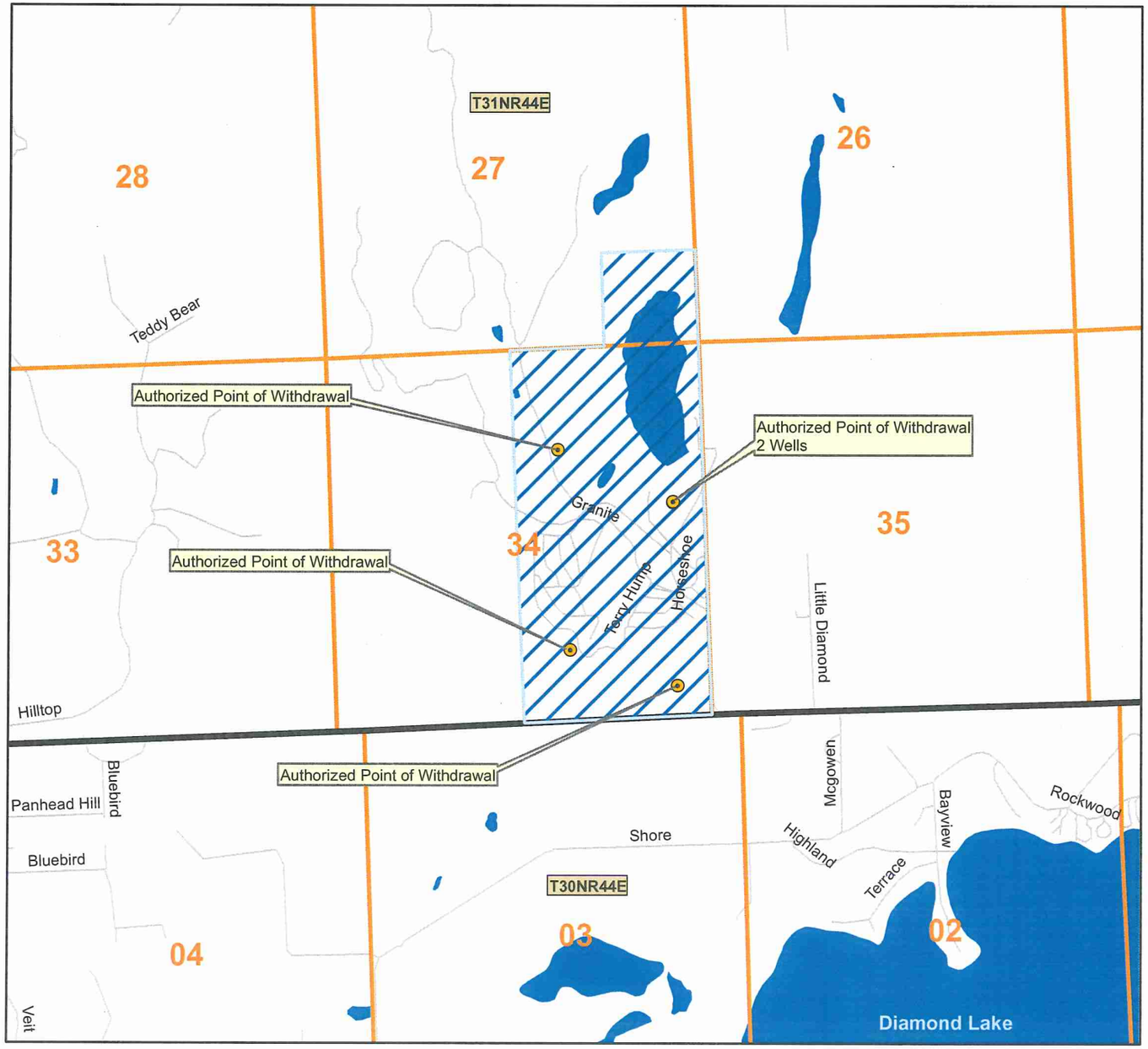
Place of Use

As described on Page 1 of this Report of Examination.

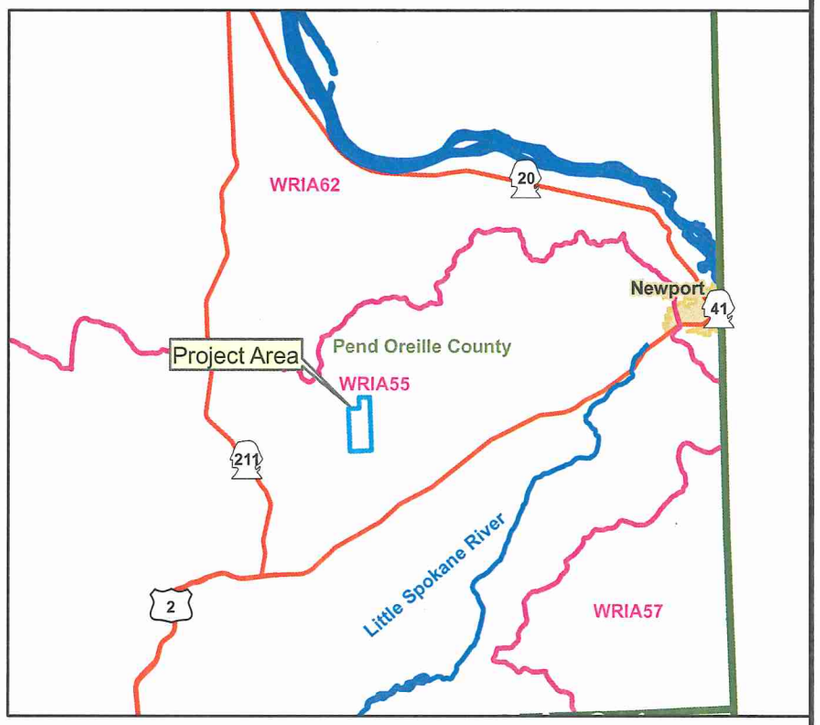
Report by: _____ 4/27/2010
Gene Drury — Date
Water Resources Program

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.

Y/Final docs/ROEs/Drury/2010/G3-20534 Naco



NACO - Little Diamond RV Resort
Permit Number G3-20534
Sec. 34, T 31N, R 44E.W.M.
WRIA 55 - Pend Oreille County



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Miles

Legend

- County
- WRIA
- cities
- Local Roads
- Highways
- Townships
- Sections
- Authorized Point of Withdrawal
- Authorized Place of Use

Comments:
Place of use, points of withdrawal/diversions are as defined on the cover sheet under the heading, 'LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED.'

Attachment 1