



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

REPORT OF EXAMINATION
Application for Change to:
Ground Water Certificate No. G3-01336C

PRIORITY DATE	APPLICATION NO.	PERMIT NO.	CERTIFICATE NO.
October 20, 1969	10461	9627	G3-01336

NAME Whitworth Water District No. 2		
ADDRESS/STREET	CITY/STATE	ZIP CODE
10828 N. Waikiki Road	Spokane, WA	99218-8008

PUBLIC WATERS TO BE APPROPRIATED

SOURCE		
A well (8C)		
TRIBUTARY OF (IF SURFACE WATERS)		

MAXIMUM CUBIC FEET PER SECOND (cfs)	MAXIMUM GALLONS PER MINUTE (gpm)	MAXIMUM ACRE FEET PER YEAR (ac-ft/yr)
---	250	37
QUANTITY, TYPE OF USE, PERIOD OF USE		
250 gallons per minute and 37 acre-feet per year, continuously, for municipal supply		

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION—WITHDRAWAL					
50 feet south and 760 feet west from the E ¹ / ₄ corner of Section 32					
LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP	RANGE	WRIA	COUNTY
NE ¹ / ₄ SE ¹ / ₄	32	27N.	43 E.W.M.	55	Spokane
PARCEL NUMBER	LATITUDE	LONGITUDE	DATUM		
37325.9078	47.79442	117.39234	WGS 84		

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]

Area served by Whitworth Water District No. 2 (WWD2). The place of use (POU) of this water right is the service area described in the most recent Water System Plan approved by the Washington State Department of Health, so long as area served by Whitworth Water District No. 2 is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.

DESCRIPTION OF PROPOSED WORKS

A well, submersible pump, storage and distribution system

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE	COMPLETE PROJECT BY THIS DATE	WATER PUT TO FULL USE BY THIS DATE
Started	Complete	In use

PROVISIONS

Quantity Limits, Flow and Regulation:

1. This change authorizes one point of withdrawal in the amount of 250 gallons per minute; 37 acre-feet per year, continuously, each year, for municipal supply under Ground Water Certificate No. G3-01336C.

Municipal Supply and Public Water Systems:

2. If the criteria in RCW 90.03.386(2) are not met and a Water System Plan/Small Water System Management Program was approved after September 9, 2003, the place of use of this water right reverts to the service area described in that document. If the criteria in RCW 90.03.386(2) are not met and no Water System Plan/Small Water System Management Program has been approved after September 9, 2003, the place of use reverts to the last place of use described by Ecology in a water right authorization.

3. 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 Eastern Drinking Water Operations (509) 456-3115, or at <http://www.doh.wa.gov/ehp/dw/default.htm> on the internet.

Wells, Well logs and Well Construction Standards:

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 (Unique Ecology Well ID Tag No. AGC037). 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 applicant and 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.

Measurements, Monitoring, Metering and Reporting:

11. 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 weekly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.

12. 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.

13. 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 recommended change the point of withdrawal, purpose of use and place of use under Ground Water Certificate No. G3-01336C, 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:

The Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

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:

The Department of Ecology
Appeals & Application for Relief
Coordinator
PO Box 47608
Olympia, WA 98504-7608

OR

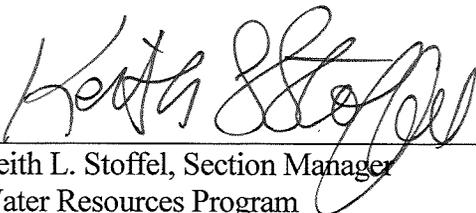
Deliver your appeal in person to:

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 30th day of April, 2009.



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

BACKGROUND

An application for change was submitted by Whitworth Water District No. 2 (WWD2) of Spokane, Washington to the Department of Ecology on May 20, 2008. The applicant proposes to change the point of withdrawal, purpose of use and place of use under Ground Water Certificate No. G3-01336C. The current authorized point of withdrawal is a well located within Lot 2, Block 4 of the Plat of North Glen Estates in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10, T. 27 N., R. 43 E.W.M. The proposed well is an existing WWD2 well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, T. 27 N., R. 43 E.W.M. The proposed purpose of use is "municipal supply" and the proposed place of use is the "Area served by Whitworth Water District No. 2 in accordance with our Water System Plan".

On July 8, 2008, Dorothy Tibbetts, Eastern Regional Manager for the Office of Drinking Water with the Washington State Department of Health (WDOH) requested that Ecology expedite processing of this application. According to WDOH, the existing well which is known as the "North Glen" well contains various volatile organic chemicals. Bottled water was provided to the North Glen residents until an emergency intertie could be made with WWD2. WWD2 currently serves water to the North Glen residents through its existing well 8C. This application would allow WWD2 to permanently serve water from Well 8C to the North Glen residents under Ground Water Certificate G3-01336C. The priority processing of this application was approved by Keith Stoffel, Water Resources Section Manager for the Eastern Regional Office on July 14, 2008.

A notice of application was duly published in accordance with RCW 90.03.280 in the Deer Park Tribune on June 25 and July 2, 2008 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. G3-01336C

Recorded Name:	Lincoln Green of Washington, Inc.
Priority Date:	October 20, 1969
Instantaneous Quantity – Q(i):	350 gallons per minute
Annual Quantity – Q(a):	37 acre-feet per year
Source:	A well
Point of withdrawal:	Lot 2, Block 4, Plat of North Glen Estates Sec. 10, T. 27 N., R. 43 E.W.M.
Purpose of Use:	Community Domestic Supply
Period of Use:	Continuous
Place of Use:	The Plat of North Glen Estates within Sections 3 and 10, T. 27 N., R. 43 E.W.M.

INVESTIGATION

History of Water Use

A water right for this system was applied for on October 20, 1969 under Application No. 10461 by Lincoln Green of Washington, Inc. The Report of Examination (findings) issued in 1970 and recommended approval of 350 gallons per minute and 37 acre-feet per year for community domestic supply of 37 lots. This quantity was based on 300 gallons per capita per day for a population of 111 persons. Permit No. 9627 issued on March 30, 1970 but was actually cancelled in 1974 for failure to place the water to full beneficial use by the required development schedule. The Cancellation Order was appealed and through PCHB No. 574 Stipulation and Agreed Order, the cancellation was reversed. The appellant filed the Proof of Appropriation and received Certificate of Ground Water Right No. G3-01336C dated August 8, 1975.

According to Susan McGeorge of WWD2, there are currently 35 parcels of land that are served water within the place of use of this right (North Glen). The final North Glen plat shows a total of 43 lots in the development. The North Glen Water Association did not have source or service meters on their system. However, in 2006 WWD2 did meter the water provided to the North Glen system through the emergency intertie. In 2006, the system used 2,370,900 cubic feet of water (or 54.4 acre-feet) for the 35 parcels. This exceeds the authorized 37 acre-feet per year under this certificate by 17.4 acre-feet. Although, WWD2 provided 54.4 acre-feet per year of water within the place of use of this right, only 37 acre-feet per year can be recognized as the amount available for change under this particular right.

Proposed Use

Under this change application, WWD2 proposes to change the point of withdrawal under G3-01336C to the Well 8C location, change the purpose to "municipal supply purposes" and change the place of use. The Water

Resources Program DRAFT 2003 Municipal Water Law Interim Guidance and Interpretive Policy Statement considers WWD2 to be a public entity providing domestic water and therefore a municipal water supplier. The policy identifies the following public entities as Municipal Water Suppliers: Cities, Towns, Public Utility Districts and Water & Sewer Districts. WWD2 falls into this list of public entities and supplies water for municipal supply purposes.

Hydrologic/Hydrogeologic Evaluation

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

A hydrogeologic analysis was conducted by John Covert, hydrogeologist for Ecology's Water Resources Program. The existing North Glen well was constructed in 1969 by Holman Drilling and is located in the NW¼ of Sec. 3, T. 27 N., R. 43 E.W.M. The recorded well report indicates the well was drilled to a depth of 91 feet into sand, gravel and clay. The well was cased to 74 feet. The static water level in this well was measured at 2.6 feet below the top of the well. The static water level was recently checked by WWD2 and is still 2.6 feet. According to Doug Babin, Maintenance Supervisor with WWD2, Jim Socci of Specialty Pump determined the North Glen well instantaneous demand at 250 gallons per minute.

The proposed Well 8C (Unique Ecology Well ID Tag No. AGC037) is located in the NE¼SE¼ of Sec. 32, T. 27 N., R. 43 E.W.M. This well was constructed by CJ Warren & Son Well Drilling in 2005. The well report indicates that the well was constructed into sand, gravel and clay and completed into granite at 252 feet. The static water level is 52 feet.

Both wells are producing water from unconsolidated sand and gravel aquifers located within 1,000 feet of the Little Spokane River (at their respective locations). These shallow, high-head gravel wells are recharged by precipitation in the higher areas within the watershed and share a common discharge area, namely the Little Spokane River. Both wells are producing water from the same body of public groundwater.

Impairment Considerations - Existing Water Rights

"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.

A search was conducted for existing water rights, permits and claims in the surrounding area of Well 8C using WRTS (Water Rights Tracking System). The search found 22 existing rights and claims (both surface and ground water). Many of these documents list the "Greenleaf Park Subdivision" as the place of use and are primarily for single domestic supply, stockwater and lawn and garden irrigation. The following list includes those documents:

SEC. 32, T. 27 N., R. 43 E.W.M.

G3-003541CL	CROWE JACK M.	Claim L	1/1/44	ST,IR		GPM			55	27.ON 43.0E 32	
S3-28910C	Egeland James	Cert	11/13/90	WL,IR	0.03	CFS	3.9	1	55	27.ON 43.0E 32	LITTLE SPOKANE RI
G3-055196CL	HANSON GALT W.	Claim S		DG		GPM			55	27.ON 43.0E 32	
S3-00978CWRRIS	HILL FLOYD E	Cert	3/18/69	IR	0.06	CFS	8.6	3	55	27.ON 43.0E 32	LITTLE SPOKANE RI
G3-056346CL	HILL JACK L.	Claim S		DG		GPM			55	27.ON 43.0E 32	
G3-074909CL	HOESLY ROBERT J.	Claim S		ST,DG		GPM			55	27.ON 43.0E 32	
G3-096832CL	LUCAS PATRICIA B	Claim L	1/1/1890	ST,IR		GPM			55	27.ON 43.0E 32	WELL
S3-00987CWRRIS	MILLER ARTHUR E	Cert	7/29/69	IR,FR	0.05	CFS	9	3	55	27.ON 43.0E 32	LITTLE SPOKANE RI
G3-037434CL	MILLER ARTHUR E.	Claim S		ST,DG		GPM			55	27.ON 43.0E 32	
S3-29074CWRRIS	Mueller Herbert	Cert	10/21/91	IR	0.09	CFS	8.69	2.52	55	27.ON 43.0E 32	LITTLE SPOKANE RI
S3-25701GWRRIS	Mueller Herbert	Cert	10/21/77	IR,FS	0.04	CFS	7	2	55	27.ON 43.0E 32	LITTLE SPOKANE RI
S3-28206CWRRIS	Palpant Samuel	Cert	6/10/86	IR	0.022	CFS	3.9	1	55	27.ON 43.0E 32	LITTLE SPOKANE RI
G3-134223CL	PHILLIPS LAURENCE E	Claim L	8/1/69	IR,DG		GPM			55	27.ON 43.0E 32	WELL
S3-163067CL	POWELL JOHN M	Claim L	9/1/65	IR,DG		CFS			55	27.ON 43.0E 32	LITTLE SPOKANE RI
G3-163068CL	POWELL JOHN M	Claim L	9/1/65	IR,DG		GPM			55	27.ON 43.0E 32	WELL
S3-21956CWRRIS	Singleton Harvey	Cert	9/19/73	IR	0.1	CFS	14	5	55	27.ON 43.0E 32	LITTLE SPOKANE RI
G3-01019C	Spokane Cnty Water District No 3	Cert	1/18/68	MU	450	GPM	336		55	27.ON 43.0E 32	Well 3-8
6017	Spokane Cnty Water District No 3	Cert	10/3/62	MU	330	GPM	38		55	27.ON 43.0E 32	Well 3-8
2871	VREM O B	Cert	4/2/57	IR,DS	50	GPM	28	7	55	27.ON 43.0E 32	WELL
G3-24203CWRRIS	Whitworth Water District 2	Cert	3/11/75	MU	3250	GPM	985.6		55	27.ON 43.0E 32	WELL
G3-01316CWRRIS	Whitworth Water District 2	Cert	9/16/69	MU	450	GPM	168		55	27.ON 43.0E 32	WELL
S3-149162CL	WIGHTMAN ROLAND C	Claim L	4/1/75	IR,DG		CFS			55	27.ON 43.0E 32	RIVER

Spokane County Water District No. 3 does have two municipal supply wells located approximately 1,200 feet south of WWD2 Well 8C. SCWD3 Wells #3-8 and 3-8A are both located south of the Little Spokane River within

the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, T. 27 N., R. 43 E.W.M. SCWD3 provides municipal water from these wells to the Pineriver Water System under Ground Water Certificate Nos. G3-01019C and 6017-A. These two rights are limited to a combined total of 780 gallons per minute and 336 acre-feet per year.

WWD2 does hold three ground water certificates within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32, T. 27 N., R. 43 E.W.M. They are recorded as follows:

Ground Water Certificate No. G3-01316C

Recorded Name: Whitworth Water District No. 2
Priority Date: September 16, 1969
Instantaneous Quantity – Q(i): 450 gallons per minute
Annual Quantity – Q(a): 168 acre-feet per year
Source: A well (8A1)
Point of withdrawal: Lot 1, Block 1, Gleneden 1st Addition
NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 27 N., R. 43 E.W.M.
Purpose of Use: Community Domestic Supply
Period of Use: Continuous
Place of Use: Area served by Whitworth Water District No. 2

Ground Water Certificate No. G3-24203C

Recorded Name: Whitworth Water District No. 2
Priority Date: March 1, 1975
Instantaneous Quantity – Q(i): 3250 gallons per minute
Annual Quantity – Q(a): 985.6 acre-feet per year
Source: A well (8A2)
Point of withdrawal: Lot 1, Block 1, Gleneden 1st Addition
Sec. 32, T. 27 N., R. 43 E.W.M.
Purpose of Use: Municipal Supply
Period of Use: Continuous
Place of Use: Area served by Whitworth Water District No. 2

Ground Water Certificate No. 2871-A

Recorded Name: Omer B. Vrem
Priority Date: April 2, 1957
Instantaneous Quantity – Q(i): 50 gallons per minute
Annual Quantity – Q(a): 28 acre-feet per year
Source: A well
Point of withdrawal: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 27 N., R. 43 E.W.M.
Purpose of Use: Domestic supply and irrigation of 7 acres
Period of Use: Continuous for domestic; seasonally for irrigation
Place of Use: See legal description on certificate

In 2005, WWD2 filed a Showing of Compliance form under RCW 90.44.100(3) to add wells to Certificate Nos. G3-01316C and G3-24203C. Through Showing of Compliance, WWD2 added its other existing municipal supply Well Nos. 8A1, 8A2 and 8C. Well 8C is located just across the street to the north of these two wells and is currently used by WWD2 as a backup supply well. The Showing of Compliance was accepted by Ecology's Water Resources Program on April 28, 2005. Once this change is approved, WWD2 should also file a Showing of Compliance to include wells 8A1 and 8A2 on this Certificate No. G3-01336C.

WWD2 currently has pending change applications on the above Vrem water right, (No. 2871-A) and others. An extent and validity determination of these other rights was not conducted in preparing this change to Ground Water Certificate No. G3-01336C. These water rights will each have their own separate investigation, findings and decisions.

WWD2 has been withdrawing groundwater from this location for years and there has been no documented history of pumping interference between the existing wells in this area. WWD2 has been recording water level measurements in their municipal supply wells in the Pine River Park area since the late 1980s. These wells have not exhibited any significant water level fluctuations over this period and it is not expected that this proposed change to G3-01336C would cause any impairment to any 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 were received.

Same Source of Water

The water withdrawn from the proposed well is from the same body of public ground water as the original well and may be added under this certificate as per 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, purpose of use and place of use under Ground Water Certificate G3-01336C 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, purpose of use and place of use under Ground Water Certificate G3-01336C 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:

- 250 gallons per minute
- 37 acre-feet per year
- Municipal supply purposes

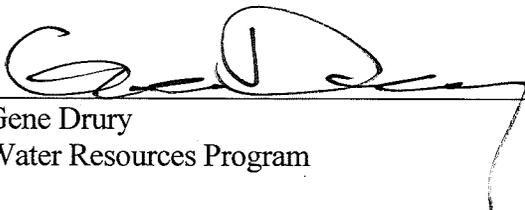
Point of Withdrawal

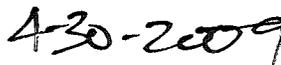
Whitworth Water District No. 2, Well 8C located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 27 North, Range 43 E.W.M.

Place of Use

As described on Page 1 of this Report of Examination.

Report by:


Gene Drury
Water Resources Program


April 30, 2009

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.

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