State of Washington
DRAFT
REPORT OF EXAMINATION
FOR WATER RIGHT CHANGE

Added Point of Withdrawal

PRIORITY DATE
March 3, 1958

WATER RIGHT NUMBER
3854-A

MAILING ADDRESS
CITY OF GEORGE
102 RICHMOND
GEORGE WA 98824

SITE ADDRESS (IF DIFFERENT)

Total Quantity Authorized for Withdrawal

WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY (AF/YR)
1000	GPM	672

The total amount of water authorized for withdrawal under Ground Water Certificate No. 3854-A, 3874-A, 3886-A, are limited to 1000 gallons minute, 672 acre feet per year, for municipal supply.

Purpose

	WITHDRAWAL RATE			ANNUAL QUANTITY (AF/YR)		
PURPOSE	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	PERIOD OF USE (mm/dd)
Municipal Water Supply Purposes	1000		GPM	672		01/01 - 12/31

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
GRANT	GROUNDWATER		41-LOWER CRAB

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Existing well 1	030845002	ABR079	18 N.	24 E.	06	NE¼NE¼	47.085111	119.856269
Proposed well 4	030969125	TBD	19 N.	24 E.	31	SE¼NE¼	TBD	TBD

Datum: NAD83/WGS84

Water System ID No. 27395
Approved Connections 253

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Area served by the City of George "The place of use of this water right shall be consistent with the service area map contained within the most recently approved water system plan (including amendments)."

Proposed Works

four municipal wells under three water rights

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
February 1, 2015	February 1, 2017	February 1, 2019

Measurement of Water Use

How often must water use be measured?	Weekly
How often must water use data be reported to Ecology?	Upon request
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal (gpm)

Provisions

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
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.

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, contracting with a Certified Water Rights Examiner (CWRE), 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.

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 a valid right exists; 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 for Change No. CG3-*04795C, 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 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.

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Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503 **Pollution Control Hearings Board** 1111 Israel Road 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 day of 2014.

Keith L. Stoffel, Section Manager

For additional information visit the Environmental Hearings Office Website: http://www.eho.wa.gov. To find laws and agency rules visit the Washington State Legislature Website: http://www1.leg.wa.gov/CodeReviser.

BACKGROUND

An application for change/transfer was submitted by the City of George, on December 2, 2013. The City proposes to add one point of withdrawal, as granted under Ground Water Certificate No. 3854-A.

Ground Water Certificate 3854-A issued for 1000 gallons per minute, 672 acre-feet per year for municipal supply and industrial use to the City of George.

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 Quincy Valley Post Register on December 19 and 26, 2013 and 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 changes/transfers, the investigation included, but was not limited to, research and review of (1) appropriate rules and statutes; (2) Ground Water Certificate No. 3854-A and other water rights/claims/applications in the vicinity; (3) water well reports for the applicant's wells, and other wells in the vicinity; (4) USGS topographic maps, aerial photographs; (5) current water system plan and; (6) discussions with Department of Ecology regional program staff.

The City of George proposes to drill one new well on the north side of the city service area within the SE¼NE¼ of Section 31, T. 19 N., R. 24 E.W.M. No other changes are proposed.

EVALUATION OF THE RIGHT AND BENEFICIAL USE ANALYSIS

The Washington State Supreme Court, in Okanogan Wilderness v. Town of Twisp and Department of Ecology, 133 Wn.2d 769, 947 P.2d 732 (1997), found that applications for change may be granted only to the extent the water has been historically put to beneficial use, as beneficial use determines the measure of a water right. They also found that the existence and quantification of a water right must be determined, including whether or not the water right has been lost for non-use before the Department can approve a change or transfer of the water right.

This right meets the requirements of municipal water supply purposes under RCW 90.03.015(4)(a) serving residential purposes through 15 or more residential service connections. RCW 90.03.560 requires the department to amend the water right document and related records to reflect the purpose of use as municipal water supply purposes when processing a water right change or amendment. This certificate is in good standing and the purpose of use is changed to municipal water supply purposes consistent with RCW 90.03.560.

A valid water right exists for municipal water supply purposes.

Existing Rights

Ground Water Certificate 3854-A confirms a right of 1000 gallons per minute, 672 acre-feet per year for municipal supply and industrial use from a well within the E½ of Section 6, T. 18 N., R. 24 E.W.M. This right was issued as the primary right for the City of George.

Superseding Ground Water Certificate 3874-A confirms a right of 1000 gallons per minute, 672 acre-feet per year for municipal water supply purposes from a well within the NE¼NE¼ of Section 7, T. 18 N., R. 24 E.W.M. This right was issued as an alternate right for the City of George.

Ground Water Certificate 3886-A confirms a right of 1000 gallons per minute, 672 acre-feet per year for municipal supply and industrial use from a well within the Govt Lot 1 of Section 6, T. 18 N., R. 24 E.W.M. This right was issued as an alternate right for the City of George.

The total use between these three rights is 1000 gallons per minute, 672 acre-feet per year.

Three applications for change have been filed to add well 4 to each right. These applications will have separate decisions.

HYDROGEOLOGIC ANALYSIS

The City of George has filed three Change Applications to add a new point of withdrawal (Well #4) to their existing rights. The City has three rights and is currently using three wells identified as follows:

Water Right	Well/Location	Depth	ID number
3854-A	SO 1/ NE¼NE¼ Sec 6	12" x 188	ABR079
3874-A	SO3/ NE¼NE¼ Sec 7	16" x 416	AFL689
3886-A	SO2/ NE¼NE¼ Sec 6	12" x 177	ABR743

The City proposes to construct a new well in the SE¼NE¼ of Section 31, T19N R24E.

In July of 2013, the City received approval for a previously filed change application for their certificate 3874-A. Submitted to the file for this older change application was a Hydrogeologic Assessment of Groundwater Conditions that was prepared for the City by GSI Water Solutions in 2009. According to the applicant's consultant, in this area of the Quincy Basin, there are two aquifer systems present beneath the City, a shallow unconfined to semi-confined "alluvial" aquifer and a series of deeper confined aquifers hosted in the interflow zones within the Columbia River Basalt Group (CRBG). The City is proposing to complete their new well in the Wanapum formation within the CRBG.

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.

The Quincy Subarea rule (WAC 173-124) established two bodies of public groundwater inside the Quincy Subarea. WAC *173-124-070: The Quincy unconsolidated zone and the Quincy basalt zone, defined at WAC 173-124-050, are separate and distinct depth zones, as that term is used in chapter 90.44 RCW.* The City's existing wells are all completed within the basalt body of public groundwater. For the state-issued City of George's water rights this means their new well needs to be cased to the top of the basalt to prevent the interchange of aquifer water between the unconsolidated zone and the basalt zone.

The City's consultant indicated in their report that the upper alluvial aquifer and sometimes the upper basalt flows of the Wanapum formation have high nitrates that make those waters undesirable for a municipal water source. The City will most likely want to case off the well to a depth significantly below the top of the basalt to isolate those high nitrate waters from the wellbore. This is what they did when they constructed their Well #3 in 2010. The City chose to case and seal that well to a depth of 380'.

With sufficient casing in the well to isolate this new well from the high nitrate water, Well #4 will gain vertical separation from the existing wells in Section 31. This will help to minimize well interference issues between the existing wells and the City's new well.

All wells must be properly constructed in compliance with Chapter 18.104 RCW.

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.

The proposed well will be within the same body of public ground water. No additional quantities of water will be issued as a result of this change. No impairment of existing water rights is anticipated.

FINDINGS

There is a water right available for change/transfer under Ground Water Certificate No. 3854-A in the amount of 1000 gallons per minute, 672 acre-feet per year for municipal water supply purposes.

No Impairment to Existing Rights:
The proposed change will not increase the volume of water currently authorized under this certificate.

No Detriment to the Public Welfare:
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 detrimental impact to the public welfare through issuance of the proposed change.

No Enhancement of the Original Right:
No withdrawal of water over and above what has been authorized for beneficial use would be authorized through approval of this change.

Same Source of Water:
All wells involved in this change application are wells producing from basalt aquifers, thus they all produce from the same body of public ground water.

Conclusions

The wells involved in this change application are wells producing from basalt aquifers, thus they all produce from the same body of public ground water. No additional instantaneous or annual quantities are authorized by this change, and installation of an additional point of withdrawal does not enlarge the existing right. No impact to existing beneficial uses or to surface water is anticipated.

RECOMMENDATIONS

The applicant's request to add one point of withdrawal is approved, subject to the following:

- 1000 gallons per minute, 672 acre-feet per year for municipal water supply purposes

The authorized points of withdrawal are as follows:

- NE¼NE¼ of Section 6, T. 18 N., R. 24 E.W.M.
- SE¼NE¼ of Section 31, T. 19 N., R. 24 E.W.M.

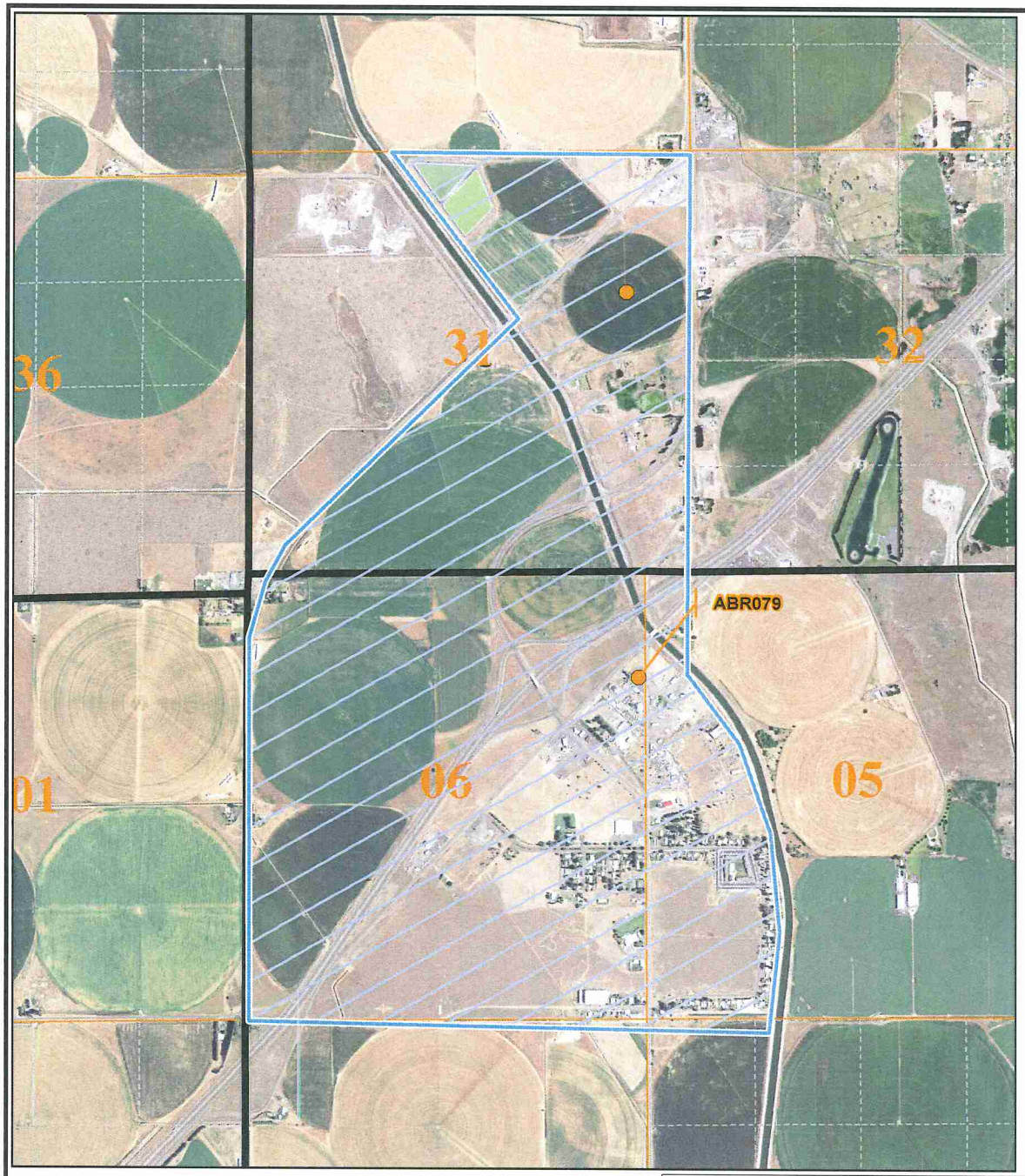
The authorized place of use will be as follows:

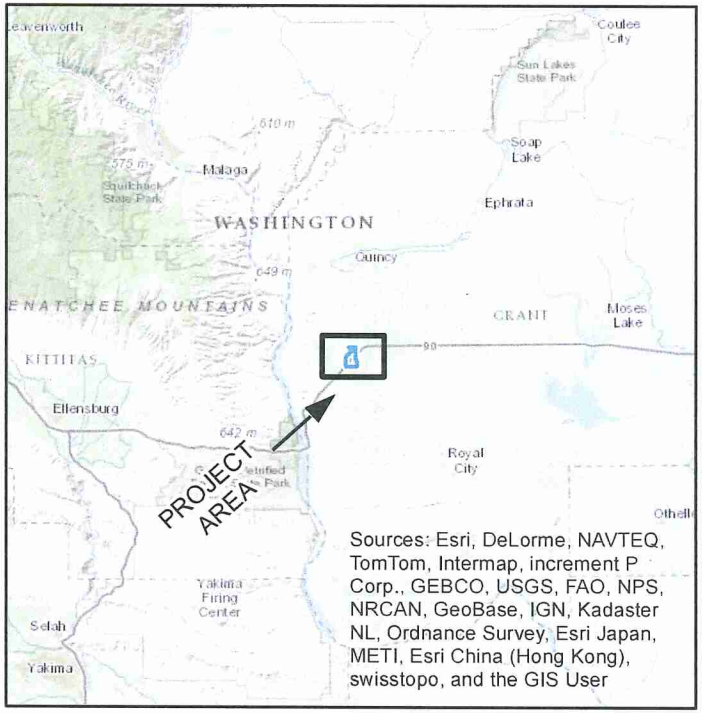
- Area served by the City of George "The place of use of this water right shall be consistent with the service area map contained within the most recently approved water system plan (including amendments)."

Kevin Brown, Report Writer

_____ Date_____

City of George
3854-A
T18N/R24E





Basemap - (ESRI US Topographic Maps)

Legend

Authorized Place of Use

Townships

Sections

Authorized Point of Withdrawl

0 660 1,320 2,640 3,960 5,280 6,600 Feet

Basemap - (NAIP 2011 1m color)

DEPARTMENT OF ECOLOGY State of Washington

Map Date: 1/21/2014

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