File NR: CG4-GWC01082-D@5
WR Doc ID: 6202524

DEPARTMENT OF ECOLOGY
State of Washington

State of Washington
REPORT OF EXAMINATION
FOR WATER RIGHT CHANGE

Added or Changed Point of Withdrawal/Diversion

PRIORITY DATE
May 1, 1944

WATER RIGHT NUMBER
CG4-GWC01082-D@5

MAILING ADDRESS
CITY OF OMAK
2 N. ASH STREET
PO BOX 72
OMAK, WA 98841-0072

SITE ADDRESS (IF DIFFERENT)

Total Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY (ac-ft/yr)
1630	GPM	1430

Total withdrawals or diversions from all sources must not exceed the total quantity authorized for withdrawal or diversion listed above.

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE ADDITIVE	WITHDRAWAL OR DIVERSION RATE NON-ADDITIVE	WITHDRAWAL OR DIVERSION RATE UNITS	ANNUAL QUANTITY (ac-ft/yr) ADDITIVE	ANNUAL QUANTITY (ac-ft/yr) NON-ADDITIVE	PERIOD OF USE (mm/dd)
Municipal		1630	GPM		1430	01/01 - 12/31

IRRIGATED ACRES ADDITIVE	IRRIGATED ACRES NON-ADDITIVE	PUBLIC WATER SYSTEM INFORMATION WATER SYSTEM ID	PUBLIC WATER SYSTEM INFORMATION CONNECTIONS
N/A			

Source

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Kenwood Well	Right-of-Way		34N	26E	26	SWSE	48.41287°	-119.52518°
Well No. 9	3426240075	AEC887	34N	26E	24	SESE	48.42740°	-119.49545°
Apple Well	1420033201		34N	26E	26	SWSE	48.41198°	-119.52673°
Eastside Well	3426350116		34N	26E	35	SESE	48.39900°	-119.52195°
OWP#2	3426350099	AAR993	34N	26E	35	SESE	48.40014°	-119.51918°
Okoma Well	3426340128		34N	26E	34	NESE	48.40087°	-119.54092°
*Julia Maley Park Well	1690070800		34N	26E	35	SWNW	48.40607°	-119.53493°
*Oak Street Park Well	1510010003		34N	26E	25	NWSW	48.41510°	-119.51606°

Datum: NAD83/WGS84

***Proposed additional sources**

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

The place-of-use (POU) of this water right is the service area described in the City of Omak's (City) most recent Water System Plan/Small Water System Management Program approved by the Washington State Department of Health (DOH), so long as the water system 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 POU of this water right.

If the criteria in RCW 90.03.386(2) are not met, the POU of this water right reverts to the last POU described by Ecology in a water right authorization.

Proposed Works

The City's wells pump water through a series of mainlines to four reservoir systems (capacity of 500,000 gallons, 550,000 gallons, 800,000 gallons, and 1,065,000 gallons), which are situated in various locations around the City. The telemetry system is located at City Hall, which controls both the quantities of water pumped and the quantities of water released from the reservoirs to the City's connections.

Proposed water system components associated with the additional points of withdrawal (POWs) will include two additionally drilled and cased wells, vertical turbine pumps, well houses, chlorination equipment, and associated valves, piping and appurtenances necessary to convey water to the service area of the City of Omak.

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
October 31, 2015	October 31, 2018	October 31, 2023

Measurement of Water Use

How often must water use be measured?	Weekly
How often must water use data be reported to Ecology?	Annually (Jan 31)
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal (gpm)

Provisions

A. Wells, Well Logs and Well Construction Standards

1. Both newly-constructed wells shall be constructed into the unconsolidated glacial/alluvial sediment aquifer.
2. **Oak Street Park Well** should be drilled a minimum of 450 feet or down to bedrock through the entire thickness of the Pleistocene alluvial unit unless:
   (1) unstable borehole conditions are found,
   (2) sufficient groundwater production is encountered, and/or
   (3) unacceptable water quality conditions are encountered.

3. **Julia Maley Park Well** should be drilled to a depth of at least 350 feet so to access the productive sand and gravel aquifer zone. The casing and seal should extend at least 40 feet below ground surface. Drilling of the well should be terminated if:

   (1) bedrock is encountered,

   (2) unstable borehole conditions are found,

   (3) sufficient groundwater production is encountered, and/or

   (4) unacceptable water quality conditions are encountered.

4. A well log of each completed well shall be submitted by the drillers to the Department of Ecology within thirty (30) days of completion of each well. These well logs shall be complete and all information concerning the static water levels in each completed well, in addition to any pump test data shall be submitted as it is obtained.

5. 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.

6. 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.

7. Installation and maintenance of an access port as described in WAC 173-160-291(3) is required.

8. In addition to the required access port, the applicant must install and maintain, in operating condition, an airline and pressure gage. The pressure gage must be equipped with a standard tire valve and placed in a location accessible to Ecology personnel. The airline must extend from land surface to the top of the pump bowls and the total airline length must be reported to Ecology upon completion of the pump system.

B. Measurements, Monitoring, Metering and Reporting

1. 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 Ecology for modifications to some of the requirements.

2. Water use data shall be recorded weekly. The maximum rate of withdrawal and the annual total volume shall be submitted to Ecology by January 31st of each calendar year.

3. The following information shall be included with each submittal of water-use data:
    - Owner.
    - Contact name if different.
    - WRIA.
    - Certificate.
    - Washington State Department of Health number.
    - Maximum rate of withdrawal including units of measure.
    - Purpose of use, and period of use.
    - Mailing address.
    - Daytime phone number.
    - Number of service connections.
    - Source name.
    - Annual quantity used including units of measure.
    - Monthly meter readings including unit of measures.

    In the future, Ecology may require additional parameters to be reported or more frequent reporting. Ecology prefers web based data entry but does accept hard copies. Ecology will provide forms and electronic data entry information.

4. Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Central Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Central Regional Office for forms to submit your water use data.

C. Water Level Measurements

1. In order to maintain a sustainable supply of water and ensure that your water source is not impaired by future withdrawals, static water levels **should** be measured and recorded monthly using a consistent methodology. Static water level is defined as the water level in a well when no pumping is occurring and the water level has fully recovered from previous pumping. Static water level data **should** include the following elements:
    - Unique Well ID Number.
    - Measurement date and time.
    - Measurement method (air line, electric tape, pressure transducer, etc.).
    - Measurement accuracy (to nearest foot, tenth of foot, etc.).
    - Description of the measuring point (top of casing, sounding tube, etc.).
    - Measuring point elevation above or below land surface to the nearest 0.1 foot.
    - Land surface elevation at the well head to the nearest foot.
    - Static water level below measuring point to the nearest 0.1 foot.

D. Maximum Water Limits

1. The amount of water granted is a maximum limit that shall not be exceeded.
2. The City's maximum instantaneous quantities for each well are as follows:
    a. Kenwood Well: 500 gpm.
    b. Apple Well: 1175 gpm.
    c. Eastside Well: 2930 gpm.
    d. Okoma Well: 600 gpm.
    e. OWP No. 2 Well: 5000 gpm.
    f. Well No. 9: 500 gpm.

3. The total instantaneous withdrawal between all of the City's municipal water rights is 10,205 gpm. Groundwater Permit No. G4-32525P (5000 gpm) is subject to curtailment when instream flows in the Okanogan River are below those set in WAC 173-549. In the event the Okanogan River drops below the set minimum flows, the total instantaneous withdrawal from all sources shall not be more than 5205 gpm (10205 gpm - 5000 gpm = 5205 gpm).
4. The total annual withdrawal under all City rights shall not exceed 3500 acre-feet per year (ac-ft/yr).
5. This authorization shall in no way excuse the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by other programs of Ecology.

E. Department of Health Requirements

1. Prior to any new construction or alterations of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health. Please contact the Office of Drinking Water prior to beginning (or modifying) your project at:

   DOH/Division of Environmental Health
   16201 E. Indiana Avenue, Suite 1500
   Spokane Valley, WA 99216
   (509) 329-2100

F. Easement and Right-of-Way

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

G. Water Use Efficiency

1. The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

H. General Conditions

1. This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

I. Proof of Appropriation

1. A superseding certificate will not be issued until a proof inspection is conducted and a final investigation is made. The superseding certificate will reflect the extent of the project perfected within the limitations of the authorization. Aspects of the investigation will include, as appropriate, the source system instantaneous capacity, beneficial use, annual quantity, acreage, place-of-use, and satisfaction of provisions. Final determination will be calculated based on the best information available to Ecology, including metering data and/or water duty analysis.
2. 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 superseding 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.

J. Schedule and Inspections

1. 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 water is available from the source in question; that there will be no impairment of existing rights; that the purpose(s) of use are beneficial; and that there will be no detriment to the public interest.

Therefore, I ORDER approval of Change Application No. CG4-GWC01082-D@5, 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.

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

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

Signed at Yakima, Washington, this 29 day of May, 2015.

Sage Park

Sage Park, Section Manager
Water Resources Program/CRO

If you need this document in a format for the visually impaired, call the Water Resources Program at 509-575-2490. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

BACKGROUND

This report serves as the written findings of fact concerning Change Application No. CG4-GWC01082-D@5.

On February 20, 2014, the City of Omak, Washington filed a Change Application with the Okanogan County Conservancy Board (Board) to add two points-of-withdrawal (POW) under previously-filed Groundwater Change Authorization No. CG4-GWC1082-D@1. The application was processed by the Board and submitted to Ecology for review on September 8, 2014. On November 20, 2014, Ecology officially returned the Report of Examination (ROE) without further action, citing RCW 90.80.055(2), "The jurisdiction of a board shall not apply within the boundaries of a federal Indian reservation or to lands held in trust for an Indian band, tribe, or nation by the federal government."

The application was subsequently returned to Ecology to process and given the control number of CG4-GWC01082-D@5.

Table 1: EXISTING Water Right Attributes

Water Right Owner	City of Omak
Priority Date	May 1, 1944
Place of Use	The service area described in the most recent Water System Plan approved by the Washington State Department of Health (DOH), so long as the City of Omak is and remains in compliance with the criteria in RCW 90.03.86(2).

County	Waterbody	Tributary To	WRIA
Okanogan	Groundwater		49-Okanogan

Purpose	Rate	Unit	Ac-ft/yr	Begin Season	End Season
Municipal	1630	GPM	1430	01/01	12/31

Source Name	Parcel	Well Tag	Twp	Rng	Sec	QQ Q
Kenwood Well	Right-of-Way	N/A	34N	26E	26	SWSE
Well No. 9	3426240075	AEC-887	34N	26E	24	SESE
Apple Well	1420033201	N/A	34N	26E	26	SWSE
Eastside Well	3426350116	N/A	34N	26E	35	SESE
OWP #2	3426350099	AAR-993	34N	26E	35	SESE
Okoma Well	3426340128	N/A	34N	26E	34	NESE

GPM = Gallons per minute; Ac-ft/yr = Acre-feet per year; Sec. = Section; QQ Q = Quarter-quarter of a section; WRIA = Water Resource Inventory Area; E.W.M. = East of the Willamette Meridian.

Table 2: REQUESTED Water Right Attributes

Applicant Name	City of Omak
Date of Application	April 7, 2014
Place of Use	The service area described in the most recent Water System Plan approved by the Washington State Department of Health (DOH), so long as the City of Omak is and remains in compliance with the criteria in RCW 90.03.86(2).

County	Waterbody	Tributary To	WRIA
Okanogan	Groundwater		49-Okanogan

Purpose	Rate	Unit	Acre-feet/yr	Begin Season	End Season
Municipal	1630	GPM	1430	01/01	12/31

Source Name	Parcel	Well Tag	Twp	Rng	Sec	QQ Q
Kenwood Well	Right-of-Way	N/A	34N	26E	26	SWSE
Well No. 9	3426240075	AEC-887	34N	26E	24	SESE
Apple Well	1420033201	N/A	34N	26E	26	SWSE
Eastside Well	3426350116	N/A	34N	26E	35	SESE
OWP #2	3426350099	AAR-993	34N	26E	35	SESE
Okoma Well	3426340128	N/A	34N	26E	34	NESE
Julia Maley Park Well-Proposed	1690070800	N/A	34N	26E	35	SWNW
Oak Street Park Well-Proposed	1510010003	N/A	34N	26E	25	NWSW

GPM = Gallons per minute; Ac-ft/yr = Acre-feet per year; Sec. = Section; QQ Q = Quarter-quarter of a section; WRIA = Water Resource Inventory Area; E.W.M. = East of the Willamette Meridian.

Legal Requirements for Requested Change

The following is a list of requirements that must be met prior to authorizing the proposed change in points-of-withdrawal.

Public Notice

RCW 90.03.280 requires that notice of a water right application be published once a week, for two consecutive weeks, in a newspaper of general circulation in the county or counties where the water is to be stored, diverted, and used. Notice of this application was published in the Quad City Herald on April 24 and May 1, 2014. No protests were received by Ecology.

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 one cubic foot per second (cfs), unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cfs, so long as that irrigation project will not receive public subsidies.

(b) It is a groundwater right application for more than 2,250 gallons per minute (gpm).

(c) It is an application that, in combination with other water right applications for the same project, collectively exceed the amounts above.

(d) It is a part of a larger proposal that is subject to SEPA for other reasons (e.g., the need to obtain other permits that are not exempt from SEPA).

(e) It is part of a series of exempt actions that, together, trigger the need to do a threshold determination, as defined under WAC 197-11-305.

Because this application does not meet any of these conditions, it is categorically exempt from SEPA and a threshold determination is not required.

Water Resources Statutes and Case Law

RCW 90.03.380(1) states that a water right that has been put to beneficial use may be changed. The point-of-diversion, place-of-use, and purpose-of-use may be changed if it would not result in harm or injury to other water rights.

The Washington Supreme Court has held that Ecology, when processing an application for change to a water right, is required to make a tentative determination of extent and validity of the claim or right. This is necessary to establish whether the claim or right is eligible for change. R. D. Merrill v. PCHB and Okanogan Wilderness League v. Town of Twisp.

RCW 90.44.100 allows Ecology to amend a groundwater permit to:

(1) Allow the user to construct a replacement or additional well at a new location outside of the location of the original well, or to

(2) Change the manner or place of use of the water, if:

  (a) The additional or replacement well taps the same body of public ground water as the original well. RCW 90.44.100(2)(a).

  (b) Where a replacement well is approved, the user must discontinue use of the original well and properly decommission the original well. RCW 90.44.100(2)(b).

  (c) Where an additional well is constructed, the user may continue to use the original well, but the combined total withdrawal from all wells shall not enlarge the right conveyed by the original permit or certificate. RCW 90.44.100(2)(c).

  (d) Other existing rights shall not be impaired. RCW 90.44.100(2)(d).

When changing or adding points-of-withdrawal to groundwater rights (RCW 90.44.100), or when consolidating exempt wells with an existing permit or certificate (RCW 90.44.105), the wells must draw from the *same body of public groundwater*. Indicators that wells tap the *same body of public groundwater* include:

(a) Hydraulic connectivity.

(b) Common recharge (catchment) area.

(c) Common flow regime.

(d) Geologic materials that allow for storage and flow, with recognizable boundaries or effective barriers to flow.

INVESTIGATION

The following information was obtained from technical reports and research of department records. In order to approve the addition of two POWs under Change Authorization No. CG4-GWC01082-D@5, Ecology must determine:

- The extent and validity of the original water right.
- That the proposed new POWs tap the same body of public groundwater as the authorized wells.
- That the proposed change will not cause impairment to existing water rights or enlarge the original right.
- That the proposed change will not be contrary to the public interest.

History of Water Use

The City submitted a declaration of claim for groundwater right (Claim No. 489) from a well (Eastside Well) located in the SE¼SE¼ of Section 35, T. 34 N., R. 26 E.W.M., on June 14, 1947. On January 13, 1958, the Division of Water Resources, as a result of an ROE, authorized Ground Water Certificate No. 1082-D on March 11, 1958, for 1,630 gpm; 1,430 acre-feet per year (ac-ft/yr) for municipal supply with a priority date of May 1944.

Subsequent change applications were authorized for a total of nine wells. The City currently has municipal water rights totaling 10205 gpm and 3500 ac-ft/yr. Of these amounts, 5000 gpm is subject to curtailment when instream flows in the Okanogan River fall below those set in WAC 173-549. The City has not exceeded its allocated annual withdrawal of 3500 ac-ft under existing rights. The City's 2011 Water System Plan indicates that total water use for the year 2009 was 567,804,000 gallons (1,742 ac-ft/yr).

Previous Changes

The City submitted numerous Change Applications to Ecology on January 3, 1994, requesting authorization of an additional four POWs under Groundwater Certificate **G4-GWC1082-D**. The following POWs were authorized (Control No. CG4-GWC1082-D) in an ROE dated June 7, 2005:

1. Kenwood Well – Located approximately 1100 feet north and 600 feet east of the south quarter corner of Section 26, being within the SW¼SE¼ of Section 26, T. 34 N., R. 26 E.W.M.
2. Apple Well – Located approximately 800 feet north and 200 feet east of the south quarter corner of Section 26, being within the SW¼SE¼ of Section 26, T. 34 N., R. 26 E.W.M.
3. Okama Well – Located approximately 660 feet south and 520 feet west of the east quarter corner of Section 34, being within the NE¼SE¼ of Section 34, T. 34 N., R. 26 E.W.M.
4. Eastside Well – Located approximately 800 feet north and 1170 feet west of the southeast corner of Section 35, being within the SE¼SE¼ of Section 35, T. 34 N., R. 26 E.W.M.
5. OWP No. 2 Well – Located approximately 1210 feet north and 530 feet west from the southeast corner of Section 35, being within the SE¼SE¼ of Section 35, T. 34 N., R. 26 E.W.M.

The City submitted a Change Application to Ecology on November 24, 1998, requesting authorization to add an additional three POWs under **CG4-GWC1082-D**. The application was later amended on August 4, 2004. Under CG4-GWC1082-D, the following POWs were authorized (Control No. CG4-GWC1082-D@1) in an ROE dated August 11, 2005:

1. Kenwood Well – Located approximately 1100 feet north and 600 feet east of the south quarter corner of Section 26, being within the SW¼SE¼ of Section 26, T. 34 N., R. 26 E.W.M.
2. Apple Well – Located approximately 800 feet north and 200 feet east of the south quarter corner of Section 26, being within the SW¼SE¼ of Section 26, T. 34 N., R. 26 E.W.M.
3. Okama Well – Located approximately 660 feet south and 520 feet west of the east quarter corner of Section 34, being within the NE¼SE¼ of Section 34, T. 34 N., R. 26 E.W.M.
4. Eastside Well – Located approximately 800 feet north and 1170 feet west of the southeast corner of Section 35, being within the SE¼SE¼ of Section 35, T. 34 N., R. 26 E.W.M.
5. OWP No. 2 Well – Located approximately 1210 feet north and 530 feet west from the southeast corner of Section 35, being within the SE¼SE¼ of Section 35, T. 34 N., R. 26 E.W.M.
6. *Hicks Well – Located approximately 275 feet south and 1000 feet east from the northwest corner of Section 25, being within the NW¼NW¼ of Section 25, T. 34 N., R. 26 E.W.M.

7. *Dean Well – Located approximately 1625 feet north and 225 feet east of the southwest corner of Section 19, being within the NW¼SW¼ of Section 19, T. 34 N., R. 27 E.W.M.
8. *Powers Well – Being within the NE¼NE¼ of Section 26, T. 34 N., R. 26 E.W.M.
9. Well No. 9 – Located approximately 1275 feet north and 100 feet west from the southeast corner of Section 24, being within the SE¼SE¼ of Section 24, T. 34 N., R. 26 E.W.M.

The City submitted a Change Application to the Okanogan Conservancy Board on February 20, 2014, and Ecology received it on April 7, 2014, requesting authorization of an additional two POWs under **CG4-GWC1082-D@1** and it was assigned Control No. CG4-GWC01082-D@5. The following POWs are requested as authorized sources:

1. Kenwood Well – Located approximately 1100 feet north and 600 feet east of the south quarter corner of Section 26, being within the SW¼SE¼ of Section 26, T. 34 N., R. 26 E.W.M.
2. Apple Well – Located approximately 800 feet north and 200 feet east of the south quarter corner of Section 26, being within the SW¼SE¼ of Section 26, T. 34 N., R. 26 E.W.M.
3. Okama Well – Located approximately 660 feet south and 520 feet west of the east quarter corner of Section 34, being within the NE¼SE¼ of Section 34, T. 34 N., R. 26 E.W.M.
4. Eastside Well – Located approximately 800 feet north and 1170 feet west of the southeast corner of Section 35, being within the SE¼SE¼ of Section 35, T. 34 N., R. 26 E.W.M.
5. OWP No. 2 Well – Located approximately 1210 feet north and 530 feet west from the southeast corner of Section 35, being within the SE¼SE¼ of Section 35, T. 34 N., R. 26 E.W.M.
6. Well No. 9 – Located approximately 1275 feet north and 100 feet west from the southeast corner of Section 24, being within the SE ¼ SE ¼ of Section 24, T. 34 N., R. 26 E.W.M.
7. **(Proposed) Julia Maley Park Well**: Located within the SW¼NW¼, Section 35, Township 34 North, Range 26 E.W.M.
8. **(Proposed) Oak Street Park Well**: Located within the NW¼SW¼, Section 25, Township 34 North, Range 26 E.W.M.

*When Ecology began processing Change Authorization No. CG4-GWC01082-D@5 (the subject of this ROE), it was determined that three of the four previously-requested, added POWs for Change Authorization No. CG4-GWC1082-D@1 (see above) were no longer planned as added POWs. Therefore, the Hicks Well and Dean Well, due to non-production purposes, shall be removed as authorized sources from this Change Authorization. And the Powers Well will also be removed as an authorized source from this Change Authorization due to the City being unable to secure an agreement with the property owner where the well is located.

Proposed Use

The proposed use of water from the two additional POWs, the subject of this ROE, will not change the existing use for municipal supply. Water system components associated with the additional POWs will include two drilled and cased wells, vertical turbine pumps, well houses, chlorination equipment, valves, piping, and associated appurtenances necessary to convey water to the service area of the City of Omak.

Other Rights Appurtenant to the Place of Use

There are 12 other ground and surface water rights whose authorized place-of-use overlaps the properties where the new two POWs are proposed.

Table 3: Overlapping Water Rights on Proposed POW Properties

Control #	Document Type	Qa	Purpose	Source
*G4-29859	New Application	1340	MU	1 Well
CG4-GWC445-D@1	Change/ROE	600	MU	9 Wells
CG4-GWC446-D@3	Change/ROE	96	MU	9 Wells
CG4-GWC3655-A@1	Change/ROE	2080	MU	9 Wells
CG4-GWC3656-A@1	Change/ROE	600	MU	9 Wells
CG4-GWC7332-A@1	Change/ROE	560	MU	9 Wells
G4-31525P	Permit	3500	MU	2 Wells

Definitions: DG=Domestic General, DS=Domestic Single, IR=Irrigation, ST=Stockwater, MU=Municipal
*Application was submitted in 1988 and Ecology has not yet processed.

The remaining Change Authorizations and Permit referenced above are currently owned by the City of Omak. The Change Authorizations use all the same sources excluding the 2 new source proposals requested with this application.

Hydrologic/Hydrogeologic Evaluation

A technical memorandum, dated October 28, 2012, and prepared by a licensed hydrogeologist with GSI Water Solutions, Inc., provides the general hydrogeologic setting and an assessment of the groundwater production potential of the two proposed well sites, as well as recommendations on proposed well construction.

Information provided in the memorandum indicates completion of the proposed wells within the Pleistocene alluvial unit (consisting of unconsolidated to partially unconsolidated stratified clay, silt, sand and gravel) and based on driller's logs of area wells, will produce well yields well in excess of 500 gpm. The memorandum recommends completion of these wells to a depth of at least 350 feet below ground surface (bgs) at the Julia Maley Park site and at least 450 feet bgs at the Oak Street park site. The memorandum also recommends the construction of a surface seal extending at least 40 feet bgs at the Julia Maley Park site given the shallow groundwater contamination known to occur in the general area.

Hydraulic Analysis

Applications for change are governed by RCW 90.44.100, which states in part that, the holder of a valid right to withdraw public groundwater may, without losing the holder's priority of right, construct wells at a new location in substitution for or in addition to those at the original location, or the holder may change the manner or the place-of-use of the water. Such amendment shall be issued by the department only on these conditions:

(a) The additional or replacement well or wells shall tap the same body of public groundwater as the original well or wells.

(b) Where a replacement well or wells is approved, the use of the original well or wells shall be discontinued and the original well or wells shall be properly decommissioned as required.

(c) Where an additional well or wells is constructed, the original well or wells may continue to be used, but the combined total withdrawal from the original and additional well or wells shall not enlarge the right conveyed by the original permit or certificate.

(d) 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 proposed wells will tap the unconsolidated glacial/alluvial sediment aquifer and are not separated from each other or the original wells by a hydraulic barrier; therefore, the proposed wells are considered to utilize the same body of groundwater as the other wells under this water right.

On October 6, 2014, Ecology licensed hydrogeologist, Anna Hoselton, sent an email to the Ecology permitting unit concurring with the above conclusions, i.e. that the "proposed wells will be in the same body of public groundwater; impairments to existing rights as a result of the change is unlikely; water is available as there is no increase in the original Qi/Qa.

Impairment Considerations

A review of Ecology records was performed by Ecology staff via the Water Rights Tracking System (WRTS) on March 1, 2015, for existing groundwater rights, permits, applications, and claims within .5-mile radius of the proposed locations for the Julia Maley Park and Oak Street Park wells.

Oak Street Park Well Site Area

Table 4: Surrounding (0.5-mile radius) Water Rights (by POW) to Oak Street Park Well

Control #	Document Type	Qa	Purpose	Source
G3-+00790C	Certificate	8.7	IR, DS	1 Well
G4-006719CL	Claim	63,637	IR, DG	1 Well
G4-066278CL	Claim	.150	DG	1 Well
G4-111998CL	Claim	40	IR, DG	1 Well
CG4-GWC445-D@1	Change/ROE	600	MU	9 Wells
CG4-GWC446-D@3	Change/ROE	96	MU	9 Wells
CG4-GWC7332-A@1	Change/ROE	560	MU	9 Wells
CG4-GWC3655-A@1	Change/ROE	2080	MU	9 Wells
CG4-GWC3656-A@1	Change/ROE	600	MU	9 Wells

The proposed Oak Street Park well will be cased and sealed to an approximate depth of 450 feet. There are no other recorded domestic wells in the immediate vicinity of the City's proposed well. Consequently, the new Oak Street Park well should not impair any existing domestic wells.

Julia Maley Park Well Site Area

Table 5: Surrounding (0.5-mile radius) Water Rights (by POW) to Julia Maley Park Well

Control #	Document Type	Qa	Purpose	Source
G4-CV1-4P195	Cert of change	128.8	IR	1 Well
G3-+00777C	Certificate	221	IR, ST	1 Well
G3-+22450C	Certificate	10	IR, DM, ST	1 Well
G3-20127C	Certificate	30.3	IR, DS	1 Well
G4-01310C	Certificate	36	IR	1 Well
GWC05211-A	Certificate	20	IR	1 Well
G3-+00718C	Certificate	22.5	IR, DS	1 Well
S4-25681C	Certificate	5.33	IR, DS	Unnamed Spring
GWC-02194-A	Certificate	12	IR, DS	1 Well
S4-113488CL	Claim	23	IR, DG, ST	Spring
G4-060267CL	Claim	30.3	IR, DG	1 Well
G4-136176CL	Claim	4	IR, DG	1 Well
G4-001227CL	Claim	5	IR, DG	1 Well
G4-151347CL	Claim	2	DG	1 Well
G4-151912CL	Claim	4	IR	1 Well
G4-075432CL	Claim	1	DG	1 Well
G4-096352CL	Claim	6	IR, DG	1 Well
G4-129462CL	Claim	2	DG	1 Well
S4-200127CL	Claim	5.33	IR, DG	Unnamed Spring
G4-073085CL	Claim	2	Unspecified	1 Well
G4-124134CL	Claim	2	IR	1 Well
G4-073086CL	Claim	2	Unspecified	1 Well
G4-32096	New Application	804	FS	1 Well
G4-29859	New Application	1340	MU	1 Well

The proposed Julia Maley Park well will be cased and sealed to an approximate depth of 300 feet. There are no other recorded domestic wells in the immediate vicinity of the City's proposed well. Consequently, the new Julia Maley Park well should not impair any existing domestic wells.

Public Interest Considerations

The proposed change is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities. There were no findings through the investigation to 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 filed against this application.

Tentative Determination

In order to make a water right change decision, a tentative determination on the validity and extent of the water right must be made. The tentative determination was based on the following findings:

- There are no relinquishment or abandonment concerns due to nonuse as shown through the City of Omak's continued use of the water right to provide municipal supply to its service area.
- There is a water right available and in good standing for change under Groundwater Certificate G4-GWC1082-D@1 for the purpose of year-round municipal supply.
- Groundwater has been historically and beneficially used under this authorization by the City of Omak for municipal supply.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that this request for a water right be approved in the amounts and within the limitations listed below and subject to the provisions listed above.

Purpose of Use and Authorized Quantities

The amount of water recommended is a maximum limit and the water user may only use that amount of water within the specified limit that is reasonable and beneficial:

- 1630 gpm.
- 1430 acre-feet per year cumulatively between all authorized sources.
- Municipal supply year-round.

Points of Withdrawal

Kenwood Well:	Within the SW¼SE¼, Section 26, Township 34 North, Range 26 E.W.M.
Apple Well:	Within the SW¼SE¼, Section 26, Township 34 North, Range 26 E.W.M.
Okoma Well:	Within the NE¼SE¼, Section 34, Township 34 North, Range 26 E.W.M.
Eastside Well:	Within the SE¼SE¼, Section 35, Township 34 North, Range 26 E.W.M.
OWP No. 2 Well:	Within the SE¼SE¼, Section 35, Township 34 North, Range 26 E.W.M.
Well No. 9:	Within the SE¼SE¼, Section 24, Township 34 North, Range 26 E.W.M.
(Proposed) Julia Maley Park Well:	Within the SW¼NW¼, Section 35, Township 34 North, Range 26 E.W.M.
(Proposed) Oak Street Park Well:	Within the NW¼SW¼, Section 25, Township 34 North, Range 26 E.W.M.

Place of Use

As described on Page 1 of this Report of Examination.

Candis L. Graff

Candis L. Graff, Report Writer

May 15, 2015

Date

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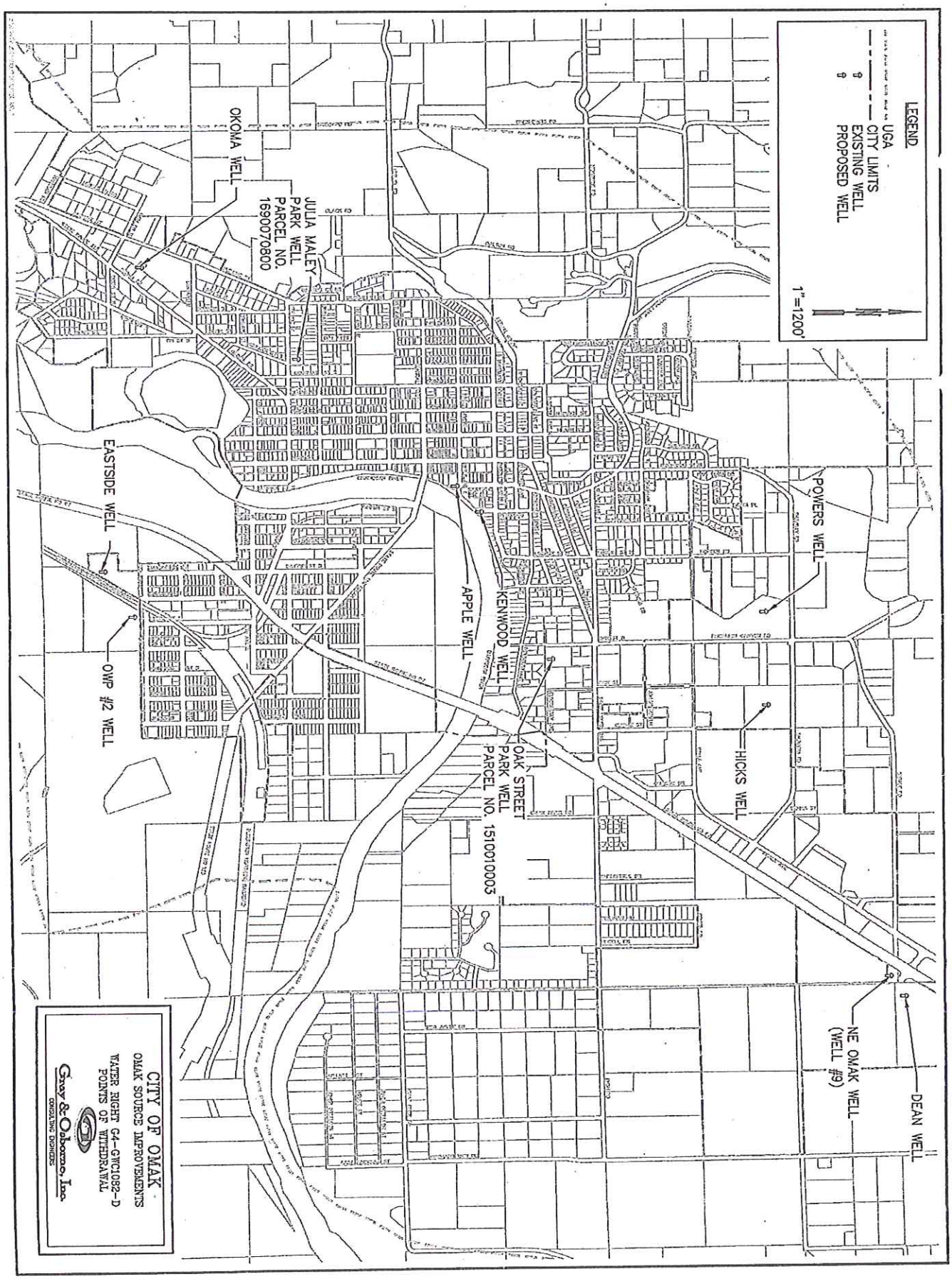
ATTACHMENT 1