State of Washington
DRAFT
REPORT OF EXAMINATION
FOR WATER RIGHT CHANGE

DEPARTMENT OF ECOLOGY
State of Washington

Added or Changed Point of Withdrawal/Diversion

PRIORITY DATE
February 22, 1993

WATER RIGHT NUMBER
G3-29420(A)

MAILING ADDRESS
GRANT CNTY PORT DIST 1
202 G STREET SE
QUINCY WA 98848

SITE ADDRESS (IF DIFFERENT)

Total Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
257.5	GPM	30.9

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE ADDITIVE	WITHDRAWAL OR DIVERSION RATE NON-ADDITIVE	UNITS	ANNUAL QUANTITY (AF/YR) ADDITIVE	ANNUAL QUANTITY (AF/YR) NON-ADDITIVE	PERIOD OF USE (mm/dd)
Community domestic supply, recreational, and commercial supply	257.5		GPM	30.9		01/01 - 12/31

PUBLIC WATER SYSTEM INFORMATION	
WATER SYSTEM ID	CONNECTIONS
08051	7

Source Location

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

SOURCE FACILITY/DEVICE	PARCEL		TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Well 1	201249002		19N	24E	07	NENE	47.1608258	119.8548382
Well 2	201249002	AGL 805	19N	24E	07	NWNE	47.1601794	119.8611450
Well 4	201249001		19N	24E	07	NENW	47.1607645	119.8675312
							Datum:	NAD83/WGS84

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

201249002, 201249001

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Portions of Farm Unit 59, 60, 61 of Block 75, Columbia Basin Project within the N½ of Section 7 lying north of the canal, T. 19 N., R. 24 E.W.M. except a portion of Farm Units 59 and 60, Irrigation Block 75, lying in the NW¼ of Section 7 T. 19 N., R. 24 E.W.M. described as follows:

Commencing from a USBR brass cap, accepted as the NW corner of said Section 7, and as the centerline intersection of White Trail Road and Road "R" NW, thence S 89 55'25" E along the north line of the NW¼ of said Section 7and the centerline of White Trail Road, a distance of 140.01 feet; thence S 00 14'40" W, a distance of 40.0 feet to the southerly right of way of White Trail Road, said point of beginning; Thence S 89 55'25" E a distance of 458.13 feet; thence S 00 04'35" W a distance of 2.44 feet; thence on a curve to the right with a radius of 56 feet a delta of 80 0'00" and an arc length of 103.57; thence N 89 55'25"W a distance of 98.89 feet; thence S 34 50'18" W a distance of 49.69 feet; thence S 56 53'54" W a distance of 35.04 feet; thence S 45 14'40" W a distance of 147.01 feet; thence S 00 14'40" W a distance of 124.13 feet; thence S 80 00'50" E a distance of 585.0 feet; thence N 84.11'28" E a distance of 32.48 feet; thence N 61 09'10"E a distance of 160.17 feet; thence on a curve to the right with a radius of 182 feet a delta of 38 50'09" and an arc length of 123.35; thence south 80 00'50" E a distance of 202.84 feet; thence on a curve to the right with a radius of 182 feet, a delta angle of 38 50"00" and an arc length of 123.35 feet; thence S 41 10"50" E a distance of 160.17 feet; thence S 60 35'50" E a distance of 26.58 feet; thence S 80 00'50" E a distance of 358.61 feet; thence N 88 22'21" E a distance of 37.22 feet; thence S 15 28'17" E a distance of 61.61 feet; thence on a curve to the left with a chord bearing of N 13 05'40"E a distance of 129.97 feet, a radius of 79.23 feet and an arc length of 152.4 feet; thence N 41 59'45"W a distance of 483.42 feet; thence on a curve to the right with a radius of 111.00 feet a delta of 42 04'20" and an arc length of 81.51 feet; thence N 89 55'25" W 11 feet; thence N 00 04'35" E a distance of 143.83 feet to the southerly right of way of White Trail Road; thence S 89 53'25" E along the southerly right of way a distance of 135.24 feet; thence S 00 05'20" E a distance of 292.25 feet; thence S 41 59'45" E a distance of 219.22 feet; thence N 62 38'00" E a distance of 62.01 feet; thence S 41 59'45" E a distance of 128.94 feet; thence on a curve to the right with a radius of 161.23 feet, a delta of 127 39'50" and an arc length of 358.24 feet; thence N 80 01'00" W a distance of 28.43 feet; thence S 08 59'00"W a distance of 5 feet; thence N 80 01'00"W a distance of 173.4 feet; thence N 80 00'50" W a distance of 1540.71 feet; thence on a curve to the right with a radius of 140.97 feet a delta of 80 15'30" and an arc length of 197.48 feet; thence N 00 14'40" E a distance of 356.57 feet to the point of beginning; containing 11.33 acres more or less.

Proposed Works

Three wells and distribution system

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Begun	October 1, 2016	October 1, 2018

Measurement of Water Use

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

Provisions

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.

The wells shall be completed within the shallow management unit and is restricted to be drilled no deeper than 200 feet into the Quincy Basalt Zone (Chapter 173-134A-080).

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, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Schedule and Inspections
Department of Ecology personnel, upon presentation of proper credentials, will have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

Real Estate Excise Tax
This decision may indicate a Real Estate Excise Tax liability for the seller of water rights. The Department of Revenue has requested notification of potentially taxable water right related actions, and therefore will be given notice of this decision, including document copies. Please contact the state Department of Revenue to obtain specific requirements for your project. Phone: (360) 570-3265. The mailing address is: Department of Revenue, Real Estate Excise Tax, P. O. Box 47477, Olympia WA 98504-7477 Internet: http://dor.wa.gov/. E-mail: REETSP@DOR.WA.GOV.

Findings of Facts
Upon reviewing the investigator's report, I find all facts, relevant and material to the subject application, have been thoroughly investigated. Furthermore, I concur with the investigator that a valid water right exists; that there will be no impairment of existing rights; and that there will be no detriment to the public interest.

Therefore, I ORDER approval of Application for Change No. CG3-29420(A), 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 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 2012.

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.

INVESTIGATOR'S REPORT
Water Right Application Number CG3-29420(A)

BACKGROUND

This report serves as the written findings of fact concerning Water Right Change Application Number CG3-29420(A).

Ground Water Permit G3-29420P issued in April of 1994 for 1000 gallons per minute, 120 acre-feet per year from three wells for community domestic supply, recreational, and commercial supply. The original intent was to construct a golf course, clubhouse, and 120 recreational sites. The golf course was to be irrigated with surface water from the canal and the remaining uses from the wells. The development has been ongoing since issuance of the original permit and it is in good standing.

In 2008, the property was operated under two entities, Quincy Adult Recreation Park Model Property Owners Association (QARP) and the Colockum Ridge Golf Course owned by the Grant County Port District No. 1. These parties requested a division of the permit based on an agreement between the property owners. Ecology accepted the request, and in August of 2008, issued two Superseding Permits memorializing the agreement between the parties to divide the permit as follows:

Ground Water Permit G3-29420(A) issued to the Grant County Port District No. 1 for three wells in the amount of 257.5 gallons per minute, 30.9 acre-feet per year for community domestic supply, recreational, and commercial supply.

Ground Water Permit G3-29420(B) issued to Quincy Adult Recreation Park Model Property Owners Association in the amount of 742.5 gallons per minute, 89.1 acre-feet per year for community domestic supply, recreational, and commercial supply.

These permits both listed the same three source wells for each permit. Further review of the water system and operation found a fourth well being used. The fourth well was not within the authorized locations and required an application for change to add the well to these permits. The intent of this application for change is to memorialize the well agreement between the parties, identify the actual source wells for each permit, and add well 4 to each of the described permits. Permit G3-29420(A) is using wells 1, 2, and 4, G3-29420(B) is using wells 3 and 4. Both parties filed applications for change. The place of use of these permits will be clarified to reduce overlap in places of use.

Legal Requirements for Requested Change

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 Quincy Valley Post Register on January 15 and 22, 2009 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

A field examination was conducted on September 7, 2012. Patrick Connelly from the Port District and Roy Sharp from the QARP were present. The golf course, ponds and club house are developed within the lands owned by the Port. The golf course is irrigated from the canal. Mr Connelly indicated they are still evaluating the development of community domestic supply in and around the golf course.

The original permit authorized three wells. The Port is using wells 1, 2 and well 4 as a backup source. The QARP is primarily using well 3 and well 4 as a backup. Well 4 is used in consideration of their water user agreement.

The place of use of the permit will also be modified to clarify the ownership of these permits. The QARP will be identified by the platted legal description for the QARP. The Port lands will be identified separately.

Evaluation of the Water Right & 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.

Ground Water Permit No G3-29420(A) authorizes the use of 257.5 gallons per minute, 30.9 acre-feet per year continuously for the community domestic supply, recreational and commercial supply. The community domestic portion of this permit is inchoate.

RCW 90.44.100 allows for amendment of a groundwater permit where water has not actually been applied to beneficial use. RCW 90.44.100 addresses amendments to both certificates of groundwater rights *and* to *permits*. The statute provides that an amendment to a certificate of groundwater right or *a permit* may be applied for, and, if approved, allow the holder to construct wells or other means of withdrawal at another location or to change the manner or place of use of the water without loss of priority of right. Changes in well location(s), or the manner or place of use of the water, i.e., changes permitted under RCW 90.44.100, do not alter the original project or the quantity of water needed, RCW 90.44.100 allows flexibility in the

physical location and means of withdrawal so that permit holders can beneficially use the groundwater they are entitled to appropriate under their permits.

As this permit is in good standing, it is available for change or transfer.

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.

The proposed project lies within the boundaries of the Quincy Ground Water Management Subarea as defined in Chapter 173-124 WAC. This Sub-area covers the northern portion of the Columbia Basin project (by the US Department of Interior, Bureau of Reclamation), and lies mostly within Grant County.

The Quincy Sub Area is divided up into two major ground water management units, as defined by rule (Chapter 173-134A WAC), which is the deep water management unit and the shallow water management unit.

The deep water management unit is described as all ground water that is greater than 200 feet into the basalts. The basalt aquifers of the Quincy Ground Water Management Subarea are part of a large ground water reservoir occurring in a thick series of basalt flows known as the Columbia River Basalt Group. The thickness of these basalts varies from a few hundred feet at the Spokane River to over 10,000 feet in the Pasco Basin. These flows include the Saddle Mountain, Wanapum and Grand Ronde aquifers.

The shallow water management unit is from ground level through the sands and gravels which are above the basalt layers and the top 200 feet of the basalts. This area is subject to artificial recharge of the ground water in the upper aquifer. This situation is caused by the Bureau of Reclamation's Columbia Basin Project which is a series of canals used for irrigation. Most of the canal system is unlined and there is a significant return flow from this canal system and its wasteways. There is also a significant return flows from the irrigated crop. Therefore, much of the water in the shallow aquifer is artificially stored and is under the jurisdiction of the Bureau of Reclamation.

The management regulations for the Quincy Subarea reserved a specific amount of water for domestic and group domestic uses to be withdrawn from the shallow management unit (WAC 173-134A-080(1)). This permit was issued as part of this reserve and is limited to the shallow water management unit.

Well 1 is described as constructed in 1966, a 6 inch well constructed to a depth of 99 feet.

Well 2 was constructed in 2001, a 10 inch well constructed to a depth of 94.5 feet.

Construction details for Well 4 construction are not known. Wells in this general vicinity range in depth between 90 feet to 200 feet below ground surface, generally penetrating less than 200 feet of basalt. It is the responsibility of the permittee to ensure the well does not exceed 200 feet into the basalt.

Presuming Well 4 does not extend beyond 200 feet into the basalt, it obtains water from the authorized body of public groundwater available for this application.

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 existing authorization allows for construction of three wells in the shallow water management unit of the Quincy Subarea. The proposed well is required to stay in the upper management unit and not to exceed 200 feet into the basalt zones. The water table in this area continues to be stable. There is sufficient water in this area to satisfy this authorization without impairing existing rights.

The water proposed for this authorization would be withdrawn from the shallow water management unit and not have an effect on other rights in the area.

FINDINGS

There is a water right available for change/transfer under of Ground Water Permit No G3-29420(A). Ground water under this permit is partially inchoate and in good standing.

When considering an application for change to a water right, Ecology must determine that the proposed change can be made without detriment or injury to existing water rights. Factors considered when determining potential impact include the following:

No Impairment to Existing Rights:
The proposed change will not increase the volume of water currently authorized from the aquifer.

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 to beneficial use would be authorized through approval of this change.

Same Source of Water:
The ground water to be withdrawn is supplied by the same body of public ground water.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that this change 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:

257.5 gpm
30.9 acre-feet per year
Community domestic supply, recreational and commercial supply

Point of Withdrawal

- Well 1) 250 feet south and 150 feet west from the NE corner of Section 7
- Well 2) 500 feet south and 1700 feet west from the NE corner of Section 7
- Well 4) 300 feet south and 2000 feet east of from the NW corner of Section 7

Place of Use

As described on Page 1 of this Report of Examination.

_____

Kevin Brown, Report Writer *Date*

If you need this publication in an alternate format, please call the Water Resources Program at (360) 407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

Allhiser, Kay (ECY)

From: Brown, Kevin (ECY)
Sent: Wednesday, September 26, 2012 1:37 PM
To: Allhiser, Kay (ECY)
Subject: Roe's x 2

CG3-29420(A) Grant Co Port DIs..

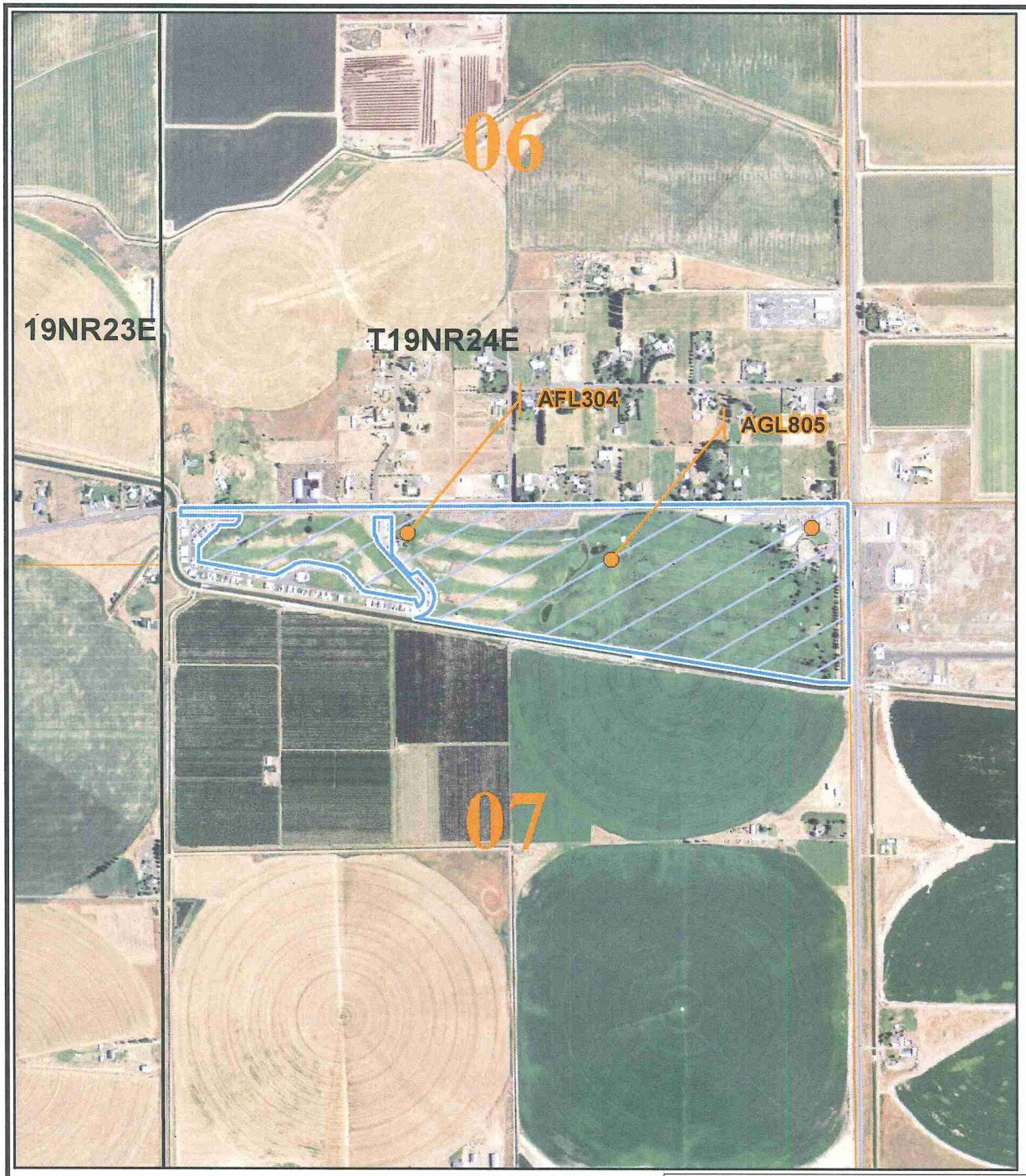
CG3-29420(B) QAMP.docx

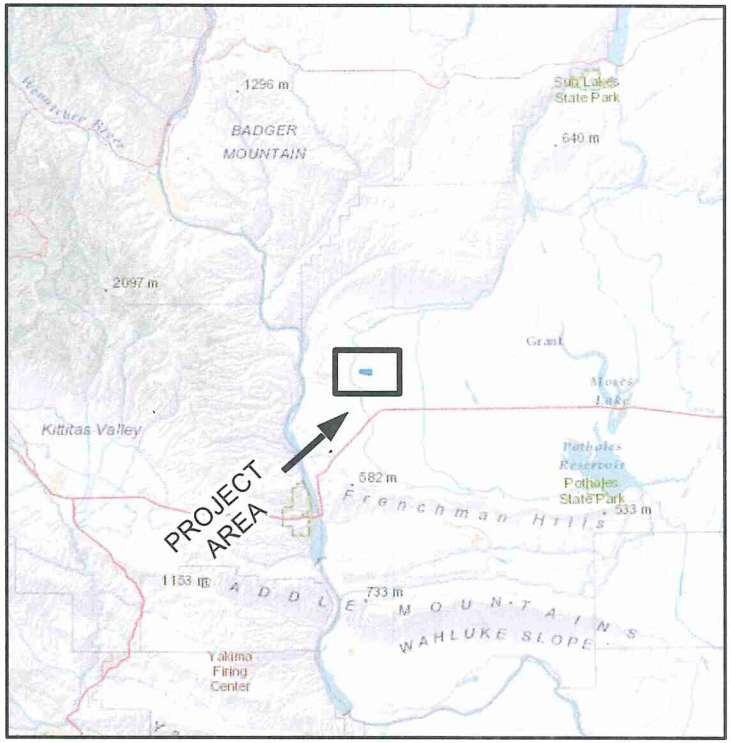
I sent the maps back to Rick for another fix. I will need to see them before they go to Keith to make sure they are right.

Checked.
OK
KB
10/1/12

Final For Keith
I'll Be Back 10/15/12

Grant Co. Port District No. 1
CG3-29420(A)
T19N/R24E





Basemap - (ESRI US Topographic Maps)

Legend

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

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

Basemap - (NAIP 2011 1m color)

DEPARTMENT OF ECOLOGY State of Washington

Map Date: 10/1/2012

Comment:
Place of use and source locations are as defined within the Report of Examination cover sheet for the document identfied in the header above.

ATTACHMENT 1