DEPARTMENT OF ECOLOGY
State of Washington

State of Washington
REPORT OF EXAMINATION
FOR WATER RIGHT APPLICATION

File NR.: G4-35740
WR Doc ID: 6415410

PRIORITY DATE	WATER RIGHT APPLICATION NUMBER
January 12, 2015	G4-35740

MAILING ADDRESS	SITE ADDRESS (IF DIFFERENT)
KEVIN KELLY PO BOX 750 ROSLYN, WA 98941-0750	

Quantity Authorized for Withdrawal

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
4.48	GPM	0.392

Purpose

PURPOSE	WITHDRAWAL RATE ADDITIVE	WITHDRAWAL RATE NON-ADDITIVE	WITHDRAWAL RATE UNITS	ANNUAL QUANTITY (AF/YR) ADDITIVE	ANNUAL QUANTITY (AF/YR) NON-ADDITIVE	PERIOD OF USE (mm/dd)
Domestic Single	4.48		GPM	0.392		01/01 - 12/31

REMARKS:
Incidental lawn/garden irrigation is **NOT** authorized by this permit.

IRRIGATED ACRES ADDITIVE	IRRIGATED ACRES NON-ADDITIVE	PUBLIC WATER SYSTEM INFORMATION WATER SYSTEM ID	PUBLIC WATER SYSTEM INFORMATION CONNECTIONS
0	0	AC390N	8

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
1 Well	951397	APG-209	19N	15E	09	SENW	47.1547	-120.9726

Datum: NAD83/WGS84

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

951395

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

BISHOP PLAT, LOT 5; Section 09; Township 19 N.; Range 15 E.W.M., Kittitas County, Washington.

Proposed Works

The existing source, (Ecology Unique Well ID #APG-209) was completed on September 21, 2006, to a depth of 330 feet with a 6-inch casing. The pump size is 2 horsepower. The water distribution system will include a 2½" mainline to serve 8 separate lots, with two 2,500-gallon underground storage tanks and one 120-gallon pressure tank.

Domestic wastewater will be discharged to an on-site septic system, pursuant to the Declaration of Covenant signed July 8, 2015, by the current property owners.

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Started	October 31, 2020	October 31, 2022

Measurement of Water Use

How often must water use be measured?	Monthly
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. The existing well and the right to use water from is restricted to and authorized for groundwater withdrawal from the Unconsolidated Sediments (UNC) aquifer within the Tillman Creek subbasin.
2. All wells constructed in the state shall 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 shall be decommissioned.
3. All wells shall 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 shall remain attached to the well. If you are required to submit water measuring reports, reference this tag number.
4. Installation and maintenance of an access port as described in WAC 173-160-291(3) is required.
5. It is recommended that new wells constructed under this authorization observe a minimum 50-foot setback from property boundaries to minimize potential for well interference.
6. In accordance with WAC 173-160, 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 the boundary of a solid waste landfill.

B. Measurements, Monitoring, Metering and Reporting

1. An approved measuring device shall 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.
2. Water use shall be recorded **monthly** and maintained by the property owner for a minimum of five years. The maximum, individual and combined rate of withdrawal and the annual individual total volume for this residence shall be submitted to Ecology by January 31st of each calendar year.
3. 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.
4. WAC 173-173 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.

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 (airline, 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. 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

E. 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.

F. Proof of Appropriation

1. The water right holder shall 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 permit. 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.

G. Schedule and Inspections

1. 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, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

H. General Conditions

1. This authorization shall in no way excuse the permittee from compliance with any federal, state, or local statutes, ordinances, permits, or regulations, including those required and administered by other programs of the Department of Ecology.
2. You (applicant) will pay the sum of **$44.13**, which represents a proportionate amount of the payment due and owing to the United States Bureau of Reclamation for storage and delivery of water under Paragraph 15(a) of Water Storage and Exchange Contract No. 09XX101700 (Storage Contract), between the United States Bureau of Reclamation and the State of Washington Department of Ecology, Yakima project, Washington, dated January 29, 2009.[1] The consumptive use of 0.059 acre-feet from October 1 through March 31 is subject to the terms and conditions in the Storage Contract.
3. You (applicant) will record with the Kittitas County auditor a property covenant as required under WAC 173-539A-050 that restricts or prohibits trees or shrubs over a septic drain field on Parcel No. 951395.
4. You (applicant) will record with the Kittitas County Auditor an appropriate conveyance instrument under which the applicant obtains an interest in Trust Water Right No. CS4-05216sb5a(B) to offset consumptive uses.
5. The quantity of mitigated water may not exceed the amount of water available under Trust Water Right No. CS4-05216sb5a(B) nor exceed the availability of unused storage capacity to retain the Trust Water Right for later release.

[1] "Long-Term Water Storage and Exchange between the United States Department of Reclamation and the state of Washington, Department of Ecology" (Contract No. 09XX101700), http://www.ecy.wa.gov/programs/wr/cro/images/pdfs/exchangecontract_012909.pdf, accessed on July 8, 2015.

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 the approval of Application No. G4-35740, 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	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	**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://www1.leg.wa.gov/CodeReviser

Signed at Union Gap, Washington, this 5TH day of NOVEMBER 2015.

Thomas Perkow, Acting Section Manager
Water Resources Program
Central Regional Office

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 Water Right Application Number G4-35740.

Priority Processing

This application is being priority processed because it qualified under the criteria under which an application may be processed prior to competing applications (WAC 173-152), where the proposed water use is water budget neutral as defined in WAC 173-152-020(18).

Table 1: Summary of Requested Water Right

Applicant Name	Kevin Kelly
Date of Application	January 12, 2015
Place of Use	BISHOP PLAT, LOT 5; Parcel No. 951395, within Section 09; Township 19 N.; Range 15 E.W.M., Kittitas County, Washington

County	Waterbody	Tributary To	WRIA
Kittitas	Groundwater		39-Upper Yakima

Purpose	Rate	Unit	Ac-ft/yr	Begin Season	End Season
Domestic Single	350	GPM	0.392	01/01	12/31

Source Name	Parcel	Well Tag	Twp	Rng	Sec	QQ Q	Latitude	Longitude
1 Well	951395	APG-209	19N	15E	09	SE NW	N/A	N/A

CFS = Cubic Feet per Second; 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; Datum: NAD83/WGS84.

On July 7, 2015, the applicant amended the original application to change the following parameters:

Table 2: Summary of "Amended Requested" Water Right

Date of Amendment	July 7, 2015
Amended Instantaneous Rate	350 gallons per day (GPD)
Amended Point-of-Withdrawal Parcel	951397

Legal Requirements for Approval of Appropriation of Water

The place of use (POU) for the subject permit application, G4-35740, is located wholly within the area covered by the Upper Kittitas Groundwater Rule, WAC 173-539A and the permit application is subject to the provisions of this rule, which provides that all new groundwater withdrawals in the area must be water budget neutral. A water budget neutral project is defined in rule as ". . . an appropriation or project where withdrawals of groundwater of the state are proposed in exchange for discharge of water from other water rights that are placed into the Trust Water Right Program (TWRP) where such discharge is at least equivalent to the amount of consumptive use."

RCWs 90.03 and 90.44 authorize the appropriation of public water for beneficial use and describe the process for obtaining water rights. Laws governing the water right permitting process are contained in RCW 90.03.250 through 90.03.340 and RCW 90.44.050. In accordance with RCW 90.03.290,

determination must be made on the following four criteria in order for an application for water rights to be approved:

- Water must be available.
- There must be no impairment of existing rights.
- The water use must be beneficial.
- The water use must not be detrimental to the public interest.

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 Northern Kittitas County Tribune, Cle Elum, Washington on May 21, and May 28, 2015. No protests to the application were received by Ecology.

Consultation with the Department of Fish and Wildlife

Ecology must give notice to the Department of Fish and Wildlife of applications to divert, withdraw or store water. Ecology presented the amended proposal to the Water Transfer Working Group (WTWG) participants on August 3, 2015, seeking discussion, comments, and concerns from the group. The group gave the proposal a positive recommendation.

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 (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.

INVESTIGATION

Site Exam

A site exam was conducted on the proposed source Ecology employees, Candis Graff, Jacquelyn Metcalf, Kevin Samuelson, and Danielle Jansik on July 21, 2015. Global Positioning Satellite (GPS) coordinates were taken of the location of the well head and the original point-of-diversion for the mitigating trust water right. Area geology was also noted.

Proposed Use and Basis of Water Demand

The Tillman Creek subbasin is located within the upper Kittitas basin and is subject to the provision of WAC 173-539A. No new groundwater use within the Tillman Creek subbasin is allowed unless the consumptive use associated with the new groundwater withdrawal is fully mitigated by a pre-May 10, 1905, priority water right.

Through Groundwater Application No. G4-35740, Kevin Kelly is seeking authorization to withdraw groundwater. The application proposes new uses of groundwater that would be made water-budget-neutral by assigning a portion of Darrin Burchak's August 1, 1887, Trust Water Right CS4-05216sb5a(B) to the project from the TWRP.

Other Rights Appurtenant to the Place of Use

A mix of existing surface and groundwater rights are appurtenant to the lands within the proposed POU for Groundwater Application No. G4-35740 (see Table 3 below).

Table 3: Water Rights Appurtenant to POU

Control Number	Doc. Type	Purpose	Qa	Source
S4-84638-J	CFO	SR	166,846.00	Yakima River
S4-84639-J	CFO	SR	250,261.00	Kachess River
S4-84640-J	CFO	SR	446,610.00	Yakima River
S4-84641-J	CFO	SR	38,768.00	Bumping River
S4-84642-J	CFO	SR	216,850.00	Tieton River
S4-84643-J	CFO	SR	5,300.00	Tieton River
S4-84644-J	CFO	SR	472.00	Yakima River
S4-84645-J	CFO	SR	2.00	Tieton River
S4-84646-J	CFO	SR	56.00	Yakima River
S4-84647-J	CFO	SR	60.00	Yakima River
S4-84648-J	CFO	SR	408.00	Yakima River
S4-84649-J	CFO	SR	1,265.00	Tieton River
S4-84650-J	CFO	SR	5,120.00	Yakima River
G4-35630(A)P	Permit	DM, IR	8.274	15 Wells
G4-35630(B)P	Permit	DM, IR	8.274	15 Wells

DM=Domestic Multiple, DS=Domestic Single, DG=Domestic General, IR=Irrigation, ST=Stockwater, IF=Instream Flow, SR=Storage, CFO=Conditional Final Order, MP=Mitigated Permit

Surface Water Right Nos. S4-84638-J through S4-84650-J, owned by the United States Bureau of Reclamation, authorize water to be stored for flood control purposes.

G4-35630(A)P and G4-35630(B)P authorize and share a maximum 8.274 af/yr from 15 wells for the purpose of multiple domestic (up to 20 residences) and lawn/garden irrigation. The applicant and each landowner intending to develop a domestic water supply or use water within an existing

system (i.e. each landowner who purchases a mitigation certificate from the applicant) will be added to the up to 20 residences authorized under these permits. While the POU authorized in these permits overlaps the POU proposed in this request, a different mitigating water bank is being used and the applicant has no intent to use either of these permits for the purpose of single domestic.

Impairment Considerations

Impairment is an adverse impact on the physical availability of water for a beneficial use that is entitled to protection. A water right application may not be approved if it would:

- Interrupt or interfere with the availability of water to an adequately constructed groundwater withdrawal facility of an existing right. An adequately constructed groundwater withdrawal facility is one that:
  - (a) is constructed in compliance with well construction requirements, and
  - (b) fully penetrates the saturated zone of an aquifer or withdraws water from a reasonable and feasible pumping lift.
- Interrupt or interfere with the availability of water at the authorized point of diversion of a surface water right. A surface water right conditioned with instream flows may be impaired if a proposed use or change would cause the flow of the stream to fall to or below the instream flow more frequently or for a longer duration than was previously the case.
- Interrupt or interfere with the flow of water allocated by rule, water rights, or court decree to instream flows.
- Degrade the water quality of the source to the point that the water is unsuitable for beneficial use by existing users (e.g., via sea water intrusion).

Water Availability

For water to be available for appropriation, it must be both physically and legally available.

Physical Availability

For water to be physically available for appropriation there must be ground or surface water present in quantities and quality and on a sufficiently frequent basis to provide a reasonably reliable source for the requested beneficial use or uses. In addition, the following factors are considered:

- Volume of water represented by senior water rights, including federal or tribal reserved rights or claims.
- Water right claims registered under RCW 90.14.
- Ground water uses established in accordance with RCW 90.44, including those that are exempt from the requirement to obtain a permit.
- Potential riparian water rights, including non-diversionary stock water.
- Lack of data indicating water usage can also be a consideration in determining water availability, if the department cannot ascertain the extent to which existing rights are consistently utilized and cannot affirmatively find that water is available for further appropriation.

Hydrologic/Hydrogeologic Analysis

The Ecology report entitled, Tillman Creek Basin Reference Report: Inclusive of the Small Un-named Basin Adjacent and West of the Tillman Creek Watershed Boundaries, dated January 15, 2013, analyzes the study area in detail. Ecology's Washington state licensed hydrogeologist, Anna Hoselton

subsequently reviewed this proposal for water availability and potential impairment to existing users and concludes that water is physically available and no impairment should be realized.

Based on the hydrogeologic setting, observations and interpretation of data from existing wells drilled into the unconsolidated sediments (UNC) aquifer within the Tillman Basin and elsewhere, groundwater is physically available from the UNC aquifer.

Legal Availability

To determine whether water to be legally available for appropriation, the following factors are considered:

- Regional water management plans – which may specifically close certain water bodies to further appropriation.
- Existing rights – which may already appropriate physically available water.
- Fisheries and other instream uses (e.g., recreation and navigation). Instream needs, including instream and base flows set by regulation. Water is not available for out of stream uses where further reducing the flow level of surface water would be detrimental to existing fishery resources.
- Ecology may deny an application for a new appropriation in a drainage where adjudicated rights exceed the average low flow supply, even if the prior rights are not presently being exercised. Water would not become available for appropriation until existing rights are relinquished for non-use by state proceedings.

Planned Mitigation

WAC 173-539A provides the following exception to the withdrawal of unappropriated groundwater:

1. Uses for a structure for which a building permit is granted and the building application vested prior to July 16, 2009.
2. Uses determined to be water budget neutral pursuant to WAC 173-539A-050, which provides that the water budget neutral projects may be approved. A water budget neutral project is one that is mitigated by a pre-1905 water right held by Ecology within the TWRP.

On November 19, 2013, through the conveyance documents in the form of a Trust Water Right Agreement and a Quit Claim Deed, a permanent transfer of a total of 120 af/yr of a August 1, 1887 Iron Mountain Creek water right was donated to the TWRP for the purpose of instream flow and water banking to offset the consumptive use associated with new groundwater uses in the Yakima River basin. The applicant has entered into a contract with Burchak for a beneficial interest for a portion of Trust Water Right No. CS4-05216sb5a(B).

Water Duty

In planning a development, source capacity must be considered and recognized. The total daily source capacity, in conjunction with storage designed to accommodate peak use periods, must be able to reliably provide sufficient water to meet the Maximum Daily Demand (MDD) for the water system. Reliability and sustainability must also be considered when planning for a water system. Lacking metered water use records, Ecology relied on the Yakima River Basin Water Rights Adjudication: Report of Referee, Subbbasin No. 5 for the purpose of domestic supply to set the instantaneous quantity at 0.01 cubic feet per second (cfs) or 4.48 gallons per minute (gpm). Furthermore, the Water System Design

Manual[2] (WSDM) by DOH contains guidance for establishing water demands. The suggested methods, in order of preference, include:

1. Metered water production and use records.
2. Comparable metered water production and use data from analogous water systems. See WAC 246-290-221(3)(a) and Section 5.2.3.
3. The criteria presented in Chapter 5.

According to the WSDM, for new systems or existing water systems that have no source meter records, information can be obtained from analogous water systems or from information presented in Appendix D of this document in order to estimate the Average Daily Demand (ADD) and Maximum Daily Demand (MDD) for residential connections (WAC 246-290-221(3)).[3] Analogous water systems are defined in Section 5.2.3 of the WSDM as systems with similar characteristics, such as, but not limited to demographics, housing size, lot sizes, climate, conservation practices, use restrictions, soils and landscaping, and maintenance practices. As such, a reasonable level for a MDD for internal uses can be established at 350 gallons per day (GPD)/Equivalent Residential Unit (ERU); however, DOH recognizes that there may be some projects with sufficient information to support a MDD of less than 350 GPD/ERU depending upon unique conditions.

Under WAC 173-539A, 30% domestic in-house on a septic system is assumed to be consumptively used. Monthly and annual use at full build-out of the project were calculated based on the proposed 1 ERU and the applicant's proposed 350 GPD for this proposal. Factors specified in WAC 173-539A were considered in the calculated consumptive use and total calculation and are summarized in **Table 4** below.

Table 4: *Estimated Total and Consumptive Use

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Total Use (af)	.033	.030	.033	.032	.033	.032	.033	.033	.032	.033	.032	.033	**0.392**
Total Consumptive (af)	.010	.009	.010	.009	.010	.009	.010	.010	.009	.010	.009	.010	**0.118**

*Calculations are rounded.

Beneficial Use

The proposed use of water for single domestic is defined in statute as a beneficial use (RCW 90.54.020(1)).

Public Interest Considerations

When investigating a water right application, Ecology is required to consider whether the proposal is detrimental to the public interest. Ecology must consider how the proposal will affect an array of factors, such as wildlife habitat, recreation, water quality, and human health. The proposed application relies on mitigation in the form of a water right held in trust by Ecology. When the consumptive portion of the instream flow trust water right is not being used for mitigation, the unused quantity may be added to target flows at Parker Dam and continue to the confluence of the Yakima and Columbia Rivers.

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[2] Department of Health, "Water System Design Manual," Olympia, Wa., 2009, pp. 27-32, www.doh.wa.gov/chp/dw/Publications/331-123.pdf, accessed on May 30, 2012.

[3] Ibid., p. 28.

Consideration of Protests and Comments

No protests were filed against this application.

Conclusions

In conclusion,

- Water is physically and legally available for this appropriation.
- The proposed uses are beneficial uses of water.
- The proposed uses are not contrary to the public interest.
- The proposed uses will not cause detriment or injury to existing rights.

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:

- 4.48 Gallons per minute (gpm).
- 0.392 acre-feet per year.
- Continuous indoor single domestic.

Point of Withdrawal

SE¼NW¼, Parcel No. 951397 in Section 09, Township 19 N., Range 15E.W.M.

Place of Use

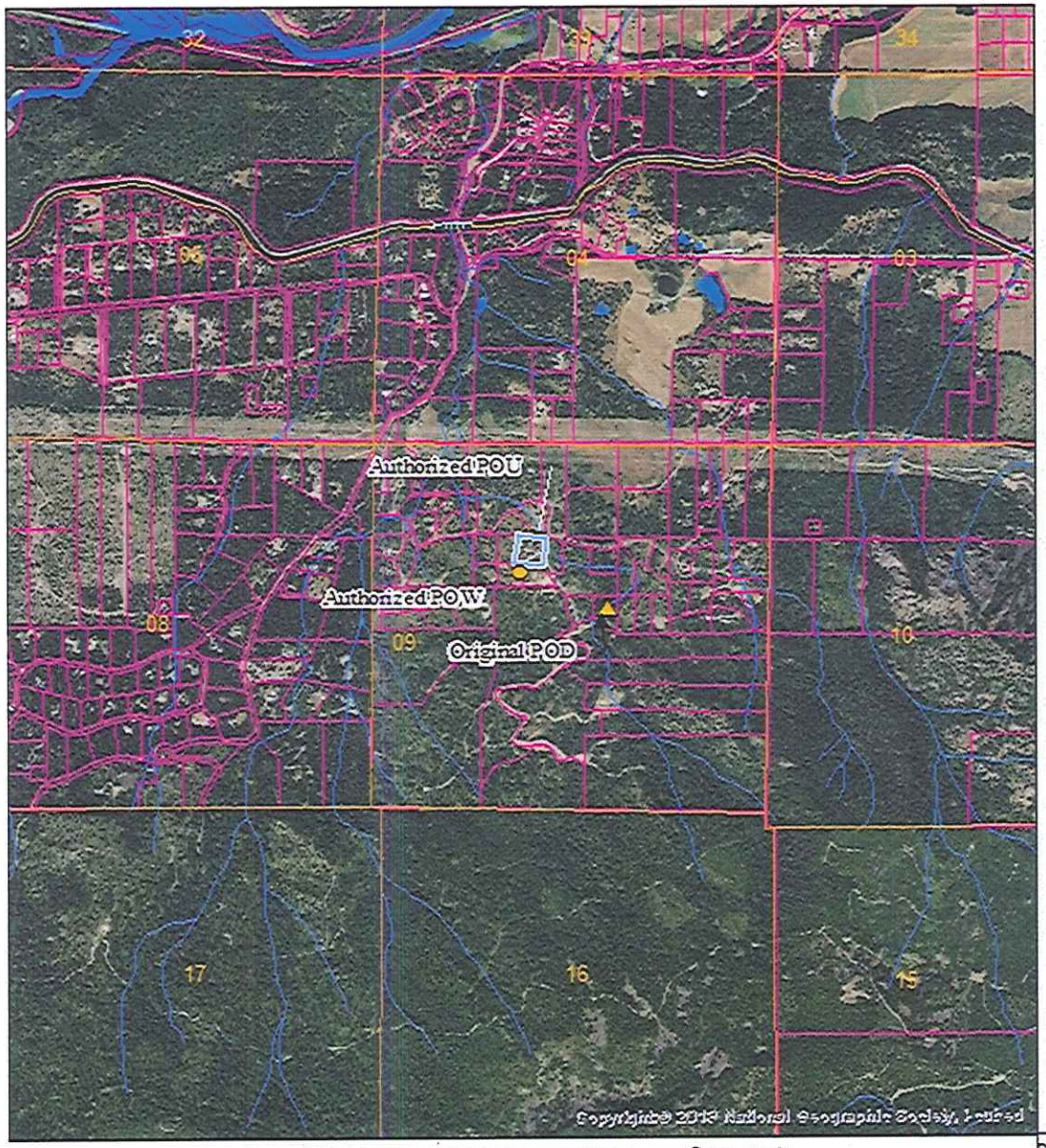
BISHOP PLAT, LOT 5; Parcel No. 951395, Section 09; Township 19 N.; Range 15 E.W.M., Kittitas County, Washington.

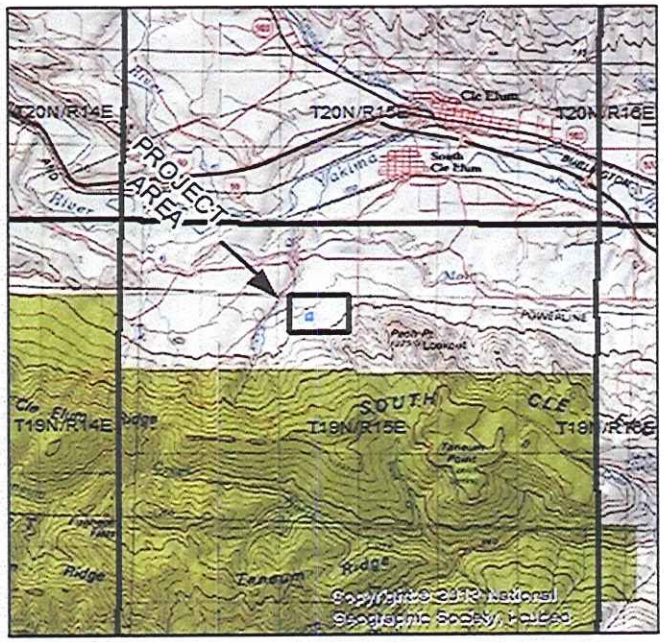
Candis L. Graff, Report Writer

11-5-15
Date

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.

KEVIN KELLY / KELBER, LLC
G4-35740
T19N/R15E
WRIA 39 - Kittitas County





Basemap - (ex. ESRI US Topographic Maps)

Legend

- Authorized Place of Use
- Authorized Point of Withdrawal
- Water Bodies
- Original Trust Water Point-of-Diversion
- Townships
- Sections
- Parcels

0 1,000 2,000 4,000 6,000 8,000 Feet

Basemap - (ex. USGS Topographic Maps)

Map Date: 7/22/2015

Comment:

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