

State of Washington
REPORT OF EXAMINATION
FOR WATER RIGHT APPLICATION

PRIORITY DATE
September 19, 2014

WATER RIGHT NUMBER
G3-30724

NAME & ADDRESS
Land Bountiful, Inc.
4706 Northport Waneta Road
Colville, WA 99114

Quantity Authorized for Withdrawal

WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY	UNITS
13	GPM	14	AF/YR

Purpose

PURPOSE	WITHDRAWAL RATE	ANNUAL QUANTITY	PERIOD OF USE (mm/dd)
Domestic supply for an RV Park and Irrigation of 5 acres	13 GPM	14 AF/YR	01/01 – 12/31

Source

SOURCE	COUNTY	WATERBODY	WATER RESOURCE INVENTORY AREA
A well	STEVENS	GROUNDWATER	61
PUBLIC WATER SYSTEM INFORMATION		WATER SYSTEM ID	APPROVED CONNECTIONS
Upper Columbia RV Park & Campground		044903	

Source Locations

Source	Parcel #	Well Tag	Twp	Rng	Sec	QQ	Latitude	Longitude
Well	5093101	BBL784	40 N.	40 E.	25	SW¼NW¼	48.94598°N	117.71056°W

Datum: WGS84

Place of Use (See Attached Map)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Upper Columbia RV Park and Campground. That portion of Government Lots 2 and 3 of Sec. 25, T. 40 N., R. 40 E.W.M. that lies between the southerly right of way of Burlington Northern railroad and the northerly right of way of the Northport-Waneta Road (Stevens County Parcel No. 5093101)

Proposed Works

Well, pump, reservoirs and gravity fed distribution system

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Begun	Complete	In-Use

Measurement of Water Use

How often must water use be measured?	Monthly
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)

Provisions

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.

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.

Wells, Well Logs and Well Construction Standards

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.

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.

Measurements, Monitoring, Metering and Reporting

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded monthly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.

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.

Department of Health Requirements

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.

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.

Schedule and Inspections

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.

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 of use is beneficial; and that there will be no detriment to the public interest.

Therefore, I ORDER approval of Application No. G3-30724, 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 Road SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Signed at Spokane, Washington, this 7th day of June, 2016.



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

Application for Water Right – Land Bountiful, Inc.
Water Right Control Number G3-30724

BACKGROUND

This report serves as the written findings of fact concerning Water Right Application Number G3-30724. Land Bountiful, Inc. submitted an application to withdraw groundwater from a well for the Upper Columbia RV Park located in northern Stevens County, WA.

Applicant Name:	Land Bountiful, Inc.
Date of Application:	September 19, 2014
Place of Use:	Upper Columbia RV Park and Campground

County	Water Body	Tributary To	WRIA
Stevens	Groundwater	---	61- Upper Lake Roosevelt

Purpose	Rate	Unit	Ac-ft/yr	Begin Season	End Season
Domestic supply for an RV Park and Irrigation of 5 acres	13	GPM	14	01/01	12/31

Source	Parcel #	Well Tag	Twp	Rng	Sec	QQ	Latitude	Longitude
Well	5093101	BBL784	40 N.	40 E.	25	SW¼NW¼	48.94598°N	117.71056°W

Datum: WGS84

GPM = Gallons Per Minute; Ac-ft/yr = Acre-feet per year; Sec. = Section; QQ = Quarter-quarter of a section; WRIA = Water Resource Inventory Area; E.W.M. = East of the Willamette Meridian; Datum: WGS84.

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 *Statesman-Examiner* on November 26 and December 2, 2014.

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.

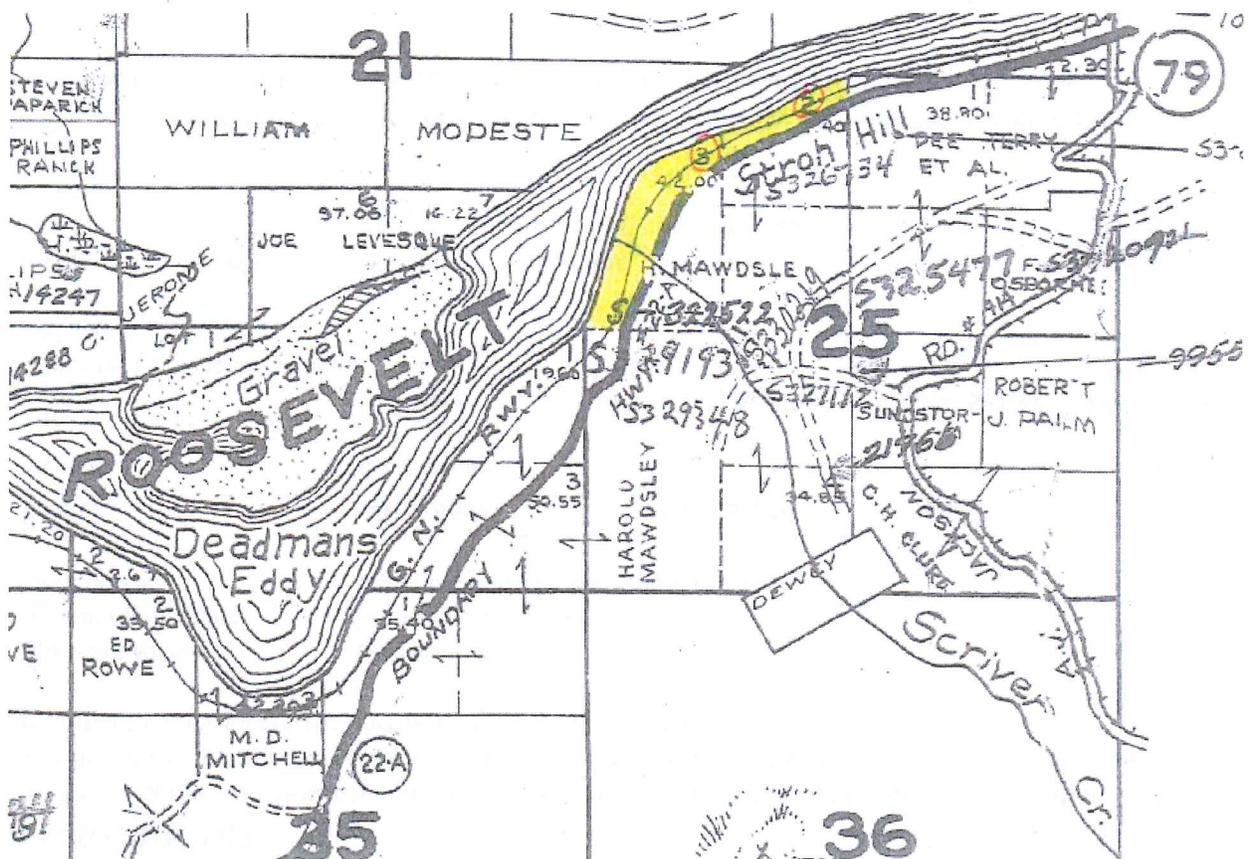
- (a) It is a surface water right application for more than 1 cubic foot per second, unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cubic feet per second, so long as that irrigation project will not receive public subsidies;
- (b) It is a groundwater 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 investigation was conducted by Gene Drury on April 21, 2016 with Ralph Lott, owner of the Upper Columbia RV Park and Campground. The Upper Columbia RV Park and Campground, located about five miles northeast of Northport, has been in operation since the early 1990's. The water system is complete and in use. The well is drilled and the RV Park is using water for domestic supply and irrigation. The well is located just off the Northport-Waneta Road within the SW¼NW¼ of Sec. 25, T. 40 N., R. 40 E.W.M. The place of use for the RV Park and Campground is located in portions of Government Lots 2 and 3 of Sec. 25, T. 40 N., R. 40 E.W.M. lying between the Burlington Northern railroad and the Northport-Waneta Road.



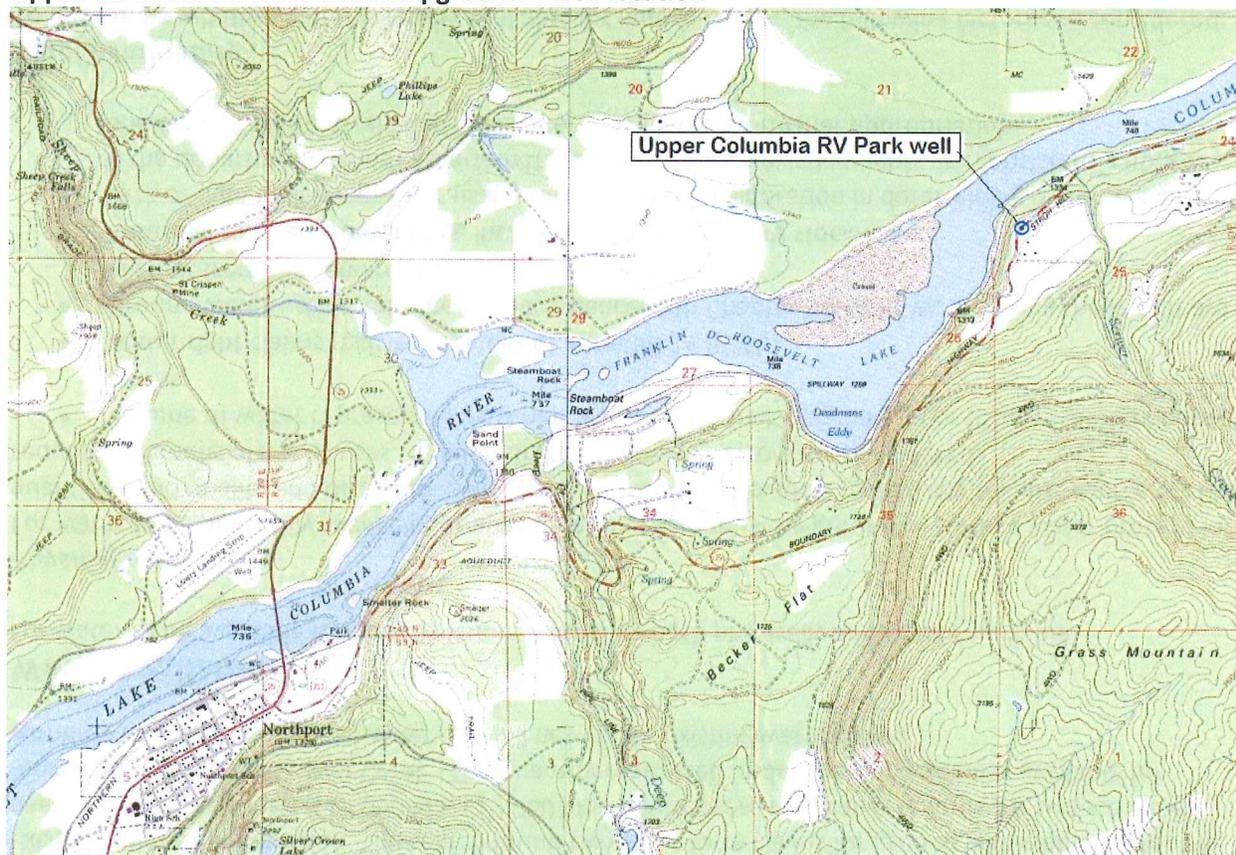
The RV Park serves about 45 total sites (RV, tent and cabin sites) along with landscape and lawn irrigation. There are approximately five acres of grass located throughout the RV Park.

The water system consists of the well with a 1½ horsepower Grundfos submersible pump, four 2500 gallon concrete storage tanks and gravity feed system from the storage tanks to the park sites. Although

most of the water use is seasonal, Mr. Lott has requested to amend the application to year round due to some use during the fall and winter period (Hunting Season, etc.). The period of use will be approved for continuous, year round use (January 1 to December 31, each year). The instantaneous quantity of water pumped is 13 gallons per minute. At that rate, 24 hours per day, the most that could be pumped in one year is 6,832,800 gallons or 21 acre-feet per year. However, the pump does not run continuously. A more reasonable estimate is 13 gallons per minute at 16 hours per day for the 365 days. This calculates out to 4,555,200 gallons and 14 acre-feet per year. 14 acre-feet per year will be a sufficient annual quantity for the RV Park and campground.

An unnamed spring is used as an emergency/back-up supply for the water system. The spring is authorized under Surface Water Certificate No. S3-29348 with priority of November 13, 1992.

Upper Columbia RV Park and Campground – well location



USGS 7.5 Minute (Topographic Map) - "Boundary"

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).

The existing well was drilled in 2010 and has been in operation with no reported well interference issues. A review of Ecology records was also conducted for other water rights in the vicinity of the existing point of withdrawal. The search found two short form claims for ground water both under the name Robert L. Jackman (CL# 060345, CL #060346). There were nine other records for surface water, most from the nearby Scriver Creek. The quantity requested under this application is available for withdrawal and the proposed water use will not impair existing water rights.

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 Chapter 90.14 RCW;
- Ground water uses established in accordance with Chapter 90.44 RCW, including those that are exempt from the requirement to obtain a permit; and
- 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.

Legal availability

To determine whether water is 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.
- The Department 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.

Hydrologic/Hydrogeologic Evaluation

The hydrogeologic analysis for this application was provided by John Covert, hydrogeologist for Ecology's Water Resources Program. The existing well was constructed in 2010 by Fogle Pump & Supply of Colville, WA. The 6 inch well was completed to a depth of 185 feet in sand, clay gravel and shale. The well is cased to 178 feet and has a static water level of 110 feet. The well was air tested at 10 gallons per minute at construction but later pump tested at 13 gallons per minute in 2013. The location of the well and its elevation makes it not in bank storage with the Columbia River. Based on the well data and topographic maps, the water table at the well is 55+ feet above the river's elevation. The ground water appears to eventually discharge to the river.

RV Park and well, both located on Stevens County Parcel No. 5093101



Beneficial Use

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

Public Interest Considerations

Consideration of Protests and Comments

There has been no public expression of protest or concern regarding the subject proposal, and no findings through this investigation indicate that there would be any detrimental impact to the public welfare through issuance of the proposed appropriation.

Conclusions

It is the conclusion of this examiner that: (1) public groundwater is available for appropriation in the amount of 13 gallons per minute, 14 acre-feet per year, continuously, for Domestic supply for an RV Park and Irrigation of five acres; (2) this is a beneficial use; (3) it will not impair existing rights; and (4) it will not be detrimental to the public welfare.

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.

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:

Quantity

13 gallons per minute; 14 acre-feet per year

Purpose of Use

Domestic supply for Upper Columbia RV Park & Campground and Irrigation of five acres

Points of Withdrawal

A well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 25, T. 40 N., R. 40 E.W.M. (Stevens County Parcel No. 5093101)

Place of Use

Upper Columbia RV Park and Campground. That portion of Government Lots 2 and 3 of Sec. 25, T. 40 N., R. 40 E.W.M. that lies between the southerly right of way of Burlington Northern railroad and the northerly right of way of the Northport-Waneta Road (Stevens County Parcel No. 5093101)

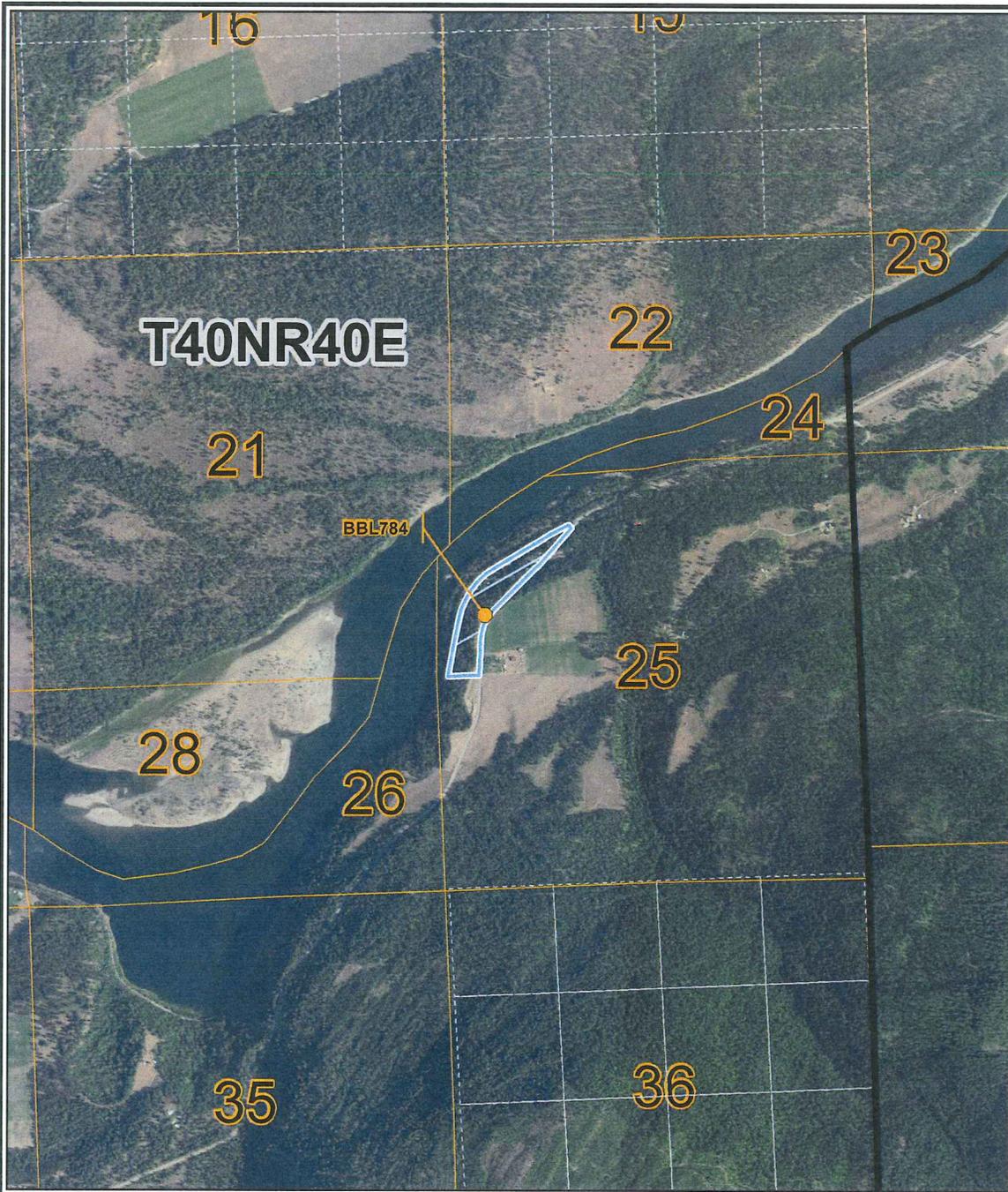


Gene Drury, Report Writer

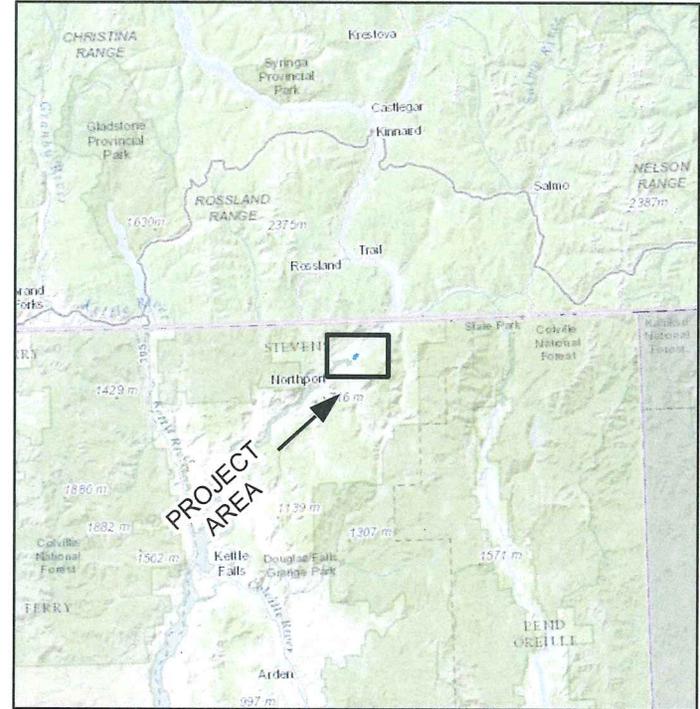
6-7-2014

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.



Land Bountiful Inc.
G3-30724
T40N/R40E



Basemap - (ESRI US Topographic Maps)

Legend

-  Authorized Place of Use
-  Townships
-  Sections

-  Authorized Point of Withdrawal

(Source locations may vary in their accuracy and precision as stated within the body of the report.)



Basemap - (NAIP 2015 Air Photo)



Map Date: 5/23/2016



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.