



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PROTESTED RESERVOIR
REPORT OF EXAMINATION
TO STORE FOR BENEFICIAL USE
WATERS OF THE STATE OF WASHINGTON

PRIORITY DATE March 23, 1992	APPLICATION NUMBER R1-26574A	PERMIT NUMBER	CERTIFICATE NUMBER
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NAME
Doe Bay Water Users Association

ADDRESS (STREET) 3634 Point Lawrence Road	(CITY) Olga	(STATE) WA	(ZIP CODE) 98279
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SOURCE FOR RESERVOIR SUPPLY Mountain Lake (8800 acre-feet total capacity)	TRIBUTARY OF (IF SURFACE WATERS) Cascade Creek
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NUMBER OF ACRE FEET AUTHORIZED FOR STORAGE 181	USE TO BE MADE OF IMPOUNDED WATER Municipal Supply
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LOCATION OF IMPOUNDING STRUCTURE

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)
S1/2 NW1/4 SW1/4 – Within parcel number 172811001000

SECTION	TOWNSHIP	RANGE	LATITUDE	LONGITUDE	W.R.I.A.	COUNTY
34	37 North	1 West	48.64992	-122.81258	2	San Juan

LEGAL SUBDIVISIONS OF LANDS IN WHICH THE SUBMERGED AREA IS LOCATED
The area submerged by Mountain Lake is within the SW1/4 SW1/4 of Section 27, the E1/2 of Section 28, the E1/2 NE1/4 and NE1/4 SE1/4 of Section 33, and the W1/2 W1/2 of Section 34, all within Township 37 North, Range 1 West, W. M.

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED IF DIFFERENT THAN ABOVE

- Within Township 36 North, Range 1 West
- All of sections 1, 2, 3, 10, 15
 - E1/2 SE1/4 of Section 9
 - E1/2 NE1/4 and S1/2 of Section 16
 - N1/2 of Section 21 (excluding Obstruction Island)

- Within Township 37 North, Range 1 West
- Sections 35 and 36

Attachment 1 shows the location of the authorized place of use and impoundment structure.

CONSTRUCTION DETAILS OF IMPOUNDING STRUCTURE

HEIGHT OF CONCRETE ARCH DAM (FEET) ≈ 20 (crest elevation 922.7)	LENGTH ON TOP (FEET) 60	WIDTH ON TOP (FEET) 1.5
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SLOPE OF FRONT OR WATER SIDE: Vertical	SLOPE OF BACKSIDE: Stepped
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HEIGHT OF CONCRETE DAM ABOVE WATER LINE AT NORMAL OPERATING POOL LEVEL (NOPL) IN FEET
1.7 (water surface elevation 921.0)

TYPE OF CONSTRUCTION OF DAM AND CONSTRUCTION MATERIALS
Dam – concrete gravity arch, with a stepped gravity buttress
East and West Dikes – earth fill

LOCATION AND APPROXIMATE DIMENSIONS OF SPILLWAY INCLUDING CREST LENGTH

Principal spillway: Two 12.0 foot long bays with 1 foot wide broad crested weirs set at elevation 921.0 feet, located on the eastern side of the concrete arch. A stack of up to three stoplogs can be installed in each bay to raise the water elevation to 922.375 feet.

Emergency spillway: The entire 60 foot long crest of the concrete arch (elevation 922.7 feet).

# OF ACRES SUBMERGED WHEN RESERVOIR IS FILLED TO NOPL	MAXIMUM DEPTH (FEET) AT NOPL	AVERAGE DEPTH (FEET)
198	≈140	≈45

DESCRIPTION OF EXISTING WORKS

Mountain Lake Dam has been in existence since 1905 and has undergone two major modifications to increase storage capacity and structural integrity. The dam impounds a reservoir estimated to be 8800 acre-feet in volume. Doe Bay Water Users diverts water at the dam for municipal supply purposes within their service area.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE	COMPLETE PROJECT BY THIS DATE	WATER PUT TO FULL USE BY THIS DATE
Begun	Completed	December 31, 2033

PROVISIONS

PROOF OF APPROPRIATION

Doe Bay Water Users shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the full quantity of water required by their project has been stored and put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations and provisions of the permit.

RIGHT OF ACCESS

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, diversions, measuring devices, and associated distribution systems for compliance with water law.

CONSERVATION

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.

NO IMPAIRMENT OF SENIOR RIGHTS

This reservoir storage right shall not cause impairment of senior rights within the Mountain Lake-Cascade Creek Watershed.

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, there will be no impairment of existing rights, the purpose of use is beneficial, and there will be no detriment to the public interest.

Therefore, I ORDER approval of Application R1-26574, subject to existing rights and the provisions listed 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).

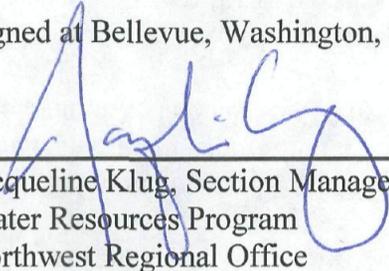
To appeal you must do the following within 30 days of the date of receipt of the Order.

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

Signed at Bellevue, Washington, this 9 day of October, 2013.



 Jacqueline Klug, Section Manager
 Water Resources Program
 Northwest Regional Office

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

BACKGROUND

Doe Bay Water Users Association (DBWUA) is seeking legal authorization to store up to 181 acre-feet per year (afy) of water in Mountain Lake in San Juan County. Mountain Lake is a man-made reservoir located in Moran State Park on Orcas Island. It is the headwaters of Cascade Creek, which flows south to enter the marine waters of Buck Bay.

DBWUA has been diverting water from the reservoir since at least 1945. DBWUA currently does not have a reservoir storage water right to memorialize their ability to store their annual diversionary water rights. DBWUA currently has three diversionary water rights to divert up to 0.90 cubic feet per second (cfs) and 181 afy from Mountain Lake (see Existing Water Rights Held by DBWUA on page 7).

Legal Authorization for Application Processing

Chapter 90.03 RCW authorizes the appropriation of public water for beneficial use and describes the process for obtaining reservoir (storage) water rights. Laws governing the permitting process are contained in RCW 90.03.250 through 90.03.370.

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 diverted, stored, and/or used. Notice of this application was published in *The Journal of the San Juan Islands* on July 22 and 29, 1992. One letter of protest was received during the statutory 30 day protest period.

Consultation with the Department of Fish and Wildlife

The Department of Ecology (Ecology) must give notice to the Department of Fish and Wildlife (WDFW) of applications to store water. Mr. Stephen Boessow (WDFW) was notified on August 20, 2013. On August 29, 2013, Mr. Boessow responded that WDFW does not oppose the subject application.

INVESTIGATION

In the course of investigating this application, my work included research, review, and obtaining information directly from the following:

- Water Supply Bulletin No. 46, Geology and Water Resources of the San Juan Islands, Dept. of Ecology, 1975
- Mountain Lake Dam Operations & Maintenance Manual, Washington State Parks, 1992
- Multi-Purpose Surface Water Storage Assessment (WRIA 2), Montgomery Water Group, 2004
- East Orcas Water Supply Report and Recommendations, 2005
- Rosario Water Budget Supply Analysis, RH2 Engineering, 2005
- DBWUA Water System Plan, Hart Pacific Engineering, 2010
- Ecology water right records for DBWUA and other right holders in the watershed

Mountain Lake Dam and Watershed Description

The Mountain Lake-Cascade Creek watershed is approximately five square miles (3,072 acres) in area. Mountain Lake itself is a 198 acre (8,800 acre-foot) reservoir located at the southeastern base of Mount Constitution (2,409 feet in elevation). The lake is fed by groundwater discharge, small streams, snow melt, and direct rainfall.

The water level in Mountain Lake is controlled by a dam, an outlet structure, and by two spillway bays. Stoplogs are placed in the spillway bays each spring to retain water for the summer recreation season and for flow release into Cascade Creek. These stoplogs are removed in the winter to prevent flooding of park facilities along the lakeshore. The outlet of water through the dam is accomplished by a gate valve (always open) that leads to a 12-inch outlet pipe which splits into two 8-inch pipes with gate valves. One of the 8-inch pipes leads to the DBWUA system. The other pipe, also always open (but seasonally adjusted), is the "headwaters" of Cascade Creek. Thus, water enters into Cascade Creek from the outlet pipe year-round and also from the dam spillways during the wet season. Flow coming through the outlet pipe is regulated as needed in order to maintain proper streamflow and lake level. This is done in cooperation with DBWUA, Olga Water Users (OWU), the owners of Rosario Resort, Washington State Parks (State Parks) and the Department of Ecology.

From the outlet pipe, Cascade Creek flows west and then south for approximately 3 miles before it enters into Buck Bay. Along the way water is diverted by OWU for municipal supply purposes. Then, just downstream, water is diverted into a ditch leading to Cascade Lake for use by Washington Water Service Company for municipal supply

and by Rosario Resort for hydropower purposes. In addition, the State of Washington (Department of Ecology) maintains a trust water right for instream flow purposes below the Cascade Lake (ditch) point of diversion.

History of the Mountain Lake Dam

The original Mountain Lake Dam was constructed for Robert Moran in 1905 to provide a more reliable water supply for his developments at Rosario. In the 1920s, Moran¹ deeded the majority of lands in the Mountain Lake-Cascade Creek watershed to the State of Washington for public park purposes, but retained all rights to the use of water to his heirs and assigns. This action protected the rights of existing users but left uncertain the question of ownership of the dam. Subsequent owners of Rosario, encouraged by the water users at Olga and Doe Bay, raised the dam in 1948 to further augment water storage and supply.

Through investigations conducted by Ecology's Dam Safety Section in 1985 and 1986, it was determined that the dam was in poor condition, had inadequate spillway capacity, and lacked basic structural stability under major flooding conditions. Its hazard classification was upgraded from "low" to "significant" based on the existing water system developments, the frequency of state park use, and the potential for future downstream development.

Through subsequent negotiations among the involved parties, an agreement was reached whereby State Parks assumed ownership of the dam. To resolve safety issues, State Parks, through a consultant and Ecology, conducted studies in 1988 to establish needs and explore options. The consultant studies were financed by State Parks, Rosario, OWU, and DBWUA. Subsequently, in 1990, State Parks prepared construction plans to correct the identified deficiencies and contracted to repair and modify the structure to meet safety requirements. The agreement also provided for State Parks to replace the existing water supply line facilities that pass through the structure and to add a master control valve and associated works. Phase 1 of the construction work was initiated in September 1990 and the entire rehabilitation project (Phase 2) was substantially completed in September 1991.

Inventory and Description of the Major Components of the Dam Structure

IMPOUNDING BARRIER

Concrete Gravity - Buttress - Arch

The original dam consisted of a 60 foot long arch-gravity structure founded on local bedrock of volcanic origin. The arch had a radius of about 95 feet, a thickness of about 1.5 feet at the crest, a maximum thickness of about 5 feet at its base and a maximum height of about 12 feet. In 1948, a 3.5 foot high section was added to the arch to raise the crest from elevation 919.2 to 922.7 feet above mean sea level. After being deemed structurally unsound, stepped gravity buttress sections were constructed in 1990 against the downstream face of the arch to cut-off seepage and leakage, and to provide adequate stability. This structure was also founded on bedrock and was tied together throughout and anchored to the bedrock with steel reinforcing and dowels.

Any hydraulic pressure that may develop from seepage in the base area is dissipated in a network of sand-gravel foundation drains. Seepage entering the drains is discharged through a central 4-inch collector pipe which passes through the toe of the concrete buttress structure. One-foot thick training walls, located adjacent to the east and west ends of the concrete buttress section allow this part of the structure to serve as an emergency spillway during periods of extreme flooding.

West Dike

An earthfill embankment approximately 120 feet long flanks the west end of the concrete section. Originally built in conjunction with the 1948 addition, the dike was rehabilitated and enlarged in 1991 to provide a uniform crest elevation of 925.0 feet and a top width of 12 feet.

East Dike

Flanking the east end of the principal spillway is an earthfill dike approximately 130 feet long. This structure was also improved during the 1990-91 reconstruction to provide a minimum 12 feet width at elevation 925.0 feet. A slight downslope in the dike crest exists adjacent to the east training wall of the principal spillway.

SPILLWAYS

Principal Spillway

This structure, built in conjunction with the 1948 work, consists of two 12.0 foot long bays with 1 foot wide broad crested weirs set at elevation 921.0 feet. Each bay has provisions for the addition of stoplogs which in the past have increased the control height as much as 16.5 inches over the weir crest elevation. Three nominal 4-inch thick by 6-inch high by 12-foot long stoplogs have been used in each bay to provide this height. The stoplogs are inserted and removed on a seasonal basis in accordance with an established agreement.

¹In 1920, Robert Moran donated the original 2,600 acres of Moran State Park to the citizens of Washington. By 1928, he had added another thousand acres to his original gift. The park has since been enlarged by various means of acquisition. By 1991, it had grown to its present 5,175.51 acres.

Emergency Spillway

The entire 60 foot long crest of the concrete arch serves as the emergency spillway to accommodate major floods that may exceed the capacity of the principal spillway. Discharge over the 1.0 foot wide flat crest spills onto the stepped surface of the gravity buttress. The steps serve to dissipate energy in the flowing water. West dike erosion is prevented by the large west end training wall.

WATER SUPPLY SYSTEM

Intake Diversion Works

A 3.5 foot by 4 foot rectangular water supply intake box, about 12 feet high, was constructed against the upstream face of the dam at the center of the arch. Near the base a 12-inch diameter intake pipe receives water from the box and transmits the supply through the arch and then, at an angle, through the southwest toe area of the concrete gravity section and training wall. Within the main body of the gravity section is an approximately 6 foot by 7 foot by 8 foot high chamber which accommodates a 12-inch diameter gate valve and cleanout port "wye" in the pipeline. Access to the chamber is through a rectangular manhole cover on top of the chamber. Rubber gasketed clamp rings secure both the gate valve and "wye" to the 12-inch ductile iron pipeline.

Delivery System

Where the 12-inch pipeline emerges from the west training wall, a reducer is provided to allow connection to the 8-inch diameter DBWUA/Cascade Creek water delivery system. Beyond the reducer is a "tee" followed by 8-inch gate valves on each branch. One branch leads to the DBWUA water supply pipeline, the other to a short pipe which discharges to Cascade Creek below the toe of the dam.

LAKE REGULATION

Principal (or Service) Spillway and Stoplog Control

Lake level control is achieved primarily through the placement or removal of stop logs in the two principal spillway bays. By operating agreement, the stoplogs are installed in each of the two 12 foot long principal spillway bays throughout the period from May 1 through October 31 each year. The maximum total height of these stoplogs must not exceed 16.5 inches above the concrete spillway crest. During the period from November 1 through as late as March 31 each year, the top stoplog is removed to provide increased spillway capacity. In addition, all logs may be removed at any time for safety concerns, repairs, or shoreline protection. Regardless of the time of the year, the stoplogs may be removed during any emergency situation to pass flood flows and avert problems or disaster.

By mutual agreement with Ecology's Dam Safety Office and local water users, the lowest stoplog shall normally be kept in place on a year-round basis. During the spring period a flexible time range is provided for the installation of the upper two stoplogs to appropriately accommodate prevailing wet or dry conditions. When a short water supply is anticipated (during times of drought), an early installation schedule is followed to store and conserve as much water as possible. Conversely, during wet (high water periods), the installation is delayed somewhat to provide an adequate spillway discharge capacity over a more prolonged period to better accommodate potential flood flows. When prevailing conditions are about average, the schedule indicated as "normal" is followed, to provide reasonable assurance of a full reservoir pool by June 1. The installation of the third (highest) stoplog is (with the exception of emergency or flood situations) not to be delayed beyond May 1.



Mountain Lake Dam – the original arch is to the left, the later added buttresses are to the right.

Existing Water Rights Held by DBWUA

A general water rights adjudication of all existing rights within the Mountain Lake-Cascade Creek Watershed was completed by the San Juan County Superior Court in 1972. DBWUA currently holds one non-adjudicated (post-1972) and two adjudicated certificates. Details of each are as follows:

- Volume XI, of Adjudicated Water Right Certificates, at page 88. The priority date of this right is November 3, 1945. The point of diversion is within the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 37 North, Range 1 West. This right is for 0.05 cfs, 12 afy, for municipal water supply from Mountain Lake.
- Volume XI, of Adjudicated Water Right Certificates, at page 89. The priority date of this right is August 22, 1946. The point of diversion is within the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 37 North, Range 1 West. This right is for 0.35 cfs, 82 afy, for municipal water supply from Mountain Lake.
- Surface water certificate S1-22996C. The priority date of this right is November 2, 1977. The point of diversion is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 37 North, Range 1 West. This right is for 0.50 cfs, 87 afy, for municipal water supply from Mountain Lake.

In total, DBWUA has rights to divert up to 0.90 cfs and 181 afy from Mountain Lake.

Other Existing Surface Water Rights in the Watershed (from upstream to downstream)

The furthest-most upstream diversion in the watershed takes water from a tributary that feeds Mountain Lake. The water right for this diversion is held by the Washington State Parks & Recreation Commission for use at Moran State Park. It is as follows:

- Volume XI, of Adjudicated Water Right Certificates, at page 87. The priority date of this right is 1920. The point of diversion is within the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 33, Township 37 North, Range 1 West. This right is for 0.02 cfs, 8.4 afy for park facilities, from an unnamed stream, tributary to Mountain Lake.

Below the Mountain Lake Dam, Cascade Creek flows for approximately 3/4 mile to the OWU's point of diversion. OWU has the following existing rights:

- Volume XI, of Adjudicated Water Right Certificates, at page 86. The priority date of this right is 1908. The point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 37 North, Range 1 West. This right is for 0.56 cfs, 94 afy, for municipal water supply from Cascade Creek.
- S1-23175 with a priority date of July 31, 1978. The point of diversion is the same as the above listed right. This right is for an additional 34 afy, for municipal water supply from Cascade Creek.

A few hundred feet downstream of the OWU diversion is the Rosario Resort diversion. The original water right for this diversion has been divided into two portions (Record A and Record B). The Record A portion authorizes Cascade Creek water to be diverted to the Cascade Lake watershed for hydropower and municipal purposes. The diversion facility consists of a 3 foot high dam, controlling works, pipeline, and canal to Cascade Lake. The Record B portion is owned by the State of Washington (Department of Ecology) as a trust water right for instream flow purposes in Cascade Creek. The records are as follows:

- Volume XI, of Adjudicated Water Right Certificates, at page 85 (Record A). The priority date of this right is 1884. The point of diversion is within the NE $\frac{1}{4}$ of Section 5, Township 36N, Range 1W. This right is for the diversion of up to 974.1 afy for hydroelectric power and 124 afy for municipal supply, for a total of 1098.1 afy for both purposes of use. Of the 124 afy for municipal supply, 90 afy is owned by Orcas Water Holdings (Rosario Resort) and 34 afy is owned by Washington Water Service Company. The authorized instantaneous diversion rates (in cfs) are:
 - 3.0 - January, November, December
 - 2.0 - February, March
 - 1.5 - October
 - 1.0 - April, May
 - 0.75 - June
 - 0.50 - September
 - 0.25 - July, August
- Volume XI, of Adjudicated Water Right Certificates, at page 85 (Record B). The priority date for this right is 1884. This right is subordinate in priority to Record A. This right is for 105.9 afy for permanent instream flow purposes, June 1-October 31 of each year. The protected instream flow reach is from the point of

diversion for Record A, downstream to the mouth of Cascade Creek. The protected instream flow rates (in cfs) are:

- o 0.25 - June, July, August
- o 0.50 - September, October

Below the Rosario diversion, Cascade Creek meanders for approximately two more miles to where it discharges into Buck Bay. Just upstream of the mouth of the creek, Alexander Taylor holds a non-consumptive right for 0.089 cfs and 37 afy, for fish propagation purposes.

DETERMINATIONS

In accordance with RCW 90.03.290, determinations 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

In addition, all protests must be acknowledged and the reasons for protest analyzed.

Water Availability

Legal Availability

There are currently no regulatory closures or legal restrictions affecting water availability within the Mountain Lake-Cascade Creek watershed.

Physical Availability

The watershed draining into Mountain Lake covers an area of approximately 1,425 acres. This area receives an average of 5,169 acre-feet of precipitation per year. Of this, an estimated 2,996 acre-feet recharges to Mountain Lake. The physical availability of water for the subject application should therefore not be a problem.

Impairment

Operation of the dam and release of water is governed by the Mountain Lake Operations & Maintenance Manual and by the 1972 superior court adjudication. The approval of the subject storage right for DBWUA will not affect the way the system has historically been operated. Therefore, impairment will not be an issue.

Beneficial Use

Municipal supply is considered to be a beneficial use under RCW 90.54.020(1). The volume of water requested for storage is equal to the diversionary rights held by DBWUA, therefore it is considered to be reasonable.

Public Interest

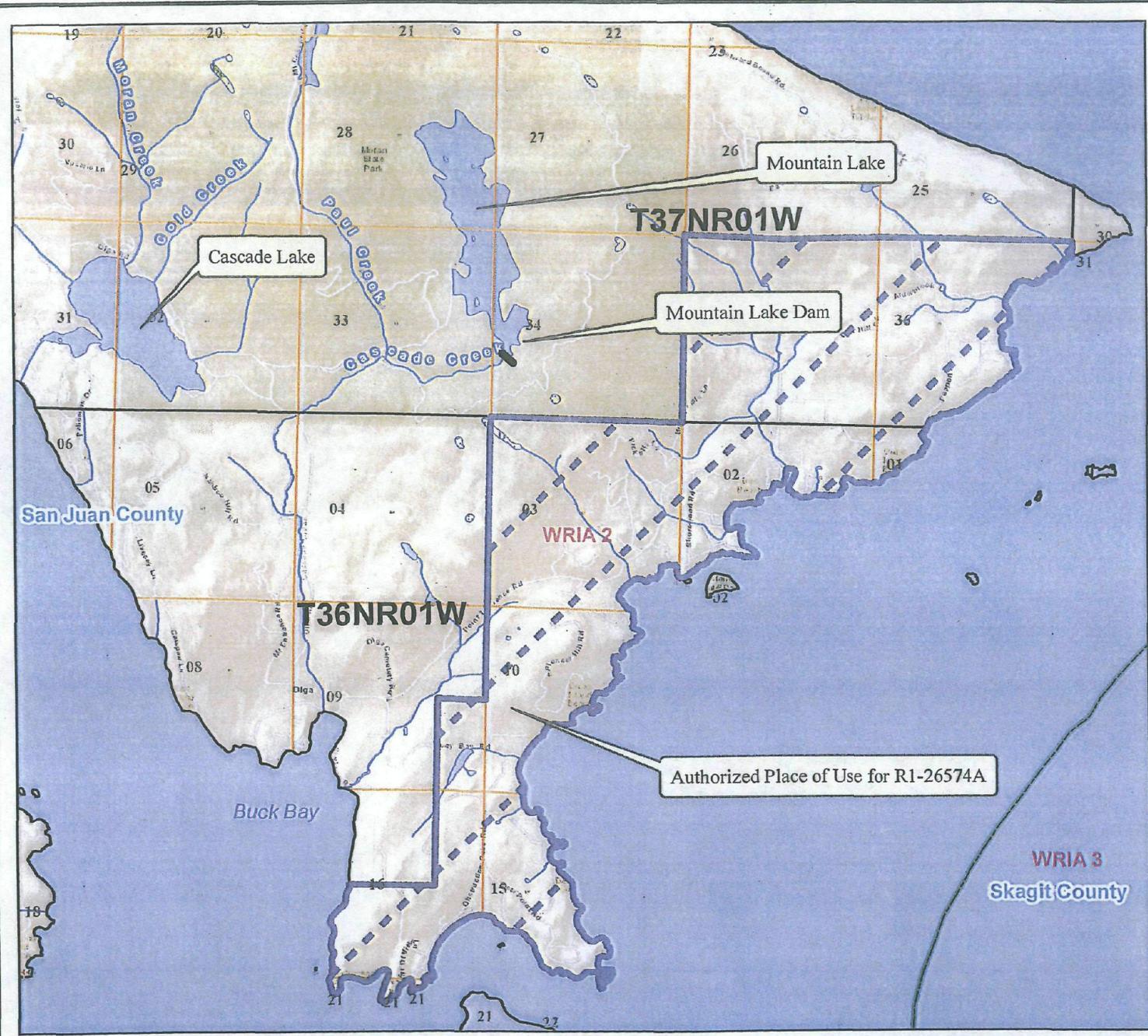
The creation of this storage right will in no way change or affect the current operations of Mountain Lake. Therefore, there will be no potential for detriment to the public interest.

Protest

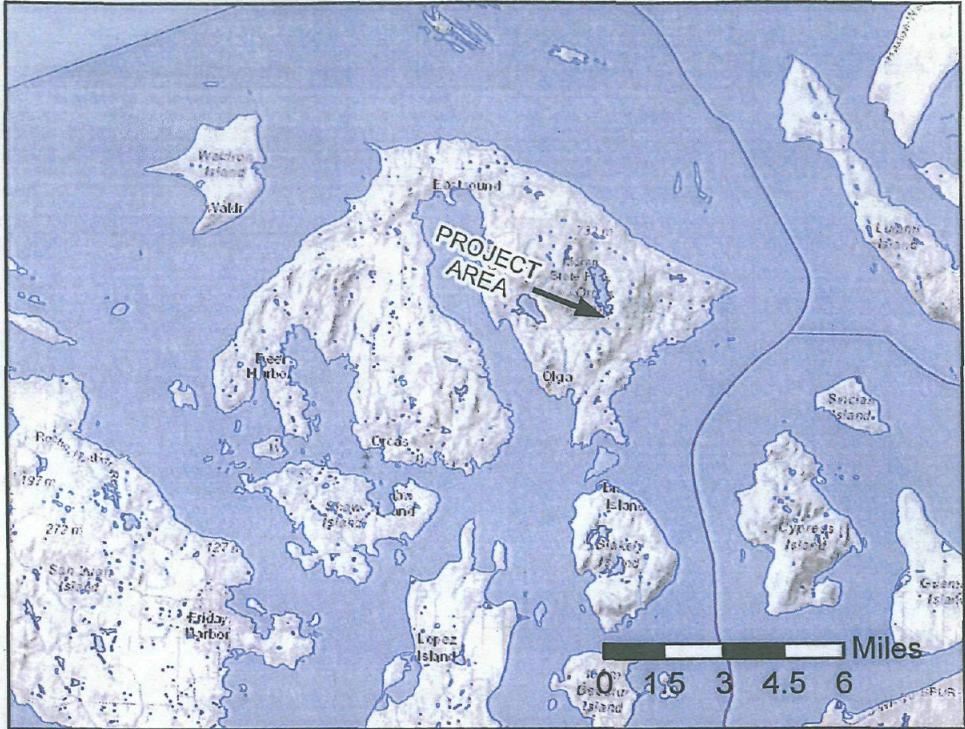
There was one letter of protest received on the subject application. It was filed on August 11, 1992, by Victor R. Prescott, then President of OWU. The focus of Mr. Prescott's letter is as follows (along with Ecology's responses in italics).

It is Olga's (OWU) position that before the referenced application can be granted, that certain of its concerns be allayed by including the following points in the permit.

1. The permit shall neither increase nor diminish senior water rights. *Ecology agrees with this concern. The subject application is only for storage, not for additional diversionary rights. Issuance of this request will not increase nor diminish senior water rights.*
2. The permit, future reservoir construction or impoundment structure shall neither increase nor diminish senior implied storage rights behind Mountain Lake Dam. *Approval of this request will not allow for any new reservoir construction or any additional impoundment structures. If approved, it will not allow for any diminishment of senior rights.*



Doe Bay Water Users Association
 Water Right Number R1-26574A
 Section 34 T37N R1W W.M.
 WRIA 2 - San Juan County - Orcas Island



Legend

- Authorized Place of Use
- Water Body
- Dam
- County Boundary
- Townships
- Sections



Map Date: 8/29/2013



Place of use and point(s) of diversion/withdrawal are as defined on the cover sheet under the headings, 'LOCATION OF DIVERSION/WITHDRAWAL' and 'LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED.'

ATTACHMENT 1