

State of Washington  
**REPORT OF EXAMINATION  
FOR WATER RIGHT APPLICATION**

**PRIORITY DATE**  
8/2/2012

**WATER RIGHT NUMBER**  
G3-30671

**MAILING ADDRESS**  
Stevens County PUD No. 1  
PO Box 592  
Loon Lake, WA 99148-0592

**SITE ADDRESS (IF DIFFERENT)**  
Half Moon Ranchos  
Colbert, WA

**Quantity Authorized for Withdrawal**

WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY (AF/YR)
45	GPM	0

**Purpose**

PURPOSE	WITHDRAWAL RATE	ANNUAL QUANTITY (AF/YR)	PERIOD OF USE (mm/dd)
Municipal	45 GPM	0	01/01 - 12/31

ADDITIVE	IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
	NON-ADDITIVE		WATER SYSTEM ID	CONNECTIONS
0	0		30420	72

**Source Location**

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Spokane	Groundwater		55-Little Spokane

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Well S02	27124.0101	ACW883	27 N	42 E	12	SE¼SE¼	47.84895°	-117.43285°
Well S03	27124.0101	AAL028	27 N	42 E	12	SE¼SE¼	47.84873°	-117.43295°
Well S05	27124.9044	ABQ315	27 N	42 E	12	NE¼SE¼	47.85051°	-117.43346°
Well S06	27131.9045	ACF781	27 N	42 E	13	NE¼NE¼	47.84502°	-117.43285°

Datum: WGS84

## Place of Use (See Attached Map)

### PARCELS (NOT LISTED FOR SERVICE AREAS)

### LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

The place of use (POU) of this water right is the service area described in the most recent Stevens County PUD No. 1 Water System Plan for Half Moon Ranchos approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.

## Proposed Works

The Half Moon Ranchos system consists of the following four wells:

Well Source No.	Diameter X Depth	Well Tag No.	Pump hp/Output
SO2	12" X 133'	ACW-883	2 hp/36 gpm
SO3	8" X 145'	AAL-028	2 hp/56 gpm
SO5	8" X 125'	ABQ-315	3 hp/25 gpm
SO6 (Emergency Backup)	8" X 131'	ACF-781	3 hp/50 gpm

All wells supply water to a 70,000 gallon reservoir and the distribution system for 72 connections.

## Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
December 1, 2013	December 1, 2014	December 1, 2015

## 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)

## Provisions

Total withdrawals under this water right and G3-00806C(A), from all sources, must not exceed 145 gpm and 64 acre-feet per year.

### 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.

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

**Measurements, Monitoring, Metering and Reporting**

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.

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

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.

**Proof of Appropriation**

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.

**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(s) of use are beneficial; and that there will be no detriment to the public interest.

Therefore, I ORDER approval of Application No. G3-30671, 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).

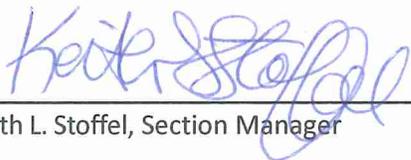
To appeal you must do the following within 30 days of the date of receipt of the Order.

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
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel Road SW Ste 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903

Signed at Spokane, Washington, this 23rd day of April, 2013.



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 – Stevens County PUD No.1 (Half Moon Ranchos)

Water Right Control Number G3-30671

**BACKGROUND**

This report serves as the written findings of fact concerning Water Right Application Number G3-30671. Stevens County PUD No. 1 (PUD) submitted an application to increase the instantaneous rate of withdrawal from four existing wells for municipal use by Half Moon Ranchos. Half Moon Ranchos Public Water System currently serves 72 connections.

**Table 1 Summary of Requested Water Right**

<b>Applicant Name:</b>	Stevens County PUD No. 1
<b>Date of Application:</b>	8/2/2012
<b>Place of Use</b>	Half Moon Ranchos service area within the S½SE¼ of Section 12, T. 27 N., R. 42 E.W.M.

County	Water Body	Tributary To	WRIA
Spokane	Groundwater		55-Little Spokane

Purpose	Rate	Unit	Ac-ft/yr	Begin Season	End Season
Municipal	45	GPM	0	01/01	12/31

Source Name	Parcel	Well Tag	Twp	Rng	Sec	QQ Q	Latitude	Longitude
Well S02	271240101	ACW883	27 N	42 E	12	SE¼SE¼	47.84895°	-117.43285°
Well S03	271240101	AAL028	27 N	42 E	12	SE¼SE¼	47.84873°	-117.43295°
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GPM = Gallons Per Minute; Ac-ft/yr = Acre-feet per year; Sec. = Section; QQ Q = Quarter-quarter of a section; WRIA = Water Resource Inventory Area; E.W.M. = East of the Willamette Meridian; Datum: WGS84.

**Legal Requirements for Approval of Appropriation of Water**

*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 *Spokesman-Review* on January 8<sup>th</sup> and 15<sup>th</sup>, 2013.

### 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

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Ecology employee Jeff MacLennan met with Mr. Dick Price, the general manager of the PUD on December 12, 2012 to conduct a site examination. Half Moon Ranchos is located about a mile west and a mile north of the intersection of West Monroe Road and Highway 395. The PUD currently provides water to 72 connections within Half Moon Ranchos under the authority of groundwater certificate number G3-00806C(A). This certificate was issued in the amount of 100 gpm, 64 acre-feet per year for municipal use. Tables 2 and 3 below describe Half Moon Ranchos' wells and water usage.

Table 2 Half Moon Ranchos Wells

Parameter	SO2	SO3	SO5	SO6
Unique Well ID No.	ACW883	AAL028	ABQ315	ACF781
Year Drilled	1972	1994	1994	1996
Dia. (in.)/Depth (ft.)	12/133	8/145	8/125	8/131
Casing Length (ft.)	94	117	93	18
Static Water Level	74	84	71	74
Pump Type	Submersible	Submersible	Submersible	Submersible
Horsepower	2	2	3	5
Well Capacity (gpm)	50	50	50	50

Table 3 Half Moon Ranchos Water Use

Year	Total Acre-Feet
2009	57.0
2010	31.1
2011	37.0

2011 Aerial View Half Moon Ranchos Place of Use and Points of Withdrawal



Proposed Use and Basis of Water Demand

RCW 90.03.386(3) requires a municipal water supplier to apply cost-effective water conservation measures as part of its water system planning. The water supplier must also evaluate the effects of delaying the use of inchoate water rights before it may increase use of those inchoate rights. RCW 90.03.320 requires Ecology to consider the public water supplier's use of conserved water when establishing a surface or ground water right construction schedule.

The applicant has asked for an increase in authorized instantaneous rate of 45 gpm with no increase in annual quantity. The current water system has three operating wells capable of producing a combined 150 gpm and a storage capacity of 70,000 gallons. There is an emergency backup well that is capable of producing 50 gpm. According to Mr. Price, additional instantaneous flow is needed to provide better fire flow and lower electrical costs.

## Other Rights Appurtenant to the Place of Use

Water Right Certificate No. G3-00806C(A) is the only other right appurtenant to the place of use.

### **Groundwater Certificate No. G3-00806C(A)**

Recorded Name:	Stevens County Public Utility District No. 1
Priority Date:	November 10, 1969
Instantaneous Quantity:	100 gallons per minute
Annual Quantity:	64 acre-feet per year
Source:	3 wells and 1 emergency backup well
Purpose of Use:	Municipal
Points of Withdrawal:	SO2, SO3, and SO5 in the SE¼ of Sec. 12, T. 27 N., R. 42 E.W.M. SO6 (emergency backup) in the NE¼NE¼ of Sec. 13, T. 27 N., R. 42 E.W.M.
Place of Use:	Area served by Stevens County Public Utility District No. 1. The place of use of this water right shall be consistent with the Half Moon Ranchos service area map contained within the most recently approved water system plan (including amendments).

Superseding Groundwater Certificate No. G3-00806C was issued to Stevens County Public Utility District No. 1 in 1997 authorizing 150 gpm and 78 acre-feet per year for municipal supply. In 2005 the PUD proposed to acquire the three Group B water systems supplying the community of Denison if adequate water rights could be obtained by transferring a portion of G3-00806C. Denison is about four miles north of Half Moon Ranchos. On February 8, 2006, the Washington State Department of Health requested Ecology expedite processing of this application in order to address health and safety concerns for the existing Denison Water System. In May, 2006, Ecology approved transferring 50 gpm and 14 acre-feet per year of G3-00806C to Denison which reduced Half Moon Ranchos' authorization to its current 100 gpm and 64 acre-feet per year.

### 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).

Prior to the transfer of a portion of Half Moon Ranchos water rights to Denison in 2006 there had been no recorded impairment of surrounding wells due to the Half Moon Ranchos water system. The total instantaneous quantity resulting from this application will still be less than what was authorized by the original water right and should therefore not impair surrounding wells.

## 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.

The PUD has requested an increase in instantaneous quantity only, with no additional consumptive water use. The PUD holds adequate annual acre-feet per year under existing water rights. The increase of 45 gpm from the existing municipal supply system will be for operational purposes only as no additional consumptive water is being withdrawn. The 45 gpm is available for withdrawal.

## Beneficial Use

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

## Public Interest Considerations

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### *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

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It is the conclusion of this examiner that: (1) public groundwater is available for appropriation for an instantaneous withdrawal of 45 gpm, continuously, for municipal supply purposes; (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

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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

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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:

45 gpm  
0 acre-feet per year  
Municipal

#### Points of Withdrawal

Well SO2: 1105 feet north and 170 feet west of the SE corner of Section 12, being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 12, Township 27 North, Range 42 E.W.M.

Well SO3: 1160 feet north and 160 feet west of the SE corner of Section 12, being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 12, Township 27 North, Range 42 E.W.M.

Well SO5: 1780 feet north and 240 feet west of the SE corner of Section 12, being in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 12, Township 27 North, Range 42 E.W.M.

Well SO6: 182 feet south and 148 feet west of the NE corner of Section 13, being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 13, Township 27 North, Range 42 E.W.M.

Place of Use

The service area described in the most recent Stevens County PUD No. 1 Water System Plan for Half Moon Ranchos approved by the Washington State Department of Health.



4-16-2013

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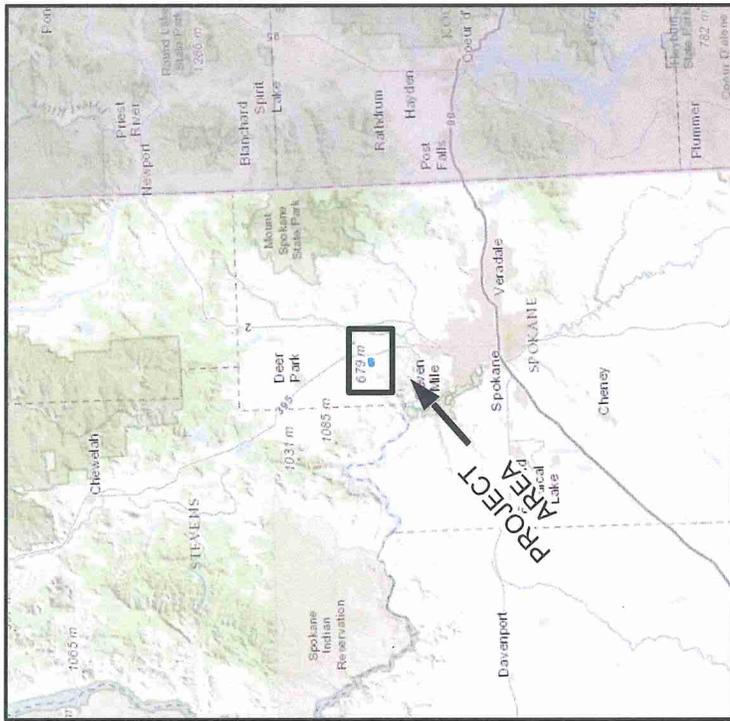
Jeff MacLennan, Report Writer

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.*

# ATTACHMENT 1

Stevens County PUD No. 1 (Halfmoon Ranchos)  
 G3-30671  
 T27N/R42E



Basemap - (ESRI US Topographic Maps)

**Legend**

- Authorized Place of Use
- Townships
- Sections

Authorized Point of Withdrawal

**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.

0 660 1,320 2,640 3,960 5,280 6,600 Feet

Basemap - (NAIP 2011 1m color)

DEPARTMENT OF  
**ECOLOGY**  
 STATE OF WASHINGTON

Map Date: 4/1/2013