



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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April 29, 2016

Jacque Klug
King County DNRP
Wastewater Treatment Division
201 South Jackson Street
KSC-NR-0512
Seattle, WA 98104

Dear Ms. Klug:

**Re: APPROVED Seasonal Change Authorization for Surface Water Certificate
S1-20633C, King County, Water Resources Inventory Area 8**

The Department of Ecology received your application for a seasonal change of Surface Water Certificate S1-20633C on April 28, 2016. Your application has been assigned control number CS1-20633C@2. Please refer to this number when corresponding with us about this seasonal change authorization.

You submitted the seasonal water right change application for a portion of S1-20633C (a water right held by the King County Department of Natural Resources and Parks (DNRP) - Wastewater Treatment Division) to allow for the temporary seasonal irrigation of the Willows Run Golf Complex. Willows Run (owned by Access Golf) has irrigated with King County recycled water for the past three seasons, including exclusively with recycled water the past two seasons.

With warmer and drier weather than typical for April, Willows Run is in need of irrigation water. However, the Brightwater Recycled Water System is not in service. Recycled water was not planned for distribution until May 16, 2016, due to a construction project that took part of the distribution system out of commission. In previous years, reclaimed water was typically not requested by Willows Run until mid-May. King County is diligently working to get the recycled water system in service. However, it is estimated the disinfection and flushing procedure could take approximately two weeks. Willows Run has only a small potable water service line to the golf complex and irrigating with potable water is financially and logistically challenging.

King County is committed to providing reliable reclaimed water service to Willows Run and other irrigators in the Sammamish River Valley. However, with the extraordinary set of weather conditions and the construction project, King County applied for a seasonal change to its water right to provide temporary irrigation water for Willows Run. Prior to applying, King County



asked the Muckleshoot Indian Tribe to consult with their fisheries staff on the requested change. They have confirmed they are not opposed. King County has notified Willows Run that they will need to record and report their water use. King County also requested Willows Run to be conservative in their irrigation water use.

King County holds various certificated water rights allowing diversions from Lake Washington, Lake Sammamish, and the Sammamish River for purposes related to the operation of their regional wastewater treatment system. In some cases King County has held and exercised these rights for more than 40 years. The subject right has been exercised and is in good standing.

Certificate S1-20633C authorizes the diversion of 5.2 cubic feet per second (cfs) and 1200 acre-feet per year from Lake Sammamish for industrial purposes. This certificate was issued to the Municipality of Metropolitan Seattle with a priority date of May 25, 1973. The certificated place of use is described as the "Area served by the Municipality of Metropolitan Seattle south and west of Lake Sammamish". The certificated point of diversion is within Government Lot 6 of Section 20, Township 24 North, Range 6 East, in King County.

The subject request is to transfer 450 gallons per minute (approximately 1 cfs) and 18.5 acre feet of the existing right to the Willows Run Golf Complex, for irrigation use from April 28, 2016 through May 13, 2016. This requires the addition of points of withdrawal and place of use. The added points of withdrawal will be located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 26 N, Range 5E (King County Parcel #3426059018). The additional place of use will be the Willows Run Golf Complex, described as:

- That portion of the SE $\frac{1}{4}$ of Section 34, Township 26N, Range 5E, W.M., lying easterly of the Northern Pacific Railway right-of-way, EXCEPT the South 667.5 feet thereof and except county roads.
- That portion of the NE $\frac{1}{4}$ of Section 34, Township 26N, Range 5E, W.M., lying westerly of the right-of-way of Drainage District No. 3 and easterly of the Northern Pacific Railroad right-of-way, except county roads.
- That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 26N, Range 5E, W.M., lying southwesterly of the right-of-way of Drainage District No. 3.
- That portion of W $\frac{1}{2}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 26N, Range 5E, W.M., lying westerly of the center line of the Drainage District No. 3 easement.

The added points of withdrawal are shallow and are in close proximity to the Sammamish River, down-gradient of Lake Sammamish, and are therefore within the same source of supply (the Sammamish River Sub-basin of Water Resources Inventory Area 8).

DEPARTMENT OF ECOLOGY DECISION - INCLUDING TERMS & CONDITIONS

Your request for a temporary seasonal change in the place of use and for adding points of withdrawal for the irrigation of the Willows Run Golf Complex is hereby **APPROVED** under the terms and conditions listed below.

- This seasonal change does not authorize an enlargement of water use as described in S1-20633C. Enlargement of the use of the original right will result in immediate cancellation of this authorization.
- The authorized instantaneous rate cannot be exceeded at any time. The total rate of diversion/withdrawal from all points shall not exceed 5.2 cfs. King County is required to coordinate with the operators of Willows Run to ensure compliance with this condition.
- The total volume pumped by Willows Run shall not exceed 18.5 acre-feet.
- An approved measuring device shall be installed and maintained on the authorized point of diversion and the additional points of withdrawal in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173. In order to ensure compliance with the terms of this authorization, water use data shall be recorded weekly 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 Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document titled "Water Measurement Device Installation and Operation Requirements". See <http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>
- This seasonal change is subject to existing rights, including any rights held by the United States for the benefit of tribes under treaty or settlement. By ensuring no enlargement of water use, this seasonal change authorization should have no greater impact on tribal rights than the original authorization.
- If it can be shown that water use authorized by this seasonal change is causing impairment of existing rights or is being used illegally, then this authorization will be immediately canceled.
- This seasonal change shall be in effect through May 13, 2016 (unless canceled sooner); at which time the subject right will revert back to the original attributes described in S1-20633C.
- Violation of any of the terms and conditions of this seasonal change will result in this authorization being immediately canceled, issuance of administrative orders to cease and desist, and may also subject the violator to civil penalties.

- The Department of Ecology may field verify this seasonal change at any time for compliance with the terms and conditions of this authorization.
- All conditions and provisions in the original water right must be complied with.
- **THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) CHANGE AUTHORIZATION WILL ISSUE FOR THE FUTURE USE OF THE WATER HEREIN AUTHORIZED.**

If you have any questions or concerns regarding this authorization, please contact Buck Smith at (425) 649-7147 or buck.smith@ecy.wa.gov.

OPPORTUNITY TO APPEAL

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. 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 this document:

- File your appeal and a copy of this document 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 document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.
- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

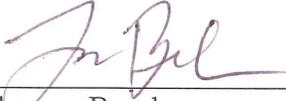
| Street Addresses | Mailing Addresses |
|---|--|
| Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503 | Department of Ecology Attn: Appeals Processing Desk P.O. Box 47608 Olympia, WA 98504-7608 |
| Pollution Control Hearings Board Environmental Hearings Office 1111 Israel Road SW, Suite 301 Tumwater, WA 98501 | Pollution Control Hearings Board P.O. Box 40903 Olympia, WA 98504-0903 |

For additional information visit the Environmental Hearings Office
Website: <http://www.eho.wa.gov>

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*To find laws and agency rules visit the Washington State Legislature Website:
<http://www1.leg.wa.gov/CodeReviser>*

Signed at Bellevue, Washington, this 29th day of April, 2016.



Thomas Buroker
Section Manager
Water Resources Program

tb/bs/mc

Enclosure: Your Right to be Heard

By Certified Mail: 9171 9690 0935 0106 9650 02

cc: Brian Patton, Access Golf
Carla Carlson, Muckleshoot Indian Tribe