



State of Washington
 Department of Ecology
 Office Of Columbia River
 Report of Examination for Lake Roosevelt
 Incremental Storage Releases Water Permit

PRIORITY DATE
December 21, 1998

APPLICATION NUMBER
G3-30259

MAILING ADDRESS
FDR Estates HOA
PO Box 533
Grand Coulee, WA 99133

SITE ADDRESS (IF DIFFERENT)

Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
126	GPM	22

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Multiple Domestic	126		GPM	22		01/01 - 12/31

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
LINCOLN	GROUNDWATER		53-LOWER LAKE ROOSEVELT

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
WELL	2831917000112	AFB112	28N.	31E.W.M.	8	SWSW	47.93397°	-118.95408°
WELL	2831917000112	AFB113	28N.	31E.W.M.	8	SWSW	47.93395°	-118.95408°
WELL	2831917000112	AFB114	28N.	31E.W.M.	8	SWSW	47.93394°	-118.95408°
WELL	2831917000112	AFB115	28N.	31E.W.M.	8	SWSW	47.93392°	-118.95408°
WELL	2831917000112	AFB116	28N.	31E.W.M.	8	SWSW	47.93389°	-118.95408°

Datum: NAD83/WGS84

Place of Use (See Attached Map and Attached)

PARCELS (NOT LISTED FOR SERVICE AREAS)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Portions of the SW¼ Section 8 and NW¼ Section 17, all in Township 28 N., Range 31 E.W.M., Lincoln County, Washington, described as follows:

Beginning at the SW corner of Section 8, Township 28 N., Range 31 E.W.M., thence east 914.35 feet along the south line of Section 8; thence N. 00°10'20" W., 201.76 feet to the true point of beginning (POB); thence S. 00°10'20" E., 1119.55 feet; thence S. 06°46'35" E., 1482.14 feet; thence N. 48°30'36" E., 849.99 feet; thence N. 23°57'44" W., 1013.53 feet; thence N. 00°10'20" W., 900.00 feet; thence N. 08°30'44" W., 205.42 feet; thence S. 89°49'40" W., 320.21 feet to the true POB.

Proposed Works

Five 6-inch wells drilled to depths ranging from 140 to 158 feet, fitted with a distribution system needed to supply water to 22 connections in five Class B water systems.

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
	Complete	February 1, 2021

Measurement of Water Use

How often must water use be measured?	Weekly
How often must water use data be reported to Ecology?	Annually (Jan 31)
What rate should be reported?	Annual Peak Rate of Withdrawal (gpm)
What volume should be reported?	Total Annual Volume

Provisions

Water Service Contract

Use of water under this permit or certificate is contingent upon the applicant's compliance with a water service contract with Ecology for recovery of costs associated with the Lake Roosevelt Incremental Storage Releases Program. Failure to comply with the terms of the water service contract will result in cancellation of the permit or revocation of the certificate.

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 must 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, which 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.

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.

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.

Easement and Right-of-Way

The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right authorization by this department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

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.

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).

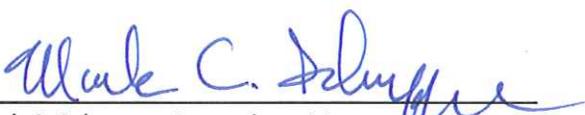
To appeal you must do the following within 30 days of the date of receipt of the Order.

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 Yakima, Washington, this 30th day of January 2012.


Mark C. Schuppe, Operations 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 -- FDR Estates HOA

Water Right Control Number G3-30259

Eastern Region Office, Department of Ecology

BACKGROUND

Description and Purpose of Proposed Application

On December 12th, 1998, the Washington State Department of Ecology (Ecology) accepted Water Right Application Number G3-30259 submitted by Mr. Douglas Bloom on behalf of Rainier General Development, Inc. This application was assigned to FDR Estates Home Owners Association (HOA) on March 4th, 2011. Mr. Jeremy Bowdish, Vice President of the HOA is currently the point of contact for the HOA. Attributes of the application are presented below in Table 1.

On February 26th, 2011 Rainier General Development, Inc. was notified of the availability of mitigation water for this application, developed by the Office of Columbia River as part of the Lake Roosevelt Incremental Storage Releases Program (Program). Because there was confusion surrounding who should respond to this notice, there was never an official response from the applicant. However, informal communications between Ecology and Mr. Bowdish began on September 21st, 2010 in which he voiced the HOA's intent to take advantage of this opportunity.

Lands covered by the proposed place of use are owned by members of the HOA. The proposed points of withdrawal are located on land owned by Mr. Michael Iannetta, Lincoln County parcel number 2831917000112. Although Mr. Iannetta's property is adjacent to FDR Estates, he does not consider it part of FDR Estates.

The proposed water use is associated with a 22-lot residential development.

Table 1 Application Summary

Name	FDR Estates HOA
Priority Date	12/21/1998
Instantaneous Quantity	126 gpm
Annual Quantity	34 af/yr
Purpose(s) of Use	Multiple Domestic uses for 22 lots
Period of Use	Continuous
Place(s) of Use	SW¼ Section 8 and NW¼ Section 17 all in T. 28 N., R. 31 E.W.M.

Table 2 Proposed Sources of Withdrawal or Diversion

Source Name	Parcel	WellTag	Tw	Rng	Sec	QQ Q	Latitude	Longitude
WELL	2831917000112	AFB112	28N.	31E.W.M.	17	SW¼SW¼	47.93397°	-118.95408°
WELL	2831917000112	AFB113	28N.	31E.W.M.	17	SW¼SW¼	47.93395°	-118.95408°
WELL	2831917000112	AFB114	28N.	31E.W.M.	17	SW¼SW¼	47.93394°	-118.95408°
WELL	2831917000112	AFB115	28N.	31E.W.M.	17	SW¼SW¼	47.93392°	-118.95408°
WELL	2831917000112	AFB116	28N.	31E.W.M.	17	SW¼SW¼	47.93389°	-118.95408°

Legal Requirements for Approval of Appropriation of Water

Chapters 90.03 and 90.44 RCW authorize the appropriation of public water for beneficial use and describes 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, 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

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 *Wilbur Register* during the weeks of October 6th and October 13th, 2011. There were no letters of protest or concern filed during the period following the public notice.

Consultation under WAC 173-563-020

Under WAC 173-563-020(4), consultation is required before issuance of new Columbia River permits:

The instream flows established and implemented by this chapter for instream and out-of-stream uses, and the average weekly flows applied by this chapter to out-of-stream uses do not apply to any application for water from the main stem Columbia River on which a decision is made by the department of ecology on or after July 27, 1997. Any water right application considered for approval or denial after that date will be evaluated for possible impacts on fish and existing water rights. The department will consult with appropriate local, state, and federal agencies and Indian tribes in making this evaluation. Any permit which is then approved for the use of such waters will be, if deemed necessary, subjected to instream flow protection or mitigation conditions determined on a case-by-case basis through the evaluation conducted with the agencies and tribes.

On December 14, 2009, Ecology contacted local, state, and federal agencies and Indian tribes requesting consultation and comments on issuing new municipal and industrial permits from the Columbia River mitigated by 13,527 acre-feet of water under the Program. On November 5, 2010, Ecology consulted with local, state, and federal agencies and Indian tribes again to update the quantity of water released, to 37,500 acre-feet of water released for municipal/industrial uses and associated instream releases.

From these consultations, Ecology received written responses from the WDFW, Bonneville Power Administration, U.S. Fish and Wildlife Service, Confederated Tribes of the Colville Reservation, the Confederated Tribes of the Umatilla Indian Reservation, and the United States Forest Service. Ecology also had several meetings with stakeholders, including the Columbia River Policy Advisory Group (PAG) where it received oral comments.

Copies of the written comments received are available in the file and PAG meeting notes are available on-line at: http://www.ecy.wa.gov/programs/wr/cwp/cr_pag.html. The comments generally identified that the Program was adequate mitigation for up to 25,000 acre-feet of new municipal, domestic and industrial permits.

State Environmental Policy Act (SEPA)

Pursuant to the State Environmental Policy Act (SEPA) (Chapter 43.21C RCW) and the SEPA Rules (Chapter 197-11 WAC), the Program was addressed in the Final Programmatic Environmental Impact Statement (FPEIS) for the Columbia River Management Plan. A Final Supplemental Environmental Impact Statement (FSEIS) was released on August 29, 2008 and an Addendum to the FSEIS was released on December 29, 2009; both documents address the Program in detail. On June 12, 2009, the United States Bureau of Reclamation (Reclamation) issued an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the project under the National Environmental Policy Act (NEPA).

The above described SEPA Documents are available online:

FPEIS - <http://www.ecy.wa.gov/programs/wr/cwp/eis.html>

FSEIS & FSEIS Addendum - http://www.ecy.wa.gov/programs/wr/cwp/cr_lkroos.html

EA & FONSI - http://www.ecy.wa.gov/programs/wr/cwp/cr_lkroos_envirostudies.html.

Project specific SEPA compliance

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.

- It is a surface water right application for more than 1 cubic feet per second. If the project is for agricultural irrigation, the threshold is increased to 50 cubic feet per second, so long as the project will not receive public subsidies;
- It is a groundwater right application for more than 2,250 gallons per minute;
- It is an application combined with other water right applications for the same project and exceeds the amounts above;
- 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);
- It is part of a series of exempt actions that, considered together, trigger the need to do a threshold determination, as defined under WAC 197-11-305.

This application does not meet any of these conditions. It also received Lincoln County's preliminary plat approval on March 13th, 1995. With that, this project is in compliance with SEPA requirements.

INVESTIGATION

FDR Estates is located two miles from and in sight of Grand Coulee Dam on the hill side above the south shore of Lake Roosevelt. The development includes 22 lots: each lot has water and power; all lots have been sold; homes have been built on two lots; and at least two other lots have homes currently under construction. This project involves the use of five wells. Each well supplies water to four or five connections. The impetus for this application comes from the usage of multiple permit-exempt wells to provide water for a single large development.

The original application called for six wells: one existing and five to be developed. The original engineering drawings show the existing well providing water to the Iannetta home, owners of the existing well, and to two lots within the FDR Estates project. Mr. Iannetta stated, however, that his well is not connected to the FDR Estates water system (telecon with Mr. Michael Iannetta 9/8/2011). Mr.

Jeremy Bowdish, FDR HOA vice president confirmed this and provided documentation on 9/12/2011 showing the correspondence between the five wells and 22 lots.

A site visit was conducted by Ecology employees Leigh Bedell and Jeff MacLennan on August 23, 2011. All the wells, the five FDR Estates wells and the Iannetta well are located on Lot 1 Block 1 of the FDR Estates. A GPS point was taken on each of the FDR Estates wells.

Water Availability

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

Legal Availability

The Program involves releases of water stored in Lake Roosevelt under the U.S. Bureau of Reclamation's 1938 storage right (Reservoir Certificate Number 11793) to provide municipal, domestic and industrial water supply, provide water to replace some ground water in the Odessa Subarea, enhance stream flows in the Columbia River to benefit fish, and provide drought relief for interruptible water right holders.

Surface Water Permit Number S3-30556 was issued on December 1, 2008 to the U.S. Bureau of Reclamation, authorizing a maximum of 305 cubic feet per second, 37,500 acre-feet per year for instream purposes in Lake Roosevelt and below Grand Coulee Dam with a priority date of May 16, 1938. Surface Water Permit Number S3-30556 is considered the "secondary" water use permit authorizing use of water stored under Reservoir Certificate Number 11793.

On December 21, 2010, Ecology issued Superseding Certificate of Trust Water Right S3-30556, accepting 305 cubic feet per second, 37,500 acre-feet per year to the Washington State Trust Water Right Program (TWRP) for the purpose of instream flow. Under Superseding Certificate of Trust Water Right S3-30556, water is held in the TWRP to mitigate the impacts of 25,000 acre-feet of new state water rights issued under the Program's municipal and industrial water right permitting; the remaining 12,500 acre-feet is reserved exclusively for instream flows. In June 2011, Ecology provided notice under RCW 90.42.040(5) that it would modify Superseding Certificate of Trust Water Right S3-30556 to allow for mitigation of domestic uses as well as municipal and industrial uses. No comments from this notification were received, and Ecology issued a second Superseding Certificate of Trust Water Right S3-30556 on August 17, 2011.

Physical Availability

Municipal, domestic, and industrial water uses associated with the Program will divert and/or withdraw water from the Columbia River or tributary groundwater on a continuous, year-round basis. In the preferred Alternative 1C, identified in the SEIS, mitigation releases from Lake Roosevelt will occur during time periods that will provide the greatest benefit to fish populations. These releases will occur during the months in which increased flow in the Columbia River will benefit fish the most, generally during April through September. The exact quantities and timing of the mitigation releases will be determined annually by the Fish Flow Releases Advisory Group (FFRAG). The membership of the FFRAG agrees that mitigation releases should be scheduled to help restore normative flows in the Columbia River. Since flows in October through March are higher than normative, mitigation for withdrawals under the Program are not seen as critical by FFRAG, leaving water available for release during the critical April through September period. This strategy was also supported in the consultations for the project.

The subject application is being investigated under the mitigation framework established under the Program. In order to mitigate the impacts of any new appropriation of water on the Columbia River,

hydrologic evidence must indicate that impacts on the Columbia River associated with the proposed water use would be successfully mitigated by the Lake Roosevelt mitigation releases. Additionally, it must be possible to manage the impacts on the Columbia River of proposed pumping in a manner that avoids carry-over of impacts across mitigation cycles.

John Covert, a licensed Ecology staff hydrogeologist provided the following hydrogeologic analysis for this application. Based on existing well logs and topographic maps, it is possible for the wells (AFM112, AFM113, AFM114, AFM115, and AFM116) drilled in the SW¼SW¼ of section 8, Township 28 N., Range 31 E.W.M. to tap into water that behaves essentially like bank storage water. This would ensure that pumping effects on the river can be successfully mitigated by releases from Lake Roosevelt during a single mitigation release cycle, avoiding carry-over of impacts across mitigation cycles. These wells are completed in unconsolidated sands and gravels. All five wells have static water levels that are listed at 80 feet in November of 1999. With a land surface elevation of about 1365 feet this puts the water table at about 1285 feet. Lake Roosevelt's pool elevation reported for the dates listed on the logs was 1287 feet.

Impairment Considerations

Columbia River Water Rights

An investigation of a water right application includes an analysis of whether the proposed water use will impair other existing water rights. The impairment analysis involves identifying how the proposed water use may impact the current water rights regime.

In considering impacts to existing water right holders and the instream flow rule, an analysis must consider actual river operation, particularly in drought years when water availability issues are most acute. In the context of this application, there are four classes of water uses that must be considered:

- Water right holders with priority dates senior to May 16, 1938.¹
- Uninterruptible water rights with priority dates junior to May 16, 1938.
- Interruptible water rights with priority dates junior to May 16, 1938.
- The June 24, 1980 Instream Flow Rule (WAC 173-563).

A detailed analysis of the current water rights regime on the Columbia River was issued in the Report of Examination (ROE) for S3-30556.

Under the current Program, 37,500 acre-feet per year of mitigation water is held in the TWRP for instream purposes under Superseding Trust Water Certificate S3-30556 with a priority date of May 16, 1938, 25,000 acre-feet of which may be used for mitigation of new out-of-stream uses. Under the State's priority system, the mitigation water is senior to all water rights issued after May 16, 1938. The mitigation water rights are specifically exempted from the Columbia River instream flow rule (WAC 173-563-020(5)). Additionally, the mitigation water is protected under the TWRP from diversion by junior water right holders who may be curtailed during low-flow years. These junior users total approximately 379 interruptibles who are curtailed based on a forecast methodology outlined in WAC 173-563. Although junior to the mitigation that is available for this application, no conflict is expected between the applicant's diversions and interruptible water users because of the mitigation provided by Lake Roosevelt.

¹ Although the priority date of this application is December 21, 1998 based on the date of filing with Ecology, the application is backed by mitigation with a priority date of May 16, 1938, which is how it will be managed if regulation of Columbia River water rights is required.

Water Rights in the Vicinity

As described in the "Water Rights in the Vicinity of the Point of Withdrawal" table, there are eight (8) other water rights in the area. The applicant does not own any of these rights. The closest point of withdrawal is approximately 2,500 feet west of the proposed points of withdrawal. The rights in Table 3 were found by WRTS searching the Water Right Tracking System for all rights in Sections 7-9, 17 and 18, Township 28 North, Range 31 East W.M.

Table 3 Water Rights in the Vicinity of the Point of Withdrawal

File Number	Applicant	Priority Date	Purpose	Qi	Qa (Ac-ft/yr)
SWC11744	Endicott	10/14/1954	Domestic	0.01 cfs	1.0
G3-29004	Burge	5/1/1991	Domestic	10 gpm	1.0
G3-28759	Behrens	1/22/1990	Multiple Domestic	200 gpm	60.0
GWC6194-A	USDOI National Park Serv.	10/21/1966	Multiple Domestic; Irrigation	200 gpm	40.0
S3-035703CL	Johnson & Oliver	1/1/1915	Stockwater; Irrigation	15 gpm	24
G3-00745C	Nazarene Church	3/18/1971	Multiple Domestic	40 gpm	1.6
G3-00212C	Macks	2/26/1970	Multiple Domestic	100 gpm	161.0
G3-01053C	Seresun	1/21/1970	Multiple Domestic	28.5 gpm	45.6

There is a permit exempt well within the same parcel as the five wells supplying water for this project. According to the owner, Mr. Iannetta in a telephone conversation on September 9th, 2011, this well has not experienced any interference from the wells supplying FDR Estates.

Beneficial Use

The use of water for Community Domestic purposes is defined in statute as a beneficial use (RCW 90.54.020). Beneficial use encompasses two principal elements of a water right:

1. Beneficial use refers to the purpose for which water may be used.
2. Beneficial use determines the measure of a water right. The owner of a water right is entitled to the amount of water necessary for the purpose to which it has been used.

To determine the amount of water necessary for a beneficial use, courts have developed the principle of "reasonable use". Reasonable use of water is determined by analysis of the factors of water duty and waste. The intent of the project is to supply water to 22 single family residences, some of which are currently being contemplated as vacation homes, and associated lawn and garden irrigation.

Considering that the vacation homes may eventually become permanent residences, a reasonable usage is 1 acre-foot per year (af) per unit. It is reasonable to provide water at an instantaneous rate between 5 and 10 gallons per minute (gpm) per unit. This results in:

- Qa = 22 af
- Qi = 110 to 220 gpm

The application requested 126 gpm. This is within reasonable use.

Public Interest Considerations

Analysis of whether this application meets the requirements of RCW 90.03.290 that the proposed use of water will not be detrimental to the public welfare involves analysis of how the approval of the proposed use of water will affect the range of values that are encompassed the public interest.

Several sections of statute list the legislative policies that guide the consideration of the public interest during the allocation of water, including sections of the 1971 Water Resources Act (Chapter 90.54 RCW) and Chapter 90.90 RCW entitled "Columbia River Basin Water Supply".

An analysis of the public interest considerations for the Program is contained in the Report of Examination for Application No. S3-30556, the "secondary use" permit for the Lake Roosevelt releases.

The public interests associated with the Program's municipal, domestic, and industrial permitting are specifically cited in several sections of Chapter 90.90 RCW.

- RCW 90.90.005(1) states "The legislature finds that a key priority of water resource management in the Columbia river basin is the development of new water supplies that includes storage and conservation in order to meet the economic and community development needs of people and the instream flow needs of fish".
- RCW 90.90.005(2) directs Ecology to "aggressively pursue the development of water supplies to benefit both instream and out-of-stream uses".
- RCW 90.90.20(3)(b) instructs Ecology to focus on "Sources of water supply for pending water right applications".
- RCW 90.90.20(3)(d) instructs Ecology to focus on "New municipal, domestic industrial, and irrigation water needs within the Columbia river basin".
- RCW 90.90.060(3) states that Lake Roosevelt releases "will bolster the state economy and will meet the following critical needs" including "new water supplies for municipalities with pending water right applications".

The Program's municipal, domestic, and industrial permitting achieves the statutorily mandated public interest requirements by allowing new state water rights to be issued while mitigating the impacts to fish.

If the subject application is approved, the public welfare may be affected in several ways:

- Economic activity is likely to result from the use of water for commercial/industrial purposes, as the associated construction and operation activities generate increased economic and social opportunities.
- The use of water for municipal purposes is not expected to affect local cultural, recreational, or environmental resources.
- The adaptive management strategy for mitigation releases will ensure releases occur at times that are most beneficial for Endangered Species Act-listed salmon and steelhead species in the Columbia River, thus assuring effective mitigation for this appropriation of water.

Consideration of Protests and Comments

In regards to this application, there were no letters of protest or concern filed during the period following the public notice.

Conclusions

Beneficial Use

The proposed use of water for community domestic purposes is considered to be a beneficial use. Therefore this application meets the first criterion of RCW 90.03.290 that the requested water be put to beneficial use.

Water Availability

The analysis provided above demonstrates that water is physically and legally available for the proposed use of water.

Impairment

The proposed beneficial use of water will not impair any existing water rights.

Public Interest

The proposed use of water would 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 and that a permit be issued 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:

126 gpm

22 acre-feet per year

Multiple Domestic Purpose

Points of Withdrawal

Well AFM112: 1115 feet east and 537 feet north of the southwest corner of Section 8, in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 28 North, Range 31 E.W.M.

Well AFM113: 1115 feet east and 543 feet north of the southwest corner of Section 8, in the SW $\frac{1}{4}$ SW, Section 8, Township 28 North, Range 31 E.W.M.

Well AFM114: 1115 feet east and 550 feet north of the southwest corner of Section 8, in the SW $\frac{1}{4}$ SW, Section 8, Township 28 North, Range 31 E.W.M.

Well AFM115: 1115 feet east and 556 feet north of the southwest corner of Section 8, in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 28 North, Range 31 E.W.M.

Well AFM116: 1115 feet east and 561 feet north of the southwest corner of Section 8, in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 28 North, Range 31 E.W.M.

Place of Use

That portion of SW¼ of Section 8 and the NW¼ of Sect 17, all in Township 28 N., Range 31 E.W.M., Lincoln County, Washington, described as follows:

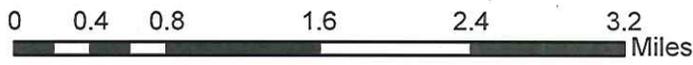
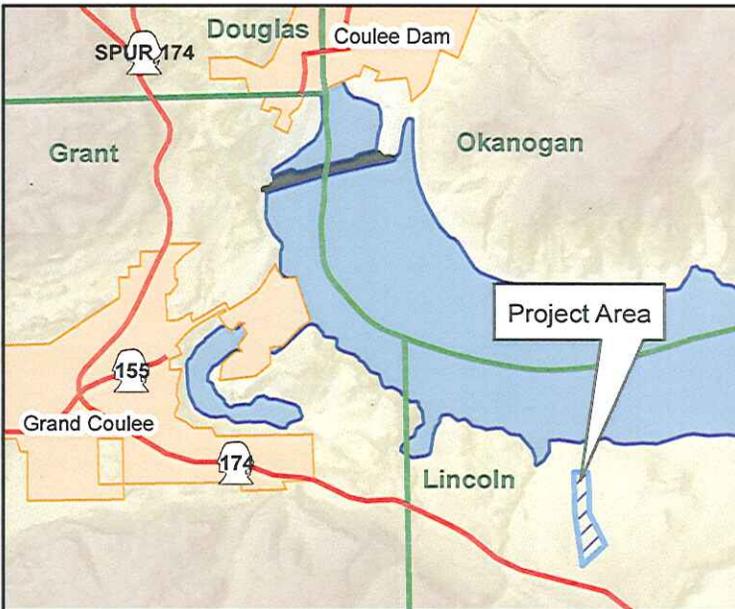
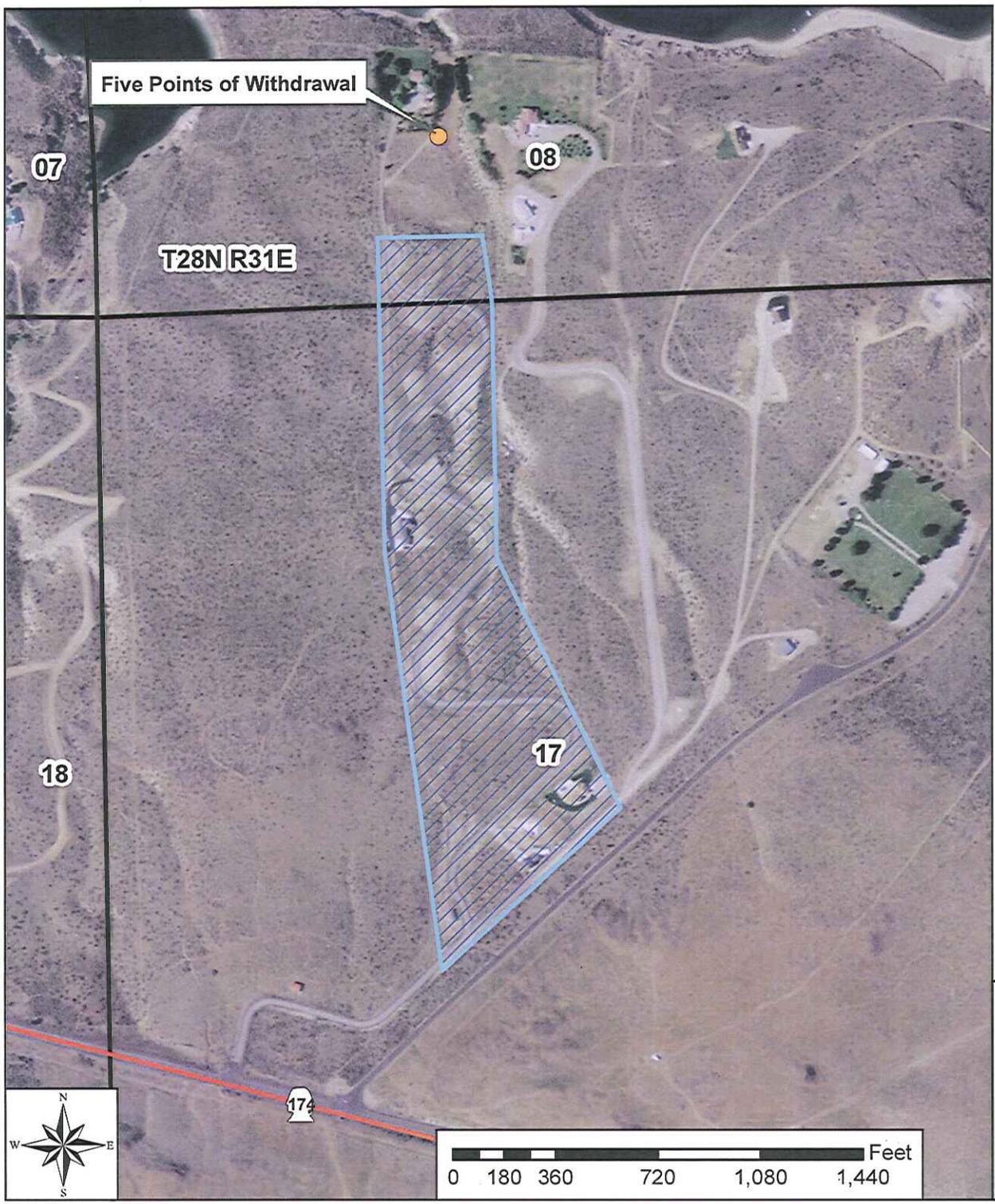
Beginning at the SW corner of Section 8, Township 28 N., Range 31 E.W.M., thence east 914.35 feet along the south line of Section 8; thence N. 00°10'20" W., 201.76 feet to the true point of beginning (POB); thence S. 00°10'20" E., 1119.55 feet; thence S. 06°46'35" E., 1482.14 feet; thence N. 48°30'36" E., 849.99 feet; thence N. 23°57'44" W., 1013.53 feet; thence N. 00°10'20" W., 900.00 feet; thence N. 08°30'44" W., 205.42 feet; thence S. 89°49'40" W., 320.21 feet to the true POB.


Report Writer

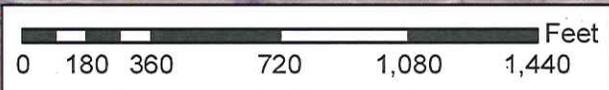
January 30, 2012
Date

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.

FDR Estates HOA
 Application Number G3-30259
 Sec. 8, T. 28 N., R. 31 E.W.M.
 WRIA 53 - Lincoln County



-  Authorized Place of Use
-  Authorized Point of Withdrawal
-  Highway
-  County
-  Section



Comments:
 Map is for reference only. Place of use, points of withdrawal/diversion are as defined on the cover sheet of the Report of Examination.
 Image is 2009 NAIP airphoto.