

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

REPORT OF EXAMINATION

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)

Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE May 16, 1995	APPLICATION NUMBER S2-29229	PERMIT NUMBER	CERTIFICATE NUMBER
-------------------------------	--------------------------------	---------------	--------------------

NAME Ron A. Burgh			
ADDRESS (STREET) PO Box 11182	(CITY) Winslow	(STATE) Washington	(ZIP CODE) 98110

PUBLIC WATERS TO BE APPROPRIATED

SOURCE Lake Leland		
TRIBUTARY OF (IF SURFACE WATERS) Little Quilcene River		
MAXIMUM CUBIC FEET PER SECOND .01	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR 0.34
QUANTITY, TYPE OF USE, PERIOD OF USE 0.34 Acre-feet per year	Single domestic supply* *In-house use only	Year-round, as needed

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
50 feet South and 750 feet West of the South quarter corner of Section 25.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NW¼ NW¼	SECTION 25	TOWNSHIP N. 28	RANGE, (E. OR W.) W.M. 2W	W.R.I.A. 17	COUNTY Jefferson
--	---------------	-------------------	------------------------------	----------------	---------------------

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

The Northeasterly 420 feet, as measured along the Old Leland Valley Road, County Road No. 32, of the following described property:

All of that portion of the former Port Townsend and Southern Railroad right of way in Government Lot 2 of Section 25, T. 28 N., R. 2 W.W.M., lying Northeasterly of the following described property:

That portion of the bed of Lake Hooker, also known as Lake Leland, lying in front of, adjacent to and abutting upon the West 10 chains of the East 15.50 chains of Government Lot 2 of Section 25, T. 28 N., R. 2 W.W.M., as established by decree entered September 25, 1936, in Cause No. 4628 of the Superior Court for Jefferson County.

AND ALSO, that portion of said Government Lot 2, lying North and West of the Highway formerly known as the Olympic Highway and now known as Leland Jefferson County Road and between the Southeasterly extensions of the Northeasterly and of the Southwesterly Lines of said portion of the bed of Lake Hooker, also known as Lake Leland, hereinbefore described; said shore lands and upland being designated on the Assessor's plat and description book as Tax No. 8 of said Section 25.

Situate in the County of Jefferson, State of Washington.

DESCRIPTION OF PROPOSED WORKS

A 1-horsepower submersible pump and a 1-inch distribution line.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: July 1, 1998	COMPLETE PROJECT BY THIS DATE: July 1, 1999	WATER PUT TO FULL USE BY THIS DATE: July 1, 2000
---	--	---

REPORT

BACKGROUND:

Pursuant to Chapter 90.03 Revised Code of Washington (RCW), Ron A. Burgh applied for a permit to appropriate public surface water from Lake Leland. A diversion rate of .03 cfs was requested for single domestic supply. The application was assigned a priority date of May 16, 1995.

Legal notice of the proposed appropriation was published in the *Port Townsend Jefferson County Leader* on June 14 and 21, 1995. No protests were received as a result of this notice.

The proposed point of diversion is located on the east shore of Lake Leland, approximately four miles north of the town of Quilcene in Jefferson County. Lake Leland is tributary to Leland Creek which flows to the Little Quilcene River.

INVESTIGATIONS:

In consideration of this application, I reviewed Department of Ecology records of surface-water use, recommendations from Washington Department of Fish and Wildlife (WDFW), and the Dungeness-Quilcene Water Resources Management Plan.

The following records of surface water use are on file with the Department of Ecology:

- Eight water right certificates have been issued on Lake Leland and Leland Creek authorizing a total diversion of 0.865 cfs. Two other applications are currently being evaluated for water rights from Lake Leland.
- Additional water right certificates and claims are recorded for diversions from tributaries to Leland Creek and the Little Quilcene River.

DISCUSSION:

The Department of Fish and Wildlife (WDFW) indicates that Leland Creek and the Little Quilcene River support critical and depressed stocks of chum and coho salmon, and that coho summer rearing habitat is directly related to summer low flow. However, WDFW agrees that applications for single family domestic supply may be approved if there is no alternative source available.

A 350-foot deep well was drilled on Mr. Burgh's property. The well yielded only a trace quantity of high-chloride water. Lake Leland is the only other water source available.

Use of surface water for a single home will not have a measurable effect on downstream flows. Cumulatively, the sum of all authorized diversions on Lake Leland and Leland Creek does not appear to be sufficient to cause impairment of streamflows at this time. However, in order to minimize the potential for impairment through cumulative impacts, I recommend that water use under this application be approved for in-house use only (no outdoor watering), and that the diversion rate be limited to .01 cfs.

FINDINGS AND CONCLUSION:

In accordance with Chapter 90.03 Revised Code of Washington (RCW), I find that water is available from Lake Leland, that the appropriation as recommended is a beneficial use, and should not impair existing rights or be detrimental to public welfare.

RECOMMENDATIONS:

I recommend approval of this application and issuance of a permit to allow appropriation of .01 cfs, 0.34 acre-feet per year, for in-house single domestic supply. The period of use shall be year-round, as needed.

The permit shall be subject to all applicable State laws and regulations and to the following provisions:

Provisions

"Use of water under this permit/certificate shall be limited to in-house use only."

The permit is issued subject to Washington Department of Fish and Wildlife screening criteria as outlined in a hydraulic project approval. Please contact the Department of Fish and Wildlife, 600 Capital Way North, Olympia, Washington, 98501-1091, Attention: Habitat Management Division, (206) 902-2661, to obtain specified requirements for your project.

An approved metering device shall be installed and maintained in accordance with RCW 90.03.360, WAC 508-64-020 through -040 (installation, operation, and maintenance requirements are attached). Meter readings shall be recorded at least monthly.

REPORTED BY: Maia C. Peter Date: August 26, 1996

The statutory permit fee for this application is \$5.00.

FINDINGS OF FACT AND DECISION

Upon reviewing the above report, I find all facts, relevant and material to the subject application, have been thoroughly investigated. Furthermore, I find water is available for appropriation and the appropriation as recommended, is a beneficial use and will not be detrimental to existing rights or the public welfare.

Therefore, I ORDER a permit be issued under Surface Water Application Number S2-29229, subject to existing rights and indicated provisions, to allow appropriation of public surface water for the amount and uses specified in the foregoing report.

Signed at Olympia, Washington, this 26th day of August, 1996.

Gale Blomstrom

Gale Blomstrom
Shorelands & Water Resources Supervisor
Southwest Regional Office