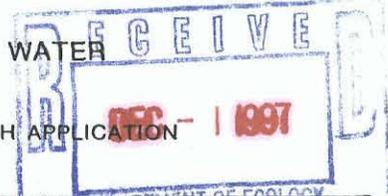




APPLICATION FOR PERMIT
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

SURFACE WATER GROUND WATER

\$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION
(GRAY BOXES FOR OFFICE USE ONLY)



| | | | | | |
|------------------------------------|-----------------------|--------------------------|--|---------------|----------|
| APPLICATION NO. <u>64-32612</u> | W.R.I.A. <u>44</u> | COUNTY <u>DOUGLAS</u> | PRIORITY DATE <u>DECEMBER 1, 1997</u> | TIME RECEIVED | ACCEPTED |
|------------------------------------|-----------------------|--------------------------|--|---------------|----------|

APPLICANT'S NAME - PLEASE PRINT
East Wenatchee Water District

Bus. Tel. 884-3569
Home Tel. _____
Other Tel. _____

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)
692 Eastmont Ave (PO Box 7190) East Wenatchee Washington 98802

DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION

1. SOURCE OF SUPPLY

| IF SURFACE WATER | IF GROUND WATER |
|--|--|
| SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE) | SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.) <u>Kentucky Street Wellfield</u> |
| TRIBUTARY | SIZE AND DEPTH <u>3 each - 16-inch diameter casings</u> <u>2 currently exist</u> |

2. USE

USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.)
Domestic municipal supply including domestic irrigation

| | | | | |
|---|-----------------------------|----|--|------------------------------------|
| ENTER QUANTITY OF WATER REQUESTED USING UNITS OF: | CUBIC FEET PER SECOND (CFS) | OR | GALLONS PER MINUTE (GPM) <u>4,000</u> | ACRE FEET PER YEAR <u>3,800</u> |
|---|-----------------------------|----|--|------------------------------------|

TIMES DURING YEAR WATER WILL BE REQUIRED
Continuous

| | | |
|--|--|---|
| IF IRRIGATION, NUMBER OF ACRES | IF DOMESTIC USE, NUMBER OF UNITS BY TYPE, E.G. 1-HOME, 1-MOBILE HOME, 2-CAMPSITES, ETC. <u>20,000 ERU 's</u> | IF MUNICIPAL USE, ESTIMATED POPULATION 20 YEARS FROM TODAY <u>50</u> <u>55,000</u> |
| DATE PROJECT WAS OR WILL BE STARTED <u>1998</u> | DATE PROJECT WAS OR WILL BE COMPLETED <u>2048</u> | |

3. LOCATION OF POINT OF DIVERSION/WITHDRAWAL

3A. IF IN PLATTED PROPERTY

| LOT | BLOCK | OF (GIVE NAME OF PLAT OR ADDITION) | SECTION | TOWN | RANGE | ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION |
|----------|-------|------------------------------------|-----------|-----------|-----------|--|
| <u>9</u> | | <u>East Wenatchee Land Company</u> | <u>19</u> | <u>22</u> | <u>21</u> | |

3B. IF NOT IN PLATTED PROPERTY

ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION. SHOW NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER.

ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.

| | | | | |
|---|---------|-------------|-----------------------|--------|
| LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) | SECTION | TOWNSHIP N. | RANGE (E. OR W.) W.M. | COUNTY |
|---|---------|-------------|-----------------------|--------|

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY (ON WHICH THE WATER WILL BE USED) TAKEN FROM A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY. OR, COPY CAREFULLY IN THE SPACE BELOW.

The service area of the East Wenatchee Water District

Municipal purveyor of domestic water

ARE THERE ANY EXISTING WATER RIGHTS RELATED TO THE LAND ON WHICH THE WATER IS TO BE USED (INCLUDING WATER PROVIDED BY IRRIGATION DISTRICTS OR DITCH COMPANIES.)

YES NO

IF YES, FROM WHAT SOURCE (i.e. SURFACE OR GROUND WATER) AND UNDER WHAT AUTHORITY

Fast Wenatchee Water District - groundwater

Greater Wenatchee Irrigation District; Wenatchee Reclamation District

6. DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(FOR EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

Two wells with a combined capacity of 1,500 gpm currently exist on the lot (Wells 4 & 5).

It is proposed that the two existing wells would be redeveloped along with a third well to a total capacity 4,000 gpm by the year 2048.

REMARKS

7. The District still believes that it currently has adequate water rights. This application is being submitted at the recommendation of DOE so as to establish a date, just in case an adequate agreement is not established between the District and DOE.

IF 10 ACRE-FEET OR MORE OF WATER IS TO BE STORED AND/OR IF THE WATER DEPTH WILL BE 10 FEET OR MORE AT THE DEEPEST POINT, A STORAGE PERMIT MUST BE FILED IN ADDITION TO THIS PERMIT. THESE FORMS CAN BE SECURED, TOGETHER WITH INSTRUCTIONS, FROM THE DEPARTMENT OF ECOLOGY.

SIGNATURES

EWWD

LEGAL LANDOWNERS NAME (PLEASE PRINT)

Aleg Brizendino

APPLICANT'S SIGNATURE

Aleg Brizendino - mgr.

LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

692 Eastmont Ave.

LEGAL LANDOWNER'S ADDRESS

FOR OFFICE USE ONLY

STATE OF WASHINGTON }
DEPARTMENT OF ECOLOGY } SS.

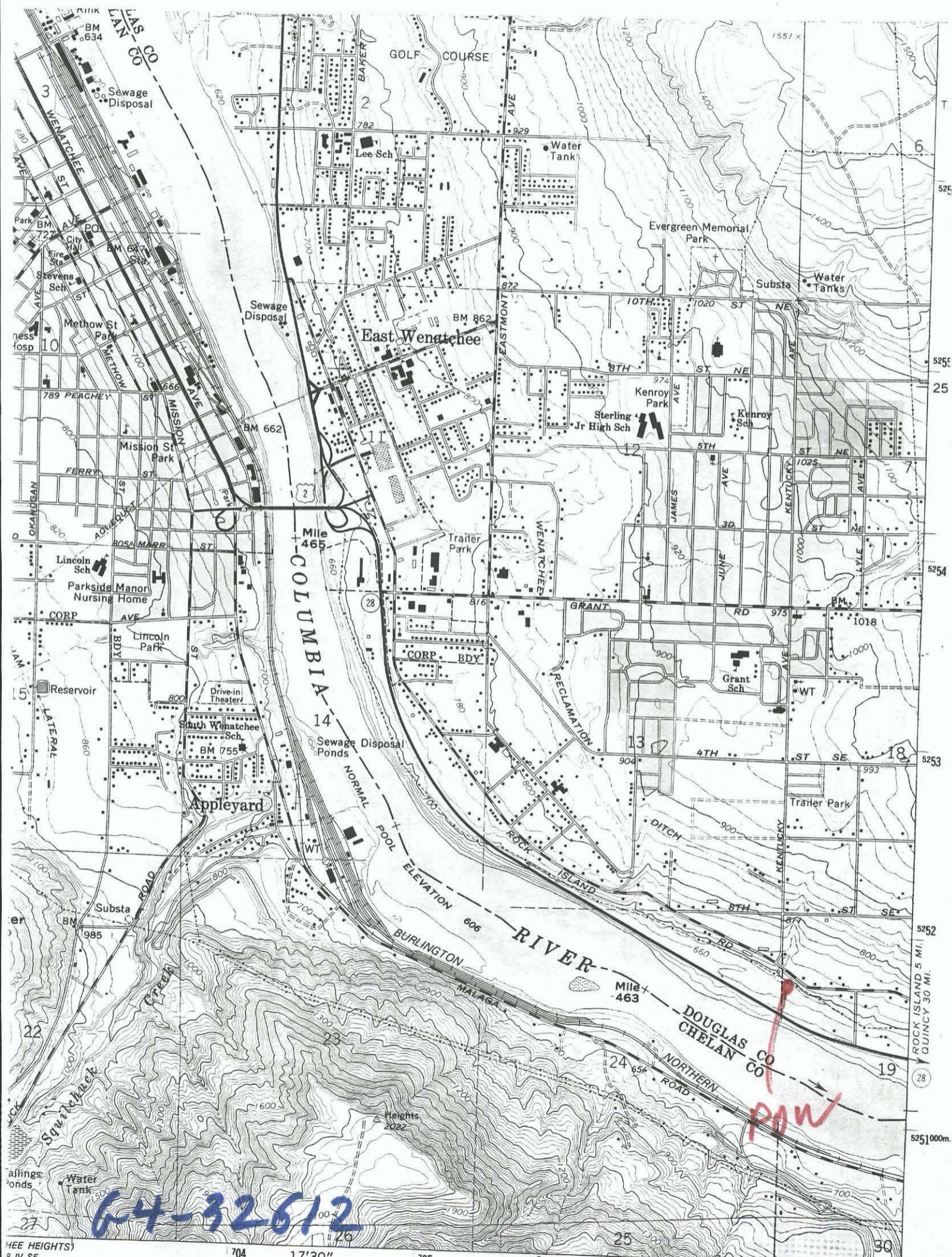
This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows:

In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before....., 19.....

Witness my hand this.....day of....., 19.....

WellInv

| East Wenatchee Water District | | | | |
|---|-------------------------|------------------------|------|---------------|
| Well Inventory - Wellhead Protection | | | | |
| Section | Owner | Address | Code | Comments |
| T. 22 N., R. 20 E. | | | | |
| NE-SW 2 | Dan Jennings | 1321 Sunset Hwy | | |
| SE-SE 24 | Virgil H. Witte | Rock Island Rd. | H24 | |
| SE-NE 24 | Chelan Co. PUD | SR 28/Hydro Park | H24 | |
| NW-NW 2 | Dr. C.K. Miller | Sunset & NW 19th St | | |
| T. 22 N., R. 21 E. | | | | |
| SW-SW 10 | Geo. Batterman Jr | Grant Rd & S. Van Well | N10 | |
| -NW 19 | William E. Perkins | S. Lyle & SR 28 | | |
| NW-SW 20 | Paul Chinn | S. Nile & SR 28 | M20 | Johnson Wells |
| SE-SW 20 | Steve Talbot | S. Perry & SR 28 | P20 | |
| NE-SE 21 | Roger LeRay | S. Union | | |
| SW-SW 22 | George Hartl | S. Van Sickle/SE 12th | | |
| SE-SW 18 | Jack Miller | Keane Road | | |
| NE-SE 19 | Chelan Co PUD | SR 28 | | |
| SE-NE 26 | Mike Hanson | S. Van Sickle | | |
| SE-NE 26 | Mike Hanson | S. Van Sickle | | |
| SE-NE 26 | Mike Hanson | S. Van Sickle | | |
| SE-NE 26 | Mike Hanson | S. Van Sickle | | |
| T. 23 N., R. 20 E. | | | | |
| SE-NE 2 | Edsel Reeves | SR 2-MiniMart | A2 | |
| NE-NW 2 | C & O Nursery | SR 2 | B2 | |
| NE-NW 2 | C & O Nursery | SR 2 | C2 | |
| NE-NW 2 | Wells & Wade-Dole | SR 2 | C2 | |
| NE-NW 2 | Wells & Wade-Dole | SR 2 | C2 | |
| SE-NW 11 | Don Telford-Gaines | SR 2 | F11 | |
| NW-SW 11 | Edsel Reeves-Meixner | SR 2 | M11 | |
| SW-SW 11 | Marvin Reiman | NW Cascade Ave. | N11 | |
| SW-NW 14 | C. Bolinger-Bumgamer | NW Cascade Ave. | | |
| SW-SW 14 | Hal Waterhouse | SR 2 | N14 | |
| NE-NE 15 | John Tontz-Gibson | NW Cascade Ave. | A15 | |
| SE-SW 15 | John Tontz-Manuels Rd. | NW Cascade Ave. | | |
| SE-NE 15 | John Tontz-Irrig Well | NW Cascade Ave. | H15 | |
| NE-NE 27 | Brian Dennis-A. Johnson | 3326-34th St NW | A27 | |
| NW-NE 34 | Brett Shanholtzer | 2627 NW Columbia | B34 | |
| NE-NE 34 | Julie Marshall | 362-27th St NW | A34 | |
| NE-NE 34 | Rod Thomas | 2624 NW Columbia | A34 | |
| NW-NE 34 | Harry Askew | 3292 NW Columbia | | Not found |
| SE-SE 34 | Ken Bolton | 2124 NW Cascade | R34 | |
| NW-NE 34 | Alphonse Brenner | | | Not found |
| SW-SW 34 | Joe Standerford | NW Cascade Ave. | | |
| SE-SW 35 | Lucas-McLandress | N. Baker Ave. | | |
| NW-NE 35 | Fancher Acres | N. Baker Ave. | | not found |
| SW-NW 35 | Floyd Singleton | 301-23rd St NE | G35 | 2-wells |
| SW-NE 35 | Keith Bartram | 2341 N. Baker Ave. | G35 | |
| SE-SW 35 | Milton Salter | 2410 N. Baker Ave. | | |
| SW-SW 35 | C.W. Cronin | 151-19th St NW | | |
| SE-SW 11 | Clarence Sly | SR 2 | | |
| SE-SW 11 | Newt Stannard | SR 2-Baker Flats | | |
| SE-SW 11 | Newt Stannard | SR 2-Baker Flats | | |
| SE-SW 11 | Newt Stannard | SR 2-Baker Flats | | |
| NW-NW 34 | Gary Taffar | | | |
| Section 34 | Robert Scott | NW Empire Ave. | | |
| NE-SE 34 | Homer Duncanson | NW Columbia | | |
| SE-NW 35 | Ralph Richards | N. Baker Ave. | | |
| Section 34 | Les Danner | NW Columbia | | |
| Section 34 | Adah Vehrs | 2031 NW Cascade | | No well log |
| Section 34 | Bud Alton | 2111 NW Cascade | | No well log |
| Section 34 | G. Leedy | 1931 NW Cascade | | No well log |
| NW-SE 34 | Lowell Neumann | 2040 NW Cascade | | No well log |
| NW-SE 34 | William Fischer | 2017 NW Cascade | | No well log |
| Section 34 | Lou Barrier | 2610 NW Columbia | | No well log |
| Section 35 | Howard Smith | 3-19th St NE | | No well log |
| SW-SE 22 | R. Taplett | NW Empire Ave. | | No well log |
| SE-SW 26 | Matilda Richards | 145-27th St NE | | Abandoned |
| T. 24 N., R. 21 E. | | | | |
| NW-NW 30 | Terry Henke | 771 Turtlerock | D30 | |
| NW-NW 30 | Earl Thompson | 781 Turtlerock | D30 | |
| NW-NW 30 | John Albert/Mike Hahn | Turtlerock Road | D30 | |



64-32612

PAW



COMMISSIONERS:

Larry D. Witte
Michael T. McCourt
Glen Broadsword

Greg Brizendine, Manager

East Wenatchee Water District

(509) 884-3569 • Fax (509) 886-0550 • 692 Eastmont Avenue • P.O. Box 7190 • East Wenatchee, WA 98802-7190

November 26, 1997

Darlene Frye
Dept. of Ecology - Section Supervisor
15 West Yakima Ave., Suite 200
Yakima, WA. 98902-3401

Darrell Monroe
Dept. of Ecology - Specialist
15 West Yakima Ave., Suite 200
Yakima, WA. 98902-3401

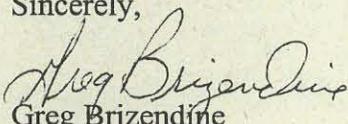
Dear Mrs. Frye and Mr. Monroe,

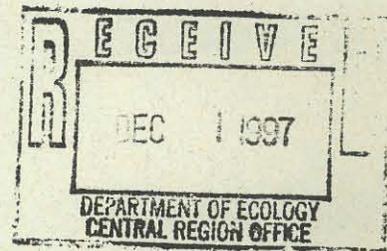
Enclosed is information that we committed too, at our meeting of November 4, 1997. The enclosed includes: A letter from our attorney, Mr. Mike Arch, regarding statements that he received through an interview with the former manager, Mr. Charlie Johnston; a spread sheet with known wells within our current service area (this is from our well head report); and two applications for new water rights, per your recommendation.

We have submitted these applications per your recommendation, but the District still believes that we have adequate water rights. You and I are still working on the details of the misunderstanding that occurred in 1982, when a new water right was issued.

Looking forward to your phone call on this 1982 issue.

Sincerely,


Greg Brizendine
Manager



PAID
OK #420
AMT. 20.00
12/1/97
JMM

04-32612
x
04-32611



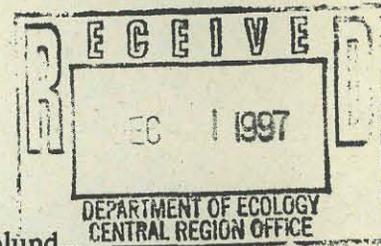
MICHAEL A. ARCH

701 NORTH CHELAN STREET
POST OFFICE BOX 3125
WENATCHEE, WASHINGTON 98807-3125
509 / 662-9602
TELECOPIER 509 / 662-9606

AFFILIATED WITH FIRMS IN
SEATTLE, WASHINGTON
SPOKANE, WASHINGTON
PASADENA, CALIFORNIA

November 18, 1997

VIA FACSIMILE AND REGULAR MAIL



Mr. Greg Brizendine, Manager
East Wenatchee Water District
Post Office Box 7190
East Wenatchee, WA 98802

Mr. Randy Asplund
RH2 Columbia Engineering
139 South Worthen, Suite A
Wenatchee, WA 98801

Re: **EWWD/Water Rights (Status)**

Dear Greg and Randy:

As per our discussion with representatives of the DOE in Yakima on 11/4/97, the following summarizes the statements which we have taken from the District's former manager, Charlie Johnston (who retired on 2/1/97) relating to the facts and circumstances surrounding the District's execution of the DOE's relinquishment of S.W. CERT. NO. 1429 and the issuance of G.W. PERMIT NO. G4-27802P in 1983:

Johnston met with Becky Johnson (water resource management) in the fall of 1982 in East Wenatchee and Ms. Johnson told him that: "You're in good shape; now that you have drilled new wells at the foot of 19th street; and with that additional supply of water; you should relinquish S.W. CERT. NO. 1429 because you are not a surface water purveyor but a ground water purveyor; you no longer have any need for that; you have not used it for a long period of time; you now have sufficient water with the additional two (2) sources." Also, Mr. Johnston should have clarified to the District at that time that the District did not need additional water rights because the surface rights originally granted for a well could be used.

Ms. Johnson did not inform Johnston (or the District Board) that the supplemental rights to S.W. CERT. NO. 1429 from wells number four (4) (1040 acre-feet per year), five (5) (1312 acre-feet per year), and six (6) (1200 acre-feet per year) had, in fact, been used continuously by the District from the dates each well came into production.

Ms. Johnson also failed to inform Johnston or the District Board that the DOE lacked the legal authority to compel the relinquishment by the District of S.W. CERT. NO. 1429 at the time the DOE was considering the issuance of the Ground Water Permit in question.

Mr. Greg Brizendine
Mr. Randy Asplund
November 18, 1997
Page -2-

Ms. Johnson did, however, make it clear to Johnston, Orrlay and in the DOE's examination report that the DOE would require the District to relinquish S.W. CERT. NO. 1429 as a condition to the issuance of G.W. PERMIT NO. G4-27802P.

Johnson then presented the District Board with the written Relinquishment Certificate of Water Right relating to S.W. CERT. NO. 1429 which the Board executed on 1/24/83. At the time, Johnston represented to the District Board that the District would receive "credit" for the annual volume "loss" by virtue of the relinquishment under the new Ground Water Permit which the District had applied for at the time.

Based on the foregoing representations, the District's Board executed and delivered the "voluntary" Relinquishment to the DOE which caused the same to be recorded on 3/8/83.

Johnston also had occasion to calculate the District's annual volume quantity in connection with the District's Comprehensive Plan in the late 1980s and this calculation makes the assumption that all of the volume "loss" by virtue of the Relinquishment was "carried over" into G.W. PERMIT NO. G4-27802P.

The first time Johnston was made aware of the DOE's current interpretation of the District's water rights (as per Darrell Monroe's 5/12/97 letter) was at the time we interviewed him to take the above statement on 10/10/97.

Greg, I understand that you will supply the DOE with a copy of this letter and we would hereby request anyone to contact us if there are any questions or need for additional information in connection with these issues.

Sincerely,
FOREMAN, ARCH, DODGE & VOLYN, P.S.

Michael A. Arch/jjt

Michael A. Arch
Dictated but not read

MAA:jjt
EAS6319.L25

3

6

COLUMBIA RIVER

15th Street Reservoirs
#2 - OF 961, .3Mg
#2a - OF 961, .5Mg
15th Street Boosters
#3 - 50hp,
#4 - 100hp, 700 gpm

10th Street Reservoirs
#6 - OF 1286.65, .3Mg
#6a - OF 1286.65, .5Mg

5th & Nile Booster
#7 - 30 hp, 300 gpm

Grant & Nile Booster
#8 - 30 hp, 300 gpm

Pearcot Reservoirs
#5 - OF 961, .2Mg
#5a - OF 961, .8Mg
Pearcot Boosters
#1 - 100hp, 930 gpm
#2 - 75 hp, 670 gpm

Kentucky Ave. Well Field
#4 - 125 hp, 1,100 gpm
#5 - 100 hp, 860 gpm

Future Well No. 8

LEGEND

- ⊗ 2002 AND BEYOND CAPITAL IMPROVEMENTS
- ⊗ DEVELOPER IMPROVEMENTS
- ⊗ 1998-2001 CAPITAL IMPROVEMENTS
- ⊗ 1997 CAPITAL IMPROVEMENTS
- ⊗ SUPPLY CAPITAL IMPROVEMENTS
- ⊗ 1996 CAPITAL IMPROVEMENTS
- 12" PROPOSED WATERMAIN
- P PROPOSED PUMP STATION
- PROPOSED RESERVOIR
- ◀ PROPOSED PRV
- ✕ PROPOSED ISOLATION VALVE

24

R20E
R21E

20

21

