For Ecology Use
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DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

WASHINGTON STATE DEPARTMENT OF ECOLOGY

State of Washington

Application for a Water Right Permit

☐ **SURFACE WATER** ☒ **GROUND WATER**
☒ **Permanent** ☐ **Temporary** ☐ **Short Term**

Follow the attached instructions. Attach additional sheets as necessary.

A NON-REFUNDABLE **MINIMUM** FEE OF $50.00 PAYABLE TO THE DEPARTMENT OF ECOLOGY MUST ACCOMPANY THIS APPLICATION.

Section 1. APPLICANT

Applicant/Business Name: James Kuntz/Port of Walla Walla	Phone No: 509-525-3100	Other No: 509-520-8301 (fax)
Address: 310 "A" Street		
City: Walla Walla	State: WA	Zip:99362-3069
Email Address (optional): jk@portwallawalla.com		

Contact Name (if different from above): Terese Richmond and Adam Gravley /Gordon Derr LLC	Phone No: 206-382-9540	Other No: 206-626-0675 (fax)
Relationship to Applicant: Attorneys for Port of Walla Walla		
Address: 2025 First Avenue, Suite 500		
City: Seattle	State: WA	Zip: 98121
Email Address (optional): tcrichmond@GordonDerr.com and agravley@GordonDerr.com		

Section 2. STATEMENT OF INTENT

Briefly describe the purpose of your proposed project: This application is to provide a new uninterruptible supply of water, under RCW 90.90.020, for Certificate of Water Right G3-28146C (attached), which is a water right on the Columbia River mainstem subject to regulation by the Department of Ecology for protection of instream resources whenever the March 1 forecast of April-September runoff at The Dalles is 60 MAF or less, and when gauged flows are predicted by the BPA 30-Day Power Operation Plan to violate minimum flow provisions as specified in WAC 173-563-040 and WAC 173-563-050 and listed minimum average weekly flow at the Primary Control Station McNary Dam, River Mile 292.0, within the Columbian River Projects. This new uninterruptible supply of water will be used as "draught insurance" so that Certificate of Water Right G3-28146C will no longer be subject to the minimum instream flow regulation. The applicant intends to submit an application to change the purpose of use under the certificate to commercial and industrial purposes. Accordingly, this application seeks an appropriation for industrial purposes during a regulated drought.

Anticipated length of time to complete your project: Complete upon issuance of Water Right Permit.

Water Use List all purposes for which water will be applied to a beneficial use and list quantity required for each.

Purpose(s) of Use	Rate (check one box only) ☐ Cubic Feet per Second (CFS) ☒ Gallons per Minute (GPM)	Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
Commercial and Industrial	5000	2790	Year Round
TOTAL:	5000	2790	

For Ecology Use	$1,566.67 APPLICATION NO: G3-30562 SEPA: Exempt/Not Exempt Fee Paid: 09-03-2008 Check No: 6634 ECY Coding: 001-001-WR1-0285-000011
Date Returned ____ By ____	Priority Date 09-03-2008 By ____ WRIA: 32 W² County

Short Term/Temporary Water Use

Is this a request for a short term project (less than four months and non-recurring)? ☐ YES ☒ NO

Is this request for a temporary permit? ☐YES ☒ NO

If yes to either question above, indicate the dates that the water will be needed:

FROM: ____/____/____ TO: ____/____/____

Section 3. POINT OF DIVERSION OR WITHDRAWAL

Complete A or B, and C below

A.) If Surface Water Source	B.) If Ground Water Source
☐ Spring ☐ Creek ☐ River ☐ Lake ☐ Other:_____ Source Name:_____ Tributary to:_____ Number of proposed diversion points:_____ Do you have an existing diversion? ☐ YES ☐ NO	☒ Well(s) ☐ Other: (see attached G3-28146C Well diameter & depth:_____ Number of proposed points of withdrawal:5 Do you have an existing well? ☒ YES ☐ NO If available, attach Water Well Report and pump test. Well Tag ID No._____

C.) Point of Diversion/Withdrawal – Legal Description

Parcel No.	¼	¼	Section	Township	Range	County
	W1/2	SW	11	7	31E	Walla Walla

Lot(s)	Block(s)	Subdivision

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

80 Feet (☒ North/☐ South) and 80 feet (☒ East/☐ West)

from the (☐NW ☒SW ☐NE ☐SE ☐ ____) corner of Section 11.

Parcel No.	¼	¼	Section	Township	Range	County
31-07-11-00-0001	W1/2	SW	11	7	31E	Walla Walla

Lot(s)	Block(s)	Subdivision

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

525 feet (☒ North/☐ South) and 80 feet (☒ East/☐ West)

from the (☐NW ☒SW ☐NE ☐SE ☐____) corner of Section 11

See page 10 for additional points of diversion/withdrawal

NOTE: If more than two points of diversion/withdrawal attach additional information on a separate sheet of paper.(SEE LAST PAGE)

Do you own the land on which the proposed point of diversion/withdrawal is located? ☒ YES ☐ NO
If no, do you have legal authority to make this application for use of another's land? ☐ YES ☐ NO
Provide the owner name(s), address, and phone number:_____

Section 4. PLACE OF USE

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 it carefully in the space below.

¼	¼	Section	Twp.	Range	County	Parcel No.
		2 and 11	7N	31E.	Walla Walla	

For Ecology Use	APPLICATION NO:_____ SEPA: Exempt/Not Exempt Fee Paid:_____ Check No:_____ ECY Coding: 001-001-WR1-0285-000011
Date Returned _____ By_____ Priority Date _____ By_____ WRIA:_____	

Do you own all the lands on which the proposed place of use is located? ☒ YES ☐ NO.

If no, do you have legal authority to make this application for use of another's land? ☐ YES ☐ NO
Provide owner name(s), address, and phone number:_____

_____

Are there any other water rights or claims associated with this property or water system? ☒ YES ☐ NO

If yes, provide the water right and/or claim numbers: G3-2868C

_____

Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map.

Section 5. WATER SYSTEM DESCRIPTION

Describe your proposed water system (include type and size of devices used to divert or withdraw water from source): The system is currently 5 wells, with turbine pumps, and a sprinkler irrigation system. The applicant intends to submit an application to change the purpose of use under the certificate to commercial and industrial purposes. After said application is granted, the water system will be 5 wells with distribution pumps and pipes to commercial and industrial use buildings.

_____

_____

Section 6. DOMESTIC WATER SUPPLY SYSTEM INFORMATION

Complete A or B, and C below

A.) Domestic Water Systems only	**B.) Municipal Water Systems only** *(defined under RCW 90.03.015)*
Projected number of connections to be served: _____	Present population to be served water: _____
Type of connections:_____ *(e.g., home, recreational cabin)*	Estimate future population to be served: _____ (20 year projection)

C.) Water System Planning

Do you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division? ☐ YES ☐ NO

If yes, date plan was approved _____/_____/_____ Water System Number:_____

Name of water system:_____

Are you within the service area of an existing water system? ☐ YES ☐ NO

If yes, explain why you are unable to connect to the system:_____

_____

_____

_____

_____

Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES

Irrigation

Total number of acres requested to be irrigated under this application = _____ ACRES
NOTE: Outline the area to be irrigated on your attached map.

Stockwater

List number and kind of stock:_____

_____

_____

Is the proposed project for a dairy farm? ☐ YES ☐ NO

Other Proposed Farm Uses

Describe all proposed uses: _____

_____

_____

_____

Family Farm Water Act (RCW 90.66):

Calculate the acreage in which you have a controlling interest, including only:

- Acreage irrigated under water rights acquired after December 8, 1977,
- Acreage proposed to be irrigated under this application, and
- Acreage proposed to be irrigated under other pending application(s).

Is the combined acreage under existing rights greater than 6000 acres? ☐ YES ☒ NO

Do you have a controlling interest in a Family Farm Development Permit? ☒ YES ☐ NO (see attached letter from Ken Slattery)

If yes, enter Permit No: _____

Section 8. OTHER WATER USES

Hydropower

Indicate total feet of head _____ and proposed capacity in kilowatts:_____

Describe works:_____

_____

_____

Indicate all uses to which power is to be applied:_____

FERC License No: _____

Mining/Industrial Use

Describe use, method of supplying and utilizing water: The applicant intends to submit an application to change the purpose of use under the certificiate to commercial and industrial purposes. After said application is granted, the Port of Walla Walla will construct an industrial water system, which will include the existing wells identified in this application.

Other Use

_____

_____

_____

Section 9. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water? ☐ YES ☒ NO

Are you proposing to store more than 10 acre-feet of water? ☐ YES ☒ NO

Will the water depth be 10 feet or more? ☐ YES ☒ NO

If you answered yes to any of the above questions, please describe:_____

_____

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point and some portion of the storage will be above grade, you must also complete an Application for Permit to Construct a Reservoir and a Dam Construction Permit and Application.

Section 10. DRIVING DIRECTIONS

Provide detailed driving directions to the project site: State Route 12 south from Richland toward Wallula; approximately 1 mile north of Wallula, SR 12 crosses Northern PAcific Railway 1/4 mile west of Northwest corner of Section 11.

Site Address: Boise Cascade Corporation - Cottonwood Fiber Farm, P.O. Box 500, Wallula WA 99363

Section 11. REQUIRED SIGNATURES

I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

Print Name (Applicant or authorized representative)	Signature	Date
James M. Kuntz Executive Director, Port of Walla Walla	James M. Kuntz	June 30, 2008

Print Name (Landowner of Place of Use) — Signature — Date

Print Name (Landowner of Place of Use) — Signature — Date

Print Name (Landowner of Place of Use) — Signature — Date

Submit your application to: DEPARTMENT OF ECOLOGY
CASHIERING SECTION
PO BOX 5128
LACEY WA 98509-5128

Please check the region in which your proposed project is located.
☐ Southwest ☐ Northwest ☒ Central ☐ Eastern (Columbia River Program)