

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 April 5, 1993 | APPLICATION NUMBER G3-29446 | PERMIT NUMBER | CERTIFICATE NUMBER |
|--------------------------------|--------------------------------|---------------|--------------------|

| | | | |
|--|--------------------|-----------------------|---------------------|
| NAME CURLEW CREST | | | |
| ADDRESS (STREET) 8198 HWY 262 E., Box 7 | (CITY) Othello, | (STATE) Washington | (ZIP CODE) 99344 |

PARTIAL DENIAL

PUBLIC WATERS TO BE APPROPRIATED

| |
|----------------------------------|
| SOURCE A Well |
| TRIBUTARY OF (IF SURFACE WATERS) |

| | | |
|-------------------------------|-----------------------------------|----------------------------------|
| MAXIMUM CUBIC FEET PER SECOND | MAXIMUM GALLONS PER MINUTE 100 | MAXIMUM ACRE-FEET PER YEAR 16 |
|-------------------------------|-----------------------------------|----------------------------------|

QUANTITY, TYPE OF USE, PERIOD OF USE
100 gallons per minute, 16 acre feet per year, continuously, for group domestic supply of 8 homes.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
270 feet north and 1740 feet west from the SE corner of Sec. 18.

| | | | | | |
|--|---------------|-------------------|---------------------------------|----------------|-----------------|
| LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) SW $\frac{1}{4}$ SE $\frac{1}{4}$ | SECTION 18 | TOWNSHIP N. 17 | RANGE, (E. OR W.) W.M. 28 E. | W.R.I.A. 41 | COUNTY Grant |
|--|---------------|-------------------|---------------------------------|----------------|-----------------|

RECORDED PLATTED PROPERTY

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

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Legal description of property on which water is to be used - 8 homesites, listed in numerical order:

1. That portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, T. 17 N., R. 28 E.W.M., described as follows: Commencing at the Southeast corner of said subdivision ("the point of beginning"); thence S 89°55'59" W along the Southerly boundary line thereof 337.0 feet; thence N 0°59'51" E parallel with and 337.0 feet distant from the Easterly line thereof 300.0 feet; thence N 89°55'59" East 337.0 feet, more or less, to the East line of said subdivision; thence S 0°59'51" W 300.0 feet, more or less, along the Easterly line of said subdivision to the point of beginning.

All that portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, T. 17 N., R. 28 E.W.M., lying outside of Irrigation Block 80, Columbia Basin Project, Washington, as shown on the Second Revision to the Farm Unit Plat of said Block as recorded in Grant County on August 20, 1962.

2. All that portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, T. 17 N., R. 28 E.W.M., lying outside Irrigation Block 80, Columbia Basin Project, Washington, as shown on the Second Revision to the Farm Unit Plat of said Block recorded in Grant County on August 20, 1962, EXCEPTING THEREFROM that portion thereof described as follows: Commencing at the SE corner of said Subdivision, ("the point of beginning"); thence South 89°55'59" W along the Southerly line thereof 337.0 feet; thence N 0°59'51" E parallel with and 337.0 feet distant from the Easterly line thereof 300.0 feet; thence N 89°55'59" E 337.0 feet, more or less, to the East line of said Subdivision; thence S 0°59'51" W 300.0 feet, more or less, along the Easterly line of said Subdivision to the Point of Beginning.

(Legal Description Continued on Page 4)

DESCRIPTION OF PROPOSED WORKS

Drilled Well - 8" X 630', 10 H.P. Pump; 25-30,000 gallon reservoir.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:

Started

COMPLETE PROJECT BY THIS DATE:

October 1, 1998

WATER PUT TO FULL USE BY THIS DATE:

October 1, 1999

REPORT

BACKGROUND

An application to appropriate public ground water was submitted by Curlew Crest to the Department of Ecology on April 5, 1993. The application was accepted and assigned Ground Water Application No. G3-29446. The applicant proposes to withdraw groundwater from a well in the amount of 160 gallons per minute for continuous group domestic supply of 8 homes. The proposed point of withdrawal is to be located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, T. 17 N., R. 28 E.W.M., Grant County.

A notice of application was duly published in accordance with RCW 90.03.280; no protests or objections were received.

This application is categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21C RCW. A permit issued under this application is exempt under the Family Farm Water Act of 1977, Chapter 90.66 RCW.

INVESTIGATION

A field examination was conducted on February 2, 1994 by James A. Jacobson, State Watermaster. This project is located approximately 16 miles south of the City of Moses Lake. The status of this project at the time of examination was that the well had already been drilled and was being used for the construction of one home.

The applicant's project is located within an area defined as the Quincy Ground Water Subarea (Chapter 173-124 WAC). The department has accepted a declaration of artificially stored ground water filed by the U.S. Bureau of Reclamation pursuant to 90.44.130 RCW for certain waters within the subarea occurring as a result of the construction and operation of the Columbia Basin Irrigation Project. The department subsequently adopted Chapter 173-134A WAC and 173-136 WAC, which are regulations for the administration of both public and artificially stored ground waters within the subarea.

The Columbia Basin Project, through delivery of imported surface waters, has had a major impact on the ground water hydrology in the subarea. The imported water applied to the land surface through irrigation systems has caused a general rise in ground water levels. The extensive ground water recharge is limited to the sedimentary formations which overlie the basalt bedrock based upon data available to date. However, it is believed there is some ground water present in the uppermost 200 feet of the basalt as a result of Project activities.

The management regulations for the Quincy Ground Water Subarea reserve a specific amount of water for domestic and group domestic uses to be withdrawn from the shallow management unit, which is defined to include the ground water hydraulically continuous between land surface and a depth of 200 feet into the Quincy Basalt Zone (Chapter 173-134A WAC). Public ground water is not otherwise available at this time from either the shallow or deep management units.

The appropriation requested by the applicant falls under the category of group domestic uses for which the department has reserved public ground water. The applicant's well penetrates only the shallow management unit.

The amount of water requested exceeds that which should be needed for a project this size. The lot sizes on this project are approximately 2 to 5 acres each. The requested instantaneous of 160 gallons per minute, and annual acre-footage of 80 acre feet indicates that more than one-half acre of lawn and garden per unit is anticipated. A separate application for an Artificially Stored Ground Water irrigation permit is required if the applicant wants to irrigate more than one-half acre of lawn and garden per unit.

A permit issued under this application would only allow the pumping of 100 gallons per minute, 16 acre feet per year, for the continuous domestic supply of 8 homes, including up to but no more than one-half acre of lawn and garden irrigation for each lot.

CONCLUSIONS AND RECOMMENDATIONS

It is the conclusion of this examiner that: public ground water is available for appropriation for a beneficial use; that group domestic supply is a beneficial use; that the appropriation of such water will not impair existing rights or be detrimental to the public welfare.

It is recommended that this application for a public ground water permit be approved in the amount of 100 gallons per minute, 16 acre feet per year, for continuous group domestic supply. It is also recommended that 60 gallons per minute, 64 acre feet per year be denied; subject to the following provisions:

"At such time that the Department of Ecology determines that management of the subject waters is necessary and in the public interest, an approved measuring device shall be installed and maintained in accordance with RCW 90.03.360 or WAC 508-64-020 through WAC 508-64-040."

"The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required. "

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

"This authorization to make use of public waters of the state is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

"A certificate of water right will not be issued until a final examination is made."

"The water quantities and uses recommended and/or the number of acres to be irrigated may be reduced at the time of issuance of a final water right commensurate with the capacity of the installed system and the uses and/or the number of acres actually irrigated."

"Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations."

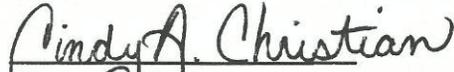
"Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gage may be installed in addition to the access port."

"All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells)."

"A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained."

"The well(s) shall be completed within the shallow management unit and is restricted to be drilled no deeper than 200 feet into the Quincy Basalt Zone (Chapter WAC 173-134A-080)."

Signed at Spokane, Washington
this 12th day of October, 1994.


Cindy A. Christian
Water Resources Program
Department of Ecology

Legal Description Continued

3. The E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, T. 17 N., R. 28 E.W.M., Grant County, Washington.
4. The E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, T. 17 N., R. 28 E.W.M., Grant County, Washington.
5. The W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, T. 17 N., R. 28 E.W.M., Grant County, Washington.
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Report Continued

Legal Description Continued

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COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N. Monroe, Suite 202 • Spokane, Washington 99205-1295 • (509) 456-2926

October 12, 1994

Curlew Crest
8198 Highway 262 E, Box 7
Othello, WA 99344

Gentlemen:

Re: Ground Water Application No. G3-29446

The enclosed Report of Examination constitutes the department's determination and order for the above application.

This Order may be appealed. Your appeal must be filed with the Pollution Control Hearings Board, P. O. Box 40903, Olympia, WA 98504-0903 within thirty (30) days of your receipt of this Order. At the same time, your appeal must also be sent to the Department of Ecology c/o the Enforcement Officer, P. O. Box 47600, Olympia, WA 98504-7600. Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Chapter 43.21B RCW.

Sincerely,

Bruce F. Howard
Section Manager
Water Resources Program

BFH:aal

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