

The Reflector

21914 N.E. 112th Ave., P.O. Box 2020, Battle Ground, Washington 98604-2020
(206) 687-5151 • FAX: (206) 687-5162

RECEIVED

Affidavit of Publication

'96 MAR 11 A9:48

STATE OF WASHINGTON [SS.
COUNTY OF CLARK

DEPARTMENT OF ECOLOGY
S.W. REGIONAL OFFICE

Marvin J. Cau, being first
duly sworn on oath, deposes and says that he is

Publisher
of THE REFLECTOR, a weekly newspaper. That said
newspaper is a legal newspaper by order of the
superior court in the county in which it is published
and it is now and has been for more than six months
prior to the date of publication hereinafter referred
to, published in the English language, continually as
a weekly newspaper in Battle Ground, Clark County,
Washington, and is now and during all of said time
was printed in an office maintained at the aforesaid
place of publication of said newspaper. That the
annexed is a true copy of _____

Water Rights Notice
as it was published in regular issues (and not in
supplement form) of said newspaper once a week for
a period of 2 consecutive weeks commencing

on the 28th day of February,
19 96, and ending on the 6th day of

March 1996, both dates inclusive and
that such newspaper was regularly distributed to its
subscribers during all of said period. That the full
amount of the fee charged for the foregoing

publication is the sum of \$ 25⁰⁰
which amount has been paid in full at the rate of
\$4.25 per column inch for the first insertion and
\$3.50 per column inch for each subsequent insertion.

[Signature]
Subscribed and sworn to before me this
6th day of March, 19 96

Barbara E. O'Connor
Notary Public in and for the State of Washington
Residing at Battle Ground, Washington

SEAL

**NOTICE OF APPLICATION
TO APPROPRIATE
PUBLIC WATERS**
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
TAKE NOTICE:
That Floyd and Lavaun Haffner of
Woodland, Washington on
September 29, 1994, under
Application No. S2-29122 filed for
permit to appropriate public waters,
subject to existing rights, from North
Fork of Lewis River in the amount of
.01 cubic feet per second as needed
each year, for irrigation during the
irrigation season. The source of the
proposed appropriation is located
within NE 1/4 SW 1/4 Section 18,
Township 5N., Range 1 E.W.M., in
Clark County.
Protests or objections to approval
of this application must include a
detailed statement of the basis for
objections; protests must be
accompanied by a two dollar (\$2.00)
recording fee and filed with the
Department of Ecology, at the
address shown below, within thirty
(30) days from March 6, 1996.
DEPARTMENT OF ECOLOGY
P.O. Box 47775
Olympia, WA 98504-7775
Feb 28, Mar 6

off OK
3/11/96
SC



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

January 29, 1996

Floyd and Lavaun Haffner
6306 NW Amidon Road
Woodland, Washington 98674-9999

Dear Mr. and Mrs. Haffner:

Re: Surface Water Right Application No. S 2-29122

Your application for the appropriation of water has been assigned the above referenced number. Please refer to this number in future correspondence.

Enclosed is a notice of your application which must be published once a week for two consecutive weeks in a qualified legal newspaper of general circulation in the County or Counties in which the storage, diversion, and use is to be made and in other newspapers as directed. A list of these newspapers in your county is enclosed.

The applicant is responsible for the payment of the publication. Please read the notice carefully to make sure it is correct. Should you find an error, please return the notice to our office for correction.

You should mail or deliver the enclosed notice to a newspaper regarding publication as soon as possible. When you receive the affidavit of publication form the newspaper, please forward it to this office promptly.

Sincerely,

Sheri Carroll
Shorelands & Water Resources

SC:th
Enclosures





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

January 29, 1996

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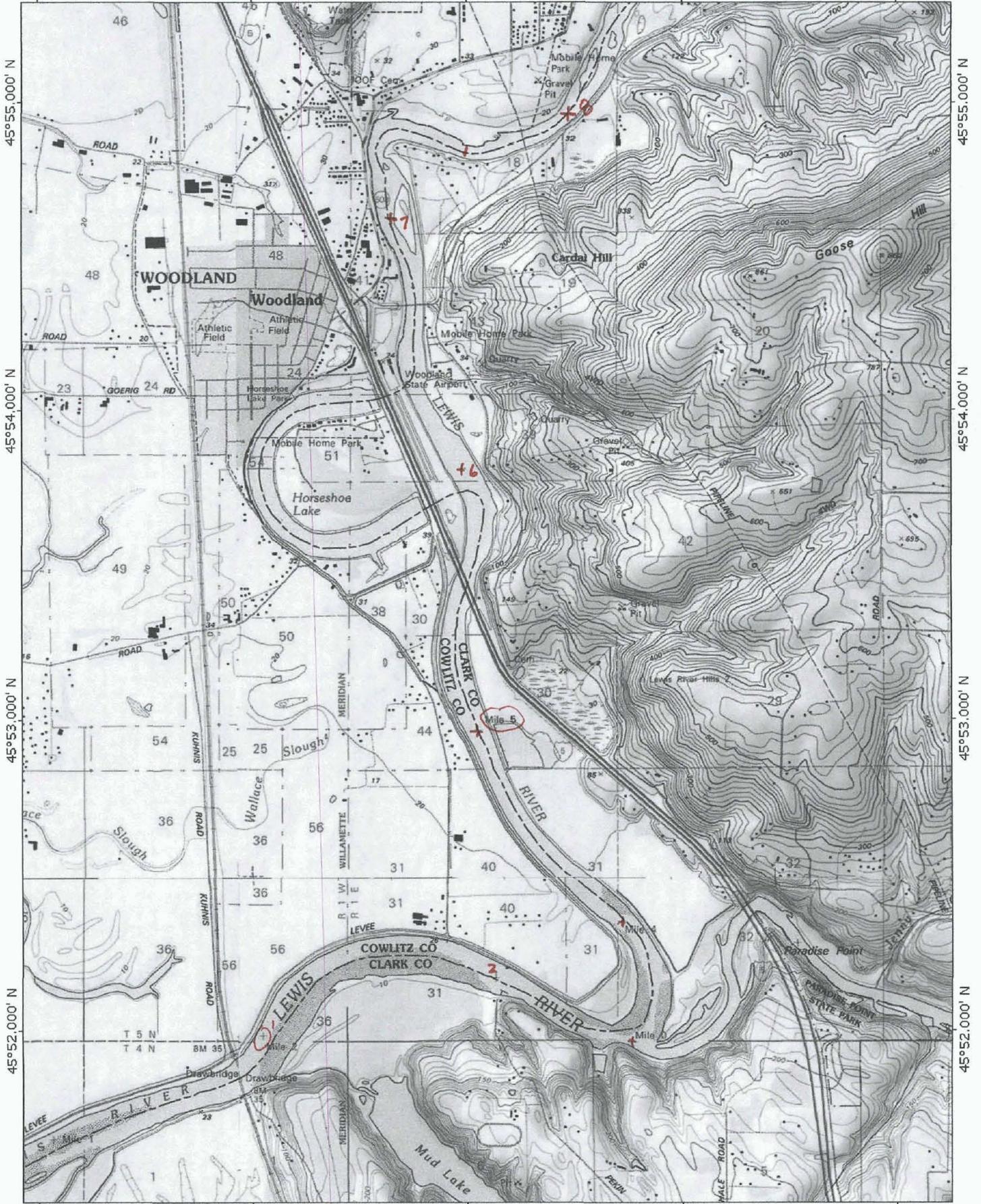
The applicant is responsible for the payment of the publication. Please read the notice carefully to make sure it is correct. Should you find an error, please return the notice to our office for correction.

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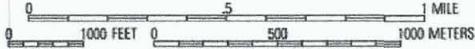
Sincerely,

Sheri Carroll
Shorelands & Water Resources

SC:th
Enclosures



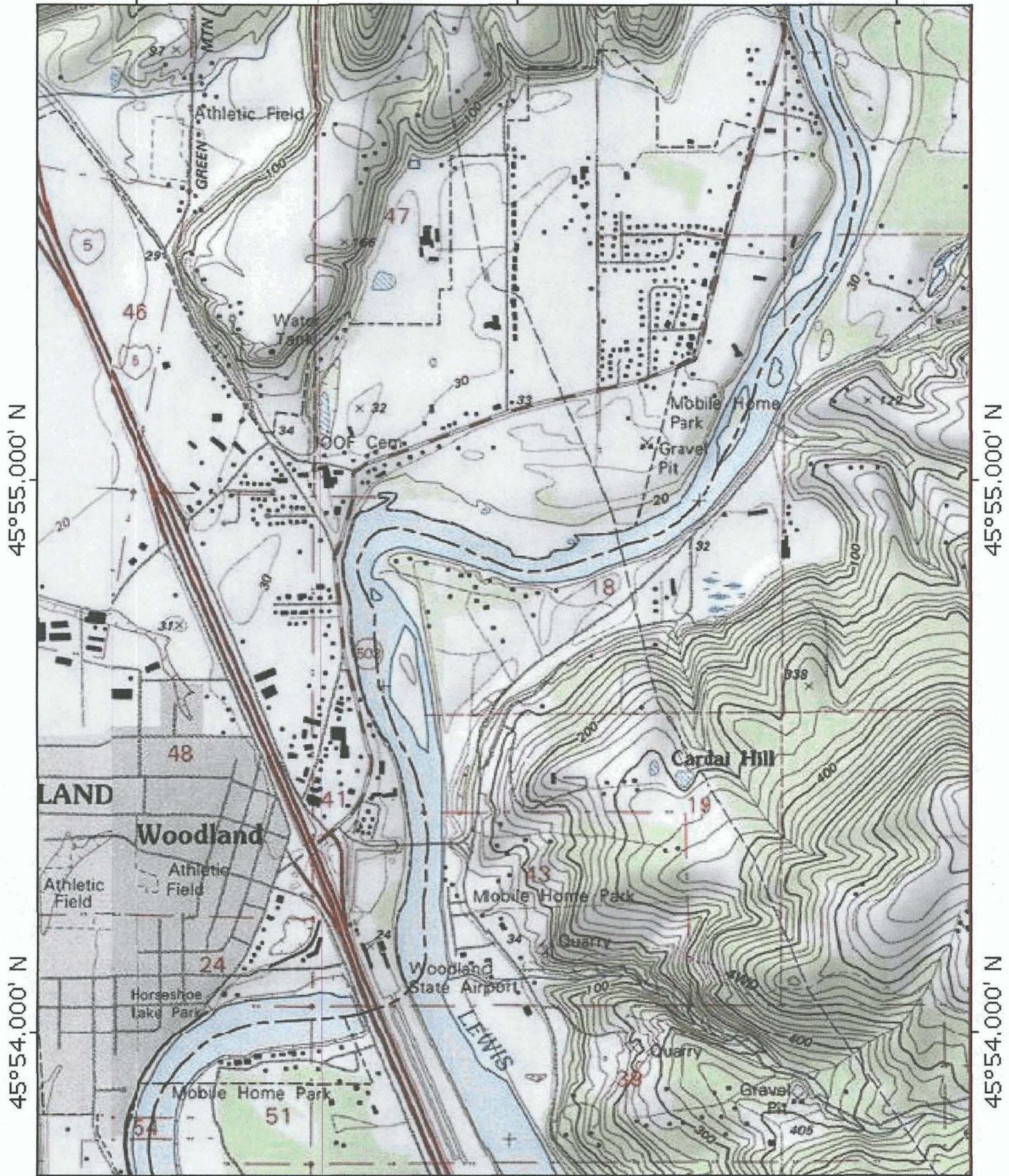
TN * /MN
17 1/2"



122°45.000' W

122°44.000' W

WGS84 122°43.000' W



45°55.000' N

45°55.000' N

45°54.000' N

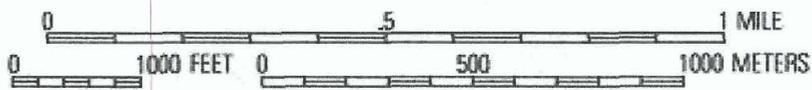
45°54.000' N

122°45.000' W

122°44.000' W

WGS84 122°43.000' W

TN \star MN
 17½°



Map created with TOPO!® ©2003 National Geographic (www.nationalgeographic.com/topo)

(ac)

(wd)

(pet)

(rd)

(vw)

The certificate of water right will issue for only that quantity of water that has been withdrawn and applied to actual beneficial use. Such quantity applied to actual beneficial use shall not exceed the quantity specified in this report of exam and will be calculated based on the best information available to Ecology, including metering data and/or water duty analysis.

A certificate of water right will not be issued until a final investigation is completed to establish proof of appropriation.

Water Availability at the Point of Diversion

Based on the relatively large discharge rates of the North Fork Lewis River during the dry season, and the additional water depth provided by tidal influence, there is sufficient water available to supply this proposed diversion. The small diversion will not make any material difference to instream habitat or total streamflow.

Recommendations

The water duty for turf in this area (Battle Ground climatic station) is 18.37", assuming a 75 percent efficiency loss. ~~22 inches, or 1.83 feet.~~ Therefore, ¼ acre of irrigation requires 0.46-.38 acre-feet per year. The Haffner residence qualifies for an exempt groundwater right of up to 5,000 gallons per day and irrigation of up to ½ acre. If the lawn is irrigated with surface water, the amount shall be debited from that allowed under the groundwater exemption. That is, if 0.25 acre of lawn is irrigated with the surface water diversion, then only an additional 0.25 acre of irrigation shall be allowed from the well under the groundwater exemption for this well. An annual water use of 0.46-.38 ac-ft/yr is reasonable for a home with well-maintained landscaping, with the usual range between 1/3 and ½ ac-ft/yr for a domestic water demand.

Conclusions

I find that additional groundwater is available for appropriation and that an additional withdrawal of 0.46-.38 acre-feet per year from the North Fork Lewis River, at maximum rate of 0.01 cfs, subject to the provisions below, will not impair senior water rights. The new appropriation will not be detrimental to the public welfare.

Recommendations

I recommend that application S2-29122 be approved/~~denied~~ for 0.01 cfs and 0.46-4.38 afy for irrigation use, from April 1 through October 30, subject to the following provisions. Because the water right is already in use, and the use and pumping works were verified during my site, ~~I also recommend that these findings be considered to include the Proof of Appropriation. Therefore,~~ a Certificate of water right could be awarded immediately following issuance of the Permit, ~~provided the Haffners submit a Proof of Appropriation.~~

The amount of water granted is a maximum limit that shall not be exceeded.

Both the proposed diversion and place of use are located on the left bank of the North Fork Lewis River, with the diversion works in the northwest corner of the parcel on the riverbank. This is a residential lot extending 90 feet east-west (river frontage) by 388 feet north-south. The area is a nearly flat floodplain terrace, about 30 feet higher than the river, with mostly residential landuse. The terrace extends southeastward for about 2,000 feet to the foot of a steep hill.

Water System

The water diversion and delivery system consists of a ½ to ¾ HP jet pump (owner unsure) that is permanently mounted in a wooden structure on the left bank of the North Fork Lewis River. A 1-inch diameter PVC pipe delivers the diverted water to a buried sprinkler system, consisting of sprinklers spaced around the lawn areas on all sides of the home. The Haffner's parcel covers an area of 0.78 acre. The irrigated lawn area appears to be less than 1/3 of the total parcel area, or approximately 0.25 acre, with the house, garage, pavement, shrubbery, and trees covering the balance of the parcel.

The Haffners have been irrigating their lawn with the surface-water diversion since 1996. Apparently, they thought that because the application had been advertised and they had not heard from the Department of Ecology, the water right had been approved.

Water Right Applications in the Vicinity

Department of Ecology's Water Rights Application Tracking System (WRATS) database was used to identify applications for surface water downstream of the applicant's point of diversion that appear to be senior the subject application. There are no pending senior water right applications for surface water, between the Haffner property and downstream to the City of Woodland. The City of Woodland's pending applications, and other pending applications with diversions downstream from the City, are being investigated under a separate, simultaneous Cost Reimbursement contract.

Hydrologic Setting

The North Fork Lewis River is a large river with a baseflow of more than 1,000 cubic feet per second during the lowflow season (GeoEngineers, 2003), due to stabilizing influence of three upstream reservoirs. The baseflow is no doubt higher than it would be under the natural conditions that existed before the dams were built. The proposed diversion is located at approximately river mile 7.5. Tidal influence, transmitted up the Columbia River and Lewis River to the North Fork extends to river mile 11, which is 3.5 miles upstream of the Haffners. The instream habitat in tidal reach is less of an issue than it would be otherwise.

Background

On September 24, 1994, Floyd and Lavaun Hafner applied for a water right to irrigate ¼-acre of residential lawn at their home, with a diversion from the left bank of the North Fork Lewis River, at the rate of 0.01 cubic feet per second (cfs). The diversion is located at approximately river mile 7.5. The Hafner parcel is located in Township 5 N, Range 1 E, Section 18, NE ¼ of the SW ¼, in Clark County.

The application was accepted by the Department of Ecology on September 29, 1994 and assigned application number S2-29122.

The application was duly advertised in The Reflector, a newspaper published in Battle Ground, WA, on February 28th and March 6th, 1996. No protests of, or comments on, the application were received by the Washington Department of Ecology.

The applicants own no other water rights in the vicinity.

This application was processed under a cost reimbursement agreement, contract C050006-9R25, between High Ridge Land Company and Department of Ecology, as authorized under RCW 90.03.265 and related Washington Administrative Code. The procedures used during the processing of this application are based on RCW's 90.44.060 and 90.03.250-340, and related Washington Administrative Codes.

Investigation

Geologic, hydrologic, and water-system information contained within this Report of Examination were derived from maps, review of Dept. of Ecology water rights and claims in the area, published reports, a site visit, and discussions with the applicants. The Washington State University publication "Irrigation Requirements for Washington, Estimates and Methodology", Publication EB1513, by James and others, 1990, also was consulted.

On August 17, 2004, Linton Wildrick, with Pacific Groundwater Group, under contract to Department of Ecology, visited the Hafner property, observed the extent of lawn irrigation and the installed pumping and sprinkler system, and spoke with the applicants.

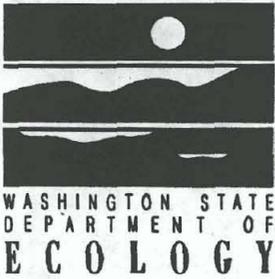
Location

J. MATI'S COMMENTS

HAFFNER WATER RIGHT

8-17-05

- * SPOKE W/ MR & MRS. HAFFNER
- * JET PUMP IN RIVER AT N/E CORNER OF LOT, DOESN'T KNOW HORSEPOWER
- * LAWN ~ 1/4 ACRE OF 3/4 AC
- * HAS DOMESTIC WELL BUT WOULD LIKE TO HAVE THE RELIABLE SW SOURCE FOR IRRIGATION.
- * FRONT & REAR LAWNS, PAVED DRIVEWAY.
- * FLOYD WORKED W/ ED ROBERTSON AT FT VAN COUVER MILL, 10 YRS YOUNGER.



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

TAKE NOTICE:

That Floyd and Lavaun Haffner of Woodland, Washington on September 29, 1994, under Application No. S2-29122 filed for permit to appropriate public waters, subject to existing rights, from North Fork of Lewis River in the amount of .01 cubic feet per second as needed each year, for irrigation during the irrigation season. The source of the proposed appropriation is located within NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 5 N., Range 1 E.W.M., in Clark County.

Protests or objections to approval of this application must include a detailed statement of the basis for objections; protests must be accompanied by a two dollar (\$2.00) recording fee and filed with the Department of Ecology, at the address shown below, within thirty (30) days from: _____ (Last date of publication to be entered above by publisher)

*** NOTICE MUST BE PUBLISHED ONCE A WEEK FOR TWO CONSECUTIVE WEEKS ***

Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (206) 407-6300

November 15, 1994

Dear Water Right Applicant:

We have received your application for water rights. Your application has been assigned the following number S 2-29122. Please refer to this number in future correspondence.

As you may recall, the 1993 Washington State Legislature passed legislation intended to enhance the Department of Ecology's program for water right decisions. The bill created a Water Rights Fees Task Force to examine the process for making water right decisions, recommend efficiency measures, and develop new water right decisions. Half of the programs funding for water right decisions during the second portion of the biennium was expected to be generated from new fees. Unfortunately, the task force recommendations on increased fees did not pass the 1994 legislature and Ecology was forced to cut 35 staff.

With help from staff and representatives of the many water interests, we have examined priorities for our program. Rendering water right decisions is listed among our new priorities. However, due to specific language in the budget, staffing devoted to this activity has been cut significantly. Effective May 1, 1994, our top priority is to water right applications needed for emergencies concerning public health or safety. Priority also will be given to requests for water right changes, transfers, and short-term authorizations for public projects, such as road-building. Decisions on other water right applications will be delayed, probably for several years.

This means that the majority of new water right applications and many applications for change will continue to await decisions. You will be notified when we are ready to work on your application. Your priority date will be maintained during this waiting period.

Please review the attached Focus Sheet for other priorities and more details. If you still have questions, please call the person listed on the attached sheet. To better manage the use of staff time, I have set office hours have been set as follows:

Telephone Calls

Mondays and Wednesday
8:00 am to 4:00 pm

Walk-Ins

Tuesdays and Thursdays
8:00 am to 12:00 (noon)

Our limited staff will respond to your questions and concerns as soon as possible. Special appointments can be arranged as necessary.

Sincerely,

Gale Blomstrom
Water Resources Supervisor

GB:th
Enclosure



RECEIVED Nov 21-06
DEPT. OF ECOLOGY/SWTR

Please find enclosed
my check.

'06 NOV 27 12:15

Thank you for all you
have done for us.

Lavawn Haffner

HALL & SON PUMP COMPANY
15416 N.E. Caples Road
BRUSH PRAIRIE, WA 98606
(360) 892-3368
225-5011

SOLD BY	DATE	NAME	ADDRESS	CASH	C.O.D.	CHARGE	ON ACCT.
	4-24-06	Lloyd Haffner					
		Sequoia II				790	
		500 Miles				1900	
		2. Haffner Complex				20	
		(Buss)				200	
		2. 1/2" x 3/4" SLT				790	
		PVC Bushes				790	
		CHHT				790	
		48196				790	
RECEIVED BY							\$107

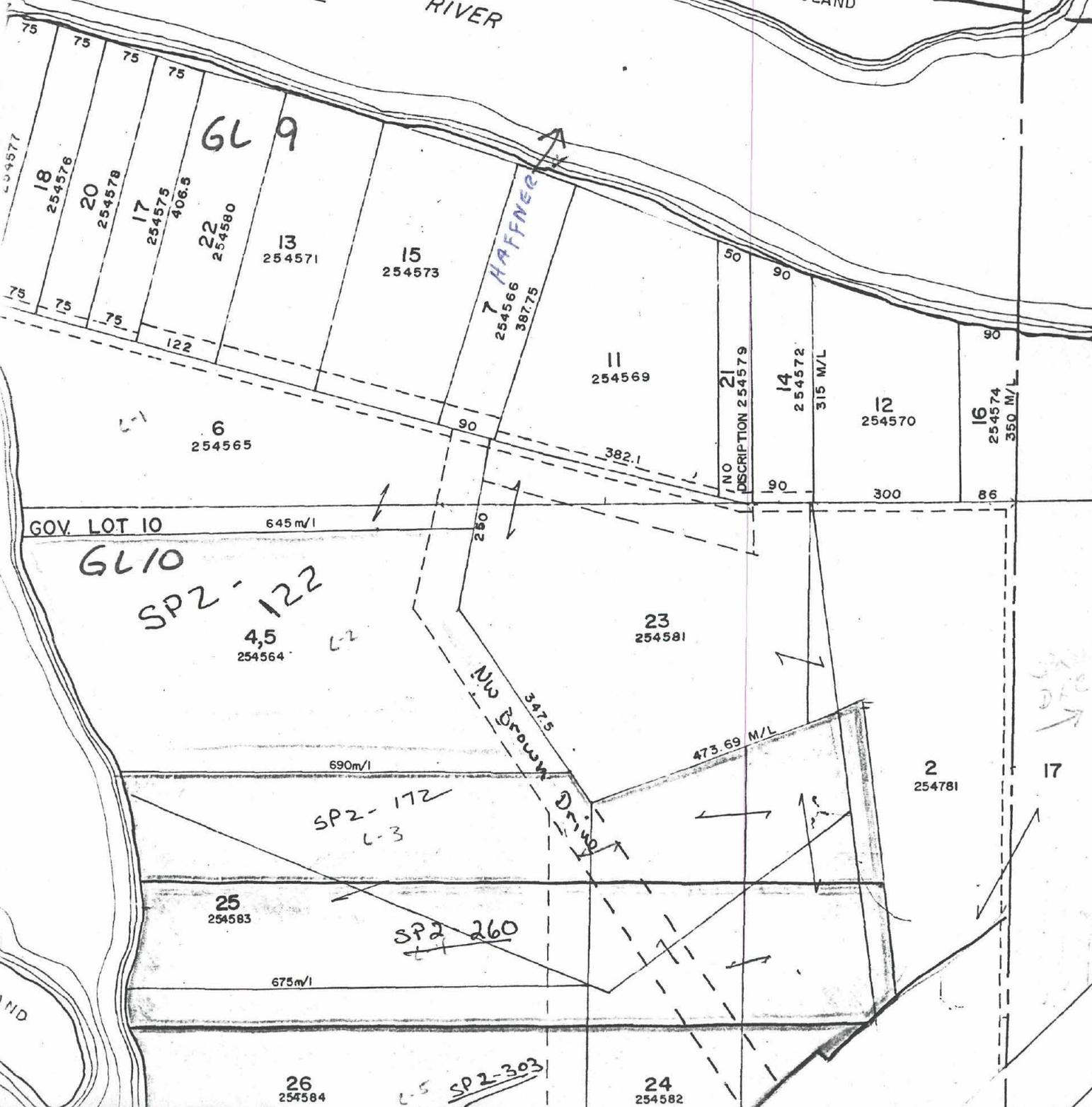
All claims and returned goods MUST be accompanied by this bill.
Thank You
To Reorder:
300-225-6980 or nabs.com

Section - 18
township and range
5 1 East of Willemette meridian
in Clark Co.

COWLITZ COUNTY
CLARK COUNTY

NORTH FORK LEWIS RIVER

ISLAND



GL 9

GOV LOT 10
GL 10
SP2-122

SP2-172
L-3

SP2-260

L-5 SP2-303

HAFFNER

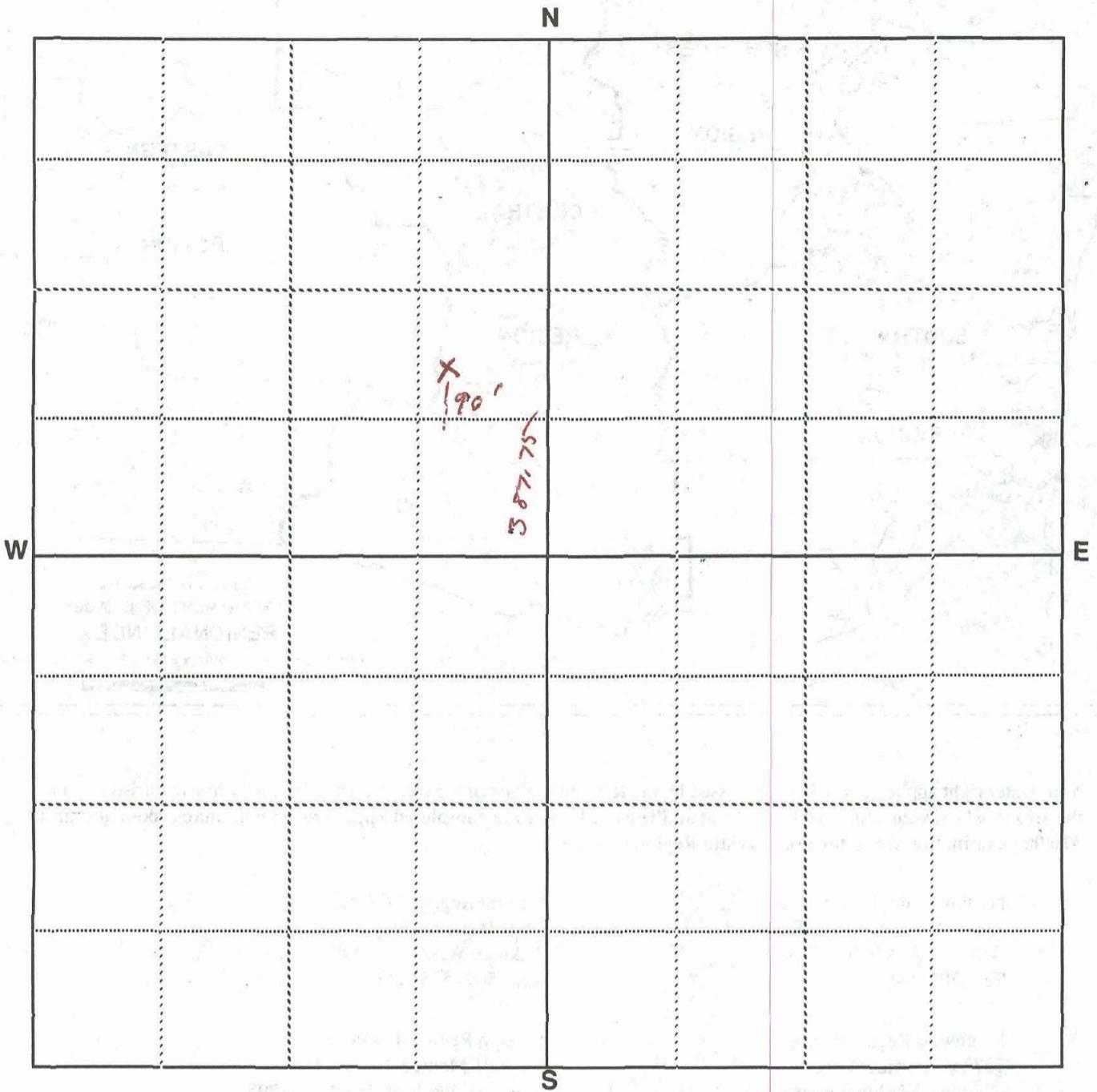
No Brown Drive

DESCRIPTION 254579

75 75 75 75
18 254576
20 254578
17 254575 406.5
22 254580
13 254571
15 254573
7 254566 387.75
11 254569
50 90
21
14 254572 315 M/L
12 254570
16 254574 350 M/L
6 254565
90 382.1
GOV LOT 10 645 m/l
4.5 254564
23 254581
250
347.5
473.69 M/L
2 254781
17
690m/l
25 254583
675m/l
26 254584
24 254582

SECTION MAP

Sec. Twp. N. R.



Scale: 1 inch = 800 feet (each small square = 10 acres)

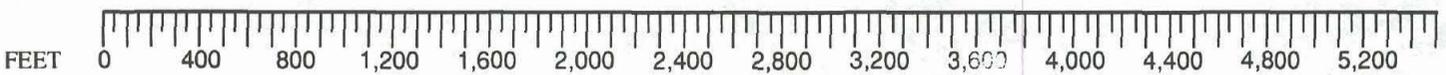
Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile.

Indicate traveling directions from nearest town in space below.

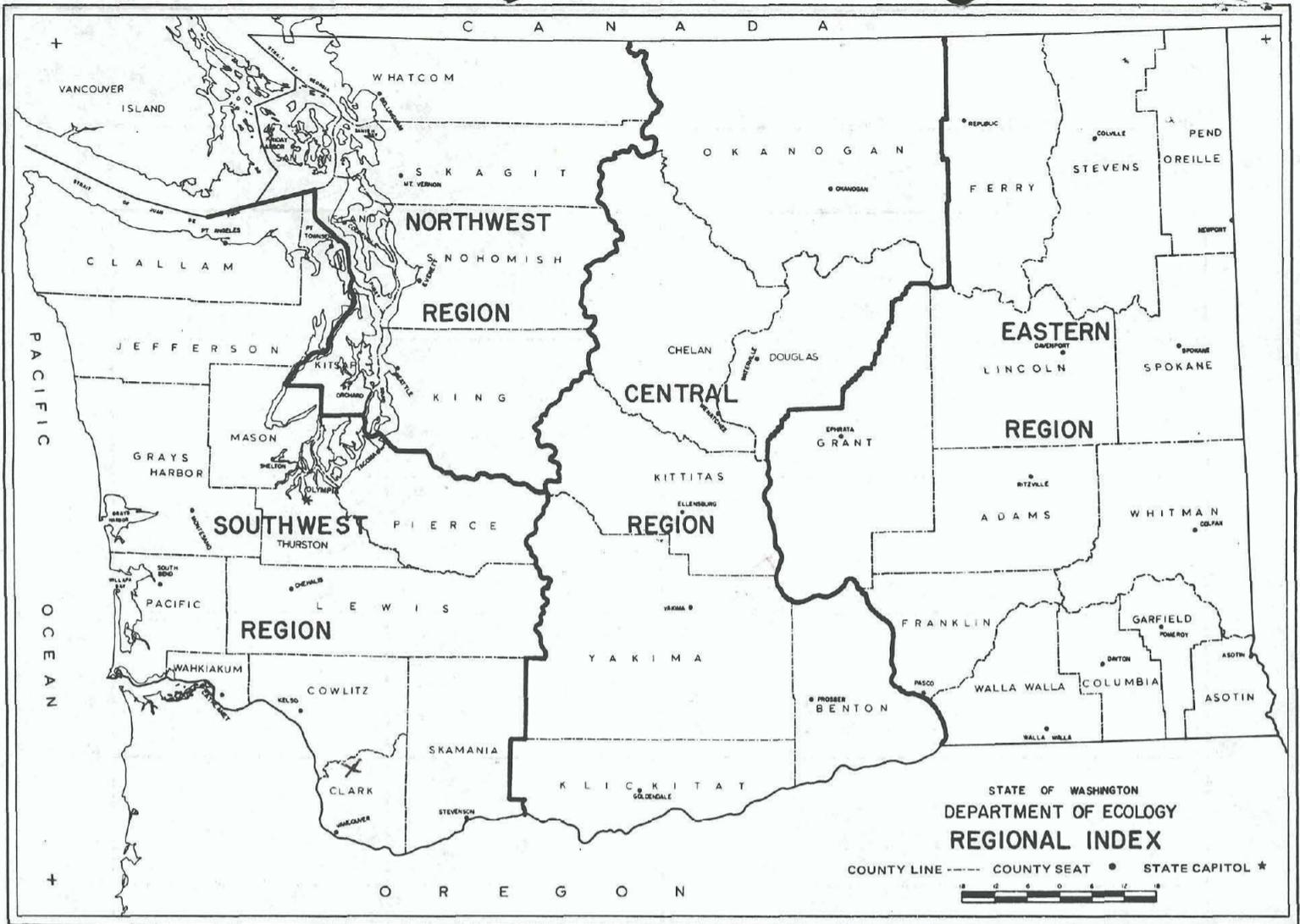
X From Woodland go across North Fork river
 bridge (south) turn left on Hayes Rd. 1/10
 of a mile to Amidon Rd. turn left we
 are 5th house on right.

Detach here

Fold along scale



Detach this scale at the performance, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and \$10.00 examination fee.



Your water right application will be processed by the Regional Office of the Department of Ecology having jurisdiction in the area in which your water works are located. **Please submit your completed application form, maps, sketches, and \$10.00 examination fee to the appropriate Regional Office.**

Northwest Regional Office
3190 - 160th Avenue S.E.
Bellevue, WA 98008-5452
Tel. (206) 649-7000

Central Regional Office
3601 West Washington
Yakima, Washington 98903-1164
Tel. (509) 575-2800

Southwest Regional Office
7272 Cleanwater Lane
Olympia, Washington 98504-6811
Tel. (206) 586-6380

Eastern Regional Office
N. 4601 Monroe, Suite 100
Spokane, Washington 99205-1295
Tel. (509) 456-2926

The appropriate Regional Office will be happy to answer any further questions you may have.