



State of Washington Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

For Ecology Use
Fee Paid 15.00
Date 11/15/96

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name NORTHWEST WATER ASSOCIATION Home Tel: (360) 380-5320
Mailing Address 5168 GRAVELINE Rd. Work Tel: () SAME
City Bellingham State WA Zip+4 98226 + FAX: () -

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

Same as above

Name RANDE WARNER Home Tel: (360) 380-5320
Mailing Address 5166 GRAVELINE Rd. Work Tel: () - SAME
City B'HAM State WA Zip+4 98226 + FAX: () -
Relationship to applicant TREASURER

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 116 (gallons per minute or cubic feet per second) from a surface water source or ground water source (check only one) for the purpose(s) of Supplying households WITH POTABLE WATER. 150 members. Attach a "legal" description of the place of use. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient.

Estimate a maximum annual quantity to be used in acre-feet per year: Multiple domestic supply - continuously 192

Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:
From / / to / /

Section 4. WATER SOURCE

If SURFACE WATER	If GROUNDWATER
Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.:	A permit is desired for <u>4</u> well(s).
Number of diversions: _____	
Source flows into (name of body of water):	Size & depth of well(s): <u>3' CASINGS</u> <u>Approx. 25' DEEP.</u>

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:

¼ of	¼ of	Section	Township	Range(E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
<u>NW</u>	<u>NW</u>	<u>34</u>	<u>39N</u>	<u>02E</u>	<u>WHATCOM</u>			

For Ecology Use Date Received: 11-15-96 Priority Date: 11-15-96
SEPA: Exempt / Not Exempt FERC License # _____ Dept. Of Health # _____
Date Accepted As Complete 11/20/96 By RS Date Returned _____ By _____ WRIA: 1

Section 5. GENERAL WATER SYSTEM INFORMATION

A. Name of system, if named: NORTHWEST WATER ASSOCIATION

B. Briefly describe your proposed water system. (See instructions.)

WE CURRENTLY HAVE 4 WELLS WITH ONE WATER RIGHT. (A 25,000 gal Reservoir)
 OUR SYSTEM HAS 150 MEMBERS WITH 126 HOOKUPS AND APPROX.
 6 miles OF WATER DISTRIBUTION LINES.
 WE WOULD LIKE TO GET ENOUGH WATER RIGHTS TO HOOK UP ALL OF OUR
 MEMBERS & TO BE ABLE TO INFILL THOSE THAT LIVE IN OUR DISTRIBUTION
 AREA. WE HAVE MANY THAT WANT TO HOOK UP BUT CAN'T.

C. Do you already have any water rights or claims associated with this property or system? YES NO
 PROVIDE DOCUMENTATION.

Section 6. DOMESTIC / PUBLIC WATER SUPPLY SYSTEM INFORMATION
 (Completed for all domestic/public supply uses.)

A. Number of "connections" requested: 200 Type of connection HOMES
 (Homes, Apartment, Recreational, etc.)

B. Are you within the area of an approved water system? YES NO
 If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by
 your County Health Department. FERNDALE HAS SET LIMITATIONS THAT ARE IMPOSSIBLE
TO COMPLY WITH. BEEN TRYING TO WORK W/ THEM FOR 5 YRS. SEE ATTACHED NOTE.

Complete C. and D. only if the proposed water system will have fifteen or more connections.

C. Do you have a current water system plan approved by the
 Washington State Department of Health? YES NO
 If yes, when was it approved? 6/21/54 Please attach the current approved version of your plan.

D. Do you have an approved conservation plan? In process of completing YES NO
 If yes, when was it approved? _____ Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION
 (Complete for all irrigation and agriculture uses.)

A. Total number of acres to be irrigated: _____

B. List total number of acres for other specified agricultural uses:

Use _____	Acres _____
Use _____	Acres _____
Use _____	Acres _____

C. Total number of acres to be covered by this application: _____

D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)

Add up 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;
- ‡ Acreage proposed to be irrigated under other pending application(s).

1. Is the combined acreage greater than 2000 acres? YES NO
2. Do you have a controlling interest in a Family Farm Development Permit? YES NO
 If yes, enter permit no: _____

E. Farm uses:
 Stockwater - Total # of animals _____ Animal type _____ (If dairy cattle, see below)
 Dairy - # Milking _____ # Non-milking _____

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

YES NO

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 apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

I-5 NORTH THRU B'HAM.
TAKE EXIT 260 (SLATER RD) AT STOP SIGN TURN RIGHT.
TAKE THE 1ST LEFT WHICH IS PACIFIC HWY.
TAKE 1ST RIGHT WHICH IS GRAVELINE RD.
FOLLOW TO TOP OF HILL - OFFICE IS ON THE RIGHT - WELLS ARE 3 houses down ON THE LEFT.

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.)

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used?

YES NO

If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

B. Does the applicant own the land on which the water source is located?

YES NO

If no, submit a copy of agreement:

I certify that the information above 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 I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

RANDE WARNER (TRES)
Applicant (or authorized representative)

5/30/96
Date

SAME (TRES)
Landowner for place of use (if same as applicant, write "same")

5/30/96
Date

Use this page to continue your answers to any questions on the application. Please indicate section number before answer.

We are returning your application for the following reason(s):	
_____ Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98503-0210
_____ Section number(s) _____ is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation:	
Please provide the additional information requested above and return your application by _____ (date).	

Ecology staff _____ Date _____

To receive this document in alternative format, contact Lisa Newman at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).

CERTIFICATE RECORD No. 5 PAGE No. 2130-A

STATE OF WASHINGTON, COUNTY OF Whatcom

Certificate of Ground Water Right

Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the State Supervisor of Water Resources thereunder.

THIS IS TO CERTIFY That NORTHWEST WATER ASSOCIATION, INC. of Bellingham, Washington, has made proof to the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of the ground waters of a well located within the SE 1/4 of NW 1/4 of NW 1/4 of Sec. 34, Twp. 39 N., Rge. 2 E.W.M.

for the purpose of domestic supply for community under and subject to provisions contained in Ground Water Permit No. 3486 issued by the State Supervisor of Water Resources and that said right to the use of said ground waters has been perfected in accordance with the laws of Washington, and is hereby confirmed by the State Supervisor of Water Resources of Washington and entered of record in Volume 5 at page 2130-A; that the right hereby confirmed dates from June 21, 1954; that the quantity of ground water under the right hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 30 gallons per minute; 48 acre-feet per year for domestic supply for community

A description of the lands to which such ground water right is appurtenant, and the place where such water is put to beneficial use, is as follows:

E 1/2 of Sec. 33; All of Sec. 34 and the W 1/2 of Sec. 35, All in Twp. 39 N., Rge. 2 E.W.M. NW 1/4 of Sec. 2, Twp. 38 N., Rge. 2 E.W.M.



Brad Petrovich Environmental Education Outreach Specialist

Department of Ecology Northwest Regional Office 3190 160th Avenue S.E. Bellevue, WA 98008-5452

206/649-7038 SCAN 354-7038 FAX 206/649-7098

The right to the use of the ground water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Sections 6 and 7, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Water Resources affixed this 17th day of January, 1955.

ENGINEERING DATA

M. G. Walker State Supervisor of Water Resources.

SECTION 6.

B. continued

Approximately half of our system is in Ferndale's regional water service area and the other half is in Bellingham's.

In 1992 Bellingham said that they wouldn't consider selling us water, but Ferndale said they would. Ferndale has made such strict conditions in order for us to get water from them, that it has made it impossible for us to meet these conditions.

For example: Ferndale wants 100% of the members to sign a no-protest to annexation form. Currently, only 8 of our members live within Ferndales growth boundary area, about 1/3+ live in no ones growth area, and the other 1/2 in B'ham's growth area. Those living outside of Ferndales area are no way going to sign away any rights to Ferndale!

Ferndale is also going to bill us from one master meter that we would put in, bill us at the higher rate for industrial, and charge us per residential hookup as if we live in the city, and we still have to bill our own customers and do all repairs on our system.

Ferndale will only hook up those that are currently a member of our association and will not let us infill or grow in order to help solve our water quantity problems within the area that we serve, even though the State has made us design our system to a 20 year growth plan. Why should we go to the expense of designing for 20^y growth if we're not let to grow?

Furthermore, Ferndale received a grant from the State in 1970 for the water treatment plant that they had built. This grant was contingent upon and only upon that the City of Ferndale was going to build this plant in order to help solve the water quantity and quality problems not only for the city but the areas outside the city limits such as the surrounding areas small water associations. Now Ferndale feels that they should only sell water to those that will annex into the city. This isn't what the grant said, but Ferndale feels that times have changed and that they don't need to comply to past agreements.

The city of Ferndale has given us just one more year to comply to their standards, or they will drop the offer to serve us.

This is our dilemma and why we have to look into getting water rights so we may improve our Quantity and quality problems.