



RECEIVED

MAY 13 2003

DEPT OF ECOLOGY

State of Washington

Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

FEE PAID

For Ecology Use

Fee Paid 10

Date 13 May 03

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

Name Robert F. & Madeleine R. Smith Home Tel: (360) 733-1444
 Mailing Address 618-W-Lake Samish Dr. Work Tel: (360) 941-3333
 City Bellingham State WA Zip+4 98229+9370 FAX: (360) 733-1445

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

Same as above

Name _____ Home Tel: (____) ____ - ____
 Mailing Address _____ Work Tel: (____) ____ - ____
 City _____ State _____ Zip+4 _____ + _____ FAX: (____) ____ - ____
 Relationship to applicant _____

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 0.01 (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 Domestic Supply Continuously. 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: 0.5

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 _____ well(s).			
Number of diversions: <u>2</u>								
Source flows into (name of body of water): <u>Lake Samish - Tributary of Friday Creek</u>					Size & depth of well(s):			
LOCATION								
Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner: <u>1950 feet north & 100 feet west of the south quarter corner of Section 26</u>								
¼ of	¼ of	Section	Township	Range(E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
<u>NE ¼</u>	<u>SW ¼</u>	<u>26</u>	<u>37</u>	<u>3E</u>	<u>Whatcom</u>	<u>1</u>		<u>Lake Samish View</u>
For Ecology Use _____ Date Received: _____ Priority Date: <u>5/13/03</u> SEPA: <input checked="" type="checkbox"/> Exempt/Not Exempt _____ FERC License # _____ Dept. Of Health # _____ Date Accepted As Complete <u>5/13/03</u> By <u>DDG</u> Date Returned _____ By _____ WRIA: <u>3</u>								

Appl. No.: SI-28179

Section 5. GENERAL WATER SYSTEM INFORMATION

A. Name of system, if named: _____

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

Water system present since Early 1930's
Riparian Rights Before Ecology, S1-22148C in June 1974
1-2" & 2-1/2" pipes in lake for withdrawal
1-2 horse pump & 1-3/4 horse pumps

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

S1-26191C & S1-2248C, ~~S1-26191C~~

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

A. Number of "connections" requested: 1 Type of connection Home
(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.

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? _____ Please attach the current approved version of your plan.

D. Do you have an approved conservation plan? 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. Exit 1-5 at 242 Exit (Nulle Road, S. Lake Samish) proceed west along Nulle road to West Lake Samish Drive and then north 1.5 miles to 618 on Lake Shore.

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.

Robert F. Smith MD.
Applicant (or authorized representative)

May 10, 2003
Date

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

May 10, 2003
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 98509-5128
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 _____

Ecology is an Equal Opportunity and Affirmative Action employer.

To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).

"Legal" Description See Map attached

A tract of land in Gov't Lot 6, Section 26, Township 37 North, Range 3 East. W.M., Whatcom County, Washington, described as follows;

Beginning at the most Northerly monument on the center line of Lake Samish Road as shown on the "Plat of El Reposa Place," Whatcom County, Washington, as per the map thereof, recorded in Book 7 of Plats, page 7, in the Auditor's office of said county and state; thence North $38^{\circ} 50' 00''$ West along the center line of Lake Samish Road, 134.29 feet; thence North $50^{\circ} 18' 00''$ West, 164.74 feet; thence North $41^{\circ} 34' 30''$ East, 173.96 feet; thence South $50^{\circ} 18' 00''$ East, 71.18 feet to the true point of beginning; thence North $50^{\circ} 18' 00''$ West, 71.18 feet; thence South $41^{\circ} 34' 30''$ West, 153.95 feet to the Northeasterly line of Lake Samish Road; thence North $50^{\circ} 18' 00''$ west along said Northeasterly line, 17.09 feet; thence North $0^{\circ} 35' 00''$ East, 286.20 feet; thence North $60^{\circ} 13' 00''$ East, 62.96 feet; thence North $14^{\circ} 24' 00''$ East, 39.47 feet; thence North $55^{\circ} 50' 00''$ East to the shore of Lake Samish; thence Southeasterly along the shore of Lake Samish to a point which bears North $46^{\circ} 59' 35''$ East of the true point of beginning; thence South $46^{\circ} 59' 35''$ West to the true point of beginning.

ALSO: A tract of land in Government Lot 6, Section 26, Township 37 North, Range 3 East, W.M., Whatcom County, Washington, described as follows;

Beginning at the most Northerly monument on the center line of Lake Samish Drive as shown on the "Plat of El Reposa Place," Whatcom County, Washington as per the map thereof, recorded in Book 7 of Plats, page 7, in the Auditor's office of said county and state; thence North $38^{\circ} 50' 00''$ West along the center line of Lake Samish Drive, 134.29 feet; thence North $50^{\circ} 18' 00''$ West, 46.11 feet; thence North $49^{\circ} 53' 00''$ East, 20.32 feet to the Northeasterly line of Lake Samish Drive and the true point of beginning; thence North $49^{\circ} 53' 00''$ East, 136.00 feet; thence North $50^{\circ} 18' 00''$ West, 141.23 feet; thence South $41^{\circ} 34' 30''$ West, 133.94 feet to the Northeasterly line of Lake Samish Drive; thence South $50^{\circ} 18' 00''$ East, 121.57 feet along said line to the true point of beginning.

ALL LESS roads, situate in Whatcom County, Washington. Subject to easements of record.

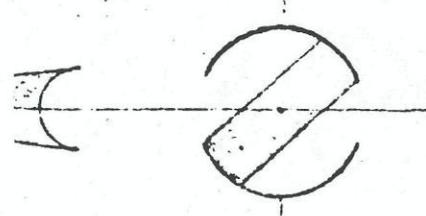
ALSO: A tract of land in Government Lot 6, Section 26, Township 37 North, Range 3 East of W.M., Whatcom County, Washington, described as follows;

Beginning at the most Northerly monument on the centerline of Lake Samish Drive as shown on the "Plat of El Reposa Place," Whatcom County, Washington, as per the map thereof, recorded in Book 7 of Plats, page 7, in the Auditor's office of said county and state; thence North $38^{\circ} 50' 00''$ West along the centerline of Lake Samish Drive, 134.29 feet; thence North $50^{\circ} 18' 00''$ West; 46.11 feet; thence North $49^{\circ} 53' 00''$ East, 156.32 feet to the true point of beginning; thence North $50^{\circ} 18' 00''$ West, 141.23 feet; thence North $41^{\circ} 34' 30''$ East, 20.01 feet; thence South $50^{\circ} 18' 00''$ East, 71.18 feet; thence North $46^{\circ} 59' 35''$ East, 175 feet more or less to the shore of Lake Samish; thence Southeasterly along the shore of Lake Samish to a point which bears North $49^{\circ} 53' 00''$ East of the true point of beginning; thence South $49^{\circ} 53' 00''$ West to the true point of beginning.

ALSO: An easement 20.00 feet wide, being situated 10.00 feet on each side of the following described centerline in said Government Lot 6 of Section 26, Township 37 North, Range 3 East of W.M.

Beginning at the most Northerly monument on the centerline of Lake Samish Drive as shown on the "Plat of El Reposa Place," as herebefore designated; thence North $38^{\circ} 50' 00''$ West along the centerline of the Lake Samish Drive, 134.29 feet; thence North $50^{\circ} 18' 00''$ West, 46.11 feet; thence North $49^{\circ} 53' 00''$ East, 156.32 feet; thence North $50^{\circ} 18' 00''$ West, 141.23 feet; thence North $41^{\circ} 34' 30''$ East, 20.01 feet; thence North $48^{\circ} 25' 30''$ West, 10.00 feet to the true point of beginning of the easement; thence South $41^{\circ} 34' 30''$ West, 154.0 feet more or less to the Northeasterly line of Lake Samish Drive,

ALL LESS roads, situate in Whatcom County, Washington.



LAKE SAMISH

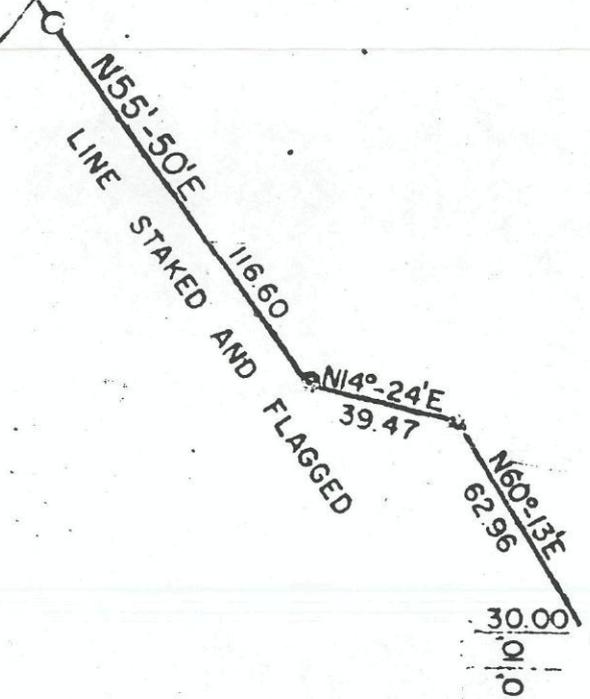
30' TRAILER SHELTER

True point of beginning for purchase from Larson March 1969

True point of beginning for Hite land purchased June 1967 tract #1

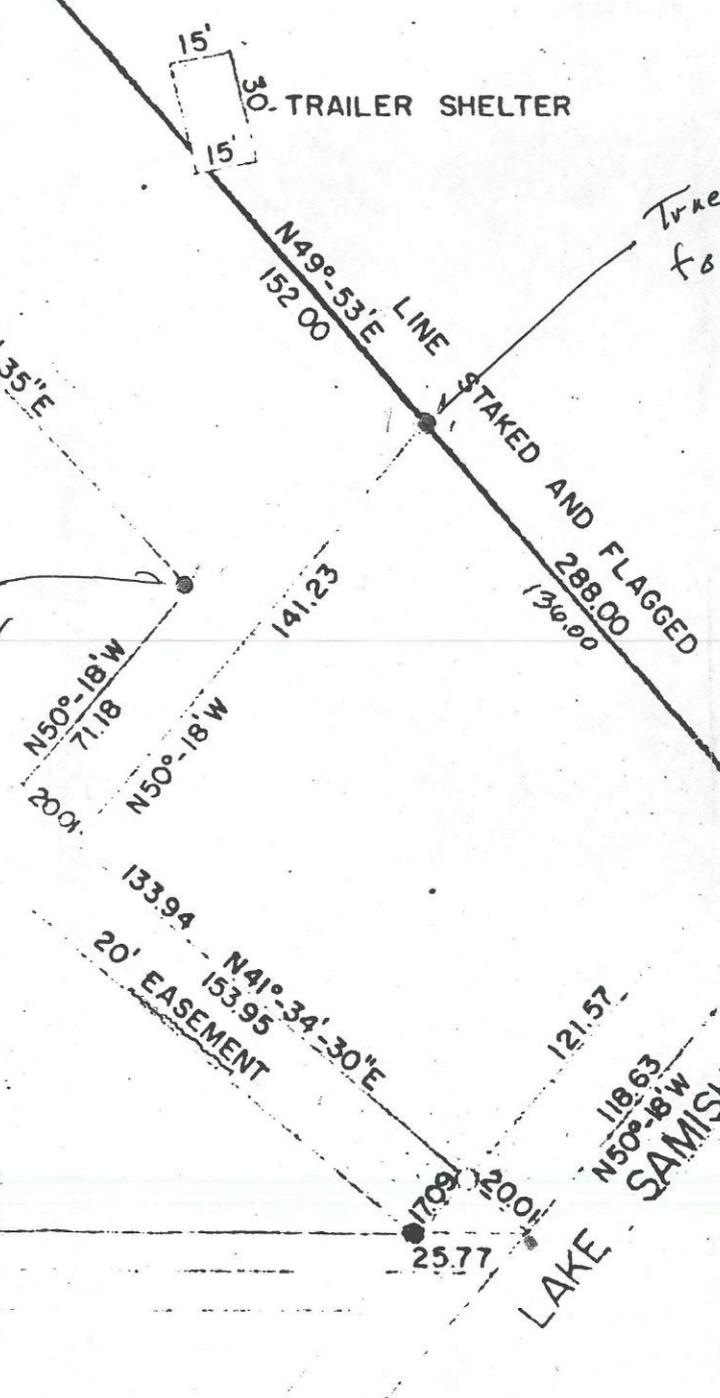
True point of beginning for Tract #2 of Hite land purchased in June 1967

E —
N PIPE FOUND SET



N0°-35'E 286.20

307.98

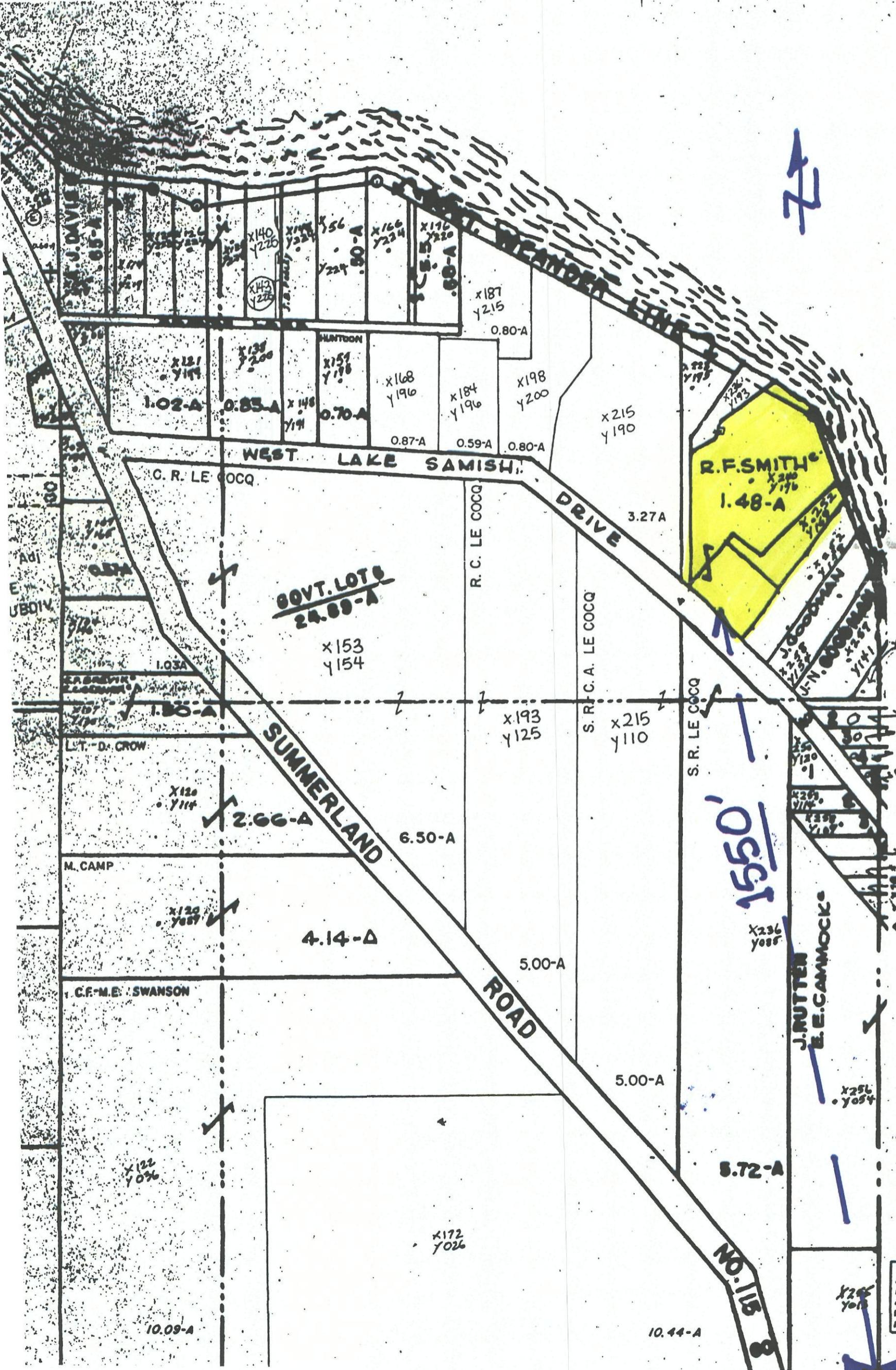


LAKE SAMISH ROAD



FRED W. McELMON ASSOCIATES
SURVEYORS - ENGINEERS
610 HERNOLD BUILDING
BELLINGHAM, WASHINGTON 98225

CLIENT	DR. ROBERT SMITH
PROJECT	LOT SURVEY PART OF GOVT. 6, SEC. 26, T37N, R3E, W.M.
DATE	1967
SCALE	1" = 50'
BY	F.W.M.



R.F. SMITH
1.48-A

GOVT. LOTS
24.89-A

SUMNERLAND ROAD

1550

J. RUTTEN
E.E. CAMMOCK

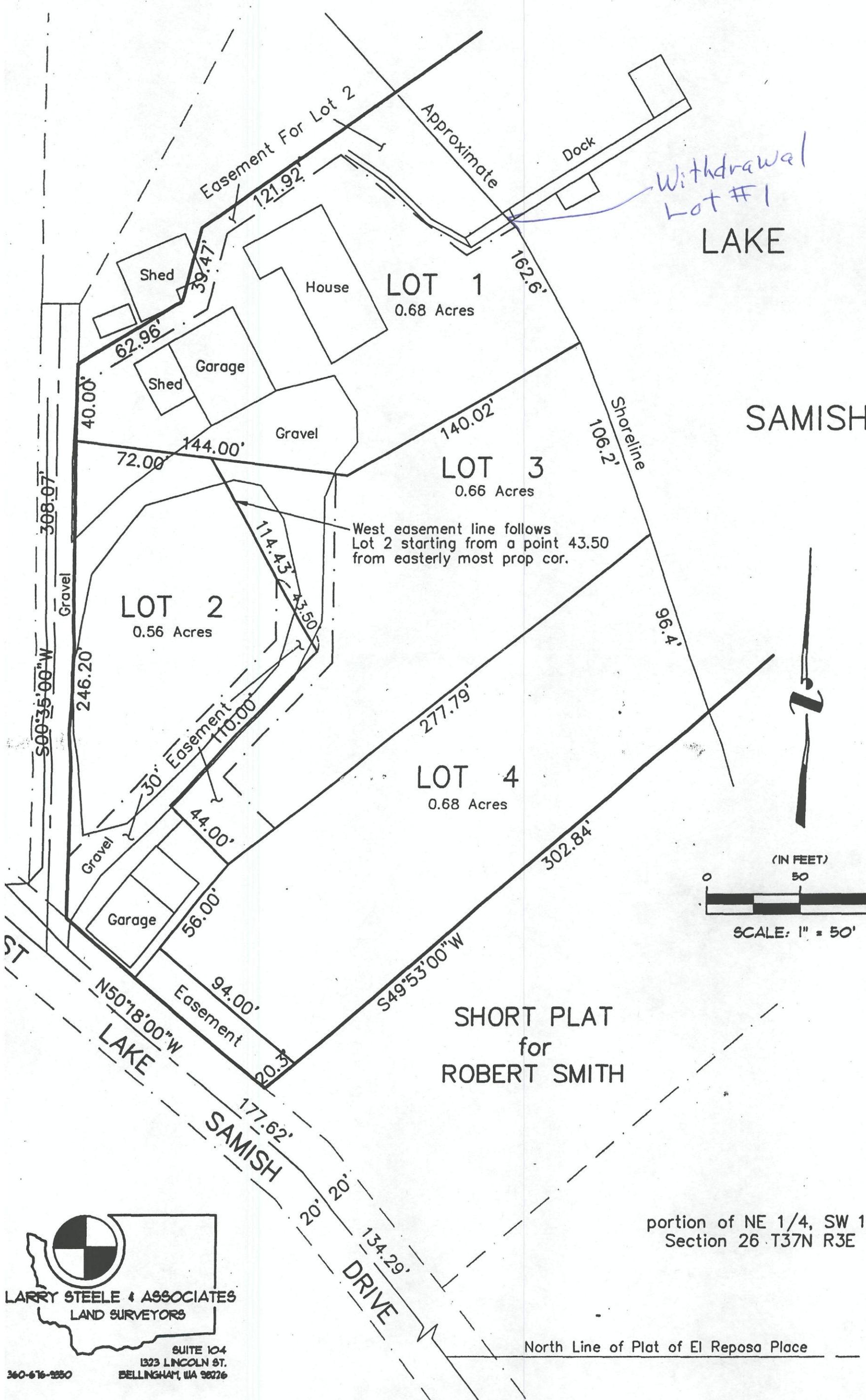
8.72-A

10.09-A

10.44-A

THIS
ASS
PROG
AND
FOR
MEAS

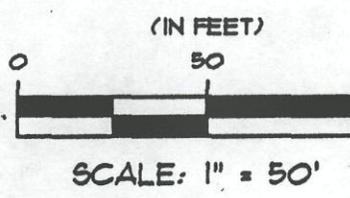
X6



LAKE

SAMISH

West easement line follows Lot 2 starting from a point 43.50 from easterly most prop cor.



SHORT PLAT
for
ROBERT SMITH

portion of NE 1/4, SW 1/4
Section 26 T37N R3E

LARRY STEELE & ASSOCIATES
LAND SURVEYORS

SUITE 104
1323 LINCOLN ST.
BELLINGHAM, WA 98226

360-676-2250