



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

March 19, 2007

Russ Blount  
Director of Public Works  
City of Fife  
5411 23<sup>rd</sup> St East,  
Fife, WA 98424

Re: Pending Water Right Application G2-30262

Dear Mr. Blount:

It is the Washington State Department of Ecology's understanding that the City of Fife does not want to pursue water right application G2-30262 at this time and has considered withdrawing the application, based on discussions between Ecology's consultant (Carl Einberger of Geomatrix Consultants) and you that occurred several weeks ago. There are two options to consider for removing the application from the current set that will be processed under the cost-reimbursement program. In the interest of moving forward with processing of the other applications involved, Ecology is requesting that the City of Fife select one of the following options, sign accordingly, and after making copies for your files, return the original signed letter to Ecology in the enclosed envelope.

**Bypass of processing at this time.** In this case, the City would not lose its priority date, however the city should be aware that junior applicants will be processed prior to the City of Fife's application. It is unlikely, but there may be some unknown implications and risks with this case. If the City elects to pursue this option, please sign and date in the space below.

**The City of Fife would like to defer processing of Water Right Application G2-30262 at this time and have the application skipped over during the current round of cost-reimbursement work in the Puyallup River area. The City understands there may be potential risks associated with being processed out of turn. Although the City will not lose its priority date, the baseline under which future processing of the City's application would potentially include newly approved water rights junior to the City's.**

Signature

Date



**Withdrawal of the application.** In this case, if a decision was made to pursue the water right application at a later date the City would need to reapply and would receive a new priority date for the application. If the City elects to pursue this option, please sign and date in the space below.

**The City of Fife is no longer interested in pursuing Water Right Application G2-30262 and hereby agrees to it being withdrawn at this time.**

**Signature**

**Date**

---

If you have other options for us to consider, or if you have questions or concerns regarding the above described options, please call me at (360) 407-0238. Thank you for your prompt attention to this matter.

Sincerely,



Phil Crane

Department of Ecology  
Water Resources Program  
Southwest Regional Office

PC:th



**Environmental Services**

9850 64th Street West  
University Place, Washington 98467-1078  
(253) 798-4050 Fax (253) 798-4637

RECEIVED  
COUNTY OF PIERCE, WA  
2006 JAN 26 11:40

January 24, 2006  
WP53398

Jill Walsh  
Water Resources Division  
Washington State Department of Ecology  
PO Box 47775  
Olympia, WA 98504-7775

Re: Application to Appropriate Public Waters for Majestic Manor, Inc. (No. G2-30290)

Dear Ms. Walsh:

This letter is in response to the State of Washington Department of Ecology Notice of Application to Appropriate Public Waters for Majestic Manor, Inc. of Puyallup, Washington under application No. G2-30290. The permit is to appropriate public waters, subject to existing rights, from two wells in the amount of up to 200 gallons per minute as needed year-round each year for municipal supplies.

The existing mobile home and RV park along the Puyallup River near Puyallup, Washington has a maximum of 182 connections. The manor is currently served by two existing wells, an eight-inch diameter well at a depth of 298 feet (well 1) and a six-inch diameter well at a depth of 390 feet (well 2). The bailer test for well 1 was 45 gallons per minute (gpm) with a 140-foot drawdown in one hour (on November 4, 1981), and the test for well 2 was 100gpm with a 100-foot drawdown after four hours (on September 10, 1987).

The surface water right from the Puyallup River that was purchased in 2005 is 0.35 cubic feet per second (cfs), 52½ acre-feet per year from May 1 to October 1. It was used to irrigate 35 acres of farmland. The applicant is proposing to convert a Puyallup River surface water right to a floodplain groundwater withdrawal. It is also proposing to convert a seasonal irrigation use (May 1 to October 1) to a year-round domestic use. Finally, it is proposing to increase the water right to 200 gpm.

Pierce County Public Works and Utilities, Water Programs Division is participating in a cooperative project to restore Clarks Creek that receives the discharge from this site. We have a significant concern related to the proposed application for water right which we request be resolved before expanding its withdrawal. There have been



Jill Walsh  
January 24, 2006  
Page 2

ongoing problems with bacterial contamination of groundwater and surface waters (including Clarks Creek) from inadequately treated and/or raw household sewage in the area. The high groundwater table during some wet seasons prevents adequate treatment of onsite septic system discharges. Pierce County Water Programs and the Tacoma Pierce County Health Department have both detected elevated levels of bacterial contamination in storm drains, surface ditches and surface waters on and near the site. This historic and ongoing discharge of untreated wastewater needs to be resolved before decisions are made that could exacerbate the issue. Unresolved, this discharge impairs the success of cooperators in restoring Clarks Creek.

If you have questions or need additional information, please contact me at 253-798-4672 or Lorin Reinelt at 253-798-3096.

Sincerely,



Dan Wrye  
Program Services Manager  
Public Works & Utilities, Water Programs Division

DW:tr

Cc: Ray Hanowell, Tacoma/Pierce County Health Department  
Seth Boettcher, P.E., City of Puyallup  
Lorin Reinelt, Water Programs  
file

February 9, 2006

TO: Jill Walsh  
FROM: Tom McDonald  
RE: **Majestic Mobile Manor Water Use Calculations**

---

As we discussed, I have more specific water use requirements for Majestic Mobile Manor. The daily requirements are from the engineer who is working with the Department of Health on drafting the water system plan.

There is a maximum of 101 hookups (assuming full capacity, year-round use) at the RV park. There are 64 mobile home hookups. The laundry room has an average of ten customers per day at 50 gallons each. The pool is seasonal (30 people/day – ten gallons/day/swimmer).

With the above assumptions as a basis, I propose the following water use:

RV park:  $101 \times 110 \text{ gpd} = 11,110 \text{ gpd} \times 365 \text{ days} = 4,055,150 \text{ gallons per year}$

Mobile homes:  $64 \times 185 \text{ gpd} = 11,840 \text{ gpd} \times 365 \text{ days} = 4,321,600 \text{ gallons per year}$

Laundry room:  $10 \text{ customers per day} \times 50 \text{ gallons per customer} = 500 \text{ gpd} \times 365 \text{ days} = 182,500 \text{ gallons per year}$

Pool:  $30 \text{ swimmers} \times 10 \text{ gpd/swimmer} = 300 \text{ gpd} \times 150 \text{ days (5 months)} = 45,000 \text{ gallons per year}$

Office (four toilets):  $200 \text{ gpd} \times 365 \text{ days} = 73,000 \text{ gallons per year}$

**Total: 8,677,250 gallons per year or 26.6 acre feet per year.** To provide some cushion, I recommend the water right be issued for 28 afy. This will leave excess mitigation water for Mr. Daly if we can execute an agreement with him.

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DEPT. OF ECOLOGY/SWRO

Perkins  
Coie

'05 DEC 15 A10 :11

111 Market Street N.E., Suite 200  
Olympia, WA 98501-1008  
PHONE: 360.956.3300  
FAX: 360.956.1208  
www.perkinscoie.com

Tom McDonald  
PHONE: 360.956.3300  
EMAIL: tmcDonald@perkinscoie.com

December 12, 2005

Pierce County Herald  
P.O. Box 517  
Puyallup, WA 98371

**Re: Legal Notice - Publication**

Dear Legal Department:

There is attached hereto a Notice of Application to Appropriate Public Waters for Majestic Mobile Manor Inc.

Please publish the attached in your newspaper once a week for two consecutive weeks. After publication, please prepare and send to us an Affidavit of Publication together with your bill. I will arrange to have the bill paid immediately upon receipt of the Affidavit.

Thank you for your assistance in this matter.

Very truly yours,



Tom McDonald *By  
NCH*

TM:nh

cc: Mary J. Urback  
Sheri Carroll, Department of Ecology ✓

Enclosure

[44022-0001/SL053460.046]

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Perkins Coie LLP and Affiliates

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DEPT. OF ECOLOGY/SWRO

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**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

**NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS**

**TAKE NOTICE:**

That Majestic Mobile Manor Inc. of Puyallup, Washington, on October 19, 2005, under Application No. G2-30290, filed for a permit to appropriate public waters, subject to existing rights, from two wells in the amount of up to 200 gallons per minute as needed year-round each year for municipal supplies. The source of the proposed appropriation is located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 20, T. 20 N., R. 4 E.W.M., of Pierce County, Washington.

Protests or objections to approval of this application must include a detailed statement of the basis for objections and are subject to public disclosure. Indicate in your letter if you prefer to remain anonymous. Protests must be accompanied by a fifty dollar (\$50.00) 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).

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

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



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

December 5, 2005

Tom McDonald  
111 Market Street NE Ste 200  
Olympia WA 98501-1008

Dear Mr. McDonald:

Re: Water Right Application No. **G2-30290 for Majestic Mobile Manor Inc.**

We are pleased to let you know that we are now reviewing water right applications in your area, and are able to begin processing your application for appropriation of water. Thank you for your patience; budget and staffing limitations have caused the processing delay. The next step in the application process is to have a legal notice of application published.

***Legal Notice***

A legal notice of application announces your proposed water use to the public and allows interested persons to comment. We have prepared and enclosed this notice for you. You need to arrange (including covering the costs) for it to be published in the legal section of a newspaper published in **Pierce** County. It must appear once a week for two consecutive weeks. The selected newspaper must:

- have general circulation in the area where the water is to be diverted and used, and
- be qualified as a legal newspaper.

The enclosed newspaper list may help you select an appropriate newspaper for the area. It is important to select a suitable newspaper: if the notice is published in a newspaper that does not meet the above criteria, you will be required to have the notice re-published, at your expense.

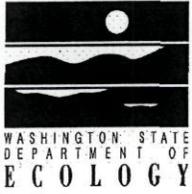
*Publication should start within 60 days of the date of this letter. Please contact us if you have concerns about meeting this deadline.*

***Review Legal Notice carefully***

It is your responsibility to check the notice carefully before having it published. If you find an error, please contact this office for correction and/or resolution. If we later find an error in your public notice, you will be required to re-publish an amended notice at your expense.

Public water systems under WAC 246-290-020 and WAC 246-291-030 are required to be approved by either the local health department or the Department of Health depending upon system size. If you have not already done so, we suggest that you contact either your local health department or the Department of Health, NW Drinking Water Operations, 20435 72<sup>nd</sup> Avenue S, Ste 200, Mailstop K17-12, Kent, Washington 98032, for further information.





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

**NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS**

**TAKE NOTICE:**

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Protests or objections to approval of this application must **include a detailed statement** of the basis for objections and are subject to public disclosure. **Indicate in your letter if you prefer to remain anonymous.** Protests must be accompanied by a **fifty dollar (\$50.00)** 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*)

Department of Ecology, SWRO  
PO Box 47775  
Olympia, Washington 98504-7775

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



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

November 7, 2005

Majestic Mobile Manor Inc  
Attn Robert Tate  
7022 River Road E  
Puyallup WA 98371-3777

Dear Mr. Tate:

Re: Water Right Application No. **G2-30290**

This letter is to acknowledge that the Department of Ecology received your water right application. We have assigned your application the number indicated above. Please include this number in future correspondence regarding your application.

When we begin actively evaluating applications in your area, we will prepare a public notice and send it to you with publication instructions. It will be sometime before we are able to begin working in your area.

The availability of water in Washington State is a serious problem. Much of the water in our state has already been appropriated. The competition for water has escalated with our state's increasing population, conflicting water policy issues, and grave declines in salmon and other fish populations. With the many demands on the state's water resources, a favorable permit decision is not always possible. You may want to consider purchasing all or part of an existing water right.

Please be sure to notify Ecology of changes such as address, property ownership, or variations in your proposed water use plans. If you would like further information on your application, please contact our office at (360) 407-6300.

Sincerely,

*Teresa Hanson*

Teresa Hanson  
Water Resources Program  
Southwest Regional Office

TH:th  
app-new.doc



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Tom McDonald  
PHONE: 360.956.3300  
EMAIL: tmcDonald@perkinscoie.com

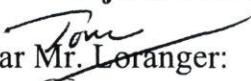
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111 Market Street N.E., Suite 200  
Olympia, WA 98501-1008  
PHONE: 360.956.3300  
FAX: 360.956.1208  
www.perkinscoie.com

October 19, 2005

Mr. Tom Loranger  
Program Manager  
Department of Ecology  
P.O. Box 47775  
Olympia, WA 98504-7775

**Re: Application for a Water Right  
Majestic Mobile Manor, Inc.**

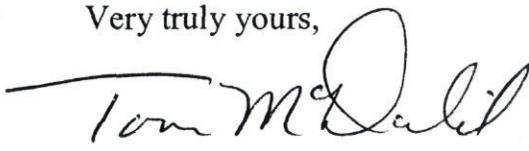
  
Dear Mr. Loranger:

Please find enclosed the above-referenced document together with enclosures as follows:

1. Two site maps;
2. Two well logs (1/11/82 and 3/3/88);
3. Certificate of Surface Water Right No. 22, page No. 10984;
4. Declaration of Terry Kawaguchi dated March 2, 2005; and
5. Addendum/Amendment to Purchase and Sale Agreement dated April 7, 2005.

Also enclosed is a check in the amount of \$50.00 for filing with your Department.

Very truly yours,



Tom McDonald

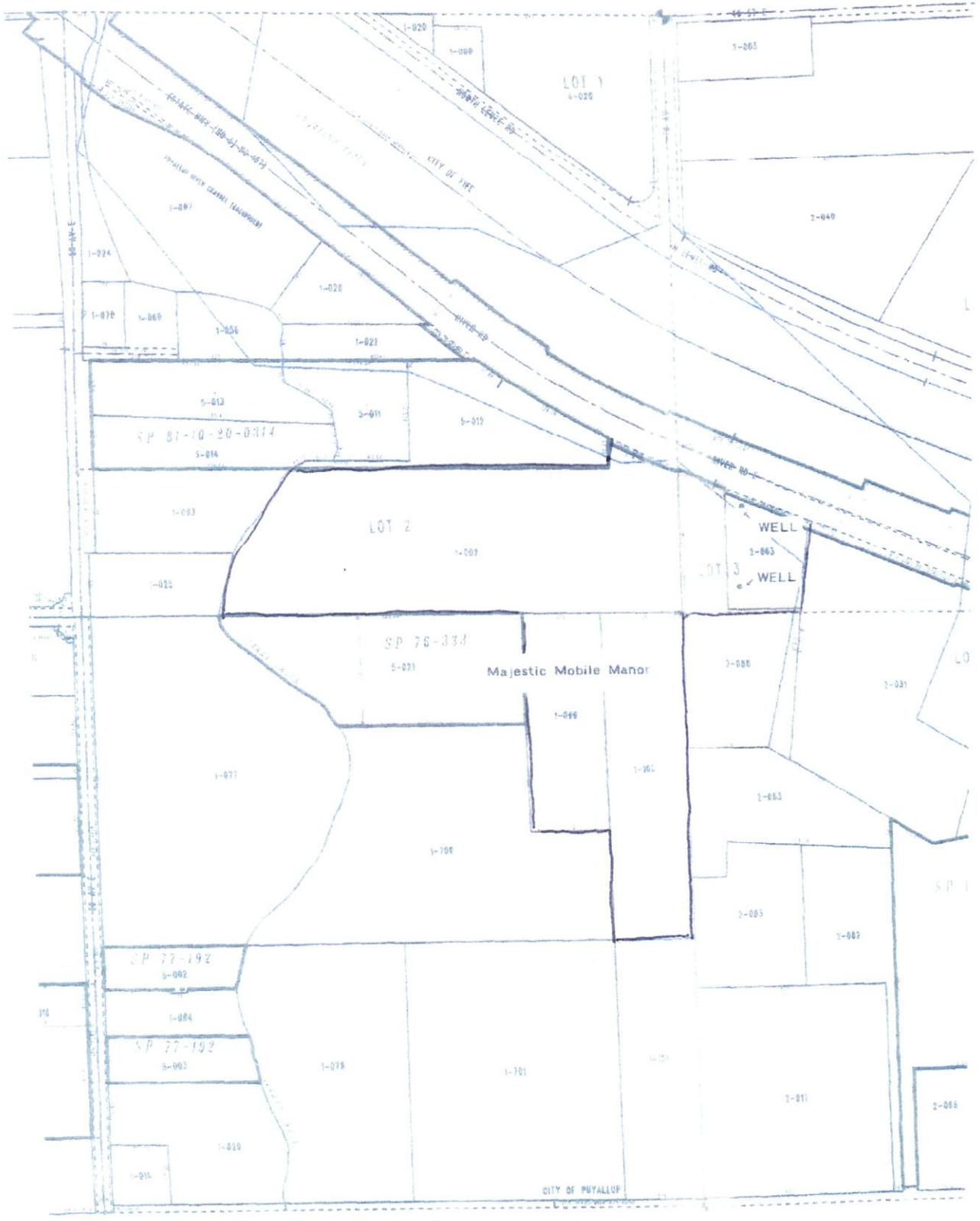
Enclosures

cc: **Jill Walsh, Department of Ecology**  
Mary J. Urback

[44022-0001/SL052920.149]

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Perkins Coie LLP and Affiliates









STATE OF WASHINGTON, COUNTY OF Pierce

CERTIFICATE OF SURFACE WATER RIGHT

(In accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendment thereto, and the rules and regulations of the Department of Water Resources.)

THIS IS TO CERTIFY That RAY KAMAGUCHI and KEIJIRO KAMARATA

of Tacoma, Washington, has made proof to the satisfaction of the Department of Water Resources of a right to the use of the public surface waters of the State of Washington from Puyallup River a tributary of Commencement Bay, with point of diversion within GRANTWAY

Sec. 10, Twp. 20 N., R. 4 E., W.M. for the purpose of irrigation

under and specifically subject to provisions contained in appropriation Permit No. 15438 issued by the Department of Water Resources, and that said right to the use of said waters has been perfected in accordance with the laws of Washington, and is hereby confirmed by the Department of Water Resources and entered of record in Volume 22, at Page 10984; that the priority of the right hereby confirmed dates from May 10, 1963; that the quantity of water under the right hereby confirmed, for the aforesaid purposes is limited to an amount actually beneficially used and shall not exceed 0.35 cubic foot per second, 52 1/2 acre-feet per year, from May 1 to October 1, each year, for irrigation of 95 acres.

A description of the lands to which such surface water right is appurtenant is as follows:

In Sec. 18, T. 20 N., R. 4 E., W.M.:

The easterly 298.95 feet of Government Lot 6, and the former channel of the Puyallup River abutting the east 150.48 feet thereof, to the north, AND Government Lot 7, AND The north 529 feet of Government Lot 10, and the former channel of the Puyallup River abutting thereto, to the east; AND That part of the east 298.95 feet of the GRANTWAY lying northerly of the North Levee Road: LESS roads and rights-of-way.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.880 and 90.03.890. This certificate of surface water right is specifically subject to relinquishment for monuse of water as provided in RCW 90.14.180.

WITNESS the seal and signature of the Assistant Director, Division of Water Management, Department of Water Resources, affixed this 26th day of February, 1970

[Signature] Assistant Director Division of Water Management Department of Water Resources

Engineering Data

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**DECLARATION OF TERRY KAWAGUCHI**

I, Terry Kawaguchi, state as follows:

1. My name is Terry Kawaguchi and I reside at 10320 113<sup>th</sup> Court East, Edgewood, Washington.

2. I am a member of the family that has owned and operated a farm along the Puyallup River in the city of Fife, Washington. The farm is in the northeast quarter, southwest quarter lying northerly of the North Levee Road. The farm is approximately 37.5 acres. I have personal knowledge regarding the operation of the farm from the 1940s to the present.

3. In May 1968, my father, Kay Kawaguchi, and my uncle, Kinjiro Kawabata, who ran the family farm, applied for the right to divert water from the Puyallup River to irrigate 35 acres of the farm. The point of diversion is in the southwest quarter of Section 18, Township 20 North, Range 4 East. In February 1970, a Certificate of Surface Water Right was issued, recorded No. 22, Page No. 10984, authorizing 0.35 cubic feet per second ("cfs"), 52½ acre feet per year ("afy"), from May 1 to October 1 for the purposes of irrigation.

4. The full 35 acres has continuously been irrigated since the Certificate of Water Right was issued. Until about six or seven years ago, my family operated the farm. Six years ago we began leasing the property to a Christina Choi who has continued to operate the farm, growing vegetables, as my family did in the past.

5. The farm was operated and grew crops consistent with a local truck farming operation. We grew, and Ms. Choi continues to grow various vegetables.

DECLARATION OF TERRY  
KAWAGUCHI - 1

[44022-0001-000000/Declaration of Terry Kawaguchi.v2]



**ADDENDUM/AMENDMENT TO PURCHASE AND SALE AGREEMENT**

The following is part of the Purchase and Sale Agreement dated March 11, 2003 between Terry Kawaguchi and the other Sellers ("Seller") and Alfred Leenstra ("Buyer") concerning 042108-1010, 4004, 3022, 2025, 3001, 3019, and 2022 ("the Property"):

Seller has sold the water rights described in and set forth under Certificate of Surface Water Right, Appropriation Permit No. 15452, entered of record in Volume 22 at Page 10984 ("Water Right") relating to the Property and Buyer consents to the sale and transfer of this Water Right to a third party. Buyer acknowledges that the sale of the Property to Buyer by Seller does not include the water rights described in and set forth under Certificate of Surface Water, Appropriation Permit No. 15452.

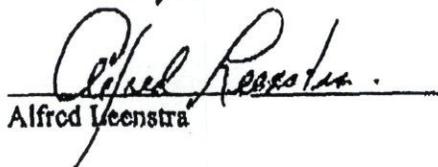
Seller shall have the right to remove the existing pump located on the Property, and Seller shall remove the existing pump from the Property by no later than April 22, 2005. But, otherwise Seller shall have no rights or easements to use any portion of the Property for any purpose related to the Water Right of any kind which means that the reserved Water Right includes no right or easement of access, no right or easement for pumps or pipes, no right or easement to discharge or draw water, and no other right or easement to use the land conveyed by this deed for any purpose at all. This last sentence shall become a covenant in the deed reserving the Water Right to Seller. Seller shall indemnify and hold harmless Buyer and Buyer's successors from any and all losses, claims, damages, causes of action and liability in any way related to Seller's control of the Water Right. Buyer shall have the right to dispose of the existing well and existing irrigation lines on the Property in Buyer's sole discretion.

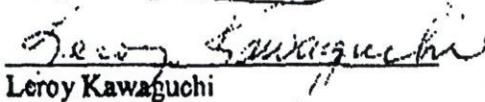
In the event that a Transfer of the Water Right is completely denied by the Department of Ecology, Seller shall then be obligated to assign any right, title and interest in the Water Right back to Buyer. Provided, however, that Seller shall obtain approval for a Transfer of the Water Right (or any portion thereof) within three years and if not the Water Right shall revert to the Grantee, his heirs or successors in interest, and this restriction shall be in the deed. This obligation shall survive the Closing of the transaction.

Dated this \_\_\_\_\_ day of April, 2005:

Dated this 7<sup>th</sup> day of April, 2005

  
Terry Kawaguchi

  
Alfred Leenstra

  
Leroy Kawaguchi

\_\_\_\_\_  
Geraldine Shimamoto

Shiyoji Kawabata

Shiyoji Kawabata

Himeko Suyematsu

Himeko Suyematsu

Roland Takami

Roland Takami

Yoshikazu Kawabata

Yoshikazu Kawabata

Janis Yamada

Janis Yamada

Joan Larsgaard

Joan Larsgaard

Virginia Kawasaki

Virginia Kawasaki

Tom McDonald  
PHONE: 360.956.3300  
EMAIL: tmcdonald@perkinscoie.com

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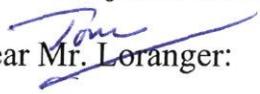
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Market Street N.E., Suite 200  
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PHONE: 360.956.3300  
FAX: 360.956.1208  
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October 19, 2005

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**Re: Application for a Water Right  
Majestic Mobile Manor, Inc.**

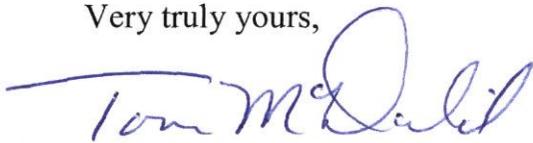
  
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Very truly yours,



Tom McDonald

Enclosures

cc: Jill Walsh, Department of Ecology  
Mary J. Urback

[44022-0001/SL052920.149]

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