



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

DRAFT

REPORT OF EXAMINATION
Denied Change of Point of Withdrawal and Purpose of Use
WRTS File # G2-27480P

PRIORITY DATE	CLAIM NO.	PERMIT NO.	CERTIFICATE NO.
December 7, 1989		G2-27480P	

NAME Grays Harbor County		
ADDRESS/STREET	CITY/STATE	ZIP CODE
100 E. Broadway, Suite 31	Montesano, WA	98563

PUBLIC WATERS TO BE APPROPRIATED

SOURCE well		
TRIBUTARY OF (IF SURFACE WATERS)		
MAXIMUM CUBIC FEET PER SECOND (cfs)	MAXIMUM GALLONS PER MINUTE (gpm)	MAXIMUM ACRE FEET PER YEAR (ac-ft/yr)
	Not Applicable	Not Applicable

QUANTITY, TYPE OF USE, PERIOD OF USE Application denied
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LOCATION OF DIVERSION/WITHDRAWAL -

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL Change in point of withdrawal denied					
LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP	RANGE	WRIA	COUNTY
Change in point of withdrawal denied					
PARCEL NUMBER	LATITUDE		LONGITUDE	DATUM	
Change in point of withdrawal denied					

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED
[Attachment 1 shows location of the authorized place of use and point(s) of diversion or withdrawal]

DESCRIPTION OF PROPOSED WORKS

Not Applicable

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE	COMPLETE PROJECT BY THIS DATE	WATER PUT TO FULL USE BY THIS DATE
Not Applicable	Not Applicable	Not Applicable

PROVISIONS

INVESTIGATOR'S REPORT
Tom Culhane, Department of Ecology
Water Right Control Number CG2-27480P

BACKGROUND

Description and Purpose of Proposed Change

Applications for Change/Transfer CG2-27480P and CG2-27565P seek to change the respective points of withdrawal and purpose of use associated with two Water Right Permits belonging to Grays Harbor County, Pacific Beach/Moclips Water System. Both of these existing permits:

- authorize the withdrawal of groundwater for community domestic use near Pacific Beach, WA
- were issued as supplemental to Water Right Certificate G2-27479
- authorize the withdrawal of additional instantaneous withdrawal quantities (Qi) with no associated increase in annual quantity (Qa)

G2-27480P authorized an instantaneous rate increase of 300 gallons per minute (gpm) associated with G2-27479 from the Ferguson well. G2-27565P authorized an instantaneous rate increase of 250 gpm associated with G2-27479 from the Old School Well. Three development schedule extensions were granted for both G2-27480P and G2-27565P, and the last extension called for water to be put to full use by May 1, 2002.

The application and accompanying letter for CG2-27480P requests that the point of withdrawal for the Ferguson well be transferred to the County's Aloha/Weyco well field. The reasons cited for this change are lack of infrastructure and poor aesthetic water quality in the Ferguson well. The letter states the additional instantaneous allocation will be used to offset storage requirements as demand increases over the next 20 years.

In addition, this application requests a change in purpose of use from community domestic to municipal supply.

Table 1. Existing Attributes of Water Right Permit G2-27480P

Water Right Permit Number	G2-27480P
Name	Grays Harbor County Water Dist. 7
Priority Date	12/7/1988
Instantaneous Quantity	300 gpm
Annual Quantity	0.0 acre-feet per year
Source	Ferguson well
Point of Diversion or Withdrawal	NE/SW T20N/R12W-21
Purpose of Use	Multiple Domestic
Period of Use	Year-round
Place of Use	see Water Right Certificate G2-27480P

Legal Requirements for Proposed Change

Public Notice

Public notice for this change application was published in the Vidette of Montesano, WA on October 13 and 20, 2005. No protests or comments were received.

Water Resources Statutes and Case Law

RCW 90.03.290 requires Ecology to answer four tests in the affirmative when making decisions on new water right applications including: water be put to beneficial use; water is available; no impairment to existing rights; and issuance will be not detrimental to the public interest.

RCW 90.44.100(1) states that a ground water permit can be amended to replace or add wells only after findings in the affirmative as prescribed in the case of an original application.

INVESTIGATION

My evaluation included, but was not limited to, the following:

- Review of Washington State Department of Ecology (Ecology) record files for *Applications for Change/Transfer* CG2-27480P and CG2-27565P.
- Review of the October 2006 Pacific Beach/Moclips Water System Plan.
- A January 18, 2008 site visit with Mike Olden of Gibbs & Olson, Inc. and Kevin McManus, Water Plant Operator for the Pacific Beach/Moclips Water System.

The new proposed points of withdrawal requested in change application CG2-27480P are two wells referred to as Aloha/Weyco # 3 (AGF038, latitude 47.21185, longitude -124.18620, NAD 83) and Aloha/Weyco # 4 (AFG179, latitude 47.21180, longitude -124.18516, NAD 83).

Water Rights and History of Water Use

A description of the County's appurtenant water rights, water supply facilities, and water use are presented in the 2006 Grays Harbor County, Pacific Beach/Moclips Water System Plan. The County currently holds appurtenant water right certificates for three of its wells, and permits for two other wells not currently being used, including:

Table 1. Attributes of the Existing Water Rights and associated wells

Water Right	Well Names	Stage	Primary or Supplemental	Water Quality	Allocated		Existing	
					Instantaneous Rate (Qi)	Annual Quantity (Qa)	Max Qi	Max Qa
G2-27478C	Moclips (New School) Well	certificate	Supplemental	Poor	250 gpm		250 gpm	
G2-27479C	Aloha/Weyco Wells 3 and 4	certificate	Primary	Good	298 gpm	140 afy	295 gpm	55 afy
G2-01013C	Aloha/Weyco Wells 3 and 4	certificate	Primary	Good	200 afy	320 gpm	200 gpm	50 afy
G2-27565P	Old School Well	permit	Supplemental	Poor	250 gpm			
G2-27480P	Ferguson Well	permit	Supplemental	Poor	300 gpm			

During my January 18, 2008 site visit, Mr. Olden and Mr. McManus confirmed that the Grays Harbor County Pacific Beach/Moclips Water System now incorporates the Old Moclips Ocean Tracts Water System and its associated water right. My research found that on April 8, 2005 Ecology did receive a Showing of Compliance form as allowed under RCW 90.44.100(3) from Kevin Varness, Director of the Utility Division of Grays Harbor County to add two wells to groundwater certificate G2-01013C (originally issued to Moclips Ocean Tracts). As a result, Ecology added Aloha/Weyco Well No. 3 and No. 4 as permitted points of withdrawal.

The Old School Well was originally drilled for the North Beach School District in 1950, and has been inactive since February 11, 1992. The Pacific Beach/Moclips Water System drilled four wells in 1988. These include one well drilled at the Aloha/Shake site drilled in January 1988, Aloha/Weyco Well No. 2 drilled in February 1988, the Moclips/New School Well drilled in February 1988, and a second well drilled at the Aloha/Shake site in April 1988. Of these, both the Aloha/Weyco Well No.2 and the Moclips (New School) Well produced adequate quality water (no treatment necessary) and were chosen to be production wells. The two wells drilled at the Aloha/Shake site (one eventually named the Ferguson Well) never produced adequate water quality/quantity, and neither was ever placed in production. The Aloha/Weyco Well No. 3 was drilled in 1994 to allow the system to minimize its use of the Moclips (New School) Well, which has water high in manganese and iron. Aloha/Weyco No. 4 was drilled in 2000 and this well, and Aloha/Weyco Well No. 3 currently serve as the system's primary water sources.

During my site visit we were not able to see the Old School well because it is located in a shed attached to the back of the abandoned Moclips High School. No driller's log exists for this well. Mr. McManus indicated the new well intended for the CG2-27565P change (the Moclips well) currently is valved down to about 185 gpm from a potential instantaneous capacity of 250 gpm because it pumps sand at that rate. The well also produces water with such a high iron content that the water users have complained. Previously the Moclips well was used to produce about one fifth of the system's needs, but presently is only used as a backup source. Instead, well water is brought via pipeline from the Aloha/Weyco well field to the south.

During my visit I saw two wells located about 10 feet apart at the Ferguson well site - both of which are capped. I was told when the original deeper well was drilled it produced high iron and manganese water, so a shallower 50 foot deep well was drilled. Reportedly that well had poor yield, so neither well was ever used.

In addition, one of the provisions in the Report of Exam for CG2-27565P states “All water rights to the Old Pacific Beach water system shall be relinquished when Water Right G2-27479 becomes a certificate”. G2-27479 has since become a certificate and a search of Ecology’s Water Rights Tracking System does indicate one, active, unaccounted for water right, G2-*00311SWRIS, belonging to the Pacific Beach Water System. As that water right is not included in the active rights discussed within the CG2-27565P Report of Exam, it should be investigated further whether G2-*00311SWRIS should be relinquished.

Ecology’s records indicate there is an additional water right certificate belonging to Moclips Ocean Tracts that was not included in the 2006 Grays Harbor County, Pacific Beach/Moclips Water System Plan. That water right, Ground Water Certificate 7045-A, was issued for 22.5 afy and 100 gpm. Mr. Olden indicated this water right is for a separate development called Tahola Ocean Tracts within the Quinault Indian reservation a few miles north of Moclips. That water system was developed by the same company that developed the Pacific Beach area water system (Moclips Ocean Tracts, Inc.), however, the County does not have any involvement in the Tahola Ocean Tracts water system.

Figure 1, Locations of Points of withdrawal associated with CG2-27480P and CG2-27565P



Projected Water Use

Based on Table 3-2 in the 2006 Grays Harbor County, Pacific Beach/Moclips Water System Plan, population within the existing service area is expected to increase from 1,107 in 2004 to 1,551 in 2024. The number of connections within that area is expected to increase from 476 to 667 during that same time period. Beyond this, the new Seabrook development is expected to add an additional 400 ERUs to the water system by 2014. Therefore, the total number of connections is expected to reach 1,067 by 2024.

Based on Table 3-7 in the Water System Plan, predicted average annual daily demand for the combined Pacific Beach/Moclips Water System and Seabrook is 210,889 gallons per day by 2024. This translates to an annual quantity of 236 acre-feet per year. Conversely, the total annual quantity available to the system through Water Right Certificates G2-27479C and G2-01013C is 460 afy. This indicates a significant excess allocation to the water system.

If approved, the two requested changes would alter the locations where water could be withdrawn under these permits and there would be no changes in the annual quantity. The instantaneous rate allocation available through the two primary rights (G2-27479C and G2-01013C) and the Moclips (New School) Well water right (G2-27478C) currently allows the County to pump 698 gpm. For perspective, the 460 afy annual allocation could be produced by pumping 698 gpm for less than 10 hours per day. The County is seeking rights to pump an additional 550 gpm beyond this.

The water system plan twenty-year water demand forecast (Table 4-2) suggests an excess allocation of 530 gpm and 225 acre-feet by 2024. In other words, the information provided indicates excess instantaneous and annual capacity for at least the next 20 years relying solely on certificated Water Rights G2-27479C, G2-01013C and G2-27478C.

The failure of the County to comply with the designated development schedules for G2-27480 and G2-27565 further indicate the lack of need for the water. Three development schedule extensions were granted for both G2-27480 and G2-27565, and the last extension called for water to be put to full use by May 1, 2002.

On April 19, 2005 Jeff Marti (Ecology) sent a letter to Kevin Varness, Director of the Utilities and Development Division of Grays Harbor County. In that letter Mr. Marti said that he had spoken with the water system’s planning consultant, Mike Olden of Gibbs & Olson. Mr. Olden told Mr. Marti that G2-27480 and G2-27565 were no longer needed and that the County would likely consent to their being cancelled. Consequently, Mr. Marti’s letter included a form that Grays Harbor County could complete to request that these permits be cancelled. Instead, on August 19, 2005 Mr. Olden sent Ecology letters and applications indicating the County’s desire to change the respective points of withdrawal and purpose of use associated with G2-27480P and G2-27565P.

Because the system has water rights allocating water in excess of its forecasted needs, I sent a letter to Kevin Varness on April 2, 2008. In that letter I explained how the above information indicated a lack of need for the water. I further indicated that the County should either withdraw its Applications for Change/Transfer of Water Right Permit’s CG2-27480P and CG2-27565P, or provide additional information justifying the need for this water. On June 27, 2008 I received an email response indicating that Mr. Varness hoped to discuss this issue with the County’s technical and legal consultants “in the next few weeks”. After not receiving a subsequent response I sent reminder email to Mr. Varness on August 27, 2008. I received no subsequent response to my letter.

CONCLUSION

Three development schedule extensions were granted for both G2-27480P and G2-27565P. The last extensions called for water to be put to full use by May 1, 2002. The water has yet to be put to use and neither permit has been developed with due diligence. More importantly, the 2006 Pacific Beach/Moclips Water System Plan indicates the water system has water rights allocations in excess of its forecasted demand. As such, approving the requested changes to Water Right Permit’s G2-27480P and G2-27565P would transfer water that would not be put to beneficial use in the future and the requested changes would not be in the public interest. Therefore, Ecology should deny these changes.

RECOMMENDATIONS

I recommend that Applications for Change/Transfer of Water Right Permit’s CG2-27480P and CG2-27565P be denied, and that Water Right Permit’s G2-27480P and G2-27565P be cancelled. Since the Old School well and the two wells at the Ferguson well site are not in use, the County should properly decommission all three of these wells.

Report by: _____ Date _____
Tom Culhane
Water Resources Program

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