

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

REPORT OF EXAMINATION
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

- Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)
- Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE January 20, 1981	APPLICATION NUMBER S 2-25789	PERMIT NUMBER	CERTIFICATE NUMBER
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NAME BRIAN & ANNE BESSEY			
ADDRESS (STREET) P. O. Box 1	(CITY) Quilcene	(STATE) Washington	(ZIP CODE) 98376

PUBLIC WATERS TO BE APPROPRIATED

SOURCE unnamed stream		
TRIBUTARY OF (IF SURFACE WATERS) Dabob Bay		
MAXIMUM CUBIC FEET PER SECOND 0.02	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR 1/2
QUANTITY, TYPE OF USE, PERIOD OF USE 1/2 acre-foot per year	domestic supply	continuously
(in house use only)		

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL 800 feet North and 900 feet West of center of Section 29.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) SE 1/4 NW 1/4	SECTION 29	TOWNSHIP N. 27	RANGE, (E. OR W.) W.M. 1 W	W.R.I.A. 17	COUNTY Jefferson
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RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

E 1/2 S 1/2 NW 1/4 SE 1/4 NW 1/4 Sec. 29, T. 27 N., R. 1. W.W.M.

DESCRIPTION OF PROPOSED WORKS

Spring box - small pump and plastic line to house.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: August 1, 1982	COMPLETE PROJECT BY THIS DATE: August 1, 1983	WATER PUT TO FULL USE BY THIS DATE: August 1, 1984
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REPORT

BACKGROUND:

This application was received and accepted on January 20, 1981. Public notice appeared in The Port Townsend Leader on May 20 and 27, 1981. As a result of the public notice a protest to issuance of a permit with the accepted priority date was received from Mark Owens of Quilcene, Washington.

Purpose of the application is to receive a permit to divert 0.02 cubic feet per second from an unnamed stream for doemstic use.

INVESTIGATION:

A field investigation was made at the site on May 7, 1981, and the application was discussed with Mrs. Bessey. The unnamed stream was observed and the flow was estimated at about 50 gallons per minute or 0.11 cubic feet per second. The home to be served could be considered a wilderness home with poor soil conditions and little likelihood of there being much lawn or garden. Also, because of other houses being built in the area and the possibility of numerous requests for water out of the stream, it will be in the best public interest to limit all such request to domestic in-house use only. That will preclude any use for lawn and/or garden.

CONSIDERATION OF PROTEST:

Mr. Mark Ownes in his portest indicated that he was not opposed to the applicant receiving a right. However, he had used the water himself for 3 years, with permission from people with water rights to the same source. Therefore he objects to the Bessey's having a superior right, if granted, over his recently filed application.

RCW 90.03.010 provides that subject to existing rights all waters within the state belong to the public, and any right thereto, or to the use thereof, shall be hereafter acquired only by appropriation for a beneficial use and in the manner provided and not otherwise; and, as between appropriations, the first in time shall be the first in right. The fact that Mr. Ownes applied for a right to appropriate water in a legal manner, after the Bessey application, make any right that he may acquire be junior to any right that may result from this application. The protest, therefore is rejected.

CONCLUSION:

As the result of my investigation and careful review of existing rights on the stream as well as taking into account the development trends and logging in the area, I find that there is sufficient water available for domestic in-house use only.

In accordance with Chapter 90.03 and 90.44 RCW, I find there is water available for appropriation from the source in question and that the appropriation as recommended is a beneficial use and will not impair existing rights or be detrimental to the public welfare.

RECOMMENDATIONS:

I, therefore, recommend that a permit should issue for diversion of 0.02 cubic feet per second on a continuous basis for domestic in-house use only and 1/2 acre-foot per year. This will provide a maximum of 450 gallons per day and will be subject to the following provisions. The diversion shall be such tha majority of the stream flow shall remain in the stream for downstream rights and other amenities as provided for in the 1971 Water Act.

The amount of water granted is maximum limit, that shall not be exceeded, and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required.

The Water Resources Act of 1971 specifies certain criteria regarding utilization and management of the waters of the State in the best public interest. Favorable consideration of this application has been based on sufficient waters available, at least during portions of the year. However, it is pointed out to the applicant that his use of the water may be subject to regulation at certain times, based on the necessity to maintain water quantities sufficient for preservation of the natural environment.

REPORTED BY: *Walter R. ...*

DATE: *August 12, 1981*

The permit fee for single domestic use is \$5.00