

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Hom. (602) 404-2861

REPORT OF EXAMINATION  
PROOF OF APPROPRIATION OF WATER

Surface Water

Ground Water

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
September 27, 1993	S3-29558	S3-29558P	

NAME  
Lance Barklen  
ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)

15425 N. Tatum Blvd, Phoenix, AR 85032

447-0247  
6/15 - 9/15

PO Box 1769  
Newport, WA 99156

PUBLIC WATERS TO BE APPROPRIATED

SOURCE  
Sacheen Lake  
TRIBUTARY OF (IF SURFACE WATER)

LITTLE SPOKANE RIVER	MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR
	0.02		2

QUANTITY, TYPE OF USE, PERIOD OF USE  
0.02 cubic feet per second, 2 acre feet per year, for single domestic supply (standby only) and the seasonal irrigation of 1/2 acre.

LOCATION OF DIVERSION/WITHDRAWAL  
APPROXIMATE LOCATION OF DIVERSION/WITHDRAWAL  
1300 Feet North + 850 East from S 1/4 corner of Sec. 25

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.T.A.	COUNTY
W 1/2 SE 1/4	25	31	43 E.	55	Pend Oreille

RECORDED FLATTED PROPERTY  
LOT 9 BLOCK OF (GIVE NAME OF PLAT OR ADDITION)  
1st Addition to Mountain View Estates,

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

P.O.U. SAME AS PERMIT.

Has well drilled 1995  
Irrigates from lake. 1/2 acre  
SW domestic backup only.

Call before 9/14. (Backup + P.O.U. - 104)

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

**REPORT OF EXAMINATION**

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

**Surface Water** (based 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** (based in accordance with the provisions of Chapter 200, Laws of Washington for 1948, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE September 27, 1993	APPLICATION NUMBER S3-29558	PERMIT NUMBER	CERTIFICATE NUMBER
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NAME  
**LANCE BARKLEN**

ADDRESS (STREET) 15425 North Tatum Blvd. #213	(CITY) Phoenix	(STATE) Arizona	(ZIP CODE) 85032
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**PUBLIC WATERS TO BE APPROPRIATED**

SOURCE  
**Sacheen Lake**

TRIBUTARY OF (IF SURFACE WATER)  
**Little Spokane River**

MAXIMUM CUBIC FEET PER SECOND 0.02	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FOOT PER YEAR 2
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QUANTITY, TYPE OF USE, PERIOD OF USE  
0.02 cubic feet per second, 2 acre feet per year, continuously, for domestic supply, which includes up to 1/2 of acre lawn and garden.

**LOCATION OF DIVERSION/WITHDRAWAL**

APPROXIMATE LOCATION OF DIVERSION/WITHDRAWAL

LOCATED WITHIN (SMALLEST LEGAL JURISDICTION) W1/2E1/4	SECTION 25	TOWNSHIP N. 31	RANGE, (E. OR W.) W.M. 43 E	W.R.L.A. 55	COUNTY Pend Oreille
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**RECORDED PLATTED PROPERTY**

LOT 9, 10, 11 & 12	BLOCK	OF (GIVE NAME OF PLAT OR ACCESSION) 1st Addition to Mountain View Estates
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**LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED**

Lots 9, 10, 11, 12, & 13, First Addition to Mountain View Estates, and second class shoreland according to Pend Oreille County, Washington as recorded on September 15, 1956 in Book 35 of Deeds, Page 38, as Auditor's File No. 91346 being part of Government Lots 8 & 9, Sec. 25, T. 31 N., R. 43 E.W.M., Pend Oreille County, Washington.

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**DESCRIPTION OF PROPOSED WORKS**

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Surface water pump and distribution system.

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**DEVELOPMENT SCHEDULE**

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BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	WATER PUT TO FULL USE BY THIS DATE:
May 1, 1995	May 1, 1996	May 1, 1997

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**REPORT**

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**BACKGROUND**

An application to appropriate public surface water was submitted by Lance Barklen to the Department of Ecology on September 27, 1993. The application was accepted and assigned Surface Water Application No. S3-29558. The applicant proposes to divert water from Sacheen Lake in the amount of 0.02 cubic feet per second for a continuous domestic supply which includes ½ acre of lawn and garden. The proposed point of diversion is to be located within Lots 9, 10, 11, or 12 of the First Addition to Mountain View Estates being within the W½SE¼ of Sec. 25, T. 31 N., R. 43 E.W.M., in Pend Oreille County, Washington.

A notice of application was duly published in accordance with RCW 90.03.280; no protests or objections were received.

This application is categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21C RCW. A permit issued under this application is exempt under the Family Farm Water Act of 1977, Chapter 90.66 RCW.

**INVESTIGATION**

A field examination was conducted on March 30, 1994 by James M. Lyerla. This project is located at the South end of Sacheen Lake and has not been started. The applicant intends to construct a home and guest house and divert domestic water from Sacheen Lake for domestic use as well as a small lawn and garden up to ½ acre in size. The point of diversion is proposed to be within lot 12 according to the plat map supplied by the applicant. A review of existing rights has shown that there are 61 state issued water rights and 41 claims from surface water sources within Sec. 25. Most of these rights are for domestic diversions from Sacheen Lake. Many of the claims show a first date of use after 1945 and may not be valid. However, many of these claims may have been backed up with state issued rights.

On January 6, 1976, the Department of Ecology adopted a Basin Management Program for Water Resource Inventory Area (WRIA) 55, Little Spokane River Drainage Basin. The Administrative Rules and Regulations (WAC 173-55) established base flows on the Little Spokane River and allocated a block of water to future domestic, stockwatering and non-commercial agricultural irrigation purposes within specific stream reaches. All natural lakes in the basin (which include Sacheen Lake) were closed to further consumptive appropriation other than domestic and stockwater from June 1 to October 31, each year, (WAC 1783-555-060). This application is located within the West Branch Little Spokane Drainage and managed by measurement at the Chattaroy station. Water appropriated for domestic lawn and garden irrigation would not be available during dry years and the diversion would be regulated when the flows of the main stem dropped to or below these base flows established by the Management Program for WRIA 55.

**CONCLUSIONS AND RECOMMENDATIONS**

It is the conclusion of this examiner that: public surface water is available for appropriation for a beneficial use; that domestic supply is a beneficial use; that the appropriation of such water will not impair existing rights or be detrimental to the public welfare.

It is recommended that this application for a public surface water permit be approved in the amount 0.02 cubic feet per second, 2 acre feet per year, for a continuous domestic supply subject to the following provisions:

"The amount of water granted is a 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 for the actual crop grown on the number of acres and the place of use specified."

"This authorization to make use of public waters of the state is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

"A certificate of water right will not be issued until a final examination is made."

Report Continued

The construction of the facilities for the appropriation of water under the application may require removal of material from or adjacent to a stream channel or watercourse. A Hydraulic Approval may be obtained from the Department of Fisheries and Wildlife prior to commencing work.

In accordance with the recommendations of the Departments of Fisheries and Wildlife, the permit shall be issued subject to the following provision(s):

"This permit shall be issued subject to Washington Departments of Fisheries and Wildlife screening criteria as outlined in a Hydraulic Project Approval. Please contact the Department of Fisheries, 115 General Administration Building, AX-11, Olympia, WA 98504, Attention: Habitat Management Division, Phone (206) 753-6600; or the Department of Wildlife, 600 Capitol Way North, GJ-11, Olympia, Washington 98501-1091, Attention: Habitat Management Division, Phone (206) 753-3318, to obtain specific requirements for your project."

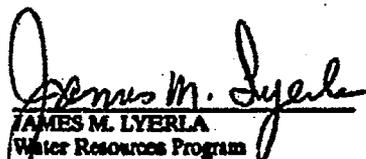
"All withdrawal for lawn and garden irrigation shall cease when the flow of the river at Chattaroy (river mile 23.05) falls to or below those flows given in the following table:

		cubic feet per second											
		JAN		FEB		MAR		APR		MAY		JUNE	
DAY		1	15	1	15	1	15	1	15	1	15	1	15
CFS		86	86	86	104	122	143	165	143	124	104	83	69

		cubic feet per second											
		JULY		AUG		SEPT		OCT		NOV		DEC	
DAY		1	15	1	15	1	15	1	15	1	15	1	15
CFS		57	57	57	57	57	63	70	77	86	86	86	86

The management and regulation shall be accomplished in accordance with the Water Resources Management Program, Little Spokane River Basin, August 1975 and WAC 173-555 effective January 6, 1976."

Signed at Spokane, Washington  
this 28th day of April, 1994

  
 JAMES M. LYERLA  
 Water Resources Program  
 Department of Ecology