

10. Miscellaneous Documents

10.1 Supportive Documents

State Environmental Policy Act – Environmental Checklist
Determination of SEPA Official
Certification of Registration from the Department of Revenue
Water Facility Inventory forms for each system
Cross Connection Control Program. Resolution No. 227
Requirements for Water and Sewer Service, Resolution 757

Insert: SEPA Checklist
Determination of SEPA Official
Certification of Registration from the Department of Revenue
District's WFI's (Water Facility Inventory forms) (8Pages)
Cross Connection Control Program. Resolution No. 227 (4 Pages)
Resolution 757 – Requirements for Water and Sewer Service

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

A. BACKGROUND

1. Name of proposed project, if applicable:

Water System Comprehensive Plan - 2017 Update

2. Name of applicant: ***Lake Whatcom Water and Sewer District***

3. Address and phone number of applicant and contact person:

*Lake Whatcom Water and Sewer District
1220 Lakeway Drive
Bellingham, WA 98229
Patrick Sorensen, General Manager
Tel. 360-734-9224*

4. Date checklist prepared: *11/20/2017*

5. Agency requesting checklist: *Lake Whatcom Water and Sewer District*

6. Proposed timing or schedule (including phasing, if applicable):

Exact construction timing of the various improvement projects included in the Water System Comprehensive Plan is unknown. The Plan identifies the anticipated schedule for projects and alternatives proposed for the next 10 years. Project funding will impact construction phasing.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

This Water System Comprehensive Plan covers planned water system improvements within the District for the next 20 years, with anticipated updates of the plan every ten years.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The District authorized an FEIS for provision of sewage disposal services to serve anticipated population along the South Shore of Lake Whatcom (Sudden Valley and Geneva areas). That 1997 FEIS investigated the direct and indirect impacts of anticipated ultimate populations in the Sudden Valley and Geneva areas of the District. An SEIS regarding potential changes to the operation of the Nooksack Diversion Dam was prepared in 2000-2001 for the District. An EIS was prepared for the proposed North Shore Estates (formerly Winchester Estates) subdivision, including sewer collection facilities, in the District's North Shore area. A non-project environmental checklist was prepared for the District's 2014 Comprehensive Sewer Plan Update, which is the companion of this Plan update.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Yes, the District will be submitting Shoreline Substantial Development permit applications for sewer pump station rehabilitation projects to Whatcom County.

10. List any government approvals or permits that will be needed for your proposal, if known.

It is anticipated that the following governmental approvals or permits will be required for the construction of water system improvements:

Washington Department of Health

- Approval of the Water System Comprehensive Plan.
- Approval of Project Reports and Construction Plans and Specifications for projects not covered by the submittal exception process.

Washington Department of Ecology

- NPDES Construction Activities stormwater management permit for construction projects disturbing areas greater than one acre.

Whatcom County (various departments)

- Approval of the Water System Comprehensive Plan by County Engineer, County Health Officer, and County Council.
- Approval of construction plans and specifications for all improvements constructed in Whatcom County road rights-of-way, and for any structures requiring occupancy permits.
- Conditional use permit for new above-ground structures.
- Shoreline substantial development permit if new facilities are within 200 feet of Lake Whatcom, Lake Louise, and lower portions of Austin Creek. The County's shoreline jurisdiction with respect to creeks is subject to modification.
- Right-of-way encroachment permits
- Land disturbance permit
- Critical Areas Ordinance review in the context of other permit applications, i.e. conditional use, shoreline, building permits, etc.

Department of Fish & Wildlife

- Hydraulic Project Approval for any construction below the ordinary high water mark of Lake Whatcom or its associated wetlands and tributary streams (none known at this time)

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The purpose of the Water System Comprehensive Plan is to identify those projects the District will need to construct in order to continue to meet standards for production, storage and distribution of safe, reliable water. District efforts will be focused on maintaining its existing pumping stations, reservoirs and water mains and reducing distribution system losses.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposal includes the area within the Lake Whatcom Water and Sewer District boundary, in Whatcom County, Washington. A map showing the District Boundary is included in the Water System Comprehensive Plan as Exhibit A.

B. ENVIRONMENTAL ELEMENTS**1. Earth**

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

The "site" for this purpose is defined as the area within the District boundary. All types of terrain are included in the service area, but predominantly it is rolling and hilly, with some very steep areas.

- b. What is the steepest slope on the site (approximate percent slope)?

There are cliffs within the service area (100% slopes). Steep slope areas would be avoided if possible when selecting construction locations for water system improvements.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

There is no known prime agricultural farm land in the District boundary. The soils include classifications of Squalicum, Chuckanut, Nati, Kickerville-Barneston-Everett, and Sumas Outwash. (Source: Soil Survey of Whatcom County Washington. USDA Soil Conservation Service 1983)

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Yes. Within the District boundaries, unstable slopes are evidenced by surface indications along Lake Whatcom Boulevard, west of Strawberry Point, and possibly along Agate Heights Road on the North Shore. There may be other areas as well. The District will engage site-specific geotechnical and structural expertise prior to the design and construction of any major new facilities.

Indirect: Although the Soil Survey may indicate moderate to severe restrictions to buildings based on slopes and wetness, in fact these obstacles have been overcome by site-specific structural designs to allow house construction. The District is unaware of any significant quantity of soil so unstable as to render platted properties un-buildable. It is anticipated that County environmental review of new or pending plat applications will address these issues on a site-specific basis for presently un-platted properties.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed.

Indicate source of fill.

Direct: In general, water main trench spoil is properly disposed of off site, and replaced with imported granular backfill material whenever the line is in a roadway or road shoulder. The quantity of imported backfill is approximately 30 cubic yards per 100 feet of pipe. For reservoir construction, excess excavation spoil is also removed and properly disposed of offsite. The quantity will be dependent upon the slope of the site and the degree to which the reservoir is partially buried or not. The project site's surface is always restored.

Indirect: Filling and grading associated with individual home construction cannot be projected, but would be subject to County review and regulation through the building permit process. Filling and grading associated with new subdivisions would be subject to environmental review and regulation via either the short or long plat subdivision process.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Direct: The highest probability of erosion would occur during construction. Best Management Practices (BMPs) such as silt fences, silt check dams, cobbled construction entrances and directed site drainage are required and enforced by the District for its construction projects. The Department of Ecology Stormwater Management Manual for the Puget Sound and Whatcom County's regulations govern the BMP's.

Indirect: With respect to individual home sites, erosion and sedimentation is most likely to occur during construction and prior to establishment of vegetative cover. Approved erosion and sedimentation control techniques such as silt fences and silt check dams must be implemented and maintained for even the smallest project. These requirements are addressed on a site-specific basis by Whatcom County building permit and subdivision processes, and include the Land Disturbance Permit and required Erosion and Sedimentation Control Plans.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Direct: The surface over water mains would generally be restored to its condition prior to construction, i.e. mains in streets would have paved surfaces, mains in easements would have vegetated surfaces. Whatcom County overlay zoning regulations stipulate the allowable level of impervious cover on a site. These rules will not affect water main construction or repair, or replacement pump stations. There is a variance process to address unusual or difficult site constraints.

Indirect: South Shore area: The District's 1997 FEIS for South Shore Sewage Disposal Alternatives thoroughly identified the level of impervious surfaces which may occur as a result of homebuilding. The County's overlay zoning has been passed since that time, further reducing the level of anticipated impervious surface.

North Shore area: North Shore development will generally be less dense with less impervious cover based on lower-density zoning and Whatcom County's overlay zoning.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Direct: *Implement County-approved temporary erosion and sedimentation control measures during construction, and re-vegetate immediately upon completion of construction. The District supervises contractor-implemented erosion control procedures for any District-funded construction projects.*

Indirect: *Implement County-approved permanent stormwater management and treatment systems for new construction of impervious surfaces. These are in addition to those imposed by Whatcom County through the above-mentioned Land Disturbance Permit and Erosion and Sedimentation Control regulations.*

2. **Air**

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Direct – temporary impacts: *During construction, any construction project would result in dust and exhaust from heavy equipment such as backhoes, graders, dump trucks, and tractor/trailer trucks delivering heavy construction equipment. Construction workers' personal vehicles would also create dust and exhaust.*

Direct – permanent impacts: *District staff would visit some of the facilities (e.g. pump stations, generators) for operational purposes, and their vehicles would create exhaust and possibly dust.*

Indirect – temporary impacts: *There will be increased vehicle emissions associated with home construction traffic. Onsite burning of trees removed for house construction will occur if not specifically prohibited via burn bans as regulated by Whatcom County.*

Indirect – permanent impacts: *Automobile and bus vehicle emissions associated with residential development and public transportation to serve same.*

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Direct – temporary impacts: *Appropriate dust control measures will be implemented on District-managed construction projects.*

Direct – permanent impacts: *District staff will endeavor to reduce the potential vehicle emissions from its trucks by managing operating procedures and service routes so as to minimize driving miles and properly maintaining vehicles.*

Indirect – temporary impacts: *Appropriate dust control measures during home construction are enforced through Whatcom County Erosion Control regulations.*

Indirect – permanent impacts: *A significant reduction in vehicle emissions over the total potential level can best be achieved through individual, personal decisions to choose alternatives to single-occupancy vehicle. Public transportation, bike trails connected to work centers, carpooling, and reducing unnecessary travel are all important measures which could be supported by individuals and by the community as a whole.*

3. **Water**

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Lake Louise and the majority of Lake Whatcom are located inside the District boundaries. Several streams are

also contained within the District's boundaries, including:

- *On the South Shore - Beaver Creek, which is tributary to Austin Creek, which is tributary to Lake Whatcom.*
- *On the North Shore - Smith Creek, Olsen Creek, and Carpenter Creek, which are tributaries to Lake Whatcom.*
- *South End – Anderson Creek, which is tributary to Lake Whatcom. Anderson Creek is also a component of the City of Bellingham's Middle Fork Nooksack River Diversion System.*

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

It is possible that projects will be constructed within 200 feet of the waters listed. Plans will be developed prior to construction and the District will apply at that time for Shoreline Exemption permits for work that it is normal maintenance and repair of existing facilities, or for Shoreline Substantial Development permits for new work.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Direct: *No net removal of dredge or placement of fill in surface waters or wetlands is anticipated. However, fill and dredge is typically project-specific and will be addressed by the project environmental checklist.*

Indirect: *Fill and dredge material placed or removed from surface waters in the future due to homebuilding is anticipated to be minimal, as most waterfront property has already been developed. There may be some areas of wetlands which individual home sites or future subdivisions could impact. Whatcom County requires environmental review of any subdivision proposal impacting wetlands. It is unlikely that dredge or fill of surface waters or wetlands would occur on any significant number of existing platted lots. In either circumstance, Whatcom County has regulatory powers to require wetlands and surface water protection.*

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

This proposal for the Water System Comprehensive Plan does not require additional surface water withdrawals or diversions. Provision of drinking water by the District currently requires direct surface water withdrawal for Sudden Valley and Geneva, and indirect surface water withdrawal for part of North Shore (City of Bellingham intertie). Lake Whatcom is the source of the surface water withdrawals. . Projected quantities are included in the District's Water Use Efficiency Plan.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No. There is not an identified 100-year floodplain associated with Lake Whatcom.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The Plan does not include any project that would intentionally discharge waste materials to surface waters.

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

This proposal for the Water System Comprehensive Plan does not require additional ground water withdrawals nor will water be discharged to ground water. The District uses direct ground water withdrawals to supply part of North Shore. Water will not be discharged to ground water. Projected quantities are included in the District's Water Use Efficiency Plan.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Direct: *No waste material from the proposed facilities will be purposely discharged into the ground.*

Indirect: In areas not served by public sewer, onsite sewage systems are allowed and approved by the Whatcom County Health Department.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Typically, water system projects will not create any new significant storm water runoff. Projects meeting the thresholds outlined in WCC 20.51 will be required to have an approved stormwater management and treatment system. Area storm water runoff flows to Lake Whatcom and its tributary streams.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

The water system facilities will not discharge waste materials to the ground or surface waters.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Public education is necessary to inform homeowners of the potentially serious impacts of some typical "home and garden" activities, such as cleaning paint brushes, changing motor oil, using lawn and garden fertilizers and pesticides.

The Lake Whatcom Management Plan includes a substantial educational component to provide this information.

4. Plants

a. Check or circle types of vegetation found on the site:

- X deciduous tree: alder, maple, aspen, other
X evergreen tree: fir, cedar, pine, other
X shrubs
X grass
 _____ pasture
 _____ crop or grain
X wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
X water plants: water lily, eelgrass, milfoil, other
X other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Water system maintenance and repair projects will generally be confined to traveled right-of-ways or previously disturbed areas.

c. List threatened or endangered species known to be on or near the site.

The 1997 FEIS identified a state threatened plant species, water lobelia (Lobelia dortmanna) and a state sensitive species, southern mudwort (Limosella acaulis) as being recorded in historic records for the study area. No impacts to these species or their habitats are expected from water system projects.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

The surface over the water mains would generally be restored to its condition prior to construction (paved or unpaved). Landscaping at the perimeter any sites will be accomplished in accordance with Whatcom County requirements established by the permits issued.

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, ducks, sea gulls, swans

mammals: deer, bear, elk, beaver, cougar, other:

fish: bass, Kokanee salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

See 1997 FEIS, page 3-52. The water system projects are not expected to harm endangered, threatened or sensitive species or their habitats, as the projects generally take place in traveled right-of-ways and previously disturbed areas.

- c. Is the site part of a migration route? If so, explain.

The area is part of the Pacific Flyway bird migration route. Regular large concentrations of waterfowl appear at the north end of Lake Whatcom and on the Sudden Valley golf course.

- d. Proposed measures to preserve or enhance wildlife, if any:

The District's projects will be designed to minimize disruption of wildlife habitat by occupying traveled right-of-ways and previously disturbed areas to the largest extent possible.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Some water facilities are powered by electricity. Emergency backup power is supplied by propane or diesel generators.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Electric motors for the water facilities will have high energy efficiency requirements.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Direct: *None anticipated*

Indirect: *Risks from accidental spill of toxic chemicals or fuel into the water supply already exist due to residential traffic, residential activities, and boating recreation. These risks may increase with an increase in population performing these same activities in the watershed.*

- 1) Describe special emergency services that might be required.

Direct: *No special emergency services are required.*

Indirect: *The District, City of Bellingham, and Whatcom County have prepared an emergency response plan for the watershed. The District has also completed an update to its own Emergency Response Plan.*

- 2) Proposed measures to reduce or control environmental health hazards, if any:

Direct: *N/A*

Indirect: *Although not specifically included as part of this proposal, community efforts which can be continued within the watershed include constructing and retrofitting runoff quality enhancement techniques such as sedimentation ponds and biofiltration swales; continued public education as to impacts of residential chemical use in the watershed; and transportation demand management promoting less vehicular travel.*

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Direct – Temporary and Permanent: *No existing noises would affect the construction and operation of water facilities.*

Indirect– Temporary: *No existing noises would adversely impact the construction of additional homes in the*

District.

Indirect– Permanent: Traffic noise on Lake Whatcom Blvd. and Lake Louise Road will increase with increasing population, and the change would most greatly impact those houses located on these streets.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Direct – Temporary: Heavy construction equipment noise will occur during the daylight hours on weekdays during construction of water facilities.

Direct – Permanent: Auxiliary generators used in the event of power outages are somewhat noisy, even if housed and equipped with mufflers. The noise impact would occur during power outages and during regular weekly generator exercise periods. Generator installations in residential areas already exist at several sewage pump stations.

Indirect– Temporary: Construction noise from homebuilding would occur during similar hours and will occur throughout the service areas.

Indirect– Permanent: Traffic noise, and the noises of living in proximity to one another (e.g. lawnmowers, dogs, children) are to be expected with population increase in an area zoned urban residential.

- 3) Proposed measures to reduce or control noise impacts, if any:
N/A.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
Residential development at varying densities with some commercial, resort, and public use. There are some public and private forestry tracts located adjacent to the residential zones.
- b. Has the site been used for agriculture? If so, describe.
No agriculture known except limited forestry. See 8.a above.
- c. Describe any structures on the site.
There are approximately 3,900 equivalent residential connections in Sudden Valley, Geneva and North Shore, comprised primarily of single family residences, but also including two schools, two fire stations, condominiums, residential treatment center, neighborhood commercial center, camps, recreation center, restaurant and golf club.
- d. Will any structures be demolished? If so, what?
The District is considering demolishing a concrete water tank that is no longer in service.
- e. What is the current zoning classification of the site?
Refer to the official Whatcom County Zoning Maps for Sudden Valley, Geneva, North Shore and South Lake areas. Zoning designations include UR, and R5A, ROS, STC, NC, RF and CF.
- f. What is the current comprehensive plan designation of the site?
The site is in the Lake Whatcom Special Study Area of the Whatcom County Comprehensive Plan. The District's intended water service areas are designated in this Plan. Most, but not all, of the Geneva area is included within the City of Bellingham's Urban Growth Area boundary. Other Comprehensive Plan designations include Public Recreation, Rural Community, Rural Forestry, Commercial Forestry and Rural.
- g. If applicable, what is the current shoreline master program designation of the site?
Lake Whatcom is a shoreline of statewide significance. The Lake Whatcom shorelands within the District include urban, rural, and conservancy shoreline designations, and the waters of Lake Louise and Lake Whatcom have aquatic

designations. Austin Creek has a conservancy shoreline designation under Whatcom County's Shoreline management Program.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The Critical Areas Ordinance of Whatcom County classifies some areas as environmentally sensitive for wetlands and steep slopes.

Lake Whatcom, Austin Creek, Beaver Creek, Whatcom Creek and other unnamed creeks tributary to Lake Whatcom would be classified as Critical Areas.

- i. Approximately how many people would reside or work in the completed project?

No persons would reside at the proposed water facilities.

- i. Approximately how many people would the completed project displace?

None anticipated.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposal is to provide public water service in accordance with existing zoned land uses and urban growth area / LAMIRD boundaries.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Direct: *No housing units will be provided by the District.*

Indirect: *The Water System Plan will support existing customers and anticipated growth in the District in accordance with Whatcom County zoning and regulations.*

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Direct: *No existing houses are anticipated to be eliminated by the proposed projects.*

Indirect: *Generally, no existing houses would be eliminated by new home construction. A conceivable exception would be the removal of an old house for replacement with a newer structure.*

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The tallest proposed water system structure would be a new ground storage reservoir located in Geneva, Sudden Valley, and/or the North Shore. Reservoir height would typically be in the 30-40 foot range.

- b. What views in the immediate vicinity would be altered or obstructed?

None anticipated.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

The District will work with adjacent property owners to reasonably mitigate aesthetic impacts. However, an above-ground water system component cannot usually be totally buffered from sight. The costs of mitigating aesthetic impacts will be weighed against the benefits to the community.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Exterior security lighting at water system facilities can be directed so as not to disturb neighbors. Site perimeter vegetation buffers may also help mitigate for glare onto adjacent properties. Lighting would only occur at night.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No. If a District-owned security light was determined to present a view impediment, it would be adjusted.

- c. What existing off-site sources of light or glare may affect your proposal?

None will affect the provision of water service.

- d. Proposed measures to reduce or control light and glare impacts, if any:

See 11.a above.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Lake Whatcom provides public recreational opportunities including swimming, fishing, boating and water skiing. Private recreational opportunities include swimming, golfing, parks, recreation center in Sudden Valley, and private campgrounds and church camps near Sudden Valley.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No displacement of existing recreational use is anticipated.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

No measures proposed.

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

See 1997 FEIS, pages 4 - 58-59. The known petroglyph site will not be impacted by any water system construction. Utility lines are usually constructed within existing right-of-way corridors, so there is virtually no potential conflict with historic sites.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

See 1997 FEIS, pages 4 – 58-59.

- c. Proposed measures to reduce or control impacts, if any:

If potentially important archaeological material is uncovered during any water system construction project, the excavation will be stopped for contact of the Washington State Office of Archaeology and Historic Preservation.

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system.

Show on site plans, if any.

Existing arterial access to Geneva and Sudden Valley is via Lakeway/Cable Street/ Lake Whatcom Blvd. and Lake Louise Road from Bellingham. Access to Sudden Valley from Interstate 5 to the south is via Highway 9 and Lake

Whatcom Blvd. Access to North Shore is via North Shore Road, or via Britton Road from Hwy 542 (Mt. Baker Highway). There are numerous public streets in the Geneva and North Shore areas, and numerous private streets created by the plats of Sudden Valley.

The District has no legislative authority to create and maintain roads, so has no role in transportation issues.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Geneva and Sudden Valley are currently served by public transportation provided by Whatcom Transit Authority. Stops exist along Lake Whatcom Blvd and Cable Street. The North Shore area within the District boundaries is not served by regular public transportation.
- c. How many parking spaces would the completed project have? How many would the project eliminate?
Water facilities need only the temporary parking necessary for operator and service trucks, and would be determined for each specific project.
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
No new streets are anticipated for access to the proposed water facilities.
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
The District service areas are not in the immediate vicinity of public water, rail or air transportation.
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
The number of vehicular trips generated by any new water system facilities would be less than one per day per facility. Upcoming projects are primarily replacement and maintenance of existing water facilities, and would generate no additional vehicular trips.
- g. Proposed measures to reduce or control transportation impacts, if any:
The District has no authority to reduce or control transportation impacts from any activity other than its own operations.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
Direct: The water service facilities would not directly require new public services, other than power to run pump stations and controls.

Indirect: The District provides water for fire protection. The population increase made possible by current land use designations may require police and fire protection, schools, and health care facilities to be augmented. It is not known whether the development of these areas in accordance with plats and zoning has already been considered in the planning and financing of these public services.
- b. Proposed measures to reduce or control direct impacts on public services, if any.
Direct: Does not apply.

Indirect: The proposed measures of other governmental agencies to reduce and control impacts on fire and police protection, schools, and health facilities are not known.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The proposed water facilities would possibly utilize electricity, and natural gas (or delivered propane or diesel) for emergency generators.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Melanie Mankamy, P.E.

Wilson Engineering, L.L.C., 805 Dupont St., Suite 7, Bellingham, WA 98225

Consulting Engineers for Lake Whatcom Water and Sewer District

Date Submitted: _____

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Construction of additional water mains will have negligible impacts on discharge to water, emissions to air, release of toxic substances, or production of noise.

No storage, production, or transportation of hazardous materials is anticipated for the service area, other than expansion of activities already taking place, such as transportation of chlorine gas, sodium hypochlorite, and sodium sulfite for water treatment purposes, and transportation of gasoline by others to the privately-owned service station in Sudden Valley.

Proposed measures to avoid or reduce such increases are:

Not applicable.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The District's water system construction projects will have minimal impact on plants and animals, negligible impacts on fish, and none on marine life, as most proposed facilities will be located within existing right-of-ways, or previously disturbed areas.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Continued implementation of best management practices for stormwater runoff and habitat conservation, including maintenance beyond the temporary construction impacts.

3. How would the proposal be likely to deplete energy or natural resources?

Construction of water system facilities will use some energy and some water. The activities will not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

The District will specify high efficiency motors for its facilities in order to conserve energy. The District will continue to promote water conservation through tracking and reducing distribution system losses, residential water audits, new construction requirements for water-saving fixtures, and public education. The District is implementing its Water Use Efficiency Program. The Lake Whatcom Management Plan contains conservation and education components. The District will also support other utility companies' energy-saving home construction packages and public education programs regarding energy conservation.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

This proposal does not impact parks, wilderness areas or prime farmlands because the majority of land within the Geneva and Sudden Valley areas is already platted, the North Shore area is zoned R5A, and all areas are inhabited to

varying degrees. The area is not in a floodplain, nor are there wild and scenic rivers. Each water facility project will be individually assessed for impacts to threatened or endangered species habitat, historic or cultural sites, and wetlands.

Proposed measures to protect such resources or to avoid or reduce impacts are:

To the largest extent possible, District projects will be confined to traveled right-of-ways, or previously disturbed areas, to avoid directly impacting wildlife habitat, wetlands or historic or cultural sites.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The Water System Comprehensive Plan seeks to provide adequate water service to serve existing land use plans, and would, by definition, be compatible.

Proposed measures to avoid or reduce shoreline and land use impacts are:

To the largest extent possible, District water system projects will be confined to traveled right-of-ways, or previously disturbed areas, and will mitigate permanent shoreline impacts when replacement or maintenance projects are located near the shoreline.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Population increases in accordance with zoning and building regulations will increase demands on the roads and other public services. These impacts must be planned for and addressed by the responsible agencies (such as the fire districts, school districts, gas and electric companies, and Whatcom County), just as the District has done for sewer and water services.

Proposed measures to reduce or respond to such demand(s) are:

The District is the water and sewer service provider for the area, and therefore does not have the authority to undertake reducing such demands unilaterally. However, the District has participated with Whatcom County and the Sudden Valley Community Association in a density reduction program in Sudden Valley that promotes activities such as lot consolidation and conservancy designations.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The Water System Comprehensive Plan - 2017 Update is itself a requirement of WAC 246-290-100 and the Washington Department of Health. The District is authorized to by Title 57 RCW, and the improvements (including alternatives) identified in the Plan update represent the District's efforts to provide safe drinking water to the public in accordance with all local, state and federal laws.

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: WATER SYSTEM COMPREHENSIVE PLAN which contains information on planned water projects and related activities to address on-going system maintenance and anticipated growth.

Proponent: LAKE WHATCOM WATER AND SEWER DISTRICT

Location of proposal,
including street address, if any: Whatcom County, Washington

Lead agency: LAKE WHATCOM WATER AND SEWER DISTRICT

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by December 13, 2017.

Responsible official: Patrick Sorensen
Position/title: General Manager
Address: 1220 Lakeway Drive, Bellingham, WA 98229
Phone: (360) 734-9224

Date: _____

Signature: _____

WATER DIST #10 WHATCOM COUNTY
CONVERSION
1010 LAKEVIEW ST
BELLINGHAM WA 98226-2520

DETACH BEFORE POSTING

004462



STATE OF
WASHINGTON

MASTER LICENSE SERVICE
PO Box 9034 • Olympia, WA 98507-9034 • (360) 664-1400
REGISTRATIONS AND LICENSES

Municipality

Unified Business ID #: 600 151 207
Business ID #: 1

WATER DIST #10 WHATCOM COUNTY
CONVERSION
1010 LAKEVIEW ST
BELLINGHAM WA 98226 2520

REGISTERED TRADE NAMES:
LAKE WHATCOM WATER & SEWER DISTRICT

The licensee named above has been issued the business registrations or licenses listed. By accepting this document the licensee certifies the information provided on the application for these licenses was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

Elizabeth A. Luce
Director, Department of Licensing

WATER FACILITIES INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME	3. COUNTY	4. GROUP	5. TYPE
95910 1	LWWSD - SOUTH SHORE WATER SYSTEM	WHATCOM	A	Comm

	ACTIVE SERVICE CONNECTIONS	DOH USE ONLY! CALCULATED ACTIVE CONNECTIONS	DOH USE ONLY! APPROVED CONNECTIONS
25. SINGLE FAMILY RESIDENCES (How many of the following do you have?)		3754	3878
A. Full Time Single Family Residences (Occupied 180 days or more per year)	3454		
B. Part Time Single Family Residences (Occupied less than 180 days per year)	0		
26. MULTI-FAMILY RESIDENTIAL BUILDINGS (How many of the following do you have?)			
A. Apartment Buildings, condos, duplexes, barracks, dorms	92		
B. Full Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied more than 180 days/year	300		
C. Part Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied less than 180 days/year	0		
27. NON-RESIDENTIAL CONNECTIONS (How many of the following do you have?)			
A. Recreational Services and/or Transient Accommodations (Campsites, RV sites, hotel/motel/overnight units)	3	3	12
B. Institutional, Commercial/Business, School, Day Care, Industrial Services, etc.	42	42	45
28. TOTAL SERVICE CONNECTIONS		3799	3935

29. FULL-TIME RESIDENTIAL POPULATION
A. How many residents are served by this system 180 or more days per year? 9948

30. PART-TIME RESIDENTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many part-time residents are present each month?												
B. How many days per month are they present?												

31. TEMPORARY & TRANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many total visitors, attendees, travelers, campers, patients or customers have access to the water system each month?												
B. How many days per month is water accessible to the public?												

32. REGULAR NON-RESIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. If you have schools, daycares, or businesses connected to your water system, how many students daycare children and/or employees are present each month?												
B. How many days per month are they present?												

33. ROUTINE COLIFORM SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
* Requirement is exception from WAC 246-290	10	10	10	10	10	10	10	10	10	10	10	10

34. NITRATE SCHEDULE	QUARTERLY	ANNUALLY	ONCE EVERY 3 YEARS
(One Sample per source by time period)			

35. Reason for Submitting WFI:

☐ Update - Change
 ☐ Update - No Change
 ☐ Inactivate
 ☐ Re-Activate
 ☐ Name Change
 ☐ New System
 ☐ Other _____

36. I certify that the information stated on this WFI form is correct to the best of my knowledge.

SIGNATURE: _____

DATE: _____

PRINT NAME: _____

TITLE: _____

WATER FACILITIES INVENTORY (WFI) FORM

ONE FORM PER SYSTEM

Quarter: 0

Updated: 03/16/2011

Printed: 2/6/2017

WFI Printed For: On-Demand

Submission Reason: Pop/Connect Update

RETURN TO: Central Services - WFI, PO Box 47822, Olympia, WA, 98504-7822

1. SYSTEM ID NO. 04782 8	2. SYSTEM NAME LWWSD - JOHNSON WELL	3. COUNTY WHATCOM	4. GROUP B	5. TYPE																								
6. PRIMARY CONTACT NAME & MAILING ADDRESS JAMES NEHER [GENERAL MANAGER] 1220 LAKEWAY DRIVE BELLINGHAM, WA 98229		7. OWNER NAME & MAILING ADDRESS LAKE WHATCOM WATER AND SEWER DIST. BILL A. HUNTER 1220 LAKEWAY DRIVE BELLINGHAM, WA 98229		8. OWNER NUMBER: 006570																								
STREET ADDRESS IF DIFFERENT FROM ABOVE ATTN ADDRESS CITY STATE ZIP		STREET ADDRESS IF DIFFERENT FROM ABOVE ATTN ADDRESS CITY STATE ZIP																										
9. 24 HOUR PRIMARY CONTACT INFORMATION		10. OWNER CONTACT INFORMATION																										
Primary Contact Daytime Phone: (360) 734-9224		Owner Daytime Phone: (360) 734-9224																										
Primary Contact Mobile/Cell Phone: (360) 770-2758		Owner Mobile/Cell Phone: (360) 296-4577																										
Primary Contact Evening Phone: (xxx)-xxx-xxxx		Owner Evening Phone: (xxx)-xxx-xxxx																										
Fax: (360) 738-8250 E-mail: xxxxxxxxxxxxxxxxxxxx		Fax: (360) 738-8250 E-mail: xxxxxxxxxxxxxxxxxxxx																										
WAC 246-290-420(9) requires that water systems provide 24-hour contact information for emergencies.																												
11. SATELLITE MANAGEMENT AGENCY - SMA (check only one)																												
<input checked="" type="checkbox"/> Not applicable (Skip to #12) <input type="checkbox"/> Owned and Managed SMA NAME: _____ SMA Number: _____ <input type="checkbox"/> Managed Only <input type="checkbox"/> Owned Only																												
12. WATER SYSTEM CHARACTERISTICS (mark all that apply)																												
<input type="checkbox"/> Agricultural <input type="checkbox"/> Hospital/Clinic <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial / Business <input type="checkbox"/> Industrial <input type="checkbox"/> School <input type="checkbox"/> Day Care <input type="checkbox"/> Licensed Residential Facility <input type="checkbox"/> Temporary Farm Worker <input type="checkbox"/> Food Service/Food Permit <input type="checkbox"/> Lodging <input type="checkbox"/> Other (church, fire station, etc.): _____ <input type="checkbox"/> 1,000 or more person event for 2 or more days per year <input type="checkbox"/> Recreational / RV Park																												
13. WATER SYSTEM OWNERSHIP (mark only one)				14. STORAGE CAPACITY (gallons)																								
<input type="checkbox"/> Association <input type="checkbox"/> County <input type="checkbox"/> Investor <input type="checkbox"/> Special District <input checked="" type="checkbox"/> City / Town <input type="checkbox"/> Federal <input type="checkbox"/> Private <input type="checkbox"/> State																												
15	16 SOURCE NAME	17 INTERTIE	18 SOURCE CATEGORY	19 USE	20	21 TREATMENT	22 DEPTH	23	24 SOURCE LOCATION																			
Source Number	LIST UTILITY'S NAME FOR SOURCE AND WELL TAG ID NUMBER. Example: WELL #1 XYZ456	INTERTIE SYSTEM ID NUMBER	WELL	WELL FIELD	WELL IN A WELL FIELD	SPRING	SPRING FIELD	SPRING IN SPRINGFIELD	SEA WATER	SURFACE WATER	RANNEY / INF. GALLERY	OTHER	PERMANENT	SEASONAL	EMERGENCY	SOURCE METERED	NONE	CHLORINATION	FILTRATION	FLUORIDATION	IRRADIATION (UV)	OTHER	DEPTH TO FIRST OPEN INTERVAL IN FEET	CAPACITY (GALLONS PER MINUTE)	1/4, 1/4 SECTION	SECTION NUMBER	TOWNSHIP	RANGE
	IF SOURCE IS PURCHASED OR INTERTIED, LIST SELLER'S NAME Example: SEATTLE																											
S01	JOHNSON WELL		X										X			Y	X						102	220	SE SE	24	38N	03E

WATER FACILITIES INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME	3. COUNTY	4. GROUP	5. TYPE
04782 8	LWWSD - JOHNSON WELL	WHATCOM	B	

	ACTIVE SERVICE CONNECTIONS	DOH USE ONLY! CALCULATED ACTIVE CONNECTIONS	DOH USE ONLY! APPROVED CONNECTIONS
25. SINGLE FAMILY RESIDENCES (How many of the following do you have?)		2	2
A. Full Time Single Family Residences (Occupied 180 days or more per year)	2		
B. Part Time Single Family Residences (Occupied less than 180 days per year)	0		
26. MULTI-FAMILY RESIDENTIAL BUILDINGS (How many of the following do you have?)			
A. Apartment Buildings, condos, duplexes, barracks, dorms	0		
B. Full Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied more than 180 days/year	0		
C. Part Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied less than 180 days/year	0		
27. NON-RESIDENTIAL CONNECTIONS (How many of the following do you have?)			
A. Recreational Services and/or Transient Accommodations (Campsites, RV sites, hotel/motel/overnight units)	0	0	0
B. Institutional, Commercial/Business, School, Day Care, Industrial Services, etc.	0	0	0
28. TOTAL SERVICE CONNECTIONS		2	2

29. FULL-TIME RESIDENTIAL POPULATION
A. How many residents are served by this system 180 or more days per year? <u>5</u>

30. PART-TIME RESIDENTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many part-time residents are present each month?												
B. How many days per month are they present?												

31. TEMPORARY & TRANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many total visitors, attendees, travelers, campers, patients or customers have access to the water system each month?												
B. How many days per month is water accessible to the public?												

32. REGULAR NON-RESIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. If you have schools, daycares, or businesses connected to your water system, how many students daycare children and/or employees are present each month?												
B. How many days per month are they present?												

33. ROUTINE COLIFORM SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
* Requirement is exception from WAC 246-290												

34. NITRATE SCHEDULE	QUARTERLY	ANNUALLY	ONCE EVERY 3 YEARS
(One Sample per source by time period)			

35. Reason for Submitting WFI:

☐ Update - Change
 ☐ Update - No Change
 ☐ Inactivate
 ☐ Re-Activate
 ☐ Name Change
 ☐ New System
 ☐ Other _____

36. I certify that the information stated on this WFI form is correct to the best of my knowledge.	
SIGNATURE: _____	DATE: _____
PRINT NAME: _____	TITLE: _____

WATER FACILITIES INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME	3. COUNTY	4. GROUP	5. TYPE
08118 1	LWWSD - EAGLERIDGE	WHATCOM	A	Comm

	ACTIVE SERVICE CONNECTIONS	DOH USE ONLY! CALCULATED ACTIVE CONNECTIONS	DOH USE ONLY! APPROVED CONNECTIONS
25. SINGLE FAMILY RESIDENCES (How many of the following do you have?)		68	85
A. Full Time Single Family Residences (Occupied 180 days or more per year)	68		
B. Part Time Single Family Residences (Occupied less than 180 days per year)	0		
26. MULTI-FAMILY RESIDENTIAL BUILDINGS (How many of the following do you have?)			
A. Apartment Buildings, condos, duplexes, barracks, dorms	0		
B. Full Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied more than 180 days/year	0		
C. Part Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied less than 180 days/year	0		
27. NON-RESIDENTIAL CONNECTIONS (How many of the following do you have?)			
A. Recreational Services and/or Transient Accommodations (Campsites, RV sites, hotel/motel/overnight units)	0	0	0
B. Institutional, Commercial/Business, School, Day Care, Industrial Services, etc.	0	0	0
28. TOTAL SERVICE CONNECTIONS		68	85

29. FULL-TIME RESIDENTIAL POPULATION
A. How many residents are served by this system 180 or more days per year? <u>174</u>

30. PART-TIME RESIDENTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many part-time residents are present each month?												
B. How many days per month are they present?												

31. TEMPORARY & TRANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many total visitors, attendees, travelers, campers, patients or customers have access to the water system each month?												
B. How many days per month is water accessible to the public?												

32. REGULAR NON-RESIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. If you have schools, daycares, or businesses connected to your water system, how many students daycare children and/or employees are present each month?												
B. How many days per month are they present?												

33. ROUTINE COLIFORM SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
* Requirement is exception from WAC 246-290	1	1	1	1	1	1	1	1	1	1	1	1

34. NITRATE SCHEDULE	QUARTERLY	ANNUALLY	ONCE EVERY 3 YEARS
(One Sample per source by time period)			

35. Reason for Submitting WFI:

☐ Update - Change
 ☐ Update - No Change
 ☐ Inactivate
 ☐ Re-Activate
 ☐ Name Change
 ☐ New System
 ☐ Other _____

36. I certify that the information stated on this WFI form is correct to the best of my knowledge.

SIGNATURE: _____ DATE: _____

PRINT NAME: _____ TITLE: _____

WATER FACILITIES INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME	3. COUNTY	4. GROUP	5. TYPE
52957 B	LWWSD - AGATE HEIGHTS	WHATCOM	A	Comm

	ACTIVE SERVICE CONNECTIONS	DOH USE ONLY! CALCULATED ACTIVE CONNECTIONS	DOH USE ONLY! APPROVED CONNECTIONS
25. SINGLE FAMILY RESIDENCES (How many of the following do you have?)		38	47
A. Full Time Single Family Residences (Occupied 180 days or more per year)	38		
B. Part Time Single Family Residences (Occupied less than 180 days per year)	0		
26. MULTI-FAMILY RESIDENTIAL BUILDINGS (How many of the following do you have?)			
A. Apartment Buildings, condos, duplexes, barracks, dorms	0		
B. Full Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied more than 180 days/year	0		
C. Part Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied less than 180 days/year	0		
27. NON-RESIDENTIAL CONNECTIONS (How many of the following do you have?)			
A. Recreational Services and/or Transient Accommodations (Campsites, RV sites, hotel/motel/overnight units)	0	0	0
B. Institutional, Commercial/Business, School, Day Care, Industrial Services, etc.	1	1	1
28. TOTAL SERVICE CONNECTIONS		39	48

29. FULL-TIME RESIDENTIAL POPULATION
A. How many residents are served by this system 180 or more days per year? <u>165</u>

30. PART-TIME RESIDENTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many part-time residents are present each month?												
B. How many days per month are they present?												

31. TEMPORARY & TRANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many total visitors, attendees, travelers, campers, patients or customers have access to the water system each month?												
B. How many days per month is water accessible to the public?												

32. REGULAR NON-RESIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. If you have schools, daycares, or businesses connected to your water system, how many students daycare children and/or employees are present each month?	27	27	27	27	27	27	27	27	27	27	27	27
B. How many days per month are they present?	20	20	20	20	20	20	20	20	20	20	20	20

33. ROUTINE COLIFORM SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
* Requirement is exception from WAC 246-290	1	1	1	1	1	1	1	1	1	1	1	1

34. NITRATE SCHEDULE	QUARTERLY	ANNUALLY	ONCE EVERY 3 YEARS
(One Sample per source by time period)			

35. Reason for Submitting WFI:

☐ Update - Change
 ☐ Update - No Change
 ☐ Inactivate
 ☐ Re-Activate
 ☐ Name Change
 ☐ New System
 ☐ Other _____

36. I certify that the information stated on this WFI form is correct to the best of my knowledge.	
SIGNATURE: _____	DATE: _____
PRINT NAME: _____	TITLE: _____

WHATCOM COUNTY WATER DISTRICT #10

RESOLUTION NO. 227

A RESOLUTION OF WHATCOM COUNTY WATER DISTRICT NO. 10. DECLARING CROSS CONNECTIONS WHICH ENDANGER WATER QUALITY UNLAWFUL AND REQUIRING THE INSTALLATION OF BACKFLOW PREVENTION DEVICES; REQUIRING PRIVATE WATER SUPPLY SYSTEMS TO CONFORM WITH APPLICABLE REGULATIONS OF THE DISTRICT; ADOPTING STATE STANDARDS FOR WATER SUPPLIES AND CROSS CONNECTION CONTROL REGULATION; DECLARING EXISTING CROSS CONNECTIONS TO BE UNLAWFUL AND PRESCRIBING A PROCEDURE FOR ABATEMENT OF SAID CROSS-CONNECTIONS.

WHEREAS, the Whatcom County Water District #10 has determined that certain cross connections in the public water supply pose a potential hazard to water quality within said Water District, AND,

WHEREAS, the installation of backflow prevention devices to counteract back pressure or prevent back siphonage into the public water system are necessary for the public health, welfare and safety;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WHATCOM COUNTY WATER DISTRICT #10:

Section 1 - Definitions: WAC 248-54-480

1. Backflow: A flow, other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution system of a public water supply.
2. Backflow Prevention Device: WAC 248-54-480
A device approved by the State of Washington, Department of Social and Health Services or such other state department as shall have jurisdiction over the subject matter, and by

the American Water Works Association, used to counteract back pressure or prevent back siphonage into the distribution system of a public water supply.

3. Cross-Connection: WAC 248-54-480

Any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage, or other wastes or liquids of unknown or unsafe quality, which may be capable of imparting contamination to a public water supply as a result of backflow.

Section 2 - Cross-Connections Declared Unlawful:

The installation or maintenance of a cross-connection which in the opinion of the Manager or any staff member that he shall designate who is qualified in protection of municipal water quality, will endanger the water quality of the potable water supply of the Whatcom County Water District No. 10, is prohibited.

Any such cross-connection now existing or hereafter installed is hereby declared unlawful and shall be abated immediately. The control or elimination of cross connections shall be in accordance with the State of Washington Administrative Code (WAC 248-54-500) or subsequent revisions, together with any future manuals of standard practice pertaining to cross connection control approved by the Director or the State of Washington Department of Social and Health Services. The water supply will be discontinued to any premises for failure to comply with the provisions of this section.

Service from the District's water supply system to any premise upon which a private water supply system is used or operated contrary to the provisions of this chapter may be discontinued or refused.

Furnishing of service shall be contingent upon the customer furnishing a type of connection approved by the State Health Authority and the Manager for protecting the District's supply from backflow.

SECTION 3 - Backflow Prevention Devices to be installed:

Backflow prevention devices, when required to be installed in the opinion of the Manager or his designated representative shall be installed and maintained by the service customer on any service connection to the Whatcom County Water District No. 10 water system where said backflow prevention devices are necessary for the protection of the District's water supply or distribution system.

SECTION 4- Adoption of State Regulations:

Rules and regulations of the State Board of Health regarding public water supplies, entitled "Cross-Connection Control Regulation in Washington State" WAC 248-54-470 through WAC 248-54-500, and the American Water Works Association, Pacific Northwest Sections's Second Edition of "Accepted Procedure and Practice in Cross-Connection Manual" as they presently exist and as they may, from time to time, be amended in the future, are hereby adopted by this reference as if set forth in full.

Section 5 - Procedure for Abatement of Unlawful Cross-Connections and Installation of Backflow Prevention Devices:

1. In the event that the Manager or his designee

determines that a cross-connection as herein provided does exist, written notice shall be sent to the person in whose name the water service is established under the records of the Whatcom County Water District #10, or alternatively, a copy of such written notice shall be posted on the premises served.

2. The notice shall provide that the cross-connection described herein shall be corrected within thirty days (30) of the date said notice is mailed or posted on the premises.
3. In the event said cross-connection is not abated within the prescribed time, water service to said premises shall be discontinued.
4. In the event that the cross-connection, in the opinion of the Manager, or his designated representative, presents an immediate danger of contamination to the public water supply, service from the District's water supply system to the premises may be terminated without prior notice, provided, however, notice will be posted on the premises in the manner heretofore provided at the time said service is terminated.

Section 6 - Miscellaneous Control Devices:

The District reserves the right to require any customer to install as a condition of water service a pressure reducing valve, backflow preventive device, pressure relief valve or similar devices at any location where the Manager, or his designee, determines a need to protect the District's facilities.

ADOPTED by the Board of Commissioners of Whatcom
County Water District No. 10, Whatcom County, this 12
day of April 19 .

James D. Brown
President, Board of Commissioners

Wm. C. Hill
Secretary, Board of Commissioners

D. S. Carter
Commissioner

LAKE WHATCOM WATER AND SEWER DISTRICT

RESOLUTION No 757

A Resolution of the Board of Commissioners Policy to Determine Requirements for Water and Sewer Service Requests

WHEREAS, the District desires to establish a consistent policy concerning when new developments are: (1) required to connect to existing water and/or sewer systems, (2) extend those systems, or (3) allowed to develop alternate water sources and/or onsite sewage disposal systems, to serve such developments, and

WHEREAS, it is the District's stated mission to provide the best possible water and sewer services to District customers at an affordable cost, and in a way that contributes to protecting Lake Whatcom's water quality, and

WHEREAS, it is the District's goal to provide sewer and water service to those portions of the District as may reasonably be served, and

WHEREAS, District policies for water and sewer extensions outside Urban Growth Areas (UGA) and Limited Areas of More Intensive Rural Development (LAMIRD) must comply with Whatcom County's Comprehensive Plan, and

WHEREAS, to expand in an orderly, consistent, and steady manner, both water and sewer infrastructure must be extended as infill of vacant lots and growth occur to meet current and future service requests.

NOW, THEREFORE, BE IT RESOLVED THAT:

Definition of Overall System Capacity: There is overall system capacity when the system as a whole has the capability to serve additional service connections. There may be localized areas in the system that are insufficient in size or are in too poor condition to allow local connections, but the system can still be considered to have overall system capacity.

1.0 REQUIREMENTS FOR SERVICE WHEN THERE IS OVERALL SYSTEM CAPACITY

1.1 Single Parcel with Single Family Residence. A request for service or request for denial of service by an Owner of a single parcel for a single family residence shall be reviewed by determining: (1) the parcel's distance to the District's water and sewer system, and (2) the sufficiency of the size and condition of the mains serving the parcel as determined by the District.

a. SEWER SERVICE

i. Parcel is located **inside** UGA or LAMIRD:

- 1) **District Sewer Adjacent to Property and Main is Sufficient.**
Connection to District sewer is required. The connection shall be made in accordance with current District Standards.

- 2) **Sufficient Sewer Main within 200-feet of Property.** Connection to the District sewer is required. Owner extends and/or replaces main past and/or through property and connects to the sufficient main by Developer Extension Agreement and in accordance with current District Standards.
- 3) **Sufficient Sewer Main more than 200-feet from Property.** District has the option of extending and/or replacing mains to within 200 feet of the property and then requiring the Owner to complete the extension and/or replacement past or through their property. The Owner extension and/or replacement of the main will be by Developer Extension Agreement and in accordance with current District Standards. If the District elects not to bring a sufficiently sized main in adequate condition within 200 feet of the property, the Owner may develop an onsite sewage disposal system in accordance with Whatcom County and State regulations after executing a "Covenant Binding Property Regarding Future Water and/or Sewer Service."

ii. Parcel is located **outside** UGA or LAMIRD:

- 1) **Sufficient Sewer Main within 150-feet of Property.** Connection to the District system is required, and shall be in accordance with current District Standards..
- 2) **Sufficient Sewer Main more than 150-feet from Property.** The Owner may develop an onsite sewage disposal system in accordance with Whatcom County and State regulations after executing a "Covenant Binding Property Regarding Future Water and/or Sewer Service." The Owner also has the option of extending the main to and past the parcel provided Whatcom County determines the extension is consistent with the County's Comprehensive Plan and the District's Sewer Comprehensive Plan is amended to include the extension.
- 3) **Health Department Required Connection.** The Owner may connect even if more than 150 feet from a sufficient sewer main and outside a UGA or LAMIRD if connection is required by Whatcom County Health Department. The connection shall be made in accordance with current District Standards.

b. **WATER SERVICE INSIDE OR OUTSIDE UGA OR LAMIRD:**

- i. **District Water System Adjacent to Property and Main is Sufficient.** Connection to District water system is required. The connection shall be made in accordance with current District Standards.
- ii. **Sufficient Water System within 200-feet of Property.** Connection to the District water system is required. Owner extends and/or replaces main past and/or through property and connects to the sufficient main by Developer Extension Agreement and in accordance with current District Standards.

- 1) If District determines that a public water main extension is not warranted, the District will install a water service from the main to meter. Meters will be set adjacent to the main near the edge of the public right-of-way or easement corridor in which the public water main is located. The property Owner installs the private water service line from the meter to the building. Properties not fronting the public water main such as those located beyond the end of the main or behind lots fronting the main will require a longer private water service line installed by the Owner from their property to the meter.

- iii. **Sufficient Water System more than 200-feet from Property.** District has the option of extending and/or replacing mains to within 200 feet of the property and then requiring the Owner to complete the extension and/or replacement past or through their property. The Owner extension and/or replacement of the main will be by Developer Extension Agreement and in accordance with current District Standards. If the District elects not to bring a sufficiently sized main in adequate condition within 200 feet of the property, the Owner may develop an alternate and temporary water supply in accordance with Whatcom County and State regulations after executing a "Covenant Binding Property Regarding Future Water and/or Sewer Service."

- 1.2 **Other Development.** All other developments (such as but not limited to subdivisions, plats, short plats, commercial, institutional, industrial, etc.) shall connect to the District's water and sewer system as follows:

- a. **SEWER SERVICE**

- i. Site is located **inside** UGA or LAMIRD:

- 1) Connection to District sewer system is required. The developer shall extend the sewer system past and/or through property by Developer Extension Agreement and in accordance with current District Standards. Improvements shall be sized, designed, and constructed per District Standards to serve full build-out of the area.

- ii. Site is located **outside** UGA or LAMIRD:

- 1) **Sufficient Sewer Main within 150-feet of Site.** Parcels within 150-feet of sufficient sewer main shall connect to the District sewer system in accordance with current District Standards.
- 2) **Sufficient Sewer Main more than 150-feet from Property.** The Owner may develop an onsite sewage disposal system in accordance with Whatcom County and State regulations after executing a "Covenant Binding Property Regarding Future Water and/or Sewer Service." The Owner also has the option of extending the main to and past the parcel provided Whatcom County determines the extension is consistent with its Comprehensive Plan and the extension is amended to the District's Sewer Comprehensive Plan. The sewer extension and connections shall be in accordance with current District Standards.

- 3) **Health Department Required Connection.** The Owner may connect even if more than 150 feet from a sufficient sewer main and outside a UGA or LAMIRD if connection is required by Whatcom County Health Department. The connection shall be made in accordance with current District Standards.

b. WATER SERVICE INSIDE OR OUTSIDE UGA OR LAMIRD:

- i. Connection to the District water system is required. Owner extends and/or replaces main past and/or through property and connects to the sufficient main by Developer Extension Agreement per current District Standards.

- 1.3 **Petition to Waive or Adjust Connection Requirements.** The Owner may petition the Board of Commissioners to waive or adjust the connection requirements if the parcel is located such that service is unlikely to be extended to the parcel within the next 20 years as determined by the District.

The Board of Commissioners will evaluate the petition considering: (1) expansion of the system to serve the new development is considered part of the cost of the new development, (2) costs for some developments will be more than others due to location and physical challenges, (3) waiving connection requirements will make it increasingly more difficult and costly to serve the same development in the future, (4) some required improvements may not be immediately placed into service but will greatly reduce the costs and complexity to serve the development in the future (example, building a waterline across the parcel frontage that remains dry until service is extended to the site), (5) a distance of approximately ½ mile is considered close enough to require connection, (6) longer distances to connect to the system may be appropriate for larger developments, and (7) it is considered a minimum requirement to construct the system across or through the development whether they are immediately used for service or are placed into service in the future.

If the connection requirement is waived or the required system improvements cannot immediately be placed into service, the Owner may develop an alternate and temporary water supply and/or onsite sewage disposal systems in accordance with Whatcom County and State regulations after executing a "Covenant Binding Property Regarding Future Water and/or Sewer Service.

- 1.4 "Covenant Binding Property Regarding Future Water and/or Sewer Service." The covenant runs with the land and is signed and notarized by the property owner and District General Manager. The owner records the document at the County Auditor's office and delivers the original to the District. The covenant allows the owner to develop a temporary water supply and/or onsite disposal system, restricts the owner from protesting the formation of a utility local improvement district to extend water and/or sewer to the parcel, and requires the owner to connect to the District system when service becomes available at such time as the District so determines.

Resolution Conflicts. Resolution 757 replaces Resolution 740. The Board of Commissioners declares that Resolution 757 supersedes any other conflicting Resolution to the extent of such conflict.

Adopted by the Board of Commissioners of Lake Whatcom Water and Sewer District, Whatcom County, Washington at a Regular Meeting thereof on the 14th day of October, 2009.


Leslie Mc Roberts, Commissioner


Deborah Lambert, Commissioner


Todd Citron, Commissioner


Thomas L. Hadd, Commissioner


Blair Ford, Commissioner

LAKE WHATCOM WATER AND SEWER DISTRICT

RESOLUTION No 784

A Resolution of the Board of Commissioners Regarding Cross Connections and Pressure Reducing Valves

WHEREAS, the District desires to incorporate into a resolution its current policy concerning potential cross connections and pressure reducing valves and,

WHEREAS, the District previously adopted its Water Administrative Code under Resolution 242-A which includes adoption of rules and regulations governing cross connections in Section 2.03 and,

WHEREAS, the District previously adopted Resolution 227 which established the District's Cross Connection Control Program and reserves the right of the District to require pressure reducing valves under Section 6 and,

WHEREAS, the District's Policy and Procedures Manual (Section 8.04) requires the installation of a Pressure Reducing Valve (PRV) on water services for all new construction unless a waiver is granted by the General Manager,

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Cross Connection Control

The District does not allow cross connections which endanger water quality, and reserves the right to require any customer to install, as a condition of water service, a pressure reducing valve, back flow preventive device, or similar devices at any location where the General Manager, or his designee, determines a need to protect the District's facilities. The District has the authority to immediately terminate service to any facilities which it determines to have a cross connection potential. Additional details/requirements are included in the District's Cross Connection Control Program (Resolution 227).

2. Pressure Reducing Valve (PRV)

To protect residential plumbing from possible high pressures and/or pressure spikes in the District's waterlines, the District requires the installation of a Pressure Reducing Valve (PRV) in all new residential construction. Staff will inspect new construction to verify that a PRV is in place before unlocking the curb stop valve.

The General Manager may grant property owner initiated requests to waive the District's pressure reducing valve installation requirement policy provided that (1) the District Engineer first reviews and endorses the waiver request, and (2) the property owner agrees to execute a Hold Harmless Agreement, which the District will record against the property at the property owner's expense.

3. Resolution Conflicts

This resolution supersedes any conflicting Resolution to the extent of such conflict.

ADOPTED by the Board of Commissioners of Lake Whatcom Water and Sewer District, Whatcom County, Washington, at a Regular Meeting thereof, on the 30th day of November, 2011.




Leslie Mc Roberts President



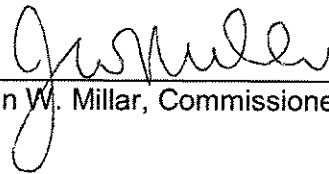
Deborah Lambert, Secretary



Todd Citron, Commissioner



Laura Weide, Commissioner



John W. Millar, Commissioner

Approved as to form:



Brian L. Hansen, Attorney for District

WHATCOM COUNTY WATER DISTRICT NO. 10

RESOLUTION NO. 410

A Resolution to Establish a Water
Booster Pump Credit for Sudden Valley.

WHEREAS, certain lots in Sudden Valley were platted at elevations that are too close to the distribution reservoirs to have adequate gravity water pressure, and require the installation of a booster pump to maintain adequate pressure; and

WHEREAS, this situation constitutes an original design defect of the Sudden Valley development, which predates Water District acquisition of the Sudden Valley Water Company; and

WHEREAS, the Water District charges an upstream capacity fee to cover the cost of water transmission mains, distribution reservoirs and pumps, and those lots situated at too high elevations do not derive the full benefit of these facilities; and

WHEREAS, the present purchase cost of an individual house booster pump is approximately \$500.00; and

WHEREAS, the District has established a precedent in allowing a pump credit to other customers where the situation justified such an approach;

NOW THEREFORE BE IT RESOLVED, that the Commissioners of Water District 10 do hereby allow a \$500.00 pump credit against water connection fees for those lots that cannot achieve gravity pressure of 30 psi as determined by the District at the customer's side of the meter. The \$500.00 pump credit shall be adjusted by the Commissioners as necessary. Those accepting the water pump credit shall sign an appropriate release form that establishes that the property owner owns the pump; accepts the full responsibility for its operation, maintenance, or replacement; and accepts the system water pressure "as is" from the District water system. The pump credit shall be allowed retroactively to those property owners whose lots meet the criteria above.

ADOPTED by the Board of Commissioners of Whatcom County Water District No. 10, this 2 day of May 1984.


COMMISSIONER


COMMISSIONER


COMMISSIONER

10.2 Agreements

City/District Agreement for Geneva Area Water Service

City/District Agreement for North Shore Water Service



DEPARTMENT OF PUBLIC WORKS, 210 Lottie St., Bellingham, Washington 98225
Telephone (206) 676-6961

November 21, 1994

Marc Curtis, P.E.
Wilson Engineering
805 Dupont Street
Bellingham, WA 98225

Dear Mr. Curtis:

Thank you for your written request on behalf of Water District 10 for approval of an increase in pumping capacity at the Geneva Booster Pump Station. As you know, the contract for water service to the District states that the City must approve the number and type of services the District supplies. The City's water system is able to accommodate flows up to 650 gpm to the District at the meter on Lakeway Drive without making any physical improvements. The request for increased capacity is, therefore, approved for up to 650 gpm. Negotiations will be necessary for flows in excess of this since system improvements will be required.

Although the existing meter has adequate capacity, its location under the travel lanes of Lakeway Drive makes it difficult to access. If it is possible to house the meter in the pump station, we would like to consider moving it as part of the pump station modification. Please let me know if this is an option.

Feel free to call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Garner", is written over the typed name and title.

John M. Garner, P.E.
Director of Public Works

smc/shh

cc: Sarah Caron
Ken Thomas, Interim Manager for WD #10



October 19, 1994

Mr. Jack Garner, P.E.
Department of Public Works
City of Bellingham
210 Lottie Street
Bellingham, WA 98225

Re: Water Supply Service Agreement
City of Bellingham - Whatcom County Water District No. 10
Request for Approval of Geneva Water Booster Station Upgrade

Dear Mr. Garner:

The City/Water District 10 interlocal agreement for Geneva-area water service requires that the City approve the number and types of services that the District supplies. In this regard, we are requesting your approval to increase the number of water customers supplied by the District under this agreement.

The District receives water from the City at the District's Geneva Booster Station on Lakeway Drive at the District boundary. This station then increases the pressure for distribution throughout the District's Geneva service area. The approved District 1991 Water and Sewer Comprehensive Plan identified upgrading the Geneva Booster Station as a District-funded short term project, described as "Increase capacity of Geneva Booster Station to a minimum of 600 gpm and add standby pump and associated piping."

I have preliminarily met with Sarah Caron, examined the District's existing equipment, refined the design parameters, and we are ready to upgrade the station immediately upon City approval to do so.

Therefore, the District formally requests City approval to increase the Geneva Booster Pump Station total pumping capacity from 350 gpm to 700 gpm. The station currently has two pumps capable of jointly pumping 350 gpm at 240 feet of head. This capacity can serve 630 single family connections based on State Health Department Criteria requiring a source capacity of 800 gallons per day per connection. The requested 700 gpm of capacity could serve a total of 1,260 connections. The types of services will conform to area zoning requirements, and are anticipated to be predominantly residential.

Mr. Jack Garner, P.E.

October 19, 1994

Page 2

The proposed work is an interim measure and will not serve the ultimate requirements of the service area. If any improvements to the City's distribution system are required to accommodate this upgrade to 700 gpm, we should first discuss the ultimate service needs of the area. Please contact me at 733-6100 for additional information if required.

Thank you for your immediate attention to this matter.

Very Truly Yours,

WILSON ENGINEERING



Marc Curtis, P.E.

cc: Sarah Caron, P.E., City of Bellingham
W.D. 10 Commissioners
Ken Thomas, P.E., Int. Mgr. for W.D. 10

94057\941017.LT1

WATER SUPPLY SERVICE AGREEMENT

CITY OF BELLINGHAM - WHATCOM COUNTY WATER DISTRICT NO. 10

THIS AGREEMENT, made and executed this 13th day of May, 1970, between the CITY OF BELLINGHAM, a Municipal Corporation of the State of Washington, hereinafter referred to as "City", and WHATCOM COUNTY WATER DISTRICT NO. 10, a Municipal Corporation of the State of Washington, hereinafter referred to as "District".

W I T N E S S E T H:

WHEREAS, that certain territory which is within the established boundaries of the District, and in proximity to the established boundaries of the City, has not heretofore been served by a Public Water Utility; and

WHEREAS, the District is not now in a position to finance, construct, and operate a municipal water supply system to furnish water supply service to such new developments, but intends to so serve emerging service areas in the future by contract with the City; and

WHEREAS, residential and other type developments have created service areas which now require the District to make arrangements to obtain conventional public water supply service on phase-by-phase when actually requested by the District procedure within said territory; and

WHEREAS, the City is in a position to supply and sell water and water supply service to the District to service a water distribution system within a service area within such territory as

hereafter described upon certain rates and conditions; and the District desires to purchase water and water supply service from the City in order to supply a certain water distribution system or systems; and

WHEREAS, it is necessary that a contract be entered into establishing the rights and duties of the parties;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, IT IS HEREBY AGREED AS FOLLOWS:

1. . Definition - Water Service Area. For the purpose of this agreement, "water service area" shall mean that area within the District which area is described in Exhibit A and by reference made a part hereof.

2. Water Supply and Service. The City agrees to furnish the District with potable water, for domestic and fire protection uses only, to the best of its ability within the limits of its present water treatment facilities, but not so as to impair service to the water consumers within the City, or existing consumers outside the City. The number and types of services, or consumers, to be supplied must be approved by the City. City approval of services will not constitute a guarantee that the City will meet peak demands or specific hydrant pressures.

3. Delivery points. Delivery points will be determined by future agreement between the City and the District, and must meet the approval of the City. The City will cooperate with the District in providing a reasonable number of delivery points. The cost of constructing such delivery points, including the cost of meters and necessary extensions, enlargements or improvement of City lines, will be borne by the District.

hereafter described upon certain rates and conditions; and the District desires to purchase water and water supply service from the City in order to supply a certain water distribution system or systems; and

WHEREAS, it is necessary that a contract be entered into establishing the rights and duties of the parties;

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2. Water Supply and Service. The City agrees to furnish the District with potable water, for domestic and fire protection uses only, to the best of its ability within the limits of its present water treatment facilities, but not so as to impair service to the water consumers within the City, or existing consumers outside the City. The number and types of services, or consumers, to be supplied must be approved by the City. City approval of services will not constitute a guarantee that the City will meet peak demands or specific hydrant pressures.

3. Delivery points. Delivery points will be determined by future agreement between the City and the District, and must meet the approval of the City. The City will cooperate with the District in providing a reasonable number of delivery points. The cost of constructing such delivery points, including the cost of meters and necessary extensions, enlargements or improvement of City lines, will be borne by the District.

CITY OF BELLINGHAM
CITY ATTORNEY

4. Payment to City. The District agrees to pay the City for water delivered at the rate and according to the terms established, or to be established, by ordinance, for comperable water consumers outside the City.

WHATCOM COUNTY
WATER DISTRICT NO. 10

CITY OF BELLINGHAM

Robert J. McManis
President

Robert J. McManis
Mayor

David J. McManis
Secy

Arthur Charles D. Loop
Comptroller

EXHIBIT A

Beginning at the meander corner on the section line between Sections 26 and 27, Township 38 North, Range 3 East, Willamette Meridian, said corner being also the city limits of the City of Bellingham.

Thence Northerly along the West line of Sections 26 and 23, Township 38 North, Range 3 East to the Southwest corner of Blackburn's 1st Addition to Sehome; thence Easterly to the center of the Southeast quarter of the Southwest quarter of Section 23, said Township and Range; thence Northerly to the center of the Northeast quarter of the Southwest quarter of said Section 23; thence Easterly to the Southeast corner of the Northeast quarter of the Northeast quarter of the Southwest quarter of said Section 23; thence Northerly to the center of said Section 23; thence Easterly along the East-West quarter section line to the quarter corner between Sections 23 and 24, said Township and Range; thence continuing Easterly through Section 24, said Township and Range, and Section 19, Township 38 North, Range 4 East to the quarter corner between Sections 19 and 20; Township 38 North, Range 4 East. Thence Southerly along the East section lines of Sections 19 and 30 to the quarter corner between Sections 29 and 30, said Township and Range; thence Easterly along the East-west quarter line of Section 29 to the center of Section 29, said Township and Range; thence Southerly along the North-south quarter section line of said Section 29 to the South East-west 1/16 line of said Section 29; thence Easterly on said South 1/16 line to the South 1/16 corner between Sections 28 and 29, said Township and Range; thence Southerly along the West Section lines of Section 28 and 33 to the South 1/16 corner between Sections 32 and 33, said Township and Range; thence Easterly along the South East-west 1/16 line of said Section 33 to the West 1/16 line of said Section 33; thence Southerly along the West North-south 1/16 line of said Section 33 to the Township line of Township 36 and 37 North; thence Easterly along said Township line to the Northeast Section corner of Section 4, Township 37 North, Range 4 East; thence Southerly along the East section lines of Sections 4, 9 and 16 to the quarter corner between Sections 15 and 16, said Township and Range; thence Easterly along the East-west quarter line of said Section 15 to the center of said Section 15; thence Southerly along the North-south quarter line of said Section 15 to the quarter corner between Sections 15 and 22, said Township and Range; thence Easterly along the North Section line of said Section 22 to the Northeast section corner of said Section; thence Southerly on the Section line between Sections 22 and 23, said Township and Range to the quarter corner between said Sections; thence Easterly on the East-west quarter line of Section 23 to the center of Section; thence Southerly on North-

south quarter line of Section 23 to the quarter corner between Sections 23 and 26, said Township and Range; thence Easterly on the North Section lines of Sections 26 and 25 to the Range line between Ranges 4 and 5 East; thence Southerly along said Range line to the quarter corner between Section 25, said Township and Range and Section 30, Township 37 North, Range 5 East, Willamette Meridian; thence Easterly along East-west quarter line of said Section 30 to the center of said Section; thence Southerly along the North-south quarter line to the South quarter corner of said Section 30; thence Westerly along the South Section line of said Section 30 to the Range line between Ranges 4 and 5 East; thence Northerly along said Range line to the South 1/16 corner between said Section 30 and Section 25, Township 37 North, Range 4 East; thence Westerly along the South East-west 1/16 line to the North-south quarter line of said Section 25, thence Northerly along the North-south quarter line to the center of said Section 25; thence Westerly along the East-west quarter lines of Sections 25, 26, 27, 28 and 29 to the center of Section 29, said Township and Range; thence Northerly along the North-south quarter line of Sections 29 and 20 to the center of Section 20, said Township and Range; thence Easterly along the East-west quarter line of Section 20 to the East North-south 1/16 line of said Section 20; thence Northerly along the East North-south 1/16 lines of Sections 20 and 17 to the North East-west 1/16 line of Section 17, said Township and Range; thence Westerly on said North East-west 1/16 line to the North-south quarter line of said Section 17; thence Northerly along the North-south quarter line to the quarter corner between Sections 17 and 8, said Township and Range; thence Westerly along the North Section lines of Sections 17 and 18 to the Range line of Ranges 3 and 4 East; thence Northerly along said Range line to the Southeast Section corner of Section 1, Township 37 North, Range 3 East, Willamette Meridian; thence Westerly along the South Section line of said Section 1 to the Southwest Section corner of said Section 1; thence Northerly along the Section line between Sections 1 and 2 to the quarter corner between said Sections 1 and 2; thence Westerly on the East-west quarter lines of Sections 2 and 3 to the center of Section 3; thence Northerly along the North-south quarter line of said Section 3 to the quarter corner between said Section 3 and Section 34, Township 38 North, Range 3 East; thence Westerly along the South Section line of said Section 34 to the Southwest section corner of said Section 34; thence Northerly along the West Section lines of Sections 34 and 27 to the quarter corner between Sections 27 and 28, said Township and Range; thence Easterly along the East-west quarter line of said Section 27 to the harbor line of Lake Whatcom; thence Northeasterly along Bellingham City Limit line across Lake Whatcom to the point of beginning.

REVISED
INTERLOCAL AGREEMENT - NORTH SHORE WATER SERVICE

I. RECITALS

The CITY OF BELLINGHAM (the "City") is a municipal corporation formed under the laws of the State of Washington and a first-class city. It maintains a water supply system serving the area within its corporate limits and certain areas outside those limits.

WHATCOM COUNTY WATER DISTRICT NO. 10 (the "District") is a water and sewer district formed under Title 57 of the Revised Code of Washington, which provides water and sewer services within its boundaries. Water District 10 is located within an area adjacent to the City of Bellingham. The District currently provides no water service on the north shore of Lake Whatcom, and has no facilities for the delivery of such service in that area.

The City is willing and able to sell treated water to the District through a metered connection at the common boundary between the City and the District on North Shore Drive for a limited service area and under certain terms and conditions.

WHEREFORE, in view of the above recitals and in consideration of the mutual covenants and promises set out below, the parties agree as follows:

1. The City has upgraded certain water transmission and service lines within the city limits in order to provide a constant flow of at least 750 gallons per minute to the District at the point of delivery. The specific lines upgraded by the City are set out in Exhibit A, a copy of which is attached to this agreement and incorporated herein by this reference.

2. The District, at its expense, will install a vault and water meter at an agreed-upon location at or near the point of delivery. The City shall approve the design of the vault and the type and installation of the meter. Upon completion of the installation, the District shall transfer ownership of the vault and meter to the City without charge, and shall also provide the City with legal access to the location of the

vault and the meter. Thereafter, the City shall be the owner of the meter and shall be responsible for all maintenance, repair and replacement of the meter. The District will install, own, maintain, repair and replace as necessary an approved backflow prevention device on the District's side of the water meter.

3. A. Upon transfer of the vault and meter, above, the District shall pay the sum of \$35,000 to the City as its share of the cost of upgrading the water transmission lines within the City. After the District has made the payments required by this agreement, the District shall have no further obligation to the City for future improvements or betterments to the lines, regardless of whether those improvements benefit the District directly or indirectly, unless the parties specifically so agree in the future in writing. By making the payments called for in this agreement, the District will not acquire any ownership interest in any portion of the City's water service or delivery system.

B. Should the District construct (or have constructed) a water pumping station having a cost exceeding \$35,000 prior to the transfer to the City of the vault and meter referred to in Paragraph 2, above, then the \$35,000 payment to the City under this section shall be waived.

4. The District shall pay the City a fee of \$300 per connection for each connection made to the District's system on the north shore of Lake Whatcom in the area covered by this agreement. Such payments shall be made within sixty (60) days of the date of actual connection by District customers and the District shall annually provide to the City a listing of such new customers. This \$300 fee shall apply to all of the lots within the "Eagle Ridge Plat" and to all additional connections in District 10's North Shore Service Area until the District builds its own reservoir sufficient to allow water delivery at a constant rate throughout a peak day to connections in that service area.

5. The City shall supply water service to the District at the rate of 150 gallons per minute for domestic flow and 750 gallons per minute fire flow at the point of delivery. All water will be supplied at a minimum 26 psi pressure as measured on the City's side of the meter at

North Shore Drive. The District shall pay for all water passing through the meter at the point of delivery at the rate established by the City of Bellingham for service outside the Bellingham corporate city limits. The District shall pay the City promptly when billed for all water passing through the meter.

6. The District agrees it will not sell or resell water for any use other than single-family dwellings on lots of record as of June 10, 1988, without the specific approval of the City of Bellingham.


7. This agreement constitute the entire agreement of the parties and shall not be altered or amended except in writing, signed by an authorized representative of each of the parties.

DATED this 8th day of June, 1989.

WHATCOM COUNTY WATER DISTRICT NO. 10


Erik Ungern, President

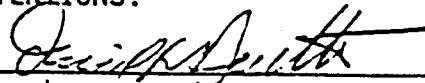
CITY OF BELLINGHAM

Attest: 
Lynn Carpenter, Finance Director



Tim Douglas, Mayor

CERTIFICATION

As Secretary of Whatcom County Water District No. 10, I certify that the above Revised Interlocal Agreement was adopted at a regular meeting of the Commissioners held on the 12th day of May, 1989, at which time a quorum of 3 was present, and was adopted by a vote of 3 FOR, 0 AGAINST, and 0 ABSTENTIONS.


Secretary
Whatcom County Water District No. 10

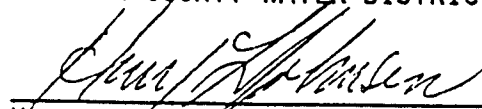
Approved as to form: ,
CITY OF BELLINGHAM


City Attorney's Office

0180L - 3

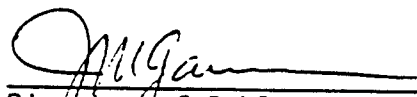
City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (206) 876-6903

Approved as to form:
WHATCOM COUNTY WATER DISTRICT NO. 10



Harry L. Johnsen
Attorney for Whatcom County Water
District No. 10

Departmental Approval:



Director of Public Works

0180L - 4

City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 9822
Telephone (206) 876-6900

ADDENDUM

WHEREAS, the City of Bellingham, hereinafter referred to as "City" and Water District No. 10 of Whatcom County, hereinafter called "District" have an existing contract for the provision of sewer services effective January 1, 1974 covering the District Lake Whatcom South Shore system, and

WHEREAS, the parties now desire to enter into an agreement covering the District Lake Whatcom North Shore system and replacing the agreement between the parties covering the "Edgewater Lane" are of the District, and

WHEREAS, many of the terms and conditions placed in the January 1, 1974 contract are acceptable to both parties with minor modification, and

WHEREAS, it is the intention of the parties to add certain additional terms to the January 1, 1974 agreement to cover the District Lake Whatcom North Shore system and the sewer service to Edgewater Lane,

NOW, THEREFORE, the parties agree as follows:

1. That all terms of the January 1, 1974 agreement between the parties shall be effective as if part of this agreement and the same are hereby incorporated herein, unless hereby amended.

2. The City agrees to accept a peak flow of one hundred fifty (150) gallons per minute from the District Lake Whatcom North Shore system and Edgewater Lane which is part of that system.

City of Bellingham
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Telephone (206) 676-6903

3. The District will pay charges for use of the City's trunk system based on the 150 gallons per minute flow rate or maximum peak flow whichever is the greater, which volume shall be established by meter readings. The District will pay charges for treatment based on the total annual flow as established by meter readings.

4. The City reserves and the District hereby acknowledges the right of the city to require the District to remove the 150 gallon per minute flow from the city's trunk facilities in the event that such facilities ever reach capacity flow. In such eventuality the District agrees that it will build its own sewer trunk to the Whatcom Creek trunk line or enter into a joint arrangement with the City to build such a line.

5. The District agrees to pay a pro-rata share of the costs to provide replacement facilities as needed from the District to the Whatcom Creek trunk.

6. The District agrees to assume all responsibility for the maintenance of Edgewater Lane and the parties agree that the previous agreement covering this area of the District dated the 10th day of October, 1974 is hereby rescinded.

7. A metering station similar to that used for the South Shore system shall be placed at the city limits by the District for the purpose of measuring the flow from the North Shore system.

8. The District must agree to adopt a rate structure for this system and for areas already served, which will meet the requirements of any future grants which may be obtained for treat-

City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (206) 676-6903

ment or transportation of wastes by the City of Bellingham.

9. The District shall pay a pro-rata share based on flow of the costs to operate and maintain the Martin Street and North Shore pump stations based upon the following formula and upon the basis of the contribution by the District of 150 gallons per minute flow rate:

$$\frac{\text{Total City pumping costs} - \text{Oak Street cost}}{\text{Total number of stations} - \text{Oak Street}} = \text{Cost/Pump station}$$

IN WITNESS WHEREOF, the parties by their signatures below have executed this agreement this 1st day of August, 1977.

CITY OF BELLINGHAM

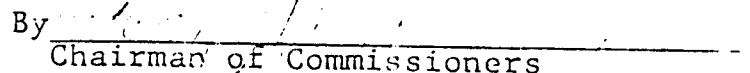

Mayor

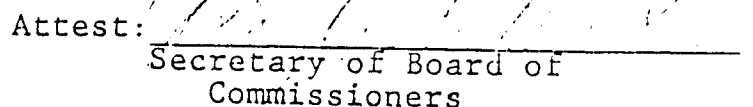
Attest: D. K. Hoffman
Finance Director

Approved as to form:


Bellingham City Attorney

WATER DISTRICT NO. 10

By 
Chairman of Commissioners

Attest: 
Secretary of Board of Commissioners

City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (206) 676 6903

AGREEMENT

A. Whatcom County Water District No. 10 (the "District") is a water district organized under the laws of the state of Washington and is the owner of certain ground water withdrawal rights associated with a well on the North Shore of Lake Whatcom.

B. Dr. Richard Giesbrecht, Inc., Mr. James Doucette, The Trillium Corporation, and Evergreen View Ventures, Inc., (the "Property Owners") are property owners within an area that could be served with water from that source and have requested that the District establish a formal service area so that they may plan for the orderly development or use of their property. The Property Owners desire to facilitate future development of their property through the construction of water system improvements and transfer of the completed improvements to the District through a series of developer extension agreements in accordance with Washington state law.

C. The designation of a water service area for the groundwater source is a component of the District's comprehensive planning process which is currently in progress.

In view of the foregoing recitals and in consideration of the execution by the Property Owners of a Developer Extension agreement which will allow the District to transfer its groundwater withdrawal rights to a well site more centrally located in the potential service area, and in consideration of the promises by the District set out below, the parties agree as follows:

1. The District shall define a North Shore water service area, within District boundaries, based on 756 residential equivalents and including at least the Evergreen View Ventures, Doucette, Giesbrecht, and Trillium properties as designated on the attached map. The service area designation will be included in the District's comprehensive water plan, a statutorily required document which forms a basis for District service decisions. In addition, the District hereby defines a "benefit area" for the purposes of reimbursement or "latecomers" agreements for the development of the ground water source that includes all land within the area depicted on the attached map (Exhibit A) which is incorporated herein by this reference.

2. The District commits to serve with water from the "Giesbrecht well site" identified in that certain Developer Extension Agreement executed by the parties October 15, 1990, all of the land within the benefit area consistent with the zoning by Whatcom County, Washington, in effect October 15, 1990; provided that adequate storage, distribution and transmission lines are provided by the property owners within the benefited area. If the owner of land within the service area executes a commitment binding his land to a lesser number of residential equivalents than is allowed under current zoning, the District will honor that commitment and utilize the foregone residential

equivalent to expand the service area in a manner which the Board deems to be in the District's best interest.

3. The District will honor county-approved exchanges of density between or among parcels within the service area provided that the total of 756 residential equivalent services is not exceeded and, provided further, that the total service commitment for the parcels involved in the density exchanges is not exceeded.

4. The District will enter into latecomer or reimbursement agreements for each phase of the development of the water source for this service area in accordance with state statutes and standard district policies; and

5. In the event that the above-named property owners elect not to proceed with the construction of a larger reservoir tank (currently estimated at 320,000 gallons) on or before January 31, 1991, the District will allow Dr. Giesbrecht and/or James Doucette, or their successors or assigns, to construct and transfer to the District under a second developer extension agreement, a smaller (presently estimated at 70,000 - 80,000 gallon) reservoir tank located upon property within the Richalou Estates plat or other property acceptable to the District. In the event this alternative occurs, neither Dr. Giesbrecht nor James Doucette would be required, on behalf of the property presently owned by them, to participate in the later construction of the larger reservoir which would be required before the Evergreen View Ventures or Trillium property could be developed.

The provisions of this agreement shall be embodied in a resolution of the District.

In witness whereof the parties have executed this agreement October 31, 1990.

Dr. RICHARD GIESBRECHT, INC

Dr. Richard Giesbrecht
By Richard Giesbrecht, President

EVERGREEN VIEW VENTURES, INC.

Peter Watts
By Peter Watts, President

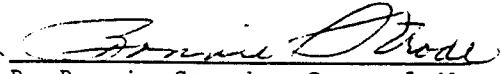
TRILLIUM CORPORATION

John Gorton

JAMES DOUCETTE

James Doucette

WHATCOM COUNTY WATER DISTRICT NO. 10

A handwritten signature in cursive script, appearing to read "Bonnie Strode", is written over a horizontal line.

By Bonnie Strode, General Manager

10.3 Comments on WSP by Others

Department of Health

Whatcom County Council

Whatcom County Engineering Department

Whatcom County Health Department

City of Bellingham (adjacent purveyor)

Whatcom Co Water District 7 (adjacent purveyor)

Glen Cove (adjacent purveyor)

Customer (public) meeting documentation

10.4 Water Rights

Water Right Self-Assessment Tables

Surface Water Right Permits and Certificates

Ground Water Right Permits and Certificates

Department of Ecology Change in Water Right Approval

Water Right Extensions

Water Right Self-Assessment Form for Water System Plan – South Shore Water System (Sudden Valley and Geneva)

Mouse-over any link for more information. Click on any link for more detailed instructions.

Water Right Permit, Certificate, or Claim # *If water right is interruptible, identify limitation in yellow section below	WFI Source # If a source has multiple water rights, list each water right on separate line	Existing Water Rights Qi= Instantaneous Flow Rate Allowed (GPM or CFS) Qa= Annual Volume Allowed (Acre-Feet/Year) This includes wholesale water sold				Current Source Production – Most Recent Calendar Year Qi = Max Instantaneous Flow Rate Withdrawn (GPM or CFS) Qa = Annual Volume Withdrawn (Acre-Feet/Year) This includes wholesale water sold				10-Year Forecasted Source Production (determined from WSP) This includes wholesale water sold				20-Year Forecasted Source Production (determined from WSP) This includes wholesale water sold			
		Primary Qi Maximum Rate Allowed	Non-Additive Qi Maximum Rate Allowed	Primary Qa Maximum Volume Allowed	Non-Additive Qa Maximum Volume Allowed	Total Qi Maximum Instantaneous Flow Rate Withdrawn	Current Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume Withdrawn	Current Excess or (Deficiency) Qa	Total Qi Maximum Instantaneous Flow Rate in 10 Years	10-Year Forecasted Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume in 10 Years	10-Year Forecasted Excess or (Deficiency) Qa	Total Qi Maximum Instantaneous Flow Rate in 20 Years	20-Year Forecasted Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume in 20 Years	20-Year Forecasted Excess or (Deficiency) Qa
1 S1-00736C	959101 – S01	1.7 cfs		270		1.56 cfs [700 gpm, operating flow rate of treatment plant]	1.84 cfs	560.5	1239.5	1.72 cfs [771 gpm]	1.68 cfs	685	1115	1.75 cfs [785 gpm]	1.65 cfs	697	1103
2 S1-00734C	959101 – S01	1.7 cfs		270													
3 R1-25120C	959101 – S01			1260													
4 S1-25121P	959101 – S01	3.4 cfs		1260													
	TOTALS =	3.4 cfs		1800		1.56 cfs	1.84 cfs	560.5	1239.5	1.72 cfs	1.68 cfs	685	1115	1.75 cfs	1.65 cfs	697	1102

Column Identifiers for Calculations: A B C =A-C D =B-D E = A-E F =B-F G =A-G H =B-H

PENDING WATER RIGHT APPLICATIONS: Identify any water right applications that have been submitted to Ecology.						
Application Number	New or Change Application?	Date Submitted	Quantities Requested			
			Primary Qi	Non-Additive Qi	Primary Qa	Non-Additive Qa
None						

INTERTIES: Systems receiving wholesale water complete this section. Wholesaling systems must include water sold through intertie in the current and forecasted source production columns above.															
Name of Wholesaling System Providing Water	Quantities Allowed In Contract		Expiration Date of Contract	Currently Purchased Current quantity purchased through intertie				10-Year Forecasted Purchase Forecasted quantity purchased through intertie				20-Year Forecasted Purchase Forecasted quantity purchased through intertie			
	Maximum Qi	Maximum Qa		Maximum Qi	Current Excess or (Deficiency) Qi	Maximum Qa	Current Excess or (Deficiency) Qa	Maximum Qi	Future Excess or (Deficiency) Qi	Maximum Qa	Future Excess or (Deficiency) Qa	Maximum Qi	Future Excess or (Deficiency) Qi	Maximum Qa	Future Excess or (Deficiency) Qa
	Instantaneous Flow Rate	Annual Volume		Instantaneous Flow Rate		Annual Volume		10-Year Forecast		10-Year Forecast		20-Year Forecast		20-Year Forecast	
1 City of Bellingham – Emergency intertie only															
TOTALS =															

Column Identifiers for Calculations: A B C =A-C D =B-D E =A-E F =B-F G =A-G H =B-H

INTERRUPTIBLE WATER RIGHTS: Identify limitations on any water rights listed above that are interruptible.		
Water Right #	Conditions of Interruption	Time Period of Interruption
1 S1-00736C	Period of use December 1 through March 31 only	
2 S1-00734C	Period of use December 1 through March 31 only	
3 R1-25120C	Period of use December 1 through March 31 only	
4 S1-25121P	Period of use April 1 through November 30	

- ADDITIONAL COMMENTS:
- Totals of instantaneous flow rate allowed and annual volume allowed are calculated considering the appropriate periods of use as shown.
 - 10-year and 20-year forecasted source production is based on forecasted MDD as shown in the tables in Section 2 of the Water System Plan.

Water Right Self-Assessment Form for Water System Plan – Eagleridge Water System

Mouse-over any link for more information. Click on any link for more detailed instructions.

[illegible]

Column Identifiers for Calculations:

A

B

C

$$= A - C$$

D

=B-D

E

$$= A - E$$

F

$$=B-F$$

G

$$=A-G$$

H

$$=B-H$$

PENDING WATER RIGHT APPLICATIONS: Identify any water right applications that have been submitted to Ecology.						
Application Number	New or Change Application?	Date Submitted	Quantities Requested			
			Primary Qi	Non-Additive Qi	Primary Qa	Non-Additive Qa
None						

[illegible]

Column Identifiers for Calculations:

A

B

C

$$=A-C$$

D

$$=B-D$$

E

$$= A - E$$

F

$$=B-F$$

G

=A-G

H

$$=B-H$$

<u>INTERRUPTIBLE WATER RIGHTS:</u> Identify limitations on any water rights listed above that are interruptible.		
Water Right #	Conditions of Interruption	Time Period of Interruption
None		

ADDITIONAL COMMENTS:

Because there is no storage in this system to provide equalizing storage such that instantaneous flow rates can be calculated based on MDD, instantaneous flow rates are based on a calculated Peak Hourly Demand based on the forecasted number of ERUs in Section 2 of the water system plan and an MDD of 800 gpm (MDD without conservation savings).

Water Right Self-Assessment Form for Water System Plan – Agate Heights Water System

Mouse-over any link for more information. Click on any link for more detailed instructions.

Water Right Permit, Certificate, or Claim # *If water right is interruptible, identify limitation in yellow section below	WFI Source # If a source has multiple water rights, list each water right on separate line	Existing Water Rights				Current Source Production – Most Recent Calendar Year				10-Year Forecasted Source Production (determined from WSP) This includes wholesale water sold				20-Year Forecasted Source Production (determined from WSP) This includes wholesale water sold			
		Primary Qi Maximum Rate Allowed	Non- Additive Qi Maximum Rate Allowed	Primary Qa Maximum Volume Allowed	Non- Additive Qa Maximum Volume Allowed	Total Qi Maximum Instantaneous Flow Rate Withdrawn	Current Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume Withdrawn	Current Excess or (Deficiency) Qa	Total Qi Maximum Instantaneous Flow Rate in 10 Years	10-Year Forecasted Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume in 10 Years	10-Year Forecasted Excess or (Deficiency) Qa	Total Qi Maximum Instantaneous Flow Rate in 20 Years	20-Year Forecasted Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume in 20 Years	20-Year Forecasted Excess or (Deficiency) Qa
1 G1-22681P	52957B – S03	60 gpm		32.4		30 gpm [operating flow rate of treatment plant]	408 gpm	11.1	495.8	30 gpm	408 gpm	16.2	490.7	184 gpm	254 gpm	136.6	370.3
2 CG1-22763P	52957B – S03	360 gpm		465.9													
3 CG1-23449C	52957B – S03	18 gpm		8.6													
	TOTALS =	438 gpm		506.9		30 gpm	408 gpm	11.1	495.8	30 gpm	408 gpm	16.2	490.7	184 gpm	254 gpm	136.6	370.3

Column Identifiers for Calculations:

A

B

C

$$= A - C$$

D

$$= B - D$$

E

$$= A - E$$

F

$$= B - F$$

C

$$= A - G$$
$$=B-H$$

PENDING WATER RIGHT APPLICATIONS: Identify any water right applications that have been submitted to Ecology.						
Application Number	New or Change Application?	Date Submitted	Quantities Requested			
			Primary Qi	Non-Additive Qi	Primary Qa	Non-Additive Qa
None						

[illegible]

Column Identifiers for Calculations:

B

C

$$= A - C$$

D

$$= B - D$$

E

$$= A - I$$

F

$$=B-F$$

G

$$= A - C$$

H

$$=B-P$$

<u>INTERRUPTIBLE WATER RIGHTS:</u> Identify limitations on any water rights listed above that are interruptible.		
Water Right #	Conditions of Interruption	Time Period of Interruption
None		

ADDITIONAL COMMENTS:

- 10-year forecasted source production is based on forecasted MDD without conservation savings (to be conservative) as shown in the table in Section 2 of the Water System Plan.
- 20-year forecasted source production assumes that the north shore water systems become consolidated and the Agate Heights well is the source for the single combined water system and that the Agate Heights MDD and ADD is applicable to the whole system (as shown in the table in Section 2 of the Water System Plan).

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

CERTIFICATE OF WATER RIGHT

- ☒ 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	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
March 10, 1969	S*21470	S1-00736P	S1-00736C

NAME			
Whatcom County Water District #10			
ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
1010 Lakeview Street	Bellingham	Washington	98226

This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.

PUBLIC WATER TO BE APPROPRIATED

SOURCE		
Lake Whatcom		
TRIBUTARY OF (IF SURFACE WATERS)		
Whatcom Creek		
MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR
1.7	---	270

QUANTITY, TYPE OF USE, PERIOD OF USE
Municipal supply during months of December 1 through March 31 only.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
400' west of the N.E. corner of Section 8.
50' south of the N.E. corner of Section 8.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
NE 1/4	8	37	4E	01	Whatcom

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Area served by Water District #10.

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 90.03.380, 90.03.390, and 90.44.020.

This certificate of water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.

Given under my hand and the seal of this office at Redmond Washington, this 15th day

of May, 1989.

Department of Ecology

ENGINEERING DATA

OK *[Signature]*

by *Herman H. Huggins*

Herman H. Huggins, Water Resources Section Supervisor

FOR COUNTY USE ONLY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

CERTIFICATE OF WATER RIGHT

- ☒ 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 1946, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
March 10, 1969	S*21471	S1-00734P	S1-00734C

NAME			
Whatcom County Water District #10			
ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
1010 Lakeview Street	Bellingham	Washington	98226

This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.

PUBLIC WATER TO BE APPROPRIATED

SOURCE
Lake Whatcom

TRIBUTARY OF (IF SURFACE WATERS)
Whatcom Creek

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR
1.7	---	270

QUANTITY, TYPE OF USE, PERIOD OF USE
Municipal supply during months of December 1 through March 31 only.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
400' west of the N.E. corner of Section 8.

50' south of the N.E. corner of Section 8.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
NE $\frac{1}{4}$ NE $\frac{1}{4}$	8	37	4E	01	Whatcom

RECORDED PLATTED PROPERTY		
LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Area served by Water District #10.

PROVISIONS

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 90.03.380, 90.03.390, and 90.44.020.

This certificate of water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.

Given under my hand and the seal of this office at Redmond Washington, this 15th day of April, 1989.

Department of Ecology

ENGINEERING DATA

OK

by Herman H. Huggins

Herman H. Huggins, Section Supervisor Water Resources

FOR COUNTY USE ONLY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

RESERVOIR
CERTIFICATE OF WATER RIGHT

TO MAINTAIN A RESERVOIR AND STORE FOR BENEFICIAL USE
WATERS OF THE STATE OF WASHINGTON

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	DAM INVENTORY NUMBER
Nov. 13, 1987	R1-25120	R1-25120P	R1-25120C	

NAME Whatcom County Water District #10			
ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
1010 Lakeview Street	Bellingham	Washington	98226

The applicant is hereby granted a certificate to maintain a reservoir and store unappropriated waters of the State of Washington, subject to existing rights and the following provisions; and shall maintain or make repairs to said structure as may be considered necessary by the Department of Ecology to insure safety to life and property.

NOTE: NOPL means NORMAL OPERATING POOL LEVEL

NAME OF STREAM OR OTHER SOURCE FOR RESERVOIR SUPPLY Numerous tributaries of Lake Whatcom	TRIBUTARY OF Whatcom Creek
NUMBER OF ACRE-Feet STORED WHEN RESERVOIR IS FILLED TO NOPL 1260 ac ft/yr storage during the months of Dec 1 through March 31.	USE(S) TO BE MADE OF IMPOUNDED WATER Municipal supply

LOCATION OF IMPOUNDING STRUCTURE

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NE $\frac{1}{4}$ of NE $\frac{1}{4}$				
SECTION 28	TOWNSHIP N. 38	RANGE (E. OR W.) W.M. 3E	W.R.I.A. 01	COUNTY Whatcom
LEGAL SUBDIVISION OF LANDS IN WHICH THE SUBMERGED AREA IS TO BE LOCATED				

The 5,000 surface acres of Lake Whatcom.

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED (IF DIFFERENT THAN ABOVE)

Area to be served by Whatcom County Water District #10.

CONSTRUCTION OF IMPOUNDING STRUCTURE

HEIGHT OF DAM (FEET) 14' (6' high Tainter Gates)	LENGTH ON TOP (FEET) 126'	WIDTH ON TOP (FEET) 26'
SLOPE OF FRONT OR WATER SIDE (NUMBER OF FEET HORIZONTAL TO ONE FOOT VERTICAL) Vertical	SLOPE OF BACK SIDE (NUMBER OF FEET HORIZONTAL TO ONE FOOT VERTICAL) Vertical	
HEIGHT OF DAM ABOVE WATER LINE AT NOPL (FEET) Varies from 6' to 0'		
TYPE OF CONSTRUCTION OF DAM AND CONSTRUCTION MATERIALS		

An existing concrete dam constructed by the City of Bellingham in 1939.

LOCATION AND APPROXIMATE DIMENSIONS OF SPILLWAY INCLUDING CREST LENGTH.

Crest length spillway is 54' long.

LOCATION, SIZE AND TYPE OF VALVE AND OUTLET CONDUIT STRUCTURE.

Three Tainter Gate Spillways, each 18' x 6', and one Sluice Gate 4' x 4'.

NUMBER OF ACRES SUBMERGED WHEN RESERVOIR IS FILLED TO NOPL 5,000	MAXIMUM DEPTH (FEET) AT NOPL	APPROXIMATE AVERAGE DEPTH (FEET)
---	---------------------------------	-------------------------------------

PROVISIONS

The Department of Ecology makes no representation by this stipulation that it has authority to grant Whatcom County Water District #10 any interest of gist to any privately or publicly-owned property, nor does it purport to grant any such interest or right to any privately or publicly-owned property.

The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380 and 90.03.390.

This certificate of water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.

Given under my hand and the seal of this office at Redmond Washington, this 16th day of July, 1990.

ENGINEERING DATA

OK det g.

Department of Ecology

By Herman H. Huggins

Herman H. Huggins, Section Supervisor Water Resources

FOR COUNTY USE ONLY

CERTIFICATE OF WATER RIGHT

- ☐ 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 July 31, 1979	APPLICATION NUMBER G1-23449	PERMIT NUMBER G1-23449P	CERTIFICATE NUMBER G1-23449C
--------------------------------	--------------------------------	----------------------------	---------------------------------

NAME
LAKE WHATCOM RESIDENTIAL & TREATMENT CENTER

ADDRESS (STREET) 3400 Agate Heights Road	(CITY) Bellingham	(STATE) Washington	(ZIP CODE) 98225
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This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown.

PUBLIC WATER TO BE APPROPRIATED

SOURCE
Well

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 18.0	MAXIMUM ACRE-FEET PER YEAR 8.6
-------------------------------	------------------------------------	-----------------------------------

QUANTITY, TYPE OF USE, PERIOD OF USE
Domestic supply - continuously - for 90 person residential treatment complex

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
870 feet west and 750 feet north of the S $\frac{1}{4}$ corner of Sec. 24

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 24	TOWNSHIP N. 38	RANGE, (E. OR W.) W.M. 3 E	W.R.I.A. 1	COUNTY Whatcom
---	---------------	-------------------	-------------------------------	---------------	-------------------

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24, T. 38 N., R. 3 E.W.M.

PROVISIONS

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gauge may be installed in addition to the access port.

Flowing wells shall be so constructed and equipped with valves to ensure that the flow of water can be completely stopped when not being used. Likewise, the well shall be so maintained as to prevent the waste of water through leaky casings, pipes, fittings, valves, or pumps - either above or below land surface.

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 90.03.380, 90.03.390, and 90.44.020.

This certificate of water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.

Given under my hand and the seal of this office at Redmond Washington, this 16th.... day
ofNovember....., 19..81.....

Department of Ecology

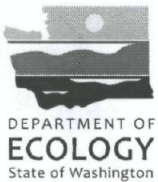
ENGINEERING DATA

OK.....

by.....

ROBERT K. McCORMICK, Regional Manager

FOR COUNTY USE ONLY



STATE OF WASHINGTON
**APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT**

For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF
ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- ☒ Change purpose(s) of use
☐ Add purpose(s) of use
☒ Change point(s) of diversion/withdrawal
☐ Add point(s) of diversion/withdrawal
☒ Change/transfer place of use
☒ Other (i.e. consolidation, intertie, trust water)

Explain: Change in Permit Holder Name (See 6A)

FOR OFFICE USE ONLY

CHANGE No. CGI-23449C WRIA 1

DATE ACCEPTED 3 / 19 / 10 BY DD

FEE \$ 50- REC'D 3 / 19 / 10

CHECK No. 1114

ECY Coding: 001-002-WR10285-000011

SEPA: ☒ Exempt ☐ Not exempt

RECEIVED 3/24/10

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME <u>Lake Whatcom Water and Sewer District</u>	PHONE NO. <u>(360) 734-9224</u>	FAX NO. <u>(360) 738-8250</u>
ADDRESS <u>1010 Lakeview Street</u>		
CITY <u>Bellingham</u>	STATE <u>WA</u>	ZIP CODE <u>98229</u>

CONTACT NAME (IF DIFFERENT FROM ABOVE) <u>Melanie Mankamyer</u>	PHONE NO. <u>(360) 733-6100</u>	FAX NO. <u>(360) 647-9061</u>
ADDRESS <u>805 Dupont Street, Suite 7</u>		
CITY <u>Bellingham</u>	STATE <u>WA</u>	ZIP CODE <u>98225</u>

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER <u>G1-23449C</u>	RECORDED NAME(S) <u>Lake Whatcom Residential & Treatment Center</u>
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY

APP. NO. _____ PERMIT NO. _____ CERT. NO. _____ CERT. OF CHANGE NO. CGI-23449C

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Treatment Center Well	1	SE	SW	24	38	3 E	380324 168197	AFM089

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
10" Giesbrecht Well	1	SW	SE	24	38	3 E	380324 417082	AGQ477

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
EXISTING: ☐ YES ☒ NO PROPOSED: ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:
Existing PoD/W - Lake Whatcom Residential and Treatment Center
Proposed PoD/W - The District owns the well, which is located on an easement on Private Property owned by DAVID R & SUSAN L MCGUIRE.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Domestic supply for 90-person complex	18 GPM	8.6	Year round

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Municipal supply	18 GPM	8.6	Year round

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:
W1/2 E1/2 SW1/4, Sec. 24, T. 38 N., R. 3 E.W.M.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SE	SW	24	38	3	Whatcom	380324 168197	19.55

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:
Lake Whatcom Center Foundation

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:
Area served by Lake Whatcom Water and Sewer District - See attached description in the Water System Comprehensive Plan (Section 10.2 - Agreements; Water Supply Service Agreement, Exhibit A)

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					Whatcom	multiple	

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME: Lake Whatcom Water and Sewer District is a Municipal Water purveyor, providing water to numerous owners within the District's Boundaries.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Treatment Center Well	1	SE	SW	24	38	3 E	380324 168197	AFM089

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
10" Giesbrecht Well	1	SW	SE	24	38	3 E	380324 417082	AGQ477

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
EXISTING: ☐ YES ☒ NO PROPOSED: ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME:
Existing PoD/W - Lake Whatcom Residential and Treatment Center
Proposed PoD/W - The District owns the well, which is located on an easement on Private Property owned by DAVID R & SUSAN L MCGUIRE.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Domestic supply for 90-person complex	18 GPM	8.6	Year round

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Municipal supply	18 GPM	8.6	Year round

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
W1/2 E1/2 SW1/4, Sec. 24, T. 38 N., R. 3 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SE	SW	24	38	3	Whatcom	380324 168197	19.55
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: Lake Whatcom Center Foundation							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
Area served by Lake Whatcom Water and Sewer District - See attached description in the Water System Comprehensive Plan (Section 10.2 - Agreements; Water Supply Service Agreement, Exhibit A)							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					Whatcom	multiple	
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: Lake Whatcom Water and Sewer District is a Municipal Water purveyor, providing water to numerous owners within the District's Boundaries.							

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?
☒ YES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): G1-22681C, G1-22763C

6. Remarks and Other Relevant Information:

- The APPLICANT requests that the recorded name be changed from "Lake Whatcom Residential and Treatment Center" to "Lake Whatcom Water and Sewer District."
- See attached agreement outlining the transfer of ownership of the water right from the Lake Whatcom Residential and Treatment Center to Lake Whatcom Water and Sewer District.
- Additional Information for 3A - Distance from section corner: 870 feet west and 750 feet north of the S1/4 of Sec. 24

IF FOR SEASONAL OR TEMPORARY, START DATE ____
/ ____ / ____ END DATE ____ / ____ / ____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

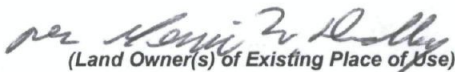
I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.


(Applicant)

2/24/10
(Date)


(Water Right Holder)

2/18/10
(Date)


(Land Owner(s) of Existing Place of Use)

2/17/10
(Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE
- ☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
- ☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____ / ____ / ____

ATTACHMENT FOR
APPLICATION FOR CHANGE

Point(s) of Diversion/Withdrawal - ☐ Existing ☐ Proposed:

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? ☐ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

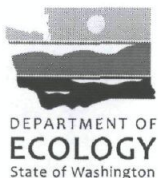
Purpose(s) of Use - ☐ Existing ☐ Proposed:

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

Place of Use - ☐ Existing ☐ Proposed:

LEGAL DESCRIPTION OF LANDS							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? ☐ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:



Instructions for Completing an Application for Change or Transfer of a Water Right

Please type or print clearly in ink

Introduction: An application for change or transfer of water right and a non-refundable minimum fee of \$50.00, is required by Ecology to propose certain changes to an existing water right or claim. Additional fees may be required if the application is filed with a County Conservancy Board. General information about the process and considerations involved in making changes to water rights is available from each Ecology region office. Once an application is filed, a public notice is prepared for publication in at least one designated newspaper at your cost and the application is made available for review. The information requested upon this application, as it relates to your proposed change, **must** be provided or the application will be returned to you for completion. Spaces bordered with a dark outline are for office staff use in processing the application, please do not mark within those spaces. If additional space is required, you may attach additional sheets of paper or use the Application Attachment Form that is available at any Ecology regional office or from any County Conservancy Board.

A County Conservancy Board is a board established by the County Commissioners and authorized by Ecology to accept and make recommendations for approval or denial of an application for Change or Transfer of a Water Right. Statutory authority for County Conservancy Boards can be found within Chapter 90.80 RCW.

This application requests information about your actual water use and the changes you propose to make. Please **do not** simply copy information about your water use from a water right document. Inaccurate information about your water use may cause substantial delays in processing a decision on your application.

Applications for Change of Water Right are subject to the State Environmental Policy Act, Chapter 43.21C Revised Code of Washington and Chapter 197-11, Washington Administrative Code.

Check the type of change proposed: For your convenience, boxes are located within the upper left-hand corner on the first page of the application form. The following are instructions for completing the boxes that indicate the type of changes that are proposed. The boxes found on the application form are shown in example no. 1.

<input type="checkbox"/> Change purpose(s) of use
<input type="checkbox"/> Add purpose(s) of use
<input type="checkbox"/> Change point(s) of diversion/withdrawal
<input type="checkbox"/> Add point(s) of diversion/withdrawal
<input type="checkbox"/> Change/transfer place of use
<input type="checkbox"/> Other (i.e. consolidation, intertie, trust water)
Explain: _____

Example No.1

Check the boxes to indicate the changes that are proposed. You may mark as many types of changes as are appropriate, but you must mark at least one box. If none of the boxes provided appear to represent the change or transfer that you wish to propose, please contact the appropriate region office shown on the last page of the form for assistance. If you mark **"other,"** you **must** describe the change that you propose. Possible explanations are that the change proposes **"consolidation"** of a water use that was exempt from a groundwater permit with a water system for which a certificate of water right has issued, that the application proposes to **"intertie"** two or more public water supplies, or that you propose to enter a **"trust water program."** The space for explanation may also be used to further explain any proposed change. If additional space is needed to fully explain the intent of the application you may add attachments.

The number preceding the instruction refers to the corresponding section of the application.

1. Applicant Information: Provide the name in which the application is being filed and the mailing address and telephone number(s) through which the applicant may be reached. The address and phone number provided (or as later amended) will be the only address that will be used to contact the applicant.

Provide the name of the person(s) that should be contacted regarding the application, if contact should be made to someone other than the applicant listed above. If a contact person(s) is identified, provide their mailing address and telephone number. All mail concerning the application will be directed to the contact person unless amended by the applicant.

2. Water Right Information: You must identify a water right or water right claim to be changed.

2. WATER RIGHT INFORMATION:

WATER RIGHT OR CLAIM NUMBER <i>Certificate No. G1-26483C</i>	RECORDED NAME(S) <i>The person(s) name appearing on the water right document</i>
DO YOU HOLD LEGAL TITLE TO THE RIGHT TO BE CHANGED?	YES NO
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS?	YES NO

Example No. 2

Identify the water right document that describes the water right. For instance, provide a water right certificate number or water right claim number. Provide the name of the person(s) under which the document was filed or recorded.

Indicate whether the applicant is the current owner of the water right proposed to be changed or transferred by marking the appropriate box. If the current owner of the right is different than the applicant, provide the name and address of the water right owner.

Indicate, by marking the appropriate box whether the water right to be changed has been in beneficial use at any time during the most recent five-year period. If you check “no,” you may wish to describe past use of the right on a separate attachment.

Please attach copies of any documentation or records that support the consistent, historical use of water since the right was established. Examples of documents or records that may assist in supporting historic use of water include electric bills for a pumping station, receipt for purchase of water system equipment, dated aerial photographs, and affidavit(s) of persons familiar with water use under the water right. Also, if you have a water system plan or conservation plan written for your water use, please include a copy with your application.

3. Point(s) of Diversion/Withdrawal:

Existing: You must describe the existing point(s) of diversion/withdrawal on your application. The point(s) of diversion/withdrawal is the location that you take water from a public water body (a lake, stream, etc.) for use of the water right proposed to be changed.

A. EXISTING

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
<i>well</i>	<i>1</i>	<i>NW</i>	<i>SW</i>	<i>10</i>	<i>15 E</i>	<i>25</i>	<i>854321-237</i>	<i>043986</i>
<i>Wilson Well</i>	<i>2</i>	<i>SE</i>	<i>SW</i>	<i>10</i>	<i>15 E</i>	<i>25</i>	<i>854321-238</i>	<i>043987</i>

Example No. 3

Identify the name of the source of water that is used under your water right. If the source is surface water and has no name write “unnamed.” If the source is a well and has no name, write “well.” If you refer to the listed water sources by number, provide the number.

The spaces for ¼¼, SEC., TWP., AND RGE are provided for identifying the general location of the point(s) of diversion/withdrawal. The SEC., TWP., AND RGE refer to the section, township and range that the diversion/withdrawal is (are) located. The ¼¼ spaces refer to (from right to left) the quarter of the identified section and then to the quarter of the identified quarter section in which the point(s) of diversion/withdrawal are located. If you do not understand this geographic location system, please contact the appropriate Ecology region office, County Conservancy Board, or seek professional assistance in completing your application.

Parcel #. You must provide the county assigned parcel identification number for each parcel containing your point of diversion. This number may be obtained from the County Assessor’s office for the county containing the point(s) of diversion/withdrawal.

Well Tag #. Every well within the State of Washington is required to have a well tag number displayed. The well tag number is a unique number assigned at the time of construction or upon request by the well owner to the Water Resources Program, Department of Ecology. Please see section 173-160-311, What are the well tagging requirements? , Washington Administrative Code, for specific requirements. If no well tag number is prominently displayed on your well head, you may assume that no number has been assigned and may leave this space blank. Upon verification that no number has been assigned, Ecology will assign a number and provide a tag for permanent installation upon the well.

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
EXISTING ☐ YES ☐ NO ☒ PROPOSED ☐ YES ☐ NO ☐ - IF NO, PROVIDE OWNER(S) NAME: _____

Example No. 4

Ownership: Below part 3B. of the application, state whether you own the land(s) that contains the existing point(s) of diversion/withdrawal. If you do not own the land, provide the owner’s name.

B. Proposed Point(s) of diversion/withdrawal:
Complete this section of the application **only** if you propose to change or add points of diversion/withdrawal to your water right. Follow the instructions provided above for Part A to describe the point(s) you wish to add or change. Include water well reports for any constructed wells you have described and any information that describes the precise location of the point of diversion/withdrawal.

4. Purpose of Use:

Existing

You **must** complete Part 4 A., existing purpose of use, to have your application accepted.

A. EXISTING

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
3 domestic uses	45	3	throughout the year
irrigation	150	45	April 1 to September 15

Example No. 5

In the spaces provided on the application, identify **all** the uses you currently make of the water taken under the water right that you propose to change.

Purpose of Use: List each purpose of use currently made of your water right. For example, “irrigation,” “stockwater,” and “municipal supply” are typical uses. If you are proposing a domestic use other than for a municipality, include the number of units to be served in the description of the purpose of use. For example, if you propose to serve 10 homes, indicate this by entering “10 domestic uses” in the space provided.

GPM or CFS: State the rate of water actually used for each listed purpose. You **must** indicate whether the rate you have stated is in units of gallons per minute (GPM) or cubic feet per second (CFS).

Acre-Feet/Yr: State the volume of water that is used during a calendar year in the unit of acre-feet for each listed purpose. One acre-foot is equal to 325,851 gallons or 43,560 cubic feet of water.

The volume of water that is reasonably required for beneficial use is highly variable from one water right to another. The acre-feet required is dependent upon the type of beneficial use, the geographic location of use, soil types, slope, and other case specific factors. The following are suggestions that may assist in estimating the volume of water used for purposes of filing your application. As part of the decision making process, Ecology will make a tentative determination of the extent of your water right that will include the number of acre-feet of water that you are authorized per year.

For small domestic water supplies, a reasonable estimate of use is 0.25 to 2 acre-feet per connection.

Uses that are continuous throughout a day of use at or near the maximum rate of diversion/withdrawal, may be estimated by multiplying the rate of diversion you have provided in GPM or CFS by the number of days that water is actually used during the period of use:

_____ (GPM or CFS) multiplied by _____ number of days of actual water use during the period of use

Multiply your answer by 2 if you’ve stated your diversion in CFS

Multiply your answer by 0.005 if you’ve stated your diversion is GPM.

For water uses that are in continuous use during an entire day, your answer will be a rough estimate of the number of acre-feet of water you currently use based upon your water use practices.

Period of Use: Identify the timeframe from the beginning month and day of use to the ending month and day of use, in which water is actually used for each listed purpose.

B. Proposed

Complete Part B. of Section 4, Purpose of Use, **only** if you are proposing to change or add uses of water authorized by your water right. If you are proposing to change the purpose of use, you **must** list **all** purposes for which you wish to use water. Follow the instructions provided by Part A of Section 4 to describe each intended water use through the change application.

5. Place of Use:

The place of use is the lands on which water is actually used. You **must** describe the existing place of water use and, if you proposed a change/transfer of place of use or to add place of use, you must describe the proposed place of use. Follow the instructions below to complete Section 5 of the application:

A. EXISTING

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
The south 500 feet of the north 600 feet of the:							
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NW	SW	10	15	25 E	Grant	854321-237	15
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

Example No. 6

Print or type a complete description of the area of existing water use. You may find a description of your property on a property deed. Exclude from your description any lands you own that do not have a water use under the right you are changing. If necessary, you may attach a description of the place of use as a separate attachment.

The spaces for 1/4, SEC., TWP., AND RGE are provided for identifying the general location of the place(s) of use. The SEC., TWP., AND RGE refer to the section, township and range containing the place(s) of use. The “1/4” (of the) “1/4” spaces refer to (from right to left) the quarter of the identified section and then to the quarter of the identified quarter section of the place(s) of use. The following illustration shows how a section of land is divided into 1/4 sections:

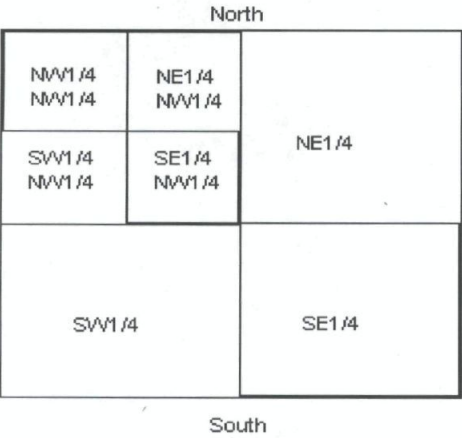


Illustration No. 1

If you do not understand this geographic location system, please contact the appropriate Ecology region office, County Conservancy Board, or seek professional assistance in completing your application.

County: Identify every county that contains any portion of the existing place of water use.

Parcel #. Please provide the county assigned identification number for each parcel containing your place of use. If the proposed place of use contains many separate parcels of property, please indicate this by writing “multiple” in the space provided for Parcel #. The parcel number may be obtained from the County Assessor’s office for the county containing the place of use.

of Acres: If you have identified irrigation as a purpose of use, you must state the number of acres that you are irrigating.

You must indicate whether you own the lands associated with the proposed change. If not, provide the landowner’s name.

Map: In addition to describing the point(s) of diversion/withdrawal and place(s) of water use on the application, attach a detailed map. The map **must** have reference to the Township, Range and Section of the area illustrated. Indicate on the map: a) the lands upon which water is used for each purpose of water use; b) the points from which water is taken from the water source; c) any lands to which the water use is proposed to be changed; d) any new points from which water is proposed to be taken e) show a reference point such as a section corner e) show the location of structures, the water system and other features relevant to your proposed change/transfer. It is recommended that you base your map on a published map of your area. If your place of use is platted property, you **must** include a certified copy of the plat.

B. Proposed Place of Use: If you are proposing to add place of use or change/transfer place of use then you **must** complete Part 5B. of the application. Follow the instructions for Part 5A. to describe the new lands that you propose is associated with your water right.

Other rights: Below Part 5B. in a separate border is the following question:

ARE THERE ANY ADDITIONAL WATER RIGHTS OR CLAIMS RELATED TO THE SAME PROPERTY AS THE ONE PROPOSED FOR CHANGE/TRANSFER? ☐ YES ☐ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

Example No. 7

If you are aware of other rights associated with any of the property you have describe on the application, please indicate so by marking the “yes” box provided and provide the identifying document number.

6. Remarks and Other Relevant Information: Your application will be reviewed by several interested agencies and is available to the public for inspection. You may use this space to provide additional information or an explanation for your change proposal. Your remarks or explanation may include any information that you believe should be considered in the review of your application. You may also explain the reasons that you are proposing the change/transfer, for example, that you are updating your water distribution system or relocating a water well.

Please note: If your application is being submitted for a seasonal or temporary change in water right, whether or not in conjunction with a permanent change or transfer, you **must** indicate the date that you desire the change/transfer to be effective and the date that you desire the change/transfer to terminate. It is recommended that you submit your application as far in advance of the date you wish the change/transfer to be effective as possible.

7. Signature and Date: The applicant must sign and date the application. In addition, the owner of the water right and the owner of the existing place of use must sign and date the application if different than the applicant.

IMPORTANT!

Submit your application to Ecology at: DEPARTMENT OF ECOLOGY
CASHIERING UNIT
PO BOX 47611
OLYMPIA, WA 98504-7611

Alternatively, you may submit your application at a Conservancy Board with jurisdiction. Below is a map of the State of Washington, with outlines of the four Ecology regional offices. If you have questions about your application or whether a County Conservancy Board with jurisdiction exists, contact the Water Resources program at the regional office in which your project is located.



Please check the regional office in which your project is located.

- ☐ Central Regional Office
15 W Yakima Avenue, Suite 200
Yakima, WA 98902
(509) 575-2490
- ☐ Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295
(509) 329-3400
- ☒ Northwest Regional Office
3190 – 160th Avenue SE
Bellevue, WA 98008-5452
(425) 649-7000
- ☐ Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775
(360) 407-6300

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT

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 April 6, 1988	APPLICATION NUMBER S1-25121	PERMIT NUMBER S1-25121 P	CERTIFICATE NUMBER
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NAME Whatcom County Water District #10			
ADDRESS (STREET) 1010 Lakeview	(CITY) Bellingham	(STATE) Washington	(ZIP CODE) 98226

The applicant is, pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the limitations and provisions set out herein.

PUBLIC WATERS TO BE APPROPRIATED		
SOURCE Stored waters of Lake Whatcom - Reservoir Certificate R1-25120C		
TRIBUTARY OF (IF SURFACE WATERS) Whatcom Creek		
MAXIMUM CUBIC FEET PER SECOND 3.4	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR 1260.0
QUANTITY, TYPE OF USE, PERIOD OF USE Municipal supply, from April 1 - November 30		

LOCATION OF DIVERSION/WITHDRAWAL
APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL 50 feet south and 400 feet west of the northeast corner of Section 8

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NE¼ NE¼	SECTION 8	TOWNSHIP N. 37	RANGE, (E. OR W.) W.M. 4E	W.R.I.A. 1	COUNTY Whatcom
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RECORDED PLATTED PROPERTY		
LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Beginning at the meander corner on the section line between Sections 26 and 27, Township 38 north, Range 3 east Willamette Meridian, said corner being also the city limits of the City of Bellingham.

Thence northerly along the west line of Sections 26 and 23, Township 38 north, Range 3 east to the southwest corner of Blackburn's 1st Addition to Sehome; thence easterly to the center of the southeast quarter of the southwest quarter of Section 23, said Township and Range; thence northerly to the center of the northeast quarter of the southwest quarter of said Section 23; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of the southwest quarter of said Section 23; thence northerly to the center of said Section 23; thence easterly along the east-west quarter section line to the quarter corner between Sections 23 and 24, said Township and Range; thence continuing easterly through Section 24, said Township and Range, and Section 19, Township 38 north, Range 4 east to the quarter corner between Sections 19 and 20; Township 38 north, Range 4 east. Thence southerly along the east section lines of Sections 19 and 30 to the quarter corner between Sections 29 and 30, said Township and Range; thence easterly along the east-west quarter line of Section 29 to the center of Section 29, said Township and Range; thence southerly along the north-south quarter section line of said Section 29 to the south east-west 1/16 line of said Section 29; thence easterly on said south 1/16 line to the south 1/16 corner between Sections 28 and 29, said Township and Range; thence southerly along the west section lines of Section 28 and 33 to the south 1/16 corner between Sections 32 and 33, said Township and Range; thence easterly along the south east-west 1/16 line of said Section 33 to the west 1/16 line

Legal description continued on page 3

DESCRIPTION OF PROPOSED WORKS

Existing 1.7 cfs diversion, 3.4 cfs to be developed
130,000 gallon and 500,000 gallon storage
8" mainlines

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:

Started

COMPLETE PROJECT BY THIS DATE:

March 30, 1994

WATER PUT TO FULL USE BY THIS DATE:

March 30, 2003 ~~2008~~ 2013

PROVISIONS

The permit shall be issued subject to Washington Department of Fisheries and Wildlife screening criteria as outlined in a Hydraulic Project Approval. Please contact the Department of Fisheries, 115 General Administration Building, Olympia, Washington 98504, Attention: Habitat Management Division, Phone (206) 753-6650; or the Department of Wildlife, 600 N. Capitol, Olympia, Washington 98504, Attention: Habitat Management Division, Phone (206) 753-3318, to obtain specific requirements for your project.

The water source and/or water transmission facilities are not wholly located upon the land owned by the applicant. Issuance of a permit by this department for appropriation of the waters in question does not convey a right of access to, or other right to use land which the applicant does not legally possess. Obtainment of such right is a private matter between applicant and owner of that land.

An approved measuring device shall be installed and maintained in accordance with RCW 90.03.360, WAC 508-64-020 through 508-64-040. Meter readings shall be recorded monthly and this data shall be maintained and be made available to the Department of Ecology upon request.

The applicant is advised to contact Whatcom County Health at (206) 676-6724 to obtain information on regulations pertaining to public water systems.

A certificate of water right will not be issued until a final investigation is made. Furthermore, a certificate will not be issued until the District has appropriated the 3.4 cfs instantaneous quantity granted.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or fail to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Given under my hand and the seal of this office at Bellevue, Washington,

this 30th day of March, 1993.

Department of Ecology

ENGINEERING DATA

OK les

by

Stephen J. Hirschey

Stephen J. Hirschey, Section Supervisor, Water Resources

of said Section 33; thence southerly along the west north-south 1/16 line of said Section 33 to the Township line of Township 38 and 37 north; thence easterly along said Township line to the northeast Section corner of Section 4, Township 37 north, Range 4 east; thence southerly along the east section lines of Sections 4, 9 and 16 to the quarter corner between Sections 15 and 16, said Township and Range; thence easterly along the east-west quarter line of said Section 15 to the center of said Section 15; thence southerly along the north-south quarter line of said Section 15 to the quarter corner between Sections 15 and 22, said Township and Range; thence easterly along the north section line of said Section 22 to the northeast section corner of said Section; thence southerly on the section line between Sections 22 and 23, said Township and Range to the quarter corner between said Sections; thence easterly on the east-west quarter line of Section 23 to the center of Section; thence southerly on north-south quarter line of Section 23 to the quarter corner between Sections 23 and 26, said Township and Range; thence easterly on the north Section lines of Sections 26 and 25 to the Range line between Ranges 4 and 5 east; thence southerly along said Range line to the quarter corner between Section 25, said Township and Range and Section 30, Township 37 north, Range 5 east Willamette Meridian; thence easterly along east-west quarter line of said Section 30 to the center of said Section; thence southerly along the north-south quarter line to the south quarter corner of said Section 30; thence westerly along the south Section line of said Section 30 to the Range line between Ranges 4 and 5 east; thence northerly along said Range line to the south 1/16 corner between said Section 30 and Section 25, Township 37 north, Range 4 east; thence westerly along the south east-west 1/16 line to the north-south quarter line of said Section 25, thence northerly along the north-south quarter line to the center of said Section 25; thence westerly along the east-west quarter lines of Sections 25, 26, 27, 28 and 29 to the center of Section 29, said Township and Range; thence northerly along the north-south quarter line of Sections 29 and 20 to the center of Section 20, said Township and Range; thence easterly along the east-west quarter line of Section 20 to the east north-south 1/16 line of said Section 20; thence northerly along the east north-south 1/16 lines of Sections 20 and 17 to the north east-west 1/16 line of Section 17, said Township and Range; thence westerly on said north east-west 1/16 line to the north-south quarter line of said Section 17; thence northerly along the north-south quarter line to the quarter corner between Sections 17 and 8, said Township and Range; thence westerly along the north Section lines of Sections 17 and 18 to the Range line of Ranges 3 and 4 east; thence northerly along said Range line to the southeast Section corner of Section 1, Township 37 north, Range 3 east Willamette Meridian; thence westerly along the south Section line of said Section 1 to the southwest Section corner of said Section 1; thence northerly along the Section line between Sections 1 and 2 to the quarter corner between said Sections 1 and 2; thence westerly on the east-west quarter lines of Sections 2 and 3 to the center of Section 3; thence northerly along the north-south quarter line of said Section 3 to the quarter corner between said Section 3 and Section 34, Township 38 north, Range 3 east; thence westerly along the south Section line of said Section 34 to the southwest section corner of said Section 34; thence northerly along the west section lines of Sections 34 and 27 to the quarter corner between Sections 27 and 28, said Township and Range; thence easterly along the east-west quarter line of said Section 27 to the harbor line of Lake Whatcom; thence northeasterly along Bellingham City Limit line across Lake Whatcom to the point of beginning.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT

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	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
November 22, 1976	G1-22763	G1-22763P	

NAME

WHATCOM COUNTY WATER DISTRICT #10

ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
4507 Cable Street	Bellingham	Washington	98225

The applicant is, pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the limitations and provisions set out herein.

PUBLIC WATER TO BE APPROPRIATED

SOURCE

Artesian Well = 6" x 102'

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR
	360.0	465.9

QUANTITY, TYPE OF USE, PERIOD OF USE

Community Domestic Supply - continuously

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL

150 feet west and 542 feet north of southeast corner of Sec. 24

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
SE 1/4 Sec 24	24	38	3 E.	1	Whatcom

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Area served by Water District No. 10.

DESCRIPTION OF PROPOSED WORKS

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: Started	COMPLETE PROJECT BY THIS DATE: October 14, 1982 ²⁰⁰⁶ 92 ⁹⁷ 200	WATER PUT TO FULL USE BY THIS DATE: October 14, 1985 ²⁰⁰⁷ 93 ⁹⁸ 2002
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PROVISIONS

The installation of an access port as described in Ground Water Bulletin No. 1 shall be required prior to issuance of final certificate of water right. The applicant may, for his own convenience, wish to install an airline and gage in addition to the access port.

Nothing in this permit shall be construed as excusing the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by local agencies under the Shoreline Management Act of 1971.

Prior to issuance of a Certificate of Water Right, the applicant will be required to furnish information to this office as part of his Proof of Appropriation as to the size and type of equipment installed and the rate at which water is withdrawn in gallons per minute.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or fail to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Given under my hand and the seal of this office at Redmond Washington, this 6th day of October, 1977.

Department of Ecology

ENGINEERING DATA

OK 

by



ROBERT K. McCORMICK Regional Manager

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT

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	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
November 22, 1976	G1-22763	G1-22763P	

NAME

WHATCOM COUNTY WATER DISTRICT #10

ADDRESS (STREET)

4507 Cable Street

(CITY)

Bellingham

(STATE)

Washington

(ZIP CODE)

98225

The applicant is, pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the limitations and provisions set out herein.

PUBLIC WATER TO BE APPROPRIATED

SOURCE

Artesian Well = 6" x 102'

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND

MAXIMUM GALLONS PER MINUTE

MAXIMUM ACRE-FEET PER YEAR

360.0

465.9

QUANTITY, TYPE OF USE, PERIOD OF USE

Community Domestic Supply - continuously

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL

150 feet west and 542 feet north of southeast corner of Sec. 24

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)

SE 1/4 Sec 24

SECTION

24

TOWNSHIP N.

38

RANGE, (E. OR W.) W.M.

3 E.

W.R.I.A.

1

COUNTY

Whatcom

RECORDED PLATTED PROPERTY

LOT

BLOCK

OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Area served by Water District No. 10.

DESCRIPTION OF PROPOSED WORKS

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: Started	COMPLETE PROJECT BY THIS DATE: October 14, 1982 1991 Feb 15, 1992	WATER PUT TO FULL USE BY THIS DATE: October 14, 1985 1994 1995
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PROVISIONS

The installation of an access port as described in Ground Water Bulletin No. 1 shall be required prior to issuance of final certificate of water right. The applicant may, for his own convenience, wish to install an airline and gage in addition to the access port.

Nothing in this permit shall be construed as excusing the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by local agencies under the Shoreline Management Act of 1971.

Prior to issuance of a Certificate of Water Right, the applicant will be required to furnish information to this office as part of his Proof of Appropriation as to the size and type of equipment installed and the rate at which water is withdrawn in gallons per minute.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or fail to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Given under my hand and the seal of this office at Redmond Washington, this 6th day of October, 1977.

Department of Ecology

ENGINEERING DATA

OK *[Signature]*

by

[Signature: Robert K. McCormick]

ROBERT K. McCORMICK, Regional Manager

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT

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	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
April 30, 1976	G1-22681	G1-22681P	

NAME			
DR. RICHARD GIESBRECHT			
ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
#5 Semena Crescent	Vancouver, B. C.	Canada	

The applicant is, pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the limitations and provisions set out herein.

PUBLIC WATER TO BE APPROPRIATED

SOURCE
Well - 6" x 147' * Amended as per 90.44.100(3) see affidavit dated 9/18/00
TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR
	60.0	32.4

QUANTITY, TYPE OF USE, PERIOD OF USE
Community Domestic Supply (36 homes) - continuously

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
Approximately 100 feet east and 900 feet north from S $\frac{1}{4}$ corner of Sec. 24 1210 300 12-7-87

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
SW $\frac{1}{4}$ SE $\frac{1}{4}$	24	38	3 E.	1	Whatcom

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

See attached legal.

DESCRIPTION OF PROPOSED WORKS

2/15/2008
2/15/2003

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: Started	COMPLETE PROJECT BY THIS DATE: February 15, 1981 86 87 92	WATER PUT TO FULL USE BY THIS DATE: February 15, 1982 87 92 93
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PROVISIONS

A. minimum four hour pump drawdown test (SWL measured before and after) with Department of Ecology personnel in attendance, shall be required before issuance of final Certificate.

Prior to issuance of a Certificate of Water Right, the applicant will be required to furnish information to this office as part of his Proof of Appropriation as to the size and type of equipment installed and the rate at which water is withdrawn in gallons per minute.

The installation of an access port as described in Ground Water Bulletin No. 1 shall be required prior to issuance of final certificate of water right. The applicant may, for his own convenience, wish to install an airline and gage in addition to the access port.

Nothing in this permit shall be construed as excusing the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by local agencies under the Shoreline Management Act of 1971.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or fail to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Given under my hand and the seal of this office at Redmond Washington, this.....15th.....day
ofFebruary....., 1978.....

Department of Ecology

ENGINEERING DATA

OK by 

ROBERT K. McCORMICK, Regional Manager

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PROTESTED

REPORT OF EXAMINATION FOR CHANGE TO GROUNDWATER PERMIT
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 November 22, 1976	APPLICATION NUMBER G1-22763A	PERMIT NUMBER G1-22763P	CERTIFICATE NUMBER
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NAME Whatcom County Water District No. 10			
ADDRESS (STREET) 1010 Lakeview Street	(CITY) Bellingham	(STATE) Washington	(ZIP CODE) 98226

PUBLIC WATERS TO BE APPROPRIATED

SOURCE well		
TRIBUTARY OF (IF SURFACE WATERS)		
MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 360	MAXIMUM ACRE FEET PER YEAR 465.9

QUANTITY, TYPE OF USE, PERIOD OF USE Community Domestic Supply- continuously

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL 1210 feet East and 300 feet North from the S ¼ corner					
LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) SW ¼ SE ¼	SECTION 24	TOWNSHIP N. 38	RANGE, (E. OR W.) W.M. 3 E	W.R.I.A. 1	COUNTY Whatcom

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

Area served by the Whatcom County Water District No. 10 as defined in the Whatcom County Water District No. 10 Water System Comprehensive Plan, 2001.

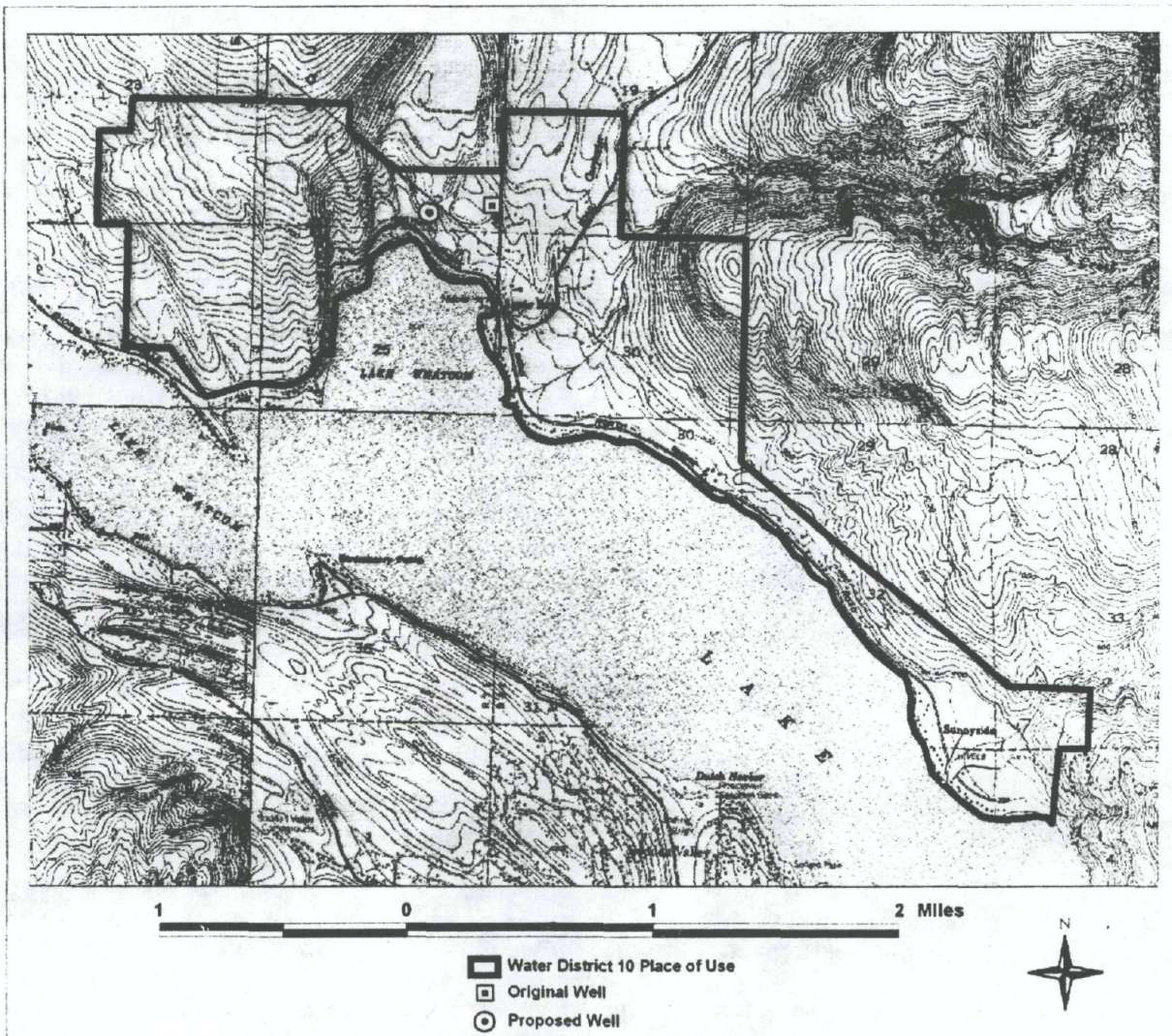


Figure 1. Map of Water District 10 Service Area and Points of Withdrawal.

DESCRIPTION OF PROPOSED WORKS

Whatcom County Water District 10 (Water District 10) serves approximately 3,300 sewer and 3,100 water customers around Lake Whatcom near the City of Bellingham in Whatcom County. Water District 10 has five distinct study and service areas: the Sudden Valley, Geneva, North Shore (city source), North Shore (well source) and South Lake. The application at hand involves the North Shore (well source) service area. The water supply system for the North Shore Study area consists of three wells. The primary service well is a 10 inch diameter well, 77 feet deep, with a 15 horsepower pump. In addition, Water District 10 also has a 6 inch well, located next to the 10 inch well. The current point of withdrawal for G1-22763P is a 6 inch well, 102 feet deep, with a 2 hp motor and has three 100 gallon pressure tanks. The system has an 80,000 gallon concrete reservoir and a distribution system consisting of one mile of transmission and distribution mains. In addition, there is a booster station to serve 12 lots above the well and storage tank.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	WATER PUT TO FULL USE BY THIS DATE
Completed	January 1, 2013	January 1, 2020

REPORT

BACKGROUND INFORMATION

Whatcom County Water District 10 is located immediately east of and adjacent to the City of Bellingham, and the district's boundaries encompass much of the Lake Whatcom watershed. The District supplies water and sewer service to approximately 3,000 residences in its service area, although the district serves only a portion of the land within their boundaries. The majority of the land in their service area is forested or rural residential. The District's customer base is almost entirely single-family residential with only a few commercial customers. As previously stated, Water District 10 has divided their service area into five distinct service and study areas: the Sudden Valley, Geneva, North Shore (city source), North Shore (well source) and South Lake study areas. This application is for one of the water rights for the North Shore study area. The North Shore study area has been divided into two regions by the water source that serves its customers. As the name indicates, customers in the North Shore (city source) area receive their water ultimately from the City of Bellingham, from which Water District 10 purchases the water wholesale. In the North Shore (well source), customers receive their water from wells owned and maintained by Water District 10. This application for change is to move the point of withdrawal on one of the wells in the North Shore well source area to another well located in the same study area.

Groundwater permit G1-22763P has a long history. The original application was filed in November 22, 1976, by Water District 10. The district applied for 350 gpm and 565 afy to serve an estimated population of 2,080 persons, which was the projected population in 1996. The point of diversion is the same as the present point of diversion. The service area was defined as the area served by Water District 10. The permit was issued on October 6, 1977, for 360 gpm and 465.9 afy. In 1990, the District acquired water right G1-22681P from a developer, Richard Giesbrecht. The well associated with this water right was located in a more central location than the well authorized under G1-22763P. In 1991, the District requested another permit extension to G1-22763 and drilled a new 10 inch diameter well near the G1-22681P well (colloquially referred to as the Giesbrecht well). The district's plan was to withdraw the quantities authorized under both water rights at this new well location. A letter was received by the Department of Ecology on October 10, 1991, requesting a change to G1-22763P and G1-22681P to the new well, and the assignment form for the Giesbrecht water right. The change request for G1-22763P was never recorded as the changes to both permits were submitted on one application and the application was placed into the file for G1-22681P. The confusion was resolved when a new change application was filed on May 27, 1994. This change application requested that the point of withdrawal for G1-22763P be moved to the location of the new 10 inch well. The change was made to provide for a more centralized point for the service area. Meanwhile, in 1990, Water District 10 entered into an agreement with four developers holding land and development rights in the North Shore service area to include 756 equivalent residential units (ERU) for planned developments in the Water District 10 service area. Under the agreement, the developers would be responsible for providing adequate storage, distribution and transmission lines. If the land was zoned differently later on, Water District 10 would be able to expand their service area and use the unused ERUs. This agreement was signed by the 4 developers and Water District 10 in November 7, 1990.

Ecology was unable to process either two applications from 1994-1999. In 1999, the new well was finally put to use under the water right G1-22681P, as the 10 inch well was located within the same published location as the existing point of withdrawal for that permit and thus qualified for the replacement well provision. This water right enabled some of the developers to begin construction. The point of withdrawal change for G1-22763P did not qualify for the replacement well provision as the new well lies outside of the published legal description. The permit was extended multiple times until the change application could be processed. The change application remained on file until the Department of Ecology had resources to begin review of the file in August of 2002. Presently the existing well authorized under G1-22783P serves two connections. If the transfer is approved for this permit, the existing well will continue to serve the two connections and will become an exempt well. The new Giesbrecht well currently has 20 connections.

Attributes of the Original Permit

Name on Permit:	Whatcom County Water District 10
Priority Date:	November 22, 1976
Instantaneous Quantity:	360 gallons per minute (gpm)
Annual Quantity:	465.9 acre-feet per year (afy)
Point of Withdrawal:	SE ¼ SE¼ of Section 24, Township 38 North, Range 3 East
Purpose of Use:	Community domestic supply
Period of Use:	Continuously
Place of Use:	Area served by Whatcom County Water District 10

Proposed Change

Name of Applicant:	Whatcom County Water District 10
Date of Application for Change:	May 27, 1994
Point of Withdrawal:	SW ¼ SE ¼ Section 24, T. 38, R 3 E, W.M.
Purpose of Use:	Community domestic supply
Period of Use:	Continuously
Notice of Publication:	Bellingham Herald, July 14 th & 21 st 1994
Protests:	Lummi Nation

INVESTIGATION

In considering this application, my investigation included, but was not limited to research and/or review of:

- The State Water Code
- Existing water rights on file for Whatcom County Water District 10
- Records of other water rights in the vicinity
- Notes from site visit on October 2, 2002
- Correspondence from Whatcom County Water District 10
- Topographic and local area maps
- Whatcom County Water District 10 Water System Plan (November 2001)
- Hydrogeologic Review for Change Application G1-22763P (Andrew B. Dunn, Department of Ecology, December 5, 2002).

State Water Code

Chapters 90.03 and 90.44 RCW authorize the appropriation of public water for beneficial use and describe the process for obtaining water rights including the process to amend or change existing rights. Laws specifically governing the water right permitting process are RCW 90.03.250 through 90.03.340 and RCW 90.44.060. Changes or amendments to these rights are covered under RCW 90.03.380 and RCW 90.44.100.

Existing Rights for the Whatcom County Water District 10

Whatcom County Water District 10 has three water right permits for ground and surface water appropriations from the Lake Whatcom Watershed as well as one reservoir certificate. These sources serve the various service areas around the lake. In addition, Water District 10 has one pending application for groundwater withdrawal. Within the North Shore Service Area, groundwater permits G1-22681P and G1-22763P authorize water withdrawals. Application G1-23598A has been submitted for the North Shore Service Area.

Table 1. Water Rights and Applications Held By Whatcom County Water District 10

Water Right	Name	Purpose	Priority Date	Qi cfs/ gpm	Qa afy	Location
S1-25121P	Water District 10	MU	4/06/1988	3.4	1260	NE ¼ NE ¼ , Sec. 8, T 37N, R 4 E
G1-22681P	Water District 10	DM	4/30/1976	60	32.4	SW ¼ SE ¼ , Sec. 24, T 37N, R 3 E
CG1-22763P	Water District 10	DM	11/22/1976	360	465.9	SE ¼ SE ¼ , Sec. 24, T 37N, R 3 E
G1-23598A	Water District 10	DM	4/29/1980	500		Sec. 24, T 38N, R 3 E (application)
R1-25120C	Water District 10	DM	11/13/1987		1260	Sec. 28 , T 38N, R 3 E

Historic Water Use for G1-22763P

At the time of this report, there are only two connections to G1-22763P. Water use for this source for the last four years is provided in the table below.

Table 2. Yearly water use for G1-22763P

Year	Cubic Feet	Acre-feet
2001	20,485	.47
2000	19,575	.45
1999	23,592	.54
1998	26,547	.61

Other Water Rights in the Vicinity

Water Right Permits and Certificates

There is one groundwater permit and 16 single domestic surface water withdrawals within a ½ mile radius of the proposed point of withdrawal for G1-22763P. The groundwater permit is for a facility located upland from the Water District 10 wells. The surface water withdrawals are all small, single domestic withdrawals diverting from Lake Whatcom directly.

Table 3. Water Right Permits and Certificates near G1-22763P

Water Right	Name	Purpose	Priority Date	Qi cfs/ gpm	Qa afy	Location
G1-23449P	Blue Canyon Foundation	DM	7/31/1979	18	8.6	NW ¼ SE ¼ SW ¼ ,Sec. 24, T 38N, R 3E
S1-25373C	Arline DePalma	DS	1/09/1989	.017	.5	NE ¼ NW ¼ Sec. 24, T 38N, R 3 E
S1-20342C	Joseph Bartevy	DS	11/03/1972	.02	1	NW ¼ NE ¼ , Sec. 25, T 38N, R 3 E
S1-21261C	Mary F. Bateman	DS	2/15/1974	.03	1	NE ¼ NW ¼ , Sec. 25, T 38N, R 3 E
S1-20388C	RG Bisnett	IR, DS	12/20/1972	.02	3	NE ¼ NW ¼ , Sec. 25, T 38N, R 3 E
S1-27670C	Mary Eastham	DS	10/12/1995	.01	.5	NW ¼ Sec. 25T 38N, R 3 E
S1-25648C	Kenneth Gray	DS	3/19/1990	.030		NE ¼ NW ¼ , Sec. 25, T 38N, R 3 E
S1-27107C	Richard Gray	DS	5/04/1993	.02	.05	NW ¼ Sec. 25, T 38N, R 3 E
S1-21802C	Millard Hodges	DS	6/17/1974	.01	1	NW ¼ NE ¼ , Sec. 25, T 38N, R 3 E
S1-00698C	Merl Johnston	DS	4/02/1971	.01	1	NW ¼ NE ¼ Sec. 25, T 38N, R 3 E
S1-26741C	M & K Mayo	DS	9/22/1992	.01	.5	NW ¼ NE ¼ , Sec. 25T 38N, R 3 E
S1-22284C	Anthony Mikas	DS	6/27/1974	.01	1	NW ¼ NE ¼ , Sec. 25, T 38N, R 3 E
S1-26291C	Lawrence Quilivan	DS	8/12/1991	.02	.5	NE ¼ NW ¼ , Sec. 25, T 38N, R 3 E
S1-23921C	Michael Seilo	DS	9/10/1981	.02	1	NE ¼ NW ¼ , Sec. 25, T 38N, R 3 E
S1-20200C	Alden Smith	DS	7/05/1972	.02	1	NE ¼ NW ¼ , Sec. 25, T 38N, R 3 E
S1-21184C	Roland Tremouth	DS	1/07/1974	.01	1	NE ¼ NW ¼ , Sec. 25, T 38N, R 3 E

Claims to Vested Rights

There are 41 claims listed in Sections 24 & 25 of Township 38N, Range 3 E. Most of these claims are for single domestic withdrawals from Lake Whatcom. Because several of the claims were submitted on the short claim form, it is impossible to identify the exact location of diversion or withdrawal. Consequently, the number of diversions or withdrawals lying within a ½ mile radius is unknown.

Exempt Wells

Eleven wells exempt from water right permitting lie within a ½ mile radius of G1-22763P.

Table 4. Exempt wells near G1-22763P

Well Owner	Well Location
Burr Hollinger	NW ¼ NE ¼ , Sec. 24 , T. 38 N, R 3 E
Doug Albee	SW ¼ SE ¼, Sec. 24, T. 38 N, R 3 E
Doug Albee	SW ¼ SE ¼, Sec. 24, T. 38 N, R 3 E
Doug Albee	SW ¼ SE ¼, Sec. 24, T. 38 N, R 3 E
Doug Albee	SW ¼ SE ¼, Sec. 24, T. 38 N, R 3 E
Gene Lamoeaux	NE ¼ NW ¼ , Sec. 25, T. 38 N, R 3 E
Karel Stefan	SW ¼ SE ¼, Sec. 24, T. 38 N, R 3 E
MIV LLC	SW ¼ SE ¼, Sec. 24, T. 38 N, R 3 E
Lake Whatcom Residential & Treatment Center	SE ¼ SW ¼, Sec. 24, T. 38 N, R 3 E
Art Hyatt	NW ¼ NE ¼, Sec. 25, T. 38 N, R 3 E
Robert Sturtz	NE ¼ NW ¼, Sec. 25, T. 38 N, R 3 E

Site Visit

A site examination was made by the permit writer, Jacque Klug, and Buck Smith, unit supervisor of the Department of Ecology on September 18th, 2002. During this visit, we met with Margaret Curtis, consulting engineer for Water District 10, and Sandy Peterson, general manager of Water District 10. We started by discussing the development history of the North Shore Service Area and how the water right change enables Water District 10 to meet the intent of the original application. After reviewing the file and the history of the project, we then toured the three wells serving the system. We examined the original point of withdrawal for G1-22763P and the original point of withdrawal for G1-22681P as well as examined the new well which will serve as the point of withdrawal for both permits. The original point of diversion is a 6 inch well, 102 feet deep, equipped with a 2 hp motor. It is rated for 220 gpm. There are three 100 gallon pressure tanks in the well house. Currently, there are two connections to this well. The proposed point of withdrawal is a 10 inch diameter well, 77 feet deep, with a 15 horsepower pump. It is located near the original well for permit G1-22681P and is approximately ¼ mile from the original well for the subject permit, G1-22763P. Raw water is pumped from the 10 inch well to the pump house where the water is treated and distributed. The pump for the well is actually housed within the pump house rather than in the well casing. The distribution and storage system consists of an 80,000 gallon concrete reservoir and a distribution system consisting of one mile of transmission and distribution mains. In addition, there is a booster station to serve 12 lots above the well and storage tank. The 10 inch well is rated for 484 gpm. Presently, there are around 20 connections in the entire North Shore Study Area, although construction has begun on a 31 lot development which will be served by the system.

Correspondence Received

In addition to the application and permit file, there are several pieces of correspondence between the Department of Ecology and Water District 10 regarding the processing of this change application. Due to the delay of processing, Water District 10 has also requested several extensions to their permit.

Topographic and Local Area Maps

Local area maps were used to identify the location of the wells and surrounding water rights. Tax parcel maps from Whatcom County were used with GIS software to locate the points of diversion and outline the place of use.

Whatcom County Water District 10 Water System Plan

Information on the infrastructure and capacity of the water system as well as the current and forecasted number of connections was used in this investigation. The water system plan was also used to exactly locate the planned service area for the North Shore System.

FINDINGS

In accordance with state law, the following considerations must be addressed during the process of evaluating this change request:

- Will the change create an enlargement of the original right?
- Will the change cause impairment to other existing rights?
- Will the public interest be impaired?
- What are the protestors concerns?
- Is water available at the new point of withdrawal?
- Does the new point of withdrawal tap the same source of water as the original right?
- Is there potential for different impacts on the water source?

Potential for Enlargement

Under RCW 90.44.100(2) (c) “an amendment to construct a replacement or a new additional well or wells outside of the location of the original well or wells or to change the manner or place of use of the water... shall be issued by the department only on the condition that... the combined total withdrawal from the original and additional well or wells shall not enlarge the right conveyed by the original permit or certificate[.]” Consequently, in assessing whether a proposed amendment will enlarge the right conveyed by the original permit or certificate, it is necessary to review all of the attributes and intent of a water right to evaluate whether changing any of these attributes will result in an enlargement of the right. The defining attributes of a public water supply water right include such attributes as instantaneous and annual quantity limits, purpose of use, place of use, point of diversion/withdrawal and number of connections. In the case at hand, the requested change is to move the point of withdrawal to a well which is believed to be more productive than the original point of withdrawal. Although Water District 10 only perfected a small portion of the water right permit (0.61 afy out of 465.9 afy),

- they have demonstrated through their diligence in extending their permit and pressing Ecology to make a decision on the well location changes that they are making good effort to perfect the water right. According to the state Supreme Court ruling *R.D. Merrill Company v. the Pollution Control Hearings Board*, 137 Wn.2d 118, (1999), the Court affirmed that RCW 90.44.100 allows changes in point of withdrawal for an unperfected ground water right so long as the change does not alter the original purposes of the water right. Because a permit is an inchoate water right, changing the point of withdrawal of a ground water permit is supported by the statutory provision in RCW 90.44.100. Therefore, changing the point of withdrawal will not enlarge the water right permit as the new well will not enable Water District 10 to pump more quantities than authorized under their permit and the proposed amendments will not alter the original intent of the project which was to serve some 2,000 people around the North Shore of Lake Whatcom with community domestic water supply.

Impairment of Other Rights

The pumping test recorded drawdown in a well completed 50 feet from the new point of withdrawal. During the 24-hour pumping test at a rate of 448.8 gpm (88.8 gpm above what is allowed by G1-22763P) the water level was only drawn down 5.5 feet in this observation well and still remained flowing artesian in nature. At the conclusion of the pumping test the water level recovered immediately suggesting that the aquifer has good recharge capability.

Since the nearest water well completed within the Squalicum aquifer is located farther than 50 feet away, the new well should not impair any existing water rights or wells not held by Water District 10.

Public Interest

No detriment to the public interest could be identified during the investigation of this application for change.

Protests

This application for change has been protested by the Lummi Indian Nation. The Lummi Nation had several concerns. First, they were concerned that through this application and other change and new applications submitted, Water District 10 would be able to increase their instantaneous withdrawal rate to 880 gpm. Water right permits G1-22681P and G1-22763P authorize 60 gpm and 360 gpm, respectively, to be withdrawn. While it is true that Water District 10 has a pending application on file (G1-23598A) for 500 gpm, this application has not been processed or decided upon at this time. A change application cannot increase the amount the rate of withdrawal or the annual quantity of water withdrawn. Consequently, the amount of water withdrawn will remain at the original authorized quantity.

The second concern expressed by the Lummi Nation related to the fact that the Lummi Nation's water right has yet to be quantified or settled in the Nooksack Basin. They argue that it would be premature to issue new or changes to water rights until the issue is settled. While it is true that the quantity and extent of tribal rights is still unsettled, the subject water right is an existing water right. The change application process will not enlarge the quantities authorized under the water right. The proposed change falls under the activities proposed under the original application and permit and thus, the amended permit can be issued as it will not increase the water right or impact the priority date.

The final concern of Lummi Nation was related to the hydrologic impact of withdrawing more water annually on the watershed as well as the hydrologic impact of enabling further development in the watershed. In response to the later issue, the Department of Ecology has no authority on land use decisions. Regarding the concern of withdrawing more water on an annual basis, this change application will not increase the amount of water that can be withdrawn. Water District 10 was approved for a permit, decided that it was more economically feasible to withdraw water from the new well location, and has shown diligence in pursuing the water right change. All of these activities have been authorized under the groundwater code change provisions (RCW 90.44.100) and recent Supreme Court Decisions (*R.D. Merrill*). While Water District 10 has not yet perfected their groundwater right, the groundwater code and the *R.D. Merrill* decision authorizes change in point of withdrawal for inchoate groundwater rights. In conclusion, Water District 10 has a water right which is in good standing, is moving the point of withdrawal to a location in the same source, and is proceeding with perfecting the water right under the intent of the original application.

Hydrogeologic Analysis: The hydrogeological information was obtained from the Hydrogeologic Review written by Andrew Dunn

Hydrogeology of the Squalicum Valley Area, Whatcom County, Washington

Within Squalicum Valley there are ground water wells producing water from shallow perched aquifers, a confined aquifer that appears to be somewhat laterally extensive, deeper unconsolidated deposits, and within the bedrock. Since both of the Water District 10 wells are completed in the confined aquifer, this report will focus on that particular aquifer and forego discussion of any other aquifers in the area. For this report the confined, unconsolidated, sand and gravel aquifer will be termed the Squalicum aquifer as identified on the application for change.

There is typically a gravel and clay unit or a sandy clay unit overlying, and confining, the sand and gravel Squalicum aquifer.

Aquifer Boundaries:

The Squalicum aquifer is limited to the Squalicum Valley and is bounded to the west and east by Squalicum and Stuart Mountain respectively. To the southwest the aquifer is bounded by Lake Whatcom and the extent of the aquifer to the north was not defined after it was determined that water is flowing away from the points of withdrawal at this location.

Aquifer Recharge:

The Squalicum aquifer appears to be recharged from precipitation recharge from above and lateral inflow of ground water leaving the Chuckanut Formation bedrock of Squalicum Mountain and Stuart Mountain. On Squalicum and Stuart Mountains the bedrock is recharged by rainfall infiltration and less snowmelt infiltration into fractures and the coarser-grained layers within the Chuckanut Formation. As a general rule ground water flows downward and away from the center of the mountains. In the lower lying areas, such as Squalicum Valley, the ground water would move laterally from the bedrock to the unconsolidated sediments in the valley. It is also likely that the Squalicum aquifer is recharged from vertical infiltration of precipitation directly to the aquifer within the vicinity of Section 18, the south half of Section 7, and the north half of Section 19, Township 38N, Range 4E, W.M.

Ground Water Flow Directions:

Within the southern portion of the Squalicum aquifer, ground water flow is toward Lake Whatcom with a component of flow toward the center of the valley near the valley margins. Two cross sections were drawn based on water well logs in the area. Ground water discharges from the Squalicum aquifer potentially to Anderson Creek in the north and definitely to Lake Whatcom in the south. The

ground water flow divide within the Squalicum aquifer likely mimics the surface water divide in the valley and is probably located within Section 18 T38N, R4E.

All water pumped, or allowed to flow under artesian pressure, from the original or new point of withdrawal would have naturally discharged to Lake Whatcom, into Agate Bay.

Water Availability at the New Point of Withdrawal

Water is both physically and legally available. The aquifer and well is capable of producing the 360 gpm authorized under G1-22763P based on artesian flow tests and pumping tests at rates of up to 508.6 gpm. Furthermore, G1-22763P was issued on 10/6/1977, preceding the closure of Lake Whatcom to further consumptive withdrawals in chapter 173-501 WAC. Therefore, the water is legally available for transfer.

Same Source of Water

Despite the absence of a well log for the original point of withdrawal, all the evidence obtained indicates that the original point of withdrawal is in the same body of public ground water as the new point of withdrawal. Both wells are completed within a confined aquifer defined as the Squalicum aquifer, are flowing artesian in nature, and the ground water captured by either well would naturally discharge into Lake Whatcom.

Potential for Different Impacts on the Water Source

No potential for different impacts on the water source could be identified.

DISCUSSION

From the investigation conducted for the change to permit G1-22763P, the permit is in good standing, the new point of withdrawal location will use the same source of public groundwater, and the proposed change is consistent with the intent of the original application. Therefore, the change will not enlarge the right conveyed by the water right permit. Furthermore, I have found that this change will not impair existing water right holders or exempt well owners, and the change will not be a detriment to public interest. Therefore, the application for change should be approved for the change in location of withdrawal and superseding permit should be issued. A final certificate will be issued after build out of the system is complete and all connections are added.

RECOMMENDATIONS

I recommend the request for change to G1-22673P be approved, subject to the provisions listed below:

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 Tribes under treaty or settlement

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.

An approved measuring device shall be installed and maintained for each withdrawal of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC.

Water use data shall be recorded weekly. The maximum annual instantaneous rate of withdrawal and the annual total volume shall be submitted to Ecology by January 31st of the following year.

The following information shall be included with each submittal of water use data: name, mailing address, daytime phone number, permit number, volume including units, and well tag number. In the future, Ecology may require additional parameters to be reported or more frequent reporting. Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

Chapter 173-173 WAC describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air-line and gauge may be installed in addition to the access port.

If it can be shown that the requested change has a detrimental effect on existing rights, it shall be the responsibility of the operator to mitigate for this impact and/or alter or cease withdrawal of water.

The applicant is advised that a certificate of water right will issue for only that quantity of water that has been withdrawn and applied to actual beneficial use. Such quantity applied to actual beneficial use shall not exceed the quantity specified in this report of exam and will be calculated based on the best information available to Ecology, including metering data and/or water duty analysis.

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

CONCLUSIONS

In accordance with chapters 90.03 and 90.44 RCW, I conclude that G1-22763P is in good standing and is eligible for change. I have determined that the change to G1-22763P will not enlarge the original intent of the permit and the water use will be beneficial. Approval of this change request will not cause impairment of existing rights or be detrimental to the public interest. Based on these conclusions, this change request should be approved subject to existing rights and the above-indicated provisions and a superseding permit should be issued.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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JUN 25 2013

07-02-13 A11:59 IN

Mr. Patrick Sorensen
Lake Whatcom Water & Sewer District
1220 Lakeway Drive
Bellingham WA 98229

Re: Water Right No. S1-25121P

Dear Mr. Sorensen:

In response to your request, you are hereby granted an extension to put the water to full beneficial use for the reason below:

You have additional lots with in your service area that will be developed and connected to the system before your project is complete.

The new deadline to submit your *Proof of Appropriation of Water* is **March 30, 2018**.

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

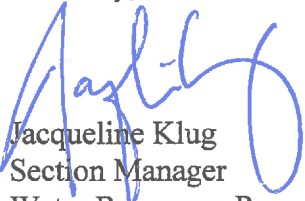
You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.



Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503 Pollution Control Hearings Board 1111 Israel Rd SW Ste 301 Tumwater WA 98501	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

If you have any questions, please contact Arlene Harris by email at arlene.harris@ecy.wa.gov or by phone at 425-649-7020.

Sincerely,


Jacqueline Klug
Section Manager
Water Resources Program

JK:ah

By certified mail [7010 3090 0000 1910 4966]

Enclosures: *Proof of Appropriation of Water*
Your Right to Be Heard



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Bellingham WA 98229

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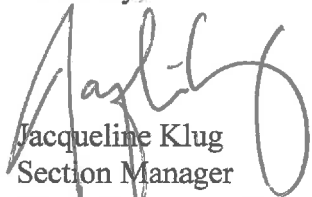
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If you have any questions, please contact Arlene Harris by email at arlene.harris@ecy.wa.gov or by phone at 425-649-7020.

Sincerely,


Jacqueline Klug
Section Manager
Water Resources Program

JK:ah

By certified mail [7010 3090 0000 1910 4966]

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JUN 25 2013

Mr. Patrick Sorensen
Lake Whatcom Water & Sewer District
1220 Lakeway Drive
Bellingham WA 98229

07-02-13 411:58

Re: Water Right No. G1-22681

Dear Mr. Sorensen:

In response to your request, you are hereby granted an extension to put the water to full beneficial use for the reason below:

You have additional lots with in your service area that will be developed and connected to the system before your project is complete.

The new deadline to submit your *Proof of Appropriation of Water* is **February 15, 2018**.

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

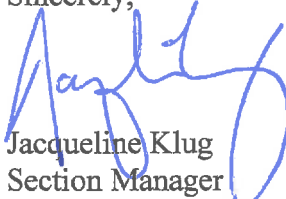
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If you have any questions, please contact Arlene Harris by email at arlene.harris@ecy.wa.gov or by phone at 425-649-7020.

Sincerely,


Jacqueline Klug
Section Manager
Water Resources Program

JK:ah

By certified mail [7010 3090 0000 1910 4959]

Enclosures: *Proof of Appropriation of Water*
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DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 25, 2013

07-02-13 A11:59 IN

Mr. Patrick Sorensen
Lake Whatcom Water & Sewer District
1220 Lakeway Drive
Bellingham WA 98229

Re: Water Right No. CG1-22763

Dear Mr. Sorensen:

Thank you for submitting your *Construction Notice* reporting you have completed construction of your water system.

Enclosed is a *Proof of Appropriation of Water* form to report when you have put the water to full beneficial use. According to your change authorization, you are to put the water to use and submit the form by **January 1, 2020**. The form should reflect actual water use, not to exceed the limits of your permit. You must submit the form for less water than authorized if the project is complete and less water is being used than anticipated.

If there are delays in putting the water to full beneficial use, you must contact us in writing to request an extension. Refer to the enclosed focus sheet for more information.

If you have any questions, please contact me by email at arlene.harris@ecy.wa.gov or by phone at 425-649-7020.

Sincerely,

Arlene Harris
Water Resources Program

WR:ah

Enclosures: *Proof of Appropriation of Water*
Extensions for Water Right Permits and Change Authorizations





Water Resources Program PROOF OF APPROPRIATION OF WATER

For Ecology Use
(Date Stamp)

Reviewed by:

PERMIT NUMBER	CHANGE APPROVAL NUMBER
NAME OF PERMITTEE	CONTACT NAME (IF DIFFERENT)

MAILING ADDRESS (STREET)	CITY	STATE	ZIP CODE
PHONE NUMBER () -	FAX NUMBER () -		

SOURCE(S) OF WATER	LOCATION OF SOURCE(S)					
	NO.	1/4	1/4	SECTION	TOWNSHIP N.	RANGE, (E/W)M
LIST ALL PURPOSES WATER IS USED FOR:						
DATE WATER WAS COMPLETELY APPLIED TO BENEFICIAL USE	TIME OF YEAR WATER IS USED: <input type="checkbox"/> Continuous/Year round <input type="checkbox"/> Seasonal			IF SEASONALLY, LIST THE START AND END DATE Start: End:		
DESCRIBE HOW CONSTRUCTION AND DEVELOPMENT RELATED PROVISIONS (AS REQUIRED BY PERMIT) HAVE BEEN OR ARE TO BE MET (USE ADDITIONAL PAPER IF NECESSARY)						

DESCRIPTION OF SPECIFIC AREA ON WHICH WATER IS BENEFICIALLY USED(USE ADDITIONAL PAPER IF NECESSARY)						
NO.	1/4	1/4	SECTION	TOWNSHIP N.	RANGE, (E/W)M	

PHYSICAL WITHDRAWAL OR DIVERSION INFORMATION

Point of Diversion/Withdrawal Tax Parcel #: _____

For Pump Designed Water System Information:

TYPE OF PUMP: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other _____			
MAKE	MODEL #	SERIAL #	HORSEPOWER
MOTOR	BHP	SPEED	RPM
<input type="checkbox"/> Water lubricated <input type="checkbox"/> Oil Lubricated			
BOOSTER PUMP	BREAK HORSEPOWER	PRESSURE	OPEN DISCHARGE
<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
PUMP DISCHARGE HEAD PRESSURE psi	DISCHARGE PIPE DIAMETER		

For Ground Water Withdrawal (if more than one, please include attachment)

Ecology Unique Well Identification Number(s) _____		[Include a copy of the well log(s)]
PUMP SETTING (DEPTH)	STATIC WATER LEVEL feet below land surface	DYNAMIC (PUMPING) LEVEL feet below land surface
ACCESS PORT INSTALLED? <input type="checkbox"/> Yes	AIRLINE INSTALLED? <input type="checkbox"/> Yes	AIRLINE LENGTH ft.

For Non-Pump Designed Water Systems

METHOD OF WATER DIVERSION	DESCRIPTION OF WORKS	
	SCREEN MESH SIZE	METHOD OF CONTROL

USE OF WATER FOR:

1. Irrigation (Please include map of all irrigated lands):

TYPE OF SYSTEM	NUMBER OF SPRINKLERS OR EMMITERS	SPRINKLER/EMMITER MAKE	MODEL & RATED DISCHARGE
SIZE NOZZLE/EMMITER OPENINGS	AVERAGE PRESSURE AT SPRINKLER/EMMITER HEADS	NUMBER OF ACRES DEVELOPED	TYPE OF CROP(S)

2. Municipal or Domestic Supply

NUMBER OF DOMESTIC UNITS CURRENTLY SERVED:	NUMBER OF DOMESTIC UNITS TO BE SERVED	POPULATION CURRENTLY SERVED
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ALSO, provide the following information, if applicable:

- ☐ Department of Health public water system identification number.
- ☐ Map of the delivery system (provide copy if water system is done)
- ☐ Map of present service area and lots presently using water (Non-Municipal Users).
- ☐ If platted property, provide copy of the file plat map or file reference number Non-Municipal Users).
- ☐ Other incidental beneficial uses associated with the domestic supply (Non-Municipal Users).

3. Industrial or Commercial

TYPE OF INDUSTRY OR COMMERCIAL PROCESS
--

If a waste discharge permit is required for the facility, include a reference to the permit number: _____

4. Other Use of Water (describe): _____

WATER USE AND *MEASUREMENT

IS A FLOW METER OR MEASURING DEVICE INSTALLED? <input type="checkbox"/> Yes <input type="checkbox"/> No	LOCATION OF METER(S) OR MEASURING DEVICE(S)		
MAKE	SERIAL NUMBER	INSTALLATION DATE	INSTALLED BY:
METER READING	DATE		

*Include copy of meter specifications

Report actual amount withdrawn or diverted from permanent system on an instantaneous and annual basis. Please include meter data or describe method used to estimate annual volume.

CUBIC FEET PER SECOND	ACRE FEET PER YEAR	GALLONS PER MINUTE	TOTAL GALLONS PER YEAR
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If the existing water use as indicated by meter data, etc., is less than you anticipate to be the full extent of the water right which you are reporting through submission of this form, please explain on a separate sheet of paper.

I, _____ and _____ do certify that I/we have completed appropriation of water under Water Right Permit or approved water right change number, _____. This notice and attached documents are true and accurate statements and describe and support my/our assertion that I/we have satisfied the terms of the permit/change in compliance with the law.

Permittee(s) Signature _____ Permittee(s) Signature _____ Date _____

State of: _____
County of: _____ } §

Signed and sworn to (or affirmed) before me on this _____ day of _____

Seal
or
Stamp

(Signature)

(Printed Name)

(Title)

My appointment expires: _____



Frequently Asked Questions about Extensions for Water Right Permits and Change Authorizations

Ecology's Water Resources Program

Water right permits and change authorizations often contain a development schedule. The development schedule specifies when you must begin and complete your project and put the water to full beneficial use. The Department of Ecology (Ecology) works with you to determine this schedule before issuing the permit or change authorization.

You must meet the development schedule or your permit or change authorization may be cancelled. Since delays are sometimes unavoidable, state law allows you to request an extension when you need more time.

Ecology issues extensions when unforeseen conditions delay a project. We do not issue extensions when there is a lack of diligence in developing the project.

Q: How do I request an extension?

A: You must request an extension in writing and include a fee of \$50. Your request should be in letter format and must contain the following information:

- The reason you need an extension, with details and reasons why the development schedule should be extended. (You may also provide any other information or materials that support your request.)
- A description of efforts made since the permit or change authorization was issued or the last extension was granted.
- The new schedule you propose for completing the project.

Ecology may request other information before processing your request.

Send the extension request letter and \$50 fee to:

Department of Ecology
Cashiering Unit
PO Box 47611
Olympia WA 98504-7611

Q: How are extensions granted?

A: Ecology may approve extensions when appropriate information is submitted. When setting a new development schedule, Ecology considers the complexity of the project and the reasons why you have failed to meet the existing development schedule. Development schedules may be extended on a year-by-year basis or for longer periods as needed.

When Ecology grants an extension, you may be required to meet specific goals within the extension period. These may include construction goals, or gaining financing or needed permits. These may have scheduled deadlines to ensure you make progress towards completing your project.

Q: Can extensions contain new provisions?

A: As a condition of an extension, Ecology may add new provisions based on current information. These provisions may include, but are not limited to:



- Metering and reporting of water use (RCW 90.03.360, RCW 90.44.450 and WAC 508-12-030)
- Conservation planning
- Other provisions to protect the public interest.

Q: What happens after Ecology grants my request for an extension?

A: After the extension is granted, you will receive an Order or decision authorizing the extension. The Order or decision will:

- Outline the reasons for granting the extension
- Include any goals, and provisions imposed as a condition of the approval
- List any information that you must provide
- Include appropriate appeal language.

Q: What if I fail to request an extension or Ecology denies my request?

A: You are responsible for ensuring that your permit or change authorization is in good standing. This includes requesting an extension when needed. If you do not meet your development schedule and fail to request an extension, Ecology may attempt to contact you by mail or telephone.

Some reasons Ecology may deny your request for an extension include:

- If you have not shown good cause or good faith in diligently meeting the development schedule.
- The project cannot be pursued further, even with added conditions or provisions, without detriment to the public interest.
- The original intent of the project has changed, including the stated future water use.
- It is otherwise prohibited by law or rule [See WAC 173-130A-160 and WAC 173-134A-080 (2)(0)].

If you do not request an extension or Ecology denies your request, we will:

- Begin cancellation of the permit or change authorization, and
- For water right permits, issue a water right certificate for any developed portion of your permit.

Before cancelling a permit or change authorization, Ecology will send you a 60-day show-cause letter. The show-cause letters will then be followed by a Cancellation Order that contains information on appeals.

Q: Can a decision on an extension be appealed?

A: Yes. You or another interested party may appeal these types of decision to the Washington State Pollution Control Hearings Board. Information concerning the appeal process will be provided in the extension document or Cancellation Order.

If you have additional questions, please contact the Ecology regional office nearest you.

Northwest Regional Office
3190 160th Avenue SE
Bellevue WA 98008-5452
(425) 649-7000

Central Regional Office
15 W Yakima Ave, Suite 200
Yakima WA 98902-3452
(509) 575-2490

Southwest Regional Office
PO Box 47775
Olympia WA 98504-7775
(360) 407-6300

Eastern Regional Office
N 4601 Monroe
Spokane WA 99205-1295
(509) 329-3400



Water Resources Program CONSTRUCTION NOTICE

For Ecology Use
(Date Stamp)

☐ BEGINNING OF CONSTRUCTION

☒ COMPLETION OF CONSTRUCTION

☐ PROJECT ABANDONED

☐ REQUEST FOR EXTENSION (fee applies)

- Beginning of Construction: development of the water system has begun.
- Completion of Construction: facilities are installed to deliver water to the project.
- Project Abandoned: water not needed for this project; authorization may now be canceled.
- Request for Extension: when the development schedule has not been met (see back of form).

If requesting an extension, submit this form and \$50 fee to: DEPARTMENT OF ECOLOGY CASHIERING UNIT PO BOX 47611 OLYMPIA, WA 98504-7611		Water Right No.: CG1-22763	
Date Construction Began: 5/25/2000	Date Construction Expected: 1/1 N/A	Date Construction Completed: 12/7/2001	Date Project Abandoned: 1/1 N/A
Describe what equipment, material(s) and/or structure(s) are in place to date (Well, pump, pipes, number of homes, sprinklers, etc.) PROJECT COMPLETE			
Have you installed a measuring device (flow meter) for the project? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, submit a Pressurized Flow & Open Channel Flow form for each measuring device. Contact the Water Resources Program or obtain a form at http://www.ecy.wa.gov/biblio/ecy070171.html . Contact the Water Resources Program within your region for additional information. If no, explain:			
IF CONSTRUCTION IS NOT COMPLETE, SHOW % COMPLETED AS OF THIS DATE			
% Equipment in place:	% Material in place:	% Excavated:	% Structure:

I certify I am the holder or authorized representative of the above water right issued by the Department of Ecology for the State of Washington.

Name: PATRICK SORENSEN
(Please print)

Date: 5/30/2013

Address: 1220 LAKEWAY DRIVE City: BELLINGHAM State: WA Zip: 98229 Telephone: (360) 734-9224

E-mail Address: PATRICK.SORENSEN@LWWSO.ORG

Signature(s): 6-12-13



Water Resources Program

FORM 1 – Measuring Device Information

Please fill out one form for each measuring device.

WATER RIGHT HOLDER(S):	WATER RIGHT DOCUMENT NO(S):
Name(s) <u>LAKE WHATCOM WATER</u>	Certificate, Permit, Claim, or Court Claim
<u>AND SEWER DISTRICT</u>	<u>CG1-22763</u>

User's name for diversion/withdrawal point: AGATE HEIGHTS WATER TREATMENT PLANT
(ex. Well #1, Blue well house)

ABOUT THE MEASURING DEVICE:

Please include an up-close photo of the face of the meter.

Flow Type: ☐ Open Channel Flow ☒ Pressurized Pipe Flow

Measure more than one source? ☐ Yes ☒ No If yes, please provide a list of all the sources that share a common measuring device (ex. two wells or two pumped diversions):

Meter Type (ex. magnetic, propeller, flume, etc.):

TURBINE

Brand: ROCKWELL

Model No.: W-1000 DR / 518.16.012.07002

Serial No.: PA15208

Units of Measure (gal, cfs, or ac-ft): CUBIC FEET

Device Roll-Over No.: 999999 00

Device Multiplier (ex. X100, X0.01): 1000/PULSE

Date Installed/Calibrated: 2001

Fish screen for surface water diversion? ☐ Yes ☐ No WELL (N/A)

LOCATION OF THE MEASURING DEVICE:

Section: 24 Township: 38N Range: 03E (1/4): SE (1/4): SW

Latitude (optional): _____ Longitude (optional): _____
(NAD 83 Datum in Decimal Degrees preferred)

Is meter within 100 feet of the point of diversion or withdrawal? ☒ Yes ☐ No

COMMENTS:

I hereby certify that all information reported on this form is correct to the best of my knowledge.

Printed Name: PATRICK SORENSEN

Phone No.: (360) 734-9224

Address: 1220 LAKEWAY DRIVE

City: BELLINGHAM State: WA

E-mail: PATRICK.SORENSEN@LWWSO.ORG

Signature: Patrick Sorensen

Date: 5/30/2013



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

Note changes

April 22, 2013

~~Ms. Bonnie Strode~~

MR Patrick Sorensen
Whatcom County Water District #10 Lake Whatcom Water & Sewer District
1010 Lakeview 1220 Lakeway Drive
Bellingham WA 98226 98229

Re: Water Right No. CG1-22763

Dear ~~Ms. Strode~~:

This letter is to remind you that the development schedule of your change authorization required that you complete construction of your project by January 1, 2013. If you have completed construction, please fill out and return the *Construction Notice* and *Form 1 – Measuring Device Information* by **May 22, 2013**.

If you have not completed your project, you must request an extension or your change authorization may be cancelled. Refer to the enclosed focus sheet and *Construction Notice* for more information.

If you are no longer interested in pursuing the project, please contact this office in writing. If you have any questions, please contact me by email at arlene.harris@ecy.wa.gov or by phone at 425-649-7020.

Sincerely,

Arlene Harris
Water Resources Program

WR:ah

Enclosures: *Construction Notice*
Extensions for Water Right Permits and Change Authorizations
Form 1 – Measuring Device Information



10.5 District Documents Incorporated by Reference

Administrative Code

Coliform Monitoring Plan

Emergency Response Plan

Agate Heights Operations and Maintenance Manual

Sudden Valley Water Treatment Plant Operations Plan

Richalou Estates Wellhead Protection Program

Records Retention Policy