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 Cross Connection and Residential PRVs, Resolution 784 Residential Booster Pump Credit, Resolution 410

LAKE WHATCOM WATER & SEWER DISTRICT



1220 Lakeway Drive Bellingham, WA, 98229 (360) 734-9224 Fax 738-8250

November 28, 2017

SEPA Distribution List Date of Issuance: 11/28/2017

Please review attached Determination of Nonsignificance and SEPA checklist. If you have further comments phone the responsible official at (360) 734-9224. Please submit your response by the comment date noted on the attached notice of determination.

- SEPA Unit, WA State Department of Ecology, Olympia via email <u>sepaunit@ecy.wa.gov</u>
- SEPA Unit, WA State Department of Transportation, Burlington via email Roland Storme, <u>stormer@wsdot.wa.gov</u> Ray McEwan, <u>mcewanr@wsdot.wa.gov</u>
- WA State Department of Archaeology and Historic Preservation via email Gretchen Kaehler, <u>gretchen.kaehler@dahp.wa.gov</u>
- WA State Department of Fish and Wildlife via email Joel Ingram, joel.ingram@dfw.wa.gov
- WA State Department of Natural Resources via email Rochelle Goss, <u>sepacenter@dnr.wa.gov</u> Brenda Werden, <u>Brenda.werden@dnr.wa.gov</u>
- Lummi Nation Natural Resources Merle Jefferson, Sr. via email - merlej@lummi-nsn.gov Tamela Smart - <u>tamelas@lummi-nsn.gov</u>
- Nooksack Indian Tribe

George Swanaset, JR via email - george.swanasetjr@nooksack-nsn.gov Trevor Delgado via email - <u>tdelgado@nooksack-nsn.gov</u>

Whatcom County

Mark Personius via email – <u>mpersoni@whatcomcounty.us</u> Ryan Ericson via email – <u>rericson@whatcomcounty.us</u>

City of Bellingham

Kurt Nabbefeld via email - knabbefeld@cob.org Brent Baldwin via email - bbaldwin@cob.org Clare Fogelsong via email - cfogelsong@cob.org

City of Blaine			
Michael Jones, AICP	via email	mjones@city	yofblaine.com

- City of Everson Rollin Harper via email - rollinh@sehome.com
- City of Ferndale Jori Burnett via email - joriburnett@cityofferndale.org
- City of Lynden Heidi Solano via email – <u>solanoh@lyndenwa.org</u>
- City of Nooksack Rollin Harper via email - rollinh@sehome.com
- City of Sumas Rollin Harper via email - rollinh@sehome.com
- Puget Sound Energy Jeff McMeekin via email - jeff.mcmeekin@pse.com Raelynn Asah via email - raelynn.asah@pse.com

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:

Dil.

Signature:

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, <u>hilly</u>, teep 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.

<u>Indirect:</u> 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.

<u>Direct</u>: 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.

<u>Indirect</u>: 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.

<u>Direct</u>: 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.

<u>Indirect</u>: 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)?

<u>Direct:</u> 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 lowerdensity zoning and Whatcom County's overlay zoning.

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

<u>Direct</u>: 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.

<u>Indirect</u>: 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.

<u>Direct – temporary impacts</u>: 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.

<u>Direct – permanent impacts</u>: 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.

<u>Indirect – temporary impacts</u>: 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.

<u>Indirect – permanent impacts</u>: 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:

<u>Direct – temporary impacts</u>: Appropriate dust control measures will be implemented on District-managed construction projects.

<u>Direct – permanent impacts</u>: 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.

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

<u>Indirect – permanent impacts</u>: 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.

<u>Direct</u>: 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.

<u>Indirect</u>: 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 water
 - 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.

<u>Direct</u>: 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:
 - <u>.X.</u> <u>.X.</u> <u>.X.</u> <u>.X.</u> <u>.X.</u> <u>.X.</u> <u>.X.</u> <u>.X.</u> deciduous tree: alder, maple, aspen, other
 - evergreen tree: fir, cedar, pine, other
 - shrubs
 - grass
 - pasture
 - crop or grain
 - wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
 - water plants: water lily, eelgrass, milfoil, other
 - 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: hawk, heron, eagle, songbirds, ducks, sea gulls, swans birds: mammals: <u>deer</u>, bear, <u>elk</u>, <u>beaver</u>, <u>cougar</u>, 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.
 <u>Direct</u>: None anticipated

<u>Indirect</u>: 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. <u>Direct</u>: No special emergency services are required.

<u>Indirect</u>: 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: <u>Direct</u>: N/A

<u>Indirect</u>: 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)?

<u>Direct – Temporary and Permanent</u>: 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.

<u>Indirect– Permanent</u>: 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 longterm basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from

the site.

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

<u>Direct – Permanent</u>: 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.

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

<u>Indirect– Permanent</u>: 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 6,500 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.*
- 1. 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. <u>Direct</u>: No housing units will be provided by the District.

<u>Indirect</u>: 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.

<u>Indirect</u>: 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 aboveground 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.

<u>Direct</u>: The water service facilities would not directly require new public services, other than power to run pump stations and controls.

<u>Indirect</u>: 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. <u>Direct</u>: Does not apply.

<u>Indirect</u>: 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: <u>electricity</u>, <u>natural gas</u>, <u>water</u>, <u>refuse service</u>, <u>telephone</u>, <u>sanitary</u> <u>sewer</u>, <u>septic system</u>, 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 Mankamyer, P.E.

1

on

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.

WATER DIST #10 WHATCOM COUNTY Conversion 1010 Lakeview ST Bellingham WA 98226-2520

DETACH BEFORE POSTING

004462

MASTER LICENSE SERVICE PO Box 9034 • Olympia, WA 98507-9034 • (360) 664-1400 **REGISTRATIONS AND LICENSES** STATE OF WASHINGTON Unified Business ID #: 600 151 207 Municipality 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.

ly about a. hue Director, Department of Licensing

S.W. 223. W. 200 W. W. 200 W.



WATER FACILITIES INVENTORY (WFI) FORM

Quarter: 1

Updated: 04/05/2016 Printed: 2/6/2017

ONE FORM PER SYSTEM

WFI Printed For: On-Demand

Submission Reason: Pop/Connect Update

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

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WATER FACILITIES INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME				3. (COUNTY				4. GRC	DUP	5. TYP	E
95910 1	LWWSD - SOUTH SHORE WATER SY	STEM			WH	АТСОМ					Ą	Co	mm
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25. SINGLE FAMILY RE	SIDENCES (How many of the following of	do you ha	ive?)							37	54	38	78
A. Full Time Single Fami	ly Residences (Occupied 180 days or more	per year)						34	54				
B. Part Time Single Fam	ily Residences (Occupied less than 180 day	/s per yea	ar)					0					
26. MULTI-FAMILY RES	IDENTIAL BUILDINGS (How many of the	following	g do you	have?)									
A. Apartment Buildings, o	condos, duplexes, barracks, dorms	Demos di				00 dava (v		92	2				
B. Full Time Residential	Units in the Apartments, Condos, Duplexes	, Dorms tr	hat are oc	cupied mo	ore than 1	80 days/y	ear	30	0				
	CONNECTIONS (How many of the follow	ving do v			55 11411 10	50 uays/ye	al						
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B. Institutional, Commerc	ial/Business, School, Day Care, Industrial S	Services, e	etc.		g.it a	,		42	2	4	2	4	
			28.	FOTAL SE		ONNECT	IONS			37	99	39	35
29. FULL-TIME RESIDE	NTIAL POPULATION												
A. How many residents a	re served by this system 180 or more days	per year?			9948								
30. PART-TIME RESIDE	INTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. How many part-time re	esidents are present each month?												
B. How many days per m	nonth are they present?												
31. TEMPORARY & TRA	ANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. How many total visitor or customers have access	s, attendees, travelers, campers, patients to the water system each month?												
B. How many days per m	nonth is water accessible to the public?												
32. REGULAR NON-RE	SIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. If you have schools, da water system, how many s employees are present ea	aycares, or businesses connected to your students daycare children and/or ch month?												
B. How many days per m	onth are they present?												
33. ROUTINE COLIFORM	M SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
* Requirement is exception	from WAC 246-290	10	10	10	10	10	10	10	10	10	10	10	10
34. NITRATE SCHEDUL	E		QUAR	TERLY			ANNU	JALLY		0	ICE EVER	RY 3 YEA	RS
(One Sample per source	by time period)												
35. Reason for Submitti	ng WFI:												
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36. I certify that the inf	ormation stated on this WFI form is corre	ect to the	best of	my knowl	edge.								
SIGNATURE:					DATE:								
PRINT NAME:					TITLE:								



WATER FACILITIES INVENTORY (WFI) FORM

Quarter: 0

Updated: 03/16/2011 Printed: 2/6/2017

ONE FORM PER SYSTEM

WFI Printed For: On-Demand

Submission Reason: Pop/Connect Update

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

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WATER FACILITIES INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME				3. (COUNTY				4. GRC	DUP	5. TYP	E
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								ACT SER\ CONNE	IVE /ICE CTIONS	DOH US CALCU ACT CONNE	E ONLY! LATED IVE CTIONS	DOH US APPR CONNE	E ONLY! OVED CTIONS
25. SINGLE FAMILY RE	SIDENCES (How many of the following of	do you ha	ave?)							2	2	:	2
A. Full Time Single Fami	ly Residences (Occupied 180 days or more	per year)						2					
B. Part Time Single Fam	ily Residences (Occupied less than 180 day	ys per yea	ar)					0					
26. MULTI-FAMILY RES	IDENTIAL BUILDINGS (How many of the	tollowing	g do you i	nave?)									
A. Apartment Buildings,	Linits in the Anartments, Condos, Dunleyes	Dorms th	hat are on	cupied mo	re than 1	80 days/y	ear						
C. Part Time Residential	Units in the Apartments, Condos, Duplexes	s. Dorms t	that are or	cupied les	ss than 18	30 davs/ve	ear	0					
27. NON-RESIDENTIAL	CONNECTIONS (How many of the follow	ving do y	ou have?)									
A. Recreational Services	and/or Transient Accommodations (Campsi	tes, RV si	tes, hotel/	motel/ove	rnight uni	ts)		C		()	()
B. Institutional, Commerce	ial/Business, School, Day Care, Industrial S	Services, e	etc.					C		()	()
			28. T	OTAL SE		ONNECT	IONS			2	2	2	2
29. FULL-TIME RESIDE	NTIAL POPULATION												
A. How many residents a	re served by this system 180 or more days	per year?			5								
30. PART-TIME RESIDE	INTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. How many part-time r	esidents are present each month?												
B. How many days per m	nonth are they present?												
31. TEMPORARY & TR	ANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. How many total visitor or customers have access	s, attendees, travelers, campers, patients to the water system each month?												
B. How many days per m	nonth is water accessible to the public?												
32. REGULAR NON-RE	SIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. If you have schools, d water system, how many s employees are present ea	aycares, or businesses connected to your students daycare children and/or ch month?												
B. How many days per m	onth are they present?												
33. ROUTINE COLIFORI	M SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC
* Requirement is exceptior	from WAC 246-290												
34. NITRATE SCHEDUL	E		QUAR	TERLY			ANN	JALLY		10	ICE EVER	RY 3 YEA	RS
(One Sample per source	e by time period)												
35. Reason for Submitt	ing WFI:												
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36. I certify that the inf	ormation stated on this WFI form is corr	ect to the	e best of r	ny knowle	edge.								
SIGNATURE:					DATE:								
PRINT NAME:					TITLE:								



WATER FACILITIES INVENTORY (WFI) FORM

Quarter: 2

Updated: 06/22/2016 Printed: 2/6/2017

ONE FORM PER SYSTEM

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. 2. SYSTEM NAME 08118 1 LWWSD - EAGLERIDGE												3.	COI	JN.	ΓY								4. GR	OUP	5.	TYPE	
	08118 1	LWWSD - EAGLERIDO	GE										WH	IAT	CO	М								A		С	omm	
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Prim	nary Contact Evenin	g Phone: (xxx)-xxx-	хххх								0	wne	er E	ven	ing	Pho	ne:			(xx	x)-x	xx-x	xxx					
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		WAC 246-290-42	20(9) require	es th	nat v	vate	r sy	ste	ms	pro	vid	e 24	l-ho	our	cor	tac	t inf	forn	nati	on	for	eme	ergencie	es.				
11. \$	SATELLITE MANA	GEMENT AGENCY - SI	MA (check c	only	one)																						
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12. \	WATER SYSTEM C	HARACTERISTICS (m	ark all that	appl	y)																							
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13. \	WATER SYSTEM C	WNERSHIP (mark onl	y one)																				14.	STORA	GE CAPA	СІТҮ	(gall	ons)
	Association	County					nve	stor									Spe	cial	Dis	trict								
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15	SOUF		INTERTIE		so	UR	CE		TEG	OR	Y	_		USE	=	20		TRE	EAT	ME	NT	1	DEPTH	25	SOURC	E LC	САТ	ION
Source Number	LIST UTILITY'S AND WELL Example: N IF SOURCE IS INT LIST SEI Exampl	NAME FOR SOURCE TAG ID NUMBER. NELL #1 XYZ456 PURCHASED OR ERTIED, LLER'S NAME e: SEATTLE	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
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WATER FACILITIES INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME				3. (COUNTY				4. GRC	DUP	5. TYP	E
08118 1	LWWSD - EAGLERIDGE				WH	ATCOM					A	Co	mm
								ACT SERV CONNE	IVE /ICE CTIONS	DOH US CALCU ACT CONNE	E ONLY! LATED IVE CTIONS	DOH US APPR CONNE	E ONLY! OVED CTIONS
25. SINGLE FAMILY RE	SIDENCES (How many of the following of	do you ha	ive?)							6	8	8	5
A. Full Time Single Fami	ly Residences (Occupied 180 days or more	per year)						68	3				
B. Part Time Single Fam	ily Residences (Occupied less than 180 day	/s per yea	ır)		_			0					
26. MULTI-FAMILY RES	IDENTIAL BUILDINGS (How many of the	following	j do you∣	have?)				-					
A. Apartment Buildings,	condos, duplexes, barracks, dorms	D (1)				<u> </u>		0					
B. Full Time Residential	Units in the Apartments, Condos, Duplexes,	, Dorms tr	hat are oc	cupied mo	re than 1	80 days/ye	ear	0					
	CONNECTIONS (How many of the follow	ving do v				50 uays/ye	a						
A. Recreational Services	and/or Transient Accommodations (Campsit	tes. RV si	tes, hotel/	/ motel/over	niaht uni	ts)		0		()	()
B. Institutional, Commerc	ial/Business, School, Day Care, Industrial S	ervices, e	etc.			,		0		()	()
	-		28. 1	TOTAL SE	RVICE C	ONNECT	IONS			6	8	8	5
29. FULL-TIME RESIDE	NTIAL POPULATION												
A. How many residents a	re served by this system 180 or more days	per year?			174								
30. PART-TIME RESIDE	INTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. How many part-time r	esidents are present each month?												
B. How many days per m	nonth are they present?												
31. TEMPORARY & TR	ANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. How many total visitor or customers have access	s, attendees, travelers, campers, patients to the water system each month?												
B. How many days per m	nonth is water accessible to the public?												
32. REGULAR NON-RE	SIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC
A. If you have schools, d water system, how many s employees are present ea	aycares, or businesses connected to your students daycare children and/or ch month?												
B. How many days per m	onth are they present?												
33. ROUTINE COLIFORI	M SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC
* Requirement is exceptior	n from WAC 246-290	1	1	1	1	1	1	1	1	1	1	1	1
34. NITRATE SCHEDUL	E		QUAR	TERLY			ANN	JALLY		10	ICE EVER	RY 3 YEA	RS
(One Sample per source	e by time period)												
35. Reason for Submitt	ing WFI:												
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WATER FACILITIES INVENTORY (WFI) FORM

Quarter: 2

Updated: 06/22/2016 Printed: 2/6/2017

ONE FORM PER SYSTEM

WFI Printed For: On-Demand Submission Reason: No Change

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

1. 8	SYSTEM ID NO.	2. SYSTEM NAME LWWSD - AGATE HEIGHTS												3. (col	JNI	Y								4. GR	OUP	5.	ТҮРЕ	:
	52957 B	LWWSD - AGATE HEI	GHTS										١	WΗ	ATC	COI	N								A		С	omm	
6. P	RIMARY CONTAC	T NAME & MAILING A	DDRESS									7.	٥v	VNI	ER I	NA	ME (& M.	AIL	ING	6 AI	DDR	ESS		8. OWNI	ER NUME	ER:	0065	70
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	Owned Only	y																											
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0	Commercial / Bu	isiness						[ndı	ustr	rial										Scl	loor						
	Day Care									_ice	ens	ed	Re	side	entia	al Fa	acilit	ty					npor	ary Fa	Irm Work	(er			
	1.000 service/FC	erson event for 2 or mor	e davs per v	ear						Lou Rec	rea	iy atio	nal	/ R	VP	ark								nurch	, me stat	ion, etc.).			
13. V		WNERSHIP (mark only	y one)	oui				_		100	5100		nai	<u>, it</u>	• • •									14.	STORA	GE CAPA	СІТҮ	(gall	ons)
	Association	County	,				Inve	esto	or							j	X 5	Spec	cial	Dist	trict			—					
Γ	City / Town	E Federa	l				Priv	/ate)									State)							184,000)		
15	SOUF	16 RCE NAME	17 INTERTIE		S	OUR	CE	18 CA		GO	ORY	(ļ	19 USE		20	٦	FRE	2′ EAT	1 ME	NT	DE	22 PTH	23	SOURC	24 E LC	CAT	ION
Source Number	LIST UTILITY'S AND WELL Example: V IF SOURCE IS INT LIST SEI Exampl	NAME FOR SOURCE TAG ID NUMBER. WELL #1 XYZ456 & PURCHASED OR ERTIED, LLER'S NAME e: SEATTLE	INTERTIE SYSTEM ID NUMBER	WELL	WELL FIELD	WELL IN A WELL FIELD			SPRING IN SPRINGFIELD	SEA WALER	SURFACE WATER	RANNEY / INF. GALLERY	OTHER	PERMANENT	SEASONAL	EMERGENCY	SOURCE METERED	NONE	CHLORINATION	FILTRATION	FLUORIDATION	IRRADIATION (UV)		INTERVAL IN FEET	CAPACITY (GALLONS PER MINUTE)	1/4, 1/4 SECTION	SECTION NUMBER	TOWNSHIP	RANGE
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WATER FACILITIES INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME				3.	COUNTY				4. GRC	DUP	5. TYP	E
52957 B	LWWSD - AGATE HEIGHTS				WH	ATCOM					A	Co	mm
								ACT SERV CONNE	IVE /ICE CTIONS	DOH US CALCU ACT CONNE	E ONLY! LATED IVE CTIONS	DOH US APPR CONNE	E ONLY! OVED CTIONS
25. SINGLE FAMILY RE	SIDENCES (How many of the following of	do you ha	ive?)							3	8	4	7
A. Full Time Single Fami	ly Residences (Occupied 180 days or more	per year)						38	3				
B. Part Time Single Fam	ily Residences (Occupied less than 180 day	/s per yea	ar)					0					
26. MULTI-FAMILY RES	IDENTIAL BUILDINGS (How many of the	following	g do you l	have?)									
A. Apartment Buildings,	condos, duplexes, barracks, dorms	Denned				00 -1		0					
B. Full Time Residential	Units in the Apartments, Condos, Duplexes	, Dorms ti	hat are oc	cupied inc	se than 1	80 days/y	ear	0					
27. NON-RESIDENTIAL	CONNECTIONS (How many of the follow	vina do v	ou have?			oo days/ye							
A. Recreational Services	and/or Transient Accommodations (Campsi	tes, RV si	tes, hotel/	/ motel/ove	rnight uni	its)		0		()	()
B. Institutional, Commerc	ial/Business, School, Day Care, Industrial S	Services, e	etc.		0	,		1		1			1
			28. T	TOTAL SE		ONNECT	IONS			3	9	4	-8
29. FULL-TIME RESIDE	NTIAL POPULATION												
A. How many residents a	re served by this system 180 or more days	per year?			165								
30. PART-TIME RESIDE	INTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC
A. How many part-time re	esidents are present each month?												
B. How many days per m	nonth are they present?												
31. TEMPORARY & TRA	ANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. How many total visitor or customers have access	s, attendees, travelers, campers, patients to the water system each month?												
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32. REGULAR NON-RE	SIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC
A. If you have schools, d water system, how many s employees are present ea	aycares, or businesses connected to your students daycare children and/or ch month?	27	27	27	27	27	27	27	27	27	27	27	27
B. How many days per m	onth are they present?	20	20	20	20	20	20	20	20	20	20	20	20
33. ROUTINE COLIFORM	M SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC
* Requirement is exception	from WAC 246-290	1	1	1	1	1	1	1	1	1	1	1	1
34. NITRATE SCHEDUL	E		QUAR	TERLY			ANNU	JALLY		10	ICE EVEI	RY 3 YEA	RS
(One Sample per source	by time period)												
35. Reason for Submitti	ng WFI:												
Update - Change	Update - No Change Inact	ivate	Re-A	ctivate	🗌 Na	me Chang	ge 🗌	New Syst	em [Other			
36. I certify that the inf	ormation stated on this WFI form is corr	ect to the	best of r	ny knowle	edge.								
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PRINT NAME:					TITLE:								

00671

WHATCOM COUNTY WATER DISTRICT #10

RESOLUTION NO. 227

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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 CONNEC-TIONS 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:

t

Section 1 - Definitions: WAC 248-54-480

- <u>Backflow</u>: 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. <u>Backflow Prevention Device: WAC 248-54-480</u> 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

-1-

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

3. <u>Cross-Connection: WAC 248-54-480</u> 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:

 ${}^{\ell}$ 1. In the event that the Manager or his designee

-3-

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 $\underline{/2}$ day of $\underline{(puil 19)}$.

President, Board of Commissioners Secretary, Board of Commissioners Cepter.

Commissioner

-5-

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.

Lessie Mc Roberts President

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Todd Citron, Commissioner

John W. Millar, Commissioner

Approved as to form:

Brian L. Hansen, Attorney for District

Deborak Lambert, Secretary

Laura Weide, Commissioner

WHATCOM COUNTY WATER DISTRICT NO. 10

RESOLUTION NO. 4/0

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.

udese 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.

John M. Garrier, 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

More Cutes

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

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CITY OF BELLINGHAM

WATER SUPPLY SERVICE AGREEMENT

CITY OF BELLINGHAM - WHATCOM COUNTY WATER DISTRICT NO. 10

THIS AGREEMENT, made and executed this $\underline{/3''}$ day of $\underline{)/(a...)}$, 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".

WITNESSETH:

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

-1-

CITY OF BELLINGHAM

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. <u>Definition - Water Service Area</u>. 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. <u>Water Supply and Service</u>. 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. <u>Delivery points</u>. 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.

-2-

CITY OF BELLINGHAM

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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1. <u>Definition - Water Service Area</u>. 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. <u>Water Supply and Service</u>. 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. <u>Delivery points</u>. 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.

-2-

CITY OF BELLINGHAM CITY ATTORNEY

4. <u>Payment to City</u>. 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

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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 Schome; 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 Eastwest 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 38 and 37 North; thence Easterly along $_{\odot_{2}}$ 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 guarter 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 guarter corner between said Sections; thence Easterly on the East-west guarter 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 guarter 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 guarter. 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 Northsouth quarter line of said Section 17; thence Northerly along the Northsouth 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

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

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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 of 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 a a minimum 26 psi pressure as measured on the City's side of the meter at

> City of Beiling (CITY ATTOR 210 Lottie Stree Beilingham, Washing Telephone (206)

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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 $X^{\underline{*}}$ day of _____ une, 1989.

WHATCOM COUNTY WATER DISTRICT NO. 10

Erik Ungern, President

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CITY OF BELLINGHAM

erpeater, Fance Director

Tim Douglas.

CERTIFICATION

As Secretary of Whatcom County Water District No. 10, I certify that the above Revised Interlocal Agreement was adopted at a <u>rejular</u> meeting of the Commissioners held on the <u>regular</u>, 1989, at which time a quorum of <u>regular</u> was present, and was adopted by a vote of <u>regular</u> FOR, <u>O</u> AGAINST, and <u>O</u> ABSTENTIONS.

Secretary Whatcom County Water District No. 10

Approved as to form: • CITY OF BELLINGHAM

City Attorney's Office

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City of Beilingham CITY ATTORNEY 210 Lottie Street Beilingham, Washington 98225 Telephone (206) 676-6903 Approved as to form: WHATCOM COUNTY WATER DISTRICT NO. 10

Mallen Harry L. Johnsen

Attorney for Whatcom County Water District No. 10

Departmental Approval:

Director of Public Works

City of Beilingham CITY ATTORNEY 210 Lottle Street Beilingham, Washington 9822 Telephone (206) 676-696

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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 CITY ATTORNEY 210 Lattie Street Bellingham, Washingtan 98225 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 stablsihe 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 Lattie Street Bellingham, Washingtan 98223 Telephane (206) 676-6903

-2-

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:

> Total City pumping costs - Oak Street cost = Cost/Pump Total number of stations - Oak Street statio

IN WITNESS WHEREOF, the parties by their signatures below have executed this agreement this $\frac{1}{1}$ day of August, 1977.

CITY OF BELLINGHAM

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 Lattie Street Bellingham, Washington 29225 Telephone (206) 676 6903 Comments will be added to this section after distribution and review by these parties.

10.3 Comments on WSP by Others

Washington State Department of Health Whatcom County Council Whatcom County Planning and Development Whatcom County Engineering Department Whatcom County Health Department City of Bellingham (adjacent purveyor) Whatcom County Water District 7 (adjacent purveyor) Y Squalicum Water Assn. (adjacent purveyor) Whatcom Meadows (adjacent purveyor) Glenhaven Lakes Club (adjacent purveyor) Glen Cove Water Assn. (adjacent purveyor) Dellesta Park Water Assn. (adjacent purveyor) Agate Bay Trailer Park (adjacent purveyor) The Russell Group Water System (adjacent purveyor) North Shore Solar Acres (adjacent purveyor) Scott Water System (adjacent purveyor) Otter Cove Water Assn. (adjacent purveyor) Renee Dr. Water Assn. (adjacent purveyor) Smallwood Shores Well (adjacent purveyor) South Bay Vista Water Assn. (adjacent purveyor) Wildwood Resort Condos (adjacent purveyor)

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	WFI Source # If a source has multiple water rights, list each water right on	Qi= Instantar Qa= Annu This	Existing W neous Flow R al Volume Al includes who	ater Rights tate Allowed (G llowed (Acre-Fe olesale water so	PM or CFS) eet/Year) old	Qi = Max Instantan Qi = Annual V Qa = Annual V This in	Production – Year eous Flow Rate /olume Withdra cludes wholesa	Most Recen Withdrawn (awn (Acre-Fee le water sold	t Calendar GPM or CFS) t/Year)	<u>10-Yea</u> Th	ar Forecasted (determined is includes who	Source Proc from WSP) lesale water so	luction old	20-Year Forecasted Source Production (determined from WSP) This includes wholesale water sold			
interruptible, identify limitation in yellow section below	separate line	Primary Qi Maximum Rate Allowed	Non- Additive Qi Maximum Rate Allowed	Primary Qa Maximum Volume Allowed	<u>Non-</u> <u>Additive</u> <u>Qa</u> Maximum Volume Allowed	<u>Total Qi</u> Maximum Instantaneous Flow Rate Withdrawn	<u>Current</u> <u>Excess or</u> (Deficiency) <u>Qi</u>	<u>Total Qa</u> Maximum Annual Volume Withdrawn	<u>Current</u> <u>Excess or</u> (Deficiency) <u>Qa</u>	Total Qi Maximum Instantaneous Flow Rate in 10 Years	<u>10-Year</u> <u>Forecasted</u> <u>Excess or</u> (Deficiency) <u>Qi</u>	Total Qa Maximum Annual Volume in 10 Years	<u>10-Year</u> 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 2 S1-00734C 3 R1-25120C 4 S1-25121P	959101 - S01 959101 - S01 959101 - S01 959101 - S01	1.7 cfs 1.7 cfs 3.4 cfs		270 270 1260 1260		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
	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
1 S1-00736C 2 S1-00734C 3 R1-25120C 4 S1-25121P Column Identifier	959101 – S01 959101 – S01 959101 – S01 959101 – S01 TOTALS = rs for Calculations:	1.7 cfs 1.7 cfs 3.4 cfs 3.4 cfs A	Rate Allowed	Allowed 270 270 1260 1260 1800 B	Volume Allowed	1.56 cfs [700 gpm, operating flow rate of treatment plant] 1.56 cfs C	1.84 cfs 1.84 cfs =A-C	Withdrawn 560.5 560.5 D	1239.5 1239.5 =B-D	in 10 Years 1.72 cfs [771 gpm] 1.72 cfs E	Qi 1.68 cfs 1.68 cfs = A-E	in 10 Years 685 685 F	Qa 1115 1115 =B-F	in 20 Years 1.75 cfs [785 gpm] 1.75 cfs G	Qi 1.65 cfs 1.65 cfs =A-G	in 20 Years 697 697 H	11 1102 =B

PENDING WATER R	IGHT APPLICATIONS: Ide	entify any water right a	pplications that have bee	en submitted to Ecology.									
Application New or Change Date Submitted Quantities Requested													
Number	Application?	Date Submitted	Primary Qi	Non-Additive Qi	Primary Qa	Non-Additive Qa							
None	None loss loss loss loss loss loss loss los												

INTERTIES: Systems receiving	ITERTIES: 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	Quantities	Allowed	Expiration	Curre	Currently	Purchased	tortio	Foroc	10-Year Forecas	sted Purchase	stortio	Eoroco	20-Year Forecas	ted Purchase	ntortio
System Providing water		tract	Date of	Curre		lased through in	itertie	Foreca		naseu through ir		FOIECas			ntertie
	Maximum	Maximum	Contract	Maximum	Current	Maximum	Current	Maximum	Future Excess	Maximum	<u>Future</u>	Maximum	<u>Future</u>	Maximum	Future
QiQiExcess orQaExcess orQiorQaExcess												Qi	Excess or	<u>Qa</u>	Excess or
	Instantaneous	Annual		Instantaneous	(Deficiency)	Annual	(Deficiency)	10-Year	(Deficiency)	10-Year	(Deficiency)	20-Year	(Deficiency)	20-Year	(Deficiency)
		Flow Rate	Qi	Volume	Qa	Forecast	Qi	Forecast	Qa	Forecast	Qi	Forecast	Qa		
1 City of Bellingham –															
Emergency intertie only															
TOTALS =															
Column Identifiers for Calcu	olumn Identifiers for Calculations: A B C =A-C D =B-D E =A-E F =B-F G =A-G H =B-H														
INTERRI IPTIRI E WATER F	EPRIDITIBLE WATER RIGHTS. Identify limitations on any water rights listed above that are interruptible														

INTERRUPTIBLE WA	TER RIGHTS: Identify limitations on any water rights list	sted 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	

THOMAL COMMENTS

- periods of use as shown.
- the Water System Plan.

• Totals of instantaneous flow rate allowed and annual volume allowed are calculated considering the appropriate

• 10-year and 20-year forecasted source production is based on forecasted MDD as shown in the tables in Section 2 of

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	WFI Source # If a source has multiple water rights, list each water right on	Qi= Instanta Qa= Annı This	Existing W neous Flow F ual Volume A includes whe	later Rights Rate Allowed (G llowed (Acre-Fe olesale water so	PM or CFS) eet/Year) old	Qi = Max Instantant Qa = Annual V This inc	Production – <u>Year</u> eous Flow Rate /olume Withdra cludes wholesa	Most Recen Withdrawn (G awn (Acre-Fee le water sold	<mark>t Calendar</mark> GPM or CFS) t/Year)	<u>10-Yea</u> Th	r Forecasted (determined is includes who	Source Proc from WSP) lesale water se	duction old	20-Year Forecasted Source Production (determined from WSP) This includes wholesale water sold Total Oi 20-Year Total Oi 20-Year			
interruptible,	separate line	Primary	y <u>Non-</u> <u>Primary Non-</u> <u>Additive</u> <u>Qa</u> <u>Additive</u>			<u>Total Qi</u>	<u>Current</u>	<u>Total Qa</u>	<u>Current</u>	<u>Total Qi</u>	<u>10-Year</u>	<u>Total Qa</u>	<u>10-Year</u>	<u>Total Qi</u>	<u>20-Year</u>	<u>Total Qa</u>	<u>20-Year</u>
identify limitation		<u>Qi</u>	Additive	ve Qa Additive Maximum Qa		Maximum	Excess or	Maximum	Excess or	Maximum	Forecasted	Maximum	Forecasted	Maximum	Forecasted	Maximum	Forecasted
in yellow section		Maximum	Qi	Maximum <u>Qa</u>		Instantaneous	(Deficiency)	Annual	(Deficiency)	Instantaneous	Excess or	Annual	Excess or	Instantaneous	Excess or	Annual	Excess or
below		Rate Allowed	Maximum	num Volume Maximum I		Flow Rate Withdrawn	Qi	Volume	<u>Qa</u>	Flow Rate	<u>(Deficiency)</u>	Volume	(Deficiency)	Flow Rate	(Deficiency)	Volume	(Deficiency)
			Rate	Allowed	Volume			Withdrawn		in 10 Years	<u>Qi</u>	in 10 Years	<u>Qa</u>	in 20 Years	Qi	in 20 Years	<u>Qa</u>
			Allowed		Allowed												
1 G1-22681P	52957B – S03	60 gpm		32.4		30 gpm [operating											
2 CG1-22763P	52957B – S03	360 gpm		465.9		flow rate of	408 gpm	11.1	495.8	30 gpm	408 gpm	16.2	490.7	184 gpm	254 gpm	136.6	370.3
3 CG1-23449C	52957B – S03	18 gpm		8.6		treatment plant]											
	TOTALS =	438 gpm	n 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	506.9 B		С	=A-C	D	=B-D	E	= A-E	F	=B-F	G	=A-G	Н	=B-H	

PENDING WATER RI	GHT APPLICATIONS: Ide	entify any water right a	pplications that have be	en submitted to Ecology.									
Application New or Change Quantities Requested													
Number	Application?	Date Submitted	Primary Qi	Non-Additive Qi	Primary Qa	Non-Additive Qa							
None	None One One One One One One One One One O												

INTERTIES: Systems receivin	g wholesale wate	r complete this	section. Wholesa	ling systems mu	ust include wate	r sold through	intertie in the cu	urrent and foreca	sted source prod	duction column	s above.				
Name of Wholesaling System Providing Water	Quantities In Con	Allowed tract	Expiration Date of	Curre	Currently I ent quantity purch	Purchased nased through ir	ntertie	Foreca	10-Year Forecas sted quantity purc	ted Purchase hased through in	itertie	Forecas	20-Year Forecas sted quantity purc	ted Purchase hased through i	ntertie
	<u>Maximum</u>	<u>Maximum</u>	Contract	<u>Maximum</u>	<u>Current</u>	<u>Maximum</u>	<u>Current</u>	<u>Maximum</u>	Future Excess	<u>Maximum</u>	Future	<u>Maximum</u>	<u>Future</u>	<u>Maximum</u>	<u>Future</u>
	Qi		<u>Qi</u>	Excess or	<u>Qa</u>	Excess or	Qi	or	<u>Qa</u>	Excess or	<u>Qi</u>	Excess or	<u>Qa</u>	Excess or	
	Instantaneous Annual			Instantaneous	(Deficiency)	Annual	(Deficiency)	10-Year	(Deficiency)	10-Year	(Deficiency)	20-Year	(Deficiency)	20-Year	(Deficiency)
	Flow Rate	Volume		Flow Rate	<u>Qi</u>	Volume	<u>Qa</u>	Forecast	<u>Qi</u>	Forecast	<u>Qa</u>	Forecast	Qi	Forecast	<u>Qa</u>
None															
TOTALS =															
Column Identifiers for Calculations: A B				С	=A-C	D	=B-D	E	=A-E	F	=B-F	G	=A-G	Н	=B-H

INTERRUPTIBLE WA	TER RIGHTS: Identify limitations on any water rights list	sted above that are interruptible.
Water Right #	Conditions of Interruption	Time Period of Interruption
None		

ADDITIONAL COMMENTS:

- as shown in the table in Section 2 of the Water System Plan.
- applicable to the whole system (as shown in the table in Section 2 of the Water System Plan).

• 10-year forecasted source production is based on forecasted MDD without conservation savings (to be conservative)

• 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

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.

Water Right Permit, Certificate, or Claim # *If water right is	WFI Source # If a source has multiple water rights, list each water right on	Qi= Instantar Qa= Annu This	Existing W neous Flow R al Volume A includes who	ater Rights tate Allowed (G llowed (Acre-Fe blesale water so	PM or CFS) eet/Year) old	Qi = Max Instantana Qa = Annual V This ind	roduction – <u>Year</u> eous Flow Rate olume Withdra cludes wholesa	Most Recen Withdrawn (G awn (Acre-Fee le water sold	t Calendar GPM or CFS) t/Year)	<u>10-Yea</u> Th	r Forecasted (determined is includes who	Source Proc from WSP) esale water so	luction old	<u>20-Yea</u> Th	r Forecasted (determined is includes who	Source Produ from WSP) esale water sol	uction d
interruptible,	separate line	Primary	<u>Non-</u>	Primary	Non-	<u>Total Qi</u>	<u>Current</u>	Total Qa	<u>Current</u>	<u>Total Qi</u>	<u>10-Year</u>	Total Qa	<u>10-Year</u>	<u>Total Qi</u>	<u>20-Year</u>	Total Qa	<u>20-Year</u>
identify limitation		Qi	QiAdditiveQaAdditiveQiQiMaximumQa			Maximum	Excess or	Maximum	Excess or	Maximum	Forecasted	Maximum	Forecasted	Maximum	Forecasted	Maximum	Forecasted
in yellow section		Maximum	Qi Additive Qa Additive aximum Qi Maximum Qa			Instantaneous	(Deficiency)	Annual	(Deficiency)	Instantaneous	Excess or	Annual	Excess or	Instantaneous	Excess or	Annual	Excess or
below		Rate Allowed	Maximum	Volume	Maximum	Flow Rate Withdrawn	<u>Qi</u>	Volume	<u>Qa</u>	Flow Rate	(Deficiency)	Volume	(Deficiency)	Flow Rate	(Deficiency)	Volume	(Deficiency)
			Rate	Allowed	Volume			Withdrawn		in 10 Years	Qi	in 10 Years	<u>Qa</u>	in 20 Years	<u>Qi</u>	in 20 Years	<u>Qa</u>
			Allowed		Allowed											<u> </u>	
None			Allowed														
	TOTALS =																
Column Identifiers	s for Calculations:	A	A B			С	=A-C	D	=B-D	E	= A-E	F	=B-F	G	=A-G	Н	=B-H

PENDING WATER R	IGHT APPLICATIONS: Ide	entify any water right a	pplications that have bee	en submitted to Ecology.									
Application New or Change Data Submitted Quantities Requested													
Number	Application?	Date Submitted	Primary Qi	Non-Additive Qi	Primary Qa	Non-Additive Qa							
None	None long												

INTERTIES: Systems receiving	wholesale water compl	lete this section. Wholesalin	ia systems must inclu	ude water sold through intertie	ie in the current and forecasted so	ource production columns above

INTERTIES: Systems receiving	TERTIES: 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	Quantities	Allowed	Expiration		Currently	Purchased			10-Year Foreca	sted Purchase			20-Year Forecas	ted Purchase	
System Providing Water	In Con	tract	Date of	Curre	ent quantity purcl	hased through ii	ntertie	Foreca	sted quantity purc	hased through ir	ntertie	Foreca	sted quantity purc	hased through i	ntertie
	<u>Maximum</u>	<u>Maximum</u>	Contract	<u>Maximum</u>	<u>Current</u>	<u>Maximum</u>	<u>Current</u>	<u>Maximum</u>	Future Excess	<u>Maximum</u>	<u>Future</u>	<u>Maximum</u>	<u>Future</u>	<u>Maximum</u>	<u>Future</u>
		Qi	Excess or	<u>Qa</u>	Excess or	Qi	<u>or</u>	Qa	Excess or	Qi	Excess or	<u>Qa</u>	Excess or		
	Instantaneous Annual				(Deficiency)	Annual	(Deficiency)	10-Year	(Deficiency)	10-Year	(Deficiency)	20-Year	(Deficiency)	20-Year	(Deficiency)
	Flow Rate Volume			Flow Rate	Qi	Volume	Qa	Forecast	Qi	Forecast	Qa	Forecast	Qi	Forecast	Qa
	150 gpm for	Not	None	126 gpm	24 gpm	16.0 Acre-	N/A	139 gpm	11 gpm	22	N/A	153 gpm	(3 gpm)	24	N/A
1 City of Bellingham	domestic, 750	specified	specified			feet									
TOTALS =															
Column Identifiers for Calculations: A B				С	=A-C	D	=B-D	E	=A-E	F	=B-F	G	=A-G	Н	=B-H

INTERRUPTIBLE WATER RIGHTS: Identify limitations on any water rights listed above that are interruptible.					
Water Right # Conditions of Interruption Time Period of Interrupt					
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).

Surface Water Right Permits and Certificates





STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

4350-150th Ave. N.E. • Redmond, Washington 98052-5301 • (206) 867-7000 MPR 2 5 1900

RECEIVED

CERTIFIED MAIL

JAN 2 3 1990

JAMES E. WILSON & ASSOCIATES

Bonnie Strode, Manager Whatcom County Water District #10 Bellingham, WA 98226

Dear Ms. Strode:

Enclosed is Order No. DE 88-N145. All correspondence relating to this document should be directed to the enforcement coordinator. If you have any questions concerning the content of the document, please call Steve West, telephone 867-7057.

A form entitled "Acknowledgment of Service" is also enclosed. Please sign this form and return it to this office.

This order is issued under the provisions of RCW 90.03.290. Any person feeling aggrieved by this order may obtain review thereof by application, within 30 days of receipt of this order, to the Pollution Control Hearings Board, Mail Stop PY-21, Olympia, WA 98504-8921. Concurrently, a copy of the application must be sent to the Department of Ecology, Attn: Assistant Attorney General, MS PV-11, Olympia, Washington 98504. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,

allene

Marlene Wylie Enforcement Coordinator Resource Management

MW:dr

Enclosures

An Affidavit of Publication was received from the <u>Bellingham Herald</u> showing publication dates of January 3 and 10, 1988.

\ protest was received from the City of Bellingham on January 27, 1988. Their protest is _ased on - "the lack of a storage facility under the control of the applicant; the lack of available storage capacity in the lake given the limitation of the Corning vs. City court decree (Whatcom County Superior Court Decree #29894); and the interference such storage would have on the City's existing storage rights."

Water District #10 is the Lead Agency under the State Environmental Policy Act for this proposal as defined in WAC-197-11-926. The Water District's Determination of Non-Significance is dated January 7, 1988, with no comments received as of January 22, 1988.

Investigation:

The Whatcom Creek Basin watershed includes part of the City of Bellingham. Additionally, it spreads out in a southeasterly direction covering an area of 65 square miles. Lake Whatcom, lying within this basin, has a surface area of 5,003 acres, Numerous creeks flow into the lake and water flows from the lake through Whatcom Creek to Bellingham Bay.

Whatcom County Superior Court Decree #29894, <u>Corning vs. City of Bellingham</u> established a maximum lake elevation of 314.94'. Bellingham's Reservoir Certificate #R*2020C allows the city to store approximately 20,000 acre-feet of water. The City's Lake Whatcom water rights include a Water Right Claim Registration #146016 for 82 mgd (127 cfs) which is based in part on an appropriation dating from 1883. Water Right Certificate #S1-00547C allows for appropriation of up to 125 cfs from the Middle Fork of the Nooksack River for Municipal Supply. Mirror Lake, Anderson Creek, and Lake Whatcom are part of the xonveyance system for the Middle Fork Nooksack appropriation.

Water District #10's existing Sudden Valley water treatment plant operates 7 hours per day and is located within the NE4NE4 of Sec. 8. T.37N., R.4E., W.M. on Lake Whatcom. The 10" intake pipe extends 200' into the lake at a depth of 70'. The water treatment plant is designed for two 1.7 cfs pumps. One metered pump is in use and the other is on the premise but not installed. The water is treated and stored in three reservoirs (a one-million gallon concrete reservoir and, a 130,000 gallon and a 500,000 gallon storage tank) for a total of 1.63 million gallons of storage. Water is then conveyed via 8" main lines to individually metered residential units within the Sudden Valley Development.

The District purchases water from Bellingham for the Geneva area residential units. At the city's eastern boundary and Lakeway Boulevard, a booster pump pumps to a one-half million gallon storage tank. The District distributes water via an 8" mainline throughout the Geneva area and on to the Strawberry Point Road.

Listed below are Water District #10's Lake Whatcom water right applications.

Number	Priority	Quantity		Use	Source	Remarks
51 - 00 756 P	3-10-69	1.7 cfs, 270 between Dec. only	ac ft/yr 1 and Mar, 31	M/	Lake Whatcom	Amended Report of Exam issued on 4-6-88
S*21471A	3-10-69	1.7 cfs, 270 between Dec. only	ac ft/yr 1 and Mar, 31	M/	Lake Whatcom	Amended Report of Exam issued on 4-6-88
R1-25120A	11-13-87	Storage of 1 between Dec. Mar. 31 only	260 ac ft. 1 &	M/	Lake Whatcom Reservoir	
S1-25121A	4-6-88	3.4 cfs, 126 between Apr. Nov. 30 only	0 ac ft. 1 &	M/	Lake Whatcom Reservoir	4

*A Permanent Secondary Permit filed under Application S1-25121A cannot be issued until after July 1, 1989. During the 1988 Washington State Legislative Session, Senate Substitute Bill 6724 was passed. This bill prohibits Ecology from issuing permanent surface water permits applied for after the effective date of the act (March 15, 1988). This moratorium lasts until July 1, 1989, or until legislative action is taken in the 1989 Session.



1634166

000 P12 45 PH . 89 Wash.

Washington, this 15th.. day

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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

of April

ENGINEER NG DAT

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10:00

OK.

έ.,

Department of Ecology

by Alexman A.A. 2100

Herman H. Huggins, Section Supervisor Water Resources FOR COUNTY USE ONLY

18 3 VOI 800 Pg 1280

RECEIVED

JAN 2 2 1990

JAMES E. WILSON 2 ASSOCIATES BELLINGHAM, WA 10/31/89 08:50 AM REQUEST OF: RAAS, JOH Shirley Forslof, AUDITOR SETTLEMENT AGREEMENT AND GRANT OF WATER STORAGEY REGITSDEPUTY \$9.00 AGREE

RECITALS:

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ORIGINAL

A. Whatcom County Water District #10 ("the District") is a municipal corporation organized under laws of the State of Washington to provide water and sewer service to the geographic area surrounding Lake Whatcom.

B. The City of Bellingham ("the City") is a municipality organized under the provisions of Title 35 of the Revised Code of Washington.

¹⁵ C. The District and the City have had a dispute over the District's use ¹⁶ of water in Lake Whatcom for public water supply purposes. This dispute has ¹⁷ resulted in an appeal to the Washington State Pollution Control Hearing Board, ¹⁸ the filing of an eminent domain proceeding by the District seeking to obtain ¹⁹ the use by the District of a portion of the City's Lake Whatcom Control Dam ²⁰ for water storage purposes and the appeal of an adverse ruling in that case to ²¹ the Washington State Court of Appeals. None of these cases has resulted in a ²² final resolution of the water rights issue and the parties now desire to ²³ settle all of the appeals and resolve all outstanding issues with regard to ²⁴ the District's claim for water rights in Lake Whatcom to serve its Sudden ²⁵ Valley service area.

26 NOW, THEREFORE

In view of the foregoing recitals and in consideration of the following mutual convenants and promises the parties agree as follows:

 29 1. The District hereby tenders and the City hereby accepts the sum of 30 Two Hundred Thousand Dollars (\$200,000) in full and final settlement of all 31 objections by the City to the issuance by the State of a reservoir permit to

SETTLEMENT AGREEMENT AND GRANT 105 WATER STORAGE RIGHTS - 1 File No: 891031002 Vol 124 FG 30 RAAS, JOHNSEN, GARRETT'& STUEN ATTORNEYS AT LAW 1503 E STREET P.O. HOX 5746 HELLINGHAM, WASHINGTUN 98227-5746 (206) 647-0234 ¹ store 1,260 acre feet of the waters flowing into Lake Whatcom, from whatever ² source in Lake Whatcom, and to a secondary permit for the use of those stored ³ waters in the amount of 3.4 cubic feet per second, with a maximum eight month ⁴ appropriation of 1,260 acre feet, for municipal water supply purposes during ⁵ the months of April 1 through November 30 of each year in perpetuity. The ⁶ City further grants to the District the right to store 1,260 acre feet of ⁷ water per year in Lake Whatcom.

⁸ 2. The City hereby waives and relinquishes to the District any claim it ⁹ may have for compensation for past use by the District or its predecessors of ¹⁰ the waters of Lake Whatcom withdrawn under the authority of water rights ¹¹ application numbers S*21471, S*21470, or S*21362. The City further waives any ¹² claim which it may have to compensation from the District for any future ¹³ withdrawals by the District from waters of Lake Whatcom under the provisions ¹⁴ of water rights application numbers S*21471, S*21470, or S*21362 or the ¹⁵ reservoir and secondary permits to be issued under the provisions of this ¹⁶ agreement. It is the intent of the parties that the District make a one time ¹⁷ payment to the City to compensate the City for the District's past, present ¹⁸ and future use of the City's facilities and to obtain a permanent storage ¹⁹ right within Lake Whatcom.

3. This settlement agreement involves disputed claims by the parties and ²¹ the sums paid in settlement do not reflect either parties assessment of the ²² nature, extent or value of any facilities or rights of either of the parties, ²³ nor of the necessity to acquire such facilities or rights. Rather, all sums ²⁴ paid and accepted in settlement are offered and accepted on the basis of a ²⁵ compromise settlement of disputed claims and to avoid the necessity for ²⁶ further protracted litigation.

²⁷ 4. Each party pledges its good faith in effectuating the purposes of ²⁸this settlement and each party shall cooperate with the other to that end, ²⁹including but not limited to the filing of all documents necessary to ³⁰terminate the appeal in <u>Whatcom County Water District No. 10 v. The City of</u> ³¹<u>Bellingham</u>, Court of Appeals Cause No. 24391-8-1, <u>Whatcom County Water</u>

SETTLEMENT AGREEMENT AND GRANT OF WATER STORAGE RIGHTS - 2 Vol: 124 Page: 31 File No: 391031002 RAAS, JOHNSEN, GARRETT & STUEN ATTORNEYS AT LAW ISOJ E STREET P.O. BOX 5746 HELLINGHAM. WASHINGTON 98227-5746 (206) 647-0234 -

12

¹ District No. 10 v. State of Washington Department of Ecology, PCHB No. 87-14, 2 and the issuance of the above-referenced reservoir and secondary permit by the ³ Washington State Department of Ecology.

4 This agreement shall be binding upon the parties, their successors and ⁵ assigns and shall be liberally construed to achieve its purposes.

DATED this 25th day of Neterly 1989.

10 11 Tim Douglas, Maydr City of Bellingham

12 13 Attest: ce Directo 14

15 Departmental Approval 16

19 Approved as to Form:

21 City Attorney's Office

22 23

17 18

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> SETTLEMENT AGREEMENT AND GRANT OF WATER STORAGE RIGHTS - 3

£.

Erik Ungern, President Board of Commissioners Whatcom County Water District No. 10

RAAS, JOHNSEN, GARRETT & STUEN ATTORNEYS AT LAW 1503 E STREET P.O. BOX 5746 BELLINGHAM, WASHINGTON 98227-5746 (206) 647-0234

Vol: 124 Page: 32

File No: 891031002

Acknowledgment of Service

DEPARIMENT OF ECOLOGY

IN THE MATTER OF COMPLIANCE) BY WHATCOM COUNTY WATER DISTRICT #10) R1-25120)

ACKNOWLEDGMENT OF SERVICE No. DE 88-N145

To: Department of Ecology State of Washington 4350 150th Avenue N.E. Redmond, Washington 98052-5301 Attention: Enforcement Coordinator-Resource Management

Receipt is acknowledged of Order No. DE 88-N145.

DATED this _28th day of 988

Signature

Title

DEPARIMENT OF ECOLOGY

IN THE MATTER OF PROTESTED WATER RIGHT APPLICATION BY WHATCOM COUNTY WATER DISTRICT #10 APPLICATION NO. R1-25120

ORDER No. DE 88-N145

Bellingham, WA 98225

To: Bonnie Strode, Manager John Garner Whatcom County Water District #10 Public Works Director 1010 Lakeview Street City of Bellingham Bellingham, WA 98226 210 Lottie Street

Application Number R1-25120 to store 1,260 acre-feet of water between December 1 and March 31 of each year for the purpose of Municipal Supply, Section 28, T.38N., R.3E., Whatcom County, submitted by Whatcom County Water District #10 in accordance with RCW 90.03.250. An official letter of protest entered by City of Bellingham was received on January 27, 1988, protesting the approval of this application.

Upon review of the Report of Examination of Application Number R1-25120, I find that all facts relevant and material to the subject application have been thoroughly investigated. Furthermore, I find that water is available for appropriation for a beneficial use and that the appropriation thereof as recommended in the above report will not impair existing rights or be detrimental to the public welfare.

In view of the foregoing and in accordance with RCW 90.03.290:

IT IS ORDERED that Reservoir Application, Number R1-25120, be further processed to a permit for the storage of public surface waters in the amount of 1,260 acre-feet between December 1 and March 31 of each year for Municipal Supply.

Any person feeling aggrieved by this order may obtain review thereof by application, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, Mail Stop PY-21, Olympia, Washington 98504-8921. Concurrently, a copy of the application must be sent to the Department of Ecology, Attn: Attorney General, MS PV-11, Olympia, Washington 98504. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

DATED at Redmond, Washington April 25, 1988

Nancy Ellison, Regional Manager

Northwest Regional Office Department of Ecology State of Washington

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 Nov. 13, 1987	APPLICATION NUMBER R1-25120	PERMIT NUMBER R1-25120P	CERTIFICATE NUMBER R1-25120C	DAM INVENTORY NUMBE
NAME Whatcom County	Water District #10			•
ADDRESS (STREET)		(CIT)	(STATE)	(ZIP CODE)
1010 Lakeview	Street	Belling	ham Washingt	on 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	Whatcom Creek	•			
NUMBER OF ACRE-FEET STORED WHEN RESERVOIR IS FILLED TO NOPL 1260 ac ft/vr storage during the months	USE(S) TO BE MADE OF IMPOUN Municipal supply	NDED WATER			
of Dec 3 through March 31.					

OCATED WITHIN (SMALLEST LEGAL SUBDIVISION)								
NEX of NEX								
SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY				
28	38	3E	01	Whatcom	<u>.</u>			
	NUMBER OF AND ADDA ADDA ADDA	0.00100000						

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 IMP	OUNDING STRUCTURE
	HEIGHT OF DAM (FEET) 14'	LENGTH ON TOP (FEET)	WIDTH ON TOP (FEET)
(6'	high Tainter Gates)	126'	26'
•	SLOPE OF FRONT OR WATER SIDE TO ONE FOOT VERTICAL) Ver	NUMBER OF FEET HORIZONTAL	SLOPE OF BACK SIDE (NUMBER OF FEET HORIZONTAL TO ONE FOOT VERTICAL) Vertical
	HEIGHT OF DAM ABOVE WATER LI	NE 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	MAXIMUM DEPTH (FEET)	APPROXIMATE AVERAGE
IS FILLED TO NOPL 5 000	IAT NOPL	Derin (FEEI)

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 publiclyowned 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.

Department of Ecology By _______ ENGINEERING DATA OK AET Pri Herman H. Huggins, Section Supervisor Water Reosurces 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 Wa	ter (Issued in accordance with the ramendments thereto, and the ru	provisions of Chapter 263, Laws of iles and regulations of the Departm	Washington for 1945, and
March 10, 1969	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NAME			<u>IS1-00734C</u>

Whatcom County Water District #10 ADDRESS (STREET)

1010 Lakeview Street	(CITY) Bellinghom	(STATE)	(ZIP CODE)
This is to certify that the herein name	d applicant has made	Washington	98226
the use of the public waters of the Sta contained in the Permit issued by the in accordance with the laws of the Sta of record as shown, but is limited to	te of Washington as herein defined, an Department of Ecology, and that said te of Washington, and is hereby confi an amount actually beneficially used	Slaction of the Department of Ec d under and specifically subject right to the use of said waters ha rmed by the Department of Eco	ology of a right to to the provisions is been perfected logy and entered

SOURCE	PUBLIC WATER TO BE APPROPR	RIATED	
Lake Whatcom			
TRIBUTARY OF (IF SURFACE WATERS)			
Whatcom Creek			^ر مارید در در
MAXIMUM CUBIC FEET PER SECOND 1.7	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR	
Municipal supply during mont	ths of December 1 through M	larch 31 only.	۲ ۲۰۰۰
APPROXIMATE LOCATION OF DIVERSION	LOCATION OF DIVERSION/WITHD	DRAWAL	
APPROXIMATE LOCATION OF DIVERSION 400' west of the N.E. corner	LOCATION OF DIVERSION/WITHD	DRAWAL	
APPROXIMATE LOCATION OF DIVERSION 400' west of the N.E. corner 50' south of the N.E. corner	LOCATION OF DIVERSION/WITHD	DRAWAL	
APPROXIMATE LOCATION OF DIVERSION 400' west of the N.E. corner 50' south of the N.E. corner	LOCATION OF DIVERSION/WITHD	DRAWAL	

CERTIFICATE

NEWNEY	8	37	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
LOT	RECORDED PL	ATTED PROP	ERTY	UL	Whatcom
LEGA		OF (GIVE NAN	AE OF PLAT OR ADDIT	ON)	
Area coursed by Mathematic	L DESCRIPTION OF PROPERT	Y ON WHICH	WATER IS TO BE U	SED	

Area served by Water District #10.

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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.

PROVISIONS

Given under my hand and the seal of this office at

Redmond

Washington, this 15th. day

ENGINEERING DATA

OK

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Department of Ecology

by. mun A. Herman H. Huggins, Section Supervisor Water Resources

FOR COUNTY USE ONLY

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

CERTIFICATE OF WATER RIGHT

X	
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••• 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 W	ater (Issued in accordance with t amendments thereto, and th	he provisions of Chapter 263, Laws o e rules and regulations of the Departr	f Washington for 1945, and ment of Ecology.)	
PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	Appendia
March 10, 1969	S*21470	S1-00736P	S1-00736C	
				······································

NAME										
Whatcom County Water	District #10									
ADDRESS (STREET)		(CITY)			(STATE)			ZIP CODE)		
UIU Lakeview Street		Bellin	gnam		Washing	ton	9	8226		
This is to certify that the l the use of the public wate contained in the Permit is in accordance with the la of record as shown, but	nerein named applic ers of the State of Wa sued by the Departi ws of the State of Wi is limited to an amo	ant has made shington as he ment of Ecolog ashington, and bunt actually t	proof to the sal prein defined, a gy, and that sai d is hereby con peneficially use	lisfaction and under d right to firmed by ed.	of the Depart and specific the use of sai the Departn	ment of i ally subju d waters nent of E	Ecology of ect to the p has been cology an	f a right provisio perfect d enter	to Ins ied ied	
	PUB	LIC WATER TO	D BE APPROPR	ATED						
SOURCE					· · · · · · · · · · · · · · · · · · ·					
Lake Whatcom										
RIBUTARY OF (IF SURFACE WATER	S)									
whatcom treek				· · · · · · · · · · · · · · · · · · ·						
1 7	MAXIM	IUM GALLONS PE	R MINUTE	MAXIMUM ACRE-FEET PE			ER YEAR			
OUANTITY TYPE OF . OF		·			4 / V			·		
Amiginal supply duri	ing months of 1	Docombon 1	Llamour M	la 21		•				
			-001/001/10171-0							
APPROXIMATE LOCATION OF		AWAI	ENSION/WITHL	MAWAL						
400' west of the N.E.	corner of Sec	ction 8.								
50' south of the N.E.	corner of Sec	ction 8.	**************************************					****		
•										
OCATED WITHIN ISMALLEST LEGA	L SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE. (E. OR W.) W.M.	W.R.1.A. 01	COUNTY What	com		
		RECORDED	PLATTED PROP	PERTY				•		
BLOCK			OF (GIVE NAME OF PLAT OR ADDITION)							
L	EGAL DESCRIPTIO	N OF PROPER	RTY ON WHIC	HWATEF	IS TO BE U	SED			9 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	
Area served by Water	District #10.					<u> </u>		•••••••		
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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.

PROVISIONS

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

Department of Ecology

ENGINEERING DATA

by . K ennun D Herman H. Huggins, Water Resources Section Supervi

FOR COUNTY USE ONLY
		DEPART	MENT OF ECOLOGY	
	TO AF		PERMIT	IGTON
X	Surface Water	(Issued in accordance with the pr the Department of Ecology.)	ovisions of Chapter 117, Laws of Washington for 1917,	and amendments thereto, and the rules and regulations of
	Ground Water	(Issued in accordance with the pr the Department of Ecology.)	ovisions of Chapter 263, Laws of Washington for 1945,	and amendments thereto, and the rules and regulations of
PRIORITY DATE April 6, 1988	APPU S1-	CATION NUMBER 25121	S1-25121 P	CERTIFICATE NUMBER
Whatcom Coun	ty Water Distri	ct #10		
ADDRESS (STREET) 1010 Lakeview		Bellingham	(STATE) Washington	(ZIP CODE) 98226

STATE OF WASHINGTON

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 APPI	ROPRIATED
source Stored waters of Lake Wha	tcom - Reservoir Certificate R1-251	120C
TRIBUTARY OF (IF SURFACE WATERS) Whatcom Creek		
MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR 1260.0
Municipal supply, from Apr	il 1 - November 30	
APPROXIMATE LOCATION OF DIVERSION-WITHDR	LOCATION OF DIVERSION/WI	THDRAWAL

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)		SECTION 8	TOWNSHIP N. 37	RANGE, (E. OR W.) W.M.	W.R.I.A. 1	Whatcom	
		RECORDED P	LATTED PRO	DPERTY			
LOT	BLOCK	OF	OF (GIVE NAME OF PLAT OR ADDITION)				
	LEGAL DESCRIP	TION OF PROPE	RTY ON WHI	CH WATER IS TO B	E 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 southwest quarter of said Section 23; thence easterly to the southeast corner of the northeast quarter of the southwest quarter 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 line of Section 29 to the center of Section 29, said Township and Range; thence southerly along the east-west 1/16 line of said Section 29; thence easterly on said south 1/16 corner between Sections 28 and 29, said Township and Range; thence southerly along the west section lines of Section 32, thence southerly along the south east-west 1/16 line of said Section 29; thence southerly along the west section lines of Section 32 and 33, said Township and Range; thence southerly along 33, 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 southerly along the west section lines of Section 28 and 33 to the south 1/16 line of said Section 33 to the west 1/16 line of said Section 33 to the west 1/16 line of said Section 33 to the west 1/16 line of said Section 34 to the southerly along the south 1/16 line of said Section 34 to the southerly along the west 1/16 line of said Section 34 to the southerly a

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

BEGIN PROJECT BY THIS DATE: WATER PUT TO FULL USE BY THIS DATE: WATER PUT TO FULL USE BY THIS DATE: March 30, 1994		DEVELOPMENT SCH	EDULE
	BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	WATER PUT TO FULL USE BY THIS DATE:
	Started	March 30, 1994	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

Stephen J. Hirschey, Section Supervisor, Water Resources

-2-

No. S1-25121 P

ENGINEERING DATA les

PERMIT

Legal Description Continued

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 eastwest 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 northsouth 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.

Ground Water Right Permits and Certificates

X	Ground Wat	amendments t	hereto, and the rules a	and regulations of th	e Department of E	cology.)	, and	
July 31, 19	79	G1-2344	JMBER 9	G1-23449	P	CERTIFICA	те NUMBER 1-23449C	
LAKE WHATCOM	M RESIDENTI	AL & TREATM	ENT CENTER		a na gu			
ADDRESS (STREET) 3400 Agate H	Heights Roa	d	(CITY) Bellingham		(STATE) Washingto	m	(ZIP CODE) 98225	
firmed by the I source Well	Department o	f Ecology and PUB	entered of recor LIC WATER TO BE	d as shown. APPROPRIATED				
TRIBUTARY OF (IF SU	IRFACE WATERS)						1.76	
MAXIMUM CUBIC FEE	ET'PER SECOND	MAXIN	UM GALLONS PER M	NUTE MAXIMUM ACRE-FE		RE-FEET PER Y	EET PER YEAR	
QUANTITY. TYPE OF Domestic sup	use, PERIOD OF U pply - cont	inuously - :	for 90 person	residential	treatment	complex		
QUANTITY, TYPE OF Domestic sup	use, PERIOD OF U pply - cont	Inuously - :	for 90 person	on/withdrawa	treatment	complex		
QUANTITY, TYPE OF Domestic sup APPROXIMATE LO 870 feet wes	USE, PERIOD OF U pply - cont ocation of Div st and 750	LOCA ERSION-WITH DR feet north o	TION OF DIVERSI AWAL of the S ¹ / ₄ cor	ON/WITHDRAWA	treatment L 24	complex		
QUANTITY, TYPE OF Domestic sup APPROXIMATE LO 870 feet wes	USE, PERIOD OF U pply - cont OCATION OF DIV st and 750	LOCA ERSION-WITHDR feet north (TION OF DIVERSI AWAL of the S ¹ / ₄ cor	ON/WITHDRAWA	L 24 SE, (E. OR W.) W.M.	w.R.I.A.	COUNTY	
QUANTITY, TYPE OF Domestic sup APPROXIMATE LO 870 feet wes LOCATED WITHIN ISP NW4SE45W4	USE, PERIOD OF U pply - cont	LOCA ERSION-WITHDR feet north o	TION OF DIVERSI AWAL of the Sta cor	ON/WITHDRAWA ner of Sec.	L 24 SE, (E. OR W.) W.M. 3 E	w.R.I.A. C	COUNTY Whatcom	
QUANTITY, TYPE OF Domestic sup APPROXIMATE LO 870 feet wes LOCATED WITHIN ISN NWIASEIASWA	USE, PERIOD OF U pply - cont OCATION OF DIV st and 750 MALLEST LEGAL SI	LOCA ERSION-WITHDR feet north (UBDIVISION)	TION OF DIVERSI AWAL of the S ¹ / ₄ cor section 24 RECORDED PLA	ON/WITHDRAWA ner of Sec. ownship n. Rand 38 TTED PROPERTY F (GIVE NAME OF	L treatment L 24 EF, (E. OR W.) W.M. 3 E PLAT OR ADDIT	w.R.I.A. C 1	COUNTY Whatcom	
QUANTITY, TYPE OF Domestic sup APPROXIMATE LO 870 feet wes LOCATED WITHIN (SM NW4SE4SW4	USE, PERIOD OF U pply - cont ocation of div st and 750 MALLEST LEGAL SI B LEG	LOCA ERSION-WITHDR feet north (UBDIVISION) LOCK AL DESCRIPTIC	TION OF DIVERSI AWAL of the S ¹ / ₄ cor section 24 RECORDED PLA	ON/WITHDRAWA ner of Sec. Ther of Sec. Rand 38 TTED PROPERTY F (GIVE NAME OF Y ON WHICH WA	L treatment L 24 EF, (E. OR W.) W.M. 3 E PLAT OR ADDIT TER IS TO BE U	w.R.I.A. (W.R.I.A. 1 TION) JSED	OUNTY Whatcom	

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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

Department of Ecology

ENGINEERING DATA

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

<u>A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF</u> <u>ECOLOGY MUST ACCOMPANY THIS APPLICATION</u>

(Check all that apply.)	FOR OFFICE USE ONLY
 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 	CHANGE NOCCI-234490 WRIA 1 DATE ACCEPTED 3 / 19 / 10 BY DE FEE \$ 50 REC'D 3 / 19 / 10
Other (i.e. consolidation, intertie, trust water) Explain: <u>Change in Permit Holder Name (See 6A)</u>	CHECK No ECY Coding: 001-002-WR10285-000011 SEPA: Exempt Dot exempt 8235 - 3/24/10

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

1. Applicant Information:

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Lake Whatcom Water and Sewer District	(360) 734-9224	(360) 738-8250
ADDRESS		
1010 Lakeview Street		
CITY	STATE	ZIP CODE
Bellingham	WA	98229
CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Melanie Mankamyer	(360) 733-6100	(360) 647-9061
ADDRESS		
805 Dupont Street, Suite 7		
CITY	STATE	ZIP CODE
Bellingham	WA	98225

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER	RECORDED NAME(S)
G1-23449C	Lake Whatcom Residential & Treament Center
DO YOU OWN THE RIGHT TO BE CHANGED?	ES INO
and a mark in the second second	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	

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 ONL	Y 011 72111 9.0
PERMIT NO	CERT. NO.	CERT. OF CHANGE NO.
	PERMIT NO	FOR OFFICE USE ONL

ECY 040-1-97 (Rev. 07/08) If you need this document in an alternate format, please call the Water Resources Program at 360-407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Treatment Center Well	1	SE	SW	24	38	3 E	380324 168197	AFM089

B. Proposed

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
10" Giesbrecht Well	1	SW	SE	24	38	3 E	380324 417082	AGQ477
		-			P. 1			

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

W1/2 E	1/2 SW	1/4, Sec.	24, T. 3	RIPTION OF 8 N., R.	LANDS WHERE WATER IS 3 E.W.M.	PRESENTLY USED:	
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
SE	SW	24	38	3	Whatcom	380324 168197	19.55

B. Proposed

			LEGAL DES	CRIPTION	OF LANDS WHERE NEW U	SE IS PROPOSED:	
Area se	erved by	Lake Wh	natcom V	Vater an	d Sewer District - S	ee attached description	n in the Water
System	Compre	ehensive	Plan (Se	ection 10).2 - Agreements; W	ater Supply Service A	greement,
Exhibit	A)						
	1						
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					Whatcom	multiple	
DO YOU O Whatco owners	wn ALL TH m Wate within th	r and Sev ne Distric	THE PROPO wer Distr t's Bound	DSED PLAC Fict is a M daries.	e oF ∪se? □ Yes ⊠ Municipal Water pur	NO – IF NO, PROVIDE OWNE veyor, providing water	R(S) NAME: Lake to numerous

ECY 040-1-97 (Rev. 07/08) If you need this document in an alternate format, please call the Water Resources Program at 360-407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341. 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?

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.

2/24/10 (Date) 2 1/2/10 (Water Right Holder) Cale (Date) (Land Owner(s) of Existing Place of Use) 2 1171. (Date)

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

APPLICATION FEE NOT ENCLOSED	MAP NOT INCLU	DED or INCOMPLETE
ADDITIONAL SIGNATURES REQUIRED	G SECTION	IS INCOMPLETE
OTHER/EXPLANATION:		
STAFF:	DA	TE: / /

ECY 040-1-97 (Rev. 07/08) If you need this document in an alternate format, please call the Water Resources Program at 360-407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.



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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.)

November 22, 1976	APPLICATION NUMBER G1-22763	G1-22763P	1	CERTIFICATE NUMBER	
	· · · · ·				-
WHATCOM COUNTY WATE	R DISTRICT #10				
ADDRESS (STREET) 4507 Cable Street	ורדיז) Bellingha	m	(STATE) Washingt	(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 APPRO	PRIATED		1
source Artesian Well = 6" x 102	2'		Û.		<i></i>
TRIBUTARY OF (IF SURFACE WATERS)					1
MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PE	R MINUTE	MAXIMUM ACR 465.	E-FEET PER	YEAR
DUANTITY, TYPE OF USE, PERIOD OF USE					
Community Domestic Suppl	ly - continuously				
	3. C				
-			1		_
	LOCATION OF DIVE	RSION/WITHD	RAWAL	2 - C.	
APPROXIMATE LOCATION OF DIVERS	ON-WITHDRAWAL		+		
150 feet west and 542 fe	et north of southe	ast corner	of Sec. 24		
	1				-
	+	14	10		
LOCATED WITHIN (SMALLEST LEGAL SUBDI	VISION) SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
SE4SE4	24	38	3 E.	1	Whatcom
1	RECORDED	PLATTED PROP	ERTY		+
OT BLOC	к	OF (GIVE NA	ME OF PLAT OR ADDIT	ION)	1+C
LEGALI	DESCRIPTION OF PROPE	RTY ON WHICH	HWATER IS TO BE U	SED	
					1

Area served by Water District No. 10.

DESCRIPTION	OF	PROPOSED.	WORKS
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	DEVELOPMENT SCHEDUL	E 2007
BEGIN PROJECT BY THIS DATE: Started	October 14, 1982,9291200	WATER PUT TO FULL USE BY THIS DATE: October 14, 198593 48 2002

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

of October 19.77

Department of Ecology

by ROBERT K. MCCORMIC Regional Manager

ENGINEERING DATA



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

Ground wate	amendments thereto,	and the rules a	and regulations of the	Department of E	cology.)	

November 22, 1976	G1-22763	G1-22763P		CERTIFICATE NOMBER
		and the second	- 1. A. A. A.	
NAME WHATCOM COUNTY WATER	R DISTRICT #10			and the states of a
ADDRESS (STREET) 4507 Cable Street	(CITY) Bellingham		(STATE) Washingt	(ZIP CODE) 0n 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 APPRO	OPRIATED		and the second second
SOURCE	1 1 1 2				and the second s
Artesian Well = $6'' \times 102'$		1	18 a	19 19 19	and the sector
TRIBUTARY OF (IF SURFACE WATERS)	1. 31 an 1. 31	5 AC./	1.1.1	State Alexander	and the state of the
And the second second second second			2. St. 72. St.	Sec. 24. 38	
MAXIMUM CUBIC FEET PER SECOND MAXI	MUM GALLONS PE	R MINUTE	MAXIMU	JM ACRE-FEET PEF	YEAR
	360.0	Sec. in		465.9	100 m 20 1 400
QUANTITY, TYPE OF USE, PERIOD OF USE	1. 1. Tal	-	The second second	100 m 17 200	A State State
Community Domestic Supply - con	tinuously	×	- i the second of the	Sec. Mar	La grand and a fin of the
and the second	State Land			to the wet	
	S 44				The second second
	12.2			128	and the second
	1				at the second second
and the second	and the second		1	dialan Sta	
	15 54 -				- Leansier -
LOC	ATION OF DIVE	RSION/WITH	DRAWAL		E and the state
APPROXIMATE LOCATION OF DIVERSION-WITHD	RAWAL		and the second		
150 feet west and 542 feet nort	h of southe	ast corner	of Sec. 24		
					19-19-29 Mar
		e in a		a the same stars	
			1	1 - 1	1 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4
LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.	.) W.M. W.R.I.A.	COUNTY
SEASEA	24	38	<u>3 E.</u>	11	Whatcom
and the second state of th	RECORDED	PLATTED PRO	PERTY	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	
BLOCK	IN Strangers	OF (GIVE NA	ME OF PLAT OR	ADDITION)	A. A. Martin
and the second second second	11 - 11 - 11 - 11 - 11 - 11 - 11 - 11	the second	16.2	14 14 14 14 14 14 14 14 14 14 14 14 14 1	and allowed a
LEGAL DESCRIPTI	ON OF PROPER	RTY ON WHIC	H WATER IS TO	BEUSED	

Area served by Water District No. 10.

144-

	DEVELOPMENT SCHED	ULE
BEGIN PROJECT BY THIS DATE: Started	October 14, 1982 (99)	October 14, 1985
	Jeb 15, 1992	1995

DESCRIPTION OF PROPOSED WORKS

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 , 19.77

ENGINEERING DATA

Department of Ecology

ROBERT K. McCORMICY, Regional Manager

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	1



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.)

April 30, 1976	G1-22681	G1-22681P	CERTIFIC	CATE NUMBER
DR. RICHARD GIESBR	ECHT			đ
ADDRESS (STREET) #5 Semena Crescent	(CITY) Vanco	ouver, B. C.	(STATE) Canada	(ZIP CODE)

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	R TO BE APPRO	PRIATED		
source Well - 6" x 147'	* America	led as	per 91	0.44.100(3) se	e affidavit
TRIBUTARY OF (IF SURFACE WAT	ERS)		1		da-	ted 9/18/00
MAXIMUM CUBIC FEET PER SECO	ND MAXII	MUM GALLONS PE	R MINUTE	MAXIMUM ACF	RE-FEET PER	RYEAR
QUANTITY, TYPE OF USE, PERIOD	O OF USE					
Community Domestic	Supply (36 hom	es) - conti	inuous1y			
				-		
-						
	LOCA	ATION OF DIVI	ERSION/WITHD	RAWAL		
APPROXIMATE LOCATION O	F DIVERSION-WITHD	RAWAL				
Approximately 100	feet east and 9	00 feet not	rth from Sta	corner of Sec.	24	
1210	3	20, 20				
	A	12-9-87				
LOCATED WITHIN (SMALLEST LE SWI3SEI	GAL SUBDIVISION)	SECTION 24	TOWNSHIP N. 38	RANGE, (E. OR W.) W.M. 3 E.	W.R.I.A. 1	Whatcom
		RECORDED	PLATTED PROP	ERTY		
от	BLOCK		OF (GIVE NAI	ME OF PLAT OR ADDIT	ION)	
	LEGAL DESCRIPTION	ON OF PROPE	BTY ON WHICH	HWATER IS TO BE U	SED	
				THATEIN TO DE O	0-0	

See attached legal.

ALX.

	DESCRIPTION OF PROPOSED WORKS
	2/15/2008
	DEVELOPMENT SCHEDULE
BEGIN PROJECT BY THIS DATE: Started	COMPLETE PROJECT BY THIS DATE: WATER PUT TO FULL USE BY THIS DATE: February 15, 1981 96 February 15, 1982 879
	92 92

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

Department of Ecology

meland

ENGINEERING DATA

Color L. ROBERT K. MCCORMICK, Regional Manager Department of Ecology Change in Water Right Approval

Ś.	STATE OF WASHINGTON
b	EPARTMENT OF ECOLOGY
	PROTESTED



REPORT OF EXAMINATION FOR CHANGE TO GROUNDWATER PERMIT TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

Su
Ju

rface 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.)

\boxtimes	Ground	Water
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(Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments therein, and the piles and regulations of the Densement of Ecology)

PRIORITY DATE	APPLICATION NUM	MBER	PERMIT NUMBER		CERTIFICATE NUMBER		
November 22, 1976	G1-22763A		G1-22763P				
NAME	1051						
Whatcom County Water Distri	ict No. 10						
ADDRESS (STREET)	(CI	ITY)	(S	TATE)	(ZIP CODE)		
1010 Lakeview Street	B	ellingham	V	Vashington	982	26	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	PU	BLIC WATERS	TO BE APPROPR	IATED		-	
source well							
TRIBUTARY OF (IF SURFACE WATERS)			1.0				
MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS P	S PER MINUTE MAXIMUM ACRE FEET PER YEAR					
360				465.9			
QUANTITY, TYPE OF USE, PERIOD OF USE	5						
Community Domestic Supply	y- continuously		All has been the	A 44			
	LOCA	ATION OF DIVE	RSION/WITHDR.	AWAL			
APPROXIMATE LOCATION OF DIVERSION	WITHDRAWAL		-	198			
1210 feet East and 300 feet N	orth from the S ¼ cor	mer					
LOCATED WITHIN (SMALLEST LEGAL SU	BDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M	WRIA	COUNTY	
SW ¼ SE ¼	24	38	3 E	1	Whatcom		
		DECODDED DI	ATTED PROPERT	Y			
	1	LECORDED FLA	TITED INOI EN				

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						
COMPLETE PROJECT BY THIS DATE January 1, 2013	January 1, 2020					
	DEVELOPMENT SCH COMPLETE PROJECT BY THIS DATE January 1, 2013	DEVELOPMENT SCHEDULE COMPLETE PROJECT BY THIS DATE WATER PUT TO FULL USE BY THIS DATE 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: Priority Date: Instantaneous Quantity: Annual Quantity: Point of Withdrawal: Purpose of Use: Period of Use: Place of Use:

Proposed Change

Name of Applicant: Date of Application for Change: Point of Withdrawal: Purpose of Use: Period of Use: Notice of Publication: Protests: Whatcom County Water District 10 November 22, 1976 360 gallons per minute (gpm) 465.9 acre-feet per year (afy) SE ¼ SE¼ of Section 24, Township 38 North, Range 3 East Community domestic supply Continuously Area served by Whatcom County Water District 10

Whatcom County Water District 10 May 27, 1994 SW ¼ SE ¼ Section 24, T. 38, R 3 E, W.M. Community domestic supply Continuously Bellingham Herald, July 14th & 21st 1994 Lummi Nation

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G1-22763P

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 1/4 NE 1/4, Sec. 8, T 37N, R 4 E
G1-22681P	Water District 10	DM	4/30/1976	60	32.4	SW 1/4 SE 1/4, Sec. 24, T 37N, R 3 E
CG1-22763P	Water District 10	DM	11/22/1976	360	465.9	SE 1/4 SE 1/4, 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 1/4 NE 1/4, 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	1	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 1/4 NE 1/4, Sec. 25, T 38N, R 3 E
S1-00698C	Merl Johnston	DS	4/02/1971	.01	1	NW 1/4 NE 1/4 Sec. 25, T 38N, R 3 E
S1-26741C	M & K Mayo	DS	9/22/1992	.01	.5	NW 1/4 NE 1/4, Sec. 25T 38N, R 3 E
S1-22284C	Anthony Mikas	DS	6/27/1974	.01	1	NW 1/4 NE 1/4, 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 1/4 NW 1/4, 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

3

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 1/2 mile radius of G1-22763P.

Well Owner	Well Location
Burr Hollinger	NW 1/4 NE 1/4, Sec. 24, T. 38 N, R 3 E
Doug Albee	SW 1/4 SE 1/4, 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 1/4 SE 1/4, Sec. 24, T. 38 N, R 3 E
Doug Albee	SW 1/4 SE 1/4, 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 1/4 SE 1/4 , Sec. 24, T. 38 N, R 3 E
Lake Whatcom Residential & Treatment Center	SE 1/4 SW 1/4, Sec. 24, T. 38 N, R 3 E
Art Hyatt	NW 1/4 NE 1/4, Sec. 25, T. 38 N, R 3 E
Robert Sturtz	NE 1/4 NW 1/4, Sec. 25, T. 38 N, R 3 E

Table 4. Exempt wells near G1-22763P

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 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 include such attributes than the original point of withdrawal. Although Water District 10 only perfected a small portion of the water right (0.61 afy out of 465.9 afy).

PROTESTED REPORT OF EXAMINATION FOR CHANGE

• they have demonstrated through their diligence extending their permit and pressing Ecology to take a decision on the well location changes that they are making good effort to perform the water right. According to the state Supression 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.

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PEPORT BY: PROTESTED REPORT þF EXAMINATION FOR CHANGE

311 2002 DATE:

G1-22763

Water Right Extensions

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DEPARTMENT OF	Water Resor	arces Program	
ECOLOGY State of Washington	CONSTRUCT	FION NOTICE	
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	NG OF CONSTRUCTION	COMPLETION OF	CONSTRUCTION
PROJECT	ABANDONED	REQUEST FOR E2	CTENSION (ree applies)
 Beginning of Constru- Completion of Constru- Project Abandoned: Request for Extension 	ction: development of the wate nction: facilities are installed to water not needed for this project n: when the development sched	r system has begun. o deliver water to the projec ct; authorization may now b ule has not been met (see ba	t. e canceled. ck of form).
If requesting an extension,	submit this form and \$50 fee to	: Water Right No.:	1
DEPARTME	NT OF ECOLOGY	(61-77	762
PO E	OX 47611 WA 98504-7611	COLCC	107
Date Construction	Date Construction Expected:	Date Construction	Date Project
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Degan:			a1/4
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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) LAKE WHATCOM WATER C	ertificate, Permit, Claim, or Court Claim
AND SEWER DISTRICT	CG1-22763
	• ·
User's name for diversion/withdrawal point:	AGATE <u>HEIGHTS WATER TREATMENT</u> PLANT (ex. Well #1, Blue well house)
<u>ABOUT THE MEASURING DEVICE:</u> Please include an up-close photo of the face of the met	ter.
Flow Type: Open Channel Flow Pressurized	Pipe Flow
Measure more than one source? Yes No that share a common measuring device (ex. two wells	If yes, please provide a list of all the sources or two pumped diversions):
Meter Type (ex. magnetic, propeller, flume, etc.):	TURBINE
Brand: <u>ROCKWELL</u>	Addel No.: W-1000 DR S18, 16.012.07002
Serial No.: <u>PA 15208</u>	Inits of Measure (gal, cfs, or ac-ft): <u>CUBIC FEET</u>
Device Roll-Over No.: <u>99999900</u> I	Device Multiplier (ex. X100, X0.01): 1000 POLSE
Date Installed/Calibrated: 2001	Fish screen for surface water diversion? \Box Yes \Box No $W \in \mathcal{U}(N/A)$
LOCATION OF THE MEASURING DEVICE:	
Section: <u>24</u> Township: <u>38N</u> Range:	<u>03E</u> (14): <u>SE</u> (1414): <u>SW</u>
Latitude (optional): I (NAD 83 Datum in Decimal Degrees preferred)	.ongitude (optional):
Is meter within 100 feet of the point of diversion or w	ithdrawal? 🗹 Yes 🔲 No
COMMENTS:	
I hereby certify that all information reported of	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: PATELER. SOPENSEN CLUWSD	.026
Signature: Kernth Arm	Date: 5/30/2013

ECY 070-170 (Revised 09-09) If you need this document in an alternate format, please call the Water Resources Program at 360-407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

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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

April 22, 2013

Note changes

Ms. Bonnie-Strede MR Panzick Sorensen Whatcom County Water District #10 Latre Whatcom Wester J Sowerz District #10 1010 Lakeview 1220 Latruty DR'NR Bellingham WA 98226 98229

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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 <u>arlene.harris@ecy.wa.gov</u> or by phone at 425-649-7020.

Sincerely,

andene Harris

Arlene Harris Water Resources Program

WR:ah

Enclosures:

Construction Notice Extensions for Water Right Permits and Change Authorizations Form 1 – Measuring Device Information



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 <u>arlene.harris@ecy.wa.gov</u> or by phone at 425-649-7020.

Sincerely,

alene Hamo

Arlene Harris Water Resources Program

WR:ah

Enclosures:

Proof of Appropriation of Water Extensions for Water Right Permits and Change Authorizations



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

JUN 2 5 2013

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

07-02-13 A11:58

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.

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

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

Sincerely, a Jacqueline Klug Section Manager Water Resources Program

JK:ah

By certified mail [7010 3090 0000 1910 4959]

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





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

JUN 2 5 2013

4

Mr. Patrick Sorensen Lake Whatcom Water & Sewer District 1220 Lakeway Drive Bellingham WA 98229 07-02-13 A11:59 IN

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

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Sincerely, a Jacqueline Klug Section Manager Water Resources Program

JK:ah

By certified mail [7010 3090 0000 1910 4966]

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

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

Lake Whatcom Water and Sewer District (PWS 959101) – South Shore Water Treatment Plant Disinfection Contact Time Tracer Study Report (2016)

Reservoir Seismic Vulnerability Assessment (2016)