

Application for Change/Transfer of a Water Right

Form No. ECY 040-1-97 (Rev 05-2020)



DEPARTMENT OF
ECOLOGY
State of Washington

- We strongly encourage applicants to seek pre-application consultation prior to applying.
- Refer to accompanying guidance to complete this form.
- Incomplete applications will be returned.
- All fees are non-refundable (RCW 90.03.470(13)).

RECEIVED

MAR 08 2022

Department of Ecology
Eastern Washington Office

Processing option you are choosing:

<input type="checkbox"/> Standard Processing (Department of Ecology)	<input type="checkbox"/> Cost Reimbursement Processing (Ecology Contractor)	<input checked="" type="checkbox"/> County Water Conservancy Board Processing (not available in all counties)
A minimum \$50 fee is required to apply. Additional fees may apply. Drought applications are exempt.	Contact Department of Ecology to obtain information on fees for this option.	Fees charged by boards vary. Consult with the appropriate board to determine the fee.

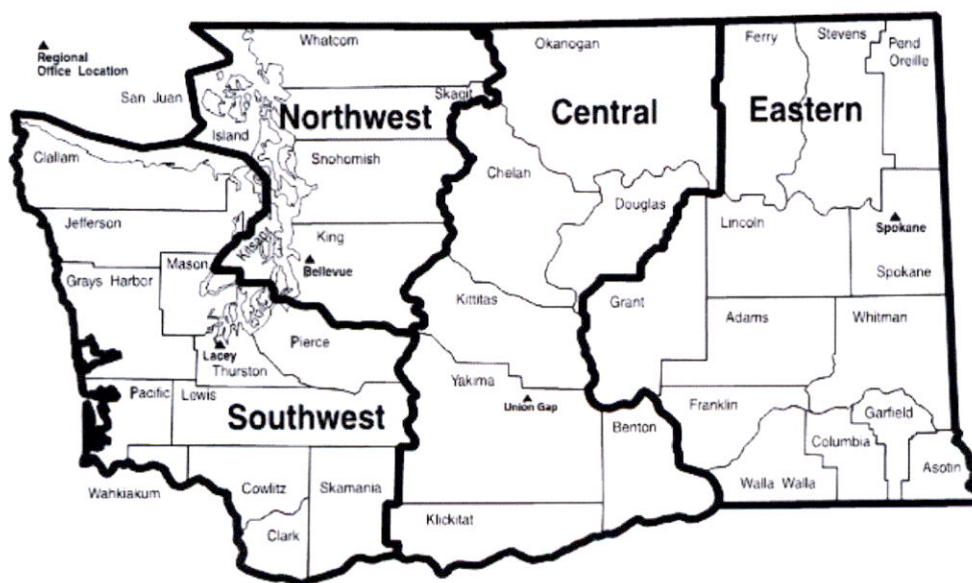
Where to mail your application:

Submit all applications for Department of Ecology and Cost Reimbursement processing to the Ecology's Cashiering Section address below. County Water Conservancy Board applications should be submitted directly to the appropriate board, if one exists.

DEPARTMENT OF ECOLOGY
CASHIERING SECTION
PO BOX 47611
OLYMPIA, WA 98504-7611

Check the box for the region where your project is located.

- ☐ Central Region
☒ Eastern Region
☐ Northwest Region
☐ Office of Columbia River (OCR)*
☐ Southwest Region



* OCR has jurisdiction for designated OCR projects, and new projects located within one mile of the Columbia River.

To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.



For Ecology Use
(Date Stamp)

WATER RESOURCES PROGRAM

Application for Change/Transfer of a Water Right

A minimum filing fee of \$50.00 is required for most applications. Additional fees may be required.

I am applying to (check all that apply):

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

No filing fee is required for applications for:

- ☐ Drought
☐ Cost Reimbursement Processing
☒ Water Conservancy Board Processing
County: Spokane

FOR OFFICIAL USE ONLY

DATE APPLICATION RECEIVED 2/23/2022
CHECK NO. 1735 FEE \$ 700.00
DATE ACCEPTED 2/28/2022 BY KMF
CHANGE NO. SPOK-22-03
COUNTY Spokane WRIA 55
SPECIAL AREA
SEPA: ☒ EXEMPT ☐ NOT EXEMPT
ECY CODING: 001-002-WR10285-000011
DOC ID NO: 6304410
APP NO. 09566 PERMIT NO.
CERT NO. 63-01333 CERT OF CHG NO.

Date of pre-application consultation with Ecology: n/a.

63-01333C

Ecology staff contact: _____

1. Water Right Information

WATER RIGHT OR CLAIM NUMBER Certificate of Water Right No. G3-01333C		RECORDED NAME(S) Robert H. Greiff
HAS THE WATER BEEN USED AS DESCRIBED ON YOUR WATER RIGHT DOCUMENT IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
WATER RIGHT OWNER Robert H. Greiff and Robert W. Greiff	PHONE NO. (509) 466-2744	ALT PHONE NO.
ADDRESS 6223 W. Ridgeway Road		
CITY Deer Park	STATE WA	ZIP CODE 99006
EMAIL ADDRESS (IF AVAILABLE) Please use mail address.		

2. Applicant Information

APPLICANT/BUSINESS NAME (same) Robert H. Greiff and Robert W. Greiff	PHONE NO. (509) 466-2744	ALT PHONE NO.
ADDRESS 6223 W. Ridgeway Road		
CITY Deer Park	STATE WA	ZIP CODE 99006
EMAIL ADDRESS (IF AVAILABLE) Please use mail address.		

Change of G3-01330C

CONTACT (IF DIFFERENT FROM ABOVE) same.	PHONE NO.	ALT PHONE NO.
ADDRESS		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE)		

3. Purpose(s) and Period of Use

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
irrigation of 20 acres	100 gpm	68 af/yr	April 1 to October 1

B. Proposed (if different from 3A)

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
irrigation of 100 acres*	100 gpm	68 af/yr	April 1 to October 1
*not to exceed 100 ac in combination under SWC 4057, GWC 4589-A, G3-01333C.			

4A. Existing Locations of Point(s) of Diversion or Withdrawal

Describe your existing water use in Section 4A: source description, and either surface water or groundwater. Describe your proposed water use in Section 4B: source description, and either surface water or groundwater. Refer to accompanying guidance document for more information. Attach additional sheets if needed.

Source Name	Source Location Information (Legal Description)						
SOURCE NAME (Reference by number below)	QTR QTR	QTR	SEC	TWP	RGE	PARCEL NO.	
1. a well	SW	NW	SE	04	27N	42E	27044.9004
2.							
3.							
4.							

Complete one of the following tables: A) for surface water, or B) for groundwater

A) For existing surface water diversions

<input type="checkbox"/> SPRING <input type="checkbox"/> CREEK <input type="checkbox"/> RIVER <input type="checkbox"/> LAKE <input type="checkbox"/> OTHER:		
SOURCE from 4A above	TRIBUTARY TO:	GPS/ LAT-LONG
1.	n/a.	
2.		
3.		
4.		

DO YOU OWN THE POINT(S) OF DIVERSION? ☐ YES ☐ NO n/a.

Change of G3-01333C

B) For existing groundwater diversions

WITHDRAWAL DEVICE: <input checked="" type="checkbox"/> WELL <input type="checkbox"/> OTHER:			
EXISTING WELL: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
SOURCE from 4A above	WELL NO.	WELL TAG NO.	GPS/ LAT-LONG
1.	none.	none.	Approx. 47.864486°, -117.508096°.
2.			
3.			
4.			

DO YOU OWN THE POINT(S) OF WITHDRAWAL? ☒ YES ☐ NO**4B. Proposed Point(s) of Diversion or Withdrawal**

Source Name	Source Location Information					
SOURCE NAME (Reference by number below)	QTR QTR	QTR	SEC	TWP	RGE	PARCEL NO.
1. no change.						
2.						
3.						
4.						

Complete one of the following tables: A) for surface water, or B) for groundwater

A) For proposed surface water diversions

<input type="checkbox"/> SPRING <input type="checkbox"/> CREEK <input type="checkbox"/> RIVER <input type="checkbox"/> LAKE <input type="checkbox"/> OTHER:		
SOURCE from 4B above	TRIBUTARY TO:	GPS/ LAT-LONG
1.	n/a.	
2.		
3.		
4.		

DO YOU OWN THE POINT(S) OF DIVERSION? ☐ YES ☐ NO n/a.**B) For proposed groundwater diversions**

WITHDRAWAL DEVICE: <input type="checkbox"/> WELL <input type="checkbox"/> OTHER:			
EXISTING WELL: <input type="checkbox"/> YES <input type="checkbox"/> NO			
SOURCE from 4B above	WELL NO.	WELL TAG NO.	GPS/ LAT-LONG
1.	n/a.		
2.			
3.			
4.			

DO YOU OWN THE POINT(S) OF WITHDRAWAL? ☐ YES ☐ NO n/a - no change.

5. Place of Use

A. Existing

QTR QTR	QTR	SEC	TWP	RGE	COUNTY	PARCEL #	# OF IRRIGATED ACRES
		04	27N	42E	Spokane	See below.	20 ac
LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
SW1/4SE1/4, Sec. 4, T. 27 N., Rge. 42 E.W.M., LESS roads.							
Parcel #: ptn 27044.9004.							

LEGAL LAND OWNER OF <u>EXISTING</u> PLACE OF USE (IF DIFFERENT THAN APPLICANT) same.	PHONE NO.	ALT PHONE NO.
ADDRESS		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE)		

B. Proposed (if different than 5.A)

QTR QTR	QTR	SEC	TWP	RGE	COUNTY	PARCEL #	# OF IRRIGATED ACRES
		4, 9	27N	42E	Spokane	See below.	100 ac
LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
W1/2SE1/4 Sec. 4 and W1/2NE1/4 Sec. 9, T. 27 N., R. 42 E.W.M.							
Parcel #: 27044.9004, 27091.9036, 27091.9037.							

LEGAL LAND OWNER OF <u>PROPOSED</u> PLACE OF USE (IF DIFFERENT THAN APPLICANT) same.	PHONE NO.	ALT PHONE NO.
ADDRESS		
CITY	STATE	ZIP CODE
EMAIL ADDRESS (IF AVAILABLE)		

All applicants must also complete Sections 6 through 11, **except** drought and Quincy Basin Artificially Stored Groundwater applications (see below).

If you do not have the required information, make an appointment with your Ecology regional office to discuss your application. Applications submitted without the required information will be returned as incomplete.

- If your water right change would impair an existing right, complete Section 6 through 11, and Attachment A, **mitigation plan**. Changes to water rights that will impair an existing right will be denied unless a mitigation plan is approved.
- If you are applying to **consolidate permit-exempt wells**, complete Sections 6 through 11, and Attachment B.
- If you are applying for a change related to the **Quincy Basin Artificially Stored Groundwater**, stop here. Complete only Sections 7 & 11, and continue with Attachment C.
- If you are applying for a change related to **drought**, stop here. Complete only Section 11, and continue with Attachment D.

6. Project Description

See attached Report for answers to Items 6-11.

(Provide your answers in a separate report, and reference the section number in your responses)

Section	Required information	Reference(s)
6.1	Provide a brief narrative explaining the general nature and intent of the proposed change(s) to the water right.	
6.2	Are you aware of any compliance/enforcement actions that concern this water right? If so, describe.	
6.3	If this water right has previously been changed, summarize whether the previously authorized changes have been completed.	
6.4	If the water right includes a diversion from a permitted reservoir, list all the associated water rights, the maximum volume of water stored in the reservoir, and the means of withdrawal.	
6.5	Attach a copy of any SEPA checklists or environmental analyses related to this project with this application.	
6.6	<u>For period of use change proposals</u> , indicate the time of the year that the water use is proposed.	POL 1200
6.7	<u>For temporary change proposals</u> , indicate the timeframe that the proposed change would be in effect.	POL 1035
6.8	<u>For municipal change proposals</u> , provide the most recent water right self-assessment, if one exists, as submitted to the Department of Health (DOH).	

SYSTEM DESIGN AND OPERATION

Section	Required information	Reference(s)
6.9	Provide a description of the existing water supply system from the point of diversion or withdrawal to the place of use.	
6.10	Provide preliminary design plans and specifications for the proposed change, including diversion or withdrawal and conveyance facilities, if applicable, and the proposed flow rate and volume design capacity.	
6.11	<u>For change proposals adding a purpose of use or adding irrigated acres,</u> describe how the change proposal would affect return flow.	
6.12	Provide the current and projected system efficiency covered by the water right proposed for change.	
6.13	Provide an explanation of how the proposed use will not increase the authorized maximum flow rate (Qi) or annual volume (Qa).	PRO 1210 GUID 1210
6.14	<u>For surface water diversions,</u> describe how your plans comply with WDFW fish screening requirements.	RCW 77.57

DEVELOPMENT SCHEDULE

Section	Required information	
6.15	Provide a general timeline that includes the steps needed to begin the project, complete the project, and put the water to full beneficial use.	
6.16	<u>For changes to water rights currently under a development schedule,</u> provide a description of the current status of your project.	
6.17	Identify and discuss other land-use or environmental permits required and the timeline to obtain those permits.	

7. Related Water Rights

Section	Required information	Reference(s)
7.1	List any other water rights (applications, permits, certificates, or claims) related to this change application. Include any rights that overlap the place of use.	
7.2	Explain how the water rights listed above have been exercised.	
7.3	List all wells that have been added through a Showing of Compliance form.	POL 1260 ECY 040-74

8. Historical Use

Section	Required information	
8.1	Describe how the water proposed for change has been beneficially used since the water right was established.	

Section	Required information	
8.2	For the water right proposed for change and the portfolio of any related rights, provide the historical flow rate from each point of diversion or withdrawal (in cubic feet per second or gallons per minute) and explain how the amount was determined (e.g., meter data or power records). Include information on how the water right was used historically, and how it is being used currently.	
8.3	If the requested change/transfer is for a water right claim, include evidence demonstrating use of water prior to 1917 for surface water, or 1945 for ground water.	
8.4	For surface water diversions , explain whether streamflows were adequate to exercise the right throughout the historical period of diversion. If available, provide streamflow records to support the conclusion.	
8.5	For groundwater withdrawals , explain whether there has been an adequate supply of groundwater to exercise the water right throughout the historical period of withdrawal. Provide all groundwater data and methods used to support the conclusion.	
8.6	Describe your procedures for remaining in compliance with the provisions of your existing water right.	
8.7	If a water measuring device was installed, provide your measurement data.	
8.8	If a measuring device was not installed, do the pumps have a dedicated power meter(s)? If so, provide an estimate of water use using the power consumption to water consumption equation described in WAC 173-173-160(2).	
8.9	If no water use data are available, estimate annual use by using an alternative method and explain your methodology.	
8.10	Provide aerial photos, remotely sensed images, or other information and explain how they support the historical use.	

WATER USED FOR IRRIGATION

Section	Required information	Reference(s)
8.11	If changing the purpose of use , refer to the Provisions section of your water right document to determine whether the right is subject to the Family Farm Water Act. If so, contact the appropriate Ecology regional office prior to completing this form (refer to map on page 1).	RCW 90.66
8.12	Describe your irrigation scheduling practices (e.g., frequency and duration of irrigation sets). Describe how data from soil moisture probes, weather forecasts, crop inspection, or other irrigation scheduling techniques were used to determine irrigation practices.	
8.13	If adding the irrigation of additional acres or a new purpose of use, provide metering data for the most recent five-year period of continuous use. If metering data are unavailable, provide an estimate of water use for the most recent five-year period of continuous use and describe the methodology for this estimate.	POL 1210 GUID 1210 RCW 90.03.380

Section	Required information	Reference(s)
8.14	If water has been used from a state or federal water project (contract water) on the historical place of use, explain when and how that contract water was used.	

9. Hydrogeologic Setting

We strongly recommend that applicants consult with Ecology in a pre-application meeting prior to conducting any hydrogeologic work, to determine the scope of data required for processing this application.

Section	Required information	
9.1	Provide a description of existing authorized points of withdrawal and proposed wells, their locations, water well report, static water levels, pumping rates and schedules, etc.	
9.2	If known, describe: <ul style="list-style-type: none"> • Geographic recharge and discharge areas • Seasonal variations of groundwater elevations • Interrelationships between surface water and groundwater, and between aquifers • Barriers to flow • Hydrologic boundaries 	
9.3	Attach any available well information including: <ul style="list-style-type: none"> • Water well report • Well diameter and depth • Motor and pump specifications (i.e., make, horsepower, and type) • Pump test data • Well locations (must be identified as outlined in Section 11) 	
9.4	If known, describe the following characteristics of the aquifer, and cite the source of that information: <ul style="list-style-type: none"> • Aquifer transmissivity • Aquifer storage coefficient and specific yield • Saturated thickness • Aquitard leakage • A detailed description of groundwater-flow boundaries • Water-level hydrographs for wells • Associated water-quality information 	
9.5	Additional hydrogeologic work may be required to process your application.	

10. Environmental Assessment

Section	Required information	
10.1	Describe the aquatic uses of any related surface water bodies (i.e., fish and wildlife, recreation and aesthetic, water quality, etc.).	

Section	Required information	
10.2	Indicate whether the related surface water is fish-bearing, including whether it is inhabited by salmonids. List species and the times of year they are present. https://apps.wdfw.wa.gov/salmonscape/	

11. Maps and Other Documentation

Section	Required information	
11.1	<p>Attach detailed map(s) clearly indicating the following:</p> <ul style="list-style-type: none"> The existing places of use for all rights related to this proposed change. If any overlapping water rights for the place of use, or multiple rights that share the same point(s) of diversion/withdrawal exist, provide one map depicting all of the historical points of diversion, means of conveyance, and places of use. Identify related rights as such by water right number. The county parcel numbers for the existing and proposed place(s) of use, unless the place(s) of use are for large service area such as that served by an irrigation district or municipal water system. Identify the name of the irrigation district or the water system. The existing and proposed locations of the point(s) of diversion/withdrawal. The names, informal or formal, used to identify each point of diversion/withdrawal (e.g., Well No. 1, River Well, S01, Smith Dam, etc.). The proposed place(s) of use. A grid layer referencing Section, Township, and Range of the area. The location of the water delivery system and other such features relevant to your proposed change/transfer (e.g., mainlines, reservoirs, booster pumps, etc.) 	

See attached report for answers to Items 6-11.

Also see:

Exhibit 1 -- Water Right File Excerpts


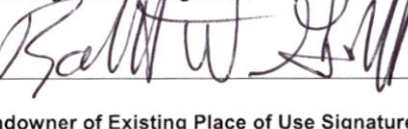
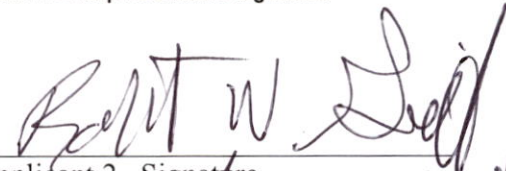
Exhibit 2 -- Map

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. For further information, contact:

Department of Revenue
Real Estate Excise Tax
PO Box 47477
Olympia, WA 98504-7477
Phone (360) 570-3265

12. 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 hereby grant staff from the Department of Ecology or the County Water Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

Applicant 1. Robert H. Greiff		1/21/22
Applicant Printed Name – Title	Applicant Signature	(Date: MM/DD/YYYY)
WR Holder 1. Robert H. Greiff		1/21/22
Water Right Holder Printed Name	Water Right Holder Signature	(Date: MM/DD/YYYY)
Robert W. Greiff		1/21/2022
Landowner of Existing Place of Use Printed Name	Landowner of Existing Place of Use Signature	(Date: MM/DD/YYYY)
Landowner 1. Robert H. Greiff		1/21/22
Landowner of Proposed Place of Use Printed Name	Landowner of Proposed Place of Use Signature	(Date: MM/DD/YYYY)
n/a.		
Authorized Representative Printed Name	Authorized Representative Signature	(Date: MM/DD/YYYY)
Applicant 2. Robert W. Greiff		1/21/2022
	Applicant 2. Signature	Date
WR Holder 2. Robert W. Greiff		1/21/2022
	WR Holder 2. Signature	Date
Landowner 2. Robert W. Greiff of Proposed Place of Use		1/21/2022
	Landowner 2. Signature	Date

For additional information, contact the Ecology regional office where your project is located:

Region	Counties served	Mailing Address	Phone
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	3190 160th Ave SE Bellevue, WA 98008	425-649-7000
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300

ADA Requests

To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Attachment A: Mitigation Plan Not Applicable.

Section	Required information	Reference(s)
A1	Identify any water rights (including permits, certificates, claims, instream flows, or legal permit-exempt wells), you expect to be impaired and identify the expected nature of that impairment.	Attachment A is not applicable.
A2	Identify the source of supply for the proposed mitigation water.	
A3	Describe how this mitigation water source will offset the impacts of the proposed change. This should specifically address how the change in the amount of water in Section A4 will be offset by the source identified in Section A5.	
A4	Estimate the change in consumptive quantity that would be available for the use being impaired. Describe the methodology used to support your estimate.	
A5	Describe actions that will be taken to ensure mitigation will be maintained for the duration of the water right change authorization.	
A6	List each water right being proposed for transfer, relinquishment, or conveyance to the Trust Water Rights Program. Provide a history of beneficial use of each water right listed above and identify whether a separate water right change application has been filed for these water rights.	
A7	Provide copies of any agreements between you and other parties regarding mitigation for impacts, if applicable.	
A8	Describe the benefits and costs, including environmental effects, of any water impoundment or other resource management technique that is included as a component of the application.	RCW 90.03.255 RCW 90.44.055
A9	For surface water, analyze whether there will be any increased water supply from the impoundment or technique, including recharge of groundwater, as a means of making water available or otherwise offsetting diversion impacts.	
A10	For groundwater, analyze whether there will be any increased water supply from the impoundment or technique, including recharge of groundwater, as a means of making water available or otherwise offsetting the impact of the diversion of surface water.	
A11	If you intend to offset your new use, describe how and when non-consumptive water returns to ground water or surface water, and explain how this volume was estimated. Specifically describe how the quantity, timing and location of return flow would change if the proposed change is approved.	WAC 173-500-050(5) WAC 173-500-050(9) POL 1020

Not applicable.

Attachment B: Consolidation of Exempt Wells

Not Applicable.

RCW 90.44.105 provides that permit-exempt uses (RCW 90.44.050) may be consolidated with a valid right to withdraw groundwater only if all the following conditions are met.

Section	Required information	Reference(s)
B1	Provide evidence that water from the exempt wells tap the same body of public groundwater as the well with the water right to withdraw public ground waters.	RCW 90.44.105(1) Attachment B is not applicable.
B2	Show that suitable arrangements have been made to discontinue use of the permit exempt well established under the exemption upon approval of the consolidation amendment.	RCW 90.44.105(2)
B3	Provide copies of legally enforceable agreements that bind present and future owners of the land from drilling and using another permit exempt well through appropriate title limitations.	RCW 90.44.105(3)
B4	Show that suitable arrangements have been made to properly decommission the permit exempt well(s) in accordance with RCW 18.104 and relevant Ecology rules.	RCW 90.44.105(4) RCW 18.104.048 WAC 173-160-381 RCW 18.104.043 RCW 18.104.040(4)(b)
B5	Describe impacts to other existing rights, including ground and surface water rights and minimum stream flows adopted by rule.	RCW 90.44.105(5)
B6	Provide evidence that the amount of water used is consistent with the average amount of water used for similar uses in the general area and explain how this was determined.	
B7	Is there an adopted Coordinated Water System Plan (CWSP) or Comprehensive Land Use Plan or another comprehensive watershed management plan in place for this location? Please indicate yes or no. If yes, please document whether your project is consistent with this plan.	RCW 70.116.030(1) RCW 36.70A.070

Not applicable.

Attachment C: Quincy Basin Change Authorizations Not applicable.

Complete this attachment and the following sections of the Application for Change/Transfer of a Water Right:

- Sections 1 through 5
- Section 7. Related Water Rights
- Section 11. Maps and other Documentation

Section	Required information	Reference
C1	Provide a brief narrative explaining the general nature and intent of the proposed change(s) to the water right.	WAC 173-124
C2	If this water right has previously been changed, summarize whether the previously authorized changes have been completed.	

Not applicable.

Attachment D: Drought Change Authorizations Not applicable.

Complete this attachment and the following sections of the Application for Change/Transfer of a Water Right:

- Sections 1 through 5
- Section 11. Maps and other Documentation

Note: In order to apply for a Drought Change Authorization, your water source must be within an area covered by a formal drought declaration.

Section	Required information	Reference(s)
D1	Describe the specific circumstances pertaining to your water shortage. Describe how existing water rights are insufficient to address these impacts due to the drought.	
D2	Describe how the water right proposed for change will address these impacts.	
D3	<p>Have you had any previous drought-specific authorizations for the subject parcels?</p> <p>If yes:</p> <ul style="list-style-type: none"> • What are the Drought Authorization numbers? • Did those former authorizations cause impairment to other water users? 	RCW 43.83B.410
D4	<u>For irrigation changes</u> , indicate what types of crop(s) or orchard(s) you will be growing this year. Describe how the crop(s) or orchard(s) may be impacted by this year's drought.	

Not applicable.

REPORT

Submitted in Response to:
WASHINGTON STATE DEPARTMENT OF ECOLOGY
WATER RESOURCES PROGRAM APPLICATION FORM ENTITLED:
“Application for Change/Transfer of Water Right”
Form ID: ECY 040-1-14 (Rev 05-2020)

Applicant:
Robert H. Greiff and
Robert W. Greiff

Water Right Nos.:

Surface Water Certificate No. 4057
Ground Water Certificate No. 4589-A
Certificate No. G3-01333C

Explanation of Content: “All applicants must also complete Sections 6 through 11, **except** drought and Quincy Basin Artificially Stored Groundwater applications...” (Application Form 6).

6. Project Description

6.1 Provide a brief narrative explaining the general nature and intent of the proposed change(s) to the water right.

The three water right certificates are used within an interconnected pressure pipe system to irrigate field crops, alfalfa hay, grass and grains. The certificates authorize a total of 37 acres for irrigation with 12 acres under SWC 4057, 5 acres under GWC 4589-A, and 20 acres under G3-01333C. The applicant wishes to increase the number of acres authorized to 100 acres, such that each water right and all rights combined total to a maximum of 100 acres of irrigation. No changes are requested to source locations. The changes will allow the applicant flexibility to irrigate a greater area with a lower average water duty.

6.2 Are you aware of any compliance/enforcement actions that concern this water right? If so, describe.

No compliance/enforcement actions, however the WA Department of Ecology (Ecology) sent an advisory letter to the applicant in August 2019 asking for proof of authority to irrigate south of Ridgeway Road. The applicant had applied for irrigation rights to the north (of road) and south (of road) properties many years ago and believed that the rights granted included the south property--along authority to irrigate the full 100 acres applied for in 1968. After receiving the 2019 letter, the applicant contacted a water rights consultant and received advice that the final rights applied for in 1968 were issued such that all rights together totaled only 37 acres, all north of the road. The applicant then limited irrigation during the 2020-2021 seasons to the 37 acres north of the road, consistent with the Ecology letter. The rest was dryland farmed. The applicant now seeks formal authority to irrigate up to 100 acres north and south of Ridgeway Road, which has been the historical use for 50 years.

6.3 If this water right has previously been changed, summarize whether the previously authorized changes have been completed. *n/a.*

6.4 If the water right includes a diversion from a permitted reservoir, list all the associated water rights, the maximum volume of water stored in the reservoir, and the means of withdrawal. *n/a.*

6.5 Attach a copy of any SEPA checklists or environmental analyses related to this project with this application. *n/a.*

6.6 For period of use change proposals, indicate the time of the year that the water use is proposed. POL 1200 *n/a.*

6.7 For temporary change proposals, indicate the timeframe that the proposed change would be in effect. POL 1035 *n/a.*

6.8 For municipal change proposals, provide the most recent water right self-

assessment, if one exists, as submitted to the Department of Health (DOH). *n/a*.

SYSTEM DESIGN AND OPERATION

6.9 Provide a description of the existing water supply system from the point of diversion or withdrawal to the place of use.

The two groundwater rights are used from a 12 inch drilled well. The surface water right is pumped from a spring. Both sources connect to a six inch mainline. Irrigation is by wheel line.

6.10 Provide preliminary design plans and specifications for the proposed change, including diversion or withdrawal and conveyance facilities, if applicable, and the proposed flow rate and volume design capacity.

There are no plans to change the system at this time.

6.11 For change proposals adding a purpose of use or adding irrigated acres, describe how the change proposal would affect return flow.

No changes to equipment or historic irrigation patterns are planned.

6.12 Provide the current and projected system efficiency covered by the water right proposed for change.

Variable depending on cropping. Status quo equipment. Wheel lines are listed in Ecology GUID 1210 Table 1 as: 60-85% Total Application Efficiency, Average Consumptive Use 85%.

6.13 Provide an explanation of how the proposed use will not increase the authorized maximum flow rate (Qi) or annual volume (Qa). PRO 1210, GUID 1210

No change to equipment is planned at this time, operate within water right limits.

6.14 For surface water diversions, describe how your plans comply with WDFW fish screening requirements. RCW 77.57

Plan is to comply with fish screen requirements.

DEVELOPMENT SCHEDULE

6.15 Provide a general timeline that includes the steps needed to begin the project, complete the project, and put the water to full beneficial use.

To allow for weather variation and cropping to achieve full use, request is for a five year development schedule.

6.16 For changes to water rights currently under a development schedule, provide a description of the current status of your project. *n/a*.

6.17 Identify and discuss other land-use or environmental permits required and the timeline to obtain those permits. *n/a*.

7. Related Water Rights

7.1 List any other water rights (applications, permits, certificates, or claims) related to this change application. Include any rights that overlap the place of use.

The three rights together serve a common irrigation system, currently overlap, and are requested to continue the historic practice with extension of the place of use and increasing to common area of up to 100 acres.

7.2 Explain how the water rights listed above have been exercised.

The rights are used all together, in essence as one water right, with additive acres in a combined system.

7.3 List all wells that have been added through a Showing of Compliance form. POL 1260, ECY 040-74. *n/a.*

8. Historical Use

8.1 Describe how the water proposed for change has been beneficially used since the water right was established.

Long history of irrigation in the configuration requested for change, to irrigate a variety of field crops. Cropping is carefully chosen to allow for a rotation of the water throughout the farm and with a mix of higher use, and lower use cropping for a more or less uniform overall demand through the irrigation season.

8.2 For the water right proposed for change and the portfolio of any related rights, provide the historical flow rate from each point of diversion or withdrawal (in cubic feet per second or gallons per minute) and explain how the amount was determined (e.g., meter data or power records). Include information on how the water right was used historically, and how it is being used currently.

Flows can be estimated by wheel line output, and full use of the rights is estimated. SWC 4057 (0.12 cfs = 54 gpm), GWC 4589-A (50 gpm), G3-01333C (100 gpm).

8.3 If the requested change/transfer is for a water right claim, include evidence demonstrating use of water prior to 1917 for surface water, or 1945 for ground water. *n/a.*

8.4 For surface water diversions, explain whether streamflows were adequate to exercise the right throughout the historical period of diversion. If available, provide streamflow records to support the conclusion.

Applies to SWC 4057 only: The applicant reports no interruption in the available spring supply for the historic record of use dating back to the early 1950s.

8.5 For groundwater withdrawals, explain whether there has been an adequate supply of groundwater to exercise the water right throughout the historical period of withdrawal. Provide all groundwater data and methods used to support the conclusion.

Applies to GWC 4589-A and G3-01333C: The applicant reports no interruption in the available well supply for the historic record of use dating back to the early 1960s. The only interruptions have been for pump maintenance, the groundwater levels are stable by inspection and use.

8.6 Describe your procedures for remaining in compliance with the provisions of your existing water right.

Use within water right limits once made aware.

8.7 If a water measuring device was installed, provide your measurement data. *n/a.*

8.8 If a measuring device was not installed, do the pumps have a dedicated power meter(s)? If so, provide an estimate of water use using the power consumption to water consumption equation described in WAC 173-173-160(2).

Energy meter serves both pumps, estimate is for combined use. Assumptions should be considered to vary somewhat, estimates are approximate. Power records were obtained back to 2015.

Item		Estimated Values
<i>estimated discharge pressure (psi)</i>		90
<i>estimated lift & losses (ft)</i>		30
<i>total head (ft)</i>		238
<i>estimated efficiency (wire to water)</i>		0.65
Year	Combined kw-hr Use	Calculated Pumped Volume (ac-ft)
2015	55243	147
2016	36756	98
2017	28079	75
2018	45562	122
2019	42705	114
2020	32436	87
2021	53637	143

8.9 If no water use data are available, estimate annual use by using an alternative method and explain your methodology.

During 2020 and 2021 season the applicant tracked run times for wheel lines as an independent estimate of water use. Reasonable agreement with power records was obtained. This information will be submitted separately.

8.10 Provide aerial photos, remotely sensed images, or other information and explain how they support the historical use.

Aerial imagery is available through public sources such as Google Earth. Irrigation of the property is evident from the imagery.

WATER USED FOR IRRIGATION

8.11 If changing the purpose of use, refer to the Provisions section of your water right document to determine whether the right is subject to the Family Farm Water Act. If so, contact the appropriate Ecology regional office prior to completing this form (refer to map on page 1). RCW 90.66 *n/a*.

8.12 Describe your irrigation scheduling practices (e.g., frequency and duration of irrigation sets). Describe how data from soil moisture probes, weather forecasts, crop inspection, or other irrigation scheduling techniques were used to determine irrigation practices.

Applicant has farmed the property for many years and is highly experienced in growing the crops and making economical and agronomic use of the water.

8.13 If adding the irrigation of additional acres or a new purpose of use, provide metering data for the most recent five-year period of continuous use. If metering data are unavailable, provide an estimate of water use for the most recent five-year period of continuous use and describe the methodology for this estimate.

POL 1210, GUID 1210, RCW 90.03.380

See power records given above at No. 8.8. Also note AgWeatherNet model results for alfalfa hay and grass: Green Bluff Climate Station (10.4 miles southeasterly).

Year	Alfalfa	Grass
2020	42.7 in	37.1 in
2021	46.2 in	40.0 in

AgWeatherNet crop demands.

Year	Alfalfa	Grass
2020	53.4 in	46.4 in
2021	57.8 in	50.0 in

AgWeatherNet crop demands with 80% application efficiency.

GWC 4589-A and G4-01333C issued with a 48 in average water duty, and SWC 4057 was unspecified. Assuming all at 48 inch average duty yields a water right limit of SWC 4057 (48 af/yr), GWC 4589-A (20 af/yr), and G4-01333C (68 af/yr) = 136 af/yr combined. The AgWeathernet and power record estimates are consistent with full use with higher use cropping in rotation.

8.14 If water has been used from a state or federal water project (contract water) on the historical place of use, explain when and how that contract water was used. *n/a.*

9. Hydrogeologic Setting

9.1 Provide a description of existing authorized points of withdrawal and proposed wells, their locations, water well report, static water levels, pumping rates and schedules, etc.

No well report is available for the well, it is described as 12 in diameter and 39 feet deep from the water right file.

9.2 If known, describe:

- Geographic recharge and discharge areas
- Seasonal variations of groundwater elevations
- Interrelationships between surface water and groundwater, and between aquifers
- Barriers to flow
- Hydrologic boundaries

The hydrogeologic setting is for a shallow groundwater / water table withdrawal from sediments near Wethey Creek, and from a spring tributary to Wethey Creek.

9.3 Attach any available well information including:

- Water well report
- Well diameter and depth
- Motor and pump specifications (i.e., make, horsepower, and type)
- Pump test data
- Well locations (must be identified as outlined in Section 11)

No well report is available, the well is described as 12 inch diameter and 39 feet deep. A submersible pump of unknown make and model are installed, believed to be 5 hp. The applicant will need to see whether make and model of the surface water pump can be determined, it is believe to be 10 hp. A map is included showing approximate source / pumping locations.

9.4 If known, describe the following characteristics of the aquifer, and cite the source of that information:

- Aquifer transmissivity
- Aquifer storage coefficient and specific yield
- Saturated thickness
- Aquitard leakage
- A detailed description of groundwater-flow boundaries
- Water-level hydrographs for wells
- Associated water-quality information

Not known, other than what is obvious due to the relatively simple groundwater table setting near the creek.

9.5 Additional hydrogeologic work may be required to process your application.

10. Environmental Assessment

10.1 Describe the aquatic uses of any related surface water bodies (i.e., fish and wildlife, recreation and aesthetic, water quality, etc.).

Would prefer to defer to other sources.

10.2 Indicate whether the related surface water is fish-bearing, including whether it is inhabited by salmonids. List species and the times of year they are present.

<https://apps.wdfw.wa.gov/salmonscape/>

Would prefer to defer to other sources.

11. Maps and Other Documentation

11.1 Attach detailed map(s) clearly indicating the following:

- The existing places of use for all rights related to this proposed change.

If any overlapping water rights for the place of use, or multiple rights that share the same point(s) of diversion/withdrawal exist, provide one map depicting all of the historical points of diversion, means of conveyance, and places of use. Identify related rights as such by water right number.

- The county parcel numbers for the existing and proposed place(s) of use, unless the place(s) of use are for large service area such as that served by an irrigation district or municipal water system. Identify the name of the irrigation district or the water system.
- The existing and proposed locations of the point(s) of diversion/withdrawal.
- The names, informal or formal, used to identify each point of diversion/withdrawal (e.g., Well No. 1, River Well, S01, Smith Dam, etc.).
- The proposed place(s) of use.
- A grid layer referencing Section, Township, and Range of the area.
- The location of the water delivery system and other such features relevant to your proposed change/transfer (e.g., mainlines, reservoirs, booster pumps, etc.)

A map is attached. The piping system is not shown but will be evident from site inspection.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

CERTIFICATE OF WATER RIGHT

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

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
July 2, 1968	9566	G3-01333P	G3-01333C

NAME

ROBERT H. GREIFF

ADDRESS (STREET)

Route 1, Box 308

(CITY)

Deer Park

(STATE)

Washington

(ZIP CODE)

99006

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

PUBLIC WATER TO BE APPROPRIATED

SOURCE

a well

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND

MAXIMUM GALLONS PER MINUTE

100

MAXIMUM ACRE-FEET PER YEAR

68

QUANTITY, TYPE OF USE, PERIOD OF USE

100 gallons per minute, 68 acre feet per year, from April 1 to October 1, each year, for the irrigation of 20 acres.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL

1140 feet south and 300 feet east from the center of Sec. 4

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)

SW 1/4 Sec. 4

SECTION

4

TOWNSHIP N.

27

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

42 E.

W.R.I.A.

55

COUNTY

Spokane

RECORDED PLATTED PROPERTY

LOT

BLOCK

OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

SW 1/4 Sec. 4, T. 27 N., R. 42 E.W.M., LESS roads.

EXHIBIT 1
Page 1 of 19

PROVISIONS

The well shall be cased through the shallow aquifer and into the first impermeable layer to ensure that the withdrawal of water from the well will not affect the flow of Wethey Creek.

Issuance of this certificate shall not be construed as excusing the holder thereof 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 authorization to make use of public waters of the state is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

Certificate holder shall maintain an access port as described in Ground Water Bulletin No. 1.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

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 **Spokane** Washington, this 7th day
of March, 19 83.

DONALD W. MOOS, Director
Department of Ecology

ENGINEERING DATA

OK ASZ

by John L. Arnquist
JOHN L. ARNQUIST, Regional Manager

FOR COUNTY USE ONLY

EXHIBIT 1
Page 2 of 19

November 23, 1982

Mr. Robert H. Greiff
Route 1, Box 34
Deer Park, WA 99006

Re: Ground Water Permit No. G3-01333P

Dear Mr. Greiff:

The proof examination on your project has been completed. Based on the findings of this examination, a final Certificate of Water Right may be issued for 100 gallons per minute for the irrigation of 20 acres.

Upon receipt of the statutory filing and recording fees of \$5.00 (payable to the Department of Ecology) and \$4.00 (payable to the Spokane County Auditor), this office will issue a final Certificate of Water Right. Please send these two separate remittances to this office. PLEASE DO NOT SEND CASH, send checks or money orders.

Your present water rights are as follows: Surface Water Certificate No. 4057 for the irrigation of 12 acres; Ground Water Certificate 4589 for the irrigation of 5 acres; and Ground Water Permit No. G3-01333P for the irrigation of 20 acres. The total number of acres to be irrigated under these existing rights are 37. Please refer to the enclosed map for place of use and quantities of water allocated.

The examiner has indicated that you were expecting some action on an application or permit from a spring located in Sec. 9, T. 27 N., R. 42 E.W.M. I have not been able to find an application or permit for the appropriation of water from that spring; therefore, I am enclosing an application which you may use if you are still contemplating diverting water from the spring.

I am enclosing a water well construction report form. Please complete the form to the best of your ability and return it to us along with the requested fees.

Please respond within thirty (30) days from the date of this letter, and if you have any questions, please contact this office.

Sincerely,

George E. Farmer
District Supervisor
Resource Management Division

EXHIBIT 1
Page 3 of 19

GEF:mn

Enclosures

RECEIVED

MAR 01 1977

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

State of Washington

DEPARTMENT OF ECOLOGY

Post 103 Indiana

SPOKANE, WA. 99207

PROOF OF APPROPRIATION OF WATER

APPLICATION NUMBER		PERMIT NUMBER G3-01333P	
NAME OF PERMITTEE Robert H. Greiff			
POST OFFICE ADDRESS Route 1, Box 34		(CITY) Dear Park	(STATE) Wash
(ZIP CODE) 99006			
ACTUAL SOURCE OF APPROPRIATION Well			
PURPOSE OR PURPOSES WATER IS USED FOR Irrigation			
DATE WATER WAS COMPLETELY APPLIED TO PERMITTED USE July 1973		IF USED FOR IRRIGATION: NUMBER OF ACRES ACTUALLY IRRIGATED 100 A	
IF SOURCE IS A WELL, IS AN ACCESS PORT NOW INSTALLED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		MONTHS DURING WHICH WATER IS USED Apr thru Sept	
PUMP SIZE 15 HP			
ACTUAL AMOUNT WITHDRAWN OR DIVERTED FROM PERMANENT SYSTEM 100 GPM		<input type="checkbox"/> GPM <input type="checkbox"/> CFS	
HAVE ALL PROVISIONS AS REQUIRED BY PERMIT BEEN ACCOMPLISHED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF NO, EXPLAIN	

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED (USE ADDITIONAL SHEET IF NECESSARY)

SW 1/4 of Section 9 township 27 range 42

RED CERT FILES
OK CERT P.O. 41
W/IN SW 1/4 SEC 14
REST SAME AS PERMIT
MAKE PROOF UP
3/2/77

STATE OF WASHINGTON,

County of Spokane

ss.

I, Robert H. Greiff, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation; that I know the contents thereof; and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of February, 1977.

x Robert H. Greiff

Subscribed and sworn to before me this 28th day of February

EXHIBIT 1
Page 4 of 19

Notary Public

MEMORANDUM

CHECK
INFORMATION _____
FOR ACTION _____
PERMIT _____
OTHER _____

TO: Files

FROM: Chester E. Dorough *CED*

SUBJECT: Complaint of Illegal Water Use
Against Robert & Wm. Greiff

DATE: June 23, 1977

State of
Washington
Department
of Ecology

On June 7, 1977, an anonymous complaint was filed against Robert and Wm. Greiff. The complainant alleged the Greiffs' were illegally constructing 2 or 3 ponds, illegally diverting water from Wethey Creek to fill said ponds. The complainant further stated he would not identify himself for fear of physical retaliation by the Greiffs.

Prior to making the field investigation, a search of the Department files revealed the following rights: Certificate No. 4057, 0.12 cfs from a spring for 12 acres of irrigation within the $W\frac{1}{2}SE\frac{1}{4}$, Sec. 4, T 27 N, R 42 E.W.M.; Certificate No. 4589-A, 50 gpm from a well for 5 acres of irrigation within $W\frac{1}{2}SE\frac{1}{4}$, Sec. 4, T 27 N, R 42 E.W.M.; Permit No. G3-01333P, 100 gpm from a well for 20 acres of irrigation within $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, Sec. 4, T 27 N, R 42 E.W.M. Combined totals authorize 0.12 cfs and 150 gpm for 37 acres of irrigation. Certain records in the old files tended to indicate the Greiffs present a hostile manner.

Field investigation was attempted on 6/10/77 at approximately 1325. I met both Wm. and Robert Greiff and identified myself. They became extremely agitated and presented a menacing demeanor while ordering me to leave. As I was unable to obtain their cooperation, I drove around their property on the public roads to obtain a vantage point to view their property. I found such a point on Wild Rose Road about $\frac{1}{2}$ mile from their property to the north.

From this point, I observed apparent irrigation in the following areas: about 8-10 acres in $NW\frac{1}{4}SE\frac{1}{4}$ north of Wethey Creek in Sec. 4; about 40 acres in the $SW\frac{1}{4}SE\frac{1}{4}$, Sec. 4; about 40 acres in the $E\frac{1}{2}W\frac{1}{2}NE\frac{1}{4}$ in Sec. 9. It appeared that the 40 acres in the $W\frac{1}{2}W\frac{1}{2}NE\frac{1}{4}$, Sec. 9, were being cultivated in preparation for irrigation.

I was unable to determine sources of water nor quantities being used. I did observe a couple of piles of dirt and debris from apparent excavation but was unable to observe said excavation.

On 6/21/77 I informed the Department of Game of the complaint I had received. They had earlier reports of ponds in the area and on investigation determined that the Greiffs had constructed 2 ponds within a marshy area with channels connecting the ponds and Wethey Creek. Department of Game advised no further action anticipated.

CED:adt

EXHIBIT 1
Page 5 of 19

MEMORANDUM

CHECK
INFORMATION _____
FOR ACTION _____
PERMIT _____
OTHER _____

TO: Files

FROM: Russ Larsen, Colville Field Office

SUBJECT: Robert H. Greiff Investigation

G3-01333 P

June 16, 1977

DATE:

State of
Washington
Department
of Ecology

Made routine Proof Exam on May 10, 1977. Contacted Mr. Grieff at approximately 1:30 p.m. at Box 34, Rt. 1, Deer Park, Washington. Received a cold reception but got a little warmer as time went on.

Applicant stated that he thought he was "proving up" on a spring located in Sec. 9, T. 27, R. 42, but this permit was for a well in Sec. 4, T. 27, R. 42. After bringing to his attention that his Proof form information did not coincide with the permit that I had, Mr. Grieff stated that he was irrigating in Section 9 from this spring located in Section 9; and, there were sprinklers set out on this property in a direction southwest of the applicant's house to prove this. Then we proceeded down (north) to his well.

He stated that he uses the water to irrigate 20 acres of alfalfa and evidence of sprinklers were located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, T. 27, R. 42. I observed 17 heads with 5/32" nozzles on wheels. I observed a 15 horsepower pump. He also had an access port on his well. Point of withdrawal was observed to be the same as on the permit. He told me his well was 39 feet deep and had a casing one foot in diameter. He also said his well was cased and screened at the bottom in such a manner that there was no interference with Wethey Creek.

Mr. Grieff answered allof my questions, but did think some of them were rather stupid. He told me there was too much red tape in getting a water right and that government moved too slowly on this issue. He stated he was either to application stage or permit stage on his spring in Section 9. He wanted us to get his spring in Section 9 to certificate or permit stage (whichever is correct) as soon as possible. He gave me the impression that he wanted to be legal and that he was looking forward to another visit from us for this purpose. We then shook hands and I departed.

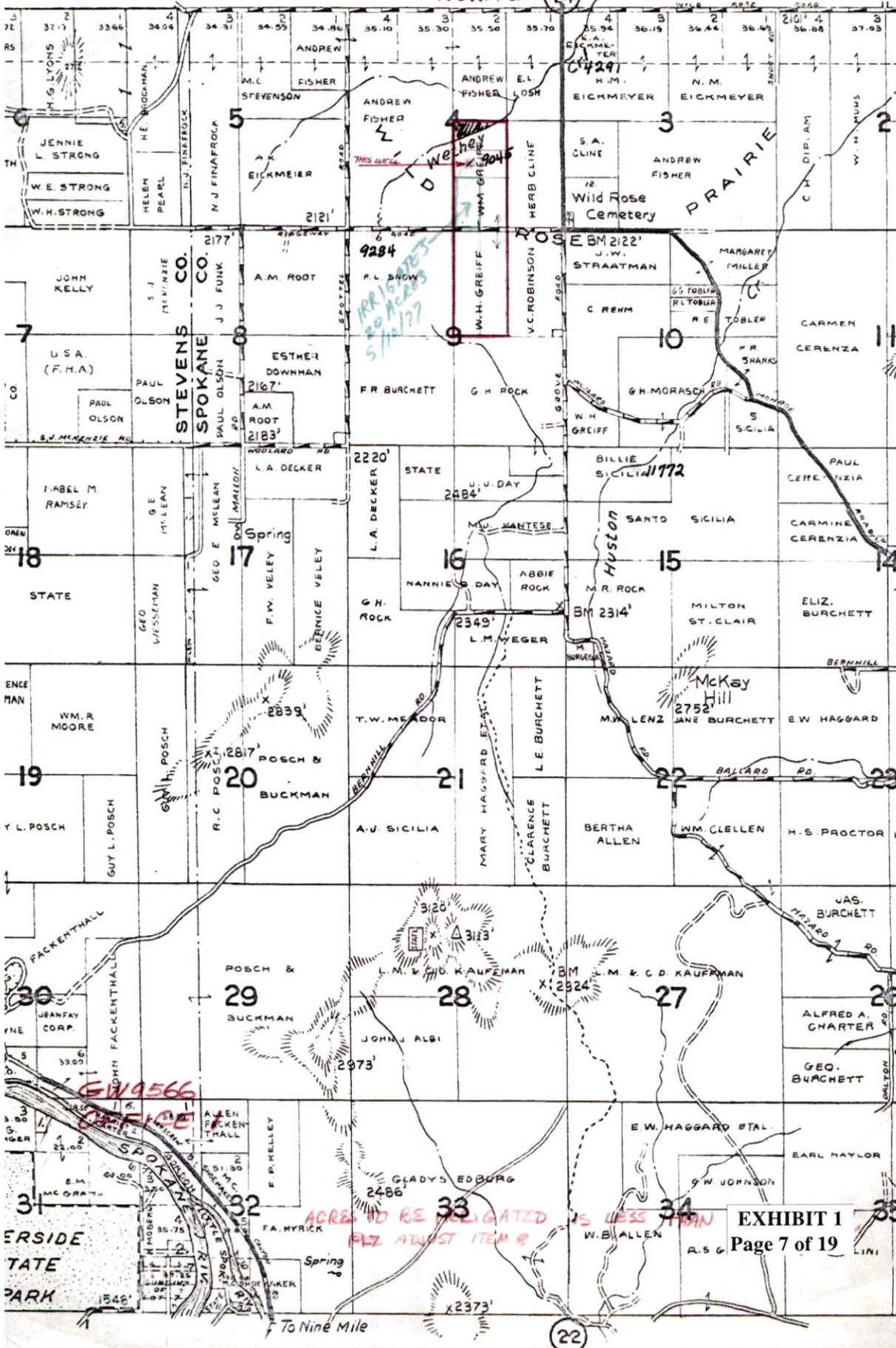
RL:lmb

EXHIBIT 1
Page 6 of 19

TOWNSHIP 27 N., RANGE 42 E
STEVENS & SPOKANE COUNTIES..WASH.

STEVENS SEPT. 1956
SPOKANE OCT 1957

To Deer Park





DEPARTMENT OF ECOLOGY

PERMIT

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ SURFACE WATER

☒ GROUND WATER

PERMIT NUMBER G3-01333P	APPLICATION NUMBER 9566	PRIORITY DATE July 2, 1968
-----------------------------------	-----------------------------------	--------------------------------------

NAME ROBERT H. GREIFF			
ADDRESS (STREET) Route 1, Box 34	(CITY) Deer Park	(STATE) Washington	(ZIP CODE) 99006

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

PUBLIC WATER TO BE APPROPRIATED

SOURCE a well
TRIBUTARY OF THE SURFACE WATERS:

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 100	MAXIMUM ACRE-Feet PER YEAR 68
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QUANTITY, TYPE OF USE, PERIOD OF USE
100 gallons per minute, 68 acre feet per year, from April 1 to October 1, each year, for the irrigation of 20 acres.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION/WITHDRAWAL 1140 feet south and 300 feet east from the center of Sec. 4
--

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) SW 1/4 Sec. 4	SECTION 4	TOWNSHIP N. 27	RANGE E. OR W. W.M. 42 E.	W.R.L.A. 55	COUNTY Spokane
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RECORDED PLATTED PROPERTY

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

LEGAL DESCRIPTION OF PROPERTY WATER TO BE USED ON

SW 1/4, Sec. 9 and W 1/4, Sec. 4, ALL in T. 27 N., R. 42 E.W.M., LESS roads.

DESCRIPTION OF PROPOSED WORKS

Drilled well - 12" x 39'.

DEVELOPMENT SCHEDULE

BEGINNING DATE	COMPLETION DATE	DATE COMPLETE APPLICATION OF WATER TO BE MADE
started	October 1, 1976	October 1, 1977

PROVISIONS

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

The well shall be cased through the shallow aquifer and into the first impermeable layer to ensure that the withdrawal of water from the well will not affect the flow of Wethey Creek.

The installation and maintenance of an access port as described in Ground Water Bulletin No. 1 shall be required prior to issuance of final Certificate of Water Right.

A proof of appropriation examination of your project will be made prior to the issuance of a Certificate of Water Right.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

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 Olympia, Washington, this 23rd day of July, 19 75.

JOHN A. BIGGS, Director
Department of Ecology

EXHIBIT 1
Page 9 of 19

ENGINEERING DATA
OK *not*
ECY 070-30(2)

by *R. Jerry Bollen*
R. JERRY BOLLEN, Assistant Director

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

☐ SURFACE WATER

☒ GROUND WATER

APPLICATION NO. 9566	PRIORITY DATE OF APPLICATION July 2, 1968
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NAME
ROBERT H. GRIFF

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)
Route 1, Box 34 Deer Park Washington 99086

PUBLIC WATERS TO BE APPROPRIATED

SOURCE
a well

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 100	MAXIMUM ACRE-FEET PER YEAR 68
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QUANTITY, TYPE OF USE, PERIOD OF USE
100 gallons per minute, 68 acre feet per year, from April 1 to October 1, each year, for the irrigation of 20 acres.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION/WITHDRAWAL
1140 feet south and 300 feet east from the center of Sec. 4

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) SW 1/4 Sec. 9	SECTION 4	TOWNSHIP N. 27	RANGE, (E. OR W.) W.M. 42 E.	W.R.I.A. 55	COUNTY Spokane
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RECORDED PLATTED PROPERTY

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

W 1/2 Sec. 9 and W 1/2 Sec. 4, ALL in T. 27 N., R. 42 E.W.M., LESS roads.

Drilled well - 12" x 39'.

DEVELOPMENT SCHEDULE

BEGINNING DATE	COMPLETION DATE	DATE COMPLETE APPLICATION OF WATER TO BE MADE
started	October 1, 1976	October 1, 1977

PROVISIONS AND RECOMMENDATIONS

DISCUSSION

Mr. Robert H. Greiff submitted subject application to appropriate public ground water on July 2, 1968. Mr. Greiff intends to irrigate 120 acres within the W₂NE₄ of Section 9 and the W₂SE₄ of Section 4, Township 27 North, Range 42 East, W.M. There are two (2) water rights appurtenant to a portion of this property - Surface Water Certificate 4057 for the irrigation of 12 acres and Ground Water Certificate 4589 for the irrigation of 5 acres. Both certificates are appurtenant to W₂SE₄ of Section 4, Township 27 North, Range 42 East, W.M.

PROTESTS

Mr. Mike Burdega protested the issuance of a permit under this application. The basis for Mr. Burdega's protest was that he felt that the withdrawal of ground water would affect his water supply.

CONSIDERATION OF PROTEST

The protestant, Mr. Burdega, has applied for and received a permit to develop three (3) wells. Mr. Burdega's wells are located approximately one mile northeast of the well proposed in this application.

Because of the close proximity of the well proposed in this application to Wethey Creek the well shall be cased to a depth which will prevent its interference with the flow of Wethey Creek.

RECOMMENDATIONS

It is recommended that a permit issue for the following quantities and subject to the following provisions:

100 gallons per minute, 68 acre feet per year, for the irrigation of 20 acres from April 1 to October 1, each year.

The applicant had requested the right to irrigate 120 acres. However, the instantaneous amount requested is not sufficient to irrigate 120 acres. Therefore the acreage has been reduced to 20 acres, which more nearly represents the number of acres that could be irrigated with an instantaneous rate of withdrawal of 100 gallons per minute.

"The well shall be cased through the shallow aquifer and into the first impermeable layer to ensure that the withdrawal of water from the well will not affect the flow of Wethey Creek."

The applicant is reminded that there are existing water rights from Wethey Creek. Therefore, should this project interfere with existing rights, the well authorized would be subject to regulation.

"All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells)."

"The installation of an access port as described in attached 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."

At such time that the Department of Ecology determines that regulation and management of the subject waters is necessary and in the public interest, an approved measuring device shall be installed and maintained in accordance with RCW 90.03.360.

Additionally, the permit, when issued, shall carry the following provision: "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 authorization to make use of public waters of the state is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise."

Signed at Spokane, Washington
this 11th day of April, 1975.

/s/ George E. Farmer *GEF*
GEORGE E. FARMER, District Eng.
Resource Management Section
Department of Ecology

EXHIBIT 1

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RECEIPT N^o 5418WASHINGTON STATE
DEPARTMENT OF WATER RESOURCESOlympia, Washington, July 2, 1968RECEIVED FROM Robert N. Sheriff - Deer Creek
Jan - 1970s DOLLARS 10.00FUND:
General..... Rec. Rev..... Weather Mod..... Basic Data..... Cash.....
SOURCE:
Water Code..... Publications..... Adjudications..... Refunds..... Check.....
Per. and Lic..... Investments..... Other..... M. O.....

EXHIBIT 1

DEPARTMENT Page 12 of 19 CES

By Shirley M. Gade

Thank You

Robert H. Greiff
Route 1, Box 34
Deer Park, WA.

June 28, 1968

Dear Mr. Greiff:

Receipt is acknowledged of the ground water application form which you recently submitted to this office. We wish to point out, however, that you neglected to include the statutory examination fee of \$10.00 which should have accompanied the application. If you would forward to us you check for the \$10.00 we will accept and process your application immediately.

In addition, we note that you have included for the legal description of the property upon which the water is to be used only the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 9 whereas I think you should have also included the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 4 such that the waters could be utilized on the properties both north and south of Ridgeway Road. In addition, you probably should have indicated the maximum number of acres to be irrigated in any one calendar year. You have, under this application, filed to irrigate 80 acres and combined with the existing water right, this would make a total of 95 acres. We would, therefore, appreciate it if you would re-evaluate the maximum number of acres which you intend to irrigate and also the legal descriptions and advise accordingly.

Your cooperation in this matter have been very much appreciated by this department.

Very truly yours,

DEPARTMENT OF WATER RESOURCES

WILLIAM R. SMITH, Geologist
Division of Water Management

WRS/ab

Encl.

EXHIBIT 1
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RECEIVED
DEPARTMENT OF WATER RESOURCES

JUN 26 1968
A.M. 7/8/9/10/11/12/1/2/3/4/5/6 P.M.

Attention Bill Smith;

Enclosed is application for additional water and acreage from well that is now operating under ground water permit No. 4589 which was submitted and advertised under application No. 6512 and was originally for 250 GPM but examiner cut gallonage to 50 GPM because the application stated only 5 acres were to be irrigated. Now we wish to pump additional water from this well and apply on additional acreage.

This application is submitted on the recommendations of C.M. Breckenridge owner of Dickerson Pump and Irrigation Co. Inc.

Sincerely

Robert H. Gruff

STATE OF WASHINGTON
DEPARTMENT OF WATER RESOURCES
Division of Water Management

APPLICATION FOR A PERMIT

PRIORITY	
Date	7-2-68
Time	11 AM
Accepted	LLH

To Appropriate Public Ground Waters
OF THE STATE OF WASHINGTON

Application No. G. W. **9566**I, Robert H. Greiff

(Name of applicant)

of Route 1, Box 34 Deer Park, Washington

(Complete post office address)

do hereby make application for a permit to appropriate the following described public ground waters of the State of Washington, subject to existing rights. This application is made under the provisions of Chap. 263 of the Session Laws of 1945, and amendments thereto of the State of Washington and subject to the rules and regulations of the Department of Water Resources.

1. The proposed appropriation will be from Well

(Well, tunnel, infiltration trench)

located 8 miles South of Deer Park, Washington

(Give approximate distance and direction from nearest city or town)

Area

(Leave blank)

Sub-area

(Leave blank)

Zone

(Leave blank)

Applicant's name or number of well or other works, if any

2. The quantity of water which applicant intends to withdraw for beneficial use is 100gallons per minute; 80 acre feet per year.3. The use or uses to which water is to be applied Irrigation

(Domestic supply, irrigation, municipal, manufacturing, industrial use, etc.)

4. The time during which water will be required each year April 1st. to Oct 15th.5. Location of well or other works for withdrawal of water: In county of Spokane1140'S & 300'E of CENTER SEC 4(a) 1500' North and 300' East from South quarter corner.

(Give distance and bearing from nearest corner of section or legal subdivision)

SW 1/4 NW 1/4 SEC 4being within the W 1/2 of the SE 1/4 of Sec. 4, Twp. 27 N., Rge. 42 E

(Give smallest legal subdivision)

(E. or W.)

or (b) If within limits of recorded platted property, town or city: Lot _____, Block _____,

of _____

(Give name of plat or addition)

(If within town or city, give name)

(c) Show this location on accompanying section plat. Other adequate maps

be acceptable.

EXHIBIT 1
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Existing cart-
Additional withdrawal of additional
lands to be irrig. -

6. DESCRIPTION OF WORKS:

(a) Well will ^{is} ~~be~~ drilled and ^{has} ~~have~~ a diameter of 12 inches and an estimated depth of 39 feet.
(Dug or drilled)

(b) Tunnels or trenches to be described: (Attach additional sheets if needed for full description.)

(c) Distribution system to be described:

Portable sprinkler irrigation system.

(d) If pumps are to be used, give size and type:

15 H.P. Deep well turbine

(e) Give capacity and type of motor or engine to be used:

Electric 15 H.P.

(f) If the location of the well, tunnel, or other works is less than one-fourth mile from a natural stream or stream channel, give the distance to the nearest point on each of such channels and the difference in elevation between the stream bed and the ground surface at the source of development:

Approximately 300' ft North and Approx. 10' elevation difference.

(g) Ownership of each existing well or other works from which ground water is withdrawn within a radius of one-quarter mile and the distance and direction from well or other works being reported herein:

(Name)	(Direction)	(Distance)

SUPPLY THE FOLLOWING INFORMATION ACCORDING TO USE PROPOSED:

7. For Municipal Supply: To supply the city, town, or community of _____, in the county of _____, having a present population of _____, and an estimated population of _____, in 19_____.

8. For Irrigation: Number of acres to be irrigated 80⁷ acres. Sec. 9, Twp. 27, Rge. 43
40... acres. Sec. 4, Twp. 27, Rge. 42

EXHIBIT 1
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USE THIS 120

9. Legal Description of Property on which water is to be used for all purposes other than municipal supply:

(Copy legal description from deed)
(If more space is required, attach separate sheet)

W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 9
~~Township 27N, Range 42E.~~ and
W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 4, all in -
Township 27N. Range 42E.
LESS ROADS

(On accompanying plat show location of the existing wells or works)

10. What interest do you have in the above described property? Owner

(Owner, lessee, contract buyer, etc.)

11. Do you have any other water rights appurtenant to the above described property? ~~No.~~ **YES**

If so, from what source? **SW CERT 4589, SW CERT. 4057**

12. Construction work will begin on or before _____

13. Construction work will be completed on or before _____

14. Water will be put to complete beneficial use on or before July 1- 1968

Robert H. Shieff
(Signature of applicant)

15. Name and address of owner of land on which well or works are located:

Robert H. Shieff
(Name)

Route 1, Box 34, Deer Park,
(Address)

Robert H. Shieff
(Signature of legal landowner)

Signed in the presence of us as witnesses:

Margaret A. Shieff
(Name)

Rt#1 Deer Park, Wn.
(Address of witness)

J. J. Klassen
(Name)

Rt#5 Spokane Wn
(Address of witness)

STATE OF WASHINGTON, }
COUNTY OF THURSTON. } ss.

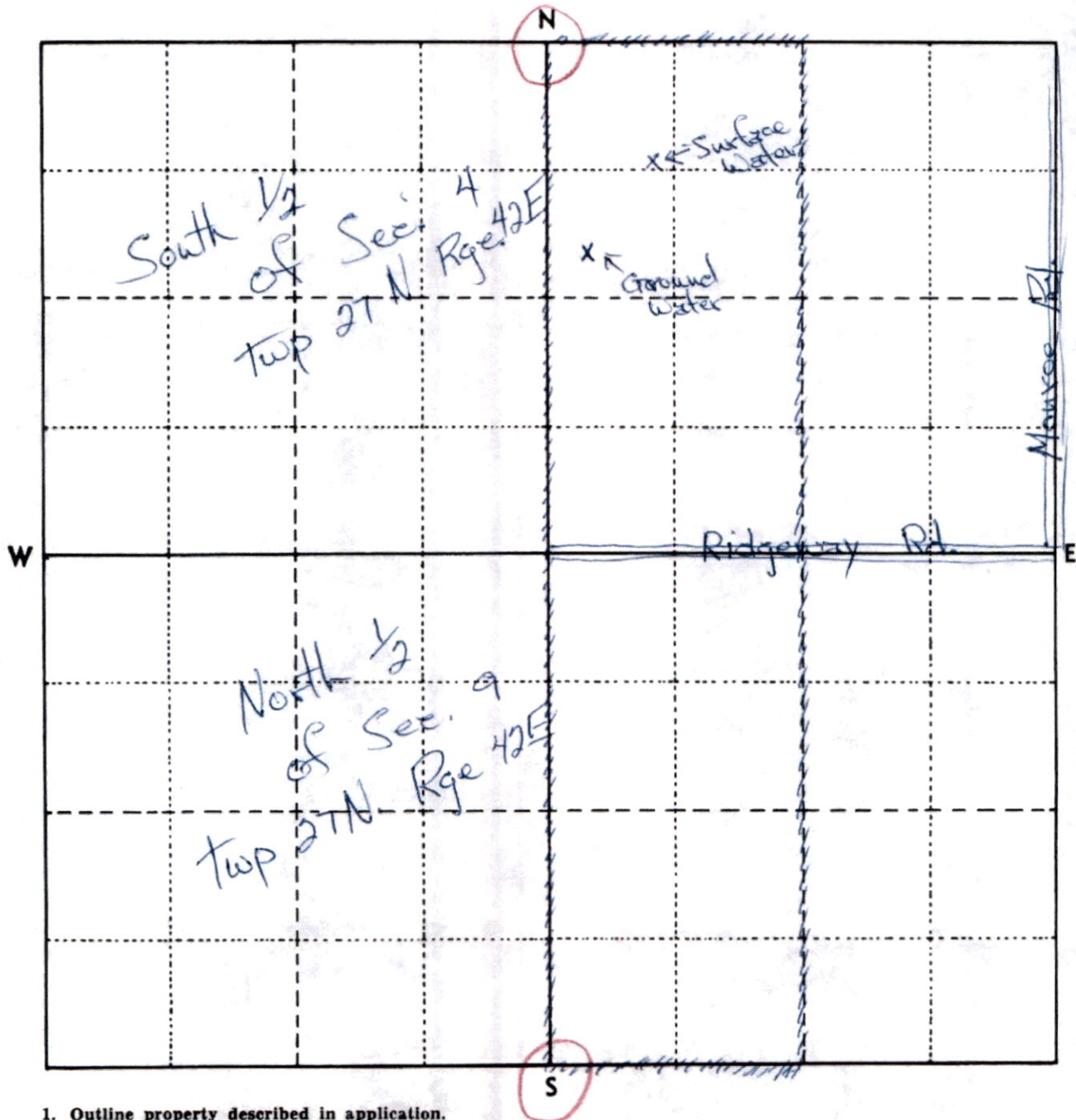
This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion as follows:

In order to retain its priority, this application must be returned to the Department of Water Resources, with corrections, on or before _____, 19____

WITNESS my hand this _____ day of _____, 19____

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SECTION PLAT

Sec. 4-9 Twp. 27 N. R. 42 E

1. Outline property described in application.
2. Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile.
3. Indicate traveling directions from nearest town.

Scale: 1 inch = 800 feet (each small square = 10 acres)

GW 9566

OFFICE 2

8 mile South of Deer Park on Mowee Rd
 and 1/2 mile West on Ridgeway Rd.

EXHIBIT 1

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9566

MEMORANDUM

July 18, 1968

TO: FILES

FROM: WILLIAM R. SMITH

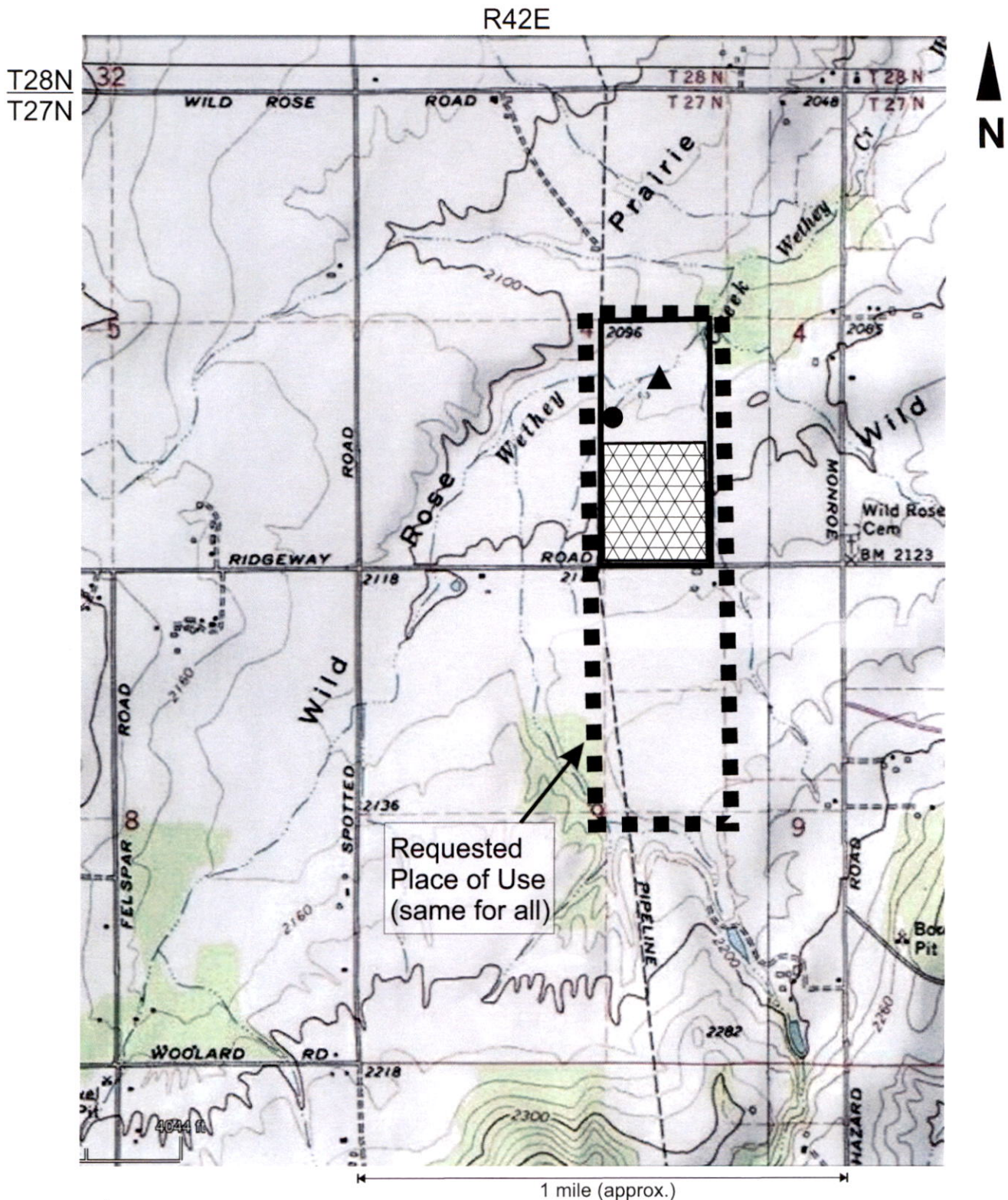
SUBJECT: William Greiff Certificates

As a result of a complaint by Mr. Mike Burdega of Deer Park, Washington, the undersigned and Mr. Jack Miller, District 3 B Watermaster on June 19, 1968, investigated the problem of water availability on Wethey Creek. Mr. Burdega's complaint was that William Greiff was using water on lands upon which no water rights were appurtenant thereto.

On this date no one was home on the Greiff property and the irrigation system was not in operation. Wethey Creek has a low flow provision, at the request of the Game Department, of 0.75 cfs at its mouth. The observed flow at this point on the date of investigation was approximately 2.5 to 3 cfs. Mr. Burdega was not using water and had no immediate need for water from Wethey Creek since he was cutting hay.

Further investigation was conducted on June 20. At this time the Greiff irrigation system was in operation with one wheel-move sprinkler system south of the road between sections 4 and 9. This would place the system in section 9 which is not an authorized place of use of water under his existing rights. The Greiff farm is operating as a partnership, the partners being William Greiff and his son, Robert Greiff. We talked to Robert Greiff and advised him that no rights had attached to the property in section 9 and further indicated that this practice was to be immediately discontinued. He was further advised that the only means by which he could irrigate property in section 9 would be to file application for permit to cover his present use. We indicated to Mr. Greiff that he could complete the sprinkler setting that was now on, however, upon completion of this setting, further use must cease. He stated that he would comply with our regulation. We gave him a ground water application form for his use in extending his rights.

WRS:jf



- ▲ Current Source (Spring) SWC 4057 (no change)
- Current Source (Well) GWC 4589-A and G3-01333C (no change)


-  Current Place of Use - SWC 4057 and GWC 4589-A
-  Current Place of Use - G3-01333C

Exhibit 2 - Map - Change Application Request