

Kittitas County Community Development Services

Darryl Piercy, Director

COMPREHENSIVE PLAN AMENDMENT DOCKETING FORM

I. CHECK THE APPROPRIATE BOXES

COMP PLAN MAP

COMP PLAN TEXT

NOTICE: If the amendment you are applying for is within an URBAN GROWTH AREA or you are proposing a UGA expansion of the Ellensburg, Cle Elum, or Roslyn UGA you are required to docket your item with that City as well. You must contact the appropriate City for filing deadlines, fees, application, and costs.

II. GENERAL INFORMATION

A. APPLICANT'S NAME: Teaway Ridge LLC
MAILING ADDRESS: PO Box 808
Cle Elum, WA 98922

E-MAIL ADDRESS: _____
BUSINESS PHONE: (509) 649-3169 HOME PHONE: _____

B. AGENT'S NAME: TerraDesignWorks
MAILING ADDRESS: PO Box 462
Roslyn, WA 98941

E-MAIL ADDRESS: _____
BUSINESS PHONE: (509) 649-3169

III. FOR MAP AMENDMENTS

A. TAX PARCEL NUMBER(S): 20-14-12010-0002, 20-14-12010-0001,
20-14-12010-0008, 20-14-12041-0001

ACREAGE: 34.84, 40.00, 39.55, and 9.74 totaling 124.13 acres

SITE ADDRESS: 9291 SR 903

OWNER(S): Teaway Ridge LLC

MAILING ADDRESS: PO Box 808
Cle Elum, WA 98922

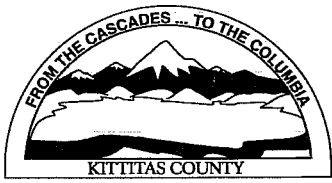
HOME PHONE: _____

(Additional sheets may be attached if more than one parcel is involved)

RECEIVED

JUN 22 2006

Kittitas County
CDS



Kittitas County
Community Development Services

Darryl Piercy, Director

- B. EXISTING COMPREHENSIVE PLAN DESIGNATION: Rural
- C. EXISTING ZONING: Rural-3
- D. PROPOSED COMPREHENSIVE PLAN DESIGNATION: Inclusion into the Ronald Urban Growth Node
- E. PROPOSED ZONING DESIGNATION: Urban Residential
- F. THE PRESENT USE OF THE PROPERTY IS: Vacant land
- G. SURROUNDING LAND USE: Industrial, commercial, residential.

H. SERVICES

Please provide the following information regarding the availability of services.

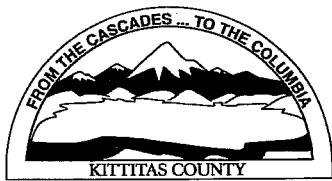
The site is currently served by sewer X ; septic (check one)
Sewer purveyor (if on public sewer system): Evergreen Valley Utilities

The site is currently served by a public water system X ; well
Water purveyor (if on public water system): Evergreen Valley Utilities

The site is located on a public road X private road (check one)

Name of road: SR 903, Ridgecrest Road, and Patrick Mine Road

Fire District #: 6 (Ronald)



Kittitas County Community Development Services

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IV. FOR TEXT AMENDMENTS

Identify the sections of the Comprehensive Plan and Zoning Ordinance that you are proposing to change and provide the proposed wording (attach additional pages if necessary)

Ronald Urban Growth Node (UGN) Boundary Map Amendment.

V. FOR ALL AMENDMENTS

A. Why is the amendment needed and being proposed?

Two of the four subject properties (parcel #s 20-14-12010-0008 and 20-14-12041-0001) are located within the Evergreen Valley Class "A" Water System service area that was approved on May 9, 2006 by the WA ST Department of Health. The approved number of connections for the Evergreen Valley Water System is 419. Evergreen Valley Utilities has recently submitted a service area map amendment to include the following two parcels: 20-14-12010-0002 and 20-14-12010-0001.

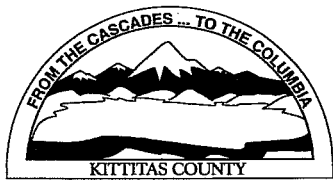
The adjacent property to the west is the Evergreen Ridge Planned Unit Development. Directly to the south is Pine Loch Sun III. It abuts multiple 3-acre lots in the R&R Heights development to the east.

The Kittitas County Conference of Governments adopted the high population number of 52,810 for the next 20 years in 2005. This adoption includes a projected increase of 10% in the Urban Growth Nodes.

B. How does the proposed amendment consistent with the County-Wide Planning Policies for Kittitas County?

The area is surrounded by subdivisions of higher density and urban characteristics. These characteristics include the established residential and industrial elements within the area. Please see the Kittitas County CountyWide Planning Policies number 5 – Urban Growth Nodes policy A.

This proposal is also consistent with Policy 5B, which states that all growth shall be accomplished in a manner that minimizes impacts on agricultural land, forestry, mineral resources and critical areas. By allowing this proposal to be included in the Ronald UGN, which allows for higher densities and less sprawl, the impacts would be minimized greatly to the forestry, mineral resources and critical areas of this area.



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C. How is the proposed amendment consistent with the Kittitas County Comprehensive Plan?

As stated in the Comprehensive Plan regarding urban land use, most communities are preparing for urban growth under a phase growth scenario (growth occurs in phases). With the phase growth scenario, phase 1 is considered the area that is already served by services, i.e. cities etc.

This proposal is consistent with the Comprehensive Plan with the following GPO's: 2.93, 2.94, 2.95, 2.97, and 2.98.

GPO 2.94 states: "A consideration for all future development should be the adaptability of a proposal to urban services."

GPO 2.95 states: "Within UGAs and UGNs, in the absence of urban utilities, a system of subdivision and development should be encouraged, which would produce a pattern capable of re-division to a higher density at such time when utilities are available..."

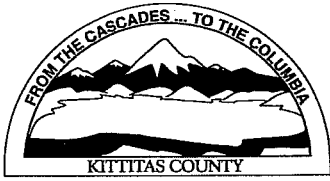
GPO 2.96 states: "Adopt urban growth node (UGN) and urban growth area (UGA) boundaries to accommodate residential and employment increases projected within the boundaries over the next 20 years."

GPO 2.97 states: "The UGNs shall be consistent with the following general goals:

- a) Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development,
- b) Provide for the efficient provision of public services,
- c) Protect natural resource, environmentally sensitive areas,
- d) Promote a variety of residential densities, and
- e) Include sufficient vacant buildable land."

GPO 2.98 states: "the UGNs and/or UGAs shall be consistent with the following criteria:

- a) Each UGN and/or UGA shall provide sufficient urban land to accommodate future population/employment projections through the designated planning period.
- b) Land included within UGNs and/or UGAs shall either be already characterized by urban growth or adjacent to such lands.
- c) Existing urban land uses and densities should be included with UGNs and/or UGAs.



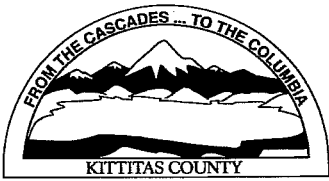
Kittitas County Community Development Services

Darryl Piercy, Director

d) UGNs and/or UGAs shall provide a balance of industrial, commercial, and residential lands."

D. How have conditions changed that warrant a comprehensive plan amendment?

- Evergreen Valley Utilities has recently submitted a service area map amendment to include the following two parcels: 20-14-12010-0002 and 20-14-12010-0001.
- Evergreen Valley Utilities Class "A" Water Plan has been approved and adopted as of May 9, 2006 with a total of 419 connections.
- Pursuant to the sewer services (question H) above, these properties will be served by a Class A Reclaimed Water Facility. These properties are also located within the Evergreen Valley Utilities Service Area. The Class A Reclaimed Water Facility will be approved through the Washington State Department of Health and permitted by the Washington State Department of Ecology. The existing community drain fields may be used within the design of the Class A Reclaimed Water Facility. This reclaimed water facility will be operated by LCU, Inc and will serve the property included within this proposal. That service area will be compatible with the service are of LCU, Inc.'s Class A Water System that will be also serving the property that this proposal covers.



Kittitas County Community Development Services

Darryl Piercy, Director

VI. SUPPORTING INFORMATION (ATTACH THE FOLLOWING)

- A. SITE PLAN OF THE PROPERTY WITH THE FOLLOWING FEATURES: buildings; points of access, ABUTTING roads, and parking areas; septic tank and drainfield and replacement area.
- B. Application is hereby made for A COMPREHENSIVE PLAN AMENDMENT to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

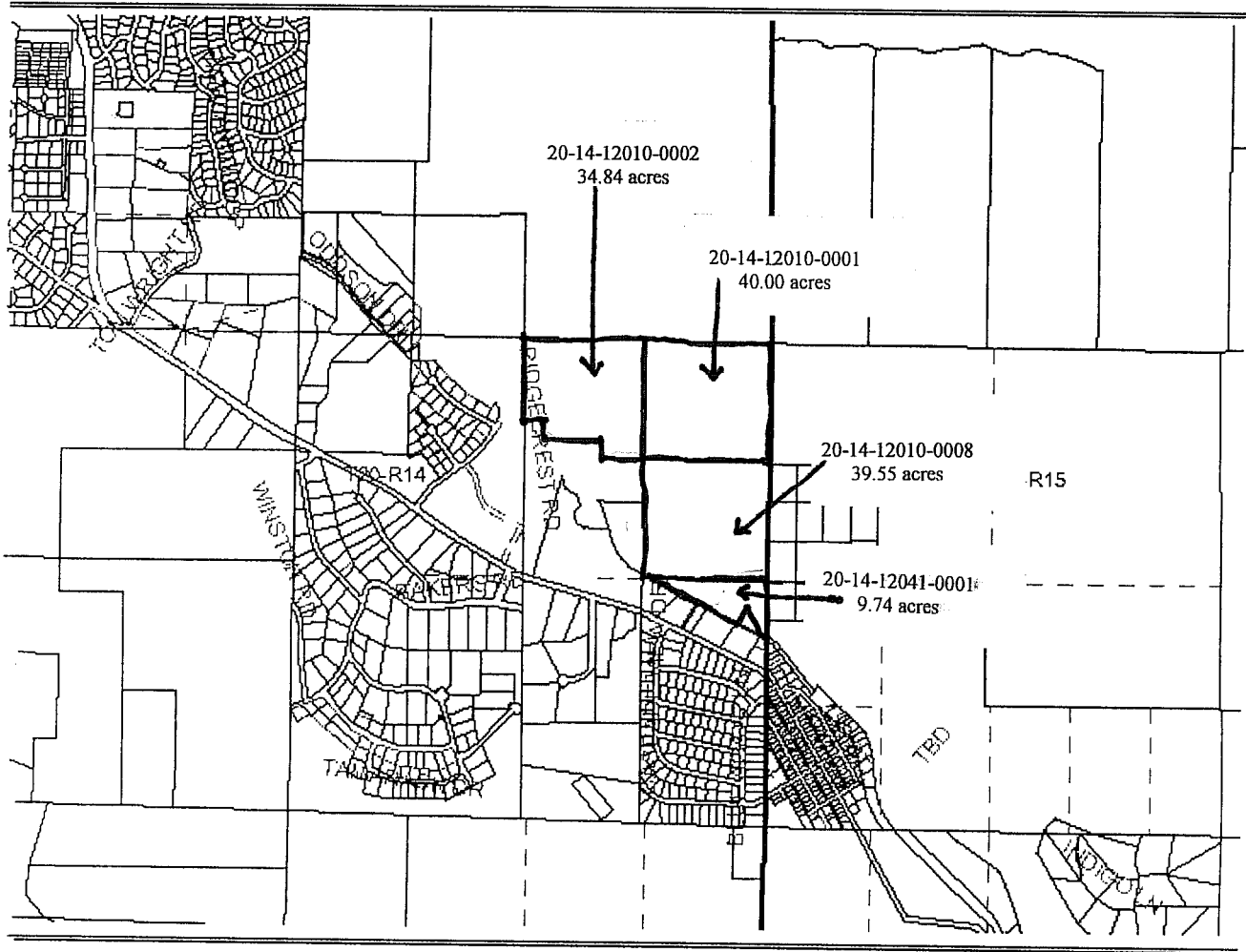

Signature of Authorized Agent

6-14-06
Date



6-14-06
Date

Signature of Land Owner of Record (required for application submittal) Date



Ronald UGN and Zoning

Population 265*

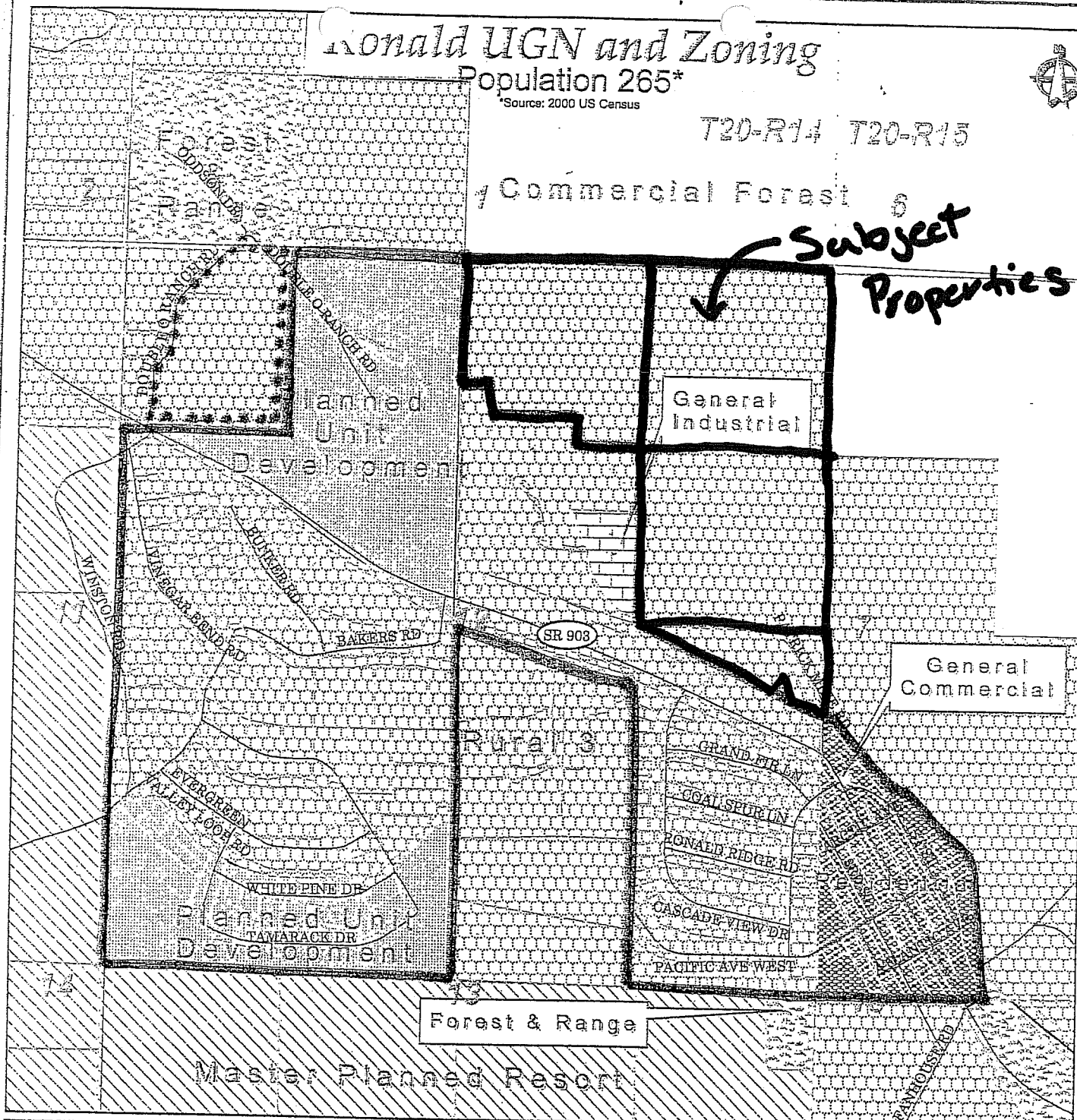
*Source: 2000 US Census



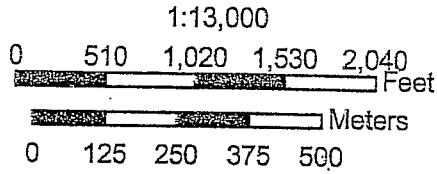
T20-R14 T20-R15

Commercial Forest 6

Subject Properties



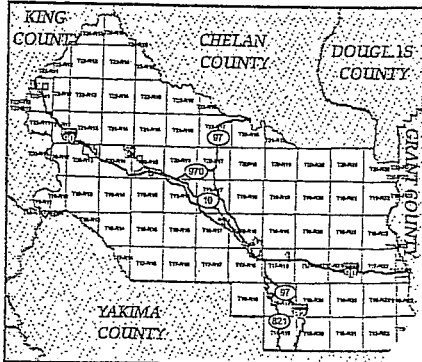
	Roads	ZONING
	Ronald UGN	Commercial Forest
	Parcels	Forest & Range
		General Commercial
		General Industrial
		Master Planned Resort
		Planned Unit Development
		Residential 2
		Rural 3



The information contained on the cadastral layer is used to locate, identify and inventory parcels of land in Kittitas County for reference purposes only and is NOT to be construed or used as a "legal description."

The user of this application should not rely on the data provided herein for any reason.

Map information still needs to be verified and is not guaranteed. Any errors or omissions should be reported to Kittitas County GIS. In no event will Kittitas County be liable for any errors, omissions or inaccuracies in the information provided regardless of how caused.



Ronald UGN

Water

- Water Purveyor(s) Public and Private system

Kittitas County Water District #2, Class A, Community

- Total number of connections authorized: 150
- Total number connected: 110
- Total number available: 40
- Shown in REUs (residential equivalent units)
- Fire Flow

Pine Loch Sun Beach Club, Class A

- Total number of connections authorized: 95
- Total number connected: 91
- Total number available: 4
- Shown in REUs (residential equivalent units)
- Fire Flow

Evergreen Ridge, Class A

- Total number of connections authorized: 419
- Total number connected: 33 (residential connections: 32)
- Total number available: 386
- Shown in REUs (residential equivalent units)
- Fire Flow

Sewer: None

Schools: Cle Elum-Roslyn School District

- Current enrolment: 1005 (K-12)
- Current capacity: High School is at capacity, Elementary has some room for growth.
- Growth rate (min 5yr): 3-4% this year, project to continue for next 5 years. Projected that in 3-5 years will be overcrowded.

Emergency Services

- Fire District #6
volunteer, 10
- Current number of calls: 24-30 per year

Vacant Lots

- Number (Based on 4 units per acre.): $4(268-155)= 452$

Transportation

- Public/private roads
- Level of service: A or B

Urban Residential Land Use

This designation contains those lands within urban growth areas and urban growth nodes which appear to be most suitable and likely for future development and city utilities. The areas are, for the most part, highly suited to orderly street systems and land subdivision. Residential densities and housing types are the subject of this Plan and should be based on the expansion of the Ellensburg Comprehensive Plan or other cities' comprehensive plans and zoning ordinances.

GPO 2.92 The future urban residential areas may be both residential and agricultural. Ongoing agriculture should be supported in development regulations.

GPO 2.93 Innovations in housing development such as cluster developments, master planned developments, and planned unit developments should be encouraged.

Urban Growth Areas and Urban Growth Nodes

Though the areas included within the urban growth area boundaries are intended to urbanize and become annexed in the proceeding 20 years, these lands will continue to be under County jurisdiction. To ensure both consistency and coordination, the planning for these areas will be done in concert with the respective cities. In addition, interlocal agreements with the individual cities may be necessary to provide the necessary administrative guidance and services to these unincorporated areas.

Two major issues arise in the discussion of urban growth area boundaries. These include phased growth and transitional land uses. Most communities preparing plans for the urban growth area have elected to plan under a phased growth scenario. The overall concept of phased growth indicates that growth will occur in "phases." The first phase usually includes those areas that are already served by public water and/or sewer, and where the second phase of growth will occur in areas where services do not presently exist but are eventually. The inclusion of land within an urban growth area indicates that the land will be developed at an urban density within the next 20 years. Therefore, the existing Agricultural Land Use or Rural Residential Land Use within the urban growth areas will eventually transition from Agricultural Land Use to Urban Residential Land Use which serves the 20-year forecasted population. This transition from Agriculture Land Use to Urban Residential Land Use within the urban growth area will require land uses and densities which allow this change to occur in as efficient a manner as possible.

As portions of the urban growth areas develop, it is assumed that these areas will be annexed to the adjacent city. Intergovernmental agreements will need to be created in order to deal with the allocation of financial burdens that result from the transition of land from county to city jurisdiction. Similarly, agreements will need to be drafted to coordinate planning efforts for the unincorporated areas of the urban growth areas and with facility providers in the urban growth nodes. Kittitas County has offered the opportunity to prepare an interlocal agreement with the cities for the preparation of a draft urban growth area plans. This agreement and the work resulting from it are expected to be completed in the end of 1996. The following are additional issues that must be resolved by the cities and Kittitas County for the preparation and implementation of goals, objectives and policies contained in this comprehensive plan:

For purposes of administering the Urban Growth Area for the City of Ellensburg, in the event a road right-of-way forms the boundary of the UGA then the boundary shall be extended 660-feet for in areas designated for residential uses and ½-mile for areas designated for industrial uses. The extension of the UGA in these areas is made to allow for efficient extension of utilities within the road right-of-way.

Maps of the urban growth node boundaries, with the exception of Vantage, have been included in the Kittitas County Comprehensive Plan. (The Vantage area has been identified in the County-wide Planning Policies for an urban growth node designation, however no such boundary has been identified at this time. An urban growth node boundary for Vantage may be added in future amendments of the comprehensive plan.) Though no specific goals or policies have been developed for urban growth nodes, it is assumed that these areas would function in much the same way as an urban growth area, with the County or other private organizations providing the necessary facilities for the urbanization of the unincorporated urban growth node.

GPO 2.94 A consideration for all future development should be the adaptability of a proposal to urban water and sewer systems.

GPO 2.95 Within the UGAs and UGNs, in the absence of urban utilities, a system of subdivision and development should be encouraged which would produce a pattern capable of re-division to a higher density at such time when utilities are available.

GPO 2.96 Adopt urban growth node (UGN) and urban growth area (UGA) boundaries to accommodate residential and employment increases projected within the boundaries over the next 20 years.

GPO 2.97 The UGNs shall be consistent with the following general goals:

- a. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- b. Provide for the efficient provision of public services;
- c. Protect natural resource, environmentally sensitive areas;
- d. Promote a variety of residential densities; and,
- e. Include sufficient vacant and buildable land.

GPO 2.98 The UGNs and/or UGAs shall be consistent with the following criteria:

- a. Each UGN and/or UGA shall provide sufficient urban land to accommodate future population/employment projections through the designated planning period.
- b. Lands included within UGNs and/or UGAs shall either be already characterized by urban growth or adjacent to such lands.
- c. Existing urban land uses and densities should be included within UGNs and/or UGAs.
- d. UGNs and/or UGAs shall provide a balance of industrial, commercial, and residential lands.
- e. Each UGA shall have the anticipated financial capability to provide infrastructure/services needed in the areas over the planning period under adopted concurrency standards.

mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

Urban Growth Areas- UGAs are those areas designated by an incorporated city and approved by the county, in which urban growth is encouraged. Urban growth areas are suitable and desirable for urban densities as determined by the sponsoring city's ability to provide urban services.

Urban Growth Nodes- are those existing unincorporated areas which are established town sites or communities having at a minimum: a community water system; established residential, commercial and industrial densities; and other vestiges of urban development, with defined boundaries established by the County.

Urban Lands- are located inside urban growth areas, urban growth nodes, or cities and are generally characterized by densities of more than three units per acre and municipal services provided.

Urban Service Area- are those areas mutually determined by a city and the county which receive or are subject to special, municipal services. Urban service areas may include those within and beyond designated urban growth areas. Cities and the county may enter into special agreements to provide such services and compensation within the designated urban service area.

Urban Governmental Services- includes those governmental services historically and typically delivered by cities, and include storm and sanitary sewer systems, community and public water systems, fire and police protection services, public transit services, and other public services associated with urban areas and normally not associated with non-urban areas.

Utilities- Utilities means the supply, treatment and distribution, as appropriate, of domestic and irrigation water, sewage, stormwater, natural gas, electricity, telephone, cable television, microwave transmissions and streets. Such utilities consist of both the service activity along with the physical facilities necessary for the utilities to be supplied. Utilities are supplied by a combination of general purpose local governments as well as private and community based organizations.

Visioning- a process of citizen involvement to determine values and ideals for the future of a community and to transform those values and ideals into manageable and feasible community goals.

Water System- any system providing a supply of potable water for the intended use of development which is deemed adequate pursuant to RCW 19.27.097.

WSDOT- Washington State Department of Transportation. Kittitas County is located in the South Central Region whose office is in Union Gap.



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
1500 West 4th Avenue, Suite 305 • Spokane, Washington 99204
FAX: (509) 456-2997

May 9, 2006

Mr. Mark Nelson
Evergreen Valley Water System
PO Box 808
Cle Elum, WA 98922

Subject: Evergreen Valley Water System, PWS ID # 02150J; Kittitas County
Water System Plan APPROVAL; Project # 05-0701

Dear Mr. Nelson:

The Evergreen Valley Water System Water System Plan (WSP), received in this office on July 19, 2005 with revisions submitted on April 18, 2006 and May 3, 2006 has been reviewed and in accordance with the provisions of WAC 246-290-100, is hereby APPROVED.

Approval of the update of this WSP is required on or before May 9, 2012 unless the Department of Health (DOH) requests an update or plan amendment pursuant to WAC 246-290-100(9). Approval of this plan is valid as it relates to current standards outlined in Chapter 246-290 WAC, revised July 2004 and the requirements of the Municipal Water Law (SESSHB 1338), effective September 9, 2003, and is subject to the qualifications herein. Future revisions in the rules and statutes may be more stringent and require facility modification or corrective action.

This WSP includes capacity information that demonstrates the physical and legal ability of this water system to provide water during the 6-year period for which the approval of this WSP is valid.

Based upon information supplied in the WSP, the limiting factor in determining the "approved number of connections" is the physical ability of the system to provide water.

The approved number of connections is 419.

Based on information provided in the WSP, this system has adequate capacity to serve:

Residential: 417 Non-Residential: 2

Mark Nelson
May 9, 2006
Page 2

The Evergreen Valley Water System is expected to permit additional new service connections in a manner consistent with the WSP so that the physical capacity and water rights limitations, represented by the approved number of connections, are not exceeded.

Submittal of the WSP included local government consistency determinations from Kittitas County. This WSP meets local government consistency requirements for WSP approval pursuant to RCW 90.03.386, RCW 43.20.

This approval does not provide any guarantee and should not be considered to provide any guarantee concerning legal use of water or subsequent water rights decisions by the Department of Ecology (Ecology). Ecology's comment letter dated (August 29, 2005) recommended approval of your WSP. This approval does not affect the uncertainties regarding your water rights or the resolution of those uncertainties. Depending on the resolution of the uncertainties, further planning and/or other action may be necessary.

Pursuant to RCW 90.03.386 (2), the service area identified in the WSP (as denoted in the attached service area map) may now represent an expanded "place of use" for the water system's water right. Future changes in service area should be made through a WSP amendment. Pursuant to RCW 43.20.260, Evergreen Valley Water System now has a duty to provide new water service within its retail service area. This WSP has provided documentation of the procedures and processes put into place to meet the duty to serve requirements of RCW 43.20.260.

Standard Construction Specifications for distribution main extensions have been approved as part of this WSP. With this approval and consistent with WAC 246-290-125(2) the Evergreen Valley Water System may proceed with the installation of distribution main extensions provided that:

The Evergreen Valley Water System maintains on file completed construction completion reports (a copy of which is attached) in accordance with WAC 246-290-125 (2) and WAC 246-290-120 (5) and makes them available for review upon request by DOH.

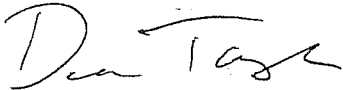
The Evergreen Valley Water System is located in the Upper Yakima watershed (WRIA 39). As of the date of this letter, the watershed plan has not been approved by the Kittitas County Commissioners.

Thank you for your cooperation. DOH recognizes the significant effort and resource commitment involved in the preparation of this WSP. Kittitas County is being notified of the

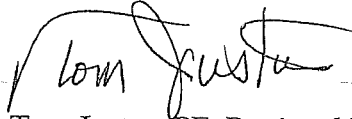
Mark Nelson
May 9, 2006
Page 3

terms and requirements of this approval and the determination of the approved number of connections. If you have any questions or wish to check our records, please contact either of us at the numbers listed below.

Sincerely,



Deana Taylor, Regional Planner
Office of Drinking Water
Division of Environmental Health
(509) 456-5067



Tom Justus, PE, Regional Engineer
Office of Drinking Water
Division of Environmental Health
(509) 456-2453

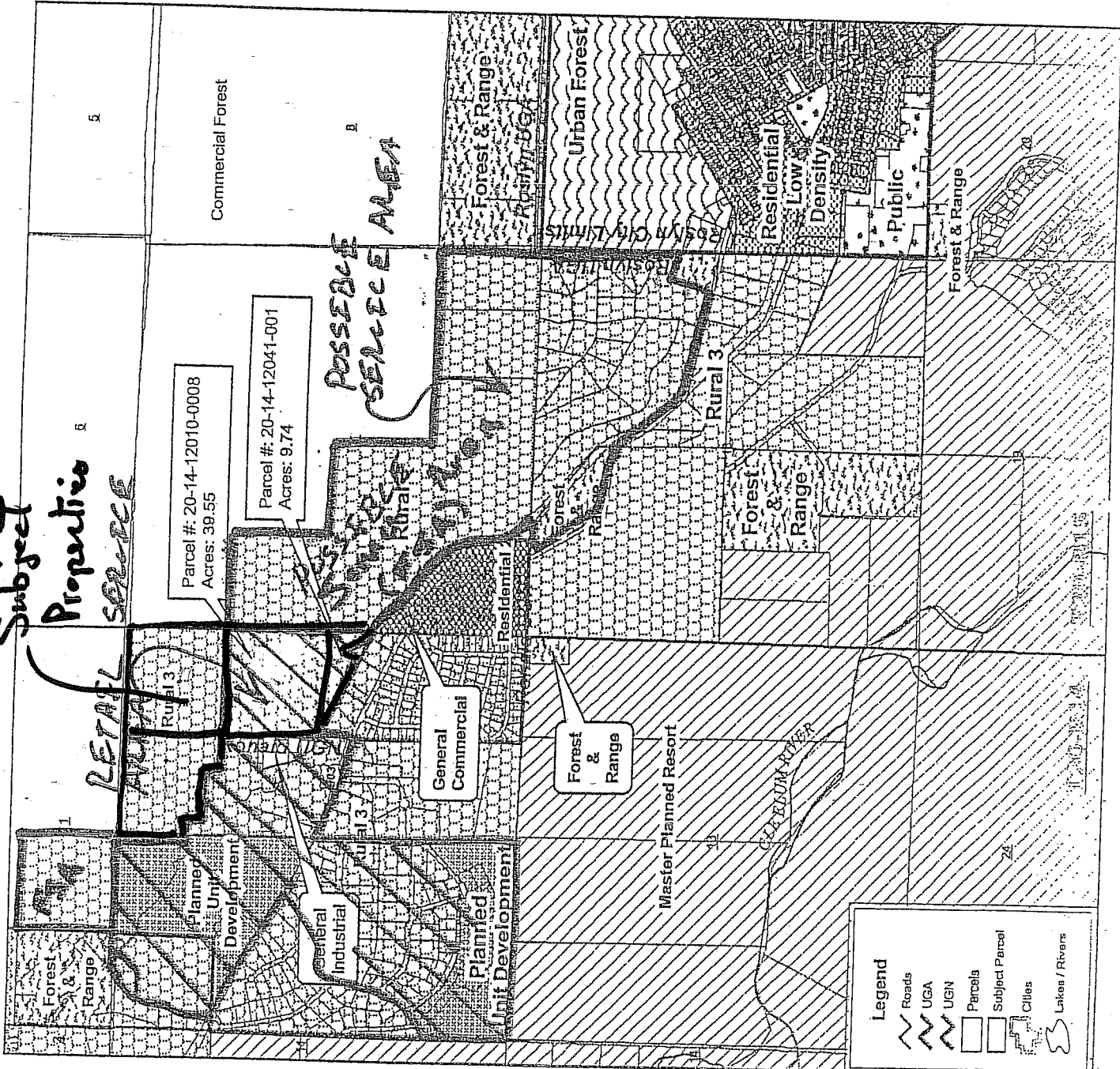
Enclosures: Construction Completion Report
Service Area Map
Water Facilities Inventory

cc: Chad Allen, PE, Encompass Engineering & Surveying
Chad Bala, Terra Design Works
Kittitas County Health
Kittitas County Planning
Dan Haller, Department of Ecology Central Region

Hittitas County

Zoning Map
With Some Areas
Boundaries.

Subject
Properties



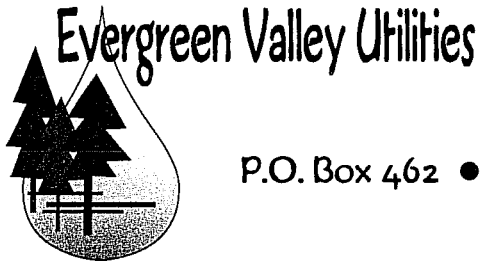
Parcel #: 20-14-12010-0008
Acres: 39.55

Parcel #: 20-14-12041-001
Acres: 9.74

POSSESSOR
SELECTION
AREA

Legend

- Roads
- UGA
- UGN
- Parcels
- Subject Parcel
- Cities
- Lakes / Rivers



P.O. Box 462 • Roslyn, WA 98941 • 509-649-3169

The following documents are hereby submitted to the Washington State Department of Ecology and the Washington State Department of Health by the Evergreen Valley Utilities Company to satisfy the requirements of *WAC 173-240-050 General Sewer Plan* and *WAC 173-240-060 Engineering Report* for the establishment of a new Reclaimed Water Treatment Plant to be located in Section 12, Township 20 N, Range 14 E of Kittitas County Washington.

Clinton M. Perry
Director
Evergreen Valley Utilities



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

~~3501 1st Avenue, Suite 200 • Yakima, Washington 98902-1164 (509) 575-2800~~
15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3401 • (509) 575-2800

DEC 01 1995
CERTIFIED MAIL
P 857 227 652

Ronald Mill Site Three, Inc.
1890 Nelson Siding Road
Cle Elum WA 98922-9478

*Water ET
Documents*

RE: Application for Change Under Certificate No. G3-21798C

The enclosed Report of Findings and Decision constitutes the department's determination and order for the above referenced application for change.

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-8921. Concurrently, a copy of the request must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,

Darlene M. Frye, Section Manager
Shorelands and Water Resources Program
Central Regional Office

DF:PNK:ska
950952.wr5

Enclosures: Report of Findings and Decision
Findings of Fact and Order, Docket No. DE 95WR-C141
Ground Water Bulletin No. 1
Flow Meter Requirements

cc: Yakama Indian Nation



BEFORE THE
DEPARTMENT OF ECOLOGY
STATE OF WASHINGTON

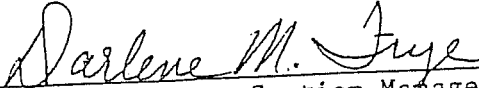
IN THE MATTER OF APPLICATION FILED)
BY RONALD MILL SITE THREE, INC. TO) Findings of Fact
CHANGE THE PURPOSE OF USE AND PLACE) and Decision
OF USE FOR WATER DOCUMENTED BY GROUND) Docket No. DE 95WR-C141
WATER CERTIFICATE NO. G3-21798C.)

Upon review of the Examiner's report, I find that all facts relevant and material to the subject application have been thoroughly investigated. Furthermore, in accordance with the Examiner's conclusions and recommendations, I find that said change will not impair existing rights or be detrimental to the public welfare.

IT IS ORDERED that a change of purpose of use and place of use be made under the aforesaid application authorizing appropriation of public waters in the amount, and for the use, and subject to the provisions set forth in the Examiner's report.

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the request must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Signed at Yakima, Washington this 1st day of December, 1995.



Darlene M. Frye, Section Manager
Shorelands and Water Resources Program
Department of Ecology

State of Washington
Department of Ecology
Yakima, Washington

IN THE MATTER OF APPLICATION FILED)
BY RONALD MILL SITE THREE, INC. TO) Findings of Fact
CHANGE THE PURPOSE OF USE AND PLACE) and Decision
OF USE FOR WATER DOCUMENTED BY GROUND)
WATER CERTIFICATE NO. G3-21798C.)

Background

On May 23, 1994, Ronald Mill Site Three, Inc. of Cle Elum, Washington filed an application to change the purpose of use and place of use of water as documented by Ground Water Certificate No. G3-21798C. The application was accepted and public notice was made. There were three (3) protests received during the 30 day protest period.

Investigation

The following information was obtained from a site inspection on August 4, 1995; research of department records; conversations with Pat Deneen and Clint Perry, protestants, and department staff.

The applicant has purchased property formally known as Ly-Col Veneer Inc. which had a Certificate of Water Right-No. G3-21798C issued with a September 21, 1973 priority date to pump 500 gallons per minute (gpm) and 169 acre-feet per year from a well (subject well) for continuous industrial use and fire protection. These water quantities were perfected and reported in Ly-Col Veneer, Inc. letter dated July 31, 1974 and the Proof of Appropriation of Water form dated July 30, 1975 and sworn to before a notary. The Report of Examination for Certificate No. G3-21798C specified a continuous use of 10 gpm and 4 acre-feet per year for log washing; a continuous use of 50 gpm and 20 acre-feet per year for log vattling; and a seasonal three months a year use of 440 gpm and 145 acre-feet of water per year for log watering. The Report of Examination did not specify which three months, however a letter written to the Department from the Ly-Col Veneer, Inc. in 1974 mentioned the months of July, August, and September.

The applicant is currently using the well for a single domestic supply. Applicant proposes to change the purpose of use to continuous community domestic supply for residential lots; a continuous commercial/industrial supply for an industrial park, restaurant, and convenience store; and seasonal community domestic supply for a Recreational Vehicle (RV) Park. This use would also include fire protection for the community as needed. After the application was filed, the applicant also proposed a change of the seasonal water use to provide irrigation water for the RV Park, industrial area, and commercial area. Irrigation water was not included in the application and, thus, a new application for change must be submitted for the irrigation water use. The applicant also proposes to change a portion of the place of use to adjacent lands.

The authorized point of withdrawal is located approximately 1110 feet north and 129 feet west from the center of Section 12 within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T. 20 N., R. 14 E.W.M. The well log reported the well to have been completed October 20, 1975 and is 10 inches in diameter and 500 feet deep with a static water level of 155 feet from the surface in 1975. Well test data from Fosseen's Pump Division received on October 29, 1973, for what appears to be the same well, indicated the well to be 8 inches in diameter and cased to 450 feet. The static water level on August 25, 1995 was 130 feet below ground level.

The authorized place of use was described as: That portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ which is described as follows: A tract of land bounded by a line beginning at the SW corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ and running; thence E along the S boundary line of said $\frac{1}{4}$ $\frac{1}{4}$ section 832 feet; thence N 208 feet; thence W 624 feet; thence N 208 feet; thence W 208 feet to the W boundary line of said $\frac{1}{4}$ $\frac{1}{4}$ section; and thence S along said W boundary line 416 feet to the point of beginning.

Tract 2: The SW $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPT: A tract of land beginning at a point on the E line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ which is 488.5 feet S 0°01' W of the NE corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said section; thence W for a distance of 508 feet; S 26°33' E 79.32 feet; thence S 18°26' W 68.20 feet; thence S 16°43' E 350 feet; thence S 31°21' E 165 feet; thence S 45°20' E 142.92 feet; thence S 59°10' E 190 feet; which is the point of intersection of said connecting line and the E line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said section; thence N 0°01' E 810 feet to the point of beginning. EXCEPT a portion of Tract 5.

Tract 3: The SW $\frac{1}{4}$ NW $\frac{1}{4}$; the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$; EXCEPT a portion of Tract 5 and EXCEPT that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ which lies S of State Highway 2-E and the 200 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Tract 4: The E $\frac{1}{2}$ NW $\frac{1}{4}$ EXCEPT the N 1541 feet thereof.

Tract 5: That portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows: Beginning at the SE corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ at which point is the true point of beginning; thence N 0°10'00" W along the E boundary of said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ 33.42 feet; thence N 59°20' W 190.00 feet; thence N 45°30' W 142.92 feet; thence N 32°31' W 165.00 feet; thence N 89°40'12" W 146.91 feet; thence S 0°10'00" E 367.61 feet; thence S 0°02'07" E 1582.00 feet; thence S 89°40'12" E 500.00 feet; thence N 0°02'07" E 1582 feet to the true point of beginning. ALL in Section 12, T. 20 N., R. 14 E.W.M., Kittitas County, Washington. EXCEPT, 1) Right of Way of State Highway 2-E; 2) Right of way of the Burlington Northern, Inc.; 3) Right of way of all County Roads.

The proposed place of use all within Section 12, T. 20 N., R. 14 E.W.M. includes much of the old place of use and is described as:

- Tract "A": SW $\frac{1}{4}$ of Section 12 (Community Domestic Use);
Tract "B": SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12 (Community Domestic Use);
Tract "C": South 416 feet of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12 (RV Park, Commercial, & Industrial Use);
Tract "D": SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12 (RV Park, Commercial & Industrial Use);
Tract "E": SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12 (Commercial & Industrial Use);
Tract "F": NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12 EXCEPT land located south of Highway 903 (Commercial & Industrial Use);
Tract "G": That portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ which is described as follows: A tract of land bounded by a line beginning at the SW corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ and running; thence E along the S boundary line of said $\frac{1}{4}$ $\frac{1}{4}$ section 832 feet; thence N 208 feet; thence W 624 feet; thence N 208 feet; thence W 208 feet to the W boundary line of said $\frac{1}{4}$ $\frac{1}{4}$ section; and thence S along said W boundary line 416 feet to the point of beginning (Commercial & Industrial Use).

Water Quantities

Applicant proposes to develop a Class A Water System to provide water to approximately 95 residential hookups/living units in Evergreen Valley (85) and Bakers Acres (10) at approximately 200 gallons per day per residential hookup for 18.18 acre-feet per year, to provide approximately 4.34 acre-feet per year for industrial use, and provide approximately 1.48 acre-feet per year for commercial use in a restaurant and convenience store. These uses would utilize the continuous 60 gpm and 24 acre-feet per year authorized under Certificate No. G3-21798C. The State Department of Health would have to determine the maximum number of residential hookups (not to exceed 85 in Evergreen Valley and 10 in Bakers Acres), industrial uses, and commercial uses allowed within the amount of water authorized and the security of the system.

On a seasonal basis, during the months of June, July, and August, the applicant proposes to use 6.30 acre-feet per year of potable water for a RV Park (with approximately 216 sites) and 16.60 acre-feet per year to provide irrigation water to the proposed 95 residential hookups (The amount of each residential lot to be irrigated is to be limited to 7000 square feet or 20% of the total lot size, whichever is greater). The remaining 122.1 acre-feet will remain designated for industrial and fire protection use as currently authorized. These uses would utilize the seasonal three month use of 440 gpm and 145 acre-feet per year of water authorized under Certificate No. G3-21798C. If the 122.1 acre-feet of water is planned to be used for landscape irrigation of the RV Park, Commercial and Industrial areas, a Change Application will need to be submitted specifying these proposed uses. The

State Department of Health would again have to determine the maximum number of RV sites allowed for the available amount of water and security of the system. Although the applicant requested water for June, July, and August and Certificate No. G3-21798C may have been for July, August, and September; the use would be of the same duration, generally of the same season and not alter the volume withdrawn under Certificate No. G3-21798C.

There has been some discussions between the applicant Pat Deneen and Protestant Dallas Evans indicating a desire to connect their distribution systems in such a way that they can provide a backup source of water to each other. If there is an agreement reached to help each other in this manner, a Change Application will need to be submitted to add a point of withdrawal to Certificates No. G3-21798C and No. G3-00462C. This would also be a good time to submit a Change to Ground Water Certificate No. G3-21798C to change the purpose of use of the 122.1 acre-feet of seasonal use water mentioned above.

The actual quantity required by the completed development will be determined during the proof examination and a Superseding Certificate to Certificate No. G3-21798C would be issued with an authorized amount not to exceed that currently authorized under Certificate No. G3-21798C.

Water Availability

Certificate No. G3-21798C authorized the continuous use of 60 gpm and 24 acre-feet per year for industrial use and fire protection. Certificate No. G3-21798C also authorized an additional 440 gpm and 145 acre-feet for a three month seasonal use. The instant application to change the purpose and place of use will not exceed these quantities and therefore historically water is available for the proposed project.

Impairment of Existing Rights and Protestants

Dallas J. Evans on behalf of Pine Loch Sun has protested the instant change application as they feel the approval of the instant Ronald Mill Site Three, Inc. application may impair the Pine Loch Sun water right authorized under Ground Water Certificate No. G3-00462C. Certificate No. G3-00462C carries a priority date of March 30, 1971. The water right is for 200 gpm and 322 acre-feet per year for continuous community domestic supply and fire protection from two wells, however only one well appears to have been drilled and is located approximately 3/4 mile from the subject well.

Pine Loch Sun Ground Water Application No. G4-29930 carries a priority date of February 14, 1989. The application is for a well located approximately at the same location as the well under Certificate No. G3-00462C to pump 200 gpm and 50 acre-feet per year for a continuous community domestic supply. Dallas J. Evans, Pine Loch Sun representative, stated this application is not needed it has been rejected.

Port Quendall Development Co., Inc. water right Application No. G4-31607, with a priority date of January 23, 1993, was submitted by Pat Deneen for 75 gpm to provide a continuous community domestic supply to Baker's Acres property. The well is being used under the domestic exemption and is located within 1/4 mile of the subject well. Pat Deneen requested instant application be processed first as Application No. G4-31607 may not be needed if instant application for change is approved.

Three Water Right Claims No. 1985, No. 1986, and No. 80288 are approximately a half mile from the subject well and should not be impaired. During the field examination it was determined that Claims No. 80288 and No. 1985 have not been used for an extended period of time and continue not to be used.

U.S. Geological Survey Water-Resources Investigations Open-File Report 80-955 and Pacific Ground Water Group's Letter of February 13, 1995 indicate the Ronald Mill Site well and the Pine Loch Sun well are in separate mine areas separated by a 100 foot thick barrier pillar. The Ronald Mill Site well

appears to derive stored water from seam 5 in reservoir 1 and possibly from seam 6 reservoir 2. The probable volume (Packard, 1981) of stored water in seam 5 reservoir 1 is 900 acre-feet and 650 acre-feet in seam 6 reservoir 1. The Pine Loch Sun well appears to derive stored water from seam 5 reservoir 2 with a volume of 250 acre-feet and may derive some stored water from seam 1 reservoir 1 with an estimated 250 acre-feet. It is assumed that not all of the stored water is available to either well because of well construction and location limitations. Both wells pumped concurrently from approximately 1973 until approximately 1991 with no complaints of interference or impairment received by the Department of Ecology during that time.

While potential exists for ground water to be exchanged within the abandoned mine workings, there is presently insufficient evidence (given the history of use by both wells, the distance separating the wells, and the unusual hydrogeologic setting) to determine that impairment will occur as a result of the change. Pine Loch Sun may need to drill their second authorized well to insure an adequate water supply as they expand.

The City of Roslyn protested the instant application as approval would cause changes contrary to Kittitas County's Planning Policies by encouraging urban densities and services in unincorporated areas, potential reduction of water for fire protection, and reducing the potential of an existing industrial site. The Kittitas County Planning Manager, Amy Tousley, stated that the applicants property has vested plats and the project is within their planning policy. Currently there is not a community fire protection system available in the area of the instant application, however the applicant intends to develop the proposed project in such a way that fire protection water will be available. The applicant does not intend to reduce the industrial site, but instead intends to develop an industrial park to entice industry into the community.

Ed Sullivan of Ellensburg, Washington protested the instant change application as he feels that additional well drilling in the Kittitas and Yakima River Basin will draw down or contaminate the aquifers. Since Ronald Mill Site Three, Inc. is not intending to drill another well or increase pumping from that already authorized, there will be no increased demand on the aquifer.

Conclusions

Based on the foregoing information, the author concludes that there has been historic withdrawal of water and this water can be made available for the proposed beneficial uses under Certificate No. G3-21798C.

It is further concluded that authorizing the requested change of purpose of use and place of use will not enhance nor expand the existing right nor is there presently any evidence that such authorization will impair other rights.

Recommendations

Based on the above facts and conclusions supporting a change of purpose of use and of a portion of the place of use under Ground Water Certificate No. G3-21798C is recommended for approval of the following quantities:

(1) continuous water supply of 60 gpm and 24 acre-feet per year for: 18.18 acre-feet per year for a Class A Community Domestic Water System; 4.34 acre-feet per year for industrial use; and 1.48 acre-feet per year for a commercial use.

(2) a seasonal three month water supply June through August of 440 gpm and 145 acre-feet for: 6.30 acre-feet per year for a RV Park domestic use; 16.53 acre-feet per year to irrigate lawns and gardens associated with the residential lots; and 122.1 acre-feet per year for industrial and fire protection. The following provisions apply:

The actual number of residential hook ups (not to exceed 85 living units in Evergreen Valley and 10 in Bakers Acres), RV sites, industrial use, and commercial use must be determined and approved by the State Department of Health.

A Superseding Certificate would issue to authorize the new place of use and quantities of water required after the proof examination.

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. A dedicated water level monitoring device such as an Electronic Water Level Indicator shall be installed to easily monitor water levels as required. Water levels are to be taken and recorded (show the date, water level, and if it was a static or dynamic reading depending on the pump being on or off-log forms are available upon request from the Department of Ecology) approximately the same day of each month (suggest first day of each month) and sent to the Department of Ecology each January unless requested more frequently.

The measuring point elevation at the well head is to be established by survey and sent to the Department.

A suitable flow measuring device approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being withdrawn, bi-weekly (every two weeks on the 1st and 15th day of each month) readings of the flow measuring device shall be recorded and maintained by the permittee. These records shall be made available to the Department of Ecology upon request.

A proof inspection will be conducted prior to final certificate issuance. The certificate will reflect the extent of the project perfected within the limitations of the permit. Aspects will include as appropriate the source(s), system instantaneous capacity, beneficial use(s), annual quantity, acreage, home services designed, place of use, and satisfaction of provisions.

This authorization shall in no way excuse the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by other programs of the Department of Ecology and those administered by local and state health departments. The Department of Ecology has recommended that the Department of Health require a Video scan of the well to determine if the well construction meets the requirements of the Health Standards. A copy of the Video scan shall be provided to the Central Regional Office Shorelands and Water Resources Program of the Department of Ecology for agency use and ownership.

Construction Schedule

Beginning of Construction: Begun, well drilled in 1975
Completion of Construction: July 2001
Proof of Appropriation: July 2011

REPORT BY: Philip N. Kerr DATE: Dec. 1, 1995
Philip N. Kerr

APPROVED BY: Darlene M. Frye DATE: December 1, 1995
Darlene M. Frye, Section Manager