



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

May 1, 2013



Jeff Watson
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Re: RZ-13-00001/SP-13-00003

Dear Mr. Watson:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the rezone and short plat of 10 acres into 2 lots, proposed by Teresa Zentz. We have reviewed the documents and have the following comments.

WATER RESOURCES

The proposed project will divide 10 acres into two five acre lots. The project narrative and SEPA checklist indicate that individual or shared wells will be used for domestic water supply. Please be advised that in Washington State prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, industrial purposes or for the irrigation of up to one-half acre of lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology.

On March 28, 2002 the Washington State Supreme Court ruled that the RCW 90.44.050 permit exemption does not apply where a developer of a residential subdivision proposes multiple wells to serve each lot in the development if in combination, the withdrawal will exceed the exemption criteria.

Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If water supply in your area becomes limited, your use could be curtailed by those with senior water rights.



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All water wells constructed shall be in accordance with the provisions of Chapter 173-160 WAC by a driller licensed in the State of Washington. All wells must be located a minimum of 100 feet from any known, suspected, or potential source of contamination and shall not be located within 1,000 feet of the property boundary of solid waste landfills. A well report must be submitted to the Department of Ecology within thirty days after the completion of a well.

If you have any questions or would like to respond to these Water Resources comments, please contact **Mark Dunbar** at (509) 575-2024.

Sincerely,

A handwritten signature in blue ink that reads "Gwen Clear". The signature is written in a cursive, flowing style.

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012