APPENDIX D
Water Right Information
August 18, 2011

Steve Branz
City of Woodland
PO Box 9
Woodland, WA 98674

Re: Water Right Permit No.: G2-29241 (Ranney Collector Well)

Dear Mr. Branz:

In response to your request, you are hereby granted an extension to complete construction on the above-referenced water right for the reasons below:

- Good faith, due diligence, and good cause has been shown by the permit holder.
- Additional time needed to secure funding for completion of the project.

Your new deadline to complete construction and send a Completion of Construction form is December 31, 2015.

YOUR RIGHT TO APPEAL

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

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

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

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

<table>
<thead>
<tr>
<th>Street Addresses</th>
<th>Mailing Addresses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Department of Ecology</strong></td>
<td><strong>Department of Ecology</strong></td>
</tr>
<tr>
<td>Attn: Appeals Processing Desk</td>
<td>Attn: Appeals Processing Desk</td>
</tr>
<tr>
<td>300 Desmond Drive SE</td>
<td>PO Box 47608</td>
</tr>
<tr>
<td>Lacey, WA 98503</td>
<td>Olympia, WA 98504-7608</td>
</tr>
<tr>
<td><strong>Pollution Control Hearings Board</strong></td>
<td><strong>Pollution Control Hearings Board</strong></td>
</tr>
<tr>
<td>1111 Israel RD SW</td>
<td>PO Box 40903</td>
</tr>
<tr>
<td>STE 301</td>
<td>Olympia, WA 98504-0903</td>
</tr>
<tr>
<td>Tumwater, WA 98501</td>
<td></td>
</tr>
<tr>
<td><strong>And Send a Copy of Your Appeal to:</strong></td>
<td></td>
</tr>
<tr>
<td>Michael J. Gallagher</td>
<td></td>
</tr>
<tr>
<td>Department of Ecology</td>
<td></td>
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<tr>
<td>Southwest Regional Office</td>
<td></td>
</tr>
<tr>
<td>PO Box 47775</td>
<td></td>
</tr>
<tr>
<td>Olympia, WA 98504-7775</td>
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</tr>
</tbody>
</table>

For additional information visit the Environmental Hearings Office Website: http://www.eho.wa.gov. To find laws and agency rules visit the Washington State Legislature Website: http://www1.leg.wa.gov/CodeReviser.

If you have any questions, please contact Amy Nielson at amy.nielson@ecy.wa.gov or at (360) 407-6116.

Sincerely,

Michael J. Gallagher
Section Manager
Water Resources Program

Enclosures: Your Right to Be Heard

BY CERTIFIED MAIL: 7010 1670 0002 4158 0855
"Your Right to Be Heard"

The Pollution Control Hearings Board (PCHB) hears appeals from orders and decisions made by:

1. Local and regional air pollution control agencies or authorities.
2. The State Department of Ecology.
3. The Department of Fish and Wildlife (WDFW) pertaining to hydraulic project approval (HPA) decisions.
4. The Department of Natural Resources (DNR) pertaining to forest practices, and
5. Other agencies as provided by law.

The Board's sole function is to give you, and all other litigants in a disputed matter, an opportunity for a full and complete hearing, as promptly as possible, followed by a fair and impartial written decision based on the facts and law.

The Board is not affiliated with the Department of Ecology or any other agency. To ensure the Board's impartiality, the state Legislature created this independent, quasi-judicial state agency entirely separate from any other state, or regional resource or regulatory agency or local unit of government.

The Board consists of three full-time members, who are appointed by the governor and confirmed by the State Senate for staggered six-year terms. One of the three must be an attorney. All are salaried employees of the State, who also serve on the Shorelines Hearings Board.

An attorney may represent you, but the law does not require one. Consider this very carefully before deciding to represent yourself. The appeal process can be complicated and significant rights may be at stake. The hearings are conducted more like court trials, instead of city council meetings.

DO YOU NEED AN ATTORNEY?

When, Where, and How to File an Appeal

No fee is required for filing an appeal.

The Board must RECEIVE your appeal within 30 days of the “receipt” of the order or decision. “Date of Receipt” is defined in RCW 43.21B.001(2).

If the appeal pertains to a decision or action by a state agency regarding a derelict vessel, the appeal must be filed and served within 30 days of when the state agency acquired custody of the vessel, or within 30 days of the date of redemption if the vessel is redeemed before the agency acquires custody.

The original and one copy of the appeal must be filed with the Board at:

Pollution Control Hearings Board
Physical address:
1111 Israel Rd. SW, Ste 301
Tumwater, WA, 98501

Mailing address:
PO Box 40903
Olympia WA 98504-0903
Within 30 days of receipt of the decision, you must also serve a copy of your appeal with the Department of Ecology or Air Pollution Authority or other agency whose order or decision you are appealing.

To serve Ecology:
By mail: Dept of Ecology
Appeals Processor
PO Box 47608
Olympia WA 98504-7608

In person: Dept of Ecology
Appeals Processor
300 Desmond Dr SE
Lacey WA 98503

If you are appealing a decision on a permit, you should also serve a copy of your appeal on the holder of the permit unless you are the permittee.

Failure to observe the 30 day deadline for filing with the Board and serving the Department of Ecology or Air Pollution Control Authority or other agency will result in termination and dismissal of the appeal.

Service on all parties shall be by personal service or by mail. Service by mail is effective on the date of mailing; however, filing with the Board is only effective on actual receipt by the Board.

Filing of the appeal does not stop (stay) the effectiveness of an appealed permit. For information on how to obtain a stay or temporary restraining order for all appeals except for forest practices appeals, please refer to RCW 43.21B.320 and Civil Rules for Superior Court 65 (CR 65).

TEMPORARY SUSPENSION OR DISCONTINUANCE (STAY)

A person appealing a Department of Natural Resources approval under RCW 76.09.220(8), or any operator, timber owner, or forest landowner appealing a stop work order, may request a temporary suspension or discontinuance of the department’s decision. The Appellant must file a motion, supported by affidavit, setting forth specific facts supporting a temporary suspension or discontinuance. Upon receipt of the motion, the presiding officer will schedule a hearing and serve notice of the hearing on all parties.

In emergency situations, a temporary suspension or discontinuance may be granted by the presiding officer without a hearing, only if it clearly appears from specific facts shown by affidavit that immediate and irreparable injury, loss, or damage will result to the moving party before any adverse party can be heard in opposition.

For more information on the temporary suspension or discontinuance, refer to WAC 223-08-087.

CONTENT OF THE APPEAL

Your appeal should include the following items:

- A copy of the order or decision you are appealing, and if the order or decision followed an application, a copy of the application.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement why you are appealing.
- A statement, signed by you or your representative, attesting the content of the appeal is true.

IF YOUR PERMIT IS APPEALED

Perhaps you have been granted a permit by the Department of Ecology, air authority or another agency, but another party has appealed. You have a right to defend the permit and are automatically a respondent in the appeal before the Board. All subsequent sections in this publication apply to you as well as to the appellant.

HEARING DATES

When an appeal is filed, the Board will assign and notify you of a date for hearing the case.

THE PRE-HEARING CONFERENCE

Soon after the appeal is filed, a pre-hearing conference is scheduled with the Presiding Officer. The pre-hearing conference is usually held within 4-6 weeks of the appeals’ filing and is generally conducted by telephone. The scheduling letter will provide you with a phone number and pin code for you to call in for the pre-hearing conference at the designated time. This conference is not for the purpose of arguing your case. The conference has three purposes: to discuss interest in settlement, including use of the Board’s no-cost mediation program, to determine the legal issues, and to set a schedule for preparing the case for hearing if settlement is not reached. Prior to the pre-hearing conference each party is required to submit a preliminary list of legal issues, proposed witnesses and exhibits. After the pre-hearing conference, a written pre-hearing order will be mailed to the parties. It will include the hearing date, the list of legal issues, hearing preparation deadlines, and other important procedural information.

CAN THIS DISPUTE BE SETTLED?

Litigation is time and energy consuming for the parties. Each party needs to think about possible compromise. For settlement to be reached, each side needs to offer something. Parties are encouraged to begin settlement talks, without waiting for Board participation.

The Board has a no-cost mediation program to assist parties in reaching settlement. It is a voluntary program offered to the parties without charge. All parties must agree to mediate before a mediation can be scheduled. A trained Administrative Appeals Judge will work with the parties to resolve the case.

If the parties settle directly or through mediation, a written document containing the settlement terms will ultimately be signed by all, and filed with the Board, which will dismiss the appeal if the settlement conforms to the law.

BEFORE THE HEARING

Before the hearing you will want to prepare. You have the right to review the agency's file of their decision. Contact it to arrange a time and place to see the file.

You and the other parties have the right to find out in advance what witnesses and other evidence will be used at the hearing. This may be provided to you without formal procedures, such as by looking at public records. If done formally, this discovery is best accomplished with the assistance of a lawyer. Examples of formal discovery are: Deposition—questioning witnesses before the hearing, under oath with a court reporter present. Interrogatory—presenting written questions to the other side. There are formal rules that apply to discovery.
MOTIONS

Any party may file a motion. A motion is a request by one of the parties asking the Board, or the Presiding Officer to rule on a particular issue.

A motion may be dispositive or non-dispositive. A dispositive motion may be based on an issue or issues, or the whole case. A non-dispositive motion is a request for relief, which does not decide an issue or issues or the whole case. An example of a non-dispositive motion is a motion in limine. A motion in limine asks the Board, in advance of the hearing, to exclude certain evidence. Dispositive motions are decided by the full Board. An example of a dispositive motion is a motion for summary judgment. A motion for summary judgment is typically based on sworn statements of fact from a person having personal knowledge of the facts alleged. A sworn statement may be either a declaration or an affidavit. An example of a declaration may be found on our website at http://www.eho.wa.gov. After you have opened to the home page, click on the “Forms” button on the left side of the page then on “EHO Samples and Forms.”

A declaration or affidavit may also identify and attach documents as exhibits. This is the format of the declaration contained in the sample forms on the website.

Dispositional Motions

The scheduling of dispositive motions is set forth in the pre-hearing order. Please file with the Board an original and sufficient copies of the dispositive motion for each Board member and the presiding officer, if the presiding officer is not a Board member. A copy should be served simultaneously on the date the motion is filed, on each party in the case.

Any party opposing the motion will typically have 14 days from the date it received the motion, to file an original and the requisite copies of a response with the Board, and serve a copy on each of the other parties. The moving party generally will have 10 days from the date it receives the response, to file an original and the requisite copies of a reply with the Board, and serve a copy on each of the other parties. Any party may request an oral hearing from the Presiding Officer on the motion. The Presiding Officer determines whether to grant or deny the request. If the request is granted, the parties will typically personally appear and present their oral argument to the Board at its hearing room in Lacey, Washington.

Non-dispositive Motions

The deadlines for responding to motions will generally be shorter than the above deadlines for dispositive motions. Additionally, most non-dispositive motions will be reviewed and decided solely by the Presiding Officer. In those situations, the parties need only supply an original and one copy of the pleadings to the Board.

HEARING

At the hearing, it is important to be on time. A party’s failure to appear may result in default.

You will have your full opportunity to present your side of the case, but there is a judicial procedure to be followed, so that all sides can be heard in an orderly manner.

The Presiding Officer for the Board manages the proceedings. A court reporter will record what is said. The appellant usually has the obligation to present his or her case first. Then, the respondent will present its case. In a case involving a penalty or a regulatory order, the agency assessing the penalty is required to present its case first.

Each side has the right to make an opening statement, briefly outlining what its evidence will be. After the opening statements, the parties with the burden of proof will present its evidence. In a penalty or regulatory action, the agency has the burden of proof and will call witnesses first. In a permit appeal, the appealing party has the burden of proof and presents its witnesses first at the hearing.

In certain cases, the Presiding Officer may determine a site visit would be helpful to the Board’s understanding of the evidence. At such a visit, the parties are requested to limit communication with the Board during the site visit. It is appropriate to point out physical landmarks, to help the Board later, at the hearing, but a court reporter is not present during the site visit, and it is not the time to present evidence or argue your case.

After the site visit, we return to the hearing. Witnesses who are sworn to tell the truth, testify from their personal knowledge in response to questions from the party calling that witness. After this direct testimony, the witness answers questions asked by the other parties during "cross-examination." The Board members may also ask questions.

Persons essential to your case need to be present at the hearing to testify as witnesses. The "hearsay" rule prevents you from testifying for them or relating what they know or what they have said.

Exhibits, such as letters, contracts, photographs, and maps, etc. may be offered as evidence. Before the hearing, number your exhibits and prepare an exhibit list. At the hearing, you will need to have the original and one copy for each member of the Board, the Presiding Officer, if not a Board member, and for the other parties. If you have multiple exhibits, please place them in a binder.

After all the evidence has been presented, litigants can summarize their arguments in closing statements. The hearing is then closed and no further evidence is taken.

THE BOARD’S DECISION

The Board will deliberate on the testimony, exhibits, and final arguments, before issuing a written decision.

The written decision called "Findings of Fact, Conclusions of Law, and Order" is prepared and mailed to all litigants generally within 90 days after the hearing, or after the submission of memoranda, briefs, or proposed findings.

YOU MAY APPEAL THE FINAL ORDER

The Board’s decision may be appealed to Superior Court within 30 days from the date of the ORDER is issued, or you may file a petition with the Board for reconsideration within 10 days of the date of mailing of the ORDER.

You may appeal the Board’s final action on a petition for reconsideration within 30 days from the date the order is mailed. Please note, if the Board fails to act on the petition for reconsideration within 20 days of its filing, it is deemed denied.
FREQUENTLY USED TERMS

AIR POLLUTION CONTROL AGENCY: a local or regional agency authorized under the Washington Clean Air Act, RCW 70.94, to issue orders and assess penalties for air pollution violations, and to issue notices of construction for new air emission sources.

APEAL: A request for review of a decision filed with the Board.

APPELLANT: A person or entity bringing the appeal.

BOARD: The Washington State Pollution Control Hearings Board.

DISMISSAL: Dismissal is an order entered by the Board terminating the appeal, canceling the hearing, and ending the Board’s consideration of the case.

DISPOSITIVE MOTION: Motions concerning matters that are central to the case (such as a motion for summary judgment or a motion to dismiss) are called “dispositive” motions because they can “dispose of” (or end), all or part of the appeal.


INTERVENOR: A third party asking to be heard in an appeal.

PARTY: A person who is an appellant, respondent, or intervenor.

PERSON: An individual, partnership, corporation, association, organization, governmental subdivision, agency, or entity of any character.

PRESIDING OFFICER: A member of the Board or an Administrative Appeals Judge who is assigned by the chair or vice-chair to conduct a conference or hearing.

RESPONDENT: A person or entity on the other side of the dispute from the appellant.

STIPULATION: An agreement between the parties.

The Environmental Hearings Office does not discriminate in employment or any of its services against persons with disabilities, and will make reasonable accommodations for any citizen who needs assistance to participate in our hearings or other activities. If a party or a witness requires an interpreter, or qualifies for reasonable accommodations, that person shall notify the presiding officer at least three weeks before the hearing or situation for which assistance is needed.
Water Resources Program
CONSTRUCTION NOTICE

☐ BEGINNING OF CONSTRUCTION  ☐ COMPLETION OF CONSTRUCTION  ☑ REQUEST FOR EXTENSION (fee applies)

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

If requesting an extension, submit this form and $50 fee to:
DEPARTMENT OF ECOLOGY
CASHIERING UNIT
PO BOX 47611
OLYMPIA, WA 98504-7611

<table>
<thead>
<tr>
<th>Water Right No.:</th>
<th>G2-29241</th>
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</table>

<table>
<thead>
<tr>
<th>Date Construction Began:</th>
<th>Date Construction Expected:</th>
<th>Date Construction Completed:</th>
<th>Date Project Abandoned:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7/30/20/16</td>
<td>1/1</td>
<td>1/1</td>
</tr>
</tbody>
</table>

Describe what equipment, material(s) and/or structure(s) are in place to date (Well, pump, pipes, number of homes, sprinklers, etc.)
OPERATING RAINWAY WELL TO BE EXPANDED

Have you installed a measuring device (flow meter) for the project? ☑ YES  ☐ NO

If yes, submit a Pressurized Flow & Open Channel Flow form for each measuring device. Contact the Water Resources Program or obtain a form at http://www.ecy.wa.gov/biblio/ecy070171.html.
Contact the Water Resources Program within your region for additional information.

If no, explain:

IF CONSTRUCTION IS NOT COMPLETE, SHOW % COMPLETED AS OF THIS DATE

<table>
<thead>
<tr>
<th>% Equipment in place:</th>
<th>% Material in place:</th>
<th>% Excavated:</th>
<th>% Structure:</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>

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

Name: Steve Branz
(Please print)  Date: 7/30/2011

Address: P.O. Box 9  City: Woodland  State: WA  Zip: 98674  Telephone: (253) 225-7999

E-mail Address: branzs@ci.woodland.wa.us

Signature(s):

ECY 0491-30 (Rev 8/26/10) If you need this document in an alternate format, please call the Water Resources Program at 360-407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.
# EXTENSION REQUEST

If you can’t meet the deadline of the required construction schedule you may request an extension.

Extension requests shall be in writing and accompanied by a $50 fee.

The following information must be included with the request:

Water Resources Program policy POL-1050 applies to all requests for extensions of time, and the granting or denial of the request received pursuant to RCW 90.03 320 or 90.44.060 see the following link for that policy: [http://www.ecy.wa.gov/programs/wr/rules/images/pdl/pol1050r.pdf](http://www.ecy.wa.gov/programs/wr/rules/images/pdl/pol1050r.pdf)

The permit holder may request an extension of time to any of the three developmental stages, specifically the Beginning of Construction date (BC), the Completion of Construction date (CC), and the Proof of Appropriation date (PA).

Every extension of time for a development phase of a permit must be requested in writing and accompanied by the required $50 fee.

The permit holder must show good cause for needing the extension, and demonstrate the due diligence and good-faith efforts made to comply with the original or updated construction schedule. The permit holder is responsible for ensuring that the permit is in good standing, and if necessary, for initiating requests for extensions.

Requests for extensions must include:

- The reason(s) for needing the extension.
- A description of efforts made since the permit issued or the last extension was granted.
- A proposed schedule for completing the development.

Additional information may be required. Please use a separate sheet of paper for your extension request.

Check the region in which your proposed project is located: **Southwest** □ **Northwest** □ **Central** □ **Eastern**

Below is a map of the State of Washington, with outlines of the areas covered by the four Ecology regional offices.

If you have additional questions, contact the Water Resources Program at the regional office in which your project is located:

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

**Central Regional Office:**
(509) 575-2490
15 W Yakima Ave, Ste. 200
Yakima, WA 98902-3452

**Southwest Regional Office:**
(360) 407-6300
P.O. Box 47775
Olympia, WA 98504-7775

**Eastern Regional Office:**
(509) 329-3400
4601 N. Monroe St.
Spokane, WA 99205-1295
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

☐ Surface Water (Issued in accordance with the provisions of Chapter 17, Laws of Washington for 1947, and amendments thereto, and the rules and regulations of the Department of Ecology)

☒ Ground Water (Issued in accordance with the provisions of Chapter 260, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology)

**PROPERTY DATE**
June 17, 1995

**APPLICATION NUMBER**
G2-29241

**PERMIT NUMBER**
G2-29241

**CERTIFICATE NUMBER**

**NAME**
City of Woodland

**ADDRESS (STATE)**
230 Davidson Ave/PO Box 9
Woodland Washington

**GLF CODE**
98674

The applicant is hereby granted a permit to appropriate the following public waters of the State of Washington, subject to existing rights and to the limitations and provisions set herein:

**PUBLIC WATERS TO BE APPROPRIATED**

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>Ranney Collector Well</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRIBUTARY OF (SURFACE WATER)</td>
<td></td>
</tr>
<tr>
<td>MAXIMUM CUBIC FT PER SECOND</td>
<td>1400</td>
</tr>
<tr>
<td>MAXIMUM GALLONS PER MINUTE</td>
<td>1430</td>
</tr>
<tr>
<td>MAXIMUM ACRE-FOOT PER YEAR</td>
<td></td>
</tr>
</tbody>
</table>

**QUANTITY, TYPE OF USE, PERIOD OF USE**
1430 Acre-feet per year
Municipal supply
Year-round, as needed

The instantaneous and annual quantity of water authorized represents a water right that is additive to existing water rights owned by the City of Woodland.

**LOCATION OF DIVERSION/WITHDRAWAL**

Approximate Location of Diversion/Withdrawal:
100 feet North and 550 feet East of the Southwest corner of Section 18.

Located within legal description:
SW¼ SW¼

Section
18

TOWNSHIP N.
5

RANGE E. OR W. 3 W.M.
1E

W.R.A.
27

COUNTY
Cowlitz

**RECORDED PLATTED PROPERTY**

LOT
Parcel #5056401

SECTION
18

TOWNSHIP N.
5

RANGE E. OR W. 3 W.M.
1E

W.R.A.
27

COUNTY
Cowlitz

**LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED**

The place of use of this water right is the service area described in the most recent City of Woodland’s Water System Plan/Small Water System Management Program approved by the Washington State Department of Health, so long as the City of Woodland is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.

If the criteria in RCW 90.03.386(2) are not met, the place of use of this water right reverts to the last place of use described by Ecology in a water right authorization.
The City of Woodland plans to use their existing Ranney collector to provide municipal supply water to their service area at an instantaneous capacity of 2,800 gpm. Currently, the Ranney collector is the only water source for the City’s water supply system and is permitted to pump 1,400 gpm from the source.

### DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>BEGAN PROJECT ON THIS DATE</th>
<th>COMPLETE PROJECT ON THIS DATE</th>
<th>WATER PUT TO USE ON THIS DATE</th>
</tr>
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<tbody>
<tr>
<td>Started</td>
<td>December 31, 2010</td>
<td>December 31, 2026</td>
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</table>

### PROVISIONS

"The total amount authorized for withdrawal from this Ranney well shall not exceed 2,800 gpm and 2,186 acre-feet per year for all combined water rights for the City of Woodland (Certificates #9985 & 6395 and Permit G2-29241)."

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

Water use data shall be recorded daily. The maximum monthly rate of diversion/withdrawal and the monthly total volume shall be submitted to Ecology by January 31st of each calendar year. Ecology is requiring submittal of daily meter readings to collect seasonal information for water resource planning, management and compliance.

The following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit/Certificate/Claim No., source name, annual quantity used including units, maximum rate of diversion including units, monthly meter readings including units, peak monthly flow including units, Department of Health WFI water system number and source number(s), purpose of use, well tag number, open channel flow or proscribed diversion and period of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting. Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

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

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

A completed well report of the well shall be submitted by the driller to the Department of Ecology within 30 days of completing this well. All pump test data for this well shall be submitted to the Department as it is obtained.

All wells constructed in the State shall meet the construction requirements of Chapter 173-160 WAC entitled "Minimum Standards for the Construction and Maintenance of Wells" and Chapter 19-104 RCW entitled "Water Well Construction, Act (1971)."

In accordance with Chapter 173-160 WAC, wells shall not be located within certain minimum distances of potential sources of contamination. These minimum distances shall comply with local health regulations, as appropriate. In general, wells shall be located at least 100 feet from sources of contamination. Wells shall not be located within 1,000 feet of a solid waste landfill.

(continued on page 3)

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or 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 11th day of August, 2006.

[Signature]

Department of Ecology

by Thomas Loranger, Section Manager

If you require this publication in an alternate format, please contact Water Resources at (360) 407-6300, or TTY (for the speech or hearing impaired) 711 or 800-833-6388.
Provisions Continued

Installation and maintenance of an access port as described in Chapter 173-160 is required. An air line and gauge may be installed in addition to the access port.

In order to maintain a sustainable supply of water, pumping must be managed so that static water levels do not progressively decline from year to year. Water levels shall be measured and recorded monthly, using a consistent methodology. The length of the pumping period or recovery period prior to each measurement shall be constant, and shall be included in the record. Data shall be submitted annually, in the month of February, to the Department of Ecology.

The Water Resources Act of 1971 specifies certain criteria regarding utilization and management of the waters of the state in the best public interest. Use of water may be subject to regulation at certain times, based on the necessity to maintain water quantities sufficient for preservation of the natural environment.

The permittee is advised that notice of Proof of Appropriation of water (under which the final certificate of water right is issued) should not be filed until the permanent distribution system has been constructed and that quantity of water allocated by the permit to the extent water is required, has been put to full beneficial use.
Certificate Record No. 14 Page No. 6595-A

STATE OF WASHINGTON, COUNTY OF Cowlitz

Certificate of Ground Water Right

Issued in accordance with the provisions of Chapter 293, Laws of Washington for 1947, and amendments thereto, and the rules and regulations of the Department of Water Resources thereto.

This is to certify that TOWN OF WOODLAND

Woodland, Washington

has duly proofed

in the satisfaction of the Department of Water Resources of Washington of a right to the use of

the ground waters of a well (Keesey Collector)

located within Millie Keesey D.L.C. No. 41, within the Town of Woodland

Sec. 18, Twp. 4 S, R 1 E, W.M.

for the purpose of municipal supply

under and subject to provisions contained in Ground Water Permit No. 9214 issued by the Department of Water Resources and that said right to the use of said ground waters has been perfected in accordance with the laws of Washington, and is hereby confirmed by the Department of Water Resources of Washington and entered of record in Volume 14 of page 6595-A that the right hereby confirmed dates from November 5, 1967; that the quantity of ground water under the right hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1400 gallons per minute, 756 acre-feet per year for municipal supply for an estimated population of 3000 in 1980.

Special provisions required by the Department of Water Resources. As provided under RCW 43.21.120, 90.05.350, 90.14.230 and 90.14.230, a meter shall be installed in this system to measure the total amount of the withdrawal. Issued as a supplemental supply to Surface Water Certificate No. 9983. The total withdrawal or diversion from both sources is not to exceed 756 acre-feet per year.

A description of the lands in which such ground water right is appurtenant:

Town of Woodland

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 Sections 6 and 7, Chapter 122, Laws of 1929.

This certificate of ground water right is specifically subject to relinquishment for nonuse of water as provided in Section 18, Chapter 233, Laws of 1967.

WITNESS the seal and signature of the Assistant Director, Division of Water Management, Department of Water Resources affixed this 29th day of September, 1969.

[Signature]

Assistant Director
Division of Water Management
Department of Water Resources
Report of Examination on Ground Water

Received date: November 9, 1967  Date of exam: March 13, 1968  Appl. No: 9046

Name: Town of Woodland  Address: 100 Davidson Ave., Woodland, WA

Type of works: Wanny Water Collector System  Dimensions: 12' x 35'

Progress of works: Not started

Quantity applied for: 1400 g.p.m.  4,000,000 gallons per day  0.000 acre-feet per year

Legal sub. Milly/Sec. 18, Twp. 5 N., Rge. 1 E.  County: Cowlitz

Use: Municipal supply

Irrigation: Acreage: Present: Planned: Feasible

Municipal: Population: 3000  As of 1999

Industrial

Time pump will be operated: continuously

Other water rights appurtenant to this land: Surface Water Certificate No. 9985

Proximity to existing works, springs, wells or streams, adjacent to Lewis River

Area: Sub-area: Zone:

RECOMMENDATIONS

Approved for: 1400 g.p.m.  756 acre-feet per year, subject to existing water rights. (1 acre-foot 325,850 gallons.)

Use of the waters to be appropriated under this application will be for a public water supply. State Board of Health rules require every owner of a public water supply to obtain written approval from the State Director of Health prior to any new construction or alterations of a public water supply. The applicant is advised to contact the Washington State Department of Health, 304 Public Health Building, Olympia, with regard to the need for compliance.

As provided under RCW 43.21.130, 90.01.360, 90.44.250 and 90.44.020, a master meter shall be installed in this system to measure the total amount of the withdrawal.

The quantity recommended is based on a per capita consumption of 225 gallons per day or 756 acre-feet per year for an estimated population of 3000 in 1999.

Surface Water Certificate No. 9985 for 756 acre-feet per year is an appurtenance to the
land served; therefore, the permit will issue with the following provision: "Issued as a supplemental supply to Surface Water Certificate 9983. The total withdrawal or diversion from both sources is not to exceed 756 acre-feet per year."

Signed at Olympia, Washington this 10 day of JUly, 1969.

BRUCE A. CAMERON, Engineer
Division of Water Management
CERTIFICATE OF SURFACE WATER RIGHT

This is to certify that TOWN OF WOODLAND

of Woodland, State of Washington, has made proof to the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of the waters of Lewis River, a tributary of Columbia River, with point or points of diversion within the Milly Hecker D.L.C. No. 41, within Town of Woodland Sec. 18, Twp. 5 N., R. 11 E., W. M., under and subject to provisions contained in Appropriation Permit No. 14710 issued by the State Supervisor of Water Resources, and that said right to the use of said waters has been perfected in accordance with the laws of Washington and is hereby confirmed by the State Supervisor of Water Resources of Washington and entered of record in Volume 20, at Page 9983, on the 16th day of June, 1967, that the priority date of the right hereby confirmed is August 5, 1966, that the amount of water under the right hereby confirmed, for the following purposes is limited to an amount actually beneficially used and shall not exceed 2.78 cubic feet per second, 756 acre-feet per year, during entire year to supply a population of 3000, in 1999.

A description of the lands under such right to which the water right is appurtenant, and the place where such water is put to beneficial use, is as follows:

Town of Woodland

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 Sections 6 and 7, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Water Resources affixed this 16th day of June, 1967.

[Signature]
Proof of Appropriation of Water

Application No. 19805

1. Name of Permittee: Town of Woodland, a municipal corporation

2. Postoffice address: 100 Davidson Avenue, Woodland, Cowlitz County, Wash.

3. Source of appropriation: Lewis River, Tributary of Columbia

4. Name or number of works (if any): one with two pumps

5. For what purpose or purposes is water used? Municipal supply

6. Give date of beginning of construction: Present pump house, 1938; prior construction, 1910

7. Give date of completion of construction work, including water distribution system: 1938 - 1967 present system - 1910 prior system

8. Give date when water was completely applied to proposed use: 1938 present pump house, 1910 prior pump house

9. If used for irrigation:
   a. Give number of acres described in permit
   b. Give number of acres actually irrigated

10. If used for power: HP actually developed

11. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED:

   2200 feet North and 400 feet East from the Southwest corner of Section 18, Township Five (5) North, Range One (1) East of Willamette Meridian, being within the Molly Bozarth D.L.C. No. 41 and the Town of Woodland.

12. During what months is water used: Entire calendar year

13. Does map filed with your application show correctly the location of well or point of diversion for withdrawal of water, and area of land where water is used? Yes

14. If the dimensions, location or type of structure do not correspond to those described in your permit, state what changes have been made, giving dimensions, etc: None

15. Actual measured discharge or diversion of permanent system: 2.78 cfs (gpm or cfs)

(Sign certification on reverse side)

State Printing Plant, Olympia, Washington
Report of Examination

Date of application: August 5, 1966  Date of examination: Feb. 17, 1967  Application No. 19856

Name: Town of Woodland  Address: 100 Davidson Ave., Woodland, Wash.

Quantity applied for: 5,000 c.f.s.  Use: Municipal supply

Source of appropriation: Lewis River  Tributary of Columbia River

Milly Bozarth D.L.C. No. 41, within Town of Woodland,

Legal sub. within: Sec. 19  Twp. 5 N.  Rge. 1 E.  County: Cowlitz

Measured or estimated quantity: See records  Probable low flow: Same

Quantity previously appropriated: W.T.  CWT.  E.T.

Other use made of water: Power, generation, and irrigation

Diversion works contemplated or observed: 2 x 300-gallon per minute centrifugal pumps on river bank. 10" main line to storage reservoir (0.675 acre-feet)

Other equipment: Chlorination station

Irrigable acreage: Planned:  Present: Feasible:

Other water rights appurtenant to this land: Claim to vested right

Progress of project: Completed and in use

Protests: None recorded

Quantity recommended (total): 2,750 c.f.s.  Irrig. 0  Dom. 0

Power:  C  Municipal: 2,750 c.f.s., 756 acre-feet  Other uses: 0 per year

Department of Fisheries and Game report: See below.

Special remarks and provisions:

In accordance with the recommendations of the Departments of Fisheries and Game, the permit shall be issued subject to the provisions that: 1. The diversion intake shall be tightly screened at all times with wire having a mesh opening not greater than .125 (1/8) inch. 2. No dam shall be constructed in connection with this diversion.

According to a 1960 engineering study by Stevens & Thompson, the combined capacity of the two existing pumps is 1,250 gallons per minute, or 2.78 cubic feet per second. Approval is granted for that quantity since the system is complete and in use.

The annual quantity, 756 acre-feet, is based upon an estimated per capita demand of 225 gallons per day and a population of 3,000 as of 1999.

As provided under R.C.W. 43.21.130 and 90.03.360, a master meter shall be installed in this system to measure the total amount of the diversion.

(over)
Use of the waters to be appropriated under this application will be for a public water supply. State Board of Health rules require every owner of a public water supply to obtain written approval from the State Director of Health prior to any new construction or alterations of a public water supply. The applicant is advised to contact the State Department of Health, 304 Public Health Bldg., Olympia, with regard to the need for compliance.

In accordance with Section 90.03.290 R.C.W., I find that there is water available for appropriation from the source in question and that the diversion proposed in the application will not impair existing rights or be detrimental to the public welfare. Therefore, permit should issue as recommended above, subject to existing rights and indicated provisions.

Signed this ___ day of May, 1967

WILLIAM R. SMITH, Geologist
Division of Water Resources
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 work within a quarter of a mile.

OFFICE

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

INCLUD N1/2, 1/2, 3W 6N 6E.

[Blank space for additional notes]
Water Right Self Assessment (WRSA) Tables
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<thead>
<tr>
<th>Permit Certificate or Claim #</th>
<th>Name of Rightholder or Claimant</th>
<th>Priority Date</th>
<th>Source Name/ Number</th>
<th>Primary or Supplemental</th>
<th>Existing Water Rights</th>
<th>Existing Consumption</th>
<th>Current Water Right Status (Excess/Deficiency)</th>
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<td>Maximum Annual Volume (Qa)</td>
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<td>1. 9985</td>
<td>City of Woodland</td>
<td>8/5/66</td>
<td>Lewis River</td>
<td>Primary</td>
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<tr>
<td>2. 6595</td>
<td>&quot;</td>
<td>11/8/67</td>
<td>Ranney Well</td>
<td>Supplemental</td>
<td>153</td>
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<td>3. G2-29241</td>
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<th>Existing Limits on Intertie Water Use</th>
<th>Existing Consumption Through Intertie</th>
<th>Current Intertie Supply Status (Excess/Deficiency)</th>
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# WATER RIGHTS TRACKING SYSTEM

## CURRENT WATER RIGHT & WATER RIGHT CHANGE APPLICATIONS PENDING WITH ECOLOGY

**County:** Cowlitz

**Disclaimer:** This report contains information about water right applications and water right change applications. Applications do not constitute an approval of water rights.

### WRIA: 27

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Feature Source:
- ECOLOGY - 303(d) List 1998 1:100K (WQ_LIST, WB_LIST, WQ_LIST)
- ECOLOGY - Water Resource Inventory Areas 2002 1:24K (WRIA)
- ECOLOGY/WDFW - Hydrography 1998 1:100k (HYDROFW)

Notes:
(*) Legend page for individual 303(d)/WRIA area maps, 1 - 62
2008 Lewis River 303D List Information
<table>
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<th>Parameter</th>
<th>Medium</th>
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Number of Listings: 17
Listing ID: 6532
Water Body Name: LEWIS RIVER
Water Body Type: River/Stream
Parameter: Total Dissolved Gas
Sample Medium: Water
WRIA: 27 - Lewis
County: Skamania
Township Range Section: 07.0N - 05.0E - 28
LLID: 1227824458504
Lower Rte: 69.850
WASWIS: CP62CH
Lower Rte: 72.487

2008 CATEGORY: 5
2004 Category: 5
1998 303(d) List?: N
1996 303(d) List?: N

2008 Basis

*** 2008 Basis Statement (carried forward from 2004) ***

Unpublished data from Cowlitz PUD station S2 (Swiftt #1 Tailrace) shows the the criterion was exceeded 9 out of 10 days measured during 2000.
Listing ID: 6542  
Water Body Name: LEWIS RIVER  
Water Body Type: River/Stream  
Parameter: Total Dissolved Gas  
Sample Medium: Water  
WRIA: 27 - Lewis  
County: Cowlitz, Clark  

Township Range Section: 06.0N - 04.0E - 32  

LLID: 1227824458504  
Lower Rte: 50.153  
Upper Rte: 51.878  

WASWIS: CP62CH  
Lower Rte: 53.089  
Upper Rte: 54.947  

2008 Basis  
*** 2008 Basis Statement (carried forward from 2004) ***  

Unpublished data from Cowlitz PUD station Y7 (Yale Tailrace) shows the criterion was exceeded 14 out of 20 days measured during 2000.  

Unpublished data from Cowlitz PUD station M1 (Yale Tailrace) shows the criterion was exceeded 0 out of 20 days measured during 2000.
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<td>Sample Medium:</td>
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<tr>
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**2008 Basis**

*** 2008 Basis Statement (carried forward from 2004) ***

Unpublished data from Cowlitz PUD station S5 (Swift #2 Tailrace) shows the the criterion was exceeded 3 out of 10 days measured during 2000.

Unpublished data from Cowlitz PUD station Y1 (Swift #2 Tailrace) shows the the criterion was exceeded 11 out of 43 days measured during 2000.
Listing ID: 37818
Water Body Name: LEW'S RIVER
Water Body Type: River/Stream
Parameter: Temperature
Sample Medium: Water
WRIA: 27 - Lewis
County: Skamania

2008 CATEGORY: 5
2004 Category: 5
1998 303(d) List?: N
1996 303(d) List?: N

Township Range Section: 07.0N - 07.0E - 29

LLID: 1227824458504
Lower Rte: 90.833
Upper Rte: 92.705

WASWIS: CP62CH
Lower Rte: 93.222
Upper Rte: 95.077

EIM

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2008 Basis

Location ID [MSH019] -- between 6/26/2005 and 9/18/2005 there were 17 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 16.70°C for the 7-day period ending July 31, 2005.

Location ID [MSH019] -- between 7/29/2004 and 9/30/2004 there were 5 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 16.18°C for the 7-day period ending August 4, 2004.

*** 2004 Basis Statement Below ***


Gifford Pinchot National Forest unpublished data (submitted by Claire Lavendel on 16 December 2002) shows temperature was exceeded in 11 separate years from measurements collected during 1975-1988, 1991, 1997-2000, 2002 at the station called 'Above Curly Creek'.
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<td>1998 303(d) List?:</td>
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<td>1996 303(d) List?:</td>
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2008 Basis

*** 2008 Basis Statement (carried forward from 2004) ***

Gifford Pinchot National Forest unpublished data (submitted by Claire Lavendel on 16 December 2002) shows temperature was exceeded in 2 separate years from measurements collected during 2001-2002 at the station called 'Above Big Creek'. Gifford Pinchot National Forest unpublished data (submitted by Claire Lavendel on 16 December 2002) shows a maximum 7-day mean of daily maximum values of 16.2 degrees C from continuous measurements collected during 2001-2002 at the station called 'Above Big Creek'.

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1 of 1
Listing ID: 37843
Water Body Name: LEWIS RIVER
Water Body Type: River/Stream
Parameter: Temperature
Sample Medium: Water
WRIA: 27 - Lewis
County: Skamania

Township Range Section: 08.0N - 07.0E - 35

LLID: 1227824458504
Lower Rte: 102.808

WASWIS: CP62CH
Lower Rte: 104.968

EIM

<table>
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2008 Basis

Location ID [MSH020] -- between 6/30/2006 and 9/27/2006 there were 8 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 17.59°C for the 7-day period ending July 27, 2006.

Location ID [MSH020] -- between 6/23/2005 and 9/24/2005 there were 39 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 18.23°C for the 7-day period ending July 31, 2005.

Location ID [MSH020] -- between 7/19/2004 and 9/20/2004 there were 25 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 17.77°C for the 7-day period ending July 29, 2004.

*** 2004 Basis Statement Below ***

Gifford Pinchot National Forest unpublished data (submitted by Claire Lavender on 16 December 2002) shows temperature was exceeded in 1 separate years from measurements collected during 1998-1999,2002 at the station called 'Below Cussed Hollow Creek'. Gifford Pinchot National Forest unpublished data (submitted by Claire Lavender on 16 December 2002) shows a maximum 7-day mean of daily maximum values of 12.9 degrees C from continuous measurements collected during 1998-1999,2002 at the station called 'Below Cussed Hollow Creek'.

11/24/2012 10:28 AM
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<tr>
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</table>

**2008 Basis**

Location ID [MSH017] -- between 6/3/2005 and 9/24/2005 there were 7 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 16.35°C for the 7-day period ending July 31, 2005.

Location ID [MSH017] -- between 6/18/2004 and 9/17/2004 there were no occurrences in which the 7-day mean of daily maximum value exceeded the temperature criterion for this waterbody, (criterion = 16.0°C).

*** 2004 Basis Statement Below ***

Gifford Pinchot National Forest unpublished data (submitted by Claire Lavendel on 16 December 2002) shows temperature was exceeded in 0 separate years from measurements collected during 1999-2002 at the station called 'Above Quartz Creek'. Gifford Pinchot National Forest unpublished data (submitted by Claire Lavendel on 16 December 2002) shows a maximum 7-day mean of daily maximum values of 13.3 degrees C from continuous measurements collected during 1999-2002 at the station called 'Above Quartz Creek'.

**Remarks**

The data for this listing was reviewed and found to meet Category 1 requirements in accordance with Policy 1-11 (Sept. 2006)
Listing ID: 48692
Water Body Name: LEWIS RIVER
Water Body Type: River/Stream
Parameter: Temperature
Sample Medium: Water
WRIA: 27 - Lewis
County: Skamania
Township Range Section: 07.0N - 07.0E - 10
LLID: 1227824458504
Lower Rte: 98.249
Upper Rte: 99.996

2008 CATEGORY: 5
2004 Category:
1998 303(d) List?: N
1996 303(d) List?: N

EIM

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2008 Basis

Location ID [MSH016] -- between 7/2/2006 and 9/23/2006 there were 9 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 17.64°C for the 7-day period ending July 27, 2006.

Location ID [MSH016] -- between 6/27/2005 and 9/29/2005 there were 40 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 17.96°C for the 7-day period ending August 1, 2005.

Location ID [MSH016] -- between 7/23/2004 and 9/30/2004 there were 24 occurrences in which the 7-day mean of daily maximum values (7DADmax) exceeded the temperature criterion for this waterbody, (criterion = 16.0°C); the maximum exceedance during this period was 17.77°C for the 7-day period ending August 17, 2004.