



Application for a New Water Right Permit

Form No. ECY 040-1-14 (Rev 08-2022)

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

Processing option you are choosing:

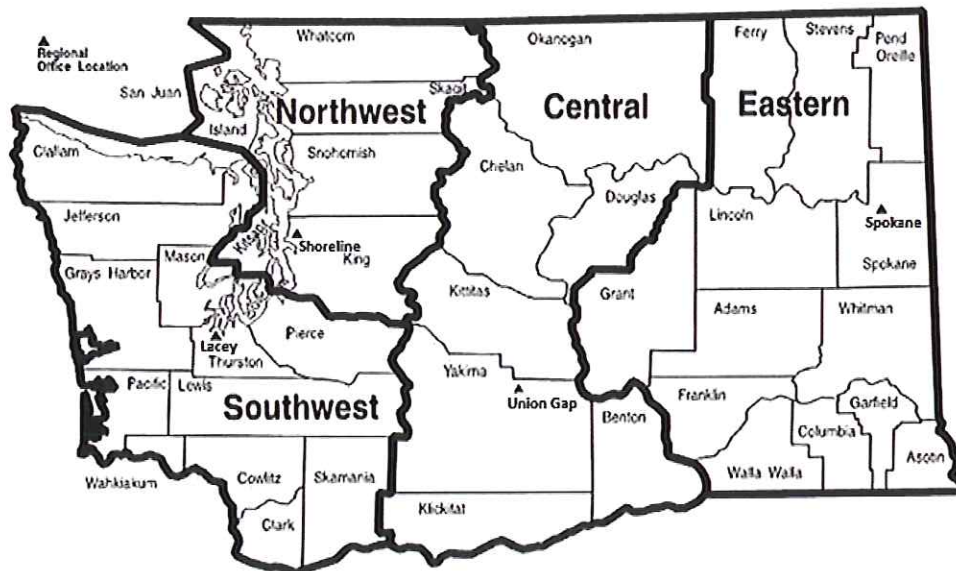
<input type="checkbox"/> Standard Processing (Department of Ecology)	<input checked="" type="checkbox"/> Cost Reimbursement (CR) Agreement Processing (Ecology Contractor)
A minimum \$50 fee is required to apply. Additional fees may apply. Drought applications are exempt.	Contact Department of Ecology to obtain information on this option.

Submit all applications and fees to:

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

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

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



Department of Ecology
 APR 25 2023
 Water Resources

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

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



WATER RESOURCES PROGRAM

Application for a New Water Right Permit

For Ecology Use
(Date Stamp)

Department of Ecology

APR 25 2023

Water Resources Program

I am applying for a:

- New groundwater right permit
- New surface water right permit

- Short-term water right permit (less than 4 months, non-recurring)
 Dates the water will be needed:
 FROM: ____ / ____ / ____
 TO: ____ / ____ / ____

- Cost Reimbursement Processing
- Drought (see Attachment A)

Required submittals: '23 APR 21 10:37

- A \$50 filing fee. This fee is not required for drought or cost reimbursement applications.
- A map showing the proposed point(s) of diversion/withdrawal and place(s) of use.
- A copy of the legal description of property where the water will be used (taken from a real estate contract, property deed, or title insurance policy).
- If platted property, a complete copy of the plat map.

Date of pre-application consultation with Ecology: 11/15/2022

Name of Ecology contact for pre-application: Brittany Duarte

1. Applicant Information (Complete all applicable boxes)

APPLICANT/BUSINESS NAME: Bob Scarsella / Western Sand & Gravel, LLC.		PHONE NO: 206-741-3612	OTHER NO:
ADDRESS: PO Box 68847			
CITY: Seattle		STATE: WA	ZIP: 98168-0697
EMAIL ADDRESS (IF AVAILABLE): Logan Davidson: logand@wsandg.us			

CONTACT NAME (IF DIFFERENT FROM ABOVE): Sue Cook, RH2 Engineering, Inc.		PHONE NO: 425-223-4307	OTHER NO: 425-951-5448
RELATIONSHIP TO APPLICANT: Consultant			
ADDRESS: 22722 29 th Dr SE, Suite 210			
CITY: Bothell		STATE: WA	ZIP: 98021
EMAIL ADDRESS (IF AVAILABLE): scook@rh2.com			

FOR ECOLOGY USE	ECY CODING: 001-001-0285-000011		
	APPLICATION NO: _____	DOC ID NO. _____	SEPA: EXEMPT/NOT EXEMPT
	FEE PAID: _____	CHECK NO: _____	

DATE RETURNED _____ BY _____ PRIORITY DATE _____ BY _____
 WRIA: _____

PRE-APPLICATION INTERVIEWER: _____

APR 25 2023

2. Project Description

Attach a report with responses to the following required information, and reference the section number in your responses.

Section	Required information
2.1	Provide a brief narrative explaining the general nature and intent of the proposed water use.
2.2	If the proposed water use will include a diversion from a new or permitted reservoir, list any associated water rights, and the means of withdrawal.
2.3	Attach a copy of any SEPA checklists or environmental analyses related to this project with this application.
2.4	Describe how you will measure and control the rate and volume of your diversion or withdrawal.

3. Purpose(s) and Period of Use

List all purposes for which water will be applied to a beneficial use, and provide the quantity required for each.

Purpose(s) of use	Rate (check one box only) <input checked="" type="checkbox"/> CFS <input type="checkbox"/> GPM	Acre-feet per year (AF/YR)	Proposed number of irrigated acres	Period of use (continuous, or dates of proposed use)
Industrial	2.67	290	NA	Continuous, interruptible
TOTAL:	2.67	290	NA	

Section	Required information	Reference(s)
3.1	For domestic water supply systems proposals with fewer than 15 residential connections , provide: <ul style="list-style-type: none"> Projected number of connections to be served Type of connections (e.g., home, recreational cabin) 	
3.2	For domestic water supply systems proposals with more than 15 residential connections , provide: <ul style="list-style-type: none"> Present population to be served water Estimated future population to be served (20 year projection) Whether you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division, and the date of plan approval. Water System Identification Number Name of water system 	RCW 90.03.015
3.3	For stockwater purposes , provide the number of animals and type of stock, and daily water requirements per animal.	

Section	Required information	Reference(s)
3.4	<p>For agricultural irrigation, calculate the acreage in which you have a controlling interest, including only:</p> <ul style="list-style-type: none"> • Acreage irrigated under water rights acquired after December 8, 1977, • Acreage proposed to be irrigated under this application, and • Acreage proposed to be irrigated under other pending application(s). Is the combined acreage under existing rights greater than 6,000 acres? • Do you have a controlling interest in a Family Farm Development Permit? <p>If yes, provide the permit number.</p>	RCW 90.66
3.5	For other farm uses , describe all proposed uses.	
3.6	<p>For hydropower uses, indicate:</p> <ul style="list-style-type: none"> • Total feet of head • Proposed capacity in kilowatts • Describe works • Indicate all uses to which power is to be applied • FERC License Number 	RCW 90.03.260
3.7	For industrial/mining uses , describe the type of industrial/mining operations, and the method of supplying and utilizing water.	
3.8	For other uses , describe your use in detail.	

4. Point(s) of Diversion or Withdrawal Location(s)

Use a separate application for each source (either surface water or groundwater). Attach additional sheets if more than four points of diversion or withdrawal are proposed. Refer to the application guidance document for more information.

SOURCE NAME (Reference by number below)	QTR QTR	QTR	SEC	TWP	RGE	PARCEL NO.
1. Skykomish River	N ½	SE¼	10	27N	09E	<u>27091000100400</u>

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

A) Point(s) of Diversion (surface water only)

Spring
 Creek
 River
 Lake
 Other: _____

APR 25 2023
Water Resources Program

Source (identified above)	Tributary to:	GPS/ LAT-LONG
1.	Snohomish River	<u>47.8406, -121.6326</u>

Do you own the point(s) of diversion? yes no

B) Point(s) of Withdrawal (groundwater only) NA

Withdrawal device: well other:

Existing well: yes no

Source (identified above)	Well No.	Well Tag No.	GPS/ LAT-LONG
1.			
2.			
3.			
4.			

Do you own the point(s) of withdrawal? yes no

5. Water Storage

Section	Required information	Reference(s)
5.1	If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point and some portion of the storage will be above grade, you must also complete an "Application for Permit to Construct a Reservoir," and a "Dam Construction or Decommissioning Permit Application."	WAC 173-175 WAC 508-12-260
5.2	If applicable, describe your proposed impoundment, including the volume and maximum depth.	
5.3	If you are proposing an Aquifer Storage and Recovery (ASR) project, Do not use this form. Use "Form ECY 070-634: Application for Underground Artificial Storage and Recovery Reservoir Permit" <ul style="list-style-type: none"> https://fortress.wa.gov/ecy/publications/summarypages/ECY070634.html 	

6. Place of Use

QTR	QTR	SEC	TWP	RGE	COUNTY	PARCEL NO.	NO. OF IRRIGATED ACRES
SE	NW	10	27N	09E	Snohomish	27091000100400	NA
S ½	NE	10	27N	09E	Snohomish	27091000100400	NA
NE	SW	10	27N	09E	Snohomish	27091000100400	NA
N ½	SE	10	27N	09E	Snohomish	27091000100400	NA

Outline the area to be irrigated on your attached map, if applicable.

Department of Ecology

APR 25 2023

Water Resources Program

LEGAL LANDOWNER OF PROPOSED PLACE OF USE (IF DIFFERENT THAN APPLICANT) Terra5 Company, LLC	PHONE NO. 253-872-7173	ALT PHONE NO.
ADDRESS 8404 S 196 th Street		
CITY Kent	STATE WA	ZIP CODE 98031
EMAIL ADDRESS (IF AVAILABLE) accounting@scarsellabros.com		

Attach additional sheets as necessary.

7. Related Water Rights (if applicable)

Section	Required information
7.1	List any other water rights (applications, permits, certificates, or claims) related to this application. Include any rights that overlap the place of use.
7.2	Explain how the water rights listed above have been exercised.

8. System Design and Operation

Section	Required information	Reference(s)
8.1	Provide a description of the proposed water supply system from the point of diversion or withdrawal to the proposed place of use.	
8.2	Provide preliminary design plans and specifications for the proposed use, including diversion or withdrawal and conveyance facilities, if applicable, and the proposed flow rate and volume design capacity.	
8.3	Provide the projected system efficiency.	
8.4	For surface water diversions , describe how your plans comply with WDFW fish screening requirements.	RCW 77.57
8.5	Provide a general timeline (development schedule) that includes the steps needed to begin the project, complete the project, and put the water to full beneficial use.	
8.6	Identify and discuss other land-use or environmental permits required and the timeline to obtain those permits.	

Department of Ecology
APR 25 2023
Water Resources Program

APR 25 2023

9. Hydrogeological Analysis

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

Section	Required information
9.1	If known, describe the hydrogeologic setting and identify all groundwater bodies and surface water bodies involved.
9.2	If known, describe: <ul style="list-style-type: none"> • Geographic recharge and discharge areas • Seasonal variations of groundwater elevations • Interrelationships between surface water and groundwater, and between aquifers • Barriers to flow • Hydrologic boundaries
9.3	Attach any available well information including: <ul style="list-style-type: none"> • Water well report • Well diameter and depth • Motor and pump specifications (i.e., make, horsepower, and type) • Pump test data • Well locations (must be identified as outlined in Section 11)
9.4	If known, describe the following characteristics of the aquifer, and cite the source of that information: <ul style="list-style-type: none"> • Aquifer transmissivity • Aquifer storage coefficient and specific yield • Saturated thickness • Aquitard leakage • A detailed description of groundwater-flow boundaries • Water-level hydrographs for wells • Associated water-quality information

If your proposed water use impacts or impairs a protected water source or an existing water right, you will need to discuss mitigation options in **Attachment B** with the appropriate regional office.

10. Environmental Assessment

Section	Required information
10.1	Describe the aquatic uses of any related surface water bodies (i.e., fish and wildlife, recreation and aesthetic, water quality, etc.).
10.2	Indicate whether the related surface water is fish-bearing, including whether it is inhabited by salmonids. List species and the times of year they are present. https://apps.wdfw.wa.gov/salmonscape/

11. Driving Directions

Section	Required information	
11.1	Site address, and detailed driving directions to the project site.	

12. Maps and Other Documentation

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

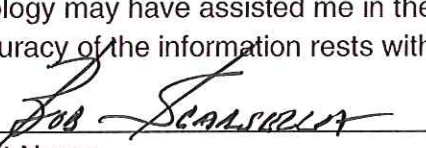
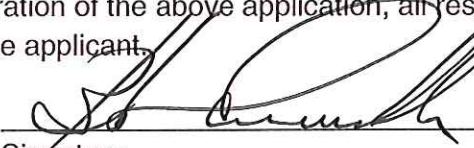
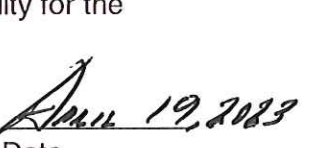
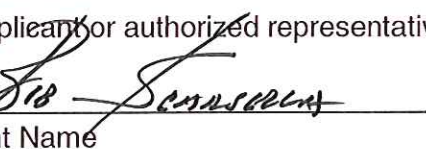

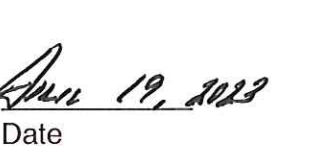
Department of Ecology

APR 25 2023

Water Resources Program

13. Signatures

I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

 _____ Print Name (Applicant or authorized representative – Western Sand & Gravel, LLO)	 _____ Signature	 _____ Date
 _____ Print Name (Legal Owner or Part Owner Place – Terra5 Company, LLC)	 _____ Signature	 _____ Date

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

Region/ Office	Counties served	Mailing Address	Phone
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	wrCRO@ecy.wa.gov 1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	wrERO@ecy.wa.gov 4601 N Monroe Spokane, WA 99205	509-329-3400
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	wrNWRO@ecy.wa.gov PO Box 330316 Shoreline, WA 98133-9716	206-594-0000
Office of Columbia River*	OCR has jurisdiction for designated OCR projects, and new projects located within one mile of the Columbia River.	wrCRO@ecy.wa.gov 1250 W Alder St Union Gap, WA 98903	509-575-2490
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Thurston, Skamania, Wahkiakum	wrSWRO@ecy.wa.gov PO Box 47775 Olympia, WA 98504	360-407-6300

ADA Requests

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Department of Ecology
APR 25 2023
Water Resources Program

Attachment A: Drought Authorizations (Not Applicable)

Note: In order to apply for a new temporary drought permit, applicants must be conducting a previously established activity under a valid water right permit, certificate, or water right claim within an area covered by a formal drought declaration. (WAC 173-166).

Complete this attachment and the following sections of the Application for a New Water Right:

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

Section	Required information	Reference(s)
A.1	Describe the specific circumstances pertaining to your water shortage. Describe how existing water rights are insufficient to address these impacts due to the drought.	
A.2	Describe how the water right proposed will address these impacts.	
A.3	Have you had any previous drought-specific authorizations for the subject parcels? If yes: <ul style="list-style-type: none"> • What are the Drought Authorization numbers? • Did those former authorizations cause impairment to other water users? 	RCW 43.83B.410

Department of Ecology

APR 25 2023

Water Resources Program

Attachment B: Mitigation Plan (Not Applicable)

Section	Required information	Reference(s)
B.1	Identify the source of supply for the proposed mitigation water.	
B.2	Estimate the consumptive quantity of water for the proposed use. Describe the methodology used to support your estimate.	
B.3	Describe how the proposed mitigation would offset the impacts of the proposed withdrawal or diversion.	
B.4	Describe the measures that will be taken to ensure mitigation will be maintained for the duration of the water right authorization.	
B.5	Provide copies of any agreements between you and other parties regarding mitigation for impacts, if applicable.	
B.6	Describe the benefits and costs, including environmental effects, of any water impoundment or other resource management technique that is included as a component of the application.	RCW 90.03.255 RCW 90.44.055
B.7	For surface water , analyze whether there will be any increased water supply from the impoundment or technique, including recharge of groundwater, as a means of making water available or otherwise offsetting diversion impacts.	
B.8	For groundwater , analyze whether there will be any increased water supply from the impoundment or technique, including recharge of groundwater, as a means of making water available or otherwise offsetting the impact of the diversion of surface water.	
B.9	If you intend to offset your new use, describe how and when non-consumptive water returns to groundwater or surface water, and explain how this volume was estimated. Specifically describe how the quantity, timing and location of return flow would change if the proposed permit is approved.	WAC 173-500-050(5) WAC 173-500-050(9) POL 1020

Department of Ecology

APR 25 2023

Water Resources Program