



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

December 10, 2010

Cascade Water Alliance
11400 SE 8th Street Suite 440
Bellevue WA 98004

Re: Water Right No. S2-29920(A)

Dear: Sir or Madam:

Enclosed is a Permit to be retained for your records. Please read the enclosed information sheet, as well as your entire Permit.

It is important to remember that this permit is not a *final* water right; it is permission to develop a water right.

We are enclosing a *Construction Notice* form. If you have not begun your project by **December 31, 2040**, please advise us. If you have begun construction, complete and submit the form to this office.

If you have any questions, please contact Ecology at 360-407-6300.

Sincerely,

Thomas Loranger
Water Resources Program

Enclosures: *Permit*
Construction Notice
Important Information About Your Water Right





State of Washington
WATER RIGHT PERMIT

PRIORITY DATE
6/20/2000

WATER RIGHT NUMBER
S2-29920(A)

MAILING ADDRESS
CASCADE WATER ALLIANCE
11400 SE 8TH ST STE 440
BELLEVUE WA 98004

SITE ADDRESS (IF DIFFERENT)

Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
1000	CFS	54300

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Municipal	1000		CFS			02/15 - 07/01 ^a
Municipal	400		CFS			07/02 - 09/15 ^b
Municipal	150		CFS			09/16 - 02/14 ^c

REMARKS

- a. From February 15 until Refill Date or July 1, whichever is earlier.
- b. From Refill Date until September 15 or Fall Drawdown Date, whichever is later.
- c. From the Fall Drawdown Date to February 15.

Diversion rates are further subject to refill schedule described Provision No. 2.

Ecology has issued two separate Reports of Examination corresponding to application S2-29920: one corresponds to the Lake Tapps Reservoir Water Rights and Supply Project [permit S2-29920(A)] and the other corresponds to the Regional Reserved Water Program [permit S2-29920(B)]. Water quantities from the two permits are additive. The two permits have the same priority date, but the permit for S2-29920(A) is superior in priority. Both of the permits are evaluated in one Investigator's Report.

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Pierce	White River	Puyallup River	10-Puyallup-White

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWN	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
WHITE RIVER DIVERSION DAM	0619021006	NA	19N	06E	02	NE	47.170344	-122.004333

Datum: NAD83/WGS84

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

The place of use for this water right is the combined service areas described in the most recent Water System Plans approved by the Washington State Department of Health for the Cascade Water Alliance, the City of Seattle and the City of Tacoma.

Proposed Works

Lake Tapps Water Rights and Supply Project

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
December 31, 2040	Within 15 Years of Begin Construction Date	December 31, 2060

The development schedule is as follows:

- Begin construction within 30 years of the issuance of the permits
- Complete construction within 15 years of the beginning of construction
- Achieve full beneficial use of the allocated quantities within 50 years of issuance of the permits.

The Begin Construction Date is the date when Permit Holder has received all necessary major permits for the construction of the water treatment plant and transmission system and commenced work on facilities considered to be significant permanent elements of the project or excavation for project foundations or pipelines.

The Completion of Construction Form may be filed after the water treatment plant is completed, tested and capable of treating the full capacity and a transmission system is available in accordance with Permit Holder's Water System Plan, including appropriate agreements to use other entities' transmission systems, sufficient to transport the full amount of water to the appropriate delivery points.

Permit Holder is advised that a notice of Proof of Appropriation of water (under which the final certificate of water right is issued) should not be filed until the quantity of water allocated by this authorization, to the extent water is required, has been put to full beneficial use.

Provisions:

The Permit Holder must meet the provisions and conditions of this section. These provisions and conditions apply at permit issuance, except as noted in the individual condition.

1. Minimum Flow

The Permit Holder may divert water from the White River to Lake Tapps Reservoir, subject to the schedule of maximum diversion rates provided below in Condition 2, only if the diversion does not reduce the instream flow of the White River below the Minimum Flow established in Table 1.

Compliance with the Minimum Flows shown in Table 1. shall be measured at U.S. Geological Survey (“USGS”) gage 12099200 – White River above Boise Creek at Buckley gage (referred to as the “Buckley Gage”), or other appropriate gage subject to review and approval by the Washington State Department of Ecology (“Ecology”) in accordance with Condition 21.

The Permit Holder may divert up to 20 cfs of water from the headgate and through the fish screens when the flow is below the Minimum Flow, set out in Table 1. due to natural flow conditions.

Table 1. Minimum Flow

<u>Time Period</u>	<u>Minimum Flow</u>	<u>Time Period</u>	<u>Minimum Flow</u>
January 1-14	650 cfs	July 1-23	800 cfs
January 15-31	525 cfs	July 24-31	650 cfs
February 1-14	550 cfs	August 1-6	650 cfs
February 15-29	500 cfs	August 7-31	500 cfs
March 1-14	550 cfs	September 1-14	500 cfs
March 15-31	725 cfs	September 15-30	500 cfs
April 1-14	775 cfs	October 1-14	500 cfs
April 15-30	825 cfs	October 15-31	500 cfs
May 1-14	875 cfs	November 1-14	500 cfs
May 15-31	875 cfs	November 15-30	550 cfs
June 1-14	800 cfs	December 1-14	550 cfs
June 15-30	800 cfs	December 15-31	600 cfs

2. Schedule of Maximum Diversion Rates

If the instream flow of the White River at the Buckley Gage (or other appropriate gage subject to review and approval by Ecology in accordance with Condition 21) exceeds the Minimum Flow established in Condition 1, then the Permit Holder may divert water from the White River into Lake Tapps Reservoir in a manner consistent with the following schedule and amounts:

- a) Beginning no earlier than February 15, and continuing until Lake Tapps Reservoir is refilled to Normal Full Pool (as defined in Condition 5), or until July 1, whichever is earlier (“Refill Date”) water may be diverted from the White River in an amount not to exceed 1000 cfs;

- b) Beginning on the Refill Date until September 15 or the subsequent date the Permit Holder commences drawing down the water level of Lake Tapps Reservoir, whichever is later (“Fall Drawdown Date”), water may be diverted from the White River in an amount not to exceed 400 cfs; and
- c) Beginning on the Fall Drawdown Date until February 15 water may be diverted from the White River in an amount not to exceed 150 cfs.

3. Releases from Reservoir

The Permit Holder shall limit releases from Lake Tapps Reservoir into the tailrace canal to not more than 50 cfs, except when Lake Tapps Reservoir is being drawn down, in accordance with Condition 2.c above.

4. Ramping Rates

The diversion from the White River and the release from Lake Tapps Reservoir through the tailrace canal shall at all times be operated so that;

- a) The ramping rate does not exceed one inch per hour (increase or decrease) as measured respectively at the Buckley Gage (or other appropriate gage subject to review and approval by Ecology in accordance with Condition 21) and USGS gage 12101100 – Lake Tapps Diversion at Dieringer; and
- b) Between February 16 and June 15 of each year down ramping shall not be permitted between one hour before sunrise and one hour after sunset.

5. Recreational Lake Levels

The Permit Holder shall maintain lake levels in Lake Tapps Reservoir according to the schedule established below. “Normal Full Pool” is defined as a reservoir water level between 541.0 feet and 542.5 feet National Geodetic Vertical Datum 1929 (“NGVD 29”) as measured at USGS gage 12101000 – Lake Tapps near Sumner.

- a) The Permit Holder shall maintain Normal Full Pool from April 15 through September 30 of each year until 30 years of the issuance of the permit or Permit Holder’s commencement of the use of Lake Tapps Reservoir for municipal water supply, whichever comes later.
- b) Thereafter, the Permit Holder shall:
 - i) Maintain Normal Full Pool from April 15 through September 15; and
 - ii) Maintain Normal Full Pool from September 16 through September 30 of each year more than ninety percent (90%) of the time, measured by the number of days (i.e., no more than fifteen (15) days in a rolling ten (10) year period of time) below the lower parameter of the Normal Full Pool, starting with the first calendar year in which lake levels fall below the lower parameter of the Normal Full Pool.
- c) The Permit Holder shall make reasonable efforts to maintain Normal Full Pool through October 31 in all years.

- d) Within the above-described time periods, operational variances may be required due to forecasts or available precipitation, any necessary milfoil control, or the terms and conditions of this authorization or of applicable law.

The schedule of lake levels and the definition of Normal Full Pool may be modified. Permit Holder shall submit any proposal for modification to Ecology for review and approval in accordance with Condition 21. The proposal shall include documentation that Permit Holder has completed an appropriate consultation or negotiation process with stakeholders and other interested parties.

6. Protect Puyallup River Minimum Instream Flows in Spring

During projected minimum instream flow shortfalls at USGS gage 12101500 – Puyallup River at the Puyallup from February 15 through March 31 of each year, the Permit Holder shall reduce the quantity of flow diverted from the White River up to the amount of water actually being withdrawn from Lake Tapps Reservoir for municipal water supply purposes (i.e., up to a maximum annual quantity of 5,900 acre feet). The Permit Holder shall develop an operating protocol for diversions from the White River to Lake Tapps Reservoir, for review and approval by Ecology in accordance with Condition 21. The protocol shall incorporate appropriate stream flow gaging and modeled travel time to estimate when diversions should be reduced to provide additional flow at the Puyallup gage. This condition shall apply when water is first withdrawn from Lake Tapps Reservoir for municipal water supply purposes.

7. Minimization of Powerhouse Leakage

To the extent practical, the Permit Holder shall minimize leakage from the former White River Hydroelectric Project powerhouse beginning not later than when water is first withdrawn from Lake Tapps Reservoir for municipal water supply purposes. Within 5 years of permit issuance, the Permit Holder shall submit a plan for minimizing powerhouse leakage to Ecology for review and approval in accordance with Condition 21.

8. Streamflow Monitoring

Within two (2) years of the issuance of the permit, the Permit Holder shall submit to Ecology a plan to install, operate, maintain, and report from streamflow gages necessary to monitor the minimum flows and staff gages to monitor the ramping rates required by this permit. The plan shall include at a minimum gages at the following locations:

- Canal Diversion
- White River above Boise Creek at Buckley gage (or other appropriate gage subject to review and approval by Ecology in accordance with Condition 21)
- Tailrace Release
- Lake Tapps water surface elevation (on a daily basis)

The plan shall describe the method of collecting and recording the flow and ramping rate data, and include a provision for periodically providing that data to Ecology, Washington Department of Fish and Wildlife (“WDFW”), National Oceanic and Atmospheric Association National Marine Fisheries Service (“NOAA Fisheries”), U.S. Fish and Wildlife Service (“USFWS”), USGS, the Puyallup Tribe of Indians, and Muckleshoot Indian Tribe. The Permit Holder shall prepare the plan after providing a draft and opportunity to comment to Ecology, WDFW, NOAA Fisheries, USFWS, USGS, the Puyallup Tribe of Indians and Muckleshoot Indian Tribe. The final plan shall be submitted to Ecology for review and

approval in accordance with Condition 21. The plan shall be implemented, including installation and operation of all gages, within one year after approval by Ecology.

The Permit Holder shall use the most accurate gaging equipment and methodology as determined by the USGS. At least every five (5) years, Permit Holder shall evaluate the adequacy of the stream flow monitoring gages. The Permit Holder shall maintain the above streamflow gages for the duration of this project.

9. Maintenance of Diversion Canal Fish Screens

The Permit Holder shall maintain the fish screens in the diversion canal so that they continue to meet or exceed their design specifications for fish passage and all applicable federal or state requirements.

10. Annual Compliance Summary Report

On an annual basis, the Permit Holder shall submit to Ecology a report summarizing and documenting compliance with the conditions of this permit. At a minimum, the report shall include compliance with the Minimum Flows for the White River, ramping rates, maximum diversion rates, recreational lake levels, and reductions of diversion during spring for the Puyallup River Minimum Instream Flow, as well as emergency operations, and any non-compliance with conditions of this permit. Annual reports shall document compliance with mitigation requirements over a calendar year and shall be submitted to Ecology by February 15 of the subsequent year.

11. Tailrace Study

The Permit Holder shall conduct the following studies regarding the tailrace canal of Lake Tapps Reservoir.

- a) A study of the tailrace releases from Lake Tapps to determine if releases are causing or contributing to non-attainment of designated uses and water quality criteria violations in the lower White and Puyallup Rivers. If the study determines discharge from Lake Tapps is adversely affecting water quality, the Permit Holder shall develop and implement a plan to improve tailrace water quality.
 - i. Study Schedule: Within five (5) years of permit issuance, the Permit Holder shall submit a Quality Assurance Project Plan ("QAPP") for the water quality study to Ecology for review and approval in accordance with Condition 21. For guidance on preparing QAPPs, see Ecology Publication No. 04-03-030. The study period shall not exceed five (5) years. The final report for the study shall be submitted to Ecology within one hundred eighty (180) days after the end of the study period, or as specified by Ecology in its QAPP approval. The water quality study should include, but not necessarily be limited to, continuous monitoring of temperature and dissolved oxygen in tailrace releases and instream locations to be identified in the QAPP.
 - ii. Tailrace Water Quality Plan: If the water quality study concludes, or if Ecology determines, that tailrace releases from Lake Tapps are causing or contributing to non-attainment of designated uses or water quality criteria violations in the Lower White and Puyallup Rivers, the Permit Holder shall develop and implement a plan to improve water quality in tailrace releases. The plan shall provide for an adequate period of monitoring to determine the success of the plan in improving water quality of tailrace releases.

A draft plan shall be submitted to the following for review and comment: the agencies and parties to the 1998 Agreement on the Allocation of the Puyallup River TMDL Reserve Capacity of Biochemical Oxygen Demand ("BOD") and Ammonia or any successors in interest, Puyallup Tribe of Indians, Muckleshoot Indian Tribe, and NOAA Fisheries. The final plan shall be submitted to Ecology for review and approval in accordance with Condition 21 within one year from submittal of the final study report.

Upon receipt of the final plan, Ecology may issue an order approving or modifying the plan, and the Permit Holder shall implement the plan.

- b. A study to assess the relationship between salmonids and the tailrace canal. Within one hundred eighty (180) days of the completion of Condition 7 above (Minimization of Powerhouse Leakage), Cascade shall begin a study to assess the occurrence of entry, delay, stranding, and/or delayed migration of salmonids in the tailrace canal. If the study determines that adverse conditions are occurring and remediation is necessary, the Permit Holder shall develop and implement a plan to improve conditions. The plan shall include consideration of a tailrace barrier. Prior to implementation, the Permit Holder shall submit the plan to Ecology for review and approval in accordance with Condition 21.

12. Department of Health Water System Planning

The water appropriated under this application will be used for public water supply. The State Board of Health rules require public water supply owners to obtain written approval from the Department of Health's Office of Drinking Water Supply, prior to any new construction or alterations of a public water supply system.

13. Shortage Management Plan

No later than two (2) years after this authorization to make use of public water becomes effective, Permit Holder shall adopt and submit to Ecology a shortage management plan intended to reduce and minimize the need for water for municipal water supply purposes when the region is experiencing dry or drought conditions.

14. Fish Screens on Outlets from Lake Tapps Reservoir

Within five (5) years of permit issuance, the Permit Holder shall install fish screens on any outlets from Lake Tapps Reservoir, if required and warranted based on scientific studies. Prior to construction, the Permit Holder shall submit a plan for installation, operation, and maintenance of the fish screens to WDFW for approval or modification. Fish screens shall be installed, operated, and maintained according to the plan approved by WDFW.

15. Measuring and Reporting Water Use

An approved measuring device shall be installed and maintained for the Lake Tapps water supply withdrawal pipeline to the water treatment plant 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 in digital format by January 31 of each calendar year.

The following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, Water Resource Inventory Area ("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; and
- Open channel flow or pressurized diversion.

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.

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 of some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements."

16. Existing Rights

This authorization to make use of public water granted by the State of Washington is subject to existing water rights, including any existing rights held by the Tribes or the United States for the benefit of Tribes under treaty or settlement.

17. Use of Claim

This permit is expressly conditioned on the use of water under Claim No. 160822 to satisfy recreational, lake level, aquatic habitat, water quality, and other regulatory beneficial uses and the conditions of this permit.

18. Combined Diversion Not to Exceed Limits

The combined instantaneous diversion of water from the White River for municipal water supply under this authorization and under the rights the Permit Holder claims under Claim No. 160822 shall not exceed the limits established for additional purposes under the change decision in Claim No. 160822.

19. Trust Water Donation

No later than two (2) years after this authorization to make use of public water becomes effective, the Permit Holder shall submit to Ecology an application to make a permanent donation of a portion of Claim No. 160822 to the State's Trust Water Program.

20. Emergency Operations

Permit conditions regarding or affecting operation of Lake Tapps Reservoir and related facilities do not apply and shall be waived to the extent that emergency conditions require or as ordered by a court or by a

state or federal agency with jurisdiction. The Permit Holder shall notify Ecology of any emergency operations in accordance with Condition 21. Emergency conditions mean a temporary circumstance or condition caused by a natural disaster, accident or physical damage, or other extraordinary event that is not avoidable by the exercise of reasonable diligence. Emergency conditions do not include droughts or long term changes in hydrologic conditions.

21. Ecology Review and Approval Process

This provision defines two processes for communicating with Ecology for compliance with the provisions of this water right, including conditions 1, 2, 4, 5, 6, 7, 8, 11, and 20.

1. Notify Ecology

Permit Holder shall provide notice in writing to Ecology's Southwest Regional Office Water Resources Program Supervisor, or other staff identified by Ecology, and shall ensure that Ecology receives the notice. This provision does not limit Ecology's legal authority to act. This provision applies to the requirement to notify Ecology in Condition 20.

2. Ecology Review and Approval

Permit holder shall submit the required information for Ecology's review, comment, and approval. The information shall be submitted in writing to Ecology's Southwest Regional Office Water Resources Program Supervisor, or other staff identified by Ecology, and Permit Holder shall ensure that Ecology receives the information. Ecology shall review the submitted information and respond to the Permit Holder in a timely manner. This provision applies to the requirements for review and approval by Ecology in Conditions 1, 2, 4, 5, 6, 7, 8, and 11.

22. Adaptive Management

Based on the analyses conducted to evaluate this water right, Ecology is confident the project can achieve its instream flow, recreational lake level, and municipal water supply objectives on a reliable basis. The conditions of this water right provide the Permit Holder flexibility to adapt to a wide range of hydrologic conditions and still meet those objectives.

In the event that instream flow, recreational lake level, or municipal water supply objectives are not reliably met, Ecology shall consult with the Permit Holder to consider the reasons the objectives are not being met and identify possible operational changes in conformity with the conditions of this water right.

If necessary, Ecology may also convene, or direct the Permit Holder to convene, a process through which input is sought from stakeholders and other interested parties to identify possible operational changes which will result in the achievement of instream flows, recreational lake levels, and municipal water supply on a more reliable basis.

Consideration of operational changes will include, but not be limited to, the adaptive management measures identified in Section 12.3 of the Final Environmental Impact Statement. Additionally, the Permit Holder will work with other interested parties to secure funding for capital improvement projects if capital improvements are needed to meet the objectives of the project.

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 the Department documenting such compliance.

Given under my hand and the seal of this office at Lacey, Washington this 10th day of Dec. 2010.

Department of Ecology

OK 

By 
Thomas Loranger, Section Manager

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/pdf/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



Permit cancellations

The cancellation of a permit can be initiated either by the applicant or by Ecology. If you wish to cancel the permit, you must request the cancellation in writing. Ecology may cancel your permit for non-compliance with the provisions of the permit, failure to meet the development schedule, or non-payment of fees. You will receive a warning letter with 60 days to respond, prior to cancellation.

If you sell the property covered by this permit

A water right permit is considered personal property in Washington. If you sell the property associated with the permit, the permit should be formally assigned to the new property owner. An assignment form requires the notarized signature of the permit holder. This form is then submitted to Ecology with the required \$50.00 processing fee. An assignment form can be obtained from Ecology offices or our website. An assignment is also applicable to the application for permit stage of the process.



For more information

Contact your regional Ecology office for questions about your permit, or visit our website at www.ecy.wa.gov/programs/wr/wrhome.html



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

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

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

Eastern Regional Office
N. 4601 Monroe
Spokane, WA 99205-1295
(509) 329-3400

You can download permit-related forms from www.ecy.wa.gov/biblio/forms-wrforms.html

This publication, and others about water rights, is available to view, download and/or order at www.ecy.wa.gov/biblio/wr.html

If you require this document in an alternate format, please call the Water Resources Program at (360) 407-5600 or TTY (for the speech or hearing impaired) at 711 or 800-833-6388.



Important Information About Your Water Right Permit

May 2004
(rev 7/07)
04-11-010

Under state law, the waters of Washington collectively belong to the public and cannot be owned by any individual or group. Instead, Ecology may grant individuals or groups the right to use them. You have taken the first major step towards securing a Certificate of Water Right by obtaining a water right permit. Be sure to read through your permit carefully, so that you fully understand all the terms and responsibilities associated with it.



Permits are permission to develop a water right

A permit is permission by the state to *develop* a water right. It is not a *final* water right. A permit allows you to proceed with construction of a water system and to put the water to use, in accordance with the conditions specified in your permit.

Key dates: mark your calendars!

The permit includes a Development Schedule that specifies the dates (on or before) by which you must:

1. *Begin construction of the water system.* "Beginning construction" means that the well is drilled or the surface water diversion is constructed.
2. *Complete construction of the water system.* Your project is considered complete when the equipment (pumps, pipes, etc.) for delivering water to the place of use is installed.
3. *Put the water to full beneficial use,* up to the amount specified in your permit. "Beneficial use" is a key concept in Washington water law. It refers to both what the water is used for (e.g.

domestic use, irrigation, and recreation) as well as the amount of water necessary for the specified purpose (so water is not wasted.)

Reports must be submitted at each phase of development

As you complete each of these three stages in developing your water right, you will need to fill out and submit a form to Ecology to report your progress. These forms will be provided to you by Ecology, or you can download them from our internet site: www.ecy.wa.gov/biblio/forms-wrforms.html. These forms are:



1. "Construction Notice: Beginning of Construction."
2. "Construction Notice: Completion of Construction."
3. "Proof of Appropriation of Water:" when the water is put to full beneficial use. This form must be signed and notarized before you return it to Ecology.

It is important to complete each form for each stage in a timely manner. Failure to do so may result in the cancellation of your permit.

Extensions

Although you are expected to adhere to your Development Schedule, there are often extenuating circumstances that make this impossible. You may request an extension. Since state law requires that the project be pursued with diligence and that good cause be shown before an extension can be granted, your request must be made in writing and contain the following:

- Describe the project status and development to date.
- Explain the reasons for delay in developing the project.

- Discuss the steps that have been taken to overcome delays.
- Propose a new development schedule that you believe can be met and why.
- Include a check or money order for the \$50.00 extension fee.

The Ecology regional-section supervisor, with advice from staff, will evaluate the request and approve or deny it. Your extension request will be evaluated on the basis of your good faith efforts, proposed schedule and the public interests affected.

Unless you are notified otherwise, the check or money order should be included with the request and made out to the Department of Ecology. Submit fees to:

Department of Ecology
Cashiering Section
PO Box 5128
Lacey WA 98509-5128

Once your water is being put to full beneficial use

After receiving the completed and notarized Proof of Appropriation form, Ecology staff review the information and may do a field inspection (proof examination).

Once the department confirms that all the conditions of the permit are met, you will be asked to submit statutory filing fees and county auditor fees to Ecology. The county auditor will record and forward your Certificate of Water Right to you. It is the legal record of your water right.





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

December 10, 2010

Cascade Water Alliance
11400 SE 8th Street Suite 440
Bellevue WA 98004

Re: Water Right No. S2-29920(B)

Dear: Sir or Madam:

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If you have any questions, please contact Ecology at 360-407-6300.

Sincerely,

Thomas Loranger
Water Resources Program

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Construction Notice
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State of Washington
WATER RIGHT PERMIT

PRIORITY DATE
6/20/2000

WATER RIGHT NUMBER
S2-29920(B)

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CASCADE WATER ALLIANCE
11400 SE 8TH ST STE 440
BELLEVUE WA 98004

SITE ADDRESS (IF DIFFERENT)

Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
10	CFS	5060

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Municipal	10		CFS	5060		01/01 - 12/31

REMARKS

Ecology has issued two separate Reports of Examination corresponding to application S2-29920: one corresponds to the Lake Tapps Reservoir Water Rights and Supply Project [permit S2-29920(A)] and the other corresponds to the Regional Reserved Water Program [permit S2-29920(B)]. Water quantities from the two permits are additive. The two permits have the same priority date, but the permit for S2-29920(A) is superior in priority. Both of the permits are evaluated in one Investigator's Report.

This permit establishes a Regional Reserved Water Program to be used by the Cities of Auburn, Bonney Lake, Buckley, and Sumner (collectively referred to as the "Four Cities"). The Regional Reserved Water Program provides a mechanism that can be used by the Four Cities to mitigate impacts to the mainstem White and Puyallup Rivers in connection with water right applications to be submitted in the future. "Regional Reserved Water" refers to the water allocated by this permit.

ADDITIVE	IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
	NON-ADDITIVE		WATER SYSTEM ID	CONNECTIONS

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Pierce	White River	Puyallup River	10-Puyallup-White

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWN	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
WHITE RIVER (NON DIVERSIONARY)			19N	06E	02			

Datum: NAD83/WGS84

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

White River from the diversion dam (RM 24.3) to the confluence with the Puyallup River (RM 0.0) and the Puyallup River from the confluence with the White River (RM 10.4) to Commencement Bay (RM 0.0).

Proposed Works

Not Applicable

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
December 31, 2030		

Any water right applicant seeking to use the Regional Reserved Water as a component of their application shall obtain an approved water right from the Washington State Department of Ecology (“Ecology”) prior to the Begin Project Date of December 31, 2030. The Begin Project Date shall not be extended.

The remaining development schedule shall be established in the Report of Examination for any water right application making use of Regional Reserved Water

Provisions:

The Permit Holder must meet the provisions and conditions of this section.

1. Minimum Flow

Regional Reserved Water has no mitigation value when flows are below the Minimum Flow established in table and its use shall not reduce the instream flow of the White River below the Minimum Flow established in Table 1. Compliance with the Minimum Flows shown in table shall be measured at USGS gage 12099200 – White River above Boise Creek at Buckley, or other appropriate gage established by the Permit Holder of S2-29920(A) in accordance with the conditions of that water right.

Table 1. Minimum Flow

Time Period	Minimum Flow	Time Period	Minimum Flow
January 1-14	650 cfs	July 1-23	800 cfs
January 15-31	525 cfs	July 24-31	650 cfs
February 1-14	550 cfs	August 1-6	650 cfs
February 15-29	500 cfs	August 7-31	500 cfs
March 1-14	550 cfs	September 1-14	500 cfs
March 15-31	725 cfs	September 15-30	500 cfs
April 1-14	775 cfs	October 1-14	500 cfs
April 15-30	825 cfs	October 15-31	500 cfs
May 1-14	875 cfs	November 1-14	500 cfs
May 15-31	875 cfs	November 15-30	550 cfs
June 1-14	800 cfs	December 1-14	550 cfs
June 15-30	800 cfs	December 15-31	600 cfs

2. Subject to Puyallup River at Puyallup Minimum Instream Flow

The Regional Reserved Water Program is junior to the Minimum Instream Flow (“MIF”) for the Puyallup River at Puyallup established in WAC 173-510-030. Regional Reserved Water shall not be used as mitigation in any way that would decrease flows in the Puyallup River at Puyallup when that gage is below the MIF.

3. Mitigation Value Limited to Mainstem White and Puyallup Rivers

The mitigation value of Regional Reserved Water is limited to the mainstem of the White River downstream of the diversion dam and the mainstem of the Puyallup River downstream of the confluence with the White River. Regional Reserved Water is not available to mitigate impacts to tributaries of the White River or the Puyallup River.

4. Additional Water Right(s) Required

Regional Reserved Water cannot be used as mitigation except as authorized by a new water right or change to existing right.

5. Supply and Demand Analysis Required

Any application proposing to use Regional Reserved Water shall provide a detailed water supply and demand analysis documenting that the water quantities in the application will be put to beneficial use.

6. Use Limited to Four Cities

Use of the Regional Reserved Water Program established by this water right is limited to the Cities of Auburn, Bonney Lake, Buckley and Sumner.

7. Subject to Cancellation on January 1, 2031

Ecology approval for any water rights using the Regional Reserved Water Program must be secured by December 31, 2030. Any portion of the permit for the Regional Reserved Water Program that has not been allocated in conjunction with a water right approved by Ecology shall be cancelled on January 1, 2031.

This Permit Subject to Cancellation

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 the Department documenting such compliance.

Given under my hand and the seal of this office at Lacey, Washington this 10th day of Dec., 2010

OK

JK

Department of Ecology

By

Thomas Loranger
Thomas Loranger, Section Manager

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/pdf/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



Permit cancellations

The cancellation of a permit can be initiated either by the applicant or by Ecology. If you wish to cancel the permit, you must request the cancellation in writing. Ecology may cancel your permit for non-compliance with the provisions of the permit, failure to meet the development schedule, or non-payment of fees. You will receive a warning letter with 60 days to respond, prior to cancellation.

If you sell the property covered by this permit

A water right permit is considered personal property in Washington. If you sell the property associated with the permit, the permit should be formally assigned to the new property owner. An assignment form requires the notarized signature of the permit holder. This form is then submitted to Ecology with the required \$50.00 processing fee. An assignment form can be obtained from Ecology offices or our website. An assignment is also applicable to the application for permit stage of the process.



For more information

Contact your regional Ecology office for questions about your permit, or visit our website at www.ecy.wa.gov/programs/wr/wrhome.html



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

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

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

Eastern Regional Office
N. 4601 Monroe
Spokane, WA 99205-1295
(509) 329-3400

You can download permit-related forms from www.ecy.wa.gov/biblio/forms-wrforms.html

This publication, and others about water rights, is available to view, download and/or order at www.ecy.wa.gov/biblio/wr.html

If you require this document in an alternate format, please call the Water Resources Program at (360) 407-6600 or TTY: (for the speech or hearing impaired) at 711 or 800-833-6388.



Important Information About Your Water Right Permit

May 2004
(rev 7/07)
04-11-010

Under state law, the waters of Washington collectively belong to the public and cannot be owned by any individual or group. Instead, Ecology may grant individuals or groups the right to use them. You have taken the first major step towards securing a Certificate of Water Right by obtaining a water right permit. Be sure to read through your permit carefully, so that you fully understand all the terms and responsibilities associated with it.



Permits are permission to develop a water right

A permit is permission by the state to *develop* a water right. It is not a *final* water right. A permit allows you to proceed with construction of a water system and to put the water to use, in accordance with the conditions specified in your permit.

Key dates: mark your calendars!

The permit includes a Development Schedule that specifies the dates (on or before) by which you must:

1. *Begin construction* of the water system. "Beginning construction" means that the well is drilled or the surface water diversion is constructed.
2. *Complete construction* of the water system. Your project is considered complete when the equipment (pumps, pipes, etc.) for delivering water to the place of use is installed.
3. *Put the water to full beneficial use*, up to the amount specified in your permit. "Beneficial use" is a key concept in Washington water law. It refers to both what the water is used for (e.g.

domestic use, irrigation, and recreation) as well as the amount of water necessary for the specified purpose (so water is not wasted.)

Reports must be submitted at each phase of development

As you complete each of these three stages in developing your water right, you will need to fill out and submit a form to Ecology to report your progress. These forms will be provided to you by Ecology, or you can download them from our internet site: www.ecy.wa.gov/biblio/forms-wrforms.html. These forms are:



1. "Construction Notice: Beginning of Construction."
2. "Construction Notice: Completion of Construction."
3. "Proof of Appropriation of Water:" when the water is put to full beneficial use. This form must be signed and notarized before you return it to Ecology.

It is important to complete each form for each stage in a timely manner. Failure to do so may result in the cancellation of your permit.

Extensions

Although you are expected to adhere to your Development Schedule, there are often extenuating circumstances that make this impossible. You may request an extension. Since state law requires that the project be pursued with diligence and that good cause be shown before an extension can be granted, your request must be made in writing and contain the following:

- Describe the project status and development to date.
- Explain the reasons for delay in developing the project.

- Discuss the steps that have been taken to overcome delays.
- Propose a new development schedule that you believe can be met and why.
- Include a check or money order for the \$50.00 extension fee.

The Ecology regional-section supervisor, with advice from staff, will evaluate the request and approve or deny it. Your extension request will be evaluated on the basis of your good faith efforts, proposed schedule and the public interests affected.

Unless you are notified otherwise, the check or money order should be included with the request and made out to the Department of Ecology. Submit fees to:

Department of Ecology
Cashiering Section
PO Box 5128
Lacey WA 98509-5128

Once your water is being put to full beneficial use

After receiving the completed and notarized Proof of Appropriation form, Ecology staff review the information and may do a field inspection (proof examination).

Once the department confirms that all the conditions of the permit are met, you will be asked to submit statutory filing fees and county auditor fees to Ecology. The county auditor will record and forward your Certificate of Water Right to you. It is the legal record of your water right.





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

December 10, 2010

Cascade Water Alliance
11400 SE 8th Street Suite 440
Bellevue WA 98004

Re: Water Right No. R2-29935

Dear Sir or Madam:

Enclosed is your Permit to be retained for your records. Please read the enclosed information sheet, as well as your entire Permit.

You must meet the provisions on your Permit before we will issue a final Certificate of Water Right.

We are enclosing a *Proof of Appropriation of Water form* which is to be filed when the water has actually been put to full beneficial use or by December 31, 2060. This form will need to include your County Assessor's Parcel Number and must be notarized.

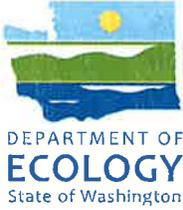
If you have any questions, please contact us at 360-407-6300.

Sincerely,

Thomas Loranger
Water Resources Section Manager

Enclosures: Permit
Proof of Appropriation of Water
Important Information About Your Water Right





State of Washington RESERVOIR PERMIT

PRIORITY DATE
9/15/2000

WATER RIGHT NUMBER
R2-29935

MAILING ADDRESS
CASCADE WATER ALLIANCE
11400 SE 8TH ST STE 440
BELLEVUE WA 98004

SITE ADDRESS (IF DIFFERENT)

Purpose and Quantity

PURPOSE	STORAGE QUANTITY			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Municipal	46700		AF	46700		01/01 - 12/31

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Pierce	Lake Tapps	White River	10-Puyallup-White

Place of Use

PARCELS (NOT LISTED FOR SERVICE AREAS)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

The place of use for this water right is the combined service areas described in the most recent Water System Plans approved by the Washington State Department of Health for Cascade Water Alliance, City of Seattle and the City of Tacoma.

Location of Impounding Structure

Dike Number	Location	Washington ID Number
1	NW1/4NW1/4 S9, TWP20N R5E	WA418
2A	NE1/4SE1/4 S5, TWP20N R5E	WA419
2B	NW1/4SW1/4 S4, TWP20N R5E	WA420
3	NE1/4SW1/4 S4, TWP20N R5E	WA421
4	W1/2SE1/4 S4 & NW1/4NE1/4 S9, TWP20N R5E	WA296
4A*	N1/2NE1/4 S9, TWP20N R5E	WA296
5*	NE1/4NE1/4 S9, TWP20N R5E	WA422
6*	SW1/4NW1/4 S10, TWP20N R5E	WA423
7	SW1/4NW1/4 S10, TWP20N R5E	WA435
8	E1/2NW1/4 S10, TWP20N R5E	WA424

WATER RIGHT PERMIT

9	NE1/4NW1/4 S10, TWP20N R5E	WA425
10	NE1/4NW1/4 & NW1/4NE1/4 S10, TWP20N R5E	WA426
11*	W1/2NE1/4 & SE1/4NE1/4 S10, TWP20N R5E	WA427
12	SE1/4SE1/4 S10, TWP20N R5E	WA428
13	NW1/4SW1/4 S27, TWP20N R5E	WA429
14	NW1/4NE1/4 S26, TWP20N R5E	WA430
15	SE1/4NW1/4 & SW1/4NE1/4 S26, TWP20N R5E	WA431

Legal Subdivisions Of Lands In Which The Submerged Area Is To Be Located

Lake Tapps Reservoir, located in Sections 4, 5, 8, 9, 10, 14, 15, 16, 17, 21, 22, 23, 27 and 28, T. 19 N., R. 5 E.W.M.

Construction of Impounding Structure

HEIGHT OF DAM Varies from 5 to 45 Feet	LENGTH ON TOP (ft) Varies from 240 to 2870 feet	WIDTH ON TOP (ft) Varies from 19 to 70 feet
SLOPE OF FRONT OR WATER SIDE (ft horizontal) Varies from 2.1:1 to 5.5:1	SLOPE OF BACKSIDE (ft horizontal : one ft vertical) Varies from 1.4:1 to 2:1	
HEIGHT OF DAM ABOVE WATER LINE AT NOPL (ft) Varies from 1.6 to 9.2 feet		
TYPE OF DAM AND CONSTRUCTION MATERIALS		

Earthen embankments originally constructed in 1910-1911. No new dam construction required.

LOCATION AND APPROXIMATE DIMENSIONS OF SPILLWAY INCLUDING CREST LENGTH
Not applicable

LOCATION, SIZE AND TYPE AND OUTLET VALVE AND OUTLET CONDUIT STRUCTURE

The outlet from Lake Tapps is located in the SW¼ NE¼ of Section 8, T. 20 N., R. 5 E.W.M. It consists of a 2,842-foot long, 12-foot-diameter concrete tunnel that leads to a concrete penstock forebay located in the SW¼ NE¼ of Section 7, T. 20 N., R. 5 E.W.M. The water then enters three steel penstocks, 8 feet in diameter, and 2,135 feet in length that delivers water to the powerhouse. Two of the three steel penstocks are tapped to provide water to a fourth 8-foot-diameter steel penstock that is 1,791 feet long. The powerhouse discharges to the tailrace. The tailrace is trapezoidal in cross-section with a base width of 34 feet and a containment height of 9 to 10 feet. The tailrace is concrete-lined for the first 45 feet and then timber-lined for the next 65 feet and the last 2,400 feet leading to the White River are unlined.

NUMBER OF ACRES SUBMERGED WHEN RESERVOIR IS FILLED TO NOPL 2700	MAXIMUM DEPTH (FEET) AT NOPL 90	APPROXIMATE AVERAGE DEPTH (FEET) 25
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Development Schedule

BEGIN PROJECT Started	COMPLETE PROJECT Completed	PUT WATER TO FULL USE December 31, 2060
---------------------------------	--------------------------------------	---

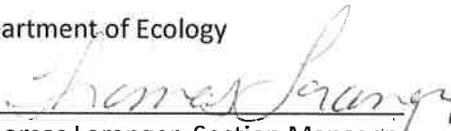
This Permit Subject to Cancellation

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 the Department documenting such compliance.

Given under my hand and the seal of this office at Lacey, Washington this 10th day of Dec, 2010

OK 

Department of Ecology

By 
Thomas Loranger, Section Manager



Water Resources Program PROOF OF APPROPRIATION OF WATER

Reviewed by: _____

PERMIT NUMBER		CHANGE APPROVAL NUMBER	
NAME OF PERMITTEE		CONTACT NAME (IF DIFFERENT)	
MAILING ADDRESS (STREET)	CITY	STATE	ZIP CODE
PHONE NUMBER () -	FAX NUMBER () -		
SOURCE(S) OF WATER	LOCATION OF SOURCE(S)		
	NO.	¼	¼
SECTION			
TOWNSHIP N.			
RANGE, (E/W)M			
LIST ALL PURPOSES WATER IS USED FOR:			
DATE WATER WAS COMPLETELY APPLIED TO BENEFICIAL USE	TIME OF YEAR WATER IS USED: <input type="checkbox"/> Continuous/Year round <input type="checkbox"/> Seasonal		IF SEASONALLY, LIST THE START AND END DATE Start: End:
DESCRIBE HOW CONSTRUCTION AND DEVELOPMENT RELATED PROVISIONS (AS REQUIRED BY PERMIT) HAVE BEEN OR ARE TO BE MET (USE ADDITIONAL PAPER IF NECESSARY)			

DESCRIPTION OF SPECIFIC AREA ON WHICH WATER IS BENEFICIALLY USED(USE ADDITIONAL PAPER IF NECESSARY)					
NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE, (E/W)M

PHYSICAL WITHDRAWAL OR DIVERSION INFORMATION

Point of Diversion/Withdrawal Tax Parcel #: _____

For Pump Designed Water System Information:

TYPE OF PUMP: <input type="checkbox"/> Submersible <input type="checkbox"/> Turbine <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other _____			
MAKE	MODEL #	SERIAL #	HORSEPOWER
MOTOR	BHP	SPEED	RPM
<input type="checkbox"/> Water Lubricated <input type="checkbox"/> Oil Lubricated			
BOOSTER PUMP	BREAK HORSEPOWER	PRESSURE	OPEN DISCHARGE
<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No
PUMP DISCHARGE HEAD PRESSURE psi	DISCHARGE PIPE DIAMETER		

For Ground Water Withdrawal (if more than one, please include attachment)

Ecology Unique Well Identification Number(s) _____ [Include a copy of the well log(s)]

PUMP SETTING (DEPTH)	STATIC WATER LEVEL feet below land surface	DYNAMIC (PUMPING) LEVEL feet below land surface
ACCESS PORT INSTALLED? <input type="checkbox"/> Yes	AIRLINE INSTALLED? <input type="checkbox"/> Yes	AIRLINE LENGTH Ft.

For Non-Pump Designed Water Systems

METHOD OF WATER DIVERSION	DESCRIPTION OF WORKS	
	SCREEN MESH SIZE	METHOD OF CONTROL

Permit cancellations

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If you sell the property covered by this permit

A water right permit is considered personal property in Washington. If you sell the property associated with the permit, the permit should be formally assigned to the new property owner. An assignment form requires the notarized signature of the permit holder. This form is then submitted to Ecology with the required \$50.00 processing fee. An assignment form can be obtained from Ecology offices or our website. An assignment is also applicable to the application for permit stage of the process.



For more information

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

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

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

Eastern Regional Office
N. 4601 Monroe
Spokane, WA 99205-1295
(509) 329-3400

You can download permit-related forms from www.ecy.wa.gov/biblio/forms-wrforms.html

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If you require this document in an alternate format, please call the Water Resources Program at (360) 407-6600 or TTY (for the speech or hearing impaired) at 711 or 800-833-6388.



Important Information About Your Water Right Permit

May 2004
(rev 7/07)
04-11-010

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Permits are permission to develop a water right

A permit is permission by the state to develop a water right. It is not a final water right. A permit allows you to proceed with construction of a water system and to put the water to use, in accordance with the conditions specified in your permit.

Key dates: mark your calendars!

The permit includes a Development Schedule that specifies the dates (on or before) by which you must:

1. **Begin construction** of the water system. "Beginning construction" means that the well is drilled or the surface water diversion is constructed.
2. **Complete construction** of the water system. Your project is considered complete when the equipment (pumps, pipes, etc.) for delivering water to the place of use is installed.
3. **Put the water to full beneficial use**, up to the amount specified in your permit. "Beneficial use" is a key concept in Washington water law. It refers to both what the water is used for (e.g.

domestic use, irrigation, and recreation) as well as the amount of water necessary for the specified purpose (so water is not wasted.)

Reports must be submitted at each phase of development

As you complete each of these three stages in developing your water right, you will need to fill out and submit a form to Ecology to report your progress. These forms will be provided to you by Ecology, or you can download them from our internet site: www.ecy.wa.gov/biblio/forms-wrforms.html. These forms are:

1. "Construction Notice: Beginning of Construction."
2. "Construction Notice: Completion of Construction."
3. "Proof of Appropriation of Water" when the water is put to full beneficial use. This form must be signed and notarized before you return it to Ecology.

It is important to complete each form for each stage in a timely manner. Failure to do so may result in the cancellation of your permit.

Extensions

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- Describe the project status and development to date.
- Explain the reasons for delay in developing the project.



- Discuss the steps that have been taken to overcome delays.
- Propose a new development schedule that you believe can be met and why.
- Include a check or money order for the \$50.00 extension fee.

The Ecology regional section supervisor, with advice from staff, will evaluate the request and approve or deny it. Your extension request will be evaluated on the basis of your good faith efforts, proposed schedule and the public interests affected.

Unless you are notified otherwise, the check or money order should be included with the request and made out to the Department of Ecology. Submittal fees to:

Department of Ecology
Cashing Section
PO Box 5128
Lacey WA 98509-5128

Once your water is being put to full beneficial use

After receiving the completed and notarized Proof of Appropriation form, Ecology staff review the information and may do a field inspection (proof examination).

Once the department confirms that all the conditions of the permit are met, you will be asked to submit statutory filing fees and county auditor fees to Ecology. The county auditor will record and forward your Certificate of Water Right to you. It is the legal record of your water right.





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

December 10, 2010

Cascade Water Alliance
11400 SE 8th Street Suite 440
Bellevue WA 98004

Re: Water Right No. S2-29934

Dear: Sir or Madam:

Enclosed is a Permit to be retained for your records. Please read the enclosed information sheet, as well as your entire Permit.

It is important to remember that this permit is not a *final* water right; it is permission to develop a water right.

We are enclosing a *Construction Notice* form. If you have not begun your project by **December 31, 2040**, please advise us. If you have begun construction, complete and submit the form to this office.

If you have any questions, please contact Ecology at 360-407-6300.

Sincerely,

A handwritten signature in blue ink that reads "Thomas Loranger".

Thomas Loranger
Water Resources Program

Enclosures: *Permit*
Construction Notice
Important Information About Your Water Right





State of Washington
WATER RIGHT PERMIT

PRIORITY DATE
9/15/2000

WATER RIGHT NUMBER
S2-29934P

MAILING ADDRESS
CASCADE WATER ALLIANCE
11400 SE 8TH ST STE 440
BELLEVUE WA 98004

SITE ADDRESS (IF DIFFERENT)

Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
135	CFS	54300

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE		UNITS	ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE		ADDITIVE	NON-ADDITIVE	
Municipal	135		CFS	54300		01/01 - 12/31

REMARKS

The diversion location will be Lake Tapps, likely in the forebay area of the White River Hydroelectric Project, but the specific location is not yet determined.

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA					
Pierce	Lake Tapps	White River	10-Puyallup-White					
SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWN	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
UNBUILT FACILITY ON LAKE TAPPS	0520082019		20N	05E	08	SWNE	47.237999	-122.203379

Datum: NAD83/WGS84

Locations and parcel number are approximate.

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

The place of use for this water right is the combined service areas described in the most recent Water System Plans approved by the Washington State Department of Health for the Cascade Water Alliance, the City of Seattle and the City of Tacoma.

Proposed Works

Lake Tapps Reservoir Water Rights and Supply Project

Development Schedule

BEGIN PROJECT
December 31, 2040

COMPLETE PROJECT
Within 15 Years of Begin
Project

PUT WATER TO FULL USE
December 31, 2060

Provisions

The Development Schedule, and Provisions and Conditions of the 2010 Report of Examination for S2-29920(A) in their entirety are incorporated by reference.

This Permit Subject to Cancellation

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 the Department documenting such compliance.

Given under my hand and the seal of this office at Lacey, Washington this 10th day of Dec, 2010.

OK HL

Department of Ecology

By Thomas Loranger
Thomas Loranger, Section Manager

Permit cancellations

The cancellation of a permit can be initiated either by the applicant or by Ecology. If you wish to cancel the permit, you must request the cancellation in writing. Ecology may cancel your permit for non-compliance with the provisions of the permit, failure to meet the development schedule, or non-payment of fees. You will receive a warning letter with 60 days to respond, prior to cancellation.

If you sell the property covered by this permit

A water right permit is considered personal property in Washington. If you sell the property associated with the permit, the permit should be formally assigned to the new property owner. An assignment form requires the notarized signature of the permit holder. This form is then submitted to Ecology with the required \$50.00 processing fee. An assignment form can be obtained from Ecology offices or our website. An assignment is also applicable to the application for permit stage of the process.



For more information

Contact your regional Ecology office for questions about your permit, or visit our website at www.ecy.wa.gov/programs/wr/wrhome.html



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

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

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

Eastern Regional Office
N. 4601 Monroe
Spokane, WA 99205-1295
(509) 329-3400

You can download permit-related forms from www.ecy.wa.gov/biblio/forms-wrforms.html

This publication, and others about water rights, is available to view, download and/or order at www.ecy.wa.gov/biblio/wr.html

If you require this document in an alternate format, please call the Water Resources Program at (360) 407-5600 or TTY (for the speech or hearing impaired) at 711 or 800-833-6388.



Important Information About Your Water Right Permit

May 2004
(rev 7/07)
04-11-010

Under state law, the waters of Washington collectively belong to the public and cannot be owned by any individual or group. Instead, Ecology may grant individuals or groups the right to use them. You have taken the first major step towards securing a Certificate of Water Right by obtaining a water right permit. Be sure to read through your permit carefully, so that you fully understand all the terms and responsibilities associated with it.



Permits are permission to develop a water right

A permit is permission by the state to *develop* a water right. It is not a *final* water right. A permit allows you to proceed with construction of a water system and to put the water to use, in accordance with the conditions specified in your permit.

Key dates: mark your calendars!

The permit includes a Development Schedule that specifies the dates (on or before) by which you must:

1. *Begin construction* of the water system. "Beginning construction" means that the well is drilled or the surface water diversion is constructed.
2. *Complete construction* of the water system. Your project is considered complete when the equipment (pumps, pipes, etc.) for delivering water to the place of use is installed.
3. *Put the water to full beneficial use*, up to the amount specified in your permit. "Beneficial use" is a key concept in Washington water law. It refers to both what the water is used for (e.g.

domestic use, irrigation, and recreation) as well as the amount of water necessary for the specified purpose (so water is not wasted.)

Reports must be submitted at each phase of development

As you complete each of these three stages in developing your water right, you will need to fill out and submit a form to Ecology to report your progress. These forms will be provided to you by Ecology, or you can download them from our internet site: www.ecy.wa.gov/biblio/forms-wrforms.html. These forms are:



1. "Construction Notice: Beginning of Construction."
2. "Construction Notice: Completion of Construction."
3. "Proof of Appropriation of Water:" when the water is put to full beneficial use. This form must be signed and notarized before you return it to Ecology.

It is important to complete each form for each stage in a timely manner. Failure to do so may result in the cancellation of your permit.

Extensions

Although you are expected to adhere to your Development Schedule, there are often extenuating circumstances that make this impossible. You may request an extension. Since state law requires that the project be pursued with diligence and that good cause be shown before an extension can be granted, your request must be made in writing and contain the following:

- Describe the project status and development to date.
- Explain the reasons for delay in developing the project.

- Discuss the steps that have been taken to overcome delays.

- Propose a new development schedule that you believe can be met and why.
- Include a check or money order for the \$50.00 extension fee.

The Ecology regional section supervisor, with advice from staff, will evaluate the request and approve or deny it. Your extension request will be evaluated on the basis of your good faith efforts, proposed schedule and the public interests affected.

Unless you are notified otherwise, the check or money order should be included with the request and made out to the Department of Ecology. Submit fees to:

Department of Ecology
Cashiering Section
PO Box 5128
Lacey WA 98509-5128

Once your water is being put to full beneficial use

After receiving the completed and notarized Proof of Appropriation form, Ecology staff review the information and may do a field inspection (proof examination).

Once the department confirms that all the conditions of the permit are met, you will be asked to submit statutory filing fees and county auditor fees to Ecology. The county auditor will record and forward your Certificate of Water Right to you. It is the legal record of your water right.



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/pdf/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





201506040358 RJOHNSO 8 PGS
 06/04/2015 11:54:21 AM \$79.00
 AUDITOR, Pierce County, WASHINGTON

DEPARTMENT OF ECOLOGY
 SOUTHWEST REGIONAL OFFICE
 PO BOX 47775
 OLYMPIA, WA 98504-7775

RECEIVED

JUN 26 2015

WA State Department
 of Ecology (SWRO)

DOCUMENT TITLE: CERTIFICATE OF CHANGE OF WATER RIGHT

REFERENCE NUMBER:

GRANTOR

STATE OF WASHINGTON
 DEPARTMENT OF ECOLOGY
 ECOLOGY SOUTHWEST REGIONAL OFFICE (ECY
 SWRO)
 PO BOX 47775
 OLYMPIA, WASHINGTON 98504-7775

GRANTEE

CASCADE WATER ALLIANCE
 520 112TH AVENUE NE
 SUITE 400
 BELLEVUE WA 98004

LEGAL DESCRIPTION

Source Name	Parcel	Township	Range	Sec	QQQ
WHITE RIVER		19 N	06 E	02	NE

AUTHORIZED PLACE OF USE

EXISTING IMPOUNDING STRUCTURE OF LAKE TAPPS RESERVOIR IN SECTIONS 4, 5, 8, 9, 10, 14, 15, 16, 17, 21, 22, 23, 27, AND 28, TOWNSHIP 19 N, RANGE 5 EWM

PARCELS:

ADDITIONAL LEGAL IS ON PAGE ____ OF ATTACHED DOCUMENT

C



State of Washington
Department of Ecology
**CERTIFICATE OF CHANGE
OF WATER RIGHT**



This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used. This superseding certificate is the result of the administrative division of Water Right Claim #160822 and shall not be construed as validation as to the extent of the claim as originally documented. The amounts provided on the superseding portions of this water right reflect agreement among the owners of the described place of use, but are not confirmed by Ecology in the recording of the division of said right. The actual amounts authorized by the superseding certificates are subject to the historic beneficial use of water under water right document.

This certificate of change supersedes Water Right Claim #160822 and is subject to the following provisions.

PRIORITY DATE 4/17/1895	CLAIM NUMBER 160822	PERMIT NUMBER	CERTIFICATE NUMBER S2-CV1-2P168(B)
MAILING ADDRESS CASCADE WATER ALLIANCE 520 112TH AVENUE NE SUITE 400 BELLEVUE WA 98004		SITE ADDRESS (IF DIFFERENT)	

Quantity Authorized for Withdrawal or Diversion		
WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
1,000	cfs	246,710

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Hydroelectric plant; Recreational reservoir levels; winter reservoir levels to maintain reservoir; protect and enhance fish and wildlife; maintenance of water quality for recreational purposes in the reservoir and to meet other regulatory requirements	1,000		cfs	246,710		1/01-12/31

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Pierce	White River	Puyallup River	10

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Approximate Location of Diversion: 200 feet East and 200 feet South from the North quarter corner of Section 2			19 N	06 E	02	NE 1/4		

Place of Use

PARCELS (NOT LISTED FOR SERVICE AREAS)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Existing impounding structure of Lake Tapps Reservoir in Sections 4, 5, 8, 9, 10, 14, 15, 16, 17, 21, 22, 23, 27 and 28, Township 19 N, Range 5 E.W.M.

Measurement of Water Use

How often must water use be measured?

How often must water use data be reported to Ecology?

See Provision 8

What volume should be reported?

What rate should be reported?

Provisions

The Water Right Holder must meet the provisions of this section. The references to "this authorization" in the provision refer to change CS2-160822CL@3, authorized on 12/10/2010. Numbering of the following provisions was done consistently with applicable provisions in permit S2-29920(A).

The Water Right Holder may elect to donate a portion of this water right to the Trust Water Rights Program on a temporary basis.

1. Minimum Flow

The Water Right Holder may divert water from the White River to Lake Tapps Reservoir, subject to the schedule of maximum diversion rates provided below in Condition 2, only if the diversion does not reduce the instream flow of the White River below the Minimum Flow established in Table 1.

Compliance with the Minimum Flows shown in Table 1 shall be measured at U.S. Geological Survey ("USGS") gage 12099200 – White River above Boise Creek at Buckley gage (referred to as the "Buckley Gage"), or other appropriate gage subject to review and approval by the Washington State Department of Ecology ("Ecology") in accordance with Condition 21.

The Water Right Holder may divert up to 20 cfs of water from the headgate and through the fish screens when the flow is below the Minimum Flow, set out in Table 1, due to natural flow conditions.

Table 1. Minimum Flow

Time Period	Minimum Flow	Time Period	Minimum Flow
January 1-14	650 cfs	July 1-23	800 cfs
January 15-31	525 cfs	July 24-31	650 cfs
February 1-14	550 cfs	August 1-6	650 cfs
February 15-29	500 cfs	August 7-31	500 cfs
March 1-14	550 cfs	September 1-14	500 cfs
March 15-31	725 cfs	September 15-30	500 cfs
April 1-14	775 cfs	October 1-14	500 cfs
April 15-30	825 cfs	October 15-31	500 cfs
May 1-14	875 cfs	November 1-14	500 cfs
May 15-31	875 cfs	November 15-30	550 cfs
June 1-14	800 cfs	December 1-14	550 cfs
June 15-30	800 cfs	December 15-31	600 cfs

2. Schedule of Maximum Diversion Rates

If the instream flow of the White River at the Buckley Gage (or other appropriate gage subject to review and approval by Ecology in accordance with Condition 21) exceeds the Minimum Flow established in Condition 1, then the Water Right Holder may divert water from the White River into Lake Tapps Reservoir in a manner consistent with the following schedule and amounts:

- a. Beginning no earlier than February 15, and continuing until Lake Tapps Reservoir is refilled to Normal Full Pool (as defined in Condition 5), or until July 1, whichever is earlier ("Refill Date") water may be diverted from the White River in an amount not to exceed 1000 cfs;
- b. Beginning on the Refill Date until September 15 or the subsequent date the Water Right Holder commences drawing down the water level of Lake Tapps Reservoir, whichever is later ("Fall Drawdown Date"), water may be diverted from the White River in an amount not to exceed 400 cfs; and
- c. Beginning on the Fall Drawdown Date until February 15, water may be diverted from the White River in an amount not to exceed 150 cfs.

3. Releases from Reservoir

The Water Right Holder shall limit releases from Lake Tapps Reservoir into the tailrace canal to not more than 50 cfs, except when Lake Tapps Reservoir is being drawn down, in accordance with Condition 2.c above.

4. Ramping Rates

The diversion from the White River and the release from Lake Tapps Reservoir through the tailrace canal shall at all times be operated so that;

- a. The ramping rate does not exceed one inch per hour (increase or decrease) as measured respectively at the Buckley Gage (or other appropriate gage subject to review and approval by Ecology in accordance with Condition 21) and USGS gage 12101100 - Lake Tapps Diversion at Dieringer; and
- b. Between February 16 and June 15 of each year downramping shall not be permitted between one hour before sunrise and one hour after sunset.

5. Recreational Lake Levels

The Water Right Holder shall maintain lake levels in Lake Tapps Reservoir according to the schedule established below. "Normal Full Pool" is defined as a reservoir water level between 541.0 feet and 542.5 feet National Geodetic Vertical Datum 1929 ("NGVD 29") as measured at USGS gage 12101000 - Lake Tapps near Sumner.

- a) The Water Right Holder shall maintain Normal Full Pool from April 15 through September 30 of each year until 30 years of the issuance of the permit or Water Right Holder's commencement of the use of Lake Tapps Reservoir for municipal water supply, whichever comes later.
- b) Thereafter, the Water Right Holder shall:
 - i) Maintain Normal Full Pool from April 15 through September 15; and
 - ii) Maintain Normal Full Pool from September 16 through September 30 of each year more than ninety percent (90%) of the time, measured by the number of days (i.e., no more

than fifteen (15) days in a rolling ten (10) year period of time) below the lower parameter of the Normal Full Pool, starting with the first calendar year in which lake levels fall below the lower parameter of the Normal Full Pool.

- c) The Water Right Holder shall make reasonable efforts to maintain Normal Full Pool through October 31 in all years.
- d) Within the above-described time periods, operational variances may be required due to forecasts or available precipitation, any necessary milfoil control, or the terms and conditions of this authorization or of applicable law.

The schedule of lake levels and the definition of Normal Full Pool may be modified. Water Right Holder shall submit any proposal for modification to Ecology for review and approval in accordance with Condition 21. The proposal shall include documentation that Water Right Holder has completed an appropriate consultation or negotiation process with stakeholders and other interested parties.

8. Streamflow Monitoring

Within two (2) years of the approval of the change, the Water Right Holder shall submit to Ecology a plan to install, operate, maintain, and report from streamflow gages necessary to monitor the minimum flows and staff gages to monitor the ramping rates required by this approval. The plan shall include at a minimum gages at the following locations:

- Canal Diversion
- White River above Boise Creek at Buckley gage (or other appropriate gage subject to review and approval by Ecology in accordance with Condition 21)
- Tailrace Release
- Lake Tapps water surface elevation (on a daily basis)

The plan shall describe the method of collecting and recording the flow and ramping rate data, and include a provision for periodically providing that data to Ecology, Washington Department of Fish and Wildlife ("WDFW"), National Oceanic and Atmospheric Association National Marine Fisheries Service ("NOAA Fisheries"), U.S. Fish and Wildlife Service ("USFWS"), USGS, the Puyallup Tribe of Indians, and Muckleshoot Indian Tribe. The Water Right Holder shall prepare the plan after providing a draft and opportunity to comment to Ecology, WDFW, NOAA Fisheries, USFWS, USGS, the Puyallup Tribe of Indians and Muckleshoot Indian Tribe. The final plan shall be submitted to Ecology for review and approval in accordance with Condition 21. The plan shall be implemented, including installation and operation of all gages, within one year after approval by Ecology.

The Water Right Holder shall use the most accurate gaging equipment and methodology as determined by the USGS. At least every five (5) years, Water Right Holder shall evaluate the adequacy of the stream flow monitoring gages. The Water Right Holder shall maintain the above streamflow gages for the duration of this project.

9. Maintenance of Diversion Canal Fish Screens

Water Right Holder shall maintain the fish screens in the diversion canal so that they continue to meet or exceed their design specifications for fish passage and all applicable federal or state requirements.

18. Combined Diversion Not to Exceed Limits

The combined instantaneous diversion of water under this Claim No. 160822 and from the White River for municipal water supply under the associated permit S2-29920(A) shall not exceed the limits established for additional purposes under this change decision in the Claim No. 160822.

20. Emergency Operations

Permit conditions regarding or affecting operation of Lake Tapps Reservoir and related facilities do not apply and shall be waived to the extent that emergency conditions require or as ordered by a court or by a state or federal agency with jurisdiction. The Water Right Holder shall notify Ecology of any emergency operations in accordance with Condition 21. Emergency conditions means a temporary circumstance or condition caused by a natural disaster, accident or physical damage, or other extraordinary event that is not avoidable by the exercise of reasonable diligence. Emergency conditions do not include droughts or long term changes in hydrologic conditions.

21. Ecology Review and Approval Process

This provision defines two processes for communicating with Ecology for compliance with the provisions of this water right, including conditions 1, 2, 4, 5, 8, and 20.

1. Notify Ecology

Water Right Holder shall provide notice in writing to Ecology's Southwest Regional Office Water Resources Program Supervisor, or other staff identified by Ecology, and shall ensure that Ecology receives the notice. This provision does not limit Ecology's legal authority to act. This provision applies to the requirement to notify Ecology in Condition 20.

2. Ecology Review and Approval

Water Right Holder shall submit the required information for Ecology's review, comment, and approval. The information shall be submitted in writing to Ecology's Southwest Regional Office Water Resources Program Supervisor, or other staff identified by Ecology, and Water Right Holder shall ensure that Ecology receives the information. Ecology shall review the submitted information and respond to the Water Right Holder in a timely manner. This provision applies to the requirements for review and approval by Ecology in Conditions 1, 2, 4, 5, and 8.

22. Adaptive Management

Based on the analyses conducted to evaluate this water right, Ecology is confident the project can achieve its instream flow, recreational lake level, and municipal water supply objectives on a reliable basis. The conditions of this water right provide the Water Right Holder flexibility to adapt to a wide range of hydrologic conditions and still meet those objectives.

In the event that instream flow, recreational lake level, or municipal water supply objectives are not reliably met, Ecology shall consult with the Water Right Holder to consider the reasons the objectives are not being met and identify possible operational changes in conformity with the conditions of this water right.

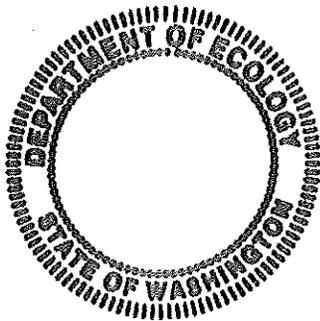
If necessary, Ecology may also convene, or direct the Water Right Holder to convene, a process through which input is sought from stakeholders and other interested parties to identify possible operational changes which will result in the achievement of instream flows, recreational lake levels, and municipal water supply on a more reliable basis.

Consideration of operational changes will include, but not be limited to, the adaptive management measures identified in Section 12.3 of the Final Environmental Impact Statement. Additionally, the Water Right Holder will work with other interested parties to secure funding for capital improvement projects if capital improvements are needed to meet the objectives of the project.

The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.100.

This certificate of change for water right is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW.

Given under my hand and the seal of this office at Olympia, Washington, this 2nd day of June 2015.



Maia Bellon, Director
Department of Ecology

DATA REVIEW
OK JK

Michael J. Gallagher
Michael J. Gallagher, Section Manager
Southwest Region
Water Resources Program

If you need this publication in an alternate format, please call 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.

