



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

September 27, 2011

MCA Concerts Inc
754 Silica Road NW
Quincy, WA 98848

Re: Preliminary Permit to drill a test well and assess the hydraulic continuity of the proposed groundwater source with the Columbia River under Application No. G3-29848

This letter serves as a PRELIMINARY PERMIT to drill and assess the hydraulic continuity of the proposed groundwater source with the Columbia River under Application G3-29848. Please read this letter carefully. In accordance with RCW 90.03.290, **failure to comply with the conditions of this Preliminary Permit shall result in the cancellation of the Preliminary Permit and the associated water right applications.**

Application G3-29848 was received by the Washington State Department of Ecology (Ecology) on June 8, 1995. This application proposes to use three wells as its source of groundwater. The three proposed points of withdrawal are all east of the Columbia River in Section 31, T. 19 N., R. 23 E.W.M., in Grant County. The two existing wells are too shallow to be used in conjunction with the Columbia River Water Management Program (CRWMP). For this application to qualify for the CRWMP, the third well will have to be constructed in a manner that demonstrates that it can participate in the program.

The CRWMP as it applies to municipal, multiple domestic, and industrial permitting associated with the Lake Roosevelt Incremental Releases Program has the following objective and requirements.

CRWMP Allocation Objective:

- To ensure that water permitted through the Office of the Columbia River can be successfully mitigated by incremental releases from Lake Roosevelt during a single mitigation release cycle.

CRWMP Allocation Requirements:

- Municipal, multiple domestic, and industrial users whose impact can be mitigated include those groundwater diverters who are capable of directly capturing mainstem Columbia River or Lower Snake River water at their well(s) or those diverters who can demonstrate that their withdrawals, if pumping ceased, would be fully attenuated within a single mitigation cycle.



¹ *Mainstem of the Columbia River or Lower Snake River means all water within the ordinary high water mark of the main channel of the Columbia River downstream of the U.S./Canadian border or all the water within the ordinary high water mark of the main channel of the Snake River below Ice Harbor Dam.*

The Applicant's existing wells are too shallow and produce water from aquifers that are located 500' or more above the Columbia River elevation and as such, do not qualify for the program. Ecology has indicated to the applicant that we do not believe a well at the proposed location for well 3, in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T. 19 N., R. 23 E.W.M., would be capable of producing water that satisfies the requirements of the CRWMP program. In a letter to the department dated September 8, 2011, the applicant requested that a Preliminary Permit be issued to provide them with a mechanism to gather the site specific information necessary to determine whether or not the new point of withdrawal will satisfy the requirements and objective of the CRWMP as described above.

Under the authority of RCW 90.03.290 and RCW 90.44.060, Ecology may issue a Preliminary Permit requiring the applicant to conduct studies, surveys, and investigations necessary to provide the information needed to properly assess the subject application.

The objectives of this PRELIMINARY PERMIT are:

1. To authorize the drilling and testing of a well within the location of the point of withdrawal as described on the subject application.
2. To obtain the information necessary to allow Ecology to determine whether the proposed withdrawals satisfy the requirements and objective of the CRWMP as described above.

You are hereby granted a PRELIMINARY PERMIT to proceed with drilling and testing for project feasibility. This letter serves as a PRELIMINARY PERMIT subject to existing rights and the following conditions:

General Conditions:

1. This PRELIMINARY PERMIT becomes effective immediately and will remain in effect until October 1, 2013, unless revoked sooner by the Department of Ecology.
2. All expenses, risks, and liabilities incurred during testing shall be borne by the applicant. If senior water right holders, including wells exempt from permitting under RCW 90.44.050, are adversely affected during any portion of the data collection activities, the test shall be terminated immediately.

3. Should the information obtained through compliance with this PRELIMINARY PERMIT prove insufficient for the purposes of satisfying the CRWMP objectives and requirements, additional testing and monitoring may be required. Additional testing and monitoring may include, but is not limited to, well pump tests, extended groundwater monitoring, and hydrogeologic modeling. Under such circumstances a new Preliminary Permit shall be issued detailing such requirements.
4. The scope of this PRELIMINARY PERMIT is limited as set forth below:

Well Construction and Testing Detail:

Land surface elevation at the proposed location is estimated to be 1310 feet above sea level from USGS topographic maps of the area. The test well shall be cased and sealed to a depth of 740 feet below ground surface to insure that no water is produced from any aquifers that may be encountered in the subsurface that are located above the elevation of the nearby Columbia River pool which has a normal pool elevation of 570 feet above sea level in this reach of the river.

1. One well may be drilled and tested within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T. 19 N., R. 23 E.W.M. in Grant County.
2. Any water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).
3. The well shall be drilled by a licensed well driller as set forth in Washington Administrative Code (WAC) 173-162-040.
4. You will be required to case and seal the well to a **minimum** depth of 740 feet below ground surface. A borehole that is a minimum of four-inches greater in diameter than the permanent casing string, to be contained within that section of borehole, shall be constructed. The permanent casing is then to be placed or set into the borehole. The casing shall be centralized by mechanical means within the borehole so as to maintain an annular space that fully surrounds the casing. **Sealing materials shall be placed from the bottom of the cased interval to the top until undiluted seal material returns to the surface.** After the casing is sealed in place, the well may be completed by drilling out of the casing until sufficient water is obtained.
5. The Applicant will collect static water level (swl) measurements from the test well, in feet below the ground surface upon well completion and again at least once a day for the next 14 days. The swl measurement data shall include the date and time (hour and minutes) when the measurement was taken, the method by which the measurement was

taken (e.g., e-tape, steel tape, etc.), the elevation of the well in feet above mean sea level, the method by which the well's elevation was obtained (survey, GPS, etc.), and who collected the water level data. The swl measurements and supporting data shall be submitted as soon as possible to the Office of Columbia River contact provided below. If the project is going to be successfully approved under the CRWMP program, the depth to water in the wellbore will be around 740 to 750 feet below land surface. The Applicant will need to have access to water level measuring equipment that can reach these deep levels in the wellbore. If the Applicant chooses to install an airline to make the water level measurements, the length of the airline will need to be reported to Ecology. The airline pressure gauge equipment used to measure the airline pressure will also need to have a certificate of calibration.

6. The applicant must submit the required Notice of Intent with the required fees providing the required 72 hours notice. A complete water well report for each well shall be submitted by the licensed driller to the Department of Ecology within thirty (30) days of completion. Department staff may be on site during the drilling process.
7. In accordance with WAC 173-160-171, wells shall not be located within certain minimum distances of potential sources of contamination. In general, wells shall be located at least 100 feet from a drain field, privy, or other sources or potential sources of contamination. Wells shall not be located within 1,000 feet of a solid waste landfill. Minimum distances shall also comply with state and local health regulations.
8. An access port, as described in the Department of Ecology's Ground Water Bulletin No. 1 (ECY 040-1-3, Rev. 04/94), shall be installed and maintained on each well.
9. The Department may video scan the well after completion of construction, which includes well development. In order to minimize delays, and allow for scheduling, you should contact the Eastern Regional Office Regional Well Construction Coordinator a minimum of one week prior to completion of the well.
10. This PRELIMINARY PERMIT grants permission to use the well for testing purposes only. The granting of this PRELIMINARY PERMIT shall not be construed that the subject application will ultimately be approved. No beneficial use will be allowed from this well until such time as specific approval is given for such use. Approval will not be considered until such time as the above conditions have been met. Furthermore, you should be aware that your proving physical availability of water in itself will not constitute the Department's approval of your pending applications.

11. After video scanning and testing of the well have been completed, the well shall then be securely capped pending data analysis and issuance of Ecology's formal Report of Examination.
12. The well must remain accessible to the Department of Ecology for periodic reading by field staff.
13. Granting of this PRELIMINARY PERMIT does not imply that the above referenced application will be approved. The applicant accepts that even after construction of the subject well and other expenses incurred that the resulting decision may be a denial of the underlying application.
14. If the applicant fails to comply with the terms of this PRELIMINARY PERMIT, the above referenced application will be rejected and this preliminary permit canceled.

If the water level elevation information confirms that the aquifer encountered in the wellbore is at or below the nearby pool elevation, the well will be considered to meet the CRWMP Allocation Objective and Requirements as outlined above.

Office of Columbia River Contact:

John Covert
Department of Ecology
4601 N. Monroe
Spokane, WA 99205-1295
(509) 329-3539

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

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

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

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

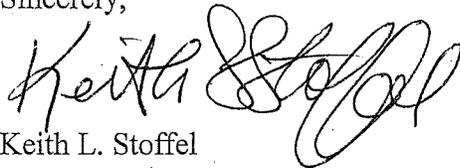
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Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

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

Should you have any questions regarding this PRELIMINARY PERMIT, please contact John Covert at (509) 329-3539.

Sincerely,



Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS:JC:ka

Enclosures: Your Right To Be Heard

By Certified Mail 7010 0290 0002 5455 6640

cc: John Covert, ERO-WR
Mark Ader, ERO- WR

7010 0290 0002 5455 6640

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9-27-11

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Sent To

Street, Apt. No.,
or PO Box No. MCI CONCERTS INC
754 SILICA ROAD NW

City, State, ZIP+4 QUINCY, WA 98848

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MCI CONCERTS INC
754 SILICA ROAD NW
QUINCY, WA 98848

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Addressee

B. Received by (Printed Name) *Alicia Sanchez* C. Date of Delivery *9/28/11*

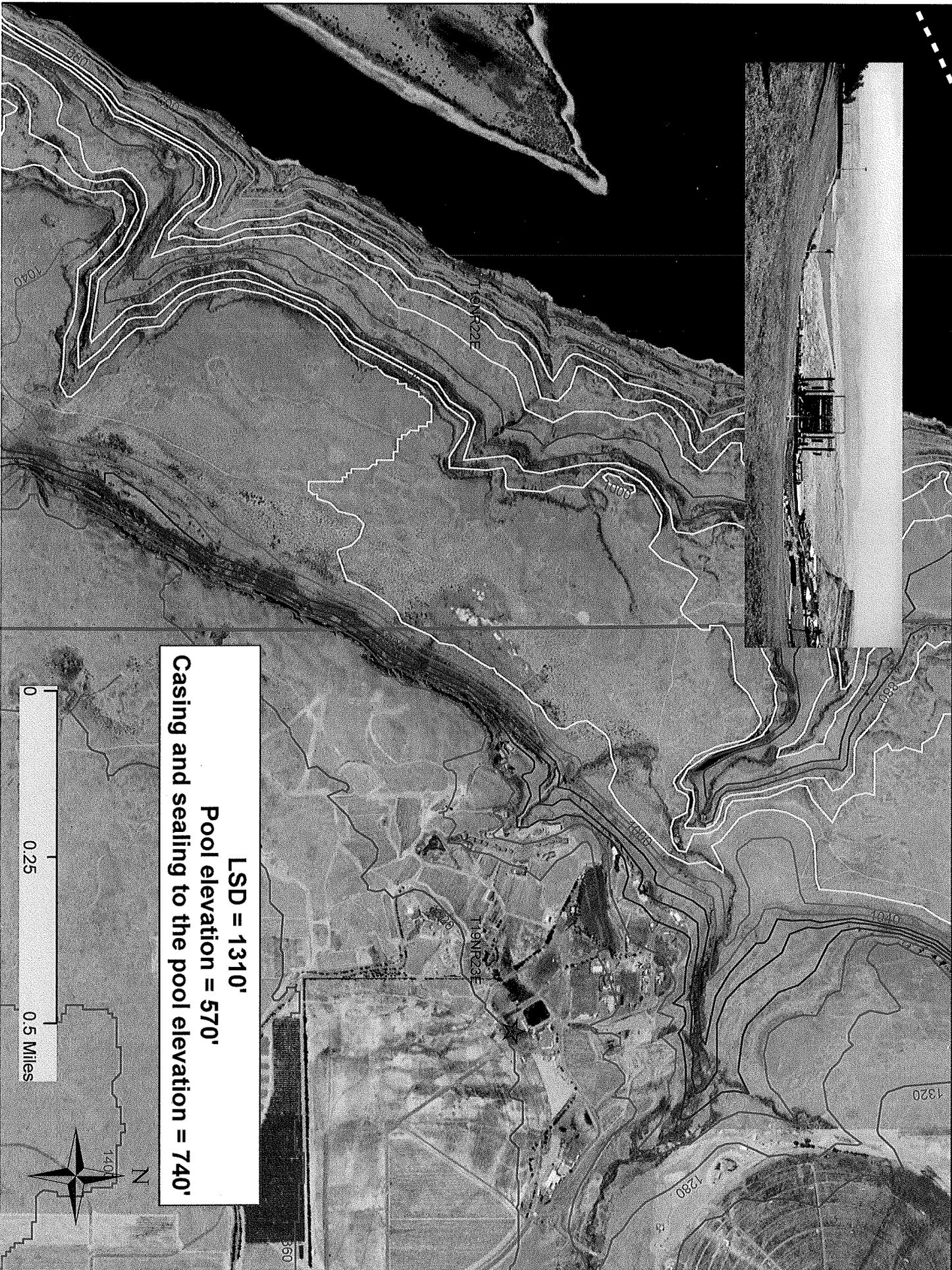
D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Num **7010 0290 0002 5455 6640**
(Transfer from)





LSD = 1310'
Pool elevation = 570'
Casing and sealing to the pool elevation = 740'

