STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
*15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490*

Mark Clayton
2230 Lombard Loop Rd.
Wapato, WA 98951

**Re: Emergency Drought Authorization No. G4-34986-15**

In accordance with the provisions of RCW 43.83B.405, on March 17, 2015, the Director of the Department of Ecology (Ecology) ordered and determined that the Yakima Basin is under drought conditions. Pursuant to WAC 173-166-070, Ecology is issuing this EMERGENCY DROUGHT AUTHORIZATION. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

**THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF WATER HEREIN AUTHORIZED.**

**The terms of your authorization are as follows:**

| | |
|---|---|
| Total Quantity in acre-feet: | 9.89 |
| Well Location: | NE¼NE¼, Section 5, T. 11 N., R 20 E.W.M. |
| Place of Use: | 10.3 acres within the NE¼NE¼, Section 5, T. 11 N., R 20 E.W.M., |
| Parcels: | 201105-11001 |

**This Temporary Emergency Drought Authorization expires December 31, 2015.**

**Provisions:**
Use of water under this authorization is contingent upon the applicant's entry into and compliance with a cost-share agreement (Agreement) with Ecology. Failure to comply with the terms of the Agreement will result in cancellation of this authorization.

An approved measuring device must be installed and maintained for each of the sources identified in this temporary authorization in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173, which describes the requirements for data accuracy, device installation and operation, and information reporting.

Every two weeks, readings of the flow meter shall be recorded and maintained by the applicant. These readings shall be documented by time, date, withdrawal rate, and cumulative amount withdrawn. Copies of these records shall be submitted to Ecology by November 15, 2015.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with this authorization.

All wells constructed in the state shall meet the "Minimum Standards for the Construction and Maintenance of Wells" (WAC 173-160) and "Water Well Construction" (RCW 18.104). In general, wells shall be located at least 100 feet from sources of contamination and at least 1,000 feet of the boundary of a solid waste landfill. Any well which is unusable, abandoned, or is an environmental, safety, or public health hazard shall be decommissioned.

Water may be used under this authorization only in relation to previously established activity as defined by Chapter 173.166 WAC. This authorization only authorizes a supplemental water supply to the applicant's normal source of water.

This authorization may be terminated, in whole or in part, whenever withdrawals conflict with the flows protected by RCW 43.83B.410(1)(a)(iii), or whenever the provisions of this authorization are violated.

**Your Right To Appeal**

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. 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 the Order.

File your appeal and a copy of this Order 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 Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.
- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

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

Signed at Yakima, Washington, this 27 day of May 2015.

Sage Park

Sage Park, Section Manager
Water Resources Program
Department of Ecology

SP:JMM:JR
150508/WRTS ID: 4226672

Enclosure: Your Right To Be Heard
Flow Metering Requirements