STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

Lower Stemilt Irrigation District
4597 Stemilt Hill Road
Wenatchee, WA 98801

RE: Amended Temporary Drought Change Authorization No. CS4-SWC2532@2-15

In accordance with the provisions of RCW 43.83B.405, on March 17, 2015, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 173-166-080, the Department of Ecology is, under the terms of this Order, issuing a TEMPORARY DROUGHT CHANGE 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) CHANGE AUTHORIZATION WILL ISSUE FOR THE FUTURE USE OF THE WATER USE HEREIN AUTHORIZED.

The Lower Stemilt Irrigation District (LSID) is requesting to transfer that portion of Surface Water Certificate No. SWC2532 owned by Thomas Burnett, for supplemental irrigation from a diversion located within the SW¼SW¼ of Section 36, T. 29 N., R. 20 E.W.M., to an existing diversion located within the SW¼SE¼ of Section 19, T. 22 N., R. 21 E.W.M., in order to supplement the water supply provided under existing rights. The application indicates that the subject water right has had a previous, permanent, change application recently filed with Ecology which is in final processing stages by Ecology's Office of Columbia River (OCR) under CS4-SWC2532@1. CS4-SWC2532@1 proposed to change a portion of SWC2532 in the purpose of use to instream flow and convey water into the State's Trust Water Right Program (Trust). The portion proposed for change is known as the "Lindsley" portion. The proposal was published for public notice in accordance with public notice requirements in March of 2014. No protests were filed with Ecology. A tentative determination on validity and extent was conducted by OCR during the processing of CS4-SWC2532@1, and processing of the subject drought change application will not disturb those findings. The subject drought change application proposes to transfer the instream flow values found under CS4-SWC2532@1 downstream to the proposed diversion identified above. Ecology (Water Resources) notes that OCR's draft decision on CS4-SWC2532@1 was posted to Ecology's internet site on July 20, 2015, for public comment. No comments in response have been received to date.

The draft change to instream flow under CS4-SWC2532@1 indicates that 0.5 cubic feet per second (cfs), and 110 acre-feet per year (ac-ft/yr) would be authorized for the secondary reach, if approved. The values are further limited by monthly values such:

Monthly Trust Water Quantities and Rates (Secondary Reach)

	May	June	July	August	September	October	Total
WIG (inches)	3.87	6.90	8.14	5.91	3.87	0.43	29.12
% WIG	13.3	23.7	28.0	20.3	13.3	1.5	100
Qa (ac-ft)	14.63	26.07	30.8	22.33	14.63	1.65	110
Qi (cfs)	0.24	0.44	0.50	0.36	0.25	0.03	N/A

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Due to the timing of application submittal, this authorization APPROVES only those values for August, September, and October, for a total of 38.61 ac-ft (22.33 ac-ft + 14.63 ac-ft + 1.65 ac-ft) at a maximum diversion rate of 0.81 cfs.

The point of diversion (POD) is as follows:

- Within the SW¼SE¼ of Section 19, T. 22 N., R. 21 E.W.M

The place of use is:

- Land served by the LSID within said District's boundaries. A more precise description of those lands is available upon request from Ecology's Water Resources Program's Central Regional Office, located in Union Gap, Washington.

This temporary drought change authorization is subject to the following limitations and provisions:

- The irrigation water authorized to be diverted is an alternate source supply to an existing portfolio of rights held by the LSID. Hence, the only water permitted for diversion is that required to compensate for any deficit in this supply. This amount shall not exceed 38.61 acre-feet, being diverted at a maximum rate of 0.81 cfs.
- Water used as irrigation under the portion owned by Thomas Burnett (aka the "Lindsley" portion) of SWC2532 at the original place of use shall immediately cease for the remainder of 2015.
- A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with WAC 173-173.
- Whenever water is being withdrawn, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to Ecology by December 1, 2015.
- 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.
- Diversion of water under this authorization may be limited or otherwise regulated in favor of senior rights.
- The portions of SWC 2532 not owned by Tom Burnett are completely unaffected by this temporary drought change authorization. These portions are known as the "Hale, Ayers, and Barks" portions.
- To avoid conflicting approvals, a final decision on CS4-SWC2532@1 will not issue until after this temporary drought change authorization expires.
- **This temporary drought change authorization expires on October 31, 2015.**

YOUR RIGHT TO APPEAL

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

- File your appeal and a copy of this Decision 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 Decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

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

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

Signed at Yakima, Washington, this 26th day of August 2015.

Danielle Squeochs

Danielle Squeochs for Sage Park
Sage Park, Section Manager
Water Resources Program
Central Regional Office

SP:JMM:SS/150837
WR ID# 6674636

Enclosure: Your Right To Be Heard
Water Measurement Requirements ,Form 1 & 2

By certified mail: 7010 0290 0000 7131 2016

cc: Marc Marquis, Attorney
Philip Rigdon, Director Natural Resources Division Yakama Nation