



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

October 6, 2011

Grant County PUD
Attn: Darrell Pock
15655 Wanapum Village Ln SW
Beverly, WA 99321

RE: Temporary Authorization No. S4-33022 for dust control and road compaction during construction, and establishment of native vegetation for bank stabilization.

On May 9, 2011, Grant County Public Utility District applied to the Department of Ecology (Ecology) seeking approval for Temporary Authorization to appropriate water for dust control and road compaction during construction, and establishment of native vegetation for bank stabilization at eight discrete sites. Road construction under this project is scheduled to have already begun (August, 2011) and end in February 2012, while the watering of newly established native vegetation would take place April through October in years 2012 and 2013 only.

The legal descriptions of the eight sites are listed below:

Table 1: Place of Use Legal Descriptions

Site	Legal Description (QQ Q, Sec, Twp, Rng)
1	SWSW S. 16 T. 21 N., R. 22E
2	SWNW S. 16 T. 21 N., R. 22E
3	SENE S. 29 T. 21 N., R. 22E
4a&b	SWSE S. 16 T. 21 N., R. 22E NWNE S. 21 T. 21 N., R. 22E
5	NWSW S. 9 T. 20 N., R. 22E
6a&b	NWSW S. 28 T. 16 N., R. 23 E SWNW S. 28 T. 16 N., R. 23 E
7	SWSW S. 28 T. 16 N., R. 23 E
8	NESW S. 14 T. 20 N., R. 22 E

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Locations of eight points of diversion on the Columbia River:

Table 2: Point of Diversion legal descriptions

Site	Parcel (County)	Twp	Rng	Sec	QQ Q	Lat-Long
						<i>In NAD 83</i>
1	212216330000 (Chelan)	21N	22E	16	SWSW	47.30626 -120.08864
2	212216320000 (Chelan)	21N	22E	16	NWSW	47.31084 -120.08986
3	212229410000 (Chelan)	21N	22E	29	NESE	47.28139 -120.09238
4a&b	21222120005 (Douglas)	21N	22E	21	NENW	47.30215 -120.08347
5	20220920003 (Douglas)	20N	22E	09	SWNW	47.24128 -120.08670
6a&b	754833 (Kittitas)	16N	23E	28	SWNW	46.84793 -119.95911
7	774833 (Kittitas)	16N	23E	28	SWSW	46.84244 -119.95620
8	933433 (Kittitas)	20N	22E	14	NESW	47.22325 -120.03948

Water is to be distributed for dust control and road compaction by truck. Water will be pumped from surface water diversions identified in the Table above. The maximum instantaneous rate (Qi) for dust control and road compaction is limited to 0.11 cubic feet per second (cfs) from all diversions, and the total quantity withdrawn for this purpose is limited to 1.48 acre-feet (ac-ft).

Watering newly established native vegetation involves three temporary irrigation methods:

- 1) water pumped to a bladder system and fed to a drip irrigation system;
- 2) water pumped through a manifold to a series of sprinkler heads; and
- 3) water pumped through a manifold to multiple hoses for hand watering.

Water use for establishing native vegetation is limited to a Qi of 0.4 cfs from all diversions and a total annual quantity of 11.4 ac-ft.

While all lands are not owned by Grant PUD, appropriate signatures from landowners within the places of use were obtained and submitted with the application.

It is anticipated the proposed withdrawal can take place this year (2011) without impairing existing water rights, including those rights embodied as instream flows adopted in WAC 173-563. Years 2012 and 2013 have uncertainty and this authorization may be curtailed in favor of senior rights, including instream flows adopted in Chapter 173-563 WAC. These withdrawals are not detrimental to the public interest and are considered beneficial uses. Water is physically available for the proposed project. See the Investigator's Report for an expanded discussion.

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This Temporary Authorization has the following conditions:

1. If the applicant fails to comply with the terms of this Temporary Authorization it may be revoked.
2. The issuance of a Temporary Authorization in no way guarantees a standard permit will be issued.
3. Diversion intakes shall be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria. <http://wdfw.wa.gov/about/contact/>
4. No dam or weir shall be constructed in connection with these diversions.
5. Unless curtailed in favor of senior rights, water diverted for dust control and road compaction may take place from October 1, 2011 until February 28, 2012.
6. Unless curtailed in favor of senior rights, water diverted for establishing native vegetation may take place from April 1 to October 31 in years 2012 and 2013 only. **This Temporary Authorization expires on November 1, 2013.**
7. The Place of Use shall be those areas identified in Table 1 above.
8. Diversions shall be from those points identified in Table 2 above.
9. Total diversions from all points of diversion shall not exceed 0.11 cfs and 1.48 ac-ft for dust control and road compaction purposes.
10. Total diversions from all points of diversion shall not exceed 0.4 cfs and 11.4 ac-ft for the irrigation of newly established native vegetation.
11. The operator(s) of the systems under this Temporary Authorization shall:
 - Have a copy of the Temporary Authorization.
 - Be aware of the parameters and provisions and operate accordingly.
 - Provide said copy as evidence of this Temporary Authorization upon request by Ecology staff.
12. An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.

13. Water use data shall be recorded and shall be submitted to Ecology, Central Region Office, Water Resources Program by January 31 of 2013 and 2014 for water use in 2012 and 2013, respectively.
14. At a minimum, the following information shall be included with the submitted water use data: owner, contact name if different, mailing address, daytime phone number, Temporary Authorization No. S4-33022, water volume used including units of measurement, and days of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting.
15. 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, but only to the extent otherwise allowed by law.
16. This Temporary Authorization shall in no way excuse the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by other programs of the Department of Ecology.
17. The issuance of this Temporary Authorization does not convey a right of access to or other right to use land, which you do not legally possess. Obtainment of such a right is a private matter between the applicant and owner of that land.

You have a right to appeal this decision. To appeal this you must:

- File your appeal with the Pollution Control Hearing Board within 30 days of the “date of receipt” of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the “date of receipt” of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). “Date of receipt” is defined at RCW 43.21B.001(2).

YOUR RIGHT TO APPEAL

You have a right to appeal this Decision to the Pollution Control Hearing 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:

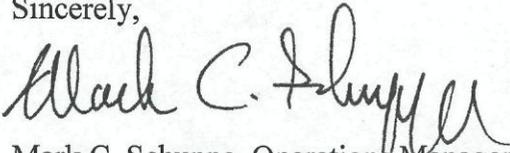
- File your appeal and a copy of this Decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

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	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

Sincerely,



Mark C. Schuppe, Operations Manager
Office of Columbia River

MCS:TRP:ss/111006

By Certified Mail: 7009 2250 0004 4952 1330

Enclosures: Investigator's Report
Your Right To Be Heard
Water Measuring Requirements and Form 1

cc: Philip Rigdon, Director, Natural Resources Division, Yakama Nation