



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 12, 2011

U.S. Fish & Wildlife Service  
Leavenworth Fisheries Complex  
c/o Al Jensen, Leavenworth NFH Mgr  
12790 Fish Hatchery Rd  
Leavenworth WA 98826-9011

**RE: Water Right Change Application No. CS4-01824C@2 (CHEL-11-03)**

In accordance with RCW 90.80.080 the Department of Ecology (Ecology) has reviewed the Record of Decision (ROD), Report of Examination (ROE), and all comments, protests, objections and other relevant information submitted by the Chelan County Water Conservancy Board (the Board) for the above referenced application for change.

Ecology has **modified** the decision of the Board and the proposed change/transfer of water right is **approved** under the following conditions:

**Summary of Ecology's Final Order**

MAXIMUM CFS		MAXIMUM GPM		MAXIMUM AC-FT/YR		TYPE OF USE, PERIOD OF USE	
42				27,482		Fish propagation, continuous	
SOURCE						TRIBUTARY OF (IF SURFACE WATER)	
Icicle Creek						Wenatchee River	
¼	¼	SECTION	TOWNSHIP	RANGE	WRIA	COUNTY.	
POD #1: SE	NE	27	24 N	17 EWM	45	Chelan	
POD#2: NE	SE	23	24 N	17 EWM	45	Chelan	
AT A POINT LOCATED (PARCEL NO.)							
POD #1: 200 feet north and 700 feet west of the east quarter corner of Section 27, T. 24 N., R. 17 E.W.M.; Icicle Creek approximate river mile 4.5. (Chelan County Parcel No. 241727140100).							
POD #2: Icicle Creek approximate river mile 2.8, being within NE¼SE¼ of Section 23, T. 24 N., R. 17 E.W.M. (Chelan County Parcel No. 241723510553).							
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
Leavenworth Fish Hatchery being within Sections 23, 24, and 26, T. 24 N., R. 17 E.W.M.							
PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,		
241723510553							
<b>DEVELOPMENT SCHEDULE</b>							
BEGIN PROJECT BY THIS DATE:			COMPLETE PROJECT BY THIS DATE:			WATER TO PUT TO FULL USE BY THIS DATE:	
12/31/2012			12/31/2012			12/31/2012	

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Ecology has **MODIFIED** the decision of the Board as follows:

1. The Board's decision has been modified as noted in the table above.
2. The first sentence of Provision #6 within the Provisions section of the Board's decision (page 9) is **DELETED** and **REPLACED** by:

“Water use shall be recorded **weekly**.”

#### **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 the following within 30 days of the date of receipt of this decision:

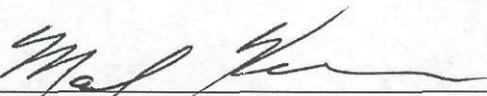
- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

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
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel Road SW, Ste 301 Tumwater WA 98501	<b>Pollution Control Hearings Board</b> 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://www.leg.wa.gov/CodeReviser>*

  
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Mark Kemner, Section Manager  
Water Resources Program/CRO

MK:IE:gg/111212

Enclosures: Your Right to Be Heard  
Construction Notice  
Water Measuring Requirements and Form 1

By Certified Mail: 7007 2560 0001 9535 6060

cc: Janet Rajala, Department of Ecology, Eastern Region Office (email pdf)  
Lisa de Vera, Chelan County Water Conservancy Board  
Malenna Cappellini, U.S. Fish & Wildlife Service/Leavenworth Fisheries Complex (email)  
Philip Rigdon, Director, Natural Resources Division, Yakama Nation  
Lois Trevino, Administrator, Environmental Trust, Colville Confederated Tribes