



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

July 12, 2012

Marcus Griggs / Orondo Fruit  
50 Griggs Lane  
Orondo, WA 98843-9611

**RE: Water Right Change Application No. CG3-00570C@2 (DOUG – 11-03)**

This AMENDED ORDER supersedes the previous Order dated July 3, 2012. This Amended Order is a result of an administrative error. In accordance with RCW 90.80.080 the Department of Ecology (Ecology) has reviewed the Record of Decision (ROD) and Report of Examination (ROE), and all comments, protests, objections and other relevant information submitted by the Douglas County Water Conservancy Board (Board) for the above referenced application for change.

Ecology **AFFIRMS** the decision of the Board. A summary table of the decision follows:

**Summary of Department of Ecology's Final Order**

MAXIMUM CFS	MAXIMUM GPM		MAXIMUM ACRE-FT/YR		TYPE OF USE, PERIOD OF USE		
	A) 5.0 B) 103.75		A) 2.0 B) 42.21		A) Continuous domestic B) Irrigation of 9.72 acres April 15 <sup>th</sup> to October 15 <sup>th</sup>		
SOURCE Wells				TRIBUTARY OF (IF SURFACE WATER)			
AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY
A)25213240001	N 1/2	SE	32	25	21 EWM	44	Douglas
B) TBD		W 1/2	21	25	21 EWM	44	Douglas
<b>LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD</b>							
<p>A) The N 440 feet of the W½ of the NESE and those portions of the N 440 feet of the NENWSE East of the State Highway and except the S 293.1 feet of the West 370.5 feet in Section 32, T. 25 N., R. 21 E.W.M. and except for existing orchard and P.U.D. right-of-way, Douglas County, Washington, Parcel No. 25213210034 in addition to:</p> <p>B) The undeveloped and arable portions of: The NWNW and the SWSW of Section 22, T. 25 N., R. 21 E. W.M., Douglas County, and the E½ of Section 21, T. 25 N., R. 21 E.W.M., Douglas County, Except the South 400 feet of the West 800 feet of the NWNE and the South 15 feet of Government Lot 1 and the North 15 feet of Government Lot 2, tax Parcel Nos. 25212110001 and 25212220001.</p>							

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July 3, 2012

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**RE: Water Right Change Application No. CG3-00570C@2 (DOUG-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 Douglas 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	
10.92		4900		1385		Irrigation of 469.7 acres from April 1 to October 31.	
SOURCE						TRIBUTARY OF (IF SURFACE WATER)	
Columbia River (through two wells)							
¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.	
SW	SW	30	30	23 EWM	48	Okanogan	
AT A POINTS LOCATED (PARCEL NO.)							
Approximately 1180 feet east and 400 feet north of the SW corner of Section 30, T. 30 N., R. 24 E.W.M.							
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
The E½, E½NW¼, NE¼SW¼, and SW¼NW¼ of Section 23; the S½SE¼, and SE¼SW¼ of Section 14; and that portion of the W½ of Section 24 lying west of the County Road (except the NW¼NW¼ of Section 24); the NE¼NE¼, and N½NE¼SE¼NE¼ of Section 26; and the NW¼NW¼ of Section 25, all within T. 30 N., R. 23 E.W.M., Okanogan County, Washington.							
PARCEL NO.			¼	¼	SECTION	TOWNSHIP N.	RANGE,
<b>DEVELOPMENT SCHEDULE</b>							
BEGIN PROJECT BY THIS DATE:			COMPLETE PROJECT BY THIS DATE:			COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE:	
Project begun			Project Complete			Completed 10-1-2015	

**FILE COPY**



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

- 1) The Water Boards decision has been MODIFIED as noted in the table above.
- 2) Within the PROVISIONS section of the Water Board's ROE, provision #1 (number one) is STRICKEN.
- 3) The following provision is ADDED to the PROVISIONS section of the Water Board's ROE:

This authorization to use public waters of the state is classified as Family Farm Permit in accordance with chapter 90.66 RCW. This means the land being irrigated under this authorization shall comply with the following definition: Family Farm - a geographic area including not more than 6,000 acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than 6,000 acres of irrigated agricultural lands in the state of Washington which are irrigated under water rights acquired after December 8, 1977. Furthermore, the land being irrigated under this authorization must continue to conform to the definition of a family farm.

#### **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:

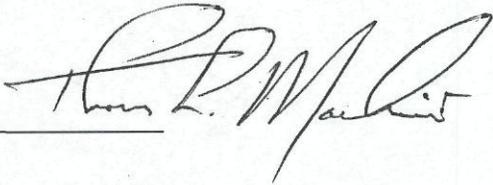
- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

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>Pollution Control Hearings Board</b> 1111 Israel Road SW Ste 301 Tumwater WA 98501	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608 <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>*

*Mark Kemner by, *  
Mark Kemner, Section Manager  
Water Resources Program/CRO

MCS:JK:gg/SharePoint>WR Docs>CB

Enclosures: Your Right to Be Heard  
Proof of Appropriation Form  
Water Measuring Requirements and Form 1

Certified Mail: 7007 2560 0001 9535 6312

cc: Janet Rajala, Department of Ecology, ERO (email/pdf)  
Carol Cowling, Douglas County Water Conservancy Board  
Marc Marquis, Peterson & Marquis