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

August 27, 2012

Pioneer Water Users Association
Attn: Dan Jaspers
205 Chatham Hill Road
Wenatchee WA 98801-5929

RE: Water Right Change Application No. CS4-022119CL (CHEL-12-03)

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 CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
A) 7.7	3,455.76	A) 1,580.79	A) 385 acres irrigation April 1 to October 15
0.276	123.87	56	Municipal Water Supply April 1 to October 15
B) 35.65	16,001.18	B) 6,186.71	Continuous Municipal, Instream Flow (Temp)
C) 38.27	N/A	C) 7,823.5	Instream flow (Permanent) Continuous

SOURCE	TRIBUTARY OF (IF SURFACE WATER)
Columbia River, Wenatchee River and Wells	Pacific Ocean

¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.
NE	NW	14	23 N	19 EWM	45	Chelan
SW	NE	3	22 N	20 EWM	45	Chelan
SE	NW	28	23 N	20 EWM	45	Chelan
NE	NE	33	23 N	20 EWM	45	Chelan
NW	SW	34	23 N	20 EWM	45	Chelan
		5	21 N	22 EWM	45	Chelan
NW	NW	19	22 N	21 EWM	44	Douglas
NE	SE	19	22 N	21 EWM	44	Douglas
		20	22 N	21 EWM	44	Douglas
SW	NE	28	23 N	20 EWM	45	Chelan
		6	21 N	22 EWM	45	Chelan
	W1/2	31	22 N	22 EWM	45	Chelan

AT A POINT LOCATED:
PARCEL NO.

FILE COPY

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD

A) Sections 12, 13 and 14, T. 23 N., R. 19 E.W.M.; Sections 19 through 22, 28, 33 and 34, T. 23 N., R. 20 E.W.M.; and Section 3, T. 22 N., R. 20 E.W.M. all in Chelan County, WA. RCW 90.03.386 may have the effect of expanding the place of use of this water right. If the criteria in RCW 90.03.386(2) are not met and a Water System Plan/Small Water System Management Program was approved after September 9, 2003, then the place of use of this water right reverts to the service area described in that document.

B) The place of use is expected to conform to the Regional Water System service area set forth in Volume 2 of the 2012 City of Wenatchee Water System Plan. RCW 90.03.386 may have the effect of expanding the place of use of this water right. If the criteria in RCW 90.03.386(2) are not met and a Water System Plan/Small Water System Management Program was approved after September 9, 2003, then the place of use of this water right reverts to the service area described in that document.

(Temporary Trust) Primary Reach: Columbia River from RM 453.4 (Rock Island Dam) to RM 468.3 (confluence with Wenatchee River). Secondary Reach: Columbia River RM 453.4 to the Pacific Ocean.

C) Instream flow in the Wenatchee River from RM 6.6 to RM 0.0 at the confluence of the Wenatchee and Columbia Rivers.

PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	WATER TO PUT TO FULL USE BY THIS DATE:
A) N/A	12/31/2015	12/31/2018
B) N/A	12/31/2032	12/31/2052
C) N/A	12/31/2015	12/31/2016

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

1. The date for putting water to full beneficial use stated in the Development Schedule for the "B" portion is changed from December 31, 2072 to December 31, 2052.
2. A provision is added that states:

   So long as Regional is proceeding with the development of the water right with due diligence, the Department of Ecology will consider extensions of Regional's development schedule consistent with future water system planning through the Department of Health.

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 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 Ste 301 Tumwater WA 98501	**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://www.leg.wa.gov/CodeReviser

Mark C. Schuppe, Operations Manager
Office of Columbia River
Central Region Office

MCS:JK:hd/120802

Enclosures: *Your Right to Be Heard*

Certified Mail: 7010 0290 0000 7131 1651

cc: Lisa de Vera, Chelan County Water Conservancy Board
Mark Peterson, Peterson Law Offices
Lois Trevino, Administrator, Environmental Trust, Colville Confederated Tribes
Philip Rigdon, Director, Natural Resources Division, Yakama Nation