STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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September 30, 2013

Tom Bridgman and Amy Koepnick
1333 Harbor Ave SW #301
Seattle WA 98116-1781

RE: Water Right Application No. CS4-137898CL@1 – Temporary Authorization to change the point of withdrawal to a well to benefit instream flow while the permanent change is in process.

THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A PERMANENT CHANGE OR PERMANENT WATER RIGHT WILL ISSUE FOR THE WATER USE HEREIN AUTHORIZED.

Background

On June 20, 2013 Tom Bridgman and Amy Koepnick submitted an application to change the point of diversion to a well and donate a portion of water right Claim # 137898 into instream flow in Beaver Creek. The application was accompanied by a letter from Trout Unlimited dated May 28, 2012. The letter advocating the change states that, of 30 acres historically irrigated under the Claim, only Bridgman's property, an area of approximately 3.49 acres, is currently irrigated from the ditch. According to the letter, the other properties irrigated under this Claim withdraw their irrigation water from individual wells. In a separate action, a Request for Administrative Division of the Claim between 12 property owners was received by the Department of Ecology (Ecology) on July 9, 2013. The request indicates that 12 property owners share in the place of use under this claim. All twelve property owners indicate that they intend to apply to change the authorized point of diversion to wells for each of their individual portions of the Claim.

Trout Unlimited proposes to decommission the ditch and put the entire quantity of water currently diverted into trust for instream flow. Trout Unlimited determined the quantity of water currently diverted to be 0.51 cubic-feet per second (cfs) and 120 acre-feet per year (afy). The quantities were determined by averaging three measurements taken at three different times near the headworks of the ditch using a Swoffer Meter. Changing the point of diversion from a surface diversion to a well located on the Bridgman property will benefit Beaver Creek from the point of diversion downstream to the confluence with the Wenatchee River. The Wenatchee River will also benefit from the confluence with Beaver Creek downstream to an undefined location on the Wenatchee River, where non-consumptive return flow from the ditch would normally return to the system.

The authorized point of diversion for Surface Water Right Claim No. 137898 is described as Roaring Creek and Beaver Creek within Section 12, T. 26 N., R. 17 E.W.M. There is no Roaring Creek mapped within the specified Section and only Beaver Creek is referenced as the authorized point of diversion in either the subject application or the Request for Administrative Division. Based on the field work performed by Trout Unlimited and the information provided on the application for

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change, this temporary change authorization assumes that the only surface diversion associated with this water right Claim is a single point of diversion located on Beaver Creek.

The documents requesting the Administrative Division of the water right into 12 separate rights (one for each parcel located within the original place of use), Bridgman's portion of the Claim is 36 gallons per minute (gpm) and 14.3 afy. The request for Administrative Division indicates that Bridgman also holds all interest in the authorized point of diversion for the ditch.

Other Water Rights

The applicant's property lies within the place of use described by two other Claims and one water right Certificate. Claim G4-104843CL is a short-form claim that was filed by C.O. Saunders in June of 1974. The document claims an unspecified quantity of groundwater for domestic use within Lot 3 Block 2 of Alpine Acres. Surface water Claim S4-200111CL was filed September, 1985 by the Wenatchee-Chiwawa Irrigation District for 33 cfs and 4725 afy for the irrigation of 1500 acres. Surface Water Certificate S4-28160C held by the Wenatchee-Chiwawa Irrigation District has a priority date of March 7, 1983 and authorizes 33.3 cfs and 4725 afy for the irrigation of 1350 acres. It is unknown if the irrigation district delivers water to the applicant's property.

Public Notice

Public notice of the application to change the point of diversion was published in the Wenatchee World, Wenatchee, WA on June 18, 2013 and June 25, 2013. No letters of protest or comments were received during the 30-day protest period.

Water Availability and Impairment

There are no downstream water diverters on Beaver Creek that could be affected (either impaired or enlarged) by the proposed change. The hydrological review performed in this office offers two possible scenarios for water availability and impairment. If the proposed well is constructed into sediments overlying the Chumstick Formation bedrock, the well is likely to capture groundwater that discharges from the Beaver Creek canyon aquifer into the coalesced sediments of both Beaver Creek and the Wenatchee River. Under that scenario the proposed well would be in hydraulic connectivity with the surface water diversion and water would be available with little risk of well interference. In the second scenario, if the proposed well is constructed to withdraw water from the sandstone Chumstick Formation, water withdrawal would be less well-defined in terms of aquifer source and discharge characteristics. In this scenario water availability could be limited due to formation characteristics and well interference might be a problem.

This authorization will be provisioned to ensure hydraulic connectivity between the currently authorized and proposed points of withdrawal (well construction limitations).

To prevent enlargement of the water right, this authorization will be provisioned to prevent withdrawal from the well during low flow periods on Beaver Creek when water would not normally be available at the original point of diversion, or at any other time when the original point of diversion would normally be reduced or otherwise regulated.

Public Interest

The use of water for irrigation is a beneficial use. Removal of the surface water diversion and protection of conserved conveyance water for instream flow in Beaver Creek will benefit ESA listed Chinook salmon and Steelhead in Beaver Creek. The proposed change would not be contrary to the public interest.

Conclusion and Decision

Water is available for the proposed change in point of diversion as provisioned below. There will be no impairment of existing rights and the applicant's water right will not be enlarged as a result of the change. Water will be put to a beneficial use, and the change will not be contrary to the public interest. This Temporary Authorization is issued under the following limitations and provisions:

1. The authorized purpose of use and quantities are; 36 gallons per minute (gpm) and 14.3 acre-feet per year (afy) for the irrigation of 3.2 acres.
2. The priority date is January 1, 1920.
3. The point of withdrawal will be a well located within the S½ of Section 12, T. 26 N., R. 17 E.W.M., Parcel No. 261712430150.
4. The place of use will be; Lot 1 as delineated on Harold Porter Short Plat No. 2084, Chelan County Washington, recorded October 21, 1992 in Book SP-10 of Short Plats, page 4, Chelan County Parcel No. 261712430150.
5. The period of use will be May 15 to September 31, annually.
6. This authorization will expire May 15, 2017.

Provisions

This temporary permit is related to a larger project to permanently move surface water users to wells and transfer ditch conveyance to trust. Until a permanent decision is made regarding the wells in continuity with the Wenatchee River, water use may be subject to the minimum instream flows set in WAC 173-545. In the event that Wenatchee River flows drop below the minimum values, Ecology will determine if sufficient water in is held in trust to mitigate for impacts on the Wenatchee River due to pumping from the wells.

The well shall be constructed to withdraw water from the unconsolidated alluvial aquifer lying above the sandstone bedrock of the Chumstick Formation.

All wells constructed in the state shall meet the "Minimum Standards for the Construction and Maintenance of Wells" (WAC 173-160) and "Water Well Construction" (RCW 18.104). In general, wells shall be located at least 100 feet from sources of contamination and at least 1,000 feet of the boundary of a solid waste landfill. Any well which is unusable, abandoned, or is an environmental, safety, or public health hazard shall be decommissioned.

All wells shall be tagged with a Department of Ecology unique well identification number. If you have an existing well and it does not have a tag, please contact the well-drilling coordinator at the regional Department of Ecology office issuing this decision. This tag shall remain attached to the well. If you are required to submit water measuring reports, reference this tag number.

Required installation and maintenance of an access port as described in WAC 173-160- 291(3).

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

An approved measuring device must 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, which describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

For the quantity of water authorized under this temporary permit, WAC 173-173-060 requires bi-weekly (once every two weeks) recording and annual reporting of the maximum rate of diversion and annual total volume by January 31st of the following calendar year.

Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Regional Office for forms to submit your water use data.

The water use authorized under this filing shall be considered non-additive to any water rights confirmed for said claim as a result of a general adjudication through Superior Court, should adjudication be undertaken.

Sincerely,

Mark Kemner, LHG, Section Manager
Water Resources Program/CRO

MK:MD:ss/130943

Enclosures: Water Measurement Requirements & Form 1
Important Information About Your Permit

By certified mail: 7010 0290 0000 7131 3099

cc: Lois Trevino, Water Administrator, Colville Confederated Tribes
Philip Rigdon, Director Natural Resources Division Yakama Nation
Aaron Penvose, Trout Unlimited