



*File
Denied*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3601 W. Washington • Yakima, Washington 98903-1164 • (509) 575-2800

June 24, 1994

John and Carolyn McKenzie
706 Grandview Ave
Sunnyside WA 98944-1828

Re: Emergency Drought Application No. G4-31984

On June 13, 1994, in response to the Governor's declaration of drought in the Yakima region, John and Carolyn McKenzie submitted an application for emergency drought relief. The Department is examining drought requests based on the instantaneous quantity of 7.5 gallons per minute (gpm) or the amount requested in the application (whichever is less), and 0.8 acre-feet per acre. For this application the amounts under consideration are 700 gpm and 140 acre-feet per year for supplemental irrigation of 171.2 acres.

The proposed point of withdrawal under this application is a new well, approximately 250 feet deep, located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T. 9 N., R. 24 E.W.M. At this location the well would be within $\frac{1}{2}$ mile and within the same aquifer of four other wells with senior water rights.

On June 1, and again on June 14, a letter was sent to the applicants stating that the proposed location was unacceptable due to the proximity to the other wells and to contact the Department to discuss possible new locations for the well. On June 21, a letter from the applicants was received at this office reaffirming the applicant's intent to have the well at the original proposed location. Also submitted at the same time was a well report for a domestic well, 8 inches in diameter, 245 feet deep, that was drilled at the proposed location after the water right application had been submitted.

EMERGENCY PERMIT

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A primary responsibility of the Department is the management and allocation of the public waters of the State without impairing senior water rights. During periods of drought emergencies, normal investigative reviews conducted by the Department are truncated to accommodate the shortened decision timeframe. With that constraint, the Department must act conservatively to protect senior water rights therefore the request for supplemental irrigation water under Ground Water Application No. G4-31984 Emergency Drought Request, is hereby denied. The well drilled by Blue Water Drilling in March, 1994, within the SW¼NW¼ of Section 5, T. 9 N., R. 24 E.W.M. is unacceptable for use for irrigation.

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the request must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,



Doug Clausing
Section Manager
Water Resources Program

DC:PC:ska
940638.wr4

cc: Yakama Indian Nation
Dale Bambrick
Wendell Hannigan