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STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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

May 31, 1994

Derward Tozer
Route 2, Box 182
Ellensburg WA 98926-9762

Re: Emergency Drought Authorization under Application No. G4-29651

In accordance with the provisions of RCW 43.83B.405, on May 12, 1994 it was ordered and determined by the Director of the Department of Ecology that the Yakima River basin is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Washington State Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. This authorization is conditioned by the following provisions and limitations:

1. The initiation date of this EMERGENCY PERMIT is May 13, 1994.

   This EMERGENCY PERMIT will terminate on or before December 1, 1994, unless sooner revoked by the Director of the Department of Ecology. **THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE FACILITY HEREIN AUTHORIZED.**

2. The approximate well location will be as follows: 1000 feet north and 1800 feet west of the SE¼ corner of Section 32, being within the SW¼SE¼ of Section 32, T. 17 N., R. 19 E.W.M.

3. The following well construction requirements must be satisfied before water use as described below can be started:

   All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

   For the purpose of making water level measurements, installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage are also required when the well has a static water level greater than 100 feet below land surface. The air line shall be constructed of 1/4 inch minimum diameter galvanized steel pipe, or comparable material if preapproved by the department. The air line shall be equipped with a standard tire (Schrader) valve. Distance from

land surface to the bottom end of the air line shall be clearly posted at the well site, accurate to 0.5 feet or less. The air line, access port, and all well equipment shall be installed and maintained to provide access for measurement of water levels.

4. A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology at the end of the 1994 irrigation season.

5. The quantity of water to be withdrawn is limited to 250 gpm and 69 acre-feet per year. This is based upon the instantaneous quantity requested in the application and an annual quantity of 0.8 acre-feet per acre.

6. Water is to be used for supplemental irrigation of 86 acres from May 15 to December 1, 1994. The place of use is described as follows:

All of those portions of the NE¼SW¼, the SE¼SW¼, the NW¼SE¼ and the S½SE¼ of Section 32, T. 17 N., R. 19 E.W.M. lying south of Interstate Highway No. 82, EXCEPT:

That portion of the N½SW¼ of said Section 32, which is described as follows: Beginning at the northwest corner of the NE¼SW¼; thence east on the north boundary line thereof for 402 feet; thence south 33° west to intersect the north boundary line of the right of way of Lateral 15.8 Turbine Ditch; thence northwesterly along said north boundary line of the right of way of Lateral 15.8 to its intersection with the north boundary line of the NW¼SW¼; thence east along said north boundary line of said NW¼SW¼ to the point of beginning.

That portion of the E½SW¼ of said Section 32, which is described as follows: Beginning at a point where the south boundary line of the right of way of Lateral 15.8 of the Highline Canal first intersects the west boundary line of the NE¼SW¼ of said Section, north of the southwest corner of said NE¼SW¼; thence easterly along said boundary line of the right of way of Lateral 15.8 to the west boundary line of the Highline Canal; thence southerly along said boundary line of the right of way of the Highline Canal to the north boundary line of the right of way of Lateral 15.9 of the Highline Canal; thence westerly along said north boundary line of

Lateral 15.9 to the west boundary line of the SE¼SW¼ of said Section; thence north along said west boundary line of said SE¼SW¼ to the point of beginning.

7. The irrigation water herein authorized to be withdrawn is supplemental to water made available under primary rights by the Kittitas Reclamation District. The only water herein permitted for withdrawal is water necessary to alleviate hardships and reduce burdens on water users arising from drought conditions. This amount shall not exceed 0.8 acre-feet per year per acre.

8. Withdrawal of water under this right may be limited or otherwise regulated in favor of senior rights.

9. Construction of the well under this permit must begin by October 1, 1994. No new well construction shall be allowed after this date. Construction of the well shall be completed no later than October 15, 1994.

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

Doug Clausing
Section Supervisor
Water Resources Program

DC:ska
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Enclosures: Flow Measurement Record
Flow Meter Requirements
Ground Water Bulletin No. 1

cc:: Yakama Indian Nation
Dale Bambrick
Wendell Hannigan