

Water Resources Program
Application for a Water Right Permit

\$ 20.00
 CK# 4797
 3/9/10
 URG

For Ecology Use
 (Date Stamp)

RECEIVED

MAR 08 2010

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

SURFACE WATER GROUND WATER PERMANENT

TEMPORARY SHORT TERM DROUGHT

Follow the attached instructions. Attach additional sheets as necessary.

***A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION.**

Section 1. APPLICANT

Applicant/Business Name: Robert and Carol Inouye	Phone No: 509 574-2717 (w)	Other No: 509 658-2024 (h)
Address: 1780 Nile Road		
City: Naches	State: WA	Zip: 98937-8925
Email Address (optional): bob@inouye.us		

Contact Name (if different from above): SAME AS ABOVE	Phone No:	Other No:
Relationship to Applicant:		
Address:		
City:	State:	Zip:
Email Address (optional):		

Legal Land Owner or Part Owner Name of the Proposed Place of Use: SAME AS ABOVE	Phone No:	Other No:
Relationship to Applicant:		
Address:		
City:	State:	Zip:
Email Address (optional):		

For Ecology Use	APPLICATION NO: S4-35271	SEPA: Exempt/Not Exempt
	Fee Paid: 3.8.2010 Check No: _____	ECY Coding: 001-001-WR1-0285-000011
Date Returned _____	By _____	Priority Date 3.8.2010 By _____
		WRIA: 38 Yakima

7 effs = \$700 / fee OK EG 3/9/2010

Section 2. STATEMENT OF INTENT

Briefly describe the purpose of your proposed project:

This project will create a side channel parallel to Rattlesnake Creek to offer diverse high quality freshwater spawning and rearing habitat for salmonids.

In-channel woody debris, boulders and riparian vegetation will provide cover, cooling and protection from predators. Rock and gravel placement will create riffles and falls to aerate the flowing water and encourage macro invertebrate colonization. The channel width, depth and flow rates will be varied to create sections with the characteristics best suited to salmonid propagation and growth at various maturation stages. The side channel will provide refuge for salmonids during the turbulent and high velocity flooding that Rattlesnake Creek experiences each spring.

All diverted water will return to Rattlesnake Creek at the end of the side channel, except for conveyance losses.

This project has benefitted from assistance from fisheries, habitat and wildlife biologists from the Yakama Indian Nation, the Yakima-Klickitat Fisheries Project, and Washington State Fish & Wildlife. It is located at the same site which is presently being used for a three year coho salmon acclimation project.

Anticipated length of time to complete your project:

The first stage is ready to implement at this time. It consists of diverting screened water from the existing irrigation canal, about 1,600 feet downditch from the existing headgate, into part of the final side channel, for the purpose of acquiring data regarding conveyance losses in the side channel.

The second stage involves additional construction to enable feeding of unscreened water into the entire side channel to test conveyance losses in the entire side channel. That construction may take a couple of months to complete. The data collection should continue over several years to cover varying seasonal conditions.

The final stage consists of fine tuning the side channel to create the best possible in-stream and riparian salmonid habitat with available material, time and funds. This fine tuning will take several years to substantially complete and will likely be an ongoing and evolving effort as new information and experience is gained.

At each stage, the conveyance loss data and habitat information will be used to determine the least amount of flow needed to accomplish the project goals.

For Ecology Use	APPLICATION NO: _____	SEPA: Exempt/Not Exempt		
	Fee Paid: _____	Check No: _____ ECY Coding: 001-001-WR1-0285-000011		
Date Returned _____	By _____	Priority Date _____	By _____	WRIA: _____

Water Use List all purposes for which water will be applied to a beneficial use and list quantity required for each.

Purpose(s) of Use	Rate (check one box only) X Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)	Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
Create side channel habitat for fish and wildlife, and in-channel conveyance loss	7 CFS	5,068 AFY	Continuously, but reduce to 4 CFS from April 15 to October 15.
TOTAL:	7 CFS	5,068 AFY	

Short Term/Temporary Water Use

Is this a request for a short term project (less than four months and non-recurring)? YES NO

Is this request for a temporary permit? YES NO

If yes to either question above, indicate the dates that the water will be needed:

Section 3. POINT OF DIVERSION OR WITHDRAWAL

(Complete A or B, and C below)

A.) If Surface Water Source	B.) If Ground Water Source
<input type="checkbox"/> Spring <input checked="" type="checkbox"/> Creek <input type="checkbox"/> River <input type="checkbox"/> Lake <input type="checkbox"/> Other: _____ Source Name: <u>Rattlesnake Creek</u> Tributary to: <u>Naches River</u> Number of proposed diversion points: <u>one</u> Do you have an existing diversion? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> Well(s) <input type="checkbox"/> Other: _____ Well diameter & depth: _____ Number of proposed points of withdrawal: _____ Do you have an existing well? <input type="checkbox"/> YES <input type="checkbox"/> NO If available, attach Water Well Report and pump test. Well Tag ID No. _____

C.) Point of Diversion/Withdrawal – Legal Description

Parcel No.	¼	¼	Section	Township	Range	County
<u>15150444003</u>	<u>SE</u>	<u>SE</u>	<u>4</u>	<u>15 N</u>	<u>15 E</u>	<u>Yakima</u>

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

214 Feet North and 1024 feet West from the SE corner of Section 4. (That's where the wing dam begins.)

320 Feet North and 920 feet West from the SE corner of Section 4. (That's where the headgate is.)

NOTE: If more than two points of diversion/withdrawal attach additional information on a separate sheet of paper.

Do you own the land on which the proposed point of diversion/withdrawal is located? YES NO

If no, do you have legal authority to make this application for use of another's land? YES NO

Provide the owner name(s), address, and phone number: Robert and Carol Inouye, 1780 Nile Road, Naches, WA

98937 509 658-2024

Section 4. PLACE OF USE

Attach a copy of the legal description of the property (on which the water will be used) taken from a real estate contract, property deed or title insurance policy, or copy it carefully in the space below.

Parcel No. 15150444003: Section 04 Township 15 Range 15 Quarter SE: BEG SE COR SE1/4, TH W 1320 FT, TH N 448.26 FT, TH N 39^E 1135.74 FT, TH N 536 FT, TH E 592 FT, TH S 1856 FT TO POB MH>REAL 1994 CO SER# VMHI2805W41389 (RCF TY 09)

Parcel No. 15150332001: TH PT OF W1/2 SW1/4 LY W'LY OF BETHEL RIDGE RD DESC AS FOL: BEG E LN SW1/4TH W'LY & S'LY TO S LN OF SW1/4 & END OFSD LN EX E 254.25 FT EX CO RD R/W

Parcel No. 15150331007: TH PT OF SW1/4 LY N OF BETHEL RIDGE RDEX W 1065.75 FT EX BEG 1824.7 FT N & 148.9 FT W OF S 1/4 COR, TH N 100 FT, TH W 300 FT, TH S 45^W 250 FT, TH W 75 FT, TH S 45^W 100 FT, TH S 200 FT, TH N 72^25'E 652 FT, TH N 148 FT TO BEG ALSO TH PT OF NW1/4 SE1/4 LY S OF CEN LN OF RATTLESNAKE CR & N OF BETHEL RIDGE RD R/W

¼	¼	Section	Twp.	Range	County	Parcel No.
SE	SE	4	15N	15E	Yakima	<u>15150444003</u>
SW	SW	3	15N	15E	Yakima	<u>15150332001</u>
SE	SW	3	15N	15E	Yakima	<u>15150331007</u>

Do you own all the lands on which the proposed place of use is located? YES NO.

If no, do you have legal authority to make this application for use of another's land? YES NO

Provide owner name(s), address, and phone number: _____

Are there any other water rights or claims associated with this property or water system? YES NO

If yes, provide the water right and/or claim numbers: Inouye: 7735 Carlisle: 0933 Champoux et al: 2304

Davis: 1635 Euteneier et al: 0965 Morris: 1643 Sveen: 1609 Terrace Cliffs Ranch: 1632

Thomson: 0964

All of these existing rights begin at the existing headgate on Rattlesnake Creek and flow through the existing irrigation ditch across the three above-mentioned parcels (and beyond).

Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map.

Section 5. WATER SYSTEM DESCRIPTION

Describe your proposed water system (include type and size of devices used to divert or withdraw water from source):
A wingdam in Rattlesnake Creek will feed water into a headgate, then into the new side channel. If possible the existing nearby wing dam and headgate will be used to also divert the new water for the new side channel.

Flow into the new side channel will be measured by a weir, flume, or other calibrated device.

From the headgate, the new side channel will primarily follow old abandoned creek beds or irrigation swales. The entire system will be gravity fed, with no pumps.

After traveling the length of the side channel, all water not lost in conveyance will exit back into Rattlesnake Creek, via an existing backwater area which used to be one of several channels in this braided system.

Section 6. DOMESTIC WATER SUPPLY SYSTEM INFORMATION

(Complete A or B, and C below)

DOES NOT APPLY

Section 7. IRRIGATION/STOCKWATER/OTHER FARM USES

DOES NOT APPLY

Family Farm Water Act (RCW 90.66):

Calculate the acreage in which you have a controlling interest, including only:

- Acreage irrigated under water rights acquired after December 8, 1977,
- Acreage proposed to be irrigated under this application, and
- Acreage proposed to be irrigated under other pending application(s).

Is the combined acreage under existing rights greater than 6000 acres? YES NO

Do you have a controlling interest in a Family Farm Development Permit? YES NO

Section 8. OTHER WATER USES

Hydropower

DOES NOT APPLY

Mining/Industrial Use

DOES NOT APPLY

Other Use

Fish and wildlife and conveyance loss. For details, please see the description in Section 2 above.

Section 9. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water? YES NO

Are you proposing to store more than 10 acre-feet of water? YES NO

Will the water depth be 10 feet or more? YES NO

If you answered yes to any of the above questions, please describe: _____

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point and some portion of the storage will be above grade, you must also complete an Application for Permit to Construct a Reservoir and a Dam Construction Permit and Application.

Section 10. DRIVING DIRECTIONS

Provide detailed driving directions to the project site: From Yakima, go west on Highway 410 for about half an hour. After Highway 410 becomes Nile Road at the Woodshed Restaurant, continue about 2 miles and then turn left at 1780 Nile road. Follow the driveway about 1 mile, keeping left where it branches. The driveway will dead end at the diversion point (wing dam, head gate, fish screen).

Site Address: 1780 Nile Road, Naches, WA 98937 509 658-2024

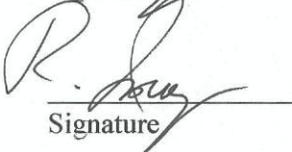
Section 11. REQUIRED SIGNATURES

I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though the employees of the Department of Ecology may have assisted me in the preparation of the above application, all responsibility for the accuracy of the information rests with me, the applicant.

Robert Inouye and Carol Inouye
Print Name
(Applicant or authorized representative)

  3-7-2010
Signature Date

Robert Inouye and Carol Inouye
Print Name
(Legal Owner or Part Owner Place of Use)

  3-7-2010
Signature Date

Please check the region in which the project is located:

<p>*Submit your application to: DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611</p>	<p><input checked="" type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490</p>	<p><input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Spokane, WA 99205-1295 (509) 329-3400</p>
	<p><input type="checkbox"/> Northwest Regional Office</p>	<p><input type="checkbox"/> Southwest Regional Office</p>