



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

March 31, 2005

David R & Karen Murray  
PO Box 1235  
Sunnyside WA 98944

**Re: Emergency Drought Permit No. G4-34513-05**

In accordance with the provisions of RCW 43.83B.405, on March 10, 2005, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

**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 WATER USE HEREIN AUTHORIZED.**

The Department of Ecology has agreed to fund the cost of the mitigation or offsets for the impacts associated with the drought emergency authorizations. Ecology is attempting to meet the essential irrigation needs of farmers growing perennial crops (such as orchard crops, grapes, hops, etc.) where the loss of irrigation water would permanently damage the crops. Through the use of emergency supplemental wells, Ecology is authorizing up to 80% of the usual irrigation water supply delivered by the irrigation districts.

This authorization is subject to the following limitations and provisions:

This authorization is for a proposed new well located approximately 1450 feet south and 30 feet east from the NW corner of Section 24 within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 24, T. 10 N., R. 23 E.W.M.

The instantaneous quantity of water to be withdrawn is limited to 250 gallons per minute.

The annual quantity authorized is based on 80% of the Rosa Irrigation District (the District) contracted delivery. In a normal year, the District is prepared to deliver 3 to 3.3 acre feet of water per acre. 80% of 3.3 acre-feet is 2.6 acre feet. The District is expected to deliver approximately 1 acre-foot of water. This authorization will allow an additional 1.8 acre-feet of water per acre. A total of 45 acre-feet of water per year is authorized under this emergency permit to irrigate 25 acres.

The place of use is described as follows:

Parcel A, Volume F of Short Plats, Page 13, Auditor's File 2412928, Yakima County, Washington.  
(Yakima County Parcel No. 23102423402)

**FILE COPY**



The well must comply with the following construction requirements and restrictions:

- (a) The casing shall be set or placed (not driven) twenty (20) feet into the first solid, un-fractured, nonporous, non-vesicular basalt flow occurring at or below 190 feet, whichever is greater.
- (b) The well annulus shall be pressure grouted utilizing cement grout as a sealing agent from the bottom of the casing to the land surface.
- (c) The well annulus shall be at least four (4) inches greater in diameter than the permanent casing.
- (d) The well depth shall terminate at or above a depth corresponding to the top of the Priest Rapids Member of the Wanapum Formation, which should be encountered at a depth of approximately 590 feet.
- (e) Installation of an airline and an access port for water level measurement is required.

Further, the applicant shall require the driller to collect and retain drill cuttings for Ecology to submit for laboratory analysis as follows:

The driller shall collect and retain basalt chip samples below the 200 foot depth every 20 feet and at significant changes in lithology. The depth each sample is taken from shall be recorded with the sample. Gross sample size should be large enough to provide a net minimum of 16 ounces of dry, clean, washed basalt chips from each sample. Staff from Ecology will pick up the samples during and/or at the conclusion of drilling and arrange for X-Ray Fluorescence Analysis. As soon as the drilling schedule is established, the applicant shall notify Anna Hoselton (509/454-7887) at Department of Ecology, Yakima, Washington, to go over any questions and arrange for site access by Ecology staff.

All other provisions of Chapter 173-160 WAC apply:

The new well shall be constructed by August 1, 2005. If the new well is not completed by August 1, 2005, you must notify Ecology and provide us with an estimated completion date and a statement describing how the well will be used to provide supplemental water this year. If the well cannot be completed in sufficient time to provide water this year, this emergency permit will be cancelled.

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).

A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with Chapter 173-173 WAC. (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 by November 15, 2005.

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

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

This drought emergency authorization expires on October 31, 2005.

This Order may be appealed pursuant to Chapter 43.21B RCW. Any person wishing to appeal this Order must file an appeal with the Pollution Control Hearings Board **within thirty (30) days of receipt of this Order**. Send the appeal to: Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. At the same time, a copy of the appeal **must** be sent to: Department of Ecology, Water Resources Appeals Coordinator, PO Box 47600, Olympia, Washington 98504-7600.

Sincerely,



Robert F. Barwin, Section Manager  
Water Resources Program  
Central Region Office

RFB:PNK:gg  
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Enclosures:    Flow Meter Requirements  
                  Your Right To Be Heard

cc:            Carroll Palmer, Director, Natural Resources Division, Yakama Nation  
                  Curt Hart, Water Resources Program, HQ