



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

August 1, 2005

Kennewick Irrigation District
Richard L. Evans
12 W Kennewick Ave
Kennewick WA 99336-3832

Re: Emergency Drought Permit No. G4-35037

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 (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. This Emergency Drought Application requests to use an existing well authorized under Ground Water Permit No. G4- 28095P. On April 18, 2005, Kennewick Irrigation District (KID) was authorized to use this same well in the amount of 450 gallons per minute and 44.7 acre-feet of water per year under Emergency Drought Authorization No. G4-34998. The annual quantity of 44.7 acre-feet has already been met this season. This authorization will allow a allow up to 350 gallons per minute and 151.7 acre-feet of water per year to supplement the 20,201 irrigated acres within the KID service boundaries.

This authorization is subject to the following limitations and provisions:

This authorization is for the use of an existing well located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T. 8 N., R. 29 E.W.M.

The instantaneous quantity of water to be withdrawn is limited to 350 gallons per minute.

A total of 151.7 acre-feet of water to irrigate various crops within the KID service area is authorized under this emergency permit.

The place of use is described as follows:

Lands within the boundaries of the Kennewick Irrigation District.

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.)

FILE COPY 

Whenever water is being withdrawn, 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.

The water sources and/or water transmission facilities may not be located entirely upon the land owned by the applicant. Therefore, the applicant is advised that issuance of a permit by this department for appropriation of the waters in question does not convey a right of access to, or other right to use, land which the applicant does not legally possess.

KID shall, beginning with the conclusion of the 2005 irrigation season (October 31st), collect monthly water levels from the Brinkley well for a period of 6 months if the well is put into use again for irrigation in 2006, or for 12 months if the well is not used for supplementary irrigation in 2006. After 12 months, bi-annual, spring and fall water levels shall be collected. One spring water level shall be taken prior to the onset of the irrigation season. Two fall water levels shall be taken: a dynamic level prior to the cessation of pumping for the season, and a static water level after the cessation of pumping for the season. All water level data shall be submitted to Ecology for technical staff review. Please contact Anna Hoselton, 509-454-7887 with any questions.

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.

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

This drought emergency authorization expires on October 31, 2005.

You have the right to appeal this decision to the Pollution Control Hearings Board. Pursuant to Chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this decision, your notice of appeal must contain a copy of the Ecology decision you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board
4224 - 6th Avenue SE Rowe Six Bldg 2
PO Box 40903
Lacey WA 98504-0903

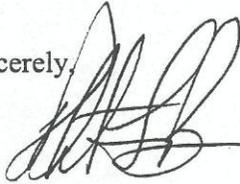
Your appeal must also be served on:

The Department of Ecology
Appeals Coordinator
PO Box 47608
Olympia WA 98504-7608

In addition, please send a copy of your appeal to:

Robert F. Barwin
Department of Ecology
15 W Yakima Ave Ste 200
Yakima WA 98902-3452

Sincerely,



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

PC:gg
050803

Enclosures: Water Measurement Requirements
Your Right To Be Heard

cc: Philip Rigdon, Deputy Director, Natural Resources Division, Yakama Nation
Curt Hart, Water Resources Program, HQ