



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

May 24, 2005

William G Evans  
PO Box 70  
Coviche WA 98923-0070

**Re: Emergency Drought Permit No. G4-35017**

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 (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.**

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. In a normal year, Roza Irrigation District (Roza) 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. Roza is expected to deliver approximately 0.84 acre-foot of water.

Ground Water Certificate No. G4-27032C authorized 244 acre-feet, or 0.08 acre-feet per acres, for the supplemental irrigation of 305 acres assessed by Roza. Ground Water Certificate No. G4-27805C authorized a second well for supplemental irrigation of the same property assessed by Roza under G4-27032C. Ground Water Certificate No. G4-29229C authorized 150.6 acre-feet, 0.80 acre-feet per acre, for the supplemental irrigation of an additional 188.3 acres assessed by Roza. A total of 394.6 acre-feet is authorized under these rights for supplemental irrigation of 493.3 acres assessed by Roza.

This Emergency Drought Authorization will allow an additional 1.0 acre-feet of water per acre for apple orchards receiving water from the Roza Irrigation District.

This authorization is subject to the following limitations and provisions:

The applicant proposes to use an existing well located approximately 300 feet north and 50 feet west from the west quarter corner of Section 36, within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 36, T. 11 N., R. 22 E.W.M. after it is modified.

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Modification is allowed to seal out the Grande Ronde aquifer and penetrate the casing to allow access to the Wanapum aquifer.

The well driller shall contact the CRO well construction coordinator prior to any modification or construction on the well and shall prepare a plan describing the work to be done.

The instantaneous quantity of water to be withdrawn under this emergency permit is limited to 2000 gallons per minute.

A total of 493.3 acre-feet of water per year to irrigate 493.3 acres of orchard is authorized under this emergency permit.

The place of use is described as follows:

493.3 acres assessed by the Roza Irrigation District within the Rattlesnake Ranch owned by William Evans located within Sections 26, 35, and 36, T. 11 N., R. 22 E.W.M.

All other provisions of Chapter 173-160 WAC apply.

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, weekly (every week) 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 season.

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

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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

RFB:gg  
050537

Enclosures: Flow Meter Requirements  
Your Right To Be Heard

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