



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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

July 19, 2001

Bailey Nurseries Inc
1700 Holmason Rd
Sunnyside WA 98944

Re: Amended Emergency Drought Permit G4-32989

In accordance with the provisions of RCW 43.83B.405, on March 14, 2001, 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 176-166-060, 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.

The applicant submitted an Emergency Drought application which is the subject of this report and assigned second application No. G4-32989. The applicant has an initial water right from the Rosa Irrigation District (RID) to irrigate 24 acres of orchard, 20 acres of tree nursery stock, and 39 acres of cover crop.

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 orchard crops, grapes and hops where the loss of irrigation water would permanently damage trees and vines. Essential needs have been defined as 75% to 80% of a usual irrigation water duty delivered by the irrigation districts.

This authorization is conditioned by the following provisions and limitations:

This authorization is for a new well located approximately 100 feet south and 10 feet west from the NE corner of Section 23 within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 10 N., R. 23 E.W.M.

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 200 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;

E COPY



- (c) The well annulus shall be at least four (4) inches greater in diameter than the permanent casing and;
- (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 630 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, WA., to go over any questions and arrange for site access by Ecology staff.

All other provisions of WAC 173-160 apply

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).

The quantity of water to be withdrawn is limited to 400 gallons per minute(gpm) and 88 acre-feet per year to irrigate 24 acres of orchard and 20 acres of tree stock nursery. This is based upon the instantaneous quantity requested and an annual quantity of 2 acre-feet per acre for orchard.

Water is to be used for supplemental irrigation of 44 acres of orchard and tree stock nursery from May 1 to October 31, 2001. The place of use is described as follows:

That portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ and that portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23 lying east of the Roza Canal within Section 23, T. 10 N., R. 23 E.W.M., Yakima County.

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 2001 irrigation season.

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

Bailey Nurseries Inc
July 19, 2001
Page 3 of 3

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, 2001.

Sincerely,

A handwritten signature in black ink, appearing to be 'RFB', with a long horizontal line extending to the right.

Robert F Barwin
Section Supervisor
Water Resources Program

DC:gg
010726

Enclosures: Flow Meter Requirements
cc: Yakama Indian Nation