STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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

May 7, 2001

Robert Charron
11530 Hwy 24
Moxee WA 98936

Re: Emergency Drought Permit G4-32977

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.

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 the use of an existing well located within the NE¼NW¼ of Section 13, T. 12 N., R. 20 E.W.M.

The instantaneous quantity of water to be withdrawn is limited to 1,500 gpm based upon the instantaneous quantity requested in the application.

The annual quantity authorized is based on the crop type. The applicant has described the crop type on the land as 307 acres of hops. Based on a supplemental crop duty of 1.25 acre-feet for hops, a total of 383.75 acre-feet per year is authorized under this emergency permit.

The place of use is described as follows:

Parcel A

The NE¼ of Section 13, T. 12 N., R. 20 E.W.M. lying North of State Route 24. Also the NE part of the SE¼ lying North of State Route 24. The E½NW¼ lying North of State Route 24 of Section 13, T. 12 N., R. 20 E.W.M. Also that part of the N½SE¼ lying North of State Route 24.

That part of the N½NE¼ of Section 14, T. 12 N., R. 20 E.W.M. lying North of State Route 24. Also that part of the S½NE¼ lying South of State Route 24 and North of the drain.

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.

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.
This Order may be appealed pursuant to RCW Chapter 43.21B. The person to whom this Order is issued 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, P.O. Box 40903, Olympia, Washington 98504-0903. At the same time, a copy of the appeal **must** be sent to: Department of Ecology, Fiscal Office, P.O. Box 47615, Olympia, Washington 98504-7615. All others receiving notice of this Order must file an appeal with the Pollution Control Hearings Board **within thirty (30) days of the date the Order was mailed** in the same manner described above.

Sincerely,

Robert F Barwin
Section Manager
Water Resources Program

PC:gg
010517

Enclosures: Flow Meter Requirements
cc: Yakama Nation