



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 1, 2005

Jeff Gamache Farms Inc
6509 Gamache Rd
Moxee WA 98936-9480

Re: Emergency Drought Permit No. G4-32975-05

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 subjected to the following limitations and provisions:

This authorization is for an existing well located within the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 3, T. 12 N., R. 20 E.W.M.

The instantaneous quantity of water to be withdrawn is limited to 1500 gallons per minute.

The annual quantity authorized is based on 80% of the Roza 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 2.64 acre feet. The District is expected to deliver approximately 0.84 acre-foot of water. This authorization will allow an additional 1.8 acre-feet of water per acre. The applicant is applying to irrigate 150 acres of apples and 120 acres of alfalfa. After looking at the Roza Irrigation district's 2003 assessment maps the applicant was assessed for a total of 270 acres. A total of 486 acre-feet of water year is authorized under this emergency permit.

The place of use is described as follows:

Yakima Parcel No. 201203-31004 Roza Ranch on Deeringhoff Road 240.39 acres E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 3, T. 12 N., R. 20 E.W.M, lying below the upper lateral of Roza Canal and the E $\frac{1}{2}$ SW $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section, 3 T. 12 N., R. 20 E.W.M. Except for that part lying in the county road.

 **FILE COPY** 

Yakima Parcel No. 201203-33406 Ranch on Beane Rd 7.5 Acres
Parcel '4' Book P-0061

Yakima Parcel No. 201203-21001 Deeringhoff Road 6.11 Acres
That part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 3, T. 12 N., R. 20 E.W.M. lying
below the upper lateral of Roza Canal; and to the E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 3,
T. 12 N., R. 20 E.W.M. Except for that part lying in the county road.

Yakima Parcel No. 201203-32001 Beane Road 34.31 Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Except 30 feet to county right of way and except South 330 feet of North
360 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T. 12 N., R. 20 E.W.M.

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

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.

This Order may be appealed pursuant to RCW Chapter 43.21B. 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, Dept. of Ecology

RFB:EH:gg
050403

Enclosures: Flow Meter Requirements
Your Right To Be Heard

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