



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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April 1, 2005

Frederic L Glover  
2271 Payne Rd  
Ellensburg WA 98926-8449

**Re: Emergency Drought Permit No. G4-32970-05**

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. In a normal year, Kittitas Reclamation District (KRD) is prepared to deliver 4 acre-feet of water per acre. 80% of 4 acre-feet is 3.2 acre feet. KRD is expected to deliver approximately 1 acre-foot of water. This authorization will allow an additional 2.2 acre-feet of water per acre for the apple and pear orchards and hay fields.

This authorization is subject to the following limitations and provisions:

This authorization is for an existing well located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 3, T. 16 N., R. 19 E.W.M.

The instantaneous quantity of water to be withdrawn is limited to 261 gallons per minute.

A total of 63.8 acre-feet of water per year to irrigate 29 acres of apples and pears and lawn is authorized under this emergency permit.

The place of use is described as follows:

That portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 3, T. 16 N., R. 19 E.W.M., Kittitas County, Washington, which is bounded by a line described as follows: Beginning at the southwest corner of said W $\frac{1}{2}$ NW $\frac{1}{4}$ , at which point is the true point of beginning; thence east along the south boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ , 1337.65 feet; thence north 0°04'20" west 789.83 feet; thence north 49°59'50" west

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211.14 feet; thence north 77°67'40" west 127.31 feet; thence south 86°34'40" west 292.18 feet; thence south 70°18'10" west 113.32 feet; thence south 49°11'50" west 301.89 feet thence south 71°37'30" west 235.43 feet; thence north 37°30'40" west 220.65 feet; thence south 88°15'50" west 58.04 feet; thence south 0°38'30" west 800.20 feet to the true point of beginning, EXCEPT the right of way of the county road.

AND that portion of the W½NW¼ of Section 3, T. 16 N., R. 19 E.W.M., Kittitas County, Washington, which is described as follows: Commencing at found brass cap monument marking the SW corner of the NW¼ of said section; thence N 00°38'30" E on the Westerly boundary line of the NW¼ of said section 800.20 feet to the SW corner of the parcel described in instrument recorded in Volume 106 of Deeds, Pages 623 and 624, records of Kittitas County, Auditor's File No. 427538, which is the point of beginning; thence on the following courses along the Southerly boundary of said parcel:

- a) N 88°15'50" E 58.04 feet;
- b) S 37°30'40" E 220.65 feet;
- c) N 71°37'30" E 235.43 feet;
- d) N 49°11'50" E 301.89 feet;
- e) N 70°18;10" E 113.32 feet;

Thence N 86°34'40" E along the Southerly boundary line of said parcel and of the parcel described in instrument recorded in Volume 97 of Deeds, pages 395 and 396, records of Kittitas County, Auditor's File No. 421868, a distance of 217.95 feet; thence N 02°32'38" W 477.97 feet to the Northerly boundary line of said parcel described in instrument recorded under said Auditor's File No. 427538 and to the Southerly right of way boundary line of the Kittitas Reclamation District's lateral known as the Turbine Lateral; thence N 68°57'00" W along said Southerly right of way boundary line 50.12 feet; thence S 66°15'01" W along said Southerly right of way boundary line 176.20 feet; thence Southwesterly along said Southerly right of way boundary line to its intersection with the Westerly boundary line of the NW¼ of said section; thence S 00°38'30" W along said Westerly boundary line 172.30 feet to the point of beginning.

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, 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.

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.

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This drought emergency authorization expires on October 31, 2005

This Order may be appealed pursuant to Chapter 43.21B RCW. 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

RFB:PNK:gg  
050404

Enclosures:   Flow Meter Requirements  
                  Your Right To Be Heard

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