

State of Washington
Department of Ecology
Yakima Washington

IN THE MATTER OF APPLICATION FOR CHANGE BY)
WASHINGTON WATER TRUST)
REQUESTING A CHANGE IN THE PLACE OF USE) Emergency Drought
AND POINT OF DIVERSION OF WATER USE UNDER) Change Authorization
GOLD CREEK ADJUDICATED CERTIFICATE NO 3.)
)

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 CHANGE AUTHORIZATION. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

Background

On June 8, 2001, Washington Water Trust filed an application to change a portion of existing water rights in Okanogan County to keep the water in Gold Creek. The application was assigned application number CS4-ADJ32VSP3@1.

WAC 173-166-080(2)(b) allows the state to authorize temporary transfers a water right from an out-of-stream use to an instream use. The Methow River runoff for the April-September period is forecast to be less than 50% of average. Instream flow conditions in tributary streams like Libby Creek will be more severe than on the main stem of the Methow River.

Gold Creek Adjudicated Certificate No 3

Gold Creek Adjudicated Certificate No. 3, with a decree date of May 7, 1929, was issued to Robert W McCall and authorizes the diversion of 1.88 cubic feet per second (cfs) for the irrigation of 80 acres from Gold Creek. The approximate point of diversion is located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T. 31 N., R. 22 E.W.M. The place of use is described as:

Lot 9 of Section 16; Lots 2 and 3 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, ALL in T. 31 N., R. 22 E.W.M.

The applicant proposes to change the irrigation of 80 acres of non-interruptible water rights of Gold Creek Adjudicated Certificate No. 3 to instream flows to stay in Gold Creek a tributary to the Methow River.

The point of diversion for Gold Creek Adjudicated Certificate No 3 will not be used as the water will remain in Gold Creek and the field shall remain fallow this irrigation season.

Approximately 80 acres of irrigation will not occur on the authorized place of use this year under Gold Creek Adjudicated Certificate No. 3, and it is proposed that this amount of irrigation water will remain in Gold Creek. According to the Washington Irrigation Guide, 2.08 acre-feet per acre are recommended to irrigate in the Methow area. The irrigation of 80 acres would require 166.4 acre-feet per year at .477 cubic feet per second (cfs) during the 154 day irrigation season.

Placement of water into trust in accordance with Ecology's Trust Water Guidelines requires, among other parameters of the trust water right, determinations of the total and consumptive water use and the "primary" and "secondary" reaches affected. An emergency decision does not provide the time necessary to evaluate all aspects of the guidelines. Therefore, the analysis leading to the trust water recommendations in this report is simplified and conservative. No primary reach is defined. The secondary reach is defined as the stream reach extending from the point of diversion downstream to the confluence of the Methow River with the Columbia River.

Conclusions and Decision

Authorizing these changes of water rights to keep water in the Methow River will not impair existing water rights.

This **DROUGHT EMERGENCY CHANGE DECISION** authorizes the transfer of water to irrigate 80 acres under Gold Creek Adjudicated Certificate No. 3 in Okanogan County Gold Creek.

An instantaneous quantity of .477 cfs is authorized to stay in Gold Creek.

Provisions

The following provisions shall apply to this change authorization:

Within 15 days of receipt of this authorization, the applicant shall submit a map to Ecology showing the lands (80 acres) formerly irrigated under Gold Creek Adjudicated Certificate No. 3 that will not be irrigated under this right.

This drought emergency authorization expires on October 31, 2001.

APPROVED BY:  _____ DATE: 7/24/2001
Robert F. Barwin, Section Manager

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Enclosure(s):