State of Washington
Department of Ecology
Yakima Washington

IN THE MATTER OF APPLICATION FOR CHANGE BY USDA FOREST SERVICE REQUESTING A CHANGE FROM A POINT OF DIVERSION TO A POINT OF WITHDRAWAL OF WATER UNDER SURFACE WATER CERTIFICATE NO. 7862	))))))	Emergency Drought Change Authorization

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 27, 2001, USDA, Forest Service filed an application to change an existing water right in Okanogan County to change the point of diversion to a point of withdrawal. Irrigation on their lands is authorized under existing non-interruptible water right from Eight Mile Creek. The application has been assigned number CS4-SWC7862.

Under WAC 173-166-070, Ecology may allow water users to obtain water from alternate sources during drought conditions. An application will be processed if the water user is receiving, or is projected to receive, less than seventy-five percent of normal water supply, as the result of natural drought conditions, for the previously established activity and experiencing, or is expected to experience, undue hardship as a result.

Surface Water Certificate No. 7862

Surface Water Certificate No. 7862 with a priority date of February 29, 1960 was issued to United States Forest Service and authorizes the diversion of 1.04 cubic feet per second (cfs), and 208 acre-feet per year for the irrigation of 52 acres from Eight Mile Creek. The point of diversion is located within the NW¼SE¼ of Section 23, T. 36 N., R. 21 E.W.M. The place of use is described as:

The E½SE¼, Section 23, T. 36 N., R. 21 E.W.M. and the NE¼NE¼ of Section 36 N., R. 21 EWM.

The applicant proposes to change the point of diversion from Eight Mile Creek to a proposed new well approximately 3490 feet down stream within the SE¼SE¼ of Section 23, T. 36 N., R. 21 EWM.

Conclusions and Decision

Authorizing this change of water right down stream to a well along Eight Mile Creek will not impair existing water rights.

This **DROUGHT EMERGENCY CHANGE DECISION** authorizes the change of the point of diversion from Eight Mile Creek under Surface Water Certificate No. 7862 to a proposed new well for the irrigation of 52 acres in Okanogan County described as follows:

The E½SE¼, Section 23, T. 36 N., R. 21 E.W.M. and the NE¼NE¼ of Section 36 N., R. 21 EWM. ← Should be NE¼, NE¼ of section 26 not 36

A water duty of 0.02 cfs or 10 gallons per minute (gpm) and 4 acre-feet per acre is authorized for use on the property or 1.04 cfs or 446.6 gpm and 208 acre-feet per year for 52 acres. The well may not be able to produce the authorized 446.6 gpm.

The proposed point of withdrawal is a proposed new well to be located approximately 750 feet north and 500 feet west from the SE corner of Section 23, within the SE¼SE¼ of Section 23, T. 36 N., R. 21 EWM.

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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 to be irrigated as a result of this change.

A measuring device approved by the Department of Ecology must be installed prior to use of the water.

Bi-weekly (every 2 weeks) readings of the measuring device shall be recorded and shall include the date and time of measurement, water flow rate, volume of water, and the name of the person taking the meter readings. Within 30-days of the end of this irrigation season, the permittee shall send a copy of this data to the Central Regional Office.

This drought emergency authorization expires on October 31, 2001.

APPROVED BY: _____ DATE: 7/13/2001
Robert F. Barwin, Section Manager

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Enclosure(s):