STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

November 3, 2005

Progressive Flats Water Assn
c/o Wayne Dezellem
7 Cherry Ln
Okanogan WA 98840-8226

Dear Mr. Griffin:

Re: Emergency Drought Permit No. CG4-GWC3838-A@1 – Progressive Flats Water Association

The Progressive Flats Water Association (PFWA) has two ground water rights that document the use of water for domestic use and stock watering. Ground Water Change No. CG4-GWC3838-A was issued to add a point of withdrawal (well) to an existing certificate, for a total of two points of withdrawal. The original point of withdrawal is a shallow well with perforated casing that has had problems with the perforations becoming obstructed. Now, due to a mild winter and low snow pack, water levels in the second well have been declining. This ground water source is not sufficient to meet the PWFA's water supply needs. The other water right owned by PFWA, G4-30573P, authorizes the withdrawal of 20 gallons per minute (gpm) and 6.3 acre-feet per year from the same two wells. This application requests the addition of an existing well used by the city of Omak to CG4-GWC3838-A.

The right that is the subject of this emergency drought request authorizes the appropriation of 50 gpm and 39 acre-feet per year. The existing well that PFWA proposes to add to this right is owned by the city of Omak and is covered under Ground Water Certificate No. 5327 for an appropriation of 650 gpm and 700 acre-feet per year.

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.

This temporary authorization is subject to the following limitations and conditions:

This authorization is for an existing well located within the NE¼ of Section 9, T. 33 N., R. 26 E.W.M.

The instantaneous quantity of water to be withdrawn under this authorization is 50 gpm. This quantity is in addition to the 650 gpm authorized under Ground Water Certificate No. 5327.

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The annual quantity of water to be withdrawn under this authorization is 39 acre-feet for continuous domestic supply. This quantity is in addition to the 700 acre-feet per year authorized under Ground Water Certificate No. 5327.

The place of use is described as follows:

The area served by Progressive Flat Water Association within Sections 4, 5, and 9, T. 33 N., R. 26 E.W.M., Okanogan County, Washington.

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 withdrawn, weekly 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 January 15, 2006.

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 December 31, 2005.

You have the right to appeal this decision to the Pollution Control Hearings Board. Pursuant to Chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this decision, your notice of appeal must contain a copy of the Ecology decision you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board
4224 - 6th Avenue SE Rowe Six Bldg 2
PO Box 40903
Lacey WA 98504-0903

Your appeal must also be served on:

The Department of Ecology
Appeals Coordinator
PO Box 47608
Olympia WA 98504-7608

In addition, please send a copy of your appeal to:

Robert F. Barwin
Department of Ecology
15 W Yakima Ave Ste 200
Yakima WA 98902-3452

Sincerely,

Robert F. Barwin, Section Manager
Water Resources Program
Central Region Office

RFB:MS:gg
051114

Enclosures: Flow Meter Requirements
Your Right To Be Heard

cc: Curt Hart, Water Resources Program, HQ
Lois Trevino, Water Administrator, Office of Environmental Trust, Colville Confederated Tribes