



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

April 29, 2005

John and Lorraine Clees  
1941 Hwy 153  
Carlton WA 98814-9009

**Re: SEASONAL CHANGE Authorization, Gold Creek Adjudicated Certificate No. V, Page 9**

This authorization is in response to an application for change requesting a SEASONAL CHANGE of point of diversion to a well for Gold Creek Adjudicated Certificate No. V, Page 9. The authorized point of diversion is located on a side channel of the Methow River as a result of an earlier change application which moved the point of diversion from Gold Creek to the Methow River. The side channel is being abandoned by the main channel as the Methow River migrates to the east away from the Clees diversion. This situation has recently gotten worse as a logjam has blocked the entrance to the side channel. As the water in the Methow River recedes during this drought year, the side channel to the Clees diversion may go dry. The applicant has requested to drill a well to obtain his authorized irrigation water.

Gold Creek Adjudicated Certificate No. V, Page 9 authorizes John and Lorraine Clees to divert 0.90 cubic feet per second and 180 acre-feet per year to irrigate 45 acres from April 15 to September 15. This is one of three overlapping water rights on the property. The irrigated acreage consists of 17 acres of orchard and the remainder in pasture and alfalfa.

The authorized point of diversion is located 750 feet south and 500 feet west from the northeast corner of Section 7, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  in Government Lot 2 of Section 7, T. 31 N., R. 22 E.W.M.

The proposed well is to be located approximately 750 feet south and 85 feet from the NE corner of Section 7, within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  in Government Lot 2, Section 7, T. 31 N., R. 22 E.W.M. This proposed well would be approximately 85 feet west of the authorized point of diversion and close to the existing pump works.

The well will be used for Superseding Adjudicated Certificate V, Page 9, and Surface Water Certificate Nos. 9226 and S4-23803C (concurrent changes to the other overlapping water rights).

The place of use is described as that portion of Government Lot 2 lying south of the state highway and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 7, T. 31 N., R. 22 E.W.M.

This authorization is subject to the following limitations and provisions:

Adjudicated Certificate V, Page 9 has the following provision which is also pertinent to this authorization, "This certificate can only be exercised when the authorized quantity of water is available from Gold Creek at the original point of diversion. Surface Water Certificate Nos. 9226 and No. S4-23803C have issued for the above described place of use and adjoining land and jointly authorize the diversion of an additional 1.56 cfs for irrigating a total of 78 acres."

The proposed point of withdrawal is to be located approximately 750 feet south and 585 feet west from the NE corner of Section 7, within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  in Government Lot 2, Section 7, T. 31 N., R. 22 E.W.M.



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The quantity of water to be withdrawn under this SEASONAL CHANGE and the change authorized for Surface Water Certificate No. 9226, is limited to 512 gpm and a maximum of 255 acre-feet to irrigate 70 acres under both rights for the irrigation season.

The place of use is described as that portion of Government Lot 2 lying south of the state highway and the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 7, T. 31 N., R. 22 E.W.M.

The new well shall be constructed by August 1, 2005. If the new well is not completed by August 1, 2005, you must notify Ecology and provide us with an estimated completion date. If the well cannot be completed in sufficient time to provide water this year, this seasonal change will be cancelled.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and WAC Chapter 173-160-075 through 173-160-305 (Minimum Standards for Construction and Maintenance of Water Wells).

The well construction is restricted to the unconsolidated alluvial aquifer in continuity with the Methow River.

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, 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 SEASONAL CHANGE will terminate on October 1, 2005, unless sooner revoked by the Director of the Department of Ecology. This SEASONAL CHANGE approval shall in no manner imply or be construed to guarantee that a final (regular) change approval will issue OR that the same limitations or conditions will apply if final approval is given. The application to change Gold Creek Adjudicated Certificate No. V Page 9 by changing the point of diversion was submitted to the Department of Ecology on April 15, 2005. To receive an expedited decision on the applications to change the Point of Diversion to a well, the applicant may submit the applications to the Okanogan County Conservancy Board for processing.

John and Lorraine Clees  
April 29, 2005  
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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:gg  
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Enclosures:    Flow Meter Requirements  
                  Your Right To Be Heard

cc:     Carroll Palmer, Director, Natural Resources Division, Yakama Nation  
         Lois Trevino, Water Administrator, Office of Environmental Trust, Colville Confederated Tribes