

State of Washington
Department of Ecology
Yakima Washington

IN THE MATTER OF APPLICATION FOR CHANGE BY)
THE KITTITAS RECLAMATION DISTRICT)
REQUESTING A CHANGE IN THE PLACE OF USE) Emergency Drought
UNDER COURT CLAIM NO. 00891) Change Authorization
CAUSE NO. 77-2-01484-5)

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.

Governor Locke authorized the director of the Department of Ecology to declare a statewide drought emergency on March 14, 2001. The Yakima Valley is experiencing severe drought impacts in this 2001 water year. The US Bureau of Reclamation's (Reclamation) June 1 forecast of Total Water Supply Available (TWSA) predicts that the Yakima Project's pro-ratable water right holders are likely to receive only 30% of their full water supply amount this irrigation season. The Kittitas Reclamation District is one of the junior water rights and will be subject to this pro-ration during the 2001 irrigation season.

The Cascade Irrigation District, under Court Claim 00891, has been confirmed a water right to divert 35,612 acre-feet of water for irrigation of 12,446.3 acres, stockwater, and other uses. The instantaneous diversion rate varies depending on the month.

Under this application for change, five parcels of land within the Cascade Irrigation District, totaling 42.7 acres will be left fallow this year. This application proposes to transfer the water that would be used to irrigate these lands to property owned by Ben Kern located within the Kittitas Reclamation District. Mr. Kern's KRD assessed orchard lands are located within the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 34, T. 17 N., R. 19 E.W.M. Mr. Kern proposes to pump directly from the Cascade Irrigation District's canal to the property within KRD.

The following is a list of the pasture lands under CID that will be fallowed:

1. Owner: Charles Stafford d.b.a. Therapy Works, Inc.
Legal: NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T. 17 N., R.19 E.W.M.
Current land use: Pasture
Acres to be fallowed: 4
Charles Stafford will retain about 2 acres for his own use
2. Owner: Barbara Deaderick
Legal: SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.17 N., R. 19 E.W.M.
Current land use: Pasture
Acres to be fallowed: 15.54
This represents 100% of the Deaderick pasture land
3. Owner: Harold Fish (being purchased by David Tozer)
Legal: NW $\frac{1}{4}$ of Section 33, T. 17 N., R. 19 E.W.M.
Current land use: Pasture
Acres to be fallowed: 8.34
This represents 100% of the Fish/Tozer pasture land
4. Owner: Gene Luck
Legal: S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T. 17 N., R. 19 E.W.M.
Current land use: Pasture
Acres to be fallowed: 8.33
This represents 100% of the Luck pasture land
5. Owner: Bentley Kern
Legal: NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T. 17 N., R. 19 E.W.M.
Current land use: Pasture
Acres to be fallowed: 6.5

The Bureau of Reclamation has reviewed this proposal and concluded that reservoir and project operations would not be negatively impacted by the proposed transfer. This proposal has also been reviewed and approved by the Conservation Advisory Group.

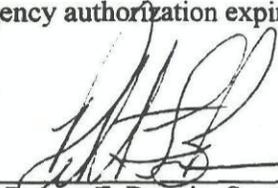
Conclusions and Decision

The proposed change of place of use will not impair existing water rights and is not contrary to the public interest.

This **DROUGHT EMERGENCY CHANGE DECISION** authorizes the transfer of up to 0.85 cfs and 85.42 ac-ft, for the irrigation of 42.7 acres from June 14, 2001 through the 2001 irrigation season.

The authorized place of use is land within the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 34, T. 17 N., R. 19 E.W.M.

This drought emergency authorization expires on September 30, 2001.

APPROVED BY: 
Robert F. Barwin, Section Manager

DATE: 6/11/2001