



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

March 26, 2015

Worsham Farms
2690 SR-17
Mesa, WA 99343

Dear Mr. Worsham:

Re: Application for Change/Transfer under Ground Water Certificate No. G3-24973C
FRAN-14-02

On February 11, 2015, our office received from the Franklin County Water Conservancy Board a Record of Decision and Report of Examination for the above referenced application for change/transfer of a water right certificate. In accordance with RCW 90.80.080 the Department of Ecology (Department) has reviewed the Record of Decision and Report of Examination and has considered all comments, protests, objections, and other relevant information submitted to the Department regarding the proposed change/transfer.

The Department has **modified** the decision of the Board and the proposed change/transfer of water right is **approved** under the following conditions:

Summary of Ecology's Final Order

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	1600	639	Irrigation of 175 acres from January 1 to December 31				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
Two (2) Wells							
AT A POINT LOCATED:	¼	¼	SECTION	TOWNSHIP	RANGE	WRIA	COUNTY
Well #1	SE¼NW¼	SE¼	10	9 N.	30 E.	36	Franklin
Well #2	NE¼	NE¼	15	9 N.	30 E.	36	Franklin
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
155 acres in the SE¼ of Section 10 and 20 acres in the NE¼NE¼ of Section 15 lying northeast of the power line corridor, All in T. 9 N., R. 30 E.W.M. ALL IN Franklin County, Washington							

On page 3 of the Report of Examination under the heading "**Water Board Decision**" the decision lists three different water right certificates. Separate applications for change are required for each water right proposed for change therefore each "Board Decision" documented in the Report of Examination shall only relate to the subject water right. **Ecology modifies the decision/recommendation for Ground Water Certificate No. G3-24973C as stated above.**



On page 3 of the Report of Examination under the heading "DESCRIPTION OF PROPOSED WORKS" the first paragraph reads: "The existing certificates are being used for irrigation of hay and row crops. Irrigation will continue on the existing place of use and within a new place of use amounting to about 57.5 acres." **Ecology modifies this paragraph to read: Ground Water Certificate G3-24973C is being used for irrigation of hay and row crops. Irrigation is proposed to continue on the existing place of use and add additional irrigation of 20 acres.**

On page 4 of the Report of Examination under the heading "DEVELOPMENT SCHEDULE" and sub-heading "BEGIN PROJECT BY THIS DATE" reads: "Immediately". **Ecology modifies the date to be; May 1, 2015.**

On page 5 of the Report of Examination under the heading "BACKGROUND" the third paragraph reads; "The existing water rights are being used for irrigation of hay and row crops. Irrigation will continue on the existing place of use and within a new place of use amounting to about 57.5 acres." **Ecology modifies this to read; The three (3) existing certificates listed above are currently being used for irrigation of hay and row crops. Irrigation will continue on the existing places of use and annual consumptive quantity will be calculated on the individual certificates to spread to the proposed additional acres.**

On page 8 of the Report of Examination under the heading "New Irrigation Use" the first paragraph reads; "The applicant intends to spread the existing water use to (up to) 57.5 acres, using a water duty consistent with local area cropping types, where high efficiency water application measures are being used consistent with the CSRIA Best Management Practices (CSRIA.org) and the irrigation scheduling and monitoring practices designed within the CSRIA Conservation O&M Program (see attachments)." **Ecology modifies this paragraph to read; The applicant intends to spread the existing water use from Ground Water Certificates G3-24972C, G3-24973C and G3-24661C to a total of 57.5 additional acres.**

On page 8 of the Report of Examination under the heading "Hydrologic, and other technical investigations" the fifth point reads; "And Fifth, the change will not increase water use relative to the existing allowed use. No increase in the combined Qa or Qi of the existing certificates will occur. The change wil [sic] not create impairment or cause detrimental environmental impacts." **Ecology modifies this paragraph to read; No increase in either the QI of the QA is allowed under a proposed application for change/transfer.**

On page 12 of the Report of Examination under the heading "FINDINGS AND CONCLUSIONS" the last sentence under the second paragraph reads; "The change/transfer request will not increase the allowed water rights; the change/transfer will not increase allowed consumptive use from the designated sources, as allowed by the water code per RCW 90.44." **Ecology modifies this sentence to read; The change/transfer request will not increase the calculated consumptive use of the water right as allowed by the RCW 90.03.380.**

On page 12 and continued on page 13 of the Report of Examination under the heading "RECOMMENDED PROVISIONS" provision numbers four (4), five (5), six (6), nine (9), eleven (11), twelve (12) and thirteen (13) shall be **deleted.**

On page 12 and continued on page 13 of the Report of Examination under the heading **"RECOMMENDED PROVISIONS"** the following provisions shall be included:

- **Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.**
- **A certificate of water right will not be issued until a final examination is made."**
- **A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained.**
- **The water quantities and uses recommended and/or the number of acres to be irrigated may be reduced at the time of issuance of a final water right commensurate with the capacity of the installed system and the uses and/or the number of acres actually irrigated.**
- **Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.**
- **An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.**
- **The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements.**
- **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.**

On page 14 of the Report of Examination below the signature block reads; "Chairman, Franklin Benton County Water Conservancy Board." Ecology modifies this to read; **Chairman, Franklin County Water Conservancy Board.**

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this decision:

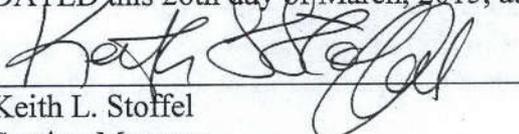
- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State Legislature Website: <http://www.l.wa.gov/CodeReviser>.

DATED this 26th day of March, 2015, at Spokane, Washington.


Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS:HS:ka
Enclosure: Your Right to Be Heard

By Certified Mail 7012 3460 0002 8022 8470

cc: Franklin County Water Conservancy Board