



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 23, 2015

Cynthia Krass
Snoqualmie Valley Preservation Alliance
PO Box 1148
Carnation, WA 98014

**Re: APPROVED Drought Seasonal Change Authorization for G1-126873CL, King County,
Water Resources Inventory Area 7**

Dear Ms. Krass:

In accordance with the provisions of RCW 43.83B.405, on May 21, 2015, it was determined and ordered by Director Maia Bellon of the Department of Ecology, and Governor Jay Inslee, that the entire State of Washington is under drought conditions. In accordance with the provisions of WAC 173-166-080, the Department of Ecology (Ecology) is, under the terms of this Order, issuing a **DROUGHT SEASONAL CHANGE AUTHORIZATION** for G1-126873CL. The intent of this Authorization is to reduce a hardship on a downstream water user arising from the drought conditions.

THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) CHANGE AUTHORIZATION WILL ISSUE FOR THE FUTURE USE OF THE WATER HEREIN AUTHORIZED.

Ecology received your application for a drought seasonal change on July 14, 2015. The subject drought change application has been assigned control number **CG1-126873CL@2**. Please refer to this number when corresponding with us about this Authorization.

BACKGROUND INFORMATION

G1-126873CL is a water right claim filed by Tall Chief Associates Limited in June 1974, attesting to pre-code (RCW 90.44) vested rights to groundwater. The quantities of water claimed were 200 gallons per minute (gpm) and 320 acre-feet per year (afy). The quantities listed as presently used were 175 gpm and 280 afy. The purpose of use was listed as irrigation, from March 1 through November 1. The point of withdrawal (POW) was listed as being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 24 North, Range 7 East, W.M. The POW was described as being 1650 feet south and 600 feet west from the northeast quarter corner of said Section 5. The place of use (POU) was described as the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 5, Township 24 North, Range 7 East, W.M.

In 2013, at the request of John Tomlinson of Tall Chief Golf, G1-126873CL was temporarily placed into the Washington State Trust Water Rights Program. Mr. Tomlinson had provided water use information attesting to the use of up to 150 gpm and 96.9 afy during the previous five years of



beneficial use. Ecology accepted the temporary donation for the specified quantities for groundwater preservation and to enhance the flows of the Snoqualmie River.

The POU and G1-126873CL are now owned by the King County Department of Natural Resources and Parks (DNRP), Water and Land Resources Division. On July 10, 2015, Christie True, DNRP Director, sent Ecology a written request to have G1-126873CL removed from the Trust Program. Ms. True wrote that King County will not be exercising G1-126873CL during the 2015 irrigation season, and wish to make it available during this time of drought for growers in the Snoqualmie Valley. On July 15, 2015, Ecology removed G1-126873CL from the Trust Program.

Under the subject application you requested, with Ms. True's approval, to transfer a portion of G1-126873CL to a property known as Experience Farming Project (EFP), owned by David Andrews and Claire Foster.

On July 22, 2015, Buck Smith (Senior Hydrogeologist) of my staff met with you and Sean Stratman (EFP Manager). Mr. Stratman provided a tour of the project and explained the proposed diversion from the Snoqualmie River by use of a tractor-operated power takeoff pump (PTO). The PTO will provide irrigation water through hoses, sprinklers, and drip lines to the project.

Your requested changes are as follows:

- A transfer not to exceed 50 gpm (0.11 cubic feet per second).
- A seasonal volume not to exceed 5 acre-feet.
- For irrigation of up to 7 acres.
- An end date of October 1, 2015.
- A point of diversion from the Snoqualmie River, approximately 6 miles downstream of the original POW. It will be located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 26 North, Range 7 East (parcel #3126079019).
- A POU located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 26 North, Range 7 East (parcel #3126079019) and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 26 North, Range 7 East (parcel #3226079031).

DEPARTMENT OF ECOLOGY DECISION - INCLUDING TERMS & CONDITIONS

Your request for a drought seasonal change in the place of use and point of diversion for the 2015 irrigation season is hereby **APPROVED** under the terms and conditions listed below.

This drought seasonal change does not authorize an enlargement of water use or total irrigated acres as described in G1-126873CL.

The instantaneous rate under this Authorization shall not exceed 50 gpm (0.11 cubic feet per second).

The total volume used under this Authorization shall not exceed 5 acre-feet.

Suitable flow measuring devices or methods must be utilized to ensure the limits of this

Authorization are not exceeded.

This drought seasonal change is subject to existing rights, including any rights held by the United States for the benefit of tribes under treaty or settlement. By ensuring no enlargement of the rate of water use or the number of irrigated acres, this Authorization should have no greater impact on tribal rights than the original Authorization.

If it can be shown that water use authorized by this seasonal change is causing impairment of existing rights or is being used illegally, then this Authorization will be immediately canceled.

This seasonal change does not convey a right of access to, or other right to use land, which you do not legally possess. Obtainment of such a right is a private matter between you and the owner of the land.

Violation of any of the terms and conditions of this seasonal change will result in this Authorization being immediately canceled, issuance of administrative orders to cease and desist, and may also subject the violator to civil penalties.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, point of diversion, measuring device, and associated distribution systems for compliance with water law.

The diversion intake shall be screened in accordance with Washington Department of Fish and Wildlife screening criteria. See: <http://wdfw.wa.gov/about/contact/>

This drought seasonal change shall be in effect through October 1, 2015 (unless canceled sooner); at which time the subject right will revert back to the original attributes described in G1-126873CL.

If you have any questions or concerns regarding this Authorization, please contact Buck Smith at buck.smith@ecy.wa.gov or (425) 649-7147.

OPPORTUNITY TO APPEAL

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. 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 document:

File your appeal and a copy of this document 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 document 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.

Cynthia Krass
Snoqualmie Valley Preservation Alliance
Seasonal Change Authorization CG1-126873CL@2
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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 P.O. Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board Environmental Hearings Office 1111 Israel Road SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board P.O. 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://www1.leg.wa.gov/CodeReviser>

Signed at Bellevue, Washington, this 23rd day of July, 2015.



Thomas Buroker
Section Manager
Water Resources Program

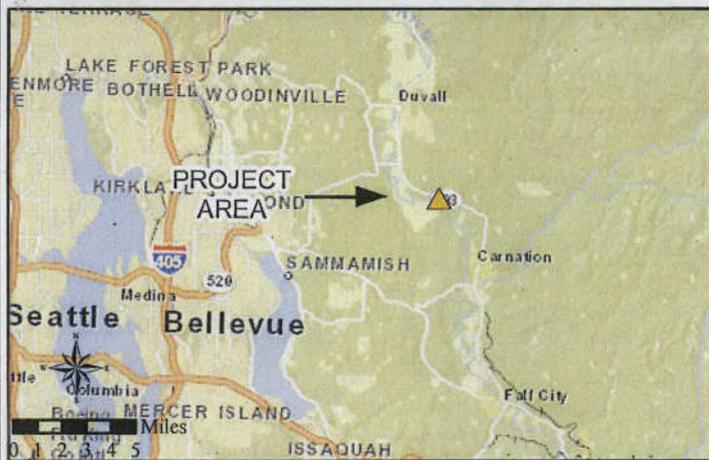
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Enclosures: Your Right to be Heard

By Certified Mail: 9171 9690 0935 0088 4619 74

cc: Steve Evans, Farm Specialist, King County DNRP, Water and Land Resources Division
David Andrews & Claire Foster

ATTACHMENT 1



Legend

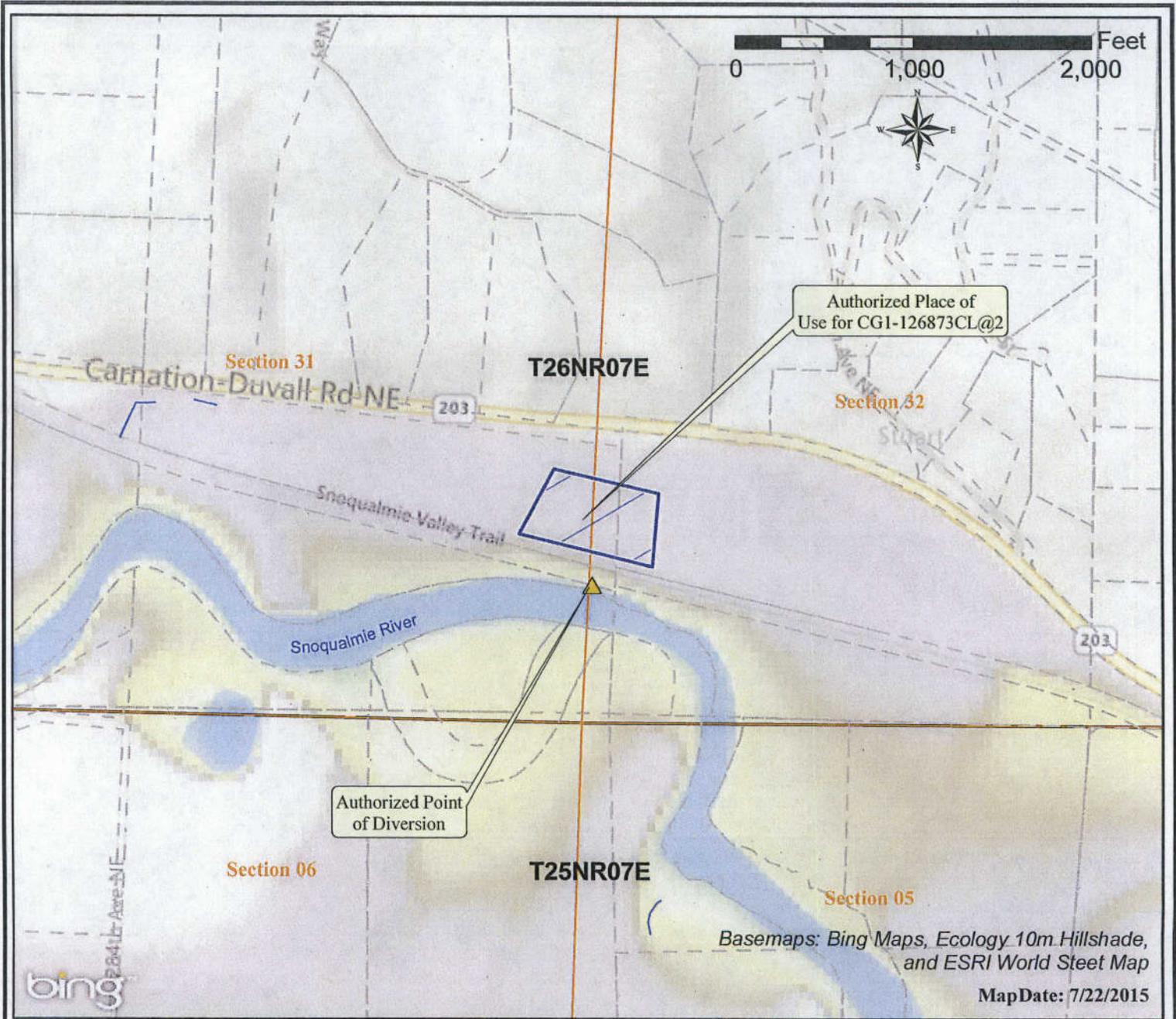
-  Authorized Place of Use
-  Water Body
-  Authorized Point of Diversion
-  King County Parcels
-  Townships
-  Sections



Cynthia Krass, Snoqualmie Valley Preservation Alliance
 Water Right CG1-126873CL@2
 Section 31 T 26N R 07E W.M.
 WRIA 7 - King County

Place of use and point(s) of withdrawal are as defined on the cover sheet under the headings, 'LOCATION OF WITHDRAWAL' and 'LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED.'

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Legend

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 Water Right CGI-126873CL@2
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