STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

Lower Stemilt Irrigation District
4597 Stemilt Hill Road
Wenatchee, WA 98801

RE: Temporary Drought Change Authorization No. CS4-SWC9231@1-15

In accordance with the provisions of RCW 43.83B.405, on March 17, 2015, 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 173-166-080, the Department of Ecology is, under the terms of this Order, issuing a TEMPORARY DROUGHT CHANGE AUTHORIZATION. 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) CHANGE AUTHORIZATION WILL ISSUE FOR THE FUTURE USE OF THE WATER USE HEREIN AUTHORIZED.

The applicant (Lower Stemilt Irrigation District) is requesting to transfer that portion of Surface Water Certificate No. SWC 9231 owned by Kyle Mathison and Steven Shifflett, for supplemental irrigation from a diversion located within Lot 5 of Section 33, T. 36 N., R. 30 E.W.M. to an existing diversion located within the SW¼SE¼ of Section 19, T. 22 N., R. 21 E.W.M in order to supplement the water supply provided under existing rights. The application indicates that the subject water right has had a previous, permanent, change application recently filed with Ecology, which was processed and approved by Ecology's Office of Columbia River (OCR) under CS4-SWC9231. CS4-SWC9231 proposed to change SWC 9231 in the purpose of use to instream flow and convey water into the State's Trust Water Right Program (Trust). The proposal was published for public notice in accordance with public notice requirements in March of 2014. No protests were filed with Ecology. A tentative determination on validity and extent was conducted by OCR during the processing of CS4-SWC9231, and processing of the subject drought change application will not disturb those findings. The subject drought change application proposes to transfer the instream flow values found under CS4-SWC9231 to the proposed diversion identified above. Ecology (Water Resources) notes that OCR's decision on CS4-SWC9231 issued on April 13, 2015, and no appeals were filed.

The change authorization under CS4-SWC9231 approved 0.29 cubic feet per second (cfs) and 54 acre-feet per year (ac-ft/yr) for instream flow for the secondary reach. The values were further limited by monthly values such:

Monthly Trust Water Quantities and Rates

	May	June	July	August	September	October	Total
WIG (inches)	1.98	6.11	8.68	7.2	4.32	0.27	28.56
% WIG	6.9	21.4	30.4	25.2	15.1	0.9	100.0
Qa (ac-ft)	3.7	11.6	16.4	13.6	8.2	0.5	54.0
Qi (cfs)	0.1	0.2	0.3	0.2	0.1	0.01	N/A

Due to the timing of application submittal, this authorization APPROVES only those values for August, September, and October, for a total of 22.3 ac-ft (13.6 ac-ft + 8.2 ac-ft + 0.5 ac-ft) at a maximum diversion rate of 0.2 cfs for August, 0.1 cfs for September, and 0.01 cfs for October.

The point of diversion (POD) is approved such:

- Within the SW¼SE¼ of Section 19, T. 22 N., R. 21 E.W.M

The place of use is:

- Land served by the LSID within said District's boundaries. A more precise description of those lands is available upon request from Ecology's Water Resources Program's Central Regional Office, located in Union Gap, Washington.

This temporary drought change authorization is subject to the following limitations and provisions:

- The irrigation water authorized to be diverted is an alternate source supply to an existing portfolio of rights held by the LSID. Hence, the only water permitted for diversion is that required to compensate for any deficit in this supply. This amount shall not exceed 22.3 acre-feet, being diverted at a maximum rate of 0.2 cfs.

- Water used as irrigation under SWC 2532 at the original place of use shall immediately cease for the remainder of 2015.

- A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with WAC 173-173.

- 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 Ecology by December 1, 2015.

- 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.

- Diversion of water under this authorization may be limited or otherwise regulated in favor of senior rights.

- **This temporary drought change authorization expires on October 31, 2015.**

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. 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 the Order.

File your appeal and a copy of this Order 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 Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail 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 RD SW Ste 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://www1.leg.wa.gov/CodeReviser.

Signed at Yakima, Washington, this 6 day of AUGUST 2015.

THOMAS PERKOW FOR SAGE PARK

Sage Park, Section Manager
Water Resources Program
Central Regional Office

SP:TP:JR
150810/WRTS 6675426

Enclosure: Your Right To Be Heard

By certified mail: 7014 3490 0001 5527 5584

cc: Marc Marquis