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File NR CS3-28590J(A)
WR Doc ID 4228391

DEPARTMENT OF ECOLOGY
State of Washington

State of Washington
REPORT OF EXAMINATION
FOR WATER RIGHT CHANGE

PRIORITY DATE
1901 (Class 39)

WATER RIGHT NUMBER
WWRAC 590(A)

MAILING ADDRESS
Richard Czyhold
4075 W. Highway 12
Walla Walla, WA 99362

SITE ADDRESS (IF DIFFERENT)

Quantity Authorized for Diversion

DIVERSION RATE		UNITS	ANNUAL QUANTITY (AF/YR)
0.1165	April 1 to July 1	CFS	33.83
0.085	July 1 to October 1		
0.175	October 1 to April 1		

Purpose of Use

PURPOSE	DIVERSION RATE ADDITIVE	DIVERSION RATE NON-ADDITIVE	UNITS	ANNUAL QUANTITY (AF/YR) ADDITIVE	ANNUAL QUANTITY (AF/YR) NON-ADDITIVE	PERIOD OF USE (mm/dd)
Irrigation	See above		CFS	33.83		Year around

IRRIGATED ACRES PRIMARY	IRRIGATED ACRES NON-ADDITIVE	PUBLIC WATER SYSTEM INFORMATION WATER SYSTEM ID	PUBLIC WATER SYSTEM INFORMATION CONNECTIONS
8.65 acres within 26.4 acres of POU	0		

Source Limitations

SOURCE FACILITY/DEVICE	DIVERSION RATE (CFS)	ANNUAL QUANTITY (AF/YR)	PERIOD OF USE (mm/dd)
Mill Creek	0.1165	**33.83**	April 1 – July 1
	0.085		July 1 – October 1
	0.175		October 1 – April 1

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Walla Walla	Mill Creek	Walla Walla RIVER	32-Walla Walla

SOURCE FACILITY/DEVICE	PARCEL	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Mill Creek	350727120006	7 N.	35 E.	27	SW¼NE¼	46.05857	-118.41917

Datum: WGS84

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

350727120006

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Beginning at a point where Highway 12, is intersected by a line draw parallel to and 118.0 feet East of the North and South center line of Sec. 27 in T.7 N., R.35 E.W.M., said point being in the NW¼NE¼ of Sec. 27, and running thence South on a line drawn parallel to and 118.0 feet East of the North and South center line of Sec. 27, 1000 feet, more or less, to the intersection thereof with the center of the channel of Mill Creek; thence Southwesterly along the center of the channel of Mill Creek to the intersection thereof with the East and West center line of Sec. 27; thence West to a point in the centerline of Highway 12; thence Northeasterly, along the center line of Highway 12, to the point of beginning

Proposed Works

Pump, pipes, meter, fish screen

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Begun	Completed	In use

Measurement of Water Use

How often must water use be measured?	Weekly
How often must data be reported to Ecology?	Upon Request by Ecology
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Diversion (cfs)

Provisions

Measurements, Monitoring, Metering and Reporting

An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.

WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

Department of Fish and Wildlife Requirement(s)

The intake(s) shall be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria. http://wdfw.wa.gov/about/contact/

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Water Use Efficiency
The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

Proof of Appropriation
The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the permit. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Schedule and Inspections
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, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

Findings of Facts
Upon reviewing the investigator's report, I find all facts, relevant and material to the subject application, have been thoroughly investigated. Furthermore, I concur with the investigator that water is available from the source in question; that there will be no impairment of existing rights; that the purpose(s) of use are beneficial; and that there will be no detriment to the public interest.

Therefore, I ORDER approval of Application for change to WWRAC 590(A), subject to existing rights and the provisions specified above.

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 **Pollution Control Hearings Board** 1111 Israel Road SW Ste 301 Tumwater, WA 98501	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 **Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

Signed at Spokane, Washington, this day of , 2013.

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Keith L. Stoffel, Section Manager

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.

INVESTIGATOR'S REPORT
Ying Fu, Department of Ecology
Water Right Control Number
WALLA WALLA ADJ. CERT. NO. 590(A)

BACKGROUND

Walla Walla River Adjudicated Certificate Vol. 4A, Page 590, issued August 22, 1929. The priority date of WWRAC 590 is 1901 (Class 39). In 2005, WWRAC 590 was administratively split into WWRAC 590(A), 590(B) and 590(C). A superseding certificate for WWAC 590(A) was issued October 19, 2005 to Richard Czyhold. See the attached map below.

The original authorized point of diversion (POD) for WWRAC 590 is located on Spring Branch, a former tributary to Mill Creek, within the NE¼NE¼ of Sec. 27, Township 7 N., Range 35 E.W.M. Spring Branch was filled in the 1950s to allow the land to be farmed. At that time, the POD for WWRAC 590 was moved to Mill Creek, where it was consolidated with the POD for WWRAC 731. That consolidated POD is now located in NE¼SE¼NE¼ of Sec. 27, T.7 N., R.35 E.W.M. The original authorized POD for WWRAC 731 was changed to that location in 1974 through issuance of Change Certificate No. 118 (which listed the POD in the NW¼SE¼NE¼ of Sec. 27, T. 7 N., R.3 5E.W.M.). No application was filed to document the change in the POD for WWRAC 590 from Spring Branch to Mill Creek in the 1950s. The POD for WWRAC

590 was moved again with issuance of Change Certificate No. 118 for WWRAC 731 to the same consolidated POD with WWRAC 731 w/chg. 118, downstream on Mill Creek to a current POD in the SW¼NE¼ Sec. 27, T. 7 N., R.35 E.W.M. Once again, no application was filed to document the change in location of the POD for WWRAC 590.

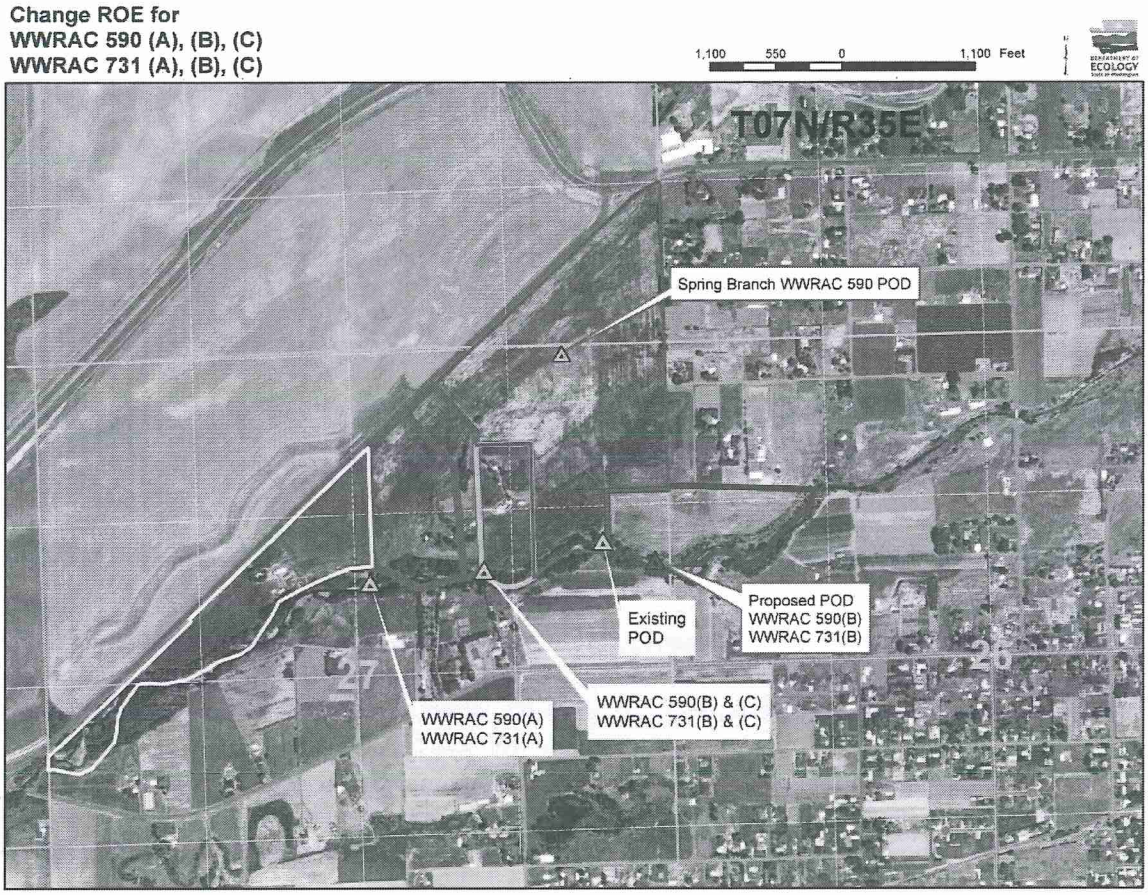
Application

On March 9, 2005, Richard Czyhold filed a change application to add a POD to the original POD of WWRAC 590. This change application was filed before the administrative split of WWRAC 590 occurred. The application was filed simply to add a second POD to the original WWRAC 590.

With the administrative split and the issuance of superseding certificate WWRAC 590(A) to Richard Czyhold in October 19, 2005, the pending change application is now considered to propose a change in the authorized POD for WWRAC 590(A) from the original legally authorized POD of WWRAC 590 on Spring Branch to the location on Mill Creek where water is currently being diverted, and has been diverted for approximately 35 years. That POD is located in the SW1/4NE1/4 of Sec 27, T.7 N., R. 35 E.W.M.

This change ROE (report of examination) will also reflect the authorized place of use (POU) that was redefined when superseding certificate WWRAC 590(A) was issued in 2005, as follows:

Beginning at a point where Highway 12, is intersected by a line drawn parallel to and 118.0 feet East of the North and South center line of Sec. 27 in T.7 N., R.35 E.W.M., said point being in the NW¼NE¼ of Sec. 27, and running thence South on a line drawn parallel to and 118.0 feet East of the North and South center line of Sec. 27, 1000 feet, more or less, to the intersection thereof with the center of the channel of Mill Creek; thence Southwesterly along the center of the channel of Mill Creek to the intersection thereof with the East and West center line of Sec. 27; thence West to a point in the centerline of Highway 12; thence Northeasterly, along the center line of Highway 12, to the point of beginning.



Attributes of the Existing Water Right and Proposed change

Table 1 WWRAC 590(A) Existing and Proposed attributes

Attributes	Existing	Proposed
Name	Richard Czyhold	Richard Czyhold
Priority Date	1901 (Class 39)	1901 (Class 39)
Instantaneous Quantity: Qi cfs (cubic feet per second)	0.1165cfs: 4/1 to 7/1 0.085cfs: 7/1 to 10/1 0.175cfs: 10/1 to 4/1	0.1165cfs: 4/1 to 7/1 0.085cfs: 7/1 to 10/1 0.175cfs: 10/1 to 4/1
Annual Quantity: Qa	43.35 af/yr	43.35 af/yr
Purpose of Use	Irrigation	Irrigation
Place of Use: for the irrigation of 8.65 acres	Beginning at a point where Highway 12, is intersected by a line draw parallel to and 118.0 feet East of the North and South	Same

	center line of Sec. 27 in T.7 N., R.35 E.W.M., said point being in the NW¼NE¼ of Sec. 27, and running thence South on a line drawn parallel to and 118.0 feet East of the North and South center line of Sec. 27, 1000 feet, more or less, to the intersection thereof with the center of the channel of Mill Creek; thence Southwesterly along the center of the channel of Mill Creek to the intersection thereof with the East and West center line of Sec. 27; thence West to a point in the centerline of Highway 12; thence Northeasterly, along the center line of Highway 12, to the point of beginning.	
Point of Diversion	NE¼NE¼ of Sec.27, T 7 N., R. 35 E.W.M.	SW¼NE¼ of Sec. 27, T. 7 N., R. 35 E.W.M.

Legal Requirements for Proposed Change

- **Public Notice**

  RCW 90.03.280 requires that notice of a water right application be published once a week for two consecutive weeks, in a newspaper of general circulation in the county or counties where the water is to be stored, diverted and used. Notice of this application was published in the The Times, a weekly newspaper of the City of Waitsburg and the County of Walla Walla, during the weeks of June 22 and June 29, 2006. No protests or objections were received.

- **State Environmental Policy Act (SEPA)**

  A water right application is subject to a SEPA threshold determination (i.e., an evaluation whether there are likely to be significant adverse environmental impacts) if any one of the following conditions are met.

  - it is a surface water right application for more than 1 cubic feet per second, unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cubic feet per second, so long as that irrigation project will not receive public subsidies;
  - it is a groundwater right application for more than 2,250 gallons per minute;
  - it is an application that, in combination with other water right applications for the same project, collectively exceed the amounts above;

- it is a part of a larger proposal that is subject to SEPA for other reasons (e.g., the need to obtain other permits that are not exempt from SEPA);
- it is part of a series of exempt actions that, together, trigger the need to do a threshold determination, as defined under WAC 197-11-305.

This application is exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21 RCW, due to the fact that the cumulative quantities of water for this project under all water rights constitute a withdrawal of less than one (1) cubic foot per second, and none of the other conditions described above are met.

- **Water Resources Statutes and Case Law**

RCW 90.03.380(1) allows for a water right that has been put to beneficial use to be changed. The point of diversion, place of use, and purpose of use may be changed if the change would not result in harm or injury to existing water rights.

The Washington Supreme Court has held that Ecology, when processing an application for change to a water right, is required to make a tentative determination of extent and validity of the claim or right. This is necessary to establish whether the claim or right is eligible for change. *R.D. Merrill v. PCHB* and *Okanogan Wilderness League v. Town of Twisp.*

A point of diversion for a surface water right may be changed. RCW 90.03.380(1) states that a water right that has been put to beneficial use may be changed if it would not result in detriment or injury to other water rights.

INVESTIGATION

Reports and materials considered during the course of this investigation include the following:

- Change applications for WWRAC 590(A) and WWRAC 731(A)
- State Water Code, administrative rules and policies, relevant case law
- Related water right files
- Notes documenting two site visits by Ying Fu and other Ecology WRP staff
- Washington Irrigation Guide (WIG)
- Aerial photographs when they are available for the past 10 years
- USGS topographic maps
- Farm Service Administration crop records
- Walla Walla County Assessor records
- Discussions with other Ecology staff in the ERO Water Resources Program

Site Inspections

The project site is located approximately one mile west of the City of the College Place and four miles west of the City of Walla Walla, along State Hwy 12 in Walla Walla County, Washington.

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The first site inspection was conducted on the property by Ying Fu on February 11, 2011. The applicant Richard Czyhold was present. A walk through of Richard's farm field was conducted which led to the pump station (the proposed POD) on Mill Creek, which is located at the east end of his property line. Richard stated he had diverted water at this location for approximately 35 years. The GPS coordinates are 46.05857 and -118.41917.

Because it was the winter season, the diversion equipment for the pump station was removed from Mill Creek at the time of the inspection. Pumping records were not provided by Mr. Czyhold. Richard stated a fish screen was installed in Mill Creek during diversion season.

Mr. Czyhold has farmed his field of 35 acres since the 80s. He also helped to farm his neighbor Mr. Oliver Cockerline's land until 2006. The submitted crop records from Farm services Agency (FSA) show Mr. Richard Czyhold farmed a total of more than 100 acres. His property, along with his neighbor's property, was historically irrigated with a hand-line irrigation system. The crop record submitted for 1998 to 2010 show crops have been rotated on Richard's field. They include alfalfa, wheat, barley, grass, grapes, and oats.

Mr. Czyhold stated that some land within the authorized POU of WWRAC 590(A) on the south side of Mill Creek, had not been irrigated for about 7 years due to inconvenience of setting up irrigation lines. This land, estimated as 4.74 acres, is subject to relinquishment for non-use. Therefore, the authorized POU acreage for WWRAC 590(A) will be reduced to 26.4 acres through issuance of this Report of Examination.

A second field examination was conducted by Ying Fu and Ecology staff Dan Tolleson and Jeff MacLennan on July 12, 2012. A meeting was conducted to meet with all five land owners and water right holders to discuss the pending change applications for WWRAC 590(A), (B), (C) and WWRAC 731(A), (B), (C) together. Mr. Richard Czyhold provided copies of historical FSA crop records for all farm land in the collective places of use of these water rights. Dan Tolleson took a GPS reading for the proposed POD at Richard's property. It was 46.05857; -118.41917. A pumping system was online at the time of the visit, a fish screen was installed, and a 10 hp pump was used for the diversion lift. A flow meter was installed; the serial number was 03-07569.

Other Rights Appurtenant to the Place of Use

Three other water rights overlap the POU of WWRAC 590(A): Surface Water Right WWRAC 731(A) and Groundwater Rights 913-D and G3-23000C. The two groundwater rights are additive, have larger POUs, and together authorize the irrigation of 35 acres. The total combined annual quantity of 70 acre-feet is considered totally supplemental to existing rights which include, but are not necessarily limited to, WWRAC 590 and 731. A map is attached to show the POU for all four water rights in the shared POU.

There are three water claims under the name of Albert Czyhold that overlap with the POU of WWRAC 590(A) and WWRAC 731(A). Claim No. 091297 is a surface water claim from an old infiltration ditch. The filing of claim No. 091297 was probably redundant and overlaps with Mr. Czyhold's two existing surface water rights. Groundwater claims No. 091296 and No. 091298 overlap the place of use of

Groundwater rights 398-D and 4082-A. The validity of these two groundwater claims are unknown, and can only be determined through the court adjudication process. A map is attached below.

History of Water Use

Washington State Supreme Court, in Okanogan Wilderness vs. Town of Twisp and Department of Ecology 133 Wn.2d 769,947 P.2d 732 (1997), held that applications for change may be granted only to the extent the water has been put to beneficial use, as beneficial use determines the measure of a water right. They also found that the existence and quantification of a water right must be determined, including whether or not the water right has been relinquished or abandoned before the Department can approve a change or transfer of the water right. While the superior court, through an adjudicative process, is the only authority that can make a final determination as to a water rights extent, validity and priority, Ecology is required to make a tentative determination of these factors for purposes of making decisions on change applications.

The two site visits and FSA crop records confirm that water has been historically and beneficially used on Richard Czyhold's property for the irrigation of 31.15 acres. Although no metering records or power records were presented by Mr. Czyhold, the crop records submitted allow calculation of historical water use on Mr. Czyhold's property.

The quantities of water beneficially used were determined by using the Washington Irrigation Guide, and the FSA crop records, to estimate water use for the highest water duty crop grown in the most recent five consecutive years, which is alfalfa.

WWRAC 590(A) authorizes 8.65 acres of irrigation within the 31.5 acre parcel. The applicant's three other water rights cover other parts of the POU for irrigation water needed. From 1998 to 2010 FSA crop records, alfalfa was determined to be the highest water duty crop, and is used to calculate the historical water usage as follows:

$$\left(\text{Crop acres} \times \frac{^{1}\text{Crop water need}}{\text{12 inch/1ft}} \Big/ {}^{2}\text{Ea}\right) = \underline{\quad ? \quad}\ \text{AF (acre-feet)}$$

[1] The specific crop water need is based on Washington State Irrigation Guide 2010. Alfalfa requires 32.85 inches of water in the project area.
[2] The application efficiency Ea is determined in Ecology guidance document GUID-1210. For hand-line irrigation, it is determined to be 70% efficient.

(8.65 acres x 32.85 inch/12 inch/ft)/70% = 33.83 acre-ft

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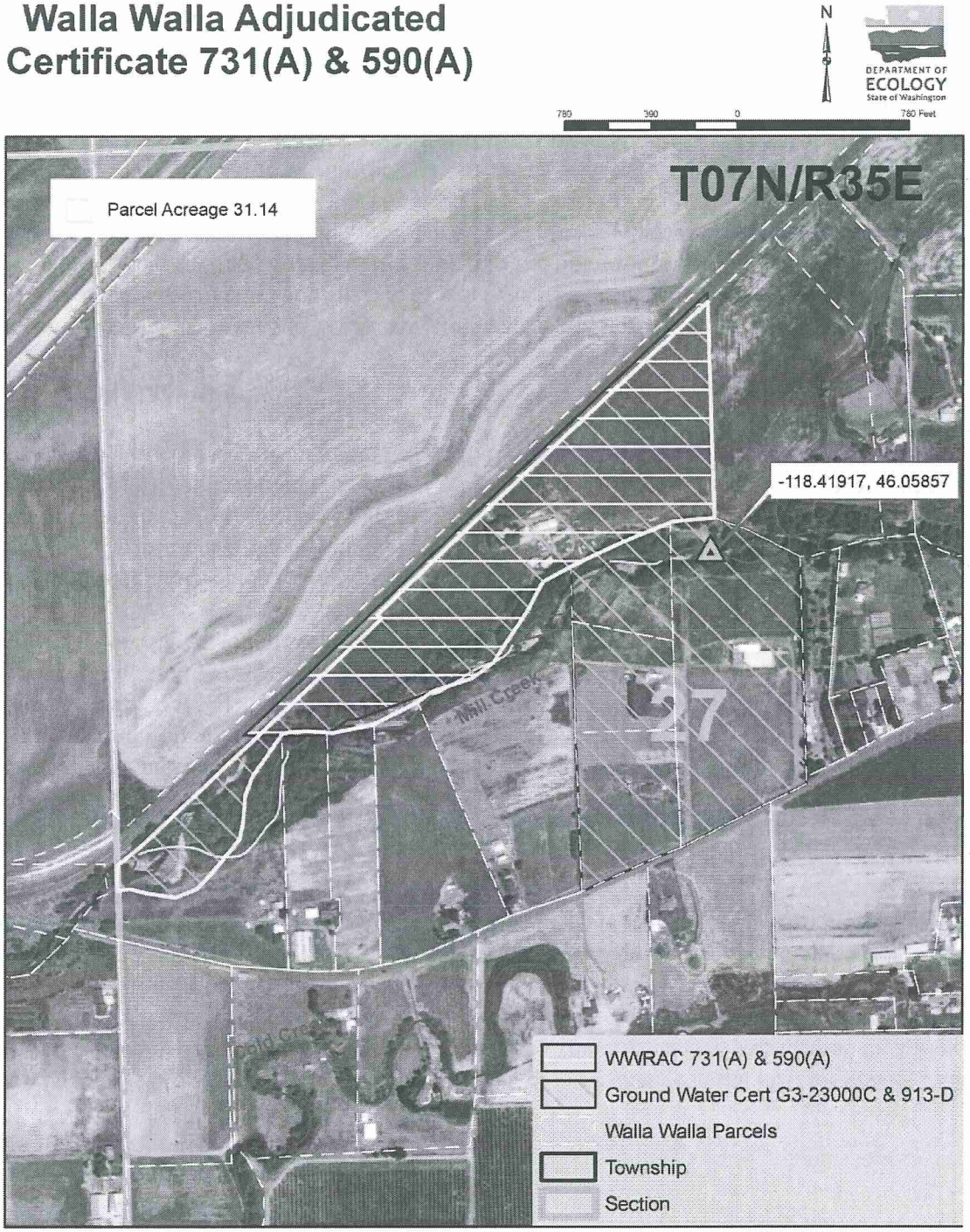
Walla Walla Adjudicated Certificate 731(A) & 590(A)



WWRAC 590(A) authorizes an annual quantity of 43.35 acre-ft of water. The difference between the authorized annual quantity and the highest historical beneficial use quantity is determined to be relinquished due to non-use. Therefore, 9.52 ac-ft (43.35 - 33.83) of the annual quantity for WWRAC 590(A) has been relinquished due to non-use.

Hydrologic/Hydrogeologic Evaluation

The approval of this proposed change would authorize a defacto change in the POD for WWRAC 590(A) that was made several decades ago without authorization. The original POD was located on Spring Branch (a tributary to Mill Creek), which was filled in the 1950s to make it part of adjacent farm land. Upon abandoning the Spring Branch diversion, the POD for WWRAC 590 was moved to Mill Creek and consolidated with the POD for WWRAC 731, a water right owned by the same land owners at that time. At a later date when the original parcel was divided, the new land owners added two more PODs for both WWRAC 590 and WWRAC 731.

The amended WRIA 32 Basin Water Management Rule (WAC 173-532) was adopted in 2007. Through this rule, instream flows were adopted on the Mill Creek for the reach of stream in which the proposed change would take place {WAC 173-532-030(5)}. This rule also requires that these instream flow water rights be protected from impairment by all future changes and transfers of both senior and junior water rights {WAC173-532-030(3)}. This change would authorize a point of diversion approximately 3/4 river mile downstream from the original POD, which should enhance flows through this reach of Mill Creek. There would be no change in the season of use of water under the right through this change.

Mill Creek originates in the Blue Mountains in the State of Oregon and flows in a northwesterly direction, crossing into Walla Walla County, Washington. Mill Creek is the principal tributary of the Walla Walla River and furnishes a large part of the water supply for the irrigation of lands in the project area. Moving the POD approximately 1/4 mile downstream will not result in any enhancement to the water right, and will increase the instream flow in that reach of the creek.

Impairment Considerations

"Impair" or "impairment" means to 1) adversely impact the physical availability of water for a beneficial use that is entitled to protection and/or 2) to prevent the beneficial use of the water to which one is entitled, and/or 3) degrade the quality of the source to the point that water is unsuitable for use by existing water right holders (WAC 173-150).

WWRAC 590(A) shares the same authorized place of use as WWRAC 731(A). Both rights are owned by Richard Czyhold. Both rights have been exercised at the current place of use and from the same point of diversion for several decades. Change applications for the two water rights were submitted to change the legally authorized PODs for the two rights, in order to make them reflect defacto changes in the PODs that occurred decades ago. Diversion and beneficial use of water from Mill Creek under these two rights has not caused any impairment to other water users in the past, so exercise of these two rights in a similar manner should not cause impairment of any water rights in the future.

Instream flows of this reach of Mill Creek should actually benefit from this change to WWRAC 590(A), because the new POD will reduce ditch conveyance loss and the new POD will be ¼ mile downstream from the first POD on Mill Creek. There is sufficient flow in Mill Creek during the irrigation season to satisfy all existing water rights on this reach of the creek. There will be no impairment to other existing water rights on this reach of Mill Creek.

Public Interest Considerations

Public interest considerations do not apply to changes to surface water rights authorized through RCW 90.03.380, which includes the subject application.

Consideration of Protests and Comments

No protests or comments regarding this application were received.

CONCLUSIONS

Based on the investigation of relevant information regarding the proposed change, the following are the conclusions of the examiner as the statutory and legal criteria for the proposed change to WWRAC 590(A):

1). **Tentative Determination of Extent and Validity:** The subject water right has been historically beneficially used. The extent of use is determined to be

Qi: 0.1165cfs from 4/1 to 7/1; 0.085cfs from 7/1 to 10/1; 0.175cfs from 10/1 to 4/1
Qa: 33.83 acre-ft per year

The difference between the originally allocated annual quantity (43.35 ac-ft) and the annual quantity that has been historically beneficially used (33.83 ac-ft) is 9.52 ac-ft per year. That portion of the annual quantity is determined to be relinquished due to non-use (RCW 90.14.160).

POU: Irrigation of 8.65 acres of approximately 26.4 acres in the authorized POU.

2). **No Impairment of Existing Water Rights**: The point of diversion proposed for the subject water right would be moved approximately ¼ mile downstream from the original POD for WWRAC 590, which would benefit instream flows in this reach. There are sufficient flows in the affected reach to satisfy all existing water rights; no impairment will occur to the one diversion point located between the existing and proposed diversion points for this water right. This is further confirmed by the fact there have been no complaints regarding the exercise of this water right in more than 30 years since the existing POD has been in place as the de-facto diversion point. Approval of the proposed change will not impair any existing water rights.

3). **Water Available for the Subject Change**: A perennial flow of the Mill Creek is present through the reach of river that would be affected by this change. The source of water for this right will remain the

same, and there is sufficient water to satisfy the existing diversions within the affected reach. There is sufficient water available for the proposed change in point of diversion.

4). **Proposed Change is for a Beneficial Use**: The purpose of use for this right(irrigation) is specifically identified as a beneficial use in RCW 90.54.020, and will not change through this application.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that the request for change to Walla Walla River Adjudication Certificate No. 590(A), be approved in the amount and within the limitations listed below and subject to the provisions in this report.

Purpose of Use and Authorized Quantities

The amount of water recommended is a maximum limit and the water user may only use that amount of water within the specified limit that is reasonable and beneficial:

- 0.1165cfs from 4/1 to 7/1; 0.085cfs from 7/1 to 10/1; 0.175cfs from 10/1 to 4/1
- 33.83 acre-ft per year
- Seasonal irrigation of 8.65 acres within the authorized place of use of 26.4 acres.

Point of Diversion

At a point on Mill Creek with GPS coordinates of 46.05857; -118.41917, within SW¼NE¼ of Sec. 27, T. 7 N., R. 35 E.W.M.

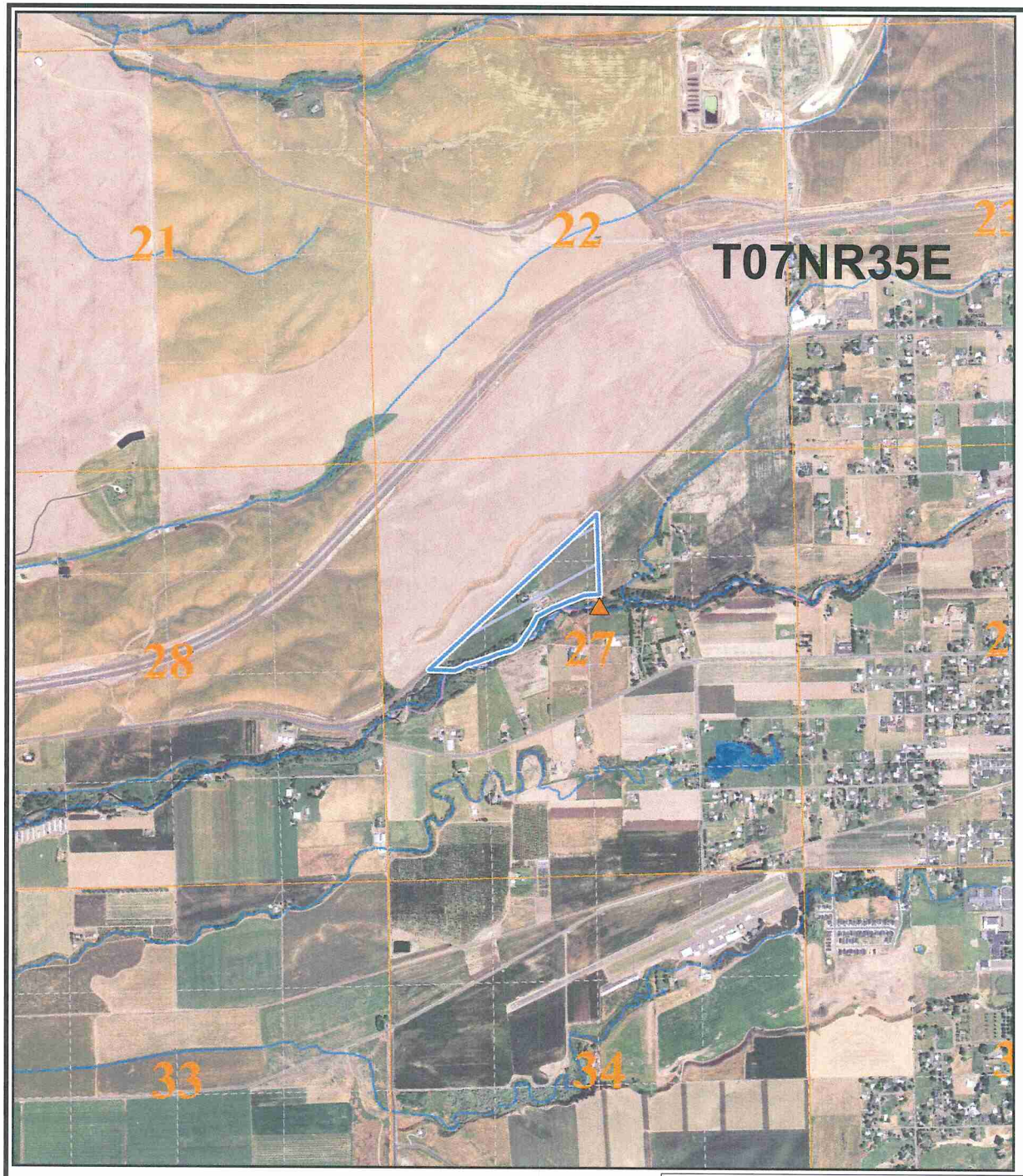
Place of Use

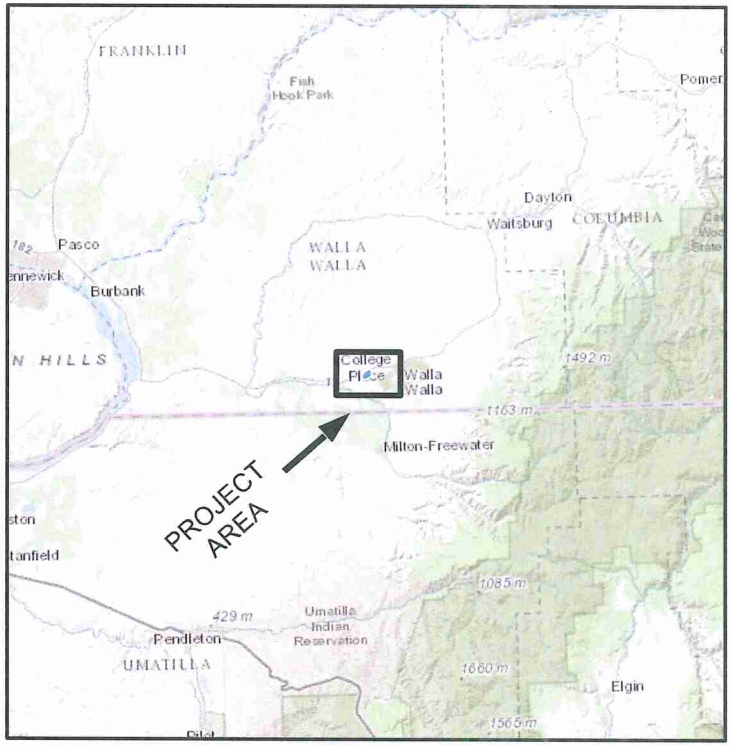
Beginning at a point where Highway 12 is intersected by a line draw parallel to and 118.0 feet East of the North and South center line of Sec. 27 in T. 7 N., R. 35 E.W.M., said point being in the NW¼NE¼ of Sec. 27, and running thence South on a line drawn parallel to and 118.0 feet East of the North and South center line of Sec. 27, 1000 feet, more or less, to the intersection thereof with the center of the channel of Mill Creek; thence Southwesterly along the center of the channel of Mill Creek to the intersection thereof with the East and West center line of Sec. 27; thence West to a point in the centerline of Highway 12; thence Northeasterly, along the center line of Highway 12, to the point of beginning.

Ying Fu, Report Writer *Date*

If you need this publication in an alternate format, please call the Water Resources Program at (360) 407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

Richard Czhold
WWRAC590(A)
T07N/R35E





Basemap - (ESRI US Topographic Maps)

Legend

Authorized Place of Use

Townships

Sections

Authorized Point of Diversion

0 660 1,320 2,640 3,960 5,280 6,600 Feet

Basemap - (NAIP 2011 1m color)

DEPARTMENT OF ECOLOGY State of Washington

Map Date: 4/1/2013

Comment:
Place of use and source locations are as defined within the Report of Examination cover sheet for the document identfied in the header above.

ATTACHMENT 1