



State of Washington
**REPORT OF EXAMINATION
FOR TRUST WATER RIGHT**

Changed Place of Use
Added or Changed Purpose of Use

PRIORITY DATE	WATER RIGHT NUMBER	BEGIN TRUST TERM	END TRUST TERM
Not given(Class64)	TRAC No. 350	June 1, 2011	December 31, 2015
WATER RIGHT OWNER			
SCOTT AND CATHY PLUCKER 10009 TOUCHET N ROAD TOUCHET WA 99360			

Purpose and Quantity

Purpose: In Stream flow
Quantity: Qi: Maximum 0.93cfs; Qa: 65.5 acre-ft/year

Trust Water Right Place of Use

WATERBODY	TRIBUTARY TO	COUNTY	WATER RESOURCE INVENTORY AREA
Touchet River	Walla Walla River	Walla Walla	32-Walla Walla

Instream flow remains in the stream as follows:

Start point: River Mile 11
GPS - 046°09'39.45"N 118°38'48.09"W (Datum NAD 27)
Section 23, Township 8 N., Range 33 E.W.M.

End point: River Mile 4 (Eastside/Westside Irrigation District Diversion)
GPS - 046°05'5.14"N 118°39'25.54"W (Datum NAD 27)
Section 15, Township 7 N., Range 33 E.W.M.

PORTION OF RIGHT NOT CONVEYED INTO TRUST

PRIORITY DATE
1/1/1901

WATER RIGHT NUMBER
TRAC 350

MAILING ADDRESS
SCOTT PLUCKER
10009 TOUCHET NORTH ROAD
TOUCHET WA 99360

SITE ADDRESS (IF DIFFERENT)

Total Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
4/1 to 9/15, 0.21cfs	CFS	19.8
9/15 to 4/1, 0.27cfs		

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Irrigation			cfs			01/01 - 12/31

Source Location

SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWN	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
TOUCHET RIVER	330823120004		08 N	33 E	23	SW NE	46.093945	118.384809

Datum: NAD27

Source Limitations

SOURCE FACILITY/DEVICE	A S	WITHDRAWAL OR DIVERSION RATE	ANNUAL QUANTITY (AF/YR)	PERIOD OF USE (mm/dd)
TOUCHET RIVER				01/01 - 12/31

A|S: A=Alternate; S=Standby/Reserve

Place of Use (See Attached Map)

PARCELS (NOT LISTED FOR SERVICE AREAS)

33082312004

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

10.8 acres on Parcel #: 330823120004. E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Township 8 N., Range 33 E.W.M. and that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 8 N., Range 33 E.W.M. lying east of the Touchet River North Road and west of the Touchet River within Walla Walla County, Washington.

Proposed Works

No proposed work.

Development Schedule

BEGIN PROJECT	COMPLETE PROJECT	PUT WATER TO FULL USE
Started	Completed	Water beneficially used

Measurement of Water Use

How often must water use be measured?	Weekly
How often must water use data be reported to Ecology?	Annually (Jan. 31)

Provisions

Measurements, Monitoring, Metering and Reporting

An approved measuring device must 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, which 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.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, will 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 and Decisions

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 No. TRAC 350, 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 Hearing 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.

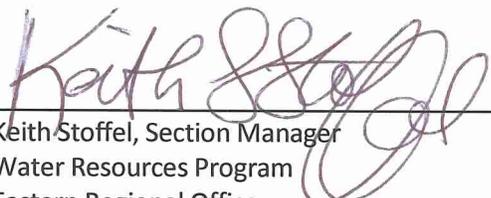
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	Pollution Control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

Please send a copy of your appeal to:

Mr. Keith L. Stoffel
 Department of Ecology
 Eastern Regional Office
 4601 North Monroe Street
 Spokane, WA 99205-1295

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, Washington, this 21st day of July, 2011.

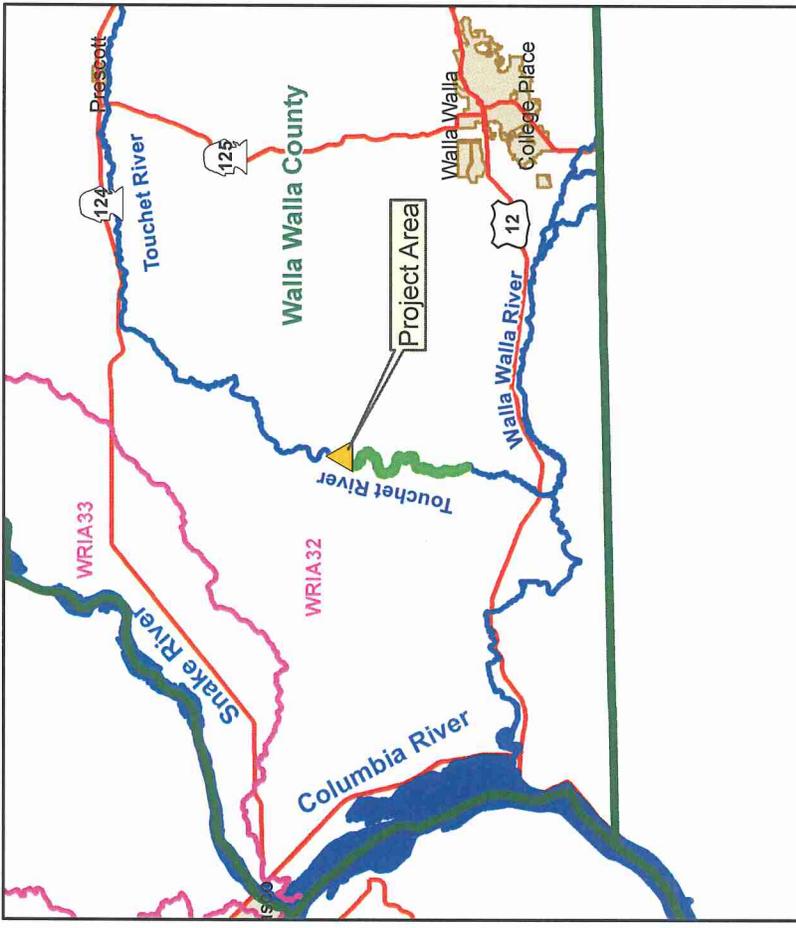
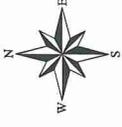


 Keith Stoffel, Section Manager
 Water Resources Program
 Eastern Regional Office

Attachment 2

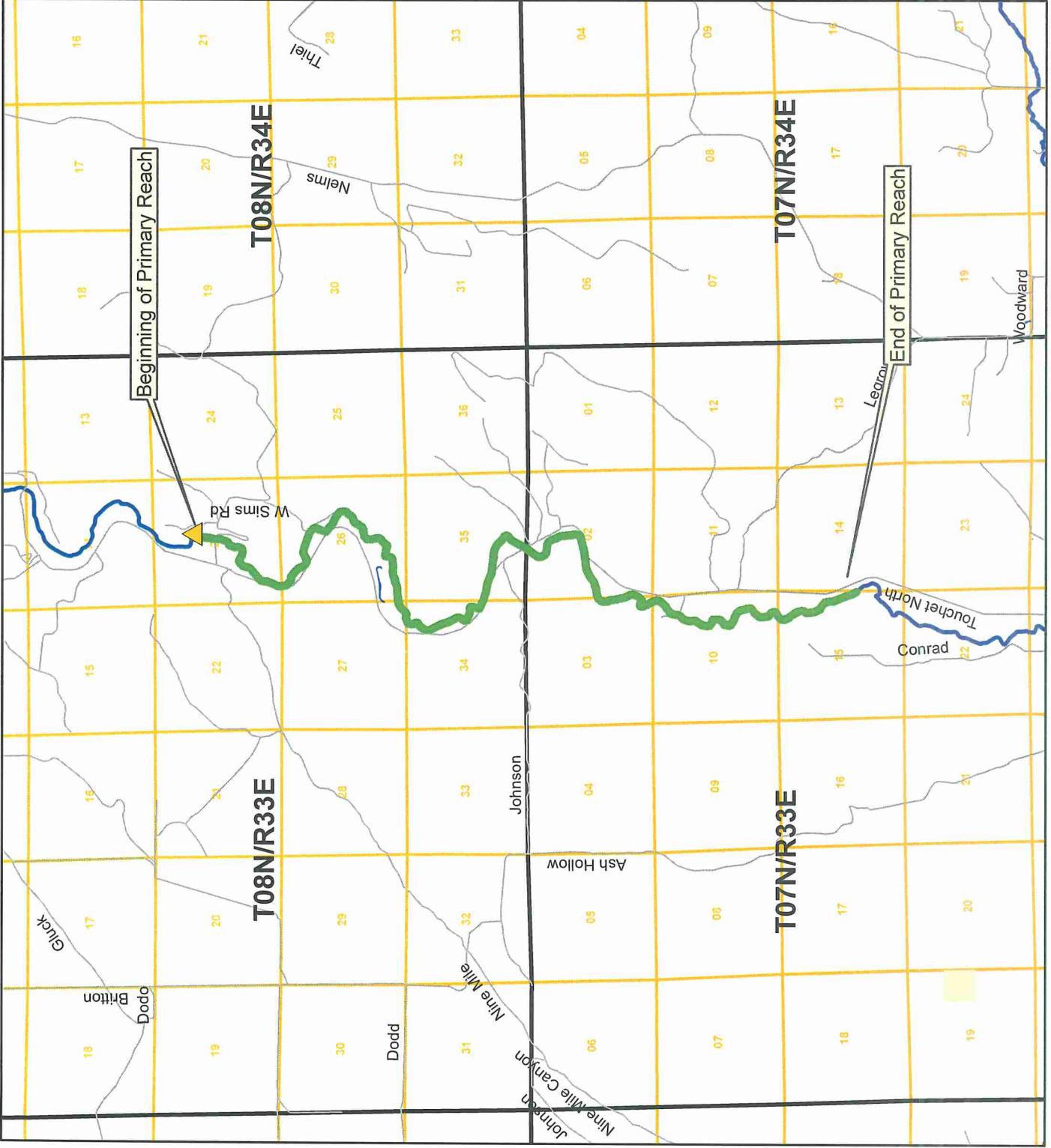


Scott Plucker
 Touchet River Adjudicated Surface Water Record Number 350
 T 07N, R 33E. W.M., T 08N, R 33E. W.M.
 WRIA 32 - Walla Walla County



- Legend**
- County
 - WRIA
 - Cities
 - Local Roads
 - Highways
 - Townships
 - Sections
 - Primary_Reach
 - Authorized Point of Diversion

Comments:



INVESTIGATOR'S REPORT
Ying Fu, Department of Ecology
Water Right Control Number TRAC 350

BACKGROUND

Application and Proposed Change

The trust water right application for Touchet River Adjudicated Certificate (TRAC) No. 350 was submitted by Amanda Cronin of the Washington Water Trust, on behalf of Scott and Cathy Plucker, to the Department of Ecology on January 25, 2011. The amendment to the application was later received on March 16, 2011. The applicant proposes to lease a portion of TRAC No. 350 to the Washington State Trust Water Program for five years from January 1, 2011 to December 31, 2015. The proposed lease of 65.5 acre-feet per year (AF/yr) water rights will be temporarily transferred to the Washington State Trust Water Program for in stream flow purposes and for the benefit of fish and wildlife in the Touchet River.

The Walla Walla River Basin provides habitat to two salmonid species listed under the Endangered Species Act (ESA) as threatened; steelhead and bull trout. Basin surface waters are over appropriated, in that most years there are water rights in excess of water available to fill those rights during the summer months. Significant amounts of time, effort and money have been invested within this basin by local, state, federal and tribal interests to restore and preserve habitat conditions for these species. In stream flow has been identified as a primary limiting factor to species recovery in multiple water related plans which have been completed for this basin in recent years, including the Bonneville Power Administration Subbasin Plan, Snake River Region Salmon Recovery Plan, and the Walla Walla Watershed Plan, among others. As important as improving instream flow conditions in basin streams, is the necessity to prevent further degradation of those flows. This project is expected to enhance instream flows in the Middle Touchet River and benefit all life stages of ESA listed steelhead and bull trout as well as re-introduced Spring Chinook.

Legal Requirements for Proposed Change

The following is a list of requirements that must be met prior to authorizing the proposed change from irrigation to instream flow enhancement.

- **Public Notice**

A notice of application was duly published in accordance with RCW 90.42.040(5)(c) on Ecology's website at <http://www.ecy.wa.gov/programs/wr/market/trstdocs.html>, from April 1 to April 25, 2011. 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.

Because this application does not meet any of these conditions, it is categorically exempt from SEPA and a threshold determination is not required.

- **Water Resources Statutes and Case Law**

This application is subject to legal requirements in statute, administrative rules, and relevant case law which must be considered prior to issuance of the requested change(s). Among these legal requirements:

- 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*.
- 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.
- RCW 90.03.380(1) states that a purpose of use may be added to a water right if the annual consumptive quantity is not increased. The annual consumptive quantity is the average of the two highest years within the most recent five-year period of ongoing beneficial use of the water right.

Attributes of Superseding TRAC 350

Name on Superseding Certificate:	Scott Plucker
Priority Date:	Not given
Date Certificate issued:	March 17, 1930
Class:	64
Instantaneous Quantity – Q(i):	0.923 cubic feet per second (cfs), 4/1 to 9/15 1.200 cfs 9/15 to 4/1
Annual Quantity – Q(a):	107.2 acre-feet (based on power records)
Source:	Touchet River
Point of Diversion:	SW¼NE¼ Section 23, T. 8 N., R. 33 E.W.M.
Purpose of Use:	Irrigation of 46.2 acres
Period of Use:	Continuous
Place of Use (changed through ROE):	E½E½NW¼ and the W½NE¼ of Section 23, Township 8 N., Range 33 E.W.M. and that part of the NE¼SW¼ of Section 23, Township 8 N., Range 33 E.W.M. lying east of the Touchet River North Road and west of the Touchet River within Walla Walla County, Washington.

Proposed Trust Water Right Project

Name of Applicant:	Scott and Cathy Plucker
Contact Name:	Amanda Cronin of Washington Water Trust
Date of Application for Trust:	January 25, 2011

	<u>Proposed Trust Water</u>	<u>Remaining Water for Use</u>
Instantaneous Quantity – Q(i):	0.713 cfs, 4/1 to 9/15 and 0.93 cfs, 9/15 to 4/1	0.21 cfs from 4/1 to 9/15 and 0.27 cfs from 9/15 to 4/1
Annual Quantity – Q(a):	65.5 acre-feet	19.8 acre-feet
Irrigated Acres:	0	10.8
Source:	Touchet River	Touchet River
Point of Diversion:	No diversion	SW¼NE¼ Section 23, T. 8 N., R. 33 E.W.M.
Purpose of Use:	Instream flows	Irrigation
Period of Use:	6/1/11 to 12/1/15	Continuous
Place of Use:	Instream	10.8 acres on Parcel No.330823120004

INVESTIGATION

Site Inspection

In evaluating the proposed trust water application, a site inspection was conducted by Ying Fu on February 10, 2011. Amanda Cronin from Washington Water Trust arranged this site visit and was present throughout the visit. The diversion point is across the North Touchet Road from Mr. Plucker's residence house and is located east of the Touchet Road. The pump and the irrigation distribution hand lines were in storage at the time. Metering and pumping information are available in the 2005 ROE report which recorded the 2005 field inspection at the time. Not much has changed since that site visit. Amanda informed me later that a water line was installed under the Touchet Road in order to irrigate the west side of the field. The pump was downsized from a 40 hp (horsepower) to a 25 hp pump since the Ecology 2005 site visit.

The GPS measurement of the diversion point was done in 2005 during the previous trust water project which leased 100% of TRAC No. 350 to the State Trust Program from April 1, 2005 to April 1, 2006. The project site is located approximately 10 miles north of the Town of Touchet, along the Touchet N. Road in Walla Walla County, Washington within Water Resource Inventory Area (WRIA) 32.

Existing Water Rights

A review of Ecology records was conducted for existing water rights, permits and claims in the surrounding area. The search focused on Section 23 of Township 8N, Range 33E.W.M. There are two other surface water certificates documented within the search area: TRAC No.352 which was relinquished in 2009 due to historical non use. Superseding certificate TRAC No.176 was issued in December, 2006. All three water rights TRAC 276, TRAC 350 and TRAC 352 have the same POD.

Touchet River Adjudicated Surface Water Superseding Certificate 176

Superseding Certificate TRAC No. 176 was issued to Scott Plucker on December 5, 2006. The certificate authorizes the diversion of water from the Touchet River at the same diversion point authorized by Certificate TRAC No.350 at: SW¼NE¼ Section 23, T. 8 N., R. 33 E.W.M., for the irrigation 34.5 acres in the amount of 0.531cfs from April 1 to September 15 and 0.690cfs from September 15 to April 1, and for the maximum of 80.1 acre-feet per year. The place of use (POU) is described as the SW¼NE¼ of Section 23, Township 8N and Range 33E.M.W. A portion of the POU overlaps with a portion of TRAC No. 350 POU. Water has been put into beneficial use the past three years out of the five-year evaluation period of this water right.

History of Water Use

Trust water statute RCW 90.42.080(8) dictates that the last five (5) years of usage be examined to determine the beneficial use. The application package demonstrated that the irrigation occurred in 2010 and 2009. There was no irrigation in 2008 and 2007 on the POU for Certificate TRAC No.350. In 2006, all water was reserved for Trust Program. The Trust water beneficial use was determined as 85.3

acre-feet for TRAC No.350 in the 2005 Trust water ROE. This quantity of 85.3 acre-feet was assigned to the total 46.2 acres of TRAC No.350 POU. Details of the past five year use are shown in the table below:

Table 1 Beneficial Use of the Last 5 Years from 2006 to 2010

<u>Year</u>	<u>Irrigated acres</u>	<u>Crops</u>	<u>Beneficial use (acre-ft)</u>
2010	20.0	Wheat	37.72
2009	20.0	Wheat	37.72
2008	0.0	none	0.0
2007	0.0	none	0.0
2006	0 (equivalent 46.2)	none	85.3

Aerial photos

Aerial photos of 2009 and 2010 were examined. The land was not irrigated in 2008, 2007 and 2006, so aerial photos for those years were not obtained. It appeared that the parcel on the east side of Touchet Road as identified in Plucker's application was irrigated in the past two years. Soybean and spring wheat were planted according to the application for both parcels which cover the place of use for TRAC No. 176 and TRAC No. 350.

TRUST AVAILABILITY OF THE WATER RIGHT

Purpose of Proposed Trust Water Use

The proposed purpose of use is to lease a portion of the TRAC 350 to the Washington State Trust Water Program for 5 years, to enhance in stream flow for fish maintenance and enhancement within the Touchet River.

Validity of the Water Right

Surface water has been historically and beneficially used on land described under this certificate. A change ROE (amended) was issued on April 26, 2005 for a change in place of use. A superseding certificate for this water right was issued on December 5, 2006 to update all historical changes to this certificate. In the most recent five years, the water right entered into a one year lease program in 2006 with Washington State Trust Program. The 2005 trust ROE authorized 85.3 acre-feet per year of water to be accepted into trust program, for exchange to cease the irrigation of 46.2 acres which is the POU for TRAC No.350. In 2007 and 2008, there was no irrigation of crops at the POU. According to the 2011 trust water application, 20.0 acres were irrigated and spring wheat was planted in 2009 and 2010 on the POU of TRAC No. 350. In addition, the metering record was submitted for the years 2009 and 2010 which indicated water usage for these two years. The meter record is for two water rights that the Pluckers have: TRAC 350 and TRAC 176. In conclusion, the water right TRAC 350 is a valid water right, and water has been put to beneficial use in the past five years. Instream flow is considered beneficial use for the trust year of 2006 (Ecology guidance document GUID-1220).

Hydrologic/Hydrogeologic Evaluation

The Touchet River is the largest tributary of the Walla Walla River in southeastern Washington. It originates above the town of Dayton, Washington, and passes through Waitsburg and Prescott before joining the Walla Walla River at the town of Touchet, Washington. The main Touchet River is formed by the confluence of the North Fork of the Touchet which originates in the vicinity of the Bluewood Ski Area, and the South Fork of the Touchet which originates at Deadman Peak. The forks join approximately 2 miles south and upstream of Dayton. The North Fork is approximately 25 miles long and the South Fork is approximately 20 miles long.

At the foot of the mountain slope, the river abruptly changes direction and flows westward to the Eureka Flats passing through the towns of Waitsburg and Prescott, after which it flows southward where it converges with the Walla Walla River at the town of Touchet. The valleys that dissect the Blue Mountains are mostly narrow, steep gradient canyons with streambeds composed of poorly sorted cobbles and gravels. As the North Fork Touchet flows toward Dayton and merges with the South Fork Touchet, the river gradient decreases and the channel become broader. The poorly sorted cobble and gravel streambed has increasing amounts of sand. As the Touchet River flows through the valley, the streambed materials grade into poorly sorted coarse gravels and cobbles with sand. West of Prescott, the Touchet River flows over basalt bedrock returning to poorly sorted coarse gravels and cobbles with sand after the river has turned south. The streambed materials alternate between poorly sorted alluvium and bedrock to the mouth of the Touchet River, where it discharges into the Walla Walla River. The Touchet River is 85 miles in length, drains 747 square miles and ranges in elevation from 6,074 feet at its headwaters to 420 feet above sea level at its confluence.

Since 2002, Ecology's EAP (Environmental Assessment Program) has set up water quality monitoring stations in the Touchet River and the Walla Walla River. The closest gauging station to the project site is at Cummins Road in the Touchet River. From the past 10 years of data, the driest year was 2007, with the average annual flow of 156cfs, the highest instantaneous flow of 2030cfs in January and the lowest daily flow of 1.1cfs in August, 2007.

The location where the enhancement of instream flows will take place is in the lower part of the Touchet River. It is 11 river miles from the mouth of the Touchet River where it discharges into the Walla Walla River, in Water Resource Inventory Area (WRIA) 32. The land associated with this water right is located on the North Touchet Road approximately 12 miles from the Town of Touchet, Washington.

Trust Water Right Calculations

According to RCW 90.03.380 and RCW 90.42.080, quantification for acceptance into the Trust Water Program is determined by the extent and validity review or by the highest consumptive use within the previous five years before the short term lease. From Table 1, 2006 is listed as the highest water use. Instream flows for trust water purposes are considered beneficial use, therefore 85.3 acre-feet will be considered as the highest beneficial use in the past 5 years.

For the proposed lease of the non-irrigation of 35.4 acres into the trust program, and the proposed retaining of 10.8 acres of continuing irrigation, the total leasing water quantity would be calculated as :
 $85.3 \text{ AF} / 46.2 \text{ acres} \times 35.4 \text{ acres} = 65.5 \text{ AF}$

The water quantity for irrigation of 20 acres of wheat in 2009 and 2010 is calculated using the following reference: Ecology guidance document GUID-1210 (WA210-VI-WAIG) gives water need for winter wheat as 18.64 inches for Walla Walla County; the hand line irrigation system yields a 70% efficiency; and the crop consumptive use portion is determined to be 85% of the total irrigation water quantity. The 15% will contribute to the return flow of the water use. In summary, the formula to calculate the consumptive portion of the water use is as follows:

$$20 \times \frac{18.64 \text{ inch}}{12 \text{ inch/1ft}} / 0.70 \times 0.85 = 37.72 \text{ AF (acre-feet)}$$

Table 2 Beneficial Use from 2006 to 2010 and Trust Quantity for 2011 to 2015

Year	Total beneficial use acre-ft (AF)	Past 5 year usage rate based on total authorized acres (AF/acre)	Trust water lease quantity 2011-2015 (AF)
2006	85.3	85.3/46.2 = 1.85	Proposed lease 35.4 acres: 35.4 x 1.85 = 65.5
2007	0.0	0.0	
2008	0.0	0.0	
2009	37.72	37.72/46.2 = 0.82	
2010	37.72	0.82	

Trust Water Qi portion

The Trust Water Application proposes to split the original water right instantaneous flow Qi into two parts to reflect the lease to trust Qi and remaining for irrigation Qi. The proposed splits are listed below:

<u>Flow period</u>	<u>Lease to Trust</u>	<u>Remain Irrigation</u>
4/1 to 9/15	0.713 cfs	0.21 cfs
9/15 to 4/1	0.93 cfs	0.27 cfs

The diversion rate at the existing point of diversion should be monitored and enforced following the issuing of the Trust report of examination (ROE). The pumping rate should be adjusted to the new diversion rate above.

Trust Water Place of Use

Trust water use for instream flow is generally split into primary and secondary reaches in order to distinguish the contribution of return flows from a water use and the benefits of any reduction in consumptive water use.

The primary reach is the portion of a water body that benefits from both the former consumptive use and return flow waters of a trust water right. It is the reach between the original diversion point and the

point where the last return flows re-enter the stream or river. The secondary reach is the portion of a water body that received return flow waters while the water right was exercised for its original out-of-stream purpose. The secondary reach therefore, only benefits from the former consumptive portion of the trust water right. It is downstream from the point where return flows from the prior consumptive use under the water right re-entered the stream or river. RCW 90.42.020(2) and RCW 90.38.010(2)

Primary Reach

For this water right, the Primary reach starts at the point of diversion located at River Mile 11 in Section 23, Township 8N; Range 33 E.W.M. (GPS – 46.093945N; 118.384809W (Datum NAD27)). Given the complex nature of ground water movement both spatially and temporally (for the return flow component of this existing out-of-stream water use), it is not possible to pinpoint the exact location of the Primary Reach/Secondary Reach interface. Based upon the historical point of diversion and the place of use for this particular water right, it seems reasonable to define the downstream edge of the primary reach end point as being located at the bend in the river as it crosses the south section line of Section 15, Township 7N; Range 33 E.W.M.

Secondary Reach

By definition, the Secondary Reach begins at the end of the Primary reach, extends downstream to a diversion dam located at River Mile 4 in Section 15, Township 7N; Range 33 E.W.M. (GPS – 46.05514N; 118.392554W (NAD27)).

FINDINGS

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).

The proposed trust water has been evaluated as to the potential for impairment to existing water rights in the area. The water retained instream from the trust water right will be available to other water rights in accordance with seniority and no impairment of any water right will occur. The primary reach has been designated in part to avoid potential impairment to existing water rights.

No Enhancement of the Original Certificate

No diversion of water over and above what has been historically put to beneficial use would be authorized through approval of this change. Total water between trust and that portion remaining with the right holder will not exceed the greatest use within the last five (5) years of water use nor will the total exceed the historical extent of the water right.

Consideration of Protests and Comments

No protests or comments regarding this application were received.

CONCLUSIONS

It is the conclusion of this examiner that, in accordance with Chapter 90.42 RCW, the applications for trust water right under Touchet River Adjudicated Surface Water Certificate No. 350 will not impair existing water rights, will be beneficial to the instream flow of the lower Touchet River, and is not detrimental to the public interest.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that the request to lease a portion of the Touchet River Adjudicated Certificate No. 350 in the quantities identified into Washington State Trust Water Program for 4 years and 7 months be approved, in the amounts of and within the limitations listed below and subject to the provisions listed in the Report of Examination.

Trust Water Right Attributes:

0.713 cfs, from April 1st to September 15th, and 0.93 cfs from September 15th to April 1st for instream flow enhancement purposes in the primary reach.

The primary reach begins at the original point of diversion, a GPS measurement of Latitude 46.093945N; Longitude -118.384809W, approximately 11 river miles from the mouth of the Touchet River, where it discharges into the Walla Walla River. The primary reach extends for approximately 7 miles downstream to the mouth of the Touchet River.

Based on an annual consumptive and beneficial use analysis for the previous five years, and the proposed 35.4 acres of land lease to the Trust Program, an estimated **65.5 AF(acre-feet)** will be placed into the Trust Water Program for this water right TRAC No. 350.

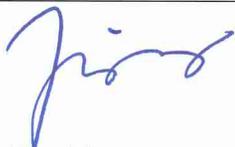
Measuring and Reporting Water Use

RCW 90.03.360 requires that the owner of any water diversion maintain substantial controlling works and a measuring device. It must be constructed and maintained to permit accurate measurement and practical regulation of the flow of water diverted. Technical requirements for the measuring and reporting of water use are described in WAC 173-173. This decision contains provisions requiring the measuring and reporting of the quantities of water withdrawn or diverted.

Report Writer

Date

Ying Fu



July 19, 2011

If you need this publication in an alternate format, please call 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.

The location of this Trust Water leasing event:

