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**DESCRIPTION OF PROPOSED WORKS**

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Surface water intake structure on the north bank of the White River sized for 12 cfs. Water from the river will be screened through a static sieve and then piped to the hatchery. Overflow from the screen will be routed to an optional clarifier and then to the discharge point located at the existing fish ladder and trap point. Pipelines from the intake structure to the hatchery facilities will be placed upon the existing ground surface. A piping system from the surface water intake structure to the wetland recharge zone, as of yet not designed.

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**DEVELOPMENT SCHEDULE**

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BEGIN PROJECT BY THIS DATE:

Started

COMPLETE PROJECT BY THIS DATE:

November 1993

WATER PUT TO FULL USE BY THIS DATE:

November 1994

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**REPORT**

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**BACKGROUND:**

The following historical information is to place this application for change of claimed right in perspective with other actions affecting hatchery operations and water supply. Puget Sound Power and Light Company (Puget) and the Muckleshoot Indian Tribe (Tribe) signed a stipulated agreement pertaining to Tribal claims to White River water and fisheries impacts. As part of this settlement, Puget constructed a hatchery designed to utilize 10 cubic feet per second (cfs) of water. Puget will convey title of the hatchery to the Tribe at some future date. The hatchery is being built in two phases, with both phases requiring five cfs of water. Phase II hatchery expansion is contingent upon the outcome of Puget's Federal Energy Regulatory Commission proceedings for their White River Hydroelectric Project (#2494).

Phase I of the hatchery was constructed on the north side of the White River directly across from Puget's Buckley diversion. In developing the hatchery, Puget made application, G1-25214, to appropriate ground water to supply two domestic residences and a fish hatchery. The report of examination for G1-25214 recommended approval of the proposed appropriation with provisos. (See report of examination on G1-25214) The applicant developed a well field, but long-term pump testing of the well field indicated the aquifer is not capable of producing the desired amount of water during the time period July through September. Since the well field can not supply all hatchery water needs, Puget made application, S1-25687, on April 3, 1990, for 12 cfs of surface water to be used in conjunction with ground water.

The White River was closed to further consumptive water use in March of 1980, Washington Administrative Code 173-510-040(3). The mean annual flow of the White River at the Buckley diversion is 1429 cfs. Since Puget claimed all of the water upstream of the Buckley diversion, and the court ordered instream flow in the bypass reach was 30 cfs, the river was closed.

Since the White River is closed to further consumptive surface water use, the applicant was advised through numerous meeting that no additional surface water is available from the White River. Subsequently, Puget made application to change a vested right, represented by Water Right Claim No. 160822, to include the following:

- o an additional point of diversion,
- o change in the place of use, and
- o reuse a portion of the water for fish propagation as a beneficial use.

Pursuant to the Water Right Claims Registration Act (chapter 90.14 Revised Code of Washington) Puget filed Water Right Claim No. 160822. Claim No. 160822 is for 2000 cubic feet per second (cfs), the water source is the White River, the priority date is April, 1910, the annual quantity of water claimed is 1,440,000 acre-feet (AF), continuous use, for an hydroelectric plant. The point of diversion for claimed water is located 200 feet south and 200 feet east from the north quarter corner of Section 2, Township 19 North, Range 6 East, W.M., Pierce County. An administrative review of Water Right Claim No. 160822, along with supporting documentation, indicates Puget appears to have a valid claim.

An application for change of water right was received September 2, 1990. Notice was published in the Enumclaw Courier-Herald on November 7, and November 14, 1990. No protests were received. Comments were received from the Departments of Fisheries and Wildlife. The Department of Wildlife (WDW) requested the applicant obtain an Hydraulic Project Approval (HPA), the diversion works be screened with mesh size equal to 1/8 inch, with a screen approach velocity of less than 0.4 cfs, and the requested change be subject to instream flow requested by WDW for the hydroelectric project. The Department of Fisheries (WDF) reiterated the HPA requirement, and requested that they be consulted in the design of the fish screens for the diversionary structure.

The applicant has requested an additional point of diversion, sized for 12 cfs, and to route the water through a fish hatchery. The proposed surface water intake for the hatchery is to be located 600 feet north and 800 feet