

file

State of Washington
Department of Ecology
Yakima, Washington

IN THE MATTER OF APPLICATION FOR CHANGE)	
BY ROBERT B. ZIMMERMAN TO CHANGE THE)	Findings of Fact,
POINT OF DIVERSION AND PLACE OF USE OF)	Conclusions and
A PORTION OF CERTIFICATE NO. 11 OF THE)	Recommendations
SQUILCHUCK CREEK ADJUDICATION, CAUSE)	
NO. 7647)	

Background

On May 7, 1986, Robert B. Zimmerman filed an application to change the point of diversion and place of use for a portion of the water authorized for use by Certificate No. 11 of the Squilchuck Creek Adjudication. The application was accepted and public notice was made with no protests received during the 30 day protest period.

Investigation

During 1984 and 1985 several site inspections were conducted in the Squilchuck Creek basin and meetings were held with representatives of the Squilchuck Creek Water Users Association. The following information was obtained from the inspections and meetings, conversations with Mr. Zimmerman, and review of office records.

Mr. Zimmerman's property lies within the Squilchuck Creek drainage, approximately two miles south of the City of Wenatchee. He owns approximately 11 acres of land described as follows: That portion of the SW1/4NE1/4 of Section 4 lying westerly of the Wheeler Hill Road, EXCEPT the following two parcels: #1, Beginning at the NW corner of the SW1/4NE1/4; thence E on the N line 220 feet; thence S 100 feet; thence W 220 feet to the W line; thence N on the W line to the point of beginning; #2, Beginning at the NE corner of the SW1/4NE1/4; thence S along the E line 400 feet; thence W 400 feet; thence N 400 feet; thence E along the N line 400 feet to the point of beginning.

Of the 11 acres owned by Mr. Zimmerman, approximately four acres have historically been irrigated. The land has primarily been planted to orchard. The four acres are irrigated with water from Squilchuck Creek, under several different water rights.

The instant application for change requests authorization to change the place of use and point of diversion for a portion of Certificate No. 11 of the Squilchuck Creek Adjudication. Certificate No. 11 is a Class 1 water right that issued to Charles Reeves and authorized the diversion of 0.05 cfs from Squilchuck Creek. The certificate did not state how many acres were authorized for irrigation, however, the decree states that 2.5 acres were authorized under this right. The authorized point of diversion was in the NE1/4NE1/4 of Section 8, T. 21 N., R. ~~22~~ 20 E.W.M., from which point a ditch delivered water to the place of use. The place of use described on the certificate is part of the SW1/4SW1/4 and part of the SE1/4SW1/4 of Section 4, T. 21 N., R. 20 E.W.M. The land originally irrigated under Certificate No. 11 has been subdivided into six lots and sold. At the time of the subdivision, Certificate No. 11 was sold to Guy Zimmerman for use in Government Lot 4 and the SW1/4NE1/4 of Section 4, however, at that time he did not seek authorization to change the certificate from the authorized place of use and point of diversion. A portion of Certificate No. 11, in the amount of 0.03 cubic feet per second (cfs) for the irrigation of 1.5 acres is now being used by Gordon, Sheila and Virginia Zimmerman and Dean Dillard. An application for change has been approved transferring their portion of Certificate No. 11 to their property and to the diversion that serves them. A superseding certificate issued for their portion in 1986.

The remaining portion of Certificate No. 11, 0.02 cfs for the irrigation of one acre, has been exercised on Robert Zimmerman's property. The instant application requests authorization to change the point of diversion to Mr. Zimmerman's pump location, which is approximately 2,000 feet south and 140 feet west of the north quarter corner of Section 4, almost one mile downstream from the authorized point of diversion. The instant application

also requests authorization to change the place of use to Mr. Zimmerman's property as described earlier in this report.

After Certificate No. 11 was sold to Guy Zimmerman, the owner of the land originally irrigated under Certificate No. 11, Nels Johnson, arranged to purchase a portion of the Millerdale Irrigation District Certificate No. 1 and formally transferred it to his land. Certificate of Change No. 1019 authorizes the use of 0.04 cfs of Class 1 water for irrigating the land once owned by Charles Reeves. According to the records of the Squilchuck Creek Water Users Association, two property owners, Fred Barker and Don Rothrock, use that much water and are the only current water users within the original place of use on Certificate No. 11.

Robert Zimmerman also has a portion of Certificate No. 1 appurtenant to his land as well as Certificate No. 32 and portions of Certificates No. 80 and No. 100. The last three certificates can only be exercised during a portion of the irrigation season due to their poor priority date and the limited flow in the creek during the summer.

Mr. Zimmerman uses a ten horsepower centrifugal pump to withdraw water at the proposed point of diversion and irrigates using handlines. A ten horsepower pump generally is capable of pumping more water than is normally used for irrigating four acres. Mr. Zimmerman must insure that his water use does not exceed his rights.

Conclusions

Based on the foregoing information, the following conclusions are made:

The proposed change of point of diversion and place of use should not impair existing rights. In fact, changing from a ditch delivery to pumping at the place of use is a more efficient use of the water and allows the water to remain in the stream channel an additional mile.

Recommendations

It is recommended that the request to change the place of use and point of diversion for a portion of Certificate No. 11 in the amount of 0.02 cfs for irrigating one acre be approved. The point of diversion shall be located 2,000 feet south and 140 feet west of the north quarter corner of Section 4, being within the SE1/4NW1/4 Section 4, T. 21 N., R. 22 E.W.M. The authorized place of use shall be: That portion of the SW1/4NE1/4 of Section 4 lying westerly of the Wheeler Hill Road, EXCEPT the following two parcels: #1, Beginning at the NW corner of the SW1/4NE1/4; thence E on the N line 220 feet; thence S 100 feet; thence W 220 feet to the W line; thence N on the W line to the point of beginning; #2, Beginning at the NE corner of the SW1/4NE1/4; thence S along the E line 400 feet; thence W 400 feet; thence N 400 feet; thence E along the N line 400 feet to the point of beginning.

This authorization is subject to Washington Department of Fisheries juvenile salmon screening criteria (pursuant to RCW 75.20.040) and/or Washington Department of Wildlife gamefish screening criteria. Please contact the Department of Wildlife, 600 North Capitol, Olympia, WA 98504, Attention: Habitat Management Division, Phone: (206)-753-3318 to obtain specific gamefish (trout, bass, etc.) requirements for your project. Washington Department of Fisheries juvenile salmon screening criteria are attached to the Report of Examination if applicable to your diversion.

REPORT BY: Becky Johnson DATE: 12/22/87
Becky Johnson

APPROVED BY: Doug Clausing DATE: 12/22/1987
Doug Clausing, Regional Supervisor