



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

June 27, 2012

Ms. Lorri Lee, Regional Director
Pacific Northwest Regional Office
1150 N Curtis Road Ste 100
Boise ID 83706-1234

RE: Extension of Withdrawal of Water of the Columbia River and its Tributaries

Dear Ms. Lee:

Enclosed is the Order and Determination of the Department of Ecology (Ecology) granting extension of the withdrawal of waters of the Columbia River and its tributaries until December 23, 2014. This withdrawal is in connection with the investigation of storage and transfers of water to enhance Yakima Basin water supplies and was initiated in 2004.

If the Bureau of Reclamation contemplates requesting a further extension of time to complete its investigations, I recommend the extension request be made before August 1, 2014, to allow sufficient time for the publication of notices and processing of the request.

If you or your staff has any questions regarding Ecology's decision or the withdrawal generally, please call me at (509) 454-4258.

Sincerely,

Mark Kemner, LHG
Section Manager

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Enclosure: Order and Determination

Cc: Peter Goldmark, DNR Office of the Commissioner of Public Lands
William Ferry, USBR Yakima



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Bcc e-copy: Maia Bellon
Tom Loranger
Keith Stoffel
Derek Sandison
Tom Tebb
Melissa Downes
Sage Park

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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|---------------------------------------|---|-------------------|
| IN THE MATTER OF THE REQUEST OF THE |) | |
| SECRETARY OF THE INTERIOR OF THE |) | ORDER |
| INTERIOR OF THE UNITED STATES FOR AN |) | AND DETERMINATION |
| EXTENSION OF THE PERIOD OF WITHDRAWAL |) | |
| OF THE UNAPPROPRIATED WATERS OF THE |) | GRANTING |
| COLUMBIA RIVERS AND ITS TRIBUTARIES |) | EXTENSION OF TIME |
| UPSTREAM FROM PRIEST RAPIDS DAM |) | |
| WITHIN THE STATE OF WASHINGTON |) | |

On July 3, 2008, the United States requested a three-year extension of the period of withdrawal of all of the unappropriated waters of the Yakima River and its tributaries, pursuant to Section 90.40.030 of the Revised Code of Washington (RCW).

The subject withdrawal was initiated by notice filed by J. William McDonald, the Regional Director of the United States Department of the Interior, Bureau of Reclamation (Reclamation) on December 28, 2004, stating that the United States intended to make examinations and surveys for the utilization of such waters for multiple purposes under Public Law 108-7, commonly referred to as the Yakima Basin Storage Project. On December 21, 2005, J. William McDonald (Reclamation) certified that a project appeared feasible and secured an additional three years to continue investigation of the project in detail, causing the waters to continue to be withdrawn from appropriation until December 22, 2008. The withdrawal was subsequently extended until December 22, 2011.

Section 90.40.030 RCW provides that a withdrawal may be further extended beyond the initial four-year period after proper publication of notice has been made. Notice of the December 23, 2011 application for further extension has been published once a week for four consecutive weeks by Reclamation in weekly newspapers published and of general circulation in Yakima, Kittitas and Benton counties. Copies of said notices and affidavits of their publications are on file at Ecology, Central Regional Office. No comments or objections to the continuation of the withdrawal were received.

WHEREAS, the United States has made a timely application for a further extension to allow for continued examinations, surveys and investigations related to the Yakima River Basin Integrated Water Resource Management Plan; and

WHEREAS, notice of this application for further extension has been published once a week for four weeks in weekly newspapers published and of general circulation in Yakima, Kittitas and Benton counties, the same being the counties where the works for the utilization of such waters could be constructed. Copies of said notices and affidavits of their publications are on file at Ecology, Central Regional Office; and

WHEREAS, Reclamation and the state of Washington continue to diligently investigate alternative projects to expand the water supply of the Yakima River Basin through means that could include the importation of water from the Columbia River; and

WHEREAS, water rights for potential water supply enhancement elements to benefit the Yakima River Basin may be required as these elements are implemented in the future, it is therefore

ORDERED AND DETERMINED that the time within which the United States is required to complete plans for the utilization of the withdrawn waters of the Columbia River and its tributaries and file applications for permits for the appropriation thereof be and is hereby extended to December 23, 2014.

It is further provided that should applications for water rights be filed on behalf of the United States for completion of this project under the provisions of chapter 90.03 RCW within a period of time short of the time for which this extension is granted, this Order shall be of no force and effect after the date of filing.

Given under my hand and seal of this office at Yakima, Washington on this 27 day of JUNE, 2012.


Mark Kemner, LHG
Section Manager
Water Resources Program
Central Regional Office

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