



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

September 9, 2009

CERTIFIED MAIL 7003 1680 0007 1588 7814

Easterday Ranches, Incorporated
1816 North 20th Avenue
Pasco, Washington 99301

Re: Water Right Change Application No. R3-30571

Dear Mr. Easterday:

Enclosed is a copy of the Department of Ecology's *Report of Examination for Change*. This report contains our decision regarding your application.

Your application has been approved.

You have a right to appeal this Order. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

The Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey, WA 98503

2. To serve your appeal on the Department of Ecology



Mail appeal to:

The Department of Ecology
Appeals & Application for Relief
Coordinator
PO Box 47608
Olympia, WA 98504-7608

Deliver your appeal in person to:

OR The Department of Ecology
Appeals & Application for Relief
Coordinator
300 Desmond Dr SE
Lacey, WA 98503

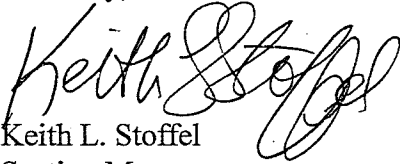
3. And send a copy of your appeal to:

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

*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> .*

If you have any questions, please contact Kevin Brown at 509 329-3422.

Sincerely,



Keith L. Stoffel
Section Manager
Water Resources Program

KLS:KB:ka

Enclosures: Report of Examination for Change
Your Right To Be Heard
Focus on Water Right Relinquishment



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

**RESERVOIR
REPORT OF EXAMINATION**

TO CONSTRUCT A RESERVOIR AND STORE FOR BENEFICIAL USE
WATERS OF THE STATE OF WASHINGTON

| | | | |
|-----------------------------------|--------------------------------|---------------|--------------------|
| PRIORITY DATE January 22, 2009 | APPLICATION NUMBER R3-30571 | PERMIT NUMBER | CERTIFICATE NUMBER |
|-----------------------------------|--------------------------------|---------------|--------------------|

| |
|-------------------------------|
| NAME Easterday Ranches Inc |
|-------------------------------|

| | | | |
|---|-----------------|---------------|---------------------|
| ADDRESS (STREET) 1816 N. 20 th Avenue | (CITY) Pasco | (STATE) WA | (ZIP CODE) 99301 |
|---|-----------------|---------------|---------------------|

Note: NOPL means Normal Operating Pool Level

| | |
|---|----------------------------------|
| NAME OF STREAM OR OTHER SOURCE FOR RESERVOIR SUPPLY A well | TRIBUTARY OF (IF SURFACE WATERS) |
|---|----------------------------------|

| | |
|---|---|
| NUMBER OF ACRE FEET STORED WHEN RESERVOIR IS FULL 19 | USE(S) TO BE MADE OF IMPOUNDED WATER See G3-00101C |
|---|---|

LOCATION OF IMPOUNDING STRUCTURE

| |
|--|
| LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NW ¹ / ₄ NW ¹ / ₄ |
|--|

| | | | | |
|---------------|-------------------|---------------------------------|----------------|--------------------|
| SECTION 24 | TOWNSHIP N. 12 | RANGE, (E. OR W.) W.M. 31 E. | W.R.I.A. 33 | COUNTY Franklin |
|---------------|-------------------|---------------------------------|----------------|--------------------|

LEGAL SUBDIVISIONS OF LANDS IN WHICH THE SUBMERGED AREA IS TO BE LOCATED

NW¹/₄NW¹/₄ of Section 24, T. 12 N., R. 31 E.W.M.

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED IF DIFFERENT THAN ABOVE

S¹/₂ of Section 13, and all of Section 24, T. 12 N., R. 31 E.W.M.

If you require this publication in an alternate format, please contact Water Resources 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.

CONSTRUCTION OF IMPOUNDING STRUCTURE

| | | |
|--|---|---------------------|
| HEIGHT OF DAM (FEET) 13.0 feet | LENGTH ON TOP (FEET) | WIDTH ON TOP (FEET) |
| SLOPE OF FRONT OR WATER SIDE (Number of feet horizontal to one foot vertical): 3:1 | SLOPE OF BACKSIDE (Number of feet horizontal to one foot vertical): 3:1 | |
| HEIGHT OF DAM ABOVE WATER LINE AT NOPL (FEET) 2.0 feet | | |

TYPE OF CONSTRUCTION OF DAM AND CONSTRUCTION MATERIALS

Earth fill lined pond

LOCATION AND APPROXIMATE DIMENSIONS OF SPILLWAY INCLUDING CREST LENGTH

N/A

LOCATION, SIZE AND TYPE OF VALVE AND OUTLET CONDUIT STRUCTURE

N/A

| | | |
|---|---|---|
| NUMBER OF ACRES SUBMERGED WHEN RESERVOIR IS FILLED TO NOPL 1.8 acres | MAXIMUM DEPTH (FEET) AT NOPL 12 feet | APPROXIMATE AVERAGE DEPTH (FEET) 12 feet |
|---|---|---|

DEVELOPMENT SCHEDULE

| | | |
|--|---|--|
| BEGIN PROJECT BY THIS DATE: October 1, 2010 | COMPLETE PROJECT BY THIS DATE: October 1, 2012 | WATER PUT TO FULL USE BY THIS DATE: October 1, 2013 |
|--|---|--|

REPORT

BACKGROUND

An application to construct a reservoir and store water was submitted on January 22, 2009. The application was accepted and assigned Reservoir Application Number R3-30571. The applicant proposes to store water in the amount of approximately 19 acre-feet. The impounding structure is to be located within the NW¼NW¼ of Sec. 24, T. 12 N., R. 31 E.W.M., Franklin County, WA.

A reservoir permit is required when storing water to a depth of 10 or more feet at its deepest point, or one that is retaining 10 or more acre-feet of water. (WAC 508-12-260).

A notice of application was published in accordance with RCW 90.03.280 in the Tri-City Herald on March 4 and 11, 2009. No protests were received.

This application is not categorically exempt from the provisions of the State Environmental Policy Act (SEPA) of 1971, Chapter 43.21C RCW. A SEPA Mitigated Determination of Non-Significance was issued by Franklin County on August 4, 2008 with the Addendum dated May 7, 2009.

This application is priority processed under RCW 90.03.370(1)(b).

INVESTIGATION

A field investigation was conducted on August 4, 2009. No development had yet occurred on that date. The project site is located approximately five miles south of Connell, Washington.

The water right associated with the project was acquired under an application for Change to Ground Water Certificate G3-00101C. On April 10, 2009, this office received a Record of Decision from the Franklin County Conservancy Board recommending approval of the transfer. Ecology modified the decision and approved the proposed change/transfer of the right on June 11, 2009.

The transfer authorizes the use of 500 gallons per minute, 316 acre-feet per year; 137 gallons per minute, 66 acre-feet per year for Stock Drinking Water; 363 gallons per minute, 250 acre-feet per year for Stock Cooling, Dust Control, and other associated feedlot uses, continuously year round.

The reservoir is not going to impound more than 10 acre-feet above ground level. Therefore it is exempt from plan approval from the Dam Safety Office of Ecology.

When considering an application for a water right permit, the Department of Ecology must first determine that the following statutory requirements are met:

1. The proposed use of water will be a beneficial one;
2. There is water available for appropriation;

