



**STATE OF WASHINGTON
REPORT OF EXAMINATION
FOR TEMPORARY PERMIT No. S4-36197**

PRIORITY DATE	WATER RIGHT APPLICATION NUMBER
December 12, 2024	S4-36197

NAME AND MAILING ADDRESS	SITE ADDRESS (IF DIFFERENT)
Grant County PUD P.O. Box 878 Ephrata, WA 98823	

Total Rate and Quantity Authorized for Diversion	
DIVERSION RATE (cfs)	ANNUAL QUANTITY (ac-ft/yr)
1	24 (Non-consumptive)

cfs = Cubic Feet per Second; ac-ft/yr = Acre-feet per Year

Remarks: This TEMPORARY AUTHORIZATION expires on December 31, 2029.

Purpose(s)			
PURPOSE	DIVERSION RATE (cfs)	ANNUAL QUANTITY (ac-ft/yr)	PERIOD OF USE
Industrial	1.0	24 (Non-consumptive)	1/1 – 12/31

Source Location			
COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Yakima	Columbia River	Pacific Ocean	40- Alkali-Squilchuck

SOURCE NAME	PARCEL	WELL TAG	TOWNSHIP	RANGE	SECTION	QQ Q	LATITUDE	LONGITUDE
Columbia River	23130232001		13 N.	23 E.	2	SW NW	46.64358	-119.91459

QQ Q = Quarter Quarter

Datum: NAD83/WGS84

Place of Use
PARCEL(S)
23130232001

LEGAL DESCRIPTION OF THE AUTHORIZED PLACE OF USE
Located within the S½NW¼ of Section 2, Township 13 N., Range 23 E.W.M., Yakima County, WA.

Proposed Works
The applicant proposes to divert water from the Columbia River to provide extraction of concrete cuttings and lubrication for a drill to be used for the stabilization project of the Priest Rapids Dam spillway. All water use is non-consumptive and will be treated prior to discharge back into the Columbia River.

Construction Schedule

BEGIN PROJECT BY THIS DATE	COMPLETE PROJECT BY THIS DATE
April 1, 2026	December 31, 2028

Attention: These dates represent deadlines that must be met or risk cancellation of this authorization. Submittal of formal documentation for each stage is required.

Measurement of Water Use

HOW OFTEN MUST WATER USE BE MEASURED AND RECORDED?	Weekly
HOW OFTEN MUST WATER USE DATA BE REPORTED TO ECOLOGY?	Annually by January 31
WHAT QUANTITY SHOULD BE REPORTED?	Total annual quantity in acre-feet
WHAT RATE SHOULD BE REPORTED?	Annual peak rate of diversion in cfs

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", chapter 173-173 WAC, 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 (Ecology) for modifications to some of the requirements.

Recorded water use data shall be submitted electronically by January 31 each year. To set up an Internet reporting account, contact the Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Regional Office for forms to submit your water use data.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, shall 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.

Washington Department of Fish and Wildlife

This authorization for surface water diversion is **required to meet fish screening statutes** (RCW 77.57.010, RCW 77.57.040, and RCW 77.57.070) and may require compliance with the state Hydraulic Code (chapter 77.55 RCW). **No diversion under this authorization shall take place until all WDFW screening and permitting requirements are complete and in place.** For additional information see the [WDFW permitting page \(https://wdfw.wa.gov/licenses/environmental/hpa\)](https://wdfw.wa.gov/licenses/environmental/hpa) and consult with the appropriate Habitat Biologist according to the [contact map](https://wdfw.wa.gov/about/contact) found at the [WDFW Contact Us](https://wdfw.wa.gov/about/contact) webpage (<https://wdfw.wa.gov/about/contact>). You may also call the WDFW Help Desk between 8:00 am and 4:00 pm Monday through Friday at: (360) 902-2422 or send an email to: APPS.Help@dfw.wa.gov.

Supporting information on screening and fish passage may be found on the [WDFW Regulations, guidelines, and determining compliance](https://wdfw.wa.gov/species-habitats/at-risk/habitat-recovery/fish-passage/screens/regulations) page (<https://wdfw.wa.gov/species-habitats/at-risk/habitat-recovery/fish-passage/screens/regulations>).

Easement right-of-way

The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right change authorization by this Department does not convey a right of

access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

Conservation

The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

Quantity Limits, Flow and Regulation

This authorization is subject to the following minimum flows as specified in WAC 173-563-040 and WAC 173-563-050 and the following table. It is subject to regulation by the Department of Ecology for protection of instream resources whenever the March 1 forecast of April-September runoff at The Dalles is 60 MAF or less, and when gaged flows are predicted by the BPA 30-Day Power Operation Plan to violate the following minimum flow provisions at:

**Primary Control Station: Priest Rapids Pool
River Mile: 398**

Minimum Average Weekly Flows
Columbia River Projects
(1,000 cubic feet/second)

PRIMARY CONTROL STATION	Chief Joseph*	Wells/Rocky Reach*	Rock Island & Wanapum*	Priest Rapids	McNary	John Day	The Dalles
RIVER MILE	(545.1)	(515.6) (473.7)	(453.4) (415.8)	(397.1)	(292.0)	(215.6)	(191.5)
Jan	30	30	30	70	60	60	60
Feb	30	30	30	70	60	60	60
Mar	30	30	30	70	60	60	60
Apr 1-15	50	50	60	70	100	100	120
Apr 16-25	60	60	60	70	150	150	160
Apr 26-30	90	100	110	110	200	200	200
May	100	115	130	130	220	220	220
Jun 1-15	80	110	110	110	200	200	200
Jun 16-30	60	80	80	80	120	120	120
Jul 1-15	60	80	80	80	120	120	120
Jul 16-31	90	100	110	110	140	140	140
Aug	85	90	95	95	120	120	120
Sep	40	40	40	40	60	85	90
Oct 1-15	30	35	40	40	60	85	90
Oct 16-31	30	35	40	70	60	85	90
Nov	30	30	30	70	60	60	60
Dec	30	30	30	70	60	60	60

* For the reach from Grand Coulee through Wanapum, minimum average weekly flows shall be as shown above, or as necessary to maintain minimum flows (subject to low runoff and adjustment) at Priest Rapids, whichever is higher. As provided in WAC 173-563-050(1), the minimum average weekly flows set forth in this subsection are subject to a reduction of up to 25 percent during low flow years, except that in no case shall the outflow from Priest Rapids Dam be less than 36,000 cfs.

Use of water under this authorization shall be contingent upon the water right holder’s use of up-to-date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

Findings of Fact and Order

Upon reviewing the investigator's report, I find all facts, relevant and material to the subject application, have been thoroughly investigated.

Therefore, I ORDER **APPROVAL** of Application No. S4-36197, subject to existing rights and the provisions specified above.

Your Right To Appeal

You have a right to appeal this decision to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. 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 all of the following within 30 days of the date of receipt of this decision:

- File your notice of appeal and a copy of this decision with the PCHB (see filing information below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this decision on the Department of Ecology by mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in chapter 43.21B RCW and chapter 371-08 WAC.

Filing An Appeal

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://eluhwa.gov/> or call: 360-664-9160.

Service on Ecology

Street Address:

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

Mailing Address:

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

E-mail Address:

ecologyappeals@ecy.wa.gov

More Information

- **Pollution Control Hearings Board Website**
<https://eluhwa.gov/>
- **Chapter 43.21B RCW – Environmental Hearings Office – Pollution Control Hearings Board**
<http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**
<http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08>

- **Chapter 34.05 RCW – Administrative Procedure Act**
<http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Ecology’s Laws, Rules & Rulemaking**
<https://www.ecology.wa.gov/About-us/How-we-operate/Laws-rules-rulemaking#ws>

Authorizing Signature

Signed at Union Gap, Washington, this XX day of XXXX, 2026.

Scott Turner, Operations Section Manager
Office of Columbia River
Department of Ecology

DRAFT

INVESTIGATOR'S REPORT

Water Right Application No.: S4-36197 Grant County PUD

Investigator: Kelli Bredin

BACKGROUND

This report serves as the written findings of fact concerning Water Right Application Number S4-36197.

The subject application was submitted to the Washington State Department of Ecology on December 12, 2024. The application proposes to divert an instantaneous quantity of one (1) cubic foot per second (cfs) and a non-consumptive annual quantity of 24 acre-feet per year for a period of no more than three years for the purpose of construction to stabilize the Priest Rapids Dam per federal safety regulations. The project spans the entire width of the dam between Yakima and Grant Counties. The proposed Point of Diversion (POD) is within the SW¼NW¼ of Section 2, T. 13 N., R. 23 E.W.M., Yakima County, located at River Mile 397. The Place of Use (POU) is described as the S½NW¼ of Section 2, T. 13 N., R. 23 E.W.M., of Yakima County. The project area encompasses approximately 16.5 acres on and off the Columbia River.

Table 1: Summary of Requested Water Right

Applicant Name	Grant County PUD
Priority Date	December 12, 2024
County	Yakima and Grant
WRIA	40 - Alkali-Squilchuck
Water Source	Columbia River
Tributary to	Pacific Ocean
Place of Use	Located within the S½NW¼ of Section 2, Township 13 N., Range 23 E.W.M., Yakima County, WA.

Purpose	Instantaneous Rate (cfs)	Annual Quantity (ac-ft/yr)	Begin Season	End Season
Power Source for Drills	1	24	May 1, 2026	December 31, 2028

Source Name	Parcel	Township	Range	Section	QQ Q	Latitude	Longitude
Columbia River	23130232001	13 N.	23 E.W.M.	2	SW NW	46.64358	-119.91459

Datum: NAD83/WGS84

INVESTIGATION

In consideration of the proposed application, the investigation included, but was not limited to research and review of:

1. Overlapping water rights, permits and claims.
2. USGS topographic maps and arial photographs.
3. Proposed place of use legal description.
4. Review of information provided by the applicant.
5. Discussions with Department of Ecology Office of Columbia River Staff.

On September 30, 2025, a site examination of Application No. S4-36197 was completed at the proposed place of use Yakima County Parcel No. 23130232001 all owned and operated by Grant County PUD. Kelli Bredin and Phil Lefler of Department of Ecology's Office of Columbia River oversaw the examination and provided review. Larry Leham from Grant County PUD was on site to provide a tour of the POU, proposed POW, project details, and answer questions.

Proposed Use and Basis of Water Demand

Site Description

Grant County PUD District No. 2 owns and operates the Priest Rapids Dam which was constructed in the late 1950's. The Priest Rapids Dam Spillway Stability Improvement Project will bring the Dam into compliance with the Federal Energy Regulatory Commission dam stability project.

Proposed Use and Water System Description

Priest Rapids Dam requires mandated stability of the spillway by stabilizing the concrete joints with post-tensioned anchors. Each anchor location requires drilling into the dam. The subject proposal is to divert up to one (1) Cubic Foot per Second of non-consumptive surface water from the Columbia River through a surface water pump located on a pontoon barge anchored in the forebay approximately 200 meters from the Dam just before the spillway at an annual quantity of no more than 24 acre feet per year. The surface water pump will be implemented and in compliance with all fish screening requirements. A concrete drill located on a float dock will use the water as lubrication as the drill extracts concrete pieces from the dam. The water and concrete pieces will then be transferred to a holding tank on shore at the staging area where the water will be placed in one of three storage tanks holding up to 18,000 gallons of water prior to being treated in compliance with storm water treatment guidelines. After treatment and the removal of the solids the water will return to the Columbia River at a rate no greater than 400 gallons per minute over the spillway at a controlled rate adjacent to the right riverbank. A large crane will be placed on the dam allowing crews to drill into a section of the spillway at a time. The drill will bore a hole into the concrete and bedrock before the hole is filled with a grout prior to the placement of the steel stabilizers. The dam must continue day-to-day operations while construction is ongoing, therefore the project will take approximately three (3) years to complete.

History of Water Use

Grant County PUD is familiar with the process of Dam stabilization construction projects on the Columbia River. A similar project was conducted at the Wanapum Dam, located upstream at River Mile Marker 416. The disbonded concrete lift joints became disconnected creating threatening structural integrity for the Wanapum Dam. Post tension anchors were used to stabilize the spillways preventing disintegration of the dam. Construction on the Priest Rapids Dam will undergo a similar process outlined by the Federal Energy Regulatory Commission requirements.

Other Rights Associated with Project or Place of Use

The Overlapping and adjacent water rights to the POU are all owned by Grant County PUD #2. The proposed non-consumptive water right was submitted by Grant County PUD #2 and will not interfere with the currently authorized water rights.

Table 2: Summary of Overlapping and Adjacent Water Rights

Water Rights No.	Name	Priority Date	Status	Purpose	Qi	Qa
S3-00004	Grant Co. PUD #2	4/15/1970	Certificate	Municipal	0.03	6.4
G3-27102	Grant Co. PUD #2	7/27/1981	Certificate	Fish Propagation	7,800	12,500
G3-26093	Grant Co. PUD #2	11/21/1978	Certificate	Fish Propagation	2,700	3,570
G3-01591	Grant Co. PUD #2	4/15/1970	Certificate	Municipal	100	161
G3-*10786	Grant Co. PUD #2	4/15/1970	Certificate	Municipal	30	3
G3-01590	Grant Co. PUD #2	4/15/1970	Certificate	Municipal	300	120
G3-*04403	Grant Co. PUD #2	8/14/1956	Certificate	Municipal	400	13.6

ANALYSIS

Under Washington State law (RCW 90.03.290), each of the following four criteria must be met for an application for a new water right permit to be approved:

- Water must be available for appropriation.
- Water diversion and use must not cause impairment of existing water rights.
- The proposed water use must be beneficial.
- Water use must not be detrimental to the public interest (public welfare).

Water Availability

For any new appropriation, water must be both physically and legally available.

Physical Availability

For water to be physically available for appropriation, water must be present in quantities and quality and on a sufficiently frequent basis to provide a reasonably reliable source for the requested beneficial use or uses. An analysis of physical availability is required for both surface water and groundwater applications.

The proposed water appropriation is a short term project lasting no more than three years and is 100% non-consumptive. The subject application requested quantities are physically available for the stabilization project.

Legal Availability

To meet the legal availability test, the proposed appropriation may not divert and use water that is already “spoken for”, such as water from sources that are protected by administrative rule or court order.

The water is legally available as the subject proposal is for 100% non-consumptive water and will have no impact on any previously allocated water rights.

Impairment

In analyzing impairment, Ecology must make a determination as to whether existing water rights, including adopted instream flows, may be impaired by the diversion and proposed use.

The subject application proposes to use the water non-consumptively. The water will be diverted to lubricate the drill and aid in the removal of drill cuttings, once treated for any potential contaminants the water will be released back into the Columbia River.

Columbia River Minimum Instream Flow Rules are being imposed on this authorization in order to minimize any impact this authorization may have on existing rights. In the event that conditions in the Columbia River trigger those rules, all water use associated with this authorization must be curtailed immediately.

Beneficial Use

The proposed appropriation must be for a beneficial use of water.

The subject proposal will utilize water to power a specialized drill to repair the dam which is considered a beneficial use of water under RCW 90.54.020(1).

Public Interest

The diversion and associated use must not be detrimental to the public interest. At a minimum, the following are considered when making this assessment.

Notification to the Washington Department of Fish and Wildlife

Per RCW 90.03.280 and 77.57.020, Ecology must give notice to the Washington Department of Fish and Wildlife (WDFW) of applications to divert, withdraw, use, or store water.

WDFW was provided notice of this water right application on February 14, 2025. The application did not receive any comments.

State Environmental Policy Act (SEPA)

Under chapter 197-11 WAC, a water right application is subject to a SEPA threshold determination (i.e., an evaluation of whether there will be significant adverse environmental impacts) if any of the following conditions are met:

- It is a surface water right application for more than 1 cubic foot per second (cfs), unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cfs, 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 (gpm);
- 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.

Considering that none of the above conditions are met, the application under review is categorically exempt from a SEPA threshold determination.

Public Notice

RCW 90.03.280 requires that notice of a water right application be published once a week, for two consecutive weeks, in a newspaper of general circulation in the county or counties where the water is

stored, diverted, and used. Notice of this application was published in the Yakima Herald Republic, El Sol, and the Columbia Basin Herald on March 18, 2025, and March 25, 2025. No comments were received for the proposed application.

Consultation under Chapter 173-563 WAC

Under WAC 173-563-020(4), before any application is considered for approval or denial after July 27, 1997, Ecology must consult with appropriate local, state, and federal agencies and Indian tribes. The consultation process solicits input regarding possible impacts on fish and existing water rights. Consultation letters were sent on July 7, 2025. On August 4, 2025, Marcus Shirzad representing the Yakama Nation requested an extension of time to the 30 day comment period so that the members could have an opportunity to comment. The Comment period was extended to August 15, 2025. No comments were received about the subject proposal.

Enhanced Consultation

Under the Pollution Control Hearings Board Case No. 20-071 settlement agreement any water right application to divert, withdraw, or store water within the Yakama Nation Enhanced Consultation area is to be reviewed by the Yakama Nation for consideration. This consultation requests project-specific input when an application is located within the Yakama Nation’s Enhanced Consultation boundary. Tribal Consultation was requested on February 14, 2025. No comments were received by the Yakama Nation for the subject proposal.

Conclusions

I find that:

- Water is physically and legally available.
- The appropriation will not impair existing rights.
- The proposed use of water to power a dam repairing power tool is a beneficial use.
- Approval of this application will not be detrimental to the public interest.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend this request for a water right be **APPROVED** in the amounts and within the limitations listed below and subject to the provisions listed above.

Recommended Quantities, Purpose of Use, and Project Location

The rate and quantity of water recommended are maximum limits. The permit holder may only divert water at a rate and quantity within the specified limits that are reasonable and beneficial:

Table 3: Recommended Limits and Location

Maximum Instantaneous Rate (cfs)	1
Maximum Annual Quantity (ac-ft/yr)	24
Purpose(s) of Use	Power source for heavy equipment
Point of Diversion	SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 13 N., Range 23 E.W.M.
Place of Use	Located within the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 2, Township 13 N., Range 23 E.W.M., Yakima County, WA.

Kelli Bredin, Report Writer

Date

To request ADA accommodation including materials in a format for the visually impaired, call Ecology Water Resources Program at 360-407-6872. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

DRAFT

Attachment No. 1 Grant County PUD #2 Map of the Place of Use and Point of Diversion

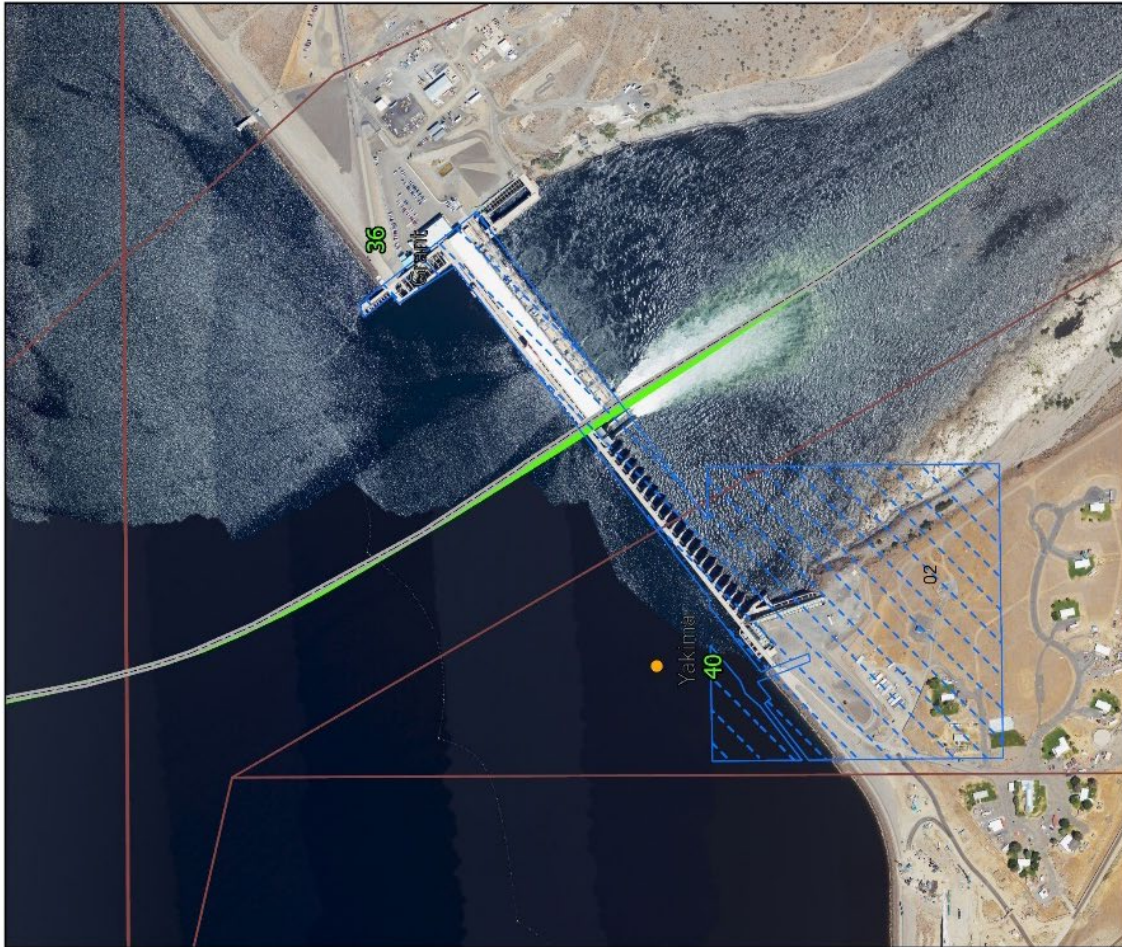
Name
Document Title
Township/Range
WRIA
County



NAIP 2023 Aerial Photo

- Place of Use
- Point of Withdrawal
- U.S. Interstate
- U.S. Highway
- State Route
- Waterbodies
- Streams
- Township
- Sections
- Parcels_2025
- WRIA Boundaries
- County Boundaries

Comment:
Place of use and source locations are as defined within the Report of Examination for the document identified in the header above.



Attachment No. 2 Photo of the Approximate Point of Withdrawal at River Mile 397 Columbia River



Attachment No. 3 Photo of the Proposed site of water treatment



Attachment No. 4 Photo of the Proposed Place of Use the Priest Rapids Dam Spillway



Attachment No. 5 Photo of the Top of Priest Rapids Dam Place of Use

