

2017-02

WATER TRANSFER WORKING GROUP PROJECT DESCRIPTION

APPLICATION NO./COURT CLAIM NO. CG4-30182(A) (Groundwater Permit)		
APPLICANT NAME Borton Packing Center, LLC	CONTACT NAME Dan Haller, Aspect Consulting	TELEPHONE NO. 509-895-8607
WATER RIGHT HOLDER'S NAME (if different) same		EMAIL dhaller@aspectconsulting.com

DATE OF APPLICATION(S) September 12, 2014 to Yakima County Conservancy Board	PRIORITY DATE February 16, 1990
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WATER SOURCE: Groundwater	CROP: Hay
INSTANTANEOUS QUANTITY: 175 gpm	ANNUAL QUANTITY: Existing: 44 ac-ft/yr Proposed: 33 ac-ft/yr
PERIOD OF USE: Existing: April 1 to July 10 (supplemental); July 10 to October 15 (primary) Proposed: April 1 to October 15 (primary)	
PLACE OF USE: Existing: E $\frac{1}{2}$ OF Govt Lot 8 except county right of ways within Section 3, T 12 N, R 18 EWM (condensed description, see figure) Proposed: Yakima County Parcel No. 18120341010, the W $\frac{3}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T. 12 N., R. 18 EWM. (see figure)	PURPOSE OF USE: Existing: Irrigation of 20 acres Proposed: Irrigation of 10.3 acres
IRRIGATION METHOD: The current irrigation method is hand line sprinklers. The applicant plans to use wheel lines on the new place of use.	

CONSUMPTIVE USE CALCULATION: n/a

NARRATIVE DESCRIPTION OF PROJECT: In 2014, Borton Packing Center LLC (Borton) began a water and land sale with the Yakama Nation covering a portion of the authorized place of use for G4-30182(A)P along with other surface water rights (e.g. S4-84959J of the Acqavella Adjudication). Borton retained all groundwater interest in the property, but is selling any surface water right interests. This left Borton with groundwater permit G4-30182(A)P in a configuration that did not meet their farming needs. A pre-application meeting was conducted with Ecology on September 2, 2014 to review how best to change Permit G4-30182(A)P to meet their remaining land and irrigation needs. With Ecology's assistance, Borton developed a change application approach to re-align its water authorization with

its remaining land.

On September 11, 2014, Borton filed an application to change the manner of use, season of use, and place of use under G4-30182(A). The application was accepted at an open public meeting on September 11, 2014, and the board assigned application number YAKI-14-03.

This water right permit is authorized for 11 acre-feet of supplemental supply in the early irrigation season (April 1 – July 10) and 33 acre-feet of primary supply in the later irrigation season (July 10 – October 15). The applicant is proposing to:

1. Consolidate the 20 acres primary portion of this water right down to 10.3 acres (place of use change).
2. Expand the season of use of the 33-acre-foot primary portion of the water right from July 10 to October 15, to the entire irrigation season from April 1 to October 15 (season of use).
3. Modify the water duty of the primary portion of the water right from 1.65 acre-feet/acre on 20 acres to 3.2 acre-feet/acre on 10.3 acres (manner of use, consolidation).
4. The 11-acre-foot supplemental portion of Permit G4-30182(A)P will be voluntarily cancelled under this change authorization to avoid any duplicative use with S4-8459J under separate property owners.

On April 30, 2015 Ecology provided notice to the board that it recommended withdrawal of the ROE/ROD for further clarification on several issues, including:

1. Potential impacts to Ahtanum Creek based on the season of use change.
2. A potential error in G4-30182P (parent right of this (A) change) as to the reference of an overlapping Ahtanum Creek Adjudicated Certificate 202.
3. Greater clarity on overlap of other water rights appurtenant to the subject property.

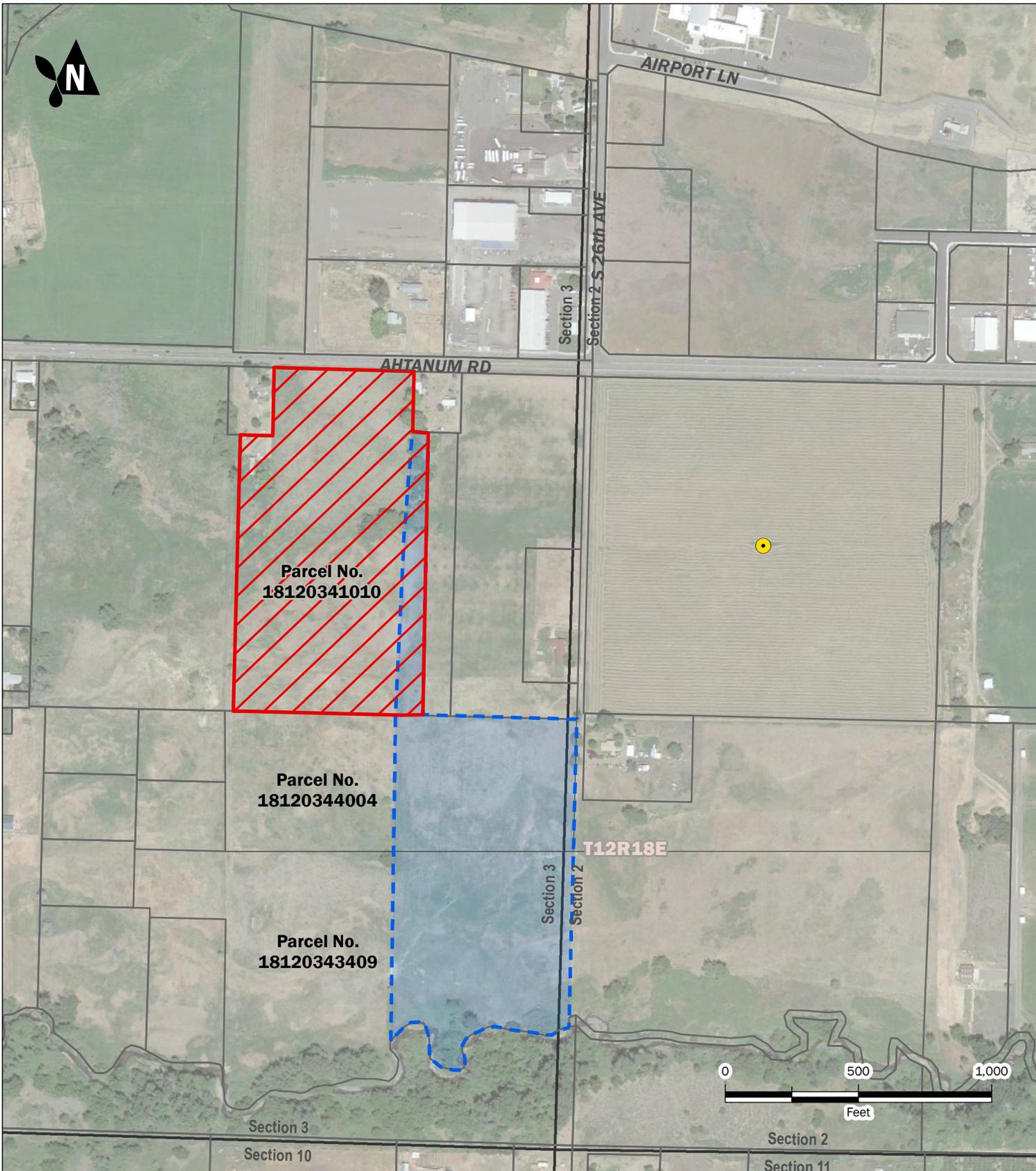
The Board withdrew the ROE/ROE in May 2015 and Borton and Aspect Consulting performed additional investigation to address Ecology's comments. These investigations culminated in a meeting on July 6, 2016 with Ecology staff (Tom Perkow, Danielle Squeochs) and Board Member Dave Brown. Following this meeting, the ROE was revised to include more detail about overlapping water rights and to clarify the error in reference to Ahtanum Creek Adjudicated Certificate 202 on G4-30182P and G4-30182(A). Additionally, to address potential impacts to Ahtanum Creek from the season of use change a Water Resource Management Plan provision was added to the ROE that states:

“By April 1, 2017, Borton shall provide a Water Resource Management Plan that will either provide water-for-water discharge in equal quantities to the project impacts (e.g. up to 15 gpm for 120 days) along with sufficient permit authority for such discharge, retirement of an equivalent amount of valid water rights covering these impacts, or provide written concurrence of acceptance of these impacts to a senior water right holder. If it can be shown that the requested appropriation has a detrimental effect on existing rights, it shall be the responsibility of the water right holder to mitigate for this impact and/or alter or cease diversion/withdrawal of water.”

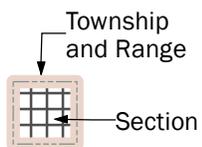
The Board found these revisions and the additional provision adequate and resubmitted the ROE/ROD containing this additional information.

CONCLUSION

Based on their investigations and a hydrogeologic investigation conducted by Aspect Consulting (available upon request) the Board finds that no impairment to existing water rights or detriment to the public interest will occur as a result of this change if provisioned with a Water Resource Management Plan (as discussed above).



-  Authorized Place of Use
-  Proposed Place of Use
-  Point of Withdrawal
-  Parcel



G4-30182P(A)
Water Right Change Application
 Borton Packing Center LLC
 Yakima County, Washington

Aerial Image Source: Google Earth, July 9, 2013



SEP-2014

PROJECT NO.
130320

BY:
BZ / RAA
REVISED BY:

FIGURE NO.

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