



WATER RESOURCES PROGRAM

Application for a Variance to Court Ordered Date for Installing a Measuring Device in the Yakima Adjudication

APPLICANT NAME:

STREET ADDRESS:

CITY:

STATE:

ZIP CODE:

PHONE:

EMAIL:

1. Diversion location _____, withdraws water from _____
(Name and number of sub-basin)

(Name of body of surface water)

2. Is there more than one water right diverting water from the same point of diversion?
 No.
 Yes. How many? _____
3. The name(s) and number(s) of the Court Claim(s) (copies included) for this diversion are

4. The system used is open channel (ditch or canal) gravity or pressurized pipe.

5. The amount of water diverted (include all users that use the point of diversion):

_____ cubic feet per second for all systems,
_____ gallons per minute for pipe systems, if known.

6. The diversion has a fish screen that was installed in 1995 or later.
 Yes (If yes, skip #7 and go to question #8.) No Do not know

7. The diversion needs to be evaluated for a fish screen because:
 it does not have a one
 it is or may be out dated and needs to be evaluated
 it has been assessed and approved by _____ of _____
(include documentation of any approval).

8. Specific reason(s) why you are requesting a variance:

If your reason for requesting a variance can be explained in either **A, B, C,** or **D** below, use one of those subsections. Complete **E** if **A, B, C,** or **D** do NOT fit your situation.

A. I (We) have contacted the _____ Conservation District serving our area. An agreement will be made with the District to install a meter and develop a cost-share contract for designing, purchasing, and installing a meter for the system. The District is also evaluating the need for a fish screen and, if one is needed, I (we) will be cooperating with the District for installing both a meter and fish screen. The approximate date for the District to begin working with us is _____

(Name of District Official) (Signature of District official) (Date)

B. I (We) have contacted _____ and ordered the meter that would match
(Name of dealer contacted)
my (our) system but it will not be available in time to complete installation by the due date. I (We) have contacted the _____ Conservation District _____
(Name of district) (Name of district official)
for developing a cost-share contract for purchasing and installing a meter. _____
(Estimated date of installation)

(Signature of dealer contacted) (Date)

C. I (We) have contacted _____ about the type and style of meter that
[Name of dealer(s) and person contacted]
would match my (our) system. A meter has been selected, but the dealer will not be able to install the meter until _____ for the following reason(s):
(Date)

I (We) have contacted the _____ Conservation District, _____
(Name of District) (Name of district official)
to develop a cost-share contract for purchasing and installing the meter.

D. My (Our) system requires the use of an engineering contractor to design a system for my (our) diversion. The engineering firm we have contacted is _____ . Assessment, design, and installation is
(Engineering Firm)
planned to begin _____ . I (We) will be contacting the _____
(Date) (Name of District)
Conservation District to develop a cost-share contract for the design, purchase, and installation of a meter. The Conservation District will also review and approve the design.

E. Other specific reasons: _____

Signature(s) of Applicant(s) (Date)

Signature(s) of Applicant(s) (Date)



Instructions for Applying for a Variance to Court Ordered Date of Installation of a Measuring Device in the Yakima Adjudication

The Court Order to install measuring devices provides for users to apply to the Department of Ecology for a variance in time for installing a meter. The dates that meters must be installed are detailed below.

- For water rights confirmed with a Conditional Final Order (CFO) issued on or before September 15, 2005:
 - April 1, 2006 for diversions below 2,000 foot elevation; or
 - April 1, 2007 for diversions above 2,000 foot elevation
- For water rights confirmed in a CFO with a later date:
 - April 1 of the following year for diversions confirmed in a CFO prior to September 1 of any year; or
 - April 1 of the second following year when the CFO is issued at any time in September through the end of December.

Possible reasons for granting a variance:

See the Frequently Asked Questions

http://www.ecy.wa.gov/programs/wr/measuring/yrbm_faq_var.html “*Applying for a Variance to the Yakima Adjudication Court Order to Install a Meter for Recording and Reporting Water Use*” for examples.

There may be other acceptable reasons for a variance than are discussed in the Focus Sheet. Documentation from third party with technical expertise on the reasons a variance is needed must be provided.

The following information is needed for the Department of Ecology to consider a request for variance:

1. The name and number of the sub-basin where the diversion is located and the name of the surface body of water from which water is diverted.
2. The number of water rights that use the same point of diversion. All water rights using the same point of diversion can use the same measuring device or meter,
3. The court claim numbers and names on the court claims and copies of all court claims that use the same point of diversion. All water rights that use the same point of diversion must be identified and **included** with the request for variance.
4. Indicate whether your diversion is pressurized pipe or open channel canal.
5. The total amount of water diverted by all users of the same point of diversion.
6. Provide the information requested about the status of fish screens on your diversion.
7. If the answers to Question 6 were “No” or “Don’t know,” complete question 7.
8. Specific reason or reasons why a variance is needed.
 - Attach documentation supporting the request, i.e., statement from the conservation district that you are on the list of priority.
 - Indicate whether you have contacted a dealer or dealers of your choice to install a meter for your diversion.