



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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**SECOND NOTICE OF WATER REGULATION**  
**August 13, 2015**

**To:** All Surface Water Right Holders & Claimants, Subbasin No. 3 (Teanaway River)  
**From:** Stan Isley, Court-appointed Stream Patroller for the Teanaway River Subbasin  
**Subject:** Second Curtailment of Water Diversions from the Teanaway River and its Tributaries

Take Notice:

Teanaway River flows have continued to drop as this summer progresses and are at 5.7 cubic feet per second (cfs) at the USBR Forks Gage, and about 5 cfs at the USBR Lambert Road Gage, as of Monday, August 10, 2015. These flow levels are inadequate to fully satisfy the most-senior priority Teanaway River water rights.

This worsening water supply situation requires that I order a second further curtailment of additional junior-priority water right diversions from the Teanaway River in order to satisfy senior-priority water rights, in compliance with the 'first in time, first in right' tenet of Washington Water Law.

- Water rights enjoying 1882 and 1883 priority dates may continue to divert and use water until further notice.
- **All Teanaway River Subbasin water rights with 1884 and junior (more recent) priority dates must curtail their use of water effective Thursday morning, August 13, 2015, through the end of the Teanaway Subbasin irrigation season on September 15, 2015, or until further notice from me.**

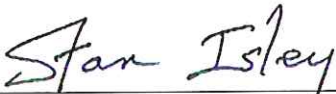
I was appointed Teanaway Subbasin stream patroller by the Yakima Surface Water Rights Adjudication Court (Acquavella Court) in its August 27, 1998 "Order Pendente Lite Re: Metering, Measuring and Reporting Requirements, Teanaway River and Big Creek, Kittitas County", which assigned me the authority and responsibility to "perform necessary monitoring and enforcement duties for the diversions from the Teanaway River Subbasin to ensure compliance with this Court Order and to ensure compliance with the terms and limits of the water rights appurtenant to each diversion."

If you wish to seek relief from this Notice of Regulation, you will need to:

- Contact me to discuss and clarify this matter further;
- Seek relief from the Acquavella Court.



I intend to continue to monitor Teanaway River flow levels closely in the coming weeks. I will notify you of any improvement in water supply that would allow certain of the curtailed water rights to resume their diversions, beginning with 1884 priority. However, if water supply conditions worsen further, I may need to curtail use by even the 1882 and 1883 priority water rights in order to satisfy the most-senior priority water right in the Teanaway River Subbasin, the Yakama Nation's treaty reserved minimum instream flow water right for fish and other aquatic life, with its time immemorial priority.



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Stan Isley  
Teanaway Stream Patrolter  
(509) 575-5848, ext. 281

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List of 1882 and 1883 Priority Water Rights – Teanaway River Subbasin

1882:

- Maggs (Bonetto) (2 rights, 9.7 acres of irrigation and stock water);
- McClure/Riley (8.5 acres of irrigation and stock water);
- I. Osmonovich (2 acres of irrigation).

1883:

- Masterson (2 rights, instream flow and mitigation use and stock water);
- Mundy (instream flow);
- New Suncadia LLC (Walker) (3 rights, instream flow and mitigation use).