



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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APR 11 2011

Roger Noar
President
Del Mar Community Service, Inc.
1004 Commercial Avenue #1111
Anacortes, WA 98221

RE: Your temporary trust water right donation of Surface Water Certificate S1-00316C

Dear Mr. Noar:

The purpose of this letter is to acknowledge the acceptance of your donation to the Washington State Trust Water Right Program (TWRP). This trust water right has been assigned the control number CS1-00316C. Please refer to that number when corresponding with us about this trust water right.

Surface Water Certificate S1-00316C was issued to Del Mar Community Service, Inc. (Del Mar) with a priority date of August 28, 1970. It authorized surface water diversions of up to 0.10 cubic feet per second, 72 acre-feet per year, from an unnamed spring (now known as Dodson Canyon Spring), for community domestic supply. The authorized points of diversion were listed as being within Government Lot 2 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 10, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, all within Township 34 North, Range 1 East, W. M., in Skagit County. The place of use was described as: Area served by Del Mar Community Service, Inc. within Sections 34 and 35, T35N, R1E, W. M.; and within Sections 2, 10, 11, and 15, T34N, R1E, W. M.

On March 29, 2011, Del Mar submitted the subject application of change to temporarily donate S1-00316C to the TWRP for instream flow purposes. Del Mar specified its donation terms as follows:

- Del Mar Community Service, Inc. places this water right into trust until such time, as determined by Del Mar Community Service, Inc., that the water may be needed for community domestic water supply use. Del Mar Community Service, Inc. will provide 30 days prior notice before withdrawing the water right from trust.
- The term of the temporary donation will be 20 years, with an expiration date of April 15, 2031.

Along with the subject application for change, Del Mar submitted documentation of the extent to which S1-00316C has been exercised during the five years prior to the donation, pursuant to RCW 90.42.080(4). Metering information demonstrates that within the preceding five years, S1-



00316C was beneficially used to its greatest extent in 2006, when up to 0.10 cubic feet per second and 14.42 acre-feet (628,260 cubic feet) were diverted.

The Department of Ecology, pursuant to RCW 90.42.080(1)(b), hereby accepts your donation in the amounts of 0.10 cubic feet per second and 14.42 acre-feet per year for instream flow purposes. This temporary donation is being accepted under the terms specified by Del Mar Community Service, Inc.

In accordance with RCW 90.42.040(6), RCW 90.14.140(h), and RCW 90.14.215, a water right is not subject to relinquishment while it is managed (exercised) within the trust water right program. Ecology's acceptance of the donated water right into the trust water right program is not evidence of the validity or quantity of the right. When the period of trust ends, the water right will revert back to the water right holder or landowner in the full quantity accepted into the trust water program and for the original purpose.

If you have any questions or concerns, please call Buck Smith at (425) 649-7147 or email him at buck.smith@ecy.wa.gov.

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. 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 the following within 30 days of the date of receipt of this document:

File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

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

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk P.O. Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board Environmental Hearings Office 1111 Israel Road SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board P.O. Box 40903 Olympia, WA 98504-0903

Mr. Roger Noar
Temporary Trust Acceptance Letter
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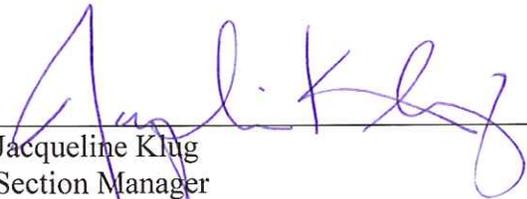
Please also send a copy of your appeal to:

Jacqueline Klug
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008

*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>*

Signed at Bellevue, Washington, this 11th day of April, 2011.



Jacqueline Klug
Section Manager
Water Resources Program

jk/bs/mc

By certified mail: 7008 1140 0000 2359 7957

Enclosure: Your Right to be Heard