



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

January 3, 2013

Mr. Gary Sale
Water Systems Operator
Moran State Park
5732 Olga Road
Eastsound, WA 98279

RE: Trust Water Right Donation CS1-71002J@2 – San Juan County

Dear Mr. Sale:

The purpose of this letter is to acknowledge the Department of Ecology's (Ecology) acceptance of your temporary donation to the Washington State Trust Water Right Program. The subject trust water right has been assigned Application No. CS1-71002J@2. Please refer to this number when corresponding with us about this trust water right.

The Department of Ecology pursuant to RCW 90.42.080(1)(b) accepts your donation, as summarized below.

Benefiting Waterbody:	Cascade Lake and Outlet Stream (locally known as Captain Jack Creek)
Instantaneous Rate:	0.007 cubic feet per second (3 gallons per minute)
Annual Volume:	1 acre-foot per year
Season:	Year-round
Trust Purpose of Use:	For Lake Level Maintenance and Instream Flow - donated from the hydropower portion of S1-71002J (aka Volume XIII-A of Adjudicated Water Right Certificates, at Page 2) as per the 2008 application for change approval. <i>The remaining 1.697 cubic feet per second and 339 acre-feet per year for hydropower under the 2008 change approval for S1-71002J is held by Orcas Water Holdings LLC. The quantities placed in trust were conveyed to the Washington State Parks and Recreation Commission (for Moran State Park) from Orcas Water Holdings LLC in 2010. The donated quantities are currently not in use, but are in good standing as per RCW 90.14.140(2)(a).</i>



Mr. Gary Sale
Moran State Park
CS1-71002J@2 TW Donation
January 3, 2013
Page 2

Water Right Place of Use: Government Lots 1, 2, 3, 4 and 5 of Section 6, T36N, R1W, W.M.; all of Section 31 except NW1/4 of NW1/4 and that portion lying within Moran State Park, T37N, R1W, W.M.; the SE1/4 of SE1/4 of SW1/4, N1/2 of SW1/4, S1/2 of NW1/4 and that portion of Government Lot 4 lying north of the county road, Section 30, T37N, R1W, W.M.; the NW1/4 of SW1/4, SW1/4 of SW1/4, and SE1/4 of SW1/4, Section 5, T36N, R1W, W.M.; Government Lots 1 and 2, Section 36, T37N, R2W, W.M.; and those portions of Government Lots 2 and 3, Section 25, lying east of county road, T37N, R2W, W.M.

Trust Water Right

Expiration Date: January 1, 2033

RCW 90.42.080 provides in part that the total of any portion of the water right remaining with the donor plus the donated portion of the water right may not exceed the extent to which the water right was exercised during the five years before the donation.

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 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 purposes.

If, prior to expiration of this temporary donation on **January 1, 2033**, you would like to extend the temporary donation, please send us a written request. Also, if you wish to modify any terms of your donation, your letter must include the new terms. Ecology will review your request and any new or modified terms and conditions and will notify you whether the donation can be extended or terminated.

If you have questions or concerns, please contact Buck Smith at (425) 649-7147 or jsmi461@ecy.wa.gov.

Your Right To Appeal

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

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

Mr. Gary Sale
Moran State Park
CS1-71002J@2 TW Donation
January 3, 2013
Page 3

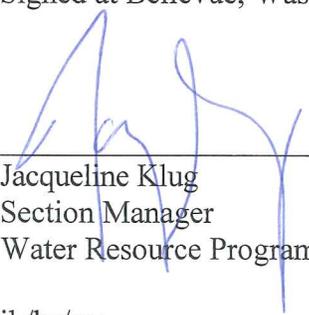
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.
- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

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 PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

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 3 day of January 2013.



Jacqueline Klug
Section Manager
Water Resource Program

jk/bs/mc

Enclosure: Your Right To Be Heard

Certified Mail: 7010 3090 0000 1910 3259