



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 CR1-71001J@1 – 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. CR1-71001J@1. 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

**Annual Volume:** 1 acre-foot per year

**Season:** Year-round

**Trust Purpose of Use:** For Lake Level Maintenance - donated from the storage rights of R1-71001J (aka Volume XIII-A of Adjudicated Water Right Certificates, at Page 1) as per the 2008 application for change approval. *The remaining 1878 acre-feet per year for storage under the 2008 change approval for R1-71001J is held by Orcas Water Holdings LLC. The quantity placed in trust was conveyed to the Washington State Parks and Recreation Commission (for Moran State Park) from Orcas Water Holdings LLC in 2010. The donated quantity is in good standing as per regular annual fillings of the reservoir.*

**Water Right Place of Use:** Cascade Lake on Orcas Island. The location of the impoundment structure is within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 37 North, Range 1 West, W.M.

**Trust Water Right Expiration Date:** January 1, 2033



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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](mailto: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.

- 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.

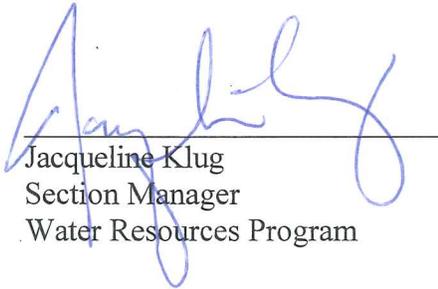
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Street Addresses	Mailing Addresses
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel RD SW Ste 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> 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.



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Jacqueline Klug  
Section Manager  
Water Resources Program

jk/bs/mc

Enclosure: Your Right To Be Heard

Certified Mail: 7010 3090 0000 1910 3242