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

December 16, 2009

Scott Woodbury
Assistant City Engineer
City of Enumclaw
1309 Myrtle Avenue
Enumclaw WA 98022

Re: Your temporary trust water right donation of Ground Water Certificate G1-20529C

Dear Mr. Woodbury:

The purpose of this letter is to acknowledge the acceptance of your donation to the Washington State Trust Water Right Program. This trust water right has been assigned the control number CG1-20529C. Please refer to that number when corresponding with us about this trust water right.

The Department of Ecology (Ecology), pursuant to RCW 90.42.080(1)(b), acknowledges your donation in the amount of 45 gallons per minute and 18.6 acre-feet per year. The purpose of the donation is to benefit aquifer storage and instream flow in Newaukum Creek (tributary to the Green River). As per your request, this temporary donation will expire on December 16, 2019, or upon written notification of termination by the City.

Ground Water Certificate G1-20529C issued to the City of Enumclaw, with a priority date of April 4, 1973. It authorizes the groundwater withdrawal of 45 gallons per minute and up to 18.6 acre-feet per year, for multiple domestic supply, year-round. The authorized point of withdrawal is located within the SE¼ of Section 2, Township 20 North, Range 6 East, W. M. The recorded place of use is: All of the NW¼ SE¼, and the SW¼ NE¼ of Section 2, Township 20 North, Range 6 East, W. M. within the service area of the Y-Bar-S Water Co. in King County, Washington.

RCW 90.42.080(4) specifies that a donated water right cannot exceed the extent to which the water right was exercised during the five years before the donation. Documents supplied with your application testify to full use of water within the most recent five years. As such, Ecology will accept your water right into the trust program at full face value.

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 purpose.

If, prior to expiration of this temporary donation, you would like to extend the 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.

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 decision. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:		Deliver your appeal in person to:
The Pollution Control Hearings Board PO Box 40903 Olympia WA 98504-0903	OR	The Pollution Control Hearings Board 4224 – 6th Ave SE Rowe Six, Bldg 2 Lacey WA 98503

2. To serve your appeal on the Department of Ecology

Mail appeal to:		Deliver your appeal in person to:
The Department of Ecology Appeals & Application for Relief Coordinator PO Box 47608 Olympia WA 98504-7608	OR	The Department of Ecology Appeals & Application for Relief Coordinator 300 Desmond Dr SE Lacey WA 98503

3. And send a copy of your appeal to:

Water Resources Section Manager
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://www.leg.wa.gov/CodeReviser

Signed at Bellevue, Washington, this 21st day of December, 2009.

Andrew B. Dunn, LG, LHG
Section Manager
Water Resources Program

AD/bs/ng

By certified mail [7008 0150 0003 7623 6077]

cc: Tom Mortimer