



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

MAR 03 2014

Ms. Melissa Bedlington
Bedlington Farms
8497 Guide Meridian Road
Lynden, WA 98264

RE: Temporary Trust Water Right Donation CS1-*08413C (Surface Water Certificate 3921) – Whatcom County (WRIA 1)

Dear Ms. Bedlington:

The purpose of this letter is to acknowledge the Department of Ecology (Ecology) has accepted your request to temporarily donate Surface Water Certificate 3921 into the Washington State Trust Water Right Program. The subject trust water right has been assigned control number CS1-*08413C. Please refer to this number when corresponding with us about this trust water right.

Original Attributes of Surface Water Certificate 3921

Issued to:	Frank J. Brys
Priority Date:	May 21, 1948
Source:	Lummi River
Point of Diversion:	NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 39 North, Range 2 East, W.M.
Instantaneous Rate:	0.74 cubic feet per second (cfs)
Annual Volume:	Not specified
Purpose of Use:	Irrigation of 74 acres
Place of Use:	NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Township 39 North, Range 2 East, W.M.

Background Information

On February 10, 2014, Ecology received your request to temporarily donate the subject certificate to the trust program. According to the information supplied with your request, the full



authorized instantaneous rate has been put to beneficial use within the past 5 years. The authorized annual volume is not specified on the subject certificate and metering records are not available, however you own and have irrigated up to 68.21 acres within the authorized place of use. The remaining acreage within the place of use is owned by Double H LLC (9.47 acres) and Robert Hunter (2.32 acres), neither of which you stated utilize the subject certificate. Your most recent beneficial use of water was in July 2012.

Your intent for placing the subject water right into trust is to protect it from relinquishment while you determine the best use of the right and to provide for instream flow improvements in the Lummi River.

Your Requested Terms

1. You requested to temporarily donate the entire authorized 0.74 cfs.
2. You requested a donation period through December 31, 2034.

Ecology's Acceptance

The Department of Ecology pursuant to RCW 90.42.080(1)(b) accepts your temporary donation of **0.74 cfs** historically diverted from the Lummi River.

As per your request, **this temporary donation will expire on December 31, 2034**. If, prior to the expiration of this temporary donation, you would like to extend or revoke the temporary donation, or modify its terms, please send us a written request.

Ecology's acceptance of the donated water right into the trust water right program is not evidence of the extent, validity, or quantities of the water right.

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.

If you have questions or concerns, please contact Buck Smith at (425) 649-7147 or buck.smith@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.

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- 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 March 2014.



Jacqueline Klug
Section Manager
Water Resource Program

Enclosure: Your Right To Be Heard

Certified Mail: 7012 3460 0000 2586 6950