



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
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June 7, 2013

Laurie Bergvall  
Northwest Region Manager  
WA State Department of Natural Resources  
919 North Township Street  
Sedro Woolley, WA 98284-9384

**RE: Your temporary trust water right donation of Surface Water Certificate 11106**

Dear Ms. Bergvall:

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 CS1-\*20945C. Please refer to that number when corresponding with us about this trust water right.

Surface Water Certificate (SWC) 11106 was issued to the Washington State Department of Natural Resources (DNR) with a priority date of May 8, 1968. It authorizes the surface water diversion of 0.045 cubic feet per second (cfs) and up to 9.0 acre-feet per year (afy) for community domestic supply for a youth camp. *(The total quantity of SWC 11106 and later issued S1-26198C is not to exceed 0.045 cfs and 17.0 afy. S1-26198C has already been accepted into the trust program as of April 12, 2010.)* The authorized point of diversion for SWC 11106 is within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 16, Township 31 North, Range 6 East, W.M. The authorized place of use is Section 16, Township 31 North, Range 6 East, excepting therefrom the N $\frac{1}{2}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ , less roads, in Snohomish County.

DNR is the landowner of the point of diversion and place of use. The Washington State Department of Corrections (DOC) currently leases the land (and utilized the right) for the Indian Ridge Corrections Center. DOC has closed the facility and is in the process of demolishing it. As such, DNR has requested to temporarily place the subject right into the trust program until a decision can be made on how best to utilize the right.

The Department of Ecology (Ecology), pursuant to RCW 90.42.080(1)(b), acknowledges your donation in the amounts of 0.045 cfs and 9.0 afy for the purpose of benefiting instream flow in Jim Creek (a tributary of the South Fork Stillaguamish River). As per your agreement, this temporary donation will expire on April 9, 2020, or upon earlier written notification of termination by DNR.



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 or not your 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](mailto:buck.smith@ecy.wa.gov).

**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

Ms. Laurie Bergvall

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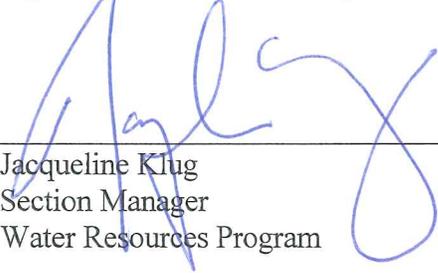
*For additional information visit the Environmental Hearings Office Website:*

<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 7th day of June, 2013.



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Jacqueline Klug  
Section Manager  
Water Resources Program

jg/bs/mc

By Certified mail: 7010 3090 0000 1910 5772

Enclosure: Your Right to be Heard

cc: Pat Hennessey, Dept. of Natural Resources

