



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

May 28, 2010

Devin Farms
Attn: Steve Devin
18132 Highway 20
Winthrop, WA 98862-9745

RE: Trust Water Donation No. CS4-056962CL@1

Dear Mr. Devin:

The purpose of this letter is to acknowledge the Department of Ecology's acceptance of your donation of a portion of Water Right Claim No. 056962 to the Washington State Trust Water Right Program. The trust water right has been assigned the control number CS4-056962CL@1. Please refer to that number when corresponding with us about this trust water right.

The Department of Ecology, pursuant to RCW 90.42.080(1)(b), acknowledges your donation in the amount of 19.2 gallons per minute (gpm) or 0.043 cubic feet per second (cfs) and 18.19 acre-feet per year (ac-ft/yr). The savings on this alfalfa field near Winthrop, Washington is being donated to benefit instream flows in the Methow River from April 21, 2009 through October 31, 2020.

This trust water right expires on December 31, 2020.

	Trust Water in gpm	Trust Water in ac-ft/yr
April 21*-October 31, 2009	21.1	18.19
April 1-October 31, 2010-2020	19.2	18.19

*The application was received on April 21, so a shorter season was available for trust in 2009.

This trust water right is made possible by the fallowing of 2.8 acres and efficiencies associated with irrigation system upgrades. The applicant installed a new center pivot, and no longer plans to irrigate the outskirts of the crop circle that are located within the recorded place of use. According to Ecology's Change Authorization No. CS4-WRC056962 issued on October 18, 2000, the place of use is located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T. 36 N., R. 20 E.W.M., the NW $\frac{1}{4}$ of Section 5, T. 35 N., R. 20 E.W.M., and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T. 35 N., R. 20 E.W.M.

Section 90.42.080 provides that 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, 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 Kelsey Collins in the Central Regional Office at (509) 575-2640.

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:

The Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

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:

The Department of Ecology
Appeals Coordinator
P.O. Box 47608
Olympia, WA 98504-7608

OR

Deliver your appeal in person to:

The Department of Ecology
Appeals Coordinator
300 Desmond Dr SE
Lacey, WA 98503

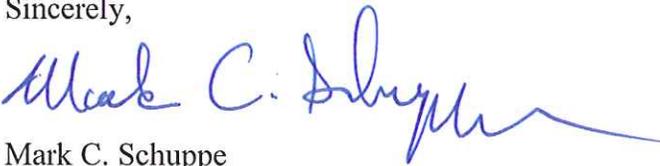
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3. And send a copy of your appeal to:

Mark C. Schuppe
Department of Ecology
Central Regional Office
15 W. Yakima Ave., Suite 200
Yakima WA 98902-3452

*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>*

Sincerely,



Mark C. Schuppe
Section Manager
Water Resources Program

MCS:KC:gh
100572

Enclosure: *Your Right to Be Heard*

By certified mail: 7007 2560 0001 9535 9252

cc: Katherine Bill, Trout Unlimited
Philip Rigdon, Yakama Nation
Lois Trevino, Colville Confederated Tribes