



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

March 1, 2012

Mr. Robin Herring, Co-Manager  
Herring Farm NWQ LLC.  
928 Laguna Drive  
Moses Lake, WA 98837

Dear Mr. Herring:

Re: Acceptance for Temporary Donation of Ground Water Certificate 7358-A

The purpose of this letter is to acknowledge Department of Ecology's acceptance of your donation to the Washington State Trust Water Rights Program (TWRP). The trust water right has been assigned the control number CG3-\*07766C@2. 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 750 gallons per minute and 624 acre-feet per year, and for the place of use at a newly approved three parcels as: Grant County Parcels: 150422000; 150441000; and 150444000. The purpose of the donation is to benefit the ground water aquifer in Grant County, Washington from March 1, 2012 to February 28, 2017.

**This trust water right expires on February 28, 2017.**

The parent water right, 7358-A, authorized the withdrawal of 750 gallons per minute, up to 624 acre-feet per year for the irrigation of 156 acres during the irrigation season. The recorded place of use which was approved recently through the Report of Examination is located Grant County, Washington at

Parcel 1: The southwest quarter of the southwest quarter of Section 15, Township 18 N., Range 23 E.W.M.

Parcel 2: All of Section 21, Township 18 N., Range 23 E.W.M., except that portion conveyed to the State of Washington for highway purposes by deed recorded in Book 40 of Deeds, Page 180, under Auditor's file No. 53130.

Parcel 3: All that portion of the South half Section 22, Township 18 N., Range 23 E.W.M., lying northwesterly of the right of way for Primary State highway No.7 as described in that certain Dedication Deed from the United States of American to the State of Washington, dated August 27, 1952, recorded in Volume 35, page 225 of recorded documents under Auditor's file No. 531951, records of Grant County, Wasginton.



Mr. Robin Herring, Co-Manager  
March 1, 2012  
Page 2

Section 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 Rights Program.

**Ecology's acceptance of the donated water right into the Trust Water Rights 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 your donation, you elect to extend the term of this 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 of any new or modified terms and conditions and you will be notified if the donation can be extended.

If you have questions or concerns, please call Ying Fu at (509) 324-3451.

#### **YOUR RIGHT TO APPEAL**

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. 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 this decision:

- File your appeal and a copy of this decision 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 decision on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

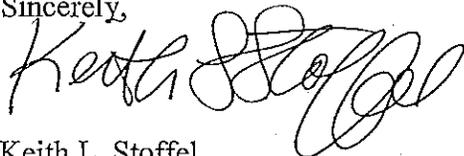
You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Mr. Robin Herring, Co-Manager  
March 1, 2012  
Page 3

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 Road SW Suite 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://www.l.leg.wa.gov/CodeReviser>.*

Sincerely,



Keith L. Stoffel  
Section Manager  
Water Resources Program  
Eastern Regional Office

KLS:YF:ka

Enclosure: Your Right to Be Heard

By Certified Mail 7010 0290 0002 5455 7319

cc: Ying Fu, Ecology/ERO  
Chris Anderson, Ecology/HQ