



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 16, 2009

Phillip Irwin Mgr  
Methow Trading Co LLC  
409 Hwy 153  
Pateros WA 98846

RE: Trust Water Donation CS4-004513CL@1

Dear Mr. Irwin:

The purpose of this letter is to acknowledge the Department of Ecology's acceptance of your donation to the Washington State Trust Water Right Program. The trust water right has been assigned Application No. CS4-004513CL@1. Please refer to this 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 0.50 cubic feet per second and 100.0 acre-feet per year. The purpose of the donation is to benefit instream flow in the Methow River from April 15, 2009 to October 31, 2010.

**This trust water right expires on December 31, 2010.**

This trust water right is made possible by converting 30 acres from orchards to grape vineyards with a lower water duty and implementing a modern drip irrigation system. The historic point-of-diversion is located within the NE1/4NE1/4 of Section 28, T. 30 N., R. 23 E.W.M.

RCW 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 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.



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PHOTOCOPY

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 call the Central Region's Trust Water Coordinator, Scott Turner at (509) 457-7106.

You have a right to appeal this decision. To appeal this you must:

- File your appeal with the Pollution Control Hearing 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:

OR

Deliver your appeal in person to:

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

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:

OR

Deliver your appeal in person to:

The Department of Ecology  
Appeals & Application for Relief  
Coordinator  
PO Box 47608  
Olympia WA 98504-7608

The Department of Ecology  
Appeals & Application for Relief  
Coordinator  
300 Desmond Dr SE  
Lacey WA 98503

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3. And send a copy of your appeal packet to:

Mark C. Schuppe, Section Manager  
Water Resources Program, Dept. of Ecology  
Central Region Office  
15 W Yakima Ave Ste 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, WR Section Mgr, by Melissa Bonney*

Mark C. Schuppe, Section Manager  
Water Resources Program

MCS:ST:gg/091212  
GS

Attachments: Your Right To Be Heard

Certified Mail: 7007 2560 0001 9534 6597

cc: Lois Trevino, Administrator, Environmental Trust, Colville Confederated Tribes  
Philip Rigdon, Director, Natural Resources Division, Yakama Nation

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