



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 10, 2010

John T. Ross
Leslie Mittendorf
3600 31st Ave W
Seattle WA 98199-1711

RE: Trust Water Donation CS4-WRC139173(B)@1

Dear Mr. Ross:

The purpose of this letter is to acknowledge the Department of Ecology's acceptance of your request to extend this trust water right donation for the 2011 and 2012 irrigation seasons, to the Washington State Trust Water Right Program.

The Department of Ecology (Ecology), pursuant to RCW 90.42.080(1)(b), accepts your donation in the amount of 3.0 acre-feet per year.

The purpose of the donation is to benefit instream flow in the Methow River from April 30, 2011 to October 31, 2012.

This trust water right expires on December 31, 2012.

This trust water right is made possible by change in crop requiring less water. The historic point-of-withdrawal is located within the NE1/4NW1/4 of Section 9, T. 35 N., R. 20 E.W.M., Parcel No. 3520090041.

Section 90.42.080(4) provides 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 prior to 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.

Please contact Gary Steele at (509) 249-6299 if you have any questions regarding this trust water right.



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.) E-mail is not accepted.

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

ADDRESS AND LOCATION INFORMATION

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 111 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://www.leg.wa.gov/CodeReviser>

Sincerely,



Derek I. Sandison, Director
Office of Columbia River

GS:DIS:RAZ (101205)

Enclosure: *Your Right to Be Heard*, PCHB

cc: Lisa Pelly, Trout Unlimited Washington Water Project

By certified mail: 7007 2560 0001 9535 0471