



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 25, 2010

YJ LLC
Attn: Jack Wadkins
309 S Main Street
Ellensburg, WA 98926-3610

RE: Trust Water Right No. CS4-01207CTCLsb7

Dear Mr. Wadkins:

The purpose of this letter is to acknowledge the Department of Ecology's acceptance of your temporary instream flow water right to the Washington State Trust Water Right Program. The trust water right application was accepted on May 4, 2010, and has been assigned Control No. CS4-01207CTCLsb7.

YJ, LLC requested Washington Water Trust (WWT) to assist with the donation of the YJ, LLC Water Rights. The terms of the agreement state that the donation begins when WWT submits an application to place the water right into the Trust Water Rights Program and Yakima County Superior Court issues an Order Pendente Lite for Court Claim No. 01207 with a priority date of 1882. The Order Pendente Lite temporarily changing the YJ, LLC water right to instream flow was signed on June 10, 2010.

The Department of Ecology (Ecology), pursuant to RCW 90.38.020(1)(b), acknowledges your donation in the following quantities:

2010

Period of Use	Purpose of Use	Cubic feet per second	Acre-feet per year
June 10, 2010 – October 15, 2010	Irrigation and Stock	0.21	44.62
October 16, 2010 – March 31, 2011	Stock	0.12	0.40

2011- 2028

Period of Use	Purpose of Use	Cubic feet per second	Acre-feet per year
April 1, 2011 – October 15, 2028	Irrigation and Stock	0.32	68.84
October 16, 2028 – March 31, 2029	Stock	0.12	0.40



2029

Period of Use	Purpose of Use	Cubic feet per second	Acre-feet per year
April 1, 2029 – October 15, 2029	Irrigation and Stock	0.32	68.84
October 16, 2029 - December 1, 2029	Stock	0.03	0.11

The purpose of the donation is to benefit instream flow in Reecer Creek and the Yakima River. This trust water right is made possible by the fallowing of 3.15 acres located in Section 18, T. 18 N., R. 18 E.W.M and discontinuing stock watering.

The term of the temporary trust water right is from **June 10, 2010 to December 1, 2029.**

If you have questions or concerns, please call the Central Region's Trust Water Coordinator, Scott Turner, at (509) 457-7106.

This Decision may be appealed pursuant to RCW 34.05.514(3), RCW 90.03.210(2), and Pretrial Order No. 12 entered in *State of Washington, Department of Ecology v. James Acquavella, et al.*, Yakima County Superior Court No. 77-2-01484-5 (the general adjudication of surface water rights in the Yakima River Basin). The person to whom this Decision is issued, if he or she wishes to file an appeal, must file the notice of appeal with the Yakima County Superior Court **within thirty (30) days of receipt of this Decision.** Appeals must be filed with the Superior Court Clerk's Office, Yakima County Superior Court, 128 North 2nd Street, Yakima WA 98901, RE: Yakima River Adjudication. Appeals must be served in accordance with Pretrial Order No. 12, Section III ("Appeals Procedures"). The content of the notice of appeal must conform to RCW 34.05.546. Specifically, the notice of appeal must include:

- The name and mailing address of the appellant;
- Name and address of the appellant's attorney, if any;
- The name and address of the Department of Ecology (Ecology);
- The specific application number of the decision being appealed;
- A copy of the decision;
- A brief explanation of Ecology's decision;
- Identification of persons who were parties in any adjudicative proceedings that led to Ecology's decision;
- Facts that demonstrate the appellant is entitled to obtain judicial review;
- The appellant's reasons for believing that relief should be granted; and
- A request for relief, specifying the type and extent of relief requested.

The "parties of record" who must be served with copies of the notice of appeal under RCW 34.05.542(3) are limited to the applicant of the decision subject to appeal, Ecology and the Office of the Attorney General.

YJ LLC
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All others receiving notice of this Decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within **thirty (30) days of the date the Order was mailed**. The appeal must be filed in the same manner as described above.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. Schuppe". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark C. Schuppe
Section Manager
Water Resources Program

MCS:ST:gh
100676

Certified Mail: 7007 2560 0001 9535 9726

cc: Jason McCormick, Washington Water Trust
Philip Rigdon, Yakama Nation