



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

May 9, 2016

Department of Natural Resources
Attn: Rick Roeder
713 Bowers Rd
Ellensburg, WA 98926

RE: Temporary Trust Water Donation for DNR Surface Water Right No. CS3-28687C@2

Dear Mr. Roeder:

The purpose of this letter is to acknowledge the Department of Ecology's acceptance of your donation to the Washington State Trust Water Rights Program (TWRP). The trust water right has been assigned control number CS3-28687C@2. Please refer to this number when corresponding with us about this trust water right.

The Department of Ecology (Ecology), pursuant to RCW90.42.080(1)(b), accepts your donation in the amount of 5 cubic feet per second and 716 acre-feet per year. This trust water right is made possible by the fallowing of 179 acres, at the recorded place of use, located within Section 16, T. 9 N., R. 29 E.W.M. The purpose of the donation is to benefit instream flows of the Columbia River for the 2016 irrigation season.

This temporary trust water right expires on March 31, 2017, or on the date Surface Water Right No. S3-28687C is permanently transferred to the TWRP under Application No. CS3-28687C@1; whichever comes first.

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 TWRP.

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 donated water right will revert back to the water right holder.

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 Office of Columbia Rivers Trust Water Coordinator, Patricia Kirk, by phone at (509) 249-6299 or by e-mail at patricia.kirk@ecy.wa.gov.

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearings 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 1111 Israel Road 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,



Mark C. Schuppe
Operations Manager
Office of Columbia River

MCS:PK:aa (160504)

Enclosure: Your Right To Be Heard

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

By certified mail: 7014 3490 0001 5527 7984