STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

January 28, 2014

Joseph A. Rehberger
Cascadia Law Group
606 Columbia St. NW, Suite 212
Olympia, WA 98501

RE: Trust Water Donation CG3-22760C@1
Applicant: BRD Goldendale, LLC

Dear Mr. Rehberger,

The purpose of this letter is to acknowledge the Department of Ecology's (Ecology) acceptance of your donation to the Washington State Trust Water Right Program. The trust water right has been assigned Application No. CG3-22760C@1. Please refer to this number when corresponding with us about this trust water right.

Under RCW 90.42.080(1)(B), Ecology accepts your donation, as summarized below:

Benefiting Water Body	Mill Creek
Purpose	Instream flow
Rate	230 gpm
Acre-Feet Per Year	213
Season	03/15 to 10/15
Water Right Place of Use	NW¼NW¼ , Section 5, T4N/R15E, NW ½ NE ¼ and NW ¼ E ¾ SE ¼ NE ¼ and E ¾ NE ¼ SE ¼ of section 6, T4N/R15E, except portion along south side thereof embraced in tract described in Vol. 44 of deeds, page 271, under Auditors file No. 6193, records of said Country, and except right of way for Bonneville-Coulee transmission line, Klickitat County

Trust Water Expiration Date: December 31, 2014

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.

RCW 90.42.080 provides that 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.
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.

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://www1.leg.wa.gov/CodeReviser.

If you have questions or concerns please contact Teresa Mitchell at 509-575-2597.

Sincerely,

Mark Kemner, LHG
Section Manager
Water Resources Program

MK:JM:ba
140141

Attachment: *Your Right to be Heard*

By certified mail: 7009 2250 0004 4950 3404

Cc: BRD Goldendale LLC