



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

January 12, 2016

Jeff & Jackie Brunson  
1585 Tjossem Rd.  
Ellensburg, WA 98926-8925

Re: Trust Water Right Nos. CS4-00606CTCL@1 CS4-01575CTCLsb9  
CS4-01841CTCLsb9 CS4-12929CTCL  
CS4-12929CTCL@1

Dear Mr & Ms. Brunson:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donation to remain in the Trust Water Right Program for an additional year.

**This trust water right expires on December 31, 2016**

#### **YOUR RIGHT TO APPEAL**

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 2<sup>nd</sup> 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;
- The specific application number of the decision being appealed;
- A copy of the decision;
- A brief explanation of Ecology's decision;



Jeff & Jackie Brunson

January 12, 2016

Page 2 of 2

- 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.

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.

If you have any questions, please contact Jacquelyn Metcalfe at 509-457-7148 or [jmet461@ecy.wa.gov](mailto:jmet461@ecy.wa.gov).

Sincerely,



Thomas Perkow, Acting Section Manager  
Water Resources Program  
Central Regional Office

TP:JMM:SS/160108

WR ID# 4402021, 4585162, 4585152, 4180695, and 4399392

By certified mail: 7014 3490 0001 5527 9025

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

January 9, 2015

Jeff & Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg, WA 98926

Re: Trust Water Right Nos. **CS4-00606CTCL@1**, CS4-12929CTCL, CS4-12929CTCL@1,  
CS4-01841CTCLsb9, and CS4-01575CTCLsb9.

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donation to remain in the Trust Water Right Program for an additional year.

**This Trust Water Right expires on December 31, 2015.**

**YOUR RIGHT TO APPEAL**

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 2<sup>nd</sup> 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
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**FILE COPY**



Jeff & Jacqueline Brunson  
January 9, 2015  
Page 2 of 2

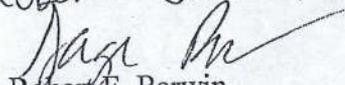
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All others receiving notice of this Decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within thirty (30) days of the date the Order was mailed. The appeal must be filed in the same manner as described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

If you have any questions, please contact Jacquelyn Metcalfe by phone at (509) 457-7148 or by email at [jmet461@ecy.wa.gov](mailto:jmet461@ecy.wa.gov).

Sincerely,

Robert F Barwin, Acting Section Mgr, by.

  
Robert F. Barwin  
Acting Section Manager  
Water Resources Program

RFB:JM:AH  
150103

By certified mail: 7010 0290 0000 7126 6678

cc: Philip Rigdon, Yakama Nation



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

January 24, 2012

Broadmoor Farms, LLC  
Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

Re: Trust Water Right No. CS4-00606CTCL@1

Dear Mr. and Mrs. Brunson:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donation to remain in the Trust Water Right Program for an additional 1 year.

**This trust water right expires on December 31, 2012.**

#### **YOUR RIGHT TO APPEAL**

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 2<sup>nd</sup> 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:

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- The name and address of the Department of 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

**FILE COPY**



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.

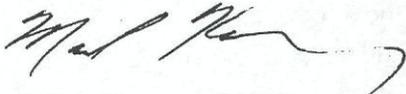
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All others receiving notice of this Decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within **thirty (30) days of the date the Order was mailed**. The appeal must be filed in the same manner as described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

*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>*

If you have any questions, please contact Scott Turner at 509-457-7106.

Sincerely,



Mark Kemner, LHG  
Section Manager  
Water Resources Program

MK:ST:ss  
120120

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

By certified mail: 7009 2250 0004 4952 1491

Trust water donation extension granted.doc

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

March 6, 2009

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg, WA 98926-8925

RE: Extension of Donation for Temporary Trust Water Right No. CS4-00606CTCL@1

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge Mr. and Mrs. Brunson's request dated November 19, 2008, to extend their temporary Trust Water Right donation No. CS4-00606CTCL@1 to the Washington State Trust Water Right Program.

The Department of Ecology, pursuant to RCW 90.38.020(1)(b), acknowledges the donation to the Trust Water Right Program, the amount of 1.31 acre-feet per year. The purpose of the donation is to benefit instream flow in the Naneum from April 1, 2009, to October 15, 2009. Instantaneous quantities and monthly volumes are as follows:

	May	June	July	August	September	October
CFS	0.003	0.005	0.006	0.005	0.003	0.001
Acre-feet	0.13	0.28	0.39	0.31	0.18	0.03

The donated water right represents a portion of a water right confirmed under Court Claim No. 00606. Most of Court Claim No. 00606 was donated to the Trust Water Right Program in 2006, with a portion held back for consumptive domestic lawn and garden use. The intent of this donation is to place the portion held for consumptive domestic lawn and garden use in trust until such time that it is needed.

**This trust water right expires December 31, 2009.**

RCW 90.38.020 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 90.38.040(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.

**FILE COPY**



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.

If you have questions or concerns, please call the Central Region Office 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 2<sup>nd</sup> 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:

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- A brief explanation of Ecology's decision;
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- 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.

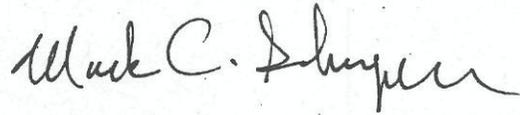
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All others receiving notice of this decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within **thirty (30) days of the date the Order was mailed.**

Jeff and Jacqueline Brunson  
March 6, 2009  
Page 3

The appeal must be filed in the same manner as described above.

Sincerely,

A handwritten signature in black ink that reads "Mark C. Schuppe". The signature is written in a cursive style with a long, sweeping underline.

Mark C. Schuppe  
Acting Section Manager  
Water Resources Program

MCS:ST:gh  
090312

Cc: Jonathan Kohr, via email - [kohrjhk@dfw.wa.gov](mailto:kohrjhk@dfw.wa.gov)



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

March 15, 2010

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg, WA 98926-8925

**RE: Extension of Donation for Temporary Trust Water Right No. CS4-00606CTCL@1**

Dear Mr. and Mrs. Brunson,

The purpose of this letter is to acknowledge Mr. and Mrs. Brunson's request dated December 28, 2009, to extend its Temporary Trust Water Right No. CS4-00606CTCL@1 donation to the Washington State Trust Water Right Program.

The Department of Ecology (Ecology), pursuant to RCW 90.38.020(1)(b), acknowledges the donation to the Trust Water Right Program, the amount of 1.31 acre-feet per year. The purpose of the donation is to benefit instream flow in Naneum Creek from April 1, 2010, to October 15, 2010. Instantaneous quantities and monthly volumes are as follows:

	May	June	July	August	September	October
CFS	0.003	0.005	0.006	0.005	0.003	0.001
Acre-feet	0.13	0.28	0.39	0.31	0.18	0.03

The donated water right represents a portion of a water right confirmed under Court Claim No. 00606. Most of Court Claim No. 00606 was donated to the Trust Water Right Program in 2006, with a portion held back for consumptive domestic lawn and garden use. The intent of this donation is to place the portion held for consumptive domestic lawn and garden use in trust until such time that it is needed.

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

RCW 90.38.020 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 90.38.040(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.



**FILE COPY**



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.

If you have questions or concerns, please call the Central Region Office 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 2<sup>nd</sup> 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:

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- The specific application number of the decision being appealed;
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- Identification of persons who were parties in any adjudicative proceedings that led to Ecology's decision;
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Jeff & Jacqueline Brunson  
Trust Water Extension No. CS4-00606CTCL@1  
March 15, 2010  
Page 3 of 3

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,

*Mark C. Schuppe, WR Section Mgr. by,*

*Steve L. Muehle*

Mark C. Schuppe, Section Manager  
Water Resources Program

MCS:ST:gg/100330

Certified Mail: 7006 0100 0002 8191 9611

cc: Jonathan Kohr, via email - kohrjkh@dfw.wa.gov



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

June 20, 2007

Jeff and Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg, WA 98926-8925

RE: Temporary Trust Water Right No. CS4-00606CTCL@1

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge your recent donation to the Washington State Trust Water Right Program. The Department of Ecology, pursuant to RCW 90.42.080(1)(b), acknowledges the donation to the Trust Water Right Program, the amount of 1.31 acre-feet per year for the benefit of the Naneum Creek. Instantaneous quantities are as follows:

	May	June	July	August	September	October
cfs	0.003	0.005	0.006	0.005	0.003	0.001

The donated water right represents a portion of a water right confirmed under Court Claim No. 00606. Most of Court Claim No. 00606 was donated to the Trust Water Right Program in 2006, with a portion held back for consumptive domestic use. The intent of this donation is to place the portion held for consumptive domestic use in trust until such time that it's needed.

The trust water right is for instream flow purposes from May 7, 2007 to October 14, 2007.

RCW 90.42.080 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 before the donation. The donated water right's status as a trust water right is not evidence of the validity or quantity of the right. While the right is in the Trust Water Right Program it is protected against relinquishment and when the period of trust ends, the water right will revert back to the water right holder or land owner in the full quantity and for the original purposes.

This trust water right expires December 31, 2007. If you would like to extend this temporary transfer, please write our office 30 days prior to the expiration of this trust water right.



**FILE COPY**

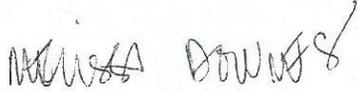
Jeff and Jacqueline Blakemore

June 21, 2007

Page 2

If you have questions or concerns, please call the Central Region Office Trust Water Coordinator, Suzanne Blakeney at (509) 454-7294.

Sincerely,



Melissa Downes  
Operations Unit Supervisor  
Water Resources Program

MD:gh  
070618

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

July 21, 2011

Jeff and Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg, WA 98926-8925

**RE: Trust Water Donation No. CS4-00606CTCL@1**

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge Mr. and Mrs. Brunson's request (received November 15, 2010) to extend its Temporary Trust Water Right No. CS4-00606CTCL@1 donation to the Washington State Trust Water Right Program.

The Department of Ecology (Ecology), pursuant to RCW 90.38.020(1)(b), accepts your donation in the amount of 1.31 acre-feet per year. The purpose of the donation is to benefit instream flow in Naneum Creek through **December 31, 2011**.

The donated water right represents a portion of a water right confirmed under Court Claim No. 00606. Most of Court Claim No. 00606 was donated to the Trust Water Right Program in 2006, with a portion held back for consumptive domestic lawn and garden use. The intent of the donation is to place the portion held for consumptive domestic lawn and garden use in trust until such time that it is needed in the instantaneous quantities and monthly volumes below:

	May	June	July	August	September	October
CFS	0.003	0.005	0.006	0.005	0.003	0.001
Acre-feet	0.13	0.28	0.39	0.31	0.18	0.03

RCW 90.38.020 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 90.38.040(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.

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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.

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

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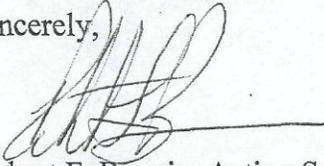
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FILE COPY

Jeff & Jacqueline Brunson  
Trust Water No. CS4-00606CTCL@1  
July 21, 2011  
Page 3 of 3

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,



Robert F. Barwin, Acting Section Manager  
Water Resources Program

RFB:ST:gh  
110733c

Certified Mail: 7007 2560 0001 9535 5537

cc: Philip Rigdon, Director, Natural Resources Division, Yakama Nation



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 12, 2013

Jeff & Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg WA 98926-8925

Re: Trust Water Right No. CS4-00606CTCL, CS4-01575CTCLsb9,  
CS4-01841CTCLsb9, CS4-12929CTCL and CS4-12929CTCL@1

Dear Jeff & Jacqueline:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donation to remain in the Trust Water Right Program for an additional 1 year.

**This trust water right expires on December 31, 2014**

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 2<sup>nd</sup> 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:

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Jeff & Jacqueline Brunson  
TW Donation File No. CS4-00606CTCL@1, CS4-01575CTCLsb9,  
CS4-01841CTCLsb9, CS4-12929CTCL and CS4-12929CTCL@1

December 12, 2013

Page 2 of 2

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.

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*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>*

If you have any questions, please contact Teresa Mitchell at 509-575-2597.

Sincerely,



Mark Kemner, LHG  
Section Manager  
Water Resources Program

MK:KC:ss  
131212

By certified mail: 7010 0290 0000 7126 5343

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 20, 2012

Broadmoor Farms, LLC  
Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

Re: AMENDED EXTENSION for Trust Water Right No. CS4-00606CTCL@1,  
CS4-12929CTCL@1, CS4-01841CTCLsb9, and CS4-01575CTCLsb9

Dear Mr. and Mrs. Brunson:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donations to remain in the Trust Water Right Program for an additional 1 year.

**These trust water rights expire on December 31, 2013.**

### YOUR RIGHT TO APPEAL

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 2<sup>nd</sup> 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;
- The specific application number of the decision being appealed;
- A copy of the decision;

Amended 12/20/12  
\*CS4-12929CTCL  
should have been  
CS4-12929CTCL@1

**FILE COPY**



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.

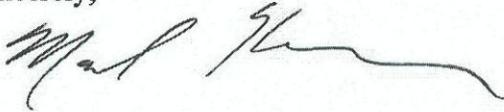
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If you have any questions, please contact Scott Turner at 509-457-7106.

Sincerely,



Mark Kemner, LHG, Section Manager  
Water Resources Program/CRO

MK:ST:ss/121272

By certified mail: 7010 0290 0000 7131 1552

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

Trust water donation extension granted.doc

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 17, 2012

Broadmoor Farms, LLC  
Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

Re: Trust Water Right No. **CS4-00606CTCL@1**, CS4-12929CTCL, CS4-01841CTCLsb9,  
and CS4-01575CTCLsb9

Dear Mr. and Mrs. Brunson:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donations to remain in the Trust Water Right Program for an additional 1 year.

**These trust water rights expire on December 31, 2013.**

**YOUR RIGHT TO APPEAL**

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 2<sup>nd</sup> 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:

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**FILE COPY**



Jeff & Jacqueline Brunson  
TW File Nos. CS4-00606CTCL@1, CS4-01575CTCLsb9,  
CS4-01841CTCLsb9 & CS4-12929CTCL

December 17, 2012  
Page 2 of 2

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If you have any questions, please contact Scott Turner at 509-457-7106.

Sincerely,



Mark Kemner, LHG, Section Manager  
Water Resources Program/CRO

MK:ST:ss/121243

By certified mail: 7009 2250 0004 4952 2184

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

Trust water donation extension granted.doc

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 21, 2007

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg, WA 98926-8925

RE: Temporary Trust Water Right No. CS4-00606CTCL@1

Dear Mr. and Mrs. Brunson

The purpose of this letter is to acknowledge the recent extension of your donation to the Washington State Trust Water Right Program. The Department of Ecology, pursuant to RCW 90.42.080(1)(b), acknowledges the donation to the Trust Water Right Program, the amount of 1.31 acre-feet per year for the benefit of the Naneum Creek. Instantaneous quantities and monthly volumes are as follows:

	May	June	July	August	September	October
cfs	0.003	0.005	0.006	0.005	0.003	0.001
acre-feet	0.13	0.28	0.39	0.31	0.18	0.03

The donated water right represents a portion of a water right confirmed under Court Claim No. 00606. Most of Court Claim No. 00606 was donated to the Trust Water Right Program in 2006, with a portion held back for consumptive domestic and lawn use. The intent of this donation is to place the portion held for consumptive domestic use in trust until such time that it's needed.

The trust water right is for instream flow purposes from April 1, 2008 to October 15, 2008.

RCW 90.42.080 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 before the donation. The donated water right's status as a trust water right is not evidence of the validity or quantity of the right. While the right is in the Trust Water Right Program it is protected against relinquishment and when the period of trust ends, the water right will revert back to the water right holder or land owner in the full quantity and for the original purposes.

This trust water right expires December 31, 2008. If you would like to extend this temporary transfer, please write our office 30 days prior to the expiration of this trust water right.

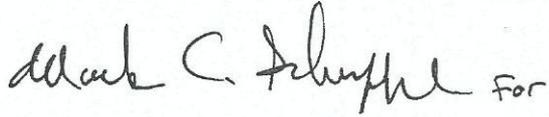
**FILE COPY**



Jeff and Jacqueline Brunson  
December 21, 2007  
Page 2

If you have questions or concerns, please call the Central Region Office Trust Water Coordinator, Timothy Blocher at (509) 454-7294.

Sincerely,

 for

Melissa Downes  
Operations Unit Supervisor  
Water Resources Program

MD:hd  
0712117

cc: Jonathan Kohr, via email, [kohrjhk@dfw.wa.gov](mailto:kohrjhk@dfw.wa.gov)

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

January 24, 2012

Broadmoor Farms, LLC  
Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

Re: Trust Water Right No. CS4-01575CTCLsb9

Dear Mr. and Mrs. Brunson:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donation to remain in the Trust Water Right Program for an additional 1 year.

**This trust water right expires on December 31, 2012.**

**YOUR RIGHT TO APPEAL**

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 2<sup>nd</sup> 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:

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- The name and address of the Department of 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

**FILE COPY**



Ecology's decision;  
Facts that demonstrate the appellant is entitled to obtain judicial review;  
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To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>*

If you have any questions, please contact Scott Turner at 509-457-7106.

Sincerely,



Mark Kemner, LHG  
Section Manager  
Water Resources Program

MK:ST:ss  
120119

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

By certified mail: 7009 2250 0004 4952 1491

Trust water donation extension granted.doc

**FILE COPY**



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

March 15, 2010

Jeff & Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg WA 98926-8925

**RE: Extension of Trust Water Donation No. CS4-01575CTCLsb9**

Dear Mr. and Mrs. Brunson,

The purpose of this letter is to acknowledge your request (dated December 28, 2009) to extend the donation of Temporary Trust Water Right No. CS4-01575CTCLsb9 to the Washington State Trust Water Right Program.

The Department of Ecology (Ecology), pursuant to RCW 90.38.020(1)(b), acknowledges your donation in the amount of 0.25 cubic feet per second and 15 acre-feet per year. The purpose of the donation is to benefit instream flow in the Yakima River from April 15, 2010 through October 15, 2010.

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

This trust water right is made possible by the following of 2.5 acres, at the recorded place of use, located within a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M., Parcel No. 17-18-13040-0005.

RCW 90.38.020 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 90.38.040(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.



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 2<sup>nd</sup> 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:

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Sincerely,

*Mark C. Schuppe, WR Section Mgr by,*  
*Thomas P. Machin*

Mark C. Schuppe, Section Manager  
Water Resources Program

MCS:ST:gg/100327

Certified Mail: 7006 0100 0002 8191 9611

cc: Philip Rigdon, Director, Natural Resources Division, Yakama Nation



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

July 21, 2011

Jeff & Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg WA 98926-8925

**RE: Trust Water Donation No. CS4-01575CTCLsb9**

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge your request (received November 15, 2010) to extend the donation of Temporary Trust Water Right No. CS4-01575CTCLsb9 to the Washington State Trust Water Right Program.

The Department of Ecology (Ecology), pursuant to RCW 90.38.020(1)(b), accepts your donation in the amount of 0.25 cubic feet per second and 15 acre-feet per year. The purpose of the donation is to benefit instream flow in the Yakima River through **December 31, 2011**.

This trust water right is made possible by the fallowing of 2.5 acres, at the recorded place of use, located within a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M., Parcel No. 17-18-13040-0005.

RCW 90.38.020 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.

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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.



**FILE COPY**



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Sincerely,



Robert F. Barwin, Acting Section Manager  
Water Resources Program

RFB:ST:gh  
110733

Certified Mail: 7007 2560 0001 9535 5537

cc: Philip Rigdon, Director, Natural Resources Division, Yakama Nation

Y900 FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 17, 2012

Broadmoor Farms, LLC  
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Ellensburg WA 98926-8925

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Jeff & Jacqueline Brunson  
TW File Nos. CS4-00606CTCL@1, CS4-01575CTCLsb9,  
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December 17, 2012

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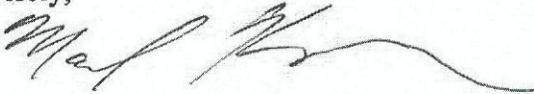
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Sincerely,



Mark Kemner, LHG, Section Manager  
Water Resources Program/CRO

MK:ST:ss/121243

By certified mail: 7009 2250 0004 4952 2184

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

Trust water donation extension granted.doc

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 20, 2012

Broadmoor Farms, LLC  
Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

Amended 12/20/12  
CS4-12929CTCL  
Should have been  
CS4-12929 CTCL@1

Re: AMENDED EXTENSION for Trust Water Right No. CS4-00606CTCL@1,  
CS4-12929CTCL@1, CS4-01841CTCLsb9, and CS4-01575CTCLsb9

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TW File Nos. CS4-00606CTCL@1, CS4-01575CTCLsb9,  
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December 20, 2012

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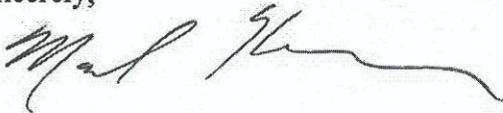
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All others receiving notice of this Decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within **thirty (30) days of the date the Order was mailed**. The appeal must be filed in the same manner as described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

*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>*

If you have any questions, please contact Scott Turner at 509-457-7106.

Sincerely,



Mark Kemner, LHG, Section Manager  
Water Resources Program/CRO

MK:ST:ss/121272

By certified mail: 7010 0290 0000 7131 1552

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

Trust water donation extension granted.doc

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 24, 2009

Jeff & Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg WA 98926-8925

RE: Trust Water Donation Application No. CS4-01575CTCLsb9

Dear Mr. and Mrs. Brunson,

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 the Application No. CS4-01575CTCLsb9. Please refer to that number when corresponding with us about this trust water right.

The Department of Ecology (Ecology), pursuant to RCW 90.38.020(1)(b), acknowledges your donation in the amount of 0.25 cubic feet per second and 15 acre-feet per year. The purpose of the donation is to benefit instream flow in the Yakima River from April 15, 2009 through October 15, 2009.

**This trust water right expires on February 28, 2010.**

This trust water right is made possible by the following of 2.5 acres, at the recorded place of use, located within a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M., Parcel Nos. 17-18-13040-0005.

RCW 90.38.020 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 90.38.040(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.



FILE COPY



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

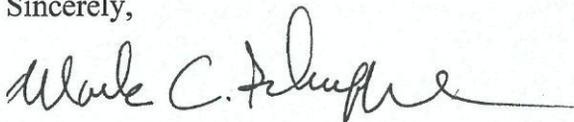
This Decision may be appealed pursuant to RCW 34.05.514(3), RCW 90.03.210(2), and Pretrial Order No. 12 entered in *State of Washington, Department of Ecology v. James Acquavella, et al.*, Yakima County Superior Court No. 77-2-01484-5 (the general adjudication of surface water rights in the Yakima River 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 2<sup>nd</sup> 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;
- 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.

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,



Mark C. Schuppe, Section Manager  
Water Resources Program

MCS:ST:gg/091235

Certified Mail: 7007 2560 0001 9534 6702

cc: Philip Rigdon, Director, Natural Resources Division, Yakama Nation



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

January 24, 2012

Broadmoor Farms, LLC  
Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

Re: Trust Water Right No. CS4-01841CTCLsb9

Dear Mr. and Mrs. Brunson:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donation to remain in the Trust Water Right Program for an additional 1 year.

**This trust water right expires on December 31, 2012.**

**YOUR RIGHT TO APPEAL**

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 2<sup>nd</sup> 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:

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- A brief explanation of Ecology's decision;
- Identification of persons who were parties in any adjudicative proceedings that led to

**FILE COPY**



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.

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To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>*

If you have any questions, please contact Scott Turner at 509-457-7106.

Sincerely,



Mark Kemner, LHG  
Section Manager  
Water Resources Program

MK:ST:ss  
120118

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

By certified mail: 7009 2250 0004 4952 1491

Trust water donation extension granted.doc

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

March 15, 2010

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

**RE: Extension of Trust Water Donation No. CS4-01841CTCLsb9**

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge your request (dated December 28, 2009) to extend the donation of Temporary Trust Water Right No. CS4-01841CTCLsb9 to the Washington State Trust Water Right Program.

The Department of Ecology (Ecology), pursuant to RCW 90.38.020(1)(b), acknowledges your donation in the amount of 0.04 cubic feet per second and 3 acre-feet per year. The purpose of the donation is to benefit instream flow in the Yakima River via the Tjossem Ditch from April 15, 2010 through October 15, 2010.

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

This trust water right is made possible by the fallowing of 1 acre, at the recorded place of use, located within the west 165 feet of the north 452 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M., lying south of Tjossem Road, Parcel No 17-18-13040-0006.

RCW 90.38.020 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 90.38.040(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.



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 2<sup>nd</sup> 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:

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Sincerely,

Mark C. Schuppe, w/r Section Mgr. by,

Thomas L. Mackie

Mark C. Schuppe, Acting Section Manager  
Water Resources Program

MCS:ST:gg/100328

Certified Mail:7006 0100 0002 8191 9611

cc: Philip Rigdon, Director, Natural Resources Division, Yakama Nation



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

March 27, 2009  
CERTIFIED MAIL  
7007 2560 0001 9634 5392

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

RE: Trust Water Donation No. CS4-01841CTCLsb9

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge Ecology's acceptance of your donation to the Washington State Trust Water Right Program. The trust water right has been assigned the control No. CS4-01841CTCLsb9. Please refer to that number when corresponding with us about this trust water right.

The Department of Ecology, pursuant to RCW 90.38.020(1)(b), acknowledges your donation in the amount of 0.04 cubic feet per second and 3 acre-feet per year. The purpose of the donation is to benefit instream flow in the Yakima River via the Tjossem Ditch from April 15, 2009 through October 15, 2009.

**This trust water right expires on December 31, 2009.**

This trust water right is made possible by the fallowing of 1 acre, at the recorded place of use, located within the west 165 feet of the north 452 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M., lying south of Tjossem Road, Parcel No 17-18-13040-0006.

RCW 90.38.020 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 90.38.040(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



**FILE COPY**



Jeff and Jacqueline Brun

March 27, 2009

Page 2

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.

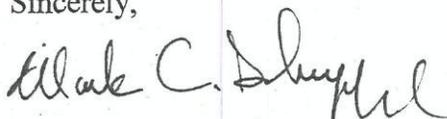
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- A copy of the decision;
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- Identification of persons who were parties in any adjudicative proceedings that led to Ecology's decision;
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Sincerely,



Mark C. Schuppe  
Acting Section Manager  
Water Resources Program

MCS:ST:gh  
090365

Cc: Philip Rigdon, Yakama Nation



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

July 21, 2011

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

**RE: Trust Water Donation No. CS4-01841CTCLsb9**

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge your request (received November 15, 2010) to extend the donation of Temporary Trust Water Right No. CS4-01841CTCLsb9 to the Washington State Trust Water Right Program.

The Department of Ecology (Ecology), pursuant to RCW 90.38.020(1)(b), accepts your donation in the amount of 0.04 cubic feet per second and 3 acre-feet per year. The purpose of the donation is to benefit instream flow in the Yakima River via the Tjossem Ditch through **December 31, 2011.**

This trust water right is made possible by the following of 1 acre, at the recorded place of use, located within the west 165 feet of the north 452 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M., lying south of Tjossem Road, Parcel No 17-18-13040-0006.

RCW 90.38.020 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.

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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.



**FILE COPY**



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

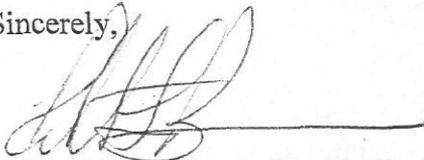
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- The name and address of the Department of Ecology;
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All others receiving notice of this decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within **thirty (30) days of the date the Order was mailed**. The appeal must be filed in the same manner as described above.

Sincerely,



Robert F. Barwin, Acting Section Manager  
Water Resources Program

RFB:ST:gh  
110733a

Certified Mail: 7007 2560 0001 9535 5537

cc: Philip Rigdon, Director, Natural Resources Division, Yakama Nation

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 12, 2013

Jeff & Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg WA 98926-8925

Re: Trust Water Right No. CS4-00606CTCL, CS4-01575CTCLsb9,  
CS4-01841CTCLsb9, CS4-12929CTCL and CS4-12929CTCL@1

Dear Jeff & Jacqueline:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donation to remain in the Trust Water Right Program for an additional 1 year.

**This trust water right expires on December 31, 2014**

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 2<sup>nd</sup> 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:

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- 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;

THIS WAS NOT  
A DONATION  
BUT CLOSE  
EXT ANYWAY  
TEMPORARY  
IEBP?

(FILE COPY



Jeff & Jacqueline Brunson

TW Donation File No. CS4-00606CTCL@1, CS4-01575CTCLsb9,  
CS4-01841CTCLsb9, CS4-12929CTCL and CS4-12929CTCL@1

December 12, 2013

Page 2 of 2

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.

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To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>*

If you have any questions, please contact Teresa Mitchell at 509-575-2597.

Sincerely,



Mark Kemner, LHG  
Section Manager  
Water Resources Program

MK:KC:ss  
131212

By certified mail: 7010 0290 0000 7126 5343

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

(FILE COPY)



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

January 24, 2012

Broadmoor Farms, LLC  
Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg WA 98926-8925

Re: Trust Water Right No. CS4-12929CTCL@1

Dear Mr. and Mrs. Brunson:

In response to your request, you are hereby granted an extension of the above referenced Trust Water Donation to remain in the Trust Water Right Program for an additional 1 year.

**This trust water right expires on December 31, 2012.**

**YOUR RIGHT TO APPEAL**

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 2<sup>nd</sup> 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:

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- 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

**FILE COPY**



Jeff & Jacqueline Brunson  
TW No. CS4-12929CTCL@1  
January 24, 2012  
Page 2 of 2

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.

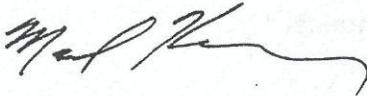
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If you have any questions, please contact Scott Turner at 509-457-7106.

Sincerely,



Mark Kemner, LHG  
Section Manager  
Water Resources Program

MK:ST:ss  
120117

cc: Philip Rigdon, Director Natural Resources Division Yakama Nation

By certified mail: 7009 2250 0004 4952 1491

Trust water donation extension granted.doc

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

March 6, 2009

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg, WA 98926-8925

RE: Extension of Donation for Temporary Trust Water Right No. CS4-12929CTCL@1

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge Jeff and Jacqueline Brunson's request dated November 19, 2008, to extend their temporary Trust Water Right donation No. CS4-12929CTCL@1 to the Washington State Trust Water Right Program.

The Department of Ecology, pursuant to RCW 90.38.020(1)(b), acknowledges the donation to the Trust Water Right Program, the amount of 1.0 cubic feet per second and 100 acre-feet per year for the benefit of Unnamed Creek tributary to Lyle Creek. The trust water right is for instream flow purposes from April 1, 2009 to October 31, 2009.

**This trust water right expires December 31, 2009.**

This trust water right is made possible by the fallowing of 20 acres, at the recorded place of use, located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M.

RCW 90.38.020 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 90.38.040(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.

If you have questions or concerns, please call the Central Region Office 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 2<sup>nd</sup> 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;
- 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.

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**.

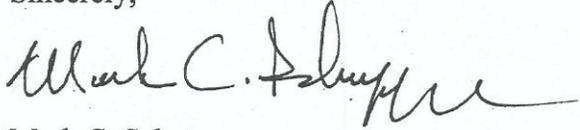
The appeal must be filed in the same manner as described above.

Jeff and Jacqueline Brunson

March 5, 2009

Page 3

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  
Acting Section Manager  
Water Resources Program

MCS:ST:gh  
090311

Cc: Jonathan Kohr, via email - [kohtjhk@dfw.wa.gov](mailto:kohtjhk@dfw.wa.gov)



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

March 15, 2010

Jeff & Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg WA 98926-8925

**RE: Extension of Donation for Temporary Trust Water Right No. CS4-12929CTCL@1**

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge Jeff and Jacqueline Brunson's request, dated December 28, 2010, to extend its Temporary Trust Water Right No. CS4-12929CTCL@1 donation to the Washington State Trust Water Right Program.

The Department of Ecology, pursuant to RCW 90.38.020(1)(b), acknowledges the donation to the Trust Water Right Program, the amount of 1.0 cubic feet per second and 100 acre-feet per year for the benefit of Unnamed Creek tributary to Lyle Creek. The trust water right is for instream flow purposes from April 1, 2010 to October 31, 2010.

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

This trust water right is made possible by the fallowing of 20 acres, at the recorded place of use, located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M.

RCW 90.38.020 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 90.38.040(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.

Green Card is in WR Change File No. CS4-00606CTCL@1  
BRUNSON, Jeff & Jacqueline

FILE COPY



If you have questions or concerns, please call the Central Region Office 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 2<sup>nd</sup> 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;
- 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.

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,

*Mark C. Schuppe, Section Mgr. by  
Thomas R. Mackin*

Mark C. Schuppe, Section Manager  
Water Resources Program

MCS:ST:gg/100326

Certified Mail: 7004 0100 0002 8191 9611

cc: Jonathan Kohr, via email - kohrjkh@dfw.wa.gov



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

June 20, 2007

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg, WA 98926-8925

RE: Temporary Trust Water Right No. CS4-12929CTCL@1

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge your recent donation to the Washington State Trust Water Right Program. The Department of Ecology, pursuant to RCW 90.42.080(1)(b), acknowledges the donation to the Trust Water Right Program, the amount of 1.0 cubic feet per second and 100 acre-feet per year for the benefit of an Unnamed Stream, tributary to Lyle Creek. The trust water right is for instream flow purposes from April 1, 2007 to October 31, 2007.

RCW 90.42.080 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 before the donation. The donated water right's status as a trust water right is not evidence of the validity or quantity of the right. While the right is in the Trust Water Right Program it is protected against relinquishment and when the period of trust ends, the water right will revert back to the water right holder or land owner in the full quantity and for the original purposes.

This trust water right expires December 31, 2013. If you would like to extend this temporary transfer, please write our office 30 days prior to the expiration of this trust water right.

If you have questions or concerns, please call the Central Region Office Trust Water Coordinator, Suzanne Blakeney at (509) 454-7294.

Sincerely,

Melissa Downes  
Operations Unit Supervisor  
Water Resources Program

MD:gh  
070617

*electronic*  
cc: Mark Crowley, Kittitas County Conservation District



**FILE COPY**



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

July 21, 2011

Jeff & Jacqueline Brunson  
1585 Tjossem Rd  
Ellensburg WA 98926-8925

**RE: Trust Water Right Donation No. CS4-12929CTCL@1**

Dear Mr. and Mrs. Brunson:

The purpose of this letter is to acknowledge Jeff and Jacqueline Brunson's request, (received November 15, 2010) to extend its Temporary Trust Water Right No. CS4-12929CTCL@1 donation to the Washington State Trust Water Right Program.

The Department of Ecology, pursuant to RCW 90.38.020(1)(b), accepts the donation to the Trust Water Right Program, the amount of 1.0 cubic feet per second and 100 acre-feet per year for the benefit of Unnamed Creek tributary to Lyle Creek. The trust water right is for instream flow purposes through **December 31, 2011**

This trust water right is made possible by the fallowing of 20 acres, at the recorded place of use, located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 13, T. 17 N., R. 18 E.W.M.

RCW 90.38.020 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 90.38.040(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.



**FILE COPY**



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

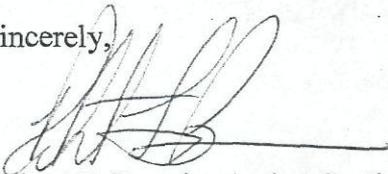
This Decision may be appealed pursuant to RCW 34.05.514(3), RCW 90.03.210(2), and Pretrial Order No. 12 entered in *State of Washington, Department of Ecology v. James Acquavella, et al.*, Yakima County Superior Court No. 77-2-01484-5 (the general adjudication of surface water rights in the Yakima River 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 2<sup>nd</sup> 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:

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- Name and address of the appellant's attorney, if any;
- The name and address of the Department of Ecology;
- The specific application number of the decision being appealed;
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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,



Robert F. Barwin, Acting Section Manager  
Water Resources Program

RFB:ST:gh  
110733b

Certified Mail: 7007 2560 0001 9535 5537

cc: Philip Rigdon, Director, Natural Resources Division, Yakama Nation

FILE COPY



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 21, 2007

Jeff and Jacqueline Brunson  
1585 Tjossem Road  
Ellensburg, WA 98926-8925

RE: Temporary Trust Water Right No. CS4-12929CTCL@1

Dear Mr. and Mrs. Brunson,

The purpose of this letter is to acknowledge the recent extension of your donation to the Washington State Trust Water Right Program. The Department of Ecology, pursuant to RCW 90.42.080(1)(b), acknowledges the donation to the Trust Water Right Program, in the amount of 1.0 cubic feet per second and 100 acre-feet per year for the benefit of an Unnamed Stream, tributary to Lyle Creek. The trust water right is for instream flow purposes from April 1, 2008 to October 31, 2008.

RCW 90.42.080 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 before the donation. The donated water right's status as a trust water right is not evidence of the validity or quantity of the right. While the right is in the Trust Water Right Program it is protected against relinquishment and when the period of trust ends, the water right will revert back to the water right holder or land owner in the full quantity and for the original purposes.

This trust water right expires December 31, 2008. If you would like to extend this temporary transfer, please write our office 30 days prior to the expiration of this trust water right.

If you have questions or concerns, please call the Central Region Office Trust Water Coordinator, Timothy Blocher at (509) 454-7294.

Sincerely,

Melissa Downes  
Operations Unit Supervisor  
Water Resources Program

MD:hd  
071216

cc: Mark Crowley, Kittitas County Conservation District  
cc: Jonathan Kohr, via email, [kohrjkh@dfw.wa.gov](mailto:kohrjkh@dfw.wa.gov)

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