



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 17, 2009

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

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

Dear Mr. Ross:

The purpose of this letter is to acknowledge the Department of Ecology's acceptance of your donation to the Washington State Trust Water Right Program. The trust water right has been assigned Application No. CS4-WRC139173(B)@1. Please refer to this number when corresponding with us about this trust water right.

The Department of Ecology (Ecology), pursuant to RCW 90.42.080(1)(b), acknowledges your donation in the amount of 3.0 acre-feet per year. Because your application was received 29 days into the 2009 irrigation season, a proration for 2009 was calculated and shown in the table below.

Season of Use	GPM	AF
2009 (4/30 to 10/31)	11.70	2.59
2010 (4/1 to 10/31)	13.52	3.00

The purpose of the donation is to benefit instream flow in the Methow River from April 30, 2009 to October 31, 2010.

This trust water right expires on December 31, 2010.

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

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 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.



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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.

If you have questions or concerns, please call the Trust Water Rights Coordinator, Gary Steele at (509) 457-7106.

You have a right to appeal this decision. To appeal this you must:

- File your appeal with the Pollution Control Hearing Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board:

Mail appeal to:

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board
PO Box 40903
Olympia WA 98504-0903

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey WA 98503

2. To serve your appeal on the Department of Ecology:

Mail appeal to:

OR

Deliver your appeal in person to:

The Department of Ecology
Appeals & Application for Relief
Coordinator
PO Box 47608
Olympia WA 98504-7608

The Department of Ecology
Appeals & Application for Relief
Coordinator
300 Desmond Dr SE
Lacey WA 98503

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3. And send a copy of your appeal packet to:

Mark C. Schuppe, Section Manager
Water Resources Program, Dept. of Ecology
Central Region Office
15 W Yakima Ave Ste 200
Yakima WA 98902-3452

*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, w/ Section Mgr, by MIBUSSA DOWNES

Mark C. Schuppe, Section Manager
Water Resources Program

MCS:GS:gg/091213

Attachments: Your Right To Be Heard

Certified Mail: 7007 2560 0001 9534 6603

cc: Katharine Bill, Washington Rivers Conservancy
Lois Trevino, Administrator, Environmental Trust, Colville Confederated Tribes
Philip Rigdon, Director, Natural Resources Division, Yakama Nation