



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

SEP 25 2018

Doug Pettinger
Darigold, Inc.
P.O. Box 80627
Seattle, WA 98108

RE: Temporary Trust Water Right Donation CG1-21648C@1 – King County (WRIA 8)

Dear Mr. Pettinger:

The purpose of this letter is to acknowledge the Department of Ecology's (Ecology's) acceptance of a portion of Groundwater Certificate G1-21648C for temporary donation to the Washington State Trust Water Right Program. The subject trust water right has been assigned control number CG1-21648C@1. Please refer to this number when corresponding with us about this trust water right donation.

BACKGROUND INFORMATION

Ground Water Certificate G1-21648C was issued to the Consolidated Dairy Products Company, with a priority date of May 16, 1974. It authorizes the withdrawal of 1100 gallons per minute (gpm) and 1232 acre-feet per year (afy), for manufacturing purposes, continuously. The recorded point of withdrawal and the place of use are located within the NE¼ SE¼ of Section 28, Township 24N, Range 6 E, W.M., in King County.

Darigold has historically used the subject water right at the Issaquah Plant which produces milk and milk products. The plant has recently been in a period of reduced water usage. Enclosed with your donation form was a beneficial use table for the past five years. Water use under the subject right was 336 afy in 2013 before the declining water use began. Accordingly, Darigold would like to temporarily donate 286 afy into the Trust Program, while retaining 50 afy for use at the plant. Darigold expects that water usage under the subject water right will increase to regular levels in the future, and plan to withdraw and resume use of the donated 286 afy at that future time. Because the plant's well will continue to be used (at a reduced annual volume), Darigold has requested to retain all of the certificated instantaneous quantity (1100 gpm).



Doug Pettinger
Darigold, Inc.
CG1-21648@1 TW Donation
Page 2

DEPARTMENT OF ECOLOGY ACCEPTANCE

The Department of Ecology, pursuant to RCW 90.42.080(1)(b), **accepts your temporary donation of 286 afy, for groundwater preservation and instream flows in Issaquah Creek.** You will retain 1100 gpm and 50 afy, for manufacturing purposes.

Per your request, this temporary donation will expire on August 1, 2023. If, prior to the expiration of this acceptance, you would like to extend or revoke 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.

RCW 90.42.080 requires 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 Rights Program.

Ecology's acceptance of the donated water right into the Trust Water Rights Program is not evidence of the validity or quantity of the right.

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by chapter 43.21B RCW and chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

If you have questions or concerns, please contact Buck Smith at buck.smith@ecy.wa.gov or (425) 649-7147.

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person (see addresses below). Email is not accepted.

You must also comply with other applicable requirements in chapter 43.21B RCW and chapter 371-08 WAC.


Doug Pettinger
Darigold, Inc.
CG1-21648@1 TW Donation
Page 3

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk P.O. Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board Environmental Hearings Office 1111 Israel Road SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board P.O. Box 40903 Olympia, WA 98504-0903

*For additional information, visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov>*

*To find laws and agency rules, visit the Washington State Legislature Website:
<http://www1.leg.wa.gov/CodeReviser>*

Signed at Bellevue, Washington, this 25 day of Sept. 2018.



Ria Berns
Section Manager
Water Resources Program

Enclosure: Your Right To Be Heard

By Certified Mail: 9171 9690 0935 0163 8179 48