



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

October 24, 2018

Marcus Griggs
50 Griggs Ln.
Orondo, WA 98843-9611

RE: Trust Water Right Donation Application Nos: CG3-00570C@4(B),
CS4-022990CL(A)@1 and CS4-073526CL(A)@1

Dear Marcus Griggs:

The purpose of this letter is to acknowledge the Department of Ecology’s acceptance of three trust water donations you made to the Washington State Trust Water Rights Program (TWRP). The donations have been assigned control numbers CG3-00570C@4(B), CS4-022990CL(A)@1 and CS4-073526CL(A)@1. Please refer to these numbers when corresponding with us about these trust water rights.

The Department of Ecology (Ecology), pursuant to RCW 90.42.080(1)(b) and RCW 90.42.080(10)(b) accepts your donations in the following amounts:

| <i>Water Right Number</i> | <i>Trust Water Right Number</i> | <i>Annual Quantity (Qa)</i> | <i>Seasonal Donation Period</i> |
|---------------------------|---------------------------------|-----------------------------|---------------------------------|
| <i>S4-073526CL(A)</i> | CS4-073526CL(A)@1 | 12.1 acre-feet | April 15 to Oct. 15 |
| <i>S4-022990CL(A)</i> | CS4-022990CL(A)@1 | 36.15 acre-feet | April 1 to Oct. 15 |
| <i>G3-00570C@2(B)</i> | CG3-00570C@4(B) | 42.21 acre-feet | April 15 to Oct. 15 |

The Trust Water Donations referenced above Expire April 15, 2023.

These trust water rights are made possible by the nonuse of portions of Water Rights No. S4-022990CL(A) and S40073526CL(A) and the entirety of Water Right No. G3-00570@3(B). Each of these water rights are currently under a Development Schedule where the water was historically put to use in Okanogan County and has now been transferred through the Water Right Change process to a new place of use within Douglas County. The water intended for trust



has yet to be exercised within the new authorized place of use located. The current Development Schedule expires **December 31, 2018**.

RCW 90.14.140(2)(c) provides protection from relinquishment for these rights while they are under an active Development Schedule. RCW 90.42.080(10)(b) provides that such water may be also be placed in the TWRP.

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, in this case, during the five year period preceding the Defined Future Development within the Change Authorization.

In accordance with RCW 90.42.040(6), RCW 90.14.140(h), and RCW 90.14.215, a water right is not subject to relinquishment while it is managed within the TWRP.

Ecology's acceptance of the donated water right into the trust water right program is not evidence of the validity or quantity of the right. When the period of trust ends, the donated water right will revert back to the water right holder or landowner. To the extent that the donated water right represents a valid water right, the water right holder or landowner may resume exercising the right in a manner consistent with the authorized purpose(s).

If, prior to expiration of this temporary donation, you would like to extend the temporary donation, please send us a written request. Also, if you wish to modify any terms of your donation, your letter must include the new terms. Ecology will review your request and any new or modified terms and conditions and will notify you whether the donation can be extended or terminated.

If you have questions or concerns, please call the Office of Columbia River Trust Water Coordinator, Patricia Kirk, by phone at (509) 249-6299 or by e-mail at patricia.kirk@ecy.wa.gov.

YOUR RIGHT TO APPEAL

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

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

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

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

ADDRESS AND LOCATION INFORMATION

| Street Addresses | Mailing Addresses |
|---|--|
| <p>Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503</p> <p>Pollution Control Hearings Board 1111 Israel Road SW Ste. 301 Tumwater, WA 98501</p> | <p>Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608</p> <p>Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903</p> |

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>.
To find laws and agency rules visit the Washington State Legislature Website:
<http://www.leg.wa.gov/CodeReviser>

Sincerely,



Mark C. Schuppe, Operations Manager
Office of Columbia River

MCS:PK:aa (181011)

By certified mail: 9590 9402 3859 8060 2956 23

cc: Marc Marquis