



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

December 20, 2018

Auvil Fruit Company Inc.  
Attn.: Chris McCarthy  
21902 SR 97  
Orondo, WA 98843

**Re: Trust Water Donations for G4-CV1-4P228, G4-CV1-4P229, G4-CV1-4P230, G4-CV1-4P231, G4-29828P, G4-30233C, G4-30234C, G4-31104P, G4-31105P, G4-31111C (aka 'Ranch 2')**

Dear Chris McCarthy:

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 Department of Ecology (Ecology), pursuant to RCW 90.42.080(1)(b), acknowledges your donation in the quantities described below. The purpose of the donation is to benefit instream flow in the Columbia River during irrigation season.

Water right control no.	Acres authorized	Acres donated for Trust	Qi authorized	Qi (in GPM) donated for Trust	Qa authorized	Qa (in acre-feet) donated for Trust
G4-CV14P228	200	0	2000	724.9	1000	362.4
G4-CV14P231	160	0	1600	579.9	800	289.9
G4-CV14P229	40	0	400	145	200	72.5
G4-CV14P230	40	0	400	145	200	72.5
G4-29828P	75	0	750	271.8	442.5	160.4
G4-30233C	200	57.7	3500	1268.5	1180	427.7
G4-30234C	100	36.2	3500	1268.5	590	213.8
G4-31104P	350	126.8	3500	1268.5	2065	748.4
G4-31105P	160	58	1600	579.9	944	342.1
G4-31111C	226.75	82.2	2268	822	1338	484.9
<b>Total</b>	<b>1551.75</b>	<b>360.9</b>	<b>19518</b>	<b>7074</b>	<b>8759.5</b>	<b>3174.6</b>



**This trust water right expires on December 31, 2023.**

**Auvil Fruit Company Inc. may, upon providing Ecology with sixty (60) days prior written notice, withdraw this temporary donation from the State Trust Water Right Program.**

These trust water rights are possible by the installation of suite of infrastructure and operational improvements resulting in reduced evapotranspiration and, in turn, consumptive use water savings. Implemented at the place of use for each respective right, these include:

- Automated irrigation schedules.
- Soil moisture probes.
- Removal of windbreak trees with a large water duty.
- Variable frequency drives installed in wells.
- One-hundred percent coverage of orchard shadecloth.
- Transition to driplines and microspray sprinklers.

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 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 Tyler Roberts at (509) 457-7141 or via email at [tyler.roberts@ecy.wa.gov](mailto:tyler.roberts@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 the Order:

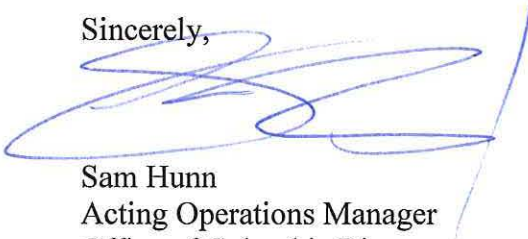
- File your appeal and a copy of this Order with the PCHB (see addresses on following page). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form – by mail or in person (see addresses on following page). E-mail is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

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

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

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

Sincerely,



Sam Hunn  
Acting Operations Manager  
Office of Columbia River

SH:TR:aa (181242)

Enclosure(s): Your Right To Be Heard

By certified mail: 9590 9402 3859 8060 2956 85

cc: Dan Haller, P.E., Aspect Consulting