



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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May 24, 2018

Cynthia Krass
Snoqualmie Valley Watershed Improvement District
PO Box 1148
Carnation, WA 98014

**Re: 2018-2022 Reduction of Donated Quantities Held in Temporary Trust –
Surface Water Certificate 180(A) – King County (WRIA 7)**

Dear Ms. Krass:

The purpose of this letter is to acknowledge the acceptance of your request to reduce the instantaneous rate and annual volume of water held in the Washington State Trust Water Right Program (TWRP) under Surface Water Certificate (SWC) 180(A).

BACKGROUND INFORMATION

SWC 180 was originally owned by the Weyerhaeuser Company for the diversion of water from Tokul Creek, a tributary of the Snoqualmie River.

On January 3, 2011, the Department of Ecology (Ecology) received a request from the Weyerhaeuser Company to place SWC 180(A) into the TWRP to benefit instream flows. (*SWC 180(B) had been placed into the Permanent Trust Water Right Program in 2002*). Information received with the Weyerhaeuser Company request demonstrated that within the preceding five years, SWC 180(A) was beneficially used at an instantaneous rate of 2.08 cubic feet per second (cfs) and an annual volume of 863.8 acre-feet per year (afy), of which 56.71 afy were consumptively used. On January 7, 2011, Ecology issued a TWRP letter of acceptance to the Weyerhaeuser Company for these quantities, under control number CS1-*01933(A)@1.

The organization you represent, the Snoqualmie Valley Watershed Improvement District, acquired SWC 180(A) from the Weyerhaeuser Company in June 2016. Your request is to remove 0.13 cfs and 4 afy from temporary trust, for the 2018-2022 growing seasons, for downstream agricultural irrigation purposes.

DEPARTMENT OF ECOLOGY ACCEPTANCE

Your request for a temporary reduction in the instantaneous rate and annual volume held in trust under SWC 180(A) is hereby **ACCEPTED** as follows:



- Effective immediately, 0.13 cfs and 4 afy will be removed from temporary trust. 1.95 cfs and 52.71 afy will continue to be held in temporary trust for instream flow purposes.
- This temporary trust reduction will expire on October 31, 2022. If, prior to the expiration of this temporary trust reduction, you would like to extend or revoke the reduction, please send us a written request.
- Ecology's acceptance of a donated water right into the trust water right program is not evidence of the extent, validity, or quantities of the water right.
- In accordance with RCW 90.42.040(6), RCW 90.14.140(h), and RCW 90.14.215, a water right (or portion thereof) is not subject to relinquishment while it is managed within the Trust Water Right Program.

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

OPPORTUNITY TO APPEAL

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).

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.


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

Cynthia Krass
2018-2022 Trust Reduction
Trust Water Right SWC 180(A)
Page 3

*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 29 day of May, 2018.



Ria Berns
Section Manager
Water Resources Program

Enclosure: Your Right to be Heard

By Certified Mail: 9171 9690 0935 0203 0773 94

ecc: Anne Savery Tulalip Tribes (asavery@tulaliptribes-nsn.gov)
Matt Baerwalde (Mattb@snoqualmi-tribe.us)