



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, WA 99205-1295 • 509-329-3400

April 13, 2018

Kevin R. Rooke, PE
Environmental Services Director
Spokane County Utilities Division
1026 W. Broadway Ave
Spokane, WA 99260-0430

RE: Extension of Acceptance for Temporary Trust Donation
Surface Water Certificate No. S3-01092C

Dear Mr. Rooke:

A letter was received on March 29, 2018, requesting to extend the above trust water donation for another 5 years. We appreciate your written request.

The purpose of this letter is to acknowledge Department of Ecology's acceptance of your donation to the Washington State Trust Water Rights Program (TWRP). The trust water right has been assigned the ID number 5767515. Please refer to that number when corresponding with Ecology about this trust water right.

The Department of Ecology, pursuant to RCW 90.42.080(1)(b), acknowledges your donation in the amount of 2.17cfs and 309 acre-feet per year, and for 170.73 acres. The purpose of the donation is to benefit the in stream flow in the Shelley Lake tributary, Spokane County, Washington from June 15, 2013 to June 15, 2023.

This trust water right expires on June 15, 2023.

The parent water right, Surface Water Certificate S3-01092C, authorized the withdrawal of 3.0cfs and annual quantity of 553 acre-feet, for the irrigation of 190 acres during the irrigation season. The recorded place of use is located W $\frac{1}{2}$ SW $\frac{1}{4}$, and Government lots 5,6,7 and 8 all in Sec. 29, T. 25N, R.45 EWM, in Spokane County, Washington.

Section 90.42.080 provides in part 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. 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 your donation, you elect to extend the term of this temporary donation, please send us a written request. In addition, if you wish to modify any terms of your donation, your letter must include the new terms. Ecology will review your request of any new or modified terms and conditions and you will be notified if the donation can be extended.

If you have questions or concerns, please call Ying Fu at (509) 329-3451.

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearing 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.

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 PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Sincerely,



Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS:YF:sm

cc: Ying Fu, Ecology/ERO