



Water Resources Program
**Donation of a Water Right to the
 State Trust Water Rights Program**

For Ecology Use
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 DEPT OF ECOLOGY
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This form is used only when a water right is proposed to be donated to the State Trust Water Right Program and there are no other modifications to the water right being proposed. No fee is required with this form for a donation to the State Trust Water Right Program.

FOR OFFICIAL USE ONLY		
WATER RIGHT NO.:	CS1-068624C L	
FILE (CONTRACT) NO.:	_____	
WRIA NO.:	8 _____	
WRTS CONTROL NO.:	_____	

IMPORTANT: This form will not be considered complete without proper documentation.

1. Water Right Holder Information: Identify the name and contact information for the donor who is filing the proposal to enter a water right into trust. Provide contact/authorized representative information if it differs from the donor.		
Name/Business Name: City of Seattle, Seattle Public Utilities	Primary Phone: (206) 684-5851	Other Phone No:
Address: PO Box 34018		
City: Seattle	State: WA	Zip: 98124-4018
Email Address:		

2. Contact Information (if different from above)(Attorney, Agent, etc.):		
Name: Paul Faulds, Water Resources Manager	Primary Phone: (206) 615-0021	Other Phone No:
Relationship to Donor (i.e., authorized representative, family member, etc.): Authorized Rep		
Address: PO Box 34018		
City: Seattle	State: WA	Zip: 98124-4018
Email Address: paul.faulds@seattle.gov		

3. Duration of Donation: Check the one that applies; if temporary, define donation period.		
<input checked="" type="checkbox"/> Temporary	Start Date: 1/1/2016	End Date: 12/31/2050
<input type="checkbox"/> Permanent (If accepted, Ecology will request a quit claim deed in accordance with RCW 64.04.010.)		

4. Water Right Information: Provide the water right document number (i.e., Certificate, Claim, etc.) and the name(s) of the individual(s) as identified on the water right document. If you are not the owner of the water right, identify the owner/partial owner and their contact information.	
Water Right or Claim No. (required) 068624	Recorded Name(s): The City of Seattle-Water

Do you own the entire water right? Yes No Partial Owner

If not, provide information for the other owner(s):

Partial Owner Name(s):	Address:	Phone:

Water Source (e.g., stream name or well): Cedar River, Chester Morse Lake & Cedar River Watershed

Location of Diversion or Withdrawal:

¼ ¼	¼	Section	Township	Range	County	Parcel #	# of Acres
	SE	19	22	7	King		

5. Purpose of Donation: Check the one that applies

Instream flow Groundwater Preservation

Other (e.g., Wetland Enhancement, etc.) Explain: _____

6. Donation Quantity:

Full or Partial: Check the one that applies	Purpose of Use	Annual Quantity (QA):	Instantaneous Quantity (Qi):	Number of acres:
<input type="checkbox"/> Full Donation (100%)				
<input checked="" type="checkbox"/> Partial Donation				
A. Donation Quantity	InstreamFlow	22,403AF(20mgd)	31 cfs ---	---
B. Retained Quantity	Municipal	314,240AF(280mgd)	---	---

7. How is Water to Be Made Available For Trust: How do you intend to make all or a portion of the water right available for entry into the Trust Water Right Program? Check all boxes that may apply and provide a detailed explanation in the last box.

<input type="checkbox"/> Non-use of all the named water right	<input checked="" type="checkbox"/> Non-use of a portion of the named water right
<input type="checkbox"/> Change in method of delivery/conveyance	<input type="checkbox"/> Change in method of diversion
<input type="checkbox"/> Change in method of water application	<input type="checkbox"/> Change in crop type
<input type="checkbox"/> Change in water use/irrigated acreage	<input type="checkbox"/> Non-use of point(s) of diversion/withdrawal
<input type="checkbox"/> Change in water duty	<input type="checkbox"/> Other; explain below

Explanation: _____

In 2006, the City of Seattle and the Muckleshoot Indian Tribe signed a settlement agreement in which, among other things, the City of Seattle agreed to transfer the portion of its perfected Cedar River Water Right Claim that exceeds 124 million gallons per day (MGD) (Average Annual) to the State Water Trust for the purpose of providing instream flows.

The City has metering records that show that the maximum annual quantity of water diverted from the Cedar River at Landsburg Diversion for beneficial use under the City's Cedar River Water Right Claim is 144 MGD in calendar year 1990. The portion of the water right to be donated is 20 MGD (the difference between 144 and 124 MGD) and will be made available to the Trust Water Right Program by limiting annual average diversions to no more than 124 MGD in a calendar year as agreed to in the Settlement Agreement with the Tribe.

8. Documentation: Provide evidence of water use in the last five years.

Has the water right been exercised/used during the past five years? Yes No

Provide the date of the most recent beneficial water use under this water right:

Is the point at which water is taken under this water right metered or measured? Yes No

Along with this form, you must provide evidence of use in the last 5 years (ex. air photos, photographs, metering records, power records).

If this water right has not been used in whole or in part for five or more years it may not be eligible for donation to the trust water right program unless the non-use may be excused under [RCW 90.14.140](#). If you believe that any or all of your non-use may be excused under any of the exceptions listed under RCW 90.14.140, please explain in an attachment to this form.

9. Supporting Documentation for this Water Right: Check which of the below items you have included in your form package. Use additional pages to elaborate where necessary. Check all boxes that may apply.

- | | |
|---|--|
| <input type="checkbox"/> Aerial photos, or other photos (include dates) | <input checked="" type="checkbox"/> Metering information (include dates) |
| <input type="checkbox"/> Power Records (include dates) | <input type="checkbox"/> Water Well Report(s) |
| <input type="checkbox"/> Conservation Plan | <input checked="" type="checkbox"/> Map(s) (fallowed acres, place of use, point of diversion, other) |
| <input checked="" type="checkbox"/> Place of use information | <input checked="" type="checkbox"/> Water Right documents |

Other (Additional information that demonstrates use in the last five years or evidence of an exemption from relinquishment under RCW 90.14.140 or 90.44.520):

Exempt from relinquishment per RCW 90.14.140(2)(d) because this water right is claimed for municipal water supply purposes under chapter 90.03 RCW.

10. Remarks and Other Relevant Information: Please describe the purpose of your trust water right donation in detail and any other information that you believe Ecology needs in order to evaluate your donation.

Explain: Additional information on the terms of the donation into Trust:

The City of Seattle proposes to transfer 20 million gallons per day (MGD) on an average annual basis of its perfected Cedar River Water Right Claim to the State Water Trust for the purpose of providing instream flows. The City has metering records that show that the maximum annual quantity of water diverted from the Cedar River at Landsburg Diversion for beneficial use under the City's Cedar River Water Right Claim is 144 MGD in calendar year 1990. See attached metering information. In 2006, the City of Seattle and the Muckleshoot Indian Tribe signed a settlement agreement under which, among other things, the City agreed to limit in perpetuity its annual average diversion from the Cedar River to not exceed 124 MGD in any single calendar year, unless altered by mutual agreement. The portion of the water right to be donated is the 20 MGD difference between the maximum quantity of water diverted at Landsburg of 144 MGD annual average and the 124 MGD annual average limitation under the Settlement Agreement. The donated amount will be made available to the Trust Water Right Program by limiting annual average diversions from the Cedar River at Landsburg to no more than 124 MGD in a calendar year as agreed to in the Settlement Agreement with the Tribe.

Historically and currently, the City of Seattle has diverted water under its Water Right Claim from the Cedar River at its Landsburg Diversion Dam at river mile (RM) 21.8. This water is used for municipal purposes in the City's retail and wholesale service areas. Wastewater generated from the use of this water is conveyed to and treated at one of King County's wastewater treatment plants, all of which ultimately discharge to the Puget Sound. Hence, the place of use for Trust Water Right extends from the Cedar River immediately downstream of the City of Seattle's Landsburg Diversion Dam, to and through Lake Washington, the Ship Canal/Lake Union to and through Hiram M. Chittenden Locks, and ending at Puget Sound, all within King County and the Cedar-Sammamish Basin, Water Resources Area (WRIA) 8. This is the reach between the original diversion point and the point where the last return flows enter a water body, and is the primary reach that benefits from the reduced diversion.

The City of Seattle's Water Right Claim for the Cedar River has a priority date of 1888, which would also apply to the Trust Water Right. This claim is senior to the instream flows for the Cedar River at Renton established in 1979 under the Instream Resources Protection Program (IRPP) (WAC 173-508-060). Hence, any water right junior to and subject to the IRPP flows for the Cedar River at Renton would be subject to the IRPP flows plus the Trust Water Right on the Cedar River at Renton at (U.S. Geological Survey gaging station No. 12.1190.00) on an average annual basis.

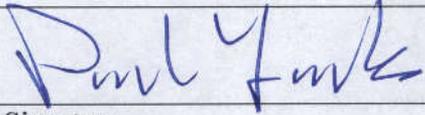
The donation will be made for an initial 35-year period and may be modified during that period or extended beyond that period only by mutual agreement of the Tribe and the City.

The Trust Water Right will be subject to the provisions of a Trust Water Right Agreement to be negotiated between the City of Seattle and the Washington State Department of Ecology. The City intends that this Trust Water Right Agreement will identify the Muckleshoot Indian Tribe as a third-party beneficiary.

Note: The above section may also be used to prescribe the terms of the donation into Trust as described in RCW 90.42.080(1)(b)

11. Signatures: This form must be signed by the donor, the water right holder, and the landowner of the existing place of water use, if different from the water right holder. Additionally, if the water right is within an irrigation district, this form must be signed by a representative with signature authority for the irrigation district.

I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for accuracy of the information rests with me.

11-6-2015	Paul Faulds		
Date	Printed Name	Signature	
<input type="checkbox"/> Donor	<input checked="" type="checkbox"/> Authorized Representative	<input type="checkbox"/> Water Right Holder	<input type="checkbox"/> Land Owner of Existing Place of Use

Date	Printed Name	Signature	
<input type="checkbox"/> Donor	<input type="checkbox"/> Authorized Representative	<input type="checkbox"/> Water Right Holder	<input type="checkbox"/> Land Owner of Existing Place of Use

Date	Printed Name	Signature	
<input type="checkbox"/> Donor	<input type="checkbox"/> Authorized Representative	<input type="checkbox"/> Water Right Holder	<input type="checkbox"/> Land Owner of Existing Place of Use

Date	Printed Name	Signature	
<input type="checkbox"/> Donor	<input type="checkbox"/> Authorized Representative	<input type="checkbox"/> Water Right Holder	<input type="checkbox"/> Land Owner of Existing Place of Use

Permanent donations may incur a Real Estate Excise Tax liability for the water right holder. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

<p>Send Your Completed Form to Ecology: Submit your form to the Ecology regional office in which the project is located. If you have questions about this form, contact the Water Resources Program at the regional office in which your project is located.</p>	
<p>Northwest Regional Office 3190 – 160th Avenue SE Bellevue, WA 98008-5452 (425) 649-7000</p>	<p>Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902-3452 (509) 575-2490</p>
<p>Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300</p>	<p>Eastern Regional Office 4601 N Monroe Street Spokane, WA 99205-1295 (509) 329-3400</p>

