



December 15, 2014

Kelsey Collins  
 Statewide Trust Water Coordinator  
 Department of Ecology  
 15 W. Yakima Avenue, #200  
 Yakima, WA 98902

**Subject: Request for Extension of Trust Water Rights Program Status**

Dear Ms. Collins:

The five water rights listed below were acquired by the Washington State Department of Natural Resources (DNR) in a September 2013 land purchase from American Forest Holdings, LLC. The water rights are held in the Department of Ecology trust water rights program by a temporary donation for purposes of instream flow pursuant to an order pendente lite entered by the Yakima Superior Court on August 11, 2011, and extended on June 12, 2014. Their trust status is due to expire on December 31, 2014. DNR requests that trust program status of the water rights be extended for an additional five years, through December 31, 2019. Stockwater rights associated with the water rights are reserved from the trust donation and DNR requests that this reservation continue.

The water rights are subject to the Yakima River Basin Surface Water Adjudication in the Yakima Superior Court. With the exception of the first water right listed below, the court substituted DNR onto the water rights by orders dated April 30, 2014. Regarding the first water right, the court approved division of the water right between DNR and American Forest Holdings by order dated June 17, 2014. DNR's portion of the divided water right is assigned the draft certificate number shown below. The court also approved extension of the temporary transfer of the water rights in the trust water rights program for purposes of instream flow through the end of this year. Copies of the draft certificates are attached to this letter.

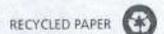
The water rights are identified by their draft certificate numbers assigned in the adjudication.

**Certificate No.**

**Trust Water Right No.**

S4-85181-J (Divided from S4-83714-J)  
 S4-83750-J  
 S4-83749-J  
 S4-83752-J  
 S4-83747-J

CS4-02206sb3c@1  
 CS4-02206sb3i@1  
 CS4-02206sb3d@3  
 CS4-0220sb3h@1  
 CS4-02206sb3e@1



Ms. Kelsey Collins  
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DNR will file a petition for an order pendente lite with the court to seek approval to continue the temporary inclusion of the water rights in the trust water rights program. DNR requests Ecology to continue the temporary trust status of these water rights pending DNR's initiation of this court proceeding. As stated in the original applications to enter the water rights into the trust water rights program, DNR reserves the right to withdraw the water rights, in whole or in part, at its sole discretion from trust at any time and for any reason whatever.

If you have questions regarding this request, please contact counsel for DNR, Adrienne Smith, Assistant Attorney General, at (360)586-3204 or [AdrienneS@atg.wa.gov](mailto:AdrienneS@atg.wa.gov).

Sincerely,

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL  
RESOURCES

By:

  
Rick Roeder  
Assistant Division Manager  
Product Sales and Leasing

Enclosures (5)

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)  
 For delivery information visit our website at www.usps.com®

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To  
 American Forest Holdings LLC  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4  
 CS4-02206sb3c@1, dot, cel, h@1, i@1

PS Form 3800, August 2006 See Reverse for Instructions

7010 0290 0000 7126 5459

The original is in  
 CS4-02206sb3c@1

This Certified Receipt covers the following files:  
 CS4-02206sb3c@1  
 CS4-02206sb3d@1  
 CS4-02206sb3e@1  
 CS4-02206sb3h@1  
 CS4-02206sb3i@1

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature          x <i>Eric Maior</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)          ERIC MAIOR</p> <p>C. Date of Delivery          1/18/14</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>AMERICAN FOREST HOLDINGS LLC          ATTN: DAVID BOWEN          700 E MOUNTAIN VIEW AVE, STE 507          ELLENSBURG WA 98926-4802          WR/ss TW Extension 1-2-14          CS4-02206sb3c@1, d@1, e@1, h@1 &amp; i@1</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number          (Transfer from service label)</p> <p>7010 0290 0000 7126 5459</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

REPORT OF EXAMINATION & POSTING ROUTER

ROE  ROE for Change

TW Donation  TW Extension

WR Doc ID: 4998185

PROTESTS?  Yes  No

File No.: CS4-02206sb3c@1

Author/Date: Christina Aguirre 12/30/13

QA/QC Review Group: \_\_\_\_\_  
(Date)

SharePoint> \_\_\_\_\_

Y:\Staff Aguirre / Donation Extensions /  
CS4-02206sb3c@1

Unit Supervisor: \_\_\_\_\_  
(Initial & date - Begin routing.)

Dates drafted/edited (Admin): \_\_\_\_\_

Reviewer/Date \_\_\_\_\_  
(Reviewer please comment on back of page)

GWIS Mapping Review (review changes BEFORE final)  
GWIS initials/date: JA 12/31/13  
GWIS remarks & edits (if more room is needed use back of page):  
OK small 5

Permit Writer: \_\_\_\_\_  
(Initial & date - ROE DRAFT ready for 30-day posting to Web.)

Unit Supervisor: \_\_\_\_\_  
(Initial & date - ROE DRAFT ready for 30-day posting to Web.)

Section Manager: \_\_\_\_\_  
(Initial & date: ROE DRAFT is ready for 30-day posting to Web)

DRAFT ROE post 30-days to Web initial & date (Admin): \_\_\_\_\_

Permit Writer \_\_\_\_\_  
(Initial & date - FINAL ROE ready for mail/posting.)

Unit Sup (Consider Comments): \_\_\_\_\_  
(Initial & date - FINAL ROE ready for mail/posting.)

Section Manager: \_\_\_\_\_  
(Initial & date: FINAL ROE is ready for mail/posting.)

Y:\Adm\Routers\ROE Review & Posting Router (12/20/2010)

Circle appropriate WRIA. County:

TRIBE	WRIA
Colville Confederated Tribes	49 50 51 52 53 58 60 61
Yakama Nation	29 30 31 32 33 37 38 <u>39</u> 40
Both Tribes	45 46 47 48

Certified CCs: (Check application signatures)

CCs to anyone else? Please list cc's & protestants - more room on back

Philip Rigdon YN  
Lisa Pelly TU

Minimum Flow River List? (Y:\Adm\Rivers)

Name of River \_\_\_\_\_  
Add name to the appropriate River Data Source:

Attachments:

- Your Right to Be Heard
- PTO appeal? No Your Right to Be Heard
- BC, CC, PA forms \_\_\_\_\_
- Water Measurement Requirements
- Fish Screening Criteria
- Focus on Water Right Relinquishment (98-1812-WR)
- Other: \_\_\_\_\_

FINAL ROE mail out & post 60-days to Web [Admin]: \_\_\_\_\_

Remarks or Related Files (More space on back of page):

