



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

December 28, 2012

Bridgeport Irrigation District
Attn: Jerry Henton
PO Box 624
Bridgeport, WA 98813

Dear Mr. Henton:

This letter is in reference to Trust Water Application No. CS4-WRC138276@3 submitted to the Dept. of Ecology on June 16, 2011, by Aaron Penvose of Washington Water Project (WWP) on behalf of you and Wayne and Alice Vanzwoll. The application was for a donation to Ecology's Trust Water Program of 405.45 acre-feet, being a portion of Bridgeport Irrigation District Certificate No. S4-WRC138276. The intent of the donation was for instream flow of the Columbia River during the 2011 and 2012 irrigation seasons.

The information on the application did not describe the same proposal as the accompanying letter. The quantity of water for donation on the application form is significantly larger than in the letter and there is no place of use to be fallowed identified. After two unsuccessful attempts by Ecology to acquire needed information from WWP concerning the location and number of acres to be fallowed, we were unable to fully process the application, therefore:

Application No. CS4-WRC138276@3 is rejected.

If you have questions or concerns, please call the Office of Columbia Rivers Trust Water Coordinator, Patricia Kirk, by phone at (509) 249-6299 or by e-mail at patricia.kirk@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 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.

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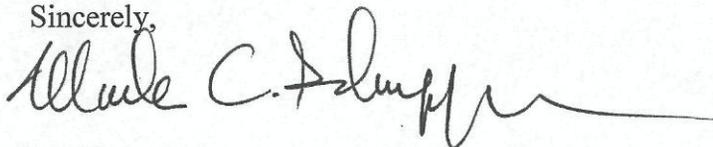
ADDRESS AND LOCATION INFORMATION

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

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,



Mark C. Schuppe
Operations Manager
Office of Columbia River

PK:MCS:RAZ (121224)

Enclosure: Your Right To Be Heard

By certified mail: 7009 2250 0004 4950 7570

Cc: Aaron Penrose
103 Palouse St. Suite #14
Wenatchee, WA 98801

Wayne and Alice Vanzwoll
2610 Highland Avenue
Bridgeport, WA 98813

7009 2250 0004 4950 7570

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Re (En) **BRIDGEPORT IRRIGATION DISTRICT**
 (En) **ATTN: JERRY HENTON**
PO BOX 624
BRIDGEPORT WA 98813

Se
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <i>Alice van Zwooll</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	C. Date of Delivery <i>1/13/13</i>
1. Article Addressed to:	B. Received by (Printed Name) <i>Alice van Zwooll</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No *YES, enter delivery address below:
BRIDGEPORT IRRIGATION DISTRICT ATTN: JERRY HENTON PO BOX 624 BRIDGEPORT WA 98813	3. Service Type <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.	
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, February 2004	7009 2250 0004 4950 7570	Domestic Return Receipt
		102595-02-M-1540

Kirk, Patricia S. (ECY)

From: Kirk, Patricia S. (ECY)
Sent: Thursday, January 03, 2013 10:18 AM
To: 'APenvose@tu.org'
Subject: Bridgeport ID Donation Application CS4-WRC138276@3
Attachments: CRO300001F4A

Hi Aaron,

Here is the application for the Bridgeport Irrigation District we discussed. The letter that accompanied the application mentioned fallowing 2.5 acres and 11.93 acre-feet of water donated. The Vanzwoll's property is outlined on the maps that were sent.

The letter I sent to you on November 7, 2011 did not cc the irrigation district which was my mistake. They might have been able to clarify the situation. I'll make sure I follow up my letters with a call or e-mail to make sure we are connecting before I send out any more rejections.

If the district would like to submit a new donation application for the 405.45 acre-feet for the coming irrigation season(s), the rejection of the last application won't affect it. The denial was a formality we needed to go through to inactivate the file.

If you have any more questions please feel free to call.

Patty
(509)249-6299



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November 10, 2011

Aaron Penvose
Trout Unlimited-Washington Water Project
103 Palouse St. Suite 14
Wenatchee, WA 98801

Dear Mr. Penvose:

This letter is in reference to Trust Water Application CS4-138276@3. I have been reviewing the file containing the application and correspondence with Gary Steele and have a few questions. Gary, by the way, is no longer with Ecology and I am the new Trust Water Coordinator.

I found several discrepancies in the information provided on the application and the accompanying letter that made it unclear how much water is being donated and who is donating it. The application indicates that Jerry Hendon is the applicant and the amount to be donated is 405.45 acre-feet. There is no mention of acreage to be fallowed. Within the cover letter, the Vanzwolls are the irrigators and the donation is for 11.93 acre-feet fallowing 2.5 acres. The Vanzwolls already have a donation submitted. Is this a new and different donation on a piece of their property? The location of one point of diversion is also suspect. I understand them all to be in Range 25 according to the Water Right yet one is listed in Range 24.

It appears it was from more than one project and there was a mix up. Since the donation was for a two year period, we can still put water into the Trust program if the applicant is interested. I would need a letter or new application form which gives a clear picture of whose land will be fallowed, how many acres and the acre-feet/year to be donated. If the applicant is interested in putting the irrigation water into trust for a longer period of time, please indicate so. They can take it out of trust simply by letting us know with a letter. This eliminates the need to ask for frequent extensions.

If you have any questions please feel free to call me at (509)249-6299.

Sincerely,

Patricia Kirk
Trust Water Coordinator
Office of Columbia River

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PK:RAZ (111116)



Steele, Gary (ECY)

From: Aaron Penvose [APenvose@tu.org]
Sent: Wednesday, June 29, 2011 10:36 AM
To: Steele, Gary (ECY)
Subject: RE: Bridgeport Irrigation Dist_CS4-WRC138276@3

Hi Gary,

Thanks for your emails. I followed up with BID on this earlier. I think there was a mis communication in a delegation, sorry. I will keep you posted. Another application for BID went out yesterday, which should be easy to follow. Let me know if not.

RE: RLH, I have been communicating with them all week and you should receive the propose water quantities this week.

Thanks,

Aaron

Aaron Penvose
Project Manager
TU- Washington Water Project
103 Palouse St. Suite 14
Wenatchee, WA 98801

w. 509.888.0970
c. 509.881.7689
e. apenvose@tu.org

From: Steele, Gary (ECY) [<mailto:gars461@ECY.WA.GOV>]
Sent: Tuesday, June 28, 2011 4:09 PM
To: Aaron Penvose
Subject: Bridgeport Irrigation Dist_CS4-WRC138276@3

Aaron, hello again,

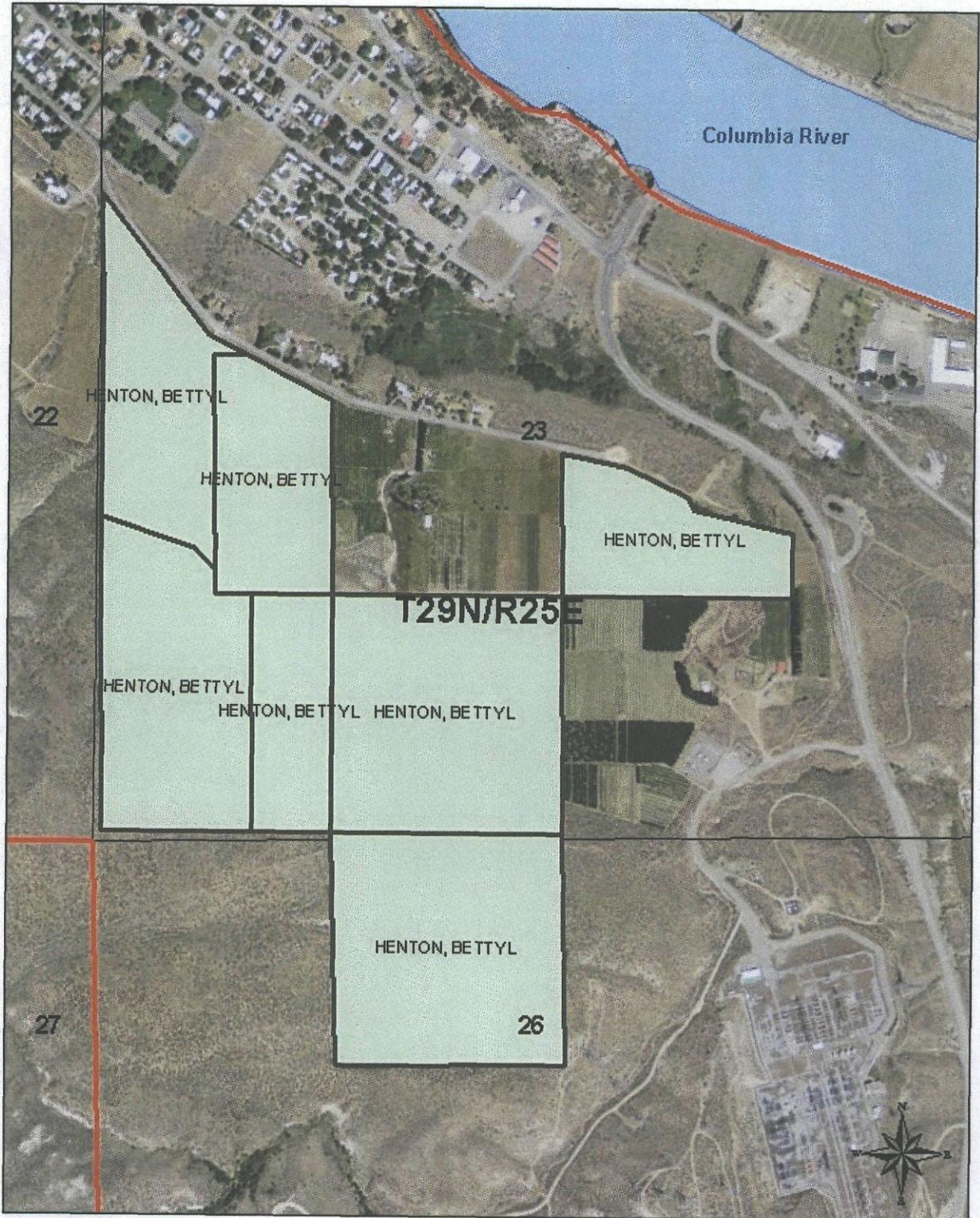
I'm processing trust application CS4-WRC138276@3. The applicant name is Jerry Henton, representative and signatory for Bridgeport Irrigation District (BID).

When I look inside the BID's place of use, there are numerous parcels with the name "Betty Henton," a relation I presume, but not in the name of "Jerry Henton." I've attached a map showing those parcels under Betty Henton ownership. I'm not certain that I captured all "Henton" parcels in the attached map.

So which parcel(s) within BID's POU is the proposed trust water coming? The letter you included in this application is the same one (and maps) that you included in the Vanzwoll application. And the BID letter you included is also incorrect as it gives the water right attributes of a different water right claim 138277—not 138276.

You need to provide me with a map and point to where BID is following land (parcel numbers); I presume they're following land to create the trust water right, but don't know for certain as your supporting documentation is for a different application and applicant.

--Gary





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June 24, 2011

WA Water Project – Trout Unlimited
Attn: Aaron Penvose
103 Palouse Street Ste 14
Wenatchee WA 98801-2251

Re: Water Right Change Application No. CS4-138276@3

Dear Mr. Penvose:

We have received your trust water right application and have assigned the application number shown above. Please use this number in future communications with our office.

If you have any questions, please contact Teresa Mitchell at 509-575-2597.

Sincerely,

Thomas L. Mackie
Acting Section Manager
Water Resources Program

TLM:gh
110658

Cc: Bridgeport Irrigation District

App-trustwater.doc

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