

Steele, Gary (ECY)

From: Brett Amrine [bamrine@omwlaw.com]
Sent: Friday, April 30, 2010 8:41 AM
To: Steele, Gary (ECY)
Subject: RE: Sorensen trust water application

Gary:

Please replace the end date of for the temporary donation as October 15, 2010. Thank you.

I have a question regarding the lease. I was under the belief there could be two potential lease options. One where Mr. Sorensen desires to enter a lease and a change application is filed with Ecology in order to effectuate this temporary transfer. In such a case, I understand that we would need to notify Ecology of the transfer and to remove that portion of the water right leased from the Trust Program. I assumed and hope that this could occur upon approval of the temporary transfer by Ecology and expiration of the appeal period (without appeal). This appears to be the situation that you addressed below, which would result in amending or cancelling that portion donated to the Trust Program.

I thought there was a second option for a short term lease as a bridge in the event that water is curtailed on the Columbia River as a result of instream flows being triggered or if the Governor issued a drought declaration. In other words, those water right holders that are subject to instream flows or are required to stop use may be able to utilize the Sorensen water right on a very short lease during the period of curtailment. I understood that this would not require a change application or removal from the trust, but would all be accomplished through Ecology. Is this correct?

Thank you for your assistance.

Brett

Brett Amrine | Attorney



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From: Steele, Gary (ECY) [mailto:gars461@ECY.WA.GOV]
Sent: Friday, April 30, 2010 7:57 AM
To: Brett Amrine
Subject: Sorensen trust water application

Brett, hello again,

Two points I'm addressing:

1. Attached is page one of Sorensen's trust water right application. Please review the start and end dates.

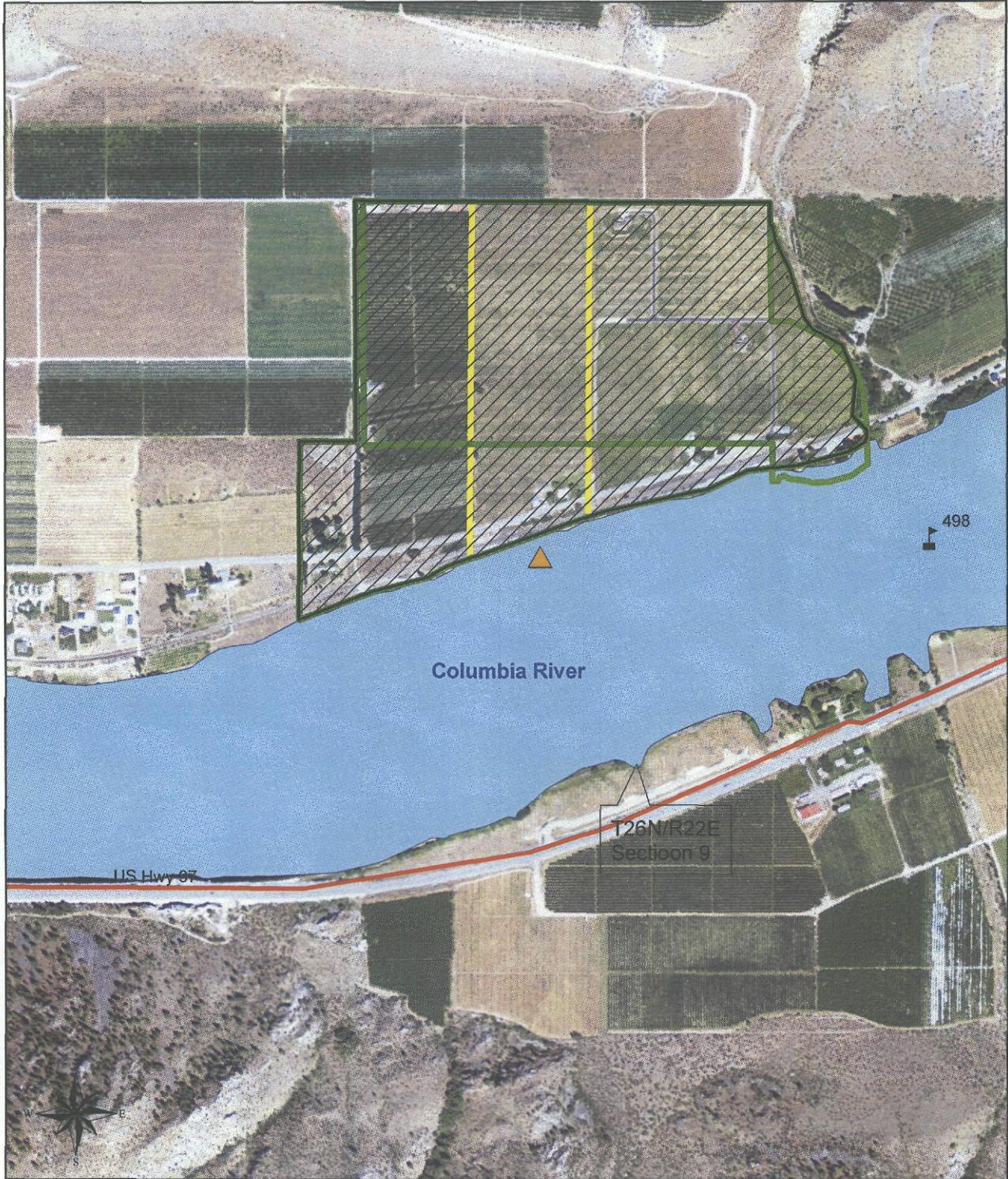
The end date stated on the trust water right application is April 15. The season-of-use for the parent water right is April 15 to October 15. Did you mean to put October 15 as the end date in 2030?

2. I want to comment about the terms requested by you, on behalf of Mr. Sorensen, that he may lease all or a portion of this water in the future. During the term of this trust water right, it will be the property of the State of Washington.

Therefore, it is important to note that if any quantity of this water right is included in a lease arrangement between a third party and Mr. Sorensen, a written request to this office to either cancel or amend this trust water right will be required. This is a formality whereby the State releases all, or a portion of, its interest in the trust water right back to the water right owner.

Thanks for your attention on these two matters,
--Gary

Gary Steele
Columbia River Trust Water Rights Coordinator
Office of Columbia River - CRO
(509) 249-6299



-  Sorenson POU
-  SWC 07263
-  WRC 300089
-  Sorensen POW
-  River Miles



1:10,000

Map by Gary Steele
 February 2010
 NAIP 2009 Orthophoto



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

April 22, 2010

Louis Leroy Sorenson
469 Stayman Flats Road
Chelan WA 98816-9396

Re: Water Right Change Application No. CS4-SWC11311

Dear Mr. Sorenson:

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,

A handwritten signature in cursive script that reads "Mark C. Schuppe".

Mark C. Schuppe
Section Manager
Water Resources Program

MCS:hd
100425

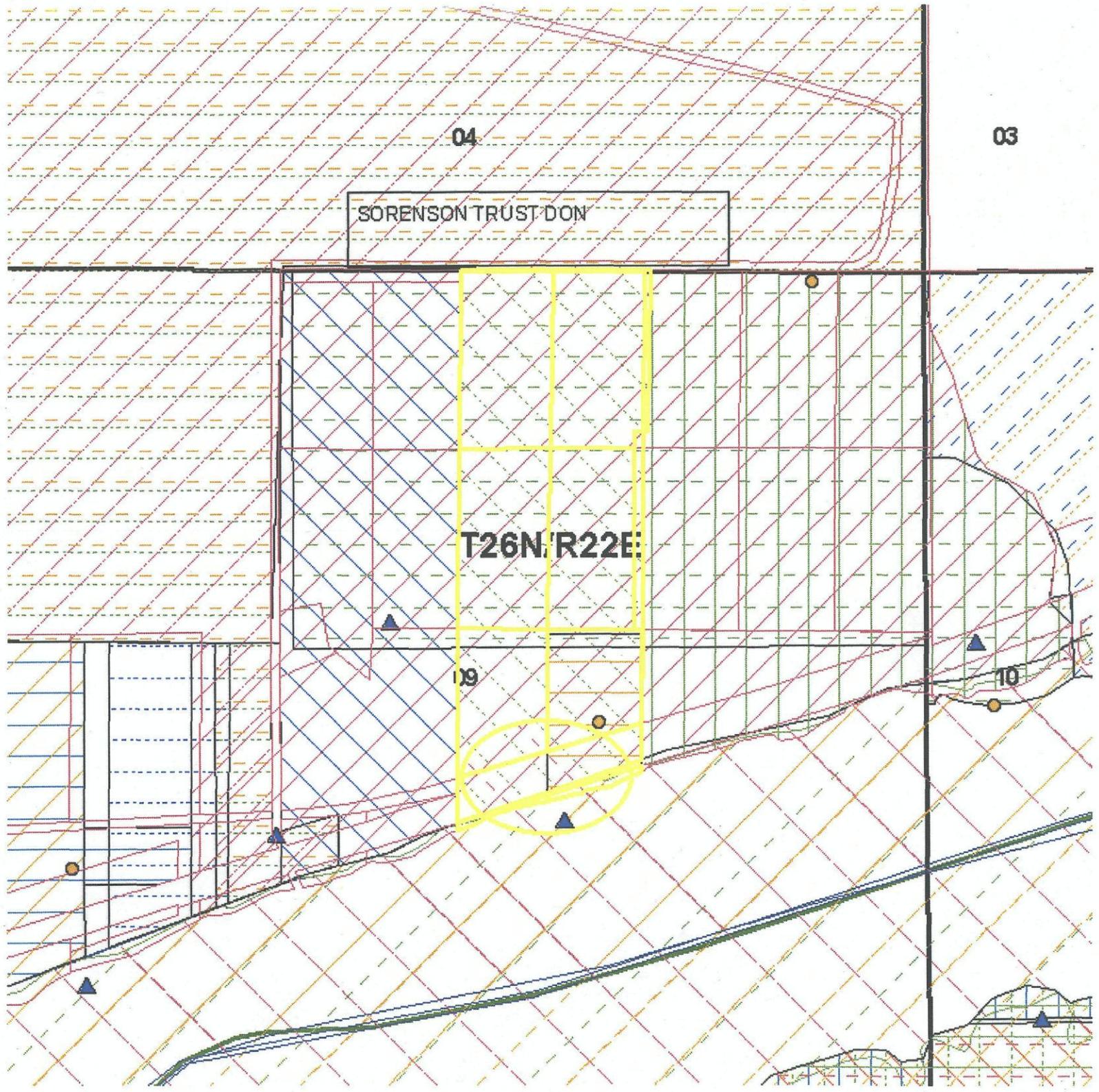
cc: Brett Amrine, Attorney

App-trustwater.doc



FILE COPY A recycling symbol consisting of three chasing arrows forming a triangle.

PARCEL_NO	Owner_Name
262209130040	SORENSEN LOUIS L
262209130050	SORENSEN LOUIS L
262209515130	SORENSEN LOUIS L
262209515135	SORENSEN LOUIS L
262209515140	SORENSEN LOUIS L
262209515145	SORENSEN LOUIS L



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03

SORENSEN TRUST DON

T26N/R22E

09

10

CERTIFICATE RECORD No. 23, PAGE No. 11311

STATE OF WASHINGTON, COUNTY OF Chelan

CERTIFICATE OF SURFACE WATER RIGHT

(In accordance with the provisions of Chapter 117, Laws of Washington for 1911, and amendments thereto, and the rules and regulations of the Department of Ecology.)

THIS IS TO CERTIFY That LOUIS LEROY SORESEN
of Chelan, Washington, has made
proof to the satisfaction of the Department of Ecology of a right to the use of the public surface waters
of the State of Washington from Columbia River (Lake Entles)
a tributary of _____, with point of diversion within Government Lots
1 and 2
Sec. 9, Twp. 26 N., R. 22 E., W.M. for the purpose(s) of irrigation
_____ under and specifically in accordance
to provisions contained in appropriation Permit No. 14280 issued by the
Department of Ecology, and that said right to the use of said waters has been perfected in accordance
with the laws of Washington, and is hereby confirmed by the Department of Ecology and its records
record in Volume 23, at Page 11311; that the priority of the right hereby confirmed dates from
June 17, 1970; that the quantity of water under the right hereby confirmed, for
the aforesaid purposes is limited to an amount actually beneficially used and shall not exceed 1.2
cubic feet per second, 128 acre-feet per year, each year, from April 15 to October 15
for irrigation of 25 acres.

A description of the lands to which such surface water right is appurtenant is as follows:

Within Sec. 9, T. 26 N., R. 22 E.W.M.: Lots 4, 5, 10 and 11 of Block 6 of the plat of Chelan Delta Orchards and that portion of Government Lots 1 and 2 lying due south of aforesaid Lots 10 and 11; LESS rights of way.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380 and 90.03.390. This certificate of surface water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.

Given under my hand and the seal of this office at Olympia, Washington, this 20th day of November, 19 70.

JOHN A. BIGGS, Director
Department of Ecology

Engineering Data

OK [Signature]

by Glen H. Fiedler

54 #22312CWRS
11-20-1970