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OFFICIAL USE

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Postage	\$
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

12/18/15
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Sent To

Street, Apt. No.,
 or PO Box No.

City, State, ZIP+4

MR. DARREN MCCANNA
1570 SWISS VALLEY ROAD
ADDY, WA 99101

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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.

1. Article Addressed to:

MR. DARREN MCCANNA
1570 SWISS VALLEY ROAD
ADDY, WA 99101



9590 9403 0583 5183 2137 09

2. Article Number (Transfer from service label)

7012 3050 0000 1095 0517

PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 x *Debra Lotze* Agent
 Addressee

B. Received by (Printed Name)
Debra Lotze

C. Date of Delivery
12/21/15

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

December 18, 2015

Mr. Darrin McCanna
1570 Swiss Valley Road
Addy, WA 99101

Re: Trust Water Applications for Claims: #152980 and #152976

Dear Mr. McCanna:

We have received your two trust water applications as referenced above. We appreciate your intention and effort of considering donating your claims into the State Trust Water Program. However, these two short form claims that were filed in 1974 are considered containing no more than exempt uses (RCW 90.44.050 and Yakima Adjudication). And exempt uses cannot be transferred based on the Supreme Court decision (RD Merrill vs. Pollution Control Hearings Board (PCHB)) case. Putting a water right into trust is changing/transferring the purpose of use of a water right.

Your applications are thereby rejected.

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this letter. 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 document:

- File your appeal and a copy of this document 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 document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

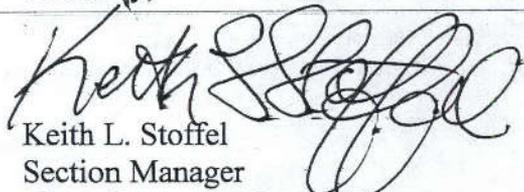


Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501	Pollution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

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://www1.leg.wa.gov/CodeReviser> .

If you have any questions, please contact Ying Fu at 509 329-3451.

Sincerely,



Keith L. Stoffel
 Section Manager
 Water Resources Program

KLS:YF:ka

Enclosure: Your Right to Be Heard

By Certified Mail 7012 3050 0000 1095 0517

cc: Ying Fu, DOE/ERO

For Ecology Use
RECEIVED

FEB 11 2015

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

Department of Ecology
Eastern Regional Office

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.: _____
FILE (CONTRACT) NO.: _____
WRIA NO.: _____
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: <u>DARRIN McCAUNA</u>	Primary Phone: <u>935-8105</u>	Other Phone No: <u>680-0186</u>
Address: <u>1570 Swiss Valley Rd.</u>		
City: <u>Abby WA. 99101</u>	State: <u>WA</u>	Zip: <u>99101</u>
Email Address: <u>Gayla.McCauna@Gmail.com</u>		

2. Contact Information (if different from above)(Attorney, Agent, etc.):

Name: <u>Same</u>	Primary Phone:	Other Phone No:
Relationship to Donor (i.e., authorized representative, family member, etc.):		
Address:		
City:	State:	Zip:
Email Address:		

3. Duration of Donation: Check the one that applies; if temporary, define donation period.

<input checked="" type="checkbox"/> Temporary	Start Date: <u>2-11-15</u>	End Date: <u>2-11-20</u>
<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) <u>152976</u>	Recorded Name(s): <u>Ray Rausch</u>
Do you own the entire water right? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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):

Location of Diversion or Withdrawal:

¼ ¼	¼	Section	Township	Range	County	Parcel #	# of Acres
	SE	8	33	39	Stevens	2140800	

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%)		See Attached		
<input type="checkbox"/> Partial Donation				
A. Donation Quantity				
B. Retained Quantity				

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.

Non-use of all the named water right

Non-use of a portion of the named water right

Change in method of delivery/conveyance

Change in method of diversion

Change in method of water application

Change in crop type

Change in water use/irrigated acreage

Non-use of point(s) of diversion/withdrawal

Change in water duty

Other; explain below

Explanation:

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: 2012

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). See Attached

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. See Attached

Aerial photos, or other photos (include dates) Metering information (include dates)

Power Records (include dates) Water Well Report(s)

Conservation Plan Map(s) (fallowed acres, place of use, point of diversion, other)

Place of use information 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):

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:

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.

2-11-15	Darrin McCanna	<i>Darrin McCanna</i>	
Date	Printed Name	Signature	
<input checked="" 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			

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.