Department of Ecology
Central Region Office
15 West Yakima Avenue Suite 200
Yakima, WA 98902-3401

WASHINGTON STATE DEPARTMENT OF ECOLOGY

STATE OF WASHINGTON
SUPERSEDING CERTIFICATE OF TRUST WATER RIGHT
For Non-Permanent Water Right Assignment and Management

Document Title: Superseding Certificate of Trust Water Right

Agency: Department of Ecology
(Assignee) Central Region Office
15 West Yakima Avenue Suite 200
Yakima, WA 98902-3401

Reference Number:

Applicant: United States Bureau of Reclamation
(Owner) Pacific Northwest Region
1150 North Curtis Road
Boise, ID 83706-1234 and
State of Washington
c/o Department of Ecology
15 West Yakima Avenue Suite 200
Yakima, WA 98902-3401

THIS CERTIFICATE SUPERSEDES SURFACE WATER CERTIFICATE NO. S3-30556 ISSUED DECEMBER 21, 2010.

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
May 16, 1938	S3-30556	S3-30556	S3-30556

This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit 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 the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE	TRIBUTARY OF (IF SURFACE WATERS)
Lake Roosevelt	---

MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR
305	---	37,500

QUANTITY/TYPE OF USE/PERIOD OF USE

305 cfs and 37,500 acre-feet per year for instream flow purposes from April 1 to October 31
25,000 acre-feet of this water is intended to serve as replacement water to enable new state water right permits to be issued in the future for out-of-stream municipal and industrial uses

LEGAL DESCRIPTION OF WHERE WATER IS TO BE USED: BEGINNING

¼¼	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
	4	40	41 E.	61	Stevens

PARCEL # N/A

ADDITIONAL LEGAL IS ON PAGE 2

LEGAL DESCRIPTION OF WHERE WATER IS TO BE USED: END

¼¼	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
	18	9	11 W.	24	Pacific

PARCEL # N/A

ADDITIONAL LEGAL IS ON PAGE 2

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL

The place of use is the mainstem of the Columbia River in Lake Roosevelt and below Grand Coulee Dam, beginning at the north line of Lake Roosevelt in Section 4, T. 40 N., R. 41 E.W.M., Stevens County to the mouth of the Columbia River at its confluence with the Pacific Ocean at Section 18, T. 9 N., R. 11 W.W.M., Pacific County

CONTINUED LEGAL DESCRIPTION FOR PROPERTY ON WHICH WATER IS TO BE USED

N/A

PROVISIONS

All conditions and requirements contained in reports of examination or permits previously issued apply to this certificate unless specifically noted below.

This is a non-permanent trust water right assigned by the U.S. Bureau of Reclamation (Reclamation) to the Department of Ecology, Trust Water Rights Program. This is not a conveyance of the right, but merely an assignment of interest in the right. Reclamation maintains ownership of and title to the water right throughout its term in the Trust Water Rights Program. No third party rights are to be created, authorized or derived from this certificate unless expressly provided in writing by Ecology and Reclamation. Water is to be made available subject to terms and conditions of a water service contract between Reclamation and Ecology (Water Service Contract No.11XX101734). The specific terms and conditions of Water Service Contract No.11XX101734 are specifically incorporated herein.

The quantity of water released for instream purposes each month will be determined by a panel of fisheries and water managers from Ecology, Reclamation, tribes, the Columbia River Intertribal Fish Commission (CRITFC), WDFW, NOAA Fisheries, and the U.S. Fish and Wildlife Service. The panel will determine specific releases each year based on the March 1 forecast for April through September runoff at The Dallas Dam with the goal of scheduling releases to maximize fish benefits under the specific conditions in any year. The panel will also consider anticipated river conditions and the status of fish runs and outmigration. Ecology is negotiating an understanding with Reclamation to incorporate the adaptive management strategy for the Preferred Alternatives into river operations. This panel shall be in place and establish the release priorities prior to any releases of water.

Ecology shall rescind this Certificate of Trust Water Right either upon termination of or upon failure to renew Water Service Contract No. 11XX101734.

The right to 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, 90.03.390, and 90.44.100.

This certificate of water right is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW.

Given under my hand and the seal of this office at Spokane, Washington, this 21st day of December, 2010.

Ted Sturdevant, Director
Department of Ecology

By _____
Keith L. Stoffel, Section Manager
Water Resources Program

DATA REVIEW
OK _____
ECY 040-1-2 (Rev. 8-97)