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UTILITIES DIVISION  
N. BRUCE RAWLS, P.E., DIRECTOR  
A DIVISION OF THE PUBLIC WORKS DEPARTMENT

DEPARTMENT OF ECOLOGY  
EASTERN REGIONAL OFFICE

May 29, 2013

Ms. Ying Fu  
Washington State Department of Ecology  
Eastern Regional Office  
4601 N Monroe St, Suite 202  
Spokane WA 99205

Subject: Response to questions on temporary trust water right application, certificate S3-01092C

Ms. Fu,

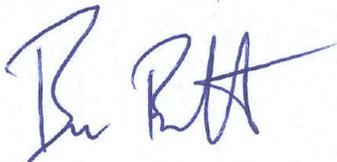
Thank you for your telephone call today to ask questions about Spokane County's recent application submitted to Ecology to temporarily trust water right certificate S3-01092C. The items below outline my responses to your question:

- **End date of the temporary trust:** Spokane County's application to trust the right had a requested end date of "*to be determined by applicant.*" This was requested because the County is uncertain of when it will want to remove the right from trust. I understand from your explanation that Ecology requires a specific end date on the application, but that Spokane County can choose to end the trust early or extend the trust to a later date, and that both changes can be accomplished by a simple letter to Ecology requesting the change. In light of Ecology's requirement, I submit the trust for a five year period, ending April 15, 2018, but with the option to end the trust early or extend it to a later date.
- **Proof of ownership of the water right:** Spokane County owns the entire subject water right, certificate S3-01092C. The County purchased the water right from its previous owner, Mr. Millar A. Morrison, II on June 1, 2010. Please see enclosed a copy of the recorded statutory warranty deed documenting the purchase.
  - Please note, as indicated in the trust application (item 6A), Spokane County does not own the existing place of use. Mr. Morrison continues to own the place of use but is no longer putting the water to beneficial use. Mr. Morrison signed the application (item 8) as the land owner of the place of use.

- **Amount of water to be entered into temporary trust:** Spokane County submits the entire water right certificate S3-01092C into temporary trust. The certificate is for water use from April 15 to October 15 of 3 cubic feet per second and 553 acre feet per year. As required by the trust application, the County submitted with the application a beneficial use analysis (WestWater Research, April 5, 2013) demonstrating consistent, historical use of the water since the right was established, and showing the extend of water use for each of the last five years. The beneficial use analysis estimated that 2.17 cfs and 309 AF/yr are available to be trusted (item 5A). While these estimated values are less than the full certificate amount, it is the County's intent to enter the entire water right certificate into trust.

Please let me know if you have additional questions on the application, (509) 477-7521 or [bbrattebo@spokanecounty.org](mailto:bbrattebo@spokanecounty.org).

Sincerely,



Ben Brattebo, P.E.  
Water Resources Specialist

cc: file

Enclosure:

- Conveyance of water rights statutory warranty deed, June 1, 2010, Spokane County recording number 5905163

PLEASE RETURN TO:



Spokane County Division of Utilities  
c/o N. Bruce Rawls  
1026 W. Broadway Avenue, 4<sup>th</sup> Floor  
Spokane, WA 99260-0430

*Document Title:* Conveyance of Water Rights--Statutory Warranty Deed  
*Grantor:* Millar A. Morrison II  
*Grantee:* Spokane County

*Legal Description:* Saltese Addition: Lot 1, Block 4; TOGETHER WITH that portion of Lots 4, 5, and 6, Block 1, as per Plat of Saltese 1st Addition, described as follows: Beginning at the Southwest corner of said Lot 4, thence S.53;02'16"E., along the South line of said Lots 4, 5, and 6, 214.16 feet to an angle point in the South line of said Lot 6; thence S.89;55'03"E., along the South line of said Lot 6, 37.96 feet; thence N.58;14'32"W 245.89 feet, to the West line of said Lot 4; thence S.00;08'37"W., along said West line, .059 feet to the Point of Beginning.

*Assessor's Property Tax Parcel Numbers:* 55295.0401

14161-2

**CONVEYANCE OF WATER RIGHTS  
STATUTORY WARRANTY DEED**

THE GRANTOR, MILLAR A. MORRISON II, for and in consideration of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid, conveys, and warrants, free and clear of all liens and encumbrances, to SPOKANE COUNTY, a political subdivision of the State of Washington ("GRANTEE"), and its assigns forever, the following described water rights, situated in the County of Spokane, State of Washington:

Washington State Department of Ecology Certificate of Water Right S3-01092CWRIS, which provides a paper water right of 3.0 cubic feet per second, 553 acre feet per year from April 15 to October 15, each year for irrigation of 190 acres, with a place of use being West 1/2 of Southwest 1/4, and Government Lots 5, 6, 7, and 8 Section 29, Township 25 N., Range 45 E.W.M ("Water Rights.")

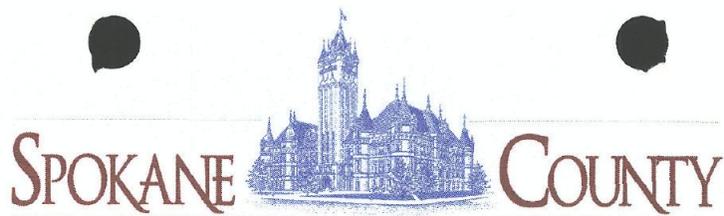
TOGETHER with all hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above Water Rights.

6/2/2010

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UTILITIES DIVISION  
N. BRUCE RAWLS, P.E., DIRECTOR  
A DIVISION OF THE PUBLIC WORKS DEPARTMENT

May 22, 2013

Ms. Ying Fu  
Washington State Department of Ecology  
Eastern Regional Office  
4601 N Monroe St, Suite 202  
Spokane WA 99205

RECEIVED

MAY 23 2013

DEPARTMENT OF ECOLOGY  
EASTERN REGIONAL OFFICE

Subject: Temporary trust water right application, certificate S3-01092C

Ms. Fu,

Please find enclosed an application to temporarily enter Spokane County's water right certificate S3-01092C into the Washington State Trust Water Right Program. Also enclosed is a water right summary and beneficial use analysis describing historic use of the water.

Spokane County has submitted this application with the intent to leave the subject water right in the trust program until a future to-be-determined date. Spokane County has not yet determined when it will request the water right out of trust and will notify Ecology at that time.

I look forward to hearing from you on this application. Please direct any questions on this matter to me at (509) 477-7521 or [bbrattebo@spokanecounty.org](mailto:bbrattebo@spokanecounty.org).

Sincerely,

Ben Brattebo, P.E.  
Water Resources Specialist

cc: file

Enclosures:

- State of Washington Application to enter a Water Right into the Trust Water Right Program (certificate S3-01092C)
- Water Right Summary and Beneficial Use Analysis of Certificate S3-01092 Water Assets (WestWater Research, April 5, 2013)