STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

May 11, 2012

Riverside 5 LLC
3240 B Street NW
Auburn WA 98001

Re: Trust Water Donation CS2-SWC11173

The purpose of this letter is to acknowledge the Department of Ecology's acceptance of your donation to the Washington State Trust Water Right Program. The trust water right has been assigned Application No. CS2-SWC11173. Please refer to this number when corresponding with us about this trust water right.

The Department of Ecology (Ecology), pursuant to RCW 90.42.080(1)(b), accepts your donation of a portion of Surface Water Right 11173 in the amount of 0.5 cubic feet per second and 60 acre-feet per year. The purpose of the donation is to benefit instream flow in the Stuck/White River from April 15 to October 1 each year.

This trust water right will remain in trust until such time the applicant withdraws the right providing Ecology with a 60-day written notice.

This trust water right is made possible by the fallowing of 24 acres, at the recorded place of use, located within the George Haywood Donation Land Claim in Section 13, T. 20 N., R. 4 E.W.M..

RCW 90.42.080 provides in part that the total of any portion of the water right remaining with the donor plus the donated portion of the water right may not exceed the extent to which the water right was exercised during the five years before the donation.

In accordance with RCW 90.42.040(6), RCW 90.14.140(h), and RCW 90.14.215, a water right is not subject to relinquishment while it is managed within the Trust Water Right Program.

Ecology's acceptance of the donated water right into the trust water right program is not evidence of the validity or quantity of the right. When the period of trust ends, the water right will revert back to the water right holder or landowner in the full quantity accepted into the trust water program and for the original purposes.

If, prior to expiration of this temporary donation, you would like to extend the temporary donation, please send us a written request. Also, if you wish to modify any terms of your donation, your letter must include the new terms. Ecology will review your request and any new or modified terms and conditions and will notify you whether the donation can be extended or terminated.

If you have questions or concerns, please call the Southwest Region's Trust Water Coordinator, Phil Crane at (360) 407-0238.

Your Right To Appeal

You have a right to appeal this Decision to the Pollution Control Hearing 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 the 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.

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 RD SW Ste 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.

Sincerely,

Michael J. Gallagher

Michael J. Gallagher
Section Manager
Water Resources Program

Attachments: Your Right To Be Heard

BY CERTIFIED MAIL: 7011 1150 0000 7881 9906