



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

SENT VIA EMAIL

February 17, 2023

Rhonda Voss
2788 Old Military Rd
Steilacoom WA, 98388-4106
Email: tuckeroo13@yahoo.com

RE: Update Regarding Trust Donations for Record CG4-27263P@1

Dear Rhonda Voss:

This letter is being written to update you regarding Ecology's new policy for the Trust Water Rights Program and how that affects your water right permit. This letter also details how you can have your water right permit, G4-27263, certificated.

The Trust Water Rights Program

Last year, the Department of Ecology (Ecology) changed how the Trust Water Rights Program is managed by adopting Policy 1010. The policy better defined which types of water rights can, and cannot, be accepted into the program. In short, water right permits cannot be donated because they are not certificated water rights. **Ecology is rejecting your request to extend the temporary donation for CG4-27263P@1 for this reason.** Please note that this will not negatively affect your permit. The differences between water right permits and certificates are explained in the paragraphs below.

When a water right application is approved by Ecology, it enters the permitting phase. The purpose of the permitting phase is to allow time for project construction, and to show that the requested amount of water is being put to beneficial use. Once the applicant has shown that the project is complete, and the water has been used, a water right certificate is issued.

A certificated water right is subject to relinquishment, which is also known as the "use it or lose it" principle. The relinquishment clause (RCW 90.14.180) states that if a certificated water right has not been beneficially used for a period of 5 or more years, it is subject to relinquishment. However, water right holders can prevent relinquishment by donating their water right to the Trust Water Rights Program. The Trust Water Rights Program acts as a "parking lot" for water rights and prevents owners from being penalized for non-use. Unlike certificated water rights, water right permits are not subject to relinquishment and are therefore ineligible for the Trust Water Rights Program.

Water Right Permit G4-27263

In previous phone calls with the permit writer, you both discussed the status of your permit, G4-27263. There seemed to be some confusion surrounding the permit and temporary donations. After reviewing your file, it was determined that your permit is in the proof exam phase. This phase is the last step before a certificate can be issued by Ecology.

The proof exam phase is used to show that water is being beneficially used in the amounts and in the way described in the permit. To complete this phase, Ecology recommends that you hire a Certified Water Right Examiner (CWRE) to complete the proof exam form. An FAQ sheet and list of CWRE's has been enclosed alongside this letter. Once the CWRE has submitted the paperwork to Ecology, a water right certificate can be issued.

A Certificate of Water Right is the legal record of your water right, and is recorded at your county auditor's office. Once Ecology issues a certificate, the water right is considered appurtenant (attached) to the land on which the water is used.

If you have any questions, please contact Anthony DeJesus at anthony.dejesus@ecy.wa.gov or by phone at (509) 406-4873.

Sincerely,



Heather Simmons, Section Manager
Water Resources Program
Central Regional Office

HS:AD:aa (230227)

Enclosures: FAQ – Water Rights in Washington
 FAQ – Hiring a Certified Water Right Examiner
 List of Certified Water Right Examiners

cc: Lois Trevino, Colville Confederated Tribes – ecc

