



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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Sent Via Email

December 29, 2021

WA State Department of Natural Resources  
c/o Christina Frantz, Water Right Specialist  
713 East Bowers Road  
Ellensburg, WA 98926-9301  
Christina.Frantz@dnr.wa.gov

RE: Your temporary trust water right donation of Surface Water Certificate S1-26198C

Dear Christina Frantz:

The purpose of this letter is to acknowledge the acceptance of your temporary donation to the Washington State Trust Water Right Program (TWRP). This trust water right has been assigned control number CS1-26198C@1. Please refer to that number when corresponding with us about this temporary trust water right.

**BACKGROUND INFORMATION**

Surface Water Certificate S1-26198C was issued to the Washington State Department of Corrections (DOC) with a priority date of May 28, 1991. It authorizes the surface water diversion of 0.045 cubic feet per second (cfs) and up to 17.0 acre-feet per year (ac-ft/yr), from Jim Creek, for community supply. *(Note: The total quantities of S1-26198C and Surface Water Certificate 11106 shall not exceed 0.045 cfs and 17.0 ac-ft/yr.)* The authorized point of diversion is located within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 16, Township 31 North, Range 6 East, W.M. The recorded place of use is: 19.2 acres within the S $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 16, Township 31 North, Range 6 East, lying west of the power line right-of-way as identified in lease #60-065671, situate in Snohomish County.

S1-26198C authorized DOC to divert water for the operation of the Indian Ridge Corrections Center. Due to the subsequent closure of the facility, DOC temporarily donated S1-26198C to the TWRP. It was accepted into the TWRP on April 12, 2010. Ownership of the underlying water right later transferred to the Washington State Department of Natural Resources (DNR). The TWRP donation period for S1-26198C expired on April 9, 2020, without DNR's knowledge due to staffing changes and the COVID-19 pandemic. DNR has requested the water right be placed back into the TWRP for another period of 10 years.

**DEPARTMENT OF ECOLOGY ACCEPTANCE**

The Department of Ecology (Ecology), pursuant to RCW 90.42.080(1)(b), accepts your temporary donation of S1-26198C in the amounts of 0.045 cfs and 17 ac-ft/yr. Your total donation under S1-26198C and companion SWC 11106 is 0.045 cfs and 17 ac-ft/yr. The purpose

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of these donations is to benefit instream flow in Jim Creek, a tributary to the South Fork Stillaguamish River.

**As per your request, this temporary donation will expire on December 31, 2031, or upon written notification of termination by DNR.**

RCW 90.42.080(4) specifies that a donated water right cannot exceed the extent to which the water right was exercised during the five years before the donation. For most of the past five years the subject water right has been held in the TWRP. Therefore, Ecology will accept your water right back into the trust program at full face value.

Ecology's acceptance of this temporary donation into the Trust Water Rights Program is not evidence of the validity or quantification of the water right. This temporary donation is not a means to mitigate existing or new water uses. When the period of trust ends, the quantities accepted into the trust water rights program will revert back to the water right holder.

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 in the TWRP.

If, prior to expiration of this temporary donation, you would like to terminate or extend the temporary donation, please send us a written request. If you are requesting an extension you must provide a new expiration date. Ecology will review your request and notify you when the donation has been extended or terminated.

If you have any questions or concerns, please call Buck Smith at (206) 594-0201 or email him at buck.smith@ecy.wa.gov.

Signed at Shoreline, Washington, this 29 day of December, 2021.



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Ria Berns  
Section Manager  
Water Resources Program