



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Central Region Office

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

SENT VIA EMAIL:

[levi.ipid@nwi.net](mailto:levi.ipid@nwi.net)

September 15, 2022

Icicle & Peshastin Irrigation Districts  
Attn: Levi Jantzer, Secretary Manager  
5594 Westcott  
P.O. Box 371  
Cashmere, WA 98815-0371

RE: Acceptance of Temporary Trust Donations  
Portions of Certificate No. S4-\*35002AB and Claim Nos. S4-064984CL and S4-050542CL

Dear Levi Jantzer:

The purpose of this letter is to acknowledge the Department of Ecology's (Ecology) acceptance of Icicle & Peshastin Irrigation Districts' (IPID) donations to the Trust Water Rights Program (TWRP) as summarized below (IPID's Donations). IPID's Donations have been assigned the control numbers in the following table. Please refer to those numbers when corresponding with us about these trust water rights.

Trust Water Right Control No.	Quantities Donated			Source	Donation Expiration Date
	Qa (a-f/y)	Qi (cfs)	Acres		
CS4-*35002J@1	3,035	10	0	Icicle Creek & Snow Creek	<b>5/1/2023</b>
CS4-064984CL@2	1,670	5	0	Peshastin Creek	<b>5/1/2023</b>
CS4-050542CL	1,830	5.5	0	Peshastin Creek (Tandy)	<b>5/1/2023</b>

Ecology acknowledges IPID's Donations pursuant to RCW 90.42.080(1)(b). The purpose of IPID's Donations is to benefit instream flows in Icicle Creek, Snow Creek, and Peshastin Creek. The quantities of water identified above are available due to conservation measures implemented by IPID, which allow IPID to reduce the quantity of water it diverts from the above-identified sources. Those conservation measures include on-farm efficiency upgrades, such as installation of micro spray irrigation, and conveyance structure upgrades, such as canal lining and piping projects. There is no reduction of irrigated acres associated with the donations.

Pursuant to RCW 90.42.040(5)(c), notice of IPID's Donations and proposed creation of trust water rights will be posted on Ecology's website.

In the event that drought conditions create a need for increased supply to meet IPID's members' needs during the term of IPID's Donations, IPID may call back portions or all of IPID's Donations with 10 days' written notice to Ecology.

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 Rights Program.

Ecology's acceptance of the donated water right into the trust water rights 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 rights program and as described on the water right certificate or most recent approved change authorization.

RCW 90.42.080 provides that 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.

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 any questions, please contact Heather Hazlett by phone at (509) 575-2680 or via email at [heather.hazlett@ecy.wa.gov](mailto:heather.hazlett@ecy.wa.gov).

## **YOUR RIGHT TO APPEAL**

You have a right to appeal this Decision to the Pollution Control Hearings 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 all of the following within 30 days of the date of receipt of this 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 37108 WAC.

ADDRESS AND LOCATION INFORMATION	
Street Addresses	Mailing Addresses
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel Road SW, Ste. 301 Tumwater WA 98501	<b>Pollution Control Hearings Board</b> 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://www.leg.wa.gov/CodeReviser>

Sincerely,



Scott Turner, Operations Section Manager  
Office of Columbia River  
Central Regional Office

ST:HH:SS/220910

WR DOC ID Nos. 6804661, 6804663, and 6804664

Enclosure: Your Right to Be Heard