



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

December 29, 2020

MTA Holdings LLC  
PO Box 99  
Ellensburg, WA 97926

**RE: Trust Water Right Donation Extensions for Water Rights CS4-00296CTCLsb7 and CS4-00636CTCLsb7@1**

To Whom It May Concern:

The purpose of this letter is to accept your request for a two year extension to each of the above referenced temporary trust water donations currently in Ecology's Trust Water Program (TWRP).

**The new expiration date for each donation is December 31, 2022.**

The donations will continue with the following quantities:

**Trust Water Donation No. CS4-00296CTCLsb7**

Benefiting Water Body	Yakima River
Purpose	Instream Flow
Rate	0.13 cfs
Annual Quantity	202.18
Season	April 1 to October 31

**Trust Water Donation No. CS4-00636CTCLsb7@1**

Benefiting Water Body	Yakima River
Purpose	Instream Flow
Rate	0.152 cfs
Annual Quantity	75.16
Season	April 1 to October 15

**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 prior to the donation.**



**Ecology's acceptance of the donated water right, in whole or in part, into the Trust Water Rights Program (TWRP) is not evidence of the validity or quantity of the right.**

This trust water right donation cannot be used as evidence that a valid water right existed before the donation term. It also does not provide evidence of the quantities of beneficial use historical divert or withdrawn up and to the time of the Trust Application date. Only a complete "Extent and Validity" investigation initiated by an adjudication, permanent change into the TWRP, other permanent water right change or Proof Examination can determine the current legal characteristics of a water right.

**Temporary Trust water donations are not a means of providing water to mitigate other water rights.**

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 TWRP.

When the period of trust ends, the donated water right will revert back to the water right holder or landowner. To the extent that the donated water right represents a valid water right, the water right holder or landowner may resume exercising the right in a manner consistent with the original purpose(s).

If you have any question, please contact Patricia Kirk via email at [patricia.kirk@ecy.wa.gov](mailto:patricia.kirk@ecy.wa.gov).

Sincerely,

  
Holly Myers, Operations Manager  
Office of Columbia River

HM:PK:cc(201213)

cc: Jeff Slothower, Attorney, Lathrop, Winbauer, Harrel, Slothower, & Denison LLP  
Philip Rigdon, Natural Resources Director, Yakima Nation

By Certified Mail: 7014 3490 0001 5526 8289