



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

April 11, 2014

Zirkle Fruit Company
Attn: Bill Wangler Jr
PO Box 190
Selah, WA 98942

**RE: Superseding Decision for Water Right Change Application No. CG4-24758P(C)
(BENT-13-02)**

In accordance with RCW 90.80.080 the Department of Ecology (Ecology) has reviewed the Record of Decision (ROD) and Report of Examination (ROE), and all comments, protests, objections and other relevant information submitted by the Benton County Water Conservancy Board (Board) for the above referenced application for change.

Ecology **AFFIRMS** the decision of the Board.

If you have any questions or concerns on the above information, please call Sage Park, Department of Ecology, at (509) 454-7647.

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 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 371-08 WAC.

FILE COPY



ADDRESS AND LOCATION INFORMATION

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 Road 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://www.leg.wa.gov/CodeReviser>*

Sincerely,



Mark Kemner
Section Manager
Water Resources Program

MK:SP:JR
140424

Enclosure: Your Right To Be Heard

By certified mail: 7010 0290 0000 7126 2892

cc: Darryll Olsen, Benton County Water Conservancy Board
Philip Rigdon, Yakama Nation
Robin McPherson, Washington State Office of the Attorney General
Julia McHugh, Washington State Department of Ecology
Mark Dunbar, Washington State Department of Ecology
Sage Park, Washington State Department of Ecology