



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

June 15, 2007
CERTIFIED MAIL

Samuel M Logan
Clayton S Logan
35717 N Spotted Rd
Clayton WA 99110

RE: Application No. S4-34939 for Short-Term Water Diversion for Mining

This application seeks approval for short-term non-consumptive diversion of water for mining. The applicants are developing a mining claim through the Lake Wenatchee Ranger District. They will use buckets to carry water a short distance from an unnamed stream in the Tronson Creek drainage to a rocker box and the sediment laden water will flow through a short sediment separation loop back to the stream.

It is anticipated that the proposed small intermittent non-consumptive diversion will not impair existing water rights during 2007, including those rights embodied in in-stream flows adopted in WAC 173-545, provided the use conforms to the following.

This Short-Term Authorization has the following parameters and provisions:

1. The priority date is April 5, 2004.
2. Diversion may take place from June 30 through October 31, 2007.
3. The diversion will be from a small unnamed stream, tributary to Tronson Creek in the SW $\frac{1}{4}$, Section 22, T. 22 N., R. 18 E.W.M.
4. The water will be used non-consumptively to operate a rocker box and returned back to the stream.
5. Diversion shall not exceed 0.01 cubic feet per second (cfs) (approximately 4.5 gallons per minute).
6. The operator of the system under this authorization shall:
 - have a copy of this Short Term Authorization,
 - be aware of the parameters and provisions and operate accordingly,

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- provide said copy as evidence of this authorization upon request by Department of Ecology or Department of Fish and Wildlife staff,
- a sign bearing the Permit No. S3-34939T shall be displayed near the site.

Precautions shall be taken to prevent the dipping of fish. One option may be choosing a screen box large enough so a bucket could dip water from inside it. Screening criteria are described in the Gold and Fish pamphlet (see enclosure).

This authorization shall in no way excuse the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by other programs of the Department of Ecology.

The water sources and/or water transmission facilities, and place of use (land application site) may not be located entirely upon the land owned by the applicant. Therefore, the applicant is advised that issuance of a permit by this Department for appropriation and disposal of the waters in question does not convey a right of access to, or other right to use, land which the applicant does not legally possess.

You have a right to appeal this order. To appeal this you must:

- File your appeal with the Pollution Control Hearing Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board:

Mail appeal to:

OR

Deliver your appeal in person to:

Pollution Control Hearings Board
PO Box 40903
Olympia WA 98504-0903

Pollution Control Hearings Board
4224 - 6th Ave SE Rowe Six, Bldg 2
Lacey WA 98503

2. To serve your appeal on the Department of Ecology:

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4224 - 6th Ave SE Rowe Six, Bldg 2
Lacey WA 98503

2. To serve your appeal on the Department of Ecology:

Mail appeal to:

Department of Ecology
Appeals Coordinator
PO Box 47608
Olympia WA 98504-7608

OR

Deliver your appeal in person to:

Department of Ecology
Appeals Coordinator
300 Desmond Dr SE
Lacey WA 98503

3. And send a copy of your appeal packet to:

G. Thomas Tebb, L.E.G.
Department of Ecology
15 W Yakima Ave Ste 200
Yakima WA 98902-3452

*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://www1.leg.wa.gov/CodeReviser>*

Sincerely,



G. Thomas Tebb, L.E.G.
Section Manager
Water Resources Program
Central Region Office

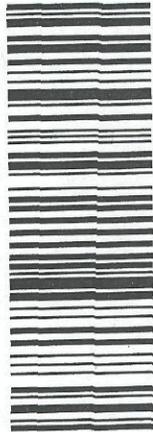
GTT:BZ:gg
070618

Enclosure: Your Right To Be Heard
Gold & Fish Pamphlet

cc: Philip Rigdon, Deputy Director, Natural Resources Division, Yakama Nation
Lois Trevino, Water Administrator, Office of Environmental Trust, Colville Confederated Tribes
Mark Peterschmidt, Water Quality Program, Dept. of Ecology, Central Region Office

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

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| <i>Clayton S. Logan</i> | | |
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| PS Form 3800, June 2002 | | See Reverse for Instructions |

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| <p>SENDER: COMPLETE THIS SECTION</p> <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p>SAMUEL M LOGAN CLAYTON S LOGAN 35717 N SPOTTED RD CLAYTON WA 99110</p> <p>WR/gg Shortterm S4-34939 BZ</p> | <p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature <i>Samuel M. Logan</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Samuel M. Logan</i> C. Date of Delivery <i>6/18/07</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> |
| <p>2. Article Number (Transfer from service label)</p> <p>7004 1160 0002 6158 3383</p> | <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p> | |