

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL™



7009 2250 0004 4950 7112

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com ®	
OFFICIAL USE	
Postage \$ Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$	Postmark Here <i>12-6-12</i>
Sent To <i>Conagra Foods Lamb Weston</i> <i>3rd fl.</i> <small>Street, Apt. No., or PO Box No.</small> <small>City, State, ZIP+4</small>	
<small>PS Form 3800, August 2006</small> <small>See Reverse for Instructions</small>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<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. 	A. Signature <i>Jenna Higgins</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) <i>Jenna Higgins</i> C. Date of Delivery <i>12/10/12</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>If YES, enter delivery address below:</small>
1. Article Addressed to: CONAGRA FOODS LAMB WESTON INC ATTN: REAGAN GRABNER PO BOX 1900 PASCO WA 99302-1900 WR/gh CS4-16571(D)@3, CS4 01228C(A)@4, CS4-SWC9974(A)@4	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
2. Article Number 7009 2250 0004 4950 7112	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
<small>PS Form 3811, February 2004</small> <small>Domestic Return Receipt</small> <small>102595-02-M-1540</small>	



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 6, 2012

ConAgra Foods Lamb Weston Inc
Attn: Reagan Grabner
PO Box 1900
Pasco WA 99302-1900

**Re: Temporary Water Right Change Application Nos. CS4-16571(D)@3,
CS4-01228C(A)@4, and CS4-SWC9974(A)@4**

Dear Mr. Grabner:

The temporary water right change applications listed above proposed changes during the 2012 irrigation season only. Due to delays in processing, the applications were not processed in time. As the 2012 irrigation season has ended, these applications are hereby **rejected**.

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 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

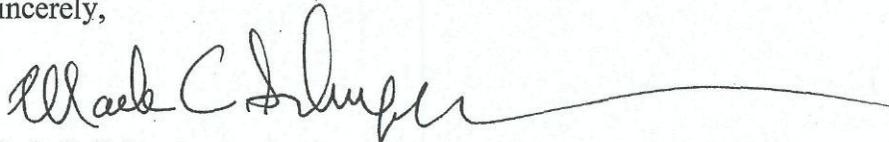
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
Pollution Control Hearings Board 4224 – 6 th Avenue SE 1111 Israel Road SW Ste 301 Tumwater 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>*

It appears, however, that similar temporary change applications have been recently submitted for the 2013 irrigation season. Thank you for your timeliness in submitting these applications. I look forward to processing these in advance of the 2013 irrigation season.

If you have any questions, please contact Thomas Perkow at 509-454-4261.

Sincerely,



Mark C. Schuppe
Operations Manager
Office of Columbia River

MCS:TP (121208)

Enclosure: *Your Right to Be Heard*

By certified mail: 7009 2250 0004 4950 7112



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

July 31, 2012

ConAgra Foods Lamb Weston, Inc
Attn: Reagan Grabner
PO Box 1900
Pasco, WA 99302-1900

Re: Water Right Application Nos. CS4-16571(D)@3

Dear Mr. Grabner:

We received your temporary water right change application and have assigned it the number above. Please include this number in all future contact with us; it will help us serve you more quickly.

Your next step is to publish a legal notice. The notice announces your proposed water use to the public and allows interested persons to comment. We have prepared and enclosed this notice for you.

Review Legal Notice Carefully

It is your responsibility to check the notice carefully before having it published. If you find an error, please contact this office for resolution. If we later find an error in your public notice, you may be required to publish an amended notice at your expense.

Publishing Legal Notice

You need to arrange and pay for publishing the legal notice in a newspaper covering Benton County (For example, the Tri-City Herald).

- Publish the notice in a paper from the enclosed list.
- Select a newspaper with general circulation in the area the water will be used and diverted.
- Ensure that the notice appears once a week for two consecutive weeks.

If your published notice does not meet the above criteria, you will be required to have the notice republished at your expense.

Publication should start within 30 days from the date of this letter.

FILE COPY



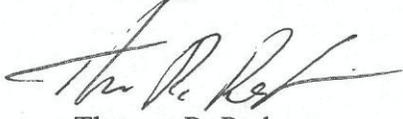
ConAgra Foods Lamb Weston, Inc
July 31, 2012
Page 2 of 2

Next Step

You must request an *Affidavit of Publication* from the newspaper in which your notice appeared. The affidavit must be an original, notarized copy of your published notice. Please forward it to our office as soon as possible.

If you have any questions, please contact me at 509-662-0512 or Teresa Mitchell at 509-575-2597.

Sincerely,



Thomas R. Perkow
Office of Columbia River

TRP:RAZ (120713)

Enclosures: Legal Notice
Newspaper list

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
YAKIMA, WASHINGTON

NOTICE OF APPLICATION FOR TEMPORARY CHANGE UNDER A PORTION OF PERMIT NO. S4-16571(D)P.

TAKE NOTICE:

That on June 28, 2012, an application was filed with the Department of Ecology (Ecology) to temporarily change the place of use and add a point of diversion to Surface Water Permit S4-16571(D)P owned by ConAgra Foods Lamb Weston, Inc. of Paterson, WA. DOE reference No. CS4-16571(D)P@3. The application applies to the 2012 through 2014 irrigation seasons only.

That said permit S4-16571(D)P authorizes a diversion from the Columbia River located within the SW¼ NE¼ of Section 8, T. 5 N., R. 26 E.W.M. That said permit authorizes water to be used within Sections 16, 22, 27, 33, and 34 all in T. 6 N., R. 26 E.W.M. That said permit authorizes the withdrawal of 20.88 cfs and 3982 ac-ft per year for the irrigation of 937 acres from 2/15 to 10/31 under a priority date of 2/4/1971.

That said application proposes to add a point of diversion located within Government Lot 1 of Sec. 4, T. 4 N., R. 24 E.W.M.

That said application proposes to change its place of use to include 145 acres within the S½ S½ of Sec. 27 and the N½ N½ of Sec. 34, T. 5 N., R. 24 E.W.M.

That said application proposes to transfer 3.23 cubic feet per second and 616.3 acre-feet.

Enrollment into the State's Trust Water Rights Program may be made for the intervening reach, if deemed necessary by Ecology.

Formal protests or objections against the granting of the application must be accompanied by a fifty dollar (\$50) recording fee for each application protested, and be filed with the Department of Ecology, Cashiering Unit, PO Box 47611, Olympia, WA 98504-7611. Cash will not be accepted. Fees must be paid by check or money order and are nonrefundable. A valid protest must include: name, address, phone number of protesting party; identification of the change/transfer being protested; a detailed statement of basis for protest; and statutory fee. All letters of protest become public records. Protests must be filed within thirty (30) days from

[LAST date of publication to be entered by publisher on the above line]

[NOTE TO PUBLISHER: *The above notice is to be published once a week for two consecutive weeks.*]



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

July 24, 2012

ConAgra Foods Lamb Weston, Inc.
Attn: Reagan Grabner
PO Box 1900
Pasco WA 99302-1900

Re: Water Right Change Application No. CS4-16571(D)@3

We have received your application for a water right and have assigned it the number shown above. Please use this number in future communications with our office.

If you have any questions, please contact Teresa Mitchell at 509-575-2597.

Sincerely,

Mark Kemner, LHG
Section Manager
Water Resources Program

MK:hd
120718

App-expedited.doc

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