



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

September 11, 2014

David & Stacia Moffett
12552 Wawawai Road
Colton, Washington 99113

Re: Ground Water Application No. G3-29599

Dear Mr. & Mrs. Moffett:

On, July 10, 2014 this office notified you that your Water Application Number G3-29599 would be rejected unless you returned the *Statement of Intent Form ECY 070-424* within 30 days.

Since we received no response to that notice, your application is hereby **rejected**.

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 document. 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 document:

- File your appeal and a copy of this document 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 document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

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

If you have any questions, please contact Dan Tolleson at 509-329-3526.

Sincerely,

A handwritten signature in cursive script, appearing to read "Keith Stoffel".

Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS/DT:md

Enclosure: *Your Right to Be Heard*

By certified mail: 7008 3230 0003 1869 2875

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Postmark
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Total Pos

Sent To
 Street, Apt.
 or PO Box
 City, State

David & Stacia Moffett
 12552 Wawawai Road
 Colton, Washington 99113

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

David & Stacia Moffett
 12552 Wawawai Road
 Colton, Washington 99113

2. Article Number
 (Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Stacia Moffett Agent
 Addressee

B. Received by (Printed Name)
Stacia Moffett

C. Date of Delivery
9-12-14

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7008 3230 0003 1869 2875

Domestic Return Receipt

102595-02-M-1540



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

July 10, 2014

Mr. David & Mrs. Stacia Moffett
12552 Wawawai Road
Colton, Washington 99113

Dear Mr. & Mrs. Moffett:

Re: Application No. G3-29599

NOTICE - WATER RIGHT APPLICATION STATUS

On May 5, 2014, the Department of Ecology (Ecology) sent a letter giving opportunity to inform us whether or not you were still interested in pursuing your application(s) for a new water right in the Middle Snake Basin. We have received a verbal response that indicated you may not be interested in perusing your application(s). Your options are:

- Do not respond to this certified letter and your application(s) listed above will be rejected without further notice.

OR

- Contact me at your earliest convenience if you are still interested in pursuing your application(s). Provide any updated contact information including phone number(s), email address and any alternate mailing addresses.

If we do not receive a request from you to continue processing your application(s) within 30 day of your receipt of this letter, than your application will be rejected without further notice.

If you have any questions or need information please contact me at 509-329-3526 or dtol461@ecy.wa.gov.

Sincerely,

Dan Tolleson

Dan Tolleson
Water Resources Program
Eastern Regional Office

Accept: reject / no
application / response
Chkd By: DT Date: 9/2/2014

DT:md

By CERTIFIED MAIL: 7012 3460 0002 8017 9789



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 (Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

7012 3460 0002 8017 9789

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
Here

Total Mr. David & Mrs. Stacia Moffett
 12552 Wawawai Road
 Colton, Washington 99113

Sent
 Street
 or PO
 City,

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. David & Mrs. Stacia Moffett
 12552 Wawawai Road
 Colton, Washington 99113

2. Article Number
 (Transfer from service label)

7012 3460 0002 8017 9789

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Stacia Moffett* Agent
 Addressee

B. Received by (Printed Name)

Stacia Moffett

C. Date of Delivery

7-11-14

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

May 5, 2014

Mr. & Mrs. David & Stacia Moffett
12552 Wawawai Road
Colton, WA 99113

Dear Mr. & Mrs. Moffett:

Re: Application No. G3-29599

NOTICE - WATER RIGHT APPLICATION STATUS

The Department of Ecology (Ecology) is currently in the process of reviewing applications we have on file for new water rights within the Middle Snake Basin, Water Resource Inventory Area (WRIA) 35. This letter is intended to give you the opportunity to inform Ecology whether or not you are still interested in pursuing your application(s) for a new water right in the Middle Snake Basin.

Please contact me at your earliest convenience if you are still interested in pursuing your application(s). Provide any updated contact information including phone number(s), email address and any alternate mailing addresses.

If we do not receive a response within 30 day of the date of this letter, it will be assumed that you no longer have any interest in the application(s). At which time the rejection process will begin for your application(s).

If you have any questions or need information please contact me at (509) 329-3526 or dtol461@ecy.wa.gov. My mailing address is Department of Ecology, 4601 N. Monroe Street, Spokane, Washington, 99205-1295.

Sincerely,

Dan Tolleson
Water Resources Program
Eastern Regional Office

DT:md

Enclose *Copy of Application*

*NO longer interested
Per Stacia Moffett
DT 5/8/2014*



35

36

T14N/R43E

31

T14N/R44E

02

01

06

2011 Aerial Photo
Wed Jul 06

G3-29599

T13N/R43E

T13N/R44E

11

12

07

$N\frac{1}{2} NE\frac{1}{4}$ Sec 12

T 13ⁿ

R 43^e

and

$SW\frac{1}{4} SW\frac{1}{4}$ • Sec 6 T 13
R 44^e

13

Affidavit of Publication

STATE OF WASHINGTON
County of Whitman ss.

Lorraine Hudson
Legal Clerk



being first duly sworn, on oath, deposes and says:

That she is the printer of Moscow-Pullman Daily News, a newspaper of general circulation, published daily except Sunday at Pullman, Whitman County, Washington. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the Superior Court of Whitman County, Washington and it is now and has been for more than six months prior to the date of publications hereinafter referred to, published in the English language continually as a daily; except Sunday, newspaper distributed in Pullman, Whitman County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following dates:

April 13, 20,
1994

the same being the dates designated for the publication of said notice.

Lorraine Hudson

On this 22 day of April
in the year of 1994, before me, a Notary

Public, personally appeared _____

Lorraine Hudson

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Patricia Jones
Notary Public for Washington

Residing at Pullman

My commission expires: 3-2-97

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS TAKE NOTICE

That David and Stacia Moffett of Pullman, Washington on December 29, 1993 under Application No. G3-29599 filed for permit to appropriate public waters, subject to existing rights, from a well in the amount of 20 gallons per minute, each year, for continous stockwater and seasonal irrigation of 30 acres. The source of the proposed appropriation is located within the SW1/4SW1/4SW1/4 of Section 6, Township 13 N., Range 44 E. W.M., in Whitman County.

Protests or objections to approval of this application must include a detailed statement of the basis for objections; protests must be accompanied by a two dollar (\$2.00) recording fee and filed with the Department of Ecology, at the address shown below, within thirty (30) days from April 20, 1994.

State of Washington
Department of Ecology
N. 4601 Monroe, Suite 202
Spokane, WA 99205-1295

April 13, 20, 1994

OK
Gene

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

TAKE NOTICE:

That David and Stacia Moffett of Pullman, Washington on December 29, 1993 under Application No. G3-29599 filed for permit to appropriate public waters, subject to existing rights, from a well in the amount of 20 gallons per minute, each year, for continuous stockwater and seasonal irrigation of 30 acres. The source of the proposed appropriation is located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 13 N., Range 44 E. W. M., in Whitman County.

Protests or objections to approval of this application must include a detailed statement of the basis for objections; protests must be accompanied by a two dollar (\$2.00) recording fee and filed with the Department of Ecology, at the address shown below, within thirty (30) days from

(Last date of publication to be entered above by publisher)

State of Washington
Department of Ecology
N. 4601 Monroe, Suite 202
Spokane, WA 99205-1295

NOTICE



COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

N. 4601 Monroe, Suite 202 • Spokane, Washington 99205-1295 • (509) 456-2926

April 5, 1994

David and Stacia Moffett
SE 120 Derby ST
Pullman, WA 99163

Dear Mr. and Mrs. Moffett:

Re: Ground Water Application No. G3-29599

We have received your application for the appropriation of water and it has been assigned the above number. Will you please refer to it by number in future correspondence.

Enclosed is a notice of your application which must be published once a week for two consecutive weeks in the Pullman Daily News published in Whitman County as provided in RCW 90.03.280. This newspaper has general circulation in the locality where the water is to be appropriated and used and is qualified as a legal newspaper as provided in Chapter 65.16 RCW.

Please draw to the publisher's attention that the actual date of the second publication must appear in the space in the notice over the caption "last date of publication".

To assure accuracy, it is the responsibility of the applicant to check the notice carefully before having it published. If an error is detected, do not submit the notice for publication, but refer the error to this office for correction and/or resolution.

Please provide us with the original notarized affidavit of that publication. Publication should start within thirty (30) days and the affidavit must be received in this office within sixty (60) days from date of letter or rejection will be initiated.

Sincerely,

Gene Drury
Technical and Enforcement Unit
Water Resources Program

GD:aal
Enclosure



COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

N. 4601 Monroe, Suite 202 • Spokane, Washington 99205-1295 • (509) 456-2926

January, 4, 1994

David and Stacia Moffett
S.E. 120 Derby ST
Pullman, WA 99163

Dear Mr. and Mrs. Moffett:

G329599

We are returning your application to appropriate public ground water in Whitman County.

Before we can accept your application for processing, the following is required:

1. Please be advised that this year the Legislature passed a new law requiring applicants to pay a \$100 surcharge on all water right applications received between July 1, 1993 and June 30, 1994. This new law applies to your application. This is in addition to the \$10 minimum fee that must accompany your application as indicated on the application form. If you have any questions regarding the surcharge or other fees, please call the appropriate regional office indicated on the application form.

Application fee	\$110.00
Less fee paid	<u>10.00</u>
Balance Due	\$100.00

2. Under Item 5 (Legal Description) it appears that Section 12 is in Township 13 N., and Range 43 E.W.M. Please clarify.

In order for this application to retain its date of priority, the required fee is due within thirty (30) days from the date of this letter. Please make your check or money order payable to the Department of Ecology.

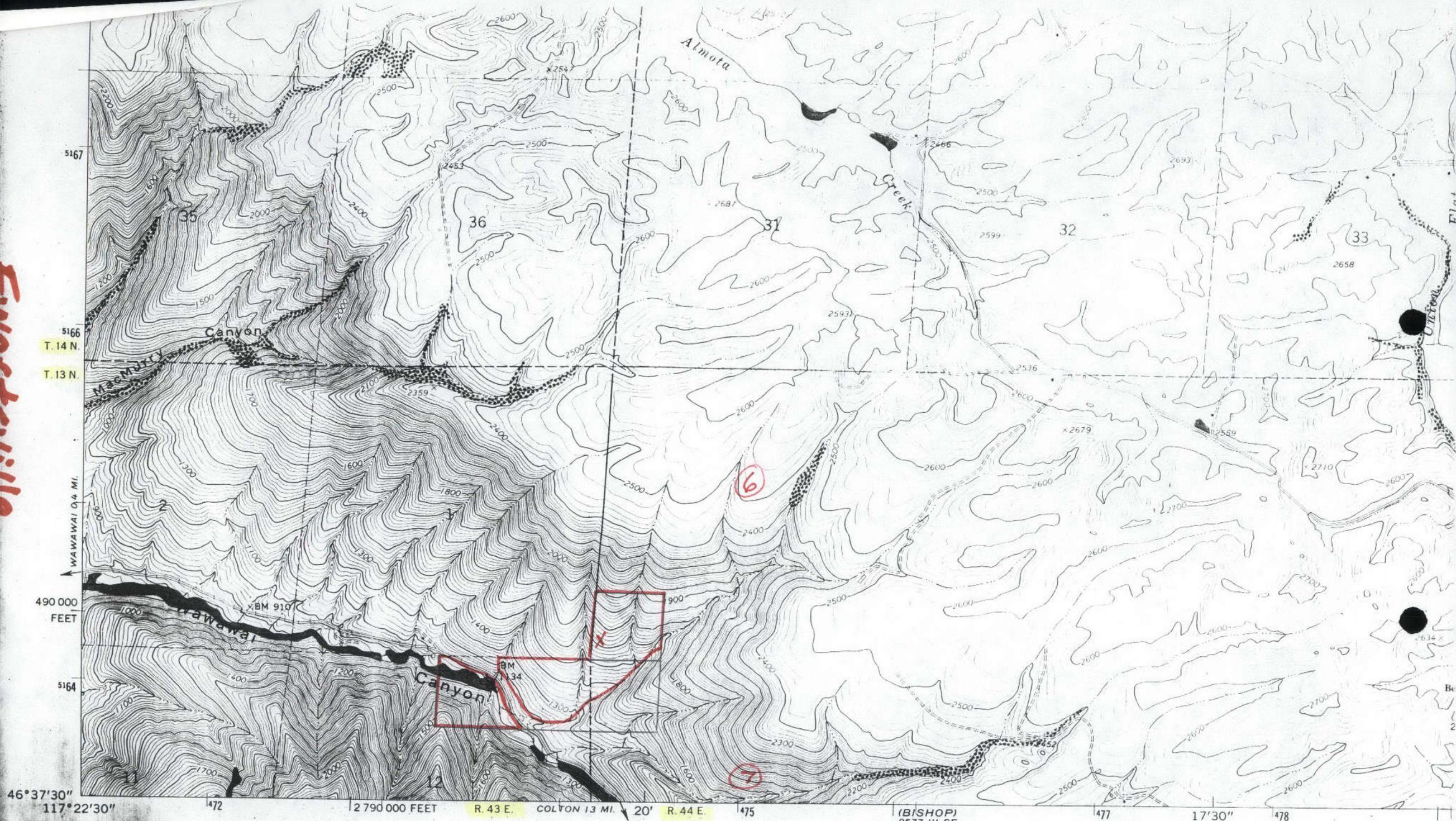
Sincerely,

Gene Drury
Technical and Enforcement Unit
Water Resources Program

GD:aal

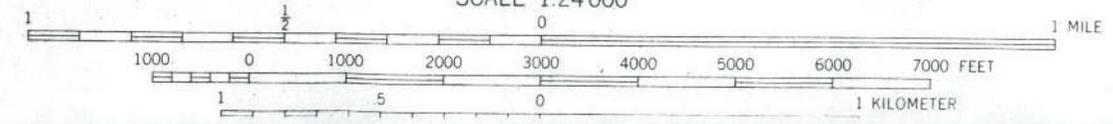


Ewartsville



46°37'30" 117°22'30"

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial
photographs taken 1961. Field checked 1964

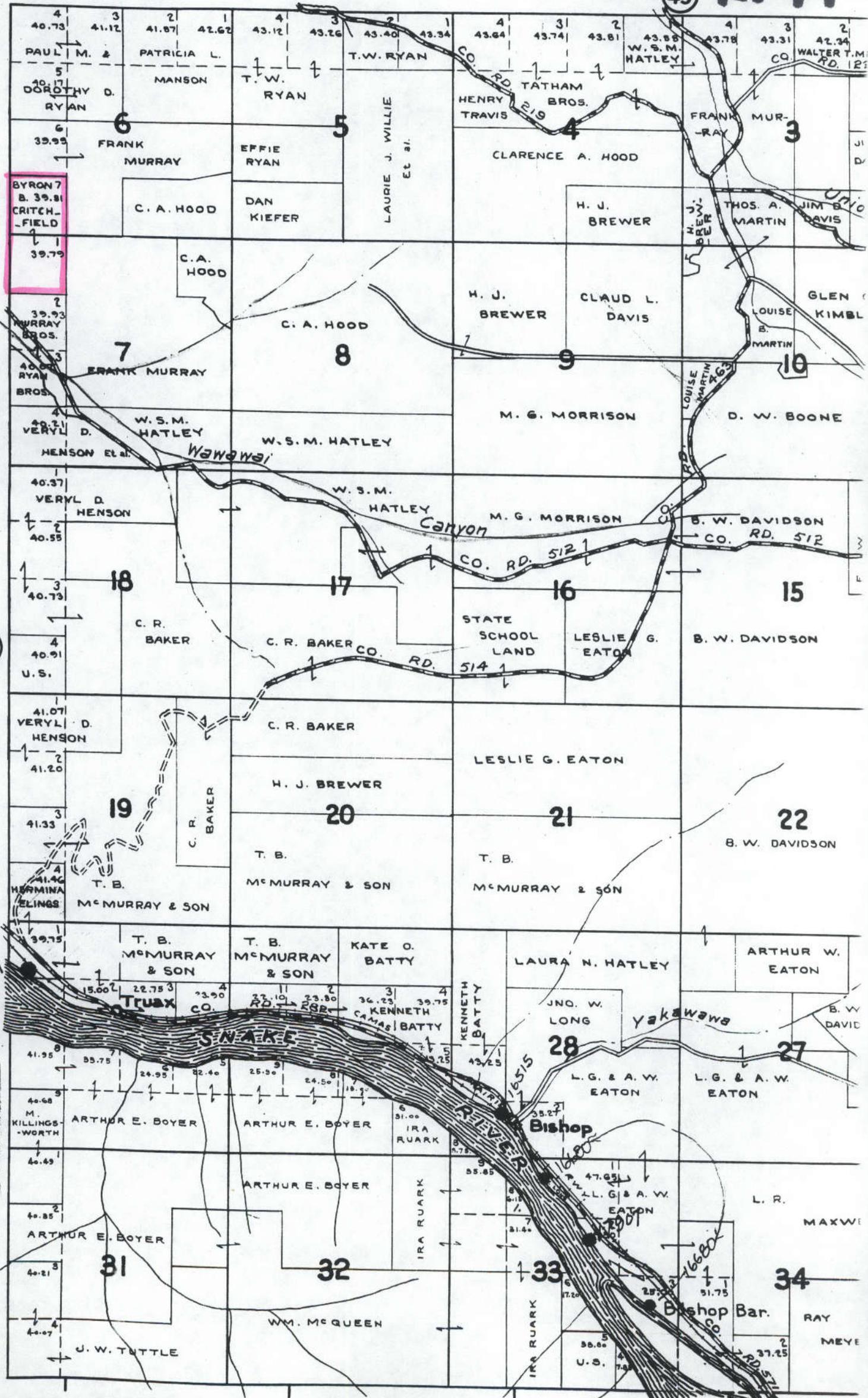


(KIRBY)
2577 III SW

TOWNSHIP 13 N., GARFIELD & WHITMAN

SCALE 2 IN. = 1 MILE
WHITMAN OCT. 1957

49 **R. 44**

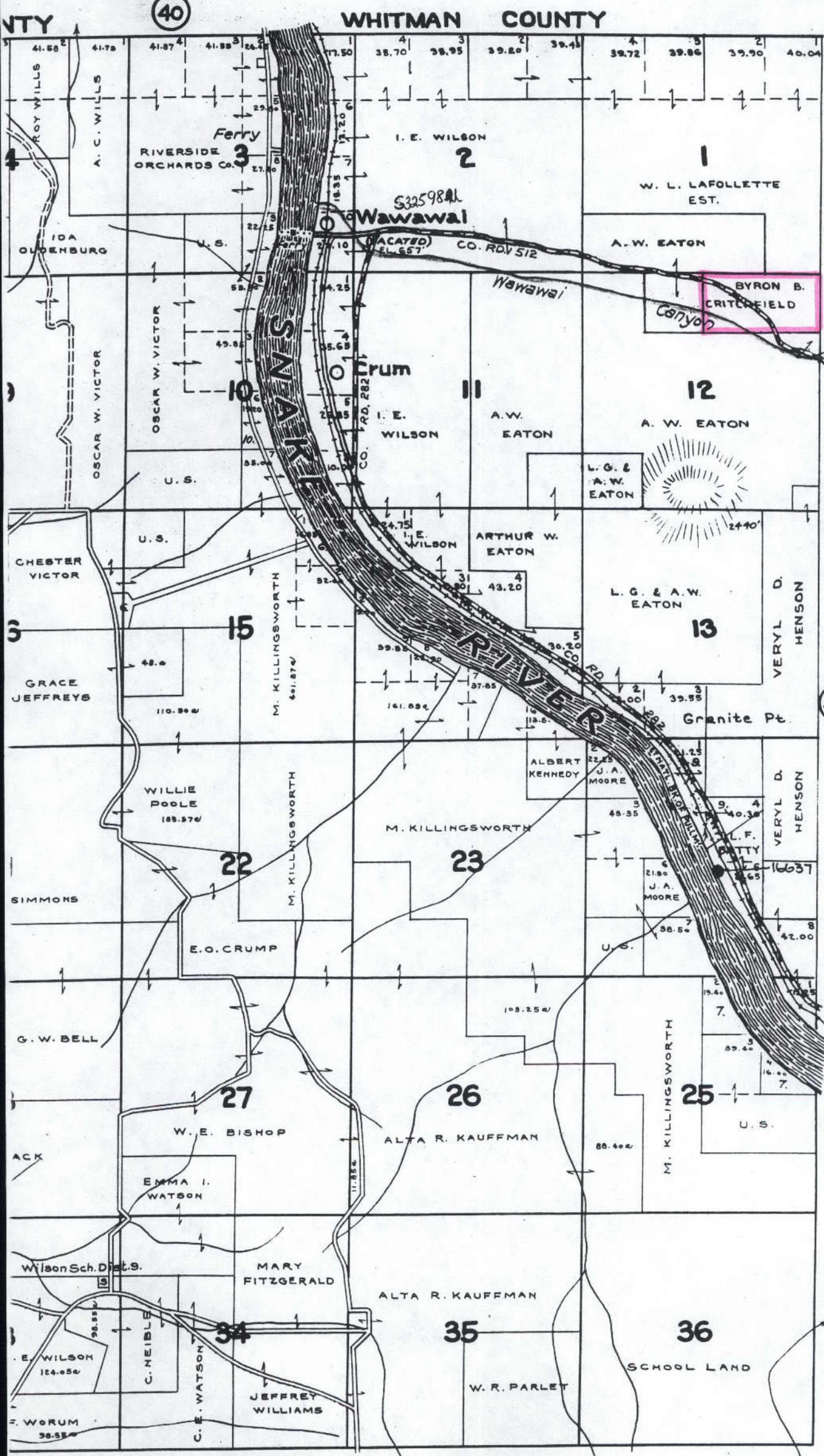


TOWNSHIP 13 N., RANGE 43 E. W. M.

GARFIELD COUNTY, WASHINGTON

& WHITMAN

FOR SALE BY
METSKER
 111 SO. TENTH STREET, TACOMA.
 1020 THIRD AVENUE, SEATTLE.



- 1-E. D. BA
- 2-W. L. FEL
- 3-L. N. WAL
- 4-CHURCH
- 5-CEMETE
- 6-GENERAL
- 7-BAKER L
- 8-MAYVILL
- 9-1ST NATL
- 10-GEO. A. CH

TS3-20669
 TEMP. POINTS ALL
 EAST BANK OF
 FROM WAWAWAI
 FERRY