



State of Washington
 DEPARTMENT OF ECOLOGY
 4601 N Monroe Street
 Spokane, WA 99205-1295

MTF

ML
For Monday

CERTIFIED MAIL



7015 0640 0003 6619 6211

PAINTED HILLS GOLF COURSE INC
 4403 SOUTH DISHMAN-MICA ROAD
 SPOKANE WA 99206

neopost[®]
 04/05/2016
US POSTAGE

FIRST-CLASS MAIL
\$06.735



ZIP 99205
 041L11246076

Department of Ecology
 Eastern Regional Office

RECEIVED

APR 11 2016

NIXIE 992 FE 1 0004/04/16
 RETURN TO SENDER
 NOT DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD
 BC: 99205129599 *8829-01083-05-37

99205129599

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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.

Painted Hills Golf Course, Inc.
4403 South Dishman-Mica Road
Spokane, WA 99206



9590 9403 0885 5223 8059 37

2. Article Number (Postnet)
7015 0640 0003 6619 6211

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

Agent

Addressee

C. Date of Delivery

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

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Restricted Delivery

Domestic Return Receipt



PRINTED ON RECYCLED PAPER.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 5, 2016

Painted Hills Golf Course, Inc.
4403 South Dishman-Mica Road
Spokane, WA 99206

Re: Ground Water Application No. G3-29113

Dear Sir or Madam:

On, January 28, 2016 this office notified you that your Ground Water Application Number G3-29113 would be rejected unless you returned the *Statement of Intent Form ECY 070-424* within thirty (30) days requesting a formal decision. Having received no response to our letter, your application is hereby **REJECTED**.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. 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 the Order.

File your appeal and a copy of this Order 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 Order 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.

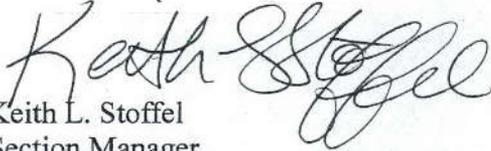
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Painted Hills Golf Course Inc.
G3-29113
Page 2
April 5, 2016

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 Gene Drury at 509-329-3566.

Sincerely,



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

KLS/GD:md
Enclosure: *Your Right to Be Heard*

By Certified Mail: 7015 0640 0003 6619 6211

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ _____ |
| <input type="checkbox"/> Adult Signature Required | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postmark
Here

Postage

\$

Total

\$

Sent

Street

City,

Painted Hills Golf Course, Inc.
4403 South Dishman-Mica Road
Spokane, WA 99206

7015 0640 0003 6619 6211



State of Washington
 DEPARTMENT OF ECOLOGY
 4601 N Monroe Street
 Spokane, WA 99205-1295

neopost[®]

FIRST-CLASS MAIL

01/28/2016

US POSTAGE

\$00.48⁵



ZIP 99205

041L11246076

RECEIVED

FEB 10 2016

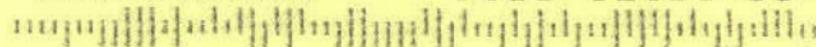
Department of Ecology
 Eastern Regional Office

Painted Hills Golf Course, Inc.
 4403 South Dishman-Mica Road
 Spokane, WA 99206

NEXT 992 7E 1 0002/07/16

RETURN TO SENDER
 NOT DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD

BC: 99205129599 *2029-01629-28-36



99205129599

29113



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

January 28, 2016

Painted Hills Golf Course, Inc.
4403 South Dishman-Mica Road
Spokane, WA 99206

Dear Sir or Madam:

Re: Ground Water Application No. G3-29113

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 to withdraw groundwater from the Spokane Valley-Rathdrum Prairie Aquifer (SVRPA).

This letter and the enclosed Statement of Intent form are intended to give you the opportunity to inform Ecology whether or not you are still interested in pursuing your application for a new water right from the SVRPA.

On February 27, 2015, Ecology adopted a new instream flow rule (Chapter 173-557 WAC) for the mainstem of the Spokane River and those portions of Spokane and Stevens Counties within the boundary of the SVRPA. The purpose of the rule is to protect and preserve water for “instream resources” including fish, wildlife, recreational uses, wastewater management, and hydropower.

All new consumptive uses of water from the Spokane River and hydraulically-connected SVRPA that commence after February 27, 2015, including new water right permits and permit-exempt ground water withdrawals, are required to comply with the rule.

The Bi-state groundwater model published by the United States Geological Survey in 2007 demonstrates that groundwater withdrawals from the SVRPA directly affect flows in the Spokane River. The USGS has measured flows in the Spokane River for over 120 years. For many decades, low flows during the summer months have been declining. Since the mid-1980s, summer low flows in the river drop below the minimum flow established in the new rule about every other year, on average.

Therefore, Ecology has determined that water is not available for the issuance of new consumptive water rights to withdraw water from the SVRPA unless the new uses can be interrupted during low flow periods or the new uses are offset by an Ecology-approved mitigation plan.



Painted Hills Golf Course, Inc.

G3-29113

January 28, 2016

Ecology has acquired a senior water right and placed it into the State Trust Water Program for the purpose of mitigating impacts to the Spokane River caused by the withdrawal of water from a limited number of permit-exempt domestic wells in the SVRPA that commence after February 27, 2015. This Trust Water is not intended to be used to mitigate impacts from new consumptive uses that require the issuance of new water rights. Currently, no water is available to mitigate for new withdrawals from the SVRPA that are proposed in the water right applications Ecology has on file.

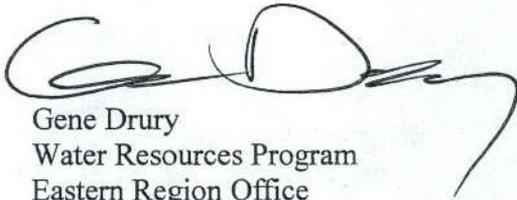
Therefore, it is likely that your application for a new water right to withdraw water from the SVRPA will be denied if your proposed use is a consumptive use that cannot be interrupted when water is not available during low flow periods, unless you have an Ecology-approved plan for mitigation of the new use.

You have the following options to respond to this letter:

1. Mail the enclosed form back to us with the "WITHDRAW" box checked. In this case, your application will be rejected and Ecology will close the file and remove it from the waiting list.
2. Mail the enclosed form back to us with the "PROCEED (Requesting Formal Decision)" box checked. Please be aware that Ecology must then go through the lengthy process of making a formal decision and issuing a formal report of findings, which is an appealable action pursuant to Chapter 43.21B310 RCW. During this process you will be required to publish a legal notice of your intent to use water from the SVRPA. You must pay for publication of the notice.
3. Do not return the form, within 30 days of the date of the letter. In this case, Ecology will issue a formal order rejecting the application, which is an appealable action pursuant to Chapter 43.21B310 RCW. We will then close the file and remove it from the waiting list.

If you have any questions or need information please contact me at (509) 329-3566 or gdru461@ecy.wa.gov. My mailing address is Department of Ecology, 4601 N. Monroe Street, Spokane, Washington, 99205-1295.

Sincerely,



Gene Drury
Water Resources Program
Eastern Region Office

GD:md

W: Drury/SVRP/2016/SVRP Statement of Intent letter 1-28-2016.doc

Enclosure: *Statement of Intent form, Copy of Application*

Water Right Application
SURCHARGE STATEMENT

Surcharge payment must be postmarked by date shown below or your water right application will be rejected. *Details in attached letter.*

Applicant name: PAINTED HILLS GOLF COURSE, INC	Amount due: \$100	Pay by: OCTOBER 8, 1993
Application number: G3-29113	Projected work schedule: 12-31-93 (See cover letter for explanation)	

Please detach and return with your remittance.

Payment due:

OCTOBER 8, 1993

Application number:

G3-29113

Please mail to:

Department of Ecology
Water Right Application Surcharge
PO BOX 5128
LACEY WA 98503-0210

For agency use only: 001-02-85-11

Region: ERO

Please write your application number on your check or money order. Do not mail cash.
Make checks payable to the Department of Ecology.

P 371 311 968

DEPARTMENT OF ECOLOGY - FISCAL & BUDGET
 CASHIERING SYSTEM
 Water Rights Surcharge Payments

AUGUST 16 1993
 PAGE 4

CJ DATE 08/17/1993
 CJ NO 461C0146

CASHIERING

REMITTER NAME	RECEIPT NO	TRAN CDE	RVS CDE	FND CDE	APP IDX	PGM IDX	SB PROJ	PF PJ	ORG PH	CITY CO	WK TOWN	CS CS	SB OBJ	SUS OB	MJ OBJT	MJ GP	SB SC	APPL. NO.	AMOUNT
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	10544		10544	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	10546		10546	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	6560A		6560A	\$100.00
TREASURE OF TOWN OF WASHTUCNA	94-078819	001		001						ERO			02	85	000011				\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	9575		9575	\$100.00
L.B. MAGART	94-078737	001		001						ERO			02	85	000011	G3-27616		G3-27616	\$100.00
TREASURE OF TOWN OF WASHTUCNA	94-078819	001		001						ERO			02	85	000011	G3-28582		G3-28582	\$100.00
DAWN MINING CO.	94-078822	001		001						ERO			02	85	000011	G3-29090		G3-29090	\$100.00
SPUD BROWN	94-078716	001		001						ERO			02	85	000011	G3-29108		G3-29108	\$100.00
PAINTED HILLS GOLF COURSE	94-078728	001		001						ERO			02	85	000011	G3-29113		G3-29113	\$100.00
MORRISON CATTLE INC	94-078727	001		001						ERO			02	85	000011	G3-29150		G3-29150	\$100.00
R. VIRGIL DONOVAN	94-078750	001		001						ERO			02	85	000011	G3-29184		G3-29184	\$100.00
HAGMAN DEVELOPMENT	94-078795	001		001						ERO			02	85	000011	G3-29185		G3-29185	\$100.00
SPUD BROWN	94-078716	001		001						ERO			02	85	000011	G3-29211		G3-29211	\$100.00
SPUD BROWN	94-078716	001		001						ERO			02	85	000011	G3-29212		G3-29212	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G3-29213		G3-29213	\$100.00
TOM SENIER	94-078765	001		001						ERO			02	85	000011	G3-29288		G3-29288	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G3-29320		G3-29320	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G3-29322		G3-29322	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G3-29323		G3-29323	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G3-29326		G3-29326	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G3-29327		G3-29327	\$100.00
TUCANNON RANCH	94-078741	001		001						ERO			02	85	000011	G3-29356		G3-29356	\$100.00
HAROLD JANETT	94-078791	001		001						ERO			02	85	000011	G3-29411		G3-29411	\$100.00
HAROLD JANETT	94-078791	001		001						ERO			02	85	000011	G3-29412		G3-29412	\$100.00
HAROLD JANETT	94-078791	001		001						ERO			02	85	000011	G3-29413		G3-29413	\$100.00
T & T ENTERPRISES	94-078777	001		001						ERO			02	85	000011	G3-29415		G3-29415	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G300064C		G300064C	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G301414C		G301414C	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G301485C		G301485C	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G301587C		G301587C	\$100.00
PUD NO. 1 OF STEVENS COUNTY	94-078826	001		001						ERO			02	85	000011	G321010C		G321010C	\$100.00

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

<p>3. Article Addressed to:</p> <p>G3-29113 P 371 311 968</p> <p>PAINTED HILLS GOLF COURSE, INC 4403 S DISHMAN-MICA RD SPOKANE WA 99206</p> <p><i>Michael L. Senske</i></p> <p>5. Signature (Addressee)</p>	<p>4a. Article Number</p> <p>4b. Service Type</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured</p> <p><input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD</p> <p><input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p>7. Date of Delivery</p> <p>8. Addressee's Address (Only if requested and fee is paid)</p>
<p>6. Signature (Agent)</p>	

PS Form 3811, December 1991 ★U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.



OK-1111
Act. 9-12-92



AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON, }
COUNTY OF SPOKANE, }

MICHAEL J. VLAHOVICH, being first duly sworn

EDITOR

on oath deposes and says that he is the EDITOR of the **SPOKANE VALLEY HERALD**, a weekly newspaper. That said newspaper is a legal newspaper and it is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continually as a weekly newspaper in Spokane 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, which said newspaper has been approved as a legal newspaper by order of the Superior Court of the State of Washington in and for Spokane County. That the

annexed is a true copy of a Notice of Application to

Appropriate Public Waters

as it was published in regular issues (and not in supplement form), of said newspaper once each week for a period of two consecutive weeks, commencing on the 6th day of August, 1992

and ending on the 13th day of August, 1992 both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period.

Michael J. Vlahovich

Subscribed and sworn to before me this 13th day of August, 1992

Robin L. Tutton
Notary Public in and for the State of Washington,

Residing at: Spokane, WA

NOTICE
State of Washington
Department of Ecology
NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS
TAKE NOTICE:
That Painted Hills Golf Course, Incorporated of Spokane, Washington, on December 19, 1991, under Application No. G3-29113 filed for permit to appropriate public waters, subject to existing rights, from a well in the amount of 950 gallons per minute, each year, for seasonal non-agricultural irrigation of 88 acres. The source of the proposed appropriation is located within the NE 1/4 of Section 33, Township 25 N., Range 44 E.W.M., in Spokane 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 August 13th, 1992.
State of Washington
Department of Ecology
4801 North Monroe, Suite 100
Spokane, Washington 99205-1295
8-6 — 8-13





COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

February 25, 1993

CERTIFIED MAIL
(P 877 683 956)

Painted Hills Golf Course, Inc.
4403 S. Dishman-Mica Rd
Spokane, WA 99206

Dear Sir:

Re: Ground Water Application No. G3-29113

On April 27, 1992 this office forwarded to you a notice for publishing the above referenced application in the Spokesman-Review or the Spokane Valley Herald within Spokane.

As of this date, we have not received the necessary Affidavit of Publication concerning the said application.

If we do not hear from you within thirty (30) days from the date of this letter, we will assume you are no longer interested in the application and it will be rejected.

Sincerely,

Gene Drury
Technical and Enforcement Unit
Water Resources Program

GD:aal

Is your RETURN ADDRESS completed on the reverse side?	SENDER:		I also wish to receive the following services (for an extra fee):	
	<ul style="list-style-type: none"> • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered. 		1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
	3. Article Addressed to: Painted Hills Gof Course, Inc. 4403 S. Dishman-Mica Rd Spokane, WA 99206 35 G3-29113		4a. Article Number P 877 683 956	
	5. Signature (Addressee) <i>Clive Mitchell</i>		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
6. Signature (Agent) <i>[Signature]</i>		7. Date of Delivery 2-26		
		8. Addressee's Address (Only if requested and fee is paid)		
PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530				Thank you for using Return Receipt Service.

DOMESTIC RETURN RECEIPT



COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

N. 4601 Monroe, Suite 100 • Spokane, Washington 99205-1295 • (509) 456-2926

April 27, 1992

Painted Hills Golf Course, Inc.
4403 S. Dishman-Mica RD
Spokane, WA 99206

Re: Ground Water Application No. G3-29113

Dear Sir:

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. We are enclosing a receipt for your application fee.

Enclosed is a notice of your application which must be published once a week for two consecutive weeks in the Spokesman-Review or the Spokane Daily Chronicle or the Spokane Valley Herald published in Spokane 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.

Prior to publication please notify us if you intend to use more than 950 gallons per minute. On the front of your application you have 950 gallons per minute, on the back of the application you have 1050 gallons per minute capacity.

Sincerely,

David J. Duncan
Allocation and Management Unit
Water Resources Program

DJD:aal
Enclosures

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

TAKE NOTICE:

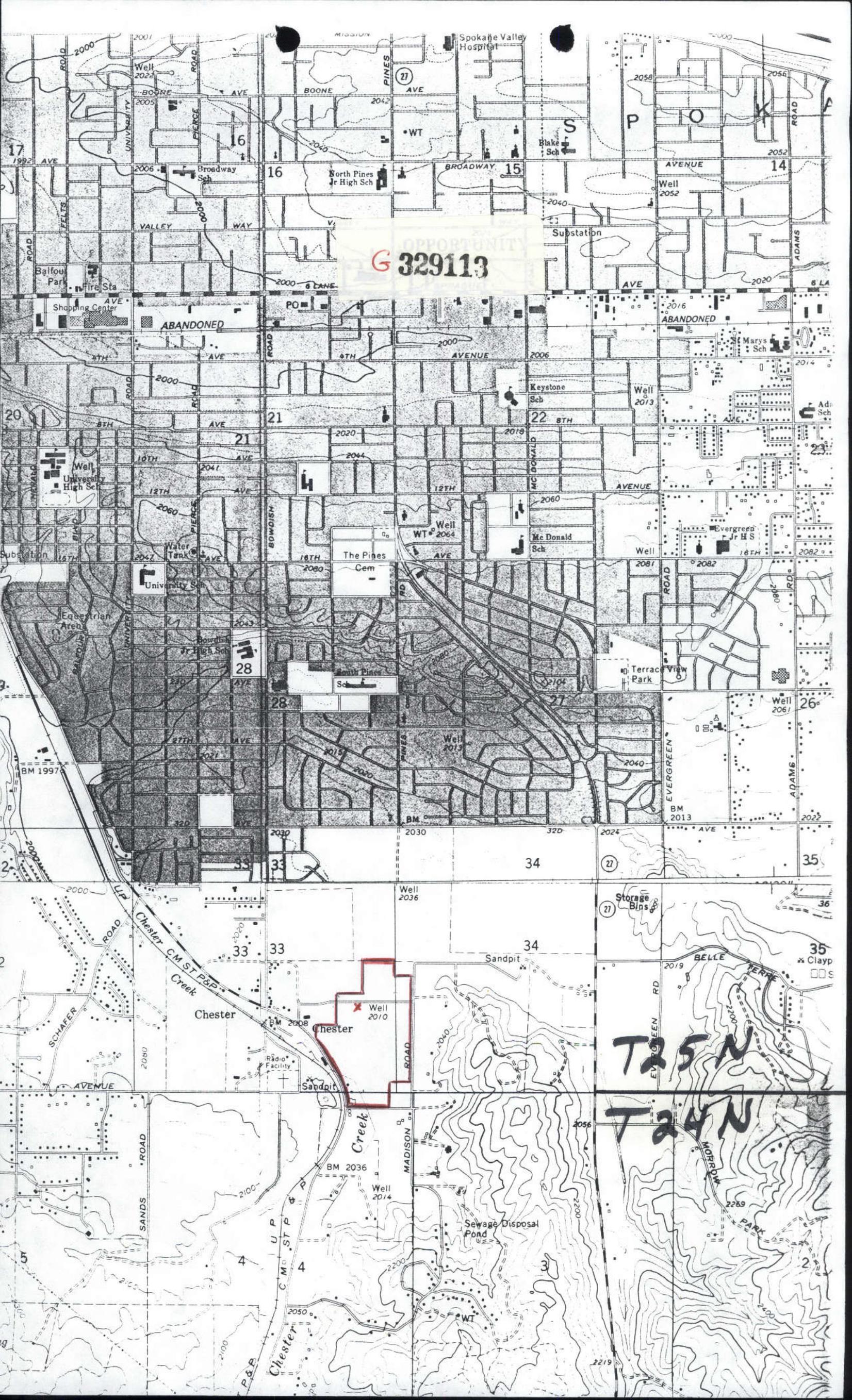
That Painted Hills Golf Course, Incorporated of Spokane, Washington, on December 19, 1991, under Application No. G3-29113 filed for permit to appropriate public waters, subject to existing rights, from a well in the amount of 950 gallons per minute, each year, for seasonal non-agricultural irrigation of 88 acres. The source of the proposed appropriation is located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 25 N., Range 44 E. W. M., in Spokane 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 100
Spokane, WA 99205-1295

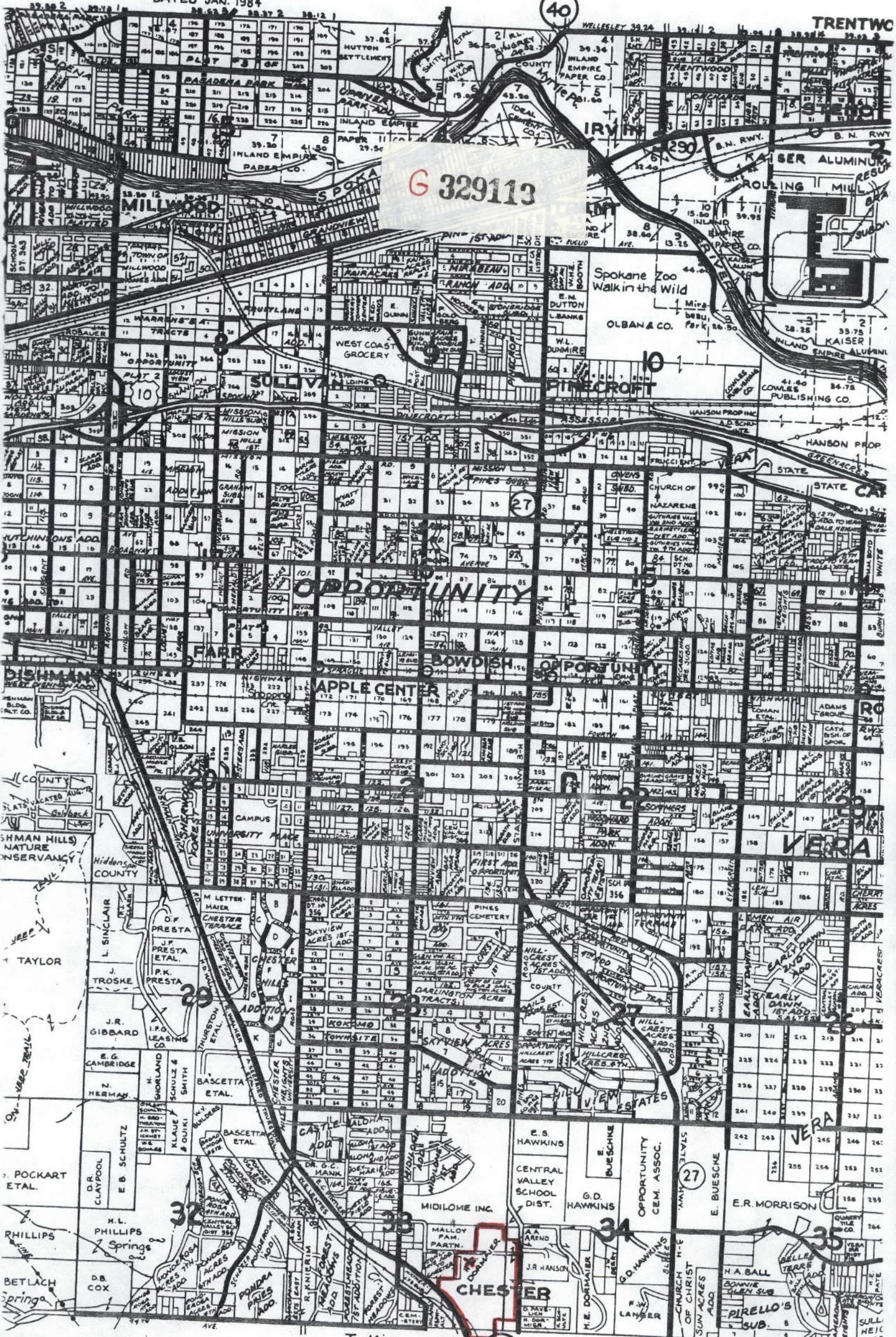
NOTICE



G 329113

T25N
T24N

DATED JAN. 1984



G 329113

To Mica G328608

T25N R44E

RECEIPT

179555

WASHINGTON STATE
DEPARTMENT OF ECOLOGY

RECEIVED FROM

Painted Hills Golf Course 4/1, 19 92

FUND:

General Rec.Rev. Basic Data Other Cash

SOURCE:

Water Code Publications Adjudications Refunds M.O.
Per. and Lic. Investments Registration Other

Application fee \$3-29113

By M. J. Kelby

Recd 12-19-92

CK # 6732

Thank You