



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 16, 2016

Mr. Patrick Dullanty
Dullanty LLC
8107 South Inland Empire Way
Spokane, Washington 99224

Re: Ground Water Application No. G3-30393

On, February 4, 2016 this office notified you by certified mail that Ground Water Application Number G3-30393 would be rejected within 30 days, unless you notified Ecology that you are still interested in pursuing your project. To date, we have not received a response from you regarding the notice.

Therefore, 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

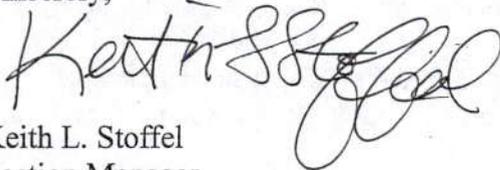


Dullanty LLC
G3-30393
Page 2
March 16, 2016

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 Dan Tolleson at 509-329-3526.

Sincerely,



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

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

By Certified Mail: 7015 0640 0003 6619 5962

U.S. Postal Service™
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Certified Mail Fee
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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	\$ _____

Postmark
Here

Postage
 \$ _____
 Total P
 \$ _____
 Sent To

Mr. Patrick Dullanty
 Dullanty LLC
 8107 South Inland Empire Way
 Spokane, Washington 99224

City, State, ZIP+4™

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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.

Mr. Patrick Dullanty
 Dullanty LLC
 8107 South Inland Empire Way
 Spokane, Washington 99224



9590 9403 0885 5223 8061 87

2. Article Number (Transfer from service label)

7015 0640 0003 6619 5962

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Deanna Dullanty* Agent
 Addressee

B. Received by (Printed Name) _____

C. Date of Delivery
 3-16-16*

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

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery

Domestic Return Receipt



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

February 4, 2016

Mr. Patrick Dullanty
Dullanty LLC
8107 S. Inland Empire Way
Spokane, WA 99224

Re: Application No. G3-30393 for a Water Right Permit

NOTICE – WATER RIGHT APPLICATION STATUS

On December 22, 2015, the Department of Ecology (Ecology) sent a letter giving you the opportunity to inform us whether or not you were still interested in pursuing your application for a new water right in the area referred as the "West Plains". To date, we have received no response regarding your application.

Your options are:

1. Mail the enclosed form back to us with the "WITHDRAW (Remove from Waiting List)" 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. In this case, Ecology must go through the lengthy process of making a formal decision (which could incur costs to you) and issuing a formal report, most likely recommending denial of the application, which is an appealable action pursuant to Chapter 43.21B310 RCW. This process includes a formal public notice at your cost.
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 we do not receive a response from you within 30 days of your receipt of this letter, 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. 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:ka

Enclosures: *Statement of Intent form and copy of December 2015 Request Letter*

By Certified Mail 7015 064 0003 6620 1618



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

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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 \$	
Postage	\$
Total Postage and Fees	\$

2/4/16
 Postmark
 Here

Sent To **MR. PATRICK DULLANTY**

Street and Apt. No. **DULLANTY LLC**

City, State, ZIP+4® **8107 S. INLAND EMPIRE WAY
 SPOKANE, WA 99224**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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.

1. Article Addressed to:

MR. PATRICK DULLANTY
DULLANTY LLC
8107 S. INLAND EMPIRE WAY
SPOKANE, WA 99224



9590 9403 0671 5196 3871 32

Article Number (Transfer from service label)

7015 0640 0003 6620 1618

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Deanna Dullanty Agent
 Addressee

B. Received by (Printed Name) **Deanna Dullanty**

C. Date of Delivery **2/8/16**

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

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

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

Domestic Return Receipt



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 22, 2015

Mr. Patrick Dullanty
Dullanty LLC
8107 S. Inland Empire Way
Spokane, WA 99224

Re: Application No. G3-30393 for a Water Right Permit

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 area commonly referred to as the “West Plains”. The West Plains is a plateau southwest of the Spokane River, within portions of Water Resource Inventory Areas (WRIA) 34, 43, 54 and 56, in Spokane and Lincoln Counties. 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 in the West Plains.

The Columbia River Basalt Group aquifers underlying the West Plains supply water to the communities of Airway Heights, Medical Lake, Four Lakes, and Fairchild Air Force Base. Groundwater levels have declined for many decades at some locations and have significantly declined in some areas, indicating the groundwater resource is already strained. In fact, Ecology has had to curtail the pumping of a junior water right to protect senior rights in one portion of the area where wells were going dry and had to be deepened. Because the issuance of new water rights within the West Plains area would adversely impact or impair existing surface and groundwater water rights, Ecology will probably not be issuing any new water rights other than those that are non-consumptive. **Therefore, your application for a new water right in the West Plains will in all likelihood be denied.**

Your options are:

1. Mail the enclosed form back to us with the “WITHDRAW (Remove from Waiting List)” 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. In this case, Ecology must go through the lengthy process of making a formal decision (which could incur costs to you) and issuing a formal report, most likely recommending denial of the application, which is an appealable action pursuant to Chapter 43.21B310 RCW. This process includes a formal public notice and publication at your cost.



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) 329-3526 or dan.tolleson@ecy.wa.gov. My mailing address is Department of Ecology, 4601 N. Monroe Street, Spokane, Washington, 99205-1295.

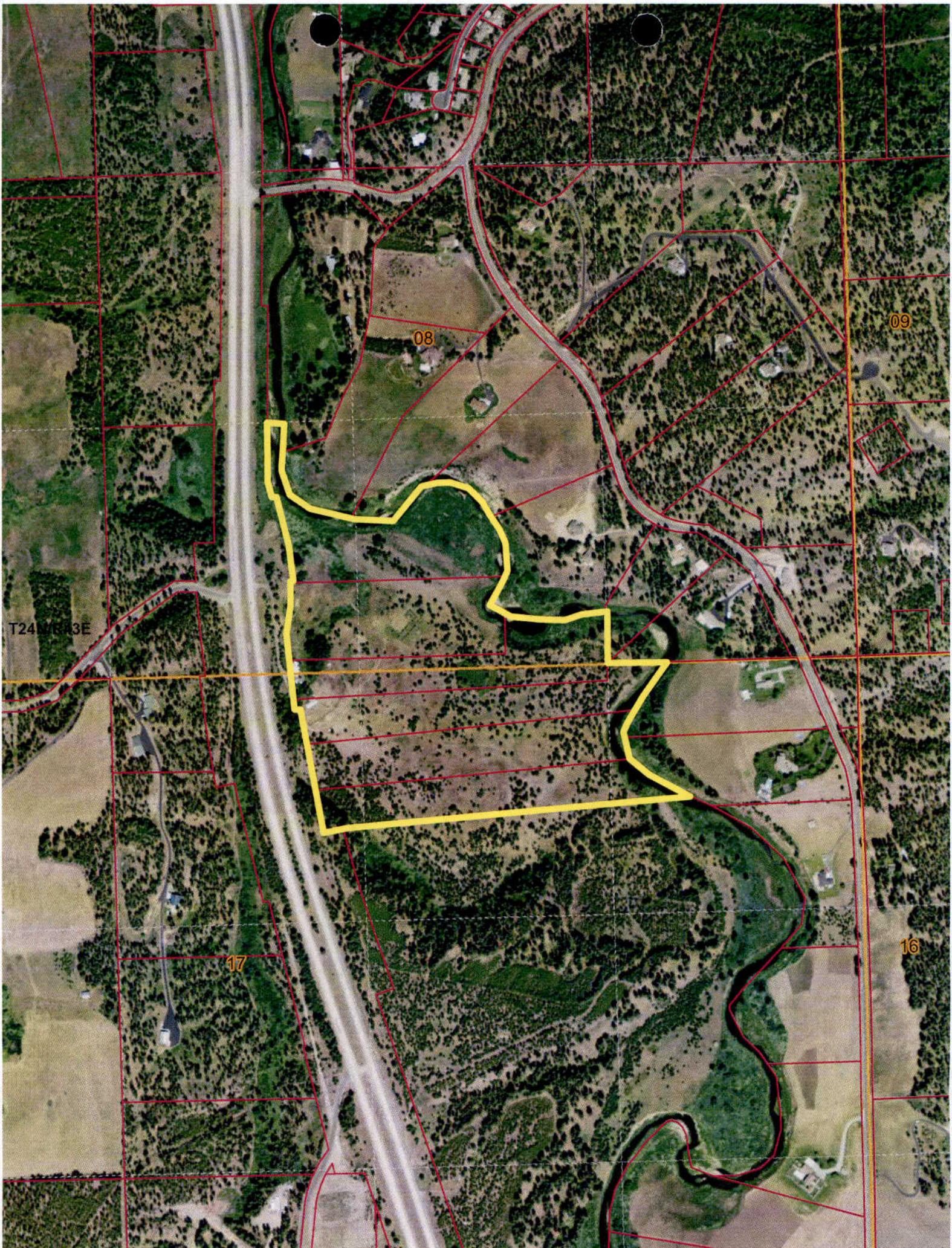
Sincerely,



Dan Tolleson
Water Resources Program
Eastern Region Office

DT:ka

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



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T24N R43E

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