STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

July 25, 2013

David and Robin Herring
Herring Farms NWQ, LLC
928 Laguna Drive
Moses Lake, WA 98837

Re: Ground Water Certificate No. 7358-A
WRIA 41 – Grant County – Quincy Groundwater Management Subarea

Dear Mr. and Mrs. Herring:

According to your request enclosed is Order of Rescission Docket No. 10049.

Pursuant to Chapter 43.21B.310 RCW this Order is an appealable action. The appeal procedures are described in the Order.

Future correspondence concerning this Order should refer to Ground Water Certificate No. 7358-A. Please direct all questions to:

Ecology: Kevin.Brown@ecy.wa.gov; Spokane office 509-329-3422

Sincerely,

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

KLS:KAR:ka
Enclosures: Rescinding Order Docket No. 10049

By Certified Mail 7011 3500 0001 8626 3535

cc: U.S. Bureau of Reclamation, P.O. Box 815, Ephrata, WA 98823-0815
Robin Herring; rherring@economyaccounting.com

BEFORE THE
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF GROUND WATER CERTIFICATE NO. 7358-A TO APPROPRIATE PUBLIC WATERS	)))	RESCINDING ORDER DOCKET NO. 10049

TO: Wade Entezar, President
Entezar Development Group Inc.
14120 NE 21st Street
Bellevue, WA 98007

David and Robin Herring
Herring Farms NWQ, LLC
928 Laguna Drive
Moses Lake, WA 98837

On September 24, 2009, the Grant County Water Conservancy Board (GCWCB) issued a Record of Decision and a Report of Examination granting conditional approval to the change/transfer of Ground Water Certificate (GWC) No. 7358-A from Herring Farm NWQ, LLC to Entezar Development Group, Inc. On March 31, 2010, the Department of Ecology (Ecology) modified the decision of the GCWCB and formally approved the change/transfer of GWC No. 7358-A to Entezar Development Group.

On November 5, 2010, Keith Stoffel in Ecology's Eastern Regional office received an electronic mail message from Dwayne Fowles, Larson Fowles, PLLC, with an attached document dated April 23, 2010, which requests Ecology to rescind the change/transfer of GWC No. 7358-A. The request is signed by representatives of the Entezar Development Group, Inc. and Herring Farm NWQ, LLC.

On April 19, 2013 Daniel and Robin Herring sent a letter to Ecology stating "We would like to take the temporary donation out of the trust water right control number CG3-*07766C@2. Would you please rescind the GCWCB Record of Decision and Report of Examination approved by Ecology March 31, 2010? We are requesting that it revert back to place of original use."

Therefore, IT IS ORDERED that the change/transfer of GWC No. 7358-A (Control No. CG3-*07766C) from Herring Farm NWQ, LLC to Entezar Development Group, Inc. be and is **RESCINDED**. Additionally, the Trust Water Rights Program Temporary Donation of GWC No. 7358-A (Control No. CG3-*07766C@2) that expires on February 28, 2017 is hereby **TERMINATED**.

YOUR RIGHT TO APPEAL

You have a right to appeal this Order to the Pollution Control Hearing 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 both of the following within 30 days of the date of receipt of this 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.

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320.

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 1111 Israel Road SW STE 301 Tumwater, WA 98501	**Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

Please direct all questions about this Order to:

Kevin Brown
Department of Ecology
Eastern Regional Office
4601 North Monroe Street
Spokane, Washington 99205

509-329-3422
Kevin.Brown@ecy.wa.gov

MORE INFORMATION

- **Pollution Control Hearings Board**
  www.eho.wa.gov/Boards_PCHB.aspx
- **Chapter 43.21B RCW – Environmental and Land Use Hearings Office – Pollution Control Hearings Board**
  http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B

- **Chapter 371-08 WAC – Practice and Procedure**
  http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08
- **Chapter 34.05 RCW – Administrative Procedure Act**
  http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05
- **Laws:** www.ecy.wa.gov/laws-rules/ecyrcw.html
- **Rules:** www.ecy.wa.gov/laws-rules/ecywac.html

SIGNATURE

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

Date 7/19/13

KLS:KB:KR:ka

7011 3500 0001 8626 3535

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	$

7/25/13

Postmark Here

Sent To
Street, Apt. No.; or PO Box No.
City, State, ZIP+4

MR AND MRS DAVID HERRING
HERRING FARMS NWQ, LLC
928 LAGUNA DRIVE
MOSES LAKE, WA 98837

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:

MR AND MRS DAVID HERRING
HERRING FARMS NWQ, LLC
928 LAGUNA DRIVE
MOSES LAKE, WA 98837

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X TL Miers
☐ Agent
☐ Addressee

B. Received by (Printed Name) TL Miers
C. Date of Delivery

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

MOSES LAKE WA JUL 2 2013 USPS 98837

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7011 3500 0001 8626 3535

PS Form 3811, February 2004 — Domestic Return Receipt — 102595-02-M-1540

RECEIVED
MAY 06 2013
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

April 19, 2013

RE: Ground Water Certificate 7358-A

Dear Katherine,

We would like to take the temporary donation out of the trust water right control number CG3-*07766C@2.

Would you please rescind the Grant County Water Conservancy Board the record of Decision & Report of Examination. approved by Ecology March 31, 2010. We are requesting that it revert back to place of original use.

Thank you,

Robin Heung
Daniel Heung