

CHRISTINE O. GREGOIRE  
Director



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

7272 Cleanwater Lane, LU-11 • Olympia, Washington 98504-6811 • (206) 753-2353

January 14, 1994

Robert Cunningham  
1269 King Road  
Winlock, Washington 98596-9734

Dear Mr. Cunningham:

Re: Surface Water Application No. S 2-28873

We acknowledge receipt of your affidavit of publication of notice in connection with the above-numbered application.

The water codes require that no action be taken toward issuance of a permit earlier than thirty (30) days after the last date of publication. This period of time is allowed for filing any protests or objections. In some cases it is also necessary for us to await approval of the Departments of Fisheries and Wildlife before issuing permits.

A site investigation will be made by this office before we issue a permit decision. In light of our water right backlog, we estimate it will be about 18 months after receipt of your application before we are able to conduct the site investigation.

Sincerely,

Sheri Fox  
Water Resources

SF:th(12B)



Affidavit of Publication

RECEIVED

'94 JAN 10 P2:39

DEPARTMENT OF ECOLOGY  
S W REGIONAL OFFICE

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

TAKE NOTICE:  
That Robert J. Cunningham of Winlock, Washington, on June 21, 1993, under Application No. S2-28873 filed for permit to appropriate public waters, subject to existing rights, from an unnamed stream tributary to King Creek in the amount of .02 cubic feet per second as needed year round each year, for wildlife pond.

The source of the proposed appropriation is located within S½ SW¼ of Section 19, Township 12 N., Range 2W W.M., in Lewis 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 December 1, 1993.

Department of Ecology  
P.O. Box 47775  
Olympia, Wash. 98504-7775  
Published November 24 and December 1, 1993.  
LCN No. 115

The undersigned, on oath, states that he is an authorized representative of *The Lewis County News*, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a weekly newspaper in Winlock, Lewis 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 this newspaper.

The notice in the exact form annexed, was published in regular issues of *The Lewis County News*, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Notice of Application To  
Appropriate Public Waters

was published on

November 24, 1993

December 1, 1993

The amount of fee charged for the foregoing publication is the sum of \$ 53.56, which amount has been paid in full.

[Signature]  
Subscribed and sworn to  
before me on

January 6, 1994

Sheila L. Selby  
Notary Public for the  
State of Washington,

residing in CASTLE ROCK  
Commission expires

MARCH 16, 1997

affidavit ok  
1/13/94  
SF

CHRISTINE O. GREGOIRE  
Director



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

7272 Cleanwater Lane, LU-11 • Olympia, Washington 98504-6811 • (206) 753-2353

November 24, 1993

Robert J. Cunningham  
1269 King Road  
Winlock, Washington 98596-9734

Dear Mr. Cunningham:

Re: Surface Water Application No. S 2-28873

On July 27, 1993, this office sent a notice to you for publication in a newspaper within Lewis County.

We have not received the necessary affidavit of publication and, therefore, cannot continue to process application.

Please reply within thirty (30) days or, if you are no longer interested in the application or obtaining a water right, please sign the statement below and return to this office.

**I am no longer interested in processing the Surface Water Application No. S 2-28873 or obtaining a water right and I hereby agree to it being cancelled.**

**I understand that after the effective date of cancellation, any use of the surface water is a violation in accordance with Chapter 90.03 RCW and subject to enforcement action.**

\_\_\_\_\_  
Signature

Sincerely,

Sheri Fox  
Water Resources

SF:th(6AS)

PLEASE NOTIFY OF ADDRESS CHANGE



STATE OF WASHINGTON  
DEPARTMENT OF FISHERIES

Post Office Box 43135, Olympia, Washington 98504-3135 • (206) 902-2200 SCAN 902-2200 TDD 902-2207

RECEIVED

'93 AUG 16 11:29

DEPARTMENT OF FISHERIES  
S W REGIONAL OFFICE

August 9, 1993

Department of Ecology  
Southwest Region 2  
Post Office Box 47775  
Olympia, Washington 98504-7775

**SUBJECT: Water Right Application No. S2-28873  
Applicant - Robert J. Cunningham**

Gentlemen:

Washington Department of Fisheries (WDF) reviewed the above-referenced Water Right Application and submits the following recommendation.

WDF has concerns about low flows in the King Creek drainage during the summer months. This water right should not be granted until it can be verified that this diversion will not reduce the salmonid carrying capacity of King Creek. Reduced flows cause increased water temperatures and reduces the available spawning and rearing area of the stream.

Thank you for the opportunity to review and comment.

Sincerely,

Ken Mohoric  
Regional Habitat Manager  
Habitat Management Division

KM:lt

cc: Bob Bicknell, WDW, Vancouver

CHRISTINE O. GREGOIRE  
Director



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

7272 Cleanwater Lane, LU-11 • Olympia, Washington 98504-6811 • (206) 753-2353

July 22, 1993

Robert J. Cunningham  
1269 King Road  
Winlock, Washington 98596-9734

Dear Mr. Cunningham:

Re: Surface Water Application No. S 2-28873

Your application for the appropriation of water has been assigned the above referenced number. Please refer to this number in future correspondence.

Enclosed is a notice of your application which must be published once a week for two consecutive weeks in a qualified legal newspaper of general circulation in the County or Counties in which the storage, diversion, and use is to be made and in other newspapers as directed. A list of these newspapers in your county is enclosed.

The applicant is responsible for the payment of the publication. Please read the notice carefully to make sure it is correct. Should you find an error, please return the notice to our office for correction.

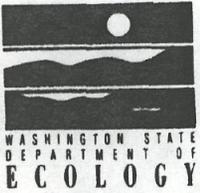
You should mail or deliver the enclosed notice to a newspaper regarding publication as soon as possible. When you receive the affidavit of publication form the newspaper, please forward it to this office promptly. Further processing of the application will not be made until the affidavit is returned.

A site investigation will be made by this office before we issue a permit decision. In light of our water right backlog, we estimate it will be about 18 months after receipt of your application before we are able to conduct the site investigation.

Sincerely,

Sheri Fox  
Water Resources

SF:th  
Enclosures



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

TAKE NOTICE:

That Robert J. Cunningham  
of Winlock, Washington on June 21, 1993 under  
Application No. S2-28873 filed for permit to appropriate public waters, subject to existing rights,  
from unnamed stream tributary to King Creek  
in the amount of .02 cubic feet per second as needed year round  
each year, for wildlife pond

The source of the proposed appropriation is located within S½ SW¼  
of Section 19, Township 12 N., Range 2W W.M., in Lewis 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)

Dept of Ecology  
P. O. Box 47775  
Olympia wa  
98504-7775