



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

February 20, 2009

Harry Miller  
18730 Sundown Mill Lane SE  
Yelm, WA 98597-9096

Re: Water Right Permit No. **G2-26944** (Albert Miller)

Dear Mr. Miller:

In response to your request, you are hereby granted an extension to complete construction on your water right for the reasons below:

- Good faith, due diligence and good cause has been shown by the permit holder by establishing a covenant with the neighbor to protect the site of the well head.
- Continued financial problems encountered by the permit holder associated with completion of the remaining 800' of water lines.

Your new deadline to complete construction and send a Completion of Construction form is **December 31, 2010.**

The Department of Ecology is adding the following provisions so that your certificate is issued according to the most recent language and metering statute, Chapter 173-173 WAC. At this time Ecology is also adding provisions relating to Health Department approval, filling for Proof of Appropriation and access to the project site.

A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of completion of this well. This well log shall be complete and all information concerning the static water level in the completed well, in addition to any pump test data, shall be submitted as it is obtained.

Installation and maintenance of an access port as described in WAC 173-160-291(3) is required.

In addition to the required access port, the applicant shall install and maintain, in operating condition, an airline and pressure gage. The pressure gage shall be equipped with a standard tire valve and placed in a location accessible to Department of Ecology personnel. The airline shall extend from land surface to the top of the pump bowls and the total airline length shall be reported to the Department of Ecology upon completion of the pump system.

An approved measuring device shall be installed and maintained for each of the sources authorized by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173.

<http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>

Water use data shall be recorded annually and maintained by the property owner for a minimum



of five years, and shall be promptly submitted to the Department of Ecology upon request.

Reported water use data shall be submitted via the Internet or by using the enclosed forms. To set up an Internet reporting account, access <https://fortress.wa.gov/ecy/wrx/wrx/Meteringx/>. If you have questions or need additional forms, contact the Southwest Regional office.

WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document titled "Water Measurement Device Installation and Operation Requirements". <http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>

Prior to any new construction or alterations of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health. Please contact the Office of Drinking Water at Southwest Drinking Water Operations, 243 Israel Road S.E., PO Box 47823, Tumwater, WA 98504-7823, (360) 236-3030, prior to beginning (or modifying) your project.

The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the superseding permit. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

You have a right to appeal this decision. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your *Notice of Appeal*.
- Serve and file your appeal in paper form; electronic copies are not accepted.

**1. To file your appeal with the Pollution Control Hearings Board**

Mail appeal to:

The Pollution Control Hearings Board  
PO Box 40903  
Olympia WA 98504-0903

OR Deliver your appeal in person to:

The Pollution Control Hearings Board  
4224 – 6th Ave SE Rowe Six, Bldg 2  
Lacey WA 98503

**2. To serve your appeal on the Department of Ecology**

Mail appeal to:

The Department of Ecology  
Appeals Coordinator  
P.O. Box 47608  
Olympia WA 98504-7608

OR Deliver your appeal in person to:

The Department of Ecology  
Appeals Coordinator  
300 Desmond Dr SE  
Lacey WA 98503

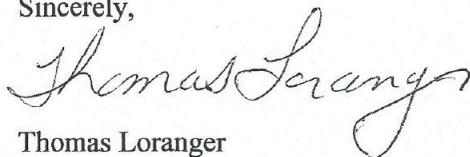
**3. And send a copy of your appeal to:**

Thomas Loranger  
Department of Ecology  
Southwest Regional Office  
PO Box 47775  
Olympia WA 98504-7775

*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 Charlotte Lattimore at (360) 407-0274 or by e-mail at [clat461@ecy.wa.gov](mailto:clat461@ecy.wa.gov).

Sincerely,



Thomas Loranger  
Section Manager  
Water Resources Program

Enclosures: *Construction Notice*  
*Your Right to Be Heard*  
Amended Permit G2-26944



February 6, 2009

Department of Ecology  
P.O. Box 47775  
Olympia, WA 98504-7775  
360/407-6300

Charlotte Lattimore  
Water Resource Program

Re: G2-26944

Dear Charlotte, thank you for your Jan. 8<sup>th</sup> letter. We request an extension of our construction permit.

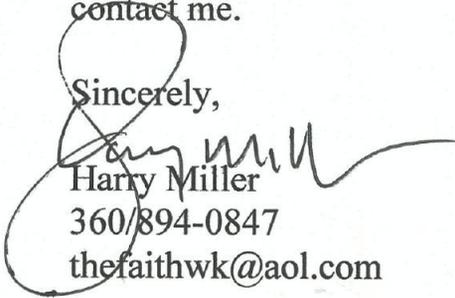
We have to complete the following and should have this completed by the end of 2009.

1. We need to add another 800' of line to complete our loop.
2. We need to finish the covenant with our neighbor to insure the 100' radius from our well. A new land survey in 2008 makes this possible.

The reason for delay has been directly related to the expense of laying pipe. We made substantial progress last year and should have the remaining work done during the summer.

Thank you for your consideration of our extension. Please feel free to contact me.

Sincerely,

  
Harry Miller

360/894-0847

thefaihwk@aol.com

DEPT. OF ECOLOGY  
FISCAL & BUDGET  
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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

**CONSTRUCTION NOTICE**

- BEGINNING OF CONSTRUCTION
- COMPLETION OF CONSTRUCTION

NAME <i>Harry W. Miller</i>	SURFACE WATER PERMIT NO. <i>✓</i>	GROUND WATER PERMIT NO. <i>G2-26944</i>
DATE CONSTRUCTION BEGAN	DATE CONSTRUCTION COMPLETED	DATE COMPLETION EXPECTED

**IF CONSTRUCTION NOT COMPLETE, SHOW % COMPLETED AS OF THIS DATE**

% EQUIPMENT IN PLACE <i>90%</i>	% MATERIAL IN PLACE <i>90%</i>	% EXCAVATED <i>90%</i>	% STRUCTURE <i>95%</i>
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**IF CONSTRUCTION HAS BEEN ABANDONED**

DATE ABANDONED <i>0</i>	REASON ABANDONED <i>0</i>
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REMARKS OR ANY ADDITIONAL INFORMATION WHICH MAY TEND TO SHOW GOOD FAITH IN THE PROSECUTION OF THE WORK

*Please extend our Permit.  
See attached letter*

DEPT. OF ECOLOGY  
FISCAL & BUDGET  
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I certify I am the holder of the above permit issued by the Department of Ecology for the State of Washington, and in accordance with the terms of such permit and the limitations endorsed by the Department of Ecology have  begun  completed the actual construction of the work described in the permit.

*Harry W. Miller*  
Signature of Applicant

*18730 Sundown Mill Ln. SE.*  
Present Address

*Yelm, WA 98597*  
City, State, Zip Code

*Ecology is an equal opportunity employer*

*If you need this form in an alternate format, please contact the Water Resources Program at 360-407-6600 (voice), 711 or 1-800-833-6388 (TTY).*