



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 7, 2009

Richard Vining
943 Summit Lake Shore Road NW
Olympia, WA 98502

Re: Water Right Permit No. **S2-28592** (Summit Lake)

Dear Mr. Vining:

Thank you for submitting your *Construction Notice* reporting you have completed construction of your water system and details about your meter.

Enclosed is a *Proof of Appropriation of Water* form to report when you have put the water to full beneficial use. According to your permit, you are to put the water to use and submit the form by **May 1, 2010**. The form should reflect actual water use, not to exceed the limits of your permit. You must submit the form for less water than authorized if the project is complete and less water is being used than anticipated.

If there are delays in putting the water to full beneficial use, you must contact us in writing to request an extension. Refer to the enclosed focus sheet for more information.

If you have any questions, please contact me at (360) 407-0274 or clat461@ecy.wa.gov.

Sincerely,

Charlotte Lattimore
Water Resources Program

Enclosures: *Proof of Appropriation of Water*
Extensions for Water Right Permits and Change Authorizations





Water Use Measurement Form #1 Open Channel and Pressurized Systems

Please fill out Form #1 for each measuring device you have.

RECEIVED

APR 30 2009

Washington State
Department of Ecology

Water Right Number: _____

Certificate/Permit Number: S2-28592

Source of Water: SUMMIT LAKE

RICHARD L. VINING
(Name of water right holder)

User's name for diversion/withdrawal point; (e.g. Well #1, Blue well house) SUMMIT LAKE

Does this measuring device measure water from more than one source of water (e.g. several springs, creeks, or wells in different aquifers)? Yes _____ No X

Does this measuring device measure water from more than point of diversion or withdrawal but still from the same source? Yes _____ No X

The following water rights are measured through this measuring device: S2-28592

INFORMATION ON THE LOCATION OF MEASURING DEVICE

WRIA 14 Section 18 Township 18 Range 3 (E) WNE(1/4) NE(1/4) Govt. Lot 11 and 22

DOH WFI # (for public drinking water systems) N/A DOH Source # N/A

Well tag number (if available or applicable) N/A

Latitude and longitude of device in decimal degrees or degrees, minutes, seconds (if available):

Latitude _____ Longitude _____

Horizontal Datum (e.g. WGS84, NAD27) _____

Is the diversion or withdrawal located at the same place as the device (within 100 feet)? Yes X No _____

If no, provide the location of the diversion or withdrawal in decimal degrees or degrees, minutes, seconds (if available)

Latitude _____ Longitude _____

Horizontal Datum (e.g. WGS84, NAD27, NAD83, etc.) _____

INFORMATION ABOUT THE MEASURING DEVICE

Type of device: _____ Brand of device: MASTER METER

Model Number: _____ Serial Number: 993397

Most recent date device was calibrated: (MM/DD/YYYY) _____

If a surface diversion, does the diversion have a fish screen? Yes X No _____ N/A _____

If any of the following events occurred within the last year, check the appropriate box and provide a short explanation.

Device Roll-Over New device Device repair Other _____

I hereby certify that all information reported on this form is correct to the best of my knowledge.

Printed Name: RICHARD L. VINING

Position: _____

Signature: Richard L. Vining Date: 4/29/09

If you have special accommodation needs or require this document in alternative format, please contact the Southwest Regional Office at 360 407-6300 (voice) or TTY at 711 or 1-800-833-6388.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

August 4, 2008

Richard Vining
3128 Sword Fern Drive NW
Olympia, WA 98502-3292

Re: Water Right Permit No.: **S2-28592**

Dear Mr. Vining:

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

- Good faith, due diligence, and good cause has been shown by the permit holder as exhibited with the near completion of the house, septic and water systems.
- Engineering problems and project complexity.

Your new deadline to complete construction and send a Completion of Construction form is **May 1, 2009.**

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

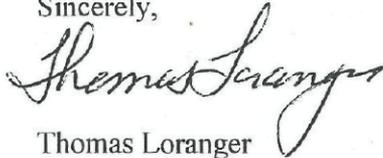
3. And send a copy of your appeal to:

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://www.lleg.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.

Sincerely,



Thomas Loranger
Section Manager
Water Resources Program

Enclosures: *Construction Notice*
Your Right to Be Heard



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

CONSTRUCTION NOTICE

- BEGINNING OF CONSTRUCTION
- COMPLETION OF CONSTRUCTION

DEPT. OF ECOLOGY
FISCAL YEAR 2008
8 JUL 24 9:00

NAME RICHARD L. VINING	SURFACE WATER PERMIT NO. S2-28592	GROUND WATER PERMIT NO.
DATE CONSTRUCTION BEGAN JULY 2007	DATE CONSTRUCTION COMPLETED	DATE COMPLETION EXPECTED SEPT 2008

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

% EQUIPMENT IN PLACE N/A	% MATERIAL IN PLACE 85 %	% EXCAVATED 100 %	% STRUCTURE 100 %
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IF CONSTRUCTION HAS BEEN ABANDONED

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

HOUSE STRUCTURE IS FULLY COMPLETE EXCEPT FOR ENTRYWAY ACCESS AND PAVING. SEPTIC SYSTEM IS COMPLETE. POTABLE WATER SYSTEM "WILL BE" COMPLETE IN APPROX TWO WEEKS. HARDWOOD FLOORING IS APPROX 60% COMPLETE. KITCHEN CABINETS TO BE INSTALLED IN APPROX. THREE WEEKS.

TIMING → HOUSE PROPERTY VERY DIFFICULT TO BUILD ON, E.G. 40° SLOPE, 140 cubic yards of concrete, almost 4-story home, framing included a 3-story metal frame for shear support, all plywood construction, exterior paint by scaffold, and so on.

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.

7/23/08
OK to extend cc
TO May 1, 2009
Charlotte Lottimore

Richard L. Vining
Signature of Applicant

3128 Sword Fern Drive NW
Present Address

OLYMPIA, WA 98502
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).

RECEIPT
Department of Ecology (4610)
PO Box 47611
Olympia, WA 98504-7611
(360) 407-7095

Receipt Number **09CJ001248**
Manual Receipt

Document Number **461P0151 CJ** Date **07/25/2008** FM 13

VINING, RICHARD L

Remitter Name **VINING, RUBY S** Receipt Name

Check/Draw Number **5862**

Document Amount **50.00**

Method of Payment **Check**

Comment Description **WATER RIGHT S2-28592**

REF DOC NR	REF DOC SFX	INV NR	ID NR	SUB ID NR	T C R	FUND	MAJ GRP	MAG SRC	SUB SRC	CNTY	WORK CLS	PIC	AI	ORG	PRJ	SUB PRJ	PRJ PHS	SUB OBJ	SUB SUB OBJ	VAR GL	SUB DR	SID CR	SUB SID	ALLOC AMT
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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 18, 2008

Richard L. Vining
3334 Madrona Beach Road NW
Olympia, WA 98502

Re: Water Right Permit No. S2-28592

Dear Mr. Vining:

This letter is to remind you that the development schedule of your water right permit required that you complete construction of your project by **May 1, 2008**. If you have completed construction, please fill out and return the enclosed *Construction Notice* within **30 days**.

If you have not completed construction of your project, you must obtain an extension or your permit may be cancelled. **Your request must be in writing and include the following information:**

- A description of the efforts you have made to complete the project.
- A schedule for completing the project.
- Reasons why the project has not been completed.
- Any additional information that will assist us in evaluating your request for an extension.
- A **non-refundable fee of \$50.00**.

If requesting an extension, mail your request together with your check or money order to:

Department of Ecology
Cashiering Section
PO Box 47611
Olympia, WA 98504-7611

If you are no longer interested in pursuing the project, please contact this office in writing. If you have any questions, please feel free to contact me at (360) 407-6116 or at anie461@ecy.wa.gov.

Sincerely,

Amy Nielson
Water Resources Program
Southwest Regional Office

Enclosures: *Construction Notice*
Extensions for Water Right Permits





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 14, 2006

Richard L. Vining
3334 Madrona Beach Road NW
Olympia, WA 98502

Dear Mr. Vining:

Re: Extension and Amendment of Water Right Permit No. S2-28592

We received your letter requesting a two-year extension of Water Right Permit S2-28592 and the statutory extension fee of \$50.00. Under RCW 90.03.320, projects under water right permits must be prosecuted with diligence and completed within the time prescribed by the department. Extensions may be granted upon showing of good cause, having due regard to the good faith effort of the applicant and the public interests affected.

Permit S2-28592 was originally issued on May 3, 1993 for .02 cubic feet per second and 0.34 acre-feet per year from Summit Lake for single domestic supply. Construction under this permit was reported to have been 90% complete in the year 2000. However, at that time, the original permit-holder, John T. Seal, informed Ecology that he had been involved in litigation that prevented completion of construction on this property. In 2004, Mr. Seal sent a letter to Ecology stating that the water system had been completed but that he had been unable to construct a home as a result of the litigation. Ecology granted an extension of the permit through May 1, 2006. On May 1, 2006, John T. Seal assigned Permit S2-28592 to you.

Your letter indicates that you are in the process of designing a house for the lakefront property and will soon be applying for a building permit from Thurston County. You intend to begin construction of your home by late summer or fall of 2006.

At least since the last extension was granted in 2004, there has been reasonable diligence in the pursuit of development of water under this permit. The recent assignment of this permit will enable you to complete the project as intended by the original permit holder. It appears that adequate cause is shown for granting an additional extension and that this extension of a permit for in-house single domestic supply will not be detrimental to the public interest.

Due to new metering requirements under WAC 173-173, you will be required to measure and record water use and submit data upon request by the Department of Ecology.

Accordingly, the following conditions will be added to Permit S2-28592 and an amended permit will be issued:

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



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 Ecology upon request.

The following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit/Certificate No., source name, annual quantity used including units, maximum rate of diversion including units, monthly meter readings including units, peak monthly flow including units, purpose of use, and period of use. In the future, Ecology may require additional parameters to be reported or more frequent reporting. Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information. Submit data to: Department of Ecology, SWRO/WR PO Box 47775, Olympia, WA 98504-7775.

Chapter 173-173 WAC describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

You are hereby granted an extension of time until May 1, 2008, to complete construction and to put water to full beneficial use under Permit S2-28592.

Please submit the enclosed Completion of Construction form by May 1, 2008 if construction is complete. You may request a further extension by submitting a written request and the statutory \$50.00 extension fee along with the following information:

- A showing of good cause for why an additional extension should be granted
- A summary describing in detail the progress made since the last extension
- An estimate of the time needed to put water to full beneficial use

You have the right to appeal this water right decision to the Pollution Control Hearings Board. Pursuant to chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this action or decision, your notice of appeal must contain a copy of the Ecology order, action or decision you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board
4224 - 6th Avenue SE, Rowe Six, Bldg. 2
P.O. Box 40903
Lacey, Washington 98504-0903

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Your appeal must also be served on:

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

In addition, please send a copy of your appeal to:

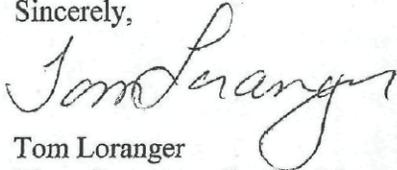
Water Resources Program
Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775

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

For additional information, please visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov>.

If you have any questions regarding this letter or the conditions on your water right, please call Marie Peter at (360) 407-0279.

Sincerely,



Tom Loranger
Water Resources Section Manager

TL:MP:th

Enclosures: Completion of Construction Form
Amended Permit S2-28592
Metering Forms 1 and 3

5