



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

February 1, 2011

Ludwig Ferche
PO Box 713
Leavenworth WA 98826-0713

Re: Surface Water Permit No. S4-26616P

Dear Mr. Ferche:

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

- More time is needed to secure financial surety.
- Economic downturn has delayed real estate demand.

The new deadline to submit your *Construction Notice* is **October 1, 2015**.

When the water delivery system is complete there is a third stage called the *Proof of Appropriation* (PA) stage. The PA form will be submitted when the water has been put to full beneficial use. Full beneficial use means the water is being used in agreement with the Permit. While Ecology has granted numerous extensions in hopes your project continues to be pursued and completed with good faith and due diligence, future approvals in this stage will require additional good faith and due diligence. There will be additional opportunities for extensions in the PA stage. Sometimes it is beyond the control of the permittee when the residential units are sold and occupied. Ecology cannot issue a Certificate until all the water anticipated to be put to use is being fully utilized.

New Provisions: According to the Department of Ecology's Provision *POL-1050*, "As a condition of an extension, Ecology may require additional provisions and conditions . . ." Therefore, as a condition of this extension approval, Ecology is requiring the following new provisions:

- **Meter Installation:** An approved measuring device shall be installed and maintained for the source 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>.



- **Record Weekly, Report Annual Totals:** Water use data shall be recorded annually and maintained by the property owner for a minimum of five years. The maximum rate of diversion and the annual total volume shall be submitted to the Department of Ecology by January 31st of each calendar year.
- **Electronic Reporting:** Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Central Regional Office Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Central Regional Office Regional Office for forms to submit your water use data.

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. 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 this decision:

- File your appeal and a copy of this decision 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 decision 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.

ADDRESS AND LOCATION INFORMATION

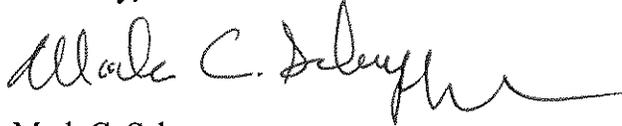
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
Pollution Control Hearings Board 1111 Israel Rd SW Ste 301 Tumwater WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia WA 98504-0903

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.leg.wa.gov/CodeReviser>.

Ludwig Ferche
February 1, 2011
Page 3

If you have any questions, please contact Teresa Mitchell at 509-575-2597.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. Schuppe". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark C. Schuppe
Section Manager
Water Resources Program

MCS:CLG:gh
110203

Enclosures: *Construction Notice*
Your Right to Be Heard

By certified mail: 7007 2560 0001 9535 4264

CC extension granted.doc