STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
*PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300*

May 22, 2009

Robert Mullin
1620 Summit Lake Shore Rd. NW
Olympia, WA 98502

Re: Water Right Permit No.: **S2-29296**

Dear Mr. Mullin:

We have processed your request for assignment. Our records have been changed to reflect the assignment and we will send all future correspondence to you. We have enclosed a copy of the amended permit for your information and records. Also in response to your request, you are hereby granted an extension to put the water to full beneficial use for the reasons below:

- Water Right has been assigned and a new development schedule has been proposed.
- Desire of permit holder to install a meter and collect metering data for issuance of a certificate.

The new deadline to submit your *Proof of Appropriation of Water* is **September 1, 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. Also being added is a provision relating to access to the project site.

"Water allocated for domestic supply is limited to in-house use only. At such a time as public water becomes available to this site, this Water right shall be relinquished."

The intake(s) shall be screened in accordance with Department of Fish and Wildlife screening criteria. http://www.wdfw.wa.gov/reg/regions.htm

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.

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

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

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
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 email at clat461@ecy.wa.gov.

Sincerely,

Thomas Loranger

Thomas Loranger
Section Manager
Water Resources Program

Enclosures: *Proof of Appropriation of Water*
*Your Right to Be Heard*
Copy of amended permit G2-29296