

January 28, 2009

CERTIFIED MAIL  
7008 0150 0003 7591 9735

Kona Residence Trust  
c/o Beth Clark  
Foster Pepper  
1111 Third Avenue Suite 3400  
Seattle WA 98101-3299

Re: Water Right No. G1-24945P

Dear Ms. Clark:

In response to your request, you are hereby granted an extension to complete construction for the reason(s) below:

Ongoing efforts have not produced a buyer for the property.

The new deadline to submit your *Construction Notice* is **August 15, 2014**.

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 the document that you are appealing.
- 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:

OR

Deliver your appeal in person to:

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

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:

OR

Deliver your appeal in person to:

The Department of Ecology  
Appeals & Relief Coordinator  
PO Box 47608  
Olympia WA 98504-7608

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

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

Andrew B. Dunn  
Department of Ecology  
Northwest Regional Office  
3190 160<sup>th</sup> Ave SE  
Bellevue WA 98008

*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 Arlene Harris at 425-649-7020.

Sincerely,

Andrew B. Dunn, LG, LHG  
Section Manager  
Water Resources Program

AD:ah

Enclosures: *Construction Notice  
Your Right to Be Heard*