STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

December 21, 2011

Mr. Vern Scoggin
Compliance Engineer
Atlas Sand & Rock, Inc.
4418 East 8th Avenue
Spokane, Washington 99212-0292

Re: Ground Water Permit No. G3-29338

Dear Mr. Scoggin:

In response to your request, you are hereby granted an extension to put the water to full beneficial use for the reason(s) below:

According to your request, you will require additional time to reconstruct Well No. 2 or drill a replacement for Well No. 2. Well No. 2 was only completed into the gravel aquifer, but was required as a provision of the change Report of Exam Dated April 18, 2007 to be completed into the basalt aquifer. The requirements for this well are as follows: *"This well shall be cased and permanently sealed into a minimum of at least 5 (five) feet of competent basalt rock. Such sealing shall be performed in accordance with the provisions and standards of WAC Chapter 173-160-245 through Chapter 173-160-285 (Minimum Standards for Construction and Maintenance of Water Wells)."* If you have any questions specifically related to well construction, contact Mark Ader, the Well Drilling Coordinator at (509)329-3544. It appears you have made goals in completing your project and putting water to use. Your request is for a reasonable and short period of time. We will grant you an additional year to fix the well issue and put water to full beneficial use.

The new deadline to submit your *Proof of Appropriation of Water* is **January 1, 2013.**

All wells constructed in the state shall meet the "Minimum Standards for the Construction and Maintenance of Wells" (WAC 173-160) and "Water Well Construction" (RCW 18.104). In general, wells shall be located at least 100 feet from sources of contamination and at least 1,000 feet of the boundary of a solid waste landfill. Any well which is unusable, abandoned, or is an environmental, safety, or public health hazard shall be decommissioned.

Well No. 2 (Well Tag BCP093, located within the SE¼SW¼ of Section 24, Township 11 N., Range 45 E.W.M.) shall be not be used until properly reconstructed or replaced. If Well No. 2 is replace, than this original well shall be properly decommissioned in accordance with WAC 173-160.

An approved measuring device shall be installed and maintained for each of the sources identified herein, with the device located at each source identified herein, prior to any withdrawal of water under this authorization, and in accordance with the rule "Requirements for Measuring and Reporting Water Use," Chapter 173-173 WAC. **Water use data shall be recorded monthly and shall be submitted annually to Ecology by January 31st of each calendar year.**

Department of Ecology personnel, upon presentation of proper credentials, will 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.

YOUR RIGHT TO APPEAL

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

- File your appeal and a copy of this document 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 document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

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 Road SW Suite 301 Tumwater , WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Please also send a copy of your appeal to:

Mr. Keith L. Stoffel
Department of Ecology
Eastern Regional Office
4601 North Monroe Street
Spokane, WA 99205-1295

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 Dan Tolleson at 509-329-3526.

Sincerely,

Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS/DT:md
W: Extensions/letters/Tolleson/2011/Atlas Sand and Rock G3-29338 12-21-2011.doc
Enclosures: *Proof of Appropriation of Water*
Your Right to Be Heard