STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 456-2926

January 13, 2010

Mr. Frank LaRosee
Sage Hills No. 2 Homeowners
10624 Handicap DR SE
Warden, Washington 98857

Re: Application for Change under Ground Water Certificate No. G3-23054C

Dear Mr. LaRosee:

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

- **Complete the construction of the new residences and install and maintain the appropriate flow meters.**

The new deadline to submit your *Proof of Appropriation of Water* is August 1, 2018.

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. **Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology annually during development of this authorization.**

The definition and 'good standing' sections of the Municipal Water Use Efficiency Act of 2003 have been deemed unconstitutional by King County Superior Court. Ecology has appealed this decision to the Washington State Supreme Court. A final decision from the Supreme Court may not be issued for some time. The Supreme Court's decision may impact the status of your water right certificate.

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:	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 P.O. 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:

Keith L. Stoffel
Department of Ecology
Eastern Regional Office
4601 N. Monroe St.
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 Kevin Brown at 509-329-3422.

Sincerely,

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

KLS/KB:md
W: Extensions/letters/Brown/2010/Sage Hills No. 2 Homeowners G3-23054C 1-13-2010.doc
Enclosures: *Proof of Appropriation of Water*
Your Right to Be Heard