



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

August 27, 2009

Mr. Brad B Anderson
Badger Mountain Irrigation District
8390 West Gage Road
Kennewick, WA 99336

Re: Water Right Change Authorization Nos. CG4-24119C@1, CG4-25178C@1, and
CG4-27884@1P

Dear Mr. Anderson:

In response to your request, you are hereby granted an extension of time in which to complete construction under the above listed change authorizations. Your new deadline to complete construction of your water system and submit *Completion of Construction* forms is **September 1, 2018**. Construction is considered complete when a system capable of delivering the quantity of water you will be using has been installed; mainlines laid, service connections on line, pumps installed and the ability to actually deliver water to the complete project in place.

Ecology is giving you a new construction development schedule for the reasons below.

1. Consideration of demonstrating due diligence and good-faith efforts made to comply with the construction schedule.
2. Progress on construction of the water system relative to the nature and scope of the project.
3. To continue the ongoing project to extend and modify the water delivery service as dictated by growth patterns
4. The project is for public water supply to provide the present and future reasonable needs within the Badger Mountain Irrigation District (BMID) domestic service area.
5. To match construction schedules on related files so combined changes will match No. G4-28960P for ease of tracking, greater operational control, and because all three change authorizations and the Permit are granted for the same project. All four authorizations are combined to allocate 1200 gallons per minute, 941 af, for 3,268 domestic units.
6. All relevant factors will be considered in location and design of the wells.
 - a. BMID anticipates that it will need additional wells as allowed by the approved changes and will make specific decisions as dictated by growth patterns and demonstrated water production from existing sources and any future sources.
 - b. The production of the new wells will determine the number and frequency in which additional wells will be required.



7. BMID continues to respond to the continuing demand for water service within its service area extending and modifying its water delivery system to meet the customers' demands.

A summary of progress in developing this water right shall be submitted directly to Ecology at **Department of Ecology, Central Regional Office, 15 W. Yakima Avenue, Suite 200, Yakima WA 98902**. The summary should contain information on progress in developing the Project, including site development, construction, and beneficial use of water. Update reports are due on **September 1, 2012 and September 1, 2015**.

If all system construction is not accomplished by **September 1, 2018**, you will need to request an additional extension.

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:

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 & Application for Relief
Coordinator
PO Box 47608
Olympia WA 98504-7608

OR

Deliver your appeal in person to:

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

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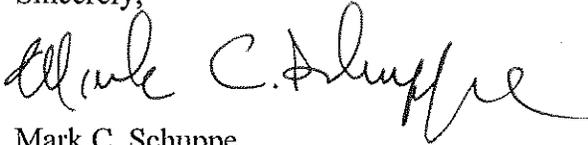
3. And send a copy of your appeal to:

Mark C. Schuppe
Department of Ecology
Central Regional Office
15 W. Yakima Ave, Ste 200
Yakima, WA 98902-3452

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>.

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

Sincerely,



Mark C. Schuppe
Section Manager
Water Resources Program

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Enclosures: *Completion of Construction forms (3)*
Your Right to Be Heard

By certified mail: 7007 2560 0001 9534 9857