



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 25, 2010

Double Canyon Vineyards
ATTN: Will Beightol
PO Box 571
Prosser WA 99350-0571

Re: Surface Water Permit Nos. S4-25639(DD)P and S4-30053(R)P

Dear Mr. Beightol:

In response to your request, you are hereby granted extensions to put the water to full beneficial use on the above-referenced Superseding Permits for the reason(s) below:

- Due diligence has been made since acquiring the permits.
- Economic downturn has slowed progress.

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

According to the Department of Ecology's (DOE) POL 1050 Extension of Time on Permits, Ecology may impose new provisions on a permit extension beyond what was provided in the original permit. Therefore, as a condition of this extension approval, the following provision is added to each of the permits:

- **S4-30053(R)P**-- Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years. The maximum rate of diversion and the annual total volume shall be submitted to the Department of Ecology by January 31st of each calendar year.
- **S4-25639(DD)P**-- The intake(s) shall be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria. <http://www.wdfw.wa.gov/reg/regions.htm>.

Additionally, as a reminder, No. S4-30053(R)P authorizes 103 acres of irrigation, while No. S4-25639(DD)P authorizes 18 acres of irrigation. If, according to your letter dated March 15, 2010, you have developed 87.80 acres, then 33.20 acres remain. According to the aerial photograph (enclosed); however, it looks more like approximately 65 acres between the two Permits are being irrigated. Further, for your convenience, I have enclosed two blank copies of the *Proof of Appropriation of Water* form and the forms related to metering.



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

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

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>.

Double Canyon Vineyards

May 25, 2010

Page 3

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

Sincerely,



Mark C. Schuppe

Section Manager

Water Resources Program

MCS:CLG:gh

100560

Enclosures: *Proof of Appropriation of Water (2 copies)*
Form 1 – Measuring Device Information (2 copies)
Form 2 – Pressurized Flow & Open Channel Flow (2 copies)
2009 Aerial Photograph outlining place of use boundaries
Your Right to Be Heard

Cc: Lawrence E. Martin, Attorney

By certified mail: 7009 2250 0004 4956 0308

PA extension granted.doc