



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

September 9, 2010

Mr. Christopher Dowsett
1211 Sand Pit Road
Touchet, Washington 99360

Re: Ground Water Permit no. G3-29752

Dear Mr. Dowsett:

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

This permit was originally issued in 1996 as an alternate source to several surface water rights. The beginning of construction was originally due in 1997. A five year extension was requested and approved because the applicants needed to obtain funds to construct the well. The construction requirements for this well are relatively expensive. Several extensions were requested and approved because the applicant wanted to see if the changes on the surface water rights appurtenant to this project were approved. The changes to the surface water rights were denied in 2006. Because of those denials the applicant requests time to reorganize this project, obtain the necessary bids, finances and subsequent required permits to begin construction.

As with any water right in the permit/construction phase it is required that "due diligence (RCW 90.03)" must be shown in proceeding with development of the project. It is also required that any requests for extensions to the development schedule of a permit, must be evaluated based on the "good faith" of the applicant under RCW 90.03.320. This permit will be reevaluated as it pertains to any development extensions that may be requested at the time Completion of Construction is due to determine if the project is being developed with due diligence and that the permit holder is acting in good faith. A lack of due diligence by not accomplishing the above listed goals may result in cancellation of this permit.

According to your request, you will require additional time research and construct a deep basalt well for the project. It appears you have made minimal goals in completing your project. We will grant you an additional year to complete your project.

The new deadline to submit your *Construction Notice* is **July 1, 2011**.

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

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:
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 Coordinator
PO Box 47608
Olympia WA 98504-7608

OR

Deliver your appeal in person to:

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

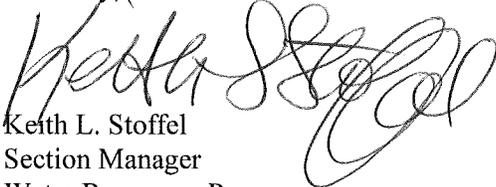
3. And send a copy of your appeal to:

Keith L. Stoffel
Department of Ecology
Eastern Regional Office
4601 N. Monroe St.
Spokane WA 99205

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/2010/Dowsett G3-29752 9-9-2010.doc

Enclosures: *Construction Notice*
Your Right to Be Heard

I certify that I mailed this letter or an identical copy thereof, postage prepaid, to the above addressee(s) this 9 day of Sept, 2010.

Water Resources Program, Secretary Senior, Molly A. Davis B.