



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

January 3, 2013

Richard & Cheryl Beightol
495 Alderdale Road
Prosser WA 99350-9348

Re: Surface Water Superseding Permit No. S4-25639(H)P

Dear Mr. and Mrs. Beightol:

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

- Slow progress is being made.
- Long-term wine contract is now in place.

The new deadline to submit your *Proof of Appropriation of Water* is **November 1, 2014**.

According to the provisions of the above-referenced Superseding Permit, "Whenever water is being diverted, bi-weekly (every 2 weeks) readings of the measuring device shall be recorded and maintained by the permittee." As a condition of this extension approval, please **submit meter readings for the period beginning November 1, 2009 through November 1, 2012**.

Also, according to the extension requests you submitted since 1996, a total of 38.4 acres remain to be developed. In light of the fact that a long-term contract is in place and the small number of acres left to develop, please be advised that Ecology is unlikely to approve another extension on the Superseding Permit, per Ecology's *POL-1050: Extensions of Time on Permits* and factors required to consider when making a good-cause determination.

YOUR RIGHT TO APPEAL

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

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.



Richard & Cheryl Beightol
January 2, 2013
Page 2

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

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

ADDRESS AND LOCATION INFORMATION

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 Ste 301 Tumwater WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia WA 98504-0903

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 Kemner, LHG
Section Manager
Water Resources Program

MK:CLG:gh
130102

Enclosures: *Proof of Appropriation of Water*
Your Right to Be Heard

By certified mail: 7009 2250 0004 4950 7181

Cc: Northwest Farm Credit Services FLCA

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