



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

November 10, 2010
15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

Robert Mercer
46 Sonova Road
Prosser WA 99350-9312

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

Dear Mr. Mercer:

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

- Sandy soil and windy conditions delayed acceptable crop growth and more time is needed to establish a healthy crop.

The new deadline to submit your *Proof of Appropriation of Water* is **November 15, 2011**. The original due date for putting water to full beneficial use was November 1, 2009. With the one year delay of the development schedule and the approval of this extension, there should be ample time to provide Ecology with sufficient proof of beneficial use and one full season of metering data.

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.
- 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
<p>Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503</p> <p>Pollution Control Hearings Board 4224 – 6th Avenue SE Rowe Six Building 2 Lacey WA 98503</p>	<p>Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608</p> <p>Pollution Control Hearings Board PO Box 40903 Olympia WA 98504-0903</p>

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

MCS:CLG:gh
101119

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

By certified mail: 7007 2560 0001 9535 4257

PA extension granted.doc