



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 18, 2008
CERTIFIED MAIL
7007 2560 0001 7674 8228

Brent Harrison
Country Estates Inc
13023 NE Hwy 99 Ste 7 / #333
Vancouver WA 98686

Re: Water Right No. G4-26888P

Dear Mr. Harrison:

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

- The death of the permit holder has caused an unpredicted delay.
- The project is near completion.

The new deadline to submit your *Proof of Appropriation* is **May 1, 2010**.

As a condition of this extension, Ecology is adding the following updated provision(s) and metering requirements:

- An approved measuring device shall be installed and maintained for each of the sources authorized by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use," WAC 173-173.
<http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>.
- Water use data shall be recorded annually and maintained by the property owner for a minimum of five years, and shall be promptly submitted to the Department of Ecology upon request.
- WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document titled "Water Measurement Device Installation and Operation Requirements."
<http://www.ecy.wa.gov/programs/wr/measuring/measuringhome.html>
- Prior to any new construction or alterations of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health. Please contact the Office of Drinking Water prior to beginning (or modifying) your project at



Eastern Drinking Water Operations, 1500 West Fourth Avenue, Suite 305, Spokane, WA 99204, (509) 456-3115.

The permit identifies that the system's parameters are 300 gallons per minute (gpm), 200 acre-feet per year (af/yr) from two wells for continuous community domestic supply for 200 homes and mobile homes. The original permit was issued September, 19 1981. After a point of withdrawal was added, a Superseding Permit was issued on September 13, 1996. The development schedule set by the Superseding Permit stated that both Beginning and Completion of Construction had been completed at the time it issued and that full beneficial use of the water was to begin May 1, 2001. A permit contains a development schedule to ensure that due diligence and reasonable progress is made in putting water to full, beneficial use.

A permit holder is required under RCW 90.03.320 to pursue the construction of a project as described in the Permit with due diligence. In a letter from Ted Harrison dated August 23, 1996, 90% of the project was complete and Ecology granted a 5-year extension to complete the remaining 10%. On May 13, 2003 another extension was requested and subsequently granted until May 1, 2006. To date, no proof of progress has been submitted. Ecology is unlikely to grant a future extension for circumstances where beneficial use is indefinitely undetermined and speculative in nature.

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:

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

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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

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 Schuppe, WR Acting Section Mgr, by Melissa Downes

Mark C. Schuppe
Acting Section Manager
Water Resources Program

MCS:CLG:gh
081245

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

PA extension granted.doc