



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

February 28, 2013

F&H Properties, LLC
Attn: Fred Visser, Manager
1310 Tear Road
Grandview, WA 98930

AND

NW Farm Credit Services, PCA
PO Box 1610
Sunnyside, WA 98944

Re: Ground Water Permit No. G4-25953(A1)P

Dear Mr. Visser:

In response to your request, you are hereby DENIED an extension to complete construction for the reasons below:

- It appears from your extension request letter that construction is already complete.
- Your letter indicates that the entire 344.2 acres were irrigated last year (2012).
- Inspection of 2011 aerial photography suggests full irrigation within the place of use.

The reason for an extension identified in your extension request letter, determining water duty, typically takes place during the *Proof of Appropriation* stage. The due date for submittal of a *Proof of Appropriation of Water* is now **October 1, 2014**.

The \$50.00 fee accompanying your request is non-refundable. However, should you need an extension of the *Proof of Appropriation* stage, the fee can be applied at that time.

Based on the reasons given above for denial, please submit your *Construction Notice* within **60 days from receipt of this decision**.

Please note that the Provisions of your Superseding Permit require the annual submission of metering data and a spreadsheet documenting acreage appurtenant to the Superseding Permit. It appears metering data have only been submitted for 2008 and 2009, while no acreage spreadsheets have been submitted to date.



YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearings 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
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:TP:gh

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Enclosures: *Construction Notice*
Proof of Appropriation form
Your Right to Be Heard

By certified mail: 7007 2560 0001 7675 7251 (F & H Properties LLC)
7007 2560 0001 7675 7268 9 (NW Farm Credit Services PCA)

CC extension granted.doc