



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

April 1, 2010

Dolores Cavanah
Cavanah Partners Limited Partnership
123 Schafer Meadows Lane
Montesano, WA 98563

Re: Water Right Permit **S2-27323**

Dear Ms. Cavanah:

In response to your request, you are hereby granted an extension to file a Proof of Appropriation on the above-referenced water right for the reasons below:

- Good faith, due diligence, and good cause has been shown by the permit holder by installation of a metering device.
- Desire of permit holder to collect additional metering data for issuance of a certificate.

The new deadline to put the water to **full beneficial use** and send a completed Proof of Appropriation form is **October 1, 2010**.

The Department of Ecology is adding the following provisions so that your certificate is issued according to the most recent metering statute, Chapter 173-173 WAC.

An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC.

<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 Ecology upon request.

Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Southwest Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Southwest Regional Office for forms to submit your water use data.

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>

Department of Ecology personnel, upon presentation of proper credentials, shall have access at



reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

The water right holder shall file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the water right. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

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

2. To serve your appeal on the Department of Ecology

Mail appeal to:

The Department of Ecology
Appeals Coordinator
P.O. 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:

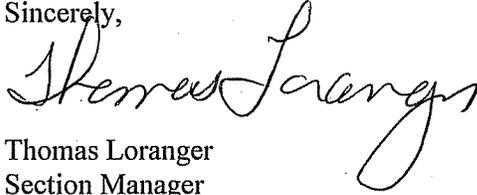
Thomas Loranger
Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia WA 98504-7775

*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 Amy Nielson at amy.nielson@ecy.wa.gov or at (360) 407-6116.

Sincerely,

A handwritten signature in cursive script that reads "Thomas Loranger". The signature is written in black ink and is positioned to the right of the typed name.

Thomas Loranger
Section Manager
Water Resources Program

Enclosures: *Your Right to Be Heard*

BY CERTIFIED MAIL: 7009 2820 0001 7155 4920

