



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

November 1, 2012

KIMCO Group LLC
c/o Charles Johnson
177 Katie Lane
Selah WA 98942

Re: Ground Water Permit No. G4-30182P

Dear Mr. Johnson:

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

- One full season of accurate metering data is still needed.

The new deadline to submit your *Proof of Appropriation of Water* is **October 31, 2013**.

New Provisions: According to the Department of Ecology's Provision *POL-1050*, "As a condition of an extension, Ecology may require additional provisions and conditions." As a condition of this extension approval, Ecology is requiring the following new provisions:

- Meter Installation: An approved measuring device shall be installed and maintained for the source authorized by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use," WAC 173-173.
- Record Weekly, Report Annual Totals: Water use data shall be recorded annually and maintained by the property owner for a minimum of five years. The maximum rate of diversion and the annual total volume shall be submitted to the Department of Ecology by January 31st of each calendar year.
- Electronic Reporting: Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Central Regional Office Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Central Regional Office for forms to submit your water use data.
- Water Level Measurements-Advisory: In order to maintain a sustainable supply of water and ensure that your water source is not impaired by future withdrawals, static water levels should be measured and recorded monthly using a consistent methodology. Static water level is defined as the water level in a well when no pumping is occurring and the water level has fully recovered from previous pumping.



Static water level data should include the following elements:

1. Unique Well ID Number.
 2. Measurement date and time.
 3. Measurement method (air line, electric tape, pressure transducer, etc.).
 4. Measurement accuracy (to nearest foot, tenth of foot, etc.).
 5. Description of the measuring point (top of casing, sounding tube, etc.).
 6. Measuring point elevation above or below land surface to the nearest 0.1 foot.
 7. Land surface elevation at the well head to the nearest foot.
 8. Static water level below measuring point to the nearest 0.1 foot.
- Authority to Access Project: Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.
 - Proof of Appropriation: 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.

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 1111 Israel Road SW Ste 301 Tumwater WA 98501</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 Kemner, LHG
Section Manager
Water Resources Program

MK:CLG
121101

Enclosures: *Proof of Appropriation of Water*
Water Measurement Requirements – Form 1 & 2
Your Right to Be Heard

By certified mail: 7009 2250 0004 4950 6993

PA extension granted.doc