



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

February 18, 2016

Aquilini Horse Heaven Hills
c/o Linda White Atkins
Main Level—510 West Hastings Street
Vancouver B.C. V6B 1L8
Canada

Re: Groundwater Change Authorization No. CG3-00979C

Dear Ms. Atkins:

This letter acknowledges that Ecology has received your November 20, 2015, letter of request for extension and paid fees for the Change Application referenced above. After careful review of the file referenced above, it is apparent that Change Authorization No. CG3-00979C has been prematurely moved to the *Proof of Appropriation* stage, when in fact the construction has not yet been completed. To that end, Ecology is remanding said Change Authorization to the *Completion of Construction* stage.

Also in response to your request, you are hereby **granted** an extension to complete construction for the reason(s) below:

- Litigation prevented progress being made due to another claim on the water right. This has now been resolved.
- The owner has made progress on developing the grape fields since acquiring the land and water right and the project is still viable.

The new deadline to submit your *Completion of Construction* is: **December 31, 2019.**

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:

Schedules and Inspections

- 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.



General Conditions

- The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

Record Weekly, Report Annual Totals

- Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years. The maximum rate of withdrawal and the annual total volume shall be submitted to the Department of Ecology by January 31st of each calendar year.
- Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Central 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.
- 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 modification to some of the requirements.

Lastly, as a friendly reminder, when a water right is changed, oftentimes there may be a transition period in which the original water use overlaps with the new use. Ecology's policy is to issue a change authorization with a development schedule to cover stages of an orderly transition between uses. This period is intended to cover the time needed to put facilities in place for water delivery and use at the new place of use, and begin beneficial use of water. During the period of the development schedule, water must be used under either the original water right, the newly authorized use, or a combination of the two at least once every five years. To that end, please be advised that if the water use falls below the authorized quantity for five consecutive years during the development of the project, one of the exemptions to relinquishment must excuse the nonuse to avoid relinquishment of the portion of the right not put to beneficial use.

YOUR RIGHT TO APPEAL

You have the 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 43.21BRCW and chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do all of 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, Suite 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 Water Resources Help Desk at 509-575-2597.

Sincerely,



Thomas Perkow, Acting Section Manager
Water Resources Program
Central Regional Office

TP:CLG:SS/160223
WR ID# 2087671

Enclosures: Your Right to Be Heard
Completion of Construction

By certified mail: 7014 3490 0001 5527 9223

