



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2100

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Kittitas County CDS

December 12, 2008
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The Ranch on Swauk Creek LLC
Attn: Pat Deneen
PO Box 808
Cle Elum WA 87822

LATHROP, WINBAUER, HARREL,
SLOTHOWER & DENISON L.L.P.

Re: Amended Report of Examination for Change No. CS4-01475CTCL@3 (KITT-06-05)

Enclosed is a copy of the Department of Ecology's *Amended Report of Examination for Change*. This report contains our decision regarding your application.

Your application has been approved.

This decision may be appealed pursuant to RCW 34.05.514(3), RCW 90.03.210(2), and Pretrial Order No. 12 entered in State of Washington, Department of Ecology v. James Acquavella, et al., Yakima County Superior Court No. 77-2-01484-5 (the general adjudication of surface water rights in the Yakima River Basin). The person to whom this decision is issued, if he or she wishes to file an appeal, must file the Notice of Appeal with the Yakima County Superior Court within thirty (30) days of receipt of this decision. Appeals must be filed with the Superior Court Clerk's Office, Yakima County Superior Court, 128 North 2nd Street, Yakima, WA 98901, RE: Yakima River Adjudication. Appeals must be served in accordance with Pretrial Order No. 12, Section III ("Appeals Procedures"). The content of the Notice of Appeal must conform to RCW 34.05.546. Specifically, the Notice of Appeal must include:

- The name and mailing address of the appellant;
- Name and address of the appellant's attorney, if any;
- The name and address of the Department of Ecology;
- The specific application number of the decision being appealed;
- A copy of the decision;
- A brief explanation of Ecology's decision;
- Identification of persons who were parties in any adjudicative proceedings that led to Ecology's decision;
- Facts that demonstrate the appellant is entitled to obtain judicial review;
- The appellant's reasons for believing that relief should be granted; and
- A request for relief, specifying the type and extent of relief requested.

The "parties of record" who must be served with copies of the Notice of Appeal under RCW 34.05.542(3) are limited to the applicant of the decision subject to appeal, Ecology and the Office of the Attorney General.



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