

THE SUPREME COURT OF WASHINGTON

SUPREME COURT
STATE OF WASHINGTON
110-1

1931-1-10-05

BY C.J. [Signature]

Clerk

CRAIG RETTKOWSKI, ET AL,)
)
 Respondents,)
)
 v.)
)
 THE DEPARTMENT OF ECOLOGY, ET AL,)
)
 Appellants.)

No. 59086-9

ORDER CHANGING
OPINION

It is hereby ordered that the opinion in the above cause, as the same appears at 122 Wn.2d 219, be changed as follows:

1. Beginning with the word "identifying" in the seventh line from the top of page 228, the remaining words in that paragraph are deleted and the following words are inserted in their place:

tentatively determining whether there are existing water rights with which the proposed use will conflict. Funk, at 594; Stempel, at 115-16. Ecology investigates an application for a permit to tentatively determine the existence of water rights and the availability of water.

2. The words "need only determine the potential" appearing in the twentieth line from the top of page 228 are deleted, and the words "only tentatively determines the" are inserted in their place.

3. The word "revoked" appearing in the twenty-third line from the top of page 228 is deleted, and the word "regulated" is inserted in its place.

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4. The words "Water Code" appearing in the twenty-seventh line from the top of page 228 are deleted, and the words "water rights registration act, RCW 90.14" are inserted in their place.

5. The words "involve the re-allocation of" beginning in the twenty-eighth line from the top of page 228 are deleted, and the word "implicate" is inserted in their place.

Dated this 1st day of November, 1993.

Anderson, C.F.
Chief Justice

APPROVED:

W. J.
Brachtel, J.
Dubois, J.

Smith, J.
Young, J.
Johnson, J.
Mason, J.

THE SUPREME COURT OF WASHINGTON

FILED
SUPERIOR COURT
STATE OF WASHINGTON
NOV 19 1993
BY C. J. H. [Signature]

CRAIG RETTKOWSKI, ET AL,
Respondents,
v.
THE DEPARTMENT OF ECOLOGY, ET AL,
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No. 59086-9

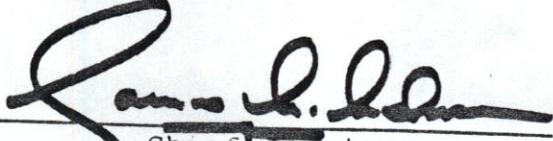
ORDER GRANTING
MOTION FOR RECONSIDERATION
WITHOUT NEW ARGUMENT
AND
DENYING MOTIONS FOR
RECONSIDERATION

The Court having considered the motion for reconsideration filed by appellant Department of Ecology, and having entered an order changing opinion in the above cause on November 1st, 1993,

It is hereby ordered that further reconsideration is denied.

It is further ordered that the motions for reconsideration filed by appellant William E. Rosman and appellants Sinking Creek Surface Water Project and Pollution Control Hearings Board are denied.

Dated this 1st day of November, 1993.


Chief Justice