

**CHELAN COUNTY  
LAND USE HEARING EXAMINER**

**IN THE MATTER OF**

**CUP 25-081**

**Malaga Water District**

**DECISION ON REQUEST FOR  
RECONSIDERATION**

THIS MATTER having come on for hearing in front of the Chelan County Hearing Examiner on August 6, 2025, the Hearing Examiner having taken evidence hereby submits the following Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

**I. FINDINGS OF FACT**

1. On July 30, 2025, the Hearing Examiner rendered his decision in the above referenced matter.
2. On August 6, 2025 the Hearing Examiner received an email from John Port making a Request for Reconsideration of the above referenced decision.
3. This Request for Reconsideration also submitted new evidence in the form of documentation as well as statements within Mr. Port's Request for Reconsideration.
4. There has been no showing to the Hearing Examiner that the new evidence is evidence that was not available on the date of the hearing. All new documentary evidence and evidence contained in the statements of Mr. Port and his August 6, 2025 email to Jaimie Strother of Chelan County, is hereby excluded.
5. The Hearing Examiner has reviewed the facts admitted into the record as well as the Hearing Examiner's decision.
6. Pursuant to CCC 1.61.130, the Request for Reconsideration may be granted in the event the Hearing Examiner's decision is unsound based upon errors in procedure, law, interpretation of adopted policy, fact, judgement, or the discovery of new factual evidence, which, by due diligence, could not have been found prior to the Hearing Examiner's hearing.
7. After review of the evidence admitted into the record at the hearing and the Hearing Examiner's decision in this matter, the Hearing Examiner finds that there was no error in procedure, law, interpretation of adopted policy, fact, or judgment. The Hearing Examiner further finds that the new evidence attempted to be submitted is not evidence which, by due diligence could not have been found prior to the Examiner's hearing in the above referenced matter.

Based on the above, the Hearing Examiner hereby **DENIES** the Request for Reconsideration submitted August 6, 2025 filed by the applicant in the above matter.

Dated this 8 day of August, 2025

CHELAN COUNTY HEARING EXAMINER



Andrew L. Kottkamp