

Clifford O. Nesteby, Jr.
 4234 Old Milton Highway
 Walla Walla, WA 99362



**STATE OF WASHINGTON
 CERTIFICATE OF CHANGE**

Document Title: Certificate of Change

Agency: Department of Ecology
 Eastern Regional Office
 4601 North Monroe
 Spokane, WA 99205-1295

Applicant: Clifford O. Nesteby, Jr.
 4234 Old Milton Highway
 Walla Walla, WA 99362

CERTIFICATE OF CHANGE OF
 SUPERSEDING WALLA WALLA RIVER ADJUDICATED CERTIFICATE NO. 401(B),
 ISSUED JULY 2, 2009.

RECORDED: VOL. II-3, PP. 69

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

1/4	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
SE 1/4 NW 1/4	14	6	35 E.	32	Walla Walla

PARCEL # 350614210042

ADDITIONAL LEGAL IS ON PAGE 2

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

1/4 1/4	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
Gov't Lot 2	14	6	35 E.	32	Walla Walla

PARCEL # 350614210042

ADDITIONAL LEGAL IS ON PAGE 2

In accordance with the provision of Chapter 117, Laws of Washington for 1917, and the regulations of the Department of Ecology

THIS TO CERTIFY THAT Clifford O. Nesteby, Jr. has complied with all of the requirements of the Revised Code of Washington 90.03 and the regulation of the Department of Ecology, and is hereby granted the right to a portion of Superseding Walla Walla River Adjudicated Certificate No. 401(B) issued July 2, 2009 with the priority date of the year 1892 (class 30).

That his portion of the certificate authorizes the use of such water in the amount of 0.013 CFS from 04/01 to 07/01, 0.010 CFS from 07/01 to 10/01, 0.020 CFS from 10/1 to 04/01*, *when allowed in accordance with the Walla Walla Adjudication, 3.3 acre-feet per year (non-additive), for the irrigation of 0.85 of an acre (non-additive).

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF WITHDRAWAL

CONTINUED LEGAL DESCRIPTION FOR PROPERTY ON WHICH WATER IS TO BE USED

A parcel of land situated in Government Lot 2 of Section 14, Township 6 North, Range 35 East of the Willamette Meridian, Walla Walla County, Washington, being more particularly described as follows: Commencing at the NE Corner of Tract "C" of that certain short plat filed in Volume 1 of Short Plats at Page 122 under AF NO. 7809658 and running thence S 84°55'04" E along the north line of said Tract "C" a distance of 168.66 feet to the true point of beginning for this description; thence S 05°04'56" E parallel to the east line of said Tract "C" a distance of 253.14 feet to a point in the northerly right of way of Stateline Road; thence S 88°33'44" W along said northerly right of way line a distance of 288.74 feet to a point in the centerline of Old Milton Highway as depicted on the Walla Walla County Right of Way Plan for County Road Project 03-02, Sheet 1 of 5; thence N 05°23'31" W along said centerline a distance of 234.79 feet to a point in the extended northerly line of said Tract "C"; thence N 84°55'04" E along said northerly line of Tract "C" a distance of 289.42 feet to the point of beginning. EXCEPTING THEREFROM all that portion lying within said Old Milton Highway and Stateline Road rights of way as shown on the above-cited right of way plan. Containing 1.40 acres, more or less.

PROVISIONS

All conditions and requirements contained in reports of examination or permits previously issued apply to this superseding certificate unless specifically noted below.

When the supply of water for irrigation purposes from April 1 to October 1 is insufficient in the Walla Walla River Valley to fill any adjudicated surface right, the owner of such a right is entitled to divert water during the period of October 1 to April 1.

The total diversion allowed under Certificate 401(A) and that portion of Certificate 401(B) together with Certificate of Change Vol. II-3, PP. 69, shall be limited to 0.03 CFS (13.5 gpm) from 04/01 to 07/01, 0.023 CFS (10 gpm) from 07/01 to 10/01 and 0.046 CFS (20 gpm) from 10/1 to 04/01, when allowed under the adjudication, 5.1 acre-feet for the irrigation of 1.3 acres. The additive instantaneous portion of Certificate 401(B) together with Certificate of Change Vol. II-3, PP. 69, shall be limited to the first 3.3 acre-feet diverted for irrigation on 0.85 of an acre, within the place of use.

Measurements, Monitoring, Metering and Reporting

An approved measuring device must be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173, which 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 modifications to some of the requirements.

Water use data shall be recorded monthly and shall be submitted annually to Ecology by January 31st of each calendar year.

Provisions continued on Page 3

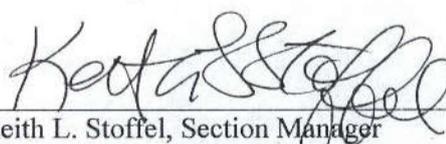
The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.100.

This certificate of change is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW.

Given under my hand and the seal of this office at Spokane, Washington, this 31st day of March, 2016.



Maia Bellon, Director
Department of Ecology


Keith L. Stoffel, Section Manager
Eastern Regional Office
Water Resources Program

DATA REVIEW
OK KT

Provisions continued from Page 2

Water use data shall be recorded monthly and shall be submitted annually to 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 Eastern Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Eastern Regional Office for forms to submit your water use data.

Department of Fish and Wildlife Requirement(s)

The intake(s) must be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040).

No dam or weir may be constructed in connection with this diversion.

Water Use Efficiency

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.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, will 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.

If you need this document in an alternate format, please call the Water Resources Program at 360-407-6872. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.