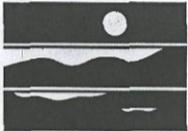


Keith Ausman
 1474 Weissenfels Road
 Asotin, Washington 99402



WASHINGTON STATE
 DEPARTMENT OF
 E C O L O G Y

**STATE OF WASHINGTON
 SUPERSEDING CERTIFICATE OF WATER RIGHT**

Document Title: Superseding Certificate of Water Right

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

Applicant: Keith Ausman
 1474 Weissenfels Road
 Asotin, Washington 99402

Reference Number:

THIS CERTIFICATE SUPERSEDES SURFACE WATER CERTIFICATE NO. S3-25925C (A)
 ISSUED MARCH 28, 2005.

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
April 26, 1978	S3-25925	S3-25925	S3-25925C(A)

This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE	TRIBUTARY OF (IF SURFACE WATERS)	
Snake River	Columbia River	
MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR
0.075	---	17

QUANTITY/TYPE OF USE/PERIOD OF USE

0.075 cubic feet per second, 17 acre feet per year, from March 1 to December 1, each year, for the irrigation of 3.7 acres

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

1/4	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
Gov't Lot 1	36	10	46 E.	35	Asotin
PARCEL #	2-010-46-036-3500				

ADDITIONAL LEGAL IS ON PAGE 2

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

1/4	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
Gov't Lot 4	35	10	46 E.	35	Asotin
PARCEL #	2-010-46-036-3500				

ADDITIONAL LEGAL IS ON PAGE 2

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL
550 feet East and 2000 feet North from the Southwest corner of Sec. 36.

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

3.7 acres within that part of Government Lot No. 4 of Sec. 35, T. 10N., R. 46 E.W.M., Asotin County, Washington, more particularly described as follows: Commencing at the southeast corner of said Sec. 35; thence north along the east line of said Section 35 a distance of 2421.89 feet to a point of the ordinary high water line on the left bank of the Snake River; thence N 63°50'W along said high water line 101.85 feet to the true place of beginning; thence continue N 63°50'W along said high water line 63.20 feet; thence N 61°01'W along said high water line 268.76 feet; thence S 28°45'13"W, 489.00 feet to a point on the Northerly right-of-way line of Snake River Road; thence S 62°41'47"E along said right-of-way line a distance of 332.00 feet; thence N 28°45'13"E, 482.37 feet to true place of beginning.

PROVISIONS

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

All diversions shall cease when the flow of the Snake River falls to 13,500 cubic feet per second as measured immediately downstream of its confluence with the Clearwater River.

This authorization to use public waters of the State is classified as a Family Farm Permit in accordance with Chapter 90.66 RCW (Initiative Measure No. 59). This means the land being irrigated under this authorization shall comply with the following definition: Family Farm - a geographic area including not more than 6,000 acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than 6,000 acres of irrigated agricultural lands in the State of Washington which are irrigated under water rights acquired after December 8, 1977. Furthermore, the land being irrigated under this authorization must continue to conform to the definition of a family farm.

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".

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 superseding certificate of water right 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 7th day of September, 2005.*

DATA REVIEW
OK RT
ECY 040-1-2 (Rev. 8-97)

Superseding Certificate



Jay J. Manning, Director
Department of Ecology

By Victoria Lebra for
Keith L. Stoffel, Section Manager

Keith L. Stoffel

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Provisions continued from Page 2.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used.

Use of water under this authorization shall be contingent upon the water right holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

This authorization is subject to Washington Department of Fish and Wildlife juvenile salmon and gamefish screening criteria (pursuant to RCW 77.16.220, RCW 77.55.040 and RCW 77.55.070). Please contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091, Attention: Habitat Program, Phone: (360) 902-2534, or call (509) 575-2734 for the Yakima Construction Shop to obtain technical assistance for your project. Juvenile salmon screening criteria are attached to the Report of Examination if applicable to your diversion.