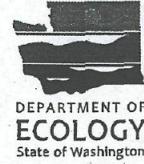




State of Washington
Department of Ecology
**SUPERSEDING CERTIFICATE OF WATER
RIGHT**



This superseding certificate is the result of the administrative division of S3-29174, and shall not be construed as validation as to the extent of the S3-29174 as originally authorized. The amounts provided on the superseding portions of this water right reflect agreement among the owners of the described place of use, but are not confirmed by Ecology in the recording of the division of said right. The actual amounts authorized by the superseding certificates are subject to the historic beneficial use of water under water right document S3-29174.

This certificate supersedes Water Right Certificate S3-29174 issued on October 19, 2011 and is subject to the following provisions.

PRIORITY DATE 4/2/1992	APPLICATION NUMBER S3-29174	PERMIT NUMBER S3-29174	CERTIFICATE NUMBER S3-29174(B)
----------------------------------	---------------------------------------	----------------------------------	--

MAILING ADDRESS State of Washington DOT-Finance Services Mr. W. Brian White PO Box 12560 Yakima, WA 98909	SITE ADDRESS (IF DIFFERENT)
---	------------------------------------

Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE 0.227	UNITS CFS	ANNUAL QUANTITY (AF/YR) 22.7
--	---------------------	--

Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Irrigation		0.227	CFS	22.7		02/20 - 04/10

REMARKS

This certificate is for supplemental seasonal irrigation of 30.92 acres.

IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
ADDITIVE	NON-ADDITIVE	WATER SYSTEM ID	CONNECTIONS
	30.92		

Fish Screen

This certificate shall be issued subject to Washington Department of Fish and Wildlife screening criteria as outlined in a Hydraulic Project Approval.

No dam shall be constructed in connection with this diversion.

Water Use Efficiency

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

Family Farm Certificate

This authorization to use public waters of the state is classified as Family Farm Certificate in accordance with chapter 90.66 RCW. 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.

General

All quantities authorized for diversion herein are issued as non-additive or less existing surface and groundwater rights, which are Ground Water Certificate Nos. G3-23614(A); G3-23614(B); G3-23614(C); G3-28030(B); and G3-28030(A) together with change Reports of Examination and Records of Decision dated December 30, 2009 resulting in authorizations: G3-28030(A); G3-28736(C); and G3-28030(D); G3-28030(E); G3-28030(F); G3-28736(B); and G3-28736(A); together with change Report of Examination and Record of Decision dated in 2009 resulting in authorizations: G3-28736(A); G3-28736(C); G3-28736(E); G3-28736(F); 6914-A; 284-A(A) and 284-A(B) and Walla Walla River Adjudicated Certificate Nos. 630 and 833. The total acres of irrigation authorized under existing water rights and Surface Water Certificate No. S3-29174 shall not exceed 680 acres of seasonal irrigation.

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 and required for the actual crop grown on the number of acres and the place of use specified.

PCHB Case No. 91-192

Based on the final Findings, Conclusion and Order of PCHB Case No. 94-192, et al., Claro Bergevin v. DOE by Byerley Farms, Certificate No. S3-29174 is subject to the following two provisions:

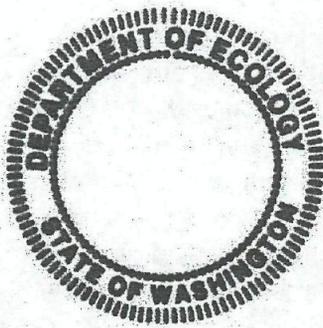
The permittee may be required to install, at his own expense and according to Department of Ecology's specifications, a gauge to measure river flow at the authorized point of diversion.

In order to protect spawning and migration flows of anadromous fish in the Walla Walla River (including species which may be reintroduced to the river in the future), the Department may interrupt or reduce the amount or duration of the diversion to the permittee, even when flows at the mainstem gauge are at least 504 cubic feet per second or flows at the diversion are at least 246 cubic feet per second.

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 22nd day of February, 2012.



Ted Sturdevant, Director
Department of Ecology

DATA REVIEW
OK TS

A handwritten signature in black ink, appearing to read "Keith L. Stoffel", written over a horizontal line.

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

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.