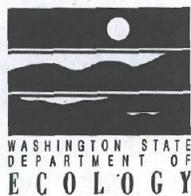


Michael R. Gest
 N 38320 Madison Road
 Elk, WA 99009



**STATE OF WASHINGTON
 CERTIFICATE OF WATER RIGHT**

Document Title: Certificate of Water Right

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

Applicant: Michael R. Gest
 N 38320 Madison Road
 Elk, WA 99009

Reference Number:

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
December 2, 1998	S3-30112	S3-30112	S3-30112

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)	
Pend Oreille River	Columbia River	
MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR
0.02	---	1.0

QUANTITY/TYPE OF USE/PERIOD OF USE

0.02 cubic foot per second, 1 acre-foot per year, continuously, for stock water and single domestic supply including irrigation for one-half acre of non-commercial lawn and garden

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY	
Gov't. Lot 5	32	38	43 E.	62	Pend Oreille
PARCEL # 433832050001					

ADDITIONAL LEGAL IS ON PAGE 2

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY	
Gov't. Lot 5	32	38	43 E.	62	Pend Oreille
PARCEL # 433832050001					

ADDITIONAL LEGAL IS ON PAGE 2

CONTINUED,LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL

660 feet west and 450 feet south from the NE corner of Government Lot 5

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

Government Lot 5 within Sec. 32, T. 38 N., R. 43 E.W.M. Also known as the New Year Placer Mining Claim

PROVISIONS

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

An approved measuring device shall be installed and maintained in accordance with RCW 90.03.360 and/or WAC 508-64-020 through WAC 508-64-040.

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.

The water source and/or water transmission facilities are not wholly located upon the land owned by the applicant. Issuance of a permit by this Department for appropriation of the waters in question does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtainment of such right is a private matter between applicant and owner of that land.

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.

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.

This certificate shall be subject to Washington Department of Fish and Wildlife screening criteria as outlined in a Hydraulic Project Approval. Please contact the Department of Fish and Wildlife, 600 Capitol Way North, Olympia, Washington 98501-1091, Attention: Habitat Management Division, Phone (360) 902-2534, to obtain specific requirements for your project.

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.

The irrigation portion of this certificate shall be conditioned that all diversion shall cease when the 14-day average flow in the Pend Oreille River falls below 7700 cfs (as measured at the Pend Oreille River at Newport gage) as recommended by WDFW.

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 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 May, 2012.



Ted Sturdevant, Director
Department of Ecology

By Keith L. Stoffel
Keith L. Stoffel, Section Manager

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