

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

- Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)
- Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE February 25, 1998	APPLICATION NUMBER G3-30143	PERMIT NUMBER G3-30143	CERTIFICATE NUMBER
------------------------------------	--------------------------------	---------------------------	--------------------

NAME Maynard Cutler			
ADDRESS (STREET) 17606 North South Bank Road	(CITY) Nine Mile Falls	(STATE) Washington	(ZIP CODE) 99026

The applicant is pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following public waters of the State of Washington, subject to existing rights and to the limitations and provisions set herein.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE Two wells
TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 300	MAXIMUM ACRE FEET PER YEAR 60.7
-------------------------------	-----------------------------------	------------------------------------

QUANTITY, TYPE OF USE, PERIOD OF USE
300 gallons per minute, 60.7 acre feet per year, each year, for the seasonal irrigation of 27.6 acres.

The instantaneous quantity of 300 gallons per minute, 60.7 acre feet per year are additive to Superseding Ground Water Certificate No.'s 2926-A and 4149-A.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL
Well A - 825 feet north, 155 feet east of the center of Section 21, within the SW¹/₄NE¹/₄
Well C - 722 feet south, 248 feet west from the northeast corner of Section 28, within the NE¹/₄NE¹/₄

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) A) SW ¹ / ₄ NE ¹ / ₄ , Section 21; C) NE ¹ / ₄ NE ¹ / ₄ , Section 28	SECTION	TOWNSHIP N. 27	RANGE, (E. OR W.) W.M. 41 E.	W.R.I.A. 54	COUNTY Spokane
--	---------	-------------------	---------------------------------	----------------	-------------------

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

27.6 acres being within the following legal description:

Well "A" - 13.8 acres being within the NW¹/₂NW¹/₄, NE¹/₄NW¹/₄, N¹/₂SW¹/₄NW¹/₄, N¹/₂SE¹/₄NW¹/₄, NW¹/₄NE¹/₄ and NW¹/₄SW¹/₄NE¹/₄ of Section 21.

Well "C" - being within 13.8 acres the NE¹/₄ of Section 28, the NW¹/₄ of Section 27, the S¹/₂S¹/₂SE¹/₄ of Section 21, the S¹/₂S¹/₂SW¹/₄ of Section 22 and the N¹/₂N¹/₂SW¹/₄ of Section 27.

The legal descriptions contain more than 13.8 acres each. Should regulation occur, the land owner is required to identify 13.8 acres subject to regulation within the authorized place of use.

COPY

DESCRIPTION OF PROPOSED WORKS

Two wells, pumps, and distribution system. These wells are not currently integrated.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: Started	COMPLETE PROJECT BY THIS DATE: August 1, 2013	WATER PUT TO FULL USE BY THIS DATE: August 1, 2014
--	--	---

PROVISIONS

All irrigation shall cease when the flow of the Spokane River falls below 200 cubic feet per second in the Spokane River below Little Falls Dam as measured by Avista Corporation. Additionally, when the elevation of Franklin D. Roosevelt Reservoir is at or below 1281 feet, all irrigation under this authorization shall cease when the flow of the Spokane River falls below 500 cubic feet per second (cfs). The elevation of Lake Roosevelt shall be measured at the United States Bureau of Reclamation (USBR) gage located at Grand Coulee Dam. Avista Corporation measures the flow in the Spokane River below Little Falls Dam. This flow has been tentatively established from revised recommendations of the Washington Department of Fish and Wildlife.

Should regulation occur, the land owner shall identify 13.8 acres of land within each legal description for curtailment. The land description or a map depicting 13.8 acres shall be provided to the department within 15 days of notice of proposed regulation.

All water wells constructed within the State shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

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 monthly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request."

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gauge may be installed in addition to the access port.

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."

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.

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.

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.

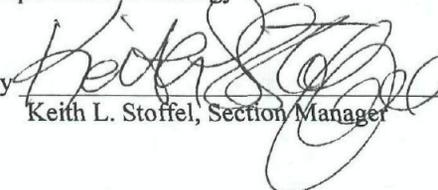
Use of water under this authorization shall be contingent upon the water holder's utilization of up to date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

This authorization 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.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Dated this 10th day of January, 2013, at Spokane, Washington,

Department of Ecology

by 
Keith L. Stoffel, Section Manager

REVIEW DATA
OK KT

KLS/KT:md
W: Permits/Tusa/2013/Cutler Maynard G3-30143 permit 1-10-2013.doc