Easterday Farms
1816 N 20th Ave
Pasco WA 99301

WASHINGTON STATE DEPARTMENT OF ECOLOGY

STATE OF WASHINGTON
SUPERSEDING CERTIFICATE OF WATER RIGHT
Supersedes Certificate No. S4-23978(A) dated July 8, 1987

Document Title: Superseding Certificate of Water Right

Agency: Department of Ecology
Central Regional Office
15 West Yakima Avenue, Suite 200
Yakima, WA 98902-3401

Applicant: Easterday Farms
1816 N 20th Ave
Pasco WA 99301

PRIORITY DATE	APPLICATION NO.	PERMIT NO.	CERTIFICATE NO.
May 20, 1975	S4-23978(A)	S4-23978(A)P	S4-23978(A)C

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)
Columbia River	

MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR
17.13		4332

QUANTITY/TYPE OF USE/PERIOD OF USE

To be used for irrigation from February 15 to November 15 of 1087 acres.

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

1/4 1/4	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
	27	6	30 E.	31	Benton

PARCEL NO'S: 127603000001000, 127603000003000.

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
		6	30 E.	31	Benton

PARCEL # 115604000001000; 122602000000000; 121600000000000; 120601000000000; 127602000000000; 128601000000000; 128602000001000

ADDITIONAL LEGAL IS ON PAGE 2

"A"

S4-23978(A)C Easterday Farms

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL

556.17 feet east and 1100 feet north from the southwest corner of Section 27.

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

Located in Section 15, 20, 21, 22, 27 and 28, T. 6 N., R. 30 E.W.M., described more specifically as follows:

E½E½ Section 20; all of Section 21; N½, SW¼, and NW¼SE¼ of Section 28 EXCEPT a parcel of land situated in the SW¼SW¼ Section 28 described as follows: Beginning at the SW corner of said Section 28, thence N 01°05'50" W along the W line of said Section 28 a distance of 349.60 feet, thence S 85°15'42" E a distance of 1337.74 feet, thence S 00°00' E a distance of 221.87 feet to a point on the southerly line of said Section 28, thence S 89°15'32" W along said south line a distance of 1326.59 feet to the SW corner of said Section 28 and Point of Beginning; all within T. 6 N., R. 30 E.W.M.

AND INCLUDING:

That portion of the S½ of Section 15, T. 6 N., R. 30 E.W.M. described as follows: Beginning at the SE corner of said Section 15, thence S 88°53'07" W along the southerly line of said Section 15, a distance of 4159.72 feet, thence N 48°58'02" E a distance of 3270.68 feet, thence S 98°58'08" E a distance of 1653.99 feet to the easterly line of said Section 15, thence S 01°02'51" E along said E line a distance of 2065.70 feet to the SE corner of Section and Point of Beginning.

AND INCLUDING:

That portion of Section 22, T. 6 N., R. 30 E.W.M., and the N½ of Section 27, T. 6 N., R. 30 E.W.M., EXCEPT the SE¼NE¼ of said Section 27; lying westerly of the following described centerline. Commencing at the W¼ corner of said Section 27; thence N 88°25'05" E 830.79 feet along the south line of the N½ thereof to the centerline of the existing river access road and the True Point of Beginning; thence along said centerline the following bearings and distances; thence N 13°32'32" E 413.89 feet; thence N 33°24'40" E 417.71 feet; thence N 24°32'16" E 125.14 feet; thence N 32°34'43" E 390.24 feet; thence 42°10'26" E 267.96 feet; thence N 30°03'57" E 148.51 feet; thence N 12°20'25" E 264.13 feet; thence N 04°21'08" E 341.89 feet; thence N 16°48'23" W 63.54 feet; thence N 45°28'04" W 46.91 feet to the intersection of an existing farm road; thence along said centerline the following bearings and distances; thence N 03°09'03" E 177.44 feet; thence N 00°09'56" E 465.38 feet; thence N 05°41'43" E 103.99 feet; thence N 10°39'15" E 121.08 feet; thence N 15°25'36" E 111.98 feet; thence N 17°08'00" E 1725.87 feet; thence N 17°26'47" E 128.61 feet; thence N 16°34'51" E 129.88 feet; thence N 16°24'25" E 131.77 feet; thence N 16°08'19" E 115.56 feet; thence N 17°04'45" E 121.58 feet; thence N 18°06'12" E 137.21 feet; thence N 19°19'27" E 372.24 feet; thence N 19°55'22" E 278.61 feet; thence N 24°45'34" E 104.38 feet; thence N 28°19'28" E 117.96 feet; thence N 28°51'35" E 114.65 feet; thence N 36°43'00" E 131.30 feet; thence N 47°28'16" E 133.05 feet; thence N 41°49'59" E 130.92 feet; thence N 36°06'09" E 111.02 feet; thence N 31°58'37" E 151.23 feet; thence N 38°07'28" E 105.75 feet; thence N 44°54'02" E 109.65 feet; thence N 43°17'45" E 106.90 feet; thence N 41°00'56" E 119.24 feet; thence N 36°32'59" E 103.29 feet; thence N 29°26'26" E 106.12 feet; thence N 22°29'40" E 115.80 feet; thence N 21°31'04" E 103.79 feet; thence N 32°47'25" E 119.34 feet; thence N 54°53'36" E 109.28 feet; thence N 70°15'49" E 109.49 feet; thence N 78°46'19" E 112.28 feet; thence N 80°32'41" E 123.19 feet; thence N 80°55'28" E 111.19 feet; thence N 79°31'08" E 100.13 feet; thence N 73°27'59" E 133.21 feet; thence N 68°04'32" E 122.55 feet; to a point on the North line of said Section 22, lying S 88°53'05" W 623.99 feet from the northeast corner thereof and the terminus of this centerline.

Provisions 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 RCW 90.14.

Given under my hand and the seal of this office at Yakima, Washington,
this 22nd *day of* SEPTEMBER *2003.*

Tom Fitzsimmons
Department of Ecology

By _____
Robert F. Barwin, Section Supervisor

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

DEPARTMENT OF ECOLOGY
STATE OF WASHINGTON

Provisions

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

"Allocation of waters among potential uses and users shall be based generally on the securing of the maximum net benefits for the people of the state. Maximum net benefits shall constitute total benefits less costs, including opportunities lost."

"Certificate holder shall contact the Department of Game and, in conjunction with that agency, develop a wildlife conservation and management plan. Such plan shall include evaluation of existing conditions, planned preservation and/or enhancement of wildlife and/or wildlife habitat, on the nonfarmed area and provisions for management of existing or new wildlife habitat areas. Said plan shall be submitted to the Department within six (6) months from the date of permit issuance for review and approval; said plan to provide for a reasonable regulated use of his nonfarmed lands for the public benefit. There will not be a required financial commitment beyond a one time nominal expanse, nor will special farming practices be expected of the permit holder."

"The entire opening of the diversion intake shall be tightly screened at all times with wire mesh having openings with dimensions not greater than 0.14 inch. Water approach velocity to the screen shall be less than 1 foot per second and approaching 0.5 foot per second, as measured one (1) foot in front of the screen."

"The division of Superseding Certificate No. S4-23978C(A) issued on July 8, 1987 into Superseding Certificate No. S4-23978C(A) and Certificate No. S4-23978C(C) issued in August 2003 shall not be construed as validation as to the extent of Superseding Certificate No. S4-23978C(A). The amounts provided on Superseding Certificate No. S4-23978C(A) reflect agreement among the owners of the original described place of use, but are not confirmed by Ecology in this recording of the division of said right. The actual amounts authorized by Superseding Certificate No. S4-23978C(A) are subject to historic beneficial use."