

Dean W. Hoalst
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**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: Dean W. Hoalst
 Route 4, Box 226
 Walla Walla, WA 99362

Reference Number:

THIS CERTIFICATE SUPERSEDES A PORTION OF THAT CERTIFICATE RECORDED IN VOL. 4
 OF WATER RIGHT CERTIFICATE AT PAGE 6 AND DATED MAY 23, 1929

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
1861 (Class 2)			Vol. 4, Page 6(B)

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)	
Mill Creek	Walla Walla River	
MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR
0.200		50

QUANTITY/TYPE OF USE/PERIOD OF USE

0.133 cubic feet per second from April 1 to July 1; 0.100 cubic feet per second from July 1 to October 1; and 0.200 cubic feet per second from October 1 to April 1, when allowed (see provisions), for the seasonal irrigation of 10 acres.

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

1/4 1/4 SW 1/4 SW 1/4 (Gov't Lot 5)	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.I.A.	COUNTY
	13	7	36 E.	32	Walla Walla

PARCEL # 36-07-13-31-0010

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
		7	36 E.	32	Walla Walla

PARCEL # 36-07-23-111-0014

ADDITIONAL LEGAL IS ON PAGE 2

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL

300 feet North and 650 feet East from the SW corner of Sec 13

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

Beginning at a point on the line between Sections 23 and 24 in T. 7 N, R. 36 E.W.M., which is 11.50 chains north of the point of intersection of said Section line with the southerly line of the United States Military Timber Reserve, and running thence south 65°00' west 9.90 chains, thence south 40°00' west 3.17 chains; thence south 70°00' west 7.00 chains, thence south 84°55' west 2.44 chains, more or less, to a point in the westerly line of said Timber Reserve; thence north 9°00' west along the westerly line of said Timber Reserve to the northwest corner thereof; thence north 81°00' east along the northerly line of said Timber Reserve a distance of 45.75 chains to the subdivisional line between the east and west halves of the southwest quarter of Section 13 in said Township and Range; thence south on said subdivisional line a distance of 9.00 chains; thence south 70°00' west 20.40 chains to a point in the west line of said Section 13; thence south on the section line a distance of 19.45 chains to the point of beginning.

Legal description continued on page 3.

PROVISIONS

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

This superseding certificate adds a point of diversion as provided by Chapter 90.03.380 RCW and supersedes a portion (10 of 67 acres) of Certificate of Water Right recorded in Vol. 4 of Water Right Certificates at Page 6, dated May 23, 1929, and was issued by a Decree of the Superior Court of the State of Washington in and for Walla Walla County, made and entered on the 12th day of September, 1928 and recorded in Volume 16 of the Superior Court Journal of said county as Page 1.

The above mentioned Decree establishes this right in Class 2.

When the supply of water for irrigation purposes from April 1 to October 1 is insufficient in the Walla Walla Valley to fill any right in the above mentioned decree, the owner of such right is entitled to divert water during the period of October 1 to April 1. The total diversion shall not exceed 5 acre feet per acre for any year beginning October 1.

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. Department personnel shall have right of access to said measuring device at all times for the purpose of monitoring/regulating the flow of water in the Jones Ditch. Failure of the landowner of the subject property to provide Department personnel access to said measuring device for the previously stated purposes may result in curtailment of water into the Ditch.

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.

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.

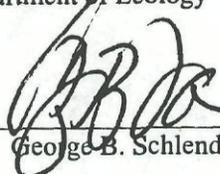
The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.100.

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 14th day of January, 2000.*



Tom Fitzsimmons
Department of Ecology

By 
George B. Schlender, Section Manager

ENGINEERING DATA
OK CAC
ECY 040-1-2 (Rev. 8-97)

Legal description continued.

EXCEPTING therefrom, however, so much of the following described tract as lies within that above described:

Beginning at a rock marking the corner of Sections 13, 14, 23, and 24, said Township and Range; thence along the east line of Section 14, north $0^{\circ}31'03''$ west 259.90 feet; thence south $65^{\circ}35'50''$ west 1146.38 feet; thence south $71^{\circ}50'25''$ west 592.75 feet; thence south $78^{\circ}04'59''$ west 827.49 feet to the east line of the City of Walla Walla property; thence along said east line of the City of Walla Walla property south $3^{\circ}53'55''$ east 223.48 feet to the south line of that historically known as the Joseph G. Thomas property; thence along the said south line of the Joseph G. Thomas property south $84^{\circ}00'$ east 135.8 feet; thence north $54^{\circ}25'$ east 409.2 feet; thence south $77^{\circ}45'$ east 211.20 feet; thence north $56^{\circ}20'$ east 316.80 feet, more or less, to the westerly line of the United States Military Timber Reserve; thence southerly along the westerly boundary line of the said United States Military Timber Reserve to a point from which the said corner of Sections 13, 14, 23 and 24 is north 597.52 feet and east 1341.63 feet; thence north $78^{\circ}04'59''$ east 104.38 feet; thence north $65^{\circ}35'50''$ east 1361.39 feet to the east line of said Section 23 and thence along said Section line north $1^{\circ}08'14''$ west 13.51 feet to the place of beginning.