

Robert Collins
 709 Berney Drive
 Walla Walla, WA 99362

COPY



WASHINGTON STATE
 DEPARTMENT OF
 ECOLOGY

**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: Robert Collins
 709 Berney Drive
 Walla Walla, WA 99362

Reference Number:

THIS CERTIFICATE SUPERSEDES WALLA WALLA ADJUDICATED CERTIFICATE NO. 76
 ISSUED AUGUST 9, 2004

PRIORITY DATE 1869 (Class 9)	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER WW Adj. Cert. No. 76(B)
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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 Report of Examination 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 Yellowhawk Creek	TRIBUTARY OF (IF SURFACE WATERS) Walla Walla River	
MAX. CUBIC FEET PER SECOND 0.06	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR 12

QUANTITY/TYPE OF USE/PERIOD OF USE

0.04 cubic feet per second from April 1 to July 1; 0.03 cubic feet per second from to July 1 to October 1; 0.06 cubic feet per second from October 1 to April 1; for the seasonal irrigation of 3 acres.

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

1/4 1/4 NE 1/4 NE 1/4	SECTION 27	TOWNSHIP N. 7	RANGE (E. OR W.) W.M. 36 E.	W.R.I.A. 32	COUNTY Walla Walla
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PARCEL # 36-07-27-11-0015

ADDITIONAL LEGAL IS ON PAGE 2

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

1/4 1/4 E 1/2 NE 1/4	SECTION 27	TOWNSHIP N. 7	RANGE (E. OR W.) W.M. 36 E.	W.R.I.A. 32	COUNTY Walla Walla
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PARCEL # 36-07-27-11-0015

ADDITIONAL LEGAL IS ON PAGE 2

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL

450 feet South and 1150 feet West from the NE corner of Sec. 27.

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

Beginning at a point in the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 27, T. 7 N., R. 36 E.W.M., said point being 402.34 feet South 00°23' East, measured along said West line from the NW corner of said subdivision; thence N 48°14' E 122.47 feet; thence S 61°54'40" E 174.0 feet; thence S 26°00'50" W 58.10 feet; thence S 62°11'30" E 90.31 feet; thence S 40°12'23" E 167.29 feet; thence S 38°41'55" W 79.51 feet; thence S 70°06'55" W 401.85 feet to a point in the center line of the county road known as Berney Drive; thence N 18°22'55" W, along said county road, 327.48 feet to a point in the easterly line of said county road; thence N 48°14' E 165.74 feet to the point of beginning. Being tract "A" as designated on Short Plat filed August 15, 1977, in Volume 1, Page 76 of Short Plats under Auditor's File No. 567838. Subject to easements and servitudes of record

PROVISIONS

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

This authorization changes a point of diversion as provided by RCW 90.03.380, and severs a 3-acre portion of the total right to lands currently owned by Robert Collins. This certificate supersedes Certificate of Water Right recorded in Volume 4 of Water Right Certificates at Page 76, dated April 19th, 1929. Said Certificate 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 Vol. 16 of the Superior Court Journal of said County at Page 1.

When the supply of water for irrigation purposes 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 4 acre-feet per acre for any year beginning October 1.

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 biweekly and shall be submitted monthly to Ecology by January 31st of each calendar year typically or more frequently if necessary.

Provisions continued 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 Chapter 90.14 RCW.

*Given under my hand and the seal of this office at Spokane, Washington,
this 9th day of August, 2004.*



Linda Hoffman, Director
Department of Ecology

By Victoria A. Leuba
Victoria A. Leuba, Acting Section Manager

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

Superseding Certificate

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WW Adj. Cert. No. 76(B)

Provisions continued

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".

At a minimum, the following information shall be included with each submittal of water use data: owner, contact name if different, mailing address, daytime phone number, WRIA, Permit or Certificate No., source name, annual quantity used including units, maximum rate of diversion including units, and period of use.

In the future, Ecology may require additional parameters to be reported or more frequent reporting.

Ecology prefers web based data entry, but does accept hard copies. Ecology will provide forms and electronic data entry information.

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.

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