

Klicker Brothers and Sons  
 Route 4, Box 236  
 Walla Walla, WA 99362



**STATE OF WASHINGTON  
 SUPERSEDING CERTIFICATE OF WATER RIGHT**

WASHINGTON STATE  
 DEPARTMENT OF  
 ECOLOGY

**Document Title:** Superseding Certificate of Water Right

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

**Applicant:** Klicker Brothers and Sons  
 Route 4, Box 236  
 Walla Walla, WA 99362

**Reference Number:**

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

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

*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)	
Titus Creek	Mill Creek	
MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR
1.14		285

**QUANTITY/TYPE OF USE/PERIOD OF USE**

0.760 cubic feet per second from April 1 to July 1; 0.570 cubic feet per second from July 1 to October 1; and 1.14 cubic feet per second from October 1 to April 1, when allowed, for the seasonal irrigation of 57 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
SE 1/4 SE 1/4	14	7	36 E.	32	Walla Walla

PARCEL # 37-07-16-31-0032

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 # 36-07-23-11-0013

ADDITIONAL LEGAL IS ON PAGE 2

**CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL**

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

Beginning at a point on the south line of the United States Military Reservation where it intersects the line between sections numbered 23 and 24, T. 7 N., R. 36 E.W.M., thence running north on section line 30.95 chains; thence North 79° East 20.40 chains to the subdivision line between the east and west halves of the SW¼ of Sec. 13; thence north 9 chains to the north line of the Reservation; thence South 81° West along said north line 45.75 chains to the NW corner of the Reservation; thence South 9° East 40 chains to the SE corner of the Reservation; thence North 81° East 19.25 chains to the place of beginning.

**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 supersedes a portion (57 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 at Page 1.

The superseding certificate reflects the division of the original 67 acre water right. The 57 acres authorized for irrigation through this certificate retains the same point of diversion and place of use as the original adjudicated certificate.

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.

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 \_\_\_\_\_

*[Signature]*  
George B. Schlender, Section Manager

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