

Mr. Jake E. Lye
3411 Murphy Road
Pasco, WA 99301



STATE OF WASHINGTON CERTIFICATE OF WATER RIGHT

Document Title: Certificate of Water Right

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

Applicant: Mr. Jake E. Lye
3411 Murphy Road
Pasco, WA 99301

Reference Number:

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
December 30, 1982	S3-27433	S3-27433P	S3-27433C

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)	
Emma Lake	Snake River	
MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER MINUTE	MAX. ACRE-FEET PER YEAR
3.3		400
QUANTITY, TYPE OF USE, PERIOD OF USE		

3.3 cubic feet per second, 400 acre-feet per year, for the seasonal irrigation of 100 acres.

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

1/4 1/4	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	W.R.L.A.	COUNTY
NE 1/4 SE 1/4	23	10	32 E.	33	Franklin

PARCEL #: 108-320-096

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.L.A.	COUNTY
		10	32 E.	33	Franklin

PARCEL #: N/A

ADDITIONAL LEGAL IS ON PAGE 2

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL

950 feet south and 650 feet west from the E¼ corner of Sec. 23

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

That portion of the NE¼ of Sec. 23, lying east of the following described line: Beginning at a point on the south boundary that is 980 feet east of the center of said Sec. 23; thence north 11°00' east 770 feet; thence north 12°00' west 280 feet; thence north 57°00' west 390 feet; thence north 27°00' west 270 feet; thence north 9°00' west 450 feet; thence north 19°00' west 785 feet, more or less, to a point on the north boundary of said NE¼ and point of terminus of said line, AND S¼ of Sec. 23 lying northwesterly of Seattle, Portland and Spokane Railroad right of way and EXCEPT portion thereof conveyed to United States of America for Ice Harbor Lock and Dam by deed recorded under Auditor's File No. 264764 and EXCEPT portion acquired by United States of America under Declaration of Taking entered in the United States of America District Court for the Eastern District of Washington Southern Division, Civil Case No. 1380.

That portion of Gov't Lots 1, 2 and 3 of Sec. 24, lying northwesterly of Seattle, Portland and Spokane Railroad right of way.

That portion of NW¼ and Gov't Lot 3 of Sec. 26, lying northwesterly of Seattle, Portland and Spokane Railroad right of way EXCEPT portion of said NW¼ conveyed to United States of America for Ice Harbor Lock and Dam by deed recorded under Auditor's File No. 264764. ALL BEING WITHIN T. 10 N., R. 32 E.W.M.

PROVISIONS

Surface Water Certificate No. S3-27433C and existing Certificate No. S3-25127C authorize a combined total diversion from the Snake River (Emma Lake) in the amount of 5.6 cubic feet per second, 1710 acre-feet per year, for the seasonal irrigation of 350 acres. 5.6 cubic feet per second reflects the pumping capacity of the existing system on final proof of appropriation examination.

All diversion shall cease when the flow of the Snake River drops below 13,400 cubic feet per second at the U.S.G.S. Gage No. 13-3435 (Clarkston 15 feet) located within the SE¼SE¼ of Sec. 16, T. 11 N., R. 45 E.W.M.

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.

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

No dam shall be constructed in connection with this diversion.

This authorization to use public waters of the State is classified as a Family Farm Certificate 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 2,000 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 2,000 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.

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 90.44.020.

This certificate of water right is specifically subject to relinquishment for non-use of water as provided in RCW 90.14.180.

*Given under my hand and the seal of this office at Spokane, Washington,
this 19th day of December, 1997.*



Tom Fitzsimmons, Director
Department of Ecology

By 
Bruce F. Howard, Section Manager

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

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