STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PERMIT

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

[X] Surface Water (issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)

[ ] Ground Water (issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
April 24, 1991	S3-28997	S3-28997 P	

NAME
DAVID J. NELSON

ADDRESS (STREET)	(CITY)	(STATE)	(ZIP CODE)
11001 Newport Highway	Spokane	Washington	99218

The applicant is, pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the limitations and provisions set out herein.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE
Little Spokane River

TRIBUTARY OF (IF SURFACE WATER)
Spokane River

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR
0.10		10.35

QUANTITY, TYPE OF USE, PERIOD OF USE
0.10 cubic feet per second, 10.35 acre feet per year, for the irrigation of 3 acres from April 1 to October 31, each year, and fire protection as required.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
900 feet south and 500 feet east of the Northwest corner of Sec. 10.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE, (E. OR W.) W.M.	W.R.I.A.	COUNTY
NW¼NW¼	10	27	43 E.	55	Spokane

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

That portion of the SW¼ of Sec. 3, and that portion of the NW¼ of Sec. 10, all in T. 27 N., R. 43 E.W.M., in Spokane County, Washington, described as follows:

Beginning at the Northwest corner of said Sec. 10; thence S 00°04'50" E 1379.19 feet along the west line of the NW¼ to the north line of the Spokane Falls and Northern Railway Company right of way, (now Burlington Northern); thence along said right of way, S 61°41'30" E 364.51 feet to the westerly boundary line of NORTH GLEN ESTATES, according to plat recorded in Volume 8 of Plats, Pages 49 and 50, in Spokane County, Washington; thence along said west line the following five courses: 1) N 19°00' E 755.13 feet, 2) N 10°32' E 205 feet, 3) S 82°58' E 172 feet, 4) N 06°28' E 320 feet, 5) N 00°26'24" E 393.54 feet, more or less, to the Northwest corner of Lot 6, Block 4 of North Glen Estates; thence leaving said west line, N 89°52'45" W 816.10 feet, more or less, to the west line of the SW¼ of Sec. 3; thence along the west line of the SW¼, S 00°07'45" W 73.00 feet to the Point of Beginning.

TOGETHER WITH a 60 foot easement for ingress and egress, lying adjacent to the north line of the above described property and bounded on the west by the west line of the SW¼ of Sec. 3, and bounded on the east by the west line of North Glen Estates.

DESCRIPTION OF PROPOSED WORKS

1½ h.p. pump and distribution system

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	WATER PUT TO FULL USE BY THIS DATE:
May 1, 1993	May 1, 1994	May 1, 1995

PROVISIONS

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.

A certificate of water right will not be issued until a final examination is made.

This permit shall be issued subject to Washington Departments of Fisheries and Wildlife screening criteria as outlined in a Hydraulic Project Approval. Please contact the Department of Fisheries, 115 General Administration Building, AX-11, Olympia, WA 98504, Attention: Habitat Management Division, Phone (206) 753-6600; or the Department of Wildlife, 600 Capitol Way North, Mail Stop GJ-11, Olympia, Washington 98501-1091, Attention: Habitat Management Division, Phone (206) 753-3318, to obtain specific requirements for your project.

That portion of this authorization relating to irrigation is classified as a Family Farm Permit 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.

All withdrawal shall cease when the flow of the river at Chattaroy (river mile 23.05) falls to or below those flows given in the following table:

	cubic feet per second											
	APR		MAY		JUNE		JULY		AUG		SEPT	
DAY	1	15	1	15	1	15	1	15	1	15	1	15
CFS	165	143	124	104	83	69	57	57	57	57	57	63

The management and regulation shall be accomplished in accordance with the Water Resources Management Program, Little Spokane River Basin, August 1975 and WAC 173-555 effective January 6, 1976.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or fail to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Given under my hand and the seal of this office at Spokane, Washington,

this 30th day of June, 1992.

Department of Ecology

by Theodore M. Olson

THEODORE M. OLSON, P.E., Section Supervisor
Water Resources Program

ENGINEERING DATA
OK CAC

PERMIT

No. S3-[illegible] P