

376294

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGYRECORDED IN
VOL. 515 PAGE 507-509

OF OFFICIAL RECORDS

REQUEST OF

STATE OF WASHINGTON
OCT 2 1994

Surface Water

(Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)



Ground Water

(Issued in accordance with the provisions of Chapter 253, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

MARY E. GABOURY
JEFFERSON COUNTY AUDITORBY *[Signature]* DEPUTY

PRIORITY DATE December 10, 1991	APPLICATION NUMBER S2-28400	PERMIT NUMBER S2-28400	CERTIFICATE NUMBER S2-28400
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NAME
121150
U.S. Fish and Wildlife Service

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ADDRESS (STREET) 911 NE 11th Avenue	(CITY) Portland	(STATE) Oregon	(ZIP CODE) 97232-4181
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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 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
Unnamed stream, "Lena's Lake Spring"TRIBUTARY OF (SURFACE WATERS)
Hardy Creek/Columbia RiverMAXIMUM CUBIC FEET PER SECOND
2.0

MAXIMUM GALLONS PER MINUTE

MAXIMUM ACRE-FEET PER YEAR
8 (supplemental)QUANTITY, TYPE OF USE, PERIOD OF USE
8.0* acre-feet per year
Non-consumptiveIrrigation (4 acres)
Wildlife refugeMay 1 to October 1
Year-round, as needed

*Supplemental to existing rights

FILED FOR RECORD
SKAMANIA CO. WASH
BY *[Signature]* Dept. Ecology

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL
600 feet south and 400 feet west of the center of Section 25.

Reviewed	<input checked="" type="checkbox"/>
Indexed, Dir	<input checked="" type="checkbox"/>
Indirect	<input checked="" type="checkbox"/>
Filed	<input checked="" type="checkbox"/>
Mailed	<input checked="" type="checkbox"/>

Nov 29 2 10 PM '94

[Signature]
AUDITOR

GARY M. OLSON

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)
NE 1/4 SW 1/4SECTION
25TOWNSHIP N.
2RANGE, (E. OR W.) W.M.
6EW.R.L.A.
28COUNTY
Skamania

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

All that portion of the hereafter described property which lies southerly of the south right-of-way line of the Burlington Northern Railway, formerly S.P. & S. Railway;

PARCEL A:

Beginning at a point on the east line of the Elizabeth Snooks Donation Land Claim No. 37, 600 feet south and the northeast corner of the said D.L.C.; thence north 42°43' west to intersection with the southerly line of the state road No. 8, said road being described as the Evergreen Highway; thence in a southwesterly direction following the southerly line of the said road to a point 1,000 feet west of the east line of the said D.L.C.; thence south parallel to the east line of the said D.L.C. to intersection with the southerly line of the S.P. & S. Railway right-of-way; thence in a southwesterly direction along the southerly line of the said railroad right-of-way to intersection with the west line of the said D.L.C.; thence south along the west line of the said D.L.C. to the southwest corner of the said D.L.C.; said point being on the meander line of the Columbia River thence north 53°00' east 4.93 chains; thence north 1.50 chains; thence north 69°00' east 4.95 chains; thence south 58°00' east 3 chains; thence east 1.50 chains; thence north 76°30' east 1.50 chains; thence east 9.50 chains; thence north 86°15' east 14.50 chains; thence south 0.50 chains; thence south 85°45' east 10.40 chains; thence east 9.00 chains; thence south 86°45' east 6.86 chains; thence north along the east line of said D.L.C. 2,733 feet to the point of beginning;

Including all shorelands of the second class situated and lying south and in front of the Elizabeth Snooks D.L.C. No. 37, in Section 25, T. 2 N., R. 6 E.W.M.;

EXCEPTING therefrom right-of-way of the S.P. & S. Railway on, over and through the said real property.

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CERTIFICATE

PROVISIONS

"The instantaneous amount of water granted under this water right is a maximum limit that shall not be exceeded. Water availability under this authorization is subject to natural fluctuations and may not provide a continual year-round supply."

At such time that the Department of Ecology determines the regulation and management of the subject waters is necessary and in the public interest, an approved measuring device shall be installed and maintained in accordance with RCW 90.03.360 and WAC 508-64-020 through -040.

The right to the 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 nonuse of water as provided in RCW 90.14.180.

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

this 13th day of October, 1994.

Mary Riveland, Director

Department of Ecology

ENGINEERING DATA

OK

JVH

by

FOR COUNTY USE ONLY

STATE OF WASHINGTON

PARCEL B:

That portion of the E. C. Hardy Donation Land Claim No. 41, situated in Section, T. 2 N., R. 7 E.W.M., and of E. C. Hardy D.L.C. No. 38, situated in Section 25, T. 2 N., R. 6 E.W.M., described as follows:

Beginning at the intersection of the west line of the S.M. Hamilton Donation Land Claim No. 40 and the north line of said Section 30; thence west along said section line to the intersection with the southerly right-of-way line of the Spokane, Portland & Seattle Railway Company; thence southwesterly along said right-of-way to the west line of the said E.C. Hardy D.L.C., No. 38; thence south along said west line to the ordinary high water line of the Columbia River; thence northeasterly along said highwater line to the intersection with the highwater line Hamilton Slough; thence northeasterly along said highwater line of Hamilton Slough to the east line of said Section 30; thence north along said section line to the intersection with the west line of said Hamilton Donation Land Claim; thence northwest along said D.L.C. line to the point of beginning;

Including all shorelands of the second class conveyed by the State of Washington fronting and abutting said tract;

EXCEPT therefrom the following described tract of land:

A tract of land situated in E.C. Hardy D.L.C. No. 41 in the northeast quarter of Section 30, T. 2 N., R. 7 E.W.M., Skamania County, Washington, being more particularly described as follows:

Beginning at the northeast corner of the E.C. Hardy Donation Land Claim No. 41; thence south $89^{\circ}31'02''$ west along the north line of said D.L.C., 1,643.07 feet; thence south $29^{\circ}58'55''$ west, 119.59 feet; thence south $18^{\circ}27'10''$ east 1,452.91 feet; thence south $67^{\circ}00'00''$ east to the ordinary highwater meander line of Hamilton Slough; thence northeasterly along said meander line to the east line of the said E.C. Hardy D.L.C.; thence northwesterly along the said east line to the point of beginning;

Including within said exception all shorelands of the second class fronting and abutting upon the above described tract of land.

Together with all water, water rights, water appropriations, ditches, ditch rights-of-way and ditch rights as heretofore used and enjoyed in connection with the above described lands and all other rights and appurtenances thereunto belonging or in anywise pertaining.