

Dan and Tiffanie Birr
19024 86th Avenue NE
Bothell WA 98011



STATE OF WASHINGTON
CERTIFICATE OF WATER RIGHT

Document Title: Certificate of Water Right

Agency: Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008

Applicant: Dan and Tiffanie Birr
19024 86th Avenue NE
Bothell WA 98011

Reference Number:

PRIORITY DATE	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
March 1, 2006	S1-28419	S1-28419P	S1-28419C

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)		
Lake Cavanaugh	Lake Creek		
MAX. CUBIC FEET PER SECOND	MAX. GALLONS PER DAY	MAX. ACRE-FEET PER YEAR	
0.01 (approximately 4.5 gallons per minute)	150	0.168 (54,750 gallons per year)	

QUANTITY/TYPE OF USE/PERIOD OF USE

Single domestic (in-house) supply - continuously

LOCATION OF DIVERSION/WITHDRAWAL

Approximately 2471 feet west and 1726 feet south of the NE corner of Section 26, Township 33, Range 6E

Currently there is a spatial discrepancy between the Washington State Public Land Survey data set and Skagit County's parcel dataset in some areas. This is caused by different resolutions based on the dissimilar purposes for which these datasets are created and different update schedules. The location of the point of diversion is documented to the best of our ability at this time and may not be the same as that published by Skagit County. According to the Skagit County parcel data, the point of diversion is located approximately 2425 feet west and 1675 feet south of the northeast corner of Section 26. According to the Public Land Survey data, the point of diversion is located approximately 2471 feet west and 1726 feet south of the NE corner of section 26, township 33, range 6E.

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
SW1/4 NE1/4	26	33	06E	5	Skagit

PARCEL # P66399

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

PARCEL #

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

Lot 1, Block 3 "Lake Cavanaugh Subdivision No. 1" Skagit County, Washington

Parcel No. P66399

PROVISIONS

- Issuance of a water right by this department for appropriation of the waters in question does not convey a right of access to, or other right to use land which the water right holder may not legally possess. Obtaining such a right is a private matter between the water right holder and the owner of the land where the water withdrawal is located.
- An approved measuring device shall be installed within two years and maintained for each diversion identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", chapter 173-173 WAC.

Water use data shall be recorded monthly. Data shall be maintained by the property owner and promptly submitted to Ecology upon request. Recording and retention of data by the water right holder are required to inform the water users about how much water is used, when the water is used and to assist users in efficient water management.

Chapter 173-173 WAC 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 contained in the document entitled "Water Measurement Device Installation and Operation Requirements".

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.

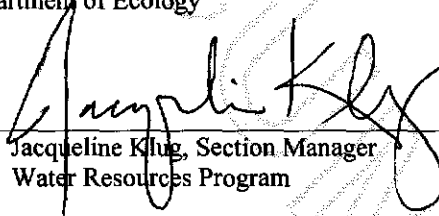
The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.020.

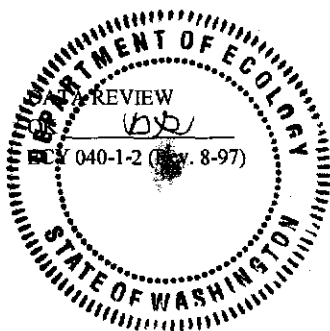
This certificate of water right is specifically subject to relinquishment for non-use of water as provided in RCW 90.14.180.

Given under my hand and the seal of this office at Bellevue, Washington,
this 23rd day of July, 2010.

Ted Sturdevant, Director
Department of Ecology

By


Jacqueline Klug, Section Manager
Water Resources Program



201007280012
Skagit County Auditor

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