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Skagit County Auditor



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**Proof of Mitigated Water Supply (Existing User)**

*Confirmation of legal water availability under the Skagit River Basin Mitigation  
Plan (Water Right S1-28885)*

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Owner: Gerald Fleming & Virginia P. Fleming

Site Address: 40325 Challenger Road Skagit County, Wa 98237

Legal Description of Parcel: Section 11, Township 35 North, Range 07 East W.M., Being a  
Portion Of The Southeast 1/4 Of The Northwest 1/4 more fully described in the complete legal  
description available at Skagit County Government Office.

Tax Parcel Number: P123681 and P123682 - All one legal lot as per Skagit County.

Property ID (XrefID): 350711-2-008-0700

Water Right #: G1-28964M

Date Issued: March 23rd, 2020

This document confirms legal water availability for existing domestic and commercial groundwater use located within the approved mitigation area described in the Skagit River Basin Mitigation Plan. This Proof of Mitigated Water Supply is issued based upon the Skagit River Basin Mitigation Plan and confirms a source of water supply that is senior in priority to the instream flows established in Chapter 173-503 WAC.

This document is valid only after it is notarized and recorded with the Skagit County Auditor's office.

**Current Property Owner Information<sup>1</sup>**

Name	Gerald M And Virginia P Fleming
Mailing Address	40325 Challenger Rd
City, State Zip	Concrete, Wa 98237

<sup>1</sup> Water right is appurtenant to the land on which the water is used, not to the property owner.

**Declarations**

The Department of Ecology (Ecology) makes the following declarations as to the limitations, restrictions, and uses for which the water may be put to use and specify that such declarations shall constitute covenants on the land, as provided by law, and shall be binding on all parties and all persons claiming under them, including all current and future owners of any portion of or interest in the property:

- (1) This mitigation water offsets existing domestic and commercial groundwater use on this property, as established between April 14, 2001 and October 3, 2013. For accounting purposes, the Skagit River Basin Mitigation Plan debits 0.5 acre-feet (162,925.5 gallons) per year.
- (2) This mitigation is appurtenant to the subject property and is non-transferable.
- (3) Any new water use (e.g., additional plumbed building) beyond uses established between April 14, 2001 and October 3, 2013, will require installation and maintenance of a remote read metering system at the approved well location, to show compliance with the Skagit River Basin Mitigation Plan and the water use assumptions described therein. The landowner may contact Ecology's Water Resources Program for guidance on the installation of this system.
- (4) Nothing in this Proof of Mitigated Water Supply document prevents the property owner from using other water on this parcel if the Grantor has a legal right to such other water. In addition, nothing in this Proof of Mitigated Water Supply document prevents the Grantor from using their approved groundwater well to withdraw additional water if Grantor has a legal right to such additional water.
- (5) Ecology retains the authority to enforce the water laws and rules of the State of Washington. Enforcement and compliance shall be consistent with the provisions of RCW 90.03.605.

**Authorizing Agent**

Washington State Department of Ecology  
Water Resources Program  
Northwest Regional Office  
3190 - 160th Ave. SE  
Bellevue, WA 98008-5452

By: 

Ria Berns, Section Manager

Property Owner(s) – Each property owner must provide a notarized signature.

Virginia P. Fleming

I, Gerald M. Fleming, hereby certify, under the penalty of perjury, that I am the owner of certain real property in Skagit County, with a physical address of:

Name Gerald M. Fleming & Virginia P. Fleming  
 Address 40325 Challenger Rd  
 City Concrete  
 State WA Zip 98237

Parcel No. 123681 & 123682

I also agree to comply with the Skagit River Basin Mitigation Plan and the terms stated herein

By: Virginia P. Fleming  
 [Primary owner's signature]

Gerald M. Fleming

Dated: 6/10/2020

#### ACKNOWLEDGEMENTS

State of Washington

County of Skagit

I certify that I know or have satisfactory evidence that Gerald M. Fleming Virginia P. Fleming is the person(s) who appeared before me, and said person(s) acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 6-10-20

Name: Gillian K Grayne

NOTARY PUBLIC for the State of Washington

Residing at Mount Vernon

My appointment expires: 7-19-22

Gillian K Grayne

