

Certificate of Water Right

THIS IS TO CERTIFY:

That by virtue of a decree of the Superior Court of the State of Washington in and for Grant County, made and entered on the 5th day of May, 1924, and recorded in Volume 7 of the Superior Court Journal of said County at page 426, from which decree no appeal was taken, and which decree determined the rights of all known claimants to the use of the waters of Moses Lake a tributary of the Columbia River,

O'SULLIVAN DITCH

is entitled to use, subject to the laws of the State of Washington, the waters of said Moses Lake for the purpose of irrigation during the period from April first to September fifteenth each year and for the purpose of stock and domestic use continuously.

That the amount of water to which said water right is entitled is limited to the quantity which is reasonably and actually necessary for the purpose aforesaid and shall not exceed 11.75 second feet for the irrigation of 680 acres of the lands hereinafter described.

That the date of priority of said water right is December 21, 1909; that the decree aforesaid establishes said right in Class Five, which said class includes a total maximum of 12.20 second feet; that the possible maximum amount of water which is comprehended in rights prior to this right is

40.32 second feet of waters of Crab Creek above Moses Lake and 5.95 of waters of Moses Lake; and the right of

That the point of diversion of said water right is as follows: Ham, Yearsley & Ryrie, a corporation, to store all available water in Moses Lake above the 1038 foot level, as defined in Class 4 of said Decree.

That the point of diversion of said water right is as follows: Lot 1, Section 18, Township 19 North, Range 28 E. W. M.

and cannot be changed except as provided in Section 39, Chapter 117, Session Laws of 1917.

That said water right was adjudged by said decree to be and is appurtenant to the following described real property situated in Grant County, Washington, to wit:

W 1/2 Lot 2, Section 18, Township 19 North, Range 28 E. W. M.; Lots 5, 6 & 7; Lots 1 & 4, Section 18, Township 19 North, Range 28 E. W. M.

Certificate of Water Right

Issued to **CLINTON DICK**

For the use of the waters of

Moses Lake

County of **Snohomish**

State of **Washington**

Supervisor of Hydraulics of this State of Washington
R. K. K. TIPPANY

day of **November**, 19**02**

WITNESSES the seal and signature of the Supervisor of Hydraulics affixed this **18th**

day, in Volume **11** of Water Right Certificates at Page **261**

This instrument is recorded in the office of the Supervisor of Hydraulics, at Olympia, Washing-

WATER RIGHT CERTIFICATES
IN WASH'S LAKE AND CUMM CREEK ADJUDICATION

Special certificates issued to Ham, Yearnley & Nyrie Sept. 29, 1928

Regular form of certificate mailed to the following on November 8th, 1928.

George Drumbheller
J. R. Ogan
Alexander G. Koch
Martin Penhallick
J. R. Allen
O'Sullivan Ditch to James T. Taylor, Trustee
Jacob Seerest
Geo. W. Harman
J. W. Campbell
J. I. Johnson
Martin Johnson
William Millian
Charles Michcock
Landon W. McConibo, Jr.
Allen P. Drumbheller
Bernard J. Duffy
Wm I. Gilder
Hartford Land Co.
Joseph W. McManamon
Mrs. Julia Urquhart
Wm. Seymour

Thomas J. Clark mailed Feb. 1, 1928
Joe Grant " " " "
Marco Pelli " May 27th, 1928
R. P. Penhallick, Pernal, Jan. 6th, 1928
Oscar P. Danielson " " "
Thomas Drumbheller to Dan. W. Cross, Ephrata, Feb. 25, 1928
J. C. White (cert. for 8 acres) mailed Apr. 11th, 1928

Certificates for the following elements
were sent to R. W. Gibbons for Grant Realty Co.,
Nov. 18th, 1928 :

Geo. S. Hopkins
R. F. Talbott
J. C. White

Andy Sinclair (to H. F. Allen, Pao, Wash.) mailed Apr. 11, 1928
J. W. Sinclair, Ellensburg, Wash. " Oct. 15, 1928

CERTIFICATE OF WATER RIGHT.

This is to certify:

That in proceedings instituted under the provisions of Chapter 117, Laws of the State of Washington for the year 1917, and statutes supplemental thereto and amendatory thereof, to determine the relative rights of all claimants in and to the waters of Crab Creek and Moses Lake, a tributary of the Columbia River, a decree was made and entered on the 5th day of May, 1924, in the Superior Court of the State of Washington in and for Grant County and recorded in Volume 7 of the Superior Court Journal of said county at page 428 according to *Man, Yeersley & Ryrie*, a corporation, a right to store the available waters of said stream in said Moses Lake, above the level of 1022 feet (above mean sea level), as a reservoir and to apply such water, at a duty not to exceed 2 second feet of water per 75 acres of land, for the purpose of irrigation during the period from April 1st to September 15th each year, and for stock and domestic purposes continuously on the lands hereinafter described, subject to the following conditions, which are contained in said decree.

1. That said right is inchoate, but may be consummated in the manner prescribed by law.

2. That said right is the only one in its class to-wit: Class 4 in said decree, and shall have a priority date of January 20, 1909, and is prior to all other classes of water rights provided for in said decree except those in classes 1, 2 and 3, and shall be subject to riparian rights defined in said decree as class 1, in and to the waters of Crab Creek above Moses Lake, amounting to a possible maximum of 40.23 feet of water per second of time and subject to prior rights of appropriation from Moses Lake defined in said decree as classes 2 and 3, amounting to a possible maximum of 6.95 feet of water per second of time.

3. That the total amount of water to be diverted from Moses Lake, other than water stored in said lake as a reservoir, shall not at any one time, during the irrigation season, exceed the inflow from Upper Crab Creek to said lake, and in the event that the total amount of water sought to be diverted from said lake as aforesaid exceeds the inflow from said Upper Crab Creek, the lands in classes of the later priority shall be cut off from the use of water class by class until the amount of water allotted to the remaining classes diverting water from said lake falls within the amount of said inflow, it being adjudged that all lands in the same class shall share in proportion

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to the amount of water allotted to each tract of land in said class respectively, subject to use by rotation.

4. That the rights of lands using water from Grab Creek below Moses Lake shall be independent of the rights of lands using water from Grab Creek above Moses Lake and from Moses Lake, without prejudice, however, to the adjudication, in an appropriate proceeding, of the relation between said two main groups of rights should physical conditions materially change in the future.

5. That all of the lands described in said decree shall be entitled to water according to and in the order of the classes in which the same are placed therein according to the priority of each class, and that rights in an earlier class shall be fully satisfied before water is given to those of a later class; and in the event that at any time the amount of water is insufficient to supply all classes, those lands placed in an earlier class shall have priority and shall be entitled to water to the exclusion of lands in a later class, and in case of failure of the supply of water to satisfy completely the total amount awarded to a given class, the amount remaining for said class shall be apportioned to the lands in said class in proportion to the amount of water allotted to each tract of land in said class respectively, subject to use by rotation.

6. That in the event that any lands are awarded a right in said decree to the water of Moses Lake and also a right to the storage water of said lake, said lands shall not by reason of such double award be entitled to more water than can be beneficially used thereon at the duty of one (1) second foot of water to seventy-five (75) acres of irrigable land.

7. That each of the above named defendants in said action is entitled to the continuous use, throughout the year, of so much of the water of Grab Creek and Moses Lake as is reasonably necessary for domestic and stock use on their respective lands as set forth in the schedules of said decree.

8. That any person taking water from Grab Creek, Moses Lake or their tributaries shall provide and maintain at his own expense, proper diversion works and measuring devices as are required by Section 37, Chapter 117, Laws of 1917, and subsequent amendments thereto.

That the points of diversion of said water rights of

Han, Yearley and Myrie are as follows:

(a) At the point where the notice of appropriation of George S. Garfield, dated January 30, 1909, was posted, to-wit:

A point whence the Northwest (NW) corner of the Southwest Quarter (SW¹/₄) of Section Five (5) in Township Eighteen (18), North of Range Twenty-eight (28) N. E. M. bears north 83 degrees, 14 minutes west, 3,616.0 feet, in Douglas County, Washington.

(b) At the point where the notice of appropriation of Dennis P. Woods, dated February 18, 1909, was posted to-wit:

A point at or near the west southern extremity of Moses Lake.

Said waterrights of Han, Yearley and Myrie shall be used for the

irrigation of the following described lands situated in Grant and Adams Counties, Washington, and when consummated shall be appurtenant to the same, to-wit:

Sections 24, 25, 26, 27, 28, 29, 30 and 31, Township 17 North, Range 26 N.W. M.

Sections 30 and 31, Township 17 North, Range 26, N.W.M.
 Sections 6 and 7, " 16 " " 26, "
 Sections 1 to 10 inclusive, Sections 14 to 21 inclusive, Sections 28 to 32 inclusive, Township 14 North, Range 26 N.W.M.
 Sections 12 to 26 inclusive, Township 14 North, Range 27, N. W. M
 Sections 17 to 20 " " 18 " " 24 "
 Sections 25 to 28 " " 18 " " 26 "
 Sections 29 to 32 " " 18 " " 24 "
 Sections 34 to 36 " " 18 " " 22 "
 Sections 1 to 5 " " 15 " " 27 "
 Sections 6 and 8 " " 15 " " 28 "
 Sections 1, 2 and 3 " " 15 " " 23 "

This instrument is recorded in the office of the State Supervisor of Hydraulics at Olympia, Washington, in Volume II of Water Right Certificates, Inchoate Rights, at Page 40 .

WITNESS the seal and signature of the Supervisor of Hydraulics affixed this 24th day of September , 1928.

 R. K. TIFFANY
 Supervisor of Hydraulics of the State
 of Washington.

*Y. M. S. - 1
C. L. S. 4*

copy

CERTIFICATE OF WATER RIGHT

This is to certify:

That in proceedings instituted under the provisions of Chapter 117, Laws of the State of Washington, for the year 1917, and statutes supplemental thereto and amendatory thereof, to determine the relative rights of all claimants in and to the waters of Crab Creek and Moses Lake, a tributary of the Columbia River, a decree was made and entered on the 5th day of May, 1924, in the Superior Court of the State of Washington in and for Grant County and recorded in Volume 7 of the Superior Court Journal of said county at page 426 awarding to Messrs. Yeaveley & Ryrle, a corporation, a right to the available waters of Moses Lake, above the level of 1,038 feet (above mean sea level,) and to apply such waters, at a duty not to exceed 1 second foot of water per 75 acres of land, for the purpose of irrigation during the period from April 1st to September 15th each year, and for stock and domestic purposes continuously on the lands hereinafter described, subject to the following conditions, which are contained in said decree.

1. That said right is inchoate and may be consummated in the manner prescribed by law.
2. That said right is the only one in its class, to-wit: class eight (8) in said decree, and shall have a priority date of July 8, 1910, and is prior to all other classes of water rights provided for in said decree except those in classes one (1) to seven (7) both inclusive, and shall be subject to riparian rights defined in said decree as class one (1) in and to the waters of Crab Creek above Moses Lake, amounting to a possible maximum of 40.58 feet of water per second of time, and subject to prior rights of appropriation from Moses Lake, defined in said decree as classes two (2) and three (3), amounting to a possible maximum of 6.95 feet of water per second of time, and subject to the prior right of Messrs. Yeaveley and Ryrle, a corporation to store all available water in said Moses Lake above the 1038 foot level, as defined as class four (4) in said decree, and subject to the prior rights of appropriation from Moses Lake, defined in said decree as classes five (5) and six (6), amounting to a possible maximum of 12.45 feet of water per second of time, and subject to a prior riparian right defined in said decree as class seven (7), in and to the waters of Crab Creek above Moses Lake, amounting to a possible maximum of 1.97 feet of water per second of time.

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3. That the total amount of water to be diverted from Moses Lake, other than water stored in said lake as a reservoir, shall not at any one time, during the irrigation season, exceed the inflow from Upper Crab Creek to said lake, and in the event that the total amount of water sought to be diverted from said lake as aforesaid exceeds the inflow from said Upper Crab Creek, the lands in classes of the later priority shall be cut off from the use of water class by class until the amount of water allotted to the remaining classes diverting water from said lake falls within the amount of said inflow, it being adjudged that all lands in the same class shall share in proportion to the amount of water allotted to each tract of land in said class respectively, subject to use by rotation.

4. That the rights of lands using water from Crab Creek below Moses Lake shall be independent of the rights of lands using water from Crab Creek above Moses Lake and from Moses Lake, without prejudice, however, to the adjudication, in an appropriate proceeding, of the relation between said two main groups of rights should physical conditions materially change in the future.

5. That all of the lands described in said decree shall be entitled to water according to and in the order of the classes in which the same are placed therein according to the priority of each class, and that rights in earlier classes shall be fully satisfied before water is given to those of a later class; and in the event that at any time the amount of water is insufficient to supply all classes, those lands placed in an earlier class shall have priority and shall be entitled to water to the exclusion of lands in a later class, and in case of failure of the supply of water to satisfy completely the total amount awarded to a given class, the amount remaining for said class shall be apportioned to the lands in said class in proportion to the amount of water allotted to each tract of land in said class respectively, subject to use by rotation.

6. That in the event that any lands are awarded a right in said decree to the water of Moses Lake and also a right to the storage water of said lake, said lands shall not by reason of such double award be entitled to more water than can be beneficially used thereon at the duty of one (1) second foot of water to seventy-five (75) acres of irrigable land.

7. That each of the above named defendants in said action is entitled to the continuous use, throughout the year, of so much of the water of Crab Creek and Moses Lake as is reasonably necessary for domestic and stock use on their respective lands as set forth in the schedule of said decree.

8. That any person taking water from Crab Creek, Moses Lake or their tributaries shall provide and maintain at his own expense, proper diversion works and measuring devices as are required by Section 27, Chapter 117, Laws of 1917, and subsequent amendments thereto.

That the points of diversion of said water rights of Messrs. Yearling and Kyrie are as follows:

At the points where the notice of appropriation of George M. Sunfield, dated July 8, 1910 was posted, to-wit:

At a point 1000 feet north of the section corner between sections 8-9 and sections 16-17, in township 10 N, Range 28 E, W.M.

At a point in section 27, Township 20 N, Range 27 E. Near the Duck Club House, on the West Shore of Moses Lake.

At a point in section 33, Township 20 N, Range 27 E. on the West Shore of said lake, southwesterly from the Duck Club House, under the high bluff or point of the lake.

At a point in Section 21, Township Twenty (20) North, Range Twenty-eight (28) E.W.M. about 600 feet south and east of the section corner between Sections 20-25 of Township Twenty (20) North, Range Twenty-seven (27) E.W.M. and Sections 20-21 in Township Twenty (20) North, Range Twenty-eight (28) E.W.M. on the North Shore of said lake.

Said water rights of Ham, Yearley and Kyrie shall be used for the irrigation of the following described lands situated in Grant County Washington, and when enumerated shall be appurtenant to the same, to-wit:

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The lands in Township Twenty (20) North, Ranges Twenty-seven (27) and Twenty-eight (28) E.W.M. in Township Nineteen (19) North, Ranges Twenty-seven (27) and Twenty-eight (28) E.W.M. in Township Eighteen (18) North, Range Twenty-eight (28) E.W.M.

This instrument is recorded in the office of the State Supervisor of Hydraulics at Olympia, Washington in Volume II of Water Right Certificates, Inchoate Rights, at page 40 .

WITNESS the seal and signature of the Supervisor of Hydraulics affixed this 25th day of September, 1905

 R. K. TIFFANY
Supervisor of Hydraulics of the
State of Washington