

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

J R SIMPLOT CO. FOOD DIVISION
PO BOX 850
HERMISTON, OREGON 97838

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-72400

SOURCE OF WATER: WASTE WATER OF PROCESSING PLANT, TRIBUTARY OF COLUMBIA RIVER

STORAGE FACILITY: ONE UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-72401, PERMIT 53063, FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION.

AMOUNT/VOLUME ALLOWED: 535.0 ACRE-FEET EACH YEAR

PERIOD OF ALLOWED USE: THE STORAGE OF WASTEWATER IS ALLOWED AT ANY TIME OF THE YEAR IT IS AVAILABLE

DATE OF PRIORITY: MAY 8, 1992

The area submerged by the reservoir, when full, will be 19.8 acres and the maximum depth of water will be 35.0 feet. The maximum height of the dam shall not exceed 46.5 feet.

DAM LOCATION: SE 1/4 SE 1/4, SECTION 5, TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SE 1/4 SE 1/4
SECTION 5
TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may

require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated August 26, 1991 on file with the Water Resources Department.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

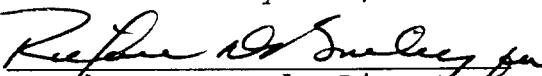
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1999. The reservoirs shall be filled and complete application of water shall be made on or before October 1, 2000.

Issued January 29, 1997


Martha O. Pagel, Director

Water Resources Department

Application R-72400 Water Resources Department

Basin 07

Volume 3 Umatilla River & Misc.

PERMIT R-12130

District 05