

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RON HOLEMAN
PO BOX 113
ECHO, OREGON 97826

TELEPHONE (541)376-8165

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

APPLICATION FILE NUMBER: R-84324

SOURCE OF WATER: UMATILLA RIVER, A TRIBUTARY OF COLUMBIA RIVER within
THE UMATILLA BASIN

STORAGE FACILITY: RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION
S-84325 (PERMIT 53733) FOR SUPPLEMENTAL IRRIGATION

MAXIMUM VOLUME: 105.0 ACRE-FEET (AF)

MAXIMUM DIVERSION RATE SHALL NOT EXCEED 2.67 CUBIC FEET PER SECOND (CFS)

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE JANUARY 1
THROUGH APRIL 14 OF EACH YEAR

DATE OF PRIORITY: DECEMBER 28, 1999

The area submerged by the reservoir, when full, will be 8.25 acres and
the maximum depth of water will be 16 feet. The maximum height of the
dam shall not exceed 9 feet.

DAM LOCATION: SW 1/4 NE 1/4, SE 1/4 NE 1/4, SECTION 28, T3N, R29E, W.M.;

POINT OF DIVERSION: SW 1/4 SW 1/4, SECTION 22, T3N, R29E, W.M.; 720 FEET
NORTH AND 1250 FEET EAST FROM SW CORNER SECTION 22

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

SW 1/4 NE 1/4

SE 1/4 NE 1/4

SECTION 28

TOWNSHIP 3 NORTH, RANGE 29 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.

Water may only be diverted at times when the senior instream water right on this reach of the Umatilla River is fully satisfied in addition to, or over and above, any amounts that are protected as exchanged flows as part of Phase 2 of the Umatilla Basin Project.

STANDARD CONDITIONS

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

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.

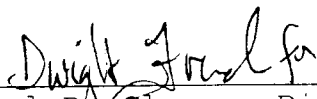
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2005. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued July 27, 2001



Paul R. Cleary, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.