

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WINDBLOWN RANCH
STAR ROUTE
ECHO, OREGON 97826

503-376-8444

to use the waters of WASTE WATER FROM FOOD PROCESSING PLANT, a tributary of UMATILLA RIVER, for SUPPLEMENTAL IRRIGATION OF 351.3 ACRES.

This Permit is issued approving Application 70191. The date of priority is FEBRUARY 8, 1990. The use is limited to not more than 5.0 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 19, T 4 N, R 29 E, W.M.; 1540 FEET NORTH AND 1070 FEET WEST FROM S 1/4 CORNER, SECTION 19.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the period from March 1 to November 1 each year. It is further limited to a diversion of not to exceed 1.5 acre-feet per acre irrigated during the period from November 2 to the end of February, provided the use of water shall not exceed 4.5 acre-feet for each acre irrigated in any one year.

The use allowed herein may be made any time when water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

In the interest of proper operation of the food processing plant, the use of waste waters for supplemental irrigation may be exercised at times when water is available at the primary source, provided the total quantity diverted from all sources of supply does not exceed the limitation allowed herein. Lands listed as being supplemental irrigation may be considered as primary irrigation if at time of final proof it is determined no primary right exists for these lands.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under the Permit is as follows:

NE 1/4 NE 1/4	31.5 ACRES
NW 1/4 NE 1/4	31.5 ACRES
SW 1/4 NE 1/4	31.5 ACRES
SE 1/4 NE 1/4	31.5 ACRES
SE 1/4 NW 1/4	31.8 ACRES
NE 1/4 SW 1/4	32.1 ACRES
SE 1/4 SW 1/4	34.5 ACRES
NE 1/4 SE 1/4	31.5 ACRES
NW 1/4 SE 1/4	31.5 ACRES
SW 1/4 SE 1/4	32.4 ACRES
SE 1/4 SE 1/4	31.5 ACRES

SECTION 19

TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.

Actual construction work shall begin on or before APRIL 5, 1991, and shall be completed on or before October 1, 1992. Complete application of the water to the use shall be made on or before October 1, 1993.

* 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 rights for maintaining instream flows.

Issued this date, APRIL 5, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director