

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF MILTON-FREEWATER
722 SOUTH MAIN STREET
MILTON-FREEWATER, OREGON 97862

503-938-5531

to use the waters from THE CITY'S TREATMENT PLANT AND THREE EFFLUENT LAGOONS N1, N2, AND N3, to be constructed under Application R-69553, Permit R-11219, tributaries of DRY CREEK, for IRRIGATION OF 165.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 450.3 ACRES.

This Permit is issued approving Application 69266. The date of priority is SEPTEMBER 2, 1987. The use is limited to not more than 15.4 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 SW 1/4, NW 1/4 SE 1/4, SECTION 31, T 6 N, R 35 E, W.M.; LAGOON 1 - 1127 FEET NORTH AND 2683 FEET WEST; LAGOON 2 - 1284 FEET NORTH AND 2691 FEET WEST; LAGOON 3 - 2267 FEET NORTH AND 2466 FEET WEST, ALL FROM SE CORNER, SECTION 31.

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-SIXTIETH of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated provided further that the use described herein may be at any time of the year that the use is beneficial. The permit shall be limited to any deficiency in the available supply of any prior permit for the same land and shall not exceed the limitation allowed herein. Provided further that although declared herein, in part, to be for supplemental irrigation, in the interest of proper operation of the treatment plant and storage lagoons, use of water under this permit may be exercised at times when water is available at the primary source, provided the total quantity diverted from all sources does not exceed the limitation allowed herein.

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4		40.0 ACRES
NW 1/4 NE 1/4		40.0 ACRES
SW 1/4 NE 1/4	40.0 ACRES	
SE 1/4 NE 1/4	40.0 ACRES	
NE 1/4 NW 1/4	2.8 ACRES	37.2 ACRES
NW 1/4 NW 1/4	13.6 ACRES	26.4 ACRES
SE 1/4 NW 1/4	40.0 ACRES	
SECTION 6		
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.		

<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	39.0 ACRES
SW 1/4 NE 1/4	39.0 ACRES
SE 1/4 NE 1/4	39.0 ACRES
NE 1/4 NW 1/4	40.0 ACRES
NW 1/4 NW 1/4	28.7 ACRES
SW 1/4 NW 1/4	10.0 ACRES
SE 1/4 NW 1/4	33.0 ACRES
NE 1/4 SW 1/4	40.0 ACRES
SE 1/4 SW 1/4	36.6 ACRES
NW 1/4 SE 1/4	18.4 ACRES
SW 1/4 SE 1/4	11.0 ACRES
	1.4 ACRES
SECTION 31	
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.	

This project was considered and approved by the Water Resources Commission on March 30, 1990.

Actual construction work shall begin on or before APRIL 30, 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 30, 1990.

/s/ WILLIAM H. YOUNG
 Water Resources Department
 William H. Young
 Director