

STATE OF OREGON

COUNTY OF HOOD RIVER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

FARMERS IRRIGATION DISTRICT
1985 COUNTRY CLUB ROAD
HOOD RIVER, OREGON 97031

PC 885

to use the waters of GATE CREEK, CABIN CREEK, AND NORTH FORK GREEN POINT CREEK, tributaries of HOOD RIVER, for DEVELOPMENT OF 2097 THEORETICAL HORSEPOWER AT FARMERS IRRIGATION GENERATION PLANTS NO. 2 & 3.

This Permit is issued approving Application 61243. The date of priority is February 11, 1981. The use is limited to not more than 25.0 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source. Water shall be diverted in the following order of priority:

Cabin/Gate Creek - 5.0 cfs from Gate Creek and Cabin Creek with no more than a total of 5.0 cfs at any one time from both sources. Water will not be diverted if the flow drops below the interim minimum bypass flows for Green Point Creek as described in the Final Order of the Water Resources Commission, dated December 3, 1990 and incorporated herein as provided below.

North Fork Green Point Creek - No more than a total of 20.0 cfs will be diverted from North Fork Green Point Creek. Water will not be diverted below the interim minimum bypass flows for Green Point Creek as described in the Final Order of the Water Resources Commission, dated December 3, 1990 and incorporated herein as provided below.

October 16 through December 31 - 30 cfs
January 1 through April 14 - 60 cfs

No more than a total of 25.0 cfs at any one time from Gate Creek, Cabin Creek and North Fork Green Point Creek. Water will be diverted from Gate Creek and Cabin Creek but not when the flow in Green Point Creek falls below the minimums defined above and then from North Fork Green Point Creek until the balance of the 25.0 cfs is diverted or until the minimum flow is reached in Green Point Creek.

No more than 35.0 cfs will be diverted from all Plant 3 sources at any one time. Water will first be diverted from Ditch Creek, then North and South Pine Creeks, and finally from Dead Point Creek as allowed under an existing Permit 49871. Gate Creek, Cabin Creek and North Fork Green Point Creek will then be used in the manner described herein until the balance of the 35.0 cfs is diverted or until the minimum flows of the sources are reached.

The points of diversion are located as follows:

Gate Creek - NE 1/4 SW 1/4, SECTION 30, T 2 N, R 9 E, W.M.;
DIVERSION POINT 1 - 6940 FEET NORTH AND 14820 FEET WEST,
DIVERSION POINT 2 - 6820 FEET NORTH AND 14720 FEET WEST, BOTH
FROM THE SE CORNER, SW 1/4 SW 1/4 SECTION 34, Cabin Creek - NW

Application 61243

Water Resources Department

Permit 51421

"CERTIFICATE NO. 75809

1/4 NE 1/4 SECTION 32, T 2 N, R 9 E, W.M.; 4400 FEET NORTH AND 8100 FEET WEST, FROM SE CORNER, SW 1/4 SW 1/4, SECTION 34,

North Fork Green Point Creek - SE 1/4 SW 1/4 SECTION 3, T 1 N, R 9 E, W.M.; 430 FEET NORTH AND 1500 FEET EAST FROM SW CORNER, SECTION 3.

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

SE 1/4 SE 1/4 PLANT NO. 2
SECTION 11
TOWNSHIP 2 NORTH, RANGE 10 EAST, W.M.

SE 1/4 SE 1/4 PLANT NO. 3
SECTION 10
TOWNSHIP 2 NORTH, RANGE 10 EAST, W.M

The right granted herein is expressly made inferior in right and subsequent in time to any appropriation of water from these sources which may hereafter be made for domestic, municipal, irrigation or any other beneficial consumptive use, or for storage for such purposes: provided further that the permittee shall comply with the provisions of the final order of the Water Resources Commission dated December 3, 1990, and by reference herein made part of this permit; provided further that the permittee shall, during the operational lifetime of the project, perform or allow the Water Resources Department to perform any tests or studies required by the department to evaluate the effectiveness of measures for the protection of fish; provided further that this permit may not be assigned to any non-municipal entity so as to result in a loss of ownership of the permit by a municipal corporation or district and that the holder of the permit must remain qualified as a municipal applicant under ORS 537.285 and 537.287. If the municipal corporation or district proposes to alter any existing agreement or enter into any new agreement with a non-municipal entity that would provide for a change in management of the generation of hydroelectric power as allowed under this permit, the proposed agreement between the municipal corporation or district and the non-municipal entity must be reviewed by the Water Resources Commission to determine whether or not the permittee remains qualified as a municipal applicant.

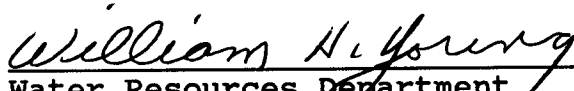
Complete application of the water to the use shall be made on or before January 1, 1996.

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.

Issued this date, March 7, 1992


Water Resources Department
William H. Young
Director