

STATE OF OREGON  
COUNTY OF UMATILLA

PLACED IN U.S. MAIL

NOV 4 1996

PERMIT TO APPROPRIATE THE PUBLIC WATERS DIVISION WATER RESOURCES DEPT.

THIS PERMIT IS HEREBY ISSUED TO

MCKIBBEN FAMILY LIMITED PARTNERSHIP  
1244 FORREST LANE  
WALLA WALLA, WASHINGTON 99362

(509) 525-7505

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-74392

SOURCE OF WATER: FORD BRANCH, TRIBUTARY TO LITTLE WALLA WALLA RIVER

PURPOSE OR USE: FROST PROTECTION ON 78.9 ACRES

RATE OF USE: 2.0 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH APRIL 14

DATE OF PRIORITY: AUGUST 1, 1994

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 2, T5N, R35E, W.M.;  
NW 1/4 SW 1/4, SECTION 33, T6N, R35E, W.M.; LITTLE WALLA WALLA RIVER -  
670 FEET SOUTH AND 500 FEET WEST FROM THE NE CORNER OF SECTION 2;  
PLEASANT VIEW DITCH - 775 FEET WEST FROM THE NE CORNER OF SECTION 33

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4 38.9 ACRES  
SECTION 32  
NW 1/4 SW 1/4 40.0 ACRES  
SECTION 33  
TOWNSHIP 6 NORTH, RANGE 35 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.

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- 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 use of water allowed under this permit from the Pleasant View Ditch point of diversion can only be used, when available, normally during daylight hours, as stipulated by the Walla Walla River Irrigation District.

#### STANDARD CONDITIONS

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

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.

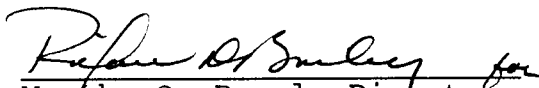
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued October 29, 1996

  
Martha O. Pagel, Director  
Water Resources Department