

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

J R SIMPLOT CO. FOOD DIVISION
PO BOX 850
HERMISTON, OREGON 97838

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

APPLICATION FILE NUMBER: S-72401

SOURCE OF WATER: PLANT PROCESS WATER AND STORAGE RESERVOIR, TRIBUTARIES OF COLUMBIA RIVER, RESERVOIR CONSTRUCTED UNDER APPLICATION R-72400, PERMIT R-12130

PURPOSE OR USE: IRRIGATION OF 601.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 1859.7 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 535.0 ACRE-FEET PER YEAR FROM STORED WATER AND 3.3 CUBIC FEET PER SECOND FROM PROCESSING PLANT

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 8, 1992

POINT OF DIVERSION LOCATION: POD 1, SE 1/4 SW 1/4, SECTION 27, TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.; 150 FEET NORTH AND 710 FEET WEST FROM THE S 1/4 COR SECTION 27; POD 2, SE 1/4 SE 1/4, SECTION 5, TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.; 550 FEET NORTH AND 1300 FEET WEST FROM TH SE CORNER SECTION 5

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 SW 1/4	31.3 ACRES	
NW 1/4 SW 1/4	31.3 ACRES	
SW 1/4 SW 1/4	31.3 ACRES	
SE 1/4 SW 1/4	31.3 ACRES	
SECTION 3		
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

NE 1/4 NW 1/4	40.0 ACRES	
NW 1/4 NW 1/4	7.6 ACRES	
SW 1/4 NW 1/4	10.3 ACRES	29.7 ACRES
SE 1/4 NW 1/4	25.9 ACRES	14.1 ACRES
NE 1/4 SW 1/4	20.5 ACRES	19.5 ACRES
NW 1/4 SW 1/4	7.3 ACRES	32.7 ACRES
SW 1/4 SW 1/4	40.0 ACRES	
NE 1/4 SE 1/4		31.3 ACRES
NW 1/4 SE 1/4	4.1 ACRES	27.2 ACRES
SW 1/4 SE 1/4		31.3 ACRES
SE 1/4 SE 1/4		31.3 ACRES

SECTION 4

NE 1/4 NE 1/4		9.9 ACRES
NW 1/4 NE 1/4		26.2 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		40.0 ACRES
NW 1/4 NW 1/4		40.0 ACRES
SW 1/4 NW 1/4		40.0 ACRES
SE 1/4 NW 1/4		40.0 ACRES
NE 1/4 SW 1/4		40.0 ACRES
NW 1/4 SW 1/4		40.0 ACRES
SW 1/4 SW 1/4		40.0 ACRES
SE 1/4 SW 1/4		40.0 ACRES
NE 1/4 SE 1/4		24.1 ACRES
NW 1/4 SE 1/4		40.0 ACRES
SW 1/4 SE 1/4		40.0 ACRES

SECTION 5

NE 1/4 NE 1/4	30.0 ACRES	10.0 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	25.0 ACRES	15.0 ACRES
NE 1/4 SE 1/4	20.0 ACRES	20.0 ACRES
NW 1/4 SE 1/4		40.0 ACRES
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4	20.0 ACRES	20.0 ACRES

SECTION 6

NE 1/4 NE 1/4		40.0 ACRES
NW 1/4 NE 1/4	27.1 ACRES	12.9 ACRES
SW 1/4 NE 1/4		40.0 ACRES
SE 1/4 NE 1/4	0.8 ACRE	39.2 ACRES

NE 1/4 NW 1/4		4.0 ACRES
SE 1/4 NW 1/4		4.0 ACRES
NE 1/4 SE 1/4	9.0 ACRES	31.0 ACRES
NW 1/4 SE 1/4	13.2 ACRES	26.8 ACRES
SW 1/4 SE 1/4		34.4 ACRES
SE 1/4 SE 1/4		40.0 ACRES

SECTION 7

NW 1/4 NE 1/4	10.0 ACRES	30.0 ACRES
NE 1/4 NW 1/4	2.0 ACRES	38.0 ACRES
NW 1/4 NW 1/4		40.0 ACRES
SW 1/4 NW 1/4	1.4 ACRES	38.6 ACRES
NW 1/4 SW 1/4	2.0 ACRES	38.0 ACRES

SECTION 8

NE 1/4 NE 1/4		40.0 ACRES
NW 1/4 NE 1/4		38.8 ACRES
SW 1/4 NE 1/4	40.0 ACRES	
SE 1/4 SW 1/4		11.7 ACRES
NW 1/4 SE 1/4	40.0 ACRES	

SECTION 18

TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

NE 1/4 SE 1/4		40.0 ACRES
NW 1/4 SE 1/4		12.7 ACRES
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4		27.8 ACRES

SECTION 32

NW 1/4 SW 1/4		32.4 ACRES
SW 1/4 SW 1/4		15.6 ACRES
SE 1/4 SW 1/4		4.5 ACRES
NE 1/4 SE 1/4		10.0 ACRES

SECTION 33

NE 1/4 SW 1/4		9.0 ACRES
NW 1/4 SW 1/4		14.0 ACRES
NE 1/4 SE 1/4		20.0 ACRES
NW 1/4 SE 1/4		32.0 ACRES
SW 1/4 SE 1/4		5.0 ACRES

SECTION 34

NW 1/4 SW 1/4		21.0 ACRES
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SECTION 35

TOWNSHIP 4 NORTH, RANGE 28 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.

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.

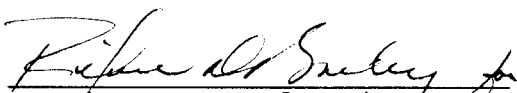
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 1999. The reservoirs shall be filled and complete application of water shall be made on or before October 1, 2000.

Issued January 29, 1997


Martha O. Pagel, Director
Water Resources Department