

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUPP RANCHES
176 KRANICHWOOD ST
RICHLAND WA 99352

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

APPLICATION FILE NUMBER: S-88299

SOURCE OF WATER: COLUMBIA RIVER, TRIBUTARY TO PACIFIC OCEAN

PURPOSE OR USE: PRIMARY IRRIGATION OF 4,021.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 1,000.0 ACRES

MAXIMUM RATE: 31.4 CUBIC FEET PER SECOND

PERIOD OF USE: OCTOBER 1 THROUGH APRIL 14

DATE OF PRIORITY: OCTOBER 12, 2016

POINT OF DIVERSION:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|------|-----|-----|-------|---|
| 5 N | 30 E | WM | 8 | SW NW | 2920 FEET NORTH AND 150 FEET EAST FROM SW CORNER, SECTION 8 |

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-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| PRIMARY IRRIGATION | | | | | |
|--------------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 5 N | 30 E | WM | 1 | NE NE | 40.0 |
| 5 N | 30 E | WM | 1 | NW NE | 40.0 |
| 5 N | 30 E | WM | 1 | SW NE | 40.0 |
| 5 N | 30 E | WM | 1 | SE NE | 40.0 |
| 5 N | 30 E | WM | 1 | NE NW | 40.0 |
| 5 N | 30 E | WM | 1 | NW NW | 40.0 |
| 5 N | 30 E | WM | 1 | SW NW | 40.0 |
| 5 N | 30 E | WM | 1 | SE NW | 40.0 |
| 5 N | 30 E | WM | 1 | NE SW | 40.0 |
| 5 N | 30 E | WM | 1 | NW SW | 40.0 |
| 5 N | 30 E | WM | 1 | SW SW | 40.0 |
| 5 N | 30 E | WM | 1 | SE SW | 40.0 |
| 5 N | 30 E | WM | 1 | NE SE | 40.0 |

| PRIMARY IRRIGATION | | | | | |
|--------------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 5 N | 30 E | WM | 1 | NW SE | 40.0 |
| 5 N | 30 E | WM | 1 | SW SE | 40.0 |
| 5 N | 30 E | WM | 1 | SE SE | 40.0 |
| 5 N | 30 E | WM | 11 | NE NE | 40.0 |
| 5 N | 30 E | WM | 11 | NW NE | 40.0 |
| 5 N | 30 E | WM | 11 | SW NE | 40.0 |
| 5 N | 30 E | WM | 11 | SE NE | 40.0 |
| 5 N | 30 E | WM | 11 | NW NW | 40.0 |
| 5 N | 30 E | WM | 11 | SW NW | 40.0 |
| 5 N | 30 E | WM | 11 | NW SW | 40.0 |
| 5 N | 30 E | WM | 11 | SW SW | 40.0 |
| 5 N | 30 E | WM | 11 | NE SE | 40.0 |
| 5 N | 30 E | WM | 11 | NW SE | 40.0 |

| PRIMARY IRRIGATION | | | | | |
|--------------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 5 N | 30 E | WM | 11 | SW SE | 30.0 |
| 5 N | 30 E | WM | 11 | SE SE | 30.0 |
| 5 N | 30 E | WM | 12 | NE NE | 40.0 |
| 5 N | 30 E | WM | 12 | NW NE | 40.0 |
| 5 N | 30 E | WM | 12 | SW NE | 40.0 |
| 5 N | 30 E | WM | 12 | SE NE | 40.0 |
| 5 N | 30 E | WM | 12 | NE NW | 40.0 |
| 5 N | 30 E | WM | 12 | NW NW | 40.0 |
| 5 N | 30 E | WM | 12 | SW NW | 40.0 |
| 5 N | 30 E | WM | 12 | SE NW | 40.0 |
| 5 N | 30 E | WM | 12 | NE SW | 40.0 |
| 5 N | 30 E | WM | 12 | NW SW | 40.0 |
| 5 N | 30 E | WM | 12 | SW SW | 35.0 |
| 5 N | 30 E | WM | 12 | SE SW | 40.0 |
| 5 N | 30 E | WM | 12 | NE SE | 40.0 |
| 5 N | 30 E | WM | 12 | NW SE | 40.0 |
| 5 N | 30 E | WM | 12 | SW SE | 40.0 |
| 5 N | 30 E | WM | 12 | SE SE | 40.0 |
| 5 N | 30 E | WM | 13 | NE NE | 40.0 |
| 5 N | 30 E | WM | 13 | NW NE | 40.0 |
| 5 N | 30 E | WM | 13 | SW NE | 40.0 |
| 5 N | 30 E | WM | 13 | SE NE | 40.0 |
| 5 N | 30 E | WM | 13 | NE NW | 40.0 |
| 5 N | 30 E | WM | 13 | NW NW | 30.0 |
| 5 N | 30 E | WM | 13 | SW NW | 30.0 |
| 5 N | 30 E | WM | 13 | SE NW | 40.0 |
| 5 N | 30 E | WM | 13 | NE SW | 40.0 |
| 5 N | 30 E | WM | 13 | NW SW | 30.0 |
| 5 N | 30 E | WM | 13 | SW SW | 35.0 |
| 5 N | 30 E | WM | 13 | SE SW | 40.0 |
| 5 N | 30 E | WM | 14 | SW SW | 20.0 |
| 5 N | 30 E | WM | 14 | SE SW | 20.0 |
| 5 N | 30 E | WM | 14 | SW SE | 20.0 |
| 5 N | 30 E | WM | 14 | SE SE | 20.0 |
| 5 N | 30 E | WM | 15 | NW NW | 30.0 |
| 5 N | 30 E | WM | 15 | SW NW | 30.0 |
| 5 N | 30 E | WM | 15 | SW SE | 20.0 |
| 5 N | 30 E | WM | 15 | SE SE | 20.0 |
| 5 N | 31 E | WM | 5 | SW NW | 35.0 |
| 5 N | 31 E | WM | 5 | SE NW | 35.0 |
| 5 N | 31 E | WM | 5 | NE SW | 36.8 |
| 5 N | 31 E | WM | 5 | NW SW | 36.8 |
| 5 N | 31 E | WM | 5 | SW SW | 38.8 |
| 5 N | 31 E | WM | 5 | SE SW | 38.8 |
| 5 N | 31 E | WM | 7 | NE NE | 40.0 |
| 5 N | 31 E | WM | 7 | SW NE | 40.0 |
| 5 N | 31 E | WM | 7 | SE NE | 40.0 |
| 5 N | 31 E | WM | 7 | NE NW | 40.0 |
| 5 N | 31 E | WM | 7 | SW NW | 40.0 |
| 5 N | 31 E | WM | 7 | SE NW | 40.0 |
| 5 N | 31 E | WM | 7 | NE SW | 40.0 |
| 5 N | 31 E | WM | 7 | NW SW | 40.0 |
| 5 N | 31 E | WM | 7 | SW SW | 40.0 |

| PRIMARY IRRIGATION | | | | | |
|--------------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 5 N | 31 E | WM | 7 | SE SW | 40.0 |
| 5 N | 31 E | WM | 7 | NE SE | 40.0 |
| 5 N | 31 E | WM | 7 | NW SE | 40.0 |
| 5 N | 31 E | WM | 7 | SW SE | 40.0 |
| 5 N | 31 E | WM | 7 | SE SE | 40.0 |
| 5 N | 31 E | WM | 8 | NW NE | 40.0 |
| 5 N | 31 E | WM | 8 | SW NE | 40.0 |
| 5 N | 31 E | WM | 8 | NW NW | 40.0 |
| 5 N | 31 E | WM | 8 | SW NW | 40.0 |
| 5 N | 31 E | WM | 8 | SE NW | 40.0 |
| 5 N | 31 E | WM | 8 | NE SW | 40.0 |
| 5 N | 31 E | WM | 8 | NW SW | 40.0 |
| 5 N | 31 E | WM | 8 | SW SW | 40.0 |
| 5 N | 31 E | WM | 8 | SE SW | 40.0 |
| 5 N | 31 E | WM | 8 | NW SE | 40.0 |
| 5 N | 31 E | WM | 17 | NE NW | 40.0 |
| 5 N | 31 E | WM | 17 | NW NW | 40.0 |
| 5 N | 31 E | WM | 17 | SW NW | 40.0 |
| 5 N | 31 E | WM | 17 | SE NW | 40.0 |
| 5 N | 31 E | WM | 18 | NE NE | 40.0 |
| 5 N | 31 E | WM | 18 | NW NE | 40.0 |
| 5 N | 31 E | WM | 18 | SW NE | 40.0 |
| 5 N | 31 E | WM | 18 | SE NE | 40.0 |
| 5 N | 31 E | WM | 18 | NE NW | 40.0 |
| 5 N | 31 E | WM | 18 | NW NW | 40.0 |
| 5 N | 31 E | WM | 18 | SW NW | 40.0 |
| 5 N | 31 E | WM | 18 | SE NW | 40.0 |

| SUPPLEMENTAL IRRIGATION | | | | | |
|-------------------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 5 N | 30 E | WM | 11 | SW SE | 10.0 |
| 5 N | 30 E | WM | 11 | SE SE | 10.0 |
| 5 N | 30 E | WM | 12 | SW SW | 5.0 |
| 5 N | 30 E | WM | 13 | NW NW | 10.0 |
| 5 N | 30 E | WM | 13 | SW NW | 10.0 |
| 5 N | 30 E | WM | 13 | NW SW | 10.0 |
| 5 N | 30 E | WM | 13 | SW SW | 5.0 |
| 5 N | 30 E | WM | 14 | NE NE | 40.0 |
| 5 N | 30 E | WM | 14 | NW NE | 40.0 |
| 5 N | 30 E | WM | 14 | SW NE | 40.0 |
| 5 N | 30 E | WM | 14 | SE NE | 40.0 |
| 5 N | 30 E | WM | 14 | NE NW | 40.0 |
| 5 N | 30 E | WM | 14 | NW NW | 40.0 |
| 5 N | 30 E | WM | 14 | SW NW | 40.0 |
| 5 N | 30 E | WM | 14 | SE NW | 40.0 |
| 5 N | 30 E | WM | 14 | NE SW | 40.0 |
| 5 N | 30 E | WM | 14 | NW SW | 40.0 |
| 5 N | 30 E | WM | 14 | SW SW | 20.0 |
| 5 N | 30 E | WM | 14 | SE SW | 20.0 |
| 5 N | 30 E | WM | 14 | NE SE | 40.0 |
| 5 N | 30 E | WM | 14 | NW SE | 40.0 |
| 5 N | 30 E | WM | 14 | SW SE | 20.0 |
| 5 N | 30 E | WM | 14 | SE SE | 20.0 |

| SUPPLEMENTAL IRRIGATION | | | | | |
|-------------------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 5 N | 30 E | WM | 15 | NE NE | 40.0 |
| 5 N | 30 E | WM | 15 | NW NE | 40.0 |
| 5 N | 30 E | WM | 15 | SW NE | 40.0 |
| 5 N | 30 E | WM | 15 | SE NE | 40.0 |
| 5 N | 30 E | WM | 15 | NE NW | 40.0 |
| 5 N | 30 E | WM | 15 | NW NW | 10.0 |

| SUPPLEMENTAL IRRIGATION | | | | | |
|-------------------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 5 N | 30 E | WM | 15 | SW NW | 10.0 |
| 5 N | 30 E | WM | 15 | SE NW | 40.0 |
| 5 N | 30 E | WM | 15 | NE SE | 40.0 |
| 5 N | 30 E | WM | 15 | NW SE | 40.0 |
| 5 N | 30 E | WM | 15 | SW SE | 20.0 |
| 5 N | 30 E | WM | 15 | SE SE | 20.0 |

1. Water Use Measurement, Recording, and Reporting Condition:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
2. A fishway to ensure adequate upstream and downstream passage for fish is required for any in-channel obstruction, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission.
 3. The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. The permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
 4. The use of water under this permit may be used in place of any existing groundwater right for primary irrigation of the same land in order to conserve groundwater supplies.


STANDARD CONDITIONS

1. 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.
2. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user

not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

3. 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.
4. 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.
5. 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.
6. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
7. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
8. Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.
9. At the time of perfection, the permittee may request that the use be certificated as primary irrigation, if water has been used beneficially according to the terms and conditions of this permit, and if underlying primary water rights are simultaneously diminished or canceled.

Issued JAN 16 2020



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department