

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CARL ST HILAIRE  
ST HILAIRE BROTHERS HERMISTON FARM LLC  
84186 HIGHWAY 37  
HERMISTON OR 97838

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

APPLICATION FILE NUMBER: S-88458

SOURCE OF WATER: COLUMBIA RIVER, TRIBUTARY TO PACIFIC OCEAN

RATE AND PURPOSE OR USE: 55.94 CUBIC FEET PER SECOND (CFS) FOR PRIMARY IRRIGATION OF 4475.5 ACRES, FURTHER LIMITED TO 6.5 CFS FOR SUPPLEMENTAL IRRIGATION OF 521.29 ACRES

DATE OF PRIORITY: SEPTEMBER 8, 2017

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 PLACE OF USE AND PERIOD OF USE IS AS FOLLOWS:

				Primary Irrigation Acres		Supplemental Irrigation Acres
Twp	Rng	Sec	Q-Q	10/1 - 4/14	11/1 - 2/28-29	3/31 - 4/14 & 10/1- 10/31
4 N	30 E	3	NE NE		27.68	27.68
4 N	30 E	3	NW NE		23.03	23.03
4 N	30 E	3	SW NE		28.56	28.56
4 N	30 E	3	SE NE		33.32	33.32
4 N	30 E	3	NE NW		29.00	29.00
4 N	30 E	3	NW NW		29.48	29.48
4 N	30 E	3	SW NW		26.56	26.56
4 N	30 E	3	SE NW		21.89	21.89
4 N	30 E	3	NE SW		31.50	31.50
4 N	30 E	3	NW SW		40.65	40.65
4 N	30 E	3	SW SW		39.97	39.97
4 N	30 E	3	SE SW		39.56	39.56
4 N	30 E	3	NE SE		38.27	38.27
4 N	30 E	3	NW SE		33.39	33.39

Twp	Rng	Sec	Q-Q	Primary Irrigation Acres		Supplemental Irrigation Acres
				10/1 – 4/14	11/1 – 2/28-29	3/31 – 4/14 & 10/1- 10/31
4 N	30 E	3	SW SE		39.46	39.46
4 N	30 E	3	SE SE		38.97	38.97
5 N	30 E	15	NE SW		33.70	
5 N	30 E	15	NW SW		31.60	
5 N	30 E	15	SW SW		34.50	
5 N	30 E	15	SE SW		32.40	
5 N	30 E	20	SW NE		2.40	
5 N	30 E	20	NE NW		0.30	
5 N	30 E	20	NW NW		1.20	
5 N	30 E	20	SW NW		37.60	
5 N	30 E	20	SE NW		24.10	
5 N	30 E	20	NE SW		35.00	
5 N	30 E	20	NW SW		32.40	
5 N	30 E	20	SW SW		38.40	
5 N	30 E	20	SE SW		30.40	
5 N	30 E	20	NE SE		16.00	
5 N	30 E	20	NW SE		40.40	
5 N	30 E	20	SW SE		39.60	
5 N	30 E	20	SE SE		33.60	
5 N	30 E	21	NE NE		31.60	
5 N	30 E	21	NW NE		33.80	
5 N	30 E	21	SW NE		39.20	
5 N	30 E	21	SE NE		30.80	
5 N	30 E	21	NE NW		31.60	
5 N	30 E	21	NW NW		33.60	
5 N	30 E	21	SW NW		34.40	
5 N	30 E	21	SE NW		37.80	
5 N	30 E	21	NE SW		39.40	
5 N	30 E	21	NW SW		34.20	
5 N	30 E	21	SW SW		30.20	
5 N	30 E	21	SE SW		26.40	
5 N	30 E	21	NE SE		38.80	
5 N	30 E	21	NW SE		35.60	
5 N	30 E	21	SW SE		37.60	
5 N	30 E	21	SE SE		33.20	
5 N	30 E	22	NE NE	4.90		
5 N	30 E	22	NW NE	16.28		
5 N	30 E	22	SE NE	28.00		
5 N	30 E	22	SE SW	3.67		
5 N	30 E	22	NE SE	40.35		
5 N	30 E	22	NW SE	32.56		
5 N	30 E	22	SW SE	33.78		
5 N	30 E	22	SE SE	21.87		
5 N	30 E	22	NE NW		33.20	
5 N	30 E	22	NW NW		32.50	
5 N	30 E	22	SW NW		34.40	
5 N	30 E	22	SE NW		30.80	

Twp	Rng	Sec	Q-Q	Primary Irrigation Acres		Supplemental Irrigation Acres
				10/1 – 4/14	11/1 – 2/28-29	3/31 – 4/14 & 10/1- 10/31
5 N	30 E	22	NE SW		33.30	
5 N	30 E	22	NW SW		34.50	
5 N	30 E	22	SW SW		34.10	
5 N	30 E	22	SE SW		30.90	
5 N	30 E	23	NE NE	17.16		
5 N	30 E	23	NW NE	13.05		
5 N	30 E	23	SW NE	30.09		
5 N	30 E	23	SE NE	36.95		
5 N	30 E	23	NE NW	20.13		
5 N	30 E	23	NW NW	36.55		
5 N	30 E	23	SW NW	37.63		
5 N	30 E	23	SE NW	20.91		
5 N	30 E	23	NE SW	12.05		
5 N	30 E	23	NW SW	22.15		
5 N	30 E	23	SW SW	40.12		
5 N	30 E	23	SE SW	33.52		
5 N	30 E	23	NE SE	21.32		
5 N	30 E	23	NW SE	31.45		
5 N	30 E	23	SW SE	38.66		
5 N	30 E	23	SE SE	27.34		
5 N	30 E	26	NE NE	1.17		
5 N	30 E	26	NW NE	33.95		
5 N	30 E	26	SW NE	20.98		
5 N	30 E	26	NE NW	27.72		
5 N	30 E	26	NW NW	30.91		
5 N	30 E	26	SW NW	15.66		
5 N	30 E	26	SE NW	14.55		
5 N	30 E	26	NW SW	1.96		
5 N	30 E	27	NE NE	10.14		
5 N	30 E	27	NW NE	8.57		
5 N	30 E	27	SW NE	0.39		
5 N	30 E	27	SE NE	27.97		
5 N	30 E	27	NE NW	4.34		
5 N	30 E	27	NE SE	20.55		
5 N	30 E	27	NW SE	0.30		
5 N	30 E	27	NE NE		8.35	
5 N	30 E	27	NW NE		24.10	
5 N	30 E	27	NE NW		34.30	
5 N	30 E	27	NW NW		32.30	
5 N	30 E	27	SW NW		37.50	
5 N	30 E	27	SE NW		31.70	
5 N	30 E	27	NE SW		0.10	
5 N	30 E	27	NW SW		19.30	
5 N	30 E	27	SW SW		6.90	
5 N	30 E	27	SE SW		26.00	
5 N	30 E	27	SW SE		10.70	
5 N	30 E	27	SE SE		2.80	

Twp	Rng	Sec	Q-Q	Primary Irrigation Acres		Supplemental Irrigation Acres
				10/1 – 4/14	11/1 – 2/28-29	3/31 – 4/14 & 10/1- 10/31
5 N	30 E	28	NE NE		36.00	
5 N	30 E	28	NW NE		32.80	
5 N	30 E	28	SW NE		25.70	
5 N	30 E	28	SE NE		38.00	
5 N	30 E	28	NE NW		39.20	
5 N	30 E	28	NW NW		39.20	
5 N	30 E	28	SW NW		25.00	
5 N	30 E	28	SE NW		33.60	
5 N	30 E	28	NE SW		41.20	
5 N	30 E	28	NW SW		39.20	
5 N	30 E	28	SW SW		19.60	
5 N	30 E	28	SE SW		24.00	
5 N	30 E	28	NE SE		31.00	
5 N	30 E	28	NW SE		22.80	
5 N	30 E	28	SW SE		4.70	
5 N	30 E	28	SE SE		11.40	
5 N	30 E	32	NE NE		0.80	
5 N	30 E	32	SE NE		26.00	
5 N	30 E	32	SE SW		33.20	
5 N	30 E	32	NE SE		36.00	
5 N	30 E	32	NW SE		31.20	
5 N	30 E	32	SW SE		31.10	
5 N	30 E	32	SE SE		32.80	
5 N	30 E	33	NE NE		39.80	
5 N	30 E	33	NW NE		18.80	
5 N	30 E	33	SW NE		31.50	
5 N	30 E	33	SE NE		34.30	
5 N	30 E	33	NE NW		21.20	
5 N	30 E	33	NW NW		1.70	
5 N	30 E	33	SW NW		31.00	
5 N	30 E	33	SE NW		39.30	
5 N	30 E	33	NE SW		35.20	
5 N	30 E	33	NW SW		36.80	
5 N	30 E	33	SW SW		30.00	
5 N	30 E	33	SE SW		32.80	
5 N	30 E	33	NE SE		38.90	
5 N	30 E	33	NW SE		38.20	
5 N	30 E	33	SW SE		16.90	
5 N	30 E	33	SE SE		16.30	
5 N	30 E	34	NE NE		30.00	
5 N	30 E	34	NW NE		36.40	
5 N	30 E	34	SW NE		33.00	
5 N	30 E	34	SE NE		28.50	
5 N	30 E	34	NE NW		40.00	
5 N	30 E	34	NW NW		35.80	
5 N	30 E	34	SW NW		35.90	
5 N	30 E	34	SE NW		30.00	

				Primary Irrigation Acres		Supplemental Irrigation Acres
Twp	Rng	Sec	Q-Q	10/1 – 4/14	11/1 – 2/28-29	3/31 – 4/14 & 10/1- 10/31
5 N	30 E	34	NE SW		35.30	
5 N	30 E	34	NW SW		37.80	
5 N	30 E	34	SW SW		24.78	
5 N	30 E	34	SE SW		22.39	
5 N	30 E	34	NE SE		32.00	
5 N	30 E	34	NW SE		32.40	
5 N	30 E	34	SW SE		20.42	
5 N	30 E	34	SE SE		13.12	
<b>Total Acres</b>				<b>839.65</b>	<b>3635.85</b>	<b>521.29</b>

### PERMIT SPECIFIC 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. **Water Use Measurement, Recording, and Reporting:**
  - 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.

### 3. **Fish Screen/By-pass:**

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. 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.

### STANDARD CONDITIONS

1. 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.
2. 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.
3. 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.
4. 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.

### DEVELOPMENT AND COMPLETION TIMELINE REQUIREMENTS

1. 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.
2. 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.
3. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued **FEB 23 2022**



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