



Oregon Water Resources Department 725
 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Bill Devos
First Last

Mailing Address: 2460 9th Ave W
Vale Oregon 97918
City State Zip

Phone: (541) 473-3927 Cell (541) 212-7939
Home Work Other

*Fax: _____ *Email Address: devosdairy@q.com

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: _____

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

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WATER RESOURCES DEPT
SALEM, OREGON

For Department Use		
App. No. <u>G-12240</u>	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

- There are no encumbrances
- This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below)

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Vale Oregon Irrigation Canal Lateral 323; Kern Creek

Distance from well(s) to nearest stream or lake:

1) Lateral = 50' 2) Kern Creek = 300' 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) Lateral - level 2) Kern Creek 45' 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by:

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Mailing Address: _____

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City State Zip

Completion Date: _____

Please provide a description of your well development. *(Attach additional sheets if needed.)*

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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SALEM, OREGON**

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 450 GPM
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: March 1 - October 31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 76
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): 20 horse turbin pump
- other means (describe): _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

- Pipe (give diameter and total length):

Diameter 8" Length 1500

- other, describe: _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Irrigation or land application method (check all that apply):

- Flood
- Drip
- Hand Lines
- Siphon tubes or gated pipe with furrows
- other, describe: _____
- High pressure sprinkler
- Water Cannons
- Wheel Lines
- Low pressure sprinkler
- Center pivot system

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open Canal

E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

The use of a center pivot system, was an improvement in water conservation from the previous irrigation system on this property

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: _____

Proposed date construction will be completed: December 2008

Proposed date beneficial water use will begin: August 2009

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Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

The irrigation well will be used to finish irrigating crops planted, after the Vale Oregon Irrigation District canal runs dry.

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:

Signature of Applicant *(If more than one applicant, all must sign.)*

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

WRD on the web:

www.wrd.state.or.us

Q-17240

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- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:

Bill Debo

6-26-09

Signature of Applicant (If more than one applicant, all must sign.)

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
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www.wrd.state.or.us

Ground Water/6

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SALEM, OREGON



Oregon Water Resources Department

FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: _____ Acres

Secondary: 73.9 Acres

List the permit or certificate number of the primary water right: No. 74080

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. Corn Full season Partial season (from: _____ to _____)
- 2. Alfalfa Full season Partial season (from: _____ to _____)
- 3. _____ Full season Partial season (from: _____ to _____)
- 4. _____ Full season Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

225 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours

Other, explain: Continuous when required

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WATER RESOURCES DEPT
SALEM, OREGON

MALH 53541

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

WELL LABEL # L 88851

START CARD # 198666

DRAFT

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Owner Well I.D. 88851
First Name Devos Dairies
Company Devos Dairies
Address 2460 9th Ave W
City Vale State OR Zip 97918

(2) TYPE OF WORK [X] New Well [] Deepening [] Conversion
[] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD
[] Rotary Air [] Rotary Mud [X] Cable [] Auger [] Cable Mud
[] Reverse Rotary [] Other

(4) PROPOSED USE [] Domestic [X] Irrigation [] Community
[] Industrial/Commercial [] Livestock [] Dewatering [] Injection
[] Thermal [] Other

(5) BORE HOLE CONSTRUCTION Special Standard: [] Yes (attach copy)
Depth of Completed Well 300 ft.

Table with columns: Dia, From, To, Material, From, To, Amount, Scks/lbs. Row 1: 16, 0, 24, Bentonite, 0, 22, 50 bags. Row 2: 12, 24, 300.

How was seal placed: Method [] A [] B [] C [] D [] E
[] Other from surface
Backfill placed from ft. to ft. Material
Filter pack from ft. to ft. Material Size
Explosives used: [] Yes Type Amount

(6) CASING/LINER Table with columns: Casing, Liner, Dia, From, To, Gauge, Steel, Plastic, Welded, Thrd. Row 1: X, 12, 12, 25, 250, X, Y.

Shoe [] Inside [X] Outside [] Other Location of shoe(s) 25 ft
Temporary casing [] Yes Diameter From To

(7) PERFORATIONS/SCREENS
Perforations Method
Screens Type Material

Table with columns: Perf, Scrm, Casing, Liner, Screen Dia, From, To, Screen/slot width, Slot length, # of slots, Tele/pipe size.

(8) WELL TESTS: Minimum testing time is 1 hour
[] Pump [X] Bailer [] Air [] Flowing Artesian
Yield gal/min 50+ Drawdown 4 ft Drill stem/Pump depth Duration (hr) 2 hrs

Table with columns: From, To, Description. Row 1: 63°F Lab analysis [] Yes By. Water quality concerns? [] Yes (describe below).

(9) LOCATION OF WELL (legal description)
County Malheur Twp 17S or S Range 43E or W W.M.
Sec 1 SE 1/4 of the SW 1/4 Tax Lot 2600
Tax Map Number Lot
Lat " or DMS or DD
Long " or DMS or DD
Street Address of Well (or nearest address) 2460 9th Ave W Vale, OR

(10) STATIC WATER LEVEL Table with columns: Existing Well/Predeepening, Completed Well, SWL (psi), SWL (ft). Row 1: 300 ft, 38'-2".

WATER BEARING ZONES Depth water was first found 145 ft
Table with columns: SWL Date, From, To, Est Flow, SWL (psi), SWL (ft). Row 1: 3-23-09, 145, 300, 300+, 38'-2".

(11) WELL LOG Ground Elevation
Table with columns: Material, From, To. Rows: top soil (0-3), hardpan (3-5), Bu clay (5-145), Blue sandy clay, argillaceous streaks (145-300).

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Date Started 2-12-09 Completed 3-28-09

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported are true to the best of my knowledge and belief.

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License Number Date APR 29 2009

Signed WATER RESOURCES DEPT

(bonded) Water Well Constructor Certification SALEM, OREGON
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1485 Date 4-12-09

Signed Jon M Fife
Contact Info. (optional)

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Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Bill DeVos
Mailing Address: 2460 9th Ave West
City: Vale Statc: OR Zip: 97918 Day Phone: 541 212 7939

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
						<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Malheur

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Allocation of Conserved Water
- Permit Amendment or Ground Water Registration Modification
- Water-Right Transfer
- Limited Water Use License
- Exchange of Water

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Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 450 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-municipal Instream Other _____

Briefly describe: _____

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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SALEM, OREGON

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC Title 6.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Sign off for T17S R43E, Section 1, E 1/2 SW 1/4.

Name: Bill Lawrence Title: Asst. Planning Director
 Signature: _____ Phone: 541-473-5785 Date: 6/19/09
 Government Entity: Malheur County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

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 SALEM, OREGON

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

WHEN RECORDED MAIL TO:

Malheur Federal Credit Union
PO Box 520
Ontario OR 97914

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DEED OF TRUST

THIS DEED OF TRUST is made this 5th day of November,
19 99, among the Grantor, WILLEM DEVOS and SHERRY L. DEVOS, husband and wife
(herein "Borrower"),
First American Title Company of Malheur County, (herein "Trustee"), and the Beneficiary,
Malheur Federal Credit Union, a corporation organized and
existing under the laws of United States Federal Credit Union Act,
whose address is PO Box 520
Ontario OR 97914 (herein "Lender").

BORROWER, in consideration of the indebtedness herein recited and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of Malheur, State of Oregon:

Land in Malheur County, Oregon, as follows:

In Twp. 17 S., R. 43 E., W.M.:
Sec. 1: E $\frac{1}{2}$ SW $\frac{1}{4}$.

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which has the address of 2460 9th Ave. West Vale
Oregon 97918 (herein "Property Address");
{Street} {City}
{Zip Code}

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO:

VALE OREGON IRRIGATION DISTRICT
521 "A" STREET WEST
VALE, OREGON 97918

UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
214 BROADWAY AVENUE
BOISE, IDAHO 83702-7298

confirms the right to use the waters of NORTH FORK MALHEUR RIVER, a tributary of MALHEUR RIVER, and BEULAH RESERVOIR (A.K.A. AGENCY VALLEY RESERVOIR, R-671) for SUPPLEMENTAL IRRIGATION OF 32,000.0 ACRES.

This right was perfected under Permit 16707 with dates of priority of December 16, 1931 for stored water, and November 29, 1945 for direct flow.

The amount of water to which this right is entitled, is limited to an amount actually beneficially used for said purposes, and shall not exceed 100.0 CUBIC FEET PER SECOND for direct flow, and 62,770.0 ACRE FEET from storage, if available at the authorized points of diversion, or the equivalent in case of rotation.

The points of diversion are located as follows:

VALE PROJECT MAIN CANAL - NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 20 South, Range 41 East; W.M.; 1200 feet North and 300 feet East from the South $\frac{1}{4}$ Corner of Section 31.

AGENCY VALLEY DAM - SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 19 South, Range 37 East, W.M.

The amount of water used for supplemental irrigation, 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 the equivalent for each acre irrigated during the irrigation season of each year.

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

VALE OREGON IRRIGATION DISTRICT
 521 "A" STREET WEST
 VALE, OREGON 97918

UNITED STATES OF AMERICA
 BUREAU OF RECLAMATION
 214 BROADWAY AVENUE
 BOISE, IDAHO 83702-7298

confirms the right to use:

1. 400 CUBIC FEET PER SECOND from MALHEUR RIVER with a priority of May 10, 1926.
2. (A) 200 CUBIC FEET PER SECOND from MALHEUR RIVER with a priority of January 11, 1927.
 - (B) One half of the stored water available each year from Warm Springs Reservoir (Permit No. R-457), which is to be released into the Malheur River and re-diverted therefrom through Vale Oregon Project main canal at a maximum rate of 600 CUBIC FEET PER SECOND.
 - (C) All of the drainage water, seepage water, return flow, and waste water from the Vale Oregon Project, estimated to be 200 CUBIC FEET PER SECOND to be used in Warm Springs Irrigation District under contract between that District and the United States under which the Warm Springs District is to accept such return flow from the Vale Oregon Project and allow the United States, in return, an equivalent amount of stored water and natural flow from the Malheur River.

*NOTE: All of "2" is under priority date of January 11, 1927.
Primary
 for IRRIGATION of 28,291.2 ACRES and SUPPLEMENTAL IRRIGATION of 3,708.8 ACRES.

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Page 1 of 52

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