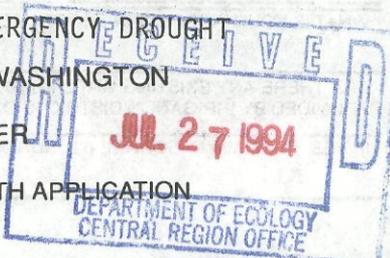


APPLICATION FOR PERMIT EMERGENCY DROUGHT
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

SURFACE WATER GROUND WATER

\$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION

(GRAY BOXES FOR OFFICE USE ONLY)



APPLICATION NO. G 432117	W.R.I.A. 37	COUNTY Benton	PRIORITY DATE 7/27/94	TIME	ACCEPTED R
------------------------------------	-----------------------	-------------------------	---------------------------------	------	----------------------

APPLICANT'S NAME — PLEASE PRINT
A/B HOP FARMS, INC.

Bus. Tel. **509-786-1123**
Home Tel.
Other Tel. Fax **509-786-2840**

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)
P.O. BOX 908 Prosser WA 99350-0908

DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION
02/28/83 Washington

1. SOURCE OF SUPPLY

IF SURFACE WATER	IF GROUND WATER
SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE)	SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.) Well
TRIBUTARY	SIZE AND DEPTH 24" Hole - 20" casing
	450' Deep

*Check 012490
\$10.00
7/27/94*

2. USE
USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.)
Irrigation, Frost Protection, Livestock

ENTER QUANTITY OF WATER REQUESTED USING UNITS OF: CUBIC FEET PER SECOND (CFS) **OR** GALLONS PER MINUTE (GPM) **1,200** ACRE FEET PER YEAR

TIMES DURING YEAR WATER WILL BE REQUIRED
May through October Continuous Stock Water Use

IF IRRIGATION, NUMBER OF ACRES 76.5	IF DOMESTIC USE, NUMBER OF UNITS BY TYPE, E.G. 1-HOME, 1-MOBILE HOME, 2-CAMPSITES, ETC. N/A	IF MUNICIPAL USE, ESTIMATED POPULATION 20 YEARS FROM TODAY
DATE PROJECT WAS OR WILL BE STARTED 09/94	DATE PROJECT WAS OR WILL BE COMPLETED 06/95	

3. LOCATION OF POINT OF DIVERSION/WITHDRAWAL

3A. IF IN PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)	SECTION	TOWN	RANGE	ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION

3B. IF NOT IN PLATTED PROPERTY

ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION, SHOW NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER

ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.
Approx. 1,600 ft. from the SE corner of Section 6, Due W

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) S 1/2 of SE 1/4	SECTION 6	TOWNSHIP N. 9N	RANGE (E. OR W.) W.M. 24E	COUNTY Benton
---	---------------------	--------------------------	-------------------------------------	-------------------------

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER
YES

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY (ON WHICH THE WATER WILL BE USED) TAKEN FROM A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY. OR, COPY CAREFULLY IN THE SPACE BELOW.

SEE ATTACHED COPY

WHAT IS YOUR INTEREST IN THE PROPERTY ON WHICH THE WATER IS TO BE USED (PROPERTY OWNER, LESSEE, CONTRACT PURCHASER, ETC.)

OWNER

ARE THERE ANY EXISTING WATER RIGHTS RELATED TO THE LAND ON WHICH THE WATER IS TO BE USED (INCLUDING WATER PROVIDED BY IRRIGATION DISTRICTS OR DITCH COMPANIES.)

YES NO

IF YES, FROM WHAT SOURCE (i.e. SURFACE OR GROUND WATER) AND UNDER WHAT AUTHORITY

Roza Irrigation District

6. DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(FOR EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

24" hole with a 20" casing, 125 HP pump

Mainline and Sprinklers

REMARKS

7.

8.

COMPLETE THIS SECTION ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE

IN ORDER TO IMPLEMENT THE PROVISIONS OF INITIATIVE MEASURE NUMBER 59, THE FAMILY FARM WATER ACT WHICH WAS PASSED BY THE VOTERS ON NOVEMBER 3, 1977, WE MUST ASK THE FOLLOWING QUESTIONS:

DOES THE TOTAL NUMBER OF ACRES IN WHICH YOU HAVE CONTROLLING INTEREST IN THE STATE OF WASHINGTON EXCEED 2000 ACRES FOR THE FOLLOWING THREE CATEGORIES:

- 1. LANDS THAT ARE BEING IRRIGATED UNDER WATER RIGHTS ACQUIRED AFTER DECEMBER 8, 1977. YES NO
- 2. LANDS THAT MAY BE IRRIGATED UNDER APPLICATIONS NOW ON FILE WITH THE DEPARTMENT OF ECOLOGY. YES NO
- 3. LANDS THAT MAY BE IRRIGATED UNDER THIS APPLICATION. YES NO

IF 10 ACRE-FEET OR MORE OF WATER IS TO BE STORED AND/OR IF THE WATER DEPTH WILL BE 10 FEET OR MORE AT THE DEEPEST POINT, A STORAGE PERMIT MUST BE FILED IN ADDITION TO THIS PERMIT. THESE FORMS CAN BE SECURED, TOGETHER WITH INSTRUCTIONS, FROM THE DEPARTMENT OF ECOLOGY.

SIGNATURES

APPLICANT'S SIGNATURE

A/B HOP FARMS, INC.

LEGAL LANDOWNERS NAME (PLEASE PRINT)

LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

P.O. BOX 208 Prosser, WA 99350
LEGAL LANDOWNER'S ADDRESS

FOR OFFICE USE ONLY

STATE OF WASHINGTON }
DEPARTMENT OF ECOLOGY } ss.

This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows:

.....
.....

In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before, 19.....

Witness my hand this day of, 19.....

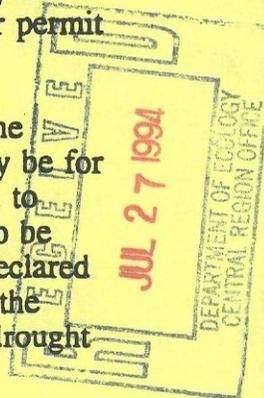
Addendum To 1994 Drought Emergency Request Applications

The hydrological characteristics of the aquifer systems in the Yakima River Basin are currently under investigation or are being monitored for possible water level declines. In order to protect existing rights, the Department of Ecology may determine that no further water is available for new appropriations in several aquifers. It is, therefore, the opinion of the Department that the amount of ground water storage in this area may not be adequate to sustain full irrigation of the presently developed lands on a continuing basis.

In 1993, the Department issued a number of ground water permits in the Yakima Basin for supplemental irrigation. The Yakama Indian Nation has appealed the decisions claiming the ground water being withdrawn will ultimately decrease the flows of the Yakima River and further harm the already depressed anadromous fish stocks in that river. None of the hearings thus far have dealt with the merits of the case. The results of this litigation will not be known for some time.

Under these circumstances, it is in the state's interest that the Department of Ecology act with caution when implementing drought relief activities in accordance with the provisions of RCW 43.83B, WAC 173-166, and the 1994 Order of Drought Declaration for the Yakima River Basin. The Department will, therefore, be reluctant to authorize construction of drought emergency wells that may not later be granted regular permits after the 1994 drought season has terminated or that may even be required to be decommissioned as a result of on-going litigation. In order to minimize large monetary investments that yield very little return, all applicants will be required to investigate the use of existing wells or obtain authorization to use existing water rights as an alternative to drilling a new well. Applicants will be required to provide a summary of the alternate sources of emergency water available to them before a drought emergency application will be considered complete and ready for action by the Department. Only where the use of existing wells is not an option, emergency drought authorizations to construct new wells may be granted under the condition that there is absolutely no guarantee or implication that a regular permit will be issued for further use of the well after the 1994 declared drought emergency.

The Department will, therefore, deny any drought emergency requests where data indicate the ground water aquifer is already in a stressed condition. Further, any water granted will only be for the quantity necessary to keep the crop alive and not to fully supplement the supply required to obtain maximum crop yield and quality. It is also possible that the pump may be required to be removed and the well capped at the owners expense following the termination of the 1994 declared drought. All water use under an emergency permit will be metered and the use reported to the department. No authorizations for primary irrigation or heat control will be granted under drought emergency authorizations.



* * *

I have read the conditions listed above under which 1994 emergency drought requests will be evaluated and any authorizations granted. I fully understand these conditions and am willing to accept them as part of my request for a drought emergency authorization for the 1994 irrigation season. Under the conditions described above, I am requesting an Emergency Drought Permit be issued for the application submitted with this Addendum and I will assume all risks associated with development if an authorization is granted to me.

Signature

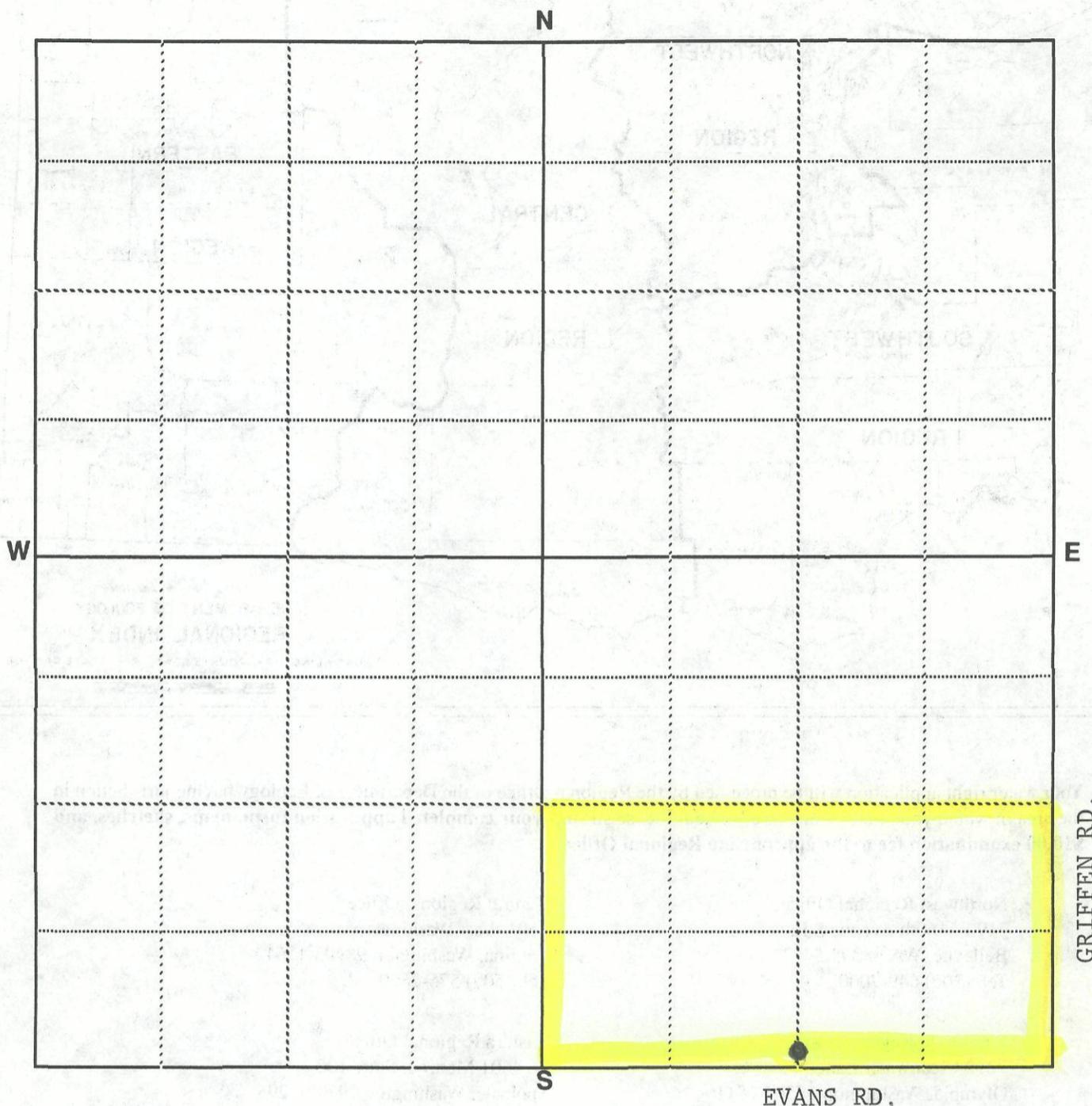
7-27-94

Date

Application No. if this request applies to an existing application: _____

SECTION MAP

Sec. 6 Twp. 9N N. R. 24E



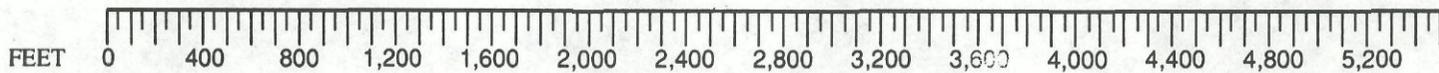
Scale: 1 inch = 800 feet (each small square = 10 acres)

Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile. Indicate traveling directions from nearest town in space below.

Heading North on Griffen, turn left (west) on Evans. Well site is approximately 1,600 ft. on north side of road

Detach here

Fold along scale



Detach this scale at the performance, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and \$10.00 examination fee.



bjn

POLICY OF TITLE INSURANCE

POLICY NUMBER

115-342384

SCHEDULE A

Amount of Insurance: \$165,000.00

File No. BT-13885

Premium: \$ 757.00

Date of Policy: January 30, 1988

, at 8:00 AM.

1. Name of Insured:

A & B HOP FARMS, INC., a Washington Corporation

2. The estate or interest in the land described herein and which is covered by this policy is
FEE SIMPLE

and is at Date of Policy vested in:

GUY F. OWSLEY and PAULINE OWSLEY, husband and wife

3. The land referred to in this policy is described in the said instrument, is situated in the County of
Benton, State of Washington

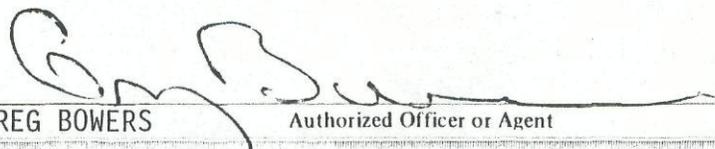
, and is identified as

follows:

The South half of the Southeast quarter of Section 6, Township 9 North, Range 24 East, W.M., records of Benton County, State of Washington, EXCEPT roads and EXCEPT portions thereof, described as follows:

- a. Beginning at a point on the South line of said Section 6, Township 9 North, Range 24 East, W.M., 1907 feet West of the Southeast corner; thence North 30°40' East 210 feet; thence North 55°5' West 100 feet; thence North 64°28' West 82.5 feet; thence South 48°44' West 414.6 feet; thence East along the South line of said Section 6, 361.0 feet to point of beginning.
- b. Beginning at a point on the South line of Section 6, 1635 feet West of the Southeast corner; thence North 40°40' West 193.2 feet; thence South 30°40' West 170 feet; thence East along the South line of said Section 6, 213 feet to point of beginning.

Countersigned:

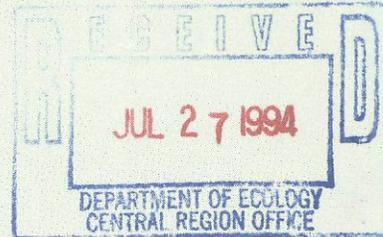

GREG BOWERS

Authorized Officer or Agent

Vendor Id: DEP005

Vendor Name: DEPARTMENT OF ECOLOGY

Date	Invoice #	Description	Gross	Discount	Net
07/26/94	W 49297	WELL PERMIT/W 49297	10.00	0.00	10.00



Chk Date Chk #
07/26/94 12490

Totals: 10.00 0.00 10.00