STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

4601 N. Monroe, Suite 202 • Spokane, Washington 99205-1295 • (509) 456-2926

May 17, 2001

CERTIFIED MAIL 7000 1670 9552 6737

Mr. Vic Conrad
J.R. Simplot Company
P.O. Box 27
Boise, ID 83707

Dear Mr. Conrad:

Re: Emergency Drought Authorization for 2001 under Surface Water Certificate No. S3-27096C (WRIA 32 - Walla Walla County)

Your request for an Emergency Drought Permit for a change in place of use for the 2001 irrigation season under the above-reference Permit has been received and is granted pursuant to WAC 173-166-080.

The above-referenced Certificate authorizes the diversion of water from the Columbia River in the amount of 2.66 cubic feet per second, 620 acre-feet per year, for the irrigation of 155 acres. The season of use is from January 1 to December 31, and the authorized point of diversion is within the S½SW¼ of Sec. 3, T. 7 N., R. 31 E.W.M. Simplot and IBP, INC share the ownership of the place of use. This change will involve only lands owned by Simplot.

For the 2001 irrigation season you are authorized to change the place of use to for a proportionate share if this right, such share being 1.78 cubic feet per second, 413.54 acre-feet per year, for the irrigation of 103.5 acres. The 103.5 acres to be irrigated under this change will be within the following legal description:

> A portion of the S½ of Sec. 25, T. 8 N., R. 31 E.W.M.; and a portion of the N½ of Sec. 17, T. 8 N., R. 32 E.W.M.

Lands that will be removed from irrigation under the subject Certificate for the 2001 season are within the NE¼ of Sec. 32, T. 8 N., R. 32 E.W.M. The specific circles involved in this change are more specifically identified in the farm map submitted to Ecology with your application on April 30, 2001.

Surface Water Certificate No. S3-27096C is subject to regulation instream flows in the Columbia River under WAC 173-532. The purpose of this change is to rotate this interruptible right to

croplands which do not require a reliable supply of water, while moving the uninterruptible right currently appurtenant to those lands (Surface Water Term Permit No. 24704P) to the 103.5 acres formerly covered by the subject right. Concurrent Drought Change applications have been filed to effect the rotational changes.

The point of diversion for this application shall be metered for instantaneous and cumulative quantities as per conditions of the original permit. With proper consent, Ecology officials shall have right of access to the meter(s) at all times. In the event the meter(s) or measuring device(s) should become damaged or inoperable, all diversion of water under this authorization shall cease until such time as the meter or measuring device is restored to proper working order.

This change does not authorize an enlargement of those quantities in gallons per minute, acre-feet per year, or total irrigated acres as described under Surface Water Certificate No.S3-27096C.

This Drought Change is granted in accordance with WAC 173-166-080 until the end of the 2001 irrigation season, at which time it shall automatically revert back to those elements and conditions described under Surface Water Certificate No. S3-27096C.

The Department may field-verify this Drought Change at any time for compliance with the terms and/or conditions of this authorization. Violation of any of the terms and/or conditions of this Drought Change will result in this authorization being immediately terminated, issuance of administrative orders to Cease and Desist, and may also subject the violator to civil penalties.

This Action may be appealed. **Your appeal must be filed with the Pollution Control Hearings Board, P.O. Box 40903, Olympia, Washington 98504-0903 within thirty (30) days of the date of mailing of this Action.** At the same time, your appeal must also be sent to the Department of Ecology c/o the Appeals Coordinator, P.O. Box 47600, Olympia, Washington 98504-7600. Your appeal alone will not stay the effectiveness of this Action. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Chapter 43.21B RCW.

Sincerely,

George B. Schlender
Section Manager
Water Resources Program

GBS:BN:kay
w:Drought/2001/BN/2001/Simplot S3-27096C 5-17-2001.doc

cc: Herm Spangle – Water Resources, ERO

I certify that I mailed this letter or an identical copy thereof, postage prepaid, to the above addressee(s) this 17th day of May, 2001.
Water Resources Program, Office Assistant, Katherine A. Yerbich Kay

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 1670 0009 9552 6737

OFFICIAL USE

2001 Drought app S3-27096C

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Postmark Here
5-17-2001
KAYerbich

Sent To
Mr. Vic Conrad - JR Simplot Co
Street, Apt. No.; or PO Box No.
P.O. Box 27
City, State, ZIP+4
Boise, Idaho 83707-0027

PS Form 3800, May 2000 — See Reverse for Instructions

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MR VIC CONRAD
JR SIMPLOT CO
PO BOX 27
BOISE ID 83707-0027

4a. Article Number
70001670000995526737

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
5-21-01

5. Received By: *(Print Name)*
[illegible]

6. Signature: *(Addressee or Agent)*
X [illegible]

f [illegible] ed
and fee is paid)

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

PS Form **3811**, December 1994 — 102595-98-B-0229 — Domestic Return Receipt