



## STATE OF OREGON

County of COOS

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION R-68794 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Coos Bay-North Bend Water Board of PO Box 539, Coos Bay, Oregon 97420, phone 267-3128, for the construction of Pony Creek Reservoir (Merritt Lake) and storage of water from Pony Creek, a tributary of Coos River to be appropriated under Application 68795, Permit 50155 for municipal water supply and is subject to conditions as follows: \*

The dam will be LOCATED in the: NE 1/4 NE 1/4 of Section 28, Township 25 South, Range 13 West, WM, in the County of Coos.

The maximum height will be 32.0 feet above the stream bed or ground surface at the centerline. The top width will be 20.0 feet at the upstream face, 3.0 feet at the downstream face, and height of dam above water line when full 10.0 feet.

The area submerged by the reservoir, when full, will be 33.0 acres, and the maximum depth of water will be 23.0 feet.

- \* 1. The structure shall be constructed, operated and maintained in accordance with the approved plans and specifications and with the design intent.
- 2. The structure shall be constructed under the supervision of a registered engineer licensed in Oregon. No water shall be stored until this Department receives written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, and written authorization for storage is received from this Department.
- 3. The outlet gate shall be cycled at least once each year in order to assure smooth operation.
- 4. The embankment and spillway channel shall be kept clear of trees and brush.
- 5. The embankment shall be kept free of burrowing animals.
- 6. No fill shall be placed until excavation of the cutoff trench has been completed in its entirety and approved by the engineer.
- 7. Upon completion of the project an "as-built" topographic map and area capacity curve shall be submitted to this Department and stamped by a engineer licensed to practice in Oregon.

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The spillway will be two 5x5 foot box culverts with the spillway crest at elevation 38.0 feet, being 10 feet below the crest of the dam.

The location and dimension of the outlet conduit will be: The outlet will be near the left abutment at elevation 24 feet. The outlet, which will also supply the water treatment plant, will consist of a mortar-lined, 36-inch diameter steel pipe fully encased in concrete.

The dam is in channel.

The dam will be earthfill construction.

The right hereunder shall be limited to the storage of 400.0 acre-feet annually during the nonirrigation season or when excess water is otherwise available.

The PRIORITY DATE of this permit is July 21, 1986, for storage of 340.0 af; December 29, 1987, for storage of 60.0 af

Actual construction work shall begin on or before January 6, 1989, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 89 .

Complete application of the water to the proposed use shall be made on or before October 1, 19 .

Witness my hand this 6th day of January, 19 88 .

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.