

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO CONSTRUCT A RESERVOIR AND TO
STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLOW VALLEY IRRIGATION DISTRICT
C/O GEORGE FURLUND
ROUTE 1, BOX 108
BONANZA, OREGON 97623

to construct THREE MILE FLAT RESERVOIR ENLARGEMENT and store the waters of DRY WASH AND EAST FORK LOST RIVER, tributaries of TULE LAKE, to be appropriated under Application 39401, Permit 51108, for IRRIGATION.

This Permit is issued approving Reservoir Application R-38725. The date of priority is MAY 9, 1963. The amount of water entitled to be stored each year is not more than 265.0 ACRE-FEET.

The dam will be located as follows:

E 1/2 NW 1/4, NE 1/4 SW 1/4, SW 1/4 SE 1/4, SECTION 3, T 41 S, R 14 E, W.M.

The area submerged by the reservoir, when full, will be 136.0 acres and the maximum depth of water will be 17.6 feet.

The area to be submerged by the reservoir is located within:

SECTIONS 3 & 10
TOWNSHIP 41 SOUTH, RANGE 14 EAST, W.M.

This project was considered and approved by the Water Resources Commission on October 26, 1990

This permit is junior to the rights of prior appropriators, as recognized in the Klamath River Basin Compact, including rights of the United States for the Klamath Project; therefore, diversions authorized under this permit are limited to surplus flows of the Dry Wash and East Branch of Lost River not required for use within the Klamath Project.

The proposed diversion works will be so constructed that the unregulated runoff can be passed through the works without impeding the flow downstream from the works or impairing downstream rights.

This permit is being issued for storage of an additional 265.0 acre-feet of water based on the approved plans and specifications.

The construction, operation and maintenance of the reservoir will be subject to the following conditions:

1. The structure shall be constructed under the supervision of a registered engineer licensed in Oregon.
2. The outlet gate shall be cycled at least once each year in order to assure smooth operation.
3. The embankment and spillway shall be kept clear of trees, brush and other debris.
4. The embankment shall be kept free of burrowing animals.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provisions of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Actual construction work shall begin on or before November 5, 1991, and shall be completed on or before October 1, 1992. The reservoir shall be filled, and complete application of the stored water to the use shall be made on or before October 1, 1993.

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.

The 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.

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.

The storage of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, November 5, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director