

STATE OF OREGON

COUNTY OF POLK

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

THIS PERMIT IS HEREBY ISSUED TO

JOHN GRAHAM
4515 COOPER HOLLOW ROAD
DALLAS, OREGON 97338

to construct A RESERVOIR and store the waters of AN UNNAMED INTERMITTENT STREAM, a tributary of FERN CREEK, for WILDLIFE HABITAT.

This Permit is issued approving Reservoir Application R-70670. The date of priority is SEPTEMBER 19, 1990. The amount of water entitled to be stored each year is not more than 2.0 ACRE-FEET.

The dam will be located as follows:

NE 1/4 NW 1/4, SECTION 20, T 8 S, R 5 W, W.M.; 500 FEET SOUTH AND 2135 FEET EAST FROM NW CORNER, SECTION 20.

The area submerged by the reservoir, when full, will be 0.4 acre and the maximum depth of water will be 10.0 feet.

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

NE 1/4 NW 1/4
SECTION 20
TOWNSHIP 8 SOUTH, RANGE 5 WEST, W.M.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

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.

When in the judgement of the Watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows from the reservoir or passing all incoming natural flows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

Actual construction work shall begin on or before December 10, 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, DECEMBER 10, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young, Director