

STATE OF OREGON

COUNTY OF LAKE

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

THIS PERMIT IS HEREBY ISSUED TO

RIVERS END RANCH
c/o JAMES R. STEWART
HC 60, BOX 1800
LAKEVIEW, OREGON 97630

503-947-2722

to construct RIVERS END RESERVOIR and store the waters of CHEWAUCAN RIVER, a tributary of ABERT LAKE, to be appropriated under Application 70921, Permit **51164**, for WILDLIFE HABITAT AND IRRIGATION.

This Permit is issued approving Reservoir Application R-70484. The date of priority is JULY 16, 1990. The amount of water entitled to be stored each year is not more than 1839.0 ACRE-FEET.

The dam will be located as follows:

SE 1/4 SW 1/4, SECTION 21, T 35 S, R 21 E, W.M.; 900 FEET NORTH AND 1410 FEET EAST FROM SW CORNER, SECTION 21.

The area submerged by the reservoir, when full, will be 650.0 acres and the maximum depth of water will be 20.0 feet.

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

NE 1/4 NE 1/4
SECTION 13
TOWNSHIP 35 SOUTH, RANGE 20 EAST, W.M.

SW 1/4
SECTION 17

NW 1/4
S 1/2
SECTION 18

NE 1/4 NE 1/4
S 1/2 NE 1/4
NE 1/4 SE 1/4
SECTION 19

W 1/2
SE 1/4
SECTION 20

SW 1/4
SECTION 21

NW 1/4
SECTION 28

N 1/2
SECTION 29
TOWNSHIP 35 SOUTH, RANGE 21 EAST, W.M.

The structure shall be constructed under the supervision of a registered engineer licensed in Oregon.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated July 16, 1990, on file with the Water Resources Department.

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.

The outlet gate shall be cycled at least once each year and shall be fully operational. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

No fill shall be placed until excavation of the cutoff trench has been completed in its entirety and approved by the engineer.

A new topographical map and area-capacity curve, prepared by an engineer, must be submitted to this department if earth material is removed from the storage area during construction.

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.

THE PERMITTEE SHALL COMPLY WITH THE LAND MANAGEMENT AND RESERVOIR OPERATION PROVISIONS CONTAINED IN THE DRAFT LEASE AGREEMENT BETWEEN THE U. S. FISH AND WILDLIFE SERVICE AND THE PERMITTEE WHICH IS HEREBY REFERENCED AND MADE A PART OF THIS PERMIT (ATTACHED).

SHOULD A LEASE AGREEMENT BE NEGOTIATED AND SIGNED BY THE OREGON DEPARTMENT AND FISH AND WILDLIFE, THE U. S. FISH AND WILDLIFE SERVICE AND THE PERMITTEE, THE SIGNED DOCUMENT SHALL SUPERSEDE THE REFERENCED DRAFT LEASE WHEN IT IS DELIVERED TO AND APPROVED BY THE WATER RESOURCES DEPARTMENT.

ADDITIONALLY, INFLOW WHICH EXCEEDS THE USES ALLOWED WITHIN THIS PERMIT OR CAUSES THE RESERVOIR LEVELS TO EXCEED THOSE LISTED IN EITHER ABOVE REFERENCED LEASE SHALL BE PASSED THROUGH THE RESERVOIR.

THE WATERMASTER MAY REGULATE WATER USE WHEN THE OREGON DEPARTMENT OF FISH AND WILDLIFE NOTIFIES THE WATERMASTER OF NONCOMPLIANCE WITH THE ABOVE REFERENCED LEASE.

This development was reviewed and approved by the Water Resources Commission on FEBRUARY 1, 1991.

Actual construction work shall begin on or before February 4, 1992, 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.

B+C to 10-1-95
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, FEBRUARY 4, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director