

STATE OF OREGON

COUNTY OF YAMHILL

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

THIS PERMIT IS HEREBY ISSUED TO

EUGENE BERNARDS  
5000 NW WESTSIDE ROAD  
McMINNVILLE, OREGON 97128

503-472-5283

to construct A STORAGE RESERVOIR and store the waters of AN UNNAMED STREAM WITH ANY DEFICIENCY IN THE SUPPLY TO BE APPROPRIATED FROM PANTHER CREEK, tributaries of NORTH YAMHILL RIVER, to be appropriated under Application 70283, Permit 51460, for IRRIGATION AND RECREATION.

This Permit is issued approving Reservoir Application R-70282. The date of priority is APRIL 9, 1990. The amount of water entitled to be stored each year is not more than 8.5 ACRE-FEET (AF), BEING 3.5 AF FOR IRRIGATION AND 5.0 AF FOR RECREATION. Water may be appropriated during the period November 1 through March 31 of each year.

The dam will be located as follows:

SW 1/4 NW 1/4, SECTION 4, T 4 S, R 4 W, W.M.; 1070 FEET NORTH AND 750 FEET EAST FROM W 1/4 CORNER, SECTION 4.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

The area submerged by the reservoir, when full, will be 1.2 acres and the maximum depth of water will be 12.0 feet.

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

SW 1/4 NW 1/4  
SECTION 4  
TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M.

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 June 1, 1993, and shall be completed on or before October 1, 1994. The reservoir shall be filled, and complete application of the stored water to the use shall be made on or before October 1, 1995.

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.

Application R-70282 Water Resources Department

PERMIT R-11457

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

Issued this date, JUNE 1, 1992.

/s/ MARTHA O. PAGEL

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Water Resources Department  
Martha O. Pagel  
Director