

STATE OF OREGON

COUNTY OF LINCOLN

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

THIS PERMIT IS HEREBY ISSUED TO:

LOREN AND DEBRA WAND
P.O. BOX 834
LINCOLN CITY, OREGON 97367

503-994-9420

to construct FOUR UNNAMED RESERVOIRS and to store the waters of AN UNNAMED STREAM, a tributary of SCHOONER CREEK, to be appropriated under Application 70924, Permit 51507, for DOMESTIC USE FOR ONE FAMILY, FISH CULTURE AND IRRIGATION OF 15.0 ACRES.

This permit is issued approving Reservoir Application R-72499. The date of priority is JUNE 29, 1992. The amount of water entitled to be stored each year is not more than 2.75 ACRE-FEET (AF), BEING 0.005 AF IN RESERVOIR A, 0.25 AF IN RESERVOIR B, 0.40 AF IN RESERVOIR C AND 2.1 AF IN RESERVOIR D. water may be appropriated for storage from November 1 through May 31 of each year.

The dams will be located as follows:

SE 1/4 SE 1/4, SECTION 24, NW 1/4 NE 1/4, SECTION 25, T 7 S, R 11 W, W.M.

The total area proposed to be submerged by the reservoirs, when full, is:

| | | |
|-------------|-------|------|
| RESERVOIR A | 0.001 | ACRE |
| RESERVOIR B | 0.06 | ACRE |
| RESERVOIR C | 0.05 | ACRE |
| RESERVOIR D | 0.26 | ACRE |

The proposed maximum depth of water is 9.5 feet for each of ponds B, C, and D. The maximum height of each dam shall not exceed 10.0 feet.

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

SE 1/4 SE 1/4
SECTION 24
NW 1/4 NE 1/4
SECTION 25
TOWNSHIP 7 SOUTH, RANGE 11 WEST, W.M.

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

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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 use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before January 13, 1995 and shall be completed on or before October 1, 1995. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1996.

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 prior rights for maintaining instream flows.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, January 13, 1994.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director

Ref. to 10-1-96
ext. BC97
BC 45