

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:

BERNARD J. LACROUTE AND RONNI S. LACROUTE,
TRUSTEES OR SUCCESSOR TRUSTEE OF THE BERNARD AND RONNI LACROUTE
REVOCABLE INTER DIVOS TRUST
12832 STAR RIDGE COURT
SARATOGA, CALIFORNIA 95070

408-741-5879

to store the waters of SIX UNNAMED SPRINGS, a tributary of STAG HOLLOW CREEK, to be appropriated under Application 72253, Permit 51586, for IRRIGATION in LACROUTE RESERVOIR. The reservoir was constructed under Application R-71564, Permit R-11400.

This permit is issued approving Reservoir Application R-73823. The date of priority is DECEMBER 29, 1993. The amount of water entitled to be stored each year is not more than 49.5 ACRE-FEET. Water may be appropriated for storage from the unnamed springs during the period November 1 through June 30.

The dam will be located as follows:

NW 1/4 SE 1/4, SECTION 26, T 2 S, R 4 W, W.M.

The total area proposed to be submerged by the reservoir, when full, is 7.3 acre; the proposed maximum depth of water is 15.5 feet. The maximum height of the dam shall not exceed 19.99 feet.

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

NW 1/4 SE 1/4
SECTION 26
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. 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 from July 1 through October 31.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

The dam shall be constructed, operated and maintained according to the approved plans and specifications dated June 21, 1991, on file with the Water Resources Department in Permit R-11400.

Actual construction work shall begin on or before JANUARY 13, 1996 and shall be completed on or before October 1, 1997. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1998.

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, 1995.

A. REED MARBUT

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 _____ *for*
 Water Resources Department
 Martha O. Pagel
 Director