

STATE OF OREGON

COUNTY OF BENTON

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

THIS PERMIT IS HEREBY ISSUED TO

EARL D. FIELDER
26162 FOSTER ROAD
MONROE, OREGON 97456

503-424-5151

to construct A RESERVOIR and store the waters of AN UNNAMED STREAM, a tributary of LARSEN CREEK (MARYS RIVER), to be appropriated under Application 70556, PERMIT 51599, for IRRIGATION.

This Permit is issued approving Reservoir Application R-70555. The date of priority is AUGUST 17, 1990. The amount of water entitled to be stored each year is not more than 0.25 ACRE-FOOT. Water may be appropriated for storage during the period November 1 through May 31.

The dam will be located as follows:

SW 1/4 SE 1/4, SECTION 14, T 14 S, R 6 W, W.M.

The area submerged by the reservoir, when full, will be 0.16 acre and the maximum depth of water will be 3.0 feet.

The total area proposed to be submerged by the reservoir, when full is 0.16 acre; the proposed maximum depth of water is 3.0 feet; the maximum height of the dam is 5.0 feet.

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

SW 1/4 SE 1/4
SECTION 14
TOWNSHIP 14 SOUTH, RANGE 6 WEST, W.M.

The dam hereby permitted may be constructed without inclusion of an outlet conduit. However, if at any time the Director determines the provided alternative for passing flow is not adequate, the Director reserves the right to require installation of an outlet conduit at any time in the future if the Director finds that the conduit is needed for dam safety, to pass flow for the benefit of other water rights, or to pass flow for the benefit of minimum perennial streamflows.

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.

Actual construction work shall begin on or before April 24, 1996 and shall be completed on or before October 1, 1997. Complete application of water 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 rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, would not impair or be detrimental to the public interest.

Issued this date, April 24, 1995.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director