

STATE OF OREGON

COUNTY OF MARION

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ALLEN VOLKER  
20067 ABIQUA RD N  
SCOTTS MILLS, OREGON 97375

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-74977

SOURCE OF WATER: ECHO CREEK, A TRIBUTARY OF ABIQUA CREEK

STORAGE FACILITY: RESERVOIRS 1 AND 2

PURPOSE OR USE OF THE STORED WATER: WILDLIFE AND FISH

AMOUNT/VOLUME ALLOWED: 5.0 ACRE-FEET EACH YEAR, BEING 4.0 ACRE-FEET IN RESERVOIR 1 AND 1.0 ACRE-FOOT IN RESERVOIR 2

THE PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FROM STORAGE FROM DECEMBER 1 TO APRIL 30

DATE OF PRIORITY: DECEMBER 9, 1994

The area submerged by reservoir 1, when full, will be 1.25 acres and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 10.0 feet.

The area submerged by reservoir 2, when full, will be 1.0 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 10.0 feet.

DAM LOCATION: NW 1/4 NE 1/4, SECTION 11, T7S, R1E, W.M.; RESERVOIR 1 - 1150 FEET SOUTH AND 600 FEET EAST, RESERVOIR 2 - 1100 FEET SOUTH AND 900 FEET EAST, BOTH FROM THE N 1/4 CORNER OF SECTION 11

THE AREA TO BE SUBMERGED BY THE RESERVOIRS IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4  
SECTION 11  
TOWNSHIP 7 SOUTH, RANGE 1 EAST, W.M.

CERTIFICATE NO. 76395

Application R-74977 Water Resources Department

PERMIT R-11687

## 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.

The permittee may be required in the future to install, maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area to the satisfaction of the Oregon Department of Fish & Wildlife.

The use may be restricted if the quality of the source stream, namely the Willamette River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

**STANDARD CONDITIONS**

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

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.

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

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1999.

Issued March 18, 1996



Water Resources Department  
Martha O. Pagel  
Director