

STATE OF OREGON

COUNTY OF MARION

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MICHAEL LEWIS
17535 MONNIER RD
HUBBARD, OREGON 97032

(503)981-7467

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

APPLICATION FILE NUMBER: R-70411

SOURCE OF WATER: BRANDY CREEK, A TRIBUTARY OF PUDDING RIVER,

STORAGE FACILITY: ONE UNNAMED RESERVOIR

PURPOSE OR USE: TO BE MAINTAINED UNDER APPLICATION S-70412, PERMIT 52017, FOR RECREATION AND WILDLIFE USE

DATE OF PRIORITY: June 12, 1990

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE FROM NOVEMBER 1 TO APRIL 30

VOLUME: 5.0 ACRE-FEET

The total area proposed to be submerged by the reservoir, when full, is 1.0 acre; the proposed maximum depth of water is 5.0 feet. The maximum height of the dam will not exceed 4.0 feet.

DAM LOCATION: SE 1/4 SW 1/4, SECTION 35, T4S, R1W, W.M.; 285 FEET NORTH & 1620 FEET EAST FROM SW CORNER, SECTION 35

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

SW 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 35

TOWNSHIP 4 SOUTH RANGE 1 WEST, W.M.

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.

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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.

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.

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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



for Water Resources Department
Martha O. Pagel
Director