

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JERRY B. AND JEANETTE TORRANCE
PINE VALLEY CATTLE COMPANY
4920 OLD CLIFFS ROAD
SAN DIEGO, CALIFORNIA 92120

(619) 583-1931

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

APPLICATION FILE NUMBER: R-72487

SOURCE OF WATER: SAG CREEK, TRIBUTARY OF PINE CREEK

STORAGE FACILITY: LAIRD RESERVOIR

PURPOSE OR USE OF THE STORED WATER: LIVESTOCK AND WILDLIFE

MAXIMUM VOLUME ALLOWED: 67.0 ACRE-FEET EACH YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE FROM OCTOBER 1 THROUGH JUNE 30

DATE OF PRIORITY: JUNE 24, 1992

The area submerged by the reservoir, when full, will be 14.0 acres and the maximum depth of water will be 15.0 feet. The maximum height of the dam shall not exceed 25.0 feet.

DAM LOCATION: NW 1/4 SE 1/4, SECTION 28, T8S, R46E, W.M.; 785 FEET SOUTH AND 465 FEET EAST OF THE EAST 1/4 OF SECTION 28

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

NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 28
TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

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.

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- 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.

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

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 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 plans and specifications on file with the Water Resources Department.

An outlet ditch from end of outlet pipe to daylight shall be constructed to drain water from toe and expose outlet pipe.

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.

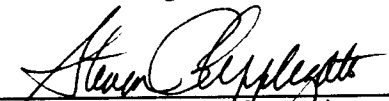
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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 on or before July 17, 1997 and shall be completed on or before October 1, 1998. The reservoir shall be filled and complete application of the water to the use shall be made on or before October 1, 1999.

This permit is issued to correctly describe the permit number. Permit R-11844, dated July 17, 1996 is superseded by this instrument and is of no further force or effect.

Issued July 31, 1996


for Martha O. Page, Director
Water Resources Department

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District 08