

STATE OF OREGON
COUNTY OF DOUGLAS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RICHARD A AND SANDRA L GRAF
10062 S MYRTLE RD
MYRTLE CREEK, OREGON 97457

(541) 863-3434

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

APPLICATION FILE NUMBER: R-73507

SOURCE OF WATER: AN UNNAMED STREAM, TRIBUTARY OF SOUTH MYRTLE CREEK

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-73508, PERMIT 52179, FOR DOMESTIC USE, STOCKWATER AND SUPPLEMENTAL IRRIGATION OF 11.6 ACRES.

VOLUME OF USE: 1.84 ACRE-FEET (AF), BEING 1.2 AF IN RESERVOIR 1 AND 0.64 AF IN RESERVOIR 2 EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD DECEMBER 1 THROUGH JUNE 30

DATE OF PRIORITY: JULY 27, 1993 - FOR 1.2 AF IN RESERVOIR 1 AND OCTOBER 11, 1994 - FOR 0.64 AF IN RESERVOIR 2

THE AREA TO BE SUBMERGED BY THE TWO RESERVOIRS, WHEN FULL, IS 0.182 ACRE IN RESERVOIR 1 AND 0.083 ACRE IN RESERVOIR 2; THE PROPOSED MAXIMUM DEPTH OF WATER IS 7.5 FEET IN RESERVOIR 1 AND 8.0 FEET IN RESERVOIR 2. THE MAXIMUM HEIGHT OF THE DAMS SHALL NOT EXCEED 9.0 FEET.

LOCATION OF DAMS: NW 1/4 SE 1/4, SECTION 24, T29S, R4W, W.M.; RESERVOIR 1 - 327 FEET SOUTH AND 538 FEET EAST FROM THE C 1/4 CORNER OF SECTION 24; RESERVOIR 2 - 200 FEET NORTH AND 79 FEET WEST OF THE SW CORNER OF DLC 37

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

NW 1/4 SE 1/4
SECTION 24
TOWNSHIP 29 SOUTH, RANGE 4 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. 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.

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 permittee shall install, maintain, and operate upstream fish ways, fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required upstream fish ways, screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

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.

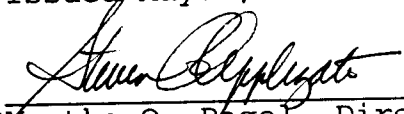
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 water to the use shall be made on or before October 1, 1999.

Issued May 14, 1996

for 
Martha O. Pagel, Director
Water Resources Department