

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HOYT LITTERELL
43691 HWY 101
PORT ORFORD, OREGON 97465

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

APPLICATION FILE NUMBER: R-72911

SOURCE OF WATER: TWO UNNAMED STREAMS, TRIBUTARIES OF ELK RIVER

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-72912, PERMIT 52289 FOR CRANBERRY OPERATIONS

VOLUME OF USE: 18.0 ACRE-FEET (AF), BEING 9.0 AF IN RESERVOIR #1 AND 9.0 AF IN RESERVOIR #2

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: OCTOBER 27, 1992

THE TOTAL AREA PROPOSED TO BE SUBMERGED BY THE RESERVOIRS, WHEN FULL, IS 1.1 ACRES IN RESERVOIR #1 AND 0.9 ACRE IN RESERVOIR #2. THE PROPOSED MAXIMUM DEPTH OF WATER IS 9.5 FEET IN RESERVOIR #1 AND 9.5 FEET IN RESERVOIR #2. THE MAXIMUM HEIGHT OF THE DAMS WILL NOT EXCEED 9.5 FEET.

LOCATION OF DAMS: SE 1/4 SW 1/4, SECTION 16; NE 1/4 SE 1/4, SECTION 21, T32S, R15W, W.M.; RESERVOIR #1 - 1040 FEET NORTH & 3095 FEET WEST, RESERVOIR #2 - 3820 FEET SOUTH & 1230 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 21

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

SE 1/4 SW 1/4
SECTION 16

NE 1/4 SE 1/4
SECTION 21

TOWNSHIP 32 SOUTH, RANGE 15 WEST, W.M.

Assigned
RECORDED. See Misc. Rec., Vol. 8 Page 174

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.
- 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 permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

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 storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

STANDARD CONDITIONS

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.

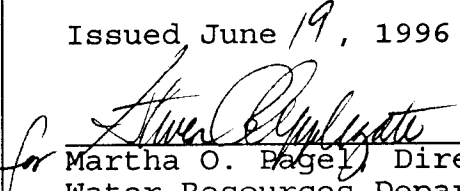
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 June 19, 1996



Martha O. Pagel, Director
Water Resources Department

Application R-72911
Basin 17

Water Resources Department
Volume 3 Elk River & Misc.
MGMT. CODE 6EW

PERMIT R-11807
District 19