

STATE OF OREGON  
COUNTY OF JOSEPHINE

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT NICOLAW  
7323 SOUTH ALAMEDA  
LOS ANGELES, CALIFORNIA 90001

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

APPLICATION FILE NUMBER: R-70668

SOURCE OF WATER: AN UNNAMED SPRING

TRIBUTARY OF: WEST FORK ILLINOIS RIVER

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-70667, PERMIT 52312, FOR IRRIGATION AND FISH CULTURE

MAXIMUM VOLUME ALLOWED: 3.58 ACRE-FEET EACH YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE FROM JANUARY 1 THROUGH MARCH 31

DATE OF PRIORITY: SEPTEMBER 17, 1990

The area submerged by the reservoir, when full, will be 1.1 acres and the maximum depth of water will be 6.5 feet. There will be no dam because the reservoir is a sump developed in natural ground.

DAM LOCATION: SE 1/4 NE 1/4, SECTION 25, TOWNSHIP 40 SOUTH, RANGE 9 WEST, W.M.; 200 FEET SOUTH AND 300 FEET EAST FROM THE NE 1/16 CORNER OF SECTION 25

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

SE 1/4 NE 1/4  
SECTION 25  
TOWNSHIP 40 SOUTH, RANGE 9 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.

Outfall screening shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications to prevent fish from escaping the reservoir.

The permittee shall install, maintain, and operate fish screening to prevent migration of cultured fish from entering the proposed outlet. 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 and functional, and the fishway must be approved by Oregon Department of Fish and Wildlife before diversion of any water.

**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

*for*   
Martha O. Page, Director  
Water Resources Department