

STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

U. S. BUREAU OF LAND MANAGEMENT
3040 BIDDLE ROAD
MEDFORD, OREGON 97501

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

APPLICATION FILE NUMBER: R-64614

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF WOLF CREEK

STORAGE FACILITY: DUTCH HERMAN RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE MAINTAINED UNDER APPLICATION S-63051, PERMIT 52483 FOR FISH AND WILDLIFE

RATE/VOLUME: 6.0 ACRE-FEET EACH YEAR

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

DATE OF PRIORITY: January 5, 1983

The total area proposed to be submerged by the reservoir, when full, is 2.0 acres; the proposed maximum depth of water is 5.0 feet. The maximum height of the dam will not exceed 8.0 feet.

DAM LOCATION: NW 1/4 SW 1/4, SECTION 14, T33S, R5W, W.M.; 1650 FEET NORTH & 1150 FEET EAST FROM SW CORNER, SECTION 14

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

NW 1/4 SW 1/4
SECTION 14
TOWNSHIP 33 SOUTH, RANGE 5 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 from April 1 through November 30.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The required screens are to be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

STANDARD CONDITIONS

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.

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

Issued July 17, 1996

Steven Ruppel
for Martha O. Pagel, Director
Water Resources Department