

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BUREAU OF LAND MANAGEMENT
HC 74-12533 HWY 20 WEST
HINES, OREGON 97738

(541) 573-5241

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

APPLICATION FILE NUMBER: R-69349

SOURCE OF WATER: SLICKER CREEK, A TRIBUTARY OF SKULL CREEK, WITHIN THE MALHEUR LAKE BASIN

STORAGE FACILITY: STATE RESERVOIR, CONSTRUCTED UNDER PERMIT R-7657

PURPOSE OR USE OF THE STORED WATER: TO STORE ADDITIONAL WATER FOR LIVESTOCK, FISH AND WILDLIFE

VOLUME OF USE: AN ADDITIONAL 25.0 ACRE-FEET EACH YEAR (TOTAL CAPACITY: 29.0 ACRE-FEET)

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE NOVEMBER 1 THROUGH MARCH 1

DATE OF PRIORITY: DECEMBER 31, 1991

The area submerged by the reservoir, when full, will be 3.5 acres and the maximum depth of water will be 17.0 feet. The maximum height of the dam shall not exceed 21.0 feet.

DAM LOCATION: NW 1/4 SW 1/4, SECTION 9, T21S, R29E, W.M.; 1640 FEET NORTH & 60 FEET EAST FROM SW CORNER, SECTION 9

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

NW 1/4 SW 1/4
SW 1/4 SW 1/4
SECTION 9
TOWNSHIP 21 SOUTH, RANGE 29 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 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.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated December 16, 1992 on file with the Water Resources Department.

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.

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

Issued July 31, 1996

Martha O. Pagel
for Martha O. Pagel Director
Water Resources Department

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Basin 12 Volume 2 Emigrant Creek & Misc.

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District 10