

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES E. AND DAWNA B. DANIELS  
HCR 88, BOX 189  
BAKER CITY, OREGON 97814

(541)523-6450

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

APPLICATION FILE NUMBER: R-73268

SOURCE OF WATER: UNNAMED SPRINGS, TRIBUTARIES OF THE POWDER RIVER

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: RECREATION, WILDLIFE AND LIVESTOCK TO BE MAINTAINED UNDER APPLICATION S-73269, PERMIT 52841

MAXIMUM VOLUME ALLOWED: 9.0 ACRE-FEET EACH YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE FROM OCTOBER 1 THROUGH APRIL 15

DATE OF PRIORITY: MARCH 1, 1993

The area submerged by the reservoir, when full, will be 2.3 acres and the maximum depth of water will be 4.5 feet. The maximum height of the dam shall not exceed 7.5 feet.

DAM LOCATION: NW 1/4 NE 1/4, SECTION 5, TOWNSHIP 9 SOUTH, RANGE 43 EAST, W.M.; 250 FEET SOUTH & 1650 FEET WEST FROM NORTHEAST CORNER, SECTION 5

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

NW 1/4 NE 1/4  
SECTION 5  
TOWNSHIP 9 SOUTH, RANGE 43 EAST, 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.

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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.

The use may be restricted if the quality of the source stream, namely the Powder River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

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

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 September 30, 1996



Martha O. Pagel, Director  
Water Resources Department

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District 08