

STATE OF OREGON  
COUNTY OF CLACKAMAS

PLACED IN U.S. MAIL

NOV 15 1996

PERMIT TO STORE THE PUBLIC WATERS

OREGON WATER RESOURCES DEPT.

THIS PERMIT IS HEREBY ISSUED TO

ULRICK F & REBECCA A BUHLER  
13001 SE LUSTED RD  
SANDY, OREGON 97055

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

APPLICATION FILE NUMBER: R-71218

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF SANDY RIVER

STORAGE FACILITY: RESERVOIRS #1, #2, #3, #4, #5, #6, & #7

PURPOSE OR USE OF THE STORED WATER: LIVESTOCK WATER

VOLUME OF USE: 3.0 ACRE-FEET (AF) EACH YEAR, BEING; RESERVOIR #1- 0.2 AF; RESERVOIR #2- 0.2 AF; RESERVOIR #3- 0.4 AF; RESERVOIR #4- 0.4 AF; RESERVOIR #5- 0.6 AF; RESERVOIR #6- 0.5 AF; RESERVOIR #7- 0.7 AF

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD OF DECEMBER 1 THROUGH MAY 31

DATE OF PRIORITY: FEBRUARY 11, 1991

The area submerged by the reservoirs, when full, will be; Reservoir #1- 0.07 acre; Reservoir #2- 0.06 acre; Reservoir #3- 0.15 acre; Reservoir #4- 0.13 acre; Reservoir #5- 0.20 acre; Reservoir #6- 0.16 acre; Reservoir #7- 0.24 acre. The depth of water in each reservoir shall not exceed 6.0 feet. No dam shall exceed 4.0 feet in height.

DAM LOCATION: NE 1/4 NE 1/4, SECTION 1, T2S, R4E, W.M.; SE 1/4 NE 1/4, SECTION 1, T2S, R4E, W.M.; RESERVOIR #1 - 470 FEET WEST AND 900 FEET SOUTH; RESERVOIR #2 - 620 FEET WEST AND 120 FEET SOUTH; RESERVOIR #3 - 740 FEET WEST AND 230 FEET SOUTH; RESERVOIR #4 - 930 FEET WEST AND 100 FEET SOUTH; RESERVOIR #5 - 920 FEET WEST AND 1150 FEET SOUTH; RESERVOIR #6 - 1170 FEET WEST AND 890 FEET SOUTH; RESERVOIR #7 - 600 FEET WEST AND 1470 FEET SOUTH; ALL FROM THE NE CORNER OF SECTION 1

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

NE 1/4 NE 1/4  
SE 1/4 NE 1/4  
SECTION 1  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

Application R-71218 Water Resources Department

PERMIT R-12078

## 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.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

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.

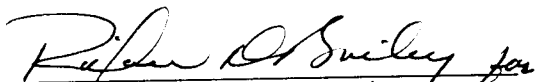
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Issued October 31, 1996

*B+C date ext to 10-1-04*

  
Martha O. Pagel, Director  
Water Resources Department