

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SCOTT H. MCKENZIE
P.O. BOX 281
SIXES, OREGON 97476

(541)332-3381

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-74011

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF FLORAS LAKE

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-74012, PERMIT 52994 FOR CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 125.0 ACRE-FEET (AF) PER YEAR, BEING 100.0 AF IN RESERVOIR 1 AND 25.0 AF IN RESERVOIR 2

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH MAY 31 OF EACH YEAR

DATE OF PRIORITY: APRIL 11, 1994

The area submerged by the Reservoir 1, when full, will be 7.0 acres and the maximum depth of water will be 30.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

The area submerged by the Reservoir 2, when full, will be 25.0 acre and the maximum depth of water will be 18.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

DAM LOCATION: NW 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 29, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 1 - 2360 FEET NORTH & 1120 FEET EAST; RESERVOIR 2 - 50 FEET NORTH & 170 FEET EAST; BOTH FROM SOUTHWEST CORNER, SECTION 29

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 29

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

AMENDED by special order

v. 53 pg. 7-8

Application R-74011 Water Resources Department

PERMIT R-12096

7-8138

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. The permittee shall keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The permittee may be required to report annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

Before water use may begin under this permit, a weir must be installed downstream of the reservoir and a gated valve outlet must be installed.

Use of water under terms of this permit is subject at all times to a 0.05 cfs bypass flow.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

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.

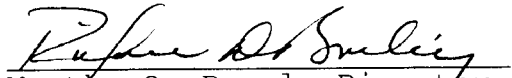
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 1999. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2000.

Issued March 12, 1997


for Martha O. Pagel, Director
Water Resources Department

"B" Ext to 10-1-2010

"C" Ext to 10-1-2010