

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MILTON SMITH

P.O. BOX 6

LANGLOIS, OREGON 97450

(541) 348-2219

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

APPLICATION FILE NUMBER: R-73402

SOURCE OF WATER: AN UNNAMED STREAM, TRIBUTARY OF BUTTE CREEK

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-73403, PERMIT 53004 FOR CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 9.1 ACRE-FEET PER YEAR

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

DATE OF PRIORITY: MAY 18, 1993

The area submerged by the reservoir, when full, will be 2.6 acres and the maximum depth of water will be 8.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

DAM LOCATION: NE 1/4 NW 1/4, SECTION 26, TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.; 2500 FEET NORTH & 1640 FEET WEST FROM THE SOUTHEAST CORNER, SECTION 26

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

NE 1/4 NW 1/4
SECTION 26
TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.

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

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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.

The permittee must install and maintain weirs upstream and downstream of the reservoir as may be required by the watermaster.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of a 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.

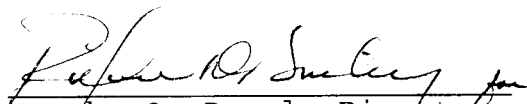
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 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 January 21, 1997


Marsha O. Pagel, Director
Water Resources Department