

STATE OF OREGON

COUNTY OF MARION

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

U.S. FISH AND WILDLIFE SERVICE; ENGINEERING DIV
911 NE 11TH AVE
PORTLAND, OREGON 97232 -4181

(503)231-6251

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

APPLICATION FILE NUMBER: R-83835

SOURCE OF WATER: RUNOFF, TRIBUTARY TO BASHAW CREEK

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: WETLAND ENHANCEMENT AND WILDLIFE

MAXIMUM STORAGE VOLUME: 126.0 ACRE FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1
THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: MAY 22, 1998

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 5.50 FEET.

DAM LOCATION: NE 1/4 SW 1/4, NW 1/4 SW 1/4, SW 1/4 SW 1/4, SE 1/4 SW
1/4, SW 1/4 SE 1/4, SE 1/4 SE 1/4, SECTION 20, NE 1/4 NE 1/4, NW 1/4 NE
1/4, SECTION 29 T9S, R3W, W.M.

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

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 20
NE 1/4 NE 1/4
NW 1/4 NE 1/4
SECTION 29

TOWNSHIP 9 SOUTH, RANGE 3 WEST, 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, shall keep a

Application R-83835 Water Resources Department

PERMIT R-12112

complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department 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.

- 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.

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.

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.

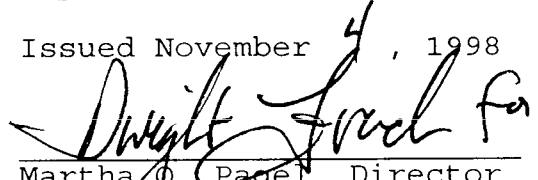
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

SEE NEXT PAGE

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2003. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report.

Issued November 4, 1998



Martha O. Pagel, Director
Water Resources Department