

STATE OF OREGON

COUNTY OF WALLOWA

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GREG K. JOHNSON
903 SE SECOND AVENUE
ENTERPRISE, OREGON 97828

(541)426-4357

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

APPLICATION FILE NUMBER: R-80882

SOURCE OF WATER: TWO UNNAMED SPRINGS, TRIBUTARIES OF WALLOWA RIVER WITHIN THE GRANDE RONDE BASIN

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: AGRICULTURAL USE, LIVESTOCK, AQUATIC LIFE, WILDLIFE AND RECREATION

VOLUME: 0.8 ACRE-FEET (AF) EACH YEAR, BEING 0.3 AF IN RESERVOIR #1 AND 0.5 AF IN RESERVOIR #2

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

DATE OF PRIORITY: JANUARY 26, 1996

THE MAXIMUM HEIGHT OF DAM #1 SHALL NOT EXCEED 6.0 FEET AND THE MAXIMUM HEIGHT OF DAM #2 SHALL NOT EXCEED 8.0 FEET.

DAM LOCATION: SW 1/4 NW 1/4, SECTION 15, TOWNSHIP 2 SOUTH, RANGE 44 EAST, W.M.

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

SW 1/4 NW 1/4
SECTION 15
TOWNSHIP 2 SOUTH, RANGE 44 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.

Application R-80882 Water Resources Department

PERMIT R-12124

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 may be required in the future to 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.

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.

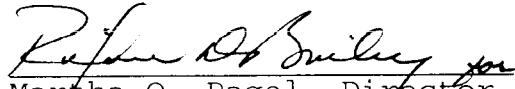
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 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 this date, December 18, 1996



Martha O. Pagel, Director
Water Resources Department

Application R-80882 Water Resources Department
Basin 08 Volume 2, Spring Creek & Misc
LJJ

PERMIT R-12124
District 06