

STATE OF OREGON

COUNTY OF POLK

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BUELL-RED PRAIRIE WATER DISTRICT
6430 RED PRAIRIE RD
SHERIDAN, OREGON 97378

(503) 843-2218

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

APPLICATION FILE NUMBER: R-71755

SOURCE OF WATER: GOOSENECK CREEK, A TRIBUTARY OF MILL CREEK

STORAGE FACILITY: ENLARGEMENT OF MOUNTAIN SPRINGS RESERVOIR ORIGINALLY
CONSTRUCTED UNDER PERMIT R-4592

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION
S-71756, PERMIT 53238, FOR QUASI-MUNICIPAL USE.

AMOUNT OF WATER ALLOWED: 61.0 ACRE-FEET EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE
PERIOD OF NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: JULY 12, 1991

The area submerged by the reservoir, when full, will be 5.3 acres and
the maximum depth of water will be 30.0 feet. The maximum height of the
dam shall not exceed 30.0 feet.

DAM LOCATION: SE 1/4 SW 1/4, SECTION 35, TOWNSHIP 6 SOUTH, RANGE 7 WEST,
W.M.; 2140 FEET SOUTH & 3100 FEET WEST FROM E 1/4 CORNER, SECTION 35

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

SE 1/4 SW 1/4
SECTION 35
TOWNSHIP 6 SOUTH, RANGE 7 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.
- 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.

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- C. 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 dam shall be operated and maintained according to the approved schedule dated April 17, 1996. This schedule outlines routine up-keep and contains a description of the long term monitoring of seepage.

Submitted as-built drawings dated August 27, 1996 show deviations from approved plans and specifications dated December 6, 1968.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream unless a fishway is provided. The applicant is hereby directed to contact a ODFW Fish Passage Program coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

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.

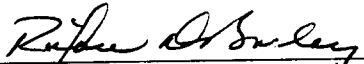
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

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Actual construction work shall begin within one year from permit issuance. The reservoirs shall be filled and complete application of water shall be made on or before October 1, 2001.

Issued September 5, 1997



Martha O. Pagel, Director
Water Resources Department