

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SID JOHNSON  
3150 10TH ST.  
BAKER CITY, OREGON 97814

PHONE: (541) 523-4625

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

APPLICATION FILE NUMBER: R-81010

SOURCE OF WATER: ALDER CREEK AND AN UNNAMED DRY DRAW, TRIBUTARIES OF BURNT RIVER

STORAGE FACILITY: ONE UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: LIVESTOCK, FISH, WILDLIFE, IRRIGATION AND TO BE APPROPRIATED UNDER APPLICATION S-81602, PERMIT 53269, FOR IRRIGATION

MAXIMUM VOLUME: 20.0 ACRE-FEET EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE OCTOBER 1 THROUGH APRIL 14

DATE OF PRIORITY: MARCH 11, 1996

The area submerged by the reservoir, when full, will be 3.0 acres and the maximum depth of water will be 16.0 feet. The maximum height of the dam shall not exceed 9.0 feet.

DAM LOCATION: NW 1/4 NW 1/4, SECTION 26, T10S, R41E, W.M.; 30 FEET SOUTH & 250 FEET EAST FROM NW CORNER, SECTION 26

ALDER CREEK DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 27, T10S, R41E, W.M.; 680 FEET WEST FROM EAST 1/4 CORNER, SECTION 27

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

NW 1/4 NW 1/4  
SECTION 26  
TOWNSHIP 10 SOUTH, RANGE 41 EAST, 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.

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- 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.
- 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.

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.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.

#### STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly with a minimum diameter of 8 inches, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

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. The reservoirs shall be filled and complete application of water shall be made on or before October 1, 2001.

Issued October 17, 1997



Martha O. Pagel, Director  
Water Resources Department