

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SHANE KENT

47768 HWY 101 S
LANGLOIS, OREGON 97450

PHONE: (541) 348-2458

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

APPLICATION FILE NUMBER: R-81960

SOURCE OF WATER: AN UNNAMED INTERMITTENT STREAM, TRIBUTARY TO FLORAS CREEK

STORAGE FACILITY: THREE UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-81950 FOR CRANBERRY USE

MAXIMUM VOLUME: 27.0 ACRE-FEET, BEING 9.0 ACRE-FEET IN EACH RESERVOIR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE BETWEEN NOVEMBER 1 THROUGH APRIL 30 EACH YEAR

DATE OF PRIORITY: FEBRUARY 11, 1997

The area submerged by the reservoir, when full, will be 2.8 acres and the maximum depth of water will be 18 feet. The maximum height of the dam shall not exceed 12 feet.

DAM LOCATION: NE 1/4 NE 1/4, SECTION 10, T31S, R15W, W.M.; RES. 1- 55 FEET SOUTH & 920 FEET WEST, RES. 2 - 165 FEET SOUTH & 820 FEET WEST, RES. 3 - 660 FEET SOUTH & 1250 WEST ALL FROM NE CORNER, SECTION 10

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

NE 1/4 NE 1/4
SECTION 10
TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead pool storage must be installed in the reservoir. The staff gage shall be permanently located in the pool to allow readings of total range of pool elevations or surveyed to a permanent monument and be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. The permittee shall take a reading from the gage once a month and keep a record of these measurements and shall be responsible for maintaining the gage. The permittee

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shall submit a report which includes the recorded water use measurements to the Department at its request. The permittee may be required to measure water use more frequently or report annually or more frequently as may be required by the Director. Further, the Director may be require the permittee to report general water use information, including the place and nature of use of water under the permit.

Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

If it is the opinion of the Watermaster that weirs are required either above or below the reservoirs, then weirs shall be installed and maintained to the Watermaster's specifications.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

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

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 by July 29, 1999. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2002. 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, prepared by a Certified Water Rights Examiner (CWRE).

Issued July 29, 1998

Dwight French for

Water Resources Department
Director

Application R-81960
Basin 17
LKS

Water Resources Department
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