

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SOVEREIGN PARTNERS LLC
ONE SW COLUMBIA STE 1105
PORTLAND, OREGON 97258 -2012

(503) 227-0554

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

APPLICATION FILE NUMBER: R-80633

SOURCE OF WATER: SEVENMILE CREEK, A TRIBUTARY OF UPPER KLAMATH LAKE

STORAGE FACILITY: NINE UNNAMED RESERVOIRS

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

MAXIMUM STORAGE VOLUME: 40.8 ACRE-FEET (AF) EACH YEAR, BEING NOT MORE THAN 4.3 AF IN RESERVOIR 1, 3.9 AF IN RESERVOIR 2, 4.6 AF IN RESERVOIR 3, 4.0 AF IN RESERVOIR 4, 6.4 AF IN RESERVOIR 5, 4.3 AF IN RESERVOIR 6, 4.6 AF IN RESERVOIR 7, 4.6 AF IN RESERVOIR 8, OR 4.1 AF IN RESERVOIR 9

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

DATE OF PRIORITY: SEPTEMBER 26, 1995

THE MAXIMUM HEIGHT OF THE DAMS SHALL NOT EXCEED 0.0 FEET (GROUND LEVEL).

DAM LOCATIONS: SE 1/4 NE 1/4, SECTION 35, SW 1/4 NW 1/4, SECTION 36, T33S, R6E, W.M.; POND 1 - NORTH 46 DEGREES 34 MINUTES EAST 1368 FEET, POND 2 - NORTH 33 DEGREES 16 MINUTES EAST 1040 FEET, POND 3 - NORTH 55 DEGREES 16 MINUTES EAST 1022 FEET, POND 4 - NORTH 54 DEGREES 54 MINUTES EAST 656 FEET, POND 5 - NORTH 3 DEGREES 0 MINUTES WEST 846 FEET, POND 6 - NORTH 33 DEGREES 22 MINUTES WEST 921 FEET, POND 7 - NORTH 36 DEGREES 43 MINUTES WEST 658 FEET, POND 8 - NORTH 33 DEGREES 58 MINUTES WEST 293 FEET, POND 9 - NORTH 64 DEGREES 38 MINUTES WEST 703 FEET, ALL FROM THE SOUTH 1/4 CORNER OF SECTION 35

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

SE 1/4 NE 1/4
SECTION 35
SW 1/4 NW 1/4
SECTION 36

TOWNSHIP 33 SOUTH, RANGE 6 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.
- 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.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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.

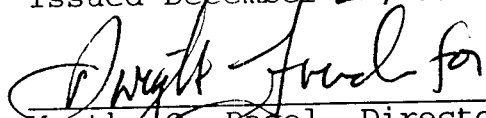
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

SEE NEXT PAGE

This permit is issued to correctly describe the place of use. Permit R-12459, dated April 15, 1998 is superseded by this instrument and is of no further force or effect.

Actual construction work shall begin on or before April 15, 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.

Issued December 23, 1998


Martha E. Pagel, Director
Water Resources Department

Application R-80633
Basin 14
DB

Water Resources Department
Sevenmile Cr & Misc, Volume 1
MGMT.CODE

PERMIT R-12576
District 17