

STATE OF OREGON

COUNTY OF POLK

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

U.S. FISH AND WILDLIFE SERVICE  
911 NW 11TH ST.  
PORTLAND, OREGON 97232-4181

PHONE: (503) 231-6251

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

APPLICATION FILE NUMBER: R-83556

SOURCE OF WATER: BASKETT SLOUGH AND MORGAN RESERVOIR, CONSTRUCTED UNDER PERMITS R-3093 AND R-4520, TRIBUTARIES OF RICKREALL CREEK WITHIN THE WILLAMETTE BASIN

STORAGE FACILITY: EAST SLOUGH POND

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

MAXIMUM VOLUME: 275.0 ACRE-FEET EACH YEAR

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

DATE OF PRIORITY: SEPTEMBER 23, 1997

The area submerged by the reservoir, when full, will be 130.0 acres and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

DAM LOCATION: NE 1/4 NW 1/4, SECTION 24, T7S, R5W, W.M.; 340 FEET SOUTH AND 260 FEET WEST FROM NE CORNER, HARRISON BRUNK DLC 61

POINT OF DIVERSION LOCATION ON MORGAN RESERVOIR: NW 1/4 NE 1/4, SECTION 11, T7S, R5W, W.M.; 779 FEET SOUTH AND 1235 FEET WEST FROM SW CORNER, DLC 43

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

SW 1/4 SW 1/4  
SE 1/4 SW 1/4  
SECTION 13

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SE 1/4 SE 1/4

SECTION 14

NE 1/4 NE 1/4

SE 1/4 NE 1/4

SECTION 23

NE 1/4 NW 1/4

NW 1/4 NW 1/4

SW 1/4 NW 1/4

SE 1/4 NW 1/4

SECTION 24

TOWNSHIP 7 SOUTH, RANGE 5 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area.

The use may be restricted if the quality of the source stream or downstream water decrease to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

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.

#### 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.

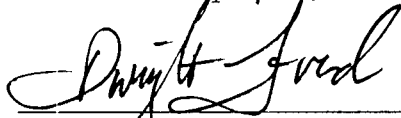
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

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Actual construction work shall begin by July 16, 2000. The reservoir(s) shall be filled and complete application of water shall be made on or before October 1, 2003. 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 16, 1999



Martha O. Pagel, Director  
Water Resources Department

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District 16