

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE  
29555 CAMP ADAIR ROAD  
MONMOUTH, OREGON 97361

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

APPLICATION FILE NUMBER: R-75509

SOURCE OF WATER: RUNOFF, A TRIBUTARY OF SOAP CREEK

STORAGE FACILITY: RESERVOIRS 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27

PURPOSE OR USE OF THE STORED WATER: WETLANDS RESTORATION

MAXIMUM STORAGE VOLUME: 28.8 ACRE-FEET (AF) EACH YEAR, BEING 8.8 AF IN RESERVOIR 18, 1.5 AF IN RESERVOIR 19, 4.8 AF IN RESERVOIR 20, 2.1 AF IN RESERVOIR 21, 1.2 AF IN RESERVOIR 22, 1.8 AF IN RESERVOIR 23, 0.4 AF IN RESERVOIR 24, 2.2 AF IN RESERVOIR 25, 0.8 AF IN RESERVOIR 26, AND 5.2 AF IN RESERVOIR 27

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

DATE OF PRIORITY: DECEMBER 19, 1984

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 9.9 FEET.

DAM LOCATION: NW 1/4 SW 1/4, RES 18 2700 FEET SOUTH & 250 FEET EAST, RES 19 2700 FEET SOUTH & 800 FEET EAST, BOTH FROM NW CORNER SECTION 17; NE 1/4 SW 1/4, RES 21 1400 FEET NORTH & 1600 FEET EAST, SE 1/4 SW 1/4, RES 22 1200 FEET NORTH & 2100 FEET EAST, RES 23 500 FEET NORTH & 1700 FEET EAST, ALL FROM SW CORNER SECTION 21 WITHIN SECTION 17; NE 1/4 NE 1/4, RES 20, 350 FEET SOUTH & 600 FEET WEST FROM NE CORNER SECTION 19; NE 1/4 NW 1/4, RES 24 300 FEET SOUTH & 1800 FEET EAST, SW 1/4 NW 1/4, RES 26 1400 FEET SOUTH & 1000 FEET EAST, RES 25 2200 FEET SOUTH & 800 FEET EAST, NW 1/4 SW 1/4, RES 27 2000 FEET N & 800 FEET EAST, ALL FROM NW CORNER SECTION 20, T10S, R4W, W.M.

Application R-75509 Water Resources Department

PERMIT R-12816

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

NW 1/4 SW 1/4 RES 18, 19  
 SE 1/4 SW 1/4 RES 21, 22, 23  
 SECTION 17  
 NE 1/4 NE 1/4 RES 18  
 SECTION 19  
 NE 1/4 NE 1/4 RES 20  
 SECTION 19  
 NE 1/4 NW 1/4 RES 24  
 SW 1/4 NW 1/4 RES 25, 26, 27  
 NW 1/4 SW 1/4 RES 27  
 SW 1/4 SW 1/4 RES 27, 28  
 SECTION 20

TOWNSHIP 10 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. 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 total area to be submerged by Reservoir 18, when full shall be 5.5

Application R-75509 Water Resources Department

PERMIT R-12816

acres; the maximum depth of water shall be 4.0 feet.

The total area to be submerged by Reservoir 19, when full shall be 2.5 acres; the maximum depth of water shall be 1.5 feet.

The total area to be submerged by Reservoir 20, when full shall be 8.0 acres; the maximum depth of water shall be 1.5 feet.

The total area to be submerged by Reservoir 21, when full shall be 3.5 acres; the maximum depth of water shall be 1.5 feet.

The total area to be submerged by Reservoir 22, when full shall be 1.0 acre; the maximum depth of water shall be 3.0 feet.

The total area to be submerged by Reservoir 23, when full shall be 3.0 acres; the maximum depth of water shall be 1.5 feet.

The total area to be submerged by Reservoir 24, when full shall be 0.5 acre; the maximum depth of water shall be 2.0 feet.

The total area to be submerged by Reservoir 25, when full shall be 2.75 acres; the maximum depth of water shall be 2.0 feet.

The total area to be submerged by Reservoir 26, when full shall be 1.0 acre; the maximum depth of water shall be 2.0 feet.

The total area to be submerged by Reservoir 27, when full shall be 6.5 acres; the maximum depth of water shall be 2.0 feet.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

#### 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.

Actual construction work shall begin within one year from permit issuance by March 31, 2001. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2004. 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 March 31, 2000

  
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Martha O. Pagel, Director  
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Application R-75509  
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Water Resources Department  
VOLUME 9A SOAP CREEK MISC

PERMIT R-12816  
DISTRICT 18