

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAN AND NINA MICKE  
87754 HWY 140 W  
LAKEVIEW, OR 97630

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

APPLICATION FILE NUMBER: R-85999

SOURCE OF WATER: UNNAMED STREAM AND RUNOFF, TRIBUTARIES TO FISH CREEK

STORAGE FACILITY: ANTELOPE VALLEY RANCH RESERVOIR

PURPOSE OR USE OF THE STORED WATER: SUPPLEMENTAL IRRIGATION TO BE APPROPRIATED UNDER PERMIT S-54509

MAXIMUM VOLUME: 75.0 ACRE FEET EACH YEAR

STORAGE SEASON: THE STORAGE SEASON BEGINS EACH YEAR ON OCTOBER 1. THE STORAGE SEASON ENDS ON THE SAME DAY ANY IRRIGATION FROM THE RESERVOIR BEGINS BUT NO LATER THAN MAY 1 OF EACH YEAR. THE PERMIT HOLDER SHALL NOTIFY THE WATERMASTER'S OFFICE IF THE STORAGE SEASON ENDS BEFORE MAY 1 OF ANY YEAR

DATE OF PRIORITY: MAY 7, 2004

THE AREA SUBMERGED BY THE RESERVOIR, WHEN FULL, WILL BE 14.0 ACRES. THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 19.5 FEET.

DAM LOCATIONS:

DAM A (SPILLWAY) - SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 7, T39S, R18E, W.M.; 100 FEET NORTH AND 2500 FEET EAST FROM THE SW CORNER, SECTION 7

DAM B (LEVEE) - NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 18, T39S, R18E, W.M.; 700 FEET SOUTH AND 400 FEET EAST FROM THE N  $\frac{1}{4}$  CORNER, SECTION 18

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$
SECTION 7	SECTION 18
TOWNSHIP 39 SOUTH, RANGE 18 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, 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. Before water use may begin under this permit, the permittee shall install a measuring device that can be used to determine reservoir elevation and storage.
- C. The permittee shall allow the watermaster access to the meter or measuring device and staff gauge; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

**STANDARD CONDITIONS**

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 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 reservoir shall be filled and complete application of the water to the use shall be made on or before October 1, 2013. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 November 17, 2008

*E. Timothy Ward. for*

Phillip C. Ward, Director  
Water Resources Department