

STATE OF OREGON

COUNTY OF UNION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BOISE CASCADE WOOD PRODUCTS LLC  
90 S. 21<sup>ST</sup> STREET  
ELGIN, OR 97827

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

APPLICATION FILE NUMBER: R-88249

SOURCE OF WATER: WASTEWATER AND RUNOFF, TRIBUTARIES OF PHILLIPS CREEK

STORAGE FACILITY: ELGIN COMPLEX PWP 2 RESERVOIR

PURPOSE OR USE OF THE STORED WATER: IRRIGATION AND INDUSTRIAL/  
MANUFACTURING USES

MAXIMUM VOLUME: 90.0 ACRE-FEET

RUN-OFF MAY BE DIVERTED FOR STORAGE DURING THE PERIOD: DECEMBER 1  
THROUGH APRIL 14

WASTEWATER MAY BE DIVERTED FOR STORAGE DURING THE PERIOD: JANUARY 1  
THROUGH DECEMBER 31

DATE OF PRIORITY: JUNE 24, 2016

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 25.0 FEET

POINT OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	39 E	WM	21	NE NE	161 FEET SOUTH AND 1087 FEET WEST FROM NE CORNER, SECTION 21

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	39 E	WM	21	NE NE	161 FEET SOUTH AND 1087 FEET WEST FROM NE CORNER, SECTION 21

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

Twp	Rng	Mer	Sec	Q-Q
1 N	39 E	WM	21	NE NE

**1. Measurement Devices and Recording/Reporting of Annual Water Storage 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 shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any 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 volume of water stored, and may require the permittee to report water-storage 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.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

**2. Water Quality Condition:**

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

**RESERVOIR CONDITIONS**

- 1. Permittee shall perform visual daily monitoring to identify developing seepage.
- 2. Permittee shall perform direct visual observation of water level during inflow periods when water level is at or above 2752.0 feet.
- 3. Permittee shall fully operate (cycle from full closed to full open) all outlet valves at least once per year.
- 4. Permittee shall maintain and test alarm function on an annual or more frequent basis.
- 5. Maximum operating water level shall be no more than 2753.4 feet. This level may only be exceeded on a limited basis by direct rainfall. In such an event, all pumped inflow shall cease.

**The permittee shall make the following changes to the operations manual now and as needed in the future:**

1. Update information on the warning sensor and its operation, maintenance and testing.
2. Level indicator and alarm shall be set and maintained to go off at 2.0 feet of freeboard, which is 2754.4 feet.
3. Provide additional detail on the procedure for cutting off water to the reservoir and a way to drain the reservoir (e.g., pumping) so that the conduit is no longer pressurized in the event of observed leakage.
4. Maintain and update the operations manual as needed.
5. The permittee shall maintain these records and provide verbal summary of operations during the Department's routine periodic dam inspections.

**DAM CONDITIONS**

1. The constructed works shall conform to the plans and specifications as described in the report dated September 27, 2018, which is on file with the Water Resources Department's Dam Safety Program.
2. Routine maintenance or repair of the dam, its spillway and all appurtenant structures shall be performed to include, but not limited to, removal of woody or high vegetation from the embankment, abutments and spillway, removal of debris from the reservoir, and annual or more frequent cycling of the valve or gate for the low level conduit.
3. Repair or replacement of defective or worn out equipment (including, but not limited to gates, valves, and conduits) shall be completed as needed.
4. All enlargements, modifications, or alterations of the dam shall be based on design plans and specifications prepared by a Registered Professional Engineer licensed in Oregon. These plans shall be approved by the Department's Dam Safety Program prior such alterations of the dam, its spillway or any appurtenant structure(s).

**STANDARD CONDITIONS**

1. 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.
2. 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.
3. 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.

4. 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.
5. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
6. The permitted volume of water shall be stored within five years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
7. Within one year after storage of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued March 6<sup>th</sup>, 2019

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department