

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHNSON LIVESTOCK LLC
79681 WOODCOCK RD
WAMIC OR 97063

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

APPLICATION FILE NUMBER: R-88813

	Reservoir Name	Volume (Acre Feet)	Maximum Dam Height (Feet)	SOURCE			
				Rock Creek	Threemile Creek	North Fork Gate Creek	Unnamed Drainage
1	Pierce	8.0	15.0	X	X	X	
2	Lower Duckshack	8.1	9.0	X	X	X	
3	Duckshack North	8.9	10.0	X	X	X	
4	Duckshack South	8.0	12.0	X	X	X	
5	Upper Duckshack	5.7	11.0	X	X	X	
6	Woods	8.5	16.0	X	X	X	
7	Flood Field	0.7	5.0	X	X	X	
8	Grey Hill	2.7	9.0	X	X	X	
9	Ponderosa	7.3	11.0	X	X	X	
11	Valley 1	2.6	7.0	X	X	X	X
12	Valley 2 South	3.3	10.0	X	X	X	
13	Valley 2 North	1.1	8.0	X	X	X	X
14	Pub 2	1.1	6.0	X	X	X	
15	Valley Flood	2.5	9.0	X	X	X	X

PURPOSE OR USE OF THE STORED WATER: LIVESTOCK, RECREATION, FISH LIFE, WILDLIFE, AND IRRIGATION

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: FEBRUARY 1 THROUGH APRIL 14

DATE OF PRIORITY: MARCH 2, 2020

AUTHORIZED POINTS OF DIVERSION:

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
ROCK CREEK	4 S	11 E	WM	14	SW SE	1000 FEET NORTH AND 1200 FEET EAST FROM S1/4 CORNER, SECTION 14
THREEMILE CREEK	4 S	11 E	WM	10	NE NE	726 FEET SOUTH AND 528 FEET WEST FROM NE CORNER, SECTION 10
NORTH FORK GATE CREEK	4 S	11 E	WM	21	SE NE	1280 FEET NORTH AND 1500 FEET EAST FROM C1/4 CORNER, SECTION 21
UNNAMED DRAINAGE 11	4 S	12 E	WM	15	SE SE	960 FEET NORTH AND 45 FEET WEST FROM SE CORNER, SECTION 15
UNNAMED DRAINAGE 13	4 S	12 E	WM	15	SW SE	1065 FEET NORTH AND 245 FEET EAST FROM S1/4 CORNER, SECTION 15
UNNAMED DRAINAGE 15	4 S	12 E	WM	15	NE SE	745 FEET SOUTH AND 365 FEET EAST FROM E1/4 CORNER, SECTION 16

DAM LOCATIONS:

Res #	Reservoir Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	PIERCE	4 S	12 E	WM	28	NE NW	645 FEET SOUTH AND 740 FEET WEST FROM N1/4 CORNER, SECTION 28
2	LOWER DUCK SHACK	4 S	12 E	WM	21	SE SE	220 FEET NORTH AND 140 FEET WEST FROM SE CORNER, SECTION 21
3	DUCKSHACK NORTH	4 S	12 E	WM	21	SE SE	110 FEET NORTH AND 800 FEET WEST FROM SE CORNER, SECTION 21
4	DUCKSHACK SOUTH	4 S	12 E	WM	28	NE NE	200 FEET SOUTH AND 640 FEET WEST FROM NE CORNER, SECTION 28
5	UPPER DUCK SHACK	4 S	12 E	WM	21	SE SW	120 FEET NORTH AND 530 FEET WEST FROM S1/4 CORNER, SECTION 21
6	WOODS	4 S	12 E	WM	21	SW SW	905 FEET NORTH AND 485 FEET EAST FROM SW CORNER, SECTION 21
7	FLOOD FIELD	4 S	12 E	WM	21	NE SE	1205 FEET SOUTH AND 265 FEET WEST FROM E1/4 CORNER, SECTION 21
8	GREY HILL	4 S	12 E	WM	21	NW SE	820 FEET SOUTH AND 2100 FEET WEST FROM E1/4 CORNER, SECTION 21
9	PONDEROSA	4 S	12 E	WM	21	NW SW	430 FEET SOUTH AND 1160 FEET EAST FROM W1/4 CORNER, SECTION 21
11	VALLEY 1	4 S	12 E	WM	15	SE SE	960 FEET NORTH AND 45 FEET WEST FROM SE CORNER, SECTION 15
12	VALLEY 2 SOUTH	4 S	12 E	WM	15	SW SE	415 FEET NORTH AND 350 FEET EAST FROM S1/4 CORNER, SECTION 15
13	VALLEY 2 NORTH	4 S	12 E	WM	15	SW SE	1065 FEET NORTH AND 245 FEET EAST FROM S1/4 CORNER, SECTION 15
14	PUB 2	4 S	12 E	WM	15	NE SW	590 FEET SOUTH AND 1030 FEET WEST FROM C1/4 CORNER, SECTION 15
15	VALLEY FLOOD	4 S	12 E	WM	16	NE SE	745 FEET SOUTH AND 365 FEET EAST FROM E1/4 CORNER, SECTION 16

THE AREA TO BE SUBMERGED BY THE RESERVOIRS:

Twp	Rng	Mer	Sec	Q-Q
4 S	12 E	WM	15	NE SW
4 S	12 E	WM	15	SW SE
4 S	12 E	WM	15	SE SE
4 S	12 E	WM	16	NE SE
4 S	12 E	WM	21	NW SW
4 S	12 E	WM	21	SW SW

Twp	Rng	Mer	Sec	Q-Q
4 S	12 E	WM	21	SE SW
4 S	12 E	WM	21	NE SE
4 S	12 E	WM	21	NW SE
4 S	12 E	WM	21	SE SE
4 S	12 E	WM	28	NE NE
4 S	12 E	WM	28	NE NW

1. Water Use Measurement, Recording, and Reporting Condition:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. 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 diverted, 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
2. The permittee shall maintain adequate passage of native migratory fish at all times (ORS 509.610) and shall not construct, operate, or maintain any dam or artificial obstruction to fish passage across any waters of the state that are inhabited, or were historically inhabited, by native migratory fish (ORS 509.585). The permittee shall not create or maintain an artificial obstruction to fish passage in Rock Creek, Threemile Creek, or North Fork Gate Creek.
 3. Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of July 1 through October 31, unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
 4. The permittee shall not release polluted water from these off-channel reservoirs into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
 5. The permittee may be required in the future to install, maintain, and operate fish screening and bypass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

RESERVOIR CONDITIONS

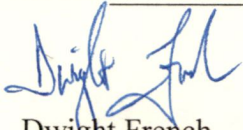
1. The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.
2. The permittee shall pass all live flow outside the storage season described above.
3. The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

4. This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

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 **MAR 09 2021**



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