

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WHITE RIVER RANCH, LLC  
56100 SMOCK RD  
WAMIC OR 97063

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

APPLICATION FILE NUMBER: R-88784

SOURCE OF WATER: ROCK CREEK, TRIBUTARY TO WHITE RIVER

Reservoir Name	Maximum Volume (Acre-Feet)	Dam Height (Feet)	Area (Acres)
Campbell Reservoir	35.0	9.0	9.6
Wade 3 Reservoir	13.5	7.0	4.5
20 Acres Reservoir	6.0	6.0	1.5
Pink Palace Reservoir	6.6	6.0	2.2
<b>Maximum Volume</b>	<b>61.1</b>		

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

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

DATE OF PRIORITY: DECEMBER 9, 2019

AUTHORIZED POINT 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

DAM LOCATIONS:

Reservoir Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
CAMPBELL RESERVOIR	4 S	12 E	WM	17	SE SW	270 FEET NORTH AND 415 FEET WEST FROM S1/4 CORNER, SECTION 17
WADE 3 RESERVOIR	4 S	12 E	WM	21	SW NW	390 FEET NORTH AND 990 FEET EAST FROM W1/4 CORNER, SECTION 21
20 ACRES RESERVOIR	4 S	12 E	WM	27	SW NW	1205 FEET NORTH AND 760 FEET EAST FROM W1/4 CORNER, SECTION 27
PINK PALACE RESERVOIR	4 S	12 E	WM	27	SE NE	105 FEET SOUTH AND 380 FEET WEST FROM E1/4 CORNER, SECTION 27

THE AREA TO BE SUBMERGED BY THE RESERVOIRS:

Twp	Rng	Mer	Sec	Q-Q
4 S	12 E	WM	17	SE SW
4 S	12 E	WM	20	NE NW
4 S	12 E	WM	21	SW NW
4 S	12 E	WM	27	SE NE
4 S	12 E	WM	27	NW NW
4 S	12 E	WM	27	SW NW

**PERMIT SPECIFIC 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. **Water Use Measurement, Recording, and Reporting:**
  - 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 watermaster may determine an alternate measuring device is suitable. 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 permittee shall keep a complete record of the volume of water stored each month and shall submit a report which includes water-storage 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.
  - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
3. The applicant shall install and maintain an authorized form of measurement to measure flow into and out of each reservoir authorized under this permit. The form of measurement shall be approved prior to installation by the local watermaster.
4. The permittee shall install lockable headgates on the inflow channels of each reservoir to keep water out of the reservoirs while water is being delivered to satisfy senior storage rights.

5. During the approved season of use, the permittee shall be responsible for weekly measurements and reporting of Rock Creek flow upstream of Rock Creek Reservoir. Data shall be reported on a weekly basis to the local watermaster.

**6. Riparian Area Restoration:**

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 in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

**7. Maintain Passage:**

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).

**8. In-Water Work:**

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 Oregon Department of Fish and Wildlife.

**9. Fish Stocking:**

Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon shall have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without a fish transport permit issued by ODFW. As part of the permitting process, the permittee shall also screen the inlet and outlet of their pond to ensure that fish cannot escape into public waters and/or to keep wild fish from entering the pond.

**10. Off-Channel Stored Water Releases:**

The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.

## 11. Scenic Waterway Flows:

Diversion of water under this permit is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at USGS gage 14103000, Deschutes River at Moody, near Biggs, OR, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

Deschutes River Scenic Waterway	
Month	Minimum Flow (CFS)
February	4500
March 1-15	4500
March 16-31	4000
April 1-14	4000

### 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 permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.
4. The permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
5. 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. 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.
2. 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.
3. 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.

### DEVELOPMENT AND COMPLETION TIMELINE REQUIREMENTS

1. Construction work must be supervised by the Engineer of Record for the project. 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.
2. 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.
3. 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 DEC 01 2023

*Katherine Ratcliffe*

Katherine Ratcliffe  
Water Rights Section Manager, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department