

STATE OF OREGON
COUNTY OF WALLOWA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT R. & MARGARET S. GROSSE
21 TERRACE WALK
BERKELEY, CALIFORNIA 94707

(510) 549-0644

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-72102

SOURCE OF WATER: WALLOWA LAKE, A TRIBUTARY OF WALLOWA RIVER

PURPOSE OR USE: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD, FURTHER LIMITED BY "RATE & PERIOD OF ALLOWED USE" BELOW

RATE & PERIOD OF ALLOWED USE: 0.01 CUBIC FEET PER SECOND (CFS) FROM DECEMBER 1 THROUGH MARCH 31 AND MAY 1 THROUGH JUNE 30; 0.005 CFS FOR HUMAN CONSUMPTION ONLY FOR ONE HOUSEHOLD FROM APRIL 1 THROUGH APRIL 30 AND JULY 1 THROUGH NOVEMBER 30

DATE OF PRIORITY: DECEMBER 30, 1991

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 5, T3S, R45E, W.M.; 520 FEET NORTH & 1290 FEET EAST FROM THE W 1/4 CORNER OF SECTION 5

THE PLACE OF USE IS LOCATED WITHIN:

SW 1/4 NW 1/4
SECTION 5
TOWNSHIP 3 SOUTH, RANGE 45 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. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to the inlet or outlet channel of Wallowa Lake.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

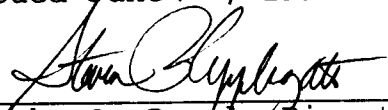
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 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 and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued June 12, 1996


for Martha O. Pagel, Director
Water Resources Department

Application S-72102 Water Resources Department
Basin 08 Volume 2, Wallowa River & Misc

PERMIT 52419
District 06