

STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DONALD L. AND LINDA MARKHAM
RT 1 BOX 1908
BANDON, OREGON 97411

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

APPLICATION FILE NUMBER: R-72643

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF TWOMILE CREEK, within the SOUTH COAST basin

STORAGE FACILITY: MARKHAM RESERVOIR

PURPOSE OR USE OF THE STORED WATER: To be appropriated under Application S-72644, PERMIT 51738 for IRRIGATION.

QUANTITY OF WATER: 2.39 ACRE-FEET EACH YEAR

PERIOD OF STORAGE: NOVEMBER 1 THROUGH JUNE 30

DATE OF PRIORITY: August 31, 1992

The area submerged by the reservoir, when full, will be 0.3 acre and the maximum depth of water will be 20.0 feet. The maximum height of the dam shall not exceed 9.0 feet.

DAM LOCATION: NE 1/4 SW 1/4, SECTION 20, T29S, R14W, W.M.

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

NE 1/4 SW 1/4
SECTION 20
TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The

Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used 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. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

A regulating device shall be installed pursuant to ORS 540-310. Plans and specifications shall be approved by the Watermaster before installation. Work shall be done under the general supervision of the Watermaster. Weirs will be required both upstream and downstream of the reservoirs.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an 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 Director finds that the proposed use(s) 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, 1997. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1998.

Issued November 6, 1995



Water Resources Department
Martha O. Pagel
Director

Application R-72643 Water Resources Department
Basin 17 Volume 3 Twomile Creek 29S & Misc.
DLB

B98 C99
PERMIT R-11586
District 19