

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HENRY BROUGHTON
10827 W EVANS CREEK RD
ROGUE RIVER, OREGON 97537

541-779-1382

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

APPLICATION FILE NUMBER: R-71655

SOURCE OF WATER: AN UNNAMED DRAW AND DIXIE GULCH, TRIBUTARIES OF DITCH CREEK, TO BE APPROPRIATED UNDER APPLICATION S-71656, PERMIT 52388

STORAGE FACILITY: RESERVOIRS #2, #3, #4, AND #5

PURPOSE OR USE OF THE STORED WATER: RESERVOIRS #2, #3, AND #4 - TO BE APPROPRIATED UNDER APPLICATION S-71656, PERMIT 52388 FOR SUPPLEMENTAL IRRIGATION; RESERVOIR #5 - STOCK WATERING

RATE/VOLUME: 16.5 ACRE-FEET (AF) EACH YEAR BEING; 9.0 ACRE-FEET IN RESERVOIR #2 FOR SUPPLEMENTAL IRRIGATION, 3.0 ACRE-FEET IN RESERVOIR #3 FOR SUPPLEMENTAL IRRIGATION, 3.0 ACRE-FEET IN RESERVOIR #4 FOR SUPPLEMENTAL IRRIGATION, AND 1.5 ACRE-FEET IN RESERVOIR #5 FOR STOCK WATERING

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: JANUARY 1 THROUGH MARCH 31

DATE OF PRIORITY: JUNE 5, 1991 FOR 5.0 AF, AND FEBRUARY 27, 1995 FOR 11.5 AF

THE TOTAL AREA PROPOSED TO BE SUBMERGED BY THE RESERVOIRS, WHEN FULL, IS 4.3 ACRES, BEING 2.0 ACRES RESERVOIR #2, 0.7 ACRE RESERVOIR #3, 0.9 ACRE RESERVOIR #4, AND 0.7 ACRE RESERVOIR #5. THE PROPOSED MAXIMUM DEPTH OF WATER IS 9.0 FEET RESERVOIR #2, 9.0 FEET RESERVOIR #3, 7.0 FEET RESERVOIR #4, AND 4.0 FEET RESERVOIR #5. THE MAXIMUM HEIGHT OF ANY DAM WILL NOT EXCEED 9.0 FEET.

DAM LOCATIONS: NE 1/4 NE 1/4, SECTION 32; SW 1/4 NW 1/4, NW 1/4 SW 1/4, SECTION 33, T34S, R4W, W.M.; RESERVOIR #2 - 40 FEET NORTH & 1092 FEET EAST, RESERVOIR #3 - 161 FEET SOUTH & 647 FEET EAST, RESERVOIR #4 - 15 FEET SOUTH & 348 FEET EAST, RESERVOIR #5 - 2330 FEET NORTH & 226 FEET WEST, ALL FROM THE W 1/4 CORNER OF SECTION 33

SEE NEXT PAGE

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED WITHIN:

NE 1/4 NE 1/4
SECTION 32

SW 1/4 NW 1/4
NW 1/4 SW 1/4

SECTION 33
TOWNSHIP 34 SOUTH, RANGE 4 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.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition from April 1 through December 31.

The permittee shall install, maintain, and operate upstream fish ways, 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 upstream fish ways, screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

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 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 10, 1996


for Martha O. Page, Director
Water Resources Department