

STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACK E KESTER
1407 APPLGATE AVE
GRANTS PASS, OREGON 97527

(541)474-4532

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

APPLICATION FILE NUMBER: R-74393

SOURCE OF WATER: THE CANYON, A TRIBUTARY OF APPLGATE RIVER WITHIN THE ROGUE BASIN

STORAGE FACILITY: ONE UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: RECREATION (AESTHETICS)

AMOUNT OF WATER ALLOWED: 0.72 ACRE-FOOT EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY APPROPRIATED FOR STORAGE DURING THE PERIOD DECEMBER 1 THROUGH MARCH 31

DATE OF PRIORITY: AUGUST 1, 1994

The area submerged by the reservoir, when full, will be 0.04 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 10.0 feet.

DAM LOCATION: NE 1/4 SW 1/4, SECTION 20, T36S, R6W, W.M.

AREA TO BE SUBMERGED BY THE RESERVOIR ARE LOCATED:

NE 1/4 SW 1/4
SECTION 20
TOWNSHIP 36 SOUTH, RANGE 6 WEST, 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.
- 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.

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- C. 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.

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. The applicant is hereby directed to contact a Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

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, 1998. The reservoir shall be filled and complete application of the water to the use shall be made on or before October 1, 1999.

Issued August 14, 1996

for Steven C. Pappalardo

Martha O. Page, Director
Water Resources Department

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District 14