

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

U.S. BUREAU OF LAND MANAGEMENT; MEDFORD DISTRICT
ATTN: DAVID A JONES
3040 BIDDLE RD.
MEDFORD, OREGON 97504

PHONE: (541) 770-2200

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

APPLICATION FILE NUMBER: R-83300

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF CHINA GULCH

STORAGE FACILITY: CHINA GULCH RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT
53563 FOR FOREST AND RANGE MANAGEMENT (ROAD OPERATIONS, PRESCRIBED FIRE,
LIVESTOCK AND WILDLIFE)

MAXIMUM STORAGE VOLUME: 0.65 ACRE-FOOT EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1
THROUGH MAY 31 OF EACH YEAR

DATE OF PRIORITY: JANUARY 28, 1997

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 32.00 FEET.

DAM LOCATION: SW 1/4 NW 1/4, SECTION 16, T38S, R3W, W.M.

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

SW 1/4 NW 1/4
SECTION 16
TOWNSHIP 38 SOUTH, RANGE 3 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

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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.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

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 an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

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 bypass flows at all times when sufficient water is not available to satisfy all prior rights, including prior rights for maintaining instream flows, or when downstream water temperatures exceed DEQ water quality standards.

All water trucks using this pump chance shall have screened water intakes to prevent the loss of fish.

STANDARD CONDITIONS

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 by May 14, 2000. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2003. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report.

Issued May 14, 1999


 Martha O. Pagel, Director
 Water Resources Department

Application R-83300
 Basin 15
 LKS

Water Resources Department
 VOLUME 6 APPLGATE R MISC
 MGMT. CODE

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