

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THOMAS W TEDRICK  
PO BOX 1012  
JACKSONVILLE, OREGON 97530

(541) 899-5220

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

APPLICATION FILE NUMBER: R-81244

SOURCE OF WATER: APPLGATE RIVER, A TRIBUTARY OF ROGUE RIVER

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: IRRIGATION AND AGRICULTURAL USE TO BE APPROPRIATED UNDER APPLICATION S-84415, PERMIT 53738, RECREATION, WILDLIFE, AND WETLAND ENHANCEMENT

MAXIMUM STORAGE VOLUME: 3.72 ACRE-FEET EACH YEAR

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

DATE OF PRIORITY: JUNE 18, 1996

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 9.0 FEET.

DAM LOCATION: SW 1/4 SW 1/4, SECTION 15, T39S, R3W, W.M.

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

SW 1/4 SW 1/4  
SECTION 15  
TOWNSHIP 39 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 device within the period stated in the notice. Such

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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 permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream unless a fishway is provided. The applicant is hereby directed to contact a Oregon Department of Fish and Wildlife Fish Passage Program 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 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.

#### **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.

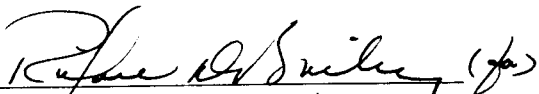
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 June 26, 2002. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2005.

Issued June 26, 2001

  
Paul R. Cleary, Director  
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

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