



STATE OF OREGON

JACKSON COUNTY

"CERTIFICATE NO. 56216"

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 62340 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Mona R. Mitchell and Albert L. Mitchell of 7151 Upper Applegate Road, Jacksonville, OR 97530, phone 899-8836, for the use of the waters of a spring and 7.5 acre-feet stored water only from Applegate Lake Reservoir constructed under Permit R-7810, being irrigation from the spring and supplemental irrigation from Applegate Lake Reservoir, tributaries of Applegate River, for the PURPOSE of irrigation and supplemental irrigation; that the PRIORITY OF THE RIGHT dates from August 17, 1981, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.025 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINTS OF DIVERSION are to be LOCATED: Diversion 1 (Comstock Ditch) - 1,000 feet North and 1,190 feet East from the Southwest Corner of Section 5, being within the SW 1/4 SW 1/4 of Section 5, Township 40 South, Range 3 West, WM; Diversion 2 (Spring) - 560 feet South and 400 feet East from the Center of Section 28, being within the NW 1/4 SE 1/4 of Section 28, Township 39 South, Range 3 West, WM; Applegate Lake Dam is located within the S 1/2 SE 1/4 of Section 25, Township 40 South, Range 4 West, WM; in the County of Jackson.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 39 South Range 3 West, WM Section 28 NW 1/4 SE 1/4 5.0 acres supplemental irrigation from Applegate Lake Reservoir and 2.0 acres primary irrigation from the spring

The AMOUNT OF WATER used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 1/80 of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-7810, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and is subject to the terms and conditions of Contract 2-07-10-W0446 between the Bureau of Reclamation and the applicant, or a satisfactory replacement, a copy of which is on file in the records of the Water Resources Director, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before May 11, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

WITNESS my hand this 11th day of May, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION 62340

PERMIT 46490