

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM L. OR CORA L. FUMMERTON
1622 MELTON ROAD
ROSEBURG, OREGON 97470

503-672-2706

to use the waters of MELTON CREEK, a tributary of TUCKER CREEK, for IRRIGATION OF 1.0 ACRE AND DOMESTIC USE FOR TWO FAMILIES INCLUDING IRRIGATION OF NOT TO EXCEED ONE-HALF ACRE LAWN AND NONCOMMERCIAL GARDEN FOR EACH.

This Permit is issued approving Application 70388. The date of priority is MAY 31, 1990. The use is limited to not more than 0.023 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

It is further provided that the right allowed herein shall be limited during the period of March 31 through October 31 of each year to human consumption, livestock consumption for such animals as are essential to the proper sustenance of the family and irrigation of a noncommercial garden not to exceed 1/2 acre in area.

The points of diversion are located as follows:

NE 1/4 SW 1/4, SECTION 12, T 28 S, R 5 W, W.M.; 1530 FEET NORTH AND 2390 FEET EAST, 2020 FEET NORTH AND 1450 FEET EAST, BOTH FROM SW CORNER, SECTION 12.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

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 ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this Permit is as follows:

NE 1/4 SW 1/4 1.0 ACRE & DOMESTIC
SECTION 12
TOWNSHIP 28 SOUTH, RANGE 5 WEST, W.M.

Actual construction work shall begin on or before June 1, 1993, and shall be completed on or before October 1, 1994. Complete application of the water to the use shall be made on or before October 1, 1995.

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.

Issued this date, JUNE 1, 1992.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director