

STATE OF OREGON

COUNTY OF Douglas

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES R. MCGEEHON
275 UMPQUA HIGHWAY 38
DRAIN, OREGON 97435

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

APPLICATION FILE NUMBER: S-70547

SOURCE OF WATER: PASS CREEK, TRIBUTARY OF ELK CREEK

PURPOSE OR USE: IRRIGATION OF 10.0 ACRES

MAXIMUM FLOW/VOLUME ALLOWED: 0.125 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH JUNE 30 FOR IRRIGATION AND JULY 1 THROUGH OCTOBER 31 FOR IRRIGATION OF UP TO 1/2 ACRE NON-COMMERCIAL GARDEN.

DATE OF PRIORITY: AUGUST 10, 1990

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 9, T 22 S, R 5 W, W.M.; POD 1 - 1380 FEET SOUTH AND 440 FEET EAST; POD 2 - 1570 FEET SOUTH AND 110 FEET EAST, BOTH FROM NORTHWEST CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NE 1/4 4.1 ACRES

SECTION 8

SW 1/4 NW 1/4 5.9 ACRES

SECTION 9

TOWNSHIP 22 SOUTH, RANGE 5 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.

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- 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.
- 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.

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 not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream.

STANDARD CONDITIONS

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

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.

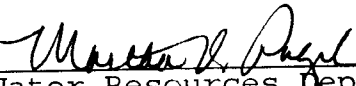
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued October 30, 1995


Water Resources Department
Martha O. Pagel
Director

Application S-70547
Basin 16
DLB

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Volume 2 Pass Creek

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District 15