

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KENNETH E. SIGMUND AND BEVERLY M. SIGMUND,
TRUSTEES OF SIGMUND FAMILY TRUST
1828 PINE GATE WAY
WHITE CITY, OREGON 97503

503-826-6979

to use the waters of LOST CREEK RESERVOIR, a tributary of ROGUE RIVER,
for IRRIGATION OF 14.7 ACRES.

This permit is issued approving Application 73127. The date of priority
is JANUARY 4, 1993. The use is limited to not more than 29.4 ACRE-FEET,
or its equivalent in case of rotation, measured at the point of
diversion from the source.

The points of diversion are located as follows:

SE 1/4 NW 1/4, SECTION 26, T 33 S, R 1 E, W.M.; 2000 FEET SOUTH AND
1700 FEET EAST FROM THE NW CORNER OF SECTION 26. (LOST CREEK RESERVOIR)

SE 1/4 SW 1/4, SECTION 29, T 35 S, R 1 W, W.M.; 1230 FEET NORTH AND
2000 FEET EAST FROM THE SW CORNER OF SECTION 29. (PUMP LOCATION)

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 4.0 acre-feet for each acre irrigated during the irrigation
season of each year. The period of allowed use is April 1 through
October 31.

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:

NW 1/4 SW 1/4 3.6 ACRES
SW 1/4 SW 1/4 11.1 ACRES
SECTION 29
TOWNSHIP 35 SOUTH, RANGE 1 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.
- 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 use of water under this right is subject to the terms and conditions of contract No. 3-07-10-W0959 or a satisfactory replacement between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

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 screens and by-pass devices are to be in place and functional prior to diversion of any water.

Actual construction work shall begin on or before April 15, 1995 and shall be completed on or before October 1, 1995. Complete application of the water to the use shall be made on or before October 1, 1996.

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 of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, April 15, 1994.

/s/ A. Reed Marbut

Water Resources Department
Martha O. Pagel
Director