

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM WEBSTER  
THOMAS LUCKY  
PO BOX 7803  
STOCKTON, CALIFORNIA 95207

503-247-2778

to use the waters of LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT NUMBER R-8142, a tributary of ROGUE RIVER, for IRRIGATION OF 1.23 ACRES.

This permit is issued approving Application 69728. The date of priority is SEPTEMBER 30, 1988. The use is limited to not more than 5.535 ACRE FEET STORED WATER ONLY or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

LOST CREEK RESERVOIR - SW 1/4 NW 1/4, W 1/2 SW 1/4, SECTION 26, T 33 S, R 1 E, W.M.

ROGUE RIVER REDIVERSION - SE 1/4 SW 1/4, SECTION 7, T 35 S, R 11 W, W.M.; 387 FEET NORTH AND 685 FEET EAST FROM THE SW CORNER, SE 1/4 SW 1/4, SECTION 7.

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 4.5 acre-feet for each acre irrigated during the irrigation season of each year from storage. The period of allowed use is April 1 to October 31 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:

SE 1/4 SW 1/4 1.23 ACRES  
SECTION 7  
TOWNSHIP 35 SOUTH, RANGE 11 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 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 use of water under this right is subject to the terms and conditions of contract No. 4-07-10-W0985 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 (ODFW) to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional, inspected and approved by an ODFW representative prior to diversion of any water.

Actual construction work shall begin on or before June 21, 1996, 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.

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 June 21, 1995.

*/s/ Martha O. Pagel*

Water Resources Department  
Martha O. Pagel  
Director

*B ext. to 10-1-98*