

STATE OF OREGON

COUNTY OF Douglas

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACK R. DUNSMORE  
264 OLD COUNTY RD  
MYRTLE CREEK, OREGON 97457

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

APPLICATION FILE NUMBER: S-70793

SOURCE OF WATER: SOUTH MYRTLE CREEK, A TRIBUTARY OF MYRTLE CREEK

PURPOSE OR USE: IRRIGATION OF 5.0 ACRES

Rate of use: 0.06 CUBIC FOOT PER SECOND

Period of allowed use: IRRIGATION OF 5 ACRES FROM MARCH 1 THROUGH JUNE 30. IRRIGATION OF NOT TO EXCEED 1/2 ACRE OF NON-COMMERCIAL GARDEN FROM JULY 1 TO OCTOBER 31.

DATE OF PRIORITY: October 23, 1990

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 23, T29S, R4W, W.M.; 1279 FEET SOUTH & 796 FEET WEST FROM NE CORNER, SECTION 23

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:

NE 1/4 NE 1/4 4.5 ACRES  
SE 1/4 NE 1/4 0.5 ACRES  
SECTION 23  
TOWNSHIP 29 SOUTH, RANGE 4 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

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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 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, functional and approved by an ODFW representative prior to diversion of any water.

#### 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 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