

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DONALD L and LINDA MARKHAM
RT 1 BOX 1908
BANDON, OREGON 97411

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

APPLICATION FILE NUMBER: S-72644

SOURCE OF WATER: MARKHAM RESERVOIR CONSTRUCTED UNDER APPLICATION R-72643, PERMIT R-11586, AND AN UNNAMED STREAM, BOTH TRIBUTARIES OF TWOMILE CREEK

PURPOSE OR USE: IRRIGATION OF 26.20 ACRES

Rate of use: NOT MORE THAN 0.328 CFS FROM THE UNNAMED STREAM AND 2.39 ACRE-FEET STORED WATER ONLY FROM MARKHAM RESERVOIR

Period of allowed use: March 1 through October 31

DATE OF PRIORITY: August 31, 1992

POINT OF DIVERSION LOCATION:

NE 1/4 SW 1/4, SECTION 20, T29N, R14W, W.M.; POD 1 - 35 FEET SOUTH & 1300 FEET WEST, POD 2 - 500 FEET SOUTH & 1260 FEET WEST, BOTH FROM C1/4 CORNER, SECTION 20

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 SW 1/4 26.2 ACRES
SECTION 20
TOWNSHIP 29 SOUTH, RANGE 14 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

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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.

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

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 November 6, 1995



Water Resources Department
Martha O. Pagel
Director

for

Application S-72644 Water Resources Department
Basin 17 Volume 3 Twomile Creek 29S & Misc.
DLB

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District 19

B98 C99