

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUSSELL F. AND SARAH VIOLA HILL  
04499 AGNESS ROAD  
AGNESS, OREGON 97406

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

APPLICATION FILE NUMBER: S-69875

SOURCE OF WATER: A SPRING AND LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142, TRIBUTARIES OF ROGUE RIVER, AND ROGUE RIVER, TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: DOMESTIC USE FOR TWO HOUSEHOLDS AND IRRIGATION OF 10.0 ACRES

RATE OF USE: 0.01 CUBIC FOOT PER SECOND (CFS) FROM THE SPRING, BEING 0.005 CFS FOR EACH HOUSEHOLD, WITH DEFICIENCIES IN SUPPLY TO BE MADE UP FROM THE ROGUE RIVER AND 10.0 ACRE-FEET STORED WATER ONLY

PERIOD OF ALLOWED USE: OCTOBER 1 THROUGH JUNE 15 FOR DOMESTIC USE EXPANDED FOR TWO HOUSEHOLDS; FURTHER LIMITED TO 0.005 CFS JUNE 16 THROUGH SEPTEMBER 30 FOR HUMAN CONSUMPTION ONLY FOR EACH HOUSEHOLD. STORED WATER MAY BE USED FROM APRIL 1 THROUGH OCTOBER 31 EACH YEAR.

DATE OF PRIORITY: APRIL 18, 1989 FOR WATER FROM LIVE FLOW AND MAY 20, 1996 FOR WATER LEGALLY STORED

POINTS OF DIVERSION (POD) LOCATIONS: SW 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, SECTION 6, T35S, R11W, W.M.; POD A - 139 FEET NORTH AND 796 FEET WEST; POD B - 130 FEET SOUTH AND 40 FEET WEST; POD C - 896 FEET SOUTH AND 622 FEET EAST, ALL FROM THE C-N 1/16 CORNER OF SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4 10.0 ACRES  
SECTION 6  
TOWNSHIP 35 SOUTH, RANGE 11 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director will 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

Application S-69875 Water Resources Department

PERMIT 51861

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 will 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 to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

The use of water under this right is subject to the terms and conditions of contract No. 6-07-10-W1091, 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.

#### 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.

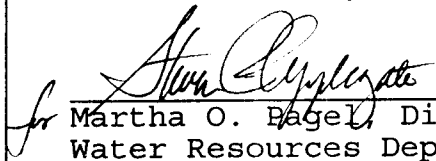
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued June 19, 1996

  
for Martha O. Bagel, Director  
Water Resources Department

Application S-69875  
Basin 15

Water Resources Department  
Volume 1A Rogue River & Misc.  
MGMT.CODES 1BF, 1BW

PERMIT 51861  
District 19