

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RICHARD A AND SANDRA L GRAF
10062 S MYRTLE RD
MYRTLE CREEK, OREGON 97457

(541) 863-3434

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

APPLICATION FILE NUMBER: S-73508

SOURCE OF WATER: TWO UNNAMED RESERVOIRS, CONSTRUCTED UNDER APPLICATION R-73507, PERMIT R-11774, AND AN UNNAMED STREAM, A TRIBUTARY OF SOUTH MYRTLE CREEK

PURPOSE OR USE: DOMESTIC USE FOR ONE HOUSEHOLD, STOCKWATER, AND SUPPLEMENTAL IRRIGATION OF 11.6 ACRES

RATE OF USE: 0.160 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FOR DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING UP TO 1/2 ACRE LAWN AND NON-COMMERCIAL GARDEN; 0.005 CFS FOR STOCKWATER, AND 0.145 CFS FOR SUPPLEMENTAL IRRIGATION OF 11.6 ACRES

PERIOD OF ALLOWED USE: LIVE FLOW: JANUARY 1 THROUGH MAY 31 - DOMESTIC USE INCLUDING IRRIGATION OF UP TO 1/2 ACRE LAWN AND NON-COMMERCIAL GARDEN; JUNE 1 THROUGH DECEMBER 31 - HUMAN CONSUMPTION FOR ONE HOUSEHOLD INCLUDING IRRIGATION OF UP TO 1/2 ACRE NON-COMMERCIAL GARDEN; MARCH 1 THROUGH MAY 31 - SUPPLEMENTAL IRRIGATION OF 11.6 ACRES; YEAR ROUND - LIVESTOCK

PERIOD OF ALLOWED USE: STORED WATER ONLY: MARCH 1 THROUGH OCTOBER 31 - FOR SUPPLEMENTAL IRRIGATION; AND WATER LEGALLY STORED MAY BE USED FOR DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING IRRIGATION OF UP TO 1/2 ACRE LAWN AND NON-COMMERCIAL GARDEN AND LIVESTOCK AT ANY TIME

DATE OF PRIORITY: JULY 27, 1993 - FOR 0.01 CFS FOR DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING UP TO 1/2 ACRE LAWN AND NON-COMMERCIAL GARDEN, AND 0.005 CFS FOR LIVESTOCK; OCTOBER 11, 1994 - FOR 0.145 CFS FOR SUPPLEMENTAL IRRIGATION OF 11.6 ACRES

POINT OF DIVERSION (POD) LOCATION: NW 1/4 SE 1/4, SECTION 24, T29S, R4W, W.M.; POD 1 - 327 FEET SOUTH AND 538 FEET EAST FROM THE C 1/4 CORNER OF SECTION 24; POD 2 - 200 FEET NORTH AND 79 FEET WEST FROM THE SW CORNER OF DLC 37

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:

NW 1/4 SE 1/4 11.30 ACRES
SW 1/4 SE 1/4 0.30 ACRE
SECTION 24
TOWNSHIP 29 SOUTH, RANGE 4 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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The permittee shall install, maintain, and operate upstream fish ways, 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 upstream fish ways, 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.

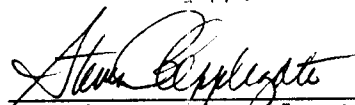
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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(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 May 14, 1996

for 
Martha O. Pagel, Director
Water Resources Department