

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HENRY BROUGHTON  
10827 W EVANS CREEK RD  
ROGUE RIVER, OREGON 97537

541-779-1382

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

APPLICATION FILE NUMBER: S-71656

SOURCE OF WATER: RESERVOIRS #2, #3, & #4, CONSTRUCTED UNDER APPLICATION R-71655, PERMIT R-11823

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 137.3 ACRES

RATE/VOLUME: 15.0 ACRE-FEET OF STORED WATER PER YEAR

PERIOD OF ALLOWED USE: APRIL 1 THROUGH NOVEMBER 1 FROM STORED WATER ONLY

DATE OF PRIORITY: JUNE 5, 1991

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 32; SW 1/4 NW 1/4, NW 1/4 SW 1/4, SECTION 33; T34S, R4W, W.M.; RESERVOIR #2 - 40 FEET NORTH & 1092 FEET EAST, RESERVOIR #3 - 161 FEET SOUTH & 647 FEET EAST, RESERVOIR #4 - 15 FEET SOUTH & 348 FEET EAST, ALL FROM W 1/4 CORNER, SECTION 33

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 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 SW 1/4 15.4 ACRES  
SECTION 28

SE 1/4 SE 1/4 0.5 ACRE  
SECTION 29

NE 1/4 NE 1/4 33.6 ACRES  
NW 1/4 NE 1/4 4.4 ACRES  
SE 1/4 NE 1/4 3.4 ACRES  
SECTION 32

NW 1/4 NW 1/4 24.8 ACRES  
SW 1/4 NW 1/4 17.8 ACRES  
SE 1/4 NW 1/4 35.6 ACRES  
NE 1/4 SW 1/4 1.8 ACRES

## SECTION 33

TOWNSHIP 34 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 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 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.

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

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

Issued June 10, 1996

*for*   
Martha O. Pagel, Director  
Water Resources Department