

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THE CITY OF MYRTLE CREEK  
PO BOX 940  
MYRTLE CREEK, OREGON 97457

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

APPLICATION FILE NUMBER: S-73812

SOURCE OF WATER: EIGHT SPRINGS AND HARRISON YOUNG CANYON, A TRIBUTARY OF HARRISON YOUNG BRANCH

PURPOSE OR USE: MUNICIPAL USE

RATE OF USE: 2.23 CUBIC FEET PER SECOND, BEING 1.11 CFS FROM HARRISON YOUNG BRANCH, 0.278 CFS FROM SPRING 1, 0.111 CFS FROM SPRING 3, 0.055 CFS EACH FROM SPRINGS 4 & 5, 0.02 CFS FROM SPRING 6, 0.055 CFS FROM SPRING 7 AND 0.22 CFS FROM SPRING 9

PERIOD OF ALLOWED USE: JANUARY 1 THROUGH MARCH 31

DATE OF PRIORITY: December 22, 1993

POINT OF DIVERSION LOCATION: (POD # 1) - 1240 FEET NORTH & 2040 FEET WEST FROM S 1/4 CORNER SECTION 10, NW 1/4 SW 1/4, SECTION 10, T 29 S, R 5 W, W.M.; (POD # 3) - 520 FEET NORTH & 1130 FEET WEST FROM S 1/4 SECTION 10, SE 1/4 SW 1/4, SECTION 10, T 29 S, R 5 W, W.M.; (POD # 4) - 420 FEET NORTH & 1110 FEET WEST FROM S 1/4 SECTION 10, SE 1/4 SW 1/4, SECTION 10, T 29 S, R 5 W, W.M.; (POD # 5) - 420 FEET NORTH & 1100 FEET WEST FROM S 1/4 SECTION 10, SE 1/4 SW 1/4, SECTION 10, T 29 S, R 5 W, W.M.; (POD # 6) - 480 FEET NORTH & 860 FEET WEST FROM S 1/4 SECTION 10, SE 1/4 SW 1/4, SECTION 10, T 29 S, R 5 W, W.M.; (POD # 7) - 160 FEET NORTH & 780 FEET WEST FROM S 1/4 SECTION 10, SE 1/4 SW 1/4, SECTION 10, T 29 S, R 5 W, W.M.; (POD # 8) - 240 FEET NORTH & 610 FEET WEST FROM S 1/4 SECTION 10, SE 1/4 SW 1/4, SECTION 10, T 29 S, R 5 W, W.M.; (POD # 9) - 420 FEET NORTH & 1000 FEET WEST FROM S 1/4 SECTION 10, SE 1/4 SW 1/4, SECTION 10, T 29 S, R 5 W, W.M.; (POD # 12) - S 66 DEGREES 51 MINUTES WEST 5273 FEET FROM THE NE CORNER SECTION 15, SW 1/4 NW 1/4, SECTION 15, T 29 S, R 5 W, W.M.;

THE PLACE OF USE IS LOCATED AS FOLLOWS: WITHIN THE SERVICE AREA OF THE CITY OF MYRTLE CREEK

## 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

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.

Within TWO YEARS of permit issuance, the permittee shall submit a water management and conservation plan consistent with OAR Chapter 690, Division 86.

**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.

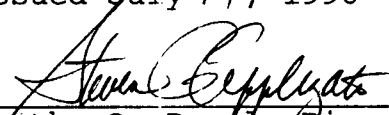
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 July 17, 1996

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