

STATE OF OREGON

COUNTY OF LINCOLN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES C. AND JUSTINE R. BROWN
9024 JONES STREET
OMAHA, NE 68114

(402)392-0332

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

APPLICATION FILE NUMBER: S-74054

SOURCE OF WATER: UNNAMED STREAMS #1 & #2, TRIBUTARIES OF DRIFT CREEK, WITHIN THE MID COAST BASIN, BEING 0.011 CFS FROM EACH CREEK, AND AN UNNAMED RESERVOIR CONSTRUCTED APPLICATION R-74055, PERMIT R-11923

PURPOSE OR USE: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD, BEING FURTHER LIMITED TO HUMAN CONSUMPTION, AND LIVESTOCK AND FISH LIFE

MAXIMUM RATE/VOLUME ALLOWED: NOT TO EXCEED 0.022 CUBIC FOOT PER SECOND (CFS), BEING 0.011 CFS FROM EACH CREEK, AND FURTHER BEING 0.01 CFS FOR DOMESTIC USE INCLUDING IRRIGATION OF NOT TO EXCEED ONE-HALF ACRE NON-COMMERCIAL GARDEN, LIMITED TO 0.005 CFS FOR HUMAN CONSUMPTION ONLY DURING THE PERIOD LISTED BELOW, 0.005 CFS FOR LIVESTOCK USE AND 0.007 CFS FOR RESERVOIR MAINTENANCE FOR FISH LIFE; 4.9 ACRE-FEET PER YEAR OF LEGALLY STORED WATER, UNDER APPLICATION R-74055, PERMIT R-11923, FOR DOMESTIC USE INCLUDING IRRIGATION OF NOT TO EXCEED ONE-HALF ACRE NON-COMMERCIAL GARDEN, LIVESTOCK AND FISH LIFE

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR DOMESTIC USE INCLUDING IRRIGATION OF NOT TO EXCEED ONE-HALF ACRE NON-COMMERCIAL GARDEN FROM DECEMBER 1 THROUGH APRIL 30 AND FURTHER LIMITED TO HUMAN CONSUMPTION ONLY FROM MAY 1 THROUGH NOVEMBER 30, FOR LIVESTOCK USE FROM JANUARY 1 THROUGH DECEMBER 31, AND RESERVOIR MAINTENANCE FOR FISH LIFE (UNDER APPLICATION R-74055, PERMIT R-11923) FROM DECEMBER 1 THROUGH APRIL 30 AND WATER LEGALLY STORED UNDER APPLICATION R-74055, PERMIT R-11923, MAY BE APPROPRIATED FOR DOMESTIC USE INCLUDING IRRIGATION OF NOT TO EXCEED ONE-HALF ACRE NON-COMMERCIAL GARDEN, LIVESTOCK AND FISH LIFE YEAR ROUND

DATE OF PRIORITY: MAY 17, 1994

POINT OF DIVERSION LOCATION: POD #1 - SW 1/4 NE 1/4, SECTION 1, T 8S, R11W, W.M.; NORTH 88 DEGREES 50 MINUTES EAST, 555.0 FEET FROM SW CORNER, SW 1/4 NE 1/4, SECTION 1, AND POD #2 - SE 1/4 NE 1/4, SECTION 1, T 8S, R11W, W.M.; NORTH 88 DEGREES 50 MINUTES EAST, 1350 FEET FROM SW CORNER, SW 1/4 NE 1/4, SECTION 1

Application S-74054 Water Resources Department

PERMIT 52609

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4
SECTION 1
TOWNSHIP 8 SOUTH, RANGE 11 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 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.

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 August 14, 1996

for 

Martha O. Page, Director
Water Resources Department