

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN W. LUCAS
42256 HWY 62
PROSPECT, OREGON 97536

(541) 560-3843

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

APPLICATION FILE NUMBER: S-70422

SOURCE OF WATER: MILL CREEK (VIA NYE DITCH), TRIBUTARY TO ROGUE RIVER

PURPOSE OR USE: DOMESTIC USE FOR ONE HOUSEHOLD

RATE/VOLUME OF USE: 0.005 CUBIC FOOT PER SECOND; FURTHER LIMITED FOR HUMAN CONSUMPTION DURING THE PERIOD LISTED BELOW

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH MAY 31 FOR DOMESTIC USE FOR ONE HOUSEHOLD; FURTHER LIMITED FROM JUNE 1 THROUGH NOVEMBER 30 TO HUMAN CONSUMPTION ONLY

DATE OF PRIORITY: JUNE 18, 1990

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 28, T32S, R3E, W.M.; 1860 FEET NORTH AND 2690 FEET EAST FROM THE SW 1/4 CORNER OF SECTION 28

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4
SECTION 11
TOWNSHIP 33 SOUTH, RANGE 2 EAST, 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.

"CERTIFICATE NO. 76956"

- 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.

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 of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

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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 21, 1996

for 
Martha O. Page, Director
Water Resources Department