

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

COURT A. AND DAWN BOICE
PO BOX 548
GOLD BEACH, OREGON 97444

(541) 247-6022

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

APPLICATION FILE NUMBER: S-57186

SOURCE OF WATER: JOHNSON CREEK, WITH ANY DEFICIENCIES TO BE MADE UP BY PARADISE CREEK, TRIBUTARIES OF ROGUE RIVER

PURPOSE OR USE: IRRIGATION OF 52.6 ACRES, DOMESTIC USE FOR ONE MOTEL (INCLUDING DWELLING AND LODGE OPERATION), AND LIVESTOCK USE

MAXIMUM RATE/VOLUME ALLOWED: 0.465 CUBIC FOOT PER SECOND (CFS) TOTAL, BEING 0.05 CFS FOR DOMESTIC USE, 0.41 CFS FOR IRRIGATION, AND 0.005 CFS FOR LIVESTOCK

PERIOD OF USE: YEAR ROUND FOR DOMESTIC AND LIVESTOCK; MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION

DATE OF PRIORITY: JANUARY 7, 1981

POINT OF DIVERSION (POD) LOCATION: SW 1/4 NW 1/4, SECTION 18, T33S, R10W, W.M.; SW 1/4 SE 1/4, SECTION 24, T33S, R11W, W.M.; POD 1 - 71.7 FEET NORTH AND 2375.7 FEET WEST, POD 2 - 1567 FEET NORTH AND 824.5 FEET EAST, BOTH FROM THE SE CORNER OF SECTION 24

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-FORTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 5.2 ACRES
NW 1/4 SW 1/4 19.0 ACRES
SW 1/4 SW 1/4 6.5 ACRES AND DOMESTIC
SECTION 18
TOWNSHIP 33 SOUTH, RANGE 10 WEST, W.M.

NE 1/4 NE 1/4 10.0 ACRES
SECTION 25
TOWNSHIP 33 SOUTH, RANGE 11 WEST, W.M.

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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 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 and functional, and the fishway must be 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.

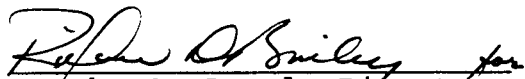
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 October 29, 1996


Martha O. Pagel, Director
Water Resources Department

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Basin 15 Volume 1 ROGUE RIVER & MISC.

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District 19