

STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN GONZALES
1775 HAPPY CAMP RD
CAVE JUNCTION, OREGON 97523 -9759

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

APPLICATION FILE NUMBER: S-80758

SOURCE OF WATER: A SPRING, A TRIBUTARY OF ELDER CREEK

PURPOSE OR USE: DOMESTIC USE INCLUDING IRRIGATION OF UP TO 1/2 ACRE NON-COMMERCIAL GARDEN FOR ONE HOUSEHOLD

MAXIMUM RATE/VOLUME ALLOWED: 0.002 CUBIC FOOT PER SECOND

PERIOD OF USE: DURING THE MONTH OF FEBRUARY FOR DOMESTIC USE INCLUDING IRRIGATION OF UP TO 1/2 ACRE NONCOMMERCIAL GARDEN; FURTHER LIMITED FROM MARCH 1 THROUGH JANUARY 31 TO HUMAN CONSUMPTION ONLY

DATE OF PRIORITY: DECEMBER 20, 1995

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 25, T40S, R8W, W.M.; 700 FEET WEST AND 1600 FEET SOUTH FROM THE C 1/4 CORNER OF SECTION 25

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SECTION 25
TOWNSHIP 40 SOUTH, RANGE 8 WEST, 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, 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.

Application S-80758 Water Resources Department

PERMIT 52941

- 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, 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 November 22, 1996


Martha O. Pagel, Director
Water Resources Department

Application S-80758 Water Resources Department
Basin 15 Volume 8, ELDER CREEK AND MISC.

PERMIT 52941
District 14