

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

NICHOLAS D. AND DIANA P. BROUSSARD
7140 RAPP LANE
TALENT, OREGON 97540

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-73428

SOURCE OF WATER: LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142,
A TRIBUTARY OF ROGUE RIVER

PURPOSE OR USE: IRRIGATION OF 0.4 ACRE AND SUPPLEMENTAL IRRIGATION OF
0.9 ACRE

RATE OR VOLUME OF USE ALLOWED: 3.9 ACRE-FEET PER YEAR, FROM STORED
WATER ONLY

PERIOD OF ALLOWED USE: APRIL 1 TO OCTOBER 31

DATE OF PRIORITY: JUNE 2, 1993

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 3, T34S, R1W, W.M.;
1350 FEET NORTH AND 570 FEET EAST FROM THE S 1/4 CORNER OF SECTION 3

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 4.5 acre-feet for each acre irrigated during
the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 SE 1/4	0.4 ACRES	0.8 ACRES
SW 1/4 SE 1/4		0.1 ACRES

SECTION 3
TOWNSHIP 34 SOUTH, RANGE 1 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.

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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 use of water under this permit is subject to the terms and conditions of Water Service Contract No. 4-07-10-W0984 or a satisfactory replacement between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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.

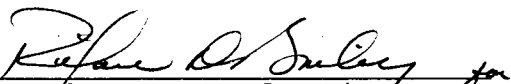
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 December 11, 1996


Marsha O. Pagel, Director
Water Resources Department

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Basin 15

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District 14