

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RALPH D. WORTHYLAKE
1577 HWY 234
EAGLE POINT, OREGON 97524

PHONE: (541) 826-1379

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

APPLICATION FILE NUMBER: S-81663

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

PURPOSE OR USE: IRRIGATION OF 1.5 ACRES

MAXIMUM VOLUME ALLOWED: 4.5 ACRE-FEET PER YEAR

PERIOD OF USE: APRIL 1 TO NOVEMBER 1, OR AS FURTHER LIMITED BY CONTRACT
WITH BUREAU OF RECLAMATION

DATE OF PRIORITY: NOVEMBER 12, 1996

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 17, T35S, R1W, W.M.;
1240 FEET NORTH & 3080 FEET EAST FROM SE CORNER, SECTION 17

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 4½ 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 0.1 ACRE
NW 1/4 SE 1/4 1.4 ACRES
SECTION 17
TOWNSHIP 35 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.
Once installed, the permittee shall maintain the meter or
measuring device in good working order and shall allow the

Application S-81663 Water Resources Department

PERMIT 53291

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 not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

The use of water under this right is subject to the terms and conditions of contract No. 7-01-10-W1148, 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.

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.

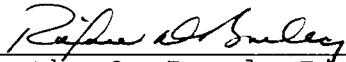
Application S-81663 Water Resources Department

PERMIT 53291

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 of the well shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2002.

Issued December 15, 1997



Martha O. Pagel, Director
Water Resources Department

SUPERSEDED 53371

Application S-81663 Water Resources Department
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District 19