

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

U.S. BUREAU OF LAND MANAGEMENT  
3040 BIDDLE RD  
MEDFORD, OREGON 97504

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

APPLICATION FILE NUMBER: S-72386

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

PURPOSE OR USE: INDUSTRIAL USE

RATE/VOLUME: 0.95 CUBIC FOOT PER SECOND TOTAL FROM LIVE FLOW OF THE  
ROGUE RIVER, AND NOT MORE THAN 17.0 ACRE-FEET TOTAL PER YEAR FROM LOST  
CREEK RESERVOIR STORED WATER ONLY, OR AS FURTHER LIMITED BY THE WATER  
SERVICE CONTRACT, SAID STORED WATER TOTAL TO BE DIVIDED BETWEEN PERMITS  
53321 AND 53322; BEING FURTHER LIMITED TO 615,000 GALLONS PER DAY  
MAXIMUM FROM TEN SEPARATE POINTS OF DIVERSION AS FOLLOWS: 93,000 GALLONS  
PER DAY MAXIMUM FOR PRESCRIBED FIRE PREVENTION AND CONTROL, AND 522,000  
GALLONS PER DAY MAXIMUM FOR ROAD OPERATIONS

PERIOD OF USE: LIVE FLOW FROM JANUARY 1 THROUGH APRIL 30 AND STORED  
WATER YEAR ROUND, OR AS FURTHER LIMITED BY THE TERMS AND CONDITIONS OF  
THE WATER SERVICE CONTRACT

DATE OF PRIORITY: MAY 4, 1992

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 31, T33S, R1E, W.M.;  
1054 FEET SOUTH & 1455 FEET EAST FROM NW CORNER, SECTION 31; NW 1/4 SW  
1/4, SECTION 15, T34S, R1W, W.M.; 2240 FEET NORTH & 590 FEET EAST FROM  
SW CORNER, SECTION 15; NW 1/4 SE 1/4, SECTION 17, T35S, R1W, W.M.; 2065  
FEET NORTH & 1715 FEET WEST FROM SE CORNER, SECTION 17; SW 1/4 NW 1/4,  
SECTION 13, T36S, R2W, W.M.; 2195 FEET SOUTH & 1052 FEET EAST FROM NW  
CORNER, SECTION 13; NW 1/4 SE 1/4, SECTION 15, T36S, R3W, W.M.; 1560  
FEET NORTH & 2438 FEET WEST FROM SE CORNER, SECTION 15; NE 1/4 NE 1/4,  
SECTION 21, T36S, R4W, W.M.; 870 FEET SOUTH & 238 FEET WEST FROM NE  
CORNER, SECTION 21; SE 1/4 SE 1/4, SECTION 26, T35S, R7W, W.M.; 1374  
FEET NORTH & 687 FEET WEST FROM SE CORNER, SECTION 26; NW 1/4 SW 1/4,  
SECTION 11, T35S, R7W, W.M.; 1685 FEET NORTH & 773 FEET EAST FROM SW  
CORNER, SECTION 11; NW 1/4 SW 1/4, SECTION 4, T35S, R7W, W.M.; 1540 FEET  
NORTH & 885 FEET EAST FROM SW CORNER, SECTION 4; NE 1/4 NE 1/4, SECTION  
1, T34S, R8W, W.M.; 670 FEET SOUTH & 600 FEET WEST FROM NE CORNER,  
SECTION 1

Application S-72386 Water Resources Department

PERMIT 53322

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SECTIONS 1 THRU 34 AND 36  
TOWNSHIP 32 SOUTH, RANGE 1 EAST, W.M.

SECTION 30  
TOWNSHIP 32 SOUTH, RANGE 2 EAST, W.M.

EAST 1/2, SW 1/4  
SECTION 1  
EAST 1/2  
SECTION 11  
SECTIONS 12 THRU 14  
SE 1/4  
SECTION 15  
EAST 1/2, EAST 1/2 OF WEST 1/2  
SECTION 22  
SECTIONS 23 THRU 27 & 34 THRU 36  
TOWNSHIP 32 SOUTH RANGE 1 WEST, W.M.

WEST 1/2  
SECTION 5  
SECTIONS 6 & 7  
WEST 1/2  
SECTION 8  
WEST 1/2  
SECTION 17  
SECTIONS 18 & 19  
WEST 1/2  
SECTION 20  
SECTIONS 29 & 30  
TOWNSHIP 33 SOUTH, RANGE 1 EAST, W.M.

SECTIONS 1 THRU 3 & 10 THRU 14  
NORTH 1/2  
SECTION 15  
SECTION 24  
NORTH 1/2  
SECTION 25  
TOWNSHIP 33 SOUTH, RANGE 1 WEST, W.M.

SECTIONS 20 & 21 & 28 THRU 33  
SOUTH 1/2  
SECTIONS 16,17,19  
WEST 1/2 OF EAST 1/2  
SECTION 22  
TOWNSHIP 32 SOUTH, RANGE 1 WEST, W.M.

SECTIONS 4 THRU 9 & 17 THRU 21 & 28 THRU 33  
TOWNSHIP 33 SOUTH, RANGE 1 WEST, W.M.

SECTIONS 1 & 3  
EAST 1/2  
SECTION 10  
SECTIONS 11 THRU 15 & 23 THRU 25 & 35 THRU 36  
TOWNSHIP 33 SOUTH, RANGE 2 WEST, W.M.

SECTIONS 4 THRU 6 & 8 THRU 9  
NORTH 1/2  
SECTION 16  
TOWNSHIP 34 SOUTH, RANGE 1 WEST, W.M.

SECTION 1  
TOWNSHIP 34 SOUTH, RANGE 2 WEST, W.M.

SOUTH 1/2  
SECTION 28  
SECTIONS 32 & 33  
SOUTHWEST 1/4  
SECTION 34  
TOWNSHIP 32 SOUTH, RANGE 2 WEST, W.M.

SECTIONS 4 THRU 9  
WEST 1/2  
SECTION 10  
SECTIONS 16 THRU 21 & 27 THRU 34  
TOWNSHIP 33 SOUTH, RANGE 2 WEST, W.M.

EAST 1/2  
SECTION 36  
TOWNSHIP 33 SOUTH, RANGE 3 WEST, W.M.

SECTIONS 3 THRU 9 & 15 THRU 21 & 27  
WEST 1/2  
SECTION 29 & 32  
SECTIONS 30 & 31  
TOWNSHIP 34 SOUTH, RANGE 2 WEST, W.M.

EAST 1/2 AND SOUTHWEST 1/4  
SECTIONS 1 & 12  
SECTIONS 13, 24 & 25  
TOWNSHIP 34 SOUTH, RANGE 3 WEST, W.M.

NORTHWEST 1/4  
SECTION 5  
NORTH 1/2  
SECTION 6  
TOWNSHIP 35 SOUTH, RANGE 2 WEST, W.M.

SECTIONS 30 & 31  
SOUTH 1/2  
SECTION 32  
TOWNSHIP 32 SOUTH, RANGE 3 WEST, W.M.

SECTIONS 1 THRU 35  
WEST 3/4  
SECTION 36  
TOWNSHIP 33 SOUTH, RANGE 3 WEST, W.M.

NORTHEAST 1/4  
SECTION 1  
SECTIONS 2 THRU 6 & 9 THRU 11  
NORTH 1/2  
SECTION 7  
EAST 1/2 & NORTHWEST 1/4  
SECTION 8  
SECTIONS 14 THRU 16 & 21 THRU 23 & 26 & 27  
WEST 1/2  
SECTION 24  
TOWNSHIP 34 SOUTH, RANGE 3 WEST, W.M.

SECTIONS 1,12,13,24 & 25  
TOWNSHIP 33 SOUTH, RANGE 4 WEST, W.M.

SECTION 7  
TOWNSHIP 37 SOUTH, RANGE 2 WEST, W.M.

SOUTH 1/2  
SECTION 35  
TOWNSHIP 34 SOUTH, RANGE 3 WEST, W.M.

SECTIONS 1 & 11  
NE 1/16  
SECTION 2  
WEST 1/2  
SECTIONS 12,13 & 26  
EAST 1/2  
SECTION 10  
SOUTH 1/2  
SECTION 18  
EAST 1/2 & SOUTHWEST 1/4  
SECTION 16  
WEST 1/2 & NORTHEAST 1/4  
SECTION 23  
SECTIONS 14,15 & 19 THRU 22  
SECTIONS 27 THRU 30 & 32 THRU 35  
TOWNSHIP 35 SOUTH, RANGE 3 WEST, W.M.

SECTIONS 4,5,8 & 9  
EAST 1/2  
SECTIONS 6 & 7  
NORTH 1/2  
SECTION 17  
TOWNSHIP 36 SOUTH, RANGE 3 WEST, W.M.

SOUTH 1/2  
SECTIONS 1 & 2  
NORTH 1/2  
SECTION 13  
EAST 1/2  
SECTIONS 5,8,17 & 20  
SOUTHWEST 1/4  
SECTION 24  
NORTHWEST 1/4  
SECTION 25  
SECTIONS 3,4 & 9 THRU 12 & 14 THRU 16  
SECTIONS 21 THRU 23 & 26  
TOWNSHIP 37 SOUTH, RANGE 3 WEST, W.M.

SECTION 13  
TOWNSHIP 35 SOUTH, RANGE 4 WEST. W.M.

SOUTH 1/2  
SECTION 7  
SOUTHWEST 1/4  
SECTION 8  
SECTIONS 17 THRU 19  
WEST 1/2  
SECTION 20  
SECTIONS 28 THRU 33  
TOWNSHIP 34 SOUTH, RANGE 3 WEST, W.M.

WEST 1/2  
SECTIONS 6 & 10  
SECTIONS 7 THRU 9 & 17 & 31  
NORTH 1/2  
SECTION 18  
NORTHWEST 1/4  
SECTION 16  
TOWNSHIP 35 SOUTH, RANGE 3 WEST, W.M.

WEST 1/2  
SECTION 6  
TOWNSHIP 36 SOUTH, RANGE 3 WEST, W.M.

SOUTHWEST 1/4  
SECTION 5  
WEST 1/4  
SECTIONS 8,17 & 20  
SECTIONS 6,7 & 18  
TOWNSHIP 37 SOUTH, RANGE 3 WEST, W.M.

WEST 1/2  
SECTION 36  
SECTION 35  
TOWNSHIP 32 SOUTH, RANGE 4 WEST, W.M.

WEST 1/2  
SECTION 2  
EAST 1/2 & SOUTHWEST 1/4  
SECTIONS 4 & 8  
SECTIONS 3 & 9 THRU 11 & 15 THRU 17  
SECTIONS 19 THRU 23 & 26 THRU 36  
TOWNSHIP 33 SOUTH, RANGE 4 WEST, W.M.

SECTIONS 1 THRU 29  
SECTIONS 31,32 & 36  
EAST 1/2  
SECTION 35  
TOWNSHIP 34 SOUTH, RANGE 4 WEST, W.M.

SECTIONS 1 & 5 THRU 7  
EAST 1/2  
SECTION 19  
SECTIONS 29 & 31 THRU 33  
TOWNSHIP 35 SOUTH, RANGE 4 WEST, W.M.

SOUTH 1/2  
SECTION 2  
WEST 1/2  
SECTIONS 4,9 & 35  
EAST 1/2  
SECTION 10  
NORTH 1/2  
SECTION 23  
SOUTHEAST 1/4  
SECTION 3  
SOUTHWEST 1/4  
SECTION 27  
SECTIONS 1 & 5 THRU 8 & 11 THRU 14  
SECTIONS 17 & 28 THRU 34  
TOWNSHIP 36 SOUTH, RANGE 4 WEST, W.M.

SECTIONS 1 THRU 12 & 14 THRU 17  
NORTH 1/2  
SECTIONS 13 & 18  
SECTIONS 21 THRU 23 & 27  
TOWNSHIP 37 SOUTH, RANGE 4 WEST, W.M.

SECTIONS 22 THRU 27 & 34 THRU 36  
TOWNSHIP 33 SOUTH, RANGE 5 WEST, W.M.

SECTIONS 1 THRU 3  
EAST 1/4  
SECTION 4  
TOWNSHIP 34 SOUTH, RANGE 5 WEST, W.M.

EAST 1/2  
SECTION 1  
TOWNSHIP 35 SOUTH, RANGE 5 WEST, W.M.

EAST 1/2  
SECTIONS 1 & 12  
SOUTH 1/2  
SECTION 25  
SOUTHEAST 1/4  
SECTION 26  
SECTIONS 35 & 36  
TOWNSHIP 36 SOUTH, RANGE 5 WEST, W.M.

SECTIONS 1 & 11 THRU 13 & 23  
EAST 1/2  
SECTION 14  
TOWNSHIP 37 SOUTH, RANGE 5 WEST, W.M.

SOUTH 1/2  
SECTIONS 16 THRU 18  
WEST 1/2  
SECTION 35  
SECTIONS 15 & 19 THRU 22 & 27 THRU 34  
TOWNSHIP 35 SOUTH, RANGE 7 WEST, W.M.

SECTION 3  
TOWNSHIP 36 SOUTH, RANGE 7 WEST, W.M.

SECTIONS 17 & 19 THRU 21 & 29 THRU 31  
TOWNSHIP 34 SOUTH, RANGE 6 WEST, W.M.

SECTION 6  
TOWNSHIP 35 SOUTH, RANGE 6 WEST, W.M.

SOUTH 1/2  
SECTION 15  
EAST 1/4  
SECTION 20  
EAST 3/4  
SECTION 29  
SECTIONS 13 & 21 THRU 28 & 35 & 36  
TOWNSHIP 34 SOUTH, RANGE 7 WEST, W.M.

SECTIONS 1 & 2  
NORTH 1/2  
SECTION 11  
TOWNSHIP 35 SOUTH, RANGE 7 WEST, W.M.

SECTIONS 31 THRU 34  
TOWNSHIP 34 SOUTH, RANGE 7 WEST, W.M.

SECTIONS 3 THRU 5  
TOWNSHIP 35 SOUTH, RANGE 7 WEST, W.M.

SECTIONS 19 THRU 21 & 28 THRU 32  
TOWNSHIP 33 SOUTH, RANGE 5 WEST, W.M.

NORTH 1/2  
SECTIONS 5 & 6  
TOWNSHIP 34 SOUTH, RANGE 5 WEST, W.M.

SOUTHWEST 1/16  
SECTION 10  
SOUTH 1/4  
SECTION 9  
SOUTH 1/2  
SECTION 18  
SECTIONS 15 THRU 17 & 19 THRU 36  
TOWNSHIP 33 SOUTH, RANGE 6 WEST, W.M.

SECTIONS 1 THRU 15 & 24  
EAST 1/2  
SECTION 23  
TOWNSHIP 34 SOUTH, RANGE 6 WEST, W.M.

SOUTH 1/2  
SECTIONS 9 & 13  
SOUTHEAST 1/4  
SECTION 8  
SOUTHWEST 1/4  
SECTION 10  
WEST 1/2 & SOUTHEAST 1/4  
SECTION 14  
SECTIONS 15 THRU 17 & 19 THRU 36  
TOWNSHIP 33 SOUTH, RANGE 7 WEST, W.M.

SECTIONS 1 THRU 12 & 14 & 16 THRU 18  
NORTH 1/2  
SECTION 15  
TOWNSHIP 34 SOUTH, RANGE 7 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.
- 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.
- 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 use of water under this right is subject to the terms and conditions of the memorandum of understanding dated October 7, 1997, or a satisfactory replacement, between the US Army Corps of Engineers 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.

#### 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.

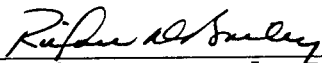
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

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

Issued January 30, 1998



Martha O. Pagel, Director  
Water Resources Department

Application S-72386 Water Resources Department  
Basin 15 Volume VARIOUS

MGMT. CODE 1BF, 1BW

PERMIT 53322  
District 14