

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUGLAS E. JOHNSON
5191 UPPER OLALLA ROAD
WINSTON, OREGON 97496

PHONE: (541)679-3861

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

APPLICATION FILE NUMBER: S-83960

SOURCE OF WATER: OLALLA CREEK, TRIBUTARY TO LOOKINGGLASS CREEK, AND BEN IRVING RESERVOIR, CONSTRUCTED UNDER PERMITS R-7256 AND R-8444, TRIBUTARY TO BERRY CREEK

PURPOSE OR USE: DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT TO EXCEED ½ ACRE IN AREA

MAXIMUM RATE/VOLUME ALLOWED: OLALLA CREEK - 0.01 CUBIC FOOT PER SECOND;
STORED WATER FROM BEN IRVING RESERVOIR - 2.0 ACRE-FEET

PERIOD OF USE: OLALLA CREEK - MARCH 1 THROUGH MARCH 31; STORED WATER - YEAR ROUND OR AS FURTHER LIMITED BY CONTRACT WITH DOUGLAS COUNTY

DATE OF PRIORITY: SEPTEMBER 29, 1998

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 8, T29S, R7W, W.M.;
1830 FEET NORTH & 340 FEET WEST FROM S1/4 CORNER, SECTION 8

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SECTION 8
TOWNSHIP 29 SOUTH, RANGE 7 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 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 unless a fishway is provided. The applicant is hereby directed to contact a ODFW Fish Passage Program coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

The permittee shall install, maintain, and operate fish screening, with 3/32 inch mesh, and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

The use shall not result in excessive overland runoff. If excessive overland runoff occurs while irrigating, irrigation shall cease.

The use of water under this right is subject to the terms and conditions of contract No. 206, or a satisfactory replacement, between Douglas County 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.

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 by April 23, 2000. Complete application of water to the use shall be made on or before October 1, 2003. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued May 28 , 1999



Martha O. Pagel, Director
Water Resources Department

Application S-83960 Water Resources Department
Basin 16 Volume 3C OLALLA CR
RWK MGMT.CODE 1BF 1BW

PERMIT 53572
District 15