

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GEORGIA FRENCH AND GEORGE CUTSOGEOURGE
13620 TYEE ROAD
UMPQUA, OREGON 97486

PHONE: (541) 459-2416

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

APPLICATION FILE NUMBER: S-72675

SOURCE OF WATER: UMPQUA RIVER AND GALESVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-9964

PURPOSE OR USE: IRRIGATION OF 5.0 ACRES AND LIVESTOCK USE

MAXIMUM RATE/VOLUME ALLOWED: 0.068 CUBIC FOOT PER SECOND (CFS), BEING 0.063 CFS FOR IRRIGATION OF 5.0 ACRES AND 0.005 CFS FOR LIVESTOCK, AND 11.15 ACRE-FEET OF STORED WATER

PERIOD OF USE: IRRIGATION: MARCH 1 THROUGH JUNE 14 AND SEPTEMBER 16 THROUGH OCTOBER 31 FROM LIVE FLOW AND MARCH 1 THROUGH OCTOBER 31 FROM STORED WATER, OR AS FURTHER LIMITED BY CONTRACT; LIVESTOCK USE: YEAR ROUND FROM LIVE FLOW

DATE OF PRIORITY: SEPTEMBER 18, 1992, FOR LIVE FLOW & AUGUST 9, 1996, FOR STORED WATER

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 31, T24S, R7W, W.M.; 380 FEET SOUTH & 535 FEET WEST FROM E1/4 CORNER, SECTION 31

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 ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4 1.0 ACRE & LIVESTOCK
SECTION 31

NW 1/4 SW 1/4 4.0 ACRES & LIVESTOCK
SECTION 32
TOWNSHIP 24 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 contract No. I-96-10, or a satisfactory replacement, between the Douglas County 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.

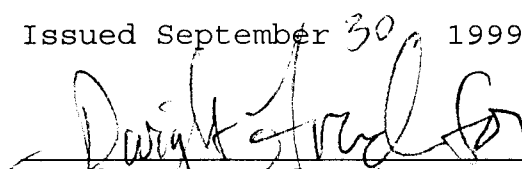
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

This permit is issued to supersede Permit 52170, dated May 14, 1996. Permit 52170 is hereby superseded by this instrument and is of no further force or effect.

Actual construction work shall begin by September 30, 2000. Complete application of the 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 September 30, 1999


Martha O. Pagel, Director
Water Resources Department