

STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JESS AND MARIA CARBAJAL  
106 NW F ST 28  
GRANTS PASS, OR 97526

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

APPLICATION FILE NUMBER: S-84218

SOURCE OF WATER: POOR MANS CREEK TRIBUTARY TO THE ROGUE RIVER

PURPOSE OR USE: HUMAN CONSUMPTION

MAXIMUM VOLUME ALLOWED: 60.0 GALLONS PER DAY

PERIOD OF USE: JUNE 1 THROUGH NOVEMBER 30 OF EACH YEAR

DATE OF PRIORITY: JULY 19, 1999

POINT OF DIVERSION LOCATION: NW 1/4 NW 1/4, SECTION 34, T33S, R7W, W.M.;  
890 FEET SOUTH AND 130 FEET EAST FROM NW CORNER, SECTION 34

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NW 1/4  
SECTION 34  
TOWNSHIP 33 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information,

including the place and nature of use of water under the permit.

- 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.

#### SPECIFIC CONDITIONS

Permittee shall install and maintain into perpetuity, a flow restrictor on the pump discharge line near the pump, limiting the pumped flow to no more than 2.5 gallons per minute.

Permittee shall maintain and replace as needed into perpetuity, 1.6 gallon per flush toilets, and low flow showerheads and faucets for the human consumption use.

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 screen is to be in place, functional, and inspected by ODFW prior to diversion of any water.

#### STANDARD CONDITIONS

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 December 1, 2001. Complete application of the water to the use shall be made on or before October 1, 2005. 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 March 22 , 2001

  
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Paul B. Cleary, Director  
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

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