

STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RONALD M & BEVERLY B ABRAM  
1613 FISH HATCHERY RD  
GRANTS PASS, OREGON 97527

(541) 479-2450

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

APPLICATION FILE NUMBER: S-84437

SOURCE OF WATER: APPLGATE RESERVOIR, CONSTRUCTED UNDER PERMITS R-7829  
AND R-7810

PURPOSE OR USE: IRRIGATION OF 2.0 ACRES

MAXIMUM VOLUME ALLOWED: 7.0 ACRE-FEET

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 19, 2000

POINT OF DIVERSION LOCATION (APPLGATE RESERVOIR): NW 1/4 OF SECTION  
36, T40S, R4W, W.M.

POINT OF REDIVERSION FROM APPLGATE RIVER: NW 1/4 SE 1/4, SECTION 15,  
T37S, R6W, W.M.; 1000 FEET SOUTH & 1830 FEET WEST FROM THE EAST 1/4  
CORNER OF SECTION 15

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 4.5 acre-feet for each acre irrigated during the  
irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 SE 1/4 2.0 ACRES  
SECTION 15  
TOWNSHIP 37 SOUTH, RANGE 6 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.

Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

During June 16 through September 15, water may be diverted only when the return flow temperature is no higher than 1 degree Fahrenheit of the temperature as measured at the intake point. The permittee is encouraged to contact the Oregon Department of Fish and Wildlife for information on obtaining temperature monitoring equipment.

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 fish screens meeting the following criteria:

1. Screen material must provide a minimum of 27% open area.
2. For gravity ditch and pump screens: Screen surface area must be at least 2.5 square feet of wetted screen per 1 CFS (449 GPM) of water diverted.

3. For perforated plate screens: Openings shall not exceed 3/32 inch (2.38 mm).
4. For Mesh/Woven Wire Screens: Openings shall not exceed 3/32 inch (2.38 mm) in the narrow direction.
5. For Profile Bar & Wedge Wire Screens: Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction.

The use of water under this right is subject to the terms and conditions of contract No. 009E101290, 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.

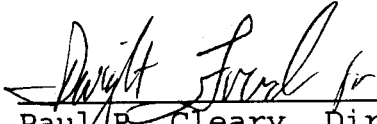
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

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Complete application of the water to the use shall be made on or before October 1, 2006. 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 October 23, 2001

  
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Paul R. 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.