

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GLENN & WENDY BROWN
PO Box 73
Reedsport, OR 97467-0073

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

APPLICATION FILE NUMBER: S-84635

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF WINCHUCK RIVER

PURPOSE OR USE: DOMESTIC USE EXPANDED AND HUMAN CONSUMPTION USE

MAXIMUM RATE: 0.01 CUBIC FOOT PER SECOND FOR DOMESTIC USE EXPANDED AND FURTHER RESTRICTED TO 0.005 CUBIC FOOT PER SECOND FOR HUMAN CONSUMPTION USE

PERIOD OF USE: DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR FOR DOMESTIC USE EXPANDED AND FROM MAY 1 THROUGH NOVEMBER 30 OF EACH YEAR FOR HUMAN CONSUMPTION USE

DATE OF PRIORITY: JANUARY 11, 2001

POINT OF DIVERSION LOCATION: NW ¼ NE ¼, SECTION 8, T41S, R12W, W.M.; 150 FEET SOUTH & 2050 FEET WEST FROM NE CORNER, SECTION 8

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW ¼ SE ¼
SECTION 5
TOWNSHIP 41 SOUTH, RANGE 12 WEST, W.M.

Measurement, recording and reporting conditions:

- A. 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.
- B. The permittee shall allow the watermaster access to the meter; provided however, where the meter 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 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 and functional prior to diversion of any water.

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.

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.

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 ^{9th}, 2002


Paul A. 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.