

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF ASHLAND  
20 E MAIN ST  
ASHLAND, OR 97520

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

APPLICATION FILE NUMBER: S-85733

SOURCE OF WATER: LOST CREEK RESERVOIR, A TRIBUTARY OF ROGUE RIVER,  
CONSTRUCTED UNDER PERMITS R-8141 AND R-8142

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM VOLUME: 1000.0 ACRE FEET EACH YEAR

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 11, 2003

POINT OF DIVERSION LOCATION: SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SECTION 26, T33S, R1E, W.M.; 2055  
FEET SOUTH & 1190 FEET EAST FROM THE NW CORNER OF SECTION 26

THE PLACE OF USE IS THE SERVICE AREA OF CITY OF ASHLAND.

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.

Within three years of permit issuance, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690,

Division 86. The Director may approve an extension of this time line to complete the required Water Management and Conservation Plan. The time line for submittal of a plan under this permit does not alter the time lines for submittal of a plan under any other order of the Department.

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 before beginning construction of any in-channel obstruction.

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 screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water. The screens shall conform to the following specifications:

All Screen Types

1. Screen material must provide a minimum of 27% open area.
2. For gravity ditch screens: Screen surface area must be at least 2.5 ft<sup>2</sup> of wetted screen material per 1 cfs water diverted. (e.g. a ditch with a capacity of 3 cfs must have 7.5 ft<sup>2</sup> of wetted screen material)
3. For pump screens: Screen surface area must be at least 2.5 ft<sup>2</sup> of wetted screen material per 449 gpm of water pumped. (e.g. a pump with a capacity of 1000 gpm must have 5.6 ft<sup>2</sup> of wetted screen material)

Perforated Plate Screens: Openings shall not exceed 3/32 inch (2.38 mm).

Mesh/Woven Wire Screens: Openings shall not exceed 3/32 (0.0938) inch (2.38 mm) in the narrow direction. (e.g. a 1/4 X 3/32 inch mesh is acceptable)

Profile Bar Screens/Wedge Wire Screens: Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction.

Water use under this permit is subject to the terms and conditions of the *WATER STORAGE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE CITY OF ASHLAND, OREGON FOR WATER STORAGE SPACE IN LOST CREEK LAKE PROJECT, OREGON*, approved July 26, 2002 (or a satisfactory replacement), which is on file with the Department.

**STANDARD CONDITIONS**

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party

to such rotation plan, the watermaster shall distribute the water according to such agreement.

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.

The permit holder shall commence and complete the construction of any proposed works within 15 years from the date of permit issuance. The Department may order and allow an extension of time to complete construction or to perfect a water right beyond 15 years from the date of permit issuance.

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 7, 2006



*Phillip C. Ward*

Phillip C. Ward, Director *for*  
Water Resources Department

