

STATE OF OREGON
COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

ROGUE RIVER ESTATES LLC
1605 BROWNSBORO MERIDIAN RD
EAGLE POINT OR 97524

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

APPLICATION FILE NUMBER: S-86737

SOURCE OF WATER: LOST CREEK RESERVOIR, PERMIT R-8142

PURPOSE OR USE: IRRIGATION of 56.9 ACRES

MAXIMUM VOLUME: 256.0 ACRE FEET

DATE OF PRIORITY: DECEMBER 28, 2006

Use	Period
Irrigation	April 1 - October 31

Authorized Point of Re-Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	1 W	WM	32	SE NE	1959 FEET SOUTH AND 2021 FEET EAST FROM N1/4 CORNER, SECTION 32

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	1 W	WM	30	SW SW	0.30
34 S	1 W	WM	30	SE SW	1.70
34 S	1 W	WM	31	NE NE	2.00
34 S	1 W	WM	31	NW NE	1.60
34 S	1 W	WM	31	SW NE	11.80
34 S	1 W	WM	31	SE NE	15.40
34 S	1 W	WM	31	NW NW	2.00
34 S	1 W	WM	31	NE SE	9.40
34 S	1 W	WM	31	NW SE	3.70
34 S	1 W	WM	32	NE SW	5.50
34 S	1 W	WM	32	NW SW	3.50

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The totalizing flow meter must be installed and maintained in good working order consistent with standards identified in OAR 690-507-645(1) through (3). The permittee 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; where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

The use of water under this right is subject to the terms and conditions of contract No. 079E101579 , 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.

The water user shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion, while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of water. The water user may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

STANDARD CONDITIONS

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

6. Complete application of the water to the use shall be made on or before October 1, 2011. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.
7. Within one year after complete application of water to the proposed use, the water user shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued MARCH 15, 2007

E. Timothy Ward.

for Phillip C. Ward, Director
Water Resources Department

