

STATE OF OREGON  
COUNTY OF JOSEPHINE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVID P. SWIECICKI  
1010 E BOBIER DR 107  
VISTA CA 92084

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

APPLICATION FILE NUMBER: S-88277

SOURCE OF WATER: ROGUE RIVER, TRIBUTARY TO PACIFIC OCEAN, FOR HUMAN CONSUMPTION; LOST CREEK RESERVOIR (CONSTRUCTED UNDER PERMITS R-8141 AND R-8142), TRIBUTARY OF ROGUE RIVER, FOR IRRIGATION

PURPOSE OR USE: HUMAN CONSUMPTION (INDOOR USE ONLY: COOKING, DRINKING, AND SANITATION) FOR ONE HOUSEHOLD; IRRIGATION OF 1.82 ACRES

MAXIMUM RATE: 0.005 CUBIC FOOT PER SECOND, FURTHER LIMITED TO 500 GALLONS PER DAY FOR HUMAN CONSUMPTION

MAXIMUM VOLUME: 4.10 ACRE-FEET PER YEAR FOR IRRIGATION (OR AS FURTHER LIMITED BY CONTRACT)

PERIOD OF USE: YEAR-ROUND FOR HUMAN CONSUMPTION; APRIL 1 THROUGH OCTOBER 31 FOR IRRIGATION

DATE OF PRIORITY: AUGUST 25, 2016

POINT OF RE-DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	7 W	WM	2	NW SE	945 FEET SOUTH AND 1530 FEET WEST FROM EAST 1/4 CORNER, SECTION 2

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
36 S	7 W	WM	2	SE NE	1.82

**1. Measurement Devices and Recording/Reporting of Annual Water Storage Conditions:**

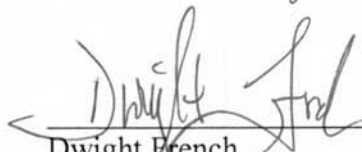
- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The permittee shall maintain the device in good working order.
  - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
  - C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
  - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
2. Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices to prevent fish from entering the proposed diversion, and to provide adequate upstream and downstream passage for fish.
3. 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, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.
4. The use of water under this right is subject to the terms and conditions of contract No. 9-07-10-W1253, or a satisfactory replacement, between the Bureau of Reclamation and the permittee, a copy of which must be on file in the records of the Water Resources Department.

**STANDARD CONDITIONS**

- 1. 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.
- 2. 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.

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. The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
7. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
8. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
9. Within one year after making complete application of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued January 23<sup>rd</sup>, 2019.

  
Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

