

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HAROLD EICHSTEADT  
ROBIN EICHSTEADT  
PO BOX 607  
WINCHESTER OR 97495

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

APPLICATION FILE NUMBER: S-88859

SOURCE OF WATER: NORTH UMPQUA RIVER, TRIBUTARY TO UMPQUA RIVER

PURPOSE OR USE: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD

MAXIMUM RATE: 0.01 CUBIC FOOT PER SECOND

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

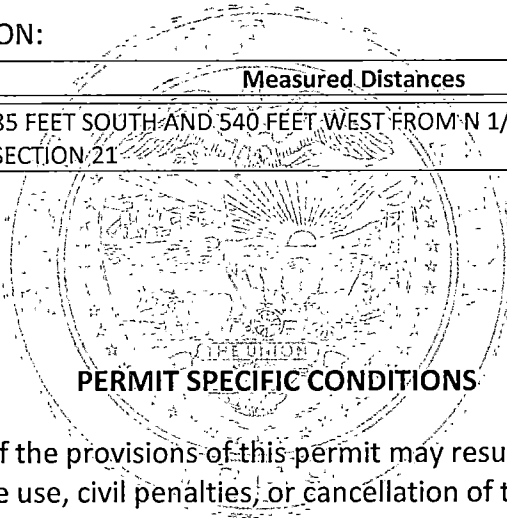
DATE OF PRIORITY: AUGUST 10, 2020

AUTHORIZED POINT OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	5 W	WM	21	NE NW	85 FEET SOUTH AND 540 FEET WEST FROM N 1/4 CORNER, SECTION 21

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q
26 S	5 W	WM	21	NE NW



**PERMIT SPECIFIC 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. **Water Use Measurement, Recording, and Reporting:**
  - A. Before water use may begin under this permit, the permittee shall install an in-line flow restrictor 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.

### 3. **Water Quality:**

All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source water or downstream waters decrease to the point that those water no longer meet existing state or federal water quality standards.

### 4. **Fish Passage:**

As required by ORS 509.585, the permittee shall not construct, operate, or maintain any dam *or artificial obstruction to fish passage across any waters of this state that are inhabited, or were historically inhabited, by native migratory fish* without obtaining approval from the Oregon Department of Fish and Wildlife (ODFW).

The permittee shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish passage facility, waiver, or exemption must be obtained **prior to construction** of any in-channel obstruction or **prior to diversion** of water that may create an artificial obstruction due to low flow, and the permittee shall submit proof to ODFW that fish passage has been implemented per the plan, waiver, or exemption **prior to diversion of water**. The permittee is hereby directed to schedule a consultation with an ODFW Fish Passage Coordinator.

The permittee shall maintain adequate passage of native migratory fish at all times (ORS 509.601) as per the approved plan, waiver, or exemption.

### 5. **Fish Screen:**

The permittee shall install, maintain, and operate fish screening consistent with current Oregon Department of Fish & Wildlife (ODFW) standards or submit documentation that ODFW has determined fish screening is not necessary or is exempt. Fish screening is to prevent fish from entering the proposed diversion. The required screen is to be in place, functional, and approved in writing by ODFW **prior to diversion of water**. The water user shall operate and maintain the fish

screen consistent with ODFW's operation and maintenance standards The permittee is hereby directed to schedule a consultation with an ODFW Fish Screening Coordinator.

**6. Riparian Area Restoration:**

If the riparian area is disturbed in the process of developing, modifying or repairing a point of diversion under this permit, the permittee shall be responsible for restoration or enhancement of such riparian area in accordance with the Oregon Department of Fish and Wildlife's Fish and Wildlife Mitigation Policy OAR 635-415. Prior to development, modification or repairs at the point of diversion, the permittee shall submit, to the Oregon Water Resources Department, either a Riparian Mitigation Plan approved in writing by the Oregon Department of Fish and Wildlife (ODFW) or a written declaration from ODFW that a riparian plan is unnecessary. The permittee shall maintain the riparian area for the life of the permit and subsequent certificate per the approved Riparian Mitigation Plan. The permittee is hereby directed to contact the local ODFW Fish Biologist prior to diverting water.

**7. In-Water Work:**

To minimize the impact on fish and habitat resources, ODFW recommends any in-water work related to construction, development, or maintenance of the proposed use be conducted during the preferred work period of July 15 through September 1.

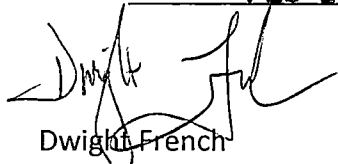
**STANDARD CONDITIONS**

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. 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.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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.

Issued FEB 23 2022



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