

Application No. R-80861 HB2376

Permit No. R11935

Certificate No. 80104

FILE#: R 80861

MARTIN B HIRSCH  
1100 ~~12100~~ PANTHER GULCH RD  
WILLIAMS, OR 97544

Stream Index, Page No. \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt No.
1-19-96	27.50	131700
1-19-96	27.50	131701
Rec. 1-31-96	10.-	131959

FEES REFUNDED		
Date	Amount	Check No.

Date filed \_\_\_\_\_

Priority \_\_\_\_\_

Action suspended until 8 FPD

Return to applicant \_\_\_\_\_

Date of approval 8-9-96

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

**CONSTRUCTION**

Date for beginning AUG 09 1997

Date for completion OCT 1 1997

Extended to \_\_\_\_\_

**REMARKS**

Date for application of water OCT 01 1999

Extended to \_\_\_\_\_

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed 9-1-99 CBU due 9-1-00

FINAL PROOF 0/1/00

*no envt required*

Blank mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Date Certificate issued JUL 7 2003

Form C (690-9-77)

**IMPORTANT**—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.  
**NOTE:** In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. R-80861

I, Martin B. Hirsch, the holder of Permit No. R-11935

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 28 day of Feb Large Coves, 1997

Remarks: Construction of Reservoir "A" only; installed 2 outlet pipes; Capacity less than 2.75 acre feet; will not Construct Reservoir "B" at this time.

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of August, 1999  
Martin B. Hirsch 1100 Pantun Gulch Rd, Williams OR 97544  
(Signature of Applicant) (Address)

Form B (690-9-77)

Application No. R-80861

**NOTICE OF COMPLETION OF CONSTRUCTION**

I, Martin B. Hirsch, the holder of Permit No. R-11935

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 28 day of February, 1997

Remarks: only constructed reservoir "A", installed outlet pipes (2); Capacity less than 2.75 acre feet; will not construct reservoir "B" at this time.  
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of August, 1999  
Martin B. Hirsch 1100 Pantun Gulch Rd, Williams OR 97544  
(Signature of Applicant) (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

FPD  
duplicate

Application No. R-80861  
Permit No. R11935

Name MARTIN B HIRSCH  
1104 2100 PANTHER GULCH RD  
Address WILLIAMS, OR 97544

Assigned \_\_\_\_\_

Address \_\_\_\_\_

Beginning construction AUG 09 1997

Completion of construction OCT 1 1997

Extended to \_\_\_\_\_

Complete application of water OCT 01 1999

Extended to \_\_\_\_\_

FILE # R-80861

WEEK # 47

*BASIN 15  
W/IN 14  
S/W R.*

# FO CHECKLIST

2376 EXPIDITED TO FO

*39S SW 2 ANN SE NE SE 60.00 pd.*

*2.75 AC A. EA.  
5.5 AC A.*

REVIEW DATE: 8/11/1996

INITIALS: JS

In preparing the FO, you should check the following:

1.  Y /  N Were comments or protests received in response to the IR? *ODFW - BYPASS*
2.  If #1 = "Y", from whom were the comments received and when? *ODFW - 8-1-1996*
3.  Verify names and addresses on the IR CC list. ALL commentors (regardless of comment date), affected landowners (were they notified?), and those who paid the \$10 fee should be listed.
4.  Verify payment of recording fees (circle the appropriate option)
  - (1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO
  - (2) Issue FO w/o permit if fees are lacking
5.  Y /  N Is the file lacking a signed oath of accuracy for the application, Land use form or adequate map?
6.  Y /  N Has ODFW asked for self certification on screening condition?
7.  Y /  N Is water use prohibited for one or more months of the normal use period?
8.  Y /  N If #6 = "Y", is short season letter on file? Note: If short season letter is lacking prepare FO with Draft permit giving applicant 60 days to submit letter.
9.  Y /  N Is further processing possible? If not state reason: \_\_\_\_\_
10.  Notify applicant of additional information or fees required prior to permit issuance (SEND CERTIFIED LETTER & use standard wording from M:\T\FO\TOOLS if possible)
11.  Assign permit numbers to files with oath, fees, and no protests or other issues

Route to: (circle one)

DENIAL	FO w/o PERMIT	FO & PERMIT	COMMENTS
LARRY	JERRY	JEREMY	DOUG

*2376 Expidite  
JERRY S*

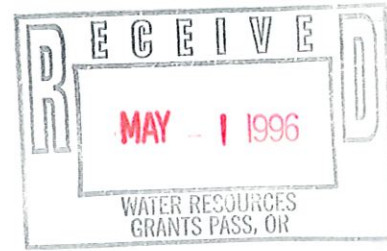
Initials \_\_\_\_\_

Modify FO as needed to:

12.  Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
13.  Include or exclude permit conditions and management codes *ODFW W/ BYPASS*

Once FO document is completed:

14.  Save WordPerfect document in M:\T\FO\WEEK *47* & delete duplicates
15.  Print final draft of document and submit to team leader for review
16.  Y /  N Team leader review completed



Oregon



DEPARTMENT OF  
FISH AND  
WILDLIFE

ROGUE DISTRICT  
OFFICE

April 29, 1996

Application Comments  
Water Resources Department  
158 12th Street, NE  
Salem, OR 97310

RE: Water Right Application # R-80861, Unnamed stream, tributary of Williams  
Creek

Because there are no fish in the immediate area of the subject diversion, no fish  
screening or passage facilities are to be required. However, ODFW requests the  
subject reservoir permit be conditioned to require a by-pass of **1.0 cfs** during the  
impoundment period to assure that the stream below the project is not dewatered  
significantly, creating negative impacts on aquatic life downstream. ODFW further  
requests that the applicant be required to provide an annual report of water usage to  
WRD.

Thank you for the opportunity to comment.

Sincerely,

Jerry Vogt  
Assistant District Fish Biologist

cc: HCD  
WaterWatch  
File

RECEIVED  
MAY - 7 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON



1495 E Gregory Road  
Central Point, OR 97502  
(503) 826-8774  
FAX (503) 826-8776

file  
MARCH 20, 1996

# Oregon

WATER  
RESOURCES  
DEPARTMENT

MARTIN B HIRSCH  
12100 PANTHER GULCH RD  
WILLIAMS, OREGON 97544

Reference: File R-80861

Dear Applicant:

**THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the potential limitations to your proposed use of water and to describe some of your options. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The storage of water for Livestock and Wildlife **is allowed** under OAR 515, the Rogue Basin Program. The period when storage is allowed is November 1 through March 31, OAR 690-515-004 (1) (a) (A) (v).
4. The diversion of 5.5 acre-feet, being 2.75 acre-feet in each of two reservoirs, from an Unnamed Stream tributary to Williams Creek for Livestock and Wildlife **is not available** April 1 through December 31.

Summary of Initial Determinations

The diversion of 5.5 acre-feet, being 2.75 acre-feet in each of two reservoirs, of water from an Unnamed Stream for Livestock and Wildlife may be allowed from January 1 through March 31 of each year.



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

R-80861  
March 20, 1996  
Page 2

Because of the Department's determination, your application can be moved to the next phase of the water rights application review process. However, due to #3 and 4 above your application will likely be limited as summarized above.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period, will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **APRIL 3, 1996**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. You may be required to measure the amount of water used and report that use annually.
2. You may be required to install fish screens at the diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.
3. The priority date for this application is January 19, 1996.

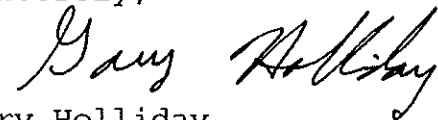
**WARNING:** This initial review does not attempt to address various public interest issues such as sensitive or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

R-80861  
March 20, 1996  
Page 3

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 454 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Gary Holliday  
Initial Reviewer

cc: Regional Manager, Watermaster, Water Availability  
Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form



## IR MAILING LIST ADDITIONS

OWNERS OF PROPERTY (OTHER THAN APPLICANT) CROSSED BY THE  
DELIVERY SYSTEM OR OTHER WATER WORKS:

GOVERNMENTAL ENTITIES ON THE LAND USE FORM OTHER THAN  
COUNTIES:

OTHER:

# Oregon Water Resources Department Application for a Permit to Store Water

## Expedited Review Process

For reservoirs that:

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

JAN 19 1996

WATER RESOURCES DEPT.  
SALEM, OREGON



Landowner: HIRSCH, MARTIN B.  
Last name First name MI

Authorized Agent: SPERO, JONATHAN MI  
Last name First name MI

Address: 1100 PANTHER GULCH RD  
Williams OR 97544  
City State Zip

Phone: (541) 846-8974  
Home Work

FAX: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

A. County of use: Josephine. B. River basin (see reverse): Rogue.

### C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
39 S	05 W	02	NE 1/4, SE 1/4	600

D. Name, if any, of reservoir: A - ASPEN MAP ENCLOSED

E. Source of water: Rattlesnake Gulch which flows into Williams Creek.  
Unnamed Stream AKA Name of river or creek Name of river or creek

F. Water  is  would be used for (see reverse): STOCK & WILDLIFE.

G. Maximum height of dam: 8 feet.

H. Quantity of water stored in reservoir at maximum capacity: 2.75 acre-feet (see reverse).

- BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:**
- Answered each question on this form as completely as possible?
  - Attached a legible map which includes township, section, range, quarter-quarter and tax lot identification?
  - Included a check payable to the Oregon Water Resources Department for \$10 per acre-foot up to a maximum of \$100?

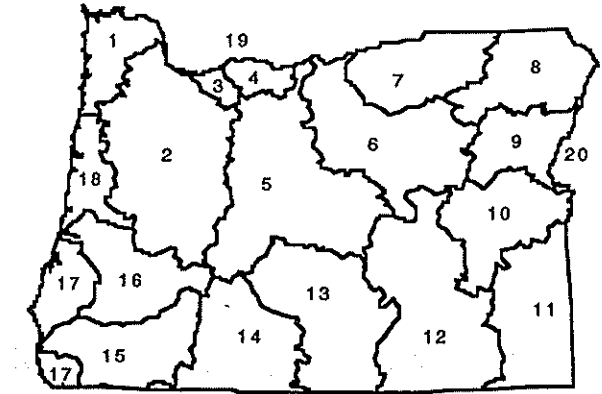
By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Martin B. Hirsch MARTIN B. HIRSCH - Owner 1/17/96  
(Signature of Landowner/Agent) (Printed name and title) (Date)

<u>R-80861</u>	For Department Use	<u>1-19-96</u>	10-95
Application #	Permit #	Tentative Priority Date	

**Oregon's major river basins:**

- |               |                 |              |
|---------------|-----------------|--------------|
| 1-North Coast | 8-Grande Ronde  | 15-Rogue     |
| 2-Willamette  | 9-Powder        | 16-Umpqua    |
| 3-Sandy       | 10-Malheur      | 17-S. Coast  |
| 4-Hood        | 11-Owyhee       | 18-Mid Coast |
| 5-Deschutes   | 12-Malheur L.   | 19-Columbia  |
| 6-John Day    | 13-Goose/Summer | 20-Snake     |
| 7-Umatilla    | 14-Klamath      |              |



One acre-foot is the volume of water that would cover one acre with one foot of water. To find out how much water your pond stores, multiply the surface area by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. To be eligible to apply under the expedited review process (HB 2376, 1995), your pond must store less than 400,752 cubic feet (43,560 X 9.2).

**What do you use water for?**

**Agriculture, Land Management**

General Agriculture	Cranberry
Irrigation	Nursery Operations
Stockwater	Temperature Control
Aquatic Life	Forest & Range Management
Other: (Specify)	

**Industrial/Commercial Uses**

Industrial	Commercial
Fire Protection	Mining
Power Development	Other: (Specify)

**Drinking Water Supply**

Human Consumption	Domestic
Domestic Expanded	Other: (Specify)

**Community Water Supply**

Municipal	Quasi-Municipal
Group Domestic	Storm Water Management
Other: (Specify)	

**Environmental Benefits**

Pollution Abatement	Recreation
Wetland Enhancement	Wildlife
Other: (Specify)	

"B"

# Oregon Water Resources Department Application for a Permit to Store Water

## Expedited Review Process

For reservoirs that:

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

JAN 19 1996



WATER RESOURCES DEPT.  
SALEM, OREGON

Landowner: HIRSCH, MARTIN B.  
Last name First name MI

Authorized Agent: SPEED, JONATHAN MI  
Last name First name MI

Address: 1100 PANTHER GULCH RD  
Williams OR 97544  
City State Zip

Phone: (541) 846-8974  
Home Work

FAX: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

A. County of use: Josephine. B. River basin (see reverse): Rogue.

### C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
39 S	05 W	02	NW 1/4, SE 1/4	600

D. Name, if any, of reservoir: B - As per MAP ENCLOSED

Unnamed Stream AKA  
 E. Source of water: Rattlesnake Gulch which flows into Williams Creek  
Name of river or creek Name of river or creek

F. Water  is  would be used for (see reverse): Stock & WILDLIFE.

G. Maximum height of dam: 8 feet.

H. Quantity of water stored in reservoir at maximum capacity: 2.75 acre-feet (see reverse).

**BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:**

Answered each question on this form as completely as possible?

Attached a legible map which includes township, section, range, quarter-quarter and tax lot identification?

Included a **check** payable to the Oregon Water Resources Department for \$10 per acre-foot up to a maximum of \$100?

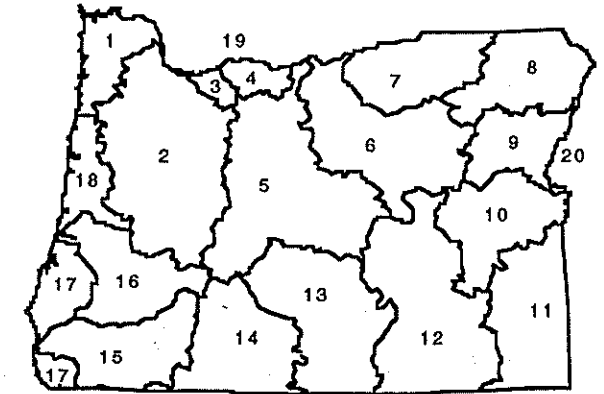
By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Martin B Hirsch MARTIN B. HIRSCH - Owner 1/17/96  
(Signature of Landowner/Agent) (Printed name and title) (Date)

<u>R-80861</u> Application #	For Department Use Permit #	<u>1-19-96</u> Tentative Priority Date	10-95
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**Oregon's major river basins:**

- 1-North Coast    8-Grande Ronde    15-Rogue
- 2-Willamette    9-Powder    16. Umpqua
- 3-Sandy    10-Malheur    17-S. Coast
- 4-Hood    11-Owyhee    18-Mid Coast
- 5-Deschutes    12-Malheur L.    19-Columbia
- 6-John Day    13-Goose/Summer    20-Snake
- 7-Umatilla    14-Klamath



One acre-foot is the volume of water that would cover one acre with one foot of water. To find out how much water your pond stores, multiply the surface area by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. To be eligible to apply under the expedited review process (FIB 2376, 1995), your pond must store less than 400,752 cubic feet (43,560 X 9.2).

<b>What do you use water for?</b>	
<b>Agriculture, Land Management</b>	
General Agriculture	Cranberry
Irrigation	Nursery Operations
Stockwater	Temperature Control
Aquatic Life	Forest & Range Management
Other: (Specify)	
<b>Industrial/Commercial Uses</b>	
Industrial	Commercial
Fire Protection	Mining
Power Development	Other: (Specify)
<b>Drinking Water Supply</b>	
Human Consumption	Domestic
Domestic Expanded	Other: (Specify)
<b>Community Water Supply</b>	
Municipal	Quasi-Municipal
Group Domestic	Storm Water Management
Other: (Specify)	
<b>Environmental Benefits</b>	
Pollution Abatement	Recreation
Wetland Enhancement	Wildlife
Other: (Specify)	

IR CHECKLIST

Application #: R 20861 Vol \_\_\_\_\_ Subbasin \_\_\_\_\_

Basin: 15 WAB: 0102678520 POU-WAB \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ 1/4 1/4 \_\_\_\_\_

- 1. Items have been verified on Completeness Checklist.
- 2. Check file for indicators that the process should not continue until a later date (ie - protest, items (other than oath) missing from the completeness check, letter to file indicating hold, or other)
- 3. A groundwater review has been evaluated for substantial interference with surface water (convert old gw conditions to the 7 series and add to the PFO, if necessary)
  - a. Is the well located in a groundwater limited area?
  - b. A B C D
  - c. SWW \_\_\_\_\_
- 4. Is the Proposed Use located in or above a Scenic Waterway? \_\_\_\_\_
- 5. Is the proposed use located in a TMDL Basin? (Tualatin, Yamhill, Pudding) \_\_\_\_\_
- 6. Is the use allowed or limited by the Basin Program? \_\_\_\_\_ OAR(s) \_\_\_\_\_
- 7. Is the source withdrawn or limited? - State Engineer, Legislative (ORS 538), etc. \_\_\_\_\_
- 8. Basin Maps (metal cabinet) have been checked and River Mile ( \_\_\_\_\_ ) has been identified
- 9. Water Availability Data has been verified (50% < July 17, 1992 \*\* 80% [50% storage] > July 17, 1992) \_\_\_\_\_
- 10. Rate \_\_\_\_\_ Duty \_\_\_\_\_ Season \_\_\_\_\_
- 11. Use Storage 5.5 af Period of Allowed Use \_\_\_\_\_
- 12. Priority Date(s) Jan 19, 1996 \_\_\_\_\_
- 13. Is use from a B.O.R. project and if so, is a signed contract in the file? \_\_\_\_\_
- 14. Division 33 (Abv Bonn > July 17, 1992 & Blw Bonn > April 18, 1994 or June 3, 1994) \_\_\_\_\_
- 15. Plat cards have been checked and a copy of the map is attached showing the conflict with \_\_\_\_\_
- 16. Land use approval OK'd needs approval county notified NA
- 17. conditions? (BOR, GW, etc.) \_\_\_\_\_
- 18. Watermaster District #: 14
- 19. Regional Office (NWR, NCR, ER, SCR, or SWR)
- 20. IR has been saved to m:\tir\sent\app # from m:\tir\work\app #

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Name: J. A. Date: 3-19-96

(a) Potential reservoir sites should be identified in the comprehensive land use planning process for possible future development or until alternative methods of meeting water needs have been developed. Immediate consideration should be given to the following sites:

- (A) Walker Creek, NE 1/4 Section 12, Township 39 South, Range 1 East, Willamette Meridian.
- (B) West Fork Ashland Creek (Winburn site), NE 1/4 Section 32, Township 39 South, Range 1 East, Willamette Meridian.
- (C) West Fork Ashland Creek (Ranger site), SW 1/4 Section 28, Township 39 South, Range 1 East, Willamette Meridian.

(b) All applications for appropriation of water for storage in structures impounding more than 3,000,000 gallons of water shall be reviewed by the Water Policy Review Board prior to approval. During the review the Water Policy Review Board may establish additional minimum flows on the natural flow of the stream to support aquatic life or minimize pollution. Storage projects consistent with the purposes of minimum perennial streamflows shall be encouraged.

(5) Existing Rights

This program does not modify, set aside or alter any existing right to use water or the priority of such use established under existing laws.

**Applegate River Basin**

690-515-004

(1) Classifications

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(a) The maximum economic development of this state and the attainment of the highest and best use of the waters of the Applegate River Basin and the attainment of an integrated and coordinated program for the benefit of the state will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, agricultural use, power development, industrial, mining, recreation, wildlife, and fish life purposes and the waters of the Applegate River Basin are hereby so classified with the following exceptions:

(A) The waters of the following streams and tributaries are classified only for domestic, livestock, power development except for those streams listed in paragraph (C), irrigation of noncommercial gardens not to exceed 1/2 acre in area, and instream use for recreation, fish life and wildlife except for the use of stored water. Water stored between November 1 and March 31 of any year may be used for any purpose specified in subsection (a).

- (i) Palmer Creek
- (ii) Beaver Creek
- (iii) Little Applegate River
- (iv) Forest Creek

01026785-  
01026783 (v) Williams Creek

(vi) Cheney Creek

(vii) Slate Creek

01026784

(B) The waters of Thompson Creek and tributaries are classified only for domestic, livestock and instream use for recreation, fish life and wildlife except for the use of stored water. Water stored between November 1 and March 31 may be used at any time for purposes specified in subsection (a).

no  
fwi  
\*

(C) To protect, maintain and perpetuate anadromous fish habitat and propagation, the waters of the following stream reaches shall not be diverted, interrupted or appropriated for hydropower development purposes:

01026783 (i) Palmer Creek from the confluence with Bailey Gulch downstream to the mouth.

01026783 (ii) Beaver Creek from the intersection with the east line of Section 11, Township 40 South, Range 3 West, Willamette Meridian, to the mouth.

(iii) Little Applegate River Subbasin

(I) Little Applegate River from the confluence with Lake Creek downstream to the mouth. 0102678822 + 010267882

(II) Glade Creek from the confluence with Mule Gulch downstream to the mouth. 0102678821

(III) Yale Creek from the intersection with the east line of Section 22, Township 40 South, Range 2 West, Willamette Meridian, to the mouth. 0102678821

(IV) Sterling Creek from the intersection with the east line of Section 8, Township 39 South, Range 2 West, Willamette Meridian, to the mouth. 010267882

010267881 (iv) Forest Creek from the intersection with the north line of Section 15, Township 38 South, Range 3 West, Willamette Meridian, to the mouth.

01026786 (v) Thompson Creek from the intersection with the south line of Section 24, Township 39 South, Range 5 West, Willamette Meridian, to the mouth and the tributary of Ninemile Creek from the intersection with the east line of Section 30, Township 39 South, Range 4 West, Willamette Meridian, to the mouth.

(vi) Williams Creek Subbasin

01026785 (I) Williams Creek from the confluence with the East Fork and West Fork of Williams Creek downstream to the mouth.



010267852 ✓ (II) ✓ East Fork Williams Creek from the first intersection with the east line of Section 26, Township 39 South, Range 5 West, Willamette Meridian, to the mouth and the tributary of Rock Creek from the confluence with Horsetail Creek downstream to the mouth.

010267853 ✓ (III) ✓ West Fork Williams Creek from the confluence with Right Hand Fork of the West Fork Williams Creek downstream to the mouth.

010267853 ✓ (IV) ✓ Right Hand Fork of the West Fork Williams Creek from the intersection with the south line of Section 13, Township 39 South, Range 6 West, Willamette Meridian, to the confluence of the West Fork Williams Creek.

010267853 ✓ (V) ✓ Bill Creek from the confluence with Bear Wallow Creek downstream to the mouth.

010267853 ✓ (VI) ✓ Munger Creek from the confluence with North Fork Munger Creek downstream to the mouth.

010267851 ✓ (VII) ✓ Powell Creek from the intersection with the west line of Section 16, Township 38 South, Range 5 West, Willamette Meridian, to the mouth.

Calc PW=0  
010267848 ✓ (vii) ✓ Cheney Creek from the intersection with the south line of Section 22, Township 37 South, Range 7 West, Willamette Meridian, to the mouth and the tributary of Little Cheney Creek from the intersection with the south line of Section 18, Township 37 South, Range 6 West, Willamette Meridian, to the mouth.

(viii) Slate Creek Subbasin

0102678130 ✓ (I) ✓ Slate Creek from the intersection with the north line of Section 1, Township 37 South, Range 8 West, Willamette Meridian, to the mouth.

010267813 ✓ (II) ✓ Ramsey Creek from the intersection with the north line of Section 13, Township 37 South, Range 8 West, Willamette Meridian, to the mouth.

010267812 ✓ (III) ✓ Butcherknife Creek from the intersection with the west line of Section 18, Township 37 South, Range 7 West, Willamette Meridian, to the mouth.

010262411 ✓ (IV) ✓ Waters Creek from the intersection with the west line of Section 32, Township 36 South, Range 7 West, Willamette Meridian, to the mouth.

010262281 ✓ (V) ✓ The entire length of Bear Creek.

010267811 ✓ (VI) ✓ Salt Creek from the intersection with the north line of Section 8, Township 37 South, Range 7 West, Willamette Meridian, to the mouth.

01026781 ✓ (VII) Elliott Creek from the intersection with the south line of Section 15, Township 37 South, Range 7 West, Willamette Meridian, to the mouth.

01026781 ✓ (VI) Round Prairie Creek from the intersection with the north line of Section 3, Township 37 South, Range 7 West, Willamette Meridian, to the mouth and the tributary of South Fork Round Prairie Creek from the intersection with the west line of Section 2, Township 37 South, Range 7 West, Willamette Meridian, to the mouth.

(b) Applications for the use of such water shall not be accepted by any state agency for any other purpose and the granting of applications for such other purposes is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated, coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

(2) Storage

(a) All applications for storage in excess of 3,000,000 gallons utilizing the streams listed in paragraph (1)(a)(A) or tributaries shall be reviewed by the Water Policy Review Board prior to approval. During the review, the Board may establish minimum perennial streamflows for the natural flow of the affected stream or streams if deemed necessary to support aquatic life. Storage projects consistent with the purposes of minimum perennial streamflows shall be encouraged.

(b) Reservoir sites should be protected through the comprehensive planning process for possible future development or until alternative methods of meeting water needs have been developed. Immediate concern should be given to the following sites as delineated on Water Resources Department map file number 15B.4, Plate 4.

- (A) Little Applegate River, site 26.
- (B) Waters Creek, site 112.
- (C) Elliott Creek, site 110.

(3) Minimum Perennials Streamflows

(a) For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, and of attaining the highest and best use of waters released from storage, no appropriations of water except for domestic, livestock and irrigation of noncommercial gardens not to exceed 1/2 acre in area or waters legally released from storage shall be made or granted by any state agency or public corporation for the waters of the Applegate River or its tributaries for flows below the specified levels in Table 3, Section A.

(b) (A) To support aquatic life and minimize pollution in accordance with Section 3, Chapter 796, Oregon Laws 1983, no appropriations of water shall be made or granted by any state agency or public corporation of the state for the waters of Williams Creek and Thompson Creek and tributaries for flows below the specified levels in Table 3, Section B. This limitation shall not apply to:

(i) Domestic and livestock uses. Domestic use does not include irrigation of lawns and gardens.

(ii) Water legally stored or released from storage, subject to paragraph (1)(a)(C).

(B) Attainment of the specified flow levels during some portions of the year will require development of water storage or implementation of other measures to augment flows.

(4) Water Quality

Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with recreational, fish life, or other beneficial uses of water.

(5) Existing Rights

Water rights and permits issued prior to the effective date of this program shall not be affected.

**Middle Rogue Basin**      *with 68-133*

690-515-005

(1) Classifications

✓(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Middle Rogue River Basin and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, agricultural use, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the Middle Rogue River are hereby so classified with the following exceptions:

✓(A) The maximum economic development of this state, the attainment of the highest and best use of waters within the Rogue River Scenic Waterway from the confluence with the Applegate River near river mile 95 to Lobster Creek Bridge near river mile 11 and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, and irrigation of one-half acre noncommercial garden, and instream use for recreation, wildlife and fish life, and the aforementioned waters of the Rogue River Scenic Waterway are hereby so classified.

(B) Those waters on which further development is restricted by ORS 538.270 and 542.210.

WATER AVAILABILITY TABLE

Basin: ROGUE Exceedance Level: 50  
 Water Availability Subbasin: 0102678520000000 (and Nested Subbasins)  
 Time: 11:04 Date: 03/19/1996

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	YES	YES	YES
2	0102000000000000	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES
3	0102600000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	YES	YES
4	0102670000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	YES	YES
5	0102678000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	YES	YES
6	0102678500000000	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	YES
7	0102678520000000	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES

STREAM NAMES

Basin: ROGUE  
 Water Availability Subbasin: 0102678520000000 (and Nested Subbasins)  
 Time: 11:04 Date: 03/19/1996

WAB #	Stream Name	Tributary to
0100000000000000	ROGUE R	PACIFIC OCEAN
0102000000000000	ROGUE R	PACIFIC OCEAN
0102600000000000	ROGUE R	PACIFIC OCEAN
0102670000000000	ROGUE R	PACIFIC OCEAN
0102678000000000	APPLEGATE R	ROGUE R
0102678500000000	WILLIAMS CR	APPLEGATE R
0102678520000000	E FK WILLIAMS CR	WILLIAMS CR

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0102678520000000  
 Basin: ROGUE  
 Exceedance Level: 50  
 Time: 11:04 Date: 03/19/1996

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	0102678520000000	E FK WILLIAMS CR	YES	2.9
2	0102678520000000	E FK WILLIAMS CR	YES	16.1
3	0102678520000000	E FK WILLIAMS CR	YES	4.5
4	0102678500000000	WILLIAMS CR	NO	-3.1
5	0102678500000000	WILLIAMS CR	NO	-24.9
6	0102670000000000	ROGUE R	NO	-211.0
7	0102670000000000	ROGUE R	NO	-801.0
8	0102670000000000	ROGUE R	NO	-1532.0
9	0102670000000000	ROGUE R	NO	-1428.0
10	0102670000000000	ROGUE R	NO	-270.0
11	0102670000000000	ROGUE R	NO	-1620.0
12	0102678520000000	E FK WILLIAMS CR	NO	-0.1
Stor	0102678520000000	E FK WILLIAMS CR	YES	1410.0

DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE  
 Stream: ROGUE R > PACIFIC OCEAN  
 Water Availability Subbasin: 0100000000000000  
 Exceedance Level: 50  
 Time: 11:04 Date: 03/19/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	13100.00	900.00	12200.00	0.62	12200.00	3500.00	8700.00
2	16900.00	2200.00	14700.00	0.83	14700.00	3500.00	11200.00
3	13900.00	1900.00	12000.00	0.79	12000.00	3500.00	8500.00
4	11700.00	1200.00	10500.00	2.10	10500.00	3500.00	7000.00
5	8190.00	220.00	7970.00	4.29	7970.00	3000.00	4970.00
6	4890.00	420.00	4470.00	2.33	4470.00	2700.00	1770.00
7	2690.00	500.00	2190.00	3.00	2187.00	2000.00	187.00
8	1980.00	450.00	1530.00	2.49	1528.00	2400.00	-872.00
9	1930.00	370.00	1560.00	1.44	1559.00	2400.00	-841.00
10	2420.00	110.00	2310.00	0.43	2310.00	1600.00	710.00
11	5040.00	190.00	4850.00	0.12	4850.00	3500.00	1350.00
12	12300.00	400.00	11900.00	0.42	11900.00	3500.00	8400.00
Stor	5690000	531000	5160000	1130	5160000	2100000	3160000

DETAILED REPORT OF ISWRs

Basin: ROGUE  
 Stream: ROGUE R > PACIFIC OCEAN  
 Water Availability Subbasin: 0100000000000000  
 Time: 11:04 Date: 03/19/1996

APP #	ISWRs	RESULTANT
-91503W	266A	0 0 0
STATUS: Scenic WW	Cert.	
1	3500.0	935.0 0.0 0.0 0.0 3500.0 X
2	3500.0	935.0 0.0 0.0 0.0 3500.0 X
3	3500.0	935.0 0.0 0.0 0.0 3500.0 X
4	3500.0	935.0 0.0 0.0 0.0 3500.0 X
5	3000.0	935.0 0.0 0.0 0.0 3000.0 X
6	2700.0	935.0 0.0 0.0 0.0 2700.0 X
7	2000.0	935.0 0.0 0.0 0.0 2000.0 X
8	2400.0	935.0 0.0 0.0 0.0 2400.0 X
9	2400.0	935.0 0.0 0.0 0.0 2400.0 X
10	1600.0	935.0 0.0 0.0 0.0 1600.0 X
11	3500.0	935.0 0.0 0.0 0.0 3500.0 X
12	3500.0	935.0 0.0 0.0 0.0 3500.0 X

DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE  
 Stream: ROGUE R > PACIFIC OCEAN  
 Water Availability Subbasin: 0102000000000000  
 Exceedance Level: 50

Time: 11:04 Date: 03/19/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	6780.00	690.00	6090.00	0.40	6090.00	3500.00	2590.00
2	9190.00	2030.00	7160.00	0.48	7160.00	3500.00	3660.00
3	7520.00	1760.00	5760.00	0.46	5760.00	3500.00	2260.00
4	6680.00	1160.00	5520.00	1.89	5520.00	3500.00	2020.00
5	5320.00	200.00	5120.00	3.92	5120.00	3000.00	2120.00
6	3350.00	420.00	2930.00	1.45	2929.00	2700.00	229.00
7	1920.00	500.00	1420.00	1.66	1418.00	2000.00	-582.00
8	1460.00	440.00	1020.00	1.39	1019.00	2400.00	-1381.00
9	1490.00	360.00	1130.00	0.96	1129.00	1600.00	-471.00
10	1700.00	110.00	1590.00	0.35	1589.70	1600.00	-10.30
11	2660.00	130.00	2530.00	0.07	2530.00	3500.00	-970.00
12	6450.00	180.00	6270.00	0.29	6270.00	3500.00	2770.00
Stor	3270000	478000	2790000	797	2790000	2050000	937000

DETAILED REPORT OF ISWRs

Basin: ROGUE  
 Stream: ROGUE R > PACIFIC OCEAN  
 Water Availability Subbasin: 0102000000000000  
 Time: 11:04 Date: 03/19/1996

APP #	ISWRs	ISWRs	ISWRs	ISWRs	ISWRs	RESULTANT
-91503X	0	0	0	0	0	
STATUS: Scenic WW						
1	3500.0	0.0	0.0	0.0	0.0	3500.0 X
2	3500.0	0.0	0.0	0.0	0.0	3500.0 X
3	3500.0	0.0	0.0	0.0	0.0	3500.0 X
4	3500.0	0.0	0.0	0.0	0.0	3500.0 X
5	3000.0	0.0	0.0	0.0	0.0	3000.0 X
6	2700.0	0.0	0.0	0.0	0.0	2700.0 X
7	2000.0	0.0	0.0	0.0	0.0	2000.0 X
8	2400.0	0.0	0.0	0.0	0.0	2400.0 X
9	1600.0	0.0	0.0	0.0	0.0	1600.0 X
10	1600.0	0.0	0.0	0.0	0.0	1600.0 X
11	3500.0	0.0	0.0	0.0	0.0	3500.0 X
12	3500.0	0.0	0.0	0.0	0.0	3500.0 X

DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE  
 Stream: ROGUE R > PACIFIC OCEAN  
 Water Availability Subbasin: 0102600000000000  
 Exceedance Level: 50  
 Time: 11:04

Date: 03/19/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	6060.00	860.00	5200.00	0.38	5200.00	3500.00	1700.00
2	8240.00	2260.00	5980.00	0.46	5980.00	3500.00	2480.00
3	6750.00	1910.00	4840.00	0.41	4840.00	3500.00	1340.00
4	6040.00	1170.00	4870.00	1.64	4870.00	3500.00	1370.00
5	4870.00	210.00	4660.00	3.54	4660.00	3000.00	1660.00
6	3060.00	410.00	2650.00	0.94	2649.10	2700.00	-50.90
7	1770.00	490.00	1280.00	0.97	1279.00	2000.00	-721.00
8	1360.00	439.00	921.00	0.82	920.00	2400.00	-1480.00
9	1400.00	360.00	1040.00	0.57	1039.00	2400.00	-1361.00
10	1550.00	100.00	1450.00	0.22	1450.00	1600.00	-150.00
11	2300.00	180.00	2120.00	0.05	2120.00	3500.00	-1380.00
12	5730.00	350.00	5380.00	0.27	5380.00	3500.00	1880.00
Stor	2940000	523000	2420000	613	2550000	2100000	624000

DETAILED REPORT OF ISWRs

Basin: ROGUE  
 Stream: ROGUE R > PACIFIC OCEAN  
 Water Availability Subbasin: 0102600000000000  
 Time: 11:04

Date: 03/19/1996

APP #	ISWRs	RESULTANT
-91503Y	0 0 0 0	
STATUS: Scenic WW		
1	3500.0 0.0 0.0 0.0	3500.0 X
2	3500.0 0.0 0.0 0.0	3500.0 X
3	3500.0 0.0 0.0 0.0	3500.0 X
4	3500.0 0.0 0.0 0.0	3500.0 X
5	3000.0 0.0 0.0 0.0	3000.0 X
6	2700.0 0.0 0.0 0.0	2700.0 X
7	2000.0 0.0 0.0 0.0	2000.0 X
8	2400.0 0.0 0.0 0.0	2400.0 X
9	2400.0 0.0 0.0 0.0	2400.0 X
10	1600.0 0.0 0.0 0.0	1600.0 X
11	3500.0 0.0 0.0 0.0	3500.0 X
12	3500.0 0.0 0.0 0.0	3500.0 X

DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE  
 Stream: ROGUE R > PACIFIC OCEAN  
 Water Availability Subbasin: 0102670000000000  
 Exceedance Level: 50  
 Time: 11:04

Date: 03/19/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	5480.00	850.00	4630.00	0.37	4630.00	3500.00	1130.00
2	7460.00	2260.00	5200.00	0.44	5200.00	3500.00	1700.00
3	6130.00	1910.00	4220.00	0.41	4220.00	3500.00	720.00
4	5540.00	1160.00	4380.00	1.63	4378.00	3500.00	878.00
5	4520.00	200.00	4320.00	3.54	4320.00	3000.00	1320.00
6	2880.00	390.00	2490.00	0.93	2489.00	2700.00	-211.00
7	1670.00	470.00	1200.00	0.96	1199.00	2000.00	-801.00
8	1290.00	421.00	869.00	0.81	868.00	2400.00	-1532.00
9	1320.00	347.00	973.00	0.56	972.00	2400.00	-1428.00
10	1430.00	100.00	1330.00	0.21	1330.00	1600.00	-270.00
11	2060.00	180.00	1880.00	0.05	1880.00	3500.00	-1620.00
12	5150.00	350.00	4800.00	0.27	4800.00	3500.00	1300.00
Stor	2690000	517000	2170000	610	2300000	2100000	422000

DETAILED REPORT OF ISWRs

Basin: ROGUE  
 Stream: ROGUE R > PACIFIC OCEAN  
 Water Availability Subbasin: 0102670000000000  
 Time: 11:04

Date: 03/19/1996

APP #	ISWRs	RESULTANT
-91503Z	0 0 0 0	
STATUS: Scenic WW		
1	3500.0 0.0 0.0 0.0 0.0	3500.0 X
2	3500.0 0.0 0.0 0.0 0.0	3500.0 X
3	3500.0 0.0 0.0 0.0 0.0	3500.0 X
4	3500.0 0.0 0.0 0.0 0.0	3500.0 X
5	3000.0 0.0 0.0 0.0 0.0	3000.0 X
6	2700.0 0.0 0.0 0.0 0.0	2700.0 X
7	2000.0 0.0 0.0 0.0 0.0	2000.0 X
8	2400.0 0.0 0.0 0.0 0.0	2400.0 X
9	2400.0 0.0 0.0 0.0 0.0	2400.0 X
10	1600.0 0.0 0.0 0.0 0.0	1600.0 X
11	3500.0 0.0 0.0 0.0 0.0	3500.0 X
12	3500.0 0.0 0.0 0.0 0.0	3500.0 X



DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE  
 Stream: APPLEGATE R > ROGUE R  
 Water Availability Subbasin: 0102678000000000  
 Exceedance Level: 50  
 Time: 11:04

Date: 03/19/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	986.00	4.00	982.00	0.04	982.00	300.00	682.00
2	1220.00	437.00	783.00	0.04	783.00	300.00	483.00
3	1220.00	437.00	783.00	0.04	783.00	340.00	443.00
4	987.00	460.00	527.00	0.63	526.00	340.00	186.00
5	885.00	42.00	843.00	2.13	841.00	360.00	481.00
6	406.00	55.00	351.00	0.43	350.57	360.00	-9.43
7	132.00	74.60	57.40	0.45	57.00	120.00	-63.00
8	66.70	62.70	3.99	0.38	4.00	120.00	-116.00
9	60.90	43.10	17.80	0.26	18.00	120.00	-102.00
10	106.00	15.00	91.00	0.09	91.00	360.00	-269.00
11	257.00	3.00	254.00	0.01	254.00	360.00	-106.00
12	676.00	4.00	672.00	0.03	672.00	300.00	372.00
Stor	419000	98100	321000	271	321000	202000	159000

DETAILED REPORT OF ISWRs

Basin: ROGUE  
 Stream: APPLEGATE R > ROGUE R  
 Water Availability Subbasin: 0102678000000000  
 Time: 11:04

Date: 03/19/1996

APP # :	249A	0	0	0	0	RESULTANT
STATUS:	Cert.					
1	300.0	0.0	0.0	0.0	0.0	300.0 C
2	300.0	0.0	0.0	0.0	0.0	300.0 C
3	340.0	0.0	0.0	0.0	0.0	340.0 C
4	340.0	0.0	0.0	0.0	0.0	340.0 C
5	360.0	0.0	0.0	0.0	0.0	360.0 C
6	360.0	0.0	0.0	0.0	0.0	360.0 C
7	120.0	0.0	0.0	0.0	0.0	120.0 C
8	120.0	0.0	0.0	0.0	0.0	120.0 C
9	120.0	0.0	0.0	0.0	0.0	120.0 C
10	360.0	0.0	0.0	0.0	0.0	360.0 C
11	360.0	0.0	0.0	0.0	0.0	360.0 C
12	300.0	0.0	0.0	0.0	0.0	300.0 C

DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE  
 Stream: WILLIAMS CR > APPLGATE R  
 Water Availability Subbasin: 0102678500000000  
 Exceedance Level: 50

Time: 11:04 Date: 03/19/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	175.00	1.00	174.00	0.00	174.00	110.00	64.00
2	235.00	1.00	234.00	0.00	234.00	110.00	124.00
3	173.00	1.00	172.00	0.00	172.00	110.00	62.00
4	111.00	4.00	107.00	0.08	106.92	110.00	-3.08
5	45.90	5.70	40.20	0.13	40.10	65.00	-24.90
6	18.40	7.60	10.80	0.17	10.60	40.00	-29.40
7	6.26	10.40	-4.11	0.23	-4.30	15.00	-19.30
8	3.17	8.68	-5.51	0.19	-5.70	5.00	-10.70
9	2.37	5.90	-3.53	0.13	-3.70	50.00	-53.70
10	3.79	1.91	1.88	0.04	1.80	80.00	-78.20
11	22.70	0.30	22.40	0.00	22.40	80.00	-57.60
12	120.00	1.00	119.00	0.00	119.00	110.00	9.00
Stor	54900	2900	52800	59	52800	53000	15500

DETAILED REPORT OF ISWRs

Basin: ROGUE  
 Stream: WILLIAMS CR > APPLGATE R  
 Water Availability Subbasin: 0102678500000000  
 Time: 11:04 Date: 03/19/1996

APP #	278A	70981A	ISWRs			RESULTANT
STATUS:	Cert.	App.	0	0	0	
1	65.0	110.0	0.0	0.0	0.0	110.0 A
2	65.0	110.0	0.0	0.0	0.0	110.0 A
3	65.0	110.0	0.0	0.0	0.0	110.0 A
4	65.0	110.0	0.0	0.0	0.0	110.0 A
5	65.0	45.9	0.0	0.0	0.0	65.0 C
6	40.0	18.4	0.0	0.0	0.0	40.0 C
7	15.0	6.3	0.0	0.0	0.0	15.0 C
8	5.0	3.2	0.0	0.0	0.0	5.0 C
9	50.0	2.4	0.0	0.0	0.0	50.0 C
10	80.0	3.8	0.0	0.0	0.0	80.0 C
11	80.0	22.7	0.0	0.0	0.0	80.0 C
12	80.0	110.0	0.0	0.0	0.0	110.0 A

DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE  
 Stream: E FK WILLIAMS CR > WILLIAMS CR  
 Water Availability Subbasin: 0102678520000000  
 Exceedance Level: 50

Time: 11:04 Date: 03/19/1996

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	37.00	0.10	36.90	0.00	36.90	34.00	2.90
2	50.30	0.20	50.10	0.00	50.10	34.00	16.10
3	38.60	0.10	38.50	0.00	38.50	34.00	4.50
4	26.00	0.90	25.10	0.00	25.10	26.00	-0.90
5	11.60	1.30	10.30	0.00	10.30	11.60	-1.30
6	4.51	1.79	2.72	0.00	2.72	4.51	-1.79
7	1.52	2.45	-0.93	0.00	-0.93	1.52	-2.45
8	0.76	2.04	-1.28	0.00	-1.28	0.76	-2.04
9	0.60	1.37	-0.77	0.00	-0.77	0.60	-1.37
10	0.93	0.42	0.51	0.00	0.51	0.93	-0.42
11	5.06	0.02	5.04	0.00	5.04	5.06	-0.02
12	25.00	0.10	24.90	0.00	24.90	25.00	-0.10
Stor	12100	646	11600	1	11600	10700	1410

DETAILED REPORT OF ISWRs

Basin: ROGUE  
 Stream: E FK WILLIAMS CR > WILLIAMS CR  
 Water Availability Subbasin: 0102678520000000  
 Time: 11:04 Date: 03/19/1996

APP # :	70975A	0	0	0	0	RESULTANT
STATUS:	App.					
1	34.0	0.0	0.0	0.0	0.0	34.0 A
2	34.0	0.0	0.0	0.0	0.0	34.0 A
3	34.0	0.0	0.0	0.0	0.0	34.0 A
4	26.0	0.0	0.0	0.0	0.0	26.0 A
5	11.6	0.0	0.0	0.0	0.0	11.6 A
6	4.5	0.0	0.0	0.0	0.0	4.5 A
7	1.5	0.0	0.0	0.0	0.0	1.5 A
8	0.8	0.0	0.0	0.0	0.0	0.8 A
9	0.6	0.0	0.0	0.0	0.0	0.6 A
10	0.9	0.0	0.0	0.0	0.0	0.9 A
11	5.1	0.0	0.0	0.0	0.0	5.1 A
12	25.0	0.0	0.0	0.0	0.0	25.0 A

STATE OF OREGON  
 WATER RESOURCES DEPARTMENT  
 158 12TH ST. N.E.  
 SALEM, OR 97310-0210  
 378-8455 / 378-8130 (FAX)

INVOICE # **131959**

RECEIPT #

RECEIVED FROM: Martin B. Hirsch APPLICATION # 80861  
 BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
 TRANSFER \_\_\_\_\_

CASH:  CHECK # 96012 OTHER: (IDENTIFY) \_\_\_\_\_  
 TOTAL REC'D \$ 10

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**  
 CASH ACCT. \_\_\_\_\_  
 VOUCHER # \_\_\_\_\_

**03-00-0 WRD OPERATING ACCT**

840.001	MISCELLANEOUS	\$
850.200	COPY FEES	\$
880.109	RESEARCH FEES	\$
520.000	MISC REVENUE: (IDENTIFY)	\$
	OTHER (P-6) (IDENTIFY)	\$

842.001	WATER RIGHTS:	EXAM FEE	RECORD FEE	
842.003	SURFACE WATER	\$	842.002	\$ 10.
842.005	GROUND WATER	\$	842.004	\$
	TRANSFER	\$	842.006	\$
842.022	WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
	WELL DRILL CONSTRUCTOR	\$	842.023	\$
	LANDOWNER'S PERMIT		842.024	\$
	OTHER (IDENTIFY)			

**06-00-0 WELL CONST. START FEE**

842.013	WELL CONST START FEE	\$	CARD #
	MONITORING WELLS	\$	CARD #
	OTHER (IDENTIFY)		

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

**07-00-0 HYDRO ACTIVITY**

842.011	POWER LICENSE FEE (FW/WRD)	LIC NUMBER
842.115	HYDRO LICENSE FEE (FW/WRD)	
	HYDRO APPLICATION	

RECEIPT # **131959** DATED: 1-31-96 BY: [Signature]

**RECEIVED**

STATE OF OREGON  
 MEMORANDUM  
 WATER RESOURCES DEPARTMENT  
 SALEM, OREGON

JAN 31 1996

TO: Martin Hirsch  
 FROM: Anita McLeod  
 DATE: 1-22-96

RE: R-80861

Please submit an additional \$10<sup>00</sup> for your expedited ponds applications. The fee is \$10.00 per acre foot or fraction thereof. The total storage you have applied for is 5.5 Af. - for a total of \$60.00. You submitted a total of \$50.00 per enclosed receipts.

Any questions please call.

Sorry FOR THE OVERSIGHT.

Respectfully  
 Anita McLeod

January 26, 1996

Oregon

MARTIN B HIRSCH

12100 PANTHER GULCH RD  
WILLIAMS, OR 97544

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # R-80861;

This is to let you know we have received your water use permit application, supporting documentation and fees. A receipt is enclosed, unless you were previously issued one. Your application has been assigned the number listed above.

Under the expedited review process for qualifying small ponds, the department is required to issue a final order approving or denying the permit, or grant a permit with conditions within 180 days of receiving an application.

If a permit is approved, the use allowed will be subject to existing Basin Program Rules, the demands of prior right holders and other limitations as needed to protect the resource. It may also be subject to new criteria or restrictions deemed necessary by the Oregon Water Resources Commission (a citizen body which oversees the agency's activities) to respond to water and other natural resource issues.

The filing of an application does not allow you to use water. By law, an applicant may not legally store, divert or use water until the Department issues a final order approving a water right permit. Please bear in mind that the issuance of a permit is not guaranteed; therefore, the Department advises against investments in storage or delivery systems until you receive a permit.

If you have questions about your application, please write to us at the address below or call the Water Rights Information Group at (503)378-8455, or toll free in Oregon at 1-800-624-3199.



Anita McLoud  
Water Rights Specialist  
Water Rights Division



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

January 26, 1996

Oregon

MARTIN B HIRSCH

12100 PANTHER GULCH RD  
WILLIAMS, OR 97544

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File # R-80861;

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Anita McCloud  
Water Rights Specialist  
Water Rights Division



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # K80861

*HB 21376*

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

<u>DATE</u>	<u>INITIAL</u>	Name and mailing address of applicant
_____	_____	Source of water
_____	_____	Quantity of water
_____	_____	Map showing location of POD & POU
_____	_____	Use of water
_____	_____	Names and addresses of legal owners
_____	_____	Signature of applicant
_____	_____	HB 2153/HB 2107 APPLICATION -- SEE REVERSE
_____	_____	Oath
_____	_____	Application date stamped per money receipt date
_____	_____	Land use approved _____ pending _____
_____	_____	If reservoir < 5 AF \$ <u>2.75</u> , if > 5 AF \$ <u>15.50</u>
_____	_____	Route to Data Center (Unless 2153/2107)

DATA CENTER

_____	Stream Code _____
_____	Entered into WRIS _____

SUPPORT SERVICES

1/31/76

_____	Stamp contents with application number
_____	Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file
_____	Place label on file and calendar card

APPLICATION SECTION

_____	Stream Indexed	Basin # _____
_____	Plat Carded and copy made	<u>YES</u> <u>NO</u>
_____	If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section	

TR CASEWORKER

_____	TR Checklist complete	<u>YES</u> <u>NO</u>
_____	Within Irrigation District	_____
_____	District Notified	_____
_____	District excerpt received	_____

TR Mailed DATE \_\_\_\_\_

Public Interest Checklist complete \_\_\_\_\_

Management Codes \_\_\_\_\_

REMARKS: \_\_\_\_\_

**MINIMUM APPLICATION REQUIREMENTS TO FILE:**

**HB 2153 - existing, small, EXEMPT ponds**

\_\_\_\_\_ NOTICE OF EXEMPT RESERVOIR form (or letter  
if prior to April 8, 1994).  
(date & initials)

\_\_\_\_\_ Appropriate map (see item 1 on form).

\_\_\_\_\_ Evidence that reservoir existed before  
January 1, 1993 (one or more of the following: dated aerial  
photo, NOTARIZED affidavit, dated map from agency, construction  
receipts or other documentation).

\_\_\_\_\_ Items 2, 3, 4, 5, and 6 are completed.

\_\_\_\_\_ Signature (and title, if applicable)

**HB 2153 - non-exempt existing ponds (large, on-channel)**

Complete Minimum Requirements to File on reverse, except before routing to Data Center, change priority date to 1/1/1993. Also, confirm the following:

\_\_\_\_\_ Receipt of evidence that reservoir existed  
before January 1, 1993 (one or more of the following: dated  
aerial photo, NOTARIZED affidavit, dated map from agency,  
construction receipts or other documentation)

**HB 2107 - wetland, stream restoration and storm water management**

Complete Minimum Requirements to File on reverse EXCEPT DO NOT ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the following:

\_\_\_\_\_ Name/address of adjacent property owner  
within 1/4 mile

\_\_\_\_\_ Map with scale not less than 2 in.=1 mi.  
CWRE map if > 10 feet dam or > 9.2 AF

\_\_\_\_\_ Description of proposed use

\_\_\_\_\_ Condition addressed

\_\_\_\_\_ Resulting benefits

\_\_\_\_\_ Public notices (circle) #1 #2



MAP SHOWING THE LOCATION OF

PROPOSED AND EXISTING RESERVOIRS

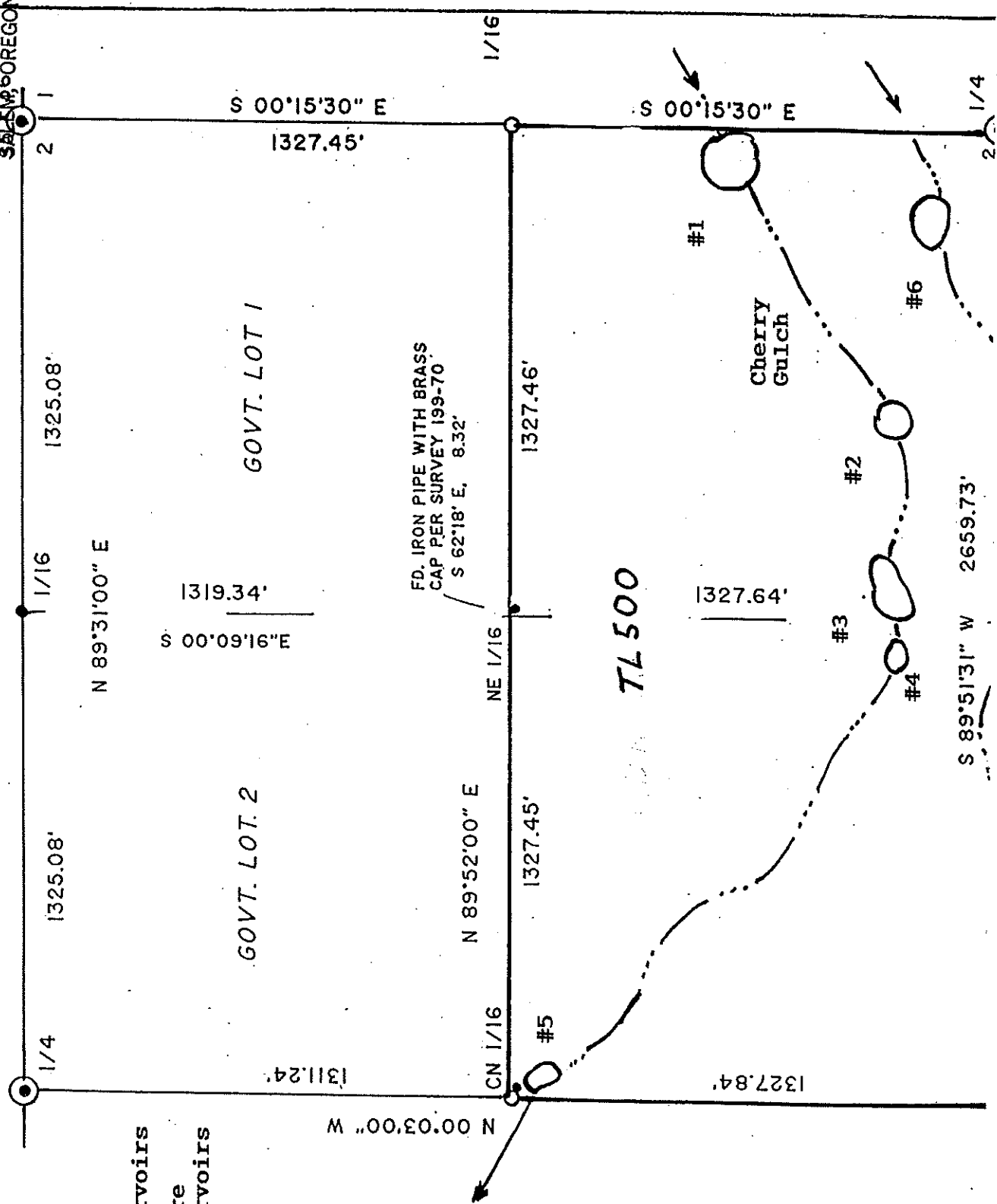
LOCATED IN SECTION 2  
T.39 S. R.05 W. W.M.  
JOSEPHINE COUNTY, JAN 19 1996  
OREGON

WATER RESOURCES DEPT.  
SALEM, OREGON

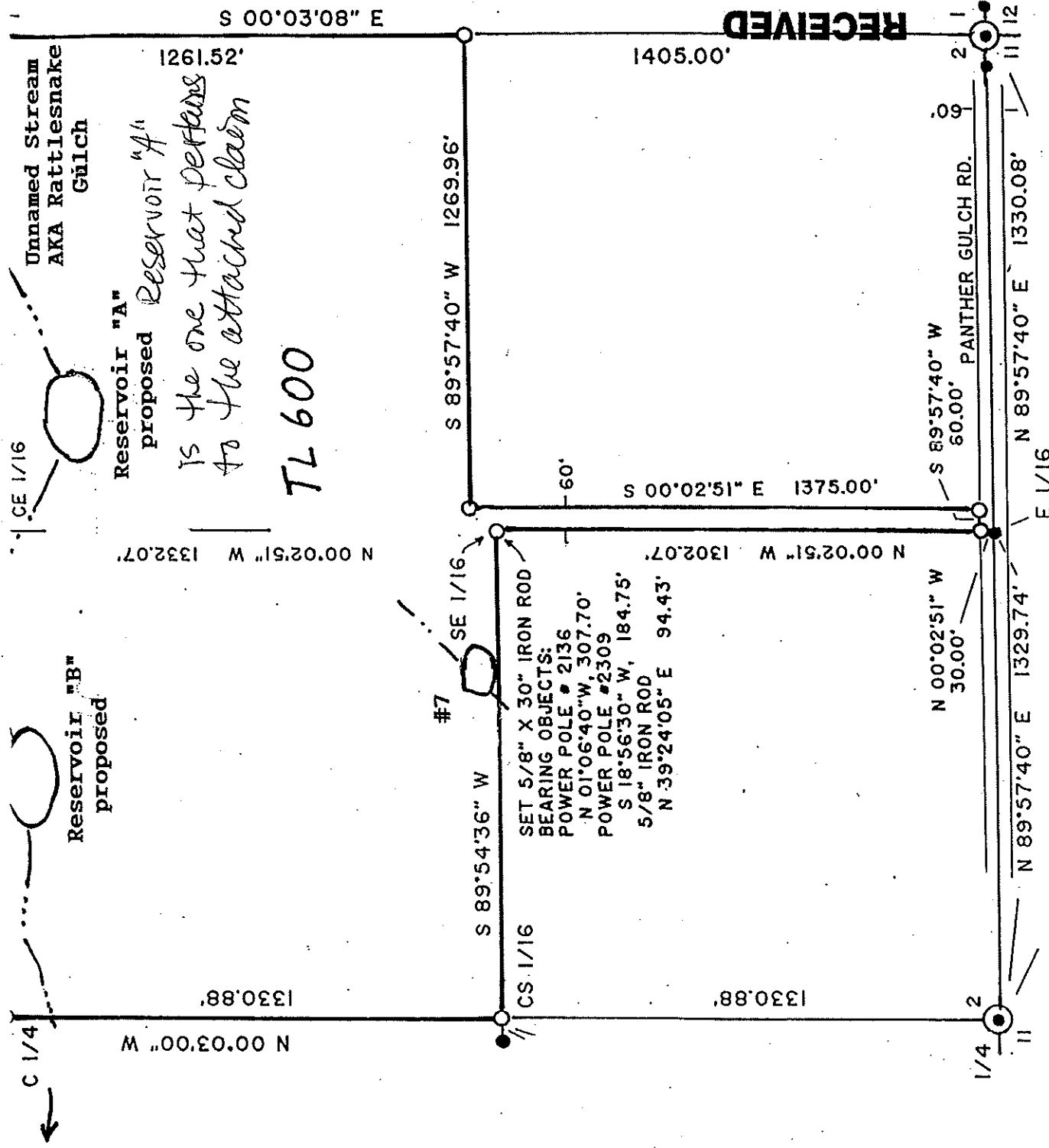
T.38 S.  
T.39 S.

#1 - #7 are  
existing reservoirs  
"A" and "B" are  
proposed reservoirs

Application No. R-80861  
Permit No. R11935



SCALE: 1" = 400'



Reservoir "A"  
proposed  
Reservoir "A"  
is the one that pertains  
to the attached claim  
TL 600

RECEIVED  
JUL 24 2000

FOR:  
MARTIN B. HIRSCH & MAUREEN F. HIRSCH  
1100 PANTHER GULCH ROAD  
WILLIAMS, OREGON 97544

BY:  
JONATHAN C. SPERO, L.S. 2309  
1002 KINCAID RD./P.O. BOX 16  
WILLIAMS, OREGON 97544  
PH. (541) 846-6845

December 26, 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARTIN B. HIRSCH  
1100 PANTHER GULCH RD.  
WILLIAMS, OR 97544

confirms the right to store the waters of AN UNNAMED STREAM, a tributary of WILLIAMS CREEK WITHIN THE ROGUE RIVER BASIN, in RESERVOIR A, for LIVESTOCK AND WILDLIFE.

The right to store these waters was perfected under Reservoir Permit R-11935. The date of priority is JANUARY 19, 1996. The amount of water entitled to be stored each year under this right is not more than 0.22 ACRE-FOOT. The appropriation of water for storage is limited to the period of JANUARY 1 through MARCH 31 of each year.

THE AREA SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4  
SECTION 2  
TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

Under the terms of this right, a minimum flow of 1.0 cfs must by-pass the diversion point before water may be diverted for storage.

The water user may be required in the future to 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 diversion.

**STANDARD CONDITIONS**

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right 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.

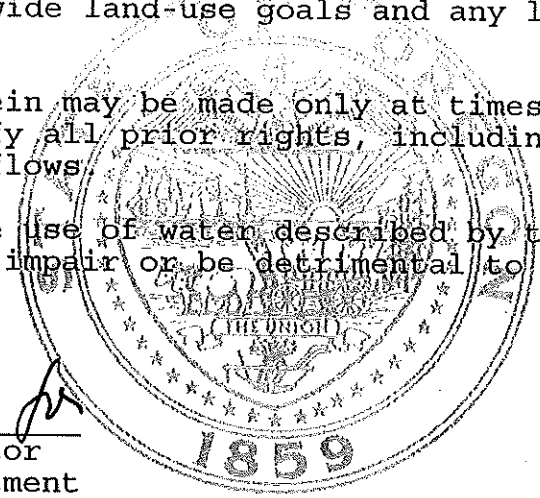
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

Issued July 1, 2003

*Paul R. Cleary*  
Paul R. 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 right, 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.

# Mailing List for Final Certificate

Mailing Date: July 1, 2003

Application R-80861  
Permit R-11935  
Certificate 80104

Permit/Certificate Holder: (include copy of map)

MARTIN B. HIRSCH  
1100 PANTHER GULCH RD.  
WILLIAMS, OR 97544

<b>Copies Mailed</b>
By: <u>      </u> STAFF
on: <u>7/1/2003</u> (DATE)

Copies of Final Certificate to be sent to:

1. Watermaster #14: (include copy of map)
2. Data Center (include copy of map)
3. Water Availability

Other persons to receive copies: (Include map)

- 4.
- 5.

MAP SHOWING THE LOCATION OF

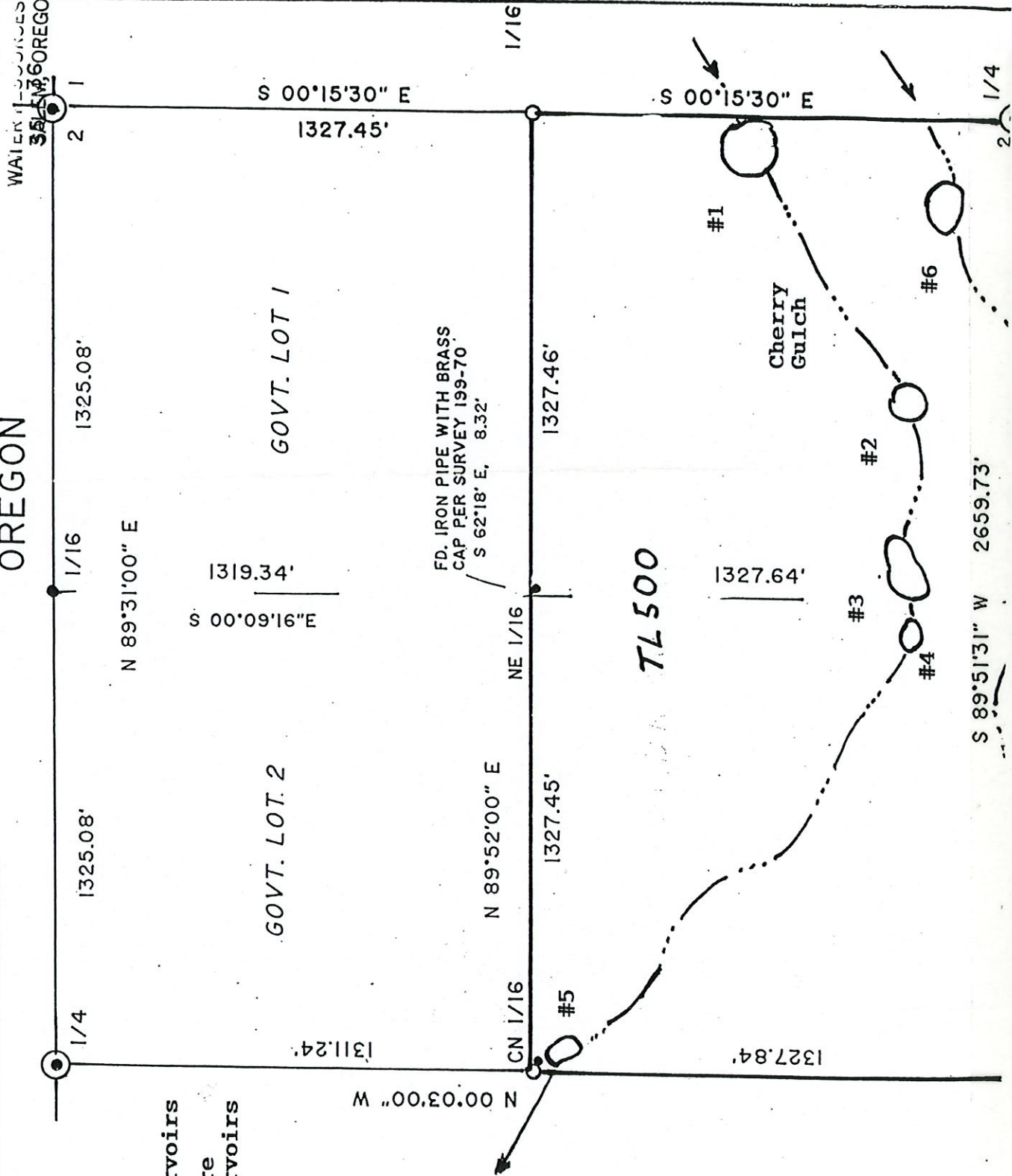
PROPOSED AND EXISTING RESERVOIRS

LOCATED IN SECTION 2  
T.39 S. R.05 W. W.M.  
JOSEPHINE COUNTY, JAN 19 1998  
OREGON

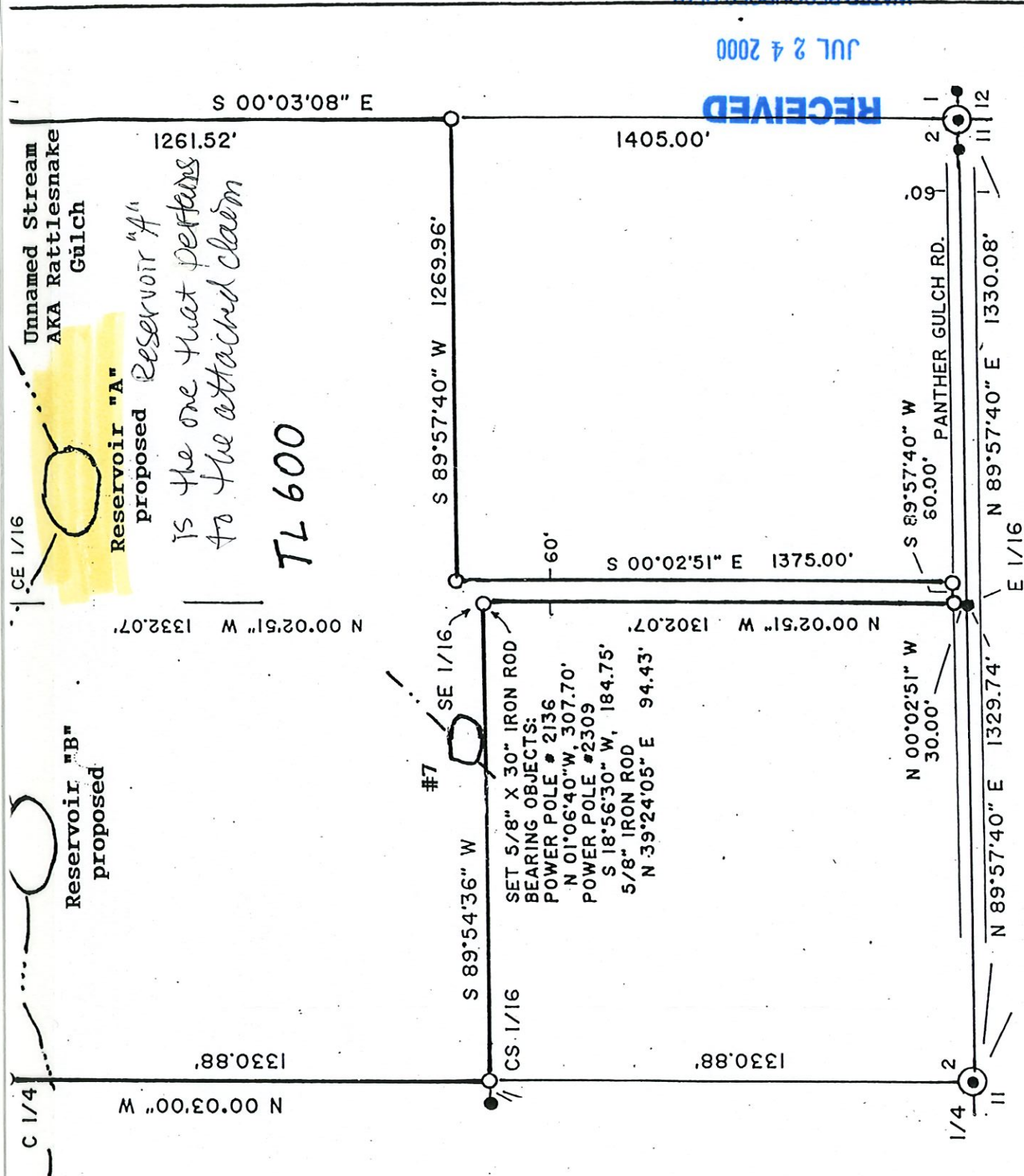
T.38 S.  
T.39 S.

#1 - #7 are  
existing reservoirs  
"A" and "B" are  
proposed reservoirs

Application No. P-80861  
Permit No. 111935



SCALE: 1" = 400'



FOR:  
MARTIN B. HIRSCH & MAUREEN F. HIRSCH  
1100 PANTHER GULCH ROAD  
WILLIAMS, OREGON 97544

December 26, 1995

BY:  
JONATHAN C. SPERO L.S. 2309  
1002 KINCAID RD./P.O. BOX 16  
WILLIAMS, OREGON 97544  
PH. (541) 846-6845

Application No. R-80861 Permit No. R-11935

CLAIM OF BENEFICIAL USE FOR RESERVOIRS HAVING  
A STORAGE CAPACITY LESS THAN 9.2 ACRE-FEET:

1) The dimension of the reservoir are

45x 70 x 3' (deep-average depth)  
\_\_\_\_\_  
\_\_\_\_\_;

2) The maximum capacity of the reservoir is

9600 cubic feet  
\_\_\_\_\_;

3) Attached is a map identifying the location of the reservoir; and

4) I certify that the information contained herein is true and correct to the best of my knowledge.

Maurice F. Hulse  
Signature

7-18-00  
Date

Note: To receive a certificate of water right, this form should be completed within one year from the date water is to used (please see your permit) and submitted to:

Water Resources Department  
Certificate Section  
158 12<sup>th</sup> Street NE  
Salem, OR 97310

RECEIVED

JUL 24 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

$\frac{9600 \text{ ft}^3}{43,560 \text{ ft}^3} = 0.22 \text{ ac-ft}$

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number R-80861

**Final Order**

*Application History*

On January 19, 1996, Martin B Hirsch submitted an application to the Department for a water use permit. Pursuant to 537.409, the Department provided public notice of the application in the Department's weekly public notice. A 60 day comment period followed.

Comments were received from ODFW concerning by-pass flows of 1.0 cfs during the impoundment period.

The Department has not received any adverse comments related to the possible issuance of the attached permit.

Water is available for the proposed use as described in the attached permit.

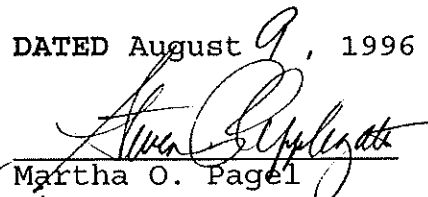
The use, as described on the attached permit, will not injure any existing water rights and does not pose potential detrimental impacts to existing fishery resources.

Therefore, the proposed use would not impair or be detrimental to the public interest.

**Order**

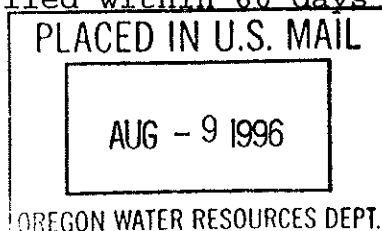
Application R-80861 therefore is approved pursuant to ORS 537.409, and Permit Number R-11935 is issued as limited by the conditions contained therein.

DATED August 9, 1996

*for*   
Martha O. Pagel  
Director

*Appeal Rights*

Under the provisions of ORS 183.484, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.



STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MARTIN B HIRSCH  
//00 12100 PANTHER GULCH RD '  
WILLIAMS, OREGON 97544

(541) 846-8974

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-80861

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF WILLIAMS CREEK WITHIN THE ROGUE RIVER BASIN

STORAGE FACILITY: RESERVOIRS A AND B

PURPOSE OR USE OF THE STORED WATER: LIVESTOCK AND WILDLIFE

VOLUME: 5.5 ACRE-FEET PER YEAR, BEING 2.75 ACRE-FEET EACH, IN RESERVOIRS A AND B

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD JANUARY 1 THROUGH MARCH 31

DATE OF PRIORITY: JANUARY 19, 1996

The maximum height of the dam shall not exceed 8.0 feet.

DAM LOCATION: NE 1/4 SE 1/4, NW 1/4 SE 1/4, SECTION 2, TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M.;

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4  
NW 1/4 SE 1/4  
SECTION 2  
TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M.

Only Reservoir  
A was built



Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. 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.

Under the terms of this permit, a minimum flow of 1.0 cfs must by-pass the diversion point before water may be diverted for storage.

The permittee may be required in the future to 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.

**STANDARD CONDITIONS**

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

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.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1999.

Issued August 9, 1996

  
for Martha O. Pagel Director  
Water Resources Department

J

COPY CHECK-OFF SHEET FOR FILES WITH NO PROPOSED FINAL ORDERS

CC: FILE # R-80861

WATERMASTER # 14

REGIONAL MANAGER: SOUTHWEST REGION

ODF&W - Josephine County:

CWRE (if agent):

DEQ

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;  
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CASEWORKER : JKS

M:\T\FO\WORK\FO-R.MST



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130

June 29, 2000

MARTIN HIRSCH  
1100 PANTHER GULCH RD  
WILLIAMS OR 97544

128C  
no curve  
ref.

REFERENCE: File R80861

This letter is in regard to your water use Permit R11935. As we pointed out to you in a previous letter, your claim of beneficial use must be received in this office by **September 1, 2000**.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

Reservoir permit holders who obtained their permits after 1995 under the Alternate Ponds Program, store less than 9.2 acre-feet and have no secondary water right that permits the diversion of water from the reservoir can prepare their own final proof survey.

The "claim" consists of a site report and map of the developed use, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before **September 1, 2000** your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER  
Water Rights Specialist

DM:jh

cc: Watermaster  
CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Received by (Please Print Clearly)	B. Date of Delivery 7-10-00
1. Article Addressed to:  MARTIN HIRSCH 1100 PANTHER GULCH RD WILLIAMS OR 97544	C. Signature X <i>M. Hirsch</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
2. Article Number (Copy from service label)  80861 WR'S	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 1999	Domestic Return Receipt	102595-99-M-1789

P56350



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

September 21, 1999

MARTIN HIRSCH  
1100 PANTHER GULCH RD  
WILLIAMS OR 97544

REFERENCE: File R-80861

We have received your notice that complete application of water has been made under Permit R-11935.

In order to obtain a certificate of water right, you are required by law to submit the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before September 1, 2000.

All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER  
Natural Resource Specialist 2

DM:jh

cc: Bruce Sund, Watermaster





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
503-378-3739  
FAX 503-378-8130

**Date Mailed: July 1, 2003**

### NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The owner of the land is the owner of the water right. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at (503) 378-8455, extension 295.

S:\groups\wr\forms\certperm  
original to certificate holder, copy to file

MAP SHOWING THE LOCATION OF  
 PROPOSED AND EXISTING RESERVOIRS

LOCATED IN SECTION 2  
 T.39 S. R.05 W. W.M.  
 JOSEPHINE COUNTY,  
 OREGON

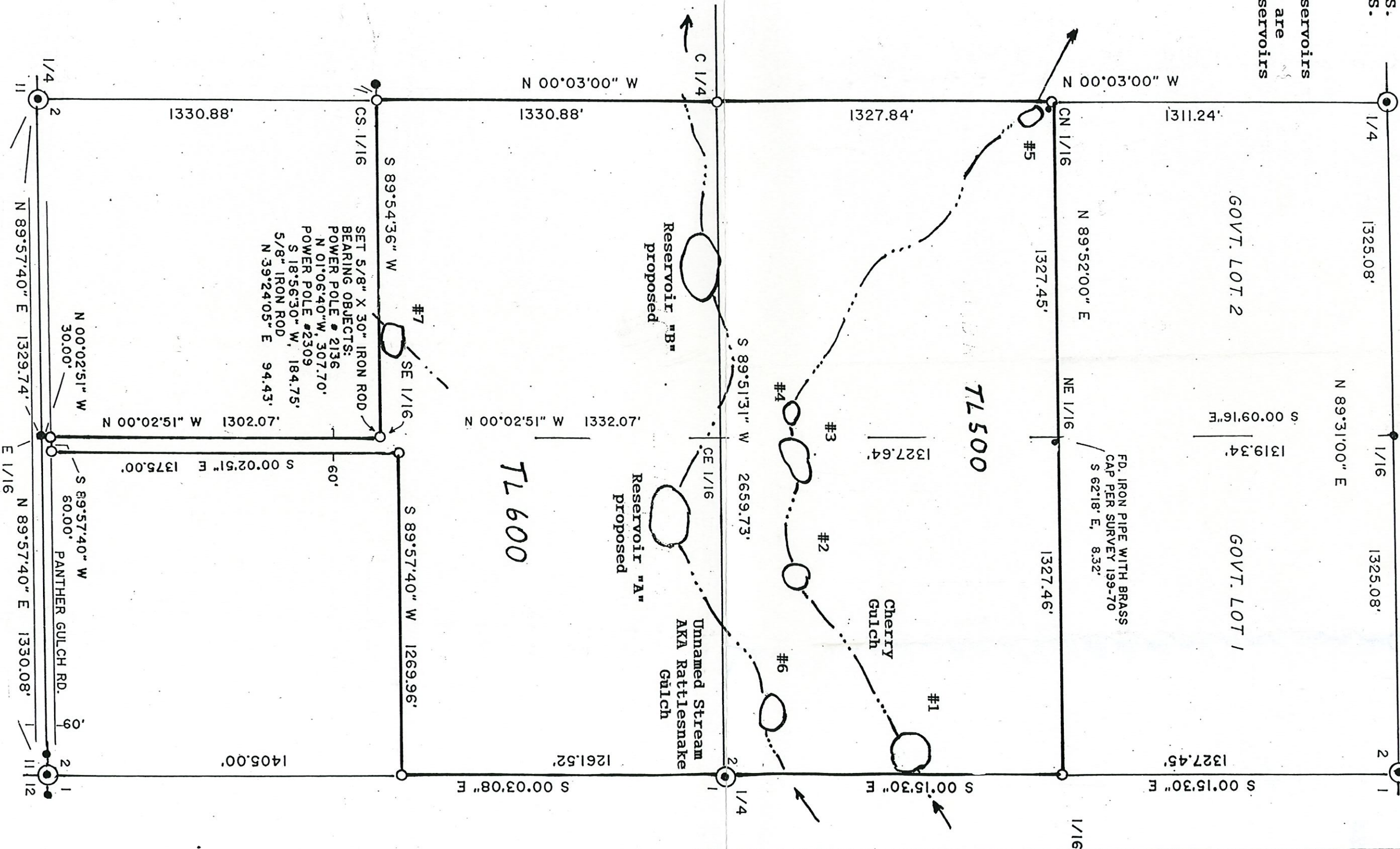
RECEIVED  
 JAN 19 1995  
 WATER RESOURCES DE  
 35 SAGEM, OREGON

#1 - #7 are  
 existing reservoirs  
 "A" and "B" are  
 proposed reservoirs

Application No. R-80861  
 Permit No. R11935



SCALE: 1" = 400'



FOR:  
 MARTIN B. HIRSCH & MAUREEN F. HIRSCH  
 1100 PANTHER GULCH ROAD  
 WILLIAMS, OREGON 97544

December 26, 1995

BY:  
 JONATHAN C. SPERO, L.S. 2309  
 1002 KINCAID RD./P.O. BOX 16  
 WILLIAMS, OREGON 97544  
 PH. (541) 846-6845



STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **131700** 158 12TH ST. N.E. INVOICE # \_\_\_\_\_  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

RECEIVED FROM: Martin Hirsch APPLICATION 650801  
BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
TRANSFER \_\_\_\_\_

CASH:  CHECK: # 90-212 OTHER: (IDENTIFY)   
TOTAL REC'D \$ 2750

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
OTHER:	(IDENTIFY)	\$

**REDUCTION OF EXPENSE**

CASH ACCT.	\$
VOUCHER #	

**03-00-0 WRD OPERATING ACCT**

840.001	MISCELLANEOUS	\$
850.200	COPY FEES	\$
880.109	RESEARCH FEES	\$
520.000	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6) (IDENTIFY)	\$

842.001	WATER RIGHTS:	EXAM FEE	RECORD FEE
842.001	SURFACE WATER	\$ <u>275</u>	\$ <u>0</u>
842.003	GROUND WATER	\$	\$
842.005	TRANSFER	\$	\$
842.022	WELL CONSTRUCTION	EXAM FEE	LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	\$
842.024	LANDOWNER'S PERMIT	\$	\$
OTHER	(IDENTIFY)		

**06-00-0 WELL CONST. START FEE**

842.013	WELL CONST START FEE	\$	CARD #
	MONITORING WELLS	\$	CARD #
OTHER	(IDENTIFY)		

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
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**07-00-0 HYDRO ACTIVITY**

842.011	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION			\$

RECEIPT # **131700** DATED: 1-19-96 BY: J. Kissner

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **131701** 158 12TH ST. N.E. INVOICE # \_\_\_\_\_  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

RECEIVED FROM: Martin Hirsch APPLICATION \_\_\_\_\_  
BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
TRANSFER \_\_\_\_\_

CASH:  CHECK: # 96-212 OTHER: (IDENTIFY)   
TOTAL REC'D \$ 2750

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
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OTHER	(IDENTIFY)		

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HYDRO APPLICATION			\$

RECEIPT # **131701** DATED: 1-19-96 BY: J. Kissner