

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME THOMAS AND SUSAN DEATHERAGE		PHONE (HM)	
PHONE (WK)	CELL 541.480.2624	FAX	
ADDRESS 1776 ROGUE RIVER DRIVE			
CITY EAGLE POINT	STATE OR	ZIP 97524	E-MAIL * TOMD@TDARCHITECTURE.COM

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME RICK PARSONS / PARSONSWATER CONSULTING LLC		PHONE 541.499.0257	FAX
ADDRESS 1619 MINEAR ROAD			CELL 303.667.5067
CITY MEDFORD	STATE OR	ZIP 97501	E-MAIL * RICK.PARSONS@PARSONSWATER.COM


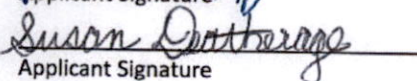
Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate

 Thomas Deatherage February 28, 2022
 Applicant Signature Print Name and Title if applicable Date
 Susan Deatherage February 28, 2022
 Applicant Signature Print Name and Title if applicable Date

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For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*
 N/A

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map. SEE ATTACHED DEED

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: LOST CREEK LAKE	Tributary to: ROGUE RIVER
TRSQQ of POD: SECTION 26 TOWNSHIP 33 SOUTH RANGE 1 EAST	
Source 2: ROGUE RIVER	Tributary to: PACIFIC OCEAN
TRSQQ of POD: SW SE SECTION 5 TOWNSHIP 35 SOUTH RANGE 1 WEST	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

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B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

- Yes No

If **yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

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For Department Use: App. Number: _____

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
ROGUE RIVER	IRRIGATION	APR 1 – OCT 31	27 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: 6 Acres Supplemental: Acres Nursery Use: Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 27

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 3 HP SUBMERSIBLE
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

PLANNED INSTALL OF PUMP WITHIN 6" PVC PIPE ATTACHED TO ODFW-APPROVED FISH SCREEN THAT IS THEN CONNECTED TO PVC PIPE FOR DELIVERY OF WATER TO PLACE OF USE

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
 COMBINATION OF DRIP AND SPRINKLER

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

DIVERSION AND DELIVERY SYSTEM WILL BE ENCLOSED, METERED AND APPLIED VIA EFFICIENT IRRIGATION METHODS, THEREBY REDUCING WASTE AND LIMITING DAMAGE TO SURROUNDING RESOURCES

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SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: INSTALL ODFW-APPROVED FISH SCREEN ON PUMP
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: NO EXCAVATION OR CLEARING NECESSARY
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe planned actions and additional permits required for project implementation: TIME IN WATER FOR PUMP AND INFRASTRUCTURE INSTALL WILL BE MINIMAL
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: DIVERSION AND DELIVERY SYSTEM WILL BE ENCLOSED AND WATER APPLIED VIA EFFICIENT IRRIGATION METHODS, THEREBY LIMITING POSSIBLE EROSION AND WASTE/CHEMICAL RUNOFF
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
CONTRACT WITH RECLAMATION FOR USE OF LOST CREEK LAKE STORAGE WATER

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: UPON RECEIPT OF PERMIT
- b) Date construction will be completed: WITHIN ONE YEAR OF PERMIT ISSUANCE
- c) Date beneficial water use will begin: WITHIN ONE YEAR OF PERMIT ISSUANCE

SECTION 9: WITHIN A DISTRICT

- Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

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Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

Applicant

NAME THOMAS AND SUSAN DEATHERAGE			PHONE (HM)		
PHONE (WK)		CELL 541.480.2624	FAX		
ADDRESS 1776 ROGUE RIVER DRIVE					
CITY EAGLE POINT		STATE CO	ZIP 97524	E-MAIL* TOMD@TDARCHITECTURE.COM	

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
35S	1W	5	SW SE	1900	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG
35S	1W	8	NW NE	1900	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIG
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

JACKSON

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Groundwater
 Surface Water (name) _____

Estimated quantity of water needed: 27
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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 OWRD

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: THOMAS AND SUSAN PEATHERAGE

City or County: Jackson County Staff contact: Nicholas Schubert

Signature: Nich Schubert (541) 774-6907 Phone: _____ Date: 2/28/22

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Jackson County Official Records **2021-049267**
 R-WD
 Stn=7 SIMPSOHP **12/01/2021 09:29:13 AM**
 \$10.00 \$10.00 \$11.00 \$11.00 \$60.00 **\$102.00**

THIS SPACE

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
 Christine Walker - County Clerk

After recording return to:

Thomas W. Deatherage and Susan E. L. Deatherage, or their successor(s), as Trustees of the Thomas and Susan Deatherage Joint Trust dated November 5, 2019
 12 NW Glen Road
 Bend, OR 97703

Until a change is requested all tax statements shall be sent to the following address:

Thomas W. Deatherage and Susan E. L. Deatherage, or their successor(s), as Trustees of the Thomas and Susan Deatherage Joint Trust dated November 5, 2019
 12 NW Glen Road
 Bend, OR 97703
 File No. 508689AM

STATUTORY WARRANTY DEED

Nancy Ann Weiss and Michael Lampert, Co- Trustees of the Surviving Settlor's Trust of the Weiss Family Trust dated April 26, 1989,

Grantor(s), hereby convey and warrant to

Thomas W. Deatherage and Susan E. L. Deatherage, or their successor(s), as Trustees of the Thomas and Susan Deatherage Joint Trust dated November 5, 2019,

Grantee(s), the following described real property in the County of Jackson and State of Oregon free of encumbrances except as specifically set forth herein:

TRACT A:

Beginning at a quarter corner common to Sections 5 and 8 in Township 35 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 0°20'00" 100.00 feet; thence East, parallel with and 100.00 feet South of, when measured at right angles to, the North line of said Section 8, to intersect the meandering of the Westerly bank of Rogue River; thence Northerly, following the meandering of the Westerly bank of Rogue River, upstream, to the North line of said Section 8; thence West, along the North line of said Section 8, to the point of beginning.

TRACT B:

Beginning at the South quarter corner of said Section 5 in Township 35 South of Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 89°39' East along the South line of said Section, 837.54 feet; thence North 21° East 244.70 feet; thence North 89°39' West 926.90 feet to the center line of said Section; thence South 0°25' East along said line, a distance of 229.0 feet to the point of beginning.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

351W05 1900 1-022735-6

The true and actual consideration for this conveyance is \$944,000.00.

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The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 30th day of November, 2021.

The Surviving Settlor's Trust of the Weiss Family Trust dated April 26, 1989

By: Nancy Weiss
Nancy Ann Weiss, Co-Trustee

By: Michael Lampert
Michael Lampert, Co-Trustee

State of OREGON} ss.
County of JACKSON}

On this 30th day of November, 2021, before me, Jamila M Baker a Notary Public in and for said state, personally appeared NANCY ANN WEISS & MICHAEL LAMPERT known or identified to me to be the person whose name is subscribed to the foregoing instrument as co-trustees of the Surviving Settlor's Trust of the Weiss Family Trust dated April 26, 1989, and acknowledged to me that he/she/they executed the same as Co-Trustees.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written

Jamila M Baker
Notary Public for the State of OREGON
Residing at: Medford, Oregon
Commission Expires: 4/19/2024



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Application No. R 56223

Permit No. R 8142

STATE OF OREGON WATER RESOURCES DEPARTMENT

Amended Application for a Permit to Construct a Reservoir

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JUL 2 1980
WATER RESOURCES DEPT.
SALMON SECTION

I, The United States of America, acting through the Regional Director, Pacific Northwest Region, Water and Power Resources Service, of Federal Building and Courthouse, 550 W. Fort St. Boise (City)

State of Idaho, 83724, Phone No. (Zip Code)

do hereby make application for a permit to ~~construct~~ store in Lost Creek reservoir

~~and to use~~ the unappropriated waters of the State of Oregon, subject to existing rights.

1. The name of the stream from which the reservoir is to be filled is Rogue River tributary to Pacific Ocean

2. If not in channel of a stream, state how it is to be filled.

3. The dam will be located in the SW1/4NW1/4 ~~XXXXXX~~ W1/2SW1/4 1/4 of Section 26 Township 33 S Range 1 E, W. M.

4. The maximum height will be 345 feet above stream bed or ground surface at the centerline. The top width will be 24 feet, slope of upstream face 1.75:1, slope of downstream face 1.85:1, and height of dam above water line when full 10 feet.

5. The dam will be (check one) X earthfill, concrete, flashboard, other. If "other", give description: Rock and random fill with an impervious zone. Upstream wave protection is provided by machine placed riprap.

6. Give the location, description, and dimensions of the outlet conduit: Multiple use 271 ft. high intake tower with 33 ft. diameter wet well and 25 ft. diameter dry well, located on right abutment. Outflow through 12-8x15 ft. intake ports with gates, a 12 ft. 6 in. turbidity conduit and a power intake located in wet well.

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Application No. R 56223

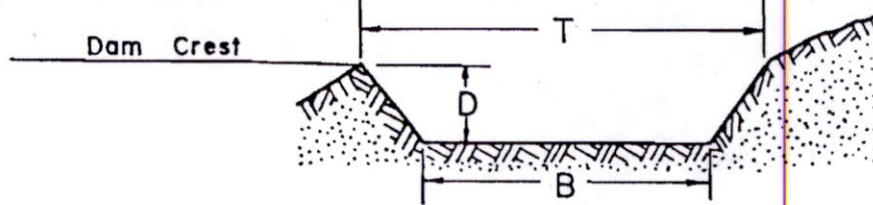
Permit No. R 8142

7. The impounded water will be used for irrigation and municipal-industrial purposes.

8. The amount of water to be stored is 45,000 A.F. (for this purpose) xxxxxxxx acre feet.

9. The area submerged by the reservoir, when full, will be 3,430 acres. and the maximum depth of water will be 322 feet.

10. Give the location and dimensions of the spillway. The spillway structure, located on the left abutment, is a concrete gravity section with three bays equipped with 45 ft. wide x 51 ft. high Tainter gates. The gates are two feet higher than full pool elevation.



The bottom width of the spillway, B, will be feet.

The top width of the spillway, T, will be feet.

The distance between the crest of the dam and the crest of the spillway, D, will be feet. (Must be at least 2 1/2 feet)

If any other type of spillway describe and give dimensions:

to contain wave splash. Design capacity is 158,000 c.f.s. A 3000 ft. straight aligned spillway chute is provided to direct flow.

11. Construction work will begin or before

12. Construction work will be completed and the reservoir filled by. Construction completed

Remarks: The reservoir is owned and operated by the U.S. Army Corps of Engineers. The total capacity below full pool is 465,000 acre-feet. The multiple use pool is 315,000 acre-feet.

Several components of the downstream conservation functions have yet to be developed, including the proposed Medford Division, Rogue River Valley Project, before the storage water may be put to full beneficial use. Potential development of this project includes irrigation, municipal, water quality, fishery, and recreation functions which are proposed to be developed as a Federal U.S. Water and Power Resources Service Project. Also, some stored waters will be released from the Reservoir for diversion directly from the Rogue River under marketing contracts with the Water and Power.

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It is the intent of this application to obtain a permit to store for beneficial use 45,000 acre-feet of water for uses associated with certain functions which are the responsibility of the United States.

Secondary applications for appropriation of stored water to beneficial use will be submitted by, or in behalf of, the ultimate water users pursuant to ORS 537.300.

It is the intent that these projects will be operated in accordance with the authorizing act (Public Law 87-874) as generally described in House Document 566. In years of short water supply, all water users will share the available stored water supply in the same proportions that they would share the total full supply when it is available.

L.W. Lloyd, Regional Director
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before....., 19.....

WITNESS my hand this day of, 19.....

Water Resources Director

By

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This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

18th day of *July*, 19*77*, at *8:00* o'clock *AM*

Application No. *R-56223*

Permit No. *R-8142*

Application No. R-56223

Permit No. R 8142

**Permit to Construct a Reservoir
and Store for Beneficial Use the Public Waters
of the State of Oregon**

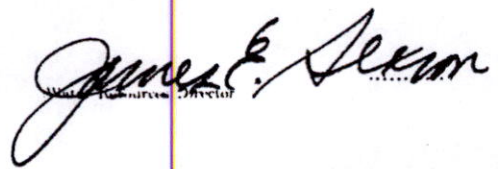
This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions. The right herein granted is limited to storage in Lost Creek Reservoir from the Rogue River, to be appropriated for irrigation and municipal purposes under applications to be submitted by the ultimate water users. The Lost Creek Reservoir storage allocation assumes both Lost Creek and Elk Creek dams operating in tandem as a part of the Rogue Basin Project. If Congress modifies the Rogue Basin Project, it could result in modifications of the storage allocations and permits for downstream withdrawals. In years of short water supply, all water users will share the available stored water supply in the same proportions that they would share the total full supply when it is available as provided by PL87-874. All secondary applications shall be accompanied by a copy of the contract between the applicant and the appropriate Federal official.

The right hereunder shall be limited to the storage of 45,000 (for this purpose) acre feet.

The priority date of this permit is July 18, 1977

Actual construction work shall begin on or before July 14, 1981 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1982

WITNESS my hand this 14th day of July, 1980



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