

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES W. JACKSON
ROUTE 2, BOX 466
BANDON, OREGON 97411

503-347-3294

to use the waters of TWO WELLS in the BEAR CREEK BASIN for CRANBERRY OPERATIONS ON 22.85 ACRES.

This permit is issued approving Application G-11759. The date of priority is NOVEMBER 27, 1987. The use is limited to not more than 0.10 CUBIC FOOT PER SECOND (CFS), BEING 0.035 CFS FROM WELL 1 AND 0.065 CFS FROM WELL 3, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

NE 1/4 NE 1/4, SW 1/4 NE 1/4, SECTION 28, T 28 S, R 14 W, W.M.;
WELL 1 - 1100 FEET SOUTH AND 1570 FEET EAST FROM N 1/4 CORNER, SECTION 28; WELL 3 - 1480 FEET SOUTH AND 2100 FEET WEST FROM NE CORNER, SECTION 28.

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

| CRANBERRY USE IRRIGATION | | |
|----------------------------------|---------------|------------|
| WELL 3 | NW 1/4 NE 1/4 | 5.80 ACRES |
| SUPPLEMENTAL IRRIGATION | | |
| WELL 1 | NE 1/4 NE 1/4 | 0.50 ACRE |
| | NW 1/4 NE 1/4 | 0.40 ACRE |
| WELL 3 | NE 1/4 NE 1/4 | 4.45 ACRES |
| | NW 1/4 NE 1/4 | 5.80 ACRES |
| | SW 1/4 NE 1/4 | 4.75 ACRES |
| | SE 1/4 NE 1/4 | 1.15 ACRES |
| SUPPLEMENTAL TEMPERATURE CONTROL | | |
| WELL 1 | NE 1/4 NE 1/4 | 0.5 ACRE |
| | NW 1/4 NE 1/4 | 0.4 ACRE |
| FLOOD HARVEST | | |
| WELL 3 | SW 1/4 NE 1/4 | 5.8 ACRES |

SUPPLEMENTAL FLOOD HARVEST

| | | |
|--------|---------------|------------|
| WELL 1 | NE 1/4 NE 1/4 | 0.5 ACRE |
| | NW 1/4 NE 1/4 | 0.4 ACRE |
| WELL 3 | NE 1/4 NE 1/4 | 4.45 ACRES |
| | NW 1/4 NE 1/4 | 5.80 ACRES |
| | SW 1/4 NE 1/4 | 4.75 ACRES |
| | SE 1/4 NE 1/4 | 1.15 ACRES |

SECTION 28

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before July 29, 1992, and shall be completed on or before October 1, 1993. Complete application of the water shall be made on or before October 1, 1994.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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 shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, JULY 29, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director