

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RAYMOND GARDNER
ROUTE 2, BOX 346
BANDON, OREGON 97411

503-347-3887

to use the waters of TWO WELLS in the FERRY CREEK BASIN for CRANBERRY OPERATIONS ON 21.05 ACRES.

This Permit is issued approving Application G-11941. The date of priority is JUNE 29, 1989. The use is limited to not more than 60.0 GALLONS PER MINUTE (GPM), BEING 25.0 GPM FROM WELL 1 AND 35.0 GPM FROM WELL 2, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

NE 1/4 NW 1/4, NW 1/4 NE 1/4, SECTION 29, T 28 S, R 14 W, W.M.;
WELL 1 - 140 FEET SOUTH AND 2030 FEET EAST; WELL 2 - 1280 FEET SOUTH AND 3280 FEET EAST, BOTH FROM NW CORNER, SECTION 29.

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 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 the permit is as follows:

NW 1/4 NE 1/4 9.90 ACRES
NE 1/4 NW 1/4 8.65 ACRES
SE 1/4 NW 1/4 2.50 ACRES
SECTION 29
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 constructed shall include an air line and pressure gauge or an access port for a measuring line, 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a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Actual construction work shall begin on or before January 6, 1993, and shall be completed on or before October 1, 1993. Complete application of the water to the use 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 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 granted herein may be made only at times when sufficient water is available to satisfy all prior rights.

Issued this date, JANUARY 6, 1992.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director