

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RODRICK FRASER, II  
ROUTE 1, BOX 1519  
BANDON, OREGON 97411

503-347-2923

to use the waters of TWO SUMPS AND THREE WELLS in the FOURMILE CREEK BASIN for CRANBERRY OPERATIONS ON 65.0 ACRES.

This permit is issued approving Application G-12723. The date of priority is DECEMBER 4, 1991. The use is limited to not more than 2.9 CUBIC FEET PER SECOND (CFS), BEING 0.27 CFS FROM WELL 1, 0.27 CFS FROM WELL 2, 0.27 CFS FROM WELL 3, 0.98 CFS FROM SUMP 1 AND 1.11 CFS FROM SUMP 2, or its equivalent in case of rotation, measured at the wells and sumps.

The wells and sumps are located as follows:

NE 1/4 SW 1/4, SE 1/4 SW 1/4, NW 1/4 SE 1/4, SECTION 25, T 29 S, R 15 W, W.M.; SUMP 1 - 2020 FEET NORTH AND 2320 FEET EAST, SUMP 2 - 690 FEET NORTH AND 2100 FEET EAST, WELL 1 - 2560 FEET NORTH AND 2820 FEET EAST, WELL 2 - 1780 FEET NORTH AND 2270 FEET EAST, WELL 3 - 950 FEET NORTH AND 2100 FEET EAST, ALL FROM SW CORNER, SECTION 25.

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:

NE 1/4 SW 1/4 29.8 ACRES  
SW 1/4 SW 1/4 3.0 ACRES  
SE 1/4 SW 1/4 28.5 ACRES  
NW 1/4 SE 1/4 3.7 ACRES

SECTION 25

TOWNSHIP 29 SOUTH, RANGE 15 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.

Application G-12723

Water Resources Department PERMIT G-11595

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 September 28, 1993, and shall be completed on or before October 1, 1994. Complete application of the water shall be made on or before October 1, 1995.

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, SEPTEMBER 28, 1992.

/s/ MARTHA O. PAGEL

Water Resources Department  
Martha O. Pagel  
Director

*B ext. to 10-1-95, 10-1-96*