

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HARRY G. SPENCER

P.O. BOX 291

LANGLOIS, OR

97450

503-347-4114

to use the waters of WELLS 1 AND 2 in the CROFT LAKE BASIN for NURSERY OPERATIONS OF 4.0 ACRES AND CRANBERRY OPERATIONS OF 12.0 ACRES.

This permit is issued approving Application G-12685. The date of priority is OCTOBER 4, 1991. The use is limited to not more than 0.356 CUBIC FOOT PER SECOND (CFS); being 0.178 cfs for cranberry operations and 0.008 cfs for nursery operations from well 1 and 0.178 cfs for cranberry operations and 0.10 cfs for nursery operations from well 2 provided the total quantity of water diverted shall not exceed 0.356 cfs, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SE 1/4 SE 1/4, Section 1, T 30 S, R 15 W, WM; Well 1 - 1030 feet north and 750 feet west, from SE corner Section 11; WELL 2 - 5 feet north and 20 feet west, from SE corner Section 11.

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 amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

	Cranberry Operations	Nursery Operations
SE 1/4 SE 1/4 Section 11	10.0 Acres	4.0 Acres
NW 1/4 NE 1/4 Section 13	2.0 Acres	

Township 30 South, Range 15 West, WM

"CERTIFICATE NO. 76791"

Application G-12685

Water Resources Department

PERMIT G-11826

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

The wells 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 wells 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 October 5, 1995 and shall be completed on or before October 1, 1996. Complete application of the water shall be made on or before October 1, 1997.

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 Water Resources Commission has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest on September 9, 1994.

Issued this date October 5, 1994.

A. REED MARBUT

Water Resources Department
Martha O. Pagel
Director

Application G-12692 Water Resources Department
Basin 17 Volume 3 Croft Lake & Misc.
G-12692.SB

PERMIT G-11826
District 19