

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

(541)347-3294

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12797

SOURCE OF WATER: FIVE WELLS AND FOUR SUMPS IN BEAR CREEK BASIN

PURPOSE OR USE: PRIMARY CRANBERRY OPERATIONS ON 21.70 ACRES AND SUPPLEMENTAL CRANBERRY OPERATIONS ON 26.58 ACRES

MAXIMUM RATE: 2.85 CUBIC FEET PER SECOND (CFS), BEING 0.15 CFS FROM WELL 1, 0.15 CFS FROM WELL 2, 0.34 CFS FROM WELL 3, 0.41 CFS FROM WELL 4, 0.40 CFS FROM WELL 5, 0.15 CFS FROM SUMP 1, 0.34 CFS FROM SUMP 2, 0.41 CFS FROM SUMP 3 AND 0.50 CFS FROM SUMP 4

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 2, 1992

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, SECTION 28, TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.; SUMP 1 - 760 FEET SOUTH & 1570 FEET EAST; SUMP 2 - 1950 FEET SOUTH & 630 FEET EAST; SUMP 3 - 2210 FEET SOUTH & 1720 FEET EAST; SUMP 4 - 3220 FEET SOUTH & 1910 FEET EAST; WELL 1 - 960 FEET SOUTH & 1480 FEET EAST; WELL 2 - 1330 FEET SOUTH & 680 FEET EAST; WELL 3 - 1980 FEET SOUTH & 650 FEET EAST; WELL 4 - 2210 FEET SOUTH & 2240 FEET EAST; WELL 5 - 3190 FEET SOUTH & 1820 FEET EAST; FROM NORTH 1/4 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.

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by G-13007

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4	NE 1/4	7.4 ACRES
NE 1/4	NE 1/4	2.0 ACRES
NW 1/4	NE 1/4	5.9 ACRES
SW 1/4	NE 1/4	8.79 ACRES
SW 1/4	NE 1/4	5.5 ACRES
SE 1/4	NE 1/4	5.5 ACRES
SE 1/4	NE 1/4	4.49 ACRES
NE 1/4	SE 1/4	8.7 ACRES

SECTION 28

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

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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

#### STANDARD CONDITIONS

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 well at all times.

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

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.

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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.

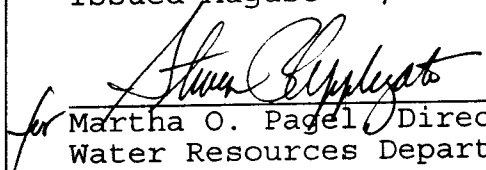
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued August 28, 1996

  
for Martha O. Pagel, Director  
Water Resources Department

Application G-12797  
Basin 17

Water Resources Department  
Volume 3 Bear Creek & Misc.

*Superseded*  
PERMIT ~~G-12726~~  
District 19  
*by G-1307*