

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN W. SWEET
1291 NORTH 9TH STREET
COOS BAY, OREGON 97420

(541) 269-9049

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

APPLICATION FILE NUMBER: G-14141

SOURCE OF WATER: WELL #1 AND WELL #2 LOCATED WITHIN THE SIXES RIVER BASIN

PURPOSE OR USE: IRRIGATION AND AGRICULTURAL USE (FROST CONTROL AND FLOOD HARVESTING OF CRANBERRIES) ON 16.0 ACRES, SUPPLEMENTAL IRRIGATION AND SUPPLEMENTAL AGRICULTURAL USE ON 20.0 ACRES (PRIMARY AUTHORIZED UNDER PERMIT #47642) FROM WELL #1 AND SUPPLEMENTAL IRRIGATION AND SUPPLEMENTAL AGRICULTURAL USE ON 16.0 ACRES FROM WELL #2

MAXIMUM VOLUME/RATE ALLOWED: 0.86 CUBIC FOOT PER SECOND (CFS), BEING NOT MORE THAN 0.86 CFS FROM WELL #1 AND 0.40 CFS FROM WELL #2 (WELL #1 AND WELL #2 TO BE USED ON THE SAME 16.0 ACRES, HOWEVER, THEY ARE NOT TO EXCEED 0.40 CFS AT ANY ONE TIME)

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE AND SUPPLEMENTAL AGRICULTURAL USE

DATE OF PRIORITY: JULY 26, 1995

POINT OF DIVERSION LOCATION: SE 1/4 NW 1/4, AND NE 1/4 SW 1/4, SECTION 31, T31S, R15W, W.M.; WELL #1 - 1469 FEET SOUTH & 2023 FEET EAST FROM NW CORNER, SECTION 31; WELL #2 - 2834 FEET SOUTH & 2378 FEET EAST FROM NW CORNER, SECTION 31

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4	20.0 ACRES SUPPLEMENTAL CRANBERRY USE
SE 1/4 NW 1/4	4.0 ACRES PRIMARY AND SUPPLEMENTAL CRANBERRY USE
NE 1/4 SW 1/4	10.3 ACRES PRIMARY AND SUPPLEMENTAL CRANBERRY USE
SE 1/4 SW 1/4	1.7 ACRES PRIMARY AND SUPPLEMENTAL CRANBERRY USE

SECTION 31

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

PLACED IN U.S. MAIL

OCT 31 1996

Application G-14141 Water Resources Department

OREGON PERMIT G-14141-2928

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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

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.

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.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of **March**. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 2 feet per year for five consecutive years; or
- (B) A water level decline of 10 feet in fewer than five consecutive years; or
- (C) A water level decline of 10 feet; or
- (D) Hydraulic interference leading to a decline of 10 feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights.

The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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.

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.

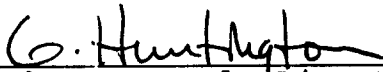
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 October 28, 1996


Martha O. Pagel, Director
Water Resources Department

Application G-14141	Water Resources Department	PERMIT G-12928
Basin 17	Volume 3 Sixes R & Misc.	District 19
	MGMT.CODES 7BG, 7BR, 7DG, 7DR	