

STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MELVIN E AND RUPERT G BOAK
PO BOX 897
BANDON, OREGON 97411

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

APPLICATION FILE NUMBER: R-74428

SOURCE OF WATER: TWOMILE CREEK, A TRIBUTARY OF PACIFIC OCEAN

STORAGE FACILITY: ONE UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-74429, PERMIT 52404 FOR CRANBERRY USE

AMOUNT OF WATER: 2.7 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD DECEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: AUGUST 23, 1994

THE AREA SUBMERGED BY THE RESERVOIR, WHEN FULL, WILL BE 0.25 ACRE AND THE MAXIMUM DEPTH OF WATER WILL BE 11.0 FEET.

DAM LOCATION: NE 1/4 SW 1/4, SECTION 13, T29S, R15W, W.M.; 400 FEET SOUTH AND 1525 FEET EAST FROM THE W 1/4 CORNER OF SECTION 13

POINT OF DIVERSION LOCATION: 1500 FEET SOUTH AND 1900 FEET EAST FROM THE WEST 1/4 CORNER SECTION 13 TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED WITHIN THE NE 1/4 SW 1/4, SECTION 13, TOWNSHIP 29 SOUTH, RANGE 15 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.
- 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.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

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.

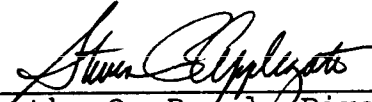
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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 work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. The reservoir shall be filled and complete application of the water to the use shall be made on or before October 1, 1999.

Issued June 12, 1996


for Martha O. Pagel Director
Water Resources Department