

STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DENI AND DALE BORDERS  
1985 ROSA ROAD  
BANDON, OREGON 97411

(541) 347-1824

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

APPLICATION FILE NUMBER: R-70042

SOURCE OF WATER: CHINA CREEK, TRIBUTARY OF THE PACIFIC OCEAN

STORAGE FACILITY: MANES RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-70043, PERMIT 52901, FOR SUPPLEMENTAL IRRIGATION, SUPPLEMENTAL TEMPERATURE CONTROL AND SUPPLEMENTAL FLOOD HARVESTING OF CRANBERRIES

MAXIMUM VOLUME ALLOWED: 9.0 ACRE-FEET EACH YEAR

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

DATE OF PRIORITY: AUGUST 23, 1989

The area submerged by the reservoir, when full, will be 1.0 acre and the maximum depth of water will be 7.4 feet. The maximum height of the dam shall not exceed 9.9 feet.

DAM LOCATION: NE 1/4, SE 1/4, SECTION 18, T29S, R14W, W.M.; 2802 FEET SOUTH AND 1051 FEET WEST FROM THE NE CORNER OF SECTION 18

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED WITHIN:

NE 1/4 SE 1/4  
SECTION 18  
TOWNSHIP 29 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.

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- 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 staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gauge shall be United States Geological Survey style porcelain enamel iron staff gauge style A, C, E, I or M.

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.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream unless a fishway is provided. The permittee may submit evidence that the Oregon Department of Fish and Wildlife has determined a fishway is not necessary. The applicant is hereby directed to contact a ODFW Fish Passage Program coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

**STANDARD CONDITIONS**

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

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.

This permit is issued to modify the condition requiring fish screening and passage. Permit R-11894, dated July 24, 1996, is superseded by this permit and is of no further force or effect.

Issued October 25, 1996

  
Martha O. Pagel, Director  
Water Resources Department

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Basin 17

Water Resources Department  
Volume 3, China Creek & Misc.  
MGMT CODE 6EW

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District 19