

STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RAY F HOPPER OR ROBERT M AND DORIS LOFTIN  
RT 1 BOX 2061  
BANDON, OREGON 97411

(541) 347-9266

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

APPLICATION FILE NUMBER: R-73843

SOURCE OF WATER: AN UNNAMED STREAM, TRIBUTARY OF JOHNSON CREEK

STORAGE FACILITY: FOUR UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-73844, PERMIT 52973, FOR SUPPLEMENTAL CRANBERRY USE AND IRRIGATION

VOLUME OF WATER: 14.0 ACRE-FEET (AF) EACH YEAR, BEING 4.0 AF EACH FOR RESERVOIRS 1, 2, AND 3 AND 2.0 AF FOR RESERVOIR 4

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD DECEMBER 1 THROUGH MARCH 30

DATE OF PRIORITY: JANUARY 6, 1994

The area submerged by the reservoirs, when full, is 0.5 acre from Reservoir 1, 0.45 acre from Reservoir 2, 0.4 acre from Reservoir 3 and 0.25 acre from Reservoir 4; the maximum depth of water is 10.0 feet from Reservoir 1, 12.0 feet from Reservoir 2, 18.0 feet from Reservoir 3 and 10.0 feet from Reservoir 4. The maximum height of the dam shall not exceed 9.9 feet for each of the 4 Reservoirs.

DAM LOCATION: SE 1/4 NE 1/4, SECTION 8, T29S, R14W, W.M. RESERVOIR 1 - 1730 FEET SOUTH & 230 FEET WEST; RESERVOIR 2 - 2400 FEET SOUTH & 335 FEET WEST; RESERVOIR 3 - 1400 FEET SOUTH & 1250 FEET WEST; RESERVOIR 4 - 2340 FEET SOUTH & 950 FEET WEST, ALL FROM THE NE CORNER OF SECTION 8

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SE 1/4 NE 1/4  
SECTION 8  
TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director.

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If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. 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.

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.

The water user shall install and maintain, both upstream and downstream of the reservoir, a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans on the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

#### STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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 stored water to the use shall be made on or before October 1, 1999.

Issued November 27, 1996

  
Marjha O. Pagel, Director  
Water Resources Department