

STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KENNETH HUNNICUTT
ROUTE 1, BOX 1485
BANDON, OREGON 97411

(541)347-2785

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-73289

SOURCE OF WATER: ABE'S CREEK, TRIBUTARY OF CROFT LAKE

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-73290, PERMIT 53003 FOR CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 4.1 ACRE-FEET (AF) PER YEAR, BEING 2.3 AF IN RESERVOIR 1 AND 1.8 AF IN RESERVOIR 2

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH MAY 31

DATE OF PRIORITY: MARCH 17, 1993

The area submerged by the reservoirs, when full, will be 0.75 acre for Reservoir 1 and 0.51 acre for Reservoir 2 and the maximum depth of water will be 20.0 feet for Reservoir 1 and 10.0 feet for Reservoir 2. The maximum height of the dams shall not exceed 8.0 feet for Reservoir 1 and 8.5 feet for Reservoir 2.

DAM LOCATION: SW 1/4 NE 1/4, NE 1/4 SW 1/4, SECTION 11, TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 1 - 170 FEET NORTH & 270 FEET EAST; RESERVOIR 2 - 840 FEET SOUTH & 90 FEET WEST; BOTH FROM THE SOUTHWEST CORNER, NE 1/4

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

SW 1/4 NE 1/4
NE 1/4 SW 1/4
SECTION 11
TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster must be installed at each diversion point.

The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. The permittee shall keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The permittee may be required to report 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.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

Any surplus water above the cumulative 4.1 acre-feet of stored water must be passed during the months of June 1 through October 31.

STANDARD CONDITIONS

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.

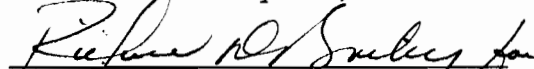
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 1999. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2000.

Issued January 31, 1997


Martha O. Pagel, Director
Water Resources Department