

STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PANTER BOGS, INC.
ROUTE 1, BOX 1427
BANDON, OREGON 97411

(541)347-3971

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

APPLICATION FILE NUMBER: R-73838

SOURCE OF WATER: CRANBERRY BOGS RUN-OFF, TRIBUTARIES OF FOURMILE CREEK
AND GREEN GULCH CREEK

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT
53006 FOR CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 18 ACRE-FEET (AF) PER YEAR, BEING 9.0 AF IN
RESERVOIR 1 AND 9.0 AF IN RESERVOIR 2

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING
THE PERIOD DECEMBER 1 THROUGH MARCH 31 EACH YEAR

DATE OF PRIORITY: JANUARY 5, 1994

The area submerged by the reservoirs, when full, will be 0.47 acre for
Reservoir 1 and 0.69 acre for Reservoir 2 and the maximum depth of water
will be 18.0 to 20.0 feet for each reservoir. The maximum height of the
dam shall not exceed 3.0 to 5.0 feet for each reservoir. Reservoirs
will be excavated with a small dike from material excavated around the
reservoirs.

DAM LOCATION: NE 1/4 NE 1/4, SECTION 12, T30S, R15W, W.M.; RES 1- 150
FEET SOUTH AND 385 FEET WEST; RES 2- 760 FEET SOUTH 290 FEET WEST BOTH
FROM THE NE CORNER SECTION 12

THE AREAS TO BE SUBMERGED BY THE RESERVOIRS ARE LOCATED AS FOLLOWS:

NE 1/4 NE 1/4
SECTION 12
TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.

Application R-73838 Water Resources Department

PERMIT R-12534

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.

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

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. The reservoir(s) shall be filled and complete application of water shall be made on or before October 1, 2003. Within one year after

complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued October 7, 1998



Martha O. Pagel, Director
Water Resources Department

Application R-73838 Water Resources Department
Basin 17 MGMT.CODE 6EW

PERMIT R-12534
District 19