

STATE OF OREGON

COUNTY OF COOS

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DEAN A. AND CAROLYN A. RUSSELL  
RT 2 BOX 1904  
BANDON, OREGON 97411

PHONE: (541) 347-4532

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

APPLICATION FILE NUMBER: R-83538

SOURCE OF WATER: RUNOFF, A TRIBUTARY OF SEVENMILE CREEK

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT  
83779 FOR CRANBERRY USE

MAXIMUM STORAGE VOLUME: 9.0 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: JANUARY 1  
THROUGH FEBRUARY OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1997

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 20.00 FEET.

DAM LOCATION: SE 1/4 NW 1/4, SECTION 3, T28S, R14W, W.M. 80 FEET NORTH  
& 450 FEET WEST FROM SE CORNER, SE 1/4 NW 1/4, SECTION 3

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

SE 1/4 NW 1/4  
SECTION 3  
TOWNSHIP 28 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. 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

Application R-83538 Water Resources Department

PERMIT R-12583

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.

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.

#### 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 December 23, 1998

*Dwight French for*

Marena O. Pagel, Director  
Water Resources Department

Application R-83538 Water Resources Department  
Basin 17 VOLUME 2 SEVENMILE CR & MISC  
LKS MGMT. CODE

PERMIT R-12583  
DISTRICT 19