



STATE OF OREGON

COOS COUNTY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 61175 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Dave H. Brooks of Route 1, Box 906, Bandon, Oregon 97411, phone 347-9296, for the use of the waters of Crooked Creek, Reservoir 2 constructed under Permit R-4830, Reservoirs 4 and 5 to be constructed under Application R-63451, Permit R-8479, and Reservoirs 6 and 7 constructed under Permit R-5431, being: 6.17 cubic feet of water per second for irrigation, 1.55 cfs for temperature control and 0.57 cfs for flood harvesting of Bogs 10, 11, 12, 16-B, 21, 25 and 27; 4.62 cfs for heat control of Bogs 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16-A, 17, 18, 19, 20, 22, 23, 24 and 26; 1.4 acre-feet stored water only from Reservoir 2, being 0.7 a-f for supplemental irrigation and 0.7 a-f for temperature control of Bogs 5 and 6; 3.0 a-f stored water only from Reservoir 4, being 1.5 a-f for supplemental irrigation and 1.5 a-f for temperature control of Bogs 10, 11 and 12; 8.8 a-f stored water only from Reservoir 5, being 4.4 a-f for supplemental irrigation and 4.4 a-f for temperature control of Bogs 1 through 27; 1.6 a-f stored water only from Reservoir 6, being 0.8 a-f for supplemental irrigation and 0.8 a-f for temperature control of Bogs 16-B and 25; 2.5 a-f stored water only from Reservoir 7, being 1.25 a-f for supplemental irrigation and 1.25 a-f for temperature control of Bog 21; that the PRIORITIES OF THE RIGHT date from January 21, 1981 for the use of water from Crooked Creek, April 5, 1982 for the use of 2.96 a-f from Reservoir 4 and 8.36 a-f from Reservoir 5, July 8, 1982 for the use of 0.04 a-f from Reservoir 4, 0.44 a-f from Reservoir 5, 1.4 a-f from Reservoir 2, 1.6 a-f from Reservoir 6 and 2.5 a-f from Reservoir 7. The quantity of water to be appropriated from Crooked Creek is limited to that which can be applied to beneficial use and shall not exceed 6.17 cfs measured at the point of diversion from the stream; the use of water from storage shall be limited to the volume which can be applied to beneficial use and shall not exceed 17.3 a-f stored water only.

The POINTS OF DIVERSION are to be LOCATED: Reservoir 2 - 1,166 feet North and 1,856 feet West from the Southeast Corner of the NW 1/4 NE 1/4 of Section 18, being within the NE 1/4 NW 1/4 of Section 18; Sump Reservoir 4 - 906 feet North and 2,274 feet West from the Southeast Corner of the NW 1/4 NE 1/4 of Section 18, being within the NE 1/4 NW 1/4 of Section 18; Crooked Creek and Reservoir 5 - 1,707 feet North and 26.4 feet East from the Southeast Corner of the NW 1/4 NE 1/4 of Section 18, being within the SE 1/4 SE 1/4 of Section 7; Reservoir 6 - 922 feet North and 140 feet East from the Southeast Corner of the NW 1/4 NE 1/4 of Section 18, being within the NE 1/4 NE 1/4 of Section 18; and Reservoir 7 - 656 feet North and 563 feet West from the Southeast Corner of the NW 1/4 NE 1/4 of Section 18, being within the NW 1/4 NE 1/4 of Section 18, all within Township 29 South, Range 14 West, WM, in the County of Coos.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 29 South	Range 14 West, WM	Section 7	SE 1/4 SW 1/4	9.25 acres (Bogs 1, 2, 3, 4, 7 and 8)
				2.25 acres (Bogs 5 and 6)

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Township 29 South Range 14 West, WM Section 18

NE 1/4	NW 1/4	3.2 acres	(Bogs 10, 11, and 12)
		5.5 acres	(Bogs 13, 14, part of 15, 17, 18, 19, 20, 23 and 24)
NW 1/4	NE 1/4	10.5 acres	(Bogs 13, 14, part of 15, 17, 18, 19, 20, 23 and 24)
		0.1 acre	(part of Bog 21)
		1.0 acre	(part of Bog 27)
NE 1/4	NE 1/4	5.6 acres	(part of Bog 15, 16A and 26)
		2.0 acres	(Bogs 16B and 25)
		0.2 acre	(part of Bog 21)
		2.3 acres	(part of Bog 27)

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second of its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, for cranberries. If for the irrigation of any other crop, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall conform to such reasonable rotation system as may be ordered by the proper state officer. The permittee shall record and submit annually to the Water Resources Department all pertinent data pertaining to use of water for temperature control on forms furnished.

Actual construction work shall begin on or before September 9, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

WITNESS my hand this 9th day of September, 1982.

/s/ JAMES E. SEXSON
 WATER RESOURCES DIRECTOR

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