

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

ROBERT L. ATEN
ROUTE 1, BOX 2012
BANDON, OREGON 97411

503-347-9546

is hereby issued a permit to use the waters from WEST UNNAMED STREAM WHEN AVAILABLE WITH ANY DEFICIENCY TO BE MADE UP BY APPROPRIATION FROM EAST UNNAMED STREAM AND TWO RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION R-69546, PERMIT R-11150, TRIBUTARIES OF CROOKED CREEK, for IRRIGATION OF 4.7 ACRES, TEMPERATURE CONTROL (HEAT AND FROST CONTROL) AND FLOOD HARVESTING ON 7.1 ACRES.

The permit to the use of these waters has been issued under Application 69547 with a date of priority of MARCH 8, 1988. The permit is limited to not more than 1.07 CUBIC FOOT PER SECOND, BEING 0.18 CFS FOR IRRIGATION, 0.36 CFS FOR FLOOD HARVEST AND 1.07 CFS FOR TEMPERATURE CONTROL, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

point (1) NW 1/4 NW 1/4, Section 17, T 29 S, R 14 W, WM;
430 FEET SOUTH & 600 FEET EAST FROM NW CORNER, SECTION 17.

point (2) NW 1/4 NW 1/4, Section 17, T 29 S, R 14 W, WM;
550 FEET SOUTH & 1285 FEET EAST FROM NW CORNER, SECTION 17.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to of ONE FORTIETH of a cubic foot per second per acre, or 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. If for the irrigation of any other crop, this appropriation shall be limited to ONE-EIGHTIETH 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.

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The place of use is as follows:

	ACRES	1/4 1/4	SECTION	TOWNSHIP	RANGE, WM
CRANBERRIES	7.1	NW NW	17	29 S	14 W

Diversion screening or fish passage facilities shall be designed, installed and operated to Oregon Department of Fish and Wildlife specifications.

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.

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Actual construction work shall begin on or before August 24, 1990, and shall be completed on or before October 1, 1991. Complete application of the water to the use shall be made on or before October 1, 1992.

This permit is for the beneficial use of water. 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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Issued this date, August 24, 1989.

 /s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director