

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HOWARD W. HOFFER
946 SOUTH 10TH STREET
COOS BAY, OREGON 97420

503-267-2218

to use the waters of A SPRING, TWO UNNAMED STREAMS, AND TWO RESERVOIRS to be constructed under Application R-70336, Permit R-11402, tributaries of TWOMILE CREEK, FOR CRANBERRY OPERATIONS ON 6.5 ACRES.

This Permit is issued approving Application 70337. The date of priority is MAY 8, 1990, FOR 1.0 ACRE-FOOT FROM RESERVOIR 1, 0.5 ACRE-FOOT FROM RESERVOIR 2, 0.047 CUBIC FOOT PER SECOND (CFS), FROM STREAM 1, 0.008 FROM SPRING, AND AUGUST 27, 1991 FOR 0.176 CFS FROM STREAM 1, 0.059 CFS FROM SPRING AND 0.035 CFS FROM STREAM 2. The use is limited to not more than 1.2 ACRE-FEET AND 0.325 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the points of diversion from the sources.

The points of diversion are located as follows:

SE 1/4 NE 1/4, SECTION 25, T 29 S, R 15 W, W.M.; RESERVOIR 1 AND UNNAMED STREAM 1 - 1150 FEET NORTH AND 495 FEET WEST; RESERVOIR 2 - SE 1/4 NE 1/4; UNNAMED STREAM 2 - 1280 FEET NORTH AND 740 FEET WEST; SPRING - 1220 FEET NORTH AND 770 FEET WEST, ALL FROM E 1/4 CORNER, SECTION 25.

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this Permit is as follows:

SE 1/4 NE 1/4 6.5 ACRES
SECTION 25
TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

Actual construction work shall begin on or before September 3, 1992, and shall be completed on or before October 1, 1993. Complete application of the water to the use shall be made on or before October 1, 1994.

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 rights for maintaining instream flows.

Issued this date, SEPTEMBER 3, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director