

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FRIDAY FARMS INC.
P. O. BOX 1384
BANDON, OREGON 97411

503-347-9594

to use the waters of AN UNNAMED DRAINAGEWAY, UNNAMED STREAM 1, UNNAMED STREAM 2, SIMPSON CREEK, FERRY CREEK AND RESERVOIRS 1, 2, 4 THROUGH 12 CONSTRUCTED UNDER PERMIT R-11418, tributaries of COQUILLE RIVER, for CRANBERRY OPERATIONS ON 98.92 ACRES.

This Permit is issued approving Application 69641. The date of priority is JUNE 13, 1988. The use is limited to not more than 0.055 CUBIC FOOT FROM SIMPSON CREEK AND 0.055 CFS FROM FERRY CREEK DURING THE PERIOD FROM JUNE 1 THROUGH OCTOBER 31 OF EACH YEAR, 0.1 CUBIC FOOT FROM AN UNNAMED DRAINAGEWAY AND 26.78 ACRE-FEET FROM RESERVOIRS 1, 2, 4, AND 5, 36.88 ACRE-FEET FROM RESERVOIRS 6 THROUGH 12, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NW 1/4 SE 1/4, NE 1/4 SW 1/4, NW 1/4 SW 1/4, SW 1/4 SW 1/4, SW 1/4 SE 1/4, SECTION 20, NW 1/4 NE 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4, SECTION 29, T 28 S, R 14 W, W.M.; SIMPSON CREEK - 820 FEET SOUTH AND 980 FEET EAST FROM C 1/4, SECTION 20, FERRY CREEK - 500 FEET SOUTH AND 290 FEET EAST FROM W 1/4 CORNER, SECTION 29, RESERVOIR 8 - NE 1/4 SE 1/4, RESERVOIRS 6 & 7, NW 1/4 SW 1/4, RESERVOIR 9, SW 1/4 SW 1/4, RESERVOIRS 1, 2, 4 & 5, SW 1/4 SE 1/4, SECTION 20, RESERVOIR 3, NW 1/4 NE 1/4, RESERVOIRS 10 & 11, NW 1/4 NW 1/4, RESERVOIR 12, SW 1/4 NW 1/4, SECTION 29.

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

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 of each year from direct flow and storage.

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:

PRIMARY - SIMPSON CREEK
SUPPLEMENTAL - UNNAMED
STREAMS 1, 2, 3, FERRY
CREEK AND RESERVOIRS
6 THROUGH 12

PRIMARY - SIMPSON CREEK
SUPPLEMENTAL - UNNAMED
DRAINAGEWAY, FERRY CREEK
AND RESERVOIRS 1, 2, 4, & 5

NE 1/4 SW 1/4 4.9 ACRES
NW 1/4 SW 1/4 4.0 ACRES
SW 1/4 SW 1/4 21.5 ACRES
SE 1/4 SW 1/4 7.3 ACRES

SW 1/4 SE 1/4 25.54 ACRES

SECTION 20

NW 1/4 NW 1/4 20.1 ACRES
SW 1/4 NW 1/4 8.0 ACRES

NW 1/4 NE 1/4 7.58 ACRES

SECTION 29

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

Actual construction work shall begin on or before November 25, 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, NOVEMBER 25, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director