

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RICHARD E. HALLIBURTON
ROUTE 2, BOX 1905
BANDON, OREGON 97411

503-347-2536

to use the waters of AN UNNAMED STREAM AND TWO RESERVOIRS, to be constructed under Application R-70462, Permit R-11422, a tributary of SEVENMILE SLOUGH, for CRANBERRY OPERATIONS ON 24.28 ACRES.

This Permit is issued approving Application 70463. The date of priority is JULY 5, 1990. The use is limited to not more than 0.728 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NE 1/4, NE 1/4 SW 1/4, SECTION 3, T 28 S, R 14 W, W.M.; 435 FEET NORTH AND 565 FEET EAST, 562 FEET SOUTH AND 167 FEET WEST, 680 FEET SOUTH AND 80 FEET WEST ALL FROM C 1/4 CORNER, SECTION 3.

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 from direct flow and storage. 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 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	SUPPLEMENTAL
SW 1/4 NE 1/4	3.88 ACRES	3.00 ACRES
NE 1/4 SW 1/4	0.90 ACRE	
NW 1/4 SE 1/4	5.4 ACRES	11.10 ACRES
	SECTION 3	
	TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.	

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

Actual construction work shall begin on or before December 9, 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.

"CERTIFICATE NO. 76790"

Application 70463

Water Resources Department

PERMIT 51380

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, DECEMBER 9, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

ASSIGNED V7 P3434

C 9 H. to 10-1-95