

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LOSHBAUGH, INC.
P.O. BOX 857
BANDON, OREGON 97411

503-347-3726

to use the waters of AN UNNAMED STREAM AND GREEN GULCH CREEK, a tributary of FOURMILE CREEK, for CRANBERRY USE ON 17.0 ACRES.

This permit is issued approving Application 71114. The date of priority is JANUARY 7, 1991. The use is limited to not more than 2.55 CUBIC FEET PER SECOND (CFS), BEING 0.75 CFS FROM UNNAMED STREAM AND 1.80 CFS FROM GREEN GULCH CREEK, or its equivalent in case of rotation, measured at the point of diversion from the source. **Water may be appropriated during December through March only of each year.**

The points of diversion are located as follows:

UNNAMED STREAM - SE 1/4 SW 1/4, SECTION 1, T 30 S, R 15 W, W.M.; 1240 FEET NORTH AND 1180 FEET WEST FROM N 1/4 CORNER, SECTION 12.

GREEN GULCH CREEK - NW 1/4 NE 1/4, SECTION 12, T 30 S, R 15 W, W.M.; 840 FEET SOUTH AND 1000 FEET EAST FROM N 1/4 CORNER, SECTION 12.

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 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 SW 1/4 7.0 ACRES
SECTION 1
NW 1/4 NE 1/4 4.5 ACRES
NE 1/4 NW 1/4 5.5 ACRES
SECTION 12
TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.

Actual construction work shall begin on or before June 2, 1993, and shall be completed on or before October 1, 1994. Complete application of the water to the use shall be made on or before October 1, 1995.

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 prior rights for maintaining instream flows.

Issued this date, JUNE 2, 1992.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director