

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DOUGLAS W. JOHNSON OR RANDALL W. JOHNSON, JR.
P.O. BOX 1166
BANDON, OREGON 97411

503-347-2747

to use the waters of FOUR UNNAMED STREAMS AND THREE UNNAMED RESERVOIRS CONSTRUCTED UNDER APPLICATION R-72045, PERMIT R-11456, tributaries of FOUR MILE CREEK, for CRANBERRY OPERATIONS ON 30.0 ACRES.

This permit is issued approving Application 71757. The date of priority is JULY 15, 1991. The use is limited to not more than 4.50 CUBIC FEET PER SECOND (CFS), BEING 1.35 CFS FROM FROM UNNAMED STREAM 4 WITH ANY DEFICIENCY TO BE APPROPRIATED FROM STREAM 3; 0.90 CFS FROM FROM STREAM 1 WITH ANY DEFICIENCY TO BE APPROPRIATED FROM STREAMS 2 AND 3; 0.75 CFS FROM FROM STREAM 3 AND 1.5 CFS FROM FROM STREAM 2 AND 15.0 ACRE-FEET OF STORED WATER FROM THREE RESERVOIRS CONSTRUCTED UNDER APPLICATION R-72045, PERMIT R-11456, FOR CRANBERRY OPERATIONS, or its equivalent in case of rotation, measured at the point of diversion from the source. The use of water from streams 1 through 4 is limited to the period of December 1 through March 31 of each year.

The points of diversion are located as follows:

NE 1/4 NW 1/4, NW 1/4 NW 1/4, SECTION 6, T 30 S, R 14 W, W.M.;
STREAM 3 - 1520 FEET SOUTH AND 90 FEET EAST, STREAM 1 - 900 FEET SOUTH AND 400 FEET EAST, STREAM 2 - 430 FEET SOUTH AND 910 FEET EAST, STREAM 2 - 740 FEET SOUTH AND 2270 FEET EAST, STREAM 3 - 1180 FEET SOUTH AND 1420 FEET EAST, STREAM 3 - 1020 FEET SOUTH AND 2220 FEET EAST, STREAM 4 - 950 FEET SOUTH AND 60 FEET EAST, ALL FROM NW CORNER, SECTION 6.

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 from direct flow and storage; For flood harvesting or pest control, 0.05 cubic foot per second per acre from direct flow and storage; 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:

NE 1/4 NW 1/4 11.0 ACRES
NW 1/4 NW 1/4 19.0 ACRES
SECTION 6
TOWNSHIP 30 SOUTH, RANGE 14 WEST, W.M.

Application 71757

Water Resources Department

ASSIGNED. See Misc. Rec., Vol. 8 Page 94
PERMIT 51459

Actual construction work shall begin on or before June 1, 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 1, 1992.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director

BC 43
C09

EXT. BC97