

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MARY ANNE PUHL
P.O. BOX 807
PORT ORFORD, OREGON 97465

503-332-1349

to use the waters of BULL CREEK RESERVOIR 1, BULL CREEK RESERVOIR 2, EASTSIDE RECOVERY POND, SANDPIT RECOVERY POND, CAMP CREEK RESERVOIR 2, WESTSIDE RECOVERY POND 1, AND WESTSIDE RECOVERY POND 2 to be constructed under Application R-71828, PERMIT R-11579, BULL CREEK AND CAMP CREEK, tributaries of ELK RIVER, for CRANBERRY USE ON 50.0 ACRES.

This permit is issued approving Application 71829. The date of priority is SEPTEMBER 10, 1991 for 0.50 CUBIC FEET PER SECOND (CFS) AND AUGUST 11, 1994 FOR 0.05 CFS; being SEPTEMBER 10, 1991 FOR 0.2 CFS FROM BULL CREEK AND 0.30 CFS FROM CAMP CREEK AND AUGUST 11, 1994 FOR 0.05 CFS FROM BULL CREEK. The use is limited to not more than 0.55 CFS FROM LIVE FLOW AND 187.2 ACRE-FEET STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source. The use of water from natural flow is limited to the period of November 1 through April 30 of each year. Stored water may used at any time of the year.

The points of diversion are located as follows:

NW 1/4 SE 1/4, NE 1/4 SW 1/4, SECTION 16, NE 1/4 SE 1/4, SECTION 17, T 32 S, R 15 W, W.M.: CAMP CREEK - 3280 FEET SOUTH AND 98 FEET WEST; BULL CREEK NO. 1 - 2892 FEET SOUTH AND 3194 FEET EAST; BULL CREEK NO. 2 - 3951 FEET SOUTH AND 1842 FEET EAST; ALL FROM THE NW CORNER OF SECTION 16.

The amount of water diverted for CRANBERRY USE, 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.

Application 71829

Water Resources Department

PERMIT 51700

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

NE 1/4 NW 1/4	2.50 ACRES
NW 1/4 NW 1/4	15.50 ACRES
SW 1/4 NW 1/4	12.42 ACRES
SE 1/4 NW 1/4	4.00 ACRES
NE 1/4 SW 1/4	5.00 ACRES
NW 1/4 SW 1/4	7.08 ACRES

SECTION 16

SE 1/4 NE 1/4 3.50 ACRES

SECTION 17

TOWNSHIP 32 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Actual construction work shall begin on or before November 8, 1996 and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

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.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, November 8, 1995.



for Water Resources Department
Martha O. Pagel
Director

BC99