

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVID J NUGENT
RT. 1 BOX 905
BANDON, OREGON 97411

(541)347-1909

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-72411

SOURCE OF WATER: SOUTH FORK COOS RIVER, A TRIBUTARY OF COOS RIVER

PURPOSE OR USE: IRRIGATION OF 170.0 ACRES AND LIVESTOCK WATER

MAXIMUM RATE/VOLUME ALLOWED: 1.125 CUBIC FEET PER SECOND, BEING 1.115 CFS FOR IRRIGATION AND 0.01 CFS FOR LIVESTOCK WATER

PERIOD OF USE: IRRIGATION JUNE 1 THROUGH SEPTEMBER 30 AND STOCK USE YEAR ROUND

DATE OF PRIORITY: MAY 21, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 31, TOWNSHIP 25 SOUTH, RANGE 11 WEST, W.M.; DIVERSION 1 - 3380 FEET NORTH & 1700 FEET EAST, DIVERSION 2 - 2700 FEET NORTH & 1400 FEET EAST, BOTH FROM S1/4 CORNER, SECTION 31

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4	7.0 ACRES	Livestock included
NW 1/4 NE 1/4	19.0 ACRES	
SW 1/4 NE 1/4	32.0 ACRES	Livestock included
SE 1/4 NE 1/4	8.0 ACRES	Livestock included
NE 1/4 NW 1/4	9.0 ACRES	
SW 1/4 NW 1/4	3.0 ACRES	
SE 1/4 NW 1/4	38.0 ACRES	Livestock included
NE 1/4 SW 1/4	31.0 ACRES	Livestock included
NW 1/4 SW 1/4	9.0 ACRES	
SW 1/4 SW 1/4	2.0 ACRES	

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NW 1/4 SE 1/4 12.0 ACRES Livestock included
SECTION 31
TOWNSHIP 25 SOUTH, RANGE 11 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.

Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place and functional, and the fishway must be approved by Oregon Department of Fish and Wildlife before diversion of any water.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued July 24, 1996

for Steven Appligato
Martha O. Pagel, Director
Water Resources Department

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Basin 17 Volume 1 South Fork Coos River & Misc.

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District 19