

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WAYNE AND LORENE PEARSON  
HC 86, BOX 111A  
MYRTLE POINT, OREGON 97458

(541) 572-2290

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

APPLICATION FILE NUMBER: S-73259

SOURCE OF WATER: UNNAMED STREAM 1, UNNAMED STREAM 2 AND EAST FORK COQUILLE RIVER, TRIBUTARIES TO COQUILLE RIVER

PURPOSE OR USE: DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING IRRIGATION OF UP TO ONE-HALF ACRE LAWN AND NON-COMMERCIAL GARDEN, AND IRRIGATION OF 2.0 ACRES

MAXIMUM RATE ALLOWED: 0.03 CUBIC FOOT PER SECOND (CFS), BEING 0.005 CFS FROM UNNAMED STREAM 1 WITH ANY DEFICIENCIES TO BE MADE UP BY UNNAMED STREAM 2 FOR DOMESTIC USE, FURTHER LIMITED DURING THE PERIOD LISTED BELOW TO HUMAN CONSUMPTION ONLY, AND 0.025 CFS FROM EAST FORK COQUILLE RIVER FOR IRRIGATION

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 FOR DOMESTIC USE; MAY 1 THROUGH NOVEMBER 30 FOR HUMAN CONSUMPTION; AND MARCH 1 THROUGH APRIL 30 FOR IRRIGATION

DATE OF PRIORITY: FEBRUARY 23, 1993

POINT OF DIVERSION LOCATION: POD #1 - SE 1/4 NW 1/4, SECTION 13, 2060 FEET SOUTH & 60 FEET WEST; POD #2 - SE 1/4 NW 1/4, SECTION 13, 1630 FEET SOUTH & 390 FEET WEST; BOTH FROM NORTH 1/4 CORNER, SECTION 13; POD #3 - 20 FEET NORTH & 290 FEET EAST FROM SOUTH 1/4 CORNER, SECTION 12, ALL LOCATED WITHIN T 28 S, R 11 W, W.M.

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:

"CERTIFICATE NO.

76394

NW 1/4 NE 1/4 2.0 ACRES  
SECTION 13  
TOWNSHIP 28 SOUTH, RANGE 11 WEST, W.M.

Application S-73259 Water Resources Department

PERMIT 52707

## Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. 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.

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, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact a Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

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.

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 August 28, 1996

*for Steven C. Applegate*  
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Martha O. Pagel, Director  
Water Resources Department