

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

COQUILLE TRIBE  
PO BOX 783  
NORTH BEND OR 97459

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-88495

SOURCE OF WATER: FOURTH CREEK RESERVOIR, CONSTRUCTED UNDER PERMITS R-614, R-619, AND R-13908, TRIBUTARY TO FOURTH CREEK

PURPOSE AND PERIOD OF USE:

CRANBERRY USE ON 10.1 ACRES, JANUARY 1 THROUGH DECEMBER 31

IRRIGATION OF 12.6 ACRES, MARCH 1 THROUGH OCTOBER 31

WETLAND ENHANCEMENT, MARCH 1 THROUGH OCTOBER 31

MAXIMUM VOLUME: 48.0 ACRE-FEET

DATE OF PRIORITY: JANUARY 10, 2018

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	14 W	WM	36	NE NE	1225 FEET SOUTH AND 177 FEET WEST FROM NE CORNER, SECTION 36

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

The amount of water diverted for cranberry operations, together with amounts secured under any other rights existing for the same lands, shall not exceed a maximum of 3.0 acre feet per acre, and is further 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 irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

**Authorized Place of Use:**

CRANBERRY USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	13 W	WM	31	NW NW	0.3
25 S	13 W	WM	31	SW NW	9.8

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	13 W	WM	31	SW NW	2.6
25 S	13 W	WM	31	NE SW	6.2
25 S	13 W	WM	31	NW SW	0.4
25 S	14 W	WM	36	SE NE	2.8
25 S	14 W	WM	36	NE NE	0.6

WETLAND ENHANCEMENT				
Twp	Rng	Mer	Sec	Q-Q
25 S	13 W	WM	31	SW NW
25 S	13 W	WM	31	SE NW
25 S	13 W	WM	31	NE SW
25 S	13 W	WM	31	NW SW

Measurement Devices, and Recording/Reporting of Annual Water Use Conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any 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 volume of water diverted, 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.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

**STANDARD CONDITIONS**

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user

not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, shall be followed.

Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.

Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued April 18, 2018



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

