

T-10476

T-10476

PERMIT AMENDMENT

FILE T-10476  
BANDON DUNES LIMITED PARTNERSHIP  
C/O DONALD J STASTNY, OWNER'S REPRESENTATIVE  
BANDON DUNES GOLF RESORT  
C/O STASTNYBRUN ARCHITECTS INC  
1630 SW MORRISON SUITE 210  
PORTLAND OR 97205

N  
C  
A

Partnership  
representative

DESCRIPTION OF WATER RIGHT(S)

503 222-5533 503 227-5019 Fax

Change in ADDA POU  
Date Filed 10-19-07  
Initial notice date 10-30-07  
DPD issued date \_\_\_\_\_  
PD issued date \_\_\_\_\_  
PD notice date \_\_\_\_\_  
Date of FO 4-14-08 Vol 74 Page 681  
C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_

Name of Stream Wells  
Trib. of Cut Creek  
Use Com Dow Irr County Coos  
Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_  
Name of ditch \_\_\_\_\_  
App # G13577 Per # G13498 Cert # \_\_\_\_\_ PR Date 1993  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_  
App # \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt #
<u>10/19/07</u>	<u>400.00</u>	<u>90265</u>
<u>10/25/07</u>	<u>400.00</u>	<u>90344</u>

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District A/A  
Agent Goldier Associates Inc. 40 Ron Blegen 1430 West Broadway Road, Suite 108  
Tempe, AZ 85282 480-966-0153 503-207-0562 480-966-0193 Fax  
CWRE  
CC's list Coos County 250 N. Baxter, Coquille OR 97423





F 10476

**Bandon Dunes Limited Partnership  
Water Right Contact Information**

**Current Permit**

Water Right Application Number	G13577
Permit Number	G13498
Certificate Number	n/a
Permit Holder	Bandon Dunes Limited Partnership
Contact Name / Title	Donald J. Stastny, Owner's Representative
New Contact Address	Bandon Dunes Golf Resort c/o StastnyBrun Architects Inc. 1630 SW Morrison, Suite 210 Portland, OR 97205
Contact Phone Number	(503) 222-5533
Contact Fax Number	(503) 227-5019

Please note that a permit amendment application (T-10719) is pending.

**New Permit Application (In Process with OWRD)**

Water Right Application Number	G17140
Permit Number	n/a
Certificate Number	n/a
Permit Applicant:	Bandon Dunes Limited Partnership
Contact Name / Title	Donald J. Stastny, Owner's Representative
New Contact Address	Bandon Dunes Golf Resort c/o StastnyBrun Architects Inc. 1630 SW Morrison, Suite 210 Portland, OR 97205
Contact Phone Number	(503) 222-5533
Contact Fax Number	(503) 227-5019

Please note that the previous contact address associated with the permit and application (2130 Lincoln Park North, Chicago, IL 60614) is no longer valid.

**Agent Contact Information:**

Ron Blegen / David Banton

Golder Associates Inc.

1430 W. Broadway Road, Suite 108

Tempe, AZ 85282

Phone: 480-966-0153

Fax: 480-966-0193

**Golder Associates Inc.**

1430 W. Broadway, Road, Suite 108  
Tempe, AZ 85282  
Telephone: (480) 966-0153  
Fax: (480) 966-0193



July 16, 2009

Our Ref.: 033-1642-002.001

Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Attention: Ms. Timmie Brandt

**RE: OWNER CONTACT INFORMATION CHANGES  
WATER RIGHT PERMIT G13498 AND NEW APPLICATION G17140**

Dear Ms. Brandt:

Thank you for speaking with me earlier today. As I mentioned, Golder Associates has been working with our client, Bandon Dunes Limited Partnership (Bandon Dunes), on water rights issues. Recently, the primary contact address for Bandon Dunes has changed and we would like this change to be reflected in the OWRD water right files. The affected water rights pertain to an existing permit (Permit No. G13498) and a new application (No. G17140) now in process.

The change of contact information for the permit and new application is attached. Please update your files and ensure that any new correspondence goes to the primary contact person, Donald J. Stastny, at the address listed.

Sincerely,

**GOLDER ASSOCIATES INC.**

A handwritten signature in cursive script that reads 'Ronald P. Blegen'.

Ronald P. Blegen, RG, CWRE  
Senior Project Hydrogeologist

Cc: Donald J. Stastny, StastnyBrun Architects  
David Banton, Golder Associates



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

October 29, 2007

Bandon Dunes Limited Partnership  
c/o Donald Stastny, Owners Representative  
2130 Lincoln Park North  
Chicago, IL 60614

Reference: Permit Amendment T-10476

On October 19, 2007 we received your request for permit amendment. The application was accompanied by \$800.00. Our receipts #90265 and #90344 are enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until we issue a final order approving the application.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #19  
Ron Blegen, Golder Associates Inc, Agent  
Groundwater

enclosure



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

### Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 10/30/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: COOS  
Transfer: 10476  
Water Right: PERMIT G 13498  
Priority Date: 1993  
Name: BANDON DUNES LIMITED PARTNERSHIP  
Address: 2130 LINCOLN PARK N, CHICAGO IL  
Change: POU/APOA  
Source: WELLS  
Authorized POA: T27S R14W 32  
T28S R14W 5  
Proposed APOA: T28S R14W 5  
Authorized POU: T27S R14W 20, 29, 32  
T28S R14W 5  
Proposed POU: T27S R14W 20, 29, 30, 31, 32  
T28S R14W 5

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

March 10, 2009

Amerititle  
P.O. Box 5017  
Klamath Falls, Oregon 97601

Reference: Application G-4192, Permit G-3957, Certificate 47815

The Department is in receipt of your Request for assignment you submitted on the above referenced water right. As this is a perfected right, as evidenced by the certificate of water right, an assignment is not necessary. Oregon water law views a certificated right as appurtenant to the land for which it is issued. If you own the land, you own the water right associated with the land.

The Department does request that an ownership update be filed for perfected rights, when a change in ownership occurs. We will retain a copy of your request as an ownership update for our files.

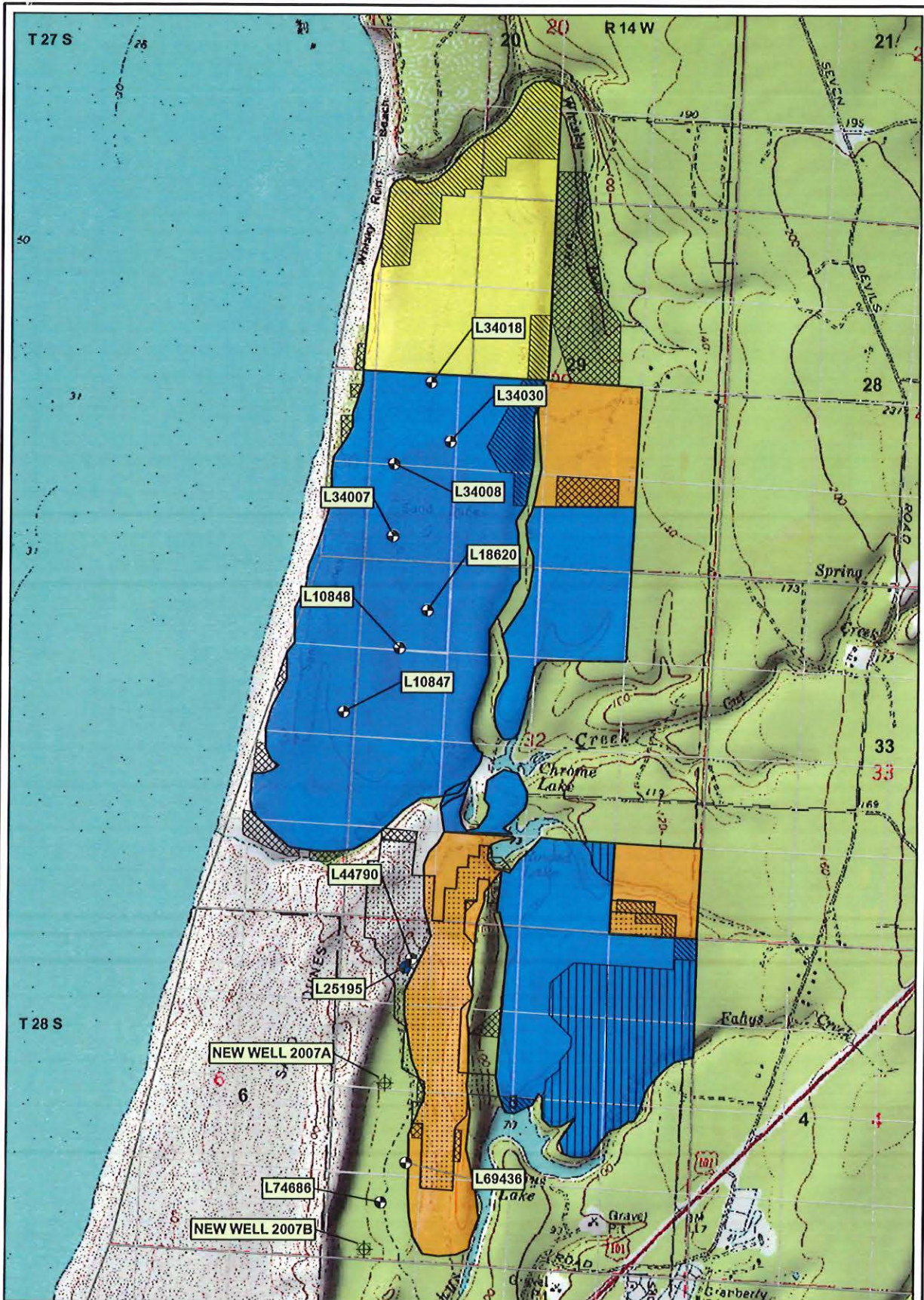
I am returning your original request and the check you submitted. Thank you for notifying the Department of the ownership change. I would be remiss if I did not bring to your attention, that if a different well will be used for the lands retained, a transfer would be required to add the new well.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Original request and check

cc: Watermaster 17  
J. Randall Pope  
Joanne Larson  
File



**LEGEND**

● Domestic Well	⊕ Irrigation	⊕ Proposed New Well	⊗ Amended Irrigation (2007)	⊗ Cancelled Irrigation (2007)
⊗ Amended Irrigation (March 2004)	⊗ Cancelled Irrigation (March 2004)	■ Original Irrigation Area	■ Cancelled Irrigation Area (Aug. 2002)	■ Amended Irrigation Area (Aug. 2002)

0 1,300  
Scale 1" = 1,300 Feet  
Map Projection:  
Oregon State Plane  
South Zone, NAD 83, Feet  
Source: USGS, Skinner & Assoc.  
Stuntz Engineering

This figure was originally produced in color. Reproduction in black and white may result in a loss of information

**BANDON DUNES WATER RIGHT G-13577**  
**Permit Amendment**  
 BANDON DUNES/WATER SUPPLY EVAL/OR

Drawn: KBD    Revision: 0    Date: Oct. 9, 2007    Figure: 1



# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

April 24, 2008

BANDON DUNES LTD PARTNERSHIP  
2130 LINCOLN PARK NORTH  
CHICAGO IL 60614

Reference: Permit Amendment Transfer 10476

Enclosed is a copy of the order approving your Permit Amendment transfer application.

YOU SHOULD GIVE PARTICULAR ATTENTION TO THE CONDITIONS OUTLINED IN THE ORDER. All other terms and conditions of the permit remain the same.

If you have any questions, please call the Transfer Section, (503)986-0900.

Sincerely,

Sarah Henderson  
Executive Support

cc: Watermaster #19  
Ron Blegen, Golder Associates Inc. (1430 West Broadway Rd, Ste 108, Tempe, AZ 85282)  
Donald Stastny, Stastny Brun Architects (813 SW Alder Ste 200, Portland, OR 97205)

Enclosure



**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Permit Amendment            )  
T-10476, Coos County                            )  
  )  
  )  
  )  
  )

**FINAL ORDER**  
**APPROVING A CHANGE IN PLACE**  
**OF USE AND ADDITIONAL POINTS**  
**OF APPROPRIATION**

**Authority**

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

Bandon Dunes Limited Partnership  
2130 Lincoln Park North  
Chicago, Illinois 60614

**Findings of Fact**

1. On October 19, 2007, Bandon Dunes Limited Partnership filed an application for a change in place of use and additional points of appropriation under Permit G-13498. The Department assigned the application number T-10476.
2. On April 10, 2008, the application was amended to change the location of proposed well 2007B within the SW¼ SW¼, Section 5, T 28 S, R 14 W, W.M.
3. The permit to be amended is as follows:

**Permit:** G-13498, in the name of Bandon Dunes Limited Partnership (as previously amended by T-8861, Special Order Vol. 56, Page 907; T-9647, Special Order Vol. 59, Page 435; T-9782, Special Order Vol. 70, Page 285)

**Use:** Commercial use, domestic use serving 500 households, and irrigation and out-of-season irrigation of a total of 500.0 acres

**Priority Date:** December 17, 1993

**Quantity:** 3.55 cubic feet per second (cfs); being 0.46 cfs for domestic use for 500 households and commercial use, and 3.09 cfs for irrigation.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

**Rate/Duty:** 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 and 0.5 acre-foot for each acre irrigated for out-of-season irrigation. The total amount diverted shall not exceed 2.5 acre-feet for each acre irrigated each year

**Acres:** 500 acres

**Source:** Fourteen Wells, in the Cut Creek Basin

**Date of complete application of water:** October 1, 2022

**Authorized Points of Appropriation:**

Township		Range		Meridian	Sec	¼ ¼		Location
27	S	14	W	W.M.	29	NE	SW	Well L34030 – 1674 feet North and 1451 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW	SW	Well L34008 – 1354 feet North and 646 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW	SW	Well L34018 – 2515 feet North and 1169 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	SW	SW	Well L34007 – 325 feet North and 638 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW	SE	New Schuman Well – 1549 feet North and 2756 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	32	NW	NW	PW5 – 27 feet North and 382 feet West from the NW 1/16 Corner of Section 32.
27	S	14	W	W.M.	32	NW	NW	PW6 – 733 feet South and 1130 feet East from the NW Corner of Section 32.
27	S	14	W	W.M.	32	SW	NW	PW4 – 377 feet North and 173 feet East from the W¼ Corner of Section 32.
28	S	14	W	W.M.	5	NW	NW	Well 1 – 641 feet South and 69 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	NW	NW	Well 2 – 632 feet South and 254 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	NW	NW	Well L44790 – 432 feet South and 254 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	SW	NW	Well 3 – 61 feet South and 303 feet West from the NW 1/16 Corner of Section 5.
28	S	14	W	W.M.	5	NW	SW	Well L69436 – South 232.30° West 5222.22 feet from the NE Corner of Section 5.
28	S	14	W	W.M.	5	SW	SW	Well L74686 – South 230.04° West 5851.13 feet from the NE Corner of Section 5.

**Authorized Place of Use:**

IRRIGATION							
Township	Range	Meridian	Sec	¼	¼	Acres	
27	S	14	W	W.M.	20	NE SW	8.40
27	S	14	W	W.M.	20	SW SW	15.00
27	S	14	W	W.M.	20	SE SW	38.20
27	S	14	W	W.M.	29	NE NW	40.00
27	S	14	W	W.M.	29	NW NW	38.80
27	S	14	W	W.M.	29	SW NW	40.00
27	S	14	W	W.M.	29	SE NW	40.00
27	S	14	W	W.M.	29	NE SW	28.60
27	S	14	W	W.M.	29	NW SW	40.00
27	S	14	W	W.M.	29	SW SW	40.00
27	S	14	W	W.M.	29	SE SW	33.80
27	S	14	W	W.M.	29	SW SE	27.80
27	S	14	W	W.M.	30	NE NE	2.50
27	S	14	W	W.M.	30	SE NE	7.90
27	S	14	W	W.M.	30	NE SE	12.00
27	S	14	W	W.M.	30	SE SE	18.00
27	S	14	W	W.M.	31	NE NE	27.10
27	S	14	W	W.M.	31	SE NE	33.60
27	S	14	W	W.M.	31	NE SE	45.80
27	S	14	W	W.M.	31	SE SE	12.50
27	S	14	W	W.M.	32	NW NE	40.00
27	S	14	W	W.M.	32	NE NW	34.80
27	S	14	W	W.M.	32	NW NW	40.00
27	S	14	W	W.M.	32	SW NW	40.00
27	S	14	W	W.M.	32	SE NW	21.50
27	S	14	W	W.M.	32	NE SW	22.30
27	S	14	W	W.M.	32	NW SW	36.80
27	S	14	W	W.M.	32	SW SW	21.50
27	S	14	W	W.M.	32	SE SW	18.75
27	S	14	W	W.M.	32	NW SE	0.50
27	S	14	W	W.M.	32	SW SE	32.67
27	S	14	W	W.M.	32	SE SE	10.00
28	S	14	W	W.M.	5	NE NE	4.40
28	S	14	W	W.M.	5	NW NE	20.46
28	S	14	W	W.M.	5	SW NE	17.00
28	S	14	W	W.M.	5	NE NW	30.00

IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
28	S	14	W	W.M.	5	NW	NW	22.00
28	S	14	W	W.M.	5	SW	NW	9.00
28	S	14	W	W.M.	5	SE	NW	31.00
28	S	14	W	W.M.	5	NE	SW	17.00
28	S	14	W	W.M.	5	NW	SW	2.00
28	S	14	W	W.M.	5	SE	SW	2.00

SUPPLEMENTAL IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
28	S	14	W	W.M.	5	NW	NE	0.29
28	S	14	W	W.M.	5	SW	NE	0.15
28	S	14	W	W.M.	5	SE	NE	0.38

COMMERCIAL							
Township		Range		Meridian	Sec	¼ ¼	
27	S	14	W	W.M.	29	SE	SW
27	S	14	W	W.M.	32	NE	NW
27	S	14	W	W.M.	32	SE	NW
27	S	14	W	W.M.	32	NE	SW
27	S	14	W	W.M.	32	NW	SW
27	S	14	W	W.M.	32	SW	SW
27	S	14	W	W.M.	32	SE	SW
27	S	14	W	W.M.	32	NW	SE
28	S	14	W	W.M.	8	NW	NE
28	S	14	W	W.M.	8	NE	NW

4. Application T-10476 proposes to change the place of use of the permit to:

IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
27	S	14	W	W.M.	20	SE	SW	13.20
27	S	14	W	W.M.	20	SW	SE	4.72
27	S	14	W	W.M.	29	NW	NE	19.97
27	S	14	W	W.M.	29	SW	NE	28.00
27	S	14	W	W.M.	29	NE	NW	40.00
27	S	14	W	W.M.	29	NW	NW	22.40
27	S	14	W	W.M.	29	SW	NW	40.00
27	S	14	W	W.M.	29	SE	NW	33.90

IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
27	S	14	W	W.M.	29	NE	SW	20.40
27	S	14	W	W.M.	29	NW	SW	40.00
27	S	14	W	W.M.	29	SW	SW	40.00
27	S	14	W	W.M.	29	SE	SW	31.30
27	S	14	W	W.M.	29	SW	SE	36.70
27	S	14	W	W.M.	30	NE	NE	2.50
27	S	14	W	W.M.	30	SE	NE	8.35
27	S	14	W	W.M.	30	NE	SE	13.10
27	S	14	W	W.M.	30	SE	SE	18.00
27	S	14	W	W.M.	31	NE	NE	27.10
27	S	14	W	W.M.	31	SE	NE	34.10
27	S	14	W	W.M.	31	NE	SE	49.20
27	S	14	W	W.M.	31	NW	SE	0.40
27	S	14	W	W.M.	31	SW	SE	0.40
27	S	14	W	W.M.	31	SE	SE	17.60
27	S	14	W	W.M.	32	NW	NE	40.00
27	S	14	W	W.M.	32	NE	NW	34.80
27	S	14	W	W.M.	32	NW	NW	40.00
27	S	14	W	W.M.	32	SW	NW	40.00
27	S	14	W	W.M.	32	SE	NW	21.50
27	S	14	W	W.M.	32	NE	SW	22.30
27	S	14	W	W.M.	32	NW	SW	36.80
27	S	14	W	W.M.	32	SW	SW	23.70
27	S	14	W	W.M.	32	SE	SW	19.05
27	S	14	W	W.M.	32	NW	SE	0.50
27	S	14	W	W.M.	32	SW	SE	32.67
27	S	14	W	W.M.	32	SE	SE	5.20
28	S	14	W	W.M.	5	NE	NE	8.45
28	S	14	W	W.M.	5	NW	NE	23.46
28	S	14	W	W.M.	5	SW	NE	17.00
28	S	14	W	W.M.	5	NE	NW	30.00
28	S	14	W	W.M.	5	NW	NW	22.00
28	S	14	W	W.M.	5	SW	NW	9.25
28	S	14	W	W.M.	5	SE	NW	33.10
28	S	14	W	W.M.	5	NE	SW	17.56
28	S	14	W	W.M.	5	NW	SW	3.00
28	S	14	W	W.M.	5	SE	SW	2.00

SUPPLEMENTAL IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
28	S	14	W	W.M.	5	NW	NE	0.29
28	S	14	W	W.M.	5	SW	NE	0.15
28	S	14	W	W.M.	5	SE	NE	0.38

COMMERCIAL							
Township		Range		Meridian	Sec	¼ ¼	
27	S	14	W	W.M.	29	SE	SW
27	S	14	W	W.M.	32	NE	NW
27	S	14	W	W.M.	32	SE	NW
27	S	14	W	W.M.	32	NE	SW
27	S	14	W	W.M.	32	NW	SW
27	S	14	W	W.M.	32	SW	SW
27	S	14	W	W.M.	32	SE	SW
27	S	14	W	W.M.	32	NW	SE
28	S	14	W	W.M.	8	NW	NE
28	S	14	W	W.M.	8	NE	NW

The changed place of use is in bold type.

5. Application T-10476 proposes two additional points of appropriation located:

Township		Range		Meridian	Sec	¼ ¼		Location
28	S	14	W	W.M.	5	SW	NW	Well 2007A – 95 feet North and 715 feet East from the W¼ Corner of Section 5.
28	S	14	W	W.M.	5	SW	SW	Well 2007B – Latitude: 43° 10' 07.0" North, Longitude: 124° 23' 32.3" West

6. Use of water for irrigation under this permit is limited to a development of a maximum of 500.00 acres of the potential 1024.5 acres identified in the description of the place of use above.
7. Notice of the application for the permit amendment was published in the Department's weekly notice on October 30, 2007, and in The World newspaper on January 24, 31, and February 7, 2008, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
8. The change would not result in injury to other water rights.
9. The proposed place of use is owned and/or controlled by the permit holder.

10. The change does not enlarge the permit.
11. The change does not alter any other terms of the permit.
12. The proposed place of use is contiguous to the authorized place of use.

### Conclusions of Law

The change in place of use and additional points of appropriation proposed by Permit Amendment Application T-10476 are consistent with the requirements of ORS 537.211.

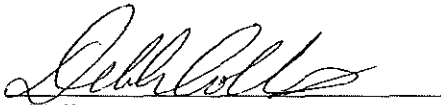
### Now, therefore, it is ORDERED:

1. The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-13498.
2. Prior to water use from the proposed point of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. The former place of use shall no longer be irrigated as part of this water right.
5. All other terms and conditions of Permit G-13498 remain the same.
6. Permit G-13498, in the name of Bandon Dunes Limited Partnership, is amended as described herein.

Dated at Salem, Oregon this 14<sup>th</sup> day of April, 2008.

  
Phillip C. Ward,  
Director

Mailing Date: APR 25 2008

### Permit Amendment Checklist

Permit Amendment T-10476

Transfer Specialist: pks

**Applicant Name/Address:** Bandon Dunes Limited Partnership, 2130 Lincoln Park North, Chicago, IL 60614

**Agent Names/Addresses:** Golder Associates Inc, c/o Ron Blegen, 1430 West Broadway Road, Suite 108, Tempe, AZ 85282  
Donald J. Stastny, Owner's Representative, StastnyBrun Architects, 813 SW Alder Suite 200, Portland, Oregon 97205

**CWRE Name/Number:** None

**Rec Landowner Name/Address:** None

**Irr. District Name/Address:** None

**Affected Govt's Name/Address:** Coos County, 250 North Baxter, Coquille, Oregon 97423

**Commentors Name/Address:** None

**Permits Affected**

Records Marked	Records Copied	App File No.	Permit No.
X	X	G-13577	G-13498

**Key Dates & Initial Actions**

Rec'd: 10/19/2007	Proposed Action(s): POU APOA	
Fees Pd: \$800.00	WM District: 19	ODFW District: N/A
Initial Notice: 10/30/2007	WM Review sent: 10/29/2007	ODFW Review sent: N/A
Acknowledgement Letter Sent: X		GW Review sent: 10/29/2007

**Processing Dates & Actions**

Deficiency Contacts:	Newspaper Pub Affid. Due: <input type="checkbox"/> not required
Affid of Pub Rec'd: 2/20/2008 Last Day Published: 2/7/2008	Affidavit Reminder Sent:
Reminder Deadline:	

**Final Order**

- Electronic Files uploaded
- Newspaper Notice Cover letter
- Newspaper Notice
- File Assigned/ ModPod updated
- Fee Refund Due

<p><del><b>Draft Order Review (Optional)</b></del></p> <p>Reviewer: _____          Date: _____          Coordinator: _____          Date: _____</p>	<p><b>Final Order Review (Salem)</b></p> <p>Reviewer: <u>SP</u>          Date: <u>2-21-08</u>          Coordinator: <u>RJP</u>          Date: <u>4/14/08</u></p>
<p>Comments/Special Issues: ΔPOU and two APOA's</p>	

Special Order Volume: Vol: 74, Pages 681 Final Order Signature Date: 4-14-08

Notice of FO e-mailed to processors: Kelly

**Kelly Starnes**

**From:** Blegen, Ron [RBleg@golder.com]  
**Sent:** Thursday, April 10, 2008 11:48 AM  
**To:** Kelly Starnes  
**Cc:** Banton, David  
**Subject:** RE: Bandon Dunes Well coordinates - Permit Amendment T-10476

Hi Kelly,  
We finally have a location for proposed well 2007B. There were some difficulties with finding a location that was acceptable for rig access and still a sufficient distance from the nearest surface water. In the end, I don't think it was moved very far from the original location.

The coordinates are as follows:  
Well 2007B N = 571,498' E = 3,883,316' (Lat: 43°10' 07.0" Long: 124°23' 32.3")

I hope this is sufficient for your needs. Please let me know if you need anything else.

Thanks for your patience.

Ron

Same  
1/4 1/4.  
SS  
\*

**From:** Kelly Starnes [mailto:starnepk@wrdd.state.or.us]  
**Sent:** Thursday, March 06, 2008 10:15 AM  
**To:** Blegen, Ron  
**Subject:** RE: Bandon Well coordinates

Ron-

Thanks for letting me know. I will wait for the new location coordinates.

Have a good day!

Kelly

**From:** Blegen, Ron [mailto:RBleg@golder.com]  
**Sent:** Wednesday, March 05, 2008 3:45 PM  
**To:** Kelly Starnes  
**Subject:** Bandon Well coordinates

Hi Kelly,

We are still trying to nail down a well site for one of the new Bandon Dunes wells on our permit amendment. The original site is difficult to get to, but they can go only so far to the east (too close to the Fahys Lake). There are north and south restrictions as well. So they are still evaluating options, but I hope to have an some location coordinates for you soon.

Thanks for your patience.



STASTNYBRUN

TRANSMITTAL

DATE 2/19/2008

FROM Donald J. Stastny FAIA

TO Kelly Starnes, Permit Amendment Processor  
State of Oregon/Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem OR 97301-1266

DISTRIBUTION

VIA US Mail

PROJECT 2117 Bandon Dunes Design Consulting

8629

THE FOLLOWING IS BEING TRANSMITTED FOR YOUR RECORD:

COPIES DESCRIPTION

PAGES DATED

1 Reference: Permit Amendment Application T-10476  
Affidavit of Publication

1 2/7/2008

REMARK Kelly,  
Per your letter to Golder Associates, Inc., dated January 17, we are sending you an original Affidavit of Publication.

**RECEIVED**

FEB 20 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

Architecture Urban Design  
Planning Interiors  
Community Design Process Competition Management

**AFFIDAVIT OF PUBLICATION**

**The World**

Lee Enterprises  
Coos & Douglas County Oregon

**Bandon Western World**

**STATE OF OREGON  
COUNTY OF COOS**

Bandon Dunes  
57744 Round Lake Dr.  
Bandon, OR 97411

Reference: 60007392      Notice of Permit  
                  20089437      Amendment

I, McLisa Campo, first duly sworn, deposed and say that I am the Legal Advertising Clerk for THE WORLD newspaper, of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Coos Bay, Oregon, in the aforesaid county and state; that I know from my personal knowledge that the printed copy of which hereto annexed, was inserted in the entire issue of said newspaper in the following issues:

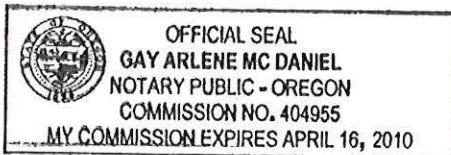
PUBLISHED ON: January 24 and 31, 2008 and February 7, 2008

TOTAL COST:    \$94.67

  
\_\_\_\_\_  
Legal Clerk

Subscribed and sworn to before this 7th day of February, 2008

  
\_\_\_\_\_  
Notary Public of Oregon



FILED ON:            02/07/2008

**Notice of Permit Amendment T-10476**  
T-10476 filed by Bandon Dunes Limited Partnership, c/o Donald J. Stastny, StastnyBrun Architects Inc., 813 SW Alder, Suite 200, Portland, Oregon 97205, proposes a change in place of use and additional points of appropriation under Permit G-13498. The permit allows the use of 3.55 cfs (priority date December 17, 1993) from 14 wells in Sects. 29 and 32, T 27 S, R 14 W, W.M. and Sec. 5, T 28 S, R 14 W, W.M. (Cut Creek Basin) for commercial use, domestic use serving 500 households, and irrigation of 500 acres in Sects. 20, 29, 30, 31, and 32, T 27 S, R 14 W, W.M., and Sects. 5 and 8, T 28 S, R 14 W, W.M. The applicant proposes two additional points of appropriation within Sec. 5, T 28 S, R 14 W, W.M. The applicant also proposes to change the place of use of 87.09 acres of potentially irrigated lands. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is February 7, 2008.

PUBLISHED: The Western World:  
January 24 and 31, 2008 and February 7, 2008.

**RECEIVED**

**FEB 20 2008**

**WATER RESOURCES DEPT  
SALEM, OREGON**



# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

January 17, 2008

Golder Associates Inc.  
Ron Blegen  
1430 West Broadway Road Suite 108  
Tempe, Arizona 85282

Reference: Permit Amendment Application T-10476

Enclosed is a permit amendment notice which must be published in a local newspaper in the general area of the permit (newspapers with statewide circulation such as the Capital Press, Journal of Commerce, etc. do not qualify). The notice must be published at least once a week for three consecutive weeks. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an **affidavit of publication** specifying the dates the notice was published. Please have the newspaper prepare and mail an original affidavit of publication to me, at the address above, by **March 7, 2008**.

Also enclosed is a draft of the final order for the approval of the permit amendment. If you any questions about it, please let me know.

Upon receipt of the affidavit, processing will continue on the permit amendment application.

Please do not hesitate to contact me at 503-986-0886 or [Patrick.K.Starnes@wrđ.state.or.us](mailto:Patrick.K.Starnes@wrđ.state.or.us), if you have questions.

Sincerely,

Kelly Starnes  
Permit amendment processor

enc

cc: Bandon Dunes Limited Partnership  
Donald J. Stastny, StastnyBrun Architects

**Notice of Permit Amendment T-10476**

T-10476 filed by Bandon Dunes Limited Partnership, c/o Donald J. Stastny, StastnyBrun Architects Inc., 813 SW Alder, Suite 200, Portland, Oregon 97205, proposes a change in place of use and additional points of appropriation under Permit G-13498. The permit allows the use of 3.55 cfs (priority date December 17, 1993) from 14 wells in Sects. 29 and 32, T 27 S, R 14 W, W.M. and Sec. 5, T 28 S, R 14 W, W.M. (Cut Creek Basin) for commercial use, domestic use serving 500 households, and irrigation of 500 acres in Sects. 20, 29, 30, 31, and 32, T 27 S, R 14 W, W.M., and Sects. 5 and 8, T 28 S, R 14 W, W.M. The applicant proposes two additional points of appropriation within Sec. 5, T 28 S, R 14 W, W.M. The applicant also proposes to change the place of use of 87.09 acres of potentially irrigated lands. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211.

The last date of newspaper publication is [DATE OF LAST PUBLICATION].



**Authorized Points of Appropriation:**

Township		Range		Meridian	Sec	¼ ¼		Location
27	S	14	W	W.M.	29	NE	SW	Well L34030 – 1674 feet North and 1451 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW	SW	Well L34008 – 1354 feet North and 646 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW	SW	Well L34018 – 2515 feet North and 1169 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	SW	SW	Well L34007 – 325 feet North and 638 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW	SE	New Schuman Well – 1549 feet North and 2756 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	32	NW	NW	PW5 – 27 feet North and 382 feet West from the NW 1/16 Corner of Section 32.
27	S	14	W	W.M.	32	NW	NW	PW6 – 733 feet South and 1130 feet East from the NW Corner of Section 32.
27	S	14	W	W.M.	32	SW	NW	PW4 – 377 feet North and 173 feet East from the W¼ Corner of Section 32.
28	S	14	W	W.M.	5	NW	NW	Well 1 – 641 feet South and 69 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	NW	NW	Well 2 – 632 feet South and 254 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	NW	NW	Well L44790 – 432 feet South and 254 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	SW	NW	Well 3 – 61 feet South and 303 feet West from the NW 1/16 Corner of Section 5.
28	S	14	W	W.M.	5	NW	SW	Well L69436 – South 232.30° West 5222.22 feet from the NE Corner of Section 5.
28	S	14	W	W.M.	5	SW	SW	Well L74686 – South 230.04° West 5851.13 feet from the NE Corner of Section 5.

**Authorized Place of Use:**

IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
27	S	14	W	W.M.	20	NE	SW	8.40
27	S	14	W	W.M.	20	SW	SW	15.00
27	S	14	W	W.M.	20	SE	SW	38.20
27	S	14	W	W.M.	29	NE	NW	40.00
27	S	14	W	W.M.	29	NW	NW	38.80
27	S	14	W	W.M.	29	SW	NW	40.00
27	S	14	W	W.M.	29	SE	NW	40.00
27	S	14	W	W.M.	29	NE	SW	28.60
27	S	14	W	W.M.	29	NW	SW	40.00
27	S	14	W	W.M.	29	SW	SW	40.00
27	S	14	W	W.M.	29	SE	SW	33.80
27	S	14	W	W.M.	29	SW	SE	27.80
27	S	14	W	W.M.	30	NE	NE	2.50
27	S	14	W	W.M.	30	SE	NE	7.90
27	S	14	W	W.M.	30	NE	SE	12.00
27	S	14	W	W.M.	30	SE	SE	18.00
27	S	14	W	W.M.	31	NE	NE	27.10
27	S	14	W	W.M.	31	SE	NE	33.60
27	S	14	W	W.M.	31	NE	SE	45.80
27	S	14	W	W.M.	31	SE	SE	12.50
27	S	14	W	W.M.	32	NW	NE	40.00
27	S	14	W	W.M.	32	NE	NW	34.80
27	S	14	W	W.M.	32	NW	NW	40.00
27	S	14	W	W.M.	32	SW	NW	40.00
27	S	14	W	W.M.	32	SE	NW	21.50
27	S	14	W	W.M.	32	NE	SW	22.30
27	S	14	W	W.M.	32	NW	SW	36.80
27	S	14	W	W.M.	32	SW	SW	21.50
27	S	14	W	W.M.	32	SE	SW	18.75
27	S	14	W	W.M.	32	NW	SE	0.50
27	S	14	W	W.M.	32	SW	SE	32.67
27	S	14	W	W.M.	32	SE	SE	10.00
28	S	14	W	W.M.	5	NE	NE	4.40
28	S	14	W	W.M.	5	NW	NE	20.46
28	S	14	W	W.M.	5	SW	NE	17.00
28	S	14	W	W.M.	5	NE	NW	30.00

IRRIGATION							
Township		Range		Meridian	Sec	¼ ¼	Acres
28	S	14	W	W.M.	5	NW NW	22.00
28	S	14	W	W.M.	5	SW NW	9.00
28	S	14	W	W.M.	5	SE NW	31.00
28	S	14	W	W.M.	5	NE SW	17.00
28	S	14	W	W.M.	5	NW SW	2.00
28	S	14	W	W.M.	5	SE SW	2.00

SUPPLEMENTAL IRRIGATION							
Township		Range		Meridian	Sec	¼ ¼	Acres
28	S	14	W	W.M.	5	NW NE	0.29
28	S	14	W	W.M.	5	SW NE	0.15
28	S	14	W	W.M.	5	SE NE	0.38

COMMERCIAL							
Township		Range		Meridian	Sec	¼ ¼	
27	S	14	W	W.M.	29	SE SW	
27	S	14	W	W.M.	32	NE NW	
27	S	14	W	W.M.	32	SE NW	
27	S	14	W	W.M.	32	NE SW	
27	S	14	W	W.M.	32	NW SW	
27	S	14	W	W.M.	32	SW SW	
27	S	14	W	W.M.	32	SE SW	
27	S	14	W	W.M.	32	NW SE	
28	S	14	W	W.M.	8	NW NE	
28	S	14	W	W.M.	8	NE NW	

3. Application T-10476 proposes to change the place of use of the permit to:

IRRIGATION							
Township	Range		Meridian	Sec	¼ ¼		Acres
27	S	14	W	W.M.	20	SE SW	13.20
27	S	14	W	W.M.	20	SW SE	4.72
27	S	14	W	W.M.	29	NW NE	19.97
27	S	14	W	W.M.	29	SW NE	28.00
27	S	14	W	W.M.	29	NE NW	40.00
27	S	14	W	W.M.	29	NW NW	22.40
27	S	14	W	W.M.	29	SW NW	40.00
27	S	14	W	W.M.	29	SE NW	33.90
27	S	14	W	W.M.	29	NE SW	20.40
27	S	14	W	W.M.	29	NW SW	40.00
27	S	14	W	W.M.	29	SW SW	40.00
27	S	14	W	W.M.	29	SE SW	31.30
27	S	14	W	W.M.	29	SW SE	36.70
27	S	14	W	W.M.	30	NE NE	2.50
27	S	14	W	W.M.	30	SE NE	8.35
27	S	14	W	W.M.	30	NE SE	13.10
27	S	14	W	W.M.	30	SE SE	18.00
27	S	14	W	W.M.	31	NE NE	27.10
27	S	14	W	W.M.	31	SE NE	<del>38.60</del>
27	S	14	W	W.M.	31	NE SE	49.20
27	S	14	W	W.M.	31	NW SE	0.40
27	S	14	W	W.M.	31	SW SE	0.40
27	S	14	W	W.M.	31	SE SE	17.60
27	S	14	W	W.M.	32	NW NE	40.00
27	S	14	W	W.M.	32	NE NW	34.80
27	S	14	W	W.M.	32	NW NW	40.00
27	S	14	W	W.M.	32	SW NW	40.00
27	S	14	W	W.M.	32	SE NW	21.50
27	S	14	W	W.M.	32	NE SW	22.30
27	S	14	W	W.M.	32	NW SW	36.80
27	S	14	W	W.M.	32	SW SW	23.70
27	S	14	W	W.M.	32	SE SW	19.05
27	S	14	W	W.M.	32	NW SE	0.50
27	S	14	W	W.M.	32	SW SE	32.67
27	S	14	W	W.M.	32	SE SE	5.20
28	S	14	W	W.M.	5	NE NE	8.45

34.10

IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
28	S	14	W	W.M.	5	NW	NE	23.46
28	S	14	W	W.M.	5	SW	NE	17.00
28	S	14	W	W.M.	5	NE	NW	30.00
28	S	14	W	W.M.	5	NW	NW	22.00
28	S	14	W	W.M.	5	SW	NW	9.25
28	S	14	W	W.M.	5	SE	NW	33.10
28	S	14	W	W.M.	5	NE	SW	17.56
28	S	14	W	W.M.	5	NW	SW	3.00
28	S	14	W	W.M.	5	SE	SW	2.00

SUPPLEMENTAL IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
28	S	14	W	W.M.	5	NW	NE	0.29
28	S	14	W	W.M.	5	SW	NE	0.15
28	S	14	W	W.M.	5	SE	NE	0.38

COMMERCIAL								
Township		Range		Meridian	Sec	¼ ¼		
27	S	14	W	W.M.	29	SE	SW	
27	S	14	W	W.M.	32	NE	NW	
27	S	14	W	W.M.	32	SE	NW	
27	S	14	W	W.M.	32	NE	SW	
27	S	14	W	W.M.	32	NW	SW	
27	S	14	W	W.M.	32	SW	SW	
27	S	14	W	W.M.	32	SE	SW	
27	S	14	W	W.M.	32	NW	SE	
28	S	14	W	W.M.	8	NW	NE	
28	S	14	W	W.M.	8	NE	NW	

The changed place of use is in bold type.

4. Application T-10476 proposes two additional points of appropriation located:

Township		Range		Meridian	Sec	¼ ¼		Location
28	S	14	W	W.M.	5	SW	NW	Well 2007A – 95 feet North and 715 feet East from the W¼ Corner of Section 5.
28	S	14	W	W.M.	5	SW	SW	Well 2007B – 50 feet North and 555 feet East from the SW Corner of Section 5.

5. Use of water for irrigation under this permit is limited to a development of a maximum of 500.00 acres of the potential 1024.5 acres identified in the description of the place of use above.
6. Notice of the application for the permit amendment was published in the Department's weekly notice on October 30, 2007, and in the [redacted] Newspaper on [redacted], pursuant to ORS 540.520(5). No comments were filed in response to the notices.
7. The change would not result in injury to other water rights.
8. The proposed place of use is owned and/or controlled by the permit holder.
9. The change does not enlarge the permit.
10. The change does not alter any other terms of the permit.
11. The proposed place of use is contiguous to the authorized place of use.

**Conclusions of Law**

The change in place of use and additional points of appropriation proposed by Permit Amendment Application T-10476 are consistent with the requirements of ORS 537.211.

**Now, therefore, it is ORDERED:**

1. The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-13498.
2. Prior to water use from the proposed point of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. The former place of use shall no longer be irrigated as part of this water right.
5. All other terms and conditions of Permit G-13498 remain the same.
6. Permit G-13498, in the name of Bandon Dunes Limited Partnership, is amended as described herein.

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Permit Amendment            )   **FINAL ORDER**  
T-9782, Coos County                            )   APPROVING ADDITIONAL POINTS  
  )   OF APPROPRIATION

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

Bandon Dunes Limited Partnership  
c/o Howard McKee  
2130 Lincoln Park West  
Chicago, Illinois 60614

**Findings of Fact**

1. On September 15, 2004, Bandon Dunes Limited Partnership filed an application for additional points of appropriation under Permit G-13498. The Department assigned the application number T-9782.
2. On August 2, 2006, the agent representing the applicant withdrew two of the proposed additional points of appropriation (Wells L66586 and L66587) from the permit amendment application.
3. The permit to be amended is as follows:

**Permit:** G-13498, in the name of Bandon Dunes Limited Partnership (as previously amended by T-8861, Special Order Vol. 56, Page 907 and T-9647, Special Order Vol. 59, Page 435)

**Use:** Commercial use, domestic use serving 500 households, and irrigation and out-of-season irrigation of a total of 500.0 acres

**Priority Date:** December 17, 1993

**Quantity:** 3.55 cubic feet per second (cfs); being 0.46 cfs for domestic use for 500 households and commercial use, and 3.09 cfs for irrigation.

**Rate/Duty:** 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

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year and 0.5 acre-foot for each acre irrigated for out-of-season irrigation. The total amount diverted shall not exceed 2.5 acre-feet for each acre irrigated each year

**Acres:** 500 acres  
**Source:** Twelve Wells, in the Cut Creek Basin  
**Date Of Complete Application of Water:** October 1, 2022

**Authorized Points of Appropriation:**

Township	Range	Meridian	Sec	¼ ¼	Location
27	S	14 W	W.M.	29	NE SW Well L34030 – 1674 feet North and 1451 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14 W	W.M.	29	NW SW Well L34008 – 1354 feet North and 646 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14 W	W.M.	29	NW SW Well L34018 – 2515 feet North and 1169 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14 W	W.M.	29	SW SW Well L34007 – 325 feet North and 638 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14 W	W.M.	29	NW SE New Schuman Well – 1549 feet North and 2756 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14 W	W.M.	32	NW NW PW5 – 27 feet North and 382 feet West from the NW 1/16 Corner of Section 32.
27	S	14 W	W.M.	32	NW NW PW6 – 733 feet South and 1130 feet East from the NW Corner of Section 32.
27	S	14 W	W.M.	32	SW NW PW4 – 377 feet North and 173 feet East from the W¼ Corner of Section 32.
28	S	14 W	W.M.	5	NW NW Well 1 – 641 feet South and 69 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14 W	W.M.	5	NW NW Well 2 – 632 feet South and 254 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14 W	W.M.	5	NW NW Well L44790 – 432 feet South and 254 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14 W	W.M.	5	SW NW Well 3 – 61 feet South and 303 feet West from the NW 1/16 Corner of Section 5.

**Authorized Place of Use:**

IRRIGATION								
Township	Range		Meridian	Sec	¼ ¼		Acres	
27	S	14	W	W.M.	20	NE	SW	8.40
27	S	14	W	W.M.	20	SW	SW	15.00
27	S	14	W	W.M.	20	SE	SW	38.20
27	S	14	W	W.M.	29	NE	NW	40.00
27	S	14	W	W.M.	29	NW	NW	38.80
27	S	14	W	W.M.	29	SW	NW	40.00
27	S	14	W	W.M.	29	SE	NW	40.00
27	S	14	W	W.M.	29	NE	SW	28.60
27	S	14	W	W.M.	29	NW	SW	40.00
27	S	14	W	W.M.	29	SW	SW	40.00
27	S	14	W	W.M.	29	SE	SW	33.80
27	S	14	W	W.M.	29	SW	SE	27.80
27	S	14	W	W.M.	30	NE	NE	2.50
27	S	14	W	W.M.	30	SE	NE	7.90
27	S	14	W	W.M.	30	NE	SE	12.00
27	S	14	W	W.M.	30	SE	SE	18.00
27	S	14	W	W.M.	31	NE	NE	27.10
27	S	14	W	W.M.	31	SE	NE	33.60
27	S	14	W	W.M.	31	NE	SE	45.80
27	S	14	W	W.M.	31	SE	SE	12.50
27	S	14	W	W.M.	32	NW	NE	40.00
27	S	14	W	W.M.	32	NE	NW	34.80
27	S	14	W	W.M.	32	NW	NW	40.00
27	S	14	W	W.M.	32	SE	NW	21.50
27	S	14	W	W.M.	32	NE	SW	22.30
27	S	14	W	W.M.	32	NW	SW	36.80
27	S	14	W	W.M.	32	SW	SW	21.50
27	S	14	W	W.M.	32	SE	SW	18.75
27	S	14	W	W.M.	32	NW	SE	0.50
27	S	14	W	W.M.	32	SW	SE	32.67
27	S	14	W	W.M.	32	SE	SE	10.00
28	S	14	W	W.M.	5	NE	NE	4.40
28	S	14	W	W.M.	5	NW	NE	20.46
28	S	14	W	W.M.	5	SW	NE	17.00

-8.40  
 -15-  
 -25- SW SE +4.72  
 -16.4- NW NE +19.97  
 SW NE +28.00  
 -6.1-  
 -8.2-  
 -2.5-  
 +8.9  
 +10.45  
 +1.1  
 +0.50  
 +3.40  
 NWSE +0.40  
 SWSE +0.40  
 +5.10  
 +12.2  
 +0.3  
 -4.8  
 +4.05  
 +3.00

IRRIGATION							
Township		Range		Meridian	Sec	¼ ¼	Acres
28	S	14	W	W.M.	5	NE NW	30.00
28	S	14	W	W.M.	5	NW NW	22.00
28	S	14	W	W.M.	5	SW NW	9.00
28	S	14	W	W.M.	5	SE NW	31.00
28	S	14	W	W.M.	5	NE SW	17.00
28	S	14	W	W.M.	5	NW SW	2.00
28	S	14	W	W.M.	5	SE SW	2.00

+0.25 ✓  
 +2.10 ✓  
 - .69 ✓  
 +1.25 ✓  
 +1.00 ✓

SUPPLEMENTAL IRRIGATION							
Township		Range		Meridian	Sec	¼ ¼	Acres
28	S	14	W	W.M.	5	NW NE	0.29
28	S	14	W	W.M.	5	SW NE	0.15
28	S	14	W	W.M.	5	SE NE	0.38

COMMERCIAL							
Township		Range		Meridian	Sec	¼ ¼	
27	S	14	W	W.M.	29	SE SW	
27	S	14	W	W.M.	32	NE NW	
27	S	14	W	W.M.	32	SE NW	
27	S	14	W	W.M.	32	NE SW	
27	S	14	W	W.M.	32	NW SW	
27	S	14	W	W.M.	32	SW SW	
27	S	14	W	W.M.	32	SE SW	
27	S	14	W	W.M.	32	NW SE	
28	S	14	W	W.M.	8	NW NE	
28	S	14	W	W.M.	8	NE NW	

4. Application T-9782 proposes additional points of appropriation located:

Township		Range		Meridian	Sec	¼ ¼		Location
28	S	14	W	W.M.	5	NW	SW	Well L69436 – South 232.30° West 5222.22 feet from the NE Corner of Section 5.
28	S	14	W	W.M.	5	SW	SW	Well L74686 – South 230.04° West 5851.13 feet from the NE Corner of Section 5.

5. Use of water for irrigation under this permit is limited to a development of a maximum of 500.00 acres of the potential 1024.5 acres identified in the description of the place of use above.
6. Notice of the application for the permit amendment was published in the Department's weekly notice on October 12, 2004, and in the Bandon Western World Newspaper on August 31, September 7, and September 14, 2006, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
7. The change would not result in injury to other water rights.
8. The change does not enlarge the permit.
9. The change does alter other terms of the permit.

**Conclusions of Law**

The additional points of appropriation proposed by Permit Amendment Application T-9782 are consistent with the requirements of ORS 537.211.


**Now, therefore, it is ORDERED:**

1. The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-13498.
2. Prior to water use from the proposed point of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of Permit G-13498 remain the same.
5. Permit G-13498, in the name of Bandon Dunes Limited Partnership, is amended as described herein.

Dated at Salem, Oregon this 27<sup>th</sup> day of September, 2006.

  
\_\_\_\_\_  
Phillip C. Ward, *per*  
Director

Mailing Date: OCT 09 2006

STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-9647 submitted by

BANDON DUNES LIMITED PARTNERSHIP C/O HOWARD McKEE  
2130 LINCOLN PARK WEST  
CHICAGO, ILLINOIS 60614.

The permit to be modified is Permit G-13498 with a date of priority of DECEMBER 17, 1993. The permit allows the use of TWELVE WELLS, in the CUT CREEK BASIN, for COMMERCIAL USE, DOMESTIC USE SERVING 500 HOUSEHOLDS, AND IRRIGATION AND OUT-OF-SEASON IRRIGATION OF A TOTAL OF 500.0 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 3.55 CUBIC FEET PER SECOND(CFS), BEING 0.46 CFS FOR DOMESTIC USE FOR 500 HOUSEHOLDS AND COMMERCIAL USE, AND 3.09 CFS FOR IRRIGATION, if available at the authorized wells:

PW5 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M.;  
27 FEET NORTH AND 382 FEET WEST FROM THE NW 1/16 CORNER OF SECTION 32.

PW4 - SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M.;  
377 FEET NORTH AND 173 FEET EAST FROM THE W $\frac{1}{4}$  CORNER OF SECTION 32.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

WELL 1 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.;  
641 FEET SOUTH AND 69 FEET WEST FROM THE W 1/16 CORNER BETWEEN  
SECTIONS 5 AND 32.

WELL 2 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.;  
632 FEET SOUTH AND 254 FEET WEST FROM THE W 1/16 CORNER BETWEEN  
SECTIONS 5 AND 32.

WELL 3 - SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.;  
61 FEET SOUTH AND 303 FEET WEST FROM THE NW 1/16 CORNER OF  
SECTION 5.

NEW SCHUMAN WELL - NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 1549 FEET NORTH AND 2756 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL L34030 - NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 1674 FEET NORTH AND 1451 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL L34018 - NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 2515 FEET NORTH AND 1169 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL L34008 - NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 1354 FEET NORTH AND 646 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL L34007 - SW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 325 FEET NORTH AND 638 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL PW6 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M.;  
733 FEET SOUTH AND 1130 FEET EAST FROM THE NW CORNER OF SECTION  
32.

WELL L44790 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.;  
432 FEET SOUTH AND 254 FEET WEST FROM THE W 1/16 CORNER BETWEEN  
SECTIONS 5 AND 32.

, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year and 0.5 acre-foot for each acre irrigated for out of season irrigation. The total amount diverted shall not exceed 2½ acre-feet for each acre irrigated each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE¼ SW¼	8.40 ACRES		
SW¼ SW¼	15.00 ACRES		
SE¼ SW¼	38.20 ACRES		
SECTION 20			
NE¼ NW¼	40.00 ACRES		
NW¼ NW¼	38.80 ACRES		
SW¼ NW¼	40.00 ACRES		
SE¼ NW¼	40.00 ACRES		
NE¼ SW¼	28.60 ACRES		
NW¼ SW¼	40.00 ACRES		
SW¼ SW¼	40.00 ACRES		
SE¼ SW¼	33.80 ACRES		X
SW¼ SE¼	27.80 ACRES		
SECTION 29			
NE¼ NE¼	2.50 ACRES		
SE¼ NE¼	7.90 ACRES		
NE¼ SE¼	12.00 ACRES		
SE¼ SE¼	18.00 ACRES		
SECTION 30			
NE¼ NE¼	27.10 ACRES		
SE¼ NE¼	33.60 ACRES		
NE¼ SE¼	45.80 ACRES		
SE¼ SE¼	12.50 ACRES		
SECTION 31			

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL</u> <u>IRRIGATION</u>	<u>COMMERCIAL</u>
NW¼ NE¼	40.00 ACRES		
NE¼ NW¼	34.80 ACRES		X
NW¼ NW¼	40.00 ACRES		
SW¼ NW¼	40.00 ACRES		
SE¼ NW¼	21.50 ACRES		X
NE¼ SW¼	22.30 ACRES		X
NW¼ SW¼	36.80 ACRES		X
SW¼ SW¼			X
SE¼ SW¼	12.50 ACRES		X
NW¼ SE¼	0.50 ACRE		X
SW¼ SE¼	36.10 ACRES		

SECTION 32

TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.

NE¼ NE¼	29.40 ACRES		
NW¼ NE¼	28.11 ACRES	0.29 ACRE	
SW¼ NE¼	39.85 ACRES	0.15 ACRE	
SE¼ NE¼	35.42 ACRES	0.38 ACRE	
NE¼ NW¼	9.30 ACRES		
SE¼ NW¼	13.60 ACRES		
NE¼ SW¼	6.20 ACRES		
NE¼ SE¼	9.30 ACRES		
NW¼ SE¼	18.00 ACRES		

SECTION 5

NW¼ NE¼			X
NE¼ NW¼			X

SECTION 8

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

"\*" Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the place of use above.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the place of use to:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE¼ SW¼	8.40 ACRES		
SW¼ SW¼	15.00 ACRES		
SE¼ SW¼	38.20 ACRES		
SECTION 20			
NE¼ NW¼	40.00 ACRES		
NW¼ NW¼	38.80 ACRES		
SW¼ NW¼	40.00 ACRES		
SE¼ NW¼	40.00 ACRES		
NE¼ SW¼	28.60 ACRES		
NW¼ SW¼	40.00 ACRES		
SW¼ SW¼	40.00 ACRES		
SE¼ SW¼	33.80 ACRES		X
SW¼ SE¼	27.80 ACRES		
SECTION 29			
NE¼ NE¼	2.50 ACRES		
SE¼ NE¼	7.90 ACRES		
NE¼ SE¼	12.00 ACRES		
SE¼ SE¼	18.00 ACRES		
SECTION 30			
NE¼ NE¼	27.10 ACRES		
SE¼ NE¼	33.60 ACRES		
NE¼ SE¼	45.80 ACRES		
SE¼ SE¼	12.50 ACRES		
SECTION 31			

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL</u> <u>IRRIGATION</u>	<u>COMMERCIAL</u>
NW¼ NE¼	40.00 ACRES		
NE¼ NW¼	34.80 ACRES		X
NW¼ NW¼	40.00 ACRES		
SW¼ NW¼	40.00 ACRES		
SE¼ NW¼	21.50 ACRES		X
NE¼ SW¼	22.30 ACRES		X
NW¼ SW¼	36.80 ACRES		X
•SW¼ SW¼	21.50 ACRES		X
•SE¼ SW¼	18.75 ACRES		X
NW¼ SE¼	0.50 ACRE		X
•SW¼ SE¼	32.67 ACRES		
•SE¼ SE¼	10.00 ACRES		

SECTION 32

TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.

•NE¼ NE¼	4.40 ACRES		
•NW¼ NE¼	20.46 ACRES	0.29 ACRE	
•SW¼ NE¼	17.00 ACRES	0.15 ACRE	
•SE¼ NE¼		0.38 ACRE	
•NE¼ NW¼	30.00 ACRES		
•NW¼ NW¼	22.00 ACRES		
•SW¼ NW¼	9.00 ACRES		
•SE¼ NW¼	31.00 ACRES		
•NE¼ SW¼	17.00 ACRES		
•NW¼ SW¼	2.00 ACRES		
•SE¼ SW¼	2.00 ACRES		

SECTION 5

NW¼ NE¼			X
NE¼ NW¼			X

SECTION 8

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

"\*" Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the place of use above.

"•" Place of use involved in the change.

THIS CHANGE TO AN EXISTING WATER PERMIT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The former place of use shall no longer be irrigated as a part of this water right.
2. All other terms and conditions of the permit remain the same.

Permit G-13498, in the name of BANDON DUNES LIMITED PARTNERSHIP is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed MAR 26 2004.

  
Paul R. Cleary, Director

STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING A CHANGE IN PLACE OF USE,  
A CHANGE IN POINT OF APPROPRIATION,  
AND ADDITIONAL POINTS OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given, and finding that the proposed points of appropriation, as constructed, would not have the potential for interference with stream flow in Cut Creek, and also finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-8861 submitted by

BANDON DUNES LIMITED PARTNERSHIP C/O HOWARD MCKEE  
2130 LINCOLN PARK WEST  
CHICAGO, ILLINOIS 60614.

The permit to be modified is Permit G-13498 with a date of priority of DECEMBER 17, 1993. The permit allows the use of FIVE WELLS, in the CUT CREEK BASIN, for COMMERCIAL USE, DOMESTIC USE SERVING 500 HOUSEHOLDS, AND IRRIGATION AND OUT-OF-SEASON IRRIGATION OF 500.0 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 3.55 CUBIC FEET PER SECOND (CFS), BEING 0.46 CFS FOR DOMESTIC USE FOR 500 HOUSEHOLDS AND COMMERCIAL USE, AND 3.09 CFS FOR IRRIGATION, if available at the original wells; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M., NW $\frac{1}{4}$  NW $\frac{1}{4}$ , AND SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.; SCHUMAN WELL - 417 FEET SOUTH AND 283 FEET WEST FROM THE NW $\frac{1}{4}$  CORNER OF SECTION 32; PW5 - 27 FEET NORTH AND 382 FEET WEST FROM THE NW $\frac{1}{16}$  CORNER OF SECTION 32; PW4 - 377 FEET NORTH AND 173 FEET WEST

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

T-8861.PKS

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FROM THE W $\frac{1}{4}$  CORNER OF SECTION 32; WELL 1 - 641 FEET SOUTH AND 69 FEET WEST; WELL 2 - 632 FEET SOUTH AND 254 FEET WEST; BOTH FROM THE W  $\frac{1}{16}$  CORNER BETWEEN SECTIONS 5 AND 32; WELL 3 - 61 FEET SOUTH AND 303 FEET WEST FROM THE NW  $\frac{1}{16}$  CORNER OF SECTION 5, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre-feet per acre for each acre irrigated during the irrigation season of each year and 0.5 acre-foot for each acre irrigated for out of season irrigation. The total amount diverted shall not exceed 2 $\frac{1}{2}$  acre-feet for each acre irrigated each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE $\frac{1}{4}$ SW $\frac{1}{4}$	39.1 ACRES		
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES		
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES		
SE $\frac{1}{4}$ SW $\frac{1}{4}$	38.4 ACRES		X
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES		
SECTION 29			
NE $\frac{1}{4}$ SE $\frac{1}{4}$	12.0 ACRES		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	18.0 ACRES		
SECTION 30			
NE $\frac{1}{4}$ NE $\frac{1}{4}$	27.1 ACRES		
SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.6 ACRES		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	45.8 ACRES		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	12.5 ACRES		
SECTION 31			

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL</u> <u>IRRIGATION</u>	<u>COMMERCIAL</u>
NW¼ NE¼	40.0 ACRES		
NE¼ NW¼	34.8 ACRES		X
NW¼ NW¼	40.0 ACRES		
SW¼ NW¼	40.0 ACRES		
SE¼ NW¼	21.5 ACRES		X
NE¼ SW¼	22.3 ACRES		X
NW¼ SW¼	36.8 ACRES		X
SW¼ SW¼	5.0 ACRES		X
SE¼ SW¼	33.6 ACRES		X
NW¼ SE¼	0.5 ACRE		X
SW¼ SE¼	36.1 ACRES		
SE¼ SE¼	40.0 ACRES		

SECTION 32

TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.

NE¼ NE¼	29.4 ACRES		
NW¼ NE¼	28.11 ACRES	0.29 ACRE	
SW¼ NE¼	39.85 ACRES	0.15 ACRE	
SE¼ NE¼	35.42 ACRES	0.38 ACRE	
NE¼ NW¼	19.3 ACRES		
NW¼ NW¼	6.5 ACRES		
SW¼ NW¼	10.8 ACRES		
SE¼ NW¼	32.1 ACRES		
NE¼ SW¼	21.8 ACRES		
NW¼ SW¼	9.0 ACRE		
SW¼ SW¼	10.0 ACRES		
SE¼ SW¼	17.0 ACRES		
NE¼ SE¼	9.3 ACRES		
NW¼ SE¼	18.0 ACRES		

SECTION 5

NW¼ NE¼		X
NE¼ NW¼		X

SECTION 8

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

"\*" Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the place of use above.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the place of use to:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
• NE¼ SW¼	8.4 ACRES		
• SW¼ SW¼	15.0 ACRES		
• SE¼ SW¼	38.2 ACRES		
	SECTION 20		
• NE¼ NW¼	40.0 ACRES		
• NW¼ NW¼	38.8 ACRES		
• SW¼ NW¼	40.0 ACRES		
• SE¼ NW¼	40.0 ACRES		
• NE¼ SW¼	28.6 ACRES		
• NW¼ SW¼	40.0 ACRES		
• SW¼ SW¼	40.0 ACRES		
• SE¼ SW¼	33.8 ACRES		X
• SW¼ SE¼	27.8 ACRES		
	SECTION 29		
• NE¼ NE¼	2.5 ACRES		
• SE¼ NE¼	7.9 ACRES		
• NE¼ SE¼	12.0 ACRES		
• SE¼ SE¼	18.0 ACRES		
	SECTION 30		
• NE¼ NE¼	27.1 ACRES		
• SE¼ NE¼	33.6 ACRES		
• NE¼ SE¼	45.8 ACRES		
• SE¼ SE¼	12.5 ACRES		
	SECTION 31		

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL</u> <u>IRRIGATION</u>	<u>COMMERCIAL</u>
NW¼ NE¼	40.0 ACRES		
NE¼ NW¼	34.8 ACRES		X
NW¼ NW¼	40.0 ACRES		
SW¼ NW¼	40.0 ACRES		
SE¼ NW¼	21.5 ACRES		X
NE¼ SW¼	22.3 ACRES		X
NW¼ SW¼	36.8 ACRES		X
• SW¼ SW¼			X
• SE¼ SW¼	12.5 ACRES		X
NW¼ SE¼	0.5 ACRE		X
SW¼ SE¼	36.1 ACRES		

SECTION 32

TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.

NE¼ NE¼	29.4 ACRES		
NW¼ NE¼	28.11 ACRES	0.29 ACRE	
SW¼ NE¼	39.85 ACRES	0.15 ACRE	
SE¼ NE¼	35.42 ACRES	0.38 ACRE	
• NE¼ NW¼	9.3 ACRES		
• SE¼ NW¼	13.6 ACRES		
• NE¼ SW¼	6.2 ACRES		
NE¼ SE¼	9.3 ACRES		
NW¼ SE¼	18.0 ACRES		

SECTION 5

NW¼ NE¼		X
NE¼ NW¼		X

SECTION 8

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

"\*" Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the place of use above.

"•" Place of use involved in the change.

The applicant proposes to change the point of appropriation of the Schuman Well to:

NEW SCHUMAN WELL - NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W, W.M.; 1549 FEET NORTH AND 2756 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

The applicant proposes additional points of appropriation located:

WELL L34030 - NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W, W.M.; 1674 FEET NORTH AND 1451 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

WELL L34018 - NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W, W.M.; 2515 FEET NORTH AND 1169 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

WELL L34008 - NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W, W.M.; 1354 FEET NORTH AND 646 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

WELL L34007 - SW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W, W.M.; 325 FEET NORTH AND 638 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

WELL PW6 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M.; 733 FEET SOUTH AND 1130 FEET EAST FROM THE NW CORNER OF SECTION 32.

WELL L44790 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.; 432 FEET SOUTH AND 254 FEET WEST FROM THE W 1/16 CORNER BETWEEN SECTIONS 5 AND 32.

Water Right Permit G-13498 contains a well construction condition that limits all ground water withdrawals, with the exception of the Schuman Well, to ground water deeper than 80 feet below land surface. The intent of this permit condition was to prevent the withdrawal of shallow ground water that could interfere with stream flow in Cut Creek.

Two of the proposed additional wells, L34018 and L34030, are sealed to depths of 18 and 40 feet below land surface, respectively. The Ground Water Section has found that these wells, because of their distance from Cut Creek, would not have

any potential for interference with the creek.


THESE CHANGES TO AN EXISTING WATER PERMIT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
2. The water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. The former place of use shall no longer be irrigated as a part of this water right.
5. All other terms and conditions of the permit remain the same.

Permit G-13498, in the name of BANDON DUNES LIMITED PARTNERSHIP is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed AUG 27 2002

  
Paul R. Cleary, Director

STATE OF OREGON

COUNTY OF Coos

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BANDON DUNES LIMITED PARTNERSHIP  
C/O HOWARD MCKEE  
2130 LINCOLN PARK W.  
CHICAGO, IL 60614

PHONE: (312) 281-0652

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

APPLICATION FILE NUMBER: G-13577

SOURCE OF WATER: SIX WELLS IN THE CUT CREEK BASIN

PURPOSE OR USE: COMMERCIAL USE, DOMESTIC USE SERVING 500.0 HOUSEHOLDS,  
AND IRRIGATION AND OUT-OF-SEASON IRRIGATION OF A TOTAL OF 500.0 ACRES

MAXIMUM RATE: 3.55 CUBIC FEET PER SECOND (CFS), BEING 0.46 CFS FOR  
DOMESTIC USE FOR 500 HOUSEHOLDS AND COMMERCIAL USE AND 3.09 CFS FOR  
IRRIGATION

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION USE; NOVEMBER  
1 THROUGH THE MONTH OF FEBRUARY FOR OUT-OF-SEASON IRRIGATION; YEAR ROUND  
FOR COMMERCIAL USE AND DOMESTIC USE FOR 500 HOUSEHOLDS

DATE OF PRIORITY: DECEMBER 17, 1993

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, NW 1/4 NW 1/4, SW 1/4 NW  
1/4, SECTION 32, T27S, R14W, W.M., NW 1/4 NW 1/4, SW 1/4 NW 1/4, SECTION  
5, T28S, R14W, W.M.; SCHUMANN WELL - 417 FEET SOUTH AND 283 FEET WEST  
FROM N1/4 CORNER SECTION 32; PW5 - 27 FEET NORTH AND 382 FEET WEST FROM  
NW1/16 CORNER, SECTION 32; PW4 - 377 FEET NORTH AND 173 FEET EAST FROM  
W1/4 CORNER, SECTION 32; WELL 1 - 641 FEET SOUTH AND 69 FEET WEST, WELL  
2 - 632 FEET SOUTH AND 254 FEET WEST BOTH FROM W1/16 CORNER, BETWEEN  
SECTION 5 AND 32; WELL 3 - 61 FEET SOUTH AND 303 FEET WEST FROM NW1/16  
CORNER, SECTION 5

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 and 0.5 acre-foot for each acre irrigated  
for out-of-season irrigation. The total amount diverted shall not exceed  
2.5 acre-feet for each acre irrigated each year. T-9847 APOU V.59 p.435

T-9782

T-8861 APOU/APOA  
V.56 P.907

Application G-13577 Water Resources Department

PERMIT G-13498

T10476

1 10476

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE 1/4 SW 1/4	39.1 ACRES		
NW 1/4 SW 1/4	40.0 ACRES		
SW 1/4 SW 1/4	40.0 ACRES		
SE 1/4 SW 1/4	38.4 ACRES		X
NW 1/4 SE 1/4	40.0 ACRES		
SW 1/4 SE 1/4	40.0 ACRES		
SECTION 29			
NE 1/4 SE 1/4	12.0 ACRES		
SE 1/4 SE 1/4	18.0 ACRES		
SECTION 30			
NE 1/4 NE 1/4	27.1 ACRES		
SE 1/4 NE 1/4	33.6 ACRES		
NE 1/4 SE 1/4	45.8 ACRES		
SE 1/4 SE 1/4	12.5 ACRES		
SECTION 31			
NW 1/4 NE 1/4	40.0 ACRES		
NE 1/4 NW 1/4	34.8 ACRES		X
NW 1/4 NW 1/4	40.0 ACRES		
SW 1/4 NW 1/4	40.0 ACRES		
SE 1/4 NW 1/4	21.5 ACRES		X
NE 1/4 SW 1/4	22.3 ACRES		X
NW 1/4 SW 1/4	36.8 ACRES		X
SW 1/4 SW 1/4	5.0 ACRES		X
SE 1/4 SW 1/4	33.6 ACRES		X
NW 1/4 SE 1/4	0.5 ACRE		X
SW 1/4 SE 1/4	36.1 ACRES		
SE 1/4 SE 1/4	40.0 ACRES		
SECTION 32			
TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.			
NE 1/4 NE 1/4	29.4 ACRES		
NW 1/4 NE 1/4	28.11 ACRES	0.29 ACRE	
SW 1/4 NE 1/4	39.85 ACRES	0.15 ACRE	
SE 1/4 NE 1/4	35.42 ACRES	0.38 ACRE	
NE 1/4 NW 1/4	19.3 ACRES		
NW 1/4 NW 1/4	6.5 ACRES		
SW 1/4 NW 1/4	10.8 ACRES		
SE 1/4 NW 1/4	32.1 ACRES		
NE 1/4 SW 1/4	21.8 ACRES		
NW 1/4 SW 1/4	9.0 ACRES		
SW 1/4 SW 1/4	10.0 ACRES		
SE 1/4 SW 1/4	17.0 ACRES		
NE 1/4 SE 1/4	9.3 ACRES		
NW 1/4 SE 1/4	18.0 ACRES		
SECTION 5			
NW 1/4 NE 1/4			X
NE 1/4 NW 1/4			X
SECTION 8			
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.			

\*Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the Place of Use above.

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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

Production well locations shall be limited to the areas identified as "Alternative Well Placement Areas" in EGR and Associates document of May 27, 1997.

With the exception of the existing Schuman well (Coos 330), all wells used for water supply under this permit shall be constructed in a manner to case and seal off all water to a minimum depth of 80 feet below land surface.

Any future well drilling shall be coordinated with the Department for well location, well construction and the driller's collection of geologic samples.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within 60 days of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include: 1) a 5 year program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells; 2) measure specific conductance of

groundwater; 3) collect and report water use data; 4) outline a mitigation plan to address future groundwater interference with surface water and salt water encroachment. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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 shall be limited when it interferes with any prior surface or ground water rights.

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 of the well shall begin by May 28, 1999. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued October 7, 1998



Martha O. Pagel, Director  
Water Resources Department

Application G-13577    Water Resources Department  
Basin 17                    Volume 7 BASIN 15 MISC  
LKS                            MGMT.CODES 3BW 7AG 7AR 7BG 7BR

PERMIT G-13498  
District 19



equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year and 0.5 acre-foot for each acre irrigated for out-of-season irrigation. The total amount diverted shall not exceed 2.5 acre-feet for each acre irrigated each year

**Acres:** 500 acres  
**Source:** Twelve Wells, in the Cut Creek Basin  
**Date Of Complete Application of Water:** October 1, 2022

**Authorized Points of Appropriation:**

Township	Range		Meridian	Sec	¼ ¼		Location
27	S	14	W	W.M.	29	NE SW	Well L34030 – 1674 feet North and 1451 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW SW	Well L34008 – 1354 feet North and 646 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW SW	Well L34018 – 2515 feet North and 1169 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	SW SW	Well L34007 – 325 feet North and 638 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	29	NW SE	New Schuman Well – 1549 feet North and 2756 feet East from the NW Corner of Section 32, T 27 S, R 14 W, W.M.
27	S	14	W	W.M.	32	NW NW	PW5 – 27 feet North and 382 feet West from the NW 1/16 Corner of Section 32.
27	S	14	W	W.M.	32	NW NW	PW6 – 733 feet South and 1130 feet East from the NW Corner of Section 32.
27	S	14	W	W.M.	32	SW NW	PW4 – 377 feet North and 173 feet East from the W¼ Corner of Section 32.
28	S	14	W	W.M.	5	NW NW	Well 1 – 641 feet South and 69 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	NW NW	Well 2 – 632 feet South and 254 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	NW NW	Well L44790 – 432 feet South and 254 feet West from the W 1/16 Corner between Sections 5 and 32.
28	S	14	W	W.M.	5	SW NW	Well 3 – 61 feet South and 303 feet West from the NW 1/16 Corner of Section 5.

Authorized Place of Use:

IRRIGATION							
Township	Range		Meridian	Sec	¼ ¼		Acres
27	S	14	W	W.M.	20	NE SW	8.40
27	S	14	W	W.M.	20	SW SW	15.00
27	S	14	W	W.M.	20	SE SW	38.20
27	S	14	W	W.M.	29	NE NW	40.00
27	S	14	W	W.M.	29	NW NW	38.80
27	S	14	W	W.M.	29	SW NW	40.00
27	S	14	W	W.M.	29	SE NW	40.00
27	S	14	W	W.M.	29	NE SW	28.60
27	S	14	W	W.M.	29	NW SW	40.00
27	S	14	W	W.M.	29	SW SW	40.00
27	S	14	W	W.M.	29	SE SW	33.80
27	S	14	W	W.M.	29	SW SE	27.80
27	S	14	W	W.M.	30	NE NE	2.50
27	S	14	W	W.M.	30	SE NE	7.90
27	S	14	W	W.M.	30	NE SE	12.00
27	S	14	W	W.M.	30	SE SE	18.00
27	S	14	W	W.M.	31	NE NE	27.10
27	S	14	W	W.M.	31	SE NE	33.60
27	S	14	W	W.M.	31	NE SE	45.80
27	S	14	W	W.M.	31	SE SE	12.50
27	S	14	W	W.M.	32	NW NE	40.00
27	S	14	W	W.M.	32	NE NW	34.80
27	S	14	W	W.M.	32	NW NW	40.00
27	S	14	W	W.M.	32	SW NW	40.00
27	S	14	W	W.M.	32	SE NW	21.50
27	S	14	W	W.M.	32	NE SW	22.30
27	S	14	W	W.M.	32	NW SW	36.80
27	S	14	W	W.M.	32	SW SW	21.50
27	S	14	W	W.M.	32	SE SW	18.75
27	S	14	W	W.M.	32	NW SE	0.50
27	S	14	W	W.M.	32	SW SE	32.67
27	S	14	W	W.M.	32	SE SE	10.00
28	S	14	W	W.M.	5	NE NE	4.40
28	S	14	W	W.M.	5	NW NE	20.46
28	S	14	W	W.M.	5	SW NE	17.00

IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
28	S	14	W	W.M.	5	NE	NW	30.00
28	S	14	W	W.M.	5	NW	NW	22.00
28	S	14	W	W.M.	5	SW	NW	9.00
28	S	14	W	W.M.	5	SE	NW	31.00
28	S	14	W	W.M.	5	NE	SW	17.00
28	S	14	W	W.M.	5	NW	SW	2.00
28	S	14	W	W.M.	5	SE	SW	2.00

SUPPLEMENTAL IRRIGATION								
Township		Range		Meridian	Sec	¼ ¼		Acres
28	S	14	W	W.M.	5	NW	NE	0.29
28	S	14	W	W.M.	5	SW	NE	0.15
28	S	14	W	W.M.	5	SE	NE	0.38

COMMERCIAL								
Township		Range		Meridian	Sec	¼ ¼		
27	S	14	W	W.M.	29	SE	SW	
27	S	14	W	W.M.	32	NE	NW	
27	S	14	W	W.M.	32	SE	NW	
27	S	14	W	W.M.	32	NE	SW	
27	S	14	W	W.M.	32	NW	SW	
27	S	14	W	W.M.	32	SW	SW	
27	S	14	W	W.M.	32	SE	SW	
27	S	14	W	W.M.	32	NW	SE	
28	S	14	W	W.M.	8	NW	NE	
28	S	14	W	W.M.	8	NE	NW	

4. Application T-9782 proposes additional points of appropriation located:

Township		Range		Meridian	Sec	¼ ¼		Location
28	S	14	W	W.M.	5	NW	SW	Well L69436 – South 232.30° West 5222.22 feet from the NE Corner of Section 5.
28	S	14	W	W.M.	5	SW	SW	Well L74686 – South 230.04° West 5851.13 feet from the NE Corner of Section 5.

5. Use of water for irrigation under this permit is limited to a development of a maximum of 500.00 acres of the potential 1024.5 acres identified in the description of the place of use above.
6. Notice of the application for the permit amendment was published in the Department's weekly notice on October 12, 2004, and in the Bandon Western World Newspaper on August 31, September 7, and September 14, 2006, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
7. The change would not result in injury to other water rights.
8. The change does not enlarge the permit.
9. The change does alter other terms of the permit.

**Conclusions of Law**

The additional points of appropriation proposed by Permit Amendment Application T-9782 are consistent with the requirements of ORS 537.211.


**Now, therefore, it is ORDERED:**

1. The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-13498.
2. Prior to water use from the proposed point of appropriation, 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, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

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.

3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. All other terms and conditions of Permit G-13498 remain the same.
5. Permit G-13498, in the name of Bandon Dunes Limited Partnership, is amended as described herein.

Dated at Salem, Oregon this 27<sup>th</sup> day of September, 2006.

  
\_\_\_\_\_  
Phillip C. Ward, *PCW*  
Director

Mailing Date: OCT 09 2006

STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-9647 submitted by

BANDON DUNES LIMITED PARTNERSHIP C/O HOWARD MCKEE  
2130 LINCOLN PARK WEST  
CHICAGO, ILLINOIS 60614.

The permit to be modified is Permit G-13498 with a date of priority of DECEMBER 17, 1993. The permit allows the use of TWELVE WELLS, in the CUT CREEK BASIN, for COMMERCIAL USE, DOMESTIC USE SERVING 500 HOUSEHOLDS, AND IRRIGATION AND OUT-OF-SEASON IRRIGATION OF A TOTAL OF 500.0 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 3.55 CUBIC FEET PER SECOND(CFS), BEING 0.46 CFS FOR DOMESTIC USE FOR 500 HOUSEHOLDS AND COMMERCIAL USE, AND 3.09 CFS FOR IRRIGATION, if available at the authorized wells:

PW5 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M.;  
27 FEET NORTH AND 382 FEET WEST FROM THE NW 1/16 CORNER OF SECTION 32.

PW4 - SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M.;  
377 FEET NORTH AND 173 FEET EAST FROM THE W $\frac{1}{4}$  CORNER OF SECTION 32.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

T-9647.PKS

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WELL 1 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.;  
641 FEET SOUTH AND 69 FEET WEST FROM THE W 1/16 CORNER BETWEEN  
SECTIONS 5 AND 32.

WELL 2 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.;  
632 FEET SOUTH AND 254 FEET WEST FROM THE W 1/16 CORNER BETWEEN  
SECTIONS 5 AND 32.

WELL 3 - SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.;  
61 FEET SOUTH AND 303 FEET WEST FROM THE NW 1/16 CORNER OF  
SECTION 5.

NEW SCHUMAN WELL - NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 1549 FEET NORTH AND 2756 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL L34030 - NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 1674 FEET NORTH AND 1451 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL L34018 - NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 2515 FEET NORTH AND 1169 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL L34008 - NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 1354 FEET NORTH AND 646 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL L34007 - SW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 29, T 27 S, R 14 W,  
W.M.; 325 FEET NORTH AND 638 FEET EAST FROM THE NW CORNER OF  
SECTION 32, T 27 S, R 14 W, W.M..

WELL PW6 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M.;  
733 FEET SOUTH AND 1130 FEET EAST FROM THE NW CORNER OF SECTION  
32.

WELL L44790 - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.;  
432 FEET SOUTH AND 254 FEET WEST FROM THE W 1/16 CORNER BETWEEN  
SECTIONS 5 AND 32.

, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year and 0.5 acre-foot for each acre irrigated for out of season irrigation. The total amount diverted shall not exceed 2½ acre-feet for each acre irrigated each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE¼ SW¼	8.40 ACRES		
SW¼ SW¼	15.00 ACRES		
SE¼ SW¼	38.20 ACRES		
SECTION 20			
NE¼ NW¼	40.00 ACRES		
NW¼ NW¼	38.80 ACRES		
SW¼ NW¼	40.00 ACRES		
SE¼ NW¼	40.00 ACRES		
NE¼ SW¼	28.60 ACRES		
NW¼ SW¼	40.00 ACRES		
SW¼ SW¼	40.00 ACRES		
SE¼ SW¼	33.80 ACRES		X
SW¼ SE¼	27.80 ACRES		
SECTION 29			
NE¼ NE¼	2.50 ACRES		
SE¼ NE¼	7.90 ACRES		
NE¼ SE¼	12.00 ACRES		
SE¼ SE¼	18.00 ACRES		
SECTION 30			
NE¼ NE¼	27.10 ACRES		
SE¼ NE¼	33.60 ACRES		
NE¼ SE¼	45.80 ACRES		
SE¼ SE¼	12.50 ACRES		
SECTION 31			

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL</u> <u>IRRIGATION</u>	<u>COMMERCIAL</u>
NW¼ NE¼	40.00 ACRES		
NE¼ NW¼	34.80 ACRES		X
NW¼ NW¼	40.00 ACRES		
SW¼ NW¼	40.00 ACRES		
SE¼ NW¼	21.50 ACRES		X
NE¼ SW¼	22.30 ACRES		X
NW¼ SW¼	36.80 ACRES		X
SW¼ SW¼			X
SE¼ SW¼	12.50 ACRES		X
NW¼ SE¼	0.50 ACRE		X
SW¼ SE¼	36.10 ACRES		

SECTION 32

TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.

NE¼ NE¼	29.40 ACRES	
NW¼ NE¼	28.11 ACRES	0.29 ACRE
SW¼ NE¼	39.85 ACRES	0.15 ACRE
SE¼ NE¼	35.42 ACRES	0.38 ACRE
NE¼ NW¼	9.30 ACRES	
SE¼ NW¼	13.60 ACRES	
NE¼ SW¼	6.20 ACRES	
NE¼ SE¼	9.30 ACRES	
NW¼ SE¼	18.00 ACRES	

SECTION 5

NW¼ NE¼		X
NE¼ NW¼		X

SECTION 8

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

"\*" Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the place of use above.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the place of use to:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE¼ SW¼	8.40 ACRES		
SW¼ SW¼	15.00 ACRES		
SE¼ SW¼	38.20 ACRES		
SECTION 20			
NE¼ NW¼	40.00 ACRES		
NW¼ NW¼	38.80 ACRES		
SW¼ NW¼	40.00 ACRES		
SE¼ NW¼	40.00 ACRES		
NE¼ SW¼	28.60 ACRES		
NW¼ SW¼	40.00 ACRES		
SW¼ SW¼	40.00 ACRES		
SE¼ SW¼	33.80 ACRES		X
SW¼ SE¼	27.80 ACRES		
SECTION 29			
NE¼ NE¼	2.50 ACRES		
SE¼ NE¼	7.90 ACRES		
NE¼ SE¼	12.00 ACRES		
SE¼ SE¼	18.00 ACRES		
SECTION 30			
NE¼ NE¼	27.10 ACRES		
SE¼ NE¼	33.60 ACRES		
NE¼ SE¼	45.80 ACRES		
SE¼ SE¼	12.50 ACRES		
SECTION 31			

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL</u> <u>IRRIGATION</u>	<u>COMMERCIAL</u>
NW¼ NE¼	40.00 ACRES		
NE¼ NW¼	34.80 ACRES		X
NW¼ NW¼	40.00 ACRES		
SW¼ NW¼	40.00 ACRES		
SE¼ NW¼	21.50 ACRES		X
NE¼ SW¼	22.30 ACRES		X
NW¼ SW¼	36.80 ACRES		X
•SW¼ SW¼	21.50 ACRES		X
•SE¼ SW¼	18.75 ACRES		X
NW¼ SE¼	0.50 ACRE		X
•SW¼ SE¼	32.67 ACRES		
•SE¼ SE¼	10.00 ACRES		

SECTION 32

TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.

•NE¼ NE¼	4.40 ACRES		
•NW¼ NE¼	20.46 ACRES	0.29 ACRE	
•SW¼ NE¼	17.00 ACRES	0.15 ACRE	
•SE¼ NE¼		0.38 ACRE	
•NE¼ NW¼	30.00 ACRES		
•NW¼ NW¼	22.00 ACRES		
•SW¼ NW¼	9.00 ACRES		
•SE¼ NW¼	31.00 ACRES		
•NE¼ SW¼	17.00 ACRES		
•NW¼ SW¼	2.00 ACRES		
•SE¼ SW¼	2.00 ACRES		

SECTION 5

NW¼ NE¼		X
NE¼ NW¼		X

SECTION 8

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

"\*" Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the place of use above.

"•" Place of use involved in the change.

THIS CHANGE TO AN EXISTING WATER PERMIT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The former place of use shall no longer be irrigated as a part of this water right.
2. All other terms and conditions of the permit remain the same.

Permit G-13498, in the name of BANDON DUNES LIMITED PARTNERSHIP is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed MAR 26 2004

  
Paul R. Cleary, Director

STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING A CHANGE IN PLACE OF USE,  
A CHANGE IN POINT OF APPROPRIATION,  
AND ADDITIONAL POINTS OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given, and finding that the proposed points of appropriation, as constructed, would not have the potential for interference with stream flow in Cut Creek, and also finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-8861 submitted by

BANDON DUNES LIMITED PARTNERSHIP C/O HOWARD MCKEE  
2130 LINCOLN PARK WEST  
CHICAGO, ILLINOIS 60614.

The permit to be modified is Permit G-13498 with a date of priority of DECEMBER 17, 1993. The permit allows the use of FIVE WELLS, in the CUT CREEK BASIN, for COMMERCIAL USE, DOMESTIC USE SERVING 500 HOUSEHOLDS, AND IRRIGATION AND OUT-OF-SEASON IRRIGATION OF 500.0 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 3.55 CUBIC FEET PER SECOND (CFS), BEING 0.46 CFS FOR DOMESTIC USE FOR 500 HOUSEHOLDS AND COMMERCIAL USE, AND 3.09 CFS FOR IRRIGATION, if available at the original wells; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, T 27 S, R 14 W, W.M., NW $\frac{1}{4}$  NW $\frac{1}{4}$ , AND SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 5, T 28 S, R 14 W, W.M.; SCHUMAN WELL - 417 FEET SOUTH AND 283 FEET WEST FROM THE NE $\frac{1}{4}$  CORNER OF SECTION 32; PW5 - 27 FEET NORTH AND 382 FEET WEST FROM THE NW 1/16 CORNER OF SECTION 32; PW4 - 377 FEET NORTH AND 173 FEET WEST

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

T-8861.PKS

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FROM THE W $\frac{1}{4}$  CORNER OF SECTION 32; WELL 1 - 641 FEET SOUTH AND 69 FEET WEST; WELL 2 - 632 FEET SOUTH AND 254 FEET WEST; BOTH FROM THE W  $\frac{1}{16}$  CORNER BETWEEN SECTIONS 5 AND 32; WELL 3 - 61 FEET SOUTH AND 303 FEET WEST FROM THE NW  $\frac{1}{16}$  CORNER OF SECTION 5, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre-feet per acre for each acre irrigated during the irrigation season of each year and 0.5 acre-foot for each acre irrigated for out of season irrigation. The total amount diverted shall not exceed 2 $\frac{1}{2}$  acre-feet for each acre irrigated each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE $\frac{1}{4}$ SW $\frac{1}{4}$	39.1 ACRES		
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES		
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES		
SE $\frac{1}{4}$ SW $\frac{1}{4}$	38.4 ACRES		X
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES		
SECTION 29			
NE $\frac{1}{4}$ SE $\frac{1}{4}$	12.0 ACRES		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	18.0 ACRES		
SECTION 30			
NE $\frac{1}{4}$ NE $\frac{1}{4}$	27.1 ACRES		
SE $\frac{1}{4}$ NE $\frac{1}{4}$	33.6 ACRES		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	45.8 ACRES		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	12.5 ACRES		
SECTION 31			

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL</u> <u>IRRIGATION</u>	<u>COMMERCIAL</u>
NW¼ NE¼	40.0 ACRES		
NE¼ NW¼	34.8 ACRES		X
NW¼ NW¼	40.0 ACRES		
SW¼ NW¼	40.0 ACRES		
SE¼ NW¼	21.5 ACRES		X
NE¼ SW¼	22.3 ACRES		X
NW¼ SW¼	36.8 ACRES		X
SW¼ SW¼	5.0 ACRES		X
SE¼ SW¼	33.6 ACRES		X
NW¼ SE¼	0.5 ACRE		X
SW¼ SE¼	36.1 ACRES		
SE¼ SE¼	40.0 ACRES		

SECTION 32

TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.

NE¼ NE¼	29.4 ACRES	
NW¼ NE¼	28.11 ACRES	0.29 ACRE
SW¼ NE¼	39.85 ACRES	0.15 ACRE
SE¼ NE¼	35.42 ACRES	0.38 ACRE
NE¼ NW¼	19.3 ACRES	
NW¼ NW¼	6.5 ACRES	
SW¼ NW¼	10.8 ACRES	
SE¼ NW¼	32.1 ACRES	
NE¼ SW¼	21.8 ACRES	
NW¼ SW¼	9.0 ACRE	
SW¼ SW¼	10.0 ACRES	
SE¼ SW¼	17.0 ACRES	
NE¼ SE¼	9.3 ACRES	
NW¼ SE¼	18.0 ACRES	

SECTION 5

NW¼ NE¼		X
NE¼ NW¼		X

SECTION 8

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

"\*" Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the place of use above.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the place of use to:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
• NE¼ SW¼	8.4 ACRES		
• SW¼ SW¼	15.0 ACRES		
• SE¼ SW¼	38.2 ACRES		
	SECTION 20		
• NE¼ NW¼	40.0 ACRES		
• NW¼ NW¼	38.8 ACRES		
• SW¼ NW¼	40.0 ACRES		
• SE¼ NW¼	40.0 ACRES		
• NE¼ SW¼	28.6 ACRES		
• NW¼ SW¼	40.0 ACRES		
• SW¼ SW¼	40.0 ACRES		
• SE¼ SW¼	33.8 ACRES		X
• SW¼ SE¼	27.8 ACRES		
	SECTION 29		
• NE¼ NE¼	2.5 ACRES		
• SE¼ NE¼	7.9 ACRES		
• NE¼ SE¼	12.0 ACRES		
• SE¼ SE¼	18.0 ACRES		
	SECTION 30		
• NE¼ NE¼	27.1 ACRES		
• SE¼ NE¼	33.6 ACRES		
• NE¼ SE¼	45.8 ACRES		
• SE¼ SE¼	12.5 ACRES		
	SECTION 31		

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NW¼ NE¼	40.0 ACRES		
NE¼ NW¼	34.8 ACRES		X
NW¼ NW¼	40.0 ACRES		
SW¼ NW¼	40.0 ACRES		
SE¼ NW¼	21.5 ACRES		X
NE¼ SW¼	22.3 ACRES		X
NW¼ SW¼	36.8 ACRES		X
• SW¼ SW¼			X
• SE¼ SW¼	12.5 ACRES		X
NW¼ SE¼	0.5 ACRES		X
SW¼ SE¼	36.1 ACRES		X
SECTION 32			

TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.

NE¼ NE¼	29.4 ACRES		
NW¼ NE¼	28.11 ACRES	0.29 ACRE	
SW¼ NE¼	39.85 ACRES	0.15 ACRE	
SE¼ NE¼	35.42 ACRES	0.38 ACRE	
• NE¼ NW¼	9.3 ACRES		
• SE¼ NW¼	13.6 ACRES		
• NE¼ SW¼	6.2 ACRES		
NE¼ SE¼	9.3 ACRES		
NW¼ SE¼	18.0 ACRES		
SECTION 5			

NW¼ NE¼			X
NE¼ NW¼			X
SECTION 8			

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

"\*" Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the place of use above.

"•" Place of use involved in the change.

The applicant proposes to change the point of appropriation of the Schuman Well to:

NEW SCHUMAN WELL - NW¼ SE¼, SECTION 29, T 27 S, R 14 W, W.M.; 1549 FEET NORTH AND 2756 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

The applicant proposes additional points of appropriation located:

WELL L34030 - NE¼ SW¼, SECTION 29, T 27 S, R 14 W, W.M.; 1674 FEET NORTH AND 1451 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

WELL L34018 - NW¼ SW¼, SECTION 29, T 27 S, R 14 W, W.M.; 2515 FEET NORTH AND 1169 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

WELL L34008 - NW¼ SW¼, SECTION 29, T 27 S, R 14 W, W.M.; 1354 FEET NORTH AND 646 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

WELL L34007 - SW¼ SW¼, SECTION 29, T 27 S, R 14 W, W.M.; 325 FEET NORTH AND 638 FEET EAST FROM THE NW CORNER OF SECTION 32, T 27 S, R 14 W, W.M..

WELL PW6 - NW¼ NW¼, SECTION 32, T 27 S, R 14 W, W.M.; 733 FEET SOUTH AND 1130 FEET EAST FROM THE NW CORNER OF SECTION 32.

WELL L44790 - NW¼ NW¼, SECTION 5, T 28 S, R 14 W, W.M.; 432 FEET SOUTH AND 254 FEET WEST FROM THE W 1/16 CORNER BETWEEN SECTIONS 5 AND 32.

Water Right Permit G-13498 contains a well construction condition that limits all ground water withdrawals, with the exception of the Schuman Well, to ground water deeper than 80 feet below land surface. The intent of this permit condition was to prevent the withdrawal of shallow ground water that could interfere with stream flow in Cut Creek.

Two of the proposed additional wells, L34018 and L34030, are sealed to depths of 18 and 40 feet below land surface, respectively. The Ground Water Section has found that these wells, because of their distance from Cut Creek, would not have

any potential for interference with the creek.

THESE CHANGES TO AN EXISTING WATER PERMIT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
2. The water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
3. Water shall be acquired from the same aquifer as the original points of appropriation.
4. The former place of use shall no longer be irrigated as a part of this water right.
5. All other terms and conditions of the permit remain the same.

Permit G-13498, in the name of BANDON DUNES LIMITED PARTNERSHIP is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed AUG 27 2002.

  
Paul R. Cleary, Director

Will your model predict the relative effect on drawdown at the springs of pumping that amount (15,054,270 gallons) during the irrigation season, versus during the entire year at 86 gpm or at 56.66 gpm? That would be very helpful in determining what can be allowed without injury to other rights. Please let us know your further comments.

Thanks,  
Dorothy

-----Original Message-----

From: Ken Lite  
Sent: Tuesday, February 19, 2008 4:42 PM  
To: Dorothy Pedersen  
Cc: Doug Woodcock; Jeremy Giffin  
Subject: RE: T-10296 review of season change

Dorothy,

The impact (interference) will be greater if the well is pumped year-round at a rate that yields the same annual volume. For example, if the well is pumped at 86 gpm (T =50,000 gpd/ft and s =.001) for 240 days, the estimated drawdown at 6,000 feet away (a spring complex) would be 0.91 feet. The residual drawdown after 365 days is still 0.22 feet. If the same well is pumped at a pro-rated rate of 56.55 gpm for 365 days (same total volume), the drawdown at the same distance (w/ same aquifer properties) is 0.65 feet. So, it appears that the drawdown would be almost 3 times greater when pumping at the reduced rate for year-round use.

Ken

-----Original Message-----

From: Dorothy Pedersen  
Sent: Tuesday, February 19, 2008 7:20 AM  
To: Ken Lite  
Subject: T-10296 review of season change

Hi Ken,

Doug Woodcock informed me that you are still in the Bend office, but that it was OK for me to check with you to see if you might be able to make a determination on whether the request to change the season from irrigation season to year round under T-10296 (Stephen Sparks/Junipine) could be allowed without causing injury to other rights.

Please indicate whether you can quickly make a determination while you are there (Jeremy should have a copy of T-10296 if you need to refer to it), or if you will need to wait until you return to Salem. If so, when might you be able to get to it?

Thank you,  
Dorothy

8/1  
22  
.67

Dorothy I. Pedersen  
Transfer Program Advisor  
(503) 986-0890  
Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

same <sup>not</sup> vol. 240 days = 0.91 feet recovers to recovers .67 ft  
360 days = 0.65 feet no recovery

## Kelly Starnes

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**From:** Dorothy Pedersen  
**Sent:** Wednesday, February 20, 2008 4:40 PM  
**To:** Kelly Starnes  
**Subject:** FW: T-10296 review of season change

Hi Kelly,

I'm struggling to understand Ken's conclusion of impact on the nearby springs of a proposal to make a change from irrigation to year round use for this transfer. Since you have a geology background and have been reviewing transfers longer than I have, I'm asking for your help in understanding how pumping the same amount of water can result in a larger effect if pumped at a lower rate year round than at a higher rate during the irrigation season. Intuitively, I think using the lower rate over the whole year would result in less drawdown at any one time than pumping at the higher rate for part of the year. Even Ken's figures suggest to me that the maximum drawdown would be greater with the seasonal use. What am I not seeing?

Thanks,  
Dorothy

-----Original Message-----

**From:** Ken Lite  
**Sent:** Wednesday, February 20, 2008 4:25 PM  
**To:** Dorothy Pedersen  
**Cc:** Jeremy Giffin; Doug Woodcock  
**Subject:** RE: T-10296 review of season change

Dorothy,

The total volume is irrelevant to the question you originally posed. Here is my answer again: There will be greater impact from pumping year-round at the well than pumping only during the irrigation season, at the same annual volume. Also, The numbers I used in my example were based on the acreage I was given in the application material.

Ken

-----Original Message-----

**From:** Dorothy Pedersen  
**Sent:** Wednesday, February 20, 2008 8:20 AM  
**To:** Ken Lite  
**Cc:** Jeremy Giffin; Doug Woodcock  
**Subject:** RE: T-10296 review of season change

Ken,

Thank you for taking time to review this. I would like to check my understanding of your results.

I think you are saying that the drawdown at the springs (6,000 feet away) after 240 days of continuous pumping at 86 gpm with the given aquifer characteristics would be 0.91 foot at the end of the irrigation season, however, after 125 days of rest during the off season it would recover to 0.22 foot drawdown. If the pumping rate were to be pro-rated to 56.55 gpm, after continuous pumping for 365 days the drawdown at the springs would be 0.65 foot. Is this correct?

If so, you are assuming an annual withdrawal of 29,721,600 gallons, but the use of water under the transferred portion of the right is limited to no more than 15,054,270 gallons per year (6,256,320 proposed for pond maintenance and 8,797,950 for domestic use). The water users understand that pumping cannot be continuous for the full season without exceeding the annual volume allowed. Therefore, they propose to pump sporadically as needed, not to exceed the maximum instantaneous rate or the annual allowed volume.

**Kelly Starnes**

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**From:** Blegen, Ron [RBlegem@golder.com]  
**Sent:** Friday, January 18, 2008 7:47 AM  
**To:** Kelly Starnes  
**Subject:** RE: Permit Amendment T-10476 Bandon Dunes

Hi Kelly,

Thanks again for the prompt action on this application. I will forward your email to Bandon Dunes so they can get the permit amendment notice published in the local paper as soon as possible.

I did notice one mistake in the table of proposed place of use under:

T27S R14W Section31 SE NE

The authorized acreage was 33.60 acres. We are adding 0.5 acres for a total of 34.10 acres. The table entry is 38.60 acres (added 5.0 acres instead of 0.5). Please make the appropriate changes and re-issue the draft order.

Have a good weekend!

Ron

## Sarah Henderson

---

**From:** Blegen, Ron [RBlegem@golder.com]  
**Sent:** Thursday, January 03, 2008 10:20 AM  
**To:** Sarah Henderson  
**Subject:** Transfer T-10476

Hi Sarah,

I just wanted to check on the status of transfer application T-10476 (Bandon Dunes Ltd. Partnership). I see from the processing history that the Watermaster Review has been completed, the estimated completion date for the Groundwater Review has passed, and the transfer for initial public notice was completed on October 30<sup>th</sup>. Can you give me any additional updates on the status of the application? Also, please let me know at any time in the process if you need any additional information.

Thanks

Ron

**RON BLEGEN, RG, LHG**  
GOLDER ASSOCIATES INC.  
1430 W. BROADWAY ROAD, SUITE 108  
TEMPE, AZ 85282  
480-966-0153 (OFFICE)  
480-966-0193 (FAX)  
480-254-6670 (CELL)

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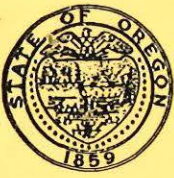
## Oregon Water Resources Department

# Memo

**Date:** January 2, 2008  
**To:** T-10476  
**From:** Doug Woodcock *DW*  
**Subject:** T-10476 Bandon Dunes Transfer Review

T-10476 is a permit amendment that proposes to add two additional wells and a change in place of use. This review addressed the additional points of appropriation for same source and injury determinations.

The two new wells are proposed for the southern end of the project property and are near two existing Bandon Dunes wells (identified as L69436 and L74686) that were approved under T-9782. The underlying permit (file G-13577) requires that wells be constructed in a manner to seal off all water down to 80 feet below land surface. This ensures the development is capturing water that has limited hydraulic influence on local surface water. The approval of this transfer should carry that same requirement for well construction. If the proposed wells are constructed in this manner they will develop the same source as the nearby permitted wells and will not have injury to existing uses.



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

### INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE: 10-29-07

FROM: \_\_\_\_\_ WATERMASTER, DISTRICT # \_\_\_\_\_  
\_\_\_\_\_ GROUNDWATER SECTION

(SIGNATURE) Dy W... date signed 1/3/08

SUBJECT: PERMIT AMENDMENT # 10470

A change in: POU POD APOA of water.

In the name(s) of Bandon Dunes limited Partnership

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water right.

\*The approval of this transfer application would result in injury to other water rights because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The existing right may not be valid because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) \_\_\_\_\_

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- \_\_\_\_\_ (1) PRIOR to the diverting of water at the new point of diversion . . .
- \_\_\_\_\_ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

October 29, 2007

Bandon Dunes Limited Partnership  
c/o Donald Stastny, Owners Representative  
2130 Lincoln Park North  
Chicago, IL 60614

Reference: Permit Amendment T-10476

On October 19, 2007 we received your request for permit amendment. The application was accompanied by \$800.00. Our receipts #90265 and #90344 are enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until we issue a final order approving the application.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #19  
Ron Blegen, Golder Associates Inc, Agent  
Groundwater

enclosure



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

### Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 10/30/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: COOS  
Transfer: 10476  
Water Right: PERMIT G 13498  
Priority Date: 1993  
Name: BANDON DUNES LIMITED PARTNERSHIP  
Address: 2130 LINCOLN PARK N, CHICAGO IL  
Change: POU/APOA  
Source: WELLS  
Authorized POA: T27S R14W 32  
T28S R14W 5  
Proposed APOA: T28S R14W 5  
Authorized POU: T27S R14W 20, 29, 32  
T28S R14W 5  
Proposed POU: T27S R14W 20, 29, 30, 31, 32  
T28S R14W 5

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

# Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/QWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/QWRD/PUBS/forms.shtml).

## 1. TYPE OF APPLICATION

Please check one of the following:

Permit Amendment       Ground Water Registration Modification

## 2. APPLICANT INFORMATION

Name: Bandon Dunes Limited Partnership      c/o Donald J. Stastny, Owner's Representative  
First      StastnyBrun  
813 SW Alder, Suite 200; Portland, OR 97205

Address: 2130 Lincoln Park North  
Chicago      IL      60614  
City      State      Zip

Phone: 503-222-5533  
Home      Work      Other

Fax: 503-227-5019      E-Mail address: dastastny@stastnybrun.com

## 3. AGENT INFORMATION

*(The agent listed is authorized to represent the applicant in all matters relating to this application.)*

Name: Golder Associates Inc.      c/o Ron Blegen  
First      Last

Address: 1430 West Broadway Road, Suite 108  
Tempe      AZ      85282  
City      State      Zip

Phone: 480-966-0153      503-709-0562  
Home      Work      Other

Fax: 480-966-0193      E-Mail address: rblegen@golder.com

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- If an agent is listed above, please check one of the following:
  - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
  - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

**Permit Amendments**

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**Ground Water Registration Modifications**

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED**

Please check all of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.)  <input checked="" type="checkbox"/> <b>Additional</b> (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.)  <p style="text-align: center;"><i>Not Available for <u>Ground Water Registrations</u></i></p> <input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input type="checkbox"/> <b>All of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at the current authorized location will be discontinued.)  <input checked="" type="checkbox"/> <b>Only a portion of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for <u>Permit Amendments</u></i></p> <p><b>Change existing authorized use to the following proposed <u>new</u> use:</b></p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> <b>Domestic</b> (indicate number of households): _____ <input type="checkbox"/> Other _____

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- Reason(s) for amendment/modification(s): Applicant is continuing to develop water use capabilities to the maximum allowable under the existing permit. The change in authorized place of use will allow application of water to areas not currently receiving irrigation water. The additional points of appropriation will allow for full development of the permitted water use and provide more flexibility in how the resource is managed.

**5. CURRENT PERMIT OR REGISTRATION INFORMATION**

Permit or Registration to be Amended/Modified (*check and complete one of the following*):

<input checked="" type="checkbox"/> Permit to be Amended:	<u>G13498 [amended via T8861, T9647, and T9782]</u> Permit Number	<u>October 1, 2022</u> Current Completion Date of Permit
<input type="checkbox"/> Ground Water Registration to be Modified:	_____ Ground Water Registration Number	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: Bandon Dunes Limited Partnership
- County: Coos County
- Authorized Use(s) to be affected by this Amendment/Modification: Irrigation

- Priority Date(s): December 17, 1993

*If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: 14 wells in  
Cut Creek and Fahys Creek basins

Tributary to: Pacific Ocean (Fahys Creek drains to Coquille River)

*If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For an application proposing a Change in Place of Use or Character of Use:**

- Are there any other "Layered" Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified?  Yes  No  N/A -No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

- Remarks: \_\_\_\_\_

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- The following information **must be provided** only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-_____)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
n/a								No existing Points of Appropriation will be changed.

- Does the permit/registration being amended/modified involve a ground water source(s)?
  - Yes
  - No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
n/a									

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- **The following information must be provided only for those places of use that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.**

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Place of Use to be Affected:**

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable) (Irrigated Acres To Be Moved)
14 Wells December 17, 1993	27 S	14 W	WM	20	SW SW	401	15.00
"	27 S	14 W	WM	20	SE SW	401, 600	25.00
"	27 S	14 W	WM	20	NE SW	600	8.40
"	27 S	14 W	WM	29	NW NW	300, 400	16.40
"	27 S	14 W	WM	29	SE NW	800	6.10
"	27 S	14 W	WM	29	NE SW	1200	8.20
"	27 S	14 W	WM	29	SE SW	1200	2.50
"	27 S	14 W	WM	32	SE SE	403	4.80
"	28 S	14 W	WM	5	NE NE	100	0 (Area taken off allowed irrigation area)
"	28 S	14 W	WM	5	NE SW	400	0.69
Total Irrigated Acres To Be Moved =							87.09 Acres

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**6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION**

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Point(s) of Diversion or Appropriation:** (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well 2007A	28S	14W	WM	5	SW NW	600	95 feet North and 715 feet East of the SW corner of the NW quarter section.
Well 2007B	28S	14W	WM	5	SW SW	600	50 feet North and 555 feet East of the SW corner of the SW Quarter Section

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

If "No", describe the anticipated construction for the proposed well(s) in the following table:

**Construction of Proposed Point(s) of Appropriation or Well(s): [Anticipated]**

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L- )	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No	n/a	10-inch	10-inch steel	~230	~230 - 260	80+ ft.	~70 ft.	230 ft	Sealed port for c-tape or transducer	260 ft.

These are estimated well construction measurements only, based upon the construction of other nearby wells completed at similar estimated depths. Per permit requirements, the wells must have a minimum seal depth of 80 feet. Both proposed wells (labeled Well 2007A and Well 2007B on the accompanying map) are expected to be constructed in a similar manner.

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SALEM, OREGON  
1 10476

- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Place of Use:** (i.e., the "TO" lands)

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable) (irrigated acres move to)
14 Wells	27 S	14 W	WM	20	SW SE	600, 700	4.72
"	27 S	14 W	WM	29	NW NE	200	19.97
"	27 S	14 W	WM	29	SW NE	800	28.00
"	27 S	14 W	WM	29	SW SE	1100	8.90
"	27 S	14 W	WM	30	SE NE	401	0.45
"	27 S	14 W	WM	30	NE SE	1400	1.1
"	27 S	14 W	WM	31	SE NE	200	0.50
"	27 S	14 W	WM	31	NE SE	200	3.40
"	27 S	14 W	WM	31	NW SE	200	0.40
"	27 S	14 W	WM	31	SW SE	200	0.40
"	27 S	14 W	WM	31	SE SE	200	5.10
"	27 S	14 W	WM	32	SW SW	400	2.20
"	27 S	14 W	WM	32	SE SW	602	0.30
"	28 S	14 W	WM	5	SW NW	600	0.25
"	28 S	14 W	WM	5	SE NW	200	2.10
"	28 S	14 W	WM	5	NW SW	600	1.00
"	28 S	14 W	WM	5	NE SW	400	1.25
"	28 S	14 W	WM	5	NE NE	100	4.05 (added to existing allotment)
"	28 S	14 W	WM	5	NW NE	200	3 (added to existing allotment)
Total Irrigated Acres Moved to New Locations =							87.09 Acres

Remarks: \_\_\_\_\_

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**7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS**

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district?  Yes  No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification?  Yes  No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency?  Yes  No

*If "Yes", for any of the above, list the name and mailing address of the district and/or agency:*

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- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Coos County; 250 N. Baxter, Coquille, OR 97423

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**8. PERMIT HOLDER OF RECORD**

*This section is to be completed only for Permit Amendment applications.*

*N/A – This is a Ground Water Registration Modification application.*

- Is the applicant the permit holder of record?  Yes  No

*If "No", the applicant must either:*

*A. Be assigned as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment;*

**or**

*B. Submit an Affidavit of Consent from the permit holder of record that gives permission for the applicant to amend the permit.*



**10. ATTACHMENTS**

*Check each of the following attachments included with this application.  
The application will be returned if all required attachments are not included.*

**Map:**

- A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

**Land Use Information Form:**

- Enclosed; *or*
- Not required if **all** of the following are met:
  - ❶ In EFU zone or irrigation district;
  - ❷ Change in place of use only;
  - ❸ No structural changes needed, including diversion works, delivery facilities, other structures; *and*
  - ❹ Irrigation only.

[Not Required as per Kelly Starnes (OWRD) (1/26/2004)]

**Water Well Reports/Well Logs:**

- The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
  - Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- [2 Proposed Wells-See Section 6 above for anticipated construction details. Existing wells under the current permit will not be changed]
- N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

**Fees:**

- Amount enclosed: \$ 400  
See the Department's Fee Schedule at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) or call (503) 986-0900.

**For Permit Amendments Only...**

**Request for Assignment:**

- Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; **OR** the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.  
*The Request for Assignment form is available online at: [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) ; *or**
- N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is *not* the permit holder of record but **is** supplying an Affidavit of Consent from the permit holder.

**Affidavit of Consent:**

- Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; *or*
- N/A. Not required because the applicant is the permit holder of record.

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**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

**11. SIGNATURES**

- For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:

In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*

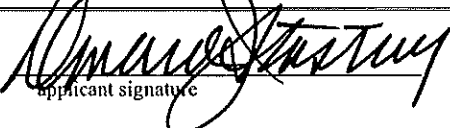
I If the applicant is not both the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:

- A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; *or*
- B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)I, the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- For both Permit Amendment *and* Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	DONALD J. STASTNY name (print) <i>OWNER'S REPRESENTATIVE</i>	10-9-2007 date
_____ applicant signature	_____ name (print)	_____ date

**RECEIVED**

STATE OF OREGON

COUNTY OF Coos

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BANDON DUNES LIMITED PARTNERSHIP  
C/O HOWARD MCKEE  
2130 LINCOLN PARK W.  
CHICAGO, IL 60614

PHONE: (312) 281-0652

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

APPLICATION FILE NUMBER: G-13577

SOURCE OF WATER: SIX WELLS IN THE CUT CREEK BASIN

PURPOSE OR USE: COMMERCIAL USE, DOMESTIC USE SERVING 500.0 HOUSEHOLDS,  
AND IRRIGATION AND OUT-OF-SEASON IRRIGATION OF A TOTAL OF 500.0 ACRES

MAXIMUM RATE: 3.55 CUBIC FEET PER SECOND (CFS), BEING 0.46 CFS FOR  
DOMESTIC USE FOR 500 HOUSEHOLDS AND COMMERCIAL USE AND 3.09 CFS FOR  
IRRIGATION

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION USE; NOVEMBER  
1 THROUGH THE MONTH OF FEBRUARY FOR OUT-OF-SEASON IRRIGATION; YEAR ROUND  
FOR COMMERCIAL USE AND DOMESTIC USE FOR 500 HOUSEHOLDS

DATE OF PRIORITY: DECEMBER 17, 1993

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, NW 1/4 NW 1/4, SW 1/4 NW  
1/4, SECTION 32, T27S, R14W, W.M., NW 1/4 NW 1/4, SW 1/4 NW 1/4, SECTION  
5, T28S, R14W, W.M.; SCHUMANN WELL - 417 FEET SOUTH AND 283 FEET WEST  
FROM N1/4 CORNER SECTION 32; PW5 - 27 FEET NORTH AND 382 FEET WEST FROM  
NW1/16 CORNER, SECTION 32; PW4 - 377 FEET NORTH AND 173 FEET EAST FROM  
W1/4 CORNER, SECTION 32; WELL 1 - 641 FEET SOUTH AND 69 FEET WEST, WELL  
2 - 632 FEET SOUTH AND 254 FEET WEST BOTH FROM W1/16 CORNER, BETWEEN  
SECTION 5 AND 32; WELL 3 - 61 FEET SOUTH AND 303 FEET WEST FROM NW1/16  
CORNER, SECTION 5

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 and 0.5 acre-foot for each acre irrigated  
for out-of-season irrigation. The total amount diverted shall not exceed  
2.5 acre-feet for each acre irrigated each year. T-9847 APOU V.59 p.435

T-8861 APOU/APOA  
V.56 P.907

T-9782

Application G-13577 Water Resources Department

PERMIT G-13498

T10476

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE 1/4 SW 1/4	39.1 ACRES		
NW 1/4 SW 1/4	40.0 ACRES		
SW 1/4 SW 1/4	40.0 ACRES		
SE 1/4 SW 1/4	38.4 ACRES		X
NW 1/4 SE 1/4	40.0 ACRES		
SW 1/4 SE 1/4	40.0 ACRES		
SECTION 29			
NE 1/4 SE 1/4	12.0 ACRES		
SE 1/4 SE 1/4	18.0 ACRES		
SECTION 30			
NE 1/4 NE 1/4	27.1 ACRES		
SE 1/4 NE 1/4	33.6 ACRES		
NE 1/4 SE 1/4	45.8 ACRES		
SE 1/4 SE 1/4	12.5 ACRES		
SECTION 31			
NW 1/4 NE 1/4	40.0 ACRES		
NE 1/4 NW 1/4	34.8 ACRES		X
NW 1/4 NW 1/4	40.0 ACRES		
SW 1/4 NW 1/4	40.0 ACRES		
SE 1/4 NW 1/4	21.5 ACRES		X
NE 1/4 SW 1/4	22.3 ACRES		X
NW 1/4 SW 1/4	36.8 ACRES		X
SW 1/4 SW 1/4	5.0 ACRES		X
SE 1/4 SW 1/4	33.6 ACRES		X
NW 1/4 SE 1/4	0.5 ACRE		X
SW 1/4 SE 1/4	36.1 ACRES		
SE 1/4 SE 1/4	40.0 ACRES		
SECTION 32			
TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.			
NE 1/4 NE 1/4	29.4 ACRES		
NW 1/4 NE 1/4	28.11 ACRES	0.29 ACRE	
SW 1/4 NE 1/4	39.85 ACRES	0.15 ACRE	
SE 1/4 NE 1/4	35.42 ACRES	0.38 ACRE	
NE 1/4 NW 1/4	19.3 ACRES		
NW 1/4 NW 1/4	6.5 ACRES		
SW 1/4 NW 1/4	10.8 ACRES		
SE 1/4 NW 1/4	32.1 ACRES		
NE 1/4 SW 1/4	21.8 ACRES		
NW 1/4 SW 1/4	9.0 ACRES		
SW 1/4 SW 1/4	10.0 ACRES		
SE 1/4 SW 1/4	17.0 ACRES		
NE 1/4 SE 1/4	9.3 ACRES		
NW 1/4 SE 1/4	18.0 ACRES		
SECTION 5			
NW 1/4 NE 1/4			X
NE 1/4 NW 1/4			X
SECTION 8			
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.			

\*Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the Place of Use above.

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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

Production well locations shall be limited to the areas identified as "Alternative Well Placement Areas" in EGR and Associates document of May 27, 1997.

With the exception of the existing Schuman well (Coos 330), all wells used for water supply under this permit shall be constructed in a manner to case and seal off all water to a minimum depth of 80 feet below land surface.

Any future well drilling shall be coordinated with the Department for well location, well construction and the driller's collection of geologic samples.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within 60 days of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include: 1) a 5 year program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells; 2) measure specific conductance of

groundwater; 3) collect and report water use data; 4) outline a mitigation plan to address future groundwater interference with surface water and salt water encroachment. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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 shall be limited when it interferes with any prior surface or ground water rights.

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 of the well shall begin by May 28, 1999. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

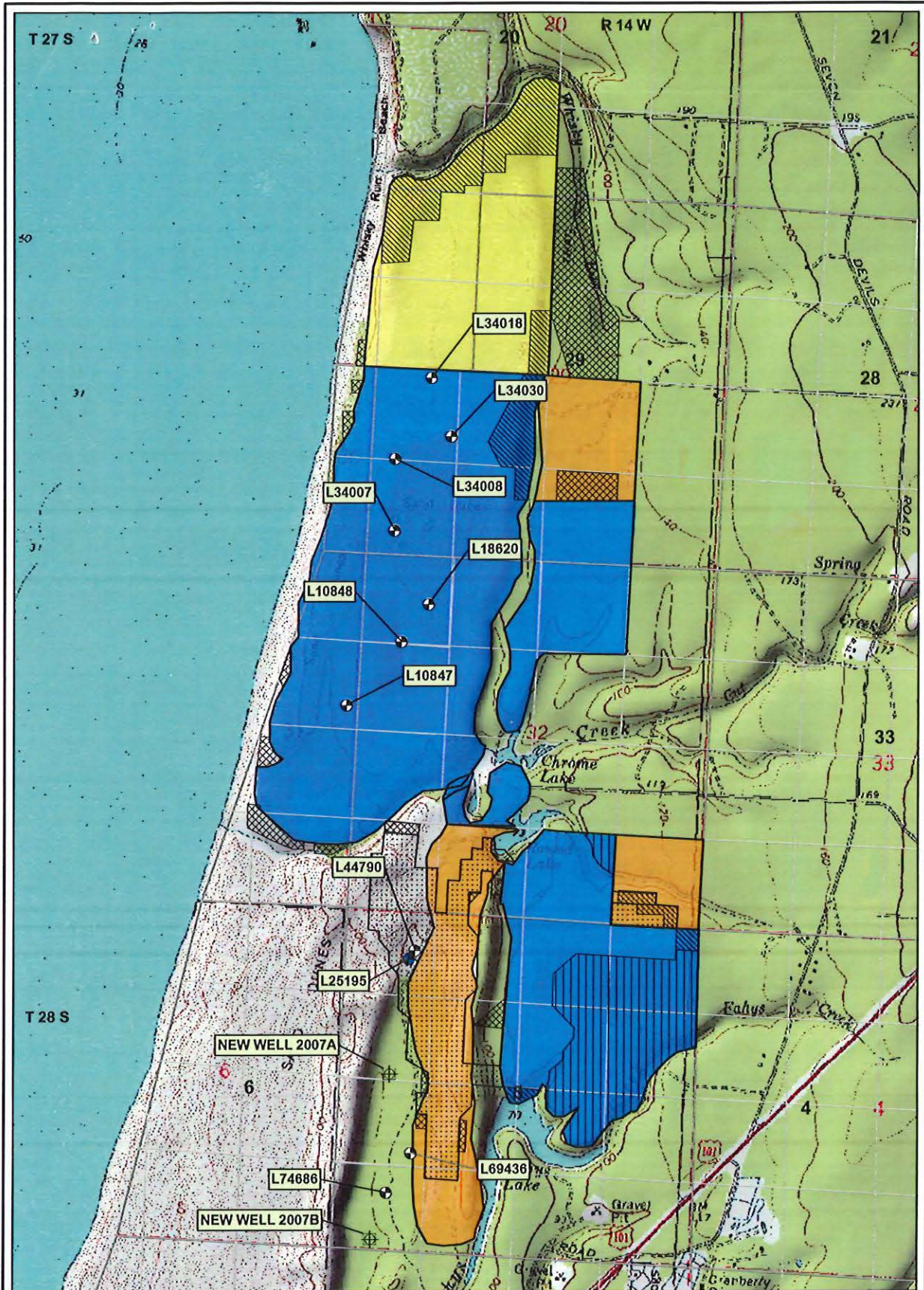
Issued October 7, 1998



Martha O. Pagel, Director  
Water Resources Department

Application G-13577    Water Resources Department  
Basin 17                    Volume 7 BASIN 15 MISC  
LKS                            MGMT.CODES 3BW 7AG 7AR 7BG 7BR

PERMIT G-13498  
District 19



**LEGEND**

- |  |                             |  |                                       |
|--|-----------------------------|--|---------------------------------------|
|  | Domestic Well               |  | Amended Irrigation (March 2004)       |
|  | Irrigation                  |  | Cancelled Irrigation (March 2004)     |
|  | Proposed New Well           |  | Original Irrigation Area              |
|  | Amended Irrigation (2007)   |  | Cancelled Irrigation Area (Aug. 2002) |
|  | Cancelled Irrigation (2007) |  | Amended Irrigation Area (Aug. 2002)   |

0 1,300  
 Scale 1" = 1,300 Feet  
 Map Projection:  
 Oregon State Plane  
 South Zone, NAD 83, Feet  
 Source: USGS, Skinner & Assoc.  
 Stunzner Engineering

This figure was originally produced in color. Reproduction in black and white may result in a loss of information

**BANDON DUNES WATER RIGHT G-13577**  
**Permit Amendment**  
 BANDON DUNES WATER SUPPLY EVAL/OR

Drawn: KBD	Revision: 0	Date: Oct. 9, 2007	Figure: 1
------------	-------------	--------------------	-----------

Per Amen



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form:
Water Right Transfer

Transfer Application: T-10476

Review Due Date: 11-27-07

Applicant Name: Bandon Dunes Limited Partnerships

Proposed Changes: [X] POU [ ] POD [X] POA [ ] USE [X] OTHER

Reviewer(s): M. Lewis

Date of Review: Oct. 31, 2007

- 1. Do you have information suggesting that the water rights may be subject to forfeiture?
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights?
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right?
4. Are there upstream water rights that would be affected by the proposed change?
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach?
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
7. For POU changes, would the original place of use continue to receive water from the same source?
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?
9. Are there other issues not identified through the above questions?
10. What alternatives may be available for addressing any issues identified above?

11. Have headgate notices been issued for the source that serves the right?  Yes  No

12. What water control and measurement conditions should be included in the transfer:

<b>Measurement Devices</b>	<input checked="" type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

Indicate in this column whether or not the item is satisfied.

# Permit Amendment Application – ORS 537.211

## Completeness Checklist

Applicant's Name: Bandon Dunes

(Form last revised: October 30, 2006)

### Section A – Status of Permit

Is this a permit that can be amended?

OK

**NOTE:** The Department **CANNOT** accept a Permit Amendment application for any permit that has:  
\_\_\_ 1) a permit completion date that has expired; *or*  
\_\_\_ 2) a pending permit extension of time application on file with the Department; *or*  
\_\_\_ 3) a pending claim of beneficial use report on file with the Department.

If the subject permit falls into any of the above categories, **RETURN** the application & fee to the applicant.

### Section B – Type of Change

Is the proposed change(s) allowed under the Permit Amendment process? [ORS 537.211(4)]

OK

**NOTE:** Only POD, POA or POU changes are allowed on Permit Amendments. APOA POU

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

### Section C - Fees

Have the appropriate fees been paid?

Needs  
400

Fee Schedule – ORS 536.050(1)(h)  
\$350 - Base fee (1<sup>st</sup> change and 1<sup>st</sup> CFS of water)  
+ \$350 - Each additional type of change requested  
+ \$175 - For each CFS, or fraction thereof, requested beyond 1<sup>st</sup> CFS  
(for POU, Type of Use, or Exchange)

Total Required Fees: 800  
Total Fees Paid: 400  
Fees Due (if any): 400  
Refund Due (if any): 0

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

### Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Permit Amendment application complete?

All required elements necessary for a complete permit amendment application are listed below. **Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items.** If any one of the items is deficient, then the application is incomplete.

**NOTE:** For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

OK

• Applicant's name, mailing address and contact information. (Page 1)

OK

• Agent's name, mailing address and contact information, *if applicable*. (Page 1)

OK

• Are multiple permits being amended? YES NO (Page 2)  
If **YES**.... the applicant must supply a separate "set" of pages 3 through 7 of the application form for each permit to be amended.

OK

• The type of amendment being proposed. (Page 2)

OK

• Reason for the permit amendment. (Page 2)

OK

• Current permit information – permit number, use, priority date, source(s), etc. (Page 3)

OK	<ul style="list-style-type: none"> <li>• If for a change in POU.....Are there any "layered" irrigation rights, permits, or GR registrations appurtenant to the same place of use as the permit proposed to be amended? YES <b>NO</b> (Page 3) If YES..... the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).</li> </ul>
N/A	<ul style="list-style-type: none"> <li>• Location description of the authorized POA/POD to be amended. (Page 4) <i>NOTE:</i> Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are <b>not available</b>, describe the construction of the well(s) in the table provided on page 4 of the application.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Location description of the existing authorized POU and associated acres (if applicable). (Page 5) <i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Location description of the proposed POA/POD. (Page 6) <i>NOTE:</i> Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> <u>OK</u> 2) if well logs are <b>not available</b> <u>or</u> the well is <b>not yet constructed</b>, describe the construction of the well(s) in the table provided on page 6 of the application.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Location description of the proposed POU and associated acres (if applicable). (Page 7) <i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</li> </ul>
None	<ul style="list-style-type: none"> <li>• Affected districts and local governments. (Page 8) If within a district/local government jurisdiction, ensure that name &amp; mailing address is provided.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Is the applicant the permit holder of record? <b>YES</b> NO (Page 8) If NO..... the applicant must either submit: _____ 1) a Request for Assignment form &amp; fee in order to be assigned to the permit, <u>or</u> _____ 2) an Affidavit of Consent from the permit holder giving permission for the amendment.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• If the permit holder of record does <b>not</b> own or control the land <b>TO</b> which the place of use is being moved, has a Request for Assignment form been submitted to assign the owner of the <b>TO</b> land to the permit? <b>YES</b> NO (Page 9)</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Map..... (<b>NOT</b> required to be prepared by a CWRE). (Page 10) __ north arrow __ size &amp; scale __ other: _____ __ authorized acreage per ¼ ¼ matches the permit __ authorized POD/POA and POU (<i>clearly shown, labeled &amp; matches application listing</i>) __ point plotted for the authorized POD/POA agrees with location coordinates __ proposed POD/POA and/or POU (<i>clearly shown, labeled &amp; matches application "proposed" listing</i>) __ location coordinates accurately describe the point identified as the proposed POD/POA</li> </ul>
N/A	<ul style="list-style-type: none"> <li>• Land Use form, <i>if applicable</i>. (Page 10) May be needed if the POD/POA or POU is moving a great distance <b>and</b> off of land originally involved in permit.</li> </ul>
OK	<ul style="list-style-type: none"> <li>• Signature(s) of applicant(s): (Page 11) <u>All</u> applicants listed on page 1 of the application <b>must</b> sign the application.</li> </ul>
WRD Completeness Reviewer's Name: <u>S. Henderson</u> Date: <u>10-22-07</u>	



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

October 29, 2007

Bandon Dunes Limited Partnership  
c/o Donald Stastny, Owners Representative  
2130 Lincoln Park North  
Chicago, IL 60614

Reference: Permit Amendment T-10476

On October 19, 2007 we received your request for permit amendment. The application was accompanied by \$800.00. Our receipts #90265 and #90344 are enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use, or from the new point of appropriation, until we issue a final order approving the application.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #19  
Ron Blegen, Golder Associates Inc, Agent  
Groundwater

enclosure



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

### Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 10/30/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: COOS  
Transfer: 10476  
Water Right: PERMIT G 13498  
Priority Date: 1993  
Name: BANDON DUNES LIMITED PARTNERSHIP  
Address: 2130 LINCOLN PARK N, CHICAGO IL  
Change: POU/APOA  
Source: WELLS  
Authorized POA: T27S R14W 32  
T28S R14W 5  
Proposed APOA: T28S R14W 5  
Authorized POU: T27S R14W 20, 29, 32  
T28S R14W 5  
Proposed POU: T27S R14W 20, 29, 30, 31, 32  
T28S R14W 5

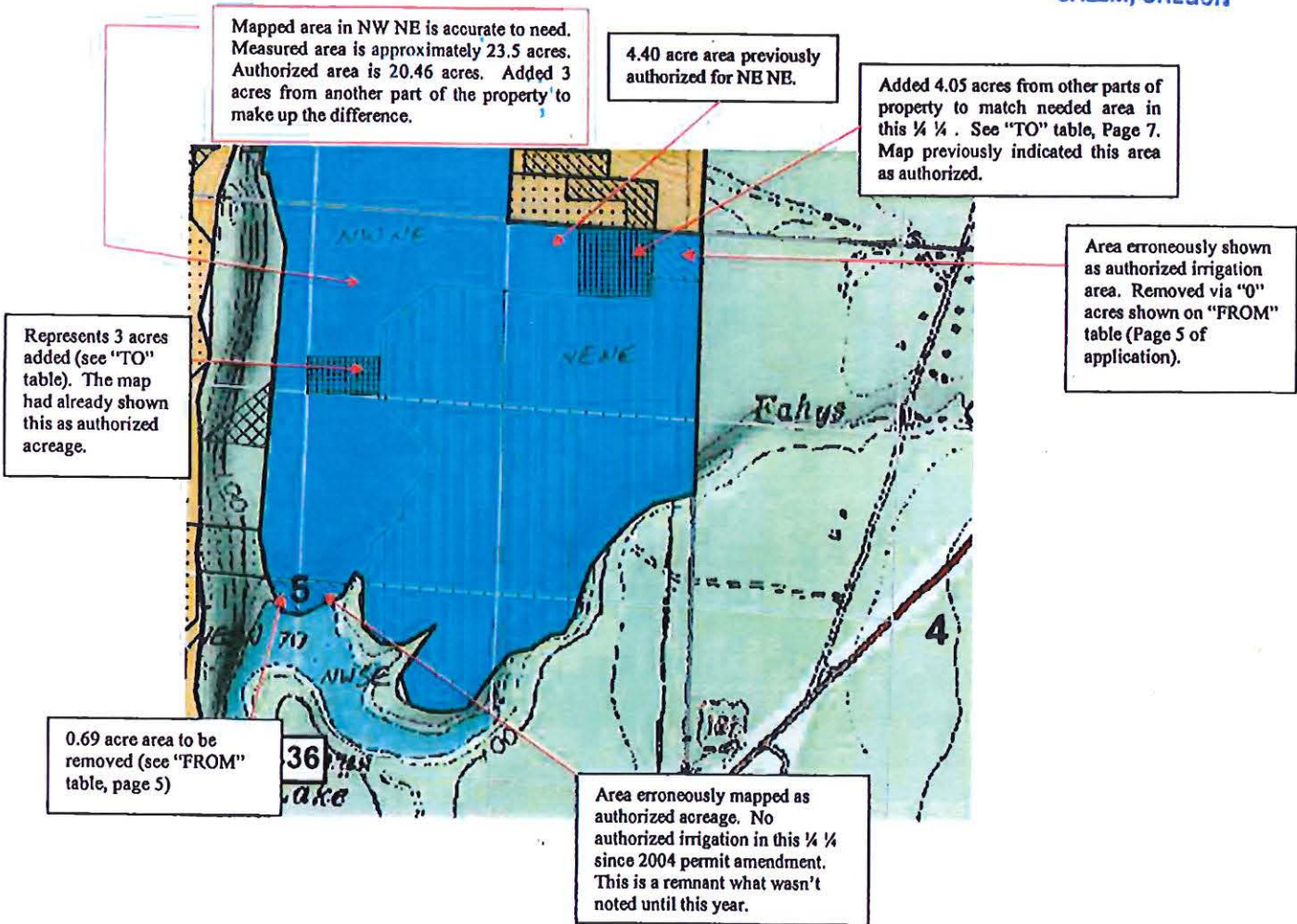
The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

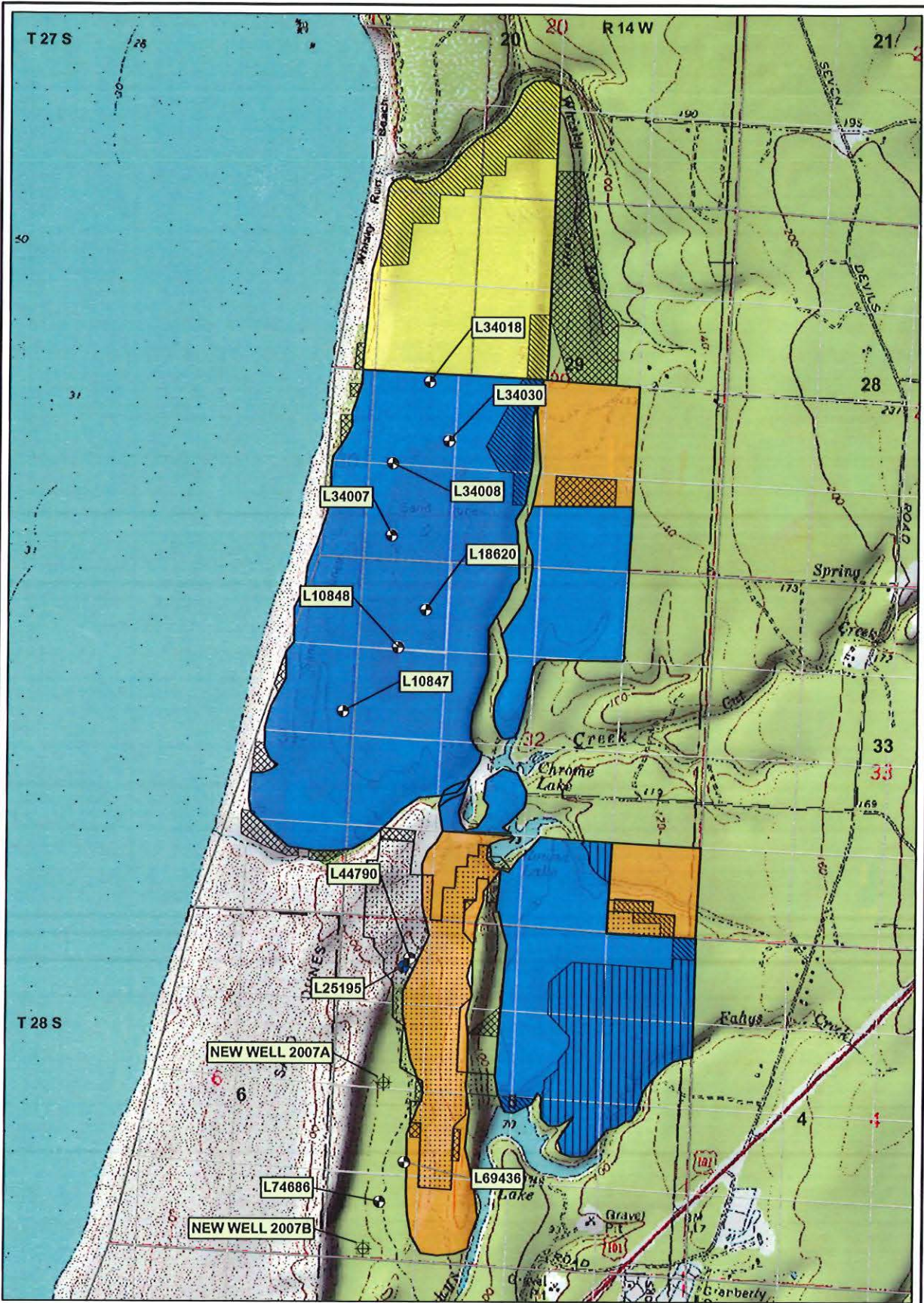
The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

RECEIVED  
 JAN 17 2008  
 WATER RESOURCES DEPT.  
 SALEM, OREGON



Township	Range	Sec	1/4-1/4 Section	Comments
28 S	14 W	5	NW SE	Small blue area shown as being Cancelled Irrigation Area (2007). There is no authorized irrigation in this 1/4-1/4 and should have been shown as being cancelled in 2004.
28 S	14 W	5	NE NE	Authorized for 4.4 acres. Needed a total of 8.45 acres. Map indicated 11.9 acres as authorized. Deleted 3.45 acres from map (hatched area). This area was not authorized, hence the "0" acres on the "FROM" table. Added the 4.05 acres from other parts of the property (See square hatched area and the "TO" table).
28 S	14 W	5	NW NE	Previously authorized for 20.46 acres. The measured area indicates 23.5 acres of authorized area, which accurately shows the area actually needed. The 3 acres on the "TO" table were to make up the difference. The square hatched area represents the equivalent area.
28 S	14 W	5	NE SW	Yes. Blue hatched area (0.69 acres) taken out of authorized area.



**LEGEND**

● Domestic Well	⊕ Proposed New Well	⊗ Amended Irrigation (2007)	⊘ Cancelled Irrigation (2007)	⋯ Amended Irrigation (March 2004)	▨ Cancelled Irrigation (March 2004)
■ Irrigation	▨ Amended Irrigation (2007)	▨ Cancelled Irrigation (2007)	▨ Amended Irrigation Area (Aug. 2002)	▨ Cancelled Irrigation Area (Aug. 2002)	▨ Amended Irrigation Area (Aug. 2002)

0 1,300  
 Scale 1" = 1,300 Feet  
 Map Projection:  
 Oregon State Plane  
 South Zone, NAD 83, Feet  
 Source: USGS, Skinner & Assoc.  
 Stuntzner Engineering

This figure was originally produced in color. Reproduction in black and white may result in a loss of information.

**BANDON DUNES WATER RIGHT G-13577**  
**Permit Amendment**  
 BANDON DUNES/WATER SUPPLY EVALUOR

Drawn: KBO	Revision: 0	Date: Oct. 9, 2007	Figure: 1
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STATE OF OREGON

COUNTY OF Coos

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BANDON DUNES LIMITED PARTNERSHIP  
C/O HOWARD MCKEE  
2130 LINCOLN PARK W.  
CHICAGO, IL 60614

PHONE: (312) 281-0652

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

APPLICATION FILE NUMBER: G-13577

SOURCE OF WATER: SIX WELLS IN THE CUT CREEK BASIN

PURPOSE OR USE: COMMERCIAL USE, DOMESTIC USE SERVING 500.0 HOUSEHOLDS,  
AND IRRIGATION AND OUT-OF-SEASON IRRIGATION OF A TOTAL OF 500.0 ACRES

MAXIMUM RATE: 3.55 CUBIC FEET PER SECOND (CFS), BEING 0.46 CFS FOR  
DOMESTIC USE FOR 500 HOUSEHOLDS AND COMMERCIAL USE AND 3.09 CFS FOR  
IRRIGATION

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION USE; NOVEMBER  
1 THROUGH THE MONTH OF FEBRUARY FOR OUT-OF-SEASON IRRIGATION; YEAR ROUND  
FOR COMMERCIAL USE AND DOMESTIC USE FOR 500 HOUSEHOLDS

DATE OF PRIORITY: DECEMBER 17, 1993

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, NW 1/4 NW 1/4, SW 1/4 NW  
1/4, SECTION 32, T27S, R14W, W.M., NW 1/4 NW 1/4, SW 1/4 NW 1/4, SECTION  
5, T28S, R14W, W.M.; SCHUMANN WELL - 417 FEET SOUTH AND 283 FEET WEST  
FROM N1/4 CORNER SECTION 32; PW5 - 27 FEET NORTH AND 382 FEET WEST FROM  
NW1/16 CORNER, SECTION 32; PW4 - 377 FEET NORTH AND 173 FEET EAST FROM  
W1/4 CORNER, SECTION 32; WELL 1 - 641 FEET SOUTH AND 69 FEET WEST, WELL  
2 - 632 FEET SOUTH AND 254 FEET WEST BOTH FROM W1/16 CORNER, BETWEEN  
SECTION 5 AND 32; WELL 3 - 61 FEET SOUTH AND 303 FEET WEST FROM NW1/16  
CORNER, SECTION 5

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 and 0.5 acre-foot for each acre irrigated  
for out-of-season irrigation. The total amount diverted shall not exceed  
2.5 acre-feet for each acre irrigated each year. T-9847 APOU V.59 p.435

T-9782

T-8861 APOU/APOA  
V.56 P.907

Application G-13577 Water Resources Department

PERMIT G-13498

T10476

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>IRRIGATION*</u>	<u>SUPPLEMENTAL IRRIGATION</u>	<u>COMMERCIAL</u>
NE 1/4 SW 1/4	39.1 ACRES		
NW 1/4 SW 1/4	40.0 ACRES		
SW 1/4 SW 1/4	40.0 ACRES		
SE 1/4 SW 1/4	38.4 ACRES		X
NW 1/4 SE 1/4	40.0 ACRES		
SW 1/4 SE 1/4	40.0 ACRES		
SECTION 29			
NE 1/4 SE 1/4	12.0 ACRES		
SE 1/4 SE 1/4	18.0 ACRES		
SECTION 30			
NE 1/4 NE 1/4	27.1 ACRES		
SE 1/4 NE 1/4	33.6 ACRES		
NE 1/4 SE 1/4	45.8 ACRES		
SE 1/4 SE 1/4	12.5 ACRES		
SECTION 31			
NW 1/4 NE 1/4	40.0 ACRES		
NE 1/4 NW 1/4	34.8 ACRES		X
NW 1/4 NW 1/4	40.0 ACRES		
SW 1/4 NW 1/4	40.0 ACRES		
SE 1/4 NW 1/4	21.5 ACRES		X
NE 1/4 SW 1/4	22.3 ACRES		X
NW 1/4 SW 1/4	36.8 ACRES		X
SW 1/4 SW 1/4	5.0 ACRES		X
SE 1/4 SW 1/4	33.6 ACRES		X
NW 1/4 SE 1/4	0.5 ACRE		X
SW 1/4 SE 1/4	36.1 ACRES		
SE 1/4 SE 1/4	40.0 ACRES		
SECTION 32			
TOWNSHIP 27 SOUTH, RANGE 14 WEST, W.M.			
NE 1/4 NE 1/4	29.4 ACRES		
NW 1/4 NE 1/4	28.11 ACRES	0.29 ACRE	
SW 1/4 NE 1/4	39.85 ACRES	0.15 ACRE	
SE 1/4 NE 1/4	35.42 ACRES	0.38 ACRE	
NE 1/4 NW 1/4	19.3 ACRES		
NW 1/4 NW 1/4	6.5 ACRES		
SW 1/4 NW 1/4	10.8 ACRES		
SE 1/4 NW 1/4	32.1 ACRES		
NE 1/4 SW 1/4	21.8 ACRES		
NW 1/4 SW 1/4	9.0 ACRES		
SW 1/4 SW 1/4	10.0 ACRES		
SE 1/4 SW 1/4	17.0 ACRES		
NE 1/4 SE 1/4	9.3 ACRES		
NW 1/4 SE 1/4	18.0 ACRES		
SECTION 5			
NW 1/4 NE 1/4			X
NE 1/4 NW 1/4			X
SECTION 8			
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.			

\*Use of water for irrigation under this permit is limited to a development of a maximum of 500.0 acres of the potential 1024.5 acres identified in the description of the Place of Use above.

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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

Production well locations shall be limited to the areas identified as "Alternative Well Placement Areas" in EGR and Associates document of May 27, 1997.

With the exception of the existing Schuman well (Coos 330), all wells used for water supply under this permit shall be constructed in a manner to case and seal off all water to a minimum depth of 80 feet below land surface.

Any future well drilling shall be coordinated with the Department for well location, well construction and the driller's collection of geologic samples.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within 60 days of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include: 1) a 5 year program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells; 2) measure specific conductance of

groundwater; 3) collect and report water use data; 4) outline a mitigation plan to address future groundwater interference with surface water and salt water encroachment. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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.

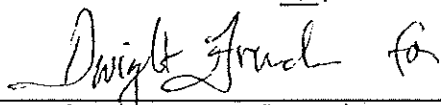
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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 of the well shall begin by May 28, 1999. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued October 7, 1998



Martha O. Pagel, Director  
Water Resources Department

Application G-13577      Water Resources Department  
Basin 17                      Volume 7 BASIN 15 MISC  
LKS                              MGMT.CODES 3BW 7AG 7AR 7BG 7BR

PERMIT G-13498  
District 19

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

T # **90344**

INVOICE # \_\_\_\_\_

ED FROM: <u>Bandon Dunes</u>	APPLICATION	
	PERMIT	
	TRANSFER	<u>T-10476</u>
CHECK: # <input checked="" type="checkbox"/> <u>42363</u> OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D	\$ <u>400.00</u>

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES	\$
OTHER: (IDENTIFY)	\$
0243 I/S Lease	
0244 Muni Water Mgmt. Plan	
0245 Cons. Water	

**4270 WRD OPERATING ACCT**

MISCELLANEOUS			
0407 COPY & TAPE FEES		\$	
0410 RESEARCH FEES		\$	
0408 MISC REVENUE: (IDENTIFY)		\$	
TC162 DEPOSIT LIAB. (IDENTIFY)		\$	
0240 EXTENSION OF TIME		\$	
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$ <u>100.00</u>	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
LANDOWNER'S PERMIT			0220 \$
OTHER (IDENTIFY)			

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
 OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **90344** DATED: 10/25/07 BY: L. Pauline

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **90265**

INVOICE # \_\_\_\_\_

RECEIVED FROM: <u>Bandon Dunes</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/>	TRANSFER <u>T-10476</u>
CHECK.# <u>42037</u> <input checked="" type="checkbox"/>	TOTAL REC'D <u>\$400.00</u>
OTHER: (IDENTIFY) _____	

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES <u>PLA 46111</u>	\$
OTHER: (IDENTIFY) _____	\$
0243 I/S Lease _____	
0244 Muni Water Mgmt. Plan _____	
0245 Cons. Water _____	

**4270 WRD OPERATING ACCT**

<b>MISCELLANEOUS</b>	
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$
<b>WATER RIGHTS:</b>	
0201 SURFACE WATER	EXAM FEE \$
0203 GROUND WATER	0202 \$
0205 TRANSFER	0204 \$ <u>400.00</u>
<b>WELL CONSTRUCTION</b>	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$
LANDOWNER'S PERMIT	0219 \$
OTHER (IDENTIFY) _____	0220 \$

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY) _____		

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD)	\$
0231 HYDRO LICENSE FEE (FWWRD)	\$
HYDRO APPLICATION	\$

**TREASURY OTHER / RDX**

FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$ _____

RECEIPT: **90265** DATED: 10/19/07 BY: [Signature]

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Oregon Water Resources Department  
 725 Summer Street NE,  
 Salem Oregon 97301-1111  
 (503) 986-0900  
 www.wrd.state.or.us

Originals

# Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF APPLICATION

Please check one of the following:

Permit Amendment       Ground Water Registration Modification

## 2. APPLICANT INFORMATION

Name: Bandon Dunes Limited Partnership      c/o Donald J. Stastny, Owner's Representative  
First      StastnyBrun  
813 SW Alder, Suite 200; Portland, OR 97205

Address: 2130 Lincoln Park North  
Chicago      IL      60614  
City      State      Zip

Phone: \_\_\_\_\_ 503-222-5533 \_\_\_\_\_  
Home      Work      Other

Fax: 503-227-5019      E-Mail address: dstastny@stastnybrun.com

## 3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: Golder Associates Inc.      c/o Ron Blegen  
First      Last

Address: 1430 West Broadway Road, Suite 108  
Tempe      AZ      85282  
City      State      Zip

Phone: \_\_\_\_\_ 480-966-0153 \_\_\_\_\_ 503-709-0562  
Home      Work      Other

Fax: 480-966-0193      E-Mail address: rblegen@golder.com

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**WATER RESOURCES DEPT**  
**SALEM, OREGON**

- If an agent is listed above, please check one of the following:
  - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
  - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

**Permit Amendments**

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**Ground Water Registration Modifications**

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

**4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED**

Please check all of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.)  <input checked="" type="checkbox"/> <b>Additional</b> (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.)  <p style="text-align: center;"><i>Not Available for <u>Ground Water Registrations</u></i></p> <input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input type="checkbox"/> <b>All of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at the current authorized location will be discontinued.)  <input checked="" type="checkbox"/> <b>Only a portion of the Permit or Registration will be exercised at a different location than currently authorized</b> (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for <u>Permit Amendments</u></i></p> <p><b>Change existing authorized use to the following proposed <u>new</u> use:</b></p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

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- Reason(s) for amendment/modification(s): Applicant is continuing to develop water use capabilities to the maximum allowable under the existing permit. The change in authorized place of use will allow application of water to areas not currently receiving irrigation water. The additional points of appropriation will allow for full development of the permitted water use and provide more flexibility in how the resource is managed.

**5. CURRENT PERMIT OR REGISTRATION INFORMATION**

Permit or Registration to be Amended/Modified (*check and complete one of the following*):

<input checked="" type="checkbox"/> Permit to be Amended:	<u>G13498 [amended via T8861, T9647, and T9782]</u> <small>Permit Number</small>	<u>October 1, 2022</u> <small>Current Completion Date of Permit</small>
<input type="checkbox"/> Ground Water Registration to be Modified:	<hr/> <small>Ground Water Registration Number</small>	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: Bandon Dunes Limited Partnership
- County: Coos County
- Authorized Use(s) to be affected by this Amendment/Modification: Irrigation

- Priority Date(s): December 17, 1993

*If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- All Source(s) of Water to be affected by this Amendment/Modification: 14 wells in  
Cut Creek and Fahys Creek basins

Tributary to: Pacific Ocean (Fahys Creek drains to Coquille River)

*If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For an application proposing a Change in Place of Use or Character of Use:**

- Are there any other “Layered” Water Rights, Permits, or Ground Water Registrations issued for **Irrigation** purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified?  Yes  No  N/A -No Change in Use or Place of Use

If “Yes”, pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

- Remarks: \_\_\_\_\_

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- **The following information must be provided only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.**

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
n/a								No existing Points of Appropriation will be changed.

- Does the permit/registration being amended/modified involve a ground water source(s)?  
 Yes       No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

**or**

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
n/a									

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- **The following information must be provided only for those places of use that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.**

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

**Location of Existing Authorized Place of Use to be Affected:**

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable) (Irrigated Acres To Be Moved)
14 Wells December 17, 1993	27 S	14 W	WM	20	SW SW	401	15.00
"	27 S	14 W	WM	20	SE SW	401, 600	25.00
"	27 S	14 W	WM	20	NE SW	600	8.40
"	27 S	14 W	WM	29	NW NW	300, 400	16.40
"	27 S	14 W	WM	29	SE NW	800	6.10
"	27 S	14 W	WM	29	NE SW	1200	8.20
"	27 S	14 W	WM	29	SE SW	1200	2.50
"	27 S	14 W	WM	32	SE SE	403	4.80
"	28 S	14 W	WM	5	NE NE	100	0 (Area taken off allowed irrigation area)
"	28 S	14 W	WM	5	NE SW	400	0.69
Total Irrigated Acres To Be Moved =							87.09 Acres

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WATER RESOURCES DEPT  
SALEM, OREGON

**6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION**

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Point(s) of Diversion or Appropriation:** (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well 2007A	28S	14W	WM	5	SW NW	600	95 feet North and 715 feet East of the SW corner of the NW quarter section.
Well 2007B	28S	14W	WM	5	SW SW	600	50 feet North and 555 feet East of the SW corner of the SW Quarter Section

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us))

If "No", describe the anticipated construction for the proposed well(s) in the following table:

**Construction of Proposed Point(s) of Appropriation or Well(s): [Anticipated]**

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L- )	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No	n/a	10-inch	10-inch steel	~230	~230 - 260	80+ ft.	~70 ft.	230 ft	Sealed port for c-tape or transducer	260 ft.

These are estimated well construction measurements only, based upon the construction of other nearby wells completed at similar estimated depths. Per permit requirements, the wells must have a minimum seal depth of 80 feet. Both proposed wells (labeled Well 2007A and Well 2007B on the accompanying map) are expected to be constructed in a similar manner.

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- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

**Location of Proposed Place of Use:** (i.e., the "TO" lands)

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable) (irrigated acres move to)
14 Wells	27 S	14 W	WM	20	SW SE	600, 700	4.72
"	27 S	14 W	WM	29	NW NE	200	19.97
"	27 S	14 W	WM	29	SW NE	800	28.00
"	27 S	14 W	WM	29	SW SE	1100	8.90
"	27 S	14 W	WM	30	SE NE	401	0.45
"	27 S	14 W	WM	30	NE SE	1400	1.1
"	27 S	14 W	WM	31	SE NE	200	0.50
"	27 S	14 W	WM	31	NE SE	200	3.40
"	27 S	14 W	WM	31	NW SE	200	0.40
"	27 S	14 W	WM	31	SW SE	200	0.40
"	27 S	14 W	WM	31	SE SE	200	5.10
"	27 S	14 W	WM	32	SW SW	400	2.20
"	27 S	14 W	WM	32	SE SW	602	0.30
"	28 S	14 W	WM	5	SW NW	600	0.25
"	28 S	14 W	WM	5	SE NW	200	2.10
"	28 S	14 W	WM	5	NW SW	600	1.00
"	28 S	14 W	WM	5	NE SW	400	1.25
"	28 S	14 W	WM	5	NE NE	100	4.05 (added to existing allotment)
"	28 S	14 W	WM	5	NW NE	200	3 (added to existing allotment)
Total Irrigated Acres Moved to New Locations =							87.09 Acres

Remarks: \_\_\_\_\_

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**7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS**

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district?    Yes    No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification?    Yes    No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency?    Yes    No

*If "Yes", for any of the above, list the name and mailing address of the district and/or agency:*

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- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Coos County; 250 N. Baxter, Coquille, OR 97423

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**8. PERMIT HOLDER OF RECORD**

*This section is to be completed **only** for Permit Amendment applications.*

*N/A – This is a Ground Water Registration Modification application.*

- Is the applicant the permit holder of record?    Yes    No

*If "No", the applicant must either:*

A.    *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

**or**

B.    *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

9. LAND OWNERSHIP

**If for a Permit Amendment proposing a Change in Place of Use:**

- Does the permit holder of record own or control the land **TO** which the place of use is being moved?  Yes  No

*If "No", the owner of the land **TO** which the place of use is being moved **must be assigned to the permit as a permit holder of record** by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment.*

- Check **one** of the following:
  - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

**If for a Ground Water Registration Modification: (Not Applicable)**

- Does the applicant own the lands **FROM** which the registration is being moved?  Yes  No

*If "No", provide the following information:*

Names of Current Landowner(s): \_\_\_\_\_  
First Last

Address: \_\_\_\_\_

\_\_\_\_\_ City State Zip

- Does the applicant own the lands **TO** which the registration is being moved?  Yes  No

*If "No", provide the following information:*

Names of Receiving Landowner(s): \_\_\_\_\_  
First Last

Address: \_\_\_\_\_

\_\_\_\_\_ City State Zip

- Check **one** of the following:
  - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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**10. ATTACHMENTS**

Check each of the following attachments included with this application.  
The application will be returned if all required attachments are not included.

**Map:**

- A map meeting the requirements of OAR 690-380-3100 must be included but need **not** be prepared by a Certified Water Right Examiner.

**Land Use Information Form:**

- Enclosed; *or*
- Not required if **all** of the following are met:
  - ① In EFU zone or irrigation district;
  - ② Change in place of use only;
  - ③ No structural changes needed, including diversion works, delivery facilities, other structures; *and*
  - ④ Irrigation only.

[Not Required as per Kelly Starnes (OWRD) (1/26/2004)]

**Water Well Reports/Well Logs:**

- The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.

[2 Proposed Wells-See Section 6 above for anticipated construction details. Existing wells under the current permit will not be changed]

- N/A. The application does **not** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **not** required.

**Fees:**

- Amount enclosed: \$ 400  
See the Department's Fee Schedule at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) or call (503) 986-0900.

**For Permit Amendments Only...**

**Request for Assignment:**

- Enclosed. The applicant is **NOT** the permit holder of record and needs to be assigned to the permit; **OR** the landowner of the proposed place of use is **NOT** the permit holder of record and needs to be assigned to the permit.

*The Request for Assignment form is available online at: [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml) ; *or**

- N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; **OR** the applicant is *not* the permit holder of record but **is** supplying an Affidavit of Consent from the permit holder.

**Affidavit of Consent:**

- Enclosed. Because the applicant is **NOT** the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; *or*
- N/A. Not required because the applicant is the permit holder of record.

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**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

**11. SIGNATURES**

- **For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:**

In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*


I If the applicant is not both the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:

- A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; *or*
- B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)I, the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- **For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.**

 applicant signature	<b>DONALD J. STASTNY</b> name (print) <i>OWNER'S REPRESENTATIVE</i>	<u>10-9-2007</u> date
_____ applicant signature	_____ name (print)	_____ date

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**Golder Associates Inc.**  
1430 West Broadway Road, Suite 108  
Tempe, Arizona 85282  
Telephone: (480) 966-0153  
Fax: (480) 966-0193  
www.golder.com



October 9, 2007

Our Ref.: 033-1642-002.000

Oregon Department of Water Resources  
Water Rights – Permit Amendments  
725 Summer St NE, Suite A  
Salem, OR 97301

Attention: Patrick K. Starnes

**RE: APPLICATION FOR PERMIT AMENDMENT,  
PERMIT NO. G13498 AS AMENDED BY T-8861, T-9647, AND T-9782  
BANDON DUNES LIMITED PARTNERSHIP, BANDON, OREGON**

Dear Mr. Starnes:

Enclosed please find the completed Application for Permit Amendment or Ground Water Registration Modification form, completed by Golder Associates Inc. on behalf of the Bandon Dunes Limited Partnership. A check in the amount of \$400.00 is also enclosed.

The Bandon Dunes Limited Partnership is continuing to develop their property and water use as originally authorized under Permit G-13498. As construction on site has proceeded, various alterations to the permit have been requested and authorized by the Oregon Water Resources Department (OWRD) through permit amendments. Through this application, the Bandon Dunes Limited Partnership is requesting a change in the authorized place of use so that additional areas may be irrigated to promote new grass growth and to maintain the integrity of new turf. As noted in our application, no additional irrigated acreage is being requested, only a shift in where some of the irrigation water may be applied. We are also requesting authorization for two additional wells to be used as points of appropriation. These wells have not yet been constructed, but the anticipated design and performance are based on two other nearby wells. The new wells will provide Bandon Dunes with additional water management capabilities under their existing permit.

In order to establish the turf before the summer season, it is essential that water be available to enhance seed germination as soon as possible. Construction and seed application is scheduled to begin as early as March 2008. To that end we are requesting that the Oregon Department of Water Resources expedite processing of this application. As per your suggestion to expedite the process, Golder has contacted Mitch Lewis, District 19 Watermaster, to inform him of this upcoming application.

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SALEM, OREGON**



STASTNYBRUN

TRANSMITTAL

DATE 10/18/2007

FROM Diana Sellers

TO Patrick K. Starnes  
Oregon Department of Water Resources  
Water Rights - Permit Amendments  
725 Summer St. NE, Suite A  
Salem OR 97301

DISTRIBUTION

VIA US Mail

PROJECT 2117 Bandon Dunes Design Consulting

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THE FOLLOWING IS BEING TRANSMITTED FOR YOUR

COPIES	DESCRIPTION	PAGES	DATED
1	Letter from Golder Associates	2	10/9/2007
1	Application for Permit Amendment or Ground Water Registration Modification signed and dated by Donald J. Stastny	11	10/9/2007
1	11 x 17 map	1	
1	Check from Bandon Dunes for \$400.00		

REMARK cc: Golder Associates

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Architecture Urban Design  
Planning Interiors  
Community Design Process Competition Management

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We appreciate your consideration of this request. If you have any questions regarding the application or the request, please do not hesitate to Ron Blegen (480-966-0153, [rblegen@golder.com](mailto:rblegen@golder.com)) at any time. Sincerely,

**GOLDER ASSOCIATES INC.**



Ron Blegen, R.G.  
Senior Project Hydrogeologist



David Banton, R.G.  
Principal Hydrogeologist

Attachments: Application for Permit Amendment or Ground Water Registration Modification

cc: Don Stastney (Stastney Brun Architects, Inc.)  
Warren Felton (Bandon Dunes, LLP)

rpb/rpb

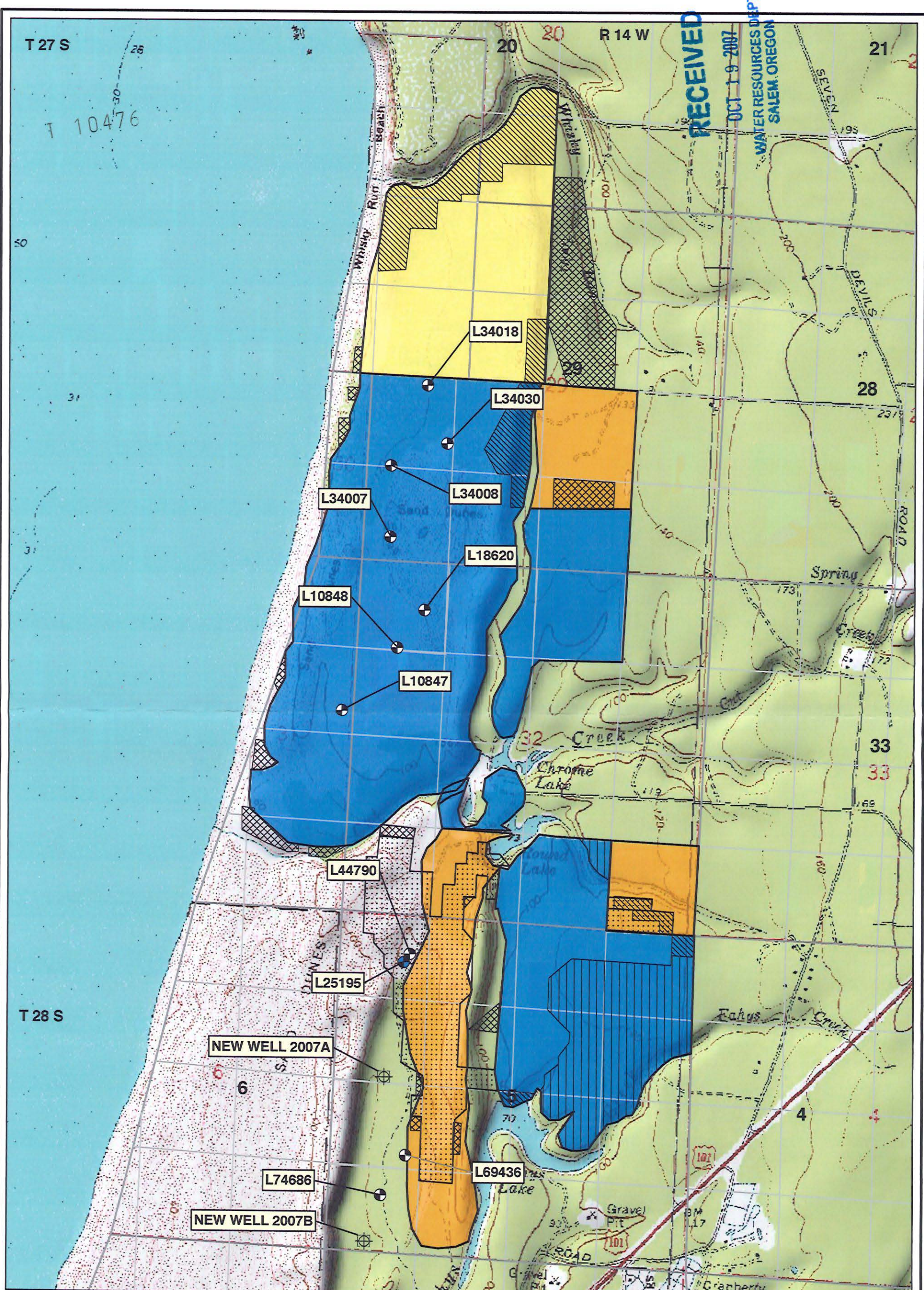
owrd\_permit application cover letter\_092807.doc

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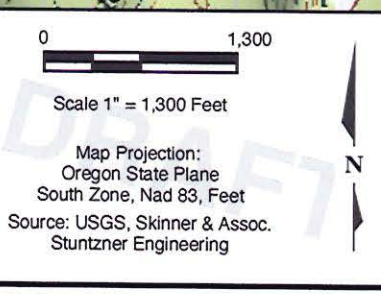
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**LEGEND**

	Domestic Well		Amended Irrigation (March 2004)
	Irrigation		Cancelled Irrigation (March 2004)
	Proposed New Well		Original Irrigation Area
	Amended Irrigation (2007)		Cancelled Irrigation Area (Aug. 2002)
	Cancelled Irrigation (2007)		Amended Irrigation Area (Aug. 2002)



This figure was originally produced in color. Reproduction in black and white may result in a loss of information.

**BANDON DUNES WATER RIGHT G-13577**  
**Permit Amendment**  
 BANDON DUNES/WATER SUPPLY EVAL/OR

Drawn: KBD	Revision: 0	Date: Oct. 9, 2007	Figure: 1
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