

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME <i>Danish Dairy, LLC</i>		PHONE (HM) <i>541 290 0530</i>	
PHONE (WK) <i>541 290 0530</i>	CELL	FAX <i>541-396-5116</i>	
ADDRESS <i>94912 Hwy 42 S</i>			
CITY <i>Cogwille</i>	STATE <i>OR</i>	ZIP <i>97423</i>	E-MAIL * <i>m.jackson@1791.com</i>

Organization

NAME		PHONE	FAX
ADDRESS		CELL	
CITY	STATE	ZIP	E-MAIL *

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

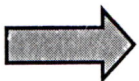
AGENT/ BUSINESS NAME <i>Amy Edwards</i>		PHONE <i>541 396 7000</i>	FAX —
ADDRESS <i>96759 Fairview Summer Lane</i>		CELL —	
CITY <i>Cogwille</i>	STATE <i>OR</i>	ZIP <i>97423</i>	E-MAIL * <i>amy@amyeshbakery.com</i>

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate

Madelyn Jackson FOR
Applicant Signature
DANISH DAIRY, LLC

Madelyn Jackson, member *07-27-2021*
Print Name and Title if applicable Date

Applicant Signature

Print Name and Title if applicable

Date

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For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used. *All affected property is owned by applicant.*

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. (*Attach additional sheets if necessary*).

None.

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: <i>small creek, unnamed</i>	Tributary to: <i>irrigation ditch -> Coquille River</i>
TRSQQ of POD:	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water *n/a*

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes.
- No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

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If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

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Surface Water — Page 3
Rev. 06-18

For Department Use: App. Number: _____

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- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

There are no fish in the creek. It drains into an irrigation ditch system that is controlled by a tidegate that goes into the Coquille River.

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Surface Water — Page 4

Rev. 06-18

For Department Use: App. Number: _____

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
 (1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
creek	group domestic use expanded	year around	<input type="checkbox"/> cfs <u>15</u> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: _____ Acres Supplemental: _____ Acres
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):

 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: _____

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 7
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 10 horse centrifugal
- Other means (describe): _____

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. foot valve in stream → pump house → tank on hill
tank on hill will gravity feed houses

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
 _____ not irrigating

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters. The water is needed for 7 households with gardens on a ranch. Water will only be drawn out as needed for the needs of the households. Unused water will stay in creek.

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SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

N/A Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life. *no fish in creek.*
Describe planned actions: _____

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: _____
Will be placing a pump in a small shed with a pipe and a foot valve in creek.

N/A Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: _____

N/A Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe planned actions: _____

N/A List other federal and state permits or contracts to be obtained, if a water right permit is granted.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: _____
 - b) Date construction will be completed: _____
 - c) Date beneficial water use will begin: _____
- pump, holding tank, + pipes will be installed to water livestock Fall 2021. Pipes to houses will be installed as soon as water rights are granted.*

SECTION 9: WITHIN A DISTRICT

N/A Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form



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NAME <i>Danish Dairy, LLC</i>		PHONE (HM) —	
PHONE (WK) <i>541 290 0530</i>	CELL	FAX <i>541-396-5116</i>	
ADDRESS <i>94912 Hwy 42S</i>			
CITY <i>Coquille</i>	STATE <i>OR</i>	ZIP <i>97423</i>	E-MAIL* <i>m.jackson@1791.com</i>

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<i>285</i>	<i>13W</i>	<i>11</i>	<i>1200</i>	<i>8-02</i>	<i>Farm use</i>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>Farm</i>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

~~Coquille~~ *Coos county*

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Water Right Transfer
- Permit Amendment or Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) *unnamed creek*

Estimated quantity of water needed: *159pm* cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for *7* household(s)
 Municipal Quasi-Municipal Instream Other

Briefly describe:

Plan to pump water from an unnamed creek to provide water for 7 households on same property the creek runs through.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Relative Farm Help Dwelling - Administrative Conditional Use	4.6.200.13 / (5), (9), & (30)	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" type="checkbox"/> Not Being Pursued
Accessory Farm Dwellings - Administrative Conditional Use	4.6.200.14 / (5), (24), & (30)	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

The applicant only listed Tax Lot 1200 on their application, this Tax Lot appears to have 2 dwellings that existed prior to the ordinance. The application lists that they intend to have 7 dwellings on the property, if they were able to obtain additional dwellings through an application process they would have to be temporary dwellings (manufactured) and staff cannot guarantee that 5 additional dwellings would be approved. There are two different processes for site farm help dwellings; therefore, both options are listed above.

Name: Amy Dibble Title: Planner II
 Signature: *Amy Dibble* Phone: 541-396-7770 Date: 8/12/2021
 Government Entity: Coos County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel A: Beginning at the Southwest corner of property conveyed to Philip E. Leonard, etux, in deed recorded April 26, 1976, bearing Microfilm No. 76-04-6237, Records of Coos County, Oregon, in Section 11, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, said point being on the West line of property conveyed to R.E. Folsom, etux, in deed recorded March 22, 1944 in Book 151, Page 320, Deed Records of Coos County, Oregon; thence North 70° 33' East 371.40 feet to an iron rod post; thence continue North 70° 33' East 332.60 feet to an iron rod post; thence North 40° 11' East 601.02 feet to an iron rod post; thence North 12° 03' West 233.90 feet to an iron rod post; thence North 34° 05' West 232.62 feet to an iron rod post; thence North 52° 45' West 394.40 feet to an iron rod post; thence North 70° 16' West 198.06 feet to an iron rod post; thence North 85° 04' West 150.20 feet to an iron rod post; thence South 58° 06' West 87.94 feet to an iron rod post; thence South 84° 04' West 229.61 feet, more or less, to the West boundary of the above described Folsom property; thence North 00° 45' East 853.45 feet, more or less, to the center of the main Fat Elk Drainage Canal; thence Southeasterly along said Canal 1231.0 feet to the North-South quarter Section line of said Section 11; thence North along said quarter line 1903.0 feet, more or less, to the North quarter corner of said Section 11; thence East along the North boundary of Sections 11 and 12 of said Township and Range 3960 feet, more or less, to the Northeast corner of the NW 1/4 of the NW 1/4 of said Section 12; thence South along the West quarter quarter line of said Section 12 a distance of 5280 feet, more or less, to the Southeast corner of the SW 1/4 of the SW 1/4 of said Section 12; thence West along the South boundary of said Sections 12 and 11 a distance of 5280 feet, more or less, to the Southwest corner of the SE 1/4 of the SW 1/4 of said Section 11; thence North along the West boundary of said quarter quarter 1320 feet, more or less, to the Northwest corner of said quarter quarter; thence East along the North line of said quarter quarter to a point which is South 4° 05' East of the point of beginning; thence North 4° 05' West 135 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM any portion embraced in the Fat Elk Creek County Road.

PARCEL B: Beginning at the Southeast corner of Government Lot 3 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence West to the Southwest corner of said Government Lot 3; thence North 38 rods 3 feet 3 inches; thence East to the Coquille River at low water mark; thence Southerly along said river to a point due East of the point of beginning; thence West to the point of beginning.

PARCEL B-1:

The SW 1/4 of the SE 1/4 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

EXCEPTING THEREFROM the South 16.5 feet thereof.

PARCEL B-2:

A strip of land described as follows: Beginning 40 rods South of the Northeast corner of the SW 1/4 of the SE 1/4 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence East 80 rods to the County Road; thence South 20 feet; thence West 80 rods; thence North 20 feet to the point of beginning.

PARCEL B-3:

Beginning at a point 20 feet South of the Northwest corner of the Se 1/4 of the SE 1/4 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence North 20 feet; thence East 20 feet; thence in a Southwesterly direction to the point of beginning.

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EXHIBIT "A"
LEGAL DESCRIPTION
(continued)

EXCEPTING THEREFROM that portion conveyed to Eldia F. Horn, etux, in instrument recorded October 19, 1967, bearing Microfilm Reel No. 67-10-22856, Records of Coos County, Oregon, described as follows: A parcel of land in Government Lot 3 of Section 7, Township 28 South, Range 12 West of the Willamette Meridian, Coos County, Oregon and in the NE 1/4 of the SE 1/4 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, being more particularly described as follows: Beginning at the Southwest corner of that certain 1 1/2 acre tract conveyed to Raymond A. Detlefsen, etux, by deed recorded January 4, 1963 in Book 298, Page 463, Deed Records of Coos County, Oregon; thence East along the South line of said 1 1/2 acre tract 150 feet, more or less, to the low tide of the Coquille River on the West bank; thence downstream along said low tide line 50 feet, more or less, to a point due East of the apple tree 12 inches in diameter; thence West 170 feet, more or less, to the East right of way line of the County Road; thence Southeasterly along said right of way line to the point of beginning.

PARCEL B-4:

The N 1/2 of the SE 1/4 of the SE 1/4 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

EXCEPTING THEREFROM the following described parcel: Beginning at the Northwest corner of the N 1/2 of the SE 1/4 of the SE 1/4 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence South 20 feet; thence Northeasterly to a point 20 feet East of the point of beginning; thence West 20 feet to the point of beginning.

EXCEPTING THEREFROM any portion embraced in the Fishtrap Creek County Road right of way.

PARCEL B-5:

The SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

PARCEL B-6:

Government Lot 2 of Section 12, Township 28 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

EXCEPTING THEREFROM any portion embraced in the Fishtrap Creek County Road.

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Oregon Water Resources Department
Surface Water Application

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Today's Date: Friday, August 13, 2021

Base Application Fee.		\$1,090.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	0.0334	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	0	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Subtotal:		\$1,500.00
Permit Recording Fee. ***		\$610.00
<p>* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.</p>	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$2,110.00

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

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- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 2110.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate