

STATE OF OREGON
COUNTY OF Curry

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

JON LOREN
LOREN, JAN
PO BOX 124
BROOKINGS, OR 97415

confirms the right to store the waters of
WILDCAT CREEK, A TRIBUTARY OF WINCHUCK RIVER IN WILDCAT CREEK
RESERVOIR
for DOMESTIC USE INCLUDING IRRIGATION OF GARDEN AND
LAWN NOT EXCEEDING ONE-HALF ACRE IN AREA, AND
FIRE PROTECTION

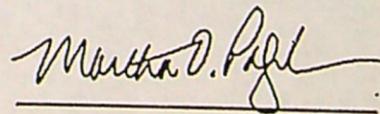
The right to store and use these waters was perfected under Reservoir Application R-76578.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 0.31 ACRE-FOOT

Located as follows:
NW 1/4 SW 1/4 SECTION 9, TOWNSHIP 41 SOUTH, RANGE 12 WEST WM.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with
a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary
for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of
use listed above.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 27, 1996.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 70508

January 26, 1995

JON LOREN
LOREN, JAN
PO BOX 124
BROOKINGS, OR 97415

REFERENCE: File # R-76578;

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Your application will be considered under House Bill 2153 enacted by the 1993 Oregon Legislature. You may continue the storage of water while a decision is pending on your application.

After an application has been accepted for filing, public notification of the application is made, followed by a mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. In general, the Department works through Oregon's 18 river basins on a rotating schedule, processing applications in the order in which they have been received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo specialized analysis called a technical review and a public interest review. Until your application is reviewed, it is not possible to determine whether your particular proposed water use will be recommended for a permit.

Technical Reviews are processed in accordance with Oregon Administrative Rules. The Water Resources Commission is considering the adoption of rules to protect stream flows for fish species. This action is being contemplated in response to current and future Endangered Species Act fish listings, including many runs of salmon, steelhead and resident fish throughout the state.



R-76578

State of Oregon
WATER RESOURCES DEPARTMENT

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JAN - 3 1995

Application for a Permit to Construct a Reservoir

WATER RESOURCES DEP.
SALEM, OREGON

Applicant(s) Jon & Jan Loren

Mailing Address: P.O. Box 124 or 01197 Winchuck River Road
Brookings Oregon 97415 (503) 469-6788
City State Zip Daytime Phone No.

I (We) make application for a permit ^{for already} ~~to be constructed~~ Wildcat Creek reservoir and store the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: Wildcat Creek
a tributary of Winchuck River
If not in channel of a stream, state how it is to be filled: _____

2. THE DAM: The maximum height of the structure will be 12 ft. feet above stream bed or ground surface at the centerline.
The dam will be (check one) earthfill, concrete, _____ flashboard, _____ other.
If "other" give description: _____

Give the location, description, and dimensions of the outlet conduit: (Lower Conduit) - 36" dia. x 40' length, located at bottom of stream bed - center of dam. Steel closure gate for draining pond. (Upper Conduit) 3 - 12" x 20' lengths, located at center of dam for top spillway (overflow).

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water will be: Domestic, irrigation & fire protection.

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SOURCES DEPT
SALEM, OREGON

4. THE AMOUNT OF WATER to be stored is: 0.31 acre-feet
The area submerged by the reservoir, when filled, will be approx 0.02 acres
and the maximum depth of water will be 10 feet

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam.
Location: Center of dam 10 feet high,
3 - 12" X 20' lengths of steel conduit
for top spillway

6. PROJECT SCHEDULE: (List month and year)
~~Proposed date construction work will begin~~ began Original dam built in June 1936 (registered)
~~Proposed date construction work will be completed~~ Updated & repaired thru the years. Raised
~~Proposed date water use will be completed~~ 2 feet in July 1989. Installed 3' conduit drain pipe
in July 1990 & raised 2 feet higher & added additional spillway for flooding.

NOTE: Prior to issuance of a permit, it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):
 Applicant CWRE Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):
 Applicant CWRE Other (Identify in REMARKS section)

**Land Use Information Form: Permits, Hydroelectric Licenses,
Water Uses in Addition to Classified Uses**

RECEIVED

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.**

NOV 8 1995
WATER RESOURCES DEP
SALEM, OREGON

Applicant's Name: Jon & Jan Loren
 Address: P.O. Box 124
 City: Brookings State: Oregon Zip: 97415 Day Phone: (503) 469-6788

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

[CHECK ALL THAT APPLY]

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
Map 41-12 Tax Lot 2600	RURAL RESIDENTIAL (RR-5)			Domestic & Irrigation

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

Application No. R-70578

For Local Government Use Only

Permit No.

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
Cite applicable ordinance section(s): CCZO Sec. 3.080. Go to section b) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

=====

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____ Phone: _____
 Staff Contact: _____ Date of Information Request: _____
 Signature: _____

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Jon & Jan Loren
 Address: P.O. Box 124
Brookings, Oregon 97415
 Phone: (503) 469-6788

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WATER RESOURCES DEP
SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): garden, fruit trees
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): Single family residence
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.): _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input checked="" type="checkbox"/> Surface Water Name sources: <u>Wildcat Creek</u>	<u>.02</u> Cubic feet per second.
<input type="checkbox"/> Reservoir or pond	_____ Gallons per minute.
<input type="checkbox"/> Ground Water	_____ Acre-Feet

(for Local Use Continued)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

b) Please provide printed name and written signature.

Name: CHARLES E. NORDSTROM Date: 12/29/94

Title: PLANNING DIRECTOR Phone: (503) 247-7011 ext 285

Signature: *Charles E. Nordstrom*

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

Additional Comments:

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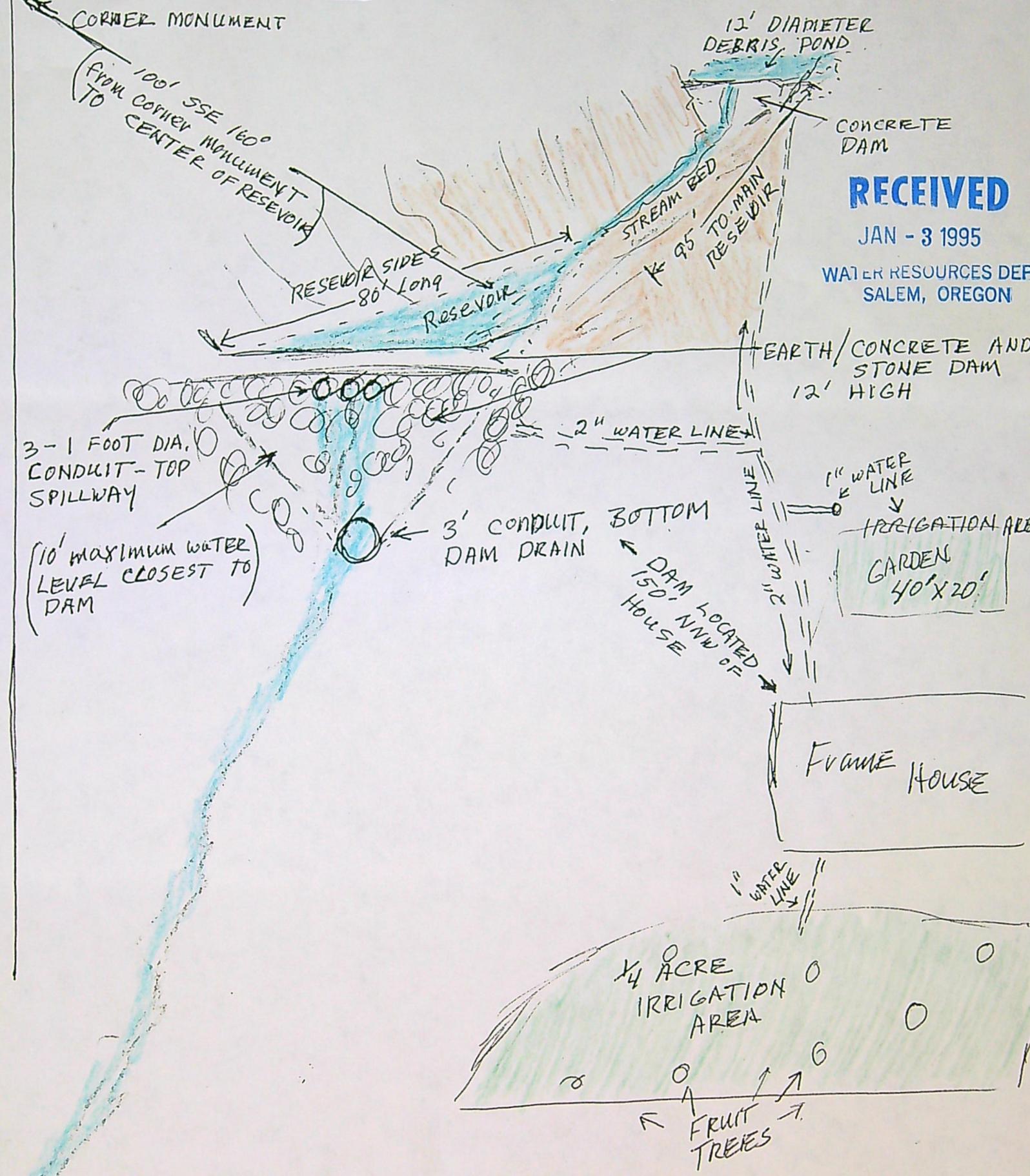
WATER RESOURCES DEP
SALEM, OREGON

Water Resources Department
158 12th NE
Salem, OR 97310
(503)378-3739

8/94

ms: FORMS/LU.2

NORTHWEST CORNER OF CURRY COUNTY MAP # 41-12, TAX LOT # 2600, (SECTION 9)



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 WATER RESOURCES DEP.
 SALEM, OREGON

Application No. R-76578
 Permit No.

9612196

Abstract of Permit No. 1296 **RECEIVED**

JAN - 3 1995
 WATER RESOURCES DEP
 SALEM, OREGON

Application No. 16395 Certificate No. 14380

Name J. W. Gilmore
 Address 409 - 19th St., Santa Monica, Calif.
 Source of water supply Wild Cat Creek, trib. Winchuck River
 Use Domestic and Irrigation
 Point of diversion being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 41 S., R. 12 W., N.M. CURRY County
 Number of acres

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
41S	12W	9						0.8										
								Dom.										

Priority date May 28, 1936
 Amount of water 0.02 c.f.s., measured at the point of diversion from the stream,
 being 0.01 for dom. & 0.01 for irri.
 Time limit to begin construction
 Time limit to complete construction extended to extended to
 Time limit to completely apply water extended to extended to

Remarks: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 1/80th 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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Application No. R-76578
 Permit No.

Revised & fact & certificate issued. File in In 151 in order of priority. Discard old abstract, Vol. 1, Basin 15

MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

(date & initials) NOTICE OF EXEMPT RESERVOIR form (or letter if prior to April 8, 1994).

Appropriate map (see item 1 on form).

Evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation).

Items 2, 3, 4, 5, and 6 are completed.

Signature (and title, if applicable)

HB 2153 - non-exempt existing ponds (large, on-channel)

Complete Minimum Requirements to File on reverse, except before routing to Data Center, change priority date to 1/1/1993. Also, confirm the following:

yes cm Receipt of evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation)

HB 2107 - wetland, stream restoration and storm water management

Complete Minimum Requirements to File on reverse EXCEPT DO NOT ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the following:

Name/address of adjacent property owner within 1/4 mile

Map with scale not less than 2 in.=1 mi.

CWRE map if > 10 feet dam or > 9.2 AF

Description of proposed use

Condition addressed

Resulting benefits

Public notices (circle) #1 #2

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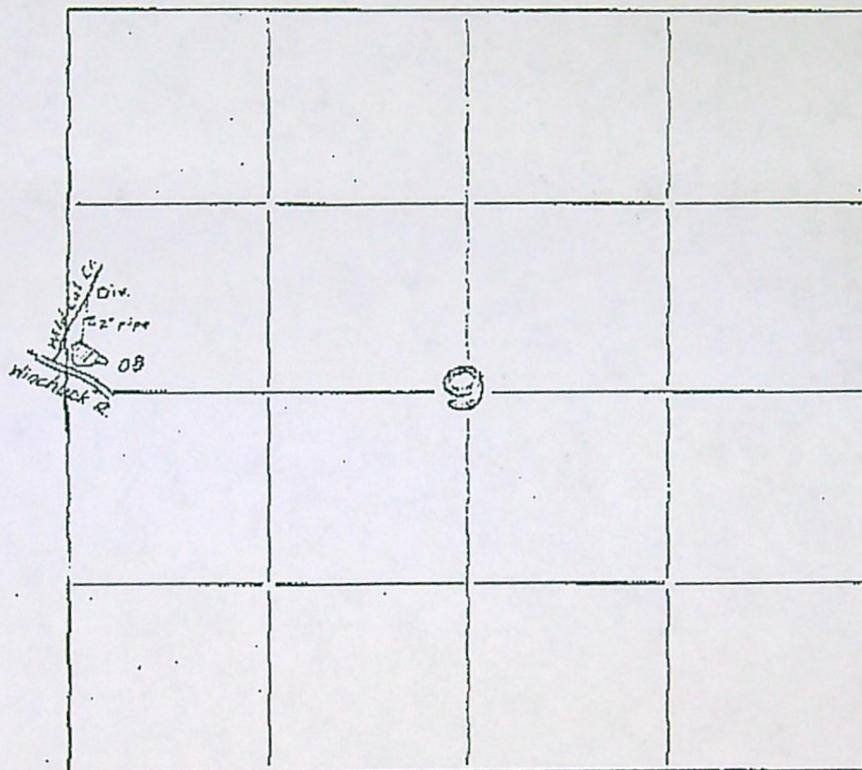
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WATER RESOURCES DEP.
SALEM, OREGON

Application No. *R-76578*

Permit No.

"CERTIFICATE NO. 70508"



FINAL PROOF SURVEY
UNDER

Application No. 16395 Permit No. 12196

IN FAVOR OF

J. W. Gilmore

Surveyed June 11, 1941, by C. A. Cummings

Map prepared by Carl Anderson
1932