

ASSIGNED

Application No. 61486
Permit No. 46813
Certificate No. _____

FEES PAID

Date	Amount	Receipt No.
3-31-81	92.00	23429
4-13-81	2.00	Trf to misc rec. fee
assign. 6-30-98	60.00	22414
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Name James C. & Marion M. McBee
By _____
Address 88869 Evers Rd.
Elmira, OR 97437

Stream Index, Page No. 17-4 W

See File R-61485

Date filed March 31, 1981
Priority July 20, 1982
Action suspended until Sur Regardless

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
6/30/98	Alan & Elizabeth Foster-	POB 412 Langlois, OR 97450	8	203

Return to applicant _____
Date of approval AUG 16 1982

CONSTRUCTION

Date for beginning AUG 16 1983
Date for completion OCT 1 1984
Extended to _____
Date for application of water OCT 1 1985
Extended to _____

REMARKS

CARD FOR B OCT 19 1984
Card for C OCT 14 1985
Card for C OCT 30 1985
Card for C present to PO Box 11-5-85
FORM 100 SEP 29 1986 **SURVEY REGARDLESS**

PROSECUTION OF WORK

Form "A" filed started
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received _____
Date certificate issued _____



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

August 5, 1998

ALAN FOSTER
PO BOX 412
LANGLOIS OR 97450

RE: Files R-61485 & 61486

Enclosed is our \$35 refund in excess assignment fees collected for Permits R-8453 and 46813.

Sincerely,

Janet Halladey
Water Rights Division

enclosure



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

July 14, 1998

ALAN & ELIZABETH FOSTER
PO BOX 412
LANGLOIS OR 97450

REFERENCE: Files 61486 & R-61485

The assignment of Permits 46813 and R-8453 from James and Marion McBee to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 22414 covering the recording fee of \$25 you submitted. The excess fee of \$35 will be refunded to you as soon as possible.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

Enclosure

cc: John Drolet, Watermaster
Sue DeHaas, Grants Pass Office
James & Marion McBee

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **22414**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: ALAN H. FOSTER
BY: _____

APPLICATION	61486
PERMIT	
TRANSFER	

CASH: CHECK: # 96-292 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 60.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY) _____	\$
OTHER: (IDENTIFY) _____	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

MISCELLANEOUS			
0407 COPY & TAPE FEES			\$
0410 RESEARCH FEES			\$
0408 MISC REVENUE: (IDENTIFY) _____			\$ <u>60.00</u>
(New) TC165 DEPOSIT LIAB. (IDENTIFY) _____			\$
(Existing) TC168			
WATER RIGHTS:			
0201 SURFACE WATER			
0203 GROUND WATER			
0205 TRANSFER			
WELL CONSTRUCTION			
0218 WELL DRILL CONSTRUCTOR			
LANDOWNER'S PERMIT			
OTHER (IDENTIFY) _____			

*PCA # 66111
Assignment*

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

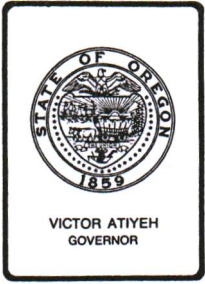
1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **22414**

DATED: 6-30-98 BY: [Signature]



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

SEP 29 1986

James C. and Marion M. McBee
88869 Evers Road
Elmira, OR 97437

Dear Mr. and Mrs. McBee:

REFERENCE: Files R-61485 and 61486

According to the terms of your Permits R-8453 and 46813 complete application of water was to have been made by October 1, 1985. Permit R-84533 for the storage of 3.6 acre-feet from Abe's Creek. Permit 46813 is for the appropriation of 0.43 cubic foot per second of water from Abe's Creek and reservoir for the purpose of temperature control, supplemental irrigation and flood harvesting.

Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of November 5, 1985.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit . . ."

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, the permit(s) may be canceled without further notice.

If, for any reason, you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved has changed hands and any part of the project has been completed, you should immediately assign the permit to the new owner and advise us of his name and address. An assignment form will be furnished upon request.

Sincerely,

BRUCE A. ESTES, Supervisor
Survey/Certificate Section

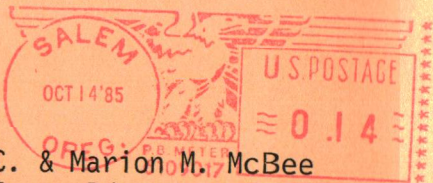
BAE:wpc
6720D

CERTIFIED - RETURN RECEIPT REQUESTED

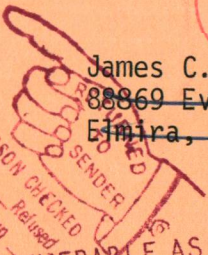
Applications indicate some use of water

PHONE 708-8508
lets prepare field forms & get a field report survey regards -

WATER RESOURCES DEPT.
3850 PORTLAND ROAD N.E.
SALEM, OREGON 97310



James C. & Marion M. McBee
~~88869 Evers Rd.~~
~~Elmira, OR 97437~~



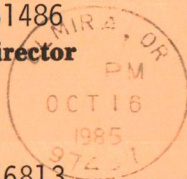
REASON CHECKED
Unclaimed
Attempted-Not known
Insufficient Address
No such street
No such office in state
Do not remain in this envelope

UNDELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

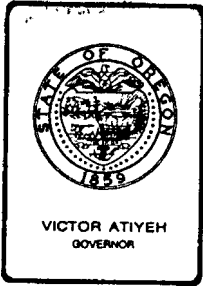


C

STATE OF OREGON 61486
Office of the Water Resources Director
Salem, Oregon 97310



According to the terms of Permit No. 46813, the water should have been completely applied to the proposed use on or before October 1, 1985. A blank (Form C) upon which to notify this office of the complete application of water to the proposed use is attached to your permit. If the water was so applied, or all you intend to develop, you should promptly fill out and file this notice. If all the water has not been applied and you intend to fully utilize the same, an application for extension of time should be made. If you have abandoned the development, notice to this effect with authority to cancel the permit would be greatly appreciated.



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

October 21, 1985

Coos County Assessor's Office
Mr. Raymond E. Philby
Coquille, OR 97423

REFERENCE: File Numbers R-61485 & 61486

Dear Mr. Philby:

Could you please provide this office with the name and address of the current owner of the lands shown on the enclosed map print?

Your assistance would be appreciated.

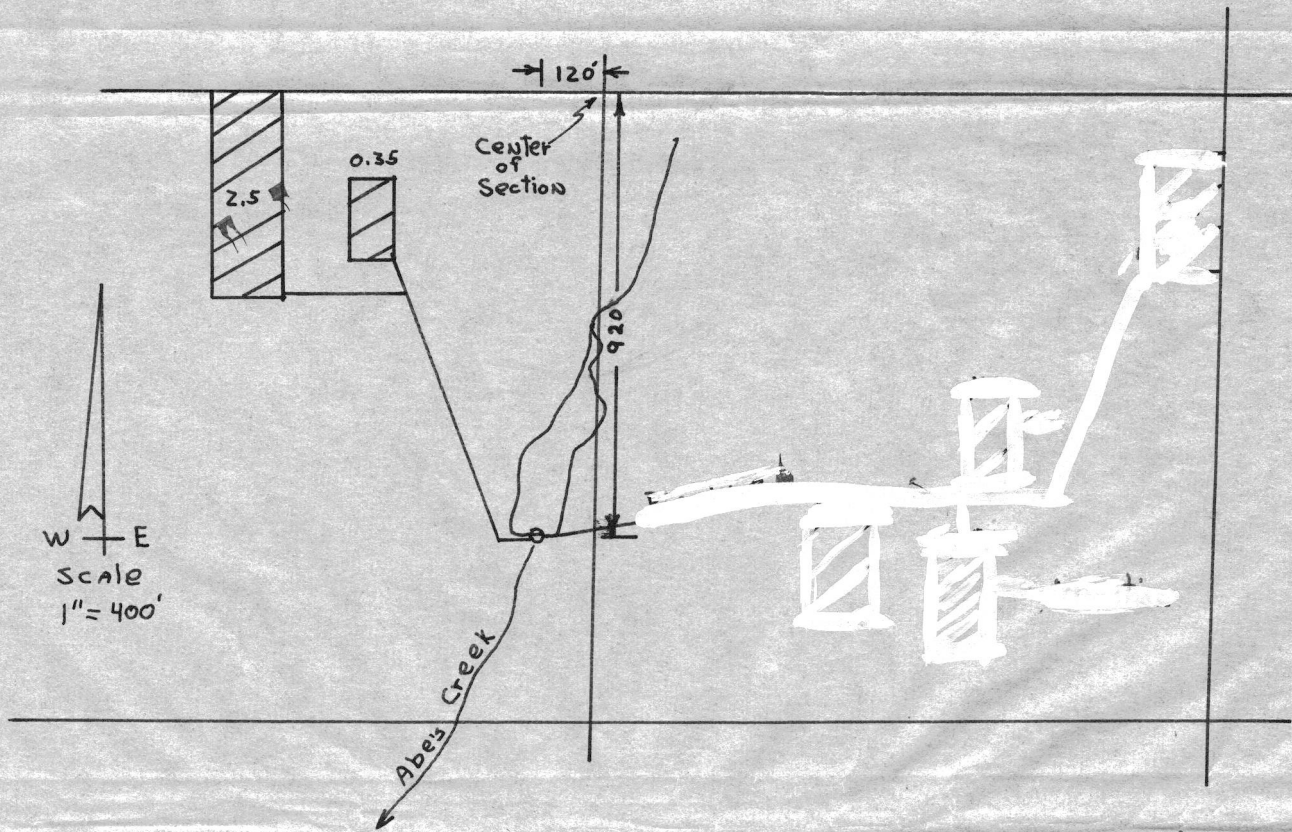
Sincerely,

Jackie M. Warner
Secretary
Survey/Certificate Section

JMW

Enclosure

T 30 S R 15 W
Sec 11



Application No. R-61485 & 61486
Permit No. R 8453 46813

RECEIVED
JUL 20 1982
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
MAY 3 1982
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
MAR 31 1981
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 61486

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

RECEIVED
MAR 31 1981
WATER RESOURCES DEPT
SALEM OREGON

I, JAMES C. McBEE AND MARION M. McBEE
(Name of Applicant)

of 88869 EVERS RD, ELMIRA
(Mailing Address) (City)

State of OREGON, 97437 Phone No. 935-7326
(Zip Code) do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Abe's Creek, AND res-
ervoir, a tributary of CROFT LAKE

2. The point of diversion is to be located 920 ft. S and 120 ft. W
(N. or S.) (E. or W.)
from the CENTER corner of Sec. 11
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of
Sec. 11 Tp. 30 S R. 15 W, W. M., in the county of COOS
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
30S	15W	11	NE $\frac{1}{4}$ SW $\frac{1}{4}$	TEMP CONTROL FLOOD HARVEST 2.85 AC.
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	IRR. TEMP. CONTROL FLOOD HARVEST 0.75 AC.
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	TEMP CONTROL FLOOD HARVEST 2.36 AC.
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.35Ac Supp irr, Flood harvest 5.96

PA 210
22-03 R-52601
52602
22 723

4. The amount of water which the applicant intends to apply to beneficial use is 3.884 cfs with any deficiency in supply to be supplemented cubic feet per second. From Abe's Creek, To be supplemented by 3.6 acre feet of stored water, by stored water (If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Supp. irr - 1.2 AF storage, Temp control - 0.43 cfs from Abe's Cr supplemented by 1.2 AF storage, Flood harvest - 0.02 cfs from Abe's Cr, supplemented by 1.2 AF storage

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

The dam will be located in the NE 1/4 of the SW 1/4 of section 11, Township 30S, Range 15W. The maximum height will be 9.9 ft above stream bed at center line, the top width will be 12', slope of upstream face 1.5/1, slope of downstream face 1.5/1 and height above water line will be 2'.

The dam will be earth fill, the outlet conduit will be two 18" CMP. The supply pipeline will be 2450' of 8" pipe, each bog will have a 3" supply pipeline a 2" sprinkler line's with Rainbird sprinklers for irr. and frost prot.

The pump is a 40 horsepower 6" centrifical pump located at the center of the dam.

If for domestic use state number of families to be supplied N/A

7. Construction work will begin on or before HAS begun

8. Construction work will be completed on or before MAY 3, 1983

9. The water will be completely applied to the proposed use on or before OCT, 1, 1984

Application No. 61486

Permit No.

Remarks:

.....
.....
.....
.....
.....
.....
.....
.....

James C. McBee
Signature of Applicant
Marion M. McBee

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for..... correction and completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before ~~May 3~~ July 6, 1982, 19 82.....

WITNESS my hand this ~~1st~~ 5th day of ~~March~~ May, 19 82 1982.....

James E. Sexson..... Water Resources Director

By *Chris L. Hughes*
Chris L. Hughes

RECEIVED

MAY 3 1982

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 20 1982

WATER RESOURCES DEPT.
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

A 31 day of *March*, 19 *81*, at *11:00* o'clock
.....M.

Application No. *61486*.....

Permit No.....

PL

61486

Application No.....

Permit No.....

Permit to appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.43 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Abe's Creek and res. enlarged under App. R-61485, Per. R-

The use to which this water is to be applied is temp cont, supp irr, and flood harvesting, being 0.43 cfs for temp cont, 1.2 a.f. stored water only for supp irr, and 0.02 cfs for flood harvesting

DOUBLE DUTY - CRANBERRIES

If for irrigation, this appropriation shall be limited to ~~1/40 of one cubic foot per second of 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, for cranberries. If for the irrigation of any other crop, this appropriation shall be limited to ~~1/80 of one cubic foot per second 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,

Temp control clause

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is July 20, 1982

Actual construction work shall begin on or before..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of....., 19.....

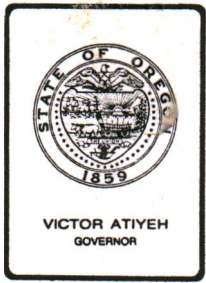
PHK B

August 27, 1982

James C. & Marion M. McBee
88869 Evers Road
Elmira, OR 97437

61456
R-61485

46813 & R-8453



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066
1-800-452-7813
(message line)

July 21, 1982

James C. and Marion M. McBee
88869 Evers Road,
Elmira, Oregon 97437

Dear Mr. and Mrs. McBee:

REFERENCE: File Nos. R-61485 and 61486

Thank you for returning Applications R-61485 and 61486, and the accompanying map.

Your applications were returned to you and were endorsed so that in order to retain their priority dates, they were to have been received in this office on or before July 6, 1982. The new priority date of your applications is July 20, 1982, the date they were received.

Your applications are now in satisfactory form and will be considered for issuance of permits with the next group to be processed.

Sincerely,

Chris L. Hughes
Senior Water Rights Examiner

CLH/jw

OREGON



PACIFIC CO.

INDUSTRIAL AND MARINE SUPPLIES . NORTH BEND, OREGON

WaterMaster

Sir

*Due to AN oversight
This Application is LATE.*

*I hope this doe's NOT
Screw up the works.*

My MISTAKE

RECEIVED

JUL 20 1982

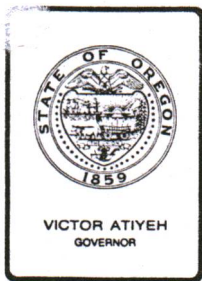
**WATER RESOURCES DEPT.
SALEM, OREGON**

Yours

Jim McBe



PHONE (503) 756-3121



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066
1-800-452-7813
(message line)

May 5, 1982

James C. and Marion M. McBee
88869 Evers Road
Elmira, Oregon 97437

REFERENCE: File Nos. R-61485 and 61486

Dear Mr. and Mrs. McBee:

Thank you for returning Applications R-61485 and 61486, and the accompanying map.

There are two existing rights of record for use of water from Abe's Creek and an existing right of record for storage of water from Abe's Creek which pertains to the land described in your new application.

All of the land described in your new application except 0.35 acre in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ has full irrigation and flood harvesting rights from Abe's Creek and from 5.0 acre feet of stored water from the reservoir. None of the land has existing rights for temperature control.

Your existing right for storage in your reservoir is for 5.0 acre feet. If you have increased the capacity of your reservoir, please state this fact in the Remarks Section of Application R-61485. The amount of water to be listed in Item 8 is the increased amount of storage, 3.6 acre feet. The 3.6 acre feet can then be broken down to the amount of water to be stored for each use of supplemental irrigation, temperature control, and flood harvesting. It appears that all three of these uses should appear in Item 7 of Application R-61485 and in Item 5 of Application 61486.

Since all lands now have a primary right from Abe's Creek, only supplemental irrigation should be included as a use.

This is the maximum amount we will allow on your new permit for the uses described in your application: 0.90 cubic foot per second for temperature control of 5.96 acres, .01 cubic foot per second for supplemental irrigation of 0.35 acre, and .02 cubic foot per second for flood harvesting of 0.35 acre.

In Item 3 of Application 61486, please list 0.35 acre of supplemental irrigation in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and delete irrigation of 0.75 acre in the NW $\frac{1}{4}$ SE $\frac{1}{4}$.

James C. and Marion M. McBee
May 5, 1982
Page 2

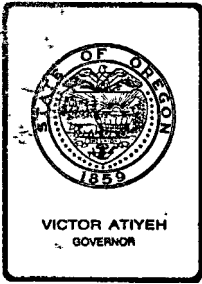
I am returning your Applications R-61485 and 61486 for correction.
I am also returning the map for reference. The applications are
endorsed and in order to retain their priority date, they must
be received in this office on or before July 6, 1982.

Sincerely,

Chris L. Hughes
Senior Water Rights Examiner

CLH/jw

Enclosure



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066
1-800-452-7813
(message line)

March 1, 1982

James C. & Marion M. McBee
88869 Evers Road
Elmira, OR 97437

Dear Mr. & Mrs. McBee:

Reference: Files R-61485 & 61486

Your Applications R-61485 and 61486 describing the proposed use of 8.6 acre feet and 3.884 cubic feet per second of water from Abe's Creek and a reservoir for temperature control and flood harvest on 5.96 acres; together with the map and legal description, have been reviewed. Enclosed are Receipts 23428 and 23429 for fees. I apologize for the delay in processing your applications.

The reservoir, as shown on your map, is much larger than 0.34 acres as listed in Item 9 of Application R-61485. Please amend the application and/or the map for proper size of the reservoir. A reservoir with a surface area of 0.34 acres and a maximum depth of 10.0 feet will store maybe 2.5 to 3.0 acre feet of water at the most.

The amount of water to be stored as stated in Item 8 of Application R-61485 must be broken down to the amount of water to be stored for each use in Item 7.

Application 61486, as submitted, will not allow the use of stored water from the reservoir. Please include the reservoir along with Abe's Creek as a source in Item 1 of Application 61486.

Please show on the map which 0.75 acre parcel is to be irrigated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11.

The maximum duty allowed for irrigation of cranberries is 1/40 cubic foot per second per acre; for temperature control, 0.15 cubic foot per second per acre; for harvesting, 0.05 cubic foot per second per acre. The total that could be allowed on your permit would be 0.02 cubic foot per second for irrigation, 0.89 cubic foot per second for temperature control, and 0.3 cubic foot per second for harvesting.

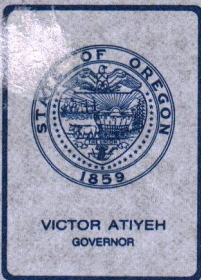
Page Two
March 1, 1982
Files R-61485 & 61486

I am returning your applications and map for correction and completion. The applications are endorsed and in order to retain their priority dates, they must be received in this office on or before May 3, 1982.

Sincerely,

Chris L. Hughes
Senior Water Rights Examiner

CLH:slm
Enclosures



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or
1-800-452-7813

April 15, 1981

James C. and Marion M. McBee
88869 Evers Road
Elmira, OR 97437

Dear Mr. and Mrs. McBee:

REFERENCE: Files R-61485 and 61486

Your application for a permit to construct a reservoir to store 8.6 acre-feet of water from Ames Creek for irrigation, temperature control and flood harvesting has been filed as R-61485. Also received was the fee of \$30 for which our Receipt 23428 is enclosed.

Also received was your application for a permit to use 3.884 cubic feet of water per second from Ames Creek and the reservoir for irrigation of 0.75 acre and temperature control and flood harvesting on 5.96 acres. Received with this application and map was the fee of \$92 for which our Receipt 23429 is enclosed.

Because your applications are for generally the same project as Applications R-52601 and 52602, action will be withheld on these applications until final determination of the rights under R-52601 and 52602 are made.

Sincerely,

DONALD R. BUELL
Water Rights Engineer

DRB:wpc
enclosures
4634A

COPY

6 Sur *Regardless*
March 31, 1981

Application No. **61486**
Permit No. **46813**

Name James C. and Marion M. McBee
Address 88869 Evers Rd. Elmira, OR 97437
Assigned
Address
Beginning construction **AUG 16 1983**
Completion of construction **OCT 1 1984**
Extended to
Complete application of water **OCT 1 1985**
Extended to

Form 111

	existing	max	needed
supp. irr.	.202	.15	.01
harvesting	.28	.30	.02
t.c.	-	.90	.90
stored water	5.0	8.6	3.6

.35 acre needs everything
NESW
All land needs t.c.