

FILE#: R 72130

TEVE GANT
O BOX 1587
ANDON, OR

97411

Application No.

R-72130

Permit No.

R11625

Certificate No.

Stream Index, Page No.

17

V 3 Johnson Cr. 170

FEES PAID

Date	Amount	Receipt No.
1/9/92	300.00	82419
9-2-98	100.00	24234

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.

Date filed

Priority

Action suspended until 2/1/97

Return to applicant

Date of approval

CONSTRUCTION

Date for beginning 5-14-97

Date for completion 10-1-98

Extended to

Date for application of water 10-1-99

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date Certificate issued

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

See 72131

No Plans Required 1/14/92 HD

6-7-04
Steve Gant
541-347-3029

FILE#: R 72130

STEVE GANT
PO BOX 1587
BANDON, OR

97411

Application No. R-72130

Permit No. R11625

Certificate No. _____

Coos
Stream Index, Page No. 17
17-2170

V 3 Johnson Cr. msc

Date filed _____

Priority _____

Action suspended until 21A 97

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning 5-14-97

Date for completion 10-1-98

Extended to _____

Date for application of water 10-1-99

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PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued _____

FEES PAID

Date	Amount	Receipt No.
<u>1/9/92</u>	<u>300.00</u>	<u>82419</u>
<u>9-2-98</u>	<u>100.00</u>	<u>242</u>

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
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ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

See 72131

Mailing List for 60-Day Letter

Application: R-72130

Permit: R-11625

Permit Holder(s):

STEVE GANT
PO BOX 1587
BANDON OR 97411

Copies Mailed	
by: <u>TM</u>	(STAFF)
on: <u>12-15-2023</u>	(DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES NO**

Copies of 60 Day Letter to be sent to Permit Holder(s) and following:

1. Watermaster District #15 (auto email)
2. File

Other persons to receive copies:

- 1.



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301-1266

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov / OWRD

NOTE: For water rights information and useful forms, please see our web site at
www.oregon.gov/OWRD

Certified mail number 7022 3330 0000 2824 8064

Return receipt requested

December 15, 2023

STEVE GANT
PO BOX 1587
BANDON, OR 97411

Reference: Application **R-72130**, Permit **R-11625**

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2003.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2003. The fee for submitting a claim of beneficial use is \$230.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$780.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (February 23, 2024) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$610.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact me at Tonya.L.Miller@water.oregon.gov, the address above or by telephone at 503-979-9983. Email is the best way to reach me.

Sincerely,

Tonya Miller
Backlog Reduction Caseworker

Enclosures (1)

cc: File
OWRD Watermaster District 15





RESOURCE SHEET

Please visit our Department's website at www.oregon.gov/owrd to locate the following information and forms:

Voluntary Cancellation of a Permit

Whenever the owner of a permit wishes to cancel a permit due to inability to develop the permit or the permit is no longer usable for any reason, the owner may cancel the permit by submitting a form to authorize the cancellation of a permit.

Additional information and links to the forms are available at:

www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/CancelPermit.aspx

- For questions related to Voluntary Cancellation of a Permit, contact Mary Bjork by phone at 503-979-9895 or by email at Mary.F.Bjork@water.oregon.gov

Application for Permit Extension of Time

An Extension of Time is a process in which the Department can approve additional time for a permit holder to perfect the beneficial use of water as authorized by the permit. An Extension of Time may be approved if the permit holder has demonstrated reasonable diligence in developing the beneficial use of water as authorized under the permit and the Department can find good cause to do so. Each Application is reviewed on a case-by-case basis. An Extension of Time may provide the ability for a permit holder to extend their completion of construction date (B-date) and complete application of water date (C-date).

Additional information and links to the forms are available at:

www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Extension.aspx

- For questions related to Extensions of Time, contact Jeffrey Pierceall by phone at 503-979-3213 or by email at Jeffrey.D.Pierceall@water.oregon.gov

Assignments

An Assignment is a formal process to change the name of the holder of an application, permit, limited license, transfer, permit amendment or groundwater registration claim (i.e., non-perfected, non-certificated rights). This process is similar to changing the name on the title of a car. An Assignment ensures that the Department knows who the water right record belongs to and who will be responsible for finalizing the right.

Additional information and links to the forms are available at:

www.oregon.gov/owrd/programs/WaterRights/Permits/Assignment/Pages/default.aspx

- For questions related to Assignments, contact Mary Bjork by phone at 503-979-9895 or by email at Mary.F.Bjork@water.oregon.gov



RESOURCE SHEET

Self-Certification Form (for qualifying Alternate Review reservoirs only)

Certain qualifying reservoir permits allow the permit holder to self-certify their reservoir permit. For a reservoir permit to qualify for this process, the reservoir must meet each of the following criteria:

- 1) The permit was issued under the authority of ORS 537.409; and
- 2) No secondary permit exists for the use of water stored in the reservoir; and
- 3) The developed capacity of the reservoir is less than 9.2 acre-feet; and
- 4) The water was stored by the date required in the permit

Additional information and links to the forms are available at:

www.oregon.gov/owrd/programs/WaterRights/Cert/Pages/default.aspx

- To locate the Claim form, follow the above link, click on "Forms", and next on "Claims of Beneficial Use for Reservoirs (storing less than 9.2 acre-feet permitted under ORS 537.409)
- For questions related to Self Certification of a qualifying reservoir, please call the staff member identified on the letter you received.

Find a Certified Water Right Examiners (CWRE)

CWREs are engineers, surveyors, and registered geologists who have passed a certification to perform water right related functions including the preparation of Claims of Beneficial Use (COBU). The COBU is both a report that describes the extent to which the use authorized under the permit has been developed and a map that identifies where the use and point of diversion or well is located. In addition, the COBU describes how conditions have been timely complied with.

Additional information and links to the forms are available at:

www.oregon.gov/owrd/programs/WaterRights/Cert/Pages/default.aspx

- To locate a CWRE, follow the above link and click on "Find a CWRE"
- For questions related to locating a CWRE, contact the Department at 503-986-0900; and then select 2 for Customer Service Staff

Reimbursement Authority Program For Certificates

Reimbursement Authority is a program that provides the Department the ability to enter into a voluntary agreement with an applicant for expedited the processing of the Claim of Beneficial Use. Under such an agreement, the applicant pays the cost for expedited services not otherwise available.

Additional information and links to the forms are available at:

<https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/Certificate.aspx>

For questions related to expediting the review of your Claim of Beneficial Use through the Reimbursement Authority Program, contact Kerry Kavanagh by phone at 503-979-3208 or by email at

Kerry.L.Kavanagh@water.oregon.gov



1 INCH = 1320 FEET

APPLICATION MAP
IN THE NAME OF STEVE GANT

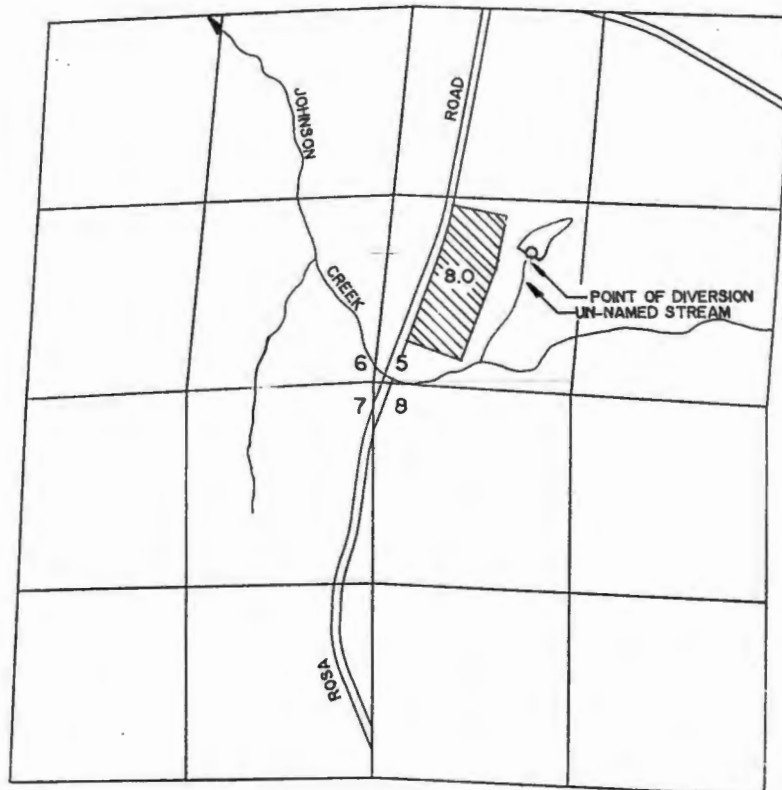
SECTION 5, T29S, R14W, W.M.

RECEIVED

JAN 8 1992

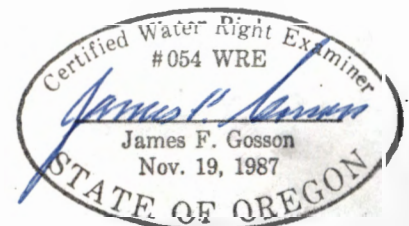
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *R-72130*
Permit No. R11625



THE POINT OF DIVERSION IS TO BE LOCATED 870 FEET NORTH
AND 1080 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 5,
BEING WITHIN THE SW 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP
29 SOUTH, RANGE 14 WEST, W.M., COOS COUNTY.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF
THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFOR-
MATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP
BOUNDARY LINES.



STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

STEVE GANT
PO BOX 1587
BANDON, OREGON 97411

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-72130

SOURCE OF WATER: AN UNNAMED STREAM, TRIBUTARY OF JOHNSON CREEK

STORAGE FACILITY: ONE UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-72131, PERMIT 51905, FOR CRANBERRY OPERATIONS

VOLUME OF USE: 9.1 ACRE-FEET EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD DECEMBER 1 THROUGH MARCH 31 OF EACH YEAR

DATE OF PRIORITY: JANUARY 8, 1992

The area submerged by the reservoir, when full, will be 1.5 acres and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

DAM LOCATION: SW 1/4 SW 1/4, SECTION 5, T29S, R14W, W.M.; 870 FEET NORTH AND 1080 FEET EAST FROM THE SW CORNER OF SECTION 5

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 SW 1/4
SECTION 5
TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period.

Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

A regulating device shall be installed pursuant to ORS 540-310. Plans and specifications shall be approved by the watermaster before installation. Work shall be done under the general supervision of the watermaster. Weirs will be required both upstream and downstream of the reservoir.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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.

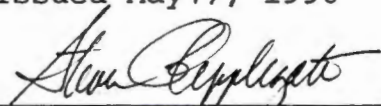
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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 work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. The reservoir shall be filled and complete application of the water to the use shall be made on or before October 1, 1999.

Issued May 14, 1996

for 
Martha O. Pagel, Director
Water Resources Department

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-72130

Final Order
Extension of Time for Permit Number R-11625

Application History

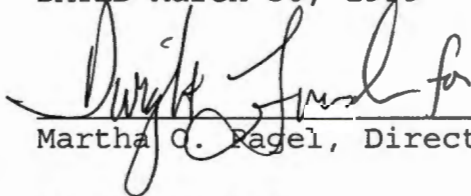
On September 2, 1998, Steve Gant submitted an application to the Department for an extension of time for permit number R-11625. The Department issued Permit number R-11625 on May 14, 1996. The permit called for completion of construction of the water development project by October 1, 1998 and complete application of water to the full beneficial use by October 1, 1999. In accordance with OAR 690-320-0010(8), on January 12, 1999, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 2003, and the time to fully apply water to beneficial use to October 1, 2003. The protest period closed February 26, 1999. No protest was filed.

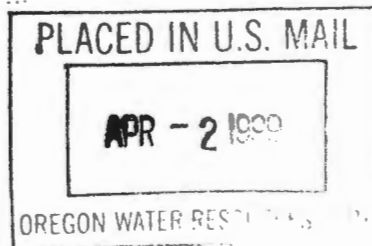
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.630 and 539.010(5).

Order

The extension of time for Application R-72130, Permit Number R-11625, therefore, is approved. The deadline for completing construction is extended to October 1, 2003. The deadline for applying water to full beneficial use is extended to October 1, 2003.

DATED March 30, 1999

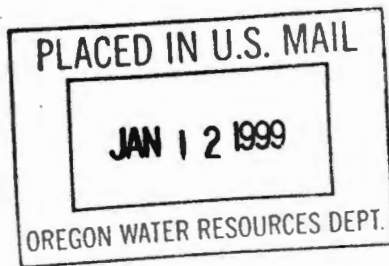

Martha C. Regel, Director



Appeal Rights

Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

**Oregon Water Resources Department
Water Rights Division**



Water Right Permit Extension Application
for Permit Number R 11625

Application File Number R 72130

Proposed Final Order

This Proposed Final Order applies only to permit number R 11625.

Summary of Recommendation

The Department proposes to:

- a) grant the extension for completion of construction from October 1, 1998 to October 1, 2003; and
- b) grant the extension for complete application of water from October 1, 1999 to October 1, 2003.

Application History

Permit no. R 11625 was granted by the Water Resources Department on May 14, 1996. The permit authorizes appropriation of 9.1 acre-feet of surface water for storage for cranberry operations in the Johnson Creek basin. It specified that construction must be completed by October 1, 1998, and water applied to full beneficial use by October 1, 1999. A copy of permit no. R 11625 is attached.

On September 2, 1998, the Department received an application from Steve Gant for an extension of time to complete construction and apply water to full beneficial use. The applicant has requested until October 1, 2003, to complete construction of the water development project and to apply water to full beneficial use. This is the first permit extension request.

Findings of Fact

ORS 537.230(2) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements of ORS 537.230(2)

and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Extreme wet weather has interfered with using the heavy equipment necessary for construction of the reservoir. Problems burning brush from clearing within burning permits time limits due to wet weather. Difficulty getting contractor on site within the window of opportunity for full utilization of resources. Applicants work progress was slowed down because of health problems.
5. By mutual consent, the applicant and the Water Resources Department agreed to defer processing of the permit extension request until such time as the Commission had adopted new permit extension rules.
6. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
 - a) Work on the water development project completed to date includes excavation and construction of reservoir. Utilizing removal material from reservoir for building cranberry bogs. Storage of some water in the reservoir and used about 1 acre-foot on cranberrys.
 - b) The applicant has also purchased irrigation pipe, sprinklers, and other fittings.
 - c) The applicant has invested approximately \$ 4,500 of an estimated total cranberry project cost of \$28,500.
 - d) The work remaining to be completed consists of more clearing and building of bogs and installation of irrigation equipment.
7. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence. Perfection of the right has been delayed by wet weather, health problems and local burning regulations.
8. The Department finds that the length of time requested for completion of construction and application of water to full beneficial use should be extended to October 1, 2003 as requested by the applicant.

Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.

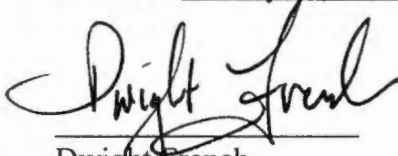
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to 537.230(2).
5. The permit extension should be approved until October 1, 2003 to complete construction of the reservoir and to make complete application of water.

Recommendation

The Department proposes to issue an order to:

- a) grant the extension for completion of construction from October 1, 1998 to October 1, 2003 and
- b) grant the extension to complete application of water from October 1, 1999 to October 1, 2003.

DATED: January 12, 1999



Dwight French

Water Rights Section Manager

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
 - a) Your name, address and telephone number;
 - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
 - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
 - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e) Any citation of legal authority supporting your protest, if known; and
 - f) If you are not the applicant, the \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than **February 26, 1999.**

4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

Mailing List for PFO Extension Copies

Application # R 72130

PFO Date 1/12/99

72133

R 72132

R 72131

Original mailed to:

Applicant: Steve Gant

Mailed
(support staff)

on: 1/12/99
(date)

Copies sent

Regional Manager

SW

Watermaster

Dist 19

ODFW

Reese Boudier, Charleston, Or

DEQ

Tom Rosetta, Portland

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

RECEIVED

NOV 30 1998

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Steve GANT
P.O. Box 1587 ^{NAME} BANDON OREGON 97411 541-347-2874
ADDRESS CITY STATE ZIP PHONE

record owner of application No. R-72130 permit No. R-11625, do hereby request that the time in which to:

☒ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1998, be extended to October 1, 2003, and/or the time in which to

☐ accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 19 , be extended to October 1, .

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? yes

2-Have you put any water to use under this permit [yes/no]? yes
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? yes If no, please explain.
Which terms and/or conditions have not been completely fulfilled at this time.

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year CLEARED 2 ACRES OF LAND FOR CRANBERRIES,

EXCAVATING MATERIAL TO INCREASE RESERVOIR SIZE TO 1.5 ACRES OF FULL SUBMERGED SIZE.
ALSO PURCHASED IRRIGATION EQUIPMENT.

(b) prior to this past year CONSTRUCTED RESERVOIR, EXCAVATED MATERIAL FOR USE IN BOG CONSTRUCTION.

© and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) STORED AND USED

APPROXIMATELY 1 ACRE FOOT OF WATER IN PARTIALLY COMPLETED RESERVOIR

4-Cost of project to date \$4,500. Projected cost for completion of project \$24,000.

5-Have there been any unforeseen events which delayed development of water system? EXTREME WET WEATHER HAS HAMPERED USING HEAVY EQUIPMENT NECESSARY FOR CONSTRUCTION, TO DRY OF WEATHER TO BURN BRUSH WHEN ABLE TO USE HEAVY EQUIPMENT,

6-Have there been any significant government requirements that have delayed the completion of construction or application of water? [please explain] NO, BUT BURNING BRUSH BECAUSE OF WEATHER FACTORS HAS AFFECTED BURNING PERMITS

7-What reasons was the project not completed within permit time limits? WEATHER, BURNING PERMITS, GETTING CONTRACTOR ON SITE LIMITED WINDOW OF OPPORTUNITY FOR FULL UTILIZATION, ALSO MY HEALTH PROBLEMS SLOWED ME DOWN.

8-Has there been any change in the demand for water or power since permit was issued? (please explain) NO, ORIGINAL REQUEST STILL IS PLAN

9-Has there been any change in the market for water or power since the permit was issued? (please explain) A INCREASE IN COMPETITION FOR WATER FOR USES SUCH AS FISH, FARMS HAS CHANGED WATER MARKET.

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

YES, IT WILL INCREASE SIZE AND INCREASE PRODUCTION OF FARM AND PAY FOR EXPENSES FOR PROTECT SHORTLY AFTER CRANBERRY FIELDS MATURE.

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

NO, NEED TO IRRIGATE NEW CRANBERRY ACREAGE THAT WILL BE PUT IN.

12-Is there an alternative source of water available [yes/no please explain]? NO, INSTREAM WATER RIGHTS NOT AVAILABLE

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area? (please explain)

NO, STORING MORE SURFACE WATER AND RUN OFF SHOULD HELP CHARGE GROUND WATER, WOOD DUCKS HAVE HAD MORE NESTING AREA, NICE TO HAVE IN CASE OF FOREST FIRE.

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature Steve Mant

MAIL COMPLETED APPLICATION TO:
WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310



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

October 29, 1998

FILE#: R 72130

STEVE GANT
PO BOX 1587
BANDON, OR 97411

Dear Water Right Permit Extension Applicant:

The Water Resources Commission has adopted new administrative rules that govern the processing of permit extension requests. New rules were necessary to make the permit extension process consistent with advice received from the Attorney General's office last summer. Many permit holders held their extension requests until the new rules are in place. Because of the Attorney General's advice, extensions will no longer be limited to one year in length for most permits and five years for municipalities and irrigation districts. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted.

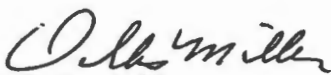
In order to help staff to complete the processing of your extension application, we will need you to fill out the enclosed form. The new rules require that the Department consider this information when determining whether or not to approve an extension request. It is important for you to complete a response to all items on the form. If additional space is needed for your responses, please use a separate sheet of paper.

Please send the completed form at your earliest convenience to the following address:

Dallas Miller
Water Right Permit Extensions
Water Resources Department
158 12th Street NE
Salem, Oregon 97310

I would be happy to send you a copy of the new permit extension rules, upon request. If you have any questions, please contact me at 1-800-624-3199 extension 272. If I am not available, you may contact either Pat Lee (ext. 276) or Dwight French (ext 268).

Sincerely,


Dallas Miller
Water Rights Specialist



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

September 17, 1998

STEVE GANT
PO BOX 1587
BANDON, OR 97411

Reference: Files R 72130, Permit R 11625

Dear Extension Applicant:

We have received your request for extension of time limits under your permit.

Because of action taken by the Oregon Attorney Generals Office the Water Resources Department is working on new administrative rules affecting the extension process. Anticipating this change in the rules, we will hold your application until the new rules are in effect. We estimate that the rules will be adopted by the summer of 1998.

If it is necessary that you have an extension of time before that, it may be possible if you can make the statement that water can be fully used within one year.

Your patience is appreciated and we will process your request as soon as possible. Enclosed is receipt 24234 for the \$100 recording fee submitted.

If you have questions please contact me at the address below or phone 1-800-624-3199 ext. 272.

Sincerely,

Dallas Miller
Natural Resource Specialist 2

cc: Watermaster Dist 19

Application for Extension of Time

RECEIVED

SEP 02 1998

 WATER RESOURCES DEPT.
SALEM, OREGON

TO THE WATER RESOURCES DIRECTOR OF OREGON.

I, Steve Gant
PO Box 1587
Bandon OR 97411
Name Mailing Address City State Zip

 record owner of water permit No. 11625, do hereby request that the time in which to:

- ☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19__, be extended to October 1, 19__;
 and/or the time in which to
- ☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time, now expires on October 1, 19⁹⁸, be extended to October 1, 19²⁰⁰³.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

- 1) within the past year Cleared land for 2 acres of cranberries, excavating material to increase size of reservoir. Purchased 12" conduit for water passage and spillway of dam. Hired contractor for dam constructing and excavation work.
- 2) prior to this past year Constructed dam and excavated material.
- 3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) 1 acre will be more irrigating beds next year.

(If additional space is required, attach separate sheet)

Steve Gant
 (If signing for a corporation please identify your title)

 Dated 8-28-98

MAIL COMPLETED APPLICATION AND STATUTORY FEE
 OF \$100.00 FOR EACH PERMIT TO:

WATER RESOURCES DEPARTMENT
 158 12TH STREET NE
 SALEM OR 97331

August 27, 1998

Steve Gant
PO Box 1587
Bandon, OR 97411

OREGON WATER RESOURCES DEPARTMENT
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

RECEIVED

SEP 02 1998

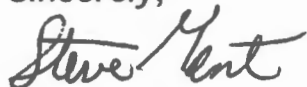
WATER RESOURCES DEPT.
SALEM, OREGON

ATTENTION: MR. DALLAS MILLER

Dear Sirs:

In regards to application for extension of time on permits 51905 and 11625. Both permits are for the same project, so I am applying for and extension on both.

Sincerely,

A handwritten signature in cursive script that reads "Steve Gant".

Steve Gant

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # R-72130

WATERMASTER # 19

REGIONAL MANAGER: sw (cook)

ODF&W - Coos County:

CWRE (if agent):

DEO

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: _____ COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

CASEWORKER : CSL 10/17/95

CSA

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **24234**

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

INVOICE # _____

RECEIVED FROM: Gant Family Farms
BY: _____

APPLICATION	<u>R-72130</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 96-4535 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 100.00

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>100.00</u>
(w) TC165	DEPOSIT LIAB. (IDENTIFY) _____	\$
(isting) TC168	WATER RIGHTS:	
0201	SURFACE WATER	EXAM FEE
0203	GROUND WATER	\$
0205	TRANSFER	\$
	WELL CONSTRUCTION	RECORD FEE
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
	OTHER (IDENTIFY) _____	\$

PCA # 66111 Extension

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

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

RECEIPT # **24234**

DATED: 9-2-98 BY: YA. Mucsko

Steve Gant
PO Box 1587
Bandon, OR 97411

CERTIFIED

Z 243 972 986

MAIL



0000



97310

U.S. POSTAGE
PAID
BANDON, OR
97411
AUG 31, 98
AMOUNT

\$2.45

00026148-08



97310-0700

OREGON WATER RESOURCES DEPARTMENT
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

H-9192505

Application No. 72130

Permit No. R11625

STEVE GANT
PO BOX 1587
BANDON, OR

97411

Assigned

Address

Beginning construction 5-14-97

Completion of construction 10-1-98

Extended to

Complete application of water 10-1-99

Extended to

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-72130

Final Order

Application History

On January 8, 1992, STEVE GANT submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 24, 1995. The protest period closed December 8, 1995, and no protest was filed.

An interagency team reviewed this proposed use for potential adverse impacts on declining fish populations. This team consisted of representatives from the Oregon Departments of Water Resources (WRD), Environmental Quality, Fish and Wildlife (DFW), and Agriculture. WRD and DFW representatives included both technical and field staff. The interagency team recommended that additional limitations or conditions of use be imposed on this application as follows:

Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

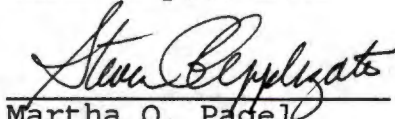
Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to include the conditions as listed above.

Order

The application therefore is approved with the above modifications to the Proposed Final Order, and Permit Number R-11625 is issued as limited by the conditions set forth in the permit.

DATED May 14, 1996

for 
Martha O. Pagel
Director

Hearing and Appeal Rights

Under the provisions of ORS 537.170, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 527.153(6) to the Department within 14 days after this order is issued. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

Under the provisions of ORS 183.484, the applicant or any person having standing may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.

FO CHECKLIST

PFO TO FO CONVERSION

FILE # R-72130

FO-1-96

WK13

REVIEW DATE: 4/27/96

WEEK # _____

INITIALS: JT.6

In preparing the FO, you should check the following:

1. Y / ☒ Were comments or protests received in response to the PFO?
2. ☒ List names and addresses of **ALL** commentors (regardless of comment date) on the PFO CC list.
3. ☒ Verify payment of recording fees (circle the appropriate option)
 - ① Issue FO w/permit if fees are paid Prepare refund request for excess fees
 - (2) Issue FO w/o permit if fees are lacking
 - (3)
4. ☒ N Has the applicant signed an oath of accuracy for the application?
5. Y / ☒ Has ODFW asked for self certification on screening condition?
6. Y / ☒ Is water use prohibited for one or more months of the normal use period?
7. Y / N If #6 = "Y", is short season letter on file?
8. _____ Assign permit numbers to files with oath, fees, and no protests or other unresolved issues

		Route to: (circle one)		
DENIAL	FO w/o PERMIT	FO & PERMIT	COMMENTS	
LARRY	CORY	JERRY	DOUG	

MOD: B57
B58

Modify FO as needed to:

INITIALS: _____

9. _____ Respond to significant comments, issues, or disputes related to the proposed use of water
10. _____ Include or exclude permit conditions and management codes
11. _____ Notify applicant of additional information or fees required prior to permit issuance (Use standard wording from M:\T\FO\TOOLS if possible)
12. _____ Correct PFO errors (such as POD or POU location (verify from map), Permit format)
13. Y / N Is further processing possible? If not state reason: _____

Once FO document is completed:

14. _____ Save WordPerfect document in M:\T\FO\WEEK __ & delete duplicates
15. _____ Print final draft of document and submit to team leader for review
16. ☒ N Team leader review completed

Fish District: Coos/Coquille

WAB #

Application #

R-72130

Applicant Name

S. Gant

Date: March 27, 1996

AREA

☐ Source Watershed☐ Senior instream water right application to junior out-of-stream application☐ No water availability information

INFORMATION/CONDITIONS

1. Are there water quality concerns related to salmon/steelhead/trout? Y ☒ N

Should the application be denied? Y N

Should the application be restricted? Y N

Jan	Feb	Mar	Apr	May	Jun 1-15	June 16-30	Jul	Aug	Sep 1-15	Sep 16-30	Oct	Nov	Dec

2. Are there adequate flows to protect salmon/steelhead/trout? Y ☒ NShould the application be denied? Y ☒ NShould the application be restricted? ☒ Y ☐ N ☒ Based on water availability

Jan	Feb	Mar	Apr	May	Jun 1-15	June 16-30	Jul	Aug	Sep 1-15	Sep 16-30	Oct	Nov	Dec

3. Domestic

Should domestic use be conditioned to human consumption? Y N ☐ Based on water availability

4. Fish Screening and Passage

- ☐ A. Requires fish screening and passage, with ODFW certification (applications > 0.5 cfs).
☐ B. Requires fish screening and passage, without ODFW certification (applications < 0.5 cfs).
☐ C. No dam or obstruction without a fishway.
☒ M. Screening may be required

5. Miscellaneous

- ☐ A. Reservoir Filling
☐ B. Water Quality Permits
☐ C. Return Flow
☐ D. Time Limited Water Right
☒ E. Other Reservoir Special

6. Measurement and Reporting

- ☐ A. Small diversions (<0.1 cfs or <9.2 ac/ft. may/may)
☐ B. Medium diversions (0.1 cfs or >9.2 and <1.5 cfs or <100 ac/ft. shall/may)
☐ C. Large diversions (1.5 cfs or >100 ac/ft. shall/shall)
☒ T. Totalizing

FINDINGS

☐ Permit is proposed for denial prior to interagency team review for fishery concerns.☐ Deny permit due to fishery concerns, except for

- ☐ A. Domestic (which may be limited to human consumption, see above)
☐ B. Livestock
☐ C. Unless water is from storage

☐ Do not condition further due to fishery concerns.☒ Condition permit due to fishery concerns listed above.

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of	)	PROPOSED
Reservoir Application	)	FINAL
R-72130 submitted by	)	ORDER
STEVE GANT		

FINDINGS OF FACT

Water Use Request

1. STEVE GANT requested to construct AN UNNAMED RESERVOIR and to store the waters of AN UNNAMED STREAM, TRIBUTARY OF JOHNSON CREEK, TO BE APPROPRIATED UNDER APPLICATION S72131, Permit #S __, for CRANBERRY OPERATIONS within the South Coast Basin.
2. The amount of water to be stored each year is not more than 9.1 ACRE-FEET.
3. The area to be submerged by the reservoir is located in Coos County within SECTION 5, TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.
4. The total area proposed to be submerged by the reservoir, when full, is 1.5 acres; the proposed maximum depth of water is 10 feet. The maximum height of the dam will not exceed 9.9 feet.
5. The request was made in Application R-72130 which was received by the Water Resources Department on January 8, 1992.

Affected Waters

1. AN UNNAMED RESERVOIR AND AN UNNAMED STREAM, TRIBUTARY OF JOHNSON CREEK, TO BE APPROPRIATED UNDER APPLICATION S72131, Permit #S __, are not within or above a State Scenic Waterway.
2. Oregon Department of Fish & Wildlife (ODFW) has advised that there are no fish in the immediate area of the subject appropriation. Consequently, no fish screening or passage facilities are to be required.
3. There are senior water rights on AN UNNAMED RESERVOIR AND AN UNNAMED STREAM, TRIBUTARY OF JOHNSON CREEK, TO BE APPROPRIATED UNDER APPLICATION S72131, Permit #S __, and on downstream waters.

Department Actions

1. The application was determined to be complete and not defective.

2. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on December 29, 1993.

3. The technical review determined:

- a. CRANBERRY OPERATIONS is allowed under the South Coast Basin Program.
- b. The use is not prohibited by Statute.
- c. Water is available for storage and further appropriation (at a 50 percent exceedance probability) for the period December 1 through March 31.
- d. The use would not injure existing water rights.

4. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

Assessment

1. In proceeding with evaluation of Application R-72130, the following criteria were found to be relevant by the Department.

- a. The South Coast Basin Program (OAR Chapter 690, Division 517)
- b. The Coos County Comprehensive Plan and Zoning Ordinance
- c. Dam Construction Standards (OAR Chapter 690, Division 20)
- d. The amount of water available in AN UNNAMED STREAM AND AN UNNAMED RESERVOIR, TRIBUTARY OF JOHNSON CREEK, TO BE APPROPRIATED UNDER APPLICATION S72131, PERMIT #S ____.
- e. Pending, senior applications and existing water rights of record
- f. Comments received

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the technical review remain valid.

2. Period of allowed use: Water can be stored between December 1 through March 31.

3. The Department finds that no more than 9.1 acre-feet would be necessary for CRANBERRY OPERATIONS. The amount of water requested, 9.1 ACRE-FEET, is allowable for the proposed use.

4. Coos County Planning Department staff acknowledged receipt of the Department's Land Use Information Form. Since land use information was not postmarked or received within the 30 day comment period initiated pursuant to OAR 690-11-155, the Department has presumed that the land use served by the proposed water use is compatible with the comprehensive plans and land use regulations of affected local governments.

5. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and proposed conditions, would not result in injury to existing water users.

6. The proposed use complies with all other rules of the Commission.

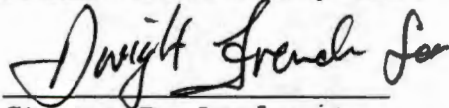
7. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.

8. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that Application R-72130 in the name of STEVE GANT be approved for STORAGE OF WATER FOR CRANBERRY OPERATIONS as provided in the attached draft permit.

DATED October 24, 1995



Steven P. Applegate
Administrator
Water Rights and Adjudications Division

NOTICE:

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on December 8, 1995.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON

COUNTY OF Coos

DRAFT PERMIT TO STORE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

STEVE GANT
PO BOX 1587
BANDON, OREGON 97411

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-72130

SOURCE OF WATER: AN UNNAMED STREAM, TRIBUTARY OF JOHNSON CREEK, TO BE APPROPRIATED UNDER APPLICATION S72131, PERMIT S ___, within the South Coast basin.

STORAGE FACILITY: One unnamed reservoir

PURPOSE OR USE OF THE STORED WATER: To be appropriated/maintained under Application S72131, Permit S ___ for CRANBERRY OPERATIONS.

Volume of use: 9.1 acre-feet EACH YEAR

Period of allowed use: Water can be stored between December 1 through March 31

DATE OF PRIORITY: January 8, 1992

The area submerged by the reservoir, when full, will be 1.5 acres and the maximum depth of water will be 10 feet. The maximum height of the dam shall not exceed 9.9 feet.

DAM LOCATION: SW 1/4 SW 1/4, SECTION 5, TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.: 870 FEET NORTH AND 1080 FEET EAST FROM THE SW CORNER, SECTION 5.

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 SW 1/4
SECTION 5
TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

A regulating device shall be installed pursuant to ORS 540-310. Plans and specifications shall be approved by the watermaster before installation. Work shall be done under the general supervision of the watermaster. Weirs will be required both upstream and downstream of the reservoir.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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 work shall begin within one year from permit issuance and shall be completed on or before October 1, 1997. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1998.

Issued _____, 199_

DRAFT

Water Resources Department
Martha O. Pagel
Director

Application R-72130
Basin 17
CSL

Water Resources Department
Johnson Creek & Misc.
Volume 3

PERMIT DRAFT
District 19

RECEIVED

JAN - 8 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. R-72130

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

Applicant(s) STEVE GANT
(Please print or type - use dark ink)
Mailing Address: P. O. BOX 1587
BANDON OREGON 97411 503-347-3029
City State Zip Daytime Phone No.

I (We) make application for a permit to construct an un-named reservoir and store the following described waters of the State of Oregon:

1. **SOURCE OF WATER** for the proposed use: an un-named stream,
a tributary of Johnson Creek.
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 9.9 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: a valved 8 inch diameter corrugated aluminum pipe directly under the center of the dam.

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: cranberry use

4. **THE AMOUNT OF WATER** to be stored is: 9.1 acre-feet.
The area submerged by the reservoir, when filled, will be 1.5 acres,
and the maximum depth of water will be 10.0 feet.

5. **SPILLWAY DESCRIPTION** (location and dimensions). State whether over or around the dam. an excavated trapezoidal earthen spillway around the dam. The spillway will be seeded so as to control erosion.

6. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin June 1, 1992

Proposed date construction work will be completed October 1, 1992

Proposed date water use will be completed October 1, 1996

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. 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 x 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 x CWRE Other (Identify in REMARKS section)

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS:

NOTE: The permit, when issued, is for the beneficial use of water without waste. 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. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Steve Tant
Signature of Applicant

1/7/92
Date

Signature of Co-Applicant, if any

Date

R-72130 + S-72131

I/We certify that the information I have provided in application #R72130-S72131 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Steve P. Tant
Name

owner
Title

10/6/95
Date

Gay D. Tant
Name

owner
Title

10-6-95
Date

R-72130 + S-72131

I/We certify that the information I have provided in application #~~R-72130~~ S-72131 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

<u>Steve P. Hunt</u>	<u>owner</u>	<u>10/6/95</u>
Name	Title	Date
<u>Gay D. Hunt</u>	<u>owner</u>	<u>10-6-95</u>
Name	Title	Date

____	____	____
Name	Title	Date
____	____	____
Name	Title	Date

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OCT - 9 1995

WATER RESOURCES DEPT
SALEM, OREGON

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

REMARKS: _____

NOTE: The permit, when issued, is for the beneficial use of water without waste. 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. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Steve Tant
Signature of Applicant

1/7/92
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 9th day of January, 1992, at 8 o'clock, a M.

APPLICATION NO: R-72130

December 29, 1993

STEVE GANT
PO BOX 1587
BANDON, OR 97411

Reference: File R 72130

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

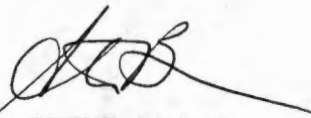
All evidence and objections must be received by our Salem office **no later than 5:00 p.m. on or before March 11, 1994** or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,

A handwritten signature in black ink, appearing to read 'S.B.' or 'Steve Brown', with a long horizontal line extending to the right.

STEVE BROWN
Manager
Water Rights Division

Enclosures

Report Date: December 29, 1993

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: March 11, 1994

1. APPLICATION FILE NUMBER - R 72130

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

STEVE GANT
PO BOX 1587
BANDON, OR 97411
COOS Co. 503-347-3029

Date application received for filing and/or tentative date of priority: 1/ 8/1992

SOURCE: UNN STR

TRIBUTARY TO: JOHNSON CR

Purpose and/or use: CRANBERRY USES.

Flow: 9.1 acre feet

Reservoir Location:

SWSW SEC 5, T 29 S, R 14 W; W.M.

SURFACE WATER AVAILABILITY

Water is likely available in excess of needs for all existing rights 50% of the time during each monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

CONFLICTS WITH OTHER WATER RIGHTS:

There **are no** existing rights from this point of diversion.

There **are no** existing water rights appurtenant to the lands described in the application.

REPORT CONCLUSIONS:

Water for storage in the amount of 9.1 ACRE-FEET is likely available for 4 months of the 8 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: R 72130

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: Water can be stored between December 1 through March 31
3. Volume of use: 9.1 acre-feet
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. 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.
 - 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.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The 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.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The total area proposed to be submerged by the reservoir, when full is **1.5 acres**; the proposed maximum depth of water in feet is **10**; the maximum height of the dam is **9.9** feet.
10. The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.
11. A regulating device shall be installed pursuant to ORS 540-310. Plans and specifications shall be approved by the watermaster before installation. Work shall be done under the general supervision of the watermaster. Weirs will be required both upstream and downstream of the reservoir.

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WATER RESOURCES DEPT.
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

March 8, 1994

Water Rights Section
Water Resources Department
3850 Portland Rd., NE
Salem, OR 97310

RE: Water Right Application #R-72130 and ~~72131~~ 72131; Reports of
Technical Review

Because there are no fish in the immediate area of the
subject appropriation, no fish screening or passage
facilities are to be required.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Mirati Jr.".

Albert H. Mirati, Jr.
Water Right Review Coordinator

c. WaterWatch of Oregon (public information request)
Reimers, Charleston

FILE: R-72130.TEC



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-5400
TDD (503) 229-5459

September 1, 1992

Albert H. Mirati, Jr.
Oregon Department of Fish and Wildlife
2501 SW First Avenue
Portland, OR 97207

RE: Past due comments on water right applications

Dear Al:

I am writing in response to your letter of July 17, 1992, requesting the status of applications for permit.

Applications 71640 and 71895 have been withdrawn.

Permits have been issued in approval of Applications 71608, 71743, 71771, 71757 and 71887. It is too late to address any comments in regards to these files. Copies of the permits are enclosed for your information.

The remaining applications:

71636	71649	71701	71713	71704	71739	71740
71755	71756	71768	71781	71788	71808	71895
71912	71913	71914	71977	71991	72000	72031
72032	72112	72118	72119	72130	72131	72132
72133	72257	72266	72269	72285	72294	72295
72309	72310	72314	72323	72328		

are pending. We have taken your letter of July 17th and are treating it as a comment and will be sending you a copy of our technical review.

Sincerely,



Steve Brown
Senior Water Rights Specialist
Field Operations Division

0848



WaterWatch

O F O R E G O N

Hand Delivered

March 11, 1994

Oregon Water Resources Department
Water Rights Section
3850 Portland Road NE
Salem, Oregon 97310

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MAR 11 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Re: Objection to Technical Report for:
R 73752, 73753, Williams, Cranberry, North Fork Johnson Crk
72131, 72133, R 72132, R 72130, Gant, Unnamed Johnson Crk
R 72423, 72424, Davis, Irrigation, Johnson Crk
72999, Smith, Domestic, Johnson Crk
Coos Co., South Coast

WaterWatch submits the following objections pursuant to OAR 690-11-170:

◆ **The Technical Reports are Defective**

The technical reports fail to contain many of the elements and evaluations required in OAR 690-11-160(1). The areas of deficiency are the same as those identified in WaterWatch's April 5 objection to application #69165 which we hereby incorporate into this objection.

◆ **The Water Availability Analyses in the Technical Reports are Defective**

The analyses are defective for the following reasons:

- The technical reports fail to contain any analysis of water availability, contrary to OAR 690-11.
- The analyses fail to take into account existing water rights of record. It is unclear from the technical reports to what extent the water availability analysis takes into account upstream water rights. As we understand it, water rights are taken into account either by assuming the streamflow data reflects the amount of use or by using estimates of consumptive use. Both methods fail to give adequate consideration to rights-of-record. Failure to account for future increases in water use pursuant to rights of record results in an over-estimation of water availability and over-allocation of the resource. This is contrary to the statewide Water Allocation Policy. OAR 690-400-010.
- The analyses fail to take into account the requested flows in the senior pending instream water right application # 70228.

♦ **The Uses As Proposed are Not in the Public Interest**

The proposed uses fail to pass the public interest considerations in ORS 537.170 and are contrary to the South Coast basin program. *See also*, OAR 690-11-195(3)(d), (4)(a), (4)(c)(A), (4)(d)(A), (4)(f).

1. **The proposed uses are not in the public interest because they will interfere with flows needed to support public instream uses of water.**

The proposed uses will deplete flows needed for numerous public instream uses of the Johnson Creek. This creek system supports a variety of fish life including cutthroat trout, winter steelhead and coho salmon. Petitions have been filed requesting listing of coastal coho and steelhead under the Federal Endangered Species Act. Low flows during summer months impair fish survival by among other things raising water temperatures and decreasing aquatic habitat and fish rearing areas. Low flows in the winter adversely affect fish habitat by among other things exposing spawning gravel and reducing feeding and rearing areas in the river. In addition, water diversions create problems for fish passage and survival in the basin.

Currently there is pending instream water right application for the Creek. This pending application requests flows needed for fish life in the creek system. The technical reports for the reservoir applications proposes to allow enlarge an existing storage project and add an additional storage project and allow storage of water from December through March. The dams used to stored water will create passage problems. Both the storage and diversion of stored water change the hydrology of the stream system - eliminating flood events needed for habitat maintenance, blocking passage, and storing water during times of low flows. In addition, the use of water to irrigate cranberry bogs will result in additions of pesticides and fertilizers to the river system which will, unless regulated, will degrade stream quality. Thus, the proposed uses are not in the public interest because they will preclude flows needed for the pending instream water right application.

The public use reflected in the instream water right application (protection and conservation of fish life) has a "reasonable expectation of being developed" as evidenced by the pending instream water right application. This instream use provides greater benefit to the public at large than the proposed use. These fish populations have statewide and even national significance and streamflows are essential for maintenance of these fish. These proposed uses will divert water needed for these streamflows and will create passage problems they should be denied.

2. Measurement and reporting.

These conditions should allow the Director to require measurement and reporting of both **rate and duty** of water stored and used. The proposed permit conditions restrict use based upon a specific rate. Measurement and reporting of water use is to be a useful informational and regulatory tool for the Department, it should provide the information needed to ensure that water use is within the terms of the permit.

The surface waters of the Johnson Creek are overallocated several months of the year. The information generated by these proposed conditions are essential to the management and control of the water resource. If these uses were to be permitted, water use measurement and reporting should be a mandatory condition of use. This information is essential for protection of the public interest in the resource. However, we question the Department's ability to control these uses, even with these requirements.

The technical reports propose to limit the months of storage and water use. The Department's enforcement staff is already incapable of control existing rights to use water in the basin. These proposed uses add yet another enforcement responsibility on top of an already unmanageable load. Under these circumstances, it is difficult if not impossible for the state to ensure that these applicants will, **at all times**, use water in compliance with the permit conditions. Given the critical state of the water resource in the basin and the Department's inability to control this use, even with measurement and reporting, these uses are not in the public interest.

3. The uses will impair the public interest because fish screening and passage facilities are not a condition of use.

Given the critical status of fish populations in the creek and the adverse effects diversions and storage projects have on fish habitat, screening and passage should clearly be required to be in place **before** any diversion of water. In addition, failure to maintain screening and passage facilities must be grounds for shutting off water use. There should be a condition in any permit issued which **clearly** states these requirements.

4. The proposed uses are contrary to Oregon policy.

ORS 537.170(5)(a) and (c) require the Department to ensure that waters in the basin will be used and controlled for all purposes, not just consumptive purposes. The Statewide Instream Flow Protection Policy states that "(w)here streamflows have been depleted to the point that public uses have been impaired, methods to restore the flows are to be developed and implemented." OAR 690-410-030(1). When considering applications for new water rights the agency is required to consider the needs of instream and out-of-stream uses and the need to develop streamflow restoration programs. OAR 690-410-030(2)(a).

If hypothetically, these proposed uses were allowed they will be junior to the existing instream water right applications and should be conditioned to protect the senior instream flows. Critical to the protection of instream flows is knowing and controlling water use in the basin. These and other potential water users in the basin should be required to contribute to activities that enable the state to better manage and control the resource - such as measuring and reporting streamflows or contributing funds for installation and maintenance of gauging stations in key locations.

The recent petition for listing of coho and steelhead populations coast wide makes the protection of instream flows even more important for achieving a balance in this basin. The establishment and protection of instream water rights will help to achieve a balanced allocation of water between public instream and other uses in Basin and throughout the state.

Establishment of the instream water right also furthers statewide policies, priorities and goals for streamflow restoration including those in OAR 690-11-030(1), 690-410-070, and 690-77-015. Providing streamflow protection for fish is also necessary in order to carry out the state policy of restoring native fish stocks. ORS 496.435. Thus, protection of the public interest requires denial of this application.

Domestic Use

Allowing the proposed domestic use is contrary to the Commission's Water Allocation Policy. The policy allows additional uses on overappropriated streams only "where public interest in those uses is high and uses are conditioned to protect instream values." OAR 690-410-070(1)(a) (emphasis added). While the exceptions contained in the existing instream water rights in the South Coast basin seem to indicate high public interest in the proposed uses of human consumption, livestock and irrigation of non-commercial gardens, they are not included in the pending senior instream water right applications.¹

In addition, the mere fact that the proposed use of human consumption seem to fall within the exception in the existing instream water rights does not relieve the Department from its duty to consider and protect the public interest, including the public value of instream flows and the needs of anadromous fish. Furthermore, the proposed uses fails to fit within the exception because it is impossible to condition these uses in a way that will protect instream values. *See above.*

¹ An exception for human consumption has been proposed in the technical reports for the instream water right applications - however, this does not necessarily mean that the instream water right when issued will include this unlimited exception.

The exceptions in the instream water right certificates are narrowly worded and should not be applied unless there is absolutely no other alternative sources of water. It is bad public policy to automatically apply this exemption without looking for other possible sources that can accommodate this water use. Human beings can go elsewhere for water, fish can not.

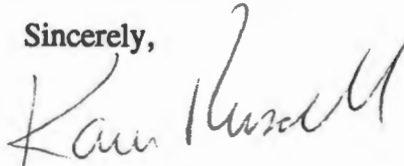
Failure of the State to look for or provide other sources of water, in the face of potential listing of the coastal coho creates expectations for water that may not be fulfilled if/when the species are listed. Instream flows in the creek provide critical habitat for fish - without water instream there is no habitat. Continuing to issue water rights on a river with a possibility of a listed species, as well as existing water availability and water quality problems makes little sense.

There are many small domestic uses in the basin consuming both ground and surface waters, all vital sources for instream flow. Individually, the quantity of water consumed may not be large, but cumulatively these uses adversely effect instream flows and water quality. Ignoring this problem is bad public policy. The state should be looking for alternate sources for these uses and ways to provide regional water supplies for these uses in a way that will result in the least amount of impact for the resource.

Conservation

Oregon statutes and rules also call for the state to "aggressively promote" water conservation and places a high priority on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a) and OAR 690-410-060(1). The proposed conditions do little to further these policies. Given the presence of potentially listed species, the water quality problems and the fact water diversions are one of the causes of anadromous fish declines it is imperative that the water use be as efficient as possible. The proposed uses should be held to a high efficiency standard prior to any permit issuance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Karen Russell", written over a horizontal line.

Karen A. Russell
Assistant Director

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FEB 16 1994

**WATER RESOURCES DEPT.
SALEM, OREGON**

February 15, 1994

Steve Brown
Water Resources Dept.
3850 Portland Road NE
Salem, Oregon 97310

Reference: File S 72131

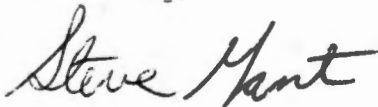
Steve,

The legal description of the property where I plan to use water is:

NW1/4,SW 1/4,SW 1/4, Section 5, T29s,R14W,W.M.

Thank you for your help and assistance I appreciate it very much.
Let me know if I can be of help.

Sincerely,

A handwritten signature in cursive script that reads "Steve Gant".

Steve Gant

TECHNICAL REVIEW CHECKLIST

FORM-71393

(1) Application: ~~6-12-58~~ R 72130

(2) Review Date: 11/17/93

S Indicates information was completed or adequately addressed.
 U Indicates information is needed, or incomplete, or inadequately addressed
 N/A Indicates Not Applicable

SUMMARY

S Completeness
S Land Use
NA GW Interference (if potential interference with surface water, see results of water availability analysis)
S Conflicts
S Water Availability Dec 1 - March 31

(3) NA The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

(4) S No oath is required because application was filed before June 5, 1992.

(5) S Application fees:

Examination fee:	\$ <u>200</u>
Recording fee:	\$ <u>100</u>
TOTAL REQUIRED	\$ <u>300</u>
TOTAL SUBMITTED	\$ <u>300</u>
AMOUNT DUE prior to issuance of permit	\$ <u>—</u>
AMOUNT OVERPAID	
refund due applicant	\$ <u>—</u>

(6) S Proposed dates of beginning and completion of construction, and complete application of water.

(7) S MAP: ☒ Prepared by a CWRE
☐ Exempt under OAR 690-11-150(3)
☐ A map or drawing included (non-CWRE)
☐ No map or drawing in file

- (8) NA A CWRE map is not required for applications filed before November 9, 1987.
- (9) NA A written copy of the legal description of the property on which the water is to be used.
- (10) S A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant. *OK to file on the property*
- (11) S The proposed use is not restricted or prohibited by statute.
- (12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- (13) S *Cranberry Use - Ag-TPR* use(s) is/are classified uses(s) under the *SOUTH COAST* Basin Program, OAR 690 - 517-001 (8)
- (14) S The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

- (15) As expressed by the Planning Department of Coos
- (16) NA The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section _____). *signed but not filled out*
- (17) NA The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
- (18) S The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

- (20) NA A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.
- (21) NA The report from groundwater section has been received.

For reservoir applications:

- (22) S Plans, specifications and supporting information for the dam and impoundment area.

DETAILED REPORT ON WATER AVAILABILITY

Basin: SOUTH COAST

Stream: JOHNSON CR

> PACIFIC OCEAN

Water Availability Subbasin: 1700000000000000

Exceedance Level: 50

Time: 13:53

Date: 10/10/1995

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	14.50	0.10	14.40	1.59	12.81	10.00	2.81
2	17.30	0.20	17.10	1.89	15.21	10.00	5.21
3	14.30	0.00	14.30	1.99	12.31	10.00	2.31
4	6.92	0.05	6.87	0.00	6.87	10.00	-3.13
5	1.97	0.24	1.73	0.01	1.72	4.00	-2.28
6	2.04	0.69	1.35	0.05	1.30	4.00	-2.70
7	1.42	1.08	0.34	0.07	0.27	1.00	-0.73
8	0.93	0.87	0.06	0.06	0.00	1.00	-1.00
9	0.55	0.37	0.18	0.02	0.16	1.00	-0.84
10	0.59	0.05	0.54	0.00	0.54	1.00	-0.46
11	4.27	0.05	4.22	0.00	4.22	8.00	-3.78
12	13.90	0.10	13.80	1.57	12.23	10.00	2.23
Stor	4710	228	4480	435	4050	4190	752

DETAILED REPORT OF ISWRs

Basin: SOUTH COAST

Stream: JOHNSON CR

> PACIFIC OCEAN

Water Availability Subbasin: 1700000000000000

Time: 13:53

Date: 10/10/1995

ISWRs								RESULTANT
APP # :	70228A	0	0	0	0	0	0	
STATUS:	App.							
1	10.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0 A
2	10.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0 A
3	10.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0 A
4	10.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0 A
5	4.0	0.0	0.0	0.0	0.0	0.0	0.0	4.0 A
6	4.0	0.0	0.0	0.0	0.0	0.0	0.0	4.0 A
7	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0 A
8	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0 A
9	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0 A
10	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0 A
11	8.0	0.0	0.0	0.0	0.0	0.0	0.0	8.0 A
12	10.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0 A

WATER AVAILABILITY TABLE

Basin: SOUTH COAST

Water Availability Subbasin: 1700000000000000 (and Nested Subbasins)

Time: 13:53

Exceedance Level: 50

Date: 10/10/1995

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	1700000000000000	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	YES	YES

STREAM NAMES

Basin: SOUTH COAST

Water Availability Subbasin: 1700000000000000 (and Nested Subbasins)

Time: 13:53

Date: 10/10/1995

WAB #	Stream Name	Tributary to
1700000000000000	JOHNSON CR	PACIFIC OCEAN

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 1700000000000000

Basin: SOUTH COAST

Exceedance Level: 50

Time: 13:53

Date: 10/10/1995

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	1700000000000000	JOHNSON CR	YES	2.8
2	1700000000000000	JOHNSON CR	YES	5.2
3	1700000000000000	JOHNSON CR	YES	2.3
4	1700000000000000	JOHNSON CR	NO	-3.1
5	1700000000000000	JOHNSON CR	NO	-2.3
6	1700000000000000	JOHNSON CR	NO	-2.7
7	1700000000000000	JOHNSON CR	NO	-0.7
8	1700000000000000	JOHNSON CR	NO	-1.0
9	1700000000000000	JOHNSON CR	NO	-0.8
10	1700000000000000	JOHNSON CR	NO	-0.5
11	1700000000000000	JOHNSON CR	NO	-3.8
12	1700000000000000	JOHNSON CR	YES	2.2
Stor	1700000000000000	JOHNSON CR	YES	752.0

**NOT TO BE SENT PRIOR TO DETERMINATION
OF THE ISWR APPLICATION S- 70228**

OR

**CONSIDER IN THE WATER AVAILABILITY AS
IF THE ISWR IS ISSUED AS REGULATED**

****NOTE:** There is/are pending Instream Water Right application(s) that have tentative priority dates over this one. They may have an affect upon the outcome of water availability for this proposal. Up until 1990, however, there are no relevant certificated ISWR's.



OREGON DEPARTMENT OF FISH AND WILDLIFE
Comments on Water Right Application(s)
R-72130 & 72131

August 3, 1992

AUG - 7 1992

Steve Brown
Water Resources Department
3850 Portland Rd., NE
Salem, OR 97310

WATER RESOURCES DEPT
SALEM, OREGON

Dear Steve;

The Oregon Department of Fish and Wildlife (ODFW) has reviewed the subject water right application(s) and recommends WRD include the following condition(s) in the permit(s):

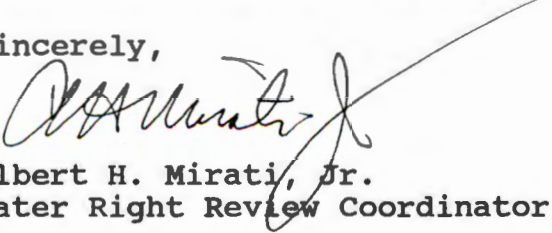
The permittee shall not construct, operate or maintain any dam or artificial obstruction in the channel of Johnson Creek. Construction in a tributary of Johnson Creek is acceptable.

This water right permit should not be issued until a water availability assessment by WRD indicates that adequate water is first available to meet established or pending (applied for) instream water rights on Johnson Creek to which this stream is tributary. The subject water right permit should be conditioned to prohibit withdrawal during periods (months) the water availability analysis indicates the downstream instream water right will not be met at least an average of eight years out of ten.

If the applicant disagrees with this analysis or is unwilling to agree to the recommended condition(s), ODFW recommends referral of the application(s) to the Water Resources Commission for determination of the public interest.

ODFW hereby requests a copy of the report(s) of technical review when such is/are available.

Sincerely,


Albert H. Mirati, Jr.
Water Right Review Coordinator

c WaterWatch of Oregon (public information request)
Reimers, Charleston

File: WRD/WR

RECEIVED
JAN 27 1992
WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: *Carol S. Lewis*
John Drolet

January 13, 1992

Rev'd 01-21-92

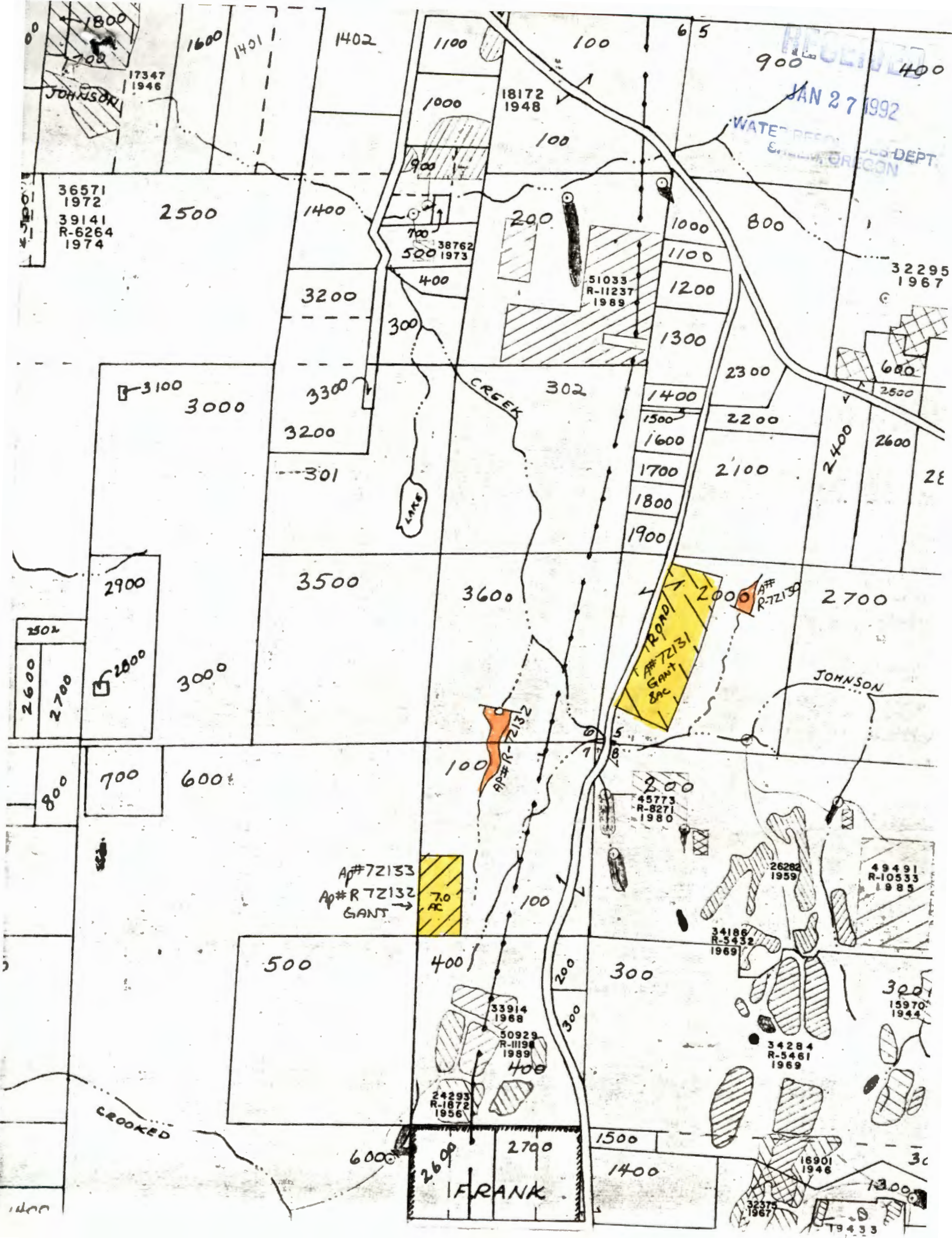
Subject: Application 72131 + R-72130
72133 + R-72132

Please send us water availability as soon as possible.

There are 3 downstream rights on Johnson Cr. (P# 17347, P# 27522, and P# 33336). ODF&W has an 03-08-90 pending IWR for a 6cfs summer flow and a 17cfs winter flow.

This office has never measured Johnson Cr. flows or regulated any Johnson Cr. water users.

Should the Department issue these permits I would request that the permits be conditioned to require measuring devices above and below the reservoirs. And ~~the~~ Additionally, a gated outlet placed at the bottom of the reservoirs would be required to pass natural flow to d.s. users.



February 14, 1992

MEMO

To: Steve Brown

From: Barry Norris

Re: Application R-70196 & 70197 - Ronny O. Haga
Water Availability

attached

A basin ratio was made with data calculated for the Pullen application (71132). Please see memo dated February 10 to Tom Shook for more detail on methods.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
50%	12.7	13.0	11.9	9.8	7.8	5.5	4.1	3.7	3.9	5.7	10.8	13.6

Data from WRIS indicates there are 237.31 total acres of primary irrigation on Johnson Creek and its tributaries. These diversions total 32.63 cfs (0.06 domestic, 2.38 miscellaneous, 30.19 agriculture).

~~SE 1/4 SW 1/4
Sect. 31
T 28 S R 14 W~~

GANT
R 72130

February 10, 1992

MEMO

To: Tom Shook

From: Barry Norris

Re: Water Availability Analysis
#71132 Simpson Cr, Trib to Coquille R

T28S R14W
T29S R14W

Following is the analysis performed for the Pullen water right application. Miscellaneous measurements made on Ferry Creek were extended by correlating to gage data from the SF Coquille at Powers. The estimated 50% ex. values were then transferred to Simpson Creek using a basin ration. The Ferry Creek measurements and the gage data from SF Coquille at Powers did not correlate well. Another attempt was made at correlation using gage data from NF Coquille nr Fairview. The correlation was worse. I discussed the computed flows with John Drolet. He confirmed that they are consistent with what he has observed in the creek.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
50%	2.0	2.1	1.9	1.5	1.2	0.9	0.7	0.6	0.6	0.9	1.7	2.2

Data from WRIS indicates there are 311.25 total acres of primary irrigation on Simpson Creek and its tributaries. These diversions total 26.04 CFS (.01 is domestic, the rest is agriculture).

Application No. ~~10-1150~~ 72130

Permit No.

Planning Official Initials: _____

Description of Water Use

RECEIVED
1992
WATER RESOURCES DEPT
SALEM, OREGON

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: Steve Gant
Address: P. O. Box 1587
Bandon, Oregon 97411
Phone: 503-347-3029 503-347-2874

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): Cranberry use
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- ☐ 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.
☐ Surface Water Name sources: _____ _____	_____ Cubic feet per second. _____ Gallons per minute. <u>9.1</u> Acre-Feet
☒ Reservoir or pond	
☐ Ground Water	

Application Permit No. 12-71130

Description of Water Use

Planning Official Initials: _____

RECEIVED

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: Steve Gant
Address: P. O. Box 1587
Bandon, Oregon 97411
Phone: 503 347-3029 - 503-347-2874

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): cranberry use
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____

Receipt for Request for Land Use Information

WRD Applicant Name: X Steve Gant

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 can not provide the above requested land use information while the applicant waits.

City or County: Coos

Staff Contact: Planning Technician

Signature: Sheila Wilson

Phone: 378-3911 X210

Date of Information Request: 1-7-92

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☒ Surface Water Name sources: <u>un-named stream</u>	<u>1.0</u> Cubic feet per second. <u>449</u> Gallons per minute. _____ Acre-Feet
☐ Reservoir or pond	
☐ Ground Water	

Application No. R-71130

Permit No. _____

Planning Official Initials: _____

Description of Water Use

RECEIVED

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.

WATER RESOURCES DEPT.
PHONE 378-3671

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: Steve Gant
Address: P. O. Box 1587
Bandon, Oregon 97411
Phone: 503-347-3029 - 503-347-2874

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): cranberry use
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- ☐ 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.
☒ Surface Water Name sources: <u>un-named stream</u> _____ _____	<u>1.0</u> Cubic feet per second. <u>449</u> Gallons per minute. _____ Acre-Feet
☐ Reservoir or pond	
☒ Ground Water	

WRD Applicant Name: X Steve Dant by maureen Dant

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 can not provide the above requested land use information while the applicant waits.

City or County: Coos

JAN - 8 1992

Staff Contact: Planning Technician Phone: 396-3741 X210

Signature: Sheila Wilson Date of Information Request: 1-7-92

Oregon Water Resources Department
3850 Portland Rd. NE
Salem, OR 97310
378 - 3671

Version: 8/27/90

RECEIVED

JAN - 8 1992

WATER RESOURCES DEPT.
SALEM, OREGON

JANUARY 7, 1992

To whom it may concern:

I herby give Steve Gant authorization to apply for water rights on my property located in Coos County Oregon.

SECTION 5, T29S, R14 W,W.M.
TAX LOT 2000

Thomas C Gant, trustee
Marion D Gant, trustee

RECEIVED

JAN 8 1992

WATER RESOURCES DEPT.
SALEM, OREGON

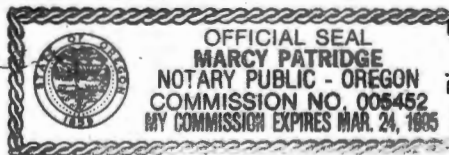
STATE OF OREGON)
County of Coos) ss.

On this 7 day of January, 19 92, personally appeared the above named
Thomas C. Gant and Marion D. Gant

foregoing instrument to be their voluntary act and deed.

(Official Seal)

My Commission expires: 3-2



Before me:

Marcy Patridge
Notary Public for Oregon

ter Uses In

ation

Applicant's Name: Steve Gant
Address: P. O. Box 1587
City: Bandon State: OR Zip: 97411 Day Phone: 503-347-3029

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.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
12034.00	T.29.R.14.S.05.TL 2000 FOREST	X	X	X

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

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

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

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): _____. 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 below. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

[illegible]

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: X Stone Dant by maaron dant

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 can not provide the above requested land use information while the applicant waits.

City or County: Coos

Staff Contact: Planning Technician Phone: 396-3121, X210

Signature: Sheila Wilson Date of Information Request: 1-7-92

Application No. ^{R-72130} Permit No.

TOWNSHIP <u>29S</u> , RANGE <u>14N</u> , W. M.												SECTION <u>5</u>						
NE				NW				SW				SE				APPLICA- TION NUMBER	PERMIT NUMBER	CERTIFI- CATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
Lot 1 Lot 2				Lot 3 Lot 4														
3842 3825				3807 3790				TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT										
												3 ⁴				18237	13898	13795
												2				20090	15653	20028
04 01 22 36																20179	15722	26279
540 570 220 400																20783	16263	26279
34 315 22 455				Front Cresting 5 ²				Front Cresting 3 ²								43000	32095	48119
T.C. F.N. 12				T.C. F.N. 13								5 ² F.N. 12				69654		
												Res 0				69654		
																R-72130		
																72131		

(SEE BACK OF CARD FOR PLAT OF SECTION)

Application No. **R-72130**
Permit No.

RECEIVED

JAN - 8 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon Property Tax Year	Code Area	Account Number		
07/01/91 TO 06/30/92	54.01	12034.00		
Property Description (Map Number)				
Township	Range	Section 1/4 .116	Tax Lot	Special Interest
29S 14 W		05	2000	
Acres		Property Class	Pull Number	
		645		

COOS
COUNTY
REAL

P 8399

TOM & MARIAN GANT LOVING TRUST
GANT, THOMAS & M., TSTES
PO BOX 765
BANDON , OR 97411

WaterWatch

O F O R E G O N

January 18, 1992

Stephen C. Brown
Senior Water Rights Specialist
Applications and Permits Section
Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

Re: Application for Permit #72131, 72133, R72130, R72132
Steve Gant, Johnson Creek Basin, Coos Co.
1.0 cfs, 1.0 cfs, 9.1 ac ft, 9.1 ac ft Cranberry
Operations

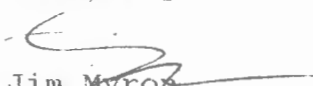
The Johnson Creek system provides critical habitat for resident and anadromous salmonids. Existing water withdrawals from the Johnson Creek system may already be adversely impacting these fish resources.

Based upon the limited amount of information contained in the public notice of these water right applications, and assuming that the Water Resources Department can make a determination that additional unappropriated water is available for these proposed uses at least 80% of the time without any adverse effect upon existing water rights and the public interest, WaterWatch of Oregon recommends that the following permit conditions be included in any permit issued in order to protect the public interest:

The applicant shall install and maintain all fish screening and bypass devices required by the Oregon Department of Fish and Wildlife prior to diverting or storing any water.

The applicant shall divert and store water only during times of the year when such use or storage will not adversely impact critical fish habitat as determined by the Oregon Department of Fish and Wildlife.

Sincerely,



Jim Myron

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

January 13, 1992

To: John Drolet

Subject: Application R-72130

Please send us water availability as soon as possible.

January 10, 1992

STEVE GANT
PO BOX 1587
BANDON, OR 97411

REFERENCE: File(s) R-72130, S-72131

We received your application(s) proposing to use water, along with supporting data and fees. Your receipt is enclosed unless you received it earlier. The application has been assigned the above referenced file number and will be reviewed in detail as time allows. If you need to call or write to us, be sure to reference the file number(s) listed above so we may assist you promptly.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 60-day waiting period and after public interest matters are resolved.

Processing of applications which require additional information will be delayed further. If you feel that a delay in the processing of your application will cause a hardship, please advise in writing.

If the application is approved, the use allowed by the permit will be subject to the Water Resources Commission's Basin Program statements, instream flow requirements, and demands of prior rights.

If you have any questions, please contact the Water Right Section at the telephone number referenced below.

cc: CWRE



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

MINIMUM REQUIREMENTS TO FILE

Name and mailing address _____
Source of water _____
Quantity of water _____
Location of project _____
Use of water _____
Signature of applicant _____
Allowable use by policy _____
State Engineer withdrawal _____
Legislative withdrawal _____
Land use approved _____ pending _____

Application date stamped per money receipt date
Stream Indexed
Stream Code _____
Scenic Waterway _____

- 1) Concluded - Scenic-Reg Ack letter
- 2) Under Study - Scenic-Ack letter
- 3) Basin 2 - Willamette-Ack letter

Plat Carded and copy made YES NO
Conflicts (well surface) ☒

Prior ISWR # _____
Within Irrigation District _____ (name)

District excerpt received

Entered in Paradox
Prepare six copies of Draft Permit
Send one copy to Data Center

$\frac{1}{3}$ *cn*

Stamp contents with application number
Mail/Provide copies of draft permits to DEQ, ODFW,
PARKS, AND WATERMASTER.
Mail ack letter (provided by Data Center) with
receipt to applicant, cc to CWRE and file
Place label on file and card
If dam is over 10 feet or storage exceeds 9.2 AC-FT,
route file to Dam Safety Section
Notify Irrigation District

	YES	NO
Ownership Statement	_____	_____
Name and address of all owners	_____	_____
Other landowners notified	_____	_____
Legal Description	_____	_____
Need Commission review	_____	_____

☐ Requests greater than 5.0 cfs
☐ Dam height greater than 20 feet
☐ Storage greater than 100 acre-feet
☐ Out of Basin diversion
☐ Groundwater recharge project
☐ Other substantial public interest

GW comments received _____ resolved _____
 ODFW comments received _____ resolved _____
 DEQ comments received _____ resolved _____
 Interest Groups _____
 Water availability received _____
 Objections received _____ resolved _____
 Protest received _____ resolved _____
 Management Codes _____

REMARKS:

TOTAL: _____
REFUND: _____
DEFICIENT: _____

COMPLETENESS DETERMINATION CHECKLIST

COMPLETED

Application #	Review Date	Reviewer
R - 72130	10/2/95	GERRY

200 Exam
100 9.14CFR

A checkmark (✓) indicates that the item is incomplete or defective.

300 Total
300 Received
X Fees OK

1. Examination fees (and recording fees, if for PFO/FO).
2. Name and address of the applicant, and title if applicable.
3. Source of water.
4. Use of water.
5. Amount of water.
6. Description of delivery system.
7. A statement of **whether** the applicant has written authorization or easements permitting access to lands owned by others.
8. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
9. Proposed dates of beginning and completion of construction, and complete application of water.
10. If for **municipal use**, the present population to be served and expected future water requirements.
11. If for **mining use**, the type of mines and methods of supplying & utilizing the water.
12. If for a **reservoir**:
 - a. The height of the dam.
 - b. The storage capacity.
 - c. The area submerged.
 - d. The maximum depth.
 - e. The construction method (earthfill, concrete, flashboard, etc.).
 - f. A description of the outlet conduit.
 - g. A description of the spillway.
13. If for **groundwater**, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
14. If the application was made under HB 2107:
 - a. Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
 - b. A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
 - c. The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
15. An oath that the application information is true and correct.
16. The signature of the applicant(s).
17. A satisfactory map of the proposed POD & POU.
18. A Land Use Information Form or receipt.
19. A legal description of the property where water will be used.

N 14132 & S-72133

I/We certify that the information I have provided in application # R 72132 + S-72133 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Steve P. Hunt owner 10/6/95
Name Title Date

Gay J. Hunt owner 10-6-95
Name Title Date

Name Title Date

Name Title Date

RECEIVED

OCT - 9 1995

WATER RESOURCES DEPT.
SALEM, OREGON

R-72130 + S-72131

I/We certify that the information I have provided in application # R 72130 - S 72131 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Steve P. Hunt owner 10/6/95
Name Title Date

Gay J. Hunt owner 10-6-95
Name Title Date

Name Title Date

Name Title Date

RECEIVED

OCT - 9 1995

WATER RESOURCES DEPT.
SALEM, OREGON

October 2, 1995

STEVE GANT
PO BOX 1587
BANDON OREGON 97411

RE: Application File # R-72130 S-72131

Dear Steve,

The Water Resources Department is currently reviewing your application for water use. Preliminary review indicates the following items were not included with your application:

- An oath that the information in the application is true and accurate. Please sign and return the enclosed oath.

In order to expedite the processing of your application, we request that you submit these items by **October 17, 1995**. I have enclosed a stamped envelope for your use.

Should you have any questions regarding your application or the required materials listed above, please call me personally at 1-800-624-3199 extension 261.

Sincerely,



Gerry Clark
Completeness Team

Enclosures



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

2

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # R 72130 ✓

WATERWATCH ✓ ✓

ODF&W ✓ ✓

WATERMASTER # 19 ✓

REGIONAL MANAGER - Cook ✓

CWRE - Gosson ✓

DEO ✓ ✓

KEN STAHR ✓ ✓

OTHER ADDRESSES: _____

CASEWORKER zake

ORIGINAL TO APPLICANT 11/15/93

NUMBER

86888

Check

60000

NO

Cash

☒ Surface Application

☒ Reservoir Application

☐ Ground Water Application

☐ Transfer Application

☐ Power Claim

☐ Hydroelectric Examination

☐ Hydroelectric License

☐ Copying

☐ Assignment

☐ Extension of Time

☐ Other

☐ P-6

☐ Quadrangle

☐ Basin

☐ Protest

☐ Constructors Examination

☐ Constructors License

☐ Adjudication