

3<sup>rd</sup> Ext. - submitted 11-27-67

• Extended "B" & "C" to: 10-1-69

- - purchased two turbine pumps
- purchased pipe and screen
- invested additional \$5,000.<sup>00</sup>
- installed a 30HP, single stage Pacific pump

4<sup>th</sup> Ext. - submitted on 5-6-70

• Extended "B" & "C" to: 10-1-74

- - constructed a canal around Ferry Creek reservoir to eliminate murky water during winter storms.
- have installed a total of 2.5 miles of 8, 10 & 12-inch supply lines.

5<sup>th</sup> Ext. - submitted on 2-24-75

• Extended "B" & "C" to: 10-1-79

- - commenced construction of a 1.5 mg reservoir
- constructed minor distribution line improvements
- Installed approx 145 new water service connections
- constructed water intake facility on Chetco River containing 2 pumps with a combined capacity of 1000 gpm

6<sup>th</sup> Ext - submitted on 6-5-80

- Extended "B" & "C" to: 10-1-84

- - completed construction of a pump station, water main & a 200,000 gallon water reservoir.

7<sup>th</sup> Ext. - submitted on 10-22-84

- Extended "B" & "C" to: 10-1-89

- - installed additional water distribution line, installed 1-30,000 gallon tank, installed 3-6,000 gallon tanks, installed 4 pump stations & installed 2-10 HP pumps.

- serving population of approx. 3,853.

8<sup>th</sup> Ext. - submitted 1-11-90

- Extended "B" & "C" to: 10-1-94

- - installed new Ranney collector and in process of completing new pump station; installed 9,725 linear feet of 16-inch ductile iron pipe & various distribution lines.

- rebuilt a major pump station.

- serving population of approx 5,139.

City of Brookings  
Appl # S-37091 / Permit # S-27610

L. Jun 1  
6-23-03

page 4

9<sup>th</sup> Ext. - submitted on 11-14-94

• Extended "B" & "C" to: 10-1-99

- - upgraded water filtration plant's capacity
- completed new Ranney intake pump station distribution system improvement to accommodate growth.
- Engineering & bid award for furnishing and installing third pump in Ranney intake structure.
- Serving population of approx. 6,192.

10<sup>th</sup> Ext. - submitted on 2-25-03


→ Pending Extension Request ←

- - Serving approx population of 7,350.
- Financial expenditures to date = \$20,000,000.<sup>00</sup>

# Municipal/Quasi-Municipal Permit Extension Application



Published on the Department's Public Notice, dated: \_\_\_\_\_

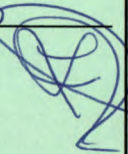
3/4/03 

**After published on the Public Notice, please.....**

Enter/Update the date published on the public notice in the "PNotice Date" field in the "cdatewext.DB" database

Verify the "Ext Filed" field in the "cdatewext.DB" database is accurate.

The "filed" date for this extension should be: \_\_\_\_\_

2-25-03 

Return File to Lisa

## PUBLIC NOTICE INFORMATION

Permit Holder: \_\_\_\_\_

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

County: \_\_\_\_\_

Quantity of Water: \_\_\_\_\_

Source of Water: \_\_\_\_\_

Application #: \_\_\_\_\_ Permit #: \_\_\_\_\_

Permitted Use: \_\_\_\_\_

Proposed Date for Extension: \_\_\_\_\_

Out

Appl # S-37091  
(permit #S-27610)

Page 1 of 1

To: llightle@brookings.or.us  
Subject: Extension of Time requests for Permits #S-27610 and #S-31293  
Cc: Lisa Juul

Sent to Leo Lightle  
on 7-9-03.  
-Duke

Hello Leo,

Thank you for taking time this morning to talk about the City of Brookings' extension requests for Permits #S-27610 and #S-31293. As we discussed, I have compiled a list of additional information that I need in order to complete the proposed final orders for these extension requests.

1. How many hours per day is water pumped to meet average day water demands?
2. How many hours per day is water pumped to meet peak day water demands?
3. What is the maximum diversion rate accomplished to date under Permit #S-27610 (Appl #S-37091)? [NOTE: Permit #S-27610 allows the use of up to 4.0 cfs of water from the Chetco River for Municipal Use]
4. What is the maximum diversion rate accomplished to date under Permit #S-31293 (Appl #S-41805)? [NOTE: Permit #S-31293 allows the use of up to 10.0 cfs of water from the Chetco River for Municipal Use]
5. Since October 1, 1999, please identify what work has been accomplished by the City to further develop Permits #S-27610 and #S-31293.
6. Please supply a copy of **Appendix 11.2** from the "Water System Master Plan and Water Conservation Management Plan - April 2000." Appendix 11.2 is referenced in the April 2000 plan, however, a copy is NOT provided.

Please let me know if you have questions concerning any of the above requested additional information. Thank you again for your assistance with this.

Sincerely,  
Lisa Juul

Lisa J. Juul  
Water Rights Specialist  
Water Rights & Adjudications Division  
Oregon Water Resources Department  
158 - 12th Street NE  
Salem, Oregon 97301-4172

---

Phone # (503) 378-8455, extension 272  
FAX # (503) 378-6203  
Homepage/Website Address - <http://www.wrd.state.or.us>

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **58451**

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

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

RECEIVED FROM: City of Brookings  
BY: \_\_\_\_\_

APPLICATION	<u>537091</u>
PERMIT	
TRANSFER	

CASH:  CHECK: #  45695 OTHER: (IDENTIFY)

**TOTAL REC'D \$100.00**

**0417 WRD MISC CASH ACCT**

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

**REDUCTION OF EXPENSE**

CASH ACCT. \$

PCA AND OBJECT CLASS

VOUCHER #

**0427 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

240 OTHER (IDENTIFY) Ext. of time \*100.00

**0437 WELL CONST. START FEE**

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

**0539 LOTTERY PROCEEDS**

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

**0467 HYDRO ACTIVITY**

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

RECEIPT # **58451**

DATED: 2/25/03 BY: Connie Vance

# APPLICATION FOR EXTENSION OF TIME

## for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Brookings, Oregon NAME OF ENTITY Leo Lightle, Community Development Director NAME OF CONTACT  
898 Elk Drive ADDRESS Brookings CITY Oregon 97415 STATE ZIP 541 549-469-2163 PHONE x 236

owner of record, or duly authorized agent, of Application No. S- 37091, Permit No. S 27610,  
do hereby request that the time in which to: App. File # 537091

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, \_\_\_\_\_, be extended to October 1, \_\_\_\_\_,

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, 2003, be extended to October 1, 2025.

**NOTE:**

Permit extensions for Quasi-Municipal and Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances, upon issuance of an order approving an extension, you will be required to submit within 3 years a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of your WMCP. The rules may be viewed at: "[www.wrd.state.or.us/law/oar1999.shtml](http://www.wrd.state.or.us/law/oar1999.shtml)" -Has previously been submitted

Attached are instructions to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules require this information to be considered by the Water Resources Department when reviewing a Quasi-Municipal or Municipal water use permit extension application. For each permit, a separate extension application must be submitted. All items must be addressed or the application may be returned. Please feel free to provide the Department with any additional information or evidence that will aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.



**In order for the Department to evaluate your extension of time request for a Quasi-Municipal or Municipal water use permit, please provide the following:**

1. The appropriate fee, as specified under ORS 536.050. - \$100
2. For Quasi-Municipal water use permits, evidence of the actions taken to begin actual construction on the project, if required under the applicable statute.
3. Evidence of actions taken to develop the right within the permitted time period and/or time period of the previous extension. City began using water in 1961. Community growth and population are not currently making full utilization of permitted flows..
4. Evidence of compliance with conditions contained in the permit and any previous extension(s). If any of the conditions have not been satisfied, please explain the reason(s) why.
5. Evidence of the maximum rate of water diverted to date, if any, for Quasi-Municipal or Municipal purposes.  
See attached copy of Water System Master Plan and Water Conservation Management Plan, HGE Inc., April 2000
6. An estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate. Current estimated service population 7350 - Projections from Water System Master Plan - 1990
7. A description of the financial expenditures made toward completion of the water development. Construction of Community water system for City fo Brookings, current value in excess of 20 Million Dollars.
8. An estimate of the cost necessary to complete the water development. None
9. A summary of any events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements, if any, relating to the project that have significantly delayed completion of construction or perfection of the right. Growth in community.
10. An estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights and contracts held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.  
Demand in 2025 - 9 cfs, Projections to 2050-20 cfs.  
Extension requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder. Demand projections for year 2025 in Water System Master Plan 1990. Projected long term projections to year 2050, on same basis as Master Plan, shows future demand of 20 cfs. City currently maintains

**RECEIVED**

FEB 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

11. A summary of the plan and schedule to complete construction and/or perfect the water right. The City of Brookings will expand water intake capabilities with community growth, and will have been in a position to perfect this water right by 2025.
12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.  
Growth in Brookings continues a need for additional water, and community will apply water to full beneficial usage within requested extension period.
13. Any other information you wish the Department to consider while evaluating the extension of time application.  
Brookings requested this permit to allow for orderly growth of community, and history of continued growth justifies need to maintain this permit for long term growth needs of community.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I certify that the information I have provided in this application is true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**MAIL COMPLETED APPLICATION and STATUTORY FEE (under ORS 536.050) TO:**

WATER RIGHT PERMIT EXTENSIONS  
WATER RESOURCES DEPARTMENT  
158 - 12<sup>th</sup> STREET NE  
SALEM, OREGON 97301-4172

revised: December 12, 2002

- 11. A summary of the plan and schedule to complete construction and/or perfect the water right. The City of Brookings will expand water intake capabilities with community growth, and will have been in a position to perfect this water right by 2025.
- 12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.  
Growth in Brookings continues a need for additional water, and community will apply water to full beneficial usage within requested extension period.
- 13. Any other information you wish the Department to consider while evaluating the extension of time application.  
Brookings requested this permit to allow for orderly growth of community, and history of continued growth justifies need to maintain this permit for long term growth needs of community.

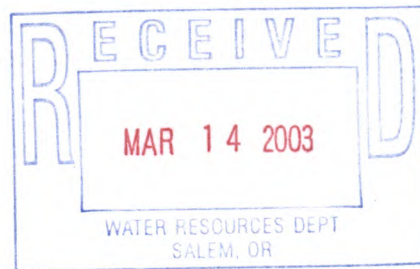
I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I certify that the information I have provided in this application is true and correct to the best of my knowledge.

Leo Lightle  
Signature

3/14/03  
Date

**MAIL COMPLETED APPLICATION and STATUTORY FEE (under ORS 536.050) TO:**

WATER RIGHT PERMIT EXTENSIONS  
 WATER RESOURCES DEPARTMENT  
 158 - 12<sup>th</sup> STREET NE  
 SALEM, OREGON 97301-4172



revised: December 12, 2002



**City of Brookings  
898 Elk Drive  
Brookings, OR 97415**

# Fax

**To:** Lisa Juul **From:** Cathie Mahon-CDD Secretary

---

**Fax:** 503-378-6203 **Pages:** 1

---

**Phone:** 541-469-2163, ext. 203 **Date:** 3/14/2003

---

**Re:** From Leo Lightle **CC:**

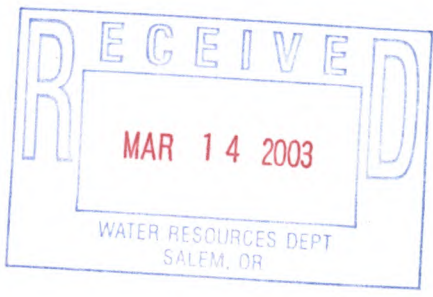
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**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

---

Please find enclosed the last sheet for the Water Right Permit Extension.

Thank-you.



S-37091

# CITY OF BROOKINGS

898 Elk Drive  
Brookings, Oregon 97415  
Phone (541) 469-2163  
Fax (541) 469-3650  
city@brookings.or.us

The Home of Winter Flowers



Water Rights Permit Extension  
Water Resources Department  
158-12<sup>th</sup> Street NE  
Salem Oregon 97301-4172

Re: Permit No. 527610

**RECEIVED**

FEB 25 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

Dear Water Rights Permit Extension,

Please find enclosed our application for Extension of Time for Permit No. 527610, with a copy of our "Water System Master plan and Water Conservation management Plan".

Sincerely

A handwritten signature in blue ink that reads "Leo Lightle". The signature is written in a cursive, flowing style.

Leo Lightle  
Community Development Director  
City of Brookings

LBL

cc: Richard Nored  
Joe Ingwerson  
Leroy Blodgett

Leo



February 1, 2003

ARCHITECTS  
ENGINEERS  
SURVEYORS  
PLANNERS

City of Brookings  
898 Elk Drive  
Brookings, OR 97415

Attn: Leo Lightle  
Community Development Director

Re: Water Use Permit Extension  
Project # 9981

375 PARK AVE  
COOS BAY,  
OREGON  
97420

Dear Leo:

We have researched the approach for responding to correspondence from the Oregon Water Resources Department, dated January 13, 2003. Our water use examiners, the watermasters office in Coquille, and ultimately Lisa Juul from the Water Rights Section of the Water Resources Department have agreed that the correct procedure for S27610 (App File # S37091) is to file for an extension of the permit rather than to complete the final proof survey and information needed for a certificate.

541.269.1166  
FAX 541.269.1833

The permit extension will allow time for full utilization of the permit which was filed in 1961 By Brookings Water Company, and growth should make show usage of the permit by 2025. If a certificate request was made at this point, it would be difficult to prove major usage for this permit, with full usage of the certificate issued at the Ranney Well, and the City could lose some of the water which has been preserved for future growth. Ultimately, the point of diversion will need to be moved, and this should be followed up after the extension of the permit is approved. We could provide the needed modifications for moving the source, but I think at this point we should pay the fees and file for the extension of time.

Richard D. Nored, P.E.  
Joseph A. Slack, A.I.A.  
Von C. Miller, A.I.A. RCI  
Russ Dodge, PLS  
Stephen R. Cox

A fee of \$ 100 should be provided with the application for extension. Please sign and transmit the attached forms, with a \$ 100 check, to Water Resources.

Please contact me if you have any questions or concerns in this regard.

Very truly yours,

**HGE INC., Architects, Engineers,  
Surveyors & Planners**

Richard D. Nored, P.E.  
President

c. LeRoy Blodgett, City Manager  
John Bischoff, Planning Director  
Dennis Barlow, Public Works Director

**RECEIVED**  
FEB 25 2003  
WATER RESOURCES DEPT.  
SALEM, OREGON

From: "Doug Parrow" <Douglas.M.PARROW@state.or.us>  
To: "Lisa J Juul" <Lisa.J.JUUL@wrд.state.or.us>  
Subject: RE: Ext of Time for two City of Brookings permits  
Date: Wed, 25 Jun 2003 16:06:51 -0700  
X-Security: MIME headers sanitized on funnel  
See <http://www.impsec.org/email-tools/sanitizer-intro.html>  
for details. \$Revision: 1.133 \$Date: 2002-01-05 17:09:21-08  
X-Mailer: Microsoft Outlook IMO, Build 9.0.6604 (9.0.2911.0)  
Importance: Normal

Lisa,

We understand that the City of Brookings received money from EDD for a plan and that the plan was developed by a consultant. However, the plan has not been submitted to the Department for review. To our knowledge, there currently is no WRD requirement that the city have a plan. We don't recommend any conditioning of the extension beyond the requirements under the extension rules for communities larger than 1,000 requesting extensions for longer than 5 years.

Doug

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

**From:** Lisa J Juul [mailto:Lisa.J.JUUL@wrд.state.or.us]  
**Sent:** Tuesday, June 24, 2003 1:15 PM  
**To:** Douglas.M.PARROW@wrд.state.or.us  
**Cc:** Lisa.J.JUUL@wrд.state.or.us  
**Subject:** Ext of Time for two City of Brookings permits

Hi Doug,

I recently started looking at extension applications for two City of Brookings permits. They are Appl #S-37091 (Permit #S-27610) and Appl #S-41805 (Permit #S-31293).

Does Brookings already have an approved Div 86 WMCP? Based on information provided in their extension it appears that they do.

Thank you,  
Lisa

Lisa J. Juul  
Water Rights Specialist  
Water Rights & Adjudications Division  
Oregon Water Resources Department  
158 - 12th Street NE  
Salem, Oregon 97301-4172

---

Phone # (503) 378-8455, extension 272  
FAX # (503) 378-6203  
Homepage/Website Address - <http://www.wrд.state.or.us>



# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

January 13, 2003

CITY OF BROOKINGS  
898 ELK DRIVE  
BROOKINGS OR 97415

REFERENCE: Permit #S27610 (App File #S37091) and the Adoption of New Administrative Rules for Municipal and Quasi-Municipal Water Use Permit Extensions

Dear Municipal and/or Quasi-Municipal Water Use Permit Holder:

The Water Resources Commission has adopted new administrative rules that govern the processing of Municipal and Quasi-Municipal permit extension requests. The new rules are contained in the Oregon Administrative Rules Chapter 690, Division 315 (OAR 690-315-0070 through 690-315-0100). If you wish to view a copy of the new Chapter 690, Division 315 Extension Rules, you may access the document from the Department's web page at:

[http://www.wrd.state.or.us/cgi-bin/notices.pl?new\\_oars](http://www.wrd.state.or.us/cgi-bin/notices.pl?new_oars)

The new rules implement many changes to the extension process for municipal and quasi-municipal permit holders. One of the most significant changes is that an extension is linked to the requirement to develop a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

In preparation for implementing the new extension rules, the Department has reviewed its records and determined that the authorized date for completion of development for your water use permit has passed and that neither a permit extension of time application, nor a claim of beneficial use and final proof survey map, have been received.

As a result of this review, your water use permit falls into one of the three following categories:

### **1. Development is Not Complete**

If development of your water use permit is not finished, you must submit an application for extension of time to complete construction of the water system and/or complete beneficial use of water to the full extent of the permit. You may access the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" on the Department's website at:

<http://www.wrd.state.or.us/publication/forms/index.shtml>





January 13, 2003  
page two

**2. Development is Complete and Final Proof Must be Submitted**

If your water use permit was issued *after* July 9, 1987, and development of the permit is complete, you are required by law (ORS 537.230 and/or 537.630) to hire a certified water rights examiner to prepare and submit a claim of beneficial use and final proof survey map.

**3. Development is Complete and Waiting for WRD to Conduct Final Proof Survey**

If you applied for or received a permit *on or before July 9, 1987*, and development of the permit is complete, you must notify the Department that the work has been completed and choose to either: (a) hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; *or* (b) continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and the commission issues a water right certificate under ORS 537.250 or 537.625.

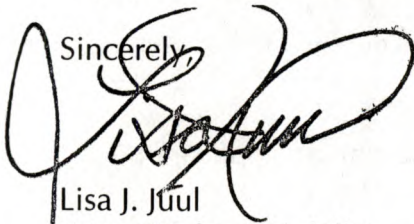
**4. Permit is Not Needed and Wish to Authorize Cancellation**

If you have determined that this permit is no longer needed and/or you have chosen not to pursue development of the permit, you may choose to authorize its cancellation. If you are interested in this option, please contact Jerry Sauter of our Department at extension 274 for the appropriate cancellation form.

**Once you have determined which development category applies to your water use permit, please complete the enclosed "Quasi-Municipal/Municipal Water Use Permit Development Questionnaire" form and return it to my attention at the Water Resources Department by April 13, 2003.**

If you would like the new rules or extension application forms sent to you by mail, or if have any questions, please feel free to contact me by telephone at 503-378-8455, extension 272.

Sincerely,



Lisa J. Juul  
Water Rights Specialist  
Water Rights Section

enclosure

cc: App File #S37091 (Permit #S27610)

**Oregon Water Resources Department  
Quasi-Municipal/Municipal Water Use Permit Development Questionnaire**

**Permit Holder: CITY OF BROOKINGS**

**Permit #S27610**

**Application File #S37091**

Please indicate which of the following applies to the above referenced Quasi-Municipal or Municipal water use permit by checking the appropriate box:

1. The Permit is Ready for Final Proof and...

- a Claim of Beneficial Use and Final Proof Survey map will be prepared and submitted by a Certified Water Rights Examiner;

- OR -

- the Water Resources Department (WRD) has been notified that development of the permit is complete, and the permit holder is waiting for WRD to conduct the final proof survey.

2. Development of the Permit is Not Complete and...

- the permit holder will submit a permit extension of time application to **WRD no later than 90 days from the date of this letter (April 13, 2003).**

3. The Permit is Not Needed and Wish to Authorize Cancellation...

- the permit holder has determined that this permit is no longer needed and/or has chosen not to pursue development of the permit, and wishes to authorize its cancellation.

\_\_\_\_\_  
Signature of Authorized Personnel

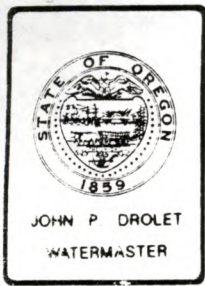
\_\_\_\_\_  
Date

**Please return completed form by April 13, 2003 to:  
Water Resources Department  
Attention: Lisa Juul  
158 - 12<sup>th</sup> Street NE  
Salem OR 97301-4172**

RECEIVED

APR 18 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



*Water Resources Department\**

COOS COUNTY ANNEX, 290 NORTH CENTRAL ST., COQUILLE, OREGON 97423 PHONE 396-3121  
14 April 00

EXT. 254

(supercedes 11 April 00 letter)

Wm. M. Pavlich, P.E.  
HGE, Inc.  
19 NW 5<sup>th</sup> Ave.  
Portland, OR 97209

File # 41805, pmt # 31293  
37091 27610  
G-5869 G-5601

Dear Mr. Pavlich:

I would refer to your March 8, 2000 letter of enquiry regarding the City of Brookings water rights on Chetco River. The rights are referenced above and consist of two surface water use permits and one certificated groundwater right. Those rights are summarized below:

file # 37091	pmt # 27610	1961	4cfs	Chetco River
file # 41805	pmt # 31293	1966	10cfs	Chetco River
file # G-5869	pmt # G-5601	1972	6cfs	Groundwater (Chetco Basin)

In response to one of your enquiries, the rights have no seasonal restrictions on water use.

There are two instream rights on Chetco River in the vicinity of the City's intake near the confluence of N. Fk. Chetco River. The 1964 instream right's reach is upstream from the City's intake and would not affect the City's ability to use water when instream flows are not met. The 1980 instream right is junior in priority to the City's above referenced senior permits and right, therefore it also would not affect the City's ability to use water during times of low flow.

Both of the City's surface water diversion points were authorized by Department administrative permit amendment action to be changed to the current POD at the confluence of N. Fk. Chetco River and Chetco River. As alluded to in previous correspondence, the transfer of the groundwater right would be subject to the statutory water right transfer process. Nothing prevents the City from applying for a change in point of appropriation. This office is not in a position to judge the impact of such a change on instream rights. Once the transfer application is received by the Department, ODF&W and other interested parties would have the opportunity to comment on the proposed transfer. If the Department determines, during the analysis of the transfer application that injury to the instream right is likely to occur, then the application either would not be approved, or if approved, would be conditioned to minimize injury.

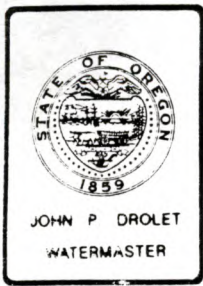
I hope that I have adequately responded to your enquiries; if not, then please get in touch.

Sincerely,

John P. Drolet  
Watermaster, District 19

JPD/dt

CF: AJC, BSA, LCV, Dwight French (for files)



## Water Resources Department

COOS COUNTY ANNEX, 290 NORTH CENTRAL ST., COQUILLE, OREGON 97423 PHONE 396-3121  
14 April 00 EXT. 254

(supercedes 11 April 00 letter)

Wm. M. Pavlich, P.E.  
HGE, Inc.  
19 NW 5<sup>th</sup> Ave.  
Portland, OR 97209

File # 41805, pmt # 31293  
37091 27610  
G-5869 G-5601

**RECEIVED**

APR 17 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

Dear Mr. Pavlich:

I would refer to your March 8, 2000 letter of enquiry regarding the City of Brookings water rights on Chetco River. The rights are referenced above and consist of two surface water use permits and one certificated groundwater right. Those rights are summarized below:

file # 37091	pmt # 27610	1961	4cfs	Chetco River
file # 41805	pmt # 31293	1966	10cfs	Chetco River
file # G-5869	pmt # G-5601	1972	6cfs	Groundwater (Chetco Basin)

In response to one of your enquiries, the rights have no seasonal restrictions on water use.

There are two instream rights on Chetco River in the vicinity of the City's intake near the confluence of N. Fk. Chetco River. The 1964 instream right's reach is upstream from the City's intake and would not affect the City's ability to use water when instream flows are not met. The 1980 instream right is junior in priority to the City's above referenced senior permits and right, therefore it also would not affect the City's ability to use water during times of low flow.

Both of the City's surface water diversion points were authorized by Department administrative permit amendment action to be changed to the current POD at the confluence of N. Fk. Chetco River and Chetco River. As alluded to in previous correspondence, the transfer of the groundwater right would be subject to the statutory water right transfer process. Nothing prevents the City from applying for a change in point of appropriation. This office is not in a position to judge the impact of such a change on instream rights. Once the transfer application is received by the Department, ODF&W and other interested parties would have the opportunity to comment on the proposed transfer. If the Department determines, during the analysis of the transfer application that injury to the instream right is likely to occur, then the application either would not be approved, or if approved, would be conditioned to minimize injury.

I hope that I have adequately responded to your enquiries; if not, then please get in touch.

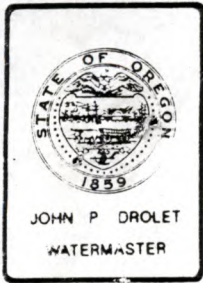
Sincerely,

A handwritten signature in black ink, appearing to read "John P. Drolet", is located below the "Sincerely," text.

John P. Drolet  
Watermaster, District 19

JPD/dt

CF: AJC, BSA, LCV, Dwight French (for files)



## Water Resources Department

COOS COUNTY ANNEX, 290 NORTH CENTRAL ST., COQUILLE, OREGON 97423 PHONE 396-3121  
EXT. 254

11 April 00

Wm. M. Pavlich, P.E.  
HGE, Inc.  
19 NW 5<sup>th</sup> Ave.  
Portland, OR 97209

File # 41805, pmt # 31293  
37091 27610  
G-5869 G-5601

**RECEIVED**  
APR 12 2000  
WATER RESOURCES DEPT.  
SALEM, OREGON

Dear Mr. Pavlich:

I would refer to your March 8, 2000 letter of enquiry regarding the City of Brookings water rights on Chetco River. The rights are referenced above and consist of two surface water use permits and one certificated groundwater right. Those rights are summarized below:

file # 37091	pmt # 27610	1961	4cfs	Chetco River
file # 41805	pmt # 31293	1966	10cfs	Chetco River
file # G-5869	pmt # G-5601	1972	6cfs	Groundwater (Chetco Basin)

In response to one of your enquiries; although there are no seasonal restrictions, both of the City's 1966 and 1972 junior rights may be impacted by ODF&W's 1964 senior instream water right. As an example, if the ODF&W's 1964 instream right is not being met due to low streamflow, the City would be limited to exercising its 1961 4 cfs permit.

Both of the City's surface water diversion points were authorized by Department administrative permit amendment action to be changed to the current POD at the confluence of N. Fk. Chetco River and Chetco River. As alluded to in previous correspondence, the transfer of the groundwater right would be subject to the statutory water right transfer process. Nothing prevents the City from applying for a change in point of appropriation. This office is not in a position to judge the impact of such a change on instream rights. Once the transfer application is received by the Department, ODF&W and other interested parties would have the opportunity to comment on the proposed transfer. If the Department determines, during the analysis of the transfer application that injury to the instream right is likely to occur, then the application either would not be approved, or if approved, would be conditioned to minimize injury.

I hope that I have adequately responded to your enquiries; if not, then please get in touch.

Sincerely,

John P. Drolet  
Watermaster, District 19

JPD/dt

CF: AJC, BSA, Dwight French (for files)



ARCHITECTS  
ENGINEERS  
SURVEYORS  
PLANNERS

19 NW 5th AVE.  
PORTLAND,  
OREGON  
97209

503-222-1687  
FAX 503-222-2754  
e-mail: hgepdx@teleport.com

Richard D. Nored, P.E.  
Clay Baumgartner, P.E., MSCE  
Joseph A. Slack, A.I.A.  
Von C. Miller, A.I.A., PCI  
Russ Dodge, PLS

2-7-9.6

March 8, 2000

Watermaster  
Coos County Courthouse Annex  
290 North Central Street  
Coquille, OR 97423

Attention: Mr. John Drolet

Subject: City of Brookings  
Water Rights

**RECEIVED**

APR 12 2000

WATER RESOURCES DEPT.  
SALEM, OREGON

Dear John:

Thank you for returning my call last week regarding the status of Brookings' water rights at their current Chetco River intake. This letter is, per your request, a written summary of the issues that concern the City and for which they would like a written commentary from your office.

The main concern is water availability at the intake. This can be expressed as three questions.

- 1) What is the total permitted capacity (in cfs) at the intake?
- 2) Is any of the existing permitted capacity at the intake potentially limited by instream water rights?
- 3) Are there any restrictions (seasonal or other) on usage of the existing permitted capacity at the intake?

The City is also concerned about the status of the 6 cfs groundwater right (Permit No. G-5601). As we understand it, a formal point of diversion transfer is needed to move it to the current intake location. Is this all that is required and, if so, is it feasible in any practical sense for the City to pursue the transfer? Does an upstream transfer adversely impact junior instream water rights? It seems that such a transfer would raise the question in a river like the Chetco where anadromous species habitat is a significant concern.

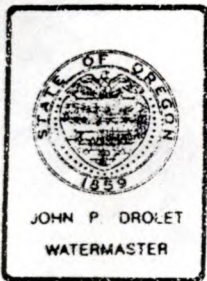
Please send your comments to my attention. I will forward them to the City. From our conversation last week, I understand that it may be several weeks before you will be able to respond to this request. If, in the meantime, you have any questions, please call me at (503) 222-1687.

Very truly yours,

**HGE, Inc., Architects, Engineers, Surveyors & Planners**

William M. Pavlich, P.E.

cc: Leo Lytle, City of Brookings  
Tom Weldon, City of Brookings  
Clay Baumgartner, HGE, Inc.



RECEIVED

NOV 20 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

Water Resources Department

COOS COUNTY ANNEX, 290 NORTH CENTRAL ST., COQUILLE, OREGON 97423 PHONE 396-3121  
EXT. 254

11-17-97

Leo Lightle, Director  
Brookings Public Works Dept.  
898 Elk Drive  
Brookings, OR 97415

file # 41805. pmt # 31293  
37091 27610  
G-5869 G-5601

Dear Mr. Lightle:

Reference is made to our conversation in City Manager Tom Weldon's office this past summer regarding the City's water rights and water use permits on Chetco River. The matter of authorized points of diversion was the subject of that conversation.

The City's two surface water permits were allowed to be transferred upstream to the confluence with N. Fk. Chetco River by authority of the Department's certificates manager, Vestal Garner, in his May 20, 1988 letter (copy attached). That was confirmed in a recent conversation between the current supervisor of the water rights section, Dwight French, and the head of the transfer section, Larry Nunn.

Your attention is also directed to another attached letter: that of Vestal Garner to you, dated April 25, 1990. The items covered in that letter remain valid today--a formal point of diversion transfer is required for the City's 6 cfs 1972 groundwater right. A list of local CWRE's that might assist you with the required transfer is enclosed.

Should you have questions regarding any of the above, please get in touch.

Sincerely,

John P. Drolet  
Watermaster, District 19

JPD/dt

Atch:Garner's 05-20-88 & 04-25-90 ltrs

CF: Dwight French  
Larry H. Nunn  
AJC

bkgxfr2.d19

February 15, 1995

CITY OF BROOKINGS  
898 ELK DRIVE  
BROOKINGS OR 97415

REFERENCE: Files 37091 & 41805

Your applications for extension of time to complete work under Permits Number 27610 and 31293 along with your check in the amount of \$200 have been received. Our Receipts Number 118772 and 118762 are enclosed.

Your request is approved by Special Order Volume 49, Page 12. The time limit for completion of work is extended to October 1, 1999.

Certain water right holders that serve as water suppliers may be required to submit water management and conservation plans at some point in the future. You should be advised that the Water Resources Commission may adopt administrative rules that will require you to prepare and submit such plans in the future.

If you are interested in receiving periodic information concerning the conservation program or the development and adoption of management and conservation rules, please contact the Water Conservation staff at the Salem office of the Water Resources Department.

If you have questions concerning this extension or other water right matters, please call the Water Rights/Adjudication Division. All Divisions of the Department may be reached at the following telephone numbers:

(800) 624-1399 or (503) 378-3739

Sincerely,

A. REED MARBUT, Administrator  
Water Rights/Adjudication Division

TES:jh

Enclosure



---

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



# Application for Extension of Time

RECEIVED

NOV 14 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, City of Brookings Name

898 Elk Drive Mailing Address

Brookings City, OR State, 97415 Zip

record owner of water permit No. 27610, 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, 1994, be extended to October 1, 1999.

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 Engineering and bid award for furnishing and installing third pump in Ranney intake structure;
- (2) prior to this past year Upgraded water filtration plant's capacity. Completed new Ranney intake pump station. Distribution system improvements to accomodate growth.;
- (3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Serving the community needs of a population of about 6,192, a 20% increase over 4 years ago.

(If additional space is required, attach separate sheet)

Paul Strader Chief Operator  
(If signing for a corporation please identify your title)

Dated Oct. 31, 1994

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

Water Resources Department  
158 12th St. NE  
Salem, Oregon 97310

OK  
BC 10-1-99  
JED

EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: 37091 41805 PERMIT NO: 27610 31293

DATE: 1-9-95

1. What service area or base was anticipated by the applicant at the time the permit was granted?
2. What water right development steps has the permittee completed to date?
3. Is the permittee currently meeting all conditions of the permit?
4. What is the current use of water under the permit?
5. What percent of the total allowable use under the permit does the current use represent?
6. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
8. Has there been any change in demand for water or power since the permit was granted?
9. If the extension request is denied, is the current level of water use under the permit economically feasible?
10. Is there an alternate source of water available at this time?
11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?
12. Have there been claims of injury to other water right holders or water users in the area?

REMARKS:

1. A. CHETCO RIV 4CFS MUNI  
B. " 10CFS "

2. PUMP & DISTRIBUTION

RANNEY COLLECTOR INSTALLED

USE: 20% INCREASE DURING LAST 4 YRS

3 YRS

4 NOTHING GIVEN

5.

6. NO ~~FOR~~ COMMENTS

7. NO

8. NO

9. NO, BIDS HAVE BEEN AWARDED FOR ~~ADDITIONAL~~ ENLARGEMENT.

10 NO

11/12 NO INFO

NO LETTERS FROM WATER WATCH

BC 10-1-99

1/25 Am

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **118771**

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

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

RECEIVED FROM: City of Brookings  
BY: \_\_\_\_\_

APPLICATION	37091
PERMIT	27601
TRANSFER	

CASH:  CHECK: #  2422 OTHER: (IDENTIFY)

**TOTAL REC'D \$ 200.-**

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

_____	CASH ACCT.	\$
_____	COST CENTER AND OBJECT CLASS	_____
_____	VOUCHER #	_____

**03-00-0 WRD OPERATING ACCT**

**MISCELLANEOUS**

840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$ <u>100.-</u>
520.000	OTHER (P-6) (IDENTIFY)	\$

**WATER RIGHTS:**

842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

**WELL CONSTRUCTION**

842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
_____	LANDOWNER'S PERMIT	_____	842.024	\$
_____	OTHER (IDENTIFY)	_____		

**06-00-0 WELL CONST. START FEE**

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

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

**07-00-0 HYDRO ACTIVITY**

842.011	POWER LICENSE FEE (FW/WRD)	\$
842.115	HYDRO LICENSE FEE (FW/WRD)	\$
_____	HYDRO APPLICATION	\$

RECEIPT # **118771**

DATED: 11-15-94 BY: D. Bushnell



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

May 20, 1988

378 - 3739

CH2M Hill  
2300 N.W. Walnut Blvd.  
P. O. Box 428  
Corvallis, Oregon 97339

Reference files: 37091 and 41805, City of Brookings

Attention Paul Berg, P.E.

Dear Mr. Berg;

I received a report from John Drolet, Watermaster advising that the proposed change in point of diversion for the City of Brookings from the Chetco River likely will not cause harm or injury to existing water rights.

The requested change is approved. If the new location is established different than proposed, please provide a new map and/or description of the new location.

Please remind the city that the construction of the facilities to make use of the water are to be completed on or before October 1, 1989. If it will not be possible to complete all of the work by that date, the city should request an extension of the time limits when it is known the time limit will not be met.

Sincerely;

Vestal R. Garner, Manager  
Survey/Certificates

CC: John Drolet, Watermaster

CC: Leo Lightle, 5/24/88

April 25, 1990

City of Brookings  
898 Elk Drive  
Brookings, Oregon 97415

ATT: Leo B. Lightle, Engineering Technician

Dear Mr. Lightle:

I have just discovered your letter dated February 21, 1989, requesting a new point of diversion for Permit G-5601. The letter was misplaced causing the long delay. I apologize for any inconvenience this has caused.

The letter refers to Permits 31293 and 27610. It requests that the point of diversion for Permit G-5601 be changed by the same process that allowed the earlier changes of diversion point for the other permits. Unfortunately, the circumstances are not the same. Permits 31292 and 27610 had dates for completion of construction that had not been reached when the request to change diversion points was received. The date construction was to be completed under Permit G-5601 was October 1, 1976. Since over 13 years have passed, it is doubtful that an extension of time would now be allowed.

I suggest that you review the enclosed proposed certificate of water right under Permit G-5601. If you agree with its content we will issue the certificate that perfects the right developed under this permit.

A transfer application for a change in point of diversion could be submitted requesting the change be made to the new point of diversion, once perfected.

Sincerely,

Vestal R. Garner, Manager  
Certificates Section

enclosure

TM: APB

11-17-97

Leo Lightle, Director  
Brookings Public Works Dept.  
898 Elk Drive  
Brookings, OR 97415

file # 41805, pmt # 31293  
37091 27610  
G-5869 G-5601

Dear Mr. Lightle:

Reference is made to our conversation in City Manager Tom Weldon's office this past summer regarding the City's water rights and water use permits on Chetco River. The matter of authorized points of diversion was the subject of that conversation.

The City's two surface water permits were allowed to be transferred upstream to the confluence with N. Fk. Chetco River by authority of the Department's certificates manager, Vestal Garner, in his May 20, 1988 letter (copy attached). That was confirmed in a recent conversation between the current supervisor of the water rights section, Dwight French, and the head of the transfer section, Larry Nunn.

Your attention is also directed to another attached letter; that of Vestal Garner to you, dated April 25, 1990. The items covered in that letter remain valid today--a formal point of diversion transfer is required for the City's 6 cfs 1972 groundwater right. A list of local CWRE's that might assist you with the required transfer is enclosed.

Should you have questions regarding any of the above, please get in touch.

Sincerely,

John P. Drolet  
Watermaster, District 19

JPD/dt

Atch:Garner's 05-20-88 & 04-25-90 ltrs

CF: Dwight French  
Larry H. Nunn  
AJC

bkgxfr2.d19

October 31, 1994

CITY OF BROOKINGS  
898 ELK DRIVE  
BROOKINGS, OR 97415

REFERENCE FILES: 37091, 41805, AND G-5869

ATTN: LEO LIGHTLE

It is my understanding that the site for "Chetco River Well No. 1" has been abandoned in favor of a site upstream. If the well site has been relocated, an application for a change in point of appropriation should be submitted. An application is enclosed.

During the late '80s, there was correspondence regarding the relocation of the diversions identified in permits 27610 and 31293. Our staff concluded that the change could be affected provided there would be no injury to other water users. There are no statutory provisions allowing for changes to a permit. Under current direction, the earlier decision might have been in error.

Please provide us with information about the location of the existing point of diversion for permits 27610 and 31293. It would also be helpful if you advised us as to when the change took place. What was the maximum amount of water diverted from the diversion point of record in Section 34?

If you have questions, do not hesitate to call our staff in Salem or the Watermaster, John Drolet. His number is 396-3121, extension 254.

Sincerely,

Thomas E. Shook  
Water Right Specialist

cc: Watermaster, Drolet



---

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





## STATE OF OREGON

## INTEROFFICE MEMO

TO: Vestal R. Garner, Manager  
Survey/Certificate Section

DATE: 05-16-88

FROM: John P. Drolet, Watermaster *JPD*  
District XIX

RECEIVED

MAY 17 1988

WATER RESOURCES DEPT.  
SALEM, OREGON

SUBJECT: City of Brookings, proposed POD change

REF: your 05-04-88 memo

Reference is made to your above memo and the accompanying material which this office received about a week and a half ago. After reviewing the material, it is my opinion that if the city's permits were to be amended to reflect the proposed upstream POD change, no substantive damage would be done to the single intervening water user, an irrigation right.

The Department maintains a cooperative streamgauging station six river miles upstream from the proposed POD. Twenty years of record for that station indicates that irrigation season flows are generally well above 100 cfs during an average water year. The extreme minimum flow recorded during this period was 45 cfs and that flow was recorded in the month of October which is after the normal irrigation season. The total of the two city rights and the intervening irrigation right is approximately 1/3 of the recorded extreme minimum flow. The greatest damage that can be foreseen in allowing the change would be that the downstream irrigator may have to lengthen or deepen his footvalve's sump in order to accommodate the diminishment of flow if the city exercises its right to the full duty of water allowed.

The minimum flow date for Chetco River is 1964. The intervening irrigation right has a 1962 priority date. Therefore, minimum flow would not be an issue.

If my memory serves me, and it may not in this case, the city's current POD is in T40S R13W Sec 32 SE SE, 750'N 400'W from the SE corner of section 32. You will note that my recollection is at odds with the points of diversion authorized by both city permits. I will likely be in that area in about three weeks. If you would like, I can get an accurate POD location for you at that time. Let me know.



February 1, 1990

RECEIVED

FEB 05 1990

WATER RESOURCES DEPT.  
SALEM, OREGON

Steven P. Applegate, Manager  
Application/Permit Section  
Water Resources Dept.  
3850 Portland Road, NE  
Salem, Oregon 97310

REFERENCE: WATER RIGHTS PERMIT #27610 AND PERMIT #31295 -  
REFERENCE FILE #37091 AND #41805

Dear Sir:

We appreciate receiving your letter confirming the extension of the applications. However, due to all the action on water rights, conservation, etc., I would request a signed copy. Both letters were dated January 16, 1990, and if you could just sign both letters and re-issue them I would appreciate your action.

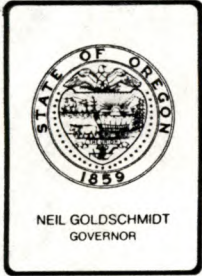
Thank you in advance.

Sincerely,

Leo B. Lightle  
Community Development Director

LBL/dmvm

*Done -  
2/5/90  
SLK*



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

January 16, 1990

CITY OF BROOKINGS  
898 ELK DRIVE  
BROOKINGS OR 97415

Dear Sir or Madam:

Reference File: 37091

Your application for extension of the time limits to complete construction and make complete application of water under the terms of your Permit 27610 was received. We also have your check for \$100.

The application indicates reasonable diligence toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are extended to October 1, 1994.

Sincerely,

STEVEN P. APPLGATE, MANAGER  
Application/Permit Section

receipt enclosed

SPA:wcm

# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED

JAN 11 1990

WATER RESOURCES DEPT.  
SALEM, OREGON

I, City of Brookings  
Name

898 ELK DRIVE  
Mailing Address

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

record owner of water permit No. 27610, 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, 1989, be extended to October 1, 1994; 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, 1989, be extended to October 1, 1994

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 Installed New Rainey Collector -; IN process of completing <sup>new</sup> pump station; Causal to be installed; 9725 LF of 16" Ductile Iron Pipe, and various distribution lines;
- (2) prior to this past year installed 9,295 feet of 6" line, 1,105 feet of 8" waterline, 2,705 feet of 10" waterline, 3,848 feet of 12" waterline plus rebuilding a major pump station;
- (3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Serving the municipal and residential needs of a population of approximately 5139. We had one year of 15% growth.

(If additional space is required, attach separate sheet)

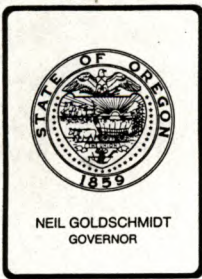
Leo Lightle  
(If signing for a corporation please identify your title)

Dated Jan 8, 1990

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

Water Resources Department  
 3850 Portland Road N.E.  
 Salem, Oregon 97310

*Rec # 60739  
 OK PRC to  
 10-1-94  
 [Signature]*



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

378-3739

November 22, 1989

City of Brookings  
898 Elk Drive  
Brookings, Oregon 97415

REFERENCE: File 37091 and 41805

Enclosed is an application for requesting an extension of the time limits imposed on Permit 27610 and 31293

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, please complete this application in detail describing what has been accomplished.

The application must be received in this office with the statutory filing fee of \$100 for each permit.

Sincerely,

Steven P. Applegate  
Field Crews Supervisor

SPA:cle

Enclosure



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

May 20, 1988

378 - 3739

CH2M Hill  
2300 N.W. Walnut Blvd.  
P. O. Box 428  
Corvallis, Oregon 97339

Reference files: 37091 and 41805, City of Brookings

Attention Paul Berg, P.E.

Dear Mr. Berg;

I received a report from John Drolet, Watermaster advising that the proposed change in point of diversion for the City of Brookings from the Chetco River likely will not cause harm or injury to existing water rights.

The requested change is approved. If the new location is established different than proposed, please provide a new map and/or description of the new location.

Please remind the city that the construction of the facilities to make use of the water are to be completed on or before October 1, 1989. If it will not be possible to complete all of the work by that date, the city should request an extension of the time limits when it is known the time limit will not be met.

Sincerely;

Vestal R. Garner, Manager  
Survey/Certificates

CC: John Drolet, Watermaster



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

May 4, 1988

378 - 3739

CH2M Hill  
2300 N.W. Walnut Blvd.  
P. O. Box 428  
Corvallis, Oregon 97339

Reference files: 37091 and 41805, City of Brookings  
37282, Theodore L. Freeman

Attention Paul Berg, P.E.

Dear Mr. Berg

Permits 27610 and 31293 issued to the City of Brookings allow a diversion of water from Chetco River for the city's municipal supply. Permit 27610 describes a point in the NE 1/4 SE 1/4 Section 33. Permit 31293 describes a diversion point in the SW 1/4 SE 1/4 Section 34, both in T.40 S., R.13 W. WM. The permits approved the locations as proposed by the applications.

You advise the city proposes to relocate their diversion to a point upstream on the Chetco River in the SW 1/4 NE 1/4 of Section 35.

Both permits have time limits to complete the construction of all the facilities to use the water. These expire October 1, 1989 and provides time to make a change in the diversion facilities. As your letter indicates, this is not the concern.

There are as least two water rights located between the points on the stream referenced above. Since we have no way of knowing for sure whether there are users between the actual point in use and the proposed point, we will contact our watermaster, John Drolet, before considering your request.

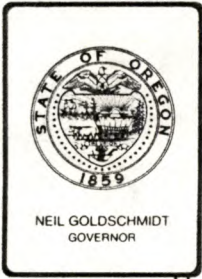
There does appear to be one water right with an older priority than the city's newest permit which would be between the points. It would be possible to divert water belonging to the older right at the proposed point that would not be possible to divert at the existing point. If that occurred, an injury could result. The watermaster can determine if this is a potential problem.

I will attempt to answer your questions as soon as i receive the watermasters report.

Sincerely;

Vestal R. Garner, Manager  
Survey/Certificates

CC: John Drolet, Watermaster



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

May 4, 1988

378 - 3739

John Drolet, Watermaster Dist 19  
Coos County Annex Rm 117  
290 North Central  
Coquille, Oregon 97423

Reference files 37091 and 41805, City of Brookings  
37282 Theodore L. Freeman

Dear John:

The City of Brookings intends to move their point of diversion from Chetco River upstream one or two miles. Enclosed is a copy of a letter from Paul Berg of CH2M Hill posing two questions.

I cannot respond to either question without some help from you. Where is the present point of diversion? Are there any diversions upstream of the existing point but below the proposed point? Our records indicate at least one under certificate 34453 issued to Theodore Freeman.

If the change were to be allowed by the department, would the change, in your opinion cause harm or injury to existing rights? The time limits in the city's permits expire October 1, 1989.

I would like to respond to Mr. Bergs inquiry as soon as possible. Any help you can give me is most appreciated.

Sincerely;

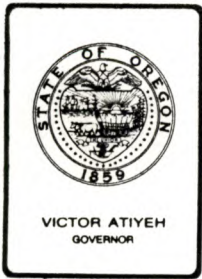
Vestal R. Garner, Manager  
Survey/Certificates

Enclosures:

Letter from CH2M Hill  
Map accompanying letter  
letter of May 4 1988 to CH2M Hill

CC: CH2M Hill





*Water Resources Department*  
MILL CREEK OFFICE PARK

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

PHONE 378-8508

January 16, 1985

City of Brookings  
898 Elk Drive  
Brookings, OR 97415

REFERENCE: Files Numbered 41805 & 37091

Attention: Mr. Leo Lightle

Your applications for an extension of the time limits in which to complete construction and make complete application of water under the terms of your Permits Numbered 31293 & 27610 were received. We also have your check in the amount of \$200.

The applications indicate reasonable diligence has been exercised toward completion of the proposed projects; therefore, the time limit to complete construction and make complete application of water are being extended to October 1, 1989.

Sincerely,

Bruce A. Estes, Supervisor  
Survey/Certificate Section

BAE/jw

Enclosures

# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

**RECEIVED**  
OCT 22 1984  
WATER RESOURCES DEPT  
SALEM, OREGON

I, City of Brookings  
Name  
898 Elk Drive  
Mailing Address  
Brookings, Oregon 97415,  
City State Zip

record owner of water right permit No. 27610, 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<sup>84</sup>, be extended to October 1, 19<sup>89</sup>;  
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, 19<sup>84</sup>, be extended to October 1, 19<sup>89</sup>.

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

within the past year installed 300' of 6" line; installed 900' of 8" line;  
installed two 10 h.p. pumps; installed 1 each 30,000 gallon tank

prior to this past year installed: 11,065 feet of 6" line; 1,543 feet of 2"  
line; 250 feet of 4" line; 2,275 feet of 8" line; 825 feet of 10" line;  
3 tanks, 6,000 gallons each; 4 pump stations

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY  
ACRES HAVE BEEN IRRIGATED) serving the municipal and residential needs  
of a population of approximately 3,853

(If additional space is required, attach separate sheet)

[Signature] City Mgr  
(If signing for a corporation please identify your title)

Dated 10/16/89

# 44393  
\$ 100-  
10-22-89

MAIL COMPLETED APPLICATION AND STATUTORY FEE  
OF ~~200.00~~ FOR EACH PERMIT TO:

\$100- Water Resources Department  
Mill Creek Office Park  
555 13th Street, N.E.  
Salem, Oregon 97310

B-C  
10-1-89  
DAR

Chico Rio 41805  
37091

41820-1  
Ferry Res

CH<sup>2</sup>M  
Paul Berg  
752-4271

378-8508

Application Numbers

37091

41805

October 2, 1984

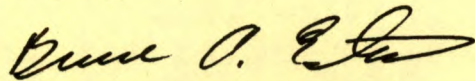
The City of Brookings  
898 Elk Drive  
Brookings, OR 97415

I am enclosing a form for use in making application for an extension of time limits under Permit Numbers 27610 and 31293

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be submitted to this office with the statutory filing fee in the amount of \$100 for each permit.

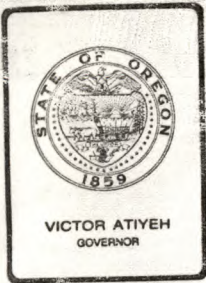
Sincerely,



BRUCE A. ESTES, Supervisor  
Survey/Certificate Section

BAE:wpc

690-10-115  
6164A



## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-8508

July 17, 1980

File No. 37091

Brookings Water Company  
Elmer Bankus, owner  
Brookings, OR 97415

Dear Mr. Bankus:

Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your permit numbered 27610 was received. We also have your check in the amount of \$10.00.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1984.

Sincerely,

Bruce A. Estes, Supervisor  
Survey-Certificate Section

BAE:lrs  
Enclosure: Receipt No. 19313

# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED  
JUN 5 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

I, CITY OF BROOKINGS  
Name  
898 Elk Drive  
Mailing Address  
Brookings, Oregon 97415  
City State Zip

record owner of water right permit No. 27610, 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, 19.79, be extended to October 1, 1984.

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

within the past year Completion of Pump Station, Water Main and 200,000 gallon  
Water Reservoir

prior to this past year

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED)

(If additional space is required, attach separate sheet)



(If signing for a corporation please identify your title)

City Manager/Recorder

Dated June 3, 1980

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$10.00 FOR EACH PERMIT TO:

Water Resources Department  
Mill Creek Office Park  
555 13th Street, N.E.  
Salem, Oregon 97310

B-C  
10-1-84  
DAE

10.00  
7/7/80  
receipt 19313

Phone (503) 469-2163

# CITY OF BROOKINGS

898 Elk Drive  
Brookings, Oregon 97415

The Home of Winter Flowers



June 3, 1980

Mr. Bruce A. Estes, Supervisor  
Survey Certificate Section  
Water Resources Department  
Mill Creek Office Park  
555 13th Street N.E.  
Salem, OR 97310

**RECEIVED**  
JUN 5 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

Dear Bruce:

Thank you for your letter of May 28, 1980 regarding City water permits numbered 27610 and 31293.

Enclosed please find an "Application for Extension of Time" for water permits numbers 27610 and 31293. The usual \$10.00 permit fee will be forwarded to your office immediately upon City Council approval of the City Vouchers for the month of June 1980.

I wish to thank you for the information you gave me over the telephone this morning.

Best regards,



---

Frank Freeman,  
City Manager

FF/pap

Enc.



## *Water Resources Department*

### MILL CREEK OFFICE PARK

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

PHONE 1-800-452-7813  
or 378-8508

May 28, 1980

City of Brookings  
P.O. Box C  
Brookings, OR 97415

Gentlemen:

REFERENCE: Files Numbered 37091 and 41805

We have not received a response from our reminder cards sent you October 23, 1979 concerning the city permit number 27610 and 31293. Permit 27610 was assigned to the City of Brookings in 1974 from Elmer Bankus, owner of the Brookings Water Company. This permit describes the appropriation of 4.0 cfs of water from the Chetco River for municipal use.

The permit was last extended to October 1, 1979 and we now need to know if you have utilized that amount of water under this permit so that we may go to final proof on this; or, if an extension of time is needed.

Permit 31293 was for the use of 10 cfs of water from Chetco River for municipal use. This permit was also last extended to October 1, 1979 and we must be informed whether you have utilized that amount of water or request an extension. Most likely this one will require an extension of time and in the furtherance of saving time on both our parts, I am herewith submitting two extension forms for your use if necessary on both permits.

If appropriate, please fill them out and submit with the amount of \$10 for each permit. Please return them or inform us as soon as possible what the proper status of the two permits should be.

Sincerely,

BRUCE A. ESTES, Supervisor  
Survey-Certificate Section

BAE  
enclosures  
1034A

COPY



378-3739

37091

March 11, 1976

Mr. Charles W. Wicks  
2653 Midway Avenue  
Grants Pass, Oregon 97526

Dear Mr. Wicks:

Elmer Bankus, as owner of Brookings Water Company, applied for and received a permit to appropriate 4.0 cubic feet per second of water of the Chetco River for municipal use in the City of Brookings. We were advised that the City of Brookings purchased the municipal water system from the Brookings Water Company and Elmer Bankus assigned permit No. 27610 to the City.

The problem you cite involves property rights and is a civil matter not within the jurisdiction of this Department. Your attorney is better able to advise you as to your proper course of action.

Sincerely,

James E. Sexson  
Director

JES:whh

RECEIVED Feb 19 - 1976

Dear Sirs;

MAR - 1 1976

WATER RESOURCES DEPT.

SALEM, OREGON

I have a soil erosion problem on the Chetco River near Brookings.

When the water intake for the city water system was installed in the river a rock dike was built out into the river for the pump system. This rock has caused the course of the river to move to the south and is causing erosion on my property downstream.

I wrote the city of Brookings about this and they claim the work was done by a man named Bunkus and is none of their responsibility.

Could you please advise me what to do

Sincerely

Charles W. Weeks

address on  
back

CHARLES W. WICKS  
2653 MIDWAY AVE  
GRANTS PASS  
OREGON  
97526

37091

February 25, 1975

City of Brookings  
Box C  
Brookings, Oregon 97415

Gentlemen:

This will acknowledge your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your permit No. 27610 and your check in the amount of \$5.00 for which our receipt No. 45373 is enclosed.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1979.

Very truly yours,

Trevor Jones  
Assistant

TJ:whh  
Enc: Receipt No. 45373 \$5.00

RECEIVED

FEB 24 1975

STATE ENGINEER  
SALEM, OREGON

Application No. 37091

### Application for Extension of Time

To the State Engineer of Oregon:

I, Robert L. Kerr, Mayor, of City of Brookings state of Oregon, am the owner and holder of Permit No. 27610, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before 10/1/, 1974, and complete application of water is required to be made on or before 10/1/, 1974.

I have heretofore done the following work described under said permit during the past year: Commenced construction of 1.5 MG Reservoir. Constructed minor distribution line improvements. Installed approximately 145 new water services.

and did the following work prior to last year: Constructed a water intake facility on the Chetco River containing two pumps with a combined capacity of 1000 gpm.

costing \$ N/A, and I estimate the cost of completion to be \$ N/A.

I have heretofore used water under said permit to the following extent: Average daily 1.25 cfs; Maximum daily 2.50 cfs.

I am unable to ~~complete construction work~~ } make complete application of water } within the required time, for the following reasons, to wit: City consumptive demand has not reached the limitation of this permit. The City is experiencing a continual expansion of their water supply system.

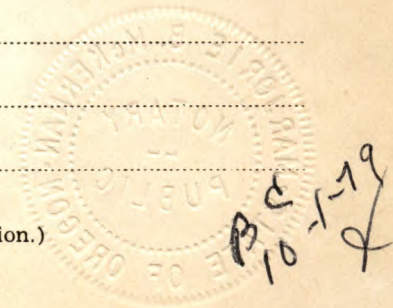
(If additional space is required, attach separate sheet)

**\$5.00 FEE PAID**

REC. NO. 45373 (A fee of \$5.00 for each permit involved must accompany this application.)

DATE 2-24-75

(OVER)



WHEREFORE, I ask that the State Engineer extend the time for the

{ ~~completion of construction work~~  
complete application of water } under said permit to ..... October 1, ..... 19.80.  
(Strike out phrase not applicable)

**AFFIDAVIT OF APPLICANT**

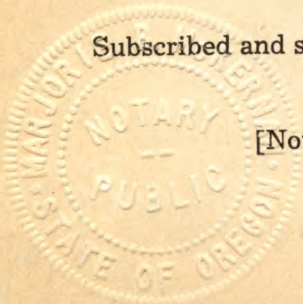
STATE OF ..... OREGON ..... }  
County of ..... CURRY ..... } ss.

I, ..... ROBERT L. KERR ....., being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this ..... 19th ..... day of February .....  
....., 19.75..

*Robert L. Kerr*  
.....

Subscribed and sworn to before me this ..... 19th ..... day of ..... February ..... 19.75.



[Notarial Seal]

*Marjorie B. McKernan*  
.....  
Notary Public for Oregon

My commission expires February 18, 1977

37091

January 31, 1975

City of Brookings  
Box C  
Brookings, Oregon 97415

Gentlemen:

Permit No. 27610 was issued to Brookings Water Company for the appropriation of 4.0 cubic feet per second of waters of Chetco River for municipal purposes and this was assigned last year to the City of Brookings. The time limits to complete the construction of all the facilities and complete the use of water had been extended until October 1, 1974.

I assume full use of water to the extent intended has not been made so if the permit is to be maintained an extension of the time limits must be obtained and I am enclosing an application form for this purpose.

Very truly yours,

Trevor Jones  
Assistant

TJ:whh  
Enc: Application for extension

37091

April 24, 1974

City of Brookings  
Box C  
Brookings, OR 97415

Gentlemen:

The assignment of permit number 27610 from Brookings Water Company to you has been recorded in the records of the State Engineer. Our records have been changed accordingly, and the original is enclosed along with our receipt number 39551, covering the recording fee of \$2.00 you submitted.

Very truly yours,

VESTAL R. GARNER  
Assistant

VRG:mm  
enclosures





STATE  
ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

TOM McCALL  
GOVERNOR

CHRIS L. WHEELER  
State Engineer

RECEIVED

APR 15 1974

STATE ENGINEER  
SALEM, OREGON

R-41870  
41871  
G-5869  
37091

File No.

April 9, 1974

City of Brookings  
Box C  
Brookings, OR 97415

Gentlemen:

Acknowledged is the assignment of water right permits numbered R-4720, 31224, and 27160, and water right application numbered G-5869, and the assignment recording fee of \$2.00.

State statutes provide that the assignment recording fee is \$2.00 per page, therefore, we are recording the assignment of permits R-4720 and 31224 and application G-5869.

We will withhold further action on the assignment of permit numbered 27610 until receipt of the assignment recording fee of \$2.00.

Very truly yours,

VESTAL R. GARNER  
Assistant

VRG:tml

The completed assignment must be submitted to the State Engineer, 1178 Chemeketa St., N.E., Salem, Oregon 97310, together with a recording fee of \$1.00.

\$2.00 FEE PAID

4-15-74

8:00 a.m.

Rec. 39551

**RECEIVED**

MAR 8 1974

STATE ENGINEER  
SALEM, OREGON

R-41870  
41871  
G-5869  
37091

April 9, 1974

City of Brookings  
Box C  
Brookings, OR 97415

Gentlemen:

Acknowledged is the assignment of water right permits numbered R-4720, 31224, and 27160, and water right application numbered G-5869, and the assignment recording fee of \$2.00.

State statutes provide that the assignment recording fee is \$2.00 per page, therefore, we are recording the assignment of permits R-4720 and 31224 and application G-5869.

We will withhold further action on the assignment of permit numbered 27610 until receipt of the assignment recording fee of \$2.00.

Very truly yours,

VESTAL R. GARNER  
Assistant

VRG:tml



STATE  
ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

*Nov. 5 1973*  
~~October 26, 1973~~

TOM McCALL  
GOVERNOR

CHRIS L. WHEELER  
State Engineer

File No. 37091  
G-5869  
R-41870  
41871  
22928

H.G. E. Inc.  
Engineers and Planners  
5th and Highland  
Coos Bay, OR 97420

Attention: Gary L. Dyer, Project Engineer

Dear Sir:

This will acknowledge your letter dated October 18, 1973, regarding Brookings Water Company.

Certificate No. 20734 has been issued in evidence of the completed right under permit No. 18123 for the appropriation of 0.53 cubic foot of water per second from Ransom Creek (sometimes known as Yeisley Creek) with a priority date of February 24, 1948, for municipal use within those parts of Sections 5, 6, 7, and 8, T. 41 S., R. 13 W., W.M. lying West of Chetco River and North of Pacific Ocean. As this is a perfected right there is no provision to assign and record this right in the records of the State Engineer.

Permit No. R-4720 is for the storage of 167.4 acre feet in Ferry Creek Reservoir from Ferry Creek with a priority date of February 10, 1966. Subsequently, new plans (as constructed) were submitted for a capacity of 75.0 acre feet.

Permit No. 31224 with a priority date of February 10, 1966, is for the appropriation of stored water from the Ferry Creek Reservoir for municipal use in:

S $\frac{1}{2}$  SE $\frac{1}{4}$   
Section 31  
S $\frac{1}{2}$  NE $\frac{1}{4}$   
SE $\frac{1}{4}$  NW $\frac{1}{4}$   
NE $\frac{1}{4}$  SW $\frac{1}{4}$   
S $\frac{1}{2}$  SW $\frac{1}{4}$   
SE $\frac{1}{4}$   
Section 32

Gary L. Dyer  
October 25, 1973  
page 2

S $\frac{1}{2}$  NE $\frac{1}{4}$   
S $\frac{1}{2}$  NW $\frac{1}{4}$   
NW $\frac{1}{4}$  SW $\frac{1}{4}$   
NE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 33  
T. 40 S., R. 14W., W.M.  
W $\frac{1}{2}$  NE $\frac{1}{4}$   
Section 5  
All  
Section 6  
All  
Section 7  
All  
Section 8  
T. 41 S., R. 14 W., W.M.

Both permits No. R-4720 and No. 31224 are in the name of Brookings Utilities Company.

Brookings Utilities Company has made application (G-5869) for 6.0 cubic feet per second of water from Chetco River Well No. 1 for quasi-municipal use on August 14, 1972. The place of use is Sections 31 and 32, T. 40 S., R. 13 W., W.M., Section 36, T. 40 S., R. 14 W., W.M., Sections 5, 6, 7, and 8, T. 41 S. R. 13 W., W.M., Section 1, T. 41 S, R. 14 W., W.M.

Permit No. 27610 in the name of Brookings Water Company is for the appropriation of 4.0 cubic feet of water per second from Chetco River with a priority date of September 14, 1961, for municipal use in Sections 5, 6, 7, and 8, T. 41 S., R. 13 W., W.M.

Enclosed are two assignments partially prepared that may be used to assign the rights to the City of Brookings. The assignments should be completed and returned with a recording fee of \$2.00 each.

On August 13, 1973, two partially completed assignments for the same permits and applications were mailed to Mrs. McKernan, Recorder, City of Brookings.

Very truly yours,

Myron V. Bish  
Assistant

MVB:mm  
encl

RECEIVED

OCT 19 1973

STATE ENGINEER  
SALEM, OREGON



ENGINEERS & PLANNERS

COOS BAY, OREGON / 5th AND HIGHLAND 97420 / (503) 269-1166

October 18, 1973

State Engineer  
Water Resources Dept  
1178 Chemeketa St. N.E.  
Salem, Oregon 97310

Re: Brookings Water System  
Project #1391-A-71

Gentlemen:

This is to advise you that the City of Brookings has negotiated to purchase the existing municipal water system from the Brookings Water Company.

Please advise us of the sizes, priority dates, and descriptions of all existing water rights allocated to the Brookings Water Company as the transfer of these rights is desired by the City of Brookings.

Your instructions as to the proper procedure to implement this transfer will be appreciated.

Very truly yours,

H. G. E., INC.

A handwritten signature in cursive script that reads 'Gary L. Dyer'.

Gary L. Dyer, P.E.  
Project Engineer

GLD:jb

cc: Cameron Thom



# STATE ENGINEER

## WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

August 13, 1973

TOM McCALL  
GOVERNOR

CHRIS L. WHEELER  
State Engineer

File No. R-41870

City of Brookings  
Mrs. McKernan, Recorder  
Brookings, Oregon 97415

Dear Mrs. McKernan:

Permits R-4720 and 31224 and application G-5869 are in the name of Brookings Utility Company and permit 27610 is held by Brookings Water Company.

I have partially prepared two assignments so there may be assigned to City of Brookings. The assignments should be completed and returned with a recording fee of \$1.00 each. After the assignments have been recorded we will write further regarding the permits and application.

Very truly yours,

  
Trevor Jones  
Assistant

TJ:st  
Enc.

October 15, 1973

Gary L. Dyer, P.E.  
Engineers & Planners  
5th and Highland  
Coos Bay, OR 97420

Re: Brookings Water System  
Project # 1391-A-71

Dear Mr. Dyer:

Thank you for your letter of October 11, 1973, requesting information regarding the Brookings Water Corporation water right from Ransom Creek.

Our records show that certificate of water right recorded at Page 20734, State Record of Water Right Certificates, has been issued to Brookings Water Company for the use of 0.53 cubic foot of water per second from Ransom Creek for municipal purposes under a priority date of February 24, 1948. The use of water is described as being that part lying West of the Chetco River and North of the Pacific Ocean in Sections 5, 6, 7, and 8 of Township 41 South, Range 13 West, W.M.

This is the only water right allowing the use of water from Ransom Creek under the name of Brookings Water Company.

If we can be of further assistance, do not hesitate to call on us.

Very truly yours,

THOMAS E. SHOOK  
Assistant

TES:mm



RECEIVED

OCT 12 1973

STATE ENGINEER  
SALEM, OREGON



ENGINEERS & PLANNERS

COOS BAY, OREGON / 5th AND HIGHLAND 97420 / (503) 269-1166

October 11, 1973

State Engineer  
Water Resources Department  
1178 Chemeketa Street N.E.  
Salem, Oregon 97310

Re: Brookings Water System  
Project #1391-A-71

Gentlemen:

Please advise us of the size, priority date, and description of any water right allocation to Brookings Water Corporation for water from Ransom Creek in Curry County, near Brookings, Oregon.

Very truly yours,

H. G. E., INC.

A handwritten signature in cursive script that reads "Gary L. Dyer".

Gary L. Dyer, P.E.  
Project Engineer

GLD/nh



AN ORIGINAL POLAROID® LAND PHOTOGRAPH

SUBJECT Bankus Well DATE 1/3/73

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

	REGULAR SIZE COPIES	<input type="checkbox"/>
	WALLET SIZE COPIES	<input type="checkbox"/>
	5 x 7 ENLARGEMENTS	<input type="checkbox"/>
	8 x 10 ENLARGEMENTS	<input type="checkbox"/>
	35mm SLIDES	<input type="checkbox"/>

For your convenience when ordering copies, indicate the number of copies desired in the appropriate box for the size(s) you select.

P558A-1 5/70

Printed in U.S.A.

AN ORIGINAL POLAROID® LAND PHOTOGRAPH

SUBJECT Bankus Well DATE 1/3/73

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

	REGULAR SIZE COPIES	<input type="checkbox"/>
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	35mm SLIDES	<input type="checkbox"/>

For your convenience when ordering copies, indicate the number of copies desired in the appropriate box for the size(s) you select.

P558A-1 5/70

Printed in U.S.A.



**STATE  
ENGINEER**

**RECEIVED**  
JAN 16 1973  
STATE ENGINEER  
SALEM, OREGON

**WATER RESOURCES DEPARTMENT**

DOUGLAS COUNTY COURTHOUSE • ROSEBURG, OREGON • 97470 • Ph. 672-3311

TOM McCALL  
GOVERNOR

January 15, 1973

FILE NO.

CHRIS L. WHEELER  
State Engineer

Chris L. Wheeler  
State Engineer  
1178 NE Chemeketa St.  
Salem, Oregon 97310

Re: Diversion Works constructed  
for Elmer Bankus, Brookings

Dear Mr. Wheeler:

On January 3, 1973, I investigated Mr. Bankus' diversion on the Chetco River as requested by Mr. Carver, by telephone on January 2, 1973.

Mr. Carver had indicated the project was located in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 24, Township 40 South, Range 13 West, W.M. I was unable to locate any construction or signs of recent activity in that area. There was, however, a project as described being completed downstream. At the time of inspection I erroneously reported the project in Section 34. On January 10, 1972, Norman Yock and Mrs. John Curry jointly placed the fill and diversion works in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 33, Township 40 South, Range 13 West, W.M., on the right bank (north side) of the Chetco River. Their information cross checks within 0.05 of a mile. I was informed by the crane operator at the construction site several test holes were dug in Section 24, but it was decided the present site was more desirable.

The installation consists of a steel casing 6 $\frac{1}{2}$  feet in diameter by + 35 feet set vertically in the Chetco River approximately 75 feet from the edge of the county road. Mr. Bankus has the tank portion of a railroad tank car to act as the casing for the project. The bottom 5 feet of the casing is perforated. I was informed 300 yards of washed gravel was placed at the base of the tank and filled as shown on the two photos previously mailed to Mr. Carver. I estimate the height of the fill to be +20 feet, with 8-10 feet of casing exposed. I estimate 5-10 feet could be buried in the bed of the Chetco River.

Page 2-  
Chris L. Wheeler  
January 15, 1973

A 40 H.P. G.E. turbin pump was being installed at the time of my inspection. The crane operator informed me another would be installed at a later date.

The rip-rap shown on one of the photos is located on the downstream side of the fill. The upstream side is better protected with additional amounts of rip-rap.

The Chetco River has quite high velocities during peak flows and carries considerable bed load. In observing the fill, I believe undermining of the rip-rap could occur at the point (most southerly portion) of the fill. Since the bed of the river is consistantly moving, there could be problems in holding the fill if it was not properly toed into the gravel bar.

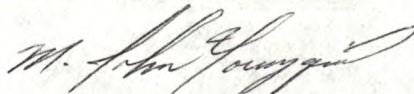
The fill will tend to collect additional gravels on the bar upstream and, in all probability, cause the main flow of the Chetco to shift somewhat towards the left bank. I am not familiar enough with the river to predict what damage to banks or effects on downstream gravel deposits will occur resulting from the fill.

John Curry of Brookings, Oregon, recently filed a complaint concerning a fill in the Chetco. The fill he referred to is the one described above.

I intend to observe the fill and its effects on the river on my monthly Brookings trip.

Please contact me if you have any questions.

Yours truly,



M. John Youngquist  
Watermaster

MJY:ey



STATE OF OREGON

INTEROFFICE MEMO

TO: Files G-5869 & 37091

DATE: January 24, 1973

FROM: Wayne J. Overcash

SUBJECT: Status of G-5869

Mr. Bankus visited the office this morning for the purpose of advising that they wish to keep their application No. G-5869 in effect. He indicated that they have done work on their diversion point on the Chetco River because they needed water and that they have dug down to bed rock (about 24 feet) at the well site described in application No. G-5869.

*WJ*

January 10, 1973

37091  
G-5869

Brookings Water Company  
Elmer Bankus, President  
Brookings, Oregon 97415

Dear Mr. Bankus:

You made application for a permit to appropriate water from a well by the Chetco River in the NW¼ NE¼, Section 24, Township 40 South, Range 13 West. It is our understanding that you have proceeded with construction of a diversion facility located more nearly the point described in your permit No. 27610, than the point described in your application G-5869. If this is to be the source of water, do you intend to later continue with the well construction you described in your application G-5869 or will you withdraw the application? A permit approving your application G-5869 has not been issued so the application can be withdrawn and the unearned fees of \$20.00 can be refunded.

Very truly yours,

Trevor Jones  
Assistant

TJ:st

August 28, 1972

G-5869  
37091

Brookings Utilities Company  
P. O. Box 610  
Brookings, OR 97415

Gentlemen:

This will acknowledge an application for a permit to appropriate 6.0 cubic feet of water per second from Chetco River Well number 1 for Quasi-Municipal purposes, a reproducible map of the diversion point and four prints, and the fees of \$35 for which our receipt numbered 30197 was handed to you.

This application has been filed and numbered G-5869 and is in satisfactory form for approval by the issuance of a permit.

Very truly yours,

THOMAS E. SHOOK  
Assistant

TES:krc



June 24, 1970

37091

Brookings Water Company  
Elmer Bankus, President  
Brookings, Oregon 97415

Dear Mr. Bankus:

This will acknowledge your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your permit No. 27610 and your fees in the amount of \$5.00 for which our receipt No. 18488 was handed to you.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1974.

Very truly yours,

Trevor Jones  
Assistant

slv

Encls

### Application for Extension of Time

To the State Engineer of Oregon:

I, Elmer Bankus, President, of Brookings Utilities Co., Brookings state of Oregon, am the owner and holder of Permit No. 27610, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before 10-1, 1969, and complete application of water is required to be made on or before 10-1, 1969.

I have heretofore done the following work described under said permit during the past year:

None

and did the following work prior to last year: For the past five years we have used a portable switch house with chlorinator and a portable two stage Fairbanks Morse pump with 60 HP motor, also a 30 HP, single stage Pacific pump in the line at a 214 foot elevation above the river, together with 2 1/2 miles of 8, 10, & 12 inch supply lines.

costing \$....., and I estimate the cost of completion to be \$ 75,000.00

I have heretofore used water under said permit to the following extent: For past five years.

I am unable to { complete construction work } within the required time, for the following reasons, to wit: due to many extensions required in our water system to serve the people and an expensive canal constructed around Ferry Creek reservoir to eliminate murky water during winter storms.

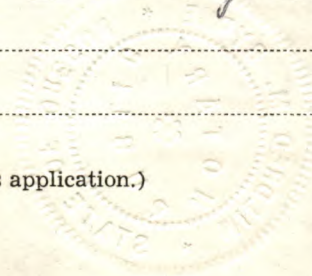
which delayed completion of permanent galleries in river

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

\$5.00 FEE PAID  
REC. NO. 18488  
DATE 5/6/70

(OVER)



*BC*  
*10-1-74*  
*[Signature]*

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }  
{ ~~complete application of water~~ } under said permit to October 1, 19 74  
(Strike out phrase not applicable)

**AFFIDAVIT OF APPLICANT**

STATE OF Oregon }  
County of Curry } ss.

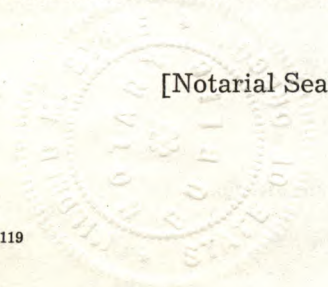
I, Elmer Bankus, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of May, 19 70.

*Elmer Bankus*

Subscribed and sworn to before me this 5th day of May, 19 70.

[Notarial Seal]



*Michael M. Byrne*  
Notary Public for Oregon

My commission expires May 28, 1971.



STATE OF OREGON

STATE ENGINEER  
WATER RESOURCES DEPARTMENT  
516 PUBLIC SERVICE BUILDING

SALEM 97310

March 24, 1970

REFER TO FILE NO. 37091

Brookings Water Company  
Elmer Bankus, owner  
Brookings, OR 97415

Dear Mr. Bankus:

According to the terms of your permit No. 27610, for the appropriation of 4.0 cubic feet per second of water from Chetco River for municipal use, complete application of water was to have been made by October 1, 1969.

Complete application of water means the application of water to beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 30, 1969.

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

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

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

Very truly yours,

CHRIS L. WHEELER  
State Engineer

Form 100  
Certified  
Return receipt requested

December 4, 1967

Brookings Water Company  
Brookings  
Oregon 97415

Attention: Mr. Elmer Bankus

Gentlemen:

This will acknowledge receipt of an application for extension of the time limits in which to complete construction and make complete application of water under the terms of your Permit No. 27610, and a fee of \$5 for which our Receipt No. 6848 was handed to you.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1969.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

By  
Trevor Jones  
Assistant

TJ:py

### Application for Extension of Time

To the State Engineer of Oregon:

I Brookings Water Co., of Brookings state of Oregon, am the owner and holder of Permit No. 27610, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before 10-1, 1967, and complete application of water is required to be made on or before 10-1, 1967.

I have heretofore done the following work described under said permit during the past year:

Have all material on hand to construct  
Gallego (14 tan of standard pipe and  
screen). Have two turbines pump to install  
and did the following work prior to last year:

Have use water for past three years  
by installing temporary 2 stage F.B.  
three pumps with 60 H.P. M. and  
30 H.P. Pacific single 3 in booster pump  
costing \$5000<sup>00</sup>, and I estimate the cost of completion to be \$30000.

I have heretofore used water under said permit to the following extent: Last 3 years

500,000 gals a day during summer Mos.

I am unable to { complete construction work } within the required time, for the following  
{ make complete application of water }  
(Strike out phrase not applicable)

reasons, to wit: Partly time and finance

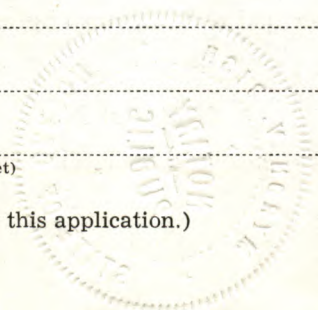
(If additional space is required, attach separate sheet)

\$5.00 FEE PAID (A fee of \$2.00 for each permit involved must accompany this application.)

REC. NO. 6848

(OVER)

DATE 11-27-67



BC  
10-1-69  
♀

Application for Extension of Time

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }  
{ complete application of water }  
(Strike out phrase not applicable)

under said permit to

Oct. 1

19

69

~~68~~

AFFIDAVIT OF APPLICANT

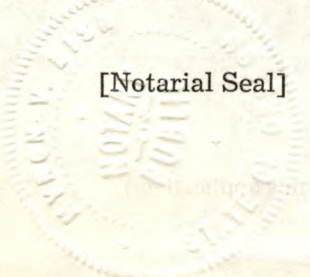
STATE OF Oregon }  
County of Marion } ss.

I, Elmer Bankus, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 27 day of November, 1967.

Elmer Bankus

Subscribed and sworn to before me this 27 day of November, 1967



[Notarial Seal]

Myron V. Bish

Notary Public for Oregon

My commission expires Nov. 3, 1968

March 11, 1966

Honorable Bruce J. Manley  
Mayor of Brookings  
P. O. Box 1308  
Brookings, Oregon

Dear Mayor Manley:

With reference to your letter of February 24 and Governor Hatfield's reply of March 7, I did not prepare a final report of the Brookings water system last October. All the essential parts of my findings and recommendations were given orally to you and the city council at your afternoon meeting of October 14.

You will recall that the bulk of my findings and recommendations concerned the steps needed to be taken in order to obtain an emergency supply adequate to meet the city's needs. This involved moving an existing river pump to the booster pump site and installation of a new pump at the river. The new pump was to have a capacity of about 1.0 cubic foot per second and a maximum closed discharge head of 100 psi.

It was further suggested for the long range program that the city should hire a consulting engineer to evaluate their problem and the condition of the existing system and recommend the course of action to the city.

With reference to your present problem, as you were advised by Mr. Steimer of my office, the present flow of Ferry Creek is about five times the city's use. When measured last week, there was 3.4 cubic feet per second of water overflowing the diversion and passing on downstream. With the present stream flow, there would be no difficulty or shortage of water as the result of the reservoir being empty. Shortage for fire protection, should it develop, would be a result of inadequate mains or problems in the distribution lines.

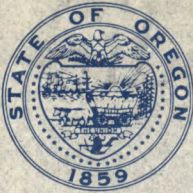
Sincerely,

CHRIS L. WHEELER  
State Engineer

CLW:eh

cc - Honorable Mark O. Hatfield





MARK O. HATFIELD  
GOVERNOR

OFFICE OF THE GOVERNOR  
STATE CAPITOL  
SALEM 97310

March 7, 1966

**RECEIVED**  
MAR 10 1966  
STATE ENGINEER  
SALEM OREGON

Mr. Bruce J. Manley  
City of Brookings  
Post Office Box 1308  
Brookings, Oregon

Dear Mr. Manley:

Thank you for your letter concerning the Brookings Water Company and its current status. By copy of this letter, I am asking Mr. Chris Wheeler, State Engineer, to forward a copy of his report to you.

Mr. Warne Nunn relayed to me the conversations he had with you at the time you met in Gold Beach, and we have since directed the appropriate State agencies to look into the matters which you raised. I assume that by now you have been contacted by representatives of the Public Utilities Commissioner's office and possibly other agencies.

Please be assured of our continuing interest and our desire to work with you in every way possible.

Sincerely,

Governor

MOH:nc

cc: Mr. Chris Wheeler ✓

COPY

# CITY OF BROOKINGS

P. O. Box 1308 ★ 702 Chetco Ave.

Brookings, Oregon

February 24, 1966

The Honorable Mark O. Hatfield  
Governor of Oregon  
Salem, Oregon

Dear Governor Hatfield:

I am enclosing pictures of the Brookings Water Company reservoirs and sources of supply which were taken in my presence Wednesday afternoon, February 23rd. The first four show the larger reservoir, the next four the smaller. The rest show other sources.

As you can see, the larger reservoir is virtually dry, and the use of both plus the other sources still leaves the city without fire protection.

The city learned of this condition the evening of February 18th when the Fire Department held a practice drill. When they turned on the water, they had no pressure.

The Brookings Water Company informs us that they are cleaning and repairing the reservoir and that the present condition will continue until about March 15th.

In addition to the fire hazard presently existing, the local health officer tells me that we have about 90 to 95 cases of infectious hepatitis in the Brookings Harbor area. He does not know the exact number, since all cases are not reported directly to him and some illnesses suspected of being hepatitis have not yet been diagnosed.

The source of the hepatitis has not been traced to the water; however, the open reservoirs and the scant supply, which allows air to enter the lines thereby creating suction, can draw contamination into the water. This condition has us all concerned.

Since the water bond issue was passed last December 22nd, we have been trying to get a price from Mr. Bankus, and we still hope to do so, although we do not appear to be making much progress. We have also been studying plans for establishing a system without an agreement from him.

Is it possible for you to send us a copy of the report made by Mr. Chris Wheeler last October? Also could we have an investigation of the present system made by the state health department?

We shall, of course, welcome any suggestions you may have. We appreciate your concern with our problem.

Best regards.

Very sincerely yours,

Bruce J. Manley

BJM/mkd  
encls

*"Home of Winter Flowers"*

FEB 26 1966

STATE ENGINEER

Mr. Warne Nunn

March 8, 1966

Mr. Chris Wheeler

City of Brookings' water system

I had two of my engineers look over the Brookings water system last week, as requested.

The draining of the reservoir was to permit annual cleaning and certain modifications to the system. At this time of year there is adequate water supply in the stream and there is no need to utilize stored water to provide daily demand or have a supply in the event of a fire.

There was approximately four times as much water overflowing the intake as the system was using during the peak period of the day. If a shortage of water develops during the fire, it will be because of inadequate mains down in the town rather than the reservoir being empty for cleaning.

This information was orally conveyed to Mayor Manly.

CLW:eh

October 5, 1965

Brookings Water Company  
Brookings  
Oregon

Attention Mr. Elmer Bankus

Gentlemen:

The time limits in which to complete construction work and make complete application of water under the terms of permit No. 27610 are being extended to October 1, 1967.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

By  
Trevor Jones, Assistant

eh

### Application for Extension of Time

To the State Engineer of Oregon:

I, Brookings Water Co., of Brookings state of Oregon, am the owner and holder of Permit No. 27610, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before Oct 1, 1965, and complete application of water is required to be made on or before Oct 1, 1965.

I have heretofore done the following work described under said permit during the past year:

all pipe line construction from intake location on Clats River to city limits of Brookings, Oregon.

and did the following work prior to last year:

Have temporary pumping plant ready for use 2 1/2" Pen - Fairbanks Morse 2 stage pump with 60 H.P. electric motor. A deep well pump will be installed later  
costing \$....., and I estimate the cost of completion to be \$ .....

I have heretofore used water under said permit to the following extent: Not used.

I am unable to { complete construction work / make complete application of water } within the required time, for the following reasons, to wit: Have not completed diversion connection and 1200 ft of pipe line at city limits to main supply line from Ferry Creek Res.

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

\$2.00 FEE PAID

Receipt 6738

BC 10-1-67



Application for Extension of Time

To the State Engineer of Oregon

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work } under said permit to Oct 1, 19 67  
{ complete application of water }  
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }  
County of Marion } ss.

I Elmer Bankus, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 13 day of Sept, 19 65

[Signature of Elmer Bankus]

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_



[Notarial Seal]

[Signature of Trevor Jones]  
Notary Public for Oregon

My commission expires Aug 6 1968

37091  
G-2165

October 23, 1963

Mr. Elmer Bankus  
Brookings Water Company  
Brookings, Oregon

Dear Mr. Bankus:

This will acknowledge your applications for an extension of time limits in which to complete construction and make complete application of water under the terms of your permits numbered 27610 and G-2094, and your check in the amount of \$4 for which our receipt No. 40005 is enclosed.

The applications indicate reasonable diligence has been exercised toward completion of the proposed projects; therefore the time limits are being extended to October 1, 1965.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

By  
James W. Carver, Jr., Assistant

ek

Enclosure

### Application for Extension of Time

To the State Engineer of Oregon:

I, Elmer Bankus, of Breakings Meter Co  
state of ....., am the owner and holder of Permit No. 27610, to  
appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or  
before Oct. 1, 1963, and complete application of water is required to be  
made on or before Oct. 1, 1964.

I have heretofore done the following work described under said permit during the past year:

4100' of 8" pipe laid (Permits # G-2094 & 27932)  
a part of overall project.

and did the following work prior to last year: Approx. 3500' of pipe (8")

costing \$ 45,600<sup>00</sup>, and I estimate the cost of completion to be \$ 13,800<sup>00</sup>

I have heretofore used water under said permit to the following extent: None

I am unable to { complete construction work  
~~make complete application of water~~ } within the required time, for the following  
(Strike out phrase not applicable)

reasons, to wit: Necessary to do work when weather  
permits and as money is available

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

Ex to 65 (over)  
(app)

\$2.00 FEE PAID





Application for Extension of Time

To the State Engineer of Oregon

Elmer Bankus  
an its owner and holder of Permit No. 3111

approximate the public water of the state of Oregon

Under the terms and conditions of said permit, construction work is required to be completed

before Oct. 1, 1965

Under the terms and conditions of said permit, construction work is required to be completed

I have heretofore done the following work (as described under said permit) during the term

of the permit to-wit: (Project # 1 - 1965) - 1000 ft. of pipe

and the following work due to last year: Application for 3000 ft. of pipe

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }  
{ complete application of water } under said permit to Oct. 1, 1965.  
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }  
County of Marion } ss.

I, Elmer Bankus, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of October, 1963

Elmer Bankus

Subscribed and sworn to before me this 14th day of October, 1963



[Notarial Seal]

Walter M. Perdue  
Notary Public for Oregon

My commission expires Jan 17, 1967

37091

516 Public Service Building  
December 19, 1961

Brookings Water Company  
Elmer Bankus, owner  
Brookings, Oregon

Dear Mr. Bankus:

37091, Permit No .27610 with blueprint.

October 26, 1961

Brookings Water Company  
Brookings,  
Oregon

Attention Mr. Elmer Bankus

Gentlemen:

Your application number 37091 has been approved by issuance of a permit which grants the right to appropriate not to exceed 4.0 cubic feet of water per second from Ghetco River within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 33, Township 40 South, Range 13 West for municipal purposes by the City of Brookings. You are therefore authorized to carry out the proposed appropriation of water as described by the application.

The permit will not be mailed to you until the necessary entries in the records of this office have been completed sometime next month. In the meantime this letter will serve as evidence of your right to appropriate water as allowed by the permit.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
James W. Carver, Jr.  
Assistant

JWC:mgb

37091

September 28, 1961

Brookings Water Company  
c/o Elmer Bankus  
Brookings, Oregon

Gentlemen:

This will acknowledge receipt of your application for a permit to appropriate 4.0 cubic feet of water per second from Chetco River for municipal purposes and fees in the sum of \$26.00 for which our receipt numbered 31119 is enclosed.

The application which has been examined and filed under file number 37091 appears to be in satisfactory form to be considered for approval by issuance of a permit with the next group.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
Walter N. Perry, Assistant

mgb  
Enclosure

Tucson Myers

January 23, 1973

Chris Wheeler

John K. Curry complaint  
President of Ferry Creek Rock & Concrete, Inc.

Ap. 37091  
41805  
G-5869

With further reference to your letter of December 6, 1972 concerning the complaint from John K. Curry addressed to the Board and the meeting which Jim Carver attended for me concerning this work, I have had my watermaster make two inspections of this project and it appears to be within the provisions of water right permit No. 27610 and is therefore exempt from jurisdiction of the fill and removal law.

From the inspections made by my watermaster it does not appear that this fill is any hazard to downstream property owners or to fishlife. The actual diversion and use of water from this point has been in existence for several years with a temporary structure and the present work is intended as a permanent facility. The matter has been discussed with the complainant, Mr. Curry, and we will continue to monitor any additional work done.

CLW:eh

cc - Mr. John Youngquist



Mapped, edited, and published by the Geological Survey  
Control by USGS and USCGS

Topography from aerial photographs by multiple methods  
Aerial photographs taken 1952, Field Check 1954  
Hydrography compiled from USCGS Chart 5896 (1951)  
Polyconic projection, 1927 North American datum  
10,000-foot grid based on Oregon coordinate system, south zone  
Dashed lines indicate approximate locations  
Unchecked elevations are shown in brown  
1000-meter Universal Transverse Mercator grid ticks,  
zone 10, shown in blue

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**STATE WATER  
RESOURCES BOARD**

**RECEIVED**  
DEC 7 1972  
STATE ENGINEER  
SALEM OREGON

1158 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3671

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MRS. MARION T. WEATHERFORD  
Arlington

FRED D. GUSTAFSON  
Director

December 6, 1972

*Called John Y. on 12-11-72  
He will check on this  
week of 18th  
WMP*

Mr. Chris Wheeler  
State Engineer  
1178 Chemeketa Street N. E.  
Salem, Oregon 97310

Dear Mr. Wheeler:

The enclosed letter concerns a dike placed in the Chetco River, apparently to protect a diversion (permit application G-5869). Under the provisions of ORS 541.695, projects of this nature are not subject to the permit requirements of Oregon's fill and removal laws. However, the structure may fall within the regulatory authority of your office.

Please inform us of any action taken by your office.

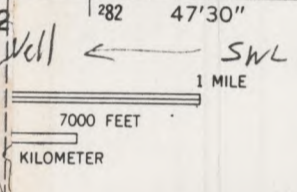
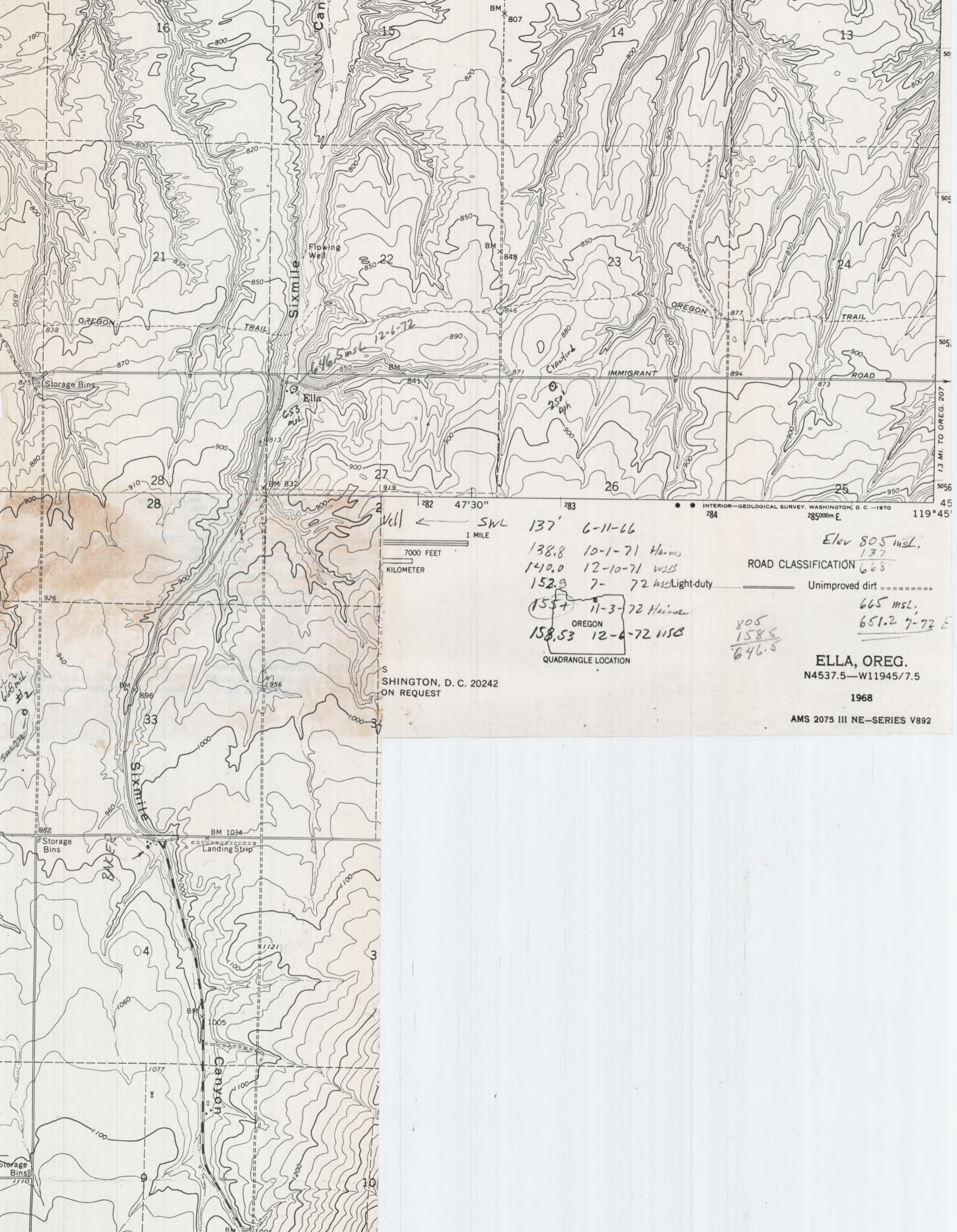
Sincerely,

*Tucson H. Myers*

Tucson H. Myers, N.E.  
Acting Director

THM/tw  
Enclosure

cc: Fish Commission of Oregon  
Division of State Lands



Well ← SWL 137' 6-11-66  
 138.8 10-1-71 Haines  
 140.0 12-10-71 WSB  
 152.3 7- 72 WSB Light-duty  
 155+ 11-3-72 Haines  
 158.53 12-6-72 WSB

Elev 805 msl.  
 137  
 ROAD CLASSIFICATION 668  
 Unimproved dirt -----  
 665 msl.  
 651.2 7-72 E

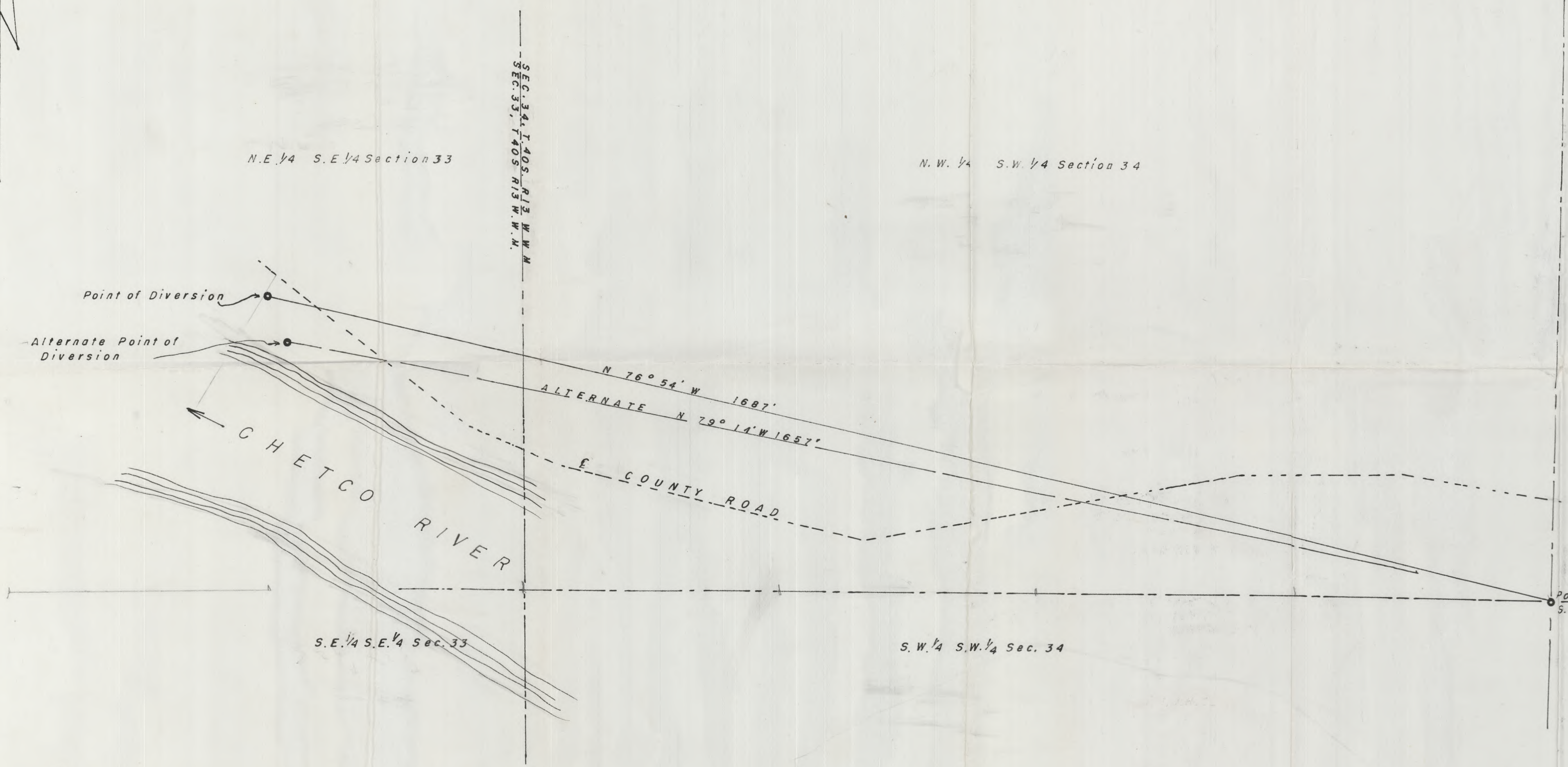
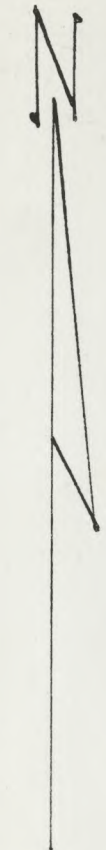
**ELLA, OREG.**  
 N4537.5—W11945/7.5  
 1968  
 AMS 2075 III NE—SERIES V892

WASHINGTON, D. C. 20242  
 ON REQUEST

INTERIOR—GEOLOGICAL SURVEY, WASHINGTON, D. C.—1970  
 284 285000m E 119°45'



RECEIVED  
MAY 21 1956  
STATE ENGINEER  
SALEM, OREGON



I, J. H. CLABBY, of Medford, Oregon  
do hereby certify that this map was made from  
notes taken during an actual survey made by me  
on May 19, 1956; that the monument shown on this  
map was a fence post claimed by adjacent property  
owners to be S.W. Cor. of N.E. 1/4 of S.W. 1/4 Sec. 34,  
Twp. 40S, R. 13 W. W. M., CURRY CO., OREGON

*J. H. Clabby*



Point of beginning  
S.W. Cor. N.E. 1/4 S.W. 1/4 Sec. 34  
S.E. 1/4 S.W. 1/4 Sec. 34

LOCATION MAP  
WATER DIVERSION from CHETCO RIVER  
for  
CITY of BROOKINGS, CURRY CO., OREGON  
MAY 20, 1956 Scale: 1" = 100'

Application of Brookings Water Co.

Application No. 37091  
Permit No. 27610

Application No. 30168  
Permit No. 24160



STATE OF OREGON

INTEROFFICE MEMO

TO: James Carver, Jr.  
Deputy State Engineer

DATE: January 3, 1973

FROM: M. John Youngquist  
Watermaster

SUBJECT: Elmer Bankus diversion on Chetco River

Dear Mr. Carver:

Enclosed are pictures taken of the Elmer Bankus diversion on the Chetco River.

A complete report will follow on Friday. *(by phone)*

*R. Montague says fill in*

*SW 1/4 NE 1/4 Sec 33, T40S, R13W.*



## STATE WATER RESOURCES BOARD

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SALEM, OREGON

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GOVERNOR

December 6, 1972

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MRS. MARION T. WEATHERFORD  
Arlington

FRED D. GUSTAFSON  
Director

Mr. John K. Curry, President  
Ferry Creek Rock and Concrete, Inc.  
P. O. Box A  
Brookings, Oregon 97415

Dear Mr. Curry:

We have investigated the situation on the Chetco River called to our attention in your recent letter. The structure has apparently been constructed to protect a ground water well within the river channel.

Since the diversion is covered by permit application number G-5869 with the State Engineer, the structure is not subject to the permit requirements of Oregon's fill and removal laws. And, under these circumstances, we have no statutory authority to seek the removal of the material.

However, we have referred your letter to the State Engineer who may have jurisdiction.

Sincerely,

Tucson H. Myers, P.E.  
Acting Director

THM/tw

cc: Fish Commission of Oregon  
Division of State Lands  
William Mullarkey  
Chris Wheeler, State Engineer

P-31293  
100' up stream

FERRY CREEK ROCK & CONCRETE, INC.  
P. O. Box K  
Brookings, Oregon 97415

RECEIVED  
DEC 7 1972  
STATE ENGINEER  
SALEM OREGON

November 14, 1972

RECEIVED  
NOV 16 1972  
STATE WATER RESOURCES BOARD

Oregon State Water Resources Board  
500 Public Service Building  
Salem, Oregon 97310

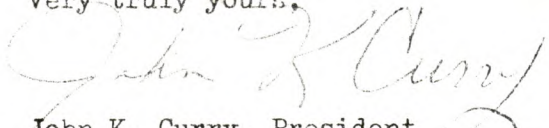
Gentlemen:

I am a riparian owner along the Chetco River at approximately two and a half to three miles from the mouth of the river, and am writing to call your attention to a substantial fill or dike into the bed of the Chetco River opposite my lands from the opposite or north bank. This dike which is approximately 20 feet high and 70 feet in length is extending into the river in such a way as to interfere with the present flow and will divert the channel causing a real potential for harm for us and other land owners.

On the other hand, if this dike does not withstand high water it will wash down on the land which supplies us with aggregate for cement, thus making it unsuitable for this purpose, therefore, it is my contention that it should be removed, in it's entirety, as soon as possible.

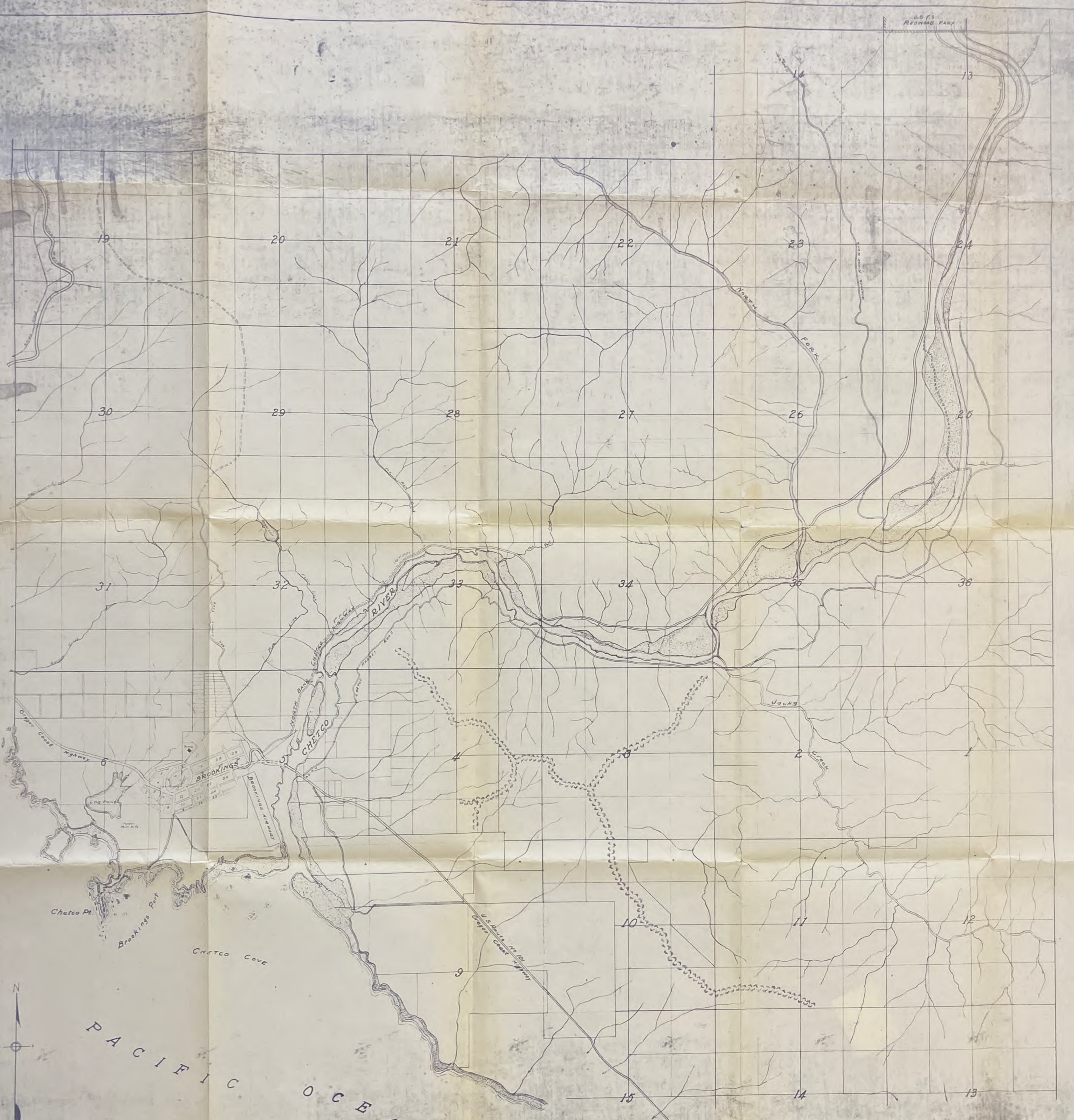
This dike would also appear to have consequences within your jurisdiction with respect to environment and the fish migration in the river.

Very truly yours,



John K. Curry, President  
FERRY CREEK ROCK & CONCRETE, INC.

JKC/pli



PACIFIC OCEAN

Scale 1"=1000'



MAP OF  
 BROOKINGS & VICINITY  
 CURRY COUNTY, OREGON

Scale: 1 in. = 400 ft.

©, 12-C, 57, Etc. Indicates Block, Tract, or Assessors Lot Number.

To be used with  
 G-5869  
 Brookings Utilities  
 Company