





RECEIVED  
MAY 1 1978  
WATER RESOURCES DEPT.  
SALEM, OREGON

OK  
LMT

**IMPORTANT**—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that a Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the actual production and survey which will be made in response to the filing of this Form C.  
NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Submit, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.  
Application No. 56131

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**  
William S. Foster, the holder of Permit No. 41955

I have to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 15th day of August, 1977.

Remarks: \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of April, 1978

*William S. Foster*  
William S. Foster  
Rt. #1, Box 1700 Bandon, Oregon 97411  
(Address)



S-56131

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BANDON CROSSINGS LLC  
121 DEER VALLEY DR  
EUGENE OR 97405

confirms the right to use the waters of LOWER TWO MILE CREEK and UNNAMED STREAM, tributary to PACIFIC OCEAN for IRRIGATION OF 12.5 ACRES and POND MAINTENANCE of BANDON CROSSINGS RESERVOIR CONSTRUCTED UNDER PERMIT R-14280.

This right was perfected under Permit S-41955. The date of priority is JUNE 27, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.16 CUBIC FOOT PER SECOND (CFS), BEING NO MORE THAN 0.008 CFS AND NOT TO EXCEED 1.5 ACRE-FEET PER YEAR FOR POND MAINTENANCE, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	14 W	WM	30	SE NW	LOWER TWO MILE CREEK - 1720 FEET SOUTH AND 2075 FEET EAST FROM NW CORNER, SECTION 30
29 S	14 W	WM	30	SE NW	UNNAMED STREAM - 2045 FEET SOUTH AND 1775 FEET EAST FROM NW CORNER, SECTION 30

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	14 W	WM	30	NW NE		0.6
29 S	14 W	WM	30	SW NE		0.2
29 S	14 W	WM	30	NW NW	1	0.4
29 S	14 W	WM	30	SW NW	2	4.1
29 S	14 W	WM	30	SE NW		0.5
29 S	14 W	WM	30	NE SW		0.2
29 S	14 W	WM	30	NW SW	3	6.5

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.



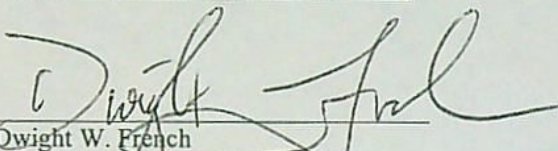
POND MAINTENANCE				
Twp	Rng	Mer	Sec	Q-Q
29 S	14 W	WM	30	SE NW

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

This certificate is issued to confirm a CHANGE IN PLACE OF USE approved by an order of the Water Resources Director entered JULY 10, 2006, at Special Order Volume 69, Page 113, approving Transfer Application 10077, and together with Certificate 81998, supercedes Certificate 57647, State record of Water Right Certificates

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued MAR 07 2014

  
Dwight W. French  
Water Right Services Administrator,  
for Phillip C. Ward, Director  
Oregon Water Resources Department



S-56131

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application ) ORDER WITHDRAWING A  
T-10727, Coos County, Oregon ) TRANSFER APPLICATION

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

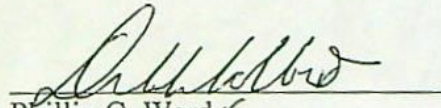
Bandon Crossings, LLC  
121 Deer Valley Drive  
Eugene, OR 97405

Transfer Application T-10727, in the name of Bandon Crossings, LLC, was filed November 14, 2008. On November 24, 2009, Carla Smith, agent for Bandon Crossings, LLC, requested that Transfer Application T-10727 be withdrawn.

**Now, therefore, it is ORDERED:**

Transfer Application T-10727, in the name of Bandon Crossings, LLC, is withdrawn and of no further force or effect. Any unearned fees will be refunded.

Dated at Salem, Oregon this 24<sup>th</sup> day of November, 2009.

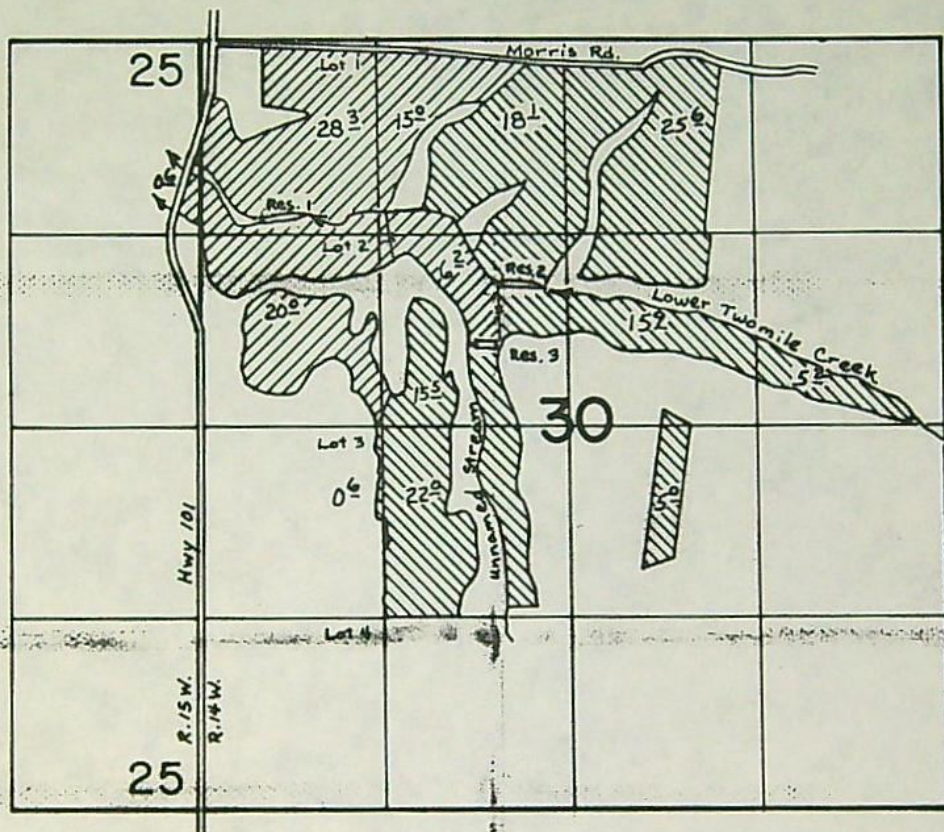
  
Phillip C. Ward  
Director

Mailing date: DEC 10 2009

This is a final order other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.





T.29S. R.14E15W. W.M.



Reservoirs & Div. Pts. Located: 1- 1250'S & 1420'E; 2- 1660'S & 2120'E; 3- 2080'S & 1860'E;  
all from NW corner of Sec. 30, T. 29S., R. 14W., W.M.

SCALE: 4" = 1 mile

**FINAL PROOF SURVEY**  
UNDER

 RESERVOIR 1 & 2 AND  
LOWER TWOMILE CREEK  
 RESERVOIR 3 AND  
UNNAMED STREAM

R-56130                      R-6629  
Application No. 56131    Permit No. 41955  
IN NAME OF

ERICH ZINK

Surveyed June 12 1979, by S. Donaldson...



5-56131

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application )  
T-10077, Coos County, Oregon ) **FINAL ORDER APPROVING A  
CHANGE IN PLACE OF USE AND  
CHARACTER OF USE**

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

BANDON CROSSINGS, LLC  
121 DEER VALLEY DR.  
EUGENE, OR 97405

**Findings of Fact**

1. On January 24, 2006, BANDON CROSSINGS, LLC filed a transfer application to change the place of use and character of use under Certificate 57647. The Department assigned the application number T-10077.

2. The portion of the right to be transferred is as follows:

**Certificate:** 57647 in the name of ERICH ZINK (perfected under Permit S-41955)

**Use:** IRRIGATION of 13.1 ACRES

**Priority Date:** JUNE 27, 1977

**Rate:** 0.16 CUBIC FOOT PER SECOND (CFS), BEING 0.14 CFS FROM LOWER TWO MILE CREEK AND RESERVOIRS #1 & #2; AND 0.02 CFS FROM UNNAMED STREAM & RESERVOIR #3

**Limit/Duty:** ONE-EIGHTIETH cfs per acre, not to exceed 2.50 acre-feet per acre per year

**Source:** Lower Two Mile Creek, an Unnamed Stream, and Reservoirs #1, #2, and #3, constructed under Permit R-6629, tributary to Pacific Ocean

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.



**Authorized Points of Diversion:**

Div. Point	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
Point 1	29 S	14 W	WM	30	NW NW	1	1250 FEET SOUTH & 420 FEET EAST FROM NW CORNER SECTION 30
Point 2	29 S	14 W	WM	30	SE NW		1660 FEET SOUTH & 2120 FEET EAST FROM NW CORNER SECTION 30
Point 3	29 S	14 W	WM	30	SE NW		2080 FEET SOUTH & 1860 FEET EAST FROM NW CORNER SECTION 30

**Authorized Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Diversion Point / Source
29 S	14 W	WM	30	NW NW	1	2.7	Points 1 & 2 / Lower Two Mile Creek
29 S	14 W	WM	30	SW NW	2	7.7	Points 1 & 2 / Lower Two Mile Creek
29 S	14 W	WM	30	SE NW		0.6	Points 1 & 2 / Lower Two Mile Creek
29 S	14 W	WM	30	SE NE		1.5	Point 3 / Unnamed Stream
29 S	15 W	WM	25	NE NE		0.6	Points 1 & 2 / Lower Two Mile Creek

3. Application T-10077 proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Diversion Point / Source
29S	14W	WM	30	NW NE		0.6	Point 3 / Unnamed Stream
29S	14W	WM	30	SW NE		0.2	Point 3 / Unnamed Stream
29S	14W	WM	30	NW NW	1	0.4	Points 1 & 2 / Lower Two Mile Creek
29S	14W	WM	30	SW NW	2	4.1	Points 1 & 2 / Lower Two Mile Creek
29S	14W	WM	30	SE NW		0.5	Point 3 / Unnamed Stream
29S	14W	WM	30	NE SW		0.2	Point 3 / Unnamed Stream
29S	14W	WM	30	NW SW	3	6.5	Points 1 & 2 / Lower Two Mile Creek

4. Lower Two Mile Creek and the unnamed stream described in Certificate 57647 are also known as South Two Mile Creek and Lower Two Mile Creek, respectively, on the U.S.G.S. topographic map of the Bandon, Oregon quadrangle.
5. Application T-10077 also proposes to change the character of use of 0.6 acre of the irrigation right from Lower Two Mile Creek, not to exceed 2.5 acre-feet per acre (1.5 acre-feet total volume) per year, to reservoir maintenance in the SE ¼ NW ¼, Section 30, T29S, R14W, W.M.
6. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.



8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
9. The proposed change would not result in enlargement of the right.
10. The proposed change would not result in injury to other water rights.
11. On May 11, 2006, the Department issued a preliminary determination proposing to approve Transfer T-10077 and mailed a copy to the applicants. Notice of the preliminary determination for the transfer application was published on the Department's weekly notice on May 16, 2006, and in the Bandon Western World newspaper on May 18 and 25, and June 1, 2006 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

### Redescription of Points of Diversion

12. According to the current understanding of how the section and quarter-quarter section lines of the U.S. Rectangular Survey (Public Land Survey) overlie the lands described in Certificate 57647, the survey coordinates for the three authorized points of diversion are different than those described in Certificate 57647. The original final proof survey map for Certificate 57647 shows the section and quarter-quarter section lines to be oriented nearly due north-south and east-west. Current maps show that the U.S. Rectangular Survey lines in the vicinity of the lands described in Certificate 57647 are oriented several degrees from the due north-south and east-west axes. The following table provides a proposed redescription of the points of diversion based on these findings:

#### Proposed Redescription of Points of Diversion:

Div. Point	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
Point 1	29 S	14 W	WM	30	NW NW	1	1240 FEET SOUTH & 405 FEET EAST FROM NW CORNER SECTION 30
Point 2	29 S	14 W	WM	30	SE NW		1720 FEET SOUTH & 2075 FEET EAST FROM NW CORNER SECTION 30
Point 3	29 S	14 W	WM	30	SE NW		2045 FEET SOUTH & 1775 FEET EAST FROM NW CORNER SECTION 30

### Conclusions of Law

The proposed changes in place of use and character of use in application T-10077 are consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000.

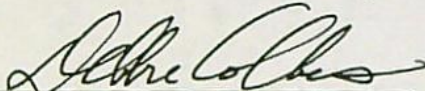
#### Now, therefore, it is ORDERED:

1. The proposed changes in place of use and character of use in application T-10077 are approved.
2. Water right certificate 57647 is cancelled. A new certificate will be issued describing that portion of the right not involved in this transfer. The new certificate will describe the corrected points of diversion for the right, as identified in Finding of Fact #12 above.



3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 57647 and any related decree.
4. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2007**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
5. The former place of use of the transferred water shall no longer receive water as part of this right.
6. Prior to diverting water, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
7. When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued. The confirming certificate shall redescribe the points of diversion as proposed in Finding of Fact #12.

Dated at Salem, Oregon this 10<sup>th</sup> day of July 2006.

  
Phillip C. Ward, Director

RON

Mailing date: JUL 17 2006



STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ERICH ZINK  
RT 1 BOX 1700  
BANDON, OR 97411

confirms the right to use the waters of LOWER TWO MILE CREEK, AN UNNAMED STREAM, AND RESERVOIRS #1, #2, AND #3, CONSTRUCTED UNDER PERMIT R-6629, tributary of PACIFIC OCEAN, for IRRIGATION of 164.9 acres.

This right was perfected under Permit 41955. The date of priority is JUNE 27, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1.73 CUBIC FEET PER SECOND; BEING 0.73 CFS FROM LOWER TWO MILE CREEK AND RESERVOIRS #1 & #2; AND 1.0 CFS FROM UNNAMED STREAM & RESERVOIR #3 or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Diversion Point	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
POINT 1	29 S	14 W	WM	30	NW NW	1	1240 FEET SOUTH & 405 FEET EAST FROM NW CORNER SECTION 30
POINT 2	29 S	14 W	WM	30	SE NW		1720 FEET SOUTH & 2075 FEET EAST FROM NW CORNER SECTION 30
POINT 3	29 S	14 W	WM	30	SE NW		2045 FEET SOUTH & 1775 FEET EAST FROM NW CORNER SECTION 30

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.



equivalent for each acre irrigated from direct flow, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

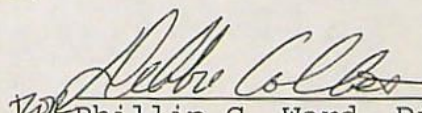
TwP	Rng	Mer	Sec	Q-Q	GLot	Acres	Diversion Point / Source
29 S	14 W	WM	30	NE NW		15.00	Points 1 & 2 / Lower Two Mile Creek
29 S	14 W	WM	30	NW NW	1	25.60	Points 1 & 2 / Lower Two Mile Creek
29 S	14 W	WM	30	SW NW	2	12.30	Points 1 & 2 / Lower Two Mile Creek
29 S	14 W	WM	30	SE NW		5.60	Points 1 & 2 / Lower Two Mile Creek
29 S	14 W	WM	30	NW NE		25.60	Point 3 / Unnamed Stream
29 S	14 W	WM	30	SW NE		15.90	Point 3 / Unnamed Stream
29 S	14 W	WM	30	SE NE		3.70	Point 3 / Unnamed Stream
29 S	14 W	WM	30	NE NW		18.10	Point 3 / Unnamed Stream
29 S	14 W	WM	30	SE NW		15.50	Point 3 / Unnamed Stream
29 S	14 W	WM	30	NE SW		22.00	Point 3 / Unnamed Stream
29 S	14 W	WM	30	NW SW	3	0.60	Point 3 / Unnamed Stream
29 S	14 W	WM	30	NW SE		5.00	Point 3 / Unnamed Stream

This certificate describes that portion of the water right confirmed by Certificate 57647, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered July 10<sup>th</sup>, 2006, that approves Transfer Application T-10077, and correctly describes the locations of the points of diversion.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director,  
affixed July 10<sup>th</sup>, 2006.

  
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81998.



STATE OF OREGON  
COUNTY OF COOS  
PROPOSED CERTIFICATE OF WATER RIGHT

ERICH ZINK  
of RT 1 BOX 1700 BANDON, OR 97411  
has a right to the use of the waters of LOWER TWO MILE CREEK, AN  
UNNAMED STREAM AND RESERVOIRS #1, #2, AND #3, CONSTRUCTED UNDER  
PERMIT R-6629, TRIBUTARY OF PACIFIC OCEAN  
for the purpose of IRRIGATION.

The right to the use of these waters has been perfected  
under Permit 41955. The date of priority is JUNE 27, 1977.  
The right is limited to not more than 1.89 CUBIC FEET PER SECOND;  
BEING 0.87 CFS FROM LOWER TWO MILE CREEK AND RESERVOIRS #1 & #2;  
1.02 CFS FROM UNNAMED STREAM & RESERVOIR #3  
or its equivalent in case of rotation, measured at the point of  
diversion from the source. The point of diversion is located as  
follows:

- (point 1) LOT 1, NW 1/4 NW 1/4, Section 30, T 29 S, R 14 W, WM;  
1250 FEET SOUTH & 420 FEET EAST FROM NW CORNER SECTION 30
- (point 2) SE 1/4 NW 1/4, Section 30, T 29 S, R 14 W, WM;  
1660 FEET SOUTH & 2120 FEET EAST FROM NW CORNER SECTION 30
- (point 3) SE 1/4 NW 1/4, Section 30, T 29 S, R 14 W, WM;  
2080 FEET SOUTH & 1860 FEET EAST FROM NW CORNER SECTION 30

The right shall conform to such reasonable rotation system  
as may be ordered by the proper state officer.

A description of the place of use under the right, and to  
which such right is appurtenant, is as follows:

	ACRES	1/4	1/4	LOT	SECTION	TOWNSHIP	RANGE,	WM
point 1								
point 2								
primary	15.00	NE	NW		30	29	S 14	W
primary	28.30	NW	NW	1	30	29	S 14	W
primary	20.00	SW	NW	2	30	29	S 14	W
primary	6.20	SE	NW		30	29	S 14	W
primary	0.60	NE	NE		25	29	S 15	W
point 3								
primary	25.60	NW	NE		30	29	S 14	W
primary	15.90	SW	NE		30	29	S 14	W
primary	5.20	SE	NE		30	29	S 14	W
primary	18.10	NE	NW		30	29	S 14	W
primary	15.50	SE	NW		30	29	S 14	W
primary	22.00	NE	SW		30	29	S 14	W
primary	0.60	NW	SW	3	30	29	S 14	W
primary	5.00	NW	SE		30	29	S 14	W
Total:	178.00	acres.						



The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.



Application No. 56131

Permit No. 41955

*OK*

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

Assigned

I, William E Shannon M. Foster Erich Zinky  
(Name of Applicant)

of Rt. #1, Box 1700, Bandora  
(Mailing Address) (City)

State of Oregon, 97411 Phone No. 347-2057 do hereby  
(Zip Code)

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

1. The source of the proposed appropriation is Lower Two Mile Cr.,  
Unnamed stream and drainage way and

Res's 1-2 & 3, a tributary of Pacific Ocean

2. The point of diversion is to be located 719.00 ft. S and 72.00 ft. E  
(N. or S.) (E. or W.)

from the N.W. corner of Section 30  
(Public Land Survey Corner)

1-1030'S & 420'E, 2-1660'S & 2120'E, 3-2080'S & 1900'E

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

all from the NW corner of sec 30

Lot 1 (NW)  
#1 (NW)  
#2 (SE)  
#3 (SE)  
being within the SE 1/4 of the NW 1/4 of

Sec. 30 Tp. 29S R. 14W, W.M., in the county of Coos  
(N. or S.) (E. or W.)

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

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated	
29S	14W	30	NW 1/4 NE 1/4	Lower Two mile Cr & Res. 1 & 2	
			SW 1/4 NE 1/4		unnamed stream & Res 3
			SE 1/4 NE 1/4		25.6
			NE 1/4 NW 1/4		15.9
			Lot 1 (NW 1/4 NW 1/4)		5.2
			Lot 2 (SW 1/4 NW 1/4)		18.1
			SE 1/4 NW 1/4		15.0
			Lot 3 (NE 1/4 SW 1/4)		28.3
			lot 3 (NW 1/4 SW 1/4)		20.0
			lot 3 (NW 1/4 SE 1/4)		6.2
29S	15W	25	NE 1/4 NE 1/4	15.5	
				22.0	
				0.6	
				70.1 ✓	
				107.9 ✓	

*OK*

29S 14W SW photo  
6-12-79  
JSD

A. J. Coquille River Trust



Application No. 56131

Permit No. 41955 *OK*

# STATE OF OREGON WATER RESOURCES DEPARTMENT

## Application for Permit to Appropriate Surface Water

**Assigned**

I, William E Shannon M. Foster Erich Zink  
(Name of Applicant)

of Rt. #1, Box 1700 Bandora  
(Mailing Address) (City)

State of Oregon 97411 Phone No. 347-2057 do hereby  
(Zip Code)

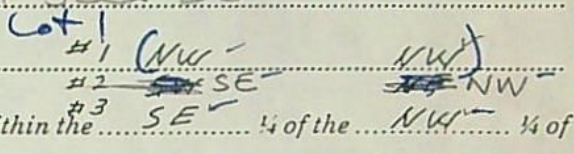
make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Lower Two Mile Cr., Unnamed Stream and stream drainage way and  
Ponds 1-2 & 3 a tributary of Pacific Ocean.

2. The point of diversion is to be located 2120 ft. S and 7200 ft. E  
(N. or S.) (E. or W.)

from the N.W. corner of Section 30  
(Public Land Survey Corner)  
1-1030'S & 420'E; 2-1660'S & 2120'E; 3-2080'S & 1900'E  
(If there is more than one point of diversion, each must be described)

all from the NW corner of Sec 30



being within the SE 1/4 of the NW 1/4 of  
Sec. 30 Tp. 29S. R. 14W. W. M., in the county of Coos  
(N. or S.) (E. or W.)

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

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
29 S.	14 W.	30	NW 1/4 NW 1/4	From Two Mile Cr. & Ponds 1 & 2 2E.3
			SE 1/4 NW 1/4	3.8
			NE 1/4 NW 1/4	27.0
			SW 1/4 NE 1/4	9.0
			NW 1/4 NE 1/4	35.0 <i>103.1</i>
			NW 1/4 NW 1/4	4.5
			NE 1/4 NW 1/4	2.0
			SW 1/4 NW 1/4	27.0
			SE 1/4 NW 1/4	29.0
			SW 1/4 NE 1/4	24.4
NW 1/4 SE 1/4	21.0			

29 S 14 W SW photo  
6-12-79  
JSD

Basin 17, Vol. 2  
A Coquille River Trust

107.9



### Permit to Appropriate the Public Waters of the State of Oregon

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

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed <sup>1.89</sup> ~~2.54~~ <sup>2.23</sup> ~~1.02~~ c.f.s. cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Lower Two Mile Creek, unnamed stream, ~~unnamed ditch~~ and reservoirs ~~to be~~ constructed under application No. R 56130, permit No. R 6629

The use to which this water is to be applied is irrigation, being <sup>0.87</sup> ~~1.29~~ c.f.s. from Lower Two Mile Creek and <sup>Ponds</sup> ~~ponds~~ No. 1 and No. 2, <sup>1.02</sup> ~~1.35~~ c.f.s. from unnamed stream and ditch, and <sup>Pond</sup> ~~pond~~ No. 3.

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year ~~from direct flow and storage from reservoirs to be constructed under permit No. R 6629~~

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

The priority date of this permit is June 27, 1977

Actual construction work shall begin on or before October 12, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1979

Complete application of the water to the proposed use shall be made on or before October 1, 1980

WITNESS my hand this 12th day of October, 1977

*James E. Sisson*  
Water Resources Director



Info: Bill Foster showed <sup>us</sup> all land irrigated from Lower Twomile Creek, unnamed drainage stream & three reservoirs. He uses only one source at a time

- Div: #1 3' high board dam across Lower Twomile Creek for ~~res.~~ #1 pumps from #1 res.
- #2 3' high board dam across Lower Twomile Creek water is released from res. #2 and flows downstream to Res. #1 Pumped from res. 1
- #3 Water is ditched from unnamed drainage <sup>ditch</sup> (stream) into reservoir. When reservoir is full water continues to run on downstream. Pumps from res. #3

Pump & Motor

Ford 4 cyl. diesel engine 125 hp.  
Berkeley CDD 6" x 4"

@ 120 psi

$$\frac{125 \times 6.6}{277 + 0} = 3.0$$

cf

Pipe: 1600' 6" alum  
600' 5" alum

Heads: 2 Big Guns claimed to be running 230 gpm each.  
both max.

Lift: 0 to + 60'

$$\frac{2 \times 230}{450} = 1.02$$

cf

use: Irrigation of Hay & pasture.

tie: 295 14W SW photo

Steve Donaldson  
6-12-79 FE

Land irrigated from Res. #1 & #2 and Lower Twomile Creek is <sup>cross hatched</sup> ~~shown~~ on map. (westerly portion)

Land irrigated from unnamed stream and Res. #3 is cross-hatched on map. (easterly portion)

Steve Donaldson  
7-21-82



TO BANDON

WILLIAM & SHANNON FOSTER  
BANDON COOS COUNTY OR.

SCALE 8" = 1 MILE

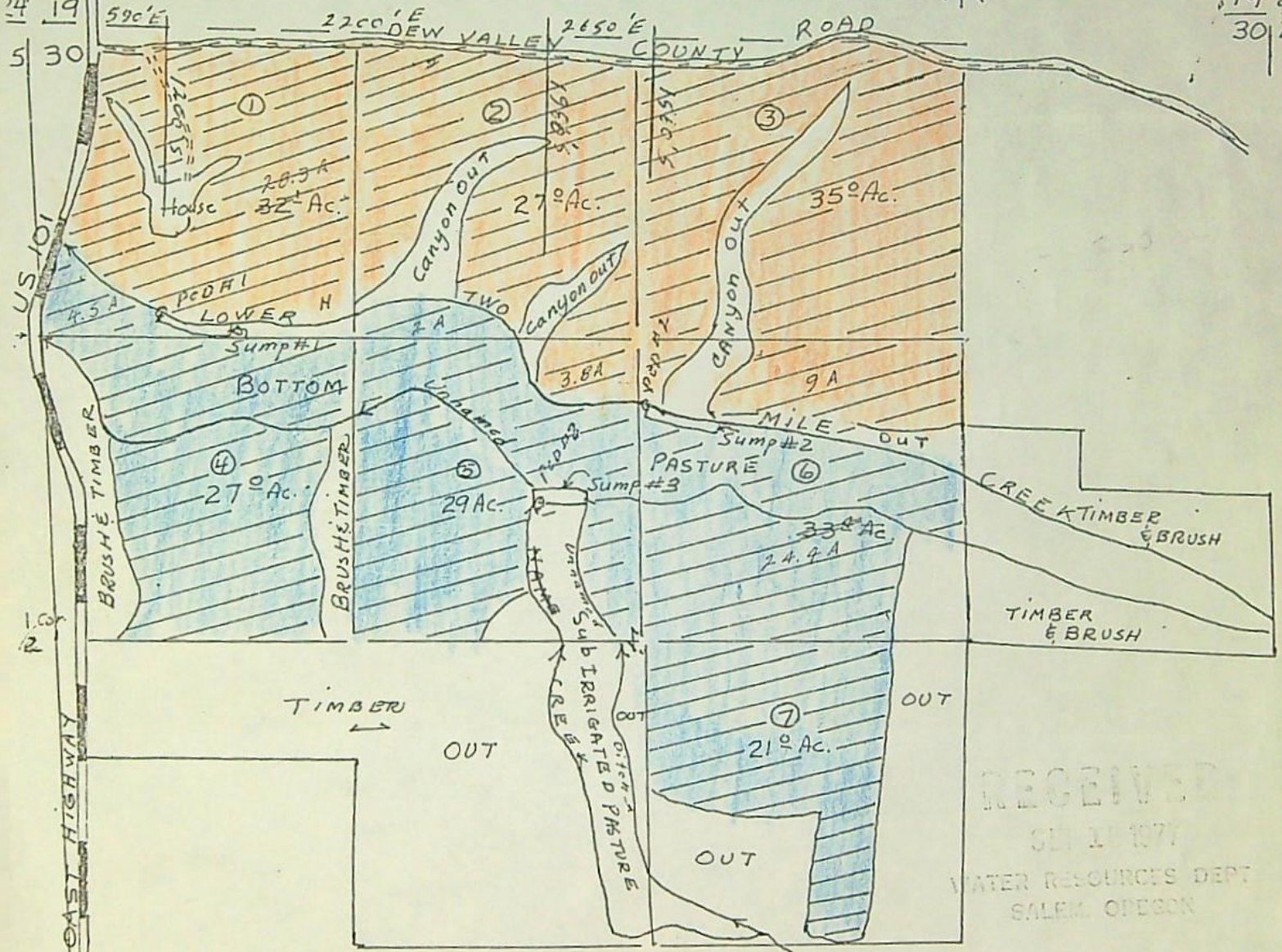
Approx. 205 Ac. To be Irrigated

Guy Leatham

T 29 S R 14 W SEC. 30

24  
19  
5 30

19 2  
30 2



Area in Red irrig. from lower two mile cr. & Pond 1 & 2.  
Hatched area from unnamed creek & pond #3

RECEIVED  
SEP 11 1971  
WATER RESOURCES DEPT  
SALEM, OREGON

Application No. R-56/30, 56/31  
Permit No. R 6629, 41955

25 30

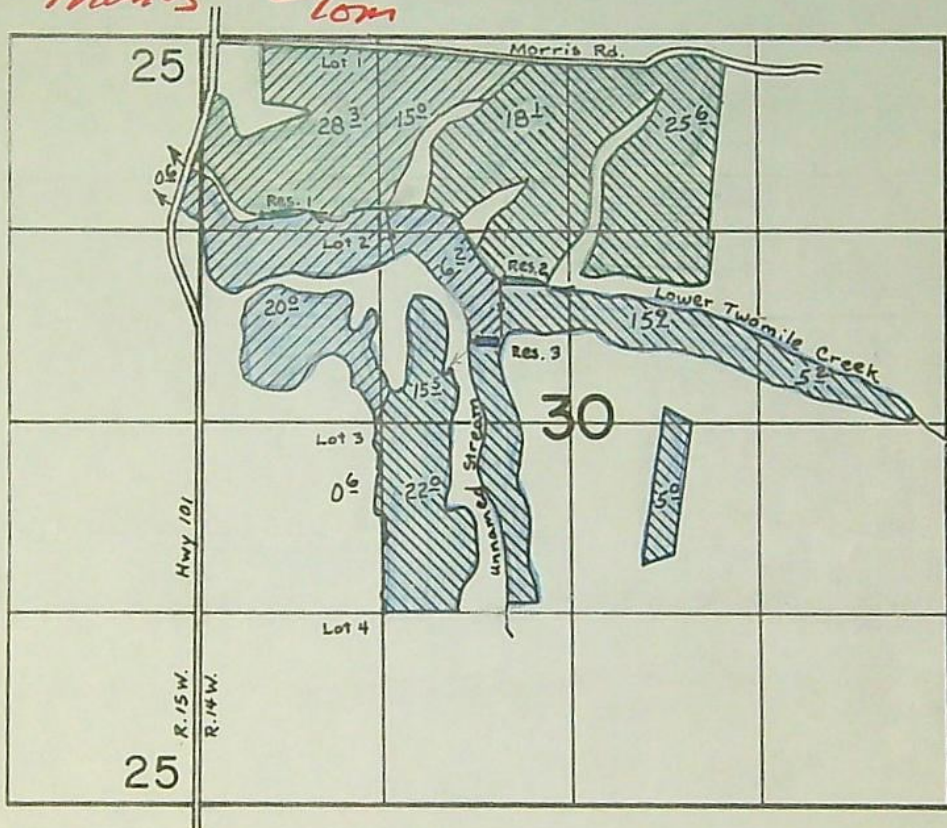


Steve 7/19

Report does not indicate where water from stream  
T.29S. R.14&15W. W.M.

& pond 3 is used Same with creek & ponds 1&2



If you remember project, please add it to your  
report  
Thanks Tom



Reservoirs & Div. Pts. Located: 1- 1030'S & 420'E; 2- 1660'S & 2120'E; 3- 2080'S & 1900'E;  
all from NW corner of Sec. 30, T. 29S., R. 14W., W.M.

SCALE: 4" = 1 mile

### FINAL PROOF SURVEY UNDER

-  Res. 1 & 2 and Lower Twomile Creek
-  Res. 3 and unnamed stream

R-56130 R-6629

Application No. 56131 Permit No. 41955  
IN NAME OF

ERICH ZINK

Surveyed June 12 1979, by S. Donaldson...

RECEIVED

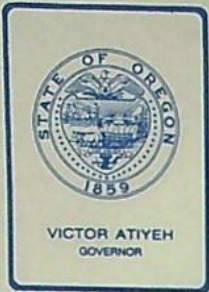
JUL 22 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

Tom 7-21  
Legend above needs  
to be added to  
map to ~~show~~  
show what land  
is irrigated from  
which source.

Steve





*Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-8508 or  
or  
1-800-452-7813  
(message line)

June 14, 1982

Erich Zink  
Route 1, Box 1700  
Bandon, OR 97411

Dear Mr. Zink:

REFERENCE: File R-56130 and 56131

The assignment of Permits R-6629 and 41955 from William and Shannon M. Foster to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our Receipt 31020 covering the recording fee of \$3 you submitted.

Sincerely,

THOMAS E. SHOOK  
Senior Water Rights Examiner

TEStwpc  
enclosures  
cc: William and Shannon M. Foster  
2450A  
1169B

COPY





*Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-8508

May 27, 1982

Erich and Maria Zink  
Werner Zink  
Route 1, Box 1700,  
Bandon, Oregon 97411

Dear Mrs. Zink:

Enclosed is your check in the amount of \$10 received in this office on May 27, 1982.

The assignment recording fees total \$3. We will hold the assignment form until we receive the necessary fee to properly handle your request.

Sincerely,

Thomas E. Shook  
Senior Water Rights Examiner

TES/jw

Enclosure

ERICH ZINK OR MARIA ZINK  
WERNER ZINK  
Route 1, Box 1700, 347-2565  
Bandon, Oregon 97411

5.26. 1982 684

96-455  
1232-31

Pay to the order of George Humbert Jr. \$ 10.00

ten  $\frac{00}{100}$  Dollars

BANDON BRANCH  
WESTERN  
BANK  
BANDON, OREGON 97411

Memo Water right Maria Sr. Zink

[REDACTED]



William & Shannon M. Foster  
Rt. 1, Box 1700  
Bandon, OR 97411

October 25, 1977

R 56130  
56131

R 6629 and 41955



378-3066

R-56130  
56131

September 20, 1977

William & Shannon M. Foster  
Route 1, Box 1700  
Bandon, OR. 97411

Dear Mr. and Mrs. Foster:

Thank you for returning the additional fees of \$30.00 and your two applications.

The first application is now for a permit to construct Reservoir number 1 for the storage of 0.69 acre feet of water, Reservoir number 2 for the storage of 0.83 acre feet of water, both being from the Lower Two Mile Creek, and Reservoir number 3 for the storage of 2.75 acre feet of water from an unnamed drainage way. This application is number R-56310.

The second application is now for a permit to use 1.29 cubic feet of water per second from the Lower Two Mile Creek and the Reservoir's numbered 1 and 2, ~~and the also~~ irrigation of 103.1 acres, and also for the use of 1.35 cubic foot of water per second from an unnamed drainage way and Reservoir number 3 for the irrigation of 107.7 acres. This application is number 56131.

Your applications are now satisfactory for the issuance of permits.

Sincerely,

Larry Toll  
Water Rights Engineer

LMT:td  
ENCL: Receipt No. 63892



378-3066

R-56130  
56131

September 6, 1977

William & Shannon M. Foster  
Route 1, Box 1700  
Bandon, Oregon 97411

Dear Mr. and Mrs. Foster:

We have received a map, legal land description, fees of \$84.30 and two applications.

The first application is for a permit to construct Reservoir number 1 for the storage of .69 acre foot of water, Reservoir number 2 for the storage of .83 acre foot of water, both being from the Lower Two Mile Creek, and Reservoir number 3 for the storage of 2.75 acre feet of water from an unnamed creek and unnamed ditch. For reference, this application is number R-56130.

The second application is for a permit to use 1.29 cubic feet of water per second from the Lower Two Mile Creek, and Reservoir's No. 1 and 2 for irrigation of 103.1 acres, and also 1.35 cubic feet of water per second from the unnamed stream and Reservoir number 3 for the irrigation of 107.7 acres. For reference, this application is numbered 56131.

You submitted a total of \$84.30 in fees which were distributed as follows:

Reservoir application:

\$20.00	Examination fee
<u>\$10.00</u>	Recording fee
\$30.00	Total

Secondary application:

\$20.00	Examination fee
<u>\$34.30</u>	Recording fee
\$54.30	Total

The recording fee for the secondary application is \$64.30, therefore, an additional amount of \$30.00 is required.



An unnamed ditch is designated as a source. If this is a man-made channel for the purpose of draining land and it is entirely on your property, please amend the application to read unnamed drainage ditch. If it is man-made and drains property other than your ownership, you are required to submit approval by the other property owners whose land is drained by this channel. If this is a natural occurring channel, please amend the application to read unnamed drainage way. This source needs to be added to Items numbered 1 and 4 of the Secondary application for Reservoir number 3.

In Item 8 of the Reservoir application and Item 4 of the Secondary application, you need to specify the amount of water to be used from each of the two sources.

I am returning both applications and a copy of the map to you for reference in completion and correction. They are endorsed so that in order to retain their priority date, they must be received in this office on or before November 7, 1977.

Sincerely,

Larry Toll  
Water Rights Engineer

IMT:td

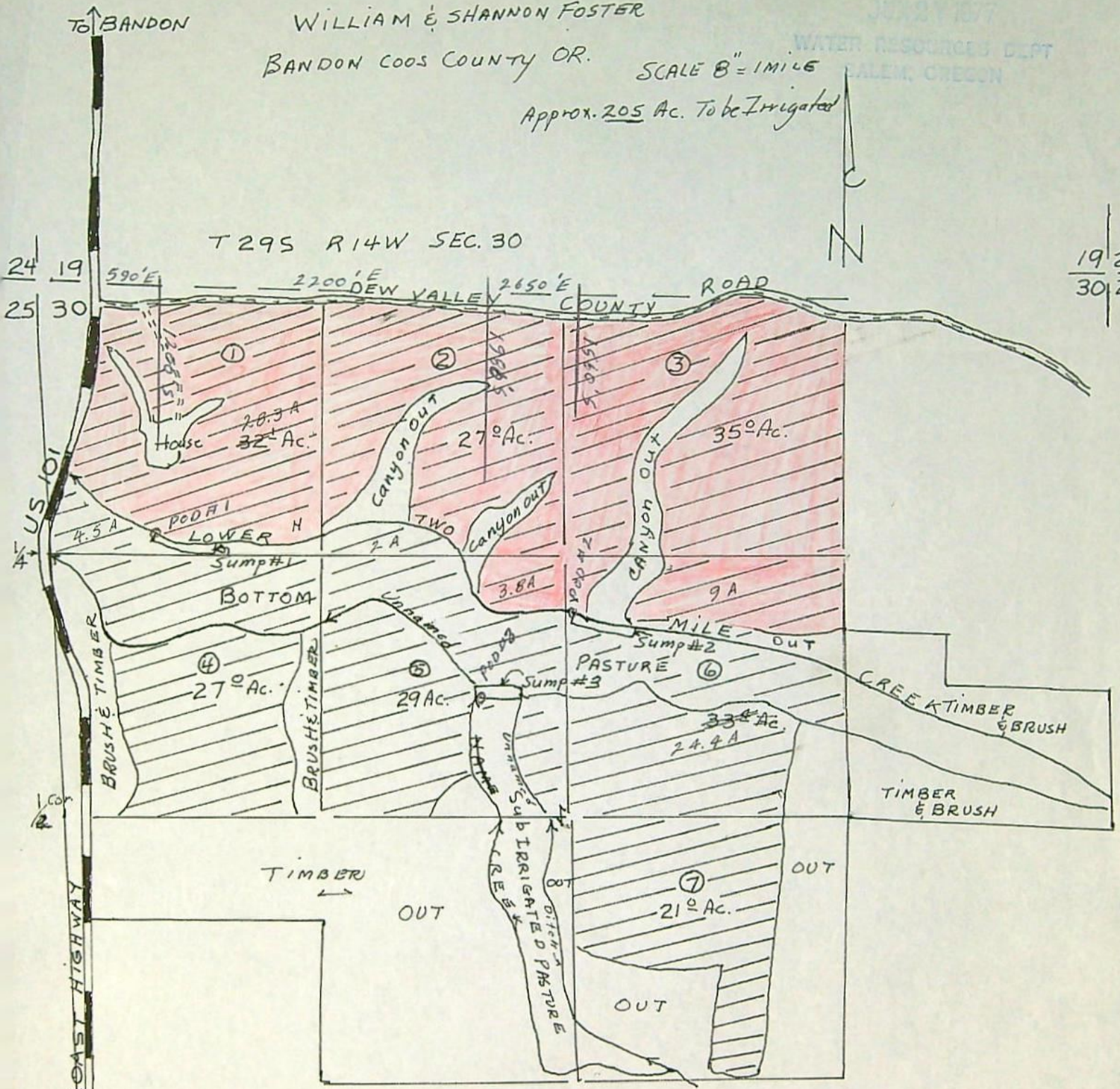
ENCL: Receipt No.'s 61989 and 61990



RECEIVED  
 JUL 27 1957  
 WATER RESOURCES DEPT  
 ALBEM, OREGON

WILLIAM & SHANNON FOSTER  
 BANDON COOS COUNTY OR. SCALE 8" = 1 MILE  
 Approx. 205 Ac. To be Irrigated

T 29 S R 14 W SEC. 30



Area in Red irrig. from lower two mile cr. & Pond 1 & 2.  
 Hatched area from unnamed creek & pond # 3

Application No. R-56/30, 56/31  
 Permit No. R 6629 41955

25 30  
 TO PORTLAND