

Nesika Beach Water District  
32892 Nesika Road  
Gold Beach, OR 97444

Application No. G G14016

Permit No. G G13613

Certificate No. \_\_\_\_\_

Stream Index, Page No. \_\_\_\_\_

Leon Lynch

**FEEES PAID**

Date	Amount	Receipt No.
1-5-96	\$250.00	131321
7-13-98	50.00	22785
6/23/03	100.00	60792
10-1-15	175.00	117567
	Cert. Fee	

**FEEES REFUNDED**

Date	Amount	Check No.

Date filed \_\_\_\_\_

Priority \_\_\_\_\_

Action suspended until CIS

Return to applicant \_\_\_\_\_

Date of approval 3-22-99

**CONSTRUCTION**

Date for beginning 6-8-99

Date for completion \_\_\_\_\_

Extended to \_\_\_\_\_

Date for application of water 10-1-02

Extended to 10-1-2015

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_

**FINAL PROOF**

Blank mailed \_\_\_\_\_

Proof received COBU 10/1/2015

Date certificate issued \_\_\_\_\_

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**REMARKS**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**COBU MAP # 942**

G-13613

6/13 2:33 called Nesika; left message to return call -CS

6/13 2:50 - LEON called from Nesika; Brian Flavin, CWRE, is working on it; hopes to get back to us next week

BRIAN-  
FLAVIN

7/15 8:50 - LEON CALLED; HOPE GET ON FLAVIN  
7/15 FLAVIN CALLED; SENDING INFO

copy of land use  
contact county  
copy of application  
copy of application  
map

Email Sent to  
enforcement

GW

WR

Weisker

NWR

Fiscal

IS

sub~~mitt~~ed  
Daou8x

BRYAN FLAVIN CWRE#366  
32053 Sawaw Valley Rd  
GRO BEACH OR 97444  
541-247-6485

Leon Lynch  
541-247-2614



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

July 21, 2023

Nesika Beach – Ophir Water District  
c/o Melvin Trover  
PO Box 39  
Ophir, OR 97464

Reference: Application G-14016, Permit G-13613

Dear Applicant,

The Department received an Application for Extension of Time on July 20, 2023, requesting to extend the date to apply water to full beneficial use under the terms and conditions of the permit to October 1, 2033.

Upon reviewing the application, the Department has considered the application incomplete. Oregon Administrative Rule 690-315-0040(1)(a) requires the Department to return any incomplete Enclosed is the original application you submitted along with a copy which has been mark in highlighter to indicate the items which need to be completed. Please complete the items requested and return the application to the Department so we may consider your request.

Additionally, a quick review of the application and the Permit file, there are a number of discrepancies with the information being provided. Please review the items below, and address these in the update Application.

1) The Extension Application identifies CURR 51203 (Well ID L74199 as the well being used under the permit. A review of the permit file, including the previous extension application submitted August 15, 2007, indicates that the well authorized for use under the permit is CURR 217 (no associated Well ID). Please provide information on water used from the authorized well.

2) The permit file includes a Claim of Beneficial Use Report, submitted October 1, 2015, which describes a maximum rate of use from CURR 51203 of 0.5 cfs. The rate is identified as being spit between this permit and Certificate 37549, which confirms the use of 0.20 cfs of water, leaving 0.30 cfs being claimed under Permit G-13613. The Extension Application submitted on August 15, 2007, identifies a total appropriation of 0.366 cfs under permit G-13613 from Well CURR 217. The Extension Application submitted on July 20, 2023, identifies the maximum rate of appropriation as 0.11 cfs. Please provide clarification of the maximum rate used by October 1, 2015, from CURR 217.

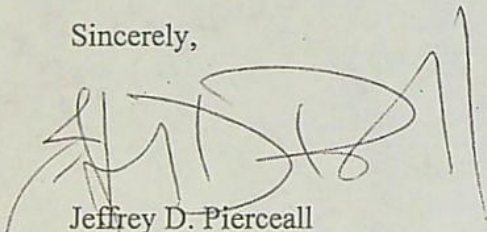
3) Chart-I of the Application for Extension of Time submitted July 20, 2023, is not properly completed. Included in the returned application are new Chart-I pages, which have the appropriate dates defining the different timelines work accomplished needs to be report in. Please complete this new Chart-I, identifying what work was accomplished between the dates listed.

4) Permit G-13613 authorized the use of up to 0.5 cfs of water. According to the demand projections, it is anticipated that a maximum demand of 0.43 cfs by 2043. The Application is requesting to October 1, 2033, to complete the development of the water use authorized under the permit. Based on this, it does not appear that complete application of water authorized under the permit will be accomplished by October 1, 2033. Oregon Administrative Rule 690-315-0040(1)(c), requires the Department to find that the project can be completed within the time requested in the Extension Application. Please update the date the extension is being requested to allow sufficient time to develop the full rate authorized under the permit, or request a reduction in the rate authorized by the permit to what can be developed by October 1, 2033. If you update the requested extended date, and that date is beyond October 1, 2065, please provide the additional information required under item 10-B of the Application.

Based on the preliminary review, please be aware that prior to issuing order on the extension of time, the Claim of Beneficial Use Report, submitted October 1, 2015, will need to be withdrawn.

If you have any other questions please contact me at 503-979-3213.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey D. Pierceall', is written over a circular stamp or seal that is partially obscured.

Jeffrey D. Pierceall  
Extension Specialist  
Water Rights Division

TO: Water Rights Section

Oct 10, 1997

FROM: Groundwater/Hydrology Section D. Woodcock  
Reviewer's Name

SUBJECT: Application G- 14016

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Basin rules, one or more of the proposed POA's is/is not within feet/mile of a surface water source ( ) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a.  will, or have the potential for substantial interference with the nearest
  - b.  will not surface water source, namely Rogue R.; or
  - c.  will if properly conditioned, adequately protect the surface water from interference:
    - i.  The permit should contain condition #(s) \_\_\_\_\_;
    - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii.  The permit should be conditioned as indicated in item 4 below; or
  - d.  will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
  - a.  will, or likely be available in the amounts requested without injury to prior rights
  - b.  will not and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i.  The permit should contain condition #(s) 7B;
    - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii.  The permit should be conditioned as indicated in item 4 below; or
4.
  - a.  THE PERMIT should allow groundwater production from no deeper than \_\_\_ ft. below land surface;
  - b.  The permit should allow groundwater production from no shallower than \_\_\_ ft. below land surface;
  - c.  The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_ ft. and \_\_\_ ft. below land surface;
  - d.  Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e.  One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Well Construction Considerations on Reverse Side)

G-14016

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. \_\_\_ review of the well log;
  - b. \_\_\_ field inspection by \_\_\_\_\_;
  - c. \_\_\_ report of CWRE \_\_\_\_\_;
  - d. \_\_\_ other: (specify) \_\_\_\_\_
6. THE WELL construction deficiency:
- a. \_\_\_ constitutes a health threat under Division 200 rules;
  - b. \_\_\_ commingles water from more than one groundwater reservoir;
  - c. \_\_\_ permits the loss of artesian head;
  - d. \_\_\_ permits the de-watering of one or more groundwater reservoirs;
  - e. \_\_\_ other: (specify) \_\_\_\_\_
7. THE WELL construction deficiency is described as follows: \_\_\_\_\_
8. THE WELL
- a. \_\_\_ was, or constructed according to the standards in effect at the time of
  - b. \_\_\_ was not original construction or most recent modification.
  - c. \_\_\_ I don't know if it met standards at the time of construction.

---

RECOMMENDATION:

- A. \_\_\_ I recommend including the following condition in the permit:  
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. \_\_\_ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. \_\_\_ REFER this review to Enforcement Section for concurrence.

---

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit  
\_\_\_\_\_, 199\_\_.  
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, 199\_\_.  
(Signature)



**Water Right Conditions  
Tracking Slip**

*Groundwater/Hydrology Section*

FILE # 6 14016

ROUTED TO: WATER RIGHTS

TOWNSHIP/

RANGE-SECTION: 35S/14W-9

CONDITIONS ATTACHED?  Yes  No

REMARKS OR FURTHER INSTRUCTIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reviewer: D. Woodcock



Select by application G 14016

Name: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT  
 32892 NESIKA RD  
 GOLD BEACH, OR 97444

County : CURRY  
 Status : NON-CANCELLED  
 Certificate type:  
 Certificate date: 3/29/1995

Application: G 14016  
 Permit : 0  
 Certificate: 0  
 Supercedes certificate:

Related documents: APP-G3788, PERMIT-G3571, CERT 37549  
 Remarks :

Sources : A WELL IN ROGUE RIVER BASIN

Purposes: QUASI-MUNICIPAL.

Rates : 0.5 CUBIC FOOT PER SECOND

Priority:

Source	Use	P/S	Priority	Quantity	Location	LOT/DLC	Status
A WELL > ROGUE R	QM	P	3/29/1995	0.5000CFS	35 S 14 W 9 SESE		V

Legal description: 512 FEET NORTH & 2538 FEET EAST FROM SW CORNER, SECTION 9

Points of appropriations:	Use	P/S	Location	DLC/LOT	Acres	Status
=====						
	QM	P	35 S 14 W 8 NWNE			V
	QM	P	35 S 14 W 8 SWNE			V
	QM	P	35 S 14 W 8 SENE			V
	QM	P	35 S 14 W 8 NESW			V
	QM	P	35 S 14 W 8 SESW			V
	QM	P	35 S 14 W 8 NWSE			V
	QM	P	35 S 14 W 8 SWSE			V
	QM	P	35 S 14 W 17 NENW			V
	QM	P	35 S 14 W 17 NWNW			V
	QM	P	35 S 14 W 17 SWNW			V
	QM	P	35 S 14 W 17 SENW			V
	QM	P	35 S 14 W 17 NWSW			V
	QM	P	35 S 14 W 17 SWSW			V
	QM	P	35 S 14 W 19 NENE			V
	QM	P	35 S 14 W 19 NESE			V
	QM	P	35 S 14 W 19 SWSE			V
	QM	P	35 S 14 W 19 SESE			V

QM	P	35	S	14	W	20	NWNW			V
QM	P	35	S	14	W	20	SWNW			V
QM	P	35	S	14	W	20	NWSW			V
QM	P	35	S	14	W	20	SWSW			V
QM	P	35	S	14	W	30	NENE			V
QM	P	35	S	14	W	30	NWNE			V
QM	P	35	S	14	W	30	SWNE			V
QM	P	35	S	14	W	30	SENE			V
QM	P	35	S	14	W	30	NESW			V
QM	P	35	S	14	W	30	NWSE			V
QM	P	35	S	14	W	30	SWSE			V
QM	P	36	S	14	W	5	NESW			V
QM	P	36	S	14	W	5	SWSW			V

Points of appropriations:

=====

Use	P/S	Location						DLC/LOT	Acres	Status
-----										
QM	P	36	S	14	W	5	NWSE			V
QM	P	36	S	14	W	6	NWNW			V
QM	P	36	S	14	W	6	SWNW			V
QM	P	36	S	14	W	6	NWSW			V
QM	P	36	S	14	W	6	SWSW			V
QM	P	36	S	14	W	7	NWNW			V
QM	P	36	S	14	W	8	NENE			V
QM	P	36	S	14	W	8	NWNE			V
QM	P	36	S	14	W	8	SWNE			V
QM	P	36	S	14	W	8	SENE			V
QM	P	36	S	14	W	8	NENW			V
QM	P	36	S	14	W	8	NESE			V
QM	P	36	S	14	W	8	NWSE			V
QM	P	36	S	14	W	9	SWNW			V
QM	P	36	S	14	W	9	SENE			V
QM	P	36	S	14	W	9	NESW			V
QM	P	36	S	14	W	9	NWSW			V
QM	P	36	S	14	W	9	NESE			V
QM	P	36	S	14	W	9	NWSE			V
QM	P	36	S	15	W	12	NENE			V
QM	P	36	S	15	W	12	NWNE			V
QM	P	36	S	15	W	12	SWNE			V
QM	P	36	S	15	W	12	SENE			V
QM	P	36	S	15	W	12	NESE			V
QM	P	36	S	15	W	12	SESE			V

V Continuing: G 14016

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Ground Water/Hydrology  
FROM: Doug Woodcock  
SUBJECT: Groundwater Application G- 14016

Date 10-9-97

SIGNAL BUTTES QUAD

Applicant(s) seek \_\_\_\_\_ gpm ( 0.5 cfs) from ONE wells in the ROGUE basin

Applicants Name: NESIKA BEACH W.D. \_\_\_\_\_ sub basin  
Proposed Use: QUASI-MUNICIPAL \_\_\_\_\_ sub basin

Well (INFILTRATION GALLERY) WRD# \_\_\_\_\_ T 365 R 14W S 9 QQ 565E County CURRY

Legal Description S1/4 N. 1/2 S38 E OF S1/4 SEC 9

Well is @ EDGE ft from OF ROGUE RIVER (river/stream)

Well is \_\_\_\_\_ ft from \_\_\_\_\_ (river/stream)

Well Elevation \_\_\_\_\_ ft River/Stream elevation \_\_\_\_\_ ft.

Well Elevation - River/Stream elevation \_\_\_\_\_ ft.

Well depth 40 ft SWL \_\_\_\_\_ ft on \_\_\_\_\_

Sealed to \_\_\_\_\_ ft Depth first water found \_\_\_\_\_ ft

Cased to \_\_\_\_\_ ft Perforations/screens \_\_\_\_\_ ft

Lined to \_\_\_\_\_ ft Perforations/screens \_\_\_\_\_ ft

Well test and types \_\_\_\_\_

(Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO

Potential to cause substantial interference? YES

Well \_\_\_\_\_ WRD# \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ S \_\_\_\_\_ QQ \_\_\_\_\_ County \_\_\_\_\_

Legal Description \_\_\_\_\_

Well is \_\_\_\_\_ ft from \_\_\_\_\_ (river/stream)

Well is \_\_\_\_\_ ft from \_\_\_\_\_ (river/stream)

Well Elevation \_\_\_\_\_ ft River/Stream elevation \_\_\_\_\_ ft.

Well Elevation - River/Stream elevation \_\_\_\_\_ ft.

Well depth \_\_\_\_\_ ft SWL \_\_\_\_\_ ft on \_\_\_\_\_

Sealed to \_\_\_\_\_ ft Depth first water found \_\_\_\_\_ ft

Cased to \_\_\_\_\_ ft Perforations/screens \_\_\_\_\_ ft

Lined to \_\_\_\_\_ ft Perforations/screens \_\_\_\_\_ ft

Well test and types \_\_\_\_\_

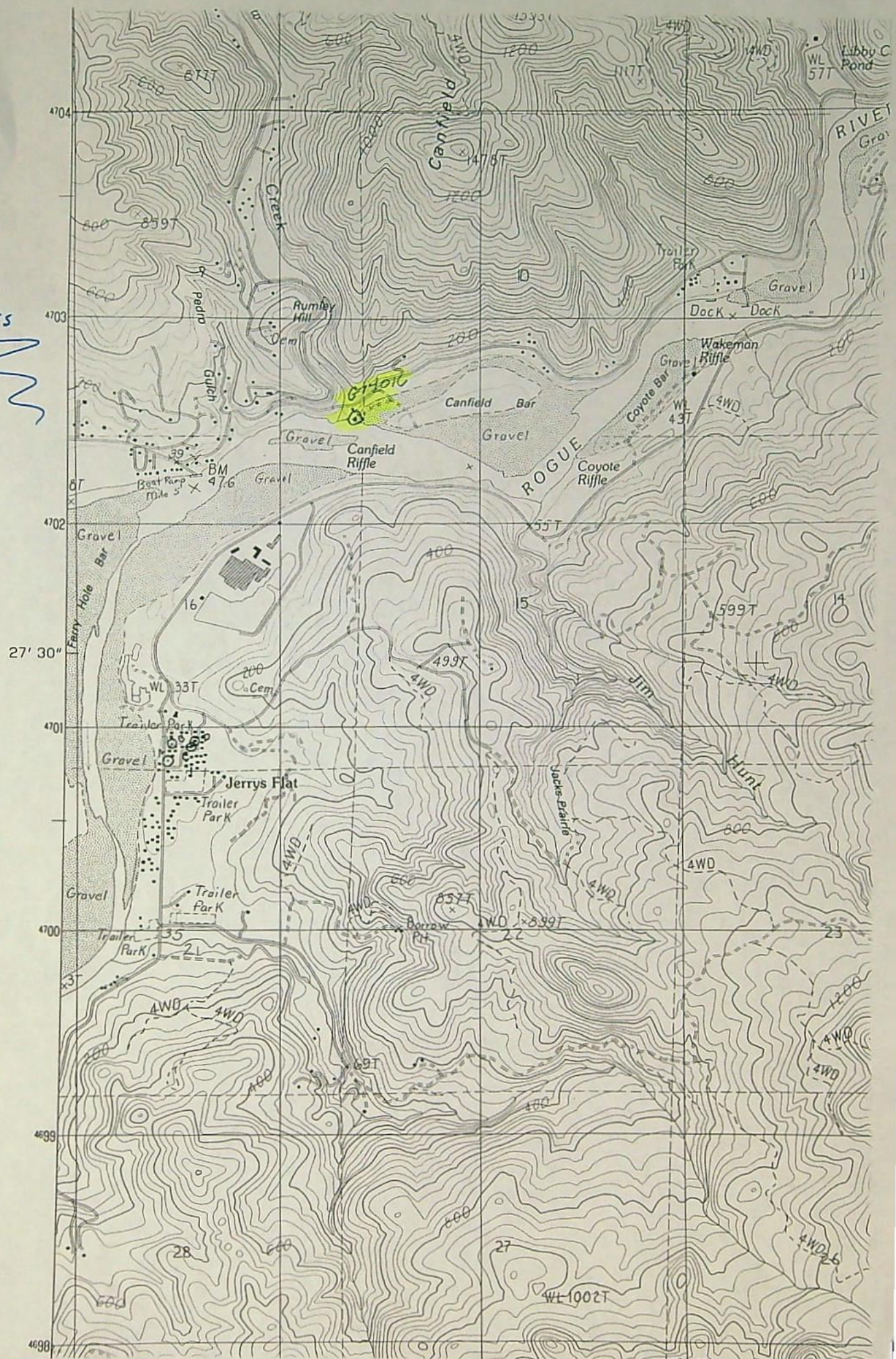
(Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO

Potential to cause substantial interference? \_\_\_\_\_

Comments: WATER IS DEVELOPED FROM A FORTY FOOT DEEP INFILTRATION GALLERY LOCATED IN A GRAVEL BAR ON THE ROGUE RIVER. GROUND WATER IS UNCONFINED AND IN HYDRAULIC CONNECTION WITH THE RIVER.

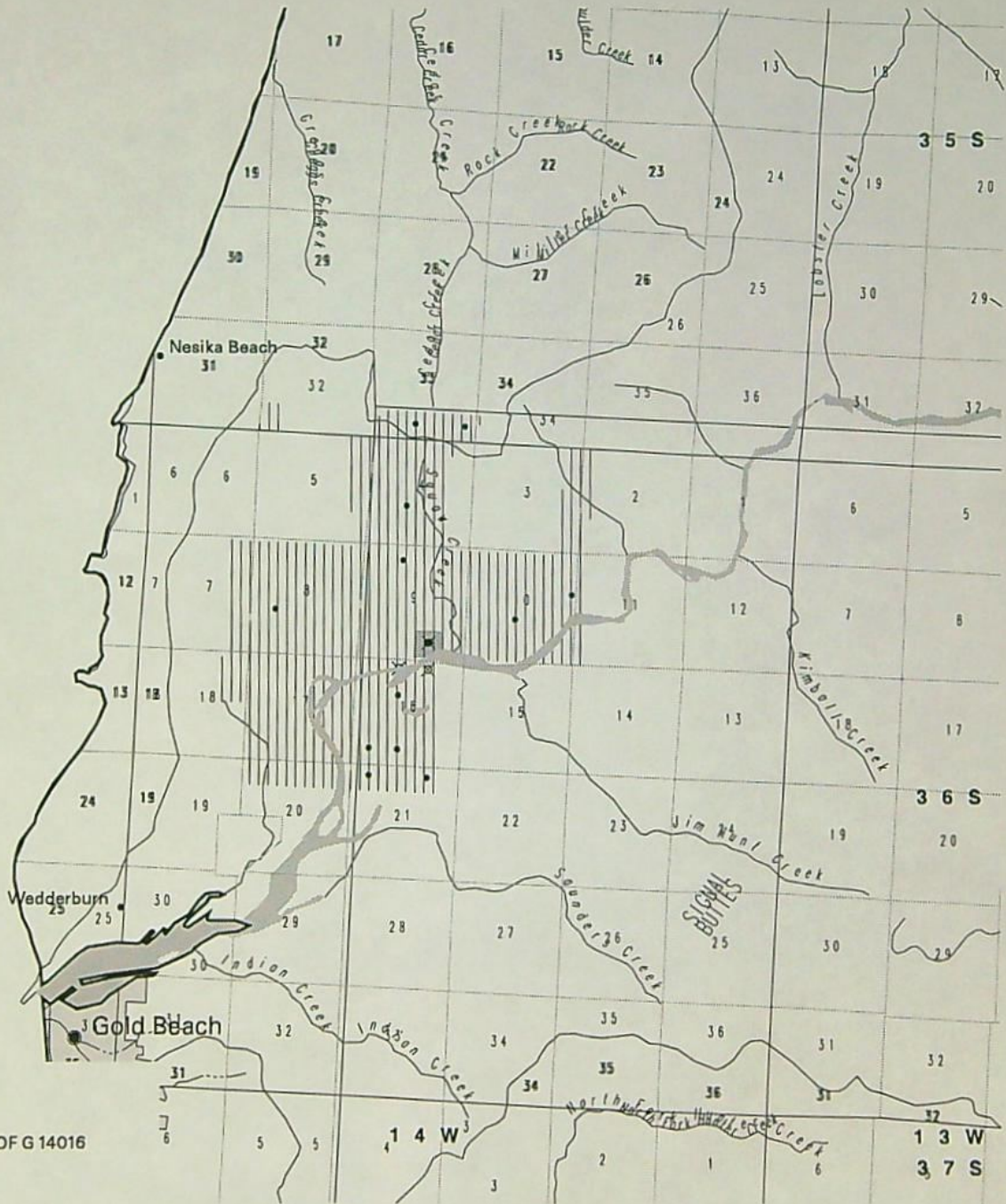
References Used: \_\_\_\_\_

SIGNAL BUTTES



# Wells in the vicinity of application G 14016

- Application well(s) in this 1/4-1/4 section
- Well(s) identified in this section from OWRD's well log database within 1 mi. radius of application well(s)
- Well(s) identified in this 1/4-1/4 section from OWRD's well log database within 1 mi. radius of application well(s)
- ⊗ Permitted well(s) in this 1/4-1/4 section within 1 mi. radius of application well(s)
- Conditioned, permitted well(s) in this 1/4-1/4 section within 5 mi. radius of application well(s)
- ▲ OWRD Observation well and well-id within 5 mi. radius of application well(s)
- Critical GW Area
- - - Regulated GW Area



WELLS WITHIN 1 MILE OF G 14016  
 DO 36  
 MU 4

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14016

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G 3788	G 3571	36.00S14.00W 9SESE	DO	0.2000	C
2	G 2061	G 1920	36.00S14.00W16NWN	MU	1.0000	C
3	G 460	G 422	36.00S14.00W16NEN	IM	0.5000	C

\*\*\*\*\*

NO CONDITIONED WELLS WITHIN 1 MILE OF APPLICATION G 14016

\*\*\*\*\*

APPLICATION G 14016 FALLS WITHIN THESE QUAD(S)

SIGNAL BUTTES

\*\*\*\*\*

G-14016

**CLARK Gerry E**

---

**From:** CLARK Gerry E  
**Sent:** Friday, September 25, 2015 9:50 AM  
**To:** 'Walter White'  
**Subject:** RE: Permit G-13613 Mapping Standards Waiver Request

Walter,

Your request for a waiver is approved as requested.

I will place a copy of this waiver approval in the file, but please also attach a copy to your Claim.

Let me know if you have any additional questions. Have a great weekend!

Gerry

Gerry Clark  
Water Right Services Division  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

Phone: [503-986-0811](tel:503-986-0811)

---

**From:** Walter White [<mailto:wwhite@shn-engr.com>]  
**Sent:** Friday, September 25, 2015 9:47 AM  
**To:** 'Gerry Clark'  
**Subject:** RE: Permit G-13613 Mapping Standards Waiver Request

Gerry

I am requesting a waiver to the Mapping Standards for a claim of beneficial use application I am working on for Nesika Beach Ophir Water District.

The Mapping Standards I am requesting a waiver for are:

Scale- Requesting waiver for and 11x17 size sheet at 1"=3000'. This scale will allow me to show the entire district and places of use on one sheet.

Tax Lot Boundaries and Numbers- Requesting waiver to not include this requirement to allow for a more legible map product.

Thank you for your consideration.

Walter White, PLS  
Senior Surveyor



SHN Engineers & Geologists

275 Market Avenue, Coos Bay, OR 97420  
T: (541)266-9890 | C: (541)290-7571  
[wwhite@shn-engr.com](mailto:wwhite@shn-engr.com)  
<http://www.shn-engr.com/>



SHN CONSULTING ENGINEERS & GEOLOGISTS, INC. 812 W. WABASH, EUREKA, CA 95501

104054

9/28/15  
615003  
\$175.00

**RECEIVED**

OCT 01 2015

OWRD

Water Right Conditions  
Tracking Slip

Groundwater/Hydrology Section

FILE ## 6 14016

ROUTED TO: WATER RIGHTS

TOWNSHIP/

RANGE-SECTION: 36S/14W-9

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewer: D. Woodcock





TO: Water Rights Section

Oct 10, 1997

FROM: Groundwater/Hydrology Section D. Woodcock  
Reviewer's Name

SUBJECT: Application G- 14016

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE        Basin rules, one or more of the proposed POA's is/is not within        feet/mile of a surface water source (      ) and taps a groundwater source hydraulically connected to the surface water.
  
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a.  will, or        have the potential for substantial interference with the nearest
  - b.  will not        surface water source, namely Rogue R.; or
  - c.  will if properly conditioned, adequately protect the surface water from interference:
    - i.  The permit should contain condition #(s)       ;
    - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii.  The permit should be conditioned as indicated in item 4 below; or
  - d.  will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
  - a.  will, or        likely be available in the amounts requested without injury to prior rights
  - b.  will not        and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i.  The permit should contain condition #(s) 7B;
    - ii.  The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii.  The permit should be conditioned as indicated in item 4 below; or
  
4.
  - a.  THE PERMIT should allow groundwater production from no deeper than        ft. below land surface;
  - b.  The permit should allow groundwater production from no shallower than        ft. below land surface;
  - c.  The permit should allow groundwater production only from the        groundwater reservoir between approximately        ft. and        ft. below land surface;
  - d.  Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e.  One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Well Construction Considerations on Reverse Side)

## Permit Extension Ground Water Review

Date: July 9, 2003  
To: Fred Lissner, Ground Water Section Manager  
From: Lisa Juul, Permit Extension Review  
Subject: Ground Water Review Needed for File #G-14016 / Permit #G-13613

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The above referenced permit is currently being reviewed for an extension of time. Before I can determine whether or not an extension of time should be granted, however, a Ground Water review for this file is necessary due to the following:

**NOTE:** Original Division 9 review completed by: Doug Woodcock

- No Division 9 Ground Water Review Done.... **please see below**
- Located within a **Critical** Ground Water Area
- Located within a Ground Water **Limited** Area
- Located within a Ground Water **Study** Area
- 5-Year Limited Permit
- Other: Please See Below

DEW 7-10-03

### For Ground Water / Hydrology Staff Use:

-YES    -NO

Please complete a Div. 9 and Scenic Waterway (SWW) Review for this file. Due to the early priority date associated with this permit, no prior Div. 9 or SWW review was ever done.

**Please answer the following questions. If necessary, attach an additional sheet.**

1. Should any additional conditions be added to this permit? No
2. Should the extension of time request be further conditioned or **DENIED** due to ground water supply concerns? No
3. Should the Department establish a new reference level for water level declines due to the failure of permittee to submit annual measurements? No
4. Other issues or concerns? \_\_\_\_\_

Application # G-14016  
Date Received 10/1/2015  
CWRE Name Walter White  
File Marked yes  
Oversized Map # 9942  
Reviewer C.U.

Transfer # \_\_\_\_\_  
Claim Logged yes

#### Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- \_\_\_\_\_ Source illustrated if surface water (OAR 690-014-0170(3))
- \_\_\_\_\_ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- \_\_\_\_\_ Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
- \_\_\_\_\_ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- \_\_\_\_\_ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- \_\_\_\_\_ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

#### Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- \_\_\_\_\_ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- \_\_\_\_\_ Source(s) of water (OAR 690-014-0100)
- \_\_\_\_\_ Place of use location (OAR 690-014-0100)
- \_\_\_\_\_ Type of use (OAR 690-014-0100)
- \_\_\_\_\_ Extent of use (OAR 690-014-0100)
- \_\_\_\_\_ Rate and Duty (OAR 690-014-0100)
- \_\_\_\_\_ Diversion rate for each use (OAR 690-014-0100)
- \_\_\_\_\_ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- \_\_\_\_\_ System capacity (OAR 690-014-0100)
  - \_\_\_\_\_ Calculated capacity of system (required)
  - \_\_\_\_\_ Measured amount of use (optional)
- \_\_\_\_\_ Permit Transfer Final Order Conditions (OAR 690-014-0100)
  - \_\_\_\_\_ Time limits
  - \_\_\_\_\_ Initial water level measurements
  - \_\_\_\_\_ Annual static water level measurements
  - \_\_\_\_\_ Measurement, recording, and reporting
    - \_\_\_\_\_ Meter/measuring device
    - \_\_\_\_\_ Water use reporting
  - \_\_\_\_\_ Fish screening and/or by-pass
  - \_\_\_\_\_ Pump test (ground water)
  - \_\_\_\_\_ Other conditions
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

S:\groups\wr\certs\Resource Center Forms\_Checklists\_Mailing Instructions\COBU Checklist 11-20-2012.rtf

\_\_\_\_\_ Map and COBU reviewed  
\_\_\_\_\_ Conflict check Any Conflicts? \_\_\_\_\_  
\_\_\_\_\_ Check for ownership

Check Area of Interest  YES  NO  
Identified Party \_\_\_\_\_

**Staff Recommendations:**

\_\_\_\_\_ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

\_\_\_\_\_ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: \_\_\_\_\_

\_\_\_\_\_ Proof to the Satisfaction has not been established for the following reasons: \_\_\_\_\_  
**Proposed Actions:**  
Send letter requesting the following items/information: \_\_\_\_\_  
Send letter recommending extension to cure deficiencies: \_\_\_\_\_

Can certificate be processed further?  
\_\_\_\_\_ Yes

If "Yes":  
\_\_\_\_\_ Proposed  
\_\_\_\_\_ Final      Certificate # \_\_\_\_\_

Mailing list:

Proposed:

Final:



# CLAIM OF BENEFICIAL USE for Permits claiming more than 0.1 cfs and All Transfers



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

A fee of \$175 must accompany this form for permits  
with priority dates after July 8, 1987.

A fee of \$175 must accompany this form for any Transfer final orders  
including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights  
has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each permit.

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:  
[http://www.oregon.gov/owrd/pages/wr/cwre\\_info.aspx](http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx)

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see  
[http://www.oregon.gov/owrd/pages/mgmt\\_reimbursement\\_authority.aspx](http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx)

## SECTION 1 GENERAL INFORMATION

### 1. File Information

APPLICATION # (G, R, S or T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
G-14016	G-13613	

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>NESIKA BEACH OPHIR WATER DISTRICT</b>		PHONE NO. <b>541-247-2614</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO BOX 39</b>			
CITY <b>OPHIR</b>	STATE <b>OR</b>	ZIP <b>97464</b>	E-MAIL <b>NBOWD.MANAGER@FRONTIER.COM</b>

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. *Each permit or transfer holder of record must sign this form.*

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD <b>NESIKA BEACH OPHIR WATER DISTRICT</b>		
ADDRESS <b>PO BOX 39</b>		
CITY <b>OPHIR</b>	STATE <b>OR</b>	ZIP <b>97464</b>

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Mike Mezsaros</b>	<b>July 17, 2015</b>	<b>District Manager</b>

6. County:

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

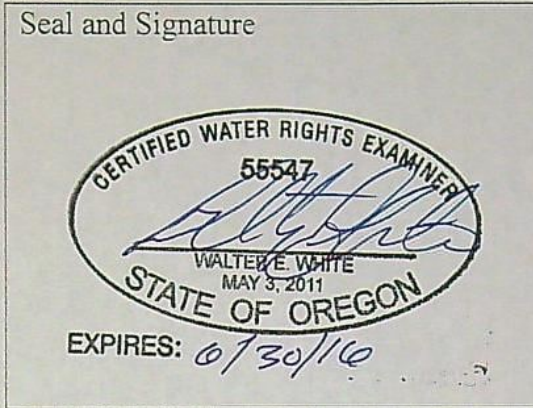
Add additional tables for owners of record as needed

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**SECTION 2  
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME <i>Walter White</i>		PHONE NO. <i>541-266-9890</i>	ADDITIONAL CONTACT NO.	
ADDRESS <i>275 Market Ave</i>				
CITY <i>Coxs Bay</i>	STATE <i>OR</i>	ZIP <i>97420</i>	E-MAIL <i>wwhite@shn-engr.com</i>	

Permit or Transfer Holder's of Record Signature or Acknowledgement

*Each* permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>Michael Meszans</i>	<i>MICHAEL MESZANS</i>	<i>DISTRICT MANAGER</i>	<i>7/17/15</i>

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### SECTION 3

### CLAIM DESCRIPTION

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
POD1	CURR 51203, CURR 51351	L-74199
TEST WELL	CURR 51158	L-71991

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
POD1	Rogue River Basin	

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD1	Quasi- municipal	Na	Year round	*0.5 CFS (Actual Rate)
*Rate includes average of 4 measurements for both Permits G-3571 and G-13613 at peak pump hours.				
Total Quantity of Water Used				

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

From POD1 a 6" ductile iron pipe to pump house where pH and Chlorine adjustments are made. 8" ductile iron leaves pump house to valve cluster where distribution main line of 12" HDPE pipe disperses to users in the district. 12" HDPE pipe runs along North Bank Rogue River Rd to the intersection of Edson Creek Rd and then changes between 12" C900, 12" ACP, 8" ACP, and 6" ACP. From the main line 2" PVC laterals to users. The distribution system includes 9 storage tanks.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. YES      NO

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

6. Claim Summary:

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POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD1	0.5 CFS	0.62 CFS	2,600 Gal	Q-MUNI.	NA	NA

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**SECTION 4**  
**SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

YES NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

**A. Place of Use**

1. Is the right for municipal use?

YES NO

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES NO

*If "NO" items 2 through item 6 may be deleted.*

**2. Pump Information**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
*Preferred Pump	8FP350D40 0-6	80-12H100	SUBMERSIBLE	4"	6"

\*Pump information is for a new pump to be installed. Intake size and discharge size are the same dimensions as the pump that is currently in service.

**3. Motor Information**

MANUFACTURER	HORSEPOWER
FRANKLIN ELECTRIC	30

**4. Theoretical Pump Capacity**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
30	120	17.5	200'(Average)	0.62

**5. Provide pump calculations:**

See attached.

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**6. Measured Pump Capacity (using meter if meter was present and system was operating)**

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
72,865,400	72,868,000	2:00 MIN	2.9

**Reminder: For pump calculations use the reference information at the end of this document.**

7. Is the distribution system piped? YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
12"	4.5 MILES	HDPE/ C900	BURIED
8"	2-3 MILES	ACP	BURIED
8"	5 MILES	C900	BURIED
6"	UNKOWN	ACP	BURIED

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2"	2' TO 500' PER USER	PVC	BURIED

12. Additional notes or comments related to the system:

System includes 6 booster pump stations throughout the service area.

**C. Groundwater Source Information (Well and Sump)**

1. Is the appropriation from ground water (well or sump)? YES NO

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

24"x24" Hatch Type Opening

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
12	70	120	1-07-2005	2-27-2006	NBOWD	Bandon Well
10	50	120	1-07-2005	1-07-2005	NBOWD	WWC#1411

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

See attached well logs.

5. Is the appropriation from a dug well (sump)? YES NO

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## D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

YES NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES NO

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Adams Road- Welded Steel	200,000	Above
Horizon Drive A- Glass Fused Bolted Steel	209,000	Above
Horizon Drive Upper- Welded Steel	5,000	Below
Starkweather Drive- Welded Steel	15,000	Below
Miller Lane- Concrete	1,000	Above
Indian Hills Lower- Glass Fused Bolted Steel	50,000	Above
Indian Hills Upper- Glass Fused Bolted Steel	83,000	Above
Indian Hills #3- Bolted Steel	32,000	Above
Menasha(Edson Cr.)- Glass Fused Bolted Steel	320,000	Above

## E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES NO

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
12"	HDPE/C900	Varies	-	-	-	-
8"	ACP/ C900	Varies	-	-	-	-
6"	ACP	Varies	-	-	-	-

3. Provide calculations:

See actual measurements.

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4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
1/30/14	Mike Mezsaros	Rockwell Meter	0.2
2/3/2014	Mike Mezsaros	Rockwell Meter	0.3
1/30/2014	Mike Mezsaros	Rockwell Meter	2.6
11/2/2013	Mike Mezsaros	Rockwell Meter	2.7
11/2/2014	Mike Mezsaros	Rockwell Meter	2.2
11/7/2013	Mike Mezsaros	Rockwell Meter	0.9
2/3/2014	Mike Mezsaros	Rockwell Meter	2.7
7/26/2005	Mike Mezsaros	Rockwell Meter	4.2

Attach measurement notes.

### F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? YES NO

### G. Reservoir

1. Does the claim involve a reservoir modified through a transfer? YES NO

**Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.**

## SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

#### 1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	3-22-99		
BEGIN CONSTRUCTION (A)	June 8, 1999	1-04-2005	Began new well drilling
COMPLETE CONSTRUCTION (B)	Not Specified	1-07-2005	Finished casing new well and testing.
COMPLETE APPLICATION OF WATER (C)			

\* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

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YES NO

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
93	518	October 1, 2015

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? YES NO

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? YES NO

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? YES NO

If "NO", items 6b through 6e relating to this section may be deleted.

b. Has the pump test been previously submitted to the Department? YES NO

c. Is the pump test attached to this claim? YES NO

d. Has the pump test been approved by the Department? YES NO

e. Has a pump test exemption been approved by the Department? YES NO

\*\* Claims will not be reviewed until a pump test or exemption has been approved by the Department

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? YES NO

If "NO", items 7b through 7f relating to this section may be deleted.

**Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.**

b. Has a meter been installed? YES NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD1	McCrometer Inc	06-103	Working	72,868,000	11/2/2005

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? YES NO

If "NO", item 8b relating to this section may be deleted.

b. Have the reports been submitted? YES NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
PAPER	1486

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If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES NO

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? YES NO

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

- a. Were there special well construction standards? YES NO
- b. Was submittal of a ground water monitoring plan required? YES NO
- c. Was the water user required to restore the riparian area if it was disturbed? YES NO
- d. Was a fishway required? YES NO
- e. Was submittal of a letter from an engineer required prior to storage of water? YES NO
- f. Was submittal of a water management and conservation plan required? YES NO
- g. Other conditions? YES NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

District's Water Management and Conservation Plan was submitted and approved in Special Order Volume 93 Page 520. See attached.

**SECTION 6  
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Well Logs	Well ID #71991(Test Well), and #74199
Final Order	Water Management and Conservation Plan Approval Vol. 93 Pg 518
Pump Calculations	Pump Capacity Calculation Sheet
Final Order	Extension of Time Dated October 27, 2007
Order	Water Management and Conservation Plan Vol. 53 Pg. 1156
Permit	Water Rights Permit G-13613
Exemption Request	Exemption Request to 690-217-0015
Water Use Report	Report for G-13613 from 1989-2014
Map Standard Waiver(eMail)	Approved waiver to Map Standards
COBU Map	11x17 Map at 1"=3000'
Various Flow Measurements	Various measurements from within NBOWD District.

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## SECTION 7

### CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

**Survey based on Curry County GIS. Terrestrial Survey methods were used to located the well head and infrastructure to Section Lines in T.36S., R.14W., Section 9.**

#### Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

**(Reminder: Incomplete maps and/or claims may be returned.)**

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map) **Approved Waiver Scale of 1"=3000'**.
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers **Approved Waiver not to include Tax Lots.**
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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MAIN well

COPY

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)

(WELL I.D.)# L 74199  
(START CARD) # 171895

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number **4012**  
Name **Nesika Beach Water District**  
Address **32892 Nesika Rd.**  
City **Gold Beach** State **Oregon** Zip **97444**

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well **120** ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
16	0	20	Cement	2	20	22 sacks
			Bentonite	0		1 sack
	95		Bentonite	out	side	of seal
13	0	120				

How was seal placed: Method  A  B  C  D  E  
 Other **Poured dry**  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing 12	+2	70	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10	110	120	250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(7) PERFORATIONS/SCREENS:

Perforations Method \_\_\_\_\_  
 Screens Type **Johnson** Material **Stainless**

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
70	110	.05			12T		<input checked="" type="checkbox"/>

\* (8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
1500	6	110	1 hr.

Pump  Bailer  Air  Flowing  Artesian

Temperature of water **52** Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for drinking?  Yes  No  
 Salty  Muddy Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

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(9) LOCATION OF WELL by legal description:  
County **Curry** Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township **36** S Range **14** W WM  
Section **9** NE 1/4 NW 1/4  
Tax Lot **1000** Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) **North Bank Rogue**  
**Gold Beach, Oregon**

(10) STATIC WATER LEVEL:  
**14** ft. below land surface. Date **1-07-2005**  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found **14**

From	To	Estimated Flow Rate	SWL
14	120	2000 +	14

(12) WELL LOG:

Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Sandy Loam	0	6	
Cemented Gravel	6	18	
Brown Sand	18	22	
Sand & Gravel	22	54	
Sand w/Brown Clay w/Some Gravel	54	74	
Sand & Gravels	74	120	

**JONES DRILLING CO., INC.**  
29400 SANTIAM HWY.  
LEBANON, OR 97355  
541-367-2560 541-451-2686  
1-800-915-8388

Date started **1-04-2005** Completed **1-07-2005**

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed *KAD* WWC Number **1411** Date **1-12-2005**

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed *Bret Jones* WWC Number **1684** Date **1-12-2005**

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Amended

STATE OF OREGON  
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

WELL I.D. # L 74199

START CARD # 175984 \*

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number \_\_\_\_\_  
Name Nesika Beach Water District  
Address 32892 Nesika Rd.  
City Gold Beach State Oregon Zip 97444

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well \_\_\_\_\_ ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used  Inside  Outside  None  
Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:  
 Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailor  Air  Flowing Artesian  
Yield gal/min \_\_\_\_\_ Drawdown \_\_\_\_\_ Drill stem at \_\_\_\_\_ Time \_\_\_\_\_

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County Curry Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 36 S N or S Range 14 W E or W WM  
Section 9 ne 1/4 nw 1/4  
Tax Lot 1000 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) North Bank Rogue  
Gold Beach, Oregon

(10) STATIC WATER LEVEL:  
\_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found \_\_\_\_\_

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
2/22/06			
Cut off casing at 13' below ground level and welded on 14' pittless unit.			
2/27/06			
Used 24 bags bentonite to reseal well from 15' to ground level.			

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**WATER RESOURCES DEPT**  
**SALEM, OREGON**

Date started 2/22/06 Completed 2/27/06

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed [Signature] WWC Number 709 Date 5/15/06

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)

TEST well

CURR 51158

WELL I.D. # L 71991  
START CARD # 169249

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number \_\_\_\_\_  
Name Nesika Beach Water District  
Address 32892 Nesika Road  
City Gold Beach State Or Zip 97444

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 120 ft.  
Expenses  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	25	Bentonite	0	25	23
6"	25	120				

How was seal placed: Method  A  B  C  D  E  
 Other Poured dry  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	0	120	.280	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used  Inside  Outside  None  
Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:

Perforations Method Air Perforator  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
60'	100'	6"	1 row	1/8"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

\* (8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing Artesian Time
250+		120'	1 hr.

Pump  Bailer  Air  Flowing Artesian

Temperature of water 50 Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County Curry Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 36S N or S Range 14W E or W WM  
Section 09 A 1/4 B 1/4  
Tax Lot 1000 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) North Bank Rogue Gold Beach, Oregon

(10) STATIC WATER LEVEL:  
17 ft. below land surface. Date 10/5/04  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 35'

From	To	Estimated Flow Rate	SWL
35	36	250+	17

(12) WELL LOG:

Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Sandy Soil	0	2	
Sand & Gravel	2	52	
Black sand	52	55	
Sand & Gravel & brown clay	55	120	17

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NOV 08 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

Date started 10/5/04 Completed 10/5/04

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
WWC Number \_\_\_\_\_  
Signed \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
WWC Number 709  
Signed \_\_\_\_\_ Date 10/6/04

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of the Proposed Water )  
Management and Conservation Plan for )  
Nesika Beach-Ophir Water District, )  
Curry County )

FINAL ORDER APPROVING A  
WATER MANAGEMENT AND  
CONSERVATION PLAN

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**Authority**

OAR Chapter 690, Division 086, establishes the process and criteria for approving water management and conservation plans required under the conditions of permits, permit extensions and other orders of the Department. An approved water management plan may authorize the diversion and use of water under a permit extended pursuant to OAR Chapter 690, Division 315.

**Findings of Fact**

1. The Nesika Beach-Ophir Water District (District) submitted a Water Management and Conservation Plan (plan) to the Department on September 21, 2012. The required statutory fee for review of the plan was received by the Department on October 25, 2012. The plan was required by a condition set forth under the City's previously approved plan (Sp. Or. Vol. 57, Pg. 126) issued on February 25, 2003, and by a condition set forth in the final order issued on October 25, 2007, approving an extension of time for Permit G-13613.
2. The final order issued on October 25, 2007, approving the extension of time for Permit G-13613 established a condition (i.e., "Development Limitations") that limits the rate of water that may be appropriated at this time under Permit G-13613 to no more than 0.366 cfs of water (out of the permitted 0.5 cfs of water).
3. The Department published notice of receipt of the plan on October 31, 2012, as required under OAR Chapter 690, Division 086. No comments were received.
4. The Department provided written comments on the plan to the District on August 16, 2013. In response, the District submitted a revised plan to the Department on April 7, 2014, as well as an addendum to the revised plan on September 19, 2014.
5. The Department reviewed the revised plan and finds that while the District has implemented several water conservation measures (i.e., a fully metered system, annual water audits, a meter testing and maintenance program, a rate structure that includes a base rate and a volumetric charge based upon the amount of water metered at each service connection, and offering public education materials aimed at encouraging efficient water use and the use of low water use landscaping); it does not currently have a leak detection program in place, and its system-wide water loss averaged 43 percent between July 2009 and June 2011.

This is a final 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 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.



6. The revised plan includes a proposed schedule to implement a leak detection program (which includes a leak repair element) within the year 2014 to aid in reducing its system-wide water losses to a more acceptable range.
7. The revised plan identifies ground water (i.e., wells) and Greggs Creek as the authorized sources of the District's water rights and water use permits; however, the District has chosen not to pursue development and perfection of its Greggs Creek water use permit (Permit S-53985).
8. The revised plan accurately and completely describes that the authorized wells are not located within the designated boundaries of any designated critical ground water area. It also accurately and completely describes the federally- and/or state-listed fish species that occur in Greggs Creek, namely Chinook salmon, Coho salmon, steelhead, Western Brook lamprey and Pacific lamprey. Furthermore, it identifies that Greggs Creek is not listed by the Oregon Department of Environmental Quality as being a water quality limited source.
9. The water curtailment element included in the revised plan satisfactorily promotes water curtailment practices and includes a list of three stages of alert with concurrent curtailment actions.
10. The revised plan demonstrates an anticipated need for 1.28 cfs of water to meet the District's overall peak water demands for the next 20 years. These projections are reasonable and consistent with the District's land use plan.
11. The diversion of water under Permit G-13613 will be increased during the next 20 years and is consistent with OAR 690-086-0130(7), as follows:
  - a. As evidenced by the District's currently implemented conservation measures and the proposed schedule for implementing a leak detection program (as described in Findings of Fact #5 and #6 above), the final revised plan includes a schedule for the continuation and implementation of water conservation measures that would provide water at a cost that is equal to or lower than the cost of other identified sources;
  - b. Interconnection with the District's neighboring water supplier (namely, the City of Gold Beach) would require considerable capital investment and lengthy permitting requirements to construct an intertie that includes a river crossing pipeline under the riverbed of the Rogue River. In addition to these costs, the District would be charged a one-time system development charge as well as monthly water use charges. Because of these reasons, therefore, increased diversion of water under Permit G-13613, together with water savings resulting from the District's soon-to-be implemented leak detection and repair program, are the most feasible and appropriate water supply alternatives available to the District at this time; and
  - c. The District is not currently required to take any mitigation actions under state or federal law related to further development of the water use authorized under Permit G-13613.
12. The Department finds that the proposed work plan schedule described in Finding of Fact #6 to complete the additional work is reasonable and appropriate, and that the proposed work plan schedule should be incorporated into the final order approving the District's revised plan.

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13. In accordance with OAR 690-086-0900(3), the revised plan is generally consistent with the relevant requirements under OAR 690-086-0125, and includes a scheduled work plan (as described in Finding of Fact #6 above) for completion of additional work necessary to satisfy the requirements of OAR 690-086 within five years.
14. As set forth under OAR 690-086-0900(4), any plan approval that contains a requirement for completion of additional work under OAR 690-086-0900(3) shall preclude additional diversion of water under an extended permit beyond the need quantified for the next two years.
15. The District's addendum to the revised plan submitted on September 19, 2014, indicates that the currently authorized quantity of water of 0.366 cfs under Permit G-13613 (as described in Finding of Fact #2), along with 0.2 cfs of water available under Certificate 37549, will be adequate to meet the District's peak water needs for the next 2 years. The Department finds that this quantity of water is reasonable and necessary for the District.

### **Conclusions of Law**

The Water Management and Conservation Plan, with the inclusion of the work plan, submitted by the Nesika Beach-Ophir Water District is consistent with the criteria in OAR Chapter 690, Division 086.

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

1. **Duration of WMCP Approval:**

Nesika Beach-Ophir Water District's Water Management and Conservation Plan is approved and shall remain in effect until September 22, 2019, unless this approval is rescinded pursuant to OAR 690-086-0920.

2. **Work Plan Requirements:**

To complete additional work necessary to satisfy all of the requirements of OAR 690-086, the Nesika Beach-Ophir Water District shall accomplish and complete the following activities, as scheduled below:

a. **By the end of Year 2014:**

- Develop a regularly scheduled and systematic leak detection program for the District's transmission and distribution system.

3. **Development Limitations:**

The limitation of the diversion of water under Permit G-13613 established by the extension of time approved on October 25, 2007, remains unchanged. Subject to other limitations or conditions of the permit, Nesika Beach-Ophir Water District is authorized to divert up to 0.366 cfs under Permit G-13613.

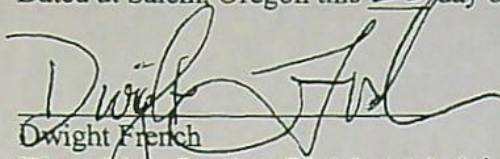
4. **WMCP Update Schedule:**

Nesika Beach-Ophir Water District shall submit an updated plan meeting the requirements of OAR Chapter 690, Division 086 within 5 years and no later than March 22, 2019.

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5. The deadline established herein for the submittal of an updated Water Management and Conservation Plan (consistent with OAR Chapter 690, Division 086) shall not relieve Nesika Beach-Ophir Water District from any existing or future requirement(s) for submittal of a Water Management and Conservation Plan at an earlier date as established through other final orders of the Department.

Dated at Salem, Oregon this 22 day of September, 2014.



Dwight French  
Water Right Services Division Administrator, for  
Director  
Oregon Water Resources Department

Mailing date: SEP 23 2014

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# Pump Capacity Calculation Sheet

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

## Data Entry (fill in underlined blanks)

---

HP = 30  
Efficiency = 6.61  
Lift = 17.5  
PSI = 120

## Results Calculated

---

(hp)(efficiency) = 198.3  
Head based on psi = 304.8  
Total dynamic head = 322.3  
(head + lift)

Pump Capacity = 0.62 feet per second

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Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14016

**Final Order**  
**Extension of Time for Permit Number G-13613**

**Appeal Rights**

This is a final order in other than 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.

**Application History**

The Department issued Permit G-13613 on March 22, 1999. The permit called for complete application of water to beneficial use by October 1, 2002. On June 23, 2003, Nesika Beach Water District and Ophir Water District submitted an application to the Department for an extension of time for Permit G-13613. In accordance with OAR 690-315-0050(2), on August 28, 2007, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2015. The protest period closed October 12, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

**CONDITIONS**

1. **Development Limitations**

Diversion of any water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving a WMCP under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension application. Use of water under Permit G-13613 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department.

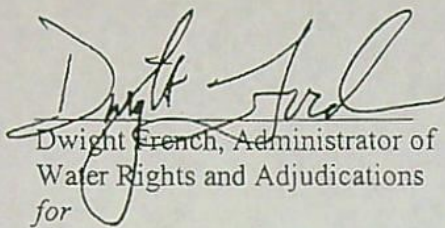
The deadline established in this PFO for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

Order

The extension of time for Application G-14016, Permit G-13613, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: October 25, 2007



Dwight French, Administrator of  
Water Rights and Adjudications

for

Phillip C. Ward, Director

---

If you have any questions about statements contained in this document, please contact Kim R. French at (503) 986-0813.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

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BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF REQUIREMENT TO )  
SUBMIT A WATER MANAGEMENT AND ) ORDER  
CONSERVATION PLAN )

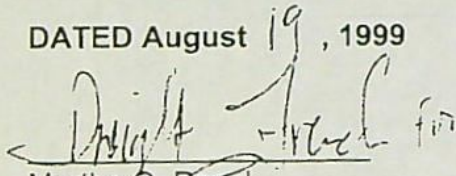
*History*

On January 5, 1996, the Department received application G-14016 from NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT for a water use permit. On March 22, 1999, permit G-13613 was issued. The permit included the following condition regarding a Water Management and Conservation Plan:

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

Consistent with the permit condition above the Department has determined that a plan is now required. Therefore, it is **ORDERED** that the permittee shall submit a Water Management and Conservation Plan, consistent with OAR Chapter 690, Division 86, within **2 years** of the date of this order, unless the Director approves an extension of this timeline.

DATED August 19, 1999

  
Martha O. Pagel  
Director

*Appeal Rights*

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

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STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

NESIKA BEACH WATER DISTRICT AND OPHIR WATER DISTRICT  
32892 NESIKA ROAD  
GOLD BEACH, OREGON 97444

(503)247-2614

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14016

SOURCE OF WATER: A WELL IN ROGUE RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

MAXIMUM RATE: 0.5 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 5, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 9, T36S, R14W, W.M.;  
512 FEET NORTH & 2538 FEET EAST FROM S1/4 CORNER, SECTION 9

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4 ✓  
SW 1/4 NE 1/4 ✓  
SE 1/4 NE 1/4 ✓  
NE 1/4 SW 1/4 ✓  
SE 1/4 SW 1/4 ✓  
NW 1/4 SE 1/4 ✓  
SW 1/4 SE 1/4 ✓

SECTION 8

NW 1/4 ✓  
NW 1/4 SW 1/4 ✓  
SW 1/4 SW 1/4 ✓

SECTION 17

NE 1/4 NE 1/4 ✓  
SE 1/4 NE 1/4 ✓  
NE 1/4 SE 1/4 ✓

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Application G-14016 Water Resources Department

PERMIT G-13613



SW 1/4 SE 1/4 ✓  
SE 1/4 SE 1/4 ✓  
SECTION 19

NW 1/4 NW 1/4 ✓  
SW 1/4 NW 1/4 ✓  
NW 1/4 SW 1/4 ✓  
SW 1/4 SW 1/4 ✓  
SECTION 20

NE 1/4 NE 1/4 ✓  
NW 1/4 NE 1/4 ✓  
SW 1/4 NE 1/4 ✓  
SE 1/4 NW 1/4 ✓  
NE 1/4 SW 1/4 ✓  
SE 1/4 SW 1/4 ✓  
NW 1/4 SE 1/4 ✓  
SW 1/4 SE 1/4 ✓  
SECTION 30

SW 1/4 NE 1/4 ✓  
NW 1/4 ✓  
NE 1/4 SW 1/4 ✓  
NW 1/4 SW 1/4 ✓  
SE 1/4 SW 1/4 ✓  
SECTION 31

TOWNSHIP 35 SOUTH, RANGE 14 WEST, W.M.

SE 1/4 NE 1/4 ✓  
NE 1/4 SE 1/4 ✓  
SE 1/4 SE 1/4 ✓  
SECTION 36

TOWNSHIP 35 SOUTH, RANGE 15 WEST, W.M.

NE 1/4 SW 1/4 ✓  
SW 1/4 SW 1/4 ✓  
NW 1/4 SE 1/4 ✓  
SECTION 5

NW 1/4 NW 1/4 ✓  
SW 1/4 NW 1/4 ✓  
NW 1/4 SW 1/4 ✓  
SW 1/4 SW 1/4 ✓  
SE 1/4 SE 1/4 ✓  
SECTION 6

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NW 1/4 NW 1/4 ✓  
SECTION 7

NE 1/4 ✓  
NE 1/4 NW 1/4 ✓  
NW 1/4 NW 1/4 ✓  
SE 1/4 NW 1/4 ✓  
NE 1/4 SW 1/4 ✓  
SE 1/4 SW 1/4 ✓  
SE 1/4 ✓  
SECTION 8

SW 1/4 NW 1/4 ✓  
SE 1/4 NW 1/4 ✓  
SW 1/4 ✓  
SE 1/4 ✓  
SECTION 9

NE 1/4 NW 1/4 ✓  
SECTION 16

NW 1/4 NE 1/4 ✓  
SW 1/4 NE 1/4 ✓  
NW 1/4 SE 1/4 ✓  
SECTION 17

TOWNSHIP 36 SOUTH, RANGE 14 WEST, W.M.

NE 1/4 ✓  
SE 1/4 ✓  
SECTION 12

TOWNSHIP 36 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

Application G-14016      Water Resources Department

PERMIT G-13613

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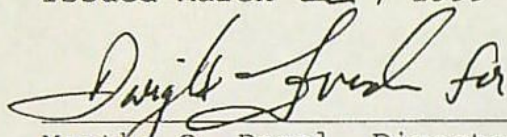
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin by June 8, 1999. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued March 22, 1999



Martha O. Pagel, Director  
Water Resources Department

Application G-14016  
Basin 17  
RWK

Water Resources Department  
Volume 3 EUCHRE CR & MISC  
MGMT.CODES 7BG 7BR

PERMIT G-13613  
District 19

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# WATER FILING APPLICATION for NESIKA BEACH WATER DISTRICT & OPHIR WATER DISTRICT

LOCATED in T 35 S, R 14 W and T 36 S, R 14 W, W.M. CURRY COUNTY, OREGON

SCALE: 2" = 1 MILE FEBRUARY 1995


**RECEIVED**


SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. G14016  
Permit No. G13613

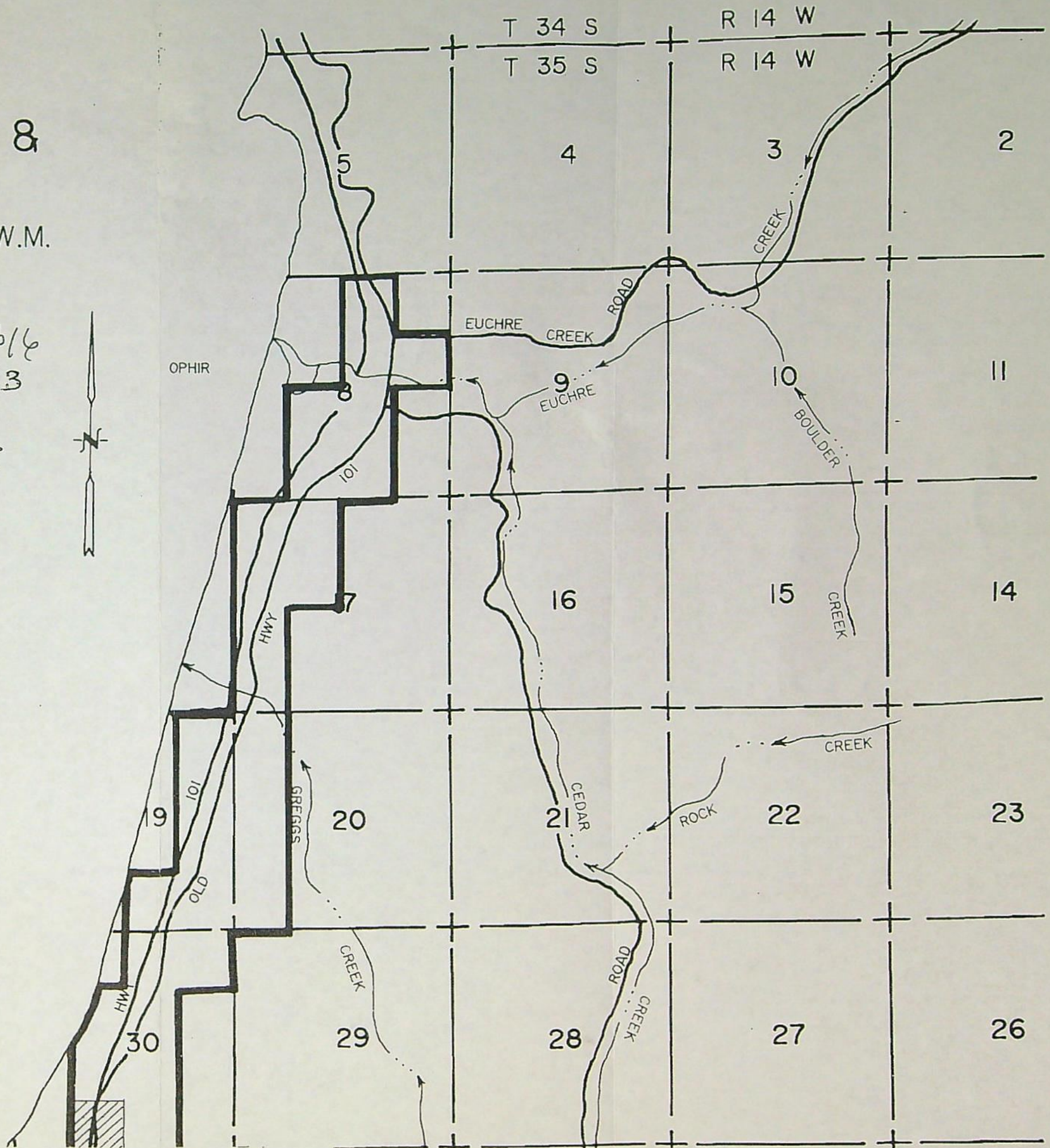
THE PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE PROPOSED WATER RIGHT AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

 INDICATES: PERMIT # G3571  
APPLICATION # G 3788  
CERTIFICATE # 37549

 INDICATES: BOUNDARIES OF EXPANDED USES

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O C E A N





**CONSULTING ENGINEERS & GEOLOGISTS, INC.**

275 Market Avenue • Coos Bay, Oregon 97420-2228 • Phone: 541/266-9890 • FAX: 541/266-9496 • shninfo@shn-engr.com

Reference: 615003

September 25, 2015

Mr. Gerry Clark  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266

**Subject: Request for Exemption to 690-217-0015; Pump Test Requirement Before Issuance of a Certificate of Water Right - Pertaining to Permit G-13613.**

Dear Mr. Clark:

SHN Consulting Engineers & Geologists, Inc. (SHN) is requesting an exemption to 690-217-0015 requiring a pump test prior to certificate of water right on behalf of Nesika Beach-Ophir Water District (NBOWD). SHN is currently working on a Claim of Beneficial Use Application for NBOWD.

As stated in 690-217-0015 a pump test is required before issuance of a Certificate of Water Right. To perform the required test as specified in the pump test requirements, an interruption of 16 hours during pre-pumping phase and an additional 4 hours during the post-pumping phase would negatively impact service to District users. Due to the negative impact to District users, NBOWD is asking for an exemption to the Pump Test Requirement.

Please contact me at 541-266-9890 if you have any questions.

Regards,

**SHN Consulting Engineers & Geologists, Inc.**

Walter White, PLS  
Senior Surveyor

SKD:dkl

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USE

# Water Use Report Based on Water Right



Permit: G 13613 \*

NESIKA BEACH OPHIR WATER DISTRICT PO BOX 39 OPHIR, OR 97464

Records per page:

Water Year*	Report ID	Facility	Acre-feet (AF) of Water Used												Total Water Used	Irrigated Acres
			Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
2014	12887	A WELL (CURR 217)	10.28	9.13	11.76	10.36	8.51	12.06	10.32	10.63	11.27	15.01	16.05	13.93	139.31	
2013	12887	A WELL (CURR 217)	14.91	11.20	10.84	12.64	11.11	12.06	14.69	12.94	11.27	16.49	13.63	13.19	154.96	
2008	12887	A WELL (CURR 217)	11.80	12.06	10.93	11.93	9.61	10.93	11.66	13.19	15.42	20.11	16.99	15.80	160.42	
2006	12887	A WELL (CURR 217)	9.37	9.35	9.26	9.94	8.36	9.76	9.57	12.28	12.22	12.22	17.69	13.52	133.52	
2005	12887	A WELL (CURR 217)	9.34	8.54	8.84	7.93	7.29	8.74	8.56	9.48	13.63	14.85	14.99	11.91	124.10	
2004	12887	A WELL (CURR 217)	12.51	11.65	10.42	10.66	10.03	11.24	11.82	13.54	14.54	15.92	15.08	11.04	148.47	
2003	12887	A WELL (CURR 217)	19.39	10.97	9.75	9.57	8.25	9.23	9.64	11.21	17.69	21.06	17.54	14.00	158.31	
2002	12887	A WELL (CURR 217)	12.84	10.81	12.01	12.05	11.34	11.46	12.64	14.43	15.32	18.20	20.79	17.53	169.43	
2001	12887	A WELL (CURR 217)	14.46	11.64	12.41	12.30	12.28	10.72	12.29	12.06	14.71	17.00	17.89	17.22	164.98	
2000	12887	A WELL (CURR 217)	13.52	10.90	10.58	10.85	9.95	9.19	11.54	10.79	14.34	21.97	22.03	21.72	167.38	
1999	12887	A WELL (CURR 217)	13.47	10.41	10.77	12.43	12.96	10.50	10.88	9.96	16.69	19.98	16.64	14.66	159.36	
1998	12887	A WELL (CURR 217)	11.36	10.58	10.55	12.84	11.11	10.22	11.61	13.54	13.79	21.54	21.03	20.56	168.73	
1997	12887	A WELL (CURR 217)	15.19	17.74	14.16	15.63	12.84	9.82	11.84	13.83	17.82	19.25	21.71	14.16	183.98	
1996	12887	A WELL (CURR 217)	10.16	9.53	10.71	8.91	10.30	9.67	8.36	8.90	14.42	17.24	22.66	16.45	147.30	
1995	12887	A WELL (CURR 217)	13.65	16.97	12.90	11.57	12.08	8.58	8.11	9.03	12.14	17.07	20.17	15.12	157.41	
1994	12887	A WELL (CURR 217)	12.32	10.23	9.77	11.37	8.09	7.75	9.70	8.96	71.73	19.20	20.00	21.08	210.20	
1993	12887	A WELL (CURR 217)	11.96	8.60	9.73	9.41	8.03	6.28	8.37	8.04	10.84	17.88	14.90	14.85	128.90	
1992	12887	A WELL (CURR 217)	12.32	7.13	8.19	9.81	10.43	7.71	7.39	11.26	14.18	12.85	16.92	11.79	129.98	
1991	12887	A WELL (CURR 217)	8.43	7.65	9.51	7.40	5.54	6.59	7.63	5.67	11.33	14.19	15.30	11.05	110.30	
1990	12887	A WELL (CURR 217)	7.29	6.84	6.64	6.33	7.81	5.18	7.51	8.62	8.85	11.60	13.25	10.04	99.97	
1989	12887	A WELL (CURR 217)	6.06	5.08	5.04	5.87	6.50	5.35	7.16	6.69	10.42	11.72	14.27	10.39	94.56	

\*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.

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## Walter White

---

**From:** CLARK Gerry E [gerald.e.clark@state.or.us]  
**Sent:** Friday, September 25, 2015 9:50 AM  
**To:** Walter White  
**Subject:** RE: Permit G-13613 Mapping Standards Waiver Request

Walter,

Your request for a waiver is approved as requested.

I will place a copy of this waiver approval in the file, but please also attach a copy to your Claim.

Let me know if you have any additional questions. Have a great weekend!

Gerry

Gerry Clark  
Water Right Services Division  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

Phone: [503-986-0811](tel:503-986-0811)

---

**From:** Walter White [<mailto:wwhite@shn-engr.com>]  
**Sent:** Friday, September 25, 2015 9:47 AM  
**To:** 'Gerry Clark'  
**Subject:** RE: Permit G-13613 Mapping Standards Waiver Request

Gerry

I am requesting a waiver to the Mapping Standards for a claim of beneficial use application I am working on for Nesika Beach Ophir Water District.

The Mapping Standards I am requesting a waiver for are:

Scale- Requesting waiver for and 11x17 size sheet at 1"=3000'. This scale will allow me to show the entire district and places of use on one sheet.

Tax Lot Boundaries and Numbers- Requesting waiver to not include this requirement to allow for a more legible map product.

Thank you for your consideration.

**Walter White, PLS**  
Senior Surveyor



SHN Engineers & Geologists  
275 Market Avenue, Coos Bay, OR 97420  
T: (541)266-9890 | C: (541)290-7571

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NBOWD - Pressure and flow data  
various points in system

	Pressure in PSI	Flow in GPM	Date recorded	Flow in CFS
	<i>Standard Gauge</i> 0-200psi	<i>Rockwell meter</i> Model# W-350 3" 125-W		
End of Chantrelle - 2" blow-off on 2" pvc line	56	86	1/30/2014	0.2
End of Greggs Creek - 2" blow-off on 3" pvc line	78	121.55	2/3/2014	0.3
End of Ophir Rd - Hydrant 6" off of 8" C900	115	1180	1/30/2014	2.6
North Bank Rd Hydrant - 6" off of 12' HDPE	110	1200	11/2/2013	2.7
Nesika Rd Hydrant - 6" off of 6" ACP	82	1000	11/2/2014	2.2
Hillside Acres Rd - 4" ACP	65	400	11/7/2013	0.9
Ophir Rd at Greggs Creek Rd - 6" off of 8" C900	98	1200	2/3/2014	2.7
Indian Hills Near pump #2 - 6" C-900	61	1885	7/26/2005	4.2

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EXPLANATION

- PLACE OF USE
- SECTION LINES
- WATER MAIN LINE 12", 8", & 6"
- 6" WATER
- 4" WATER
- 3" WATER
- 2" WATER

- WELL HEAD (POD1)
- L1 GOVERNMENT LOT
- MS MINERAL SURVEY
- DLC DONATION LAND CLAIM
- STORAGE TANK

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

COPY 1 pp 9 42

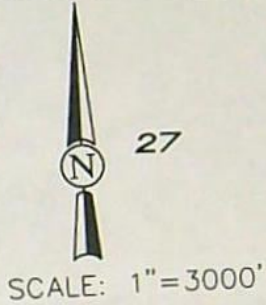
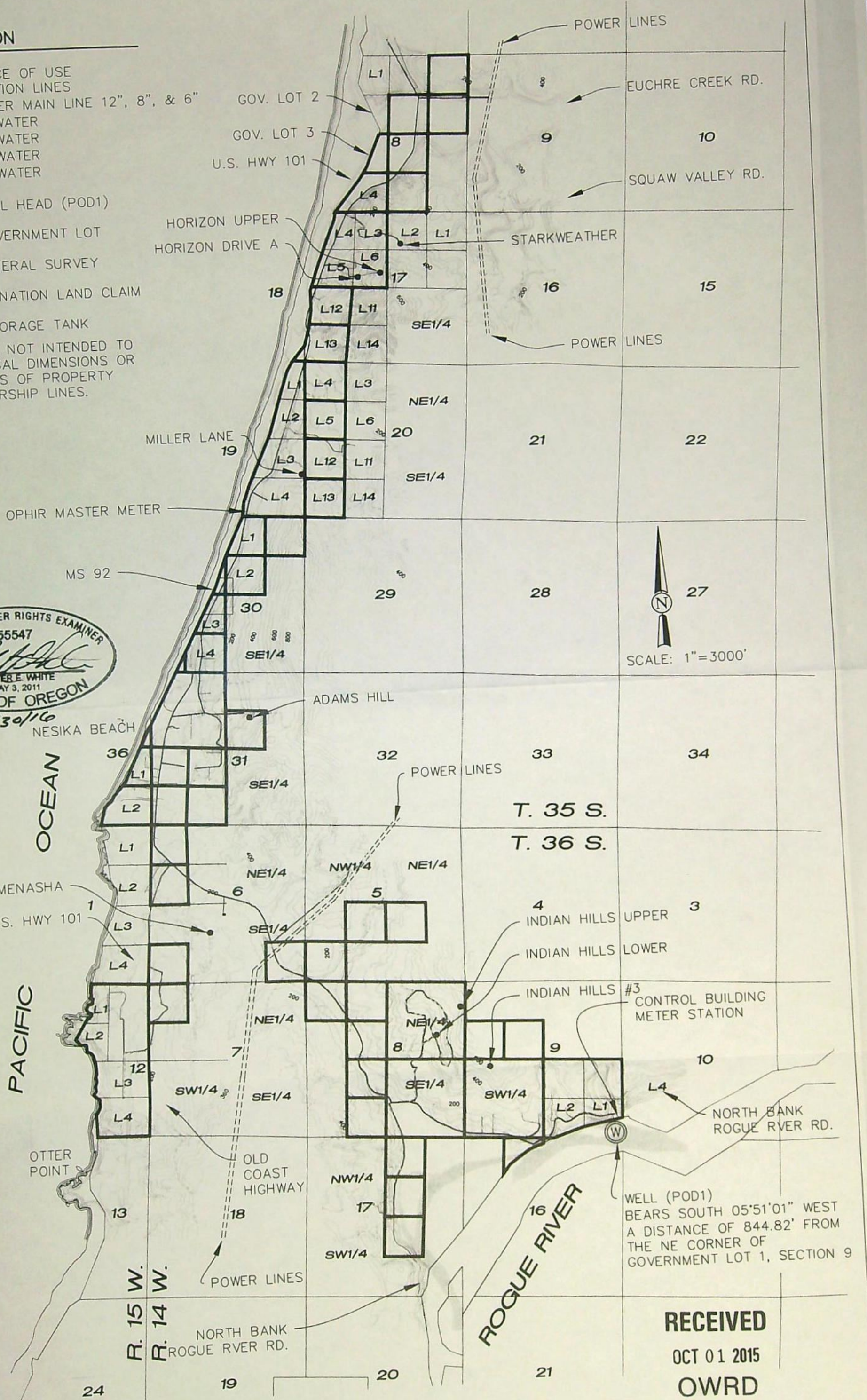


EXPRES: 6/30/16



Claim of Beneficial Use  
Current/Current NP

Application No. G-14016  
Permit No. G-13613  
SHN 615003



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# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 5, 2015

Nesika Beach Ophir Water Dist.  
PO Box 39  
Ophir OR 97464

On October 1, 2015, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application G-14016 Permit G-13613

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: [http://www.wrd.state.or.us/OWRD/mgmt\\_reimbursement\\_authority.shtml](http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml)

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file  
Walter White, CWRE



**CONSULTING ENGINEERS & GEOLOGISTS, INC.**

275 Market Avenue • Coos Bay, Oregon 97420-2228 • Phone: 541/266-9890 • FAX: 541/266-9496 • shninfo@shn-engr.com

Reference: 615003

September 30, 2015

Mr. Gerry Clark  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266

**Subject: Claim of Beneficial Use - Permit G-13613.**

Dear Mr. Clark:

Please find enclosed Claim of Beneficial Use application for Permit G-13613 (Nesika Beach-Ophir Water District) and check number 104054 in the amount of \$175.00 for application fees.

Please contact me at 541-266-9890 if you have any questions.

Regards,

**SHN Consulting Engineers & Geologists, Inc.**

Walter White PLS  
Senior Surveyor

SKD:dkl

Enclosure: Claim of Beneficial Use application  
Check no. 10454

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# WATER FILING APPLICATION for NESIKA BEACH WATER DISTRICT & OPHIR WATER DISTRICT

LOCATED in T 35 S, R 14 W and T 36 S, R 14 W, W.M. CURRY COUNTY, OREGON

SCALE: 2" = 1 MILE FEBRUARY 1995

**RECEIVED**

SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. G14016  
Permit No. G13613

THE PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE PROPOSED WATER RIGHT AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

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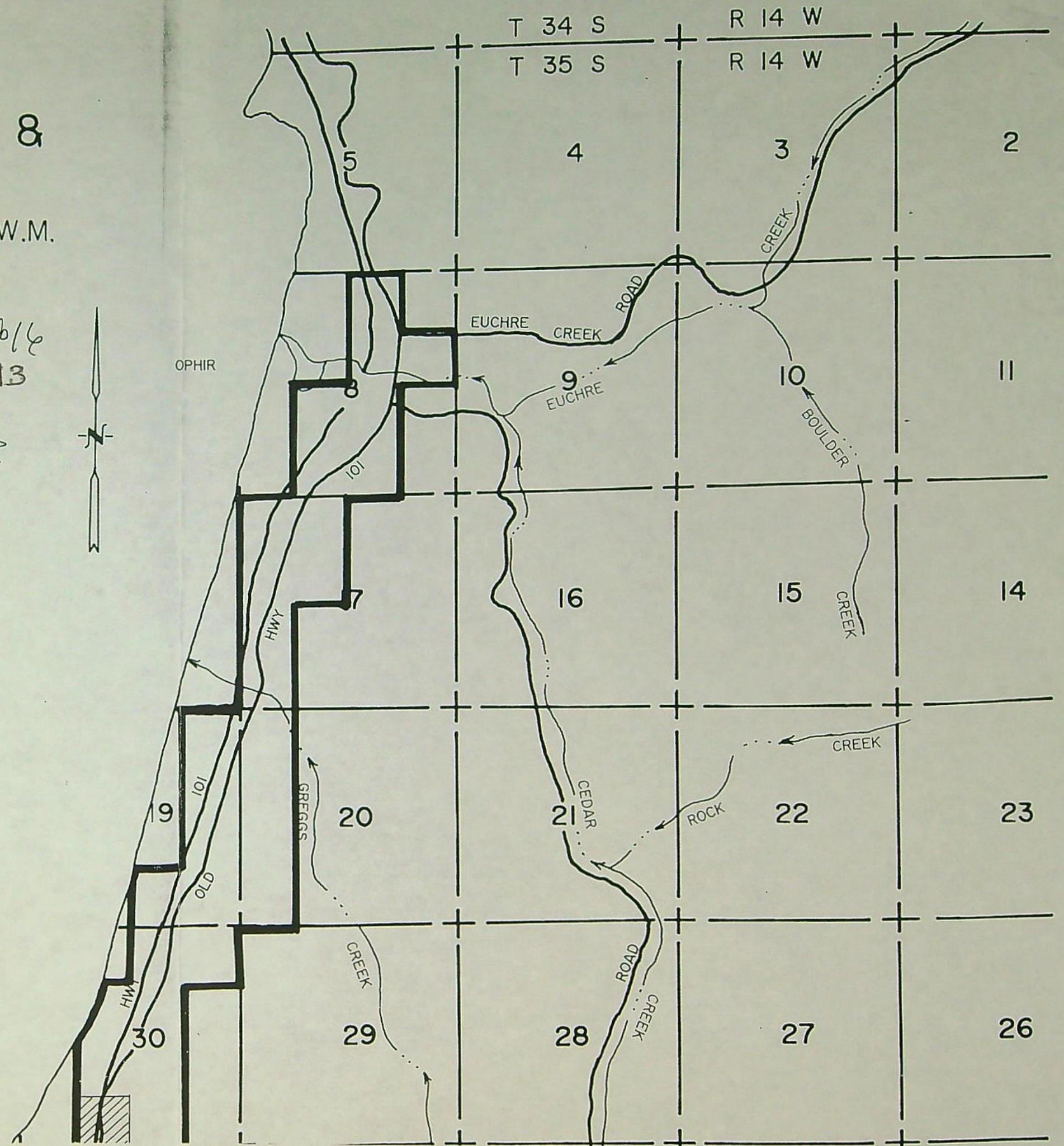
INDICATES:

PERMIT # G3571  
APPLICATION # G 3788  
CERTIFICATE # 37549



INDICATES:

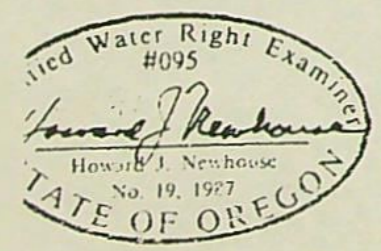
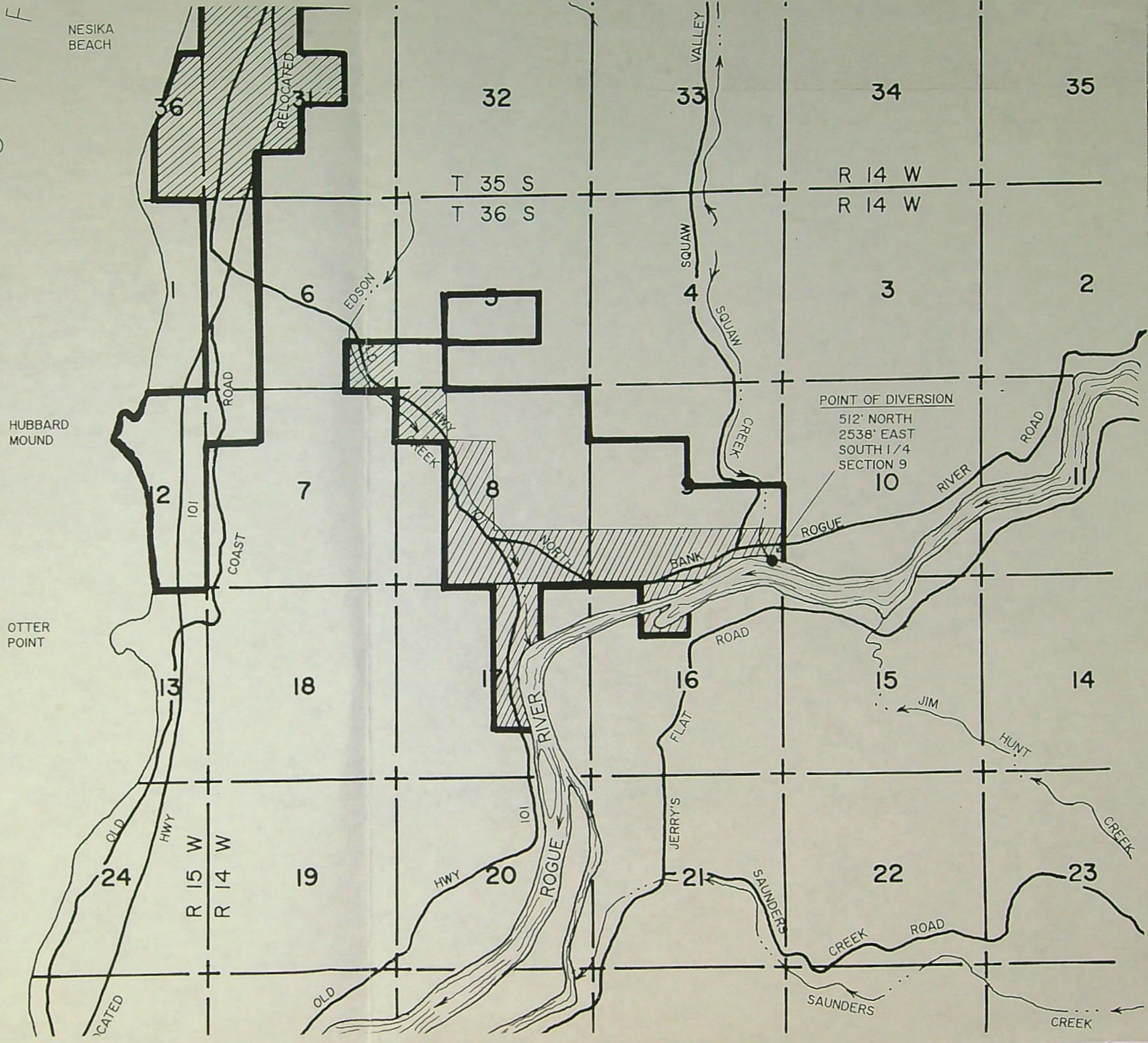
BOUNDARIES OF EXPANDED USES



Page 2

PACIFIC

NESIKA BEACH



"EXHIBIT A"

# WATER FILING APPLICATION for NESIKA BEACH WATER DISTRICT & OPHIR WATER DISTRICT

LOCATED in T 35 S, R 14 W and T 36 S, R 14 W, W.M. CURRY COUNTY, OREGON

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SALEM, OREGON

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Permit No.

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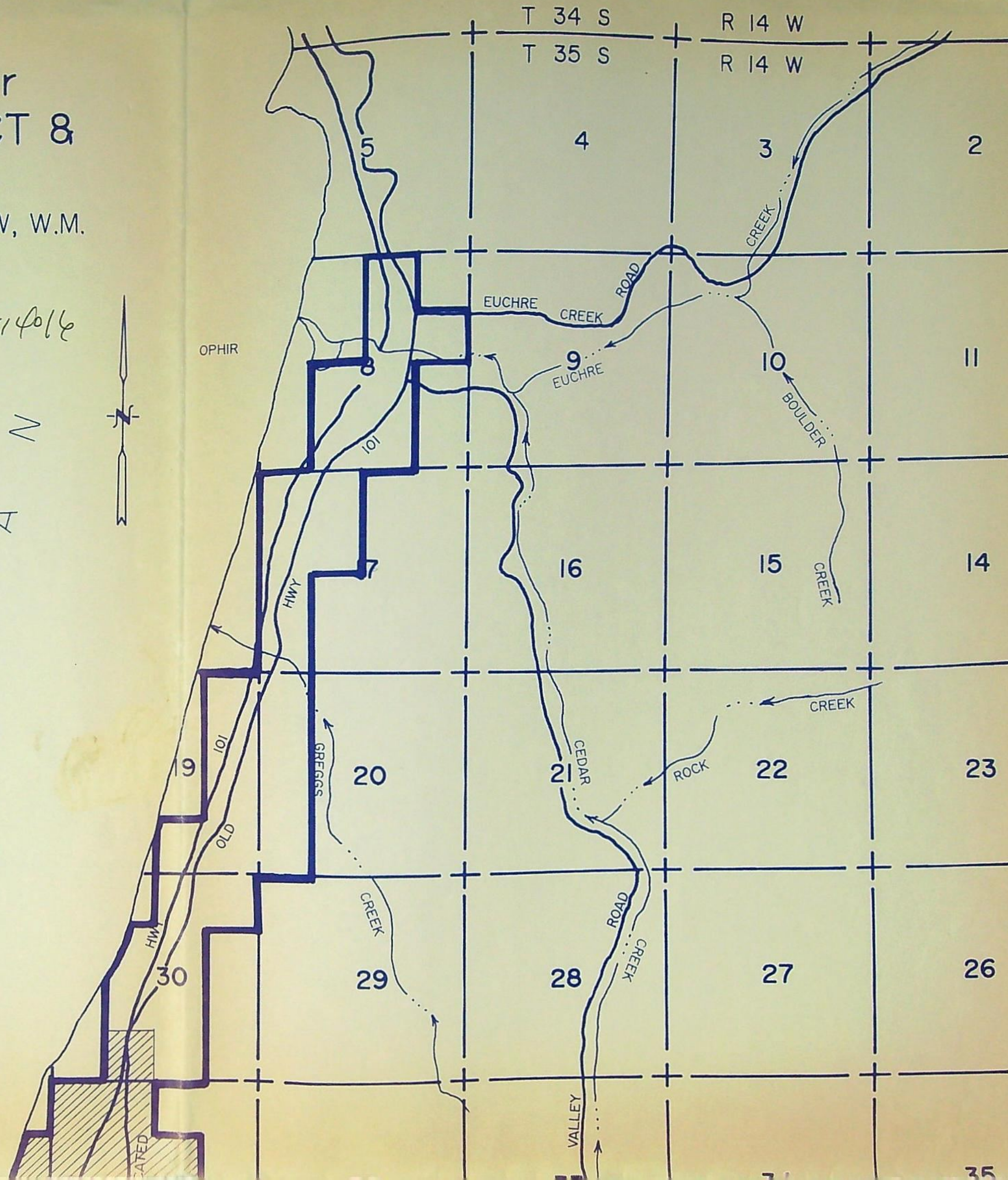
INDICATES:

PERMIT # G3571  
APPLICATION # G 3788  
CERTIFICATE # 37549

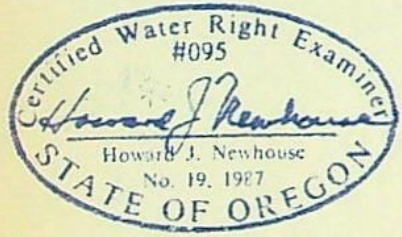
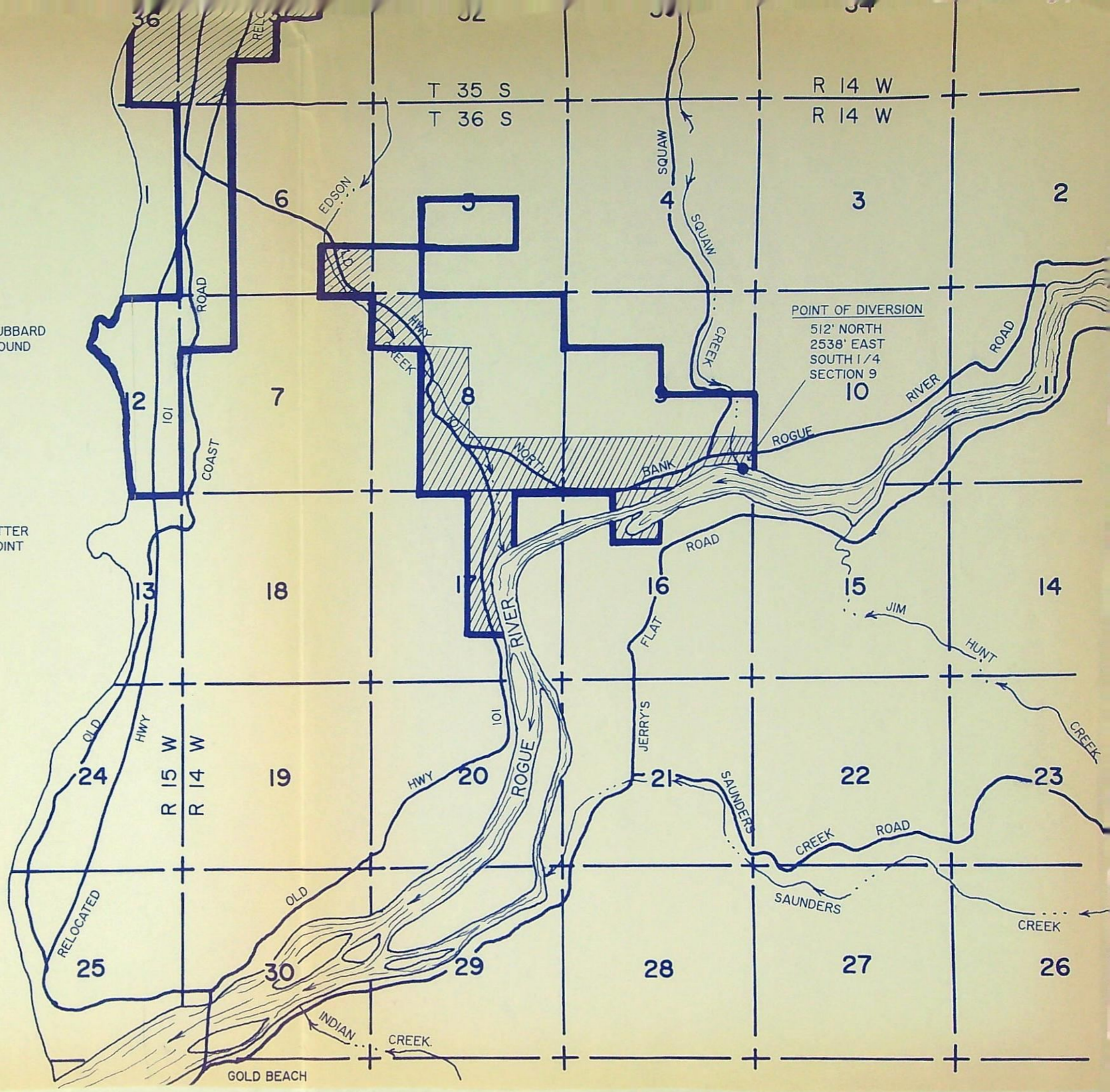


INDICATES:

BOUNDARIES OF  
EXPANDED USES



P A C



H.J. NEWHOUSE - LAND SURVEYING  
 P.O. BOX 360  
 WEDDERBURN, OREGON 97491  
 (503) 247-6923  
 R.L.S. # 402  
 C.W.R.E. # 095

WEDDERBURN



# WATER FILING APPLICATION for NESIKA BEACH WATER DISTRICT & OPHIR WATER DISTRICT

LOCATED in T 35 S, R 14 W and T 36 S, R 14 W, W.M.  
CURRY COUNTY, OREGON

RECEIVED FEBRUARY 1995

SEP - 8 1997

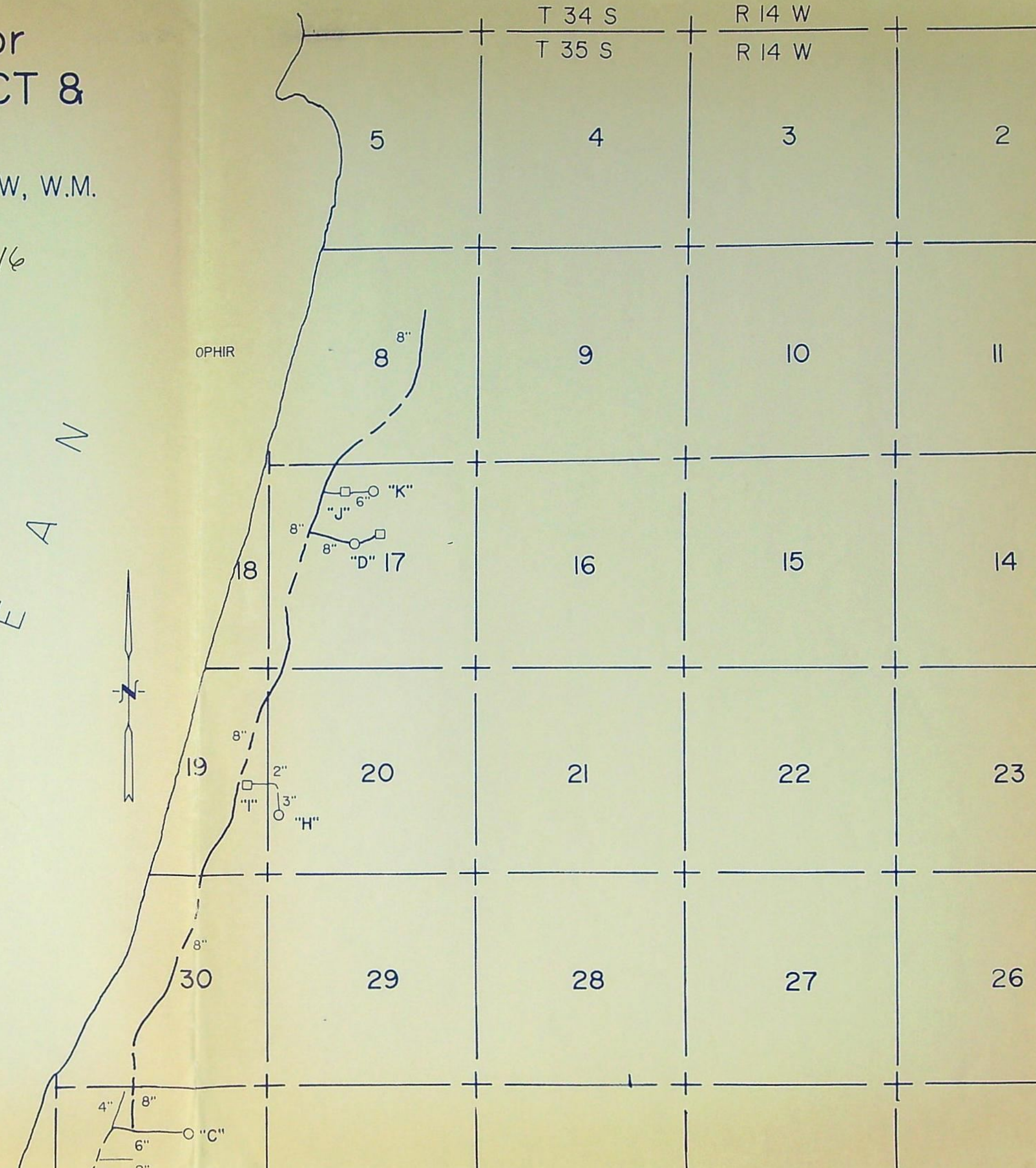
WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. *C-14016*  
Permit No.

THE PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING  
THE LOCATION OF THE PROPOSED WATER RIGHT AND HAS NO INTENT TO  
PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

- "A" EXISTING 32,000 gal. STEEL TANK
- "B" PROPOSED 32,000 gal. STEEL TANK
- "C" EXISTING 200,000 gal. STEEL TANK
- "D" EXISTING 200,000 gal. STEEL TANK
- "E" EXISTING CONSTANT PRESSURE PUMP STATION
- "F" PROPOSED DUPLEX BOOSTER PUMP STATION
- "G" EXISTING BOOSTER PUMP STATION
- "H" EXISTING 1,500 gal. CONCRETE TANK
- "I" EXISTING BOOSTER PUMP STATION
- "J" EXISTING BOOSTER PUMP STATION
- "K" EXISTING 18,000 gal. STEEL TANK

O C E A N



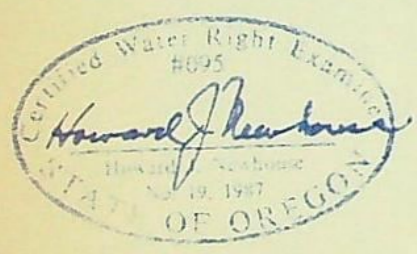
P A C I F I C

BEACH



**NOTE:**

ALL PIPELINES ARE LOCATED WITHIN ROAD WAYS, EXCEPT THAT PORTION OF THE 4" LINE LOCATED IN SECTION 12, T36S, R15W.



H.J. NEWHOUSE - LAND SURVEYING  
 P.O. BOX 360  
 WEDDERBURN, OREGON 97491  
 (503) 247-6923  
 R.L.S. # 402  
 C.W.R.E. # 095

WEDDERBURN

GOLD BEACH

App G-14016 Permit G-13613 Today's Date 5-15-06

Name Nesika Beach - ophir water District

Date of Plan Dec 2000

next plan due 2-28-08

~~They will send a letter to Debbie Colbert  
requesting renewal date to coincide  
with 3 yrs after extension.~~

# Water Management and Conservation Plan

on file in field  
services

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

NESIKA BEACH WATER DISTRICT AND OPHIR WATER DISTRICT  
32892 NESIKA ROAD  
GOLD BEACH, OREGON 97444

(503) 247-2614

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14016

SOURCE OF WATER: A WELL IN ROGUE RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

MAXIMUM RATE: 0.5 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 5, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 9, T36S, R14W, W.M.;  
512 FEET NORTH & 2538 FEET EAST FROM S1/4 CORNER, SECTION 9

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 SW 1/4  
SE 1/4 SW 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4

SECTION 8

NW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4

SECTION 17

NE 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 SE 1/4

SW 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 19

NW 1/4 NW 1/4  
SW 1/4 NW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4  
SECTION 20

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
SE 1/4 SW 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4  
SECTION 30

SW 1/4 NE 1/4  
NW 1/4  
NE 1/4 SW 1/4  
NW 1/4 SW 1/4  
SE 1/4 SW 1/4  
SECTION 31

TOWNSHIP 35 SOUTH, RANGE 14 WEST, W.M.

SE 1/4 NE 1/4  
NE 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 36

TOWNSHIP 35 SOUTH, RANGE 15 WEST, W.M.

NE 1/4 SW 1/4  
SW 1/4 SW 1/4  
NW 1/4 SE 1/4  
SECTION 5

NW 1/4 NW 1/4  
SW 1/4 NW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4  
SE 1/4 SE 1/4  
SECTION 6

NW 1/4 NW 1/4  
SECTION 7

NE 1/4  
NE 1/4 NW 1/4  
NW 1/4 NW 1/4  
SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
SE 1/4 SW 1/4  
SE 1/4  
SECTION 8

SW 1/4 NW 1/4  
SE 1/4 NW 1/4  
SW 1/4  
SE 1/4  
SECTION 9

NE 1/4 NW 1/4  
SECTION 16

NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
NW 1/4 SE 1/4  
SECTION 17

TOWNSHIP 36 SOUTH, RANGE 14 WEST, W.M.

NE 1/4  
SE 1/4

SECTION 12

TOWNSHIP 36 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

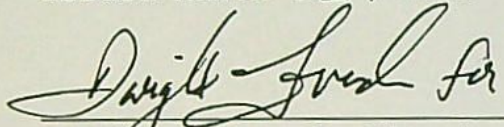
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

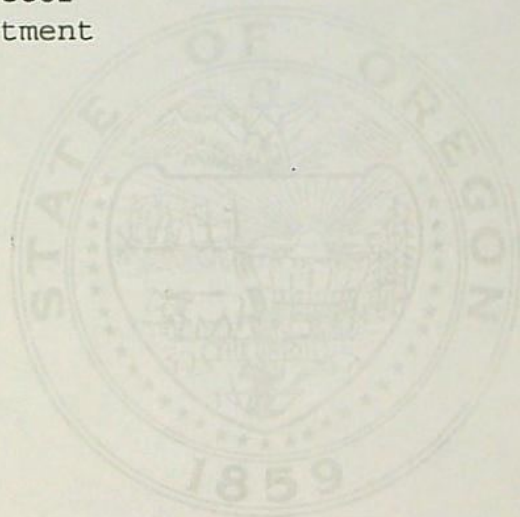
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin by June 8, 1999. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued March 22, 1999



Martha O. Pagel, Director  
Water Resources Department



Application G-14016  
Basin 17  
RWK

Water Resources Department  
Volume 3 EUCHRE CR & MISC  
MGMT.CODES 7BG 7BR

PERMIT G-13613  
District 19



# Mailing List for Permit Copies

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Application#G-14016 Mailing List Print Date March 8, 1999

Original mailed to (when permit issued, include copy of permit map):

Applicant: NESIKA BEACH WATER DISTRICT AND OPHIR WATER DISTRICT, 32892  
NESIKA ROAD, GOLD BEACH, OREGON 97444

Copies Mailed
By: <u>HW</u>
(SUPPORT STAFF)
on: <u>3/22/99</u>
(DATE)

For Permit only - Permit Copies sent to (Remember to reduce copy margins):

1. WRD - File # G-14016
2. WRD - Ken Stahr
3. WRD - Data Center
4. WRD - NWR (Gloria)
5. WRD - Watermaster District #:19 (w/copy of permit map)
6. WRD - Regional Manager: SWR
7. WRD - RMD (Rachel) (For permits with Water Management Plan only)

CASEWORKER: RWK

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14016

**Final Order**  
**Extension of Time for Permit Number G-13613**

**Appeal Rights**

**This is a final order in other than 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.

**Application History**

The Department issued Permit G-13613 on March 22, 1999. The permit called for complete application of water to beneficial use by October 1, 2002. On June 23, 2003, Nesika Beach Water District and Ophir Water District submitted an application to the Department for an extension of time for Permit G-13613. In accordance with OAR 690-315-0050(2), on August 28, 2007, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2015. The protest period closed October 12, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

**CONDITIONS**

1. **Development Limitations**

Diversion of any water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving a WMCP under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension application. Use of water under Permit G-13613 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 on file with the Department.

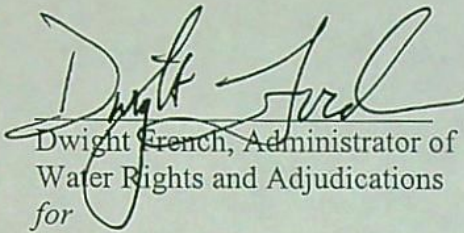
The deadline established in this PFO for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

Order

The extension of time for Application G-14016, Permit G-13613, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: October 25, 2007



Dwight French, Administrator of  
Water Rights and Adjudications  
for

Phillip C. Ward, Director

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If you have any questions about statements contained in this document, please contact Kim R. French at (503) 986-0813.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

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## Mailing List for Extension FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

**FO Date: October 25, 2007**

**Application G-14016  
Permit G-13613**

**Original mailed to permit holder:**

Nesika Beach Water District and Ophir Water District  
Attn: Alan Wagner  
PO Box 39  
Ophir, OR 97464-0039

**Copies sent to:**

1. WRD - App. File G-14016/ Permit G-13613
2. WRD - Watermaster District 19, Mitch Lewis
3. WRD - SW Regional Manager - Bruce Sund
4. WRD - Sarah Henderson, Technical Services (for QM requiring Division 86 plan)
5. WRD - Support Staff, Salem...*Permit record update*

**Fee paid as specified under ORS 536.050 to receive copy:**

6. None

**Receiving via e-mail (10 AM day of signature date)**

7. None

CASEWORKER: KRF

<p align="center"><b>Copies Mailed</b></p> <p>By: <u>MS</u> (SUPPORT STAFF)</p> <p>on: <u>10/25/07</u> (DATE)</p>
---------------------------------------------------------------------------------------------------------------------------

**Oregon Water Resources Department  
Water Rights Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time )  
for Permit G-13613, Water Right Application G-14016, ) PROPOSED FINAL ORDER  
in the name of Nesika Beach Water District and )  
Ophir Water District )

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**Permit Information**

**Application File G-14016 / Permit G-13613**  
Basin 15 – Rogue Basin / Watermaster District 19  
Date of Priority: January 5, 1996

**Authorized Use of Water**

Source of Water: A Well in the Rogue River Basin  
Purpose or Use: Quasi-Municipal  
Maximum Rate: 0.5 Cubic Feet per Second (cfs)

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**This Extension of Time request is being processed in accordance with Oregon  
Administrative Rule Chapter 690, Division 315.**

*Please read this Proposed Final Order in its entirety.*

This Proposed Final Order applies only to Permit G-13613, water right Application G-14016.  
A copy of Permit G-13613 is enclosed as Attachment 1.

## Summary of Proposed Final Order for Extension of Time

### The Department proposes to:

- grant an extension of time to apply water to full beneficial use from October 1, 2002 to October 1, 2015.

### ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources  
District – Nesika Beach Water District and Ophir Water District  
ODFW – Oregon Department of Fish and Wildlife  
PFO – Proposed Final Order  
WMCP – Water Management and Conservation Plan

### Units of Measure

cfs – cubic feet per second  
gpm – gallons per minute  
mgd – million gallons per day

### AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

**ORS 537.630(2)** provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, shall order and allow an extension of time, for the completion of the well or other means of developing and securing the ground water or for complete application of water to beneficial use. In determining the extension, the department shall give due weight to the considerations described under ORS 539.010 (5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

**ORS 539.010(5)** provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

**OAR 690-315-0080** provides in pertinent part that the Department shall make findings to determine if an extension of time for municipal and/or quasi-municipal water use permit holders may be approved to complete construction and/or apply water to full beneficial use.

## FINDINGS OF FACT

### Background

1. Permit G-13613 was granted by the Department on March 22, 1999. The permit authorizes the use of up to 0.5 cfs of water from one well within the Rogue River Basin, for quasi-municipal use. It specified that complete application of water was to be made on or before October 1, 2002.
2. Due to an ongoing permit extension rulemaking, the Department placed all pending Applications for Extension of Time for municipal and quasi-municipal permits on hold and did not require municipal and quasi-municipal water use permit holders to submit Applications for Extension of Time until the new rules were adopted.
3. Municipal and quasi-municipal water use permit extension rules OAR 690-315-0070 through 690-315-0100 became effective on November 1, 2002, were amended, filed with the Secretary of State, and became effective on November 22, 2005.
4. Nesika Beach Water District and Ophir Water District (District), submitted an "Application for Extension of Time" to the Department on June 23, 2003 requesting the time in which to apply water to full beneficial use under the terms of Permit G-13613 be extended from October 1, 2002 to October 1, 2008. This is the first extension of time request for Permit G-13613.
5. Notification of the District's Application for Extension of Time for Permit G-13613 was published in the Department's Public Notice dated July 1, 2003. No public comments were received regarding the extension application.
6. On May 3, 2006, April 6, 2007 and July 20, 2007, the District submitted additional information to supplement their Application for Extension of Time. The April 6, 2007 amendment requested the extended time to apply water to full beneficial use under the terms of Permit G-13613 be changed from October 1, 2008 to October 1, 2015.

### Review Criteria for Municipal and Quasi-Municipal Water Use Permits [OAR 690-315-0080(1)]

*The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0080. This determination shall consider the applicable requirements of ORS 537.230<sup>1</sup>, 537.248<sup>2</sup>, 537.630<sup>3</sup> and/or 539.010(5)<sup>4</sup>*

### Complete Extension of Time Application [OAR 690-315-0080(1)(a)]

7. On June 23, 2003, the Department received a complete Application for Extension of Time and the fee required by ORS 536.050 from the permit holder.

### Start of Construction [OAR 690-315-0080(1)(b)]

8. Actual construction of the well began March 8, 1967, which was within the time specified in the

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<sup>1</sup> ORS 537.230 applies to surface water permits only.

<sup>2</sup> ORS 537.248 applies to reservoir permits only.

<sup>3</sup> ORS 537.630 applies to ground water permits only.

<sup>4</sup> ORS 537.010(5) applies to surface water and ground water permits.

permit.

**Duration of Extension [OAR 690-315-0080(1)(c)(d)]**

*Under OAR 690-315-0080(1)(c),(d), in order to approve an extension of time for municipal and quasi-municipal water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.*

9. The remaining work to be accomplished under Permit G-13613 consists of (1) applying for a permit amendment to change the permitted point of appropriation to a new well, (2) installing transmission pipelines from the new well to the system, (3) source treatment, (4) transmission line replacement, and (5) completing construction of the water system and applying water to full beneficial use.
10. As of June 23, 2003, the permit holder has appropriated the total of the 0.5 cfs of water allowed under Permit G-13613 for quasi-municipal purposes. There is no undeveloped portion of Permit G-13613.
11. In addition to the 0.5 cfs of water allowed under Permit G-13613, the District holds the following quasi-municipal rights:
  - Certificate 37549 for 0.2 cfs of water from one well (the same well authorized under Permit G-13613) within the Rogue River Basin;
  - Permit S-53985 for 1.0 cfs of water from Greggs Creek, tributary of the Pacific Ocean; and
  - Permit G-15728 for 1.0 cfs of water from a well in Greggs Creek Basin.

The District's certificate and permit water rights total 1.7 cfs of ground water and 1.0 cfs of live flow (surface) water.

12. In 2007, the District utilized a peak day demand total of 0.7 cfs of water, being 0.2 cfs from the well authorized under Permit G-3571 and 0.5 cfs from the same well authorized under Permit G-13613 to meet its present demand for water. The District utilized water authorized under Permit G-1527 and S-53985 for redundancy purposes. The District has not yet made beneficial use of 2.0 cfs of water, being 1.0 cfs authorized under Permit S-53985 and 1.0 cfs of water authorized under Permit G-15728.
13. In 2000, the District served 1,433 residential users. The District expects to serve 2,232 residential users by the year 2015, a population growth rate of approximately 3 percent per year.
14. The District's projected peak demand is 0.94 cfs of water by the year 2015.
15. Full development of Permit G-13613 is needed to meet the present and future water demands of the District.
16. Given the amount of development left to occur, the Department has determined that the District's request to have until October 1, 2015 to apply water to full beneficial use under the terms of Permit G-13613 is both reasonable and necessary.

**Good Cause [OAR 690-315-0080(1)(e) and (3)(a-g)and (4)]**

*The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(3).*



**Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0080(3)(a),(c) and (4)]**

*Reasonable diligence and good faith of the appropriator must be demonstrated during the permit period or prior extension period as a part of evaluating good cause in determining whether or not to grant an extension. In determining the reasonable diligence and good faith of a municipal or quasi-municipal water use permit holder, the Department shall consider activities associated with the development of the right including, but not limited to, the items set forth under OAR 690-315-0080(4) and shall evaluate how well the applicant met the conditions of the permit or conditions of a prior extension period.*

17. Prior to the issuance of Permit G-13613 on March 22, 1999, the District constructed the well.
18. Work was accomplished (specified in the Application for Extension of Time) during the original development time frame under Permit G-13613.
19. Since October 1, 2002, the District has accomplished the following:
  - the Water Management and Conservation Plan was approved by the Department;
  - a Water Investigation and Source Water Supply Study was completed.
20. As of July 11, 2003, the permit holder has invested \$72,500, which is approximately 4 percent of the total projected cost for complete development of this project. The District anticipates an additional \$1,700,951 is needed for the completion of this project.
21. Since the issuance of Permit G-13613 on March 22, 1999, the total of the 0.50 cfs allowed has been appropriated from the well for beneficial quasi-municipal purposes under the terms of this permit.
22. The Department has considered the District's compliance with conditions, and did not identify any concerns.

**Financial Investment and Cost to Appropriate and Apply Water to a Beneficial Purpose**

**[OAR 690-315-0080(3)(b)]**

23. As of July 11, 2003, the permit holder has invested \$72,500, which is approximately 4 percent of the total projected cost for complete development of this project. The District anticipates an additional \$1,700,951 is needed for the completion of this project.

**The Market and Present Demands for Water [OAR 690-315-0080(3)(d) and (5)(a-f)]**

*For municipal or quasi-municipal water use permits issued after November 2, 1998, in making a determination of good cause pursuant to 690-315-0080(3)(d), the Department shall also consider, but is not limited to, the factors in 690-315-0080(5)(a-f).*

24. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0080(5)(a-c)].
  - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13613; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is

submitted. The point of appropriation for Permit G-13613, located within the Rogue River Basin, is not located within a limited or critical ground water area. Rogue River is located within a state scenic waterway, but not above a federal scenic waterway. It is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Rogue River is not listed by the Department of Environmental Quality as a water quality limited stream.

25. Economic investment in the project to date [OAR 690-315-0080(5)(d)].
  - a. As of July 11, 2003, the permit holder has invested \$72,500, which is approximately 4 percent of the total projected cost for complete development of this project. The District anticipates an additional \$1,700,951 is needed for the completion of this project.
26. Other economic interests dependent on completion of the project [OAR 690-315-0080(5)(e)].
  - a. None have been identified.
27. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0080(5)(f)].
  - a. As described in Findings 10 through 15, above, the District has indicated, and the Department finds, that the District must rely on full development of its current ground water rights within the Rogue River Basin.
  - b. The District projects a population increase of approximately 3 percent per year over a fifteen year period, being 2000 to 2015.
  - c. Given the current water supply situation of the District, as well as current and expected demands, there is a market and present demand for the water to be supplied under Permit G-13613.

**Fair Return Upon Investment [OAR 690-315-0080(3)(e)]**

28. Use and income from the permitted water development project would result in reasonable returns upon the investment made in the project to date.

**Other Governmental Requirements [OAR 690-315-0080(3)(f)]**

29. Delays caused by any other governmental requirements in the development of this project have not been identified.

**Events which Delayed Development under the Permit [OAR 690-315-0080(3)(g)]**

30. Delay of development under Permit G-13613 was due, in part, to the size and scope of the quasi-municipal water system, which was designed to be phased in over a period of years; population and service growth losses, including a school closure, which reduced water demands to a level that did not require application to full beneficial use of the permit; problems with the current well that impacted well production; and the successful implementation of water conservation measures, including reducing system losses and increasing system efficiencies.

## CONCLUSIONS OF LAW

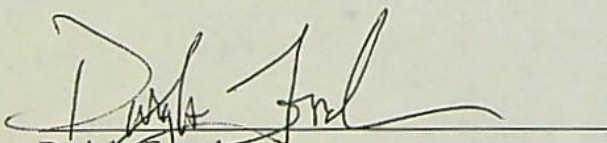
1. The District is entitled to apply for an extension of time to completely apply water to the full beneficial use pursuant to ORS 537.630(2).
2. The District has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0080(1)(a).
3. The District demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0080(1)(b).
4. The time requested to apply water to full beneficial use is reasonable, as required by OAR 690-315-0080(1)(c).
5. Completion of full application of water to beneficial use can be completed by October 1, 2015<sup>5</sup> pursuant to OAR 690-315-0080(1)(d).
6. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and the fair return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the water right permit holder had no control, and the Department has determined that the District has shown good cause for an extension of time to complete construction of the water system and to apply the water to full beneficial use pursuant to OAR 690-315-0080(1)(e).

### Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

extend the time to apply the water to beneficial use under Permit G-13613 from October 1, 2002 to October 1, 2015.

DATED: August 28, 2007

  
Dwight French  
Administrator  
Water Rights and Adjudications Division

*If you have any questions, please check the information box on the last page for the appropriate names and phone numbers.*

<sup>5</sup> Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

## Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may protest and request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than **October 12, 2007** being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
  - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
  - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
  - e. Any citation of legal authority supporting the petitioner, if known;
  - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
  - g. The protest fee required under ORS 536.050, if petitioner is other than the water right permit holder.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
  - a. Issue a final order on the extension request; or
  - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
    - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
    - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

- 
- If you have any questions about statements contained in this document, please contact Kim R. French at 503-986-0813.
  - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Dwight French at 503-986-0819.
  - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
  - Address any correspondence to: Water Rights and Adjudications Division  
725 Summer St NE, Suite A
  - Fax: 503-986-0901 Salem, OR 97301-1266
-

**Mailing List for Extension PFO Copies**

**PFO Date: August 28, 2007**

**Permit G-13613**

**Application G-14016**

**Original mailed to Applicant:**

Nesika Beach Water District and Ophir Water District  
Attn: Allan Wagner  
PO Box 39  
Ophir, Oregon 97464-0039

<b>Copies Mailed</b>
By: <u>AS</u>
(SUPPORT STAFF)
on: <u>8/28/07</u>
(DATE)

**Copies sent to:**

1. WRD - Appl. File G- 14016 / Permit G-13613
2. WRD - Watermaster District 19 – Mitch Lewis, Coquille

**Fee paid as specified under ORS 536.050 to receive copy:**

3. None

**Receiving via e-mail (10 AM Tuesday of signature date)**

4. None
5. Notification only: WRD – Salem Opeifa and Gerry Clark (if Reimbursement Authority)  
Done by AS Date 8/28/07

CASEWORKER: KRF

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

158 12TH ST. N.E.  
 SALEM, OR 97301-4172  
 378-8455 / 378-8130 (FAX)

RECEIPT # **60792**

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

RECEIVED FROM: Nesika Beach  
 BY: OPHIR Water Dist.

APPLICATION	G14016
PERMIT	
TRANSFER	

CASH:  CHECK:#  1615 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

**0401 TREASURY 0417 WRD MISC CASH ACCT**

0407	COPIES		\$
	OTHER: (IDENTIFY)		\$
	OTHER: (IDENTIFY)		\$

**0427 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$ <u>100.00</u>

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

0218	WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
	LANDOWNER'S PERMIT	\$	0220	\$
	OTHER (IDENTIFY)			

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
 OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **60792**

DATED: 6/23/03 BY: Connie Vance

*this document incomplete  
- see copy recd 7/11/03.*

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JUN 23 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

### APPLICATION FOR EXTENSION OF TIME

### for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, NESIKA BEACH WATER DIST; OPHIR WATER DIST. ALAN WAGONER  
NAME OF ENTITY NAME OF CONTACT

32892 Nesika Rd. Gold Beach OR 97944 (541) 247-2614  
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. 614016, Permit No. 613613,  
do hereby request that the time in which to:

- 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, 2008.

**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)"

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.
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.
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.
6. An estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.
7. A description of the financial expenditures made toward completion of the water development.
8. An estimate of the cost necessary to complete the water development.
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.
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.

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.

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WATER RESOURCES DEPT.  
SALEM, OREGON

- 11. A summary of the plan and schedule to complete construction and/or perfect the water right.
- 12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.
- 13. Any other information you wish the Department to consider while evaluating the extension of time application.

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.

Allen Wagner  
Signature

6-20-03  
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

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WATER RESOURCES DEPT.  
SALEM, OREGON

1. Fee, as specified under ORS 536.050

Enclosed

2. Evidence of actions taken to begin actual construction on the project

Permit G-13613 was acquired to supplement the maximum rate allowed at an existing well site associated with Certificate 37549 (.2 cfs).

With the exception of anticipated growth expansions and upgrades, the storage and distribution system is in place and operational.

In 2001 the District replaced the 20 HP submersible pump with a 30 HP submersible pump to increase well production capacity and total dynamic head.

3. Evidence of actions taken to develop the right within the permitted time period

The Dyer Partnership, Engineers and Planner, Inc. completed a water system master plan, in December 2000.

The District has initiated an improved flow-monitoring program, which has included:

In June 2001, the District modified the master meter at the well by installing flow-straightening vanes to improve meter accuracy.

In 2001/2002, meters were installed on all un-metered customers

In 2002, the District adopted a 12-year meter replacement program to maintain quality service monitoring.

The District has an approved a water management and water conservation plan.

A Water Resource Investigation and Source Water Supply Study was completed in April 2003.

4. Evidence of compliance with conditions (time sensitive) contained in the permit.

"Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point."

A totalizing flow meter is in place at the diversion point, within the well house.

"Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resourced Department."

Pump test was performed when the well was constructed in 1967. Data from the pump test is included on the well log.

"Actual construction of the well shall begin by June 8, 1999."

Original well constructed in 1967  
Well pump replaced (increased capacity) 2001

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SALEM, OREGON

"Complete application of water to the use shall be made on or before October 1, 2002."

Application of water to the use occurred immediately upon receipt of Permit.  
Application to full extent has not yet occurred.

"Within one year after complete application of the water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE)."

N/A

5. Evidence of maximum rate of water diverted to date.

To date the maximum amount of water diverted has been .54 cfs, (see attached well log).

6. Estimate of population served.

The 2000 Water Master Plan projected a 2003 population equivalent of 1,565 associated with 652 Equivalent Dwelling Units. Those figures were based upon a 3% growth rate (see attached). As of May 2003, the District has 557 service connections consisting of the following:

User	No. of Accounts	Use (gpd) per account	No. of EDUs
SF Residential	458	136	458
Commercial	32	384	90
Inactive	67	N/A	N/A
TOTALS	557		548

Using the same methodology as the Master Plan, the equivalent population served is estimated at 1265.

7. Financial expenditures made toward completion of water development.

TASK	ESTIMATED COST
Water Master Plan	\$20,000
Well pump replacement	\$15,000
Meter installation/replacement	\$20,000
Water Resource Investigation	\$17,500

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 WATER RESOURCES DEPT.  
 SALEM, OREGON

8. An estimate of the cost necessary to complete development.

TASK	ESTIMATED COST
Update Master Plan and CIP based upon Water Resource Investigation	\$15,000
Renovation of existing well site for well head protection and capacity improvements	\$190,000
Source Treatment	\$625,000
Transmission line replacement (capacity increase)	\$870,951

9. Summary of events that delayed completion of the water development or application of water to full beneficial use.

Three specific events have delay completion of the water development or application of water to full beneficial use:

1. Population and service growth losses have occurred (school closure) reducing water demands to a level which has not required application to full beneficial use within the specific time frame outlined in the permit, and:
2. Problems have been identified with the existing well site as explained in the attached draft Water Resource Investigation report. Because it is projected that District growth will exceed the current water right limit some time shortly after the year 2005, other water rights need to be obtained and developed, in conjunction with existing water rights, to service future growth. In order for the District to address growth in an efficient and economic manner, a more specific development plan is needed in addition to the current Master Plan.
3. Water conservation measures have reduced water usage through reducing losses and improving system efficiencies.

The District is progressing with addressing growth issues through:

- Contracting with a consulting firm to prepare a Master Plan update
- Applying to the Department of Agriculture, Rural Utilities Services for project funding/financing
- Submitting application for additional surface and groundwater rights

10. Estimated demand projection and date by which the water is anticipated to put to full beneficial use.

It is anticipated growth demand along with performing the tasks outlined above and performing construction of identified improvements could take up to five years. Full beneficial use of the water is likely to occur by October 2008.

## 11. Summary of plan and schedule to perfect the water right.

TASK	ESTIMATED COMPLETION DATE
Master Plan Update	September 2003
Acquire Federal Funding/Financing for Proposed Improvements	January 2004
New Water Source Development	May 2004
Engineering Design with Plans and Specifications for improvement projects	June 2004
Bid and contract for projects	July 2004
Construction of improvements	January 2005
Population/Service growth to full use	October 2007
Submit a claim of beneficial use, which includes a map and report, prepared by a CWRE.	October 2008

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WATER RESOURCES DEPT.  
SALEM, OREGON

## 11. Summary of plan and schedule to perfect the water right.

<b>TASK</b>	<b>ESTIMATED COMPLETION DATE</b>
Master Plan Update	September 2003
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WATER RESOURCES DEPT.  
SALEM, OREGON

CURR 000217

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED WATER WELL REPORT

JUN 20 1967 STATE OF OREGON (Please type or print)

G-3788

State Well No. 36/14w-9

State Permit No.

(1) OWNER: STATE ENGINEER SALEM, OREGON
Name Nesika Beach Water District
Address Gold Beach Oregon

(2) LOCATION OF WELL:
County Curry Driller's well number
1/4 Section 10 T. 36 S. R. 14 W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):
Well [X] Deepening [ ] Recoditioning [ ] Abandon [ ]
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check): Domestic [ ] Industrial [ ] Municipal [X] Irrigation [ ] Test Well [ ] Other [ ]
(5) TYPE OF WELL: Rotary [ ] Driven [ ] Cable [X] Jettied [ ] Dug [ ] Bored [ ]

(6) CASING INSTALLED: Threaded [ ] Welded [X]
10" Diam. from 0 ft. to 24 ft. Gage 273

(7) PERFORATIONS: Perforated? [ ] Yes [X] No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.

(8) SCREENS: Well screen installed? [X] Yes [ ] No
Manufacturer's Name Johnson
Stainless Model No.
8" Slot size 80 Set from 24 ft. to 29 ft.
8" Slot size 125 Set from 29 ft. to 39 ft.

(9) CONSTRUCTION:
Well seal—Material used in seal Cement
Depth of seal 18 ft. Was a packer used?
Diameter of well bore to bottom of seal 16 in.
Were any loose strata cemented off? [ ] Yes [ ] No Depth
Was a drive shoe used? [X] Yes [ ] No
Was well gravel packed? [ ] Yes [ ] No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? [ ] Yes [ ] No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level 9'-6" ft. below land surface Date 4/14/67
Artesian pressure lbs. per square inch Date

(11) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? [X] Yes [ ] No If yes, by whom? Carter's
Yield: 560 gal./min. with 1 ft. drawdown after 24

(12) WELL LOG: Diameter of well below casing 8"
Depth drilled 43 ft. Depth of completed well 43
Formation: Describe by color, character, size of material and structure, a show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

Table with columns: MATERIAL, FROM, TO. Rows include: Fine Sand (0-12), Sand, Heavy with Silt (12-14), Coarse Sand, Gravel (1" dia) (14-24), Gravel, Sand, Cobbles (3" Dia.) (24-40), Gravel - Cobbles (4" Dia.) (40-43)

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WATER RESOURCES DEPT. SALEM, OREGON

Work started March 8 1967 Completed March 31, 1967
Date well drilling machine moved off of well March 31, 1967

(13) PUMP:
Manufacturer's Name Layne Bowler
Type: Submersible H.P. 20

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report true to the best of my knowledge and belief.

NAME CARTER'S DRILLING & PUMP SERVICE
Address 325 S 2nd St. Springfield, Oregon 97132

Drilling Machine Operator's License No. 148
[Signed] (Water Well Contractor)
Contractor's License No. 126 Date 5/12/1967

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WATER RESOURCES DEPT.  
SALEM, OREGON

### APPLICATION FOR EXTENSION OF TIME

## for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, NESIKA BEACH WATER DIST; OPHIR WATER DIST. ALAN WAGONER  
NAME OF ENTITY NAME OF CONTACT  
 \* NEW → PO BOX 39, OPHIR, OR 97464-0039  
32892 Nesika Rd. Gold Beach OR 97444 (541) 247-2614  
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. 614016, Permit No. 613613, do hereby request that the time in which to:

- 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:

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*rec'd 4-6-07*

2002

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SALEM, OREGON



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Page 2 of 3

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- 11. A summary of the plan and schedule to complete construction and/or perfect the water right.
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Allen Wagner  
Signature

6-20-03  
Date

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

revised: December 12, 2002

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SALEM, OREGON

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1. Fee, as specified under ORS 536.050

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2. Evidence of actions taken to begin actual construction on the project

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SALEM, OREGON

Pump test was performed when the well was constructed in 1967. Data from the pump test is included on the well log.

"Actual construction of the well shall begin by June 8, 1999."

Original well constructed in 1967  
Well pump replaced (increased capacity) 2001

"Complete application of water to the use shall be made on or before October 1, 2002."

Application of water to the use occurred immediately upon receipt of Permit.  
Application to full extent has not yet occurred.

"Within one year after complete application of the water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE)."

N/A

5. Evidence of maximum rate of water diverted to date.

To date the maximum amount of water diverted has been .54 cfs, (see attached well log).

6. Estimate of population served.

The 2000 Water Master Plan projected a 2003 population equivalent of 1,565 associated with 652 Equivalent Dwelling Units. Those figures were based upon a 3% growth rate (see attached). As of May 2003, the District has 557 service connections consisting of the following:

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Using the same methodology as the Master Plan, the equivalent population served is estimated at 1265.

7. Financial expenditures made toward completion of water development.

TASK	ESTIMATED COST
2000 Water Master Plan	\$20,000
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WATER RESOURCES DEPT.  
SALEM, OREGON

## 8. An estimate of the cost necessary to complete development.

TASK	ESTIMATED COST
7/2003 Update Master Plan and CIP based upon Water Resource Investigation	\$15,000
1/2005 Renovation of existing well site for well head protection and capacity improvements	\$190,000
Source Treatment	\$625,000
Transmission line replacement (capacity increase)	\$870,951

see #11 for dates

## 9. Summary of events that delayed completion of the water development or application of water to full beneficial use.

Three specific events have delay completion of the water development or application of water to full beneficial use:

1. Population and service growth losses have occurred (school closure) reducing water demands to a level which has not required application to full beneficial use within the specific time frame outlined in the permit, and:
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3. Water conservation measures have reduced water usage through reducing losses and improving system efficiencies.

The District is progressing with addressing growth issues through:

- Contracting with a consulting firm to prepare a Master Plan update
- Applying to the Department of Agriculture, Rural Utilities Services for project funding/financing
- Submitting application for additional surface and groundwater rights

## 10. Estimated demand projection and date by which the water is anticipated to put to full beneficial use.

It is anticipated growth demand along with performing the tasks outlined above and performing construction of identified improvements could take up to five years. Full beneficial use of the water is likely to occur by October 2008.

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SALEM, OREGON

## 11. Summary of plan and schedule to perfect the water right.

TASK	ESTIMATED COMPLETION DATE
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Submit a claim of beneficial use, which includes a map and report, prepared by a CWRE.	October 2008

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SALEM, OREGON

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WATER RESOURCES DEPT.  
SALEM, OREGON

12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.

No additional service growth losses or additional significant conservation efficiencies are anticipated in the future. Using current water use and equivalent population figures, population growth (at the rate projected by the Water Master Plan) indicates application of water to full beneficial use in five years. Servicing that population is predicated on the planning, financing and installation of the necessary improvements outlined in the response to Item #11.

13. Other information.

N/A

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JUL 11 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

CURR ..... 000217

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED WATER WELL REPORT

JUN 20 1967

STATE OF OREGON (Please type or print)

G-3788

State Well No. 36/14w-9

State Permit No.

(1) OWNER: STATE ENGINEER SALEM, OREGON

Name Nesika Beach Water District
Address Gold Beach Oregon

(2) LOCATION OF WELL:

County Curry Driller's well number
Section 10 T. 36 S. R. 14 W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well [x] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check): (5) TYPE OF WELL:

Domestic [ ] Industrial [ ] Municipal [x] Rotary [ ] Driven [ ]
Irrigation [ ] Test Well [ ] Other [ ] Cable [x] Jetted [ ]
Dug [ ] Bored [ ]

(6) CASING INSTALLED:

10" Diam. from 0 ft. to 24 ft. Threaded [ ] Welded [x]
Gage 273

(7) PERFORATIONS:

Perforated? [ ] Yes [x] No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.

(8) SCREENS:

Well screen installed? [x] Yes [ ] No
Manufacturer's Name Johnson
Stainless Model No.
Diam. 8" Slot size 80 Set from 24 ft. to 29 ft.
Diam. 8" Slot size 125 Set from 29 ft. to 39 ft.

(9) CONSTRUCTION:

Well seal--Material used in seal Cement
Depth of seal 18 ft. Was a packer used?
Diameter of well bore to bottom of seal 16 in.
Were any loose strata cemented off? [ ] Yes [ ] No Depth
Was a drive shoe used? [x] Yes [ ] No
Was well gravel packed? [ ] Yes [ ] No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? [ ] Yes [ ] No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 9'-6" ft. below land surface Date 4/14/67
Artesian pressure lbs. per square inch Date

(11) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? [x] Yes [ ] No If yes, by whom? Carter's
Yield: 560 gal./min. with 1 ft. drawdown after 24

Baller test gal./min. with ft. drawdown after
Artesian flow g.p.m. Date
Temperature of water Was a chemical analysis made? [ ] Yes [ ]

(12) WELL LOG: Diameter of well below casing 8"

Depth drilled 43 ft. Depth of completed well 43
Formation: Describe by color, character, size of material and structure, show thickness of aquifers and the kind and nature of the material in stratum penetrated, with at least one entry for each change of form

Table with columns: MATERIAL, FROM, TO. Rows: Fine Sand (0-12), Sand, Heavy with Silt (12-1), Coarse Sand, Gravel (1" dia) (14-24), Gravel, Sand, Cobbles (3" Dia.) (24-40), Gravel - Cobbles (4" Dia.) (40-44)

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Work started March 8 1967 Completed March 31, 1967
Date well drilling machine moved off of well March 31, 1967

(13) PUMP:

Manufacturer's Name Layne Bowler
Type: Submersible H.P. 20

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report true to the best of my knowledge and belief.

NAME CARTER'S DRILLING & PUMP SERVICE (Person, firm or corporation) (Type or print)
Address 325 S 2nd St. Springfield, Oregon 97132

Drilling Machine Operator's License No. 148
[Signed] [Signature] (Water Well Contractor)

Contractor's License No. 126 Date 5/12/67



# Nesika Beach-Ophir Water District

32892 Nesika Road  
Gold Beach, Oregon 97444  
Phone (541) 247-2614 Fax (541) 247-9684  
E-mail nbwd@harborside.com

July 10, 2003

## WATER RESOURCES DEPARTMENT

Attn: Lisa J. Juul  
COMMERCE BUILDING  
158 12<sup>TH</sup> STREET NE  
SALEM, OR 97301-4172

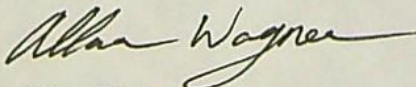
RE. Extension file# G-14016 (Permit# G-13613)

Dear Lisa:

Enclosed you will find the additional information requested next to the last page.

Please feel free to call me if you need anything. Phone (541-247-2614)  
Fax (541-247-9684)

Sincerely,



Allan Wagner  
Nesika Beach-Ophir Water District Manager

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JUL 11 2003

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SALEM, OREGON

**WATER RESOURCES DEPARTMENT  
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

*House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.*

*The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.*

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input type="checkbox"/>	Transfer Application	_____
<input type="checkbox"/>	Certificate Request	_____
<input checked="" type="checkbox"/>	Extension of Time Request	<u>G-14016</u>

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	<u>Nesika Beach - Ophir Water District</u>	<u>Allan Wagner</u>
Address:	<u>P.O. Box 39,</u>	..
	<u>Ophir, OR 97464</u>	..
Email Address	<u>nbwd@harborside.com</u>	..
Phone:	<u>(541) 247-2614</u>	..

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MAY 09 2007

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SALEM, OREGON

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within one (1) business day.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.

I certify that I am the (check one)  Applicant  Applicant's Representative  Other (Please specify) \_\_\_\_\_

Signature: Allan Wagner Name: Allan Wagner

OWRD USE ONLY

Contractor Assigned: <u>PBS</u>	Total Amount Paid: \$ <u>125<sup>00</sup></u>
OWRD Approval:	

49 copies  
C.U. 5/11/2007

**NESIKA BEACH – OPHIR WATER DISTRICT**

32892 Nesika Road  
Gold Beach, OR 97444

Water Resources Permit Extensions

Water Resources Department

Salem, Oregon 97301-4172

Date: March 23, 2007

Re: Extension to Extension Dated June 23, 2003

Application No. G14016, Permit No. G13613

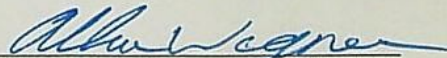
I, Allan Wagner, District Manager of the Nesika Beach – Ophir Water District, being the duly authorized agent, hereby request an extension to the submitted Extension Request, Department receive stamped June 23, 2003 (“C” date October 1, 2003).

We request extension from October 1, 2008 to October 1, 2015. The District is prepared to complete the final proof survey and report, however the Department has yet to process our 2003 extension request and in discussion with Jerry Clark there is no current valid “C” date to prove upon. Jerry suggested we extend the extension by way of this letter.

In addition we are submitting a new Limited License Request (under separate application), as our current license expires May 1, 2007.

Please expedite our original permit extension request, as we can then follow with the final transfer and proof report and get to final certification.

Respectfully



Allan Wagner  
District Manager

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SALEM, OREGON

Note: See Original Extension Request cover page – attached FYI.



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

April 9, 2007

Nesika Beach – Ophir Water District  
Attn: Allan Wagner – District Manager  
32892 Nesika Road  
Gold Beach, OR 97444

Re: Extension of Time Application for G-14016

Dear Mr. Wagner,

We received the amendment to your Extension of Time Application requesting to extend your previously requested date of 2008 to 2015. We will gladly extend that date for you.

Regretfully, we are behind in the processing of our extension applications, however if you wish to expedite your application, you can do so through Reimbursement Authority. Additional information and an application for Reimbursement Authority are enclosed for your review.

If you wish to choose this option, please complete the application and return to us with the appropriate fee (\$125.00) and we will forward your application for processing.

Thank you for your patience. Please feel free to contact me if you have any further questions.

Regards,

Kim R. French  
Permit Extension Specialist

Enclosures

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WATER RESOURCES DEPT.  
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I. NESTHA BEACH WATER DIST; OPHIR WATER DIST. ALAN WAGONER  
NAME OF ENTITY NAME OF CONTACT

32892 Nestha Rd. Gold Beach OR 97994 (541) 247-2619  
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. 614016, Permit No. 618613,  
do hereby request that the time in which to:

- 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, 2008.

4/6/07  
per letter dtd 3/23/07

2002

**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/nar/1999.shtml](http://www.wrd.state.or.us/law/nar/1999.shtml)"

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.

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WATER RESOURCES DEPT.  
SALEM, OREGON

01/05/2005 14:03 5412669496

SHN ENGR

PAGE 02



**CONSULTING ENGINEERS & GEOLOGISTS, INC.**  
 365 N. 4<sup>th</sup> Street - Coos Bay, OR 97420-2818 • Tel 541/266-9800 • Fax 541/266-0400 • info@shn-coosbay.com

Reference: 002601.000

January 5, 2005

Ms. Lisa J. Jul  
 Water Resources Department  
 North Mall Office Building  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1271

**SUBJECT: PENDING APPLICATION FOR EXTENSION OF TIME  
 WATER RIGHTS APPLICATION #G-14016 (PERMIT #G-137613)**

Dear Lisa:

On behalf of the Nesika Beach / Ophir Water District (NBOWD) SHN is responding to your letter of December 27, 2004 regarding the application for an extension of time to accomplish beneficial use of water to the full extent under the terms of permit G-137613. In your letter you asked for additional information on several of the responses in the original submission. The required information follows including attachments as referenced in the text of the responses.

*Question 5. Document evidence of the maximum instantaneous rate of water diverted to the date of this application, for beneficial Quasi Municipal or Municipal purposes*

The withdrawal rate from the existing well is limited to 254 gpm (0.57 cfs) by the capacity of the well pumps. Of this withdrawal rate 0.2 cfs is withdrawn under permit G 3571 and the remaining 0.37 cfs is withdrawn under permit G-13614. Instantaneous withdrawal rate from the well before October 2002 did not exceed 246 gpm. Verification of the instantaneous pumping rate is provided in the pump logs for 2002 included as Attachment T. All of the water withdrawn was used for quasi-municipal purposes.

The maximum pumping rate since that time was 254 gpm in April 2004 following installation of new well pumps.

*6. Provide an estimate of the population served under this permit and a description of the methodology used to make this estimate.*

Section 2.2 of the Nesika Beach / Ophir Water District Water Master Plan which was referenced in the original submission is included as Attachment 2. In addition, the answer to this question has been amended to include the most recent population estimates as summarized in the following table.

T:\2002\002601 Nesika-Ophir\1b\NBOWD-WRD Ext App Add.doc

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Page 1 of 3

APR 06 2007

WATER RESOURCES DEPT  
 SALEM, OREGON

# APPLICATION  
 G-14016



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
503-378-3739  
FAX 503-378-8130

### DEAR EXTENSION APPLICANT

The Water Rights Section has received your application for an extension of time for PERMIT # G-13613 FILE # G-14016. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension. A 45 day protest period begins upon issuance of the Proposed Final Order. After the protest period, a Final Order is issued.

If you have questions, please phone our Water Rights Information Group at (503) 378-8455, extension 201. For general information, our Department Internet home page is accessible at [www.wrd.state.or.us](http://www.wrd.state.or.us).

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SALEM, OREGON

STANDARD FORM LIKEY SEND IN  
RESPONSE TO INITIAL APPLICATION.

UNKNOWN DATE?

BEFORE OR AFTER EXTENSION  
RESPONSE TO LETTER 1/5/05

88

# Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
Select	NESIKA BEACH OPHIR WATER DISTRICT ▷ 32892 NESIKA RD GOLD BEACH, OR 97444	A WELL IN ROGUE RIVER BASIN G14016 Qm	G13613					NC
				0.5 CFS				0.5
Select	NESIKA BEACH WATER DISTRICT ▷ RT 1 BOX 114 A GOLD BEACH, OR 97444	A WELL IN ROGUE RIVER BASIN G3788 GD	G3571	37549				NC
				.20 CFS				0.2
Select	NESIKA BEACH OPHIR WATER DISTRICT ▷ 32892 NESIKA RD GOLD BEACH, OR 97444	GREGGS CREEK S85514 Qm	S53985					NC
				1.0 CFS				⊖
Select	NESIKA BEACH OPHIR WATER DISTRICT ▷ 32892 NESIKA RD GOLD BEACH, OR 97444	A WELL IN GREGGS CREEK BASIN G15960	G15728					NC
				1.0 CFS				⊖
Select	AGENT: ▷ NESIKA BEACH OPHIR WATER DISTRICT 32892 NESIKA RD GOLD BEACH, OR 97444  DOING BUSINESS AS: ▷ NESIKA BEACH OPHIR WATER DISTRICT ALLEN WAGNER 32892 NESIKA RD GOLD BEACH, OR 97444	LL1045						NC

[Help understanding and working with the Water Rights Information System](#)

Download: [Point of diversion data](#), [Place of use data](#), [Stakeholder data](#)

[Return to WRIS Query](#)

EW = 1.7 CFS  
SW = 1.0 CFS

0.7 CFS





# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

July 20, 2007

Faxed to (541) 247-9684

Allan Wagner  
Neskia Beach Ophir Water District  
32892 Nesika Road  
Gold Beach, OR 97444

RE: Extension of Time for Water Rights Permits G-13613

Mr Wagner,

The following page is the inventory of water rights held by Nesika Beach Water District. In order to complete your Extension of Time for Permit G-13613, we need updated information on these water rights. **The most important information that we need is the rate (in cfs or gpm) of water that you are using from each source.**

Also, we would like updated information on your current peak rate (also in cfs or gpm). The information that was supplied is a few years old and it is to your advantage for the Department to process your extension request with the most updated information that you can give us.

Please complete this form and fax back to me at (503) 986-0901. **You can add the peak rate information at the bottom of the form, if that is convenient for you.**

Please feel free to contact me at (503) 986-0813 if you have any questions.

Regards,

Kim French  
Extensions Specialist  
Water Resources Department

**Attachment to follow**

**Nesika Beach Ophir Water District**  
**INVENTORY OF EXISTING WATER RIGHTS**

(certificates, permits, transfers, or new applications)

Attachment "A"

**Ground Water**

Application/Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Use	*Use Limitations
*G-14016/G-13613	N/A	WELL-ROGUE DIXIE	Quasi-Municipal			.5 316gpm	
G-15960/G-15728	N/A	GREGGS CR.	Quasi-Municipal			0	
*G-3788/G-3571	37549	ROGUE	Domestic			0.2	

.7  
316 PBAK  
10/1/08

Same well

**Surface Water**

Application/Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amount of Beneficial Water Use	*Use Limitations
S-85514/S-53985	N/A	GREGGS CR.	Quasi-Municipal	11/16/1973		0	

**Pending Applications**

Application Number	Proposed Source	Proposed Use	Priority Date	Proposed Amount of Water	*Use Limitations
LL-1045	A Well	Quasi-Municipal			

\* If a particular water right certificate, permit, or transfer is not being utilized to meet current demands or its use is limited, please explain why.

# NESIKA BEACH - OPHIR WATER DISTRICT

32892 Nesika Road  
Gold Beach OR 97444

Phone (541)-247-2614  
Fax (541)-247-9684

Fax Transmittal

To: Tom Hoshall 541-469-5329

Fax #: 541-469-0768

From: Allan Wagner

Subject: H2O Rights

Date: 4-28-06

Pages: 9 (including this cover sheet)

Comments:

Tom, this is all I could find in my files that may be applicable.

Thanks Allan

ANN, S, CURR 2927, WOULD LIKE YOU TO REVIEW THE FILE & CC. COPY OF LETTER RESPONDING TO LISA JUL'S DEC. 27, 2004 LETTER.

WE HOPE TO GET THIS FILING CURRENT IN ORDER TO FILE A POA TRANSFER AND A FINAL PROOF. S.'S ALSO WORKING WITH JERRY SAUTER ON A NEW LIMITED LICENSE TO PROVIDE THE TIME NEEDED TO COMPLETE TRANSFER AND PROOF. THANKS FOR YOUR HELP

Tom

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SALEM, OREGON



**CONSULTING ENGINEERS & GEOLOGISTS, INC.**

305 N. 4<sup>th</sup> Street - Coos Bay, OR 97420-2219 • Tel 541/266-9800 • Fax 541/266-9488 • info@shn-coosbay.com

Reference: 002601.000

January 5, 2005

Ms. Lisa J. Jul  
Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem Oregon 97301-1271

G-14016

**SUBJECT: PENDING APPLICATION FOR EXTENSION OF TIME  
WATER RIGHTS APPLICATION #G-14016 (PERMIT #G-137613)**

Dear Lisa:

On behalf of the Nesika Beach / Ophir Water District (NBOWD) SHN is responding to your letter of December 27, 2004 regarding the application for an extension of time to accomplish beneficial use of water to the full extent under the terms of permit G-137613. In your letter you asked for additional information on several of the responses in the original submission. The required information follows including attachments as referenced in the text of the responses.

Question 5. *Document evidence of the maximum instantaneous rate of water diverted to the date of this application, for beneficial Quasi Municipal or Municipal purposes*

The withdrawal rate from the existing well is limited to 254 gpm (0.57 cfs) by the capacity of the well pumps. Of this withdrawal rate 0.2 cfs is withdrawn under permit G 3571 and the remaining 0.37 cfs is withdrawn under permit G-13614. Instantaneous withdrawal rate from the well before October 2002 did not exceed 246 gpm. Verification of the instantaneous pumping rate is provided in the pump logs for 2002 included as Attachment 1. All of the water withdrawn was used for quasi-municipal purposes.

The maximum pumping rate since that time was 254 gpm in April 2004 following installation of new well pumps.

6. *Provide an estimate of the population served under this permit and a description of the methodology used to make this estimate.*

Section 2.2 of the Nesika Beach / Ophir Water District Water Master Plan which was referenced in the original submission is included as Attachment 2. In addition, the answer to this question has been amended to include the most recent population estimates as summarized in the following table.

2-5

Attachment 1  
Pump logs  
2002

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Attach 3  
Water  
Source  
Investigh

Estimate of Population Served 2003/2004						
	2003	2004	2003		2004	
	Active Accounts		EDUs	Equ. Pop <sup>1</sup>	EDUs	Equ. Pop <sup>1</sup>
SF Residential	465	465	458		465	
Commercial	32	32	90		90	
Totals	490	497	548	1315	555	1332
1. Based on 2.4 persons / EDU Curry County Comprehensive Plan, WMP Section 2.2						

9. List and describe all events that delayed completion of the water development or application of water to full beneficial use.

A copy of the sections in the Water Source Investigation (SHN, May 2003) referenced in the extension application regarding problems that have been identified with the existing well site is included as Attachment 3.

In addition to the three events listed in the original extension application, full development of the water right allowed under this permit requires the completion of a replacement well at the Rogue River site. Currently, the withdrawal rate from the existing well is limited by the capacity of the well pumps to approximately 0.56 cfs (250 gpm). Full development of permit #G-13614 requires a pumping capacity of 0.7 cfs, with 0.2 cfs withdrawn under permit G-3571 and the remaining 0.5 cfs under G-13614.

Drilling of a replacement well is scheduled for completion in 2005. Following completion of drilling, Permit #G-13614 will need to be amended to reflect the new location before a claim of beneficial use showing complete application of water to the proposed use can be submitted. The extension will need to be of sufficient duration for the amendment to be processed.

10. Estimated demand projection and date by which the water is anticipated to put to full beneficial use.

The NBOWD obtains its water from a well on the Rogue River that currently serves as the sole source of water for the NBOWD. The District has water rights for a total of 0.7 (including the allowable use of 0.5 cfs under permit G-13613) but the capacity of the existing well is limited to 0.56 cfs. Current expansion plans for the District's supply, schedule replacement of the well in year 2005 and upgrading pumping capacity to the full 0.7 cfs beneficial use by year 2006.

#### Current Peak Water Demands

Current peak water demands are based upon the percapita demands developed in Section 5 of the Water Master Plan, included as attachment 4. Average day demand (ADD) is equivalent to an annual average, maximum month demand (MMD) is the seasonal peak demand and maximum day demand (MDD) is a daily maximum. The required withdrawal rate is based upon delivering the MDD in 24-hour periods. Current demands are presented in the following table based on the actual number of active accounts in 2003, and 2004.

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Current Demand							
			ADD	MMD	MDD	Instantaneous Withdrawal	
			gpcd	gpcd	gpcd	Total	G-13613
			109	167	271	cfs	cfs
Year	EDU	Pop.	gpd	gpd	gpd		
2003	548	1,315	143,357	219,638	356,419	0.55	0.35
2004	555	1,332	145,188	222,444	360,972	0.56	0.36

**Population Projections**

Population projections are based upon a 3% growth over the 20-year planning period as summarized in the following table. It is estimated that the District will serve 1078 EDUs in 2020.

Population Projections		
Year	EDU	Population
2000	597	1,433
2005	692	1,661
2010	802	1,926
2020	1078	2,588

The current service population is less than that predicted for the year 2005 because the growth rate over the last five years has been less than 3%, the District has limited new connections due to water supply concerns and there are also a large number of inactive accounts that are not included in the estimate of current users. Although growth rates and the number of active accounts may be highly variable in the short term, an average growth rate of 3% over the 20-year planning period has been selected by the District Board as the basis for projecting water demands.

**Inventory of Water Rights**

The NBOWD currently has a certificated water right for 0.2 cfs under permit G-3571, in addition to the 0.5 cfs allowed by permit G-13613. Both permits allow for withdrawal from the same well, located on the north bank of the Rogue River at approximately River Mile 5.

Nesika Beach / Ophir Water District Existing Water Rights and Permits							
Application /Permit Number	Certificate Number	Source <sup>1</sup>	Use	Priority Date	Authorized Amount of Water	Max Amt Beneficial Use	Limitations
G3788/G3571	37549	Rogue R. Well	Group Domestic		0.2 cfs	0.2 cfs	None
		Rogue R. Well	Quasi/Municipal		0.5cfs	0.5cfs	Well Capacity

<sup>1</sup> Well location: Township 36 S Range 14 W, Section 9 SE52

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WATER RESOURCES DEPT  
SALEM, OREGON

The priority date of the certificated permit precedes that of permit G-13613 and it is assumed that the 0.2 cfs allowed under the first permit will be used prior to utilizing the 0.5 cfs. Projected demands are shown in the table above. This increase in growth rate after 2005 reflects the pent-up demand caused by an existing moratorium on connections. The moratorium will no longer be necessary following construction of the replacement well because the replacement well will provide an immediate increase in available water supply.

Projected Demands							
Year	EDU	gpcd Pop.	ADD 109 gpd	MMD 167 gpd	MDD 271 gpd	Instantaneous Rate <sup>1</sup>	
						Total	G-13613
						cfs	cfs
2003	548	1,315	143,337	219,638	336,419	0.61	0.41
2004	555	1,332	145,188	222,444	360,972	0.62	0.42
2005	578	1,388	151,329	231,853	376,241	0.65	0.45
2006	603	1,447	157,731	241,661	392,156	0.67	0.47
2007	628	1,508	164,403	251,883	408,744	0.70	0.50
2010	712	1,708	186,160	285,218	462,839	0.80	0.60
2020	1077	2,585	281,718	431,623	700,418	1.20	1.00
2050	1452	3,484	379,713	581,762	944,058	1.62	1.42

1. The instantaneous rate is estimated as the required pumping rate to deliver MDD in 24 hrs assuming pump at 90% capacity  
 2. Demand for water used under permit G-13613 is equal instantaneous rate over 24 hours minus the 0.2 cfs allowed by G-3571.  
 3. Assuming an overall growth rate from 2000-2020 of 3% the growth rate from 2005 to 2020 is estimated to be 4.7%.

Beneficial use to the full extent of the permit is defined as a minimum 4-hour period of beneficial water use at the permitted rate. The replacement well to be constructed in 2005 will have a capacity of 0.7 cfs, equal to combined amount of water allowed under permits G-3571 and G-13613. At 0.7 cfs the new well pump will need to pump 8 hours to produce the estimated average day demand of 151,329 gallons and since the maximum instantaneous rate will be supplied for a period greater than 4 hours, the District will be able to claim full development of permit G-13613 once the new well is completed.

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MAY 03 2006

WATER RESOURCES DEPT  
SALEM, OREGON

It is our understanding that prior to perfecting the water right it will be necessary to obtain an amendment to the permit specifying the exact location of the replacement well. Allowing additional time for the processing of the permit amendment and preparing the claim of beneficial use, full development of the water right for permit G-13613 is likely to occur by October 2006.

Best regards,

SHN CONSULTING ENGINEERS & GEOLOGISTS, INC.

Steven K. Donovan, P.E.  
Project Manager

cc: Allan Wagner - Nesika Beach-Ophir Water District



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MAY 03 2006

WATER RESOURCES DEPT  
SALEM, OREGON





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
503-378-3739  
FAX 503-378-8130

### DEAR EXTENSION APPLICANT

The Water Rights Section has received your application for an extension of time for PERMIT # 6-13613 FILE # 6-14016. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension. A 45 day protest period begins upon issuance of the Proposed Final Order. After the protest period, a Final Order is issued.

If you have questions, please phone our Water Rights Information Group at (503) 378-8455, extension 201. For general information, our Department Internet home page is accessible at [www.wrd.state.or.us](http://www.wrd.state.or.us).

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MAY 03 2006

WATER RESOURCES DEPT  
SALEM, OREGON

UNKNOWN DATE ?

BEFORE OR AFTER EXTENSION  
RESPONSE TO LETTER 1/5/05



Application # G-14016 / Permit # G-13613

## Route Slip ... Extension of Time

*per Division 315 Rules... (Extensions received on July 1, 2001 or after)*

◆ WRIG...

Money Received: \$100.<sup>00</sup> on 6-23-03

◆ Lisa Juul...

Extension Completeness: Cert letter sent 6-27-03

( If NOT complete, send certified letter requesting add'l information. )

*If Extension Appl complete and \$100 fee submitted, route to...*

◆ Jonnine Fuss...

Initial 30-day Public Notice: 7/1/03

Update Extension Database: 7/1/03

Files back to filing cabinets: Back to Lisa

*At the close of the Initial 30-day Comment Period...*

◆ Lisa Juul...

Pull files for Ext PFO review: \_\_\_\_\_

Extension PFO completed: \_\_\_\_\_

*Once Extension PFO signed by Dwight French...*

◆ Jonnine Fuss...

Prepare Ext PFO for mailing to applicant: \_\_\_\_\_

Mail to those who commented and paid copy fee: \_\_\_\_\_

Include Ext PFO on weekly Public Notice: \_\_\_\_\_

*Within 60 days after the close of the 45-day PFO Protest Period...*

*(PFO Protest Period ends 45 days from PFO sign date)...*

◆ Lisa Juul...

Issue an Extension FO: \_\_\_\_\_

Appl # G-14016 / Permit # G-13613

## Municipal/Quasi-Municipal Permit Extension Application

❖ Published on the Department's Public Notice, dated: 7/1/03

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: 6-23-03

Return File to Lisa

# Municipal or Quasi-Municipal

## EXTENSION REVIEW CHECKLIST for PFO... per Div. 315 Rules

Application #: G-14016 / Permit #: G-13613

Permittee's Name: Nesika Beach Water Dist; Attn: Alan Wagoner

Permittee's Mailing Address: 32892 Nesika Road, Gold Beach, OR 97444

POD Location: Township 36-S Range 14-W Section 9  $\frac{1}{4}$   $\frac{1}{4}$  SE SE

Stream Basin: 15-Rogue County: Curry  
WM#19, Mitch Lewis - SW Region

1. Has the applicant completely filled out the updated Extension Application form? Yes / No \$100.00 - Yes  
 \*\*\*If "No"..... has certified request for the new extension form been sent? Yes / No

2. Shortcomings of Extension Request..... based upon review of updated extension form Yes / No  
 \*\*\*(NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)

*Need to answer  
 Ques 12 & 13.*

3. Date Permit was issued: 3-22-99 (priority = 1-5-96)

4. Source: One Well in the Rogue River Basin

5. Use: Quasi-Municipal

6. "Q": 0.5 cfs

7. Original "B" Date: \_\_\_\_\_ Original "C" Date: 10-1-2002

8. Conditions of Permit: Orig. "A" Date: 6-8-99

- Before Water Use Begins → a totalizing flow meter must be installed at each diversion point
- must meet general well construction standards.

• per Order signed on 8-19-99; - submitted 12/29/2000

• must submit a Div 86 WMCP to WRD by August 19, 2001.

9. Extension request received: 6-23-03 Request Number (...1<sup>st</sup> 2<sup>nd</sup>, 3<sup>rd</sup>): 1<sup>st</sup>

10. Last Authorized "B" Date: \_\_\_\_\_ Last Authorized "C" Date: 10-1-02

11. Proposed "B" Date: \_\_\_\_\_ Proposed C Date: 10-1-2008  
*updated on letter to  
 3/23/07 kg*

✓ 12. Amount Invested to date: \$72,500.<sup>00</sup> Estimated Total Cost: \$1,773,451.<sup>00</sup>  
(\*\*Estimated Remaining Cost: \$1,700,951.<sup>00</sup>)

\_\_\_ 13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes / No \*\*\*If "No"..... What permit terms and/or conditions have not been met?

\_\_\_ 14. Work on the water development project completed to date includes: \_\_\_\_\_

\_\_\_ 15. The work remaining to be completed consists of: \_\_\_\_\_

\_\_\_ 16. Progress in perfecting the permit is being held up by: \_\_\_\_\_

\_\_\_ 17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes / No

\_\_\_ 18. Determination of the market and the present demand for water or power to be supplied: review under 690-315-0040(4)

\_\_\_ 19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. → Approval of Extension Request

No ... "Good Cause" cannot be found. → Denial of Extension Request

\_\_\_ 20. Conditions to be included on Extension PFO: \_\_\_\_\_

---

---

Extension "PFO" Dates \_\_\_\_\_ Checklist Last Revised: 1 / 31 / 2003

Mailing / Issuance Date: \_\_\_\_\_ Reviewer's Name: \_\_\_\_\_

Protest Deadline Date: \_\_\_\_\_ Date: \_\_\_\_\_

---

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# Oregon

Theodore R. Kulongoski, Governor

**CERTIFIED MAIL**  
**Return Receipt Requested**

File # G-14016

**Water Resources Department**  
Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
503-378-3739  
FAX 503-378-8130

June 27, 2003

Nesika Beach Water District  
Attn: Allan Wagoner  
32892 Nesika Road  
Gold Beach, OR 97444

REFERENCE: File #G-14016 (Permit #G-13613)

Dear Mr. Wagoner:

The Department is currently in the process of evaluating your request for an extension on the above referenced permit. However, based upon continued review, the Department has determined that additional information is necessary in order to evaluate your extension request. The following information must be received:

- Please answer Question #12 of the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits."** You must provide justification for the time requested to complete the project and/or apply the water to full beneficial use.
- Please address Question #13 of the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits."** If you do not have other information to provide under this item, please indicate "N/A".

Please submit this information by **Monday, July 28, 2003**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.

If you need to request additional information, a written request must be received by the Department above. The Department will respond to your request as soon as possible. Your request may be granted.

If you should have any questions about the materials listed above, you may contact me at the following:

Sincerely,

Lisa J. Juul  
Water Rights Specialist

cc: Appl #G-14016 (Permit  
Mitch Lewis, Watermas

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-14016  
NESIKA BEACH WATER DIST  
ATTN: ALLAN WAGONER  
32892 NESIKA RD  
GOLD BEACH, OR 97444

2. Article Number  
(Transfer from service label)

7001 2510 0001 6264 9493

PS Form 3811, August 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X** *Allan Wagoner*  Agent  Addressee

B. Received by (Printed Name) *Allan Wagoner*

C. Date of Delivery *7/1/03*

D. Is delivery address different from item 1?  Yes  No  
if YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

Domestic Return Receipt

2ACPRI-03-P-4081



# Oregon

Theodore R. Kulongoski, Governor

**CERTIFIED MAIL**  
**Return Receipt Requested**

June 27, 2003

Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
503-378-3739  
FAX 503-378-8130

File # G-14016

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Attn: Allan Wagoner  
32892 Nesika Road  
Gold Beach, OR 97444

REFERENCE: File #G-14016 (Permit #G-13613)

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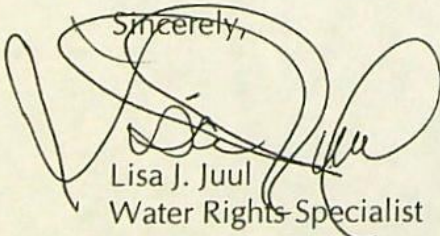
1. **Please answer Question #12 of the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits."** You must provide justification for the time requested to complete the project and/or apply the water to full beneficial use.
2. **Please address Question #13 of the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits."** If you do not have other information to provide under this item, please indicate "N/A".

Please submit this information by **Monday, July 28, 2003**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.

*If you need to request additional time to submit the information requested above, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.*

If you should have any questions concerning your extension request or the required materials listed above, you may contact me at (503) 378-8455, extension 272.

Sincerely,



Lisa J. Juul  
Water Rights Specialist

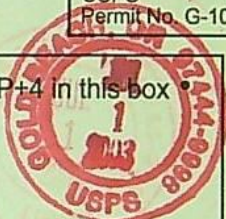
cc: Appl #G-14016 (Permit #G-13613)  
Mitch Lewis, Watermaster District #19

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

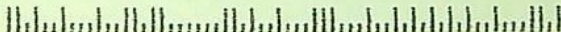


WATER RESOURCES DEPT.  
158 12TH ST NE  
SALEM OR 97301

WATER RESOURCES DEPT  
SALEM, OREGON

JUL 02 2003

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# Oregon

Theodore R. Kulongoski, Governor **CERTIFIED MAIL**  
Return Receipt Requested

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

December 27, 2004

Nesika Beach Water District  
and Ophir Water District  
ATTN: Alan Wagoner  
32892 Nesika Road  
Gold Beach OR 97444

REFERENCE: Pending Application for Extension of Time  
Water Right Application #G-14016 (Permit #G-13613)

Dear Quasi-Municipal Water Right Permit Holder:

The Department is currently evaluating your request for an extension of time on the above referenced quasi-municipal water use permit. We have determined that your extension application does not provide sufficient detail necessary to fully evaluate your request. The information and materials that need clarification are listed below and must be submitted before evaluation can continue.

**NOTE:** *If you make reference to other documents, reports and/or plans, you must provide copies with your responses and make specific references to the pages, tables and/or charts.*

Copies of your pending application received June 23, 2003, and your initial response for reference.

**Question #5 - OAR 690-315-0**  
*rate of water diverted to the da*  
*Municipal purposes.*

Your response to this question  
the attached well log. Permit #  
**amount of water used for qua**

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature <b>X</b> <i>Alan Wagoner</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  G-14016 NESIKA BEACH WATER DISTRICT And OPHIR WATER DISTRICT ATTN: ALAN WAGONER 32892 NESIKA RD GOLD BEACH OR 97444		B. Received by (Printed Name) <i>Alan Wagoner</i>	
		C. Date of Delivery	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7004 1160 0000 3333 3383	
PS Form 3811, February 2004		Domestic Return Receipt <i>WR</i> 102595-02-M-1540	



# Oregon

Theodore R. Kulongoski, Governor

**CERTIFIED MAIL**  
**Return Receipt Requested**

**Water Resources Department**

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

December 27, 2004

Nesika Beach Water District  
and Ophir Water District  
ATTN: Alan Wagoner  
32892 Nesika Road  
Gold Beach OR 97444

REFERENCE: Pending Application for Extension of Time  
Water Right Application #G-14016 (Permit #G-13613)

Dear Quasi-Municipal Water Right Permit Holder:

The Department is currently evaluating your request for an extension of time on the above referenced quasi-municipal water use permit. We have determined that your extension application does not provide sufficient detail necessary to fully evaluate your request. The information and materials that need clarification are listed below and must be submitted before evaluation can continue.

***NOTE:*** *If you make reference to other documents, reports and/or plans, you must provide copies with your responses and make specific references to the pages, tables and/or charts.*

Copies of your pending application received June 23, 2003, and your original permit are enclosed for reference.

***Question #5 - OAR 690-315-0070(3)(f):*** *Document evidence of the maximum instantaneous rate of water diverted to the date of this application, if any, for beneficial Quasi-Municipal or Municipal purposes.*

Your response to this question in your extension application refers 0.54 cfs of water diverted per the attached well log. Permit #G-13613 authorizes use of 0.5 cfs. **Please clarify the actual amount of water used for quasi-municipal purposes rather than the capacity of the well**

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

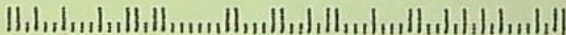
• Sender: Please print your name, address, and ZIP+4 in this box •

**RECEIVED**

**DEC 30 2004**

**WATER RESOURCES DEPT  
SALEM, OREGON**

WATER RESOURCES DEPARTMENT  
725 SUMMER STREET NE SUITE A  
SALEM OR 97301-1271



**and pump. Of the 0.5 cfs allowed under this permit, how much was used by October 1, 2002? What (if any) quantity was used since that date? If the full amount of authorized water was used by October 1, 2002, and all conditions of the permit were met, an extension of time may not be necessary for Permit #G-13613.**

Identify the maximum *instantaneous* rate of water diverted by the date of this application for the beneficial use authorized under the permit and state the maximum rate of water use allowed under your permit. The maximum instantaneous rate should be indicated by using the unit specified in the water use permit, such as cubic feet per second, gallons per minute, or acre-feet. Do not provide daily, monthly or annual water use totals.

Documentary evidence substantiating the maximum instantaneous rate of water diversion may include, but is not limited to: meter records; business records; and/or a sworn affidavit. *The maximum instantaneous rate should be based upon at least a continuous 4-hour period of beneficial water use.*

**Question #6 - OAR 690-315-0070(3)(g):** *Provide an estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.*

Your response to this question in your extension application refers to an attachment which was not provided. **Please submit a copy of the attachment to which you referred.** We note that Section 2.2 of your Master Plan provides information on historic and projected population.

**Question #9 - OAR 690-315-0070(3)(j):** *List and describe all 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.*

Your response to this question in your extension application refers to an "attached draft Water Resource Investigation report" that was not provided. **Please submit a copy of the attachment to which you referred.**

**Question #10 - OAR 690-315-0070(3)(k):** *Provide 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.*

Prepare a qualitative analysis indicating the date by which you anticipate to fully develop the water right permit being extended (i.e., the date requested in your extension

application). In developing your estimated demand projections for the permit being extended, you should describe the following:

- 1) Current Peak Water Demands - **Please provide this information.**  
Describe the current demands for water. Indicate annual average, peak season, and peak day water demand figures.
- 2) Projected Population - This information was provided sufficiently in Section 2.2 of your Water System Master Plan.
- 3) Potential Growth - This information was provided sufficiently in Section 2.3 of your Water System Master Plan and your responses to questions #11-12.
- 4) Inventory of Water Rights Held - **Please provide this information which is not clearly stated in your extension application. See enclosed Attachment "A" to assist you in providing a list of all water rights held by Nesika Beach Water District and Ophir Water District.**

List all water rights held. The Department's website ([www.wrd.state.or.us](http://www.wrd.state.or.us)) may be a helpful source for compiling this information.

Indicate which water rights are used to meet current water demands. Additionally, describe the manner in which the subject permit, other water rights and/or any water supply contracts you may hold are utilized to meet these present water needs. Identify any water rights not currently utilized, or used only in a limited capacity, and explain the reason(s) why. Describe any factors affecting use of the water rights, such as: system redundancy; emergency back-up water supply; climate patterns resulting in seasonal unavailability or high turbidity issues; reliability or quality of existing water supplies; and/or agreements to supply water to other entities.

Describe how the subject permit, other water rights and/or any water supply contracts you may hold are planned or expected to be used to meet anticipated future water needs.

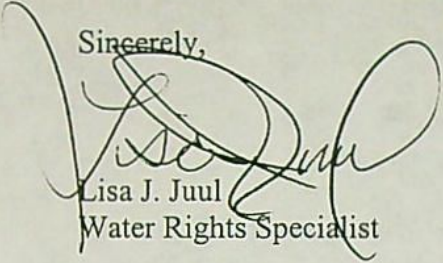
Please submit this information to the Department by **March 28, 2005**. If you cannot provide the requested information by this deadline, you must notify the Department in writing, explaining the reason(s) why, and indicate a date certain by which you anticipate the requested information can be supplied.

If the Department has not received the requested information by **March 28, 2005**, and has not received written notification explaining why the deadline for submittal cannot be met, the

Department **will** return your "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" as incomplete and refund all fees paid toward the extension of time request.

If you have any questions concerning your extension request or completion of the required materials, please contact me at (503) 986-0808. Thank you for your cooperation and attention to this matter.

Sincerely,



Lisa J. Juul  
Water Rights Specialist

Enclosures: Copy of pending Application for Extension of Time received June 23, 2003  
Copy of Permit #G-13613  
Sample copy of "Attachment A"

cc: Appl #G-14016 (Permit #G-13613)  
Mitch Lewis, Watermaster District #19

S:\groups\wr\extensions\Municipal\muni\_ext\_add'l info letters\g14016\_Nesika Beach-Ophir WD.wpd

# Water Rights Information Query Results

Owner/Contact	Application	Permit	Certificate	Decree	Claim	Transf
NESIKA BEACH WATER DISTRICT RT 1 BOX 114 A GOLD BEACH OR 97444 (details) <i>update bb ✓</i>	G3788	G3571	37549	52 FT N 0.2 cfs	N	2538' E ok + yes
NESIKA BEACH OPHIR WATER DISTRICT 32892 NESIKA RD GOLD BEACH OR 97444 (details)	G14016	G13613	0.37 Q	512' .5 cfs	N +	5238' E c-date 10-1-02
NESIKA BEACH OPHIR WATER DISTRICT 32892 NESIKA RD GOLD BEACH OR 97444 (details)	G15960	G15728	1.0 C-date 2008	560'	N +	1835 E
NESIKA BEACH OPHIR WATER DISTRICT 32892 NESIKA RD GOLD BEACH OR 97444 (details)	S85514	S53985	C-date 2008	560' 1.0 cfs	N +	1835 C-date

*Ext rec'd 6-23-03*

Page: 1

[Download Place of Use Data, Point of Diversion Data, or Owner Data](#)

[Definition of codes and abbreviations](#)

[Return to the Water Right Information search screen](#)

*© 22% now*

Application # G-14016 / Permit # G-13613

Permit Holder: Neskika Beach Water District

Use interactive mapping to check: Stream Basin #15, Rogue Watermaster Distr #19, Mitch Lewis  
 Add this information to the Checklist for PFO

Place a (✓) in the box if the item is satisfied	<p style="text-align: center;"><b>Division 315 - Municipal/Quasi-Municipal            Extension of Time - Completeness Checklist            OAR 690-315-0070(3)</b></p>
X	<p>1. [OAR 690-315-0070(3)]            The appropriate extension of time fee (as specified in ORS 536.050).            \$100 - applications received by September 30, 2003 - rec'd 6/23/03, \$100, receipt 60792            \$250 - applications received on or after October 1, 2003</p>
X	<p>* [OAR 690-315-0070(3)(a)] The name and mailing address of the water right permit holder(s);</p>
X	<p>* [OAR 690-315-0070(3)(b)] The application number and the permit number for which an extension is requested;            - from 2002, <b>not 2003</b></p>
X	<p>2. [OAR 690-315-0070(3)(c)] For quasi-municipal water use permit holders, evidence of the actions taken to begin actual construction on the project, as defined in 690-315-0020(3)(d), if required under the applicable statute;</p> <p><b>NOTE:</b> ORS 537.230(1) [1997 edition] only exempts surface water municipal use permits from the "A" Date requirement. If you are reviewing a ground water municipal use permit, they must provide evidence that the "A" Date has been met.</p> <ul style="list-style-type: none"> <li>• "Actual construction" means physical work performed towards completion of the water system, which demonstrates both the present good faith of the water right permit holder and the water right permit holder's intention to complete the project with reasonable diligence;</li> <li>• "Actual construction" does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying.</li> </ul> <p>"A" date 6/8/99 Met? YES This permit supplements existing well site under Cert 37549. Existing and operational storage and distribution system. See #4 "original well constructed in 1967)            "B" date - none            "C" date - 10/1/02            (Munis issued after 11/2/98 will need to be reviewed under 690-315-0040(4) on Checklist)</p>
X	<p>3. [OAR 690-315-0070(3)(d)] - This is extension request # 1 _____            Evidence of actions taken to develop the right within the original permitted time period            from March 22, 1999 to October 1, 2002.            12/2000 - Water System Master Plan completed by Dyer Partnership            6/2001 - improvement to meter accuracy            2001-2002, meters installed on all un-metered customers            2001 - pump replaced to increase production and total dynamic head.            2002 - adoption of 12 year meter replacement program            2/25/03 - Water Management and Conservation Plan approved - see Plan in Field Services file            4/2003 - Water Investigation and Source Water Supply Study completed</p>
X	<p>4. [OAR 690-315-0070(3)(e)] Evidence of compliance with conditions contained in the permit and any previous extension(s) or the reason the condition was not satisfied;            - before use, totalizing meter at each diversion point - done, per application            - pump test prior to certificate - done 1967, see data from well log            - submit WMCP by 8/19/01 (Per Special Order Vol 53, p 1156 of 8/19/99) - approved by order 2/25/03 submitted 12/29/2000</p>
NEED	<p>5. [OAR 690-315-0070(3)(f)] Evidence of the maximum INSTANTANEOUS rate of diversion, if any, made to date; maximum diverted .54 cfs, - Applicant needs to clarify actual water used for Q-M purposes, not just capacity of well and pump. Of the .5 cfs allowed under this permit, how much was used by 10/1/02? What quantity was used since that date? If full amount is used, and all conditions of the permit were met, a time extension may not be necessary.</p>

↓ .37

↓ .348



**Division 315 - Municipal/Quasi-Municipal  
Extension of Time - Completeness Checklist  
OAR 690-315-0070(3)**

Place a (✓) in the box if the item is satisfied

NEED	<p>6. [OAR 690-315-0070(3)(g)] An estimate of the population served and a description of the methodology(ies) used to make the estimate; 557 service connections (population estimated at 1265) in 2003  <b>Applicant referenced an attachment, needs to provide.</b> Also, see Master Plan 2.2 Population. <span style="float: right;">1332</span></p>
X	<p>7. [OAR 690-315-0070(3)(h)] A description of financial expenditures made toward completion of the water development;  <b>Dates are not supplied, but this is first extension and dates are shown in #3</b></p>
X	<p>8. [OAR 690-315-0070(3)(i)] An estimate of the cost to complete the water development;  <b>See dates in #11</b></p>
NEED	<p>9. [OAR 690-315-0070(3)(j)] 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;          - Slow growth of population has reduced water demand.          - Refers to Draft Water Resource Investigation Report - not attached or in file - <b>Applicant needs to provide</b>          - Successful water conservation measure has reduced use <span style="float: right;">need attachment 3</span></p>
NEED	<p>10. [OAR 690-315-0070(3)(k)] An estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights 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.          1) Current Peak Water Demands <span style="float: right;">-Applicant needs to clarify. 56 cfs</span>          2) Projected Population <span style="float: right;">- See Master Plan 2.2 Population</span>          3) Potential Growth Rate of Service Area <span style="float: right;">- #11 says "Population/Service growth to full use in October, 2007" - also, see Justification in #12, and Master Plan 2.3 Land Use.</span>          4) Inventory of Water Rights Held <span style="float: right;">- Applicant needs to supply "Attachment A" for other rights (see Query).   <small>not all rights listed.</small></span></p>
X	<p>11. [OAR 690-315-0070(3)(l)] A summary of the applicant's plan and schedule to complete construction and/or perfect the water right; <b>Sufficient detail provided.</b></p>
X	<p>12. [OAR 690-315-0070(3)(m)] Justification for the time requested to complete the project and/or apply the water to full beneficial use;</p>
--	<p>13. [OAR 690-315-0070(3)(n)] Any other information the applicant determines is relevant to evaluate the application in accordance with applicable statutes and rules;</p>
--	<p>* [OAR 690-315-0070(3)(o)] Any other information required by the Department that is necessary to evaluate the application in accordance with applicable statutory requirements.</p>
X	<p>* Signature(s) of the water right permit holder(s). <b>Alan Wagner<sup>O</sup></b></p>

C:\My Documents\Muni completeness check\g14016nesikaBeachWD.wpd

Name of Reviewer: LLJ/jd Date: 12/20/04

**Kim French**

---

**From:** Allan Wagner [nbwd@harborside.com]  
**Sent:** Tuesday, August 28, 2007 7:57 AM  
**To:** Kim French  
**Subject:** Fw: peak Rate

we are trying again.

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

**From:** Allan Wagner  
**To:** Kim R french@wrd.state.or.us.com  
**Sent:** Friday, August 17, 2007 2:01 PM  
**Subject:** peak Rate

Regarding permit #G13613 and certificate 37549, The District completed improvements to the Rogue well pumping system in August-06 Since that time our peak instantaneous rate is 314GPM. Thank you for your attention on this matter  
sincerely Allan wagner NBOWD Manager

**Final Deliverables Cover Sheet**  
for  
**Permit Extension of Time Applications**

PBS Project# B0332.000  
Task 2

Application #: G-14016 Permit #: G-13613

Name of Permit Holder: Nesika Beach and Ophir Water District

The following items are enclosed:

- The completed Extension of Time Completeness Checklist;
- The completed Extension of Time Proposed Final Order Checklist;
- All background information and notes used to make the extension determination;
- A hard copy of the Extension of Time documents:
  - a. Letter(s) requesting additional/missing information (if applicable)
  - b. Proposed Final Order and Mailing List
  - c. Final Order and Mailing List
- An electronic copy of the Extension of Time documents\*
  - a. Letter(s) requesting additional/missing information (if applicable)
  - b. Proposed Final Order and Mailing List
  - c. Final Order and Mailing List

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} emailed 8/11/07

**\*NOTE:** WRD will only accept electronic copies in the following programs:  
a. WordPerfect, or  
b. MS Word - "rich text" format only

*For WRD use only:*  
WRD approval by: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Contractor: Terry Sprecher Date: 8/13/07  
*Terry Sprecher, PBS Engineering and Environmental*

**Terry Sprecher**

---

**From:** Terry Sprecher  
**Sent:** Saturday, August 11, 2007 10:48 AM  
**To:** 'Kim French'  
**Subject:** RE: Reimbursement Authority Extension Request; Nesika Beach/Ophir Water District; Permit G-13613; PBS # 80332.000, Task 2

**Attachments:** permit.g13613.DRAFT.PFO.doc; permit.g13613.FO\_approval.div 315 muni.wpd

Kim,

Attached is the draft PFO and draft FO for this project.

It likely needs some fine tuning, particularly with respect to this newly-submitted information. I am still a bit unclear as to how all their water rights fit together, and am not at all sure what the Limited License is for. I used the current peak rate contained in their application materials, rather than the 0.7 cfs noted in your email below, since the other peak rate was more clearly spelled out.

Let me know if you need any more done for this project. Thank you.

**Terry A. Sprecher, RG, CWRE**  
**Bend Operations Manager/Senior Geologist**  
 terry@pbsenv.com  
 541.388.9290, X222

**PBS Engineering + Environmental**  
 Engineering | Natural Resources | Environmental | Health and Safety  
 www.pbsenv.com  
 390 NE Emerson Avenue, Suite C, Bend, OR 97701  
 ph: 541.388.9290 fax: 541.382.5116

---

**From:** Kim French [mailto:frenchkr@wrdd.state.or.us]  
**Sent:** Friday, July 20, 2007 2:01 PM  
**To:** Terry Sprecher  
**Subject:** RE: Reimbursement Authority Extension Request; Nesika Beach/Ophir Water District; Permit G-13613; PBS # 80332.000, Task 2

HI Terry,

It didn't take as long as I thought it would to get this info. Here you go...

They have used 0.5 cfs from the well under Permit G-13613 and 0.2 cfs from the well under Permit G-3571 (Certificate 37549). They have not used water from the well under Permit G-15728 or from surface water Permit S-53985. Those will be used for redundancy.

Their current peak rate is 0.7 cfs.

Let me know if you need anything else!

Thanks,

*Kim French*  
 Permit Extensions Specialist

8/11/2007

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Water Resources Department  
(503) 986-0813  
Fax: (503) 986-0901  
[Kim.R.French@wrд.state.or.us](mailto:Kim.R.French@wrд.state.or.us)

---

**From:** Terry Sprecher [mailto:[terry\\_sprecher@pbsenv.com](mailto:terry_sprecher@pbsenv.com)]  
**Sent:** Friday, June 29, 2007 11:54 AM  
**To:** Kim French  
**Subject:** RE: Reimbursement Authority Extension Request; Nesika Beach/Ophir Water District; Permit G-13613; PBS # 80332.000, Task 2

Kim,

attached is the completeness checklist (2 pages) and the PFO checklist for the Nesika Beach/Ophir Water District file.

Thank you.

Terry A. Sprecher, RG, CWRE  
Bend Operations Manager/Senior Geologist  
[terry@pbsenv.com](mailto:terry@pbsenv.com)  
541.388.9290

PBS Engineering and Environmental  
Engineering | Natural Resources | Environmental | Health and Safety  
[www.pbsenv.com](http://www.pbsenv.com)  
390 NE Emerson Avenue, Suite C, Bend, OR 97701  
ph: 541.388.9290 fax: 541.382.5116

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This message and any attachments are considered privileged and confidential and are intended for the sole use of the individual or entity to whom the message is addressed. If you have received this message in error, please immediately advise the sender and permanently delete the message and any attachments.

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WATER RESOURCES DEPT  
SALEM OREGON

Application # G-14016 / Permit # G-13613

Permit Holder: Neskika Beach Water District

Use interactive mapping to check: Stream Basin #15, Rogue

Watermaster Distr #19, Mitch Lewis

Add this information to the Checklist for PFO

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**Division 315 - Municipal/Quasi-Municipal  
Extension of Time - Completeness Checklist  
OAR 690-315-0070(3)**

Place a (✓) in the box if the item is satisfied	
X ✓	<p>1. [OAR 690-315-0070(3)] The appropriate extension of time fee (as specified in ORS 536.050). \$100 - applications received by September 30, 2003 - rec'd 6/23/03, \$100, receipt 60792 \$250 - applications received on or after October 1, 2003</p>
X ✓	<p>* [OAR 690-315-0070(3)(a)] The name and mailing address of the water right permit holder(s);</p>
X ✓	<p>* [OAR 690-315-0070(3)(b)] The application number and the permit number for which an extension is requested; - from 2002, <b>not 2003</b></p>
X ✓	<p>2. [OAR 690-315-0070(3)(c)] For quasi-municipal water use permit holders, evidence of the actions taken to begin actual construction on the project, as defined in 690-315-0020(3)(d), if required under the applicable statute;</p> <p><b>NOTE:</b> ORS 537.230(1) [1997 edition] only exempts surface water municipal use permits from the "A" Date requirement. If you are reviewing a ground water municipal use permit, they must provide evidence that the "A" Date has been met.</p> <ul style="list-style-type: none"> <li>"Actual construction" means physical work performed towards completion of the water system, which demonstrates both the present good faith of the water right permit holder and the water right permit holder's intention to complete the project with reasonable diligence;</li> <li>"Actual construction" <b>does not</b> include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying.</li> </ul> <p>"A" date 6/8/99 Met? YES This permit supplements existing well site under Cert 37549. Existing and operational storage and distribution system. See #4 "original well constructed in 1967) "B" date - none "C" date - 10/1/02 (Munis issued after 11/2/98 will need to be reviewed under 690-315-0040(4) on Checklist)</p>
X ✓	<p>3. [OAR 690-315-0070(3)(d)] - This is extension request # <u>1</u> Evidence of actions taken to develop the right within the <u>original permitted time period</u> from March 22, 1999 to October 1, 2002.</p> <ul style="list-style-type: none"> <li>12/2000 - Water System Master Plan completed by Dyer Partnership</li> <li>6/2001 - improvement to meter accuracy</li> <li>2001-2002, meters installed on all un-metered customers</li> <li>2001 - pump replaced to increase production and total dynamic head.</li> <li>2002 - adoption of 12 year meter replacement program</li> <li>2/25/03 - Water Management and Conservation Plan approved - see Plan in Field Services file</li> <li>4/2003 - Water Investigation and Source Water Supply Study completed</li> </ul> <p style="text-align: right;"><i>after 10/1/02</i></p>
X ✓	<p>4. [OAR 690-315-0070(3)(e)] Evidence of compliance with conditions contained in the permit and any previous extension(s) or the reason the condition was not satisfied;</p> <ul style="list-style-type: none"> <li>- before use, totalizing meter at each diversion point - done, per application</li> <li>- pump test prior to certificate - done 1967, see data from well log <i>may need new pump test</i></li> <li>- submit WMCP by 8/19/01 (Per Special Order Vol 53, p 1156 of 8/19/99) - approved by order 2/25/03 <i>submitted 12/29/2000</i></li> </ul>
NEED ✓	<p>5. [OAR 690-315-0070(3)(f)] Evidence of the maximum INSTANTANEOUS rate of diversion, if any, made to date; maximum diverted .54 cfs, - Applicant needs to clarify actual water used for Q-M purposes, not just capacity of well and pump. Of the .5 cfs allowed under this permit, how much was used by 10/1/02? What quantity was used since that date? If full amount is used, and all conditions of the permit were met, a time extension may not be necessary.</p>

11/5/05 letter received 5/3/06

0.366 cfs

Need attachment 1

1,348

Place a (✓) in the box if the item is satisfied	<p style="text-align: center;"><b>Division 315 - Municipal/Quasi-Municipal Extension of Time - Completeness Checklist OAR 690-315-0070(3)</b></p>
NEED ✓ <i>received 5/31/06</i>	<p>6. [OAR 690-315-0070(3)(g)] An estimate of the population served and a description of the methodology(ies) used to make the estimate; 557 service connections (population estimated at 1265) in 2003. Applicant referenced <u>an attachment</u>, needs to provide. Also, see Master Plan 2.2 Population. <i>555 2004 } 1332 } 2004</i></p>
X ✓	<p>7. [OAR 690-315-0070(3)(h)] A description of financial expenditures made toward completion of the water development; Dates are not supplied, but this is first extension and dates are shown in #3 <i>total = \$72,500</i></p>
X ✓	<p>8. [OAR 690-315-0070(3)(i)] An estimate of the cost to complete the water development; See dates in #11 <i>total \$1,700,957</i></p>
NEED ✓ <i>✓ except by attachments</i>	<p>9. [OAR 690-315-0070(3)(j)] 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; <i>- needs to complete a replacement well to fully develop the permit</i></p> <ul style="list-style-type: none"> <li>- Slow growth of population has reduced water demand.</li> <li>- Refers to Draft Water Resource Investigation Report - not attached or in file - Applicant needs to provide</li> <li>- Successful water conservation measure has reduced use <i>need attachment 3 - still missing</i></li> </ul>
NEED ✓ <i>✓ except as formal Attachment A</i>	<p>10. [OAR 690-315-0070(3)(k)] An estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights 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.</p> <ol style="list-style-type: none"> <li>1) Current Peak Water Demands <i>- Applicant needs to clarify. 56 cfs - 2004</i></li> <li>2) Projected Population <i>- See Master Plan 2.2 Population</i></li> <li>3) Potential Growth Rate of Service Area <i>- #11 says "Population/Service growth to full use in October, 2007" - also, see Justification in #12, and Master Plan 2.3 Land Use.</i></li> <li>4) Inventory of Water Rights Held <i>- Applicant needs to supply "Attachment A" for other rights (see Query). not all rights listed - still</i></li> </ol>
X ✓	<p>11. [OAR 690-315-0070(3)(l)] A summary of the applicant's plan and schedule to complete construction and/or perfect the water right; Sufficient detail provided. <i>see 7/20/07</i></p>
X ✓	<p>12. [OAR 690-315-0070(3)(m)] Justification for the time requested to complete the project and/or apply the water to full beneficial use; <i>email from Kim</i></p>
-- ✓	<p>13. [OAR 690-315-0070(3)(n)] Any other information the applicant determines is relevant to evaluate the application in accordance with applicable statutes and rules; <i>none provided</i></p>
--	<p>* [OAR 690-315-0070(3)(o)] Any other information required by the Department that is necessary to evaluate the application in accordance with applicable statutory requirements.</p>
X ✓	<p>* Signature(s) of the water right permit holder(s). Alan Wagner<sup>0</sup></p>

C:\My Documents\Muni completeness check\14016nesikaBeachWD.wpd

Name of Reviewer: LLJ/jd Date: 12/20/04

*Terry Spradler  
Terry Spradler 8/10/07*

*6/28/07*

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# Municipal or Quasi-Municipal

## Extension PFO Checklist for Water Use Permits

*issued after November 2, 1998*

(OAR 690-315-0010 through OAR 690-315-0060)

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WATER RESOURCES DEPT  
SALEM, OREGON

Application: G - 14016 Permit: G - 13613

Permittee's Name: Nesika Beach Water District and Ophir Beach Water District

Permittee's Mailing Address: PO Box 39, Ophir, OR 97464

POD Location: Township 36 S Range 14W Section 9 1/4 1/4 SE SE

Drainage Basin: Rogue River (15) County: Curry Watermaster District: #19, Mitch Lewis, SW Region

Date Permit was issued: March 22, 1999 Priority Date: January 5, 1996 Date of PN: July 1, 2003

Source: A Well in Rogue River Basin

Use: Quasi-Municipal

"Q": 0.5 cfs

Orig "A" Date: June 8, 1999 Orig "B" Date: None Orig "C" Date: October 1, 2002

Extension request received: June 23, 2003; additional on May 3, 2006 Last Authorized "B" Date: None Last Authorized "C" Date: October 1, 2002

Request Number (...1<sup>st</sup> 2<sup>nd</sup>, 3<sup>rd</sup>): 1st Proposed "B" Date: None Proposed C Date: October 1, 2015

### Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
Yes		Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. ... The permittee shall maintain the meter ... in good working order
Yes		The Dept has determined a WMCP may be required. Special order Vol 53, p 1156 required plan be submitted by 8/19/01
	No	Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test....
Yes		"A" date satisfied?

### Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

Construction was completed within the time allowed in the permit or previous extension

Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used 0.366 cfs/gpm/af of the total permitted quantity of water on \_\_\_\_\_ acres

Water right permit holder conformed with the permit or previous extension conditions; and

Financial investments were made toward developing the beneficial water use.

- Permit holder has invested approximately 4 % of the total estimated cost to complete the project.

• Amount Invested to date: \$ 72,500 Estimated Remaining Cost: \$ \$1,700,951

See use of



Application G - 14016 Permit G - 13613 Township 36 S Range 14 W Section 9

- Note: Permit holder's list of financial expenditures to date does not include cost of drilling well, installing pump, constructing pump house (if present), connecting well to system, etc. Thus, the amount invested to date and the percentage are skewed on the low side.

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes  No

Determination of the market and the present demand for water or power to be supplied:

Ground Water Permits: Identify the closest surface water or localized water basin. Rogue River  
 Is it located...  
 Surface Water Permits: Is the POD located...

Yes  No

- within or above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html#or
- within a critical or limited Ground Water Area? Name of area \_\_\_\_\_
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list \_\_\_\_\_
- within a sensitive, threatened or endangered species area source: "gisdata/dev/projects/salmon/div33map.aml"
- within an area ranking low / medium / high (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Maps (by region)"

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

- Yes... "Good Cause" can be found.  Approval of Extension Request
- No ... "Good Cause" cannot be found.  Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes  No

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

- Max "Q" Development Limitations and Div. 856 Water Management and Conservation Plan
- Other: No

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**  
 "For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) 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 (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987**  
 "Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987**  
 "Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

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Extension "PFO" Dates

Mailing / Issuance Date: \_\_\_\_\_ Protest Deadline Date: \_\_\_\_\_

Reviewer's Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Terry Sprecher**

**From:** Kim French [frenchkr@wrд.state.or.us]  
**Sent:** Friday, July 20, 2007 2:01 PM  
**To:** Terry Sprecher  
**Subject:** RE: Reimbursement Authority Extension Request; Nesika Beach/Ophir Water District; Permit G-13613; PBS # 80332.000, Task 2

HI Terry,

It didn't take as long as I thought it would to get this info. Here you go...

They have used 0.5 cfs from the well under Permit G-13613 and 0.2 cfs from the well under Permit G-3571 (Certificate 37549). They have not used water from the well under Permit G-15728 or from surface water Permit S-53985. Those will be used for redundancy.

Their current peak rate is 0.7 cfs. ?

Let me know if you need anything else!

Thanks,

*Kim French*

Permit Extensions Specialist  
Water Resources Department  
(503) 986-0813  
Fax: (503) 986-0901  
Kim.R.French@wrд.state.or.us

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SALEM OREGON**

---

**From:** Terry Sprecher [mailto:terry\_sprecher@pbsenv.com]  
**Sent:** Friday, July 20, 2007 10:18 AM  
**To:** Kim French  
**Subject:** RE: Reimbursement Authority Extension Request; Nesika Beach/Ophir Water District; Permit G-13613; PBS # 80332.000, Task 2

Thanks, Kim. No worries - I currently have more than enough to do.

Have a nice weekend.

Terry S

---

**From:** Kim French [mailto:frenchkr@wrд.state.or.us]  
**Sent:** Friday, July 20, 2007 9:54 AM  
**To:** Terry Sprecher  
**Subject:** RE: Reimbursement Authority Extension Request; Nesika Beach/Ophir Water District; Permit G-13613; PBS # 80332.000, Task 2

Hi Terry,

Sorry it's taken me so long to do anything with this. I kind of lost track of it. I faxed them an inventory list to complete and asked about the peak rate.

I will let you know when I get a response.

8/10/2007

# Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
Select	NESIKA BEACH OPHIR WATER DISTRICT ▷ 32892 NESIKA RD GOLD BEACH, OR 97444	G14016	G13613					NC
Select	NESIKA BEACH WATER DISTRICT ▷ RT 1 BOX 114 A GOLD BEACH, OR 97444	G3788	G3571	37549				NC
Select	NESIKA BEACH OPHIR WATER DISTRICT ▷ 32892 NESIKA RD GOLD BEACH, OR 97444	S85514	S53985					NC
Select	NESIKA BEACH OPHIR WATER DISTRICT ▷ 32892 NESIKA RD GOLD BEACH, OR 97444	G15960	G15718					CN
Select	NESIKA BEACH OPHIR WATER DISTRICT ▷ 32892 NESIKA RD GOLD BEACH, OR 97444	G15960	G15728		0.6 cfs 8/1/07			NC
Select	AGENT: ▷ NESIKA BEACH OPHIR WATER DISTRICT 32892 NESIKA RD GOLD BEACH, OR 97444  DOING BUSINESS AS: NESIKA BEACH OPHIR WATER DISTRICT ▷ ALLEN WAGNER 32892 NESIKA RD GOLD BEACH, OR 97444	LL1045			stop up to 1.0 cfs in year			NC

*subject  
file*

*discussed  
in  
extension  
app*

*CN*

*mentioned*

Help understanding and working with the Water Rights Information System

Download: Point of diversion data, Place of use data, Stakeholder data

Return to WRIS Query

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**Terry Sprecher**

---

**From:** Terry Sprecher  
**Sent:** Friday, June 29, 2007 11:07 AM  
**To:** 'Kim French'  
**Cc:** 'Gerry Clark'  
**Subject:** Reimbursement Authority Extension Request; Nesika Beach/Ophir Water District; Permit G-13613; PBS # 80332.000, Task 2  
**Attachments:** DRAFT.additional info ltr.permitg.13613.wpd

Kim,

The Nesika Beach/Ophir Water District Extension Request for Permit G-13613 appears to be incomplete (or at least my copies of the file materials is incomplete). Which is hard to believe, because the Dept. has already asked for the missing information once, and the District provided a lengthy response.

I tried to prepare a draft PFO, in order to send all the deliverables today, but found that insufficient information is available to write the section about peak demands and how the District uses water from its various certificates/permits.

Attached is a draft deficiency letter. If you wish to see any other deliverables at this stage, please let me know.

Thank you.

Terry A. Sprecher, RG, CWRE  
Bend Operations Manager/Senior Geologist  
terry@pbsenv.com  
541.388.9290

PBS Engineering and Environmental  
Engineering | Natural Resources | Environmental | Health and Safety  
www.pbsenv.com  
390 NE Emerson Avenue, Suite C, Bend, OR 97701  
ph: 541.388.9290 fax: 541.382.5116

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## Template for Additional Information Request Letters

Date, 2007

Nesika Beach Water District and Ophir Beach Water District  
PO Box 39  
Ophir, Oregon 97464  
Attn: Allan Wagner

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REFERENCE: Application # G-14016 (Permit # G-13613)

Dear Quasi-Municipal Water Right Permit Holder:

The Department is currently in the process of evaluating your request for an extension of time on the above referenced quasi-municipal water use permit under the Reimbursement Authority Process. This review revealed that your extension application does not provide sufficient detail necessary to fully evaluate your request. Therefore, in accordance with OAR 690-315-0080(1)(a), the following information and materials needing clarification are listed below and must be submitted to the Department before evaluation may continue:

1. The May 3, 2006 response to Question #5 (OAR 690-315-0070(3)) referred to Attachment 1, which were reportedly pump logs that verified the instantaneous pumping rate. Attachment 1 was not included in the document and needs to be forwarded to the Department.
2. The May 3, 2006 response to Question #9 (OAR 690-315-0070(3)(i)) referred to Attachment 3, which was reportedly a portion of a "Water Resource Investigation" report that identified problems with the existing well. Attachment 3 was not included in the document and needs to be forwarded to the Department.
3. Regarding Question #10 (OAR 690-315-0070(3)(k)): The Department requested (December 27, 2004 letter) that an "Attachment A" form, providing an inventory of all water rights held by Nesika Beach Water District and Ophir Water District be provided. The December 27, 2004 letter also requested the following information:
  - ▶ "Indicate which water rights are used to meet current water demands."
  - ▶ "Additionally, describe the manner in which the subject permit, other water rights and/or any water supply contracts you may hold are utilized to meet these present water needs. Identify any water rights not currently utilized, or used only in a limited capacity, and explain the reason(s) why. Describe any factors affecting use of the water rights, such as: system redundancy; emergency back-up water supply; climate patterns resulting in seasonal unavailability or high turbidity issues; reliability or quality of existing water supplies; and/or agreements to supply water to other entities."
  - ▶ "Describe how the subject permit, other water rights and/or any water supply contracts you may hold are planned or expected to be used to meet anticipated future water needs."

This information was not included in the May 3, 2006 response and needs to be forwarded to the Department.

***NOTE: If you make reference to other documents, reports and/or plans, you must provide copies with your responses and make specific references to the pages, tables and/or charts. Copies of your pending extension application received June 23, 2003, May 3, 2006, and April 6, 2007, the Department's December 27, 2004 request for additional information, and your original permit are enclosed for reference.***

Please submit this information by **August \*\*, 2007**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.

*If you need to request additional time to submit the information requested above, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.*

If you should have any questions concerning your extension request or the required materials listed above, you may contact me at (503) 986-0819.

Sincerely,

Dwight French  
Administrator  
Water Rights and Adjudications Division

cc: Appl # G-14016 (Permit # G-13613)  
Mitch Lewis, Watermaster District # 19

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### APPLICATION FOR EXTENSION OF TIME

### for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, NESTKA BEACH WATER DIST; OPHIR WATER DIST. ALAN WAGONER  
NAME OF ENTITY NAME OF CONTACT  
 \* NEW → PO BOX 39, OPHIR, OR 97464-0039  
32892 Nestka Rd. Gold Beach OR 97444 (541) 247-2614  
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. 614016, Permit No. 613613, do hereby request that the time in which to:

- 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, 2008. 2015 \* SEE LETTER

2002

**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)"

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.

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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.
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.
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.
6. An estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.
7. A description of the financial expenditures made toward completion of the water development.
8. An estimate of the cost necessary to complete the water development.
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.
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.

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.

Page 2 of 3

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- 11. A summary of the plan and schedule to complete construction and/or perfect the water right.
- 12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.
- 13. Any other information you wish the Department to consider while evaluating the extension of time application.

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.

Allen Wagner  
Signature

6-20-03  
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

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1. Fee, as specified under ORS 536.050

Enclosed

2. Evidence of actions taken to begin actual construction on the project

Permit G-13613 was acquired to supplement the maximum rate allowed at an existing well site associated with Certificate 37549 (.2 cfs).

With the exception of anticipated growth expansions and upgrades, the storage and distribution system is in place and operational.

- ✓ In 2001 the District replaced the 20 HP submersible pump with a 30 HP submersible pump to increase well production capacity and total dynamic head.

3. Evidence of actions taken to develop the right within the permitted time period

- ✓ The Dyer Partnership, Engineers and Planner, Inc. completed a water system master plan, in December 2000.

The District has initiated an improved flow-monitoring program, which has included:

- ✓ In June 2001, the District modified the master meter at the well by installing flow-straightening vanes to improve meter accuracy.
- ✓ In 2001/2002, meters were installed on all un-metered customers
- ✓ In 2002, the District adopted a 12-year meter replacement program to maintain quality service monitoring.

The District has an approved a water management and water conservation plan. 2/25/03

- ? ✓ A Water Resource Investigation and Source Water Supply Study was completed in April 2003.

4. Evidence of compliance with conditions (time sensitive) contained in the permit.

"Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point."

- ✓ A totalizing flow meter is in place at the diversion point, within the well house.

"Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resourced Department."

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Pump test was performed when the well was constructed in 1967. Data from the pump test is included on the well log.

"Actual construction of the well shall begin by June 8, 1999."

Original well constructed in 1967  
Well pump replaced (increased capacity) 2001

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"Complete application of water to the use shall be made on or before October 1, 2002."

Application of water to the use occurred immediately upon receipt of Permit.  
Application to full extent has not yet occurred.

"Within one year after complete application of the water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE)."

N/A

5. Evidence of maximum rate of water diverted to date.

To date the maximum amount of water diverted has been .54 cfs, (see attached well log).

6. Estimate of population served.

The 2000 Water Master Plan projected a 2003 population equivalent of 1,565 associated with 652 Equivalent Dwelling Units. Those figures were based upon a 3% growth rate (see attached). As of May 2003, the District has 557 service connections consisting of the following:

User	No. of Accounts	Use (gpd) per account	No. of EDUs
SF Residential	458	136	458
Commercial	32	384	90
Inactive	67	N/A	N/A
TOTALS	557		548

Using the same methodology as the Master Plan, the equivalent population served is estimated at 1265.

7. Financial expenditures made toward completion of water development.

	TASK	ESTIMATED COST
2000	Water Master Plan	\$20,000
2001	Well pump replacement	\$15,000
2001-2002	Meter installation/replacement	\$20,000
2003	Water Resource Investigation	\$17,500

total 72,500

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8. An estimate of the cost necessary to complete development.

9/2003

1/2005

TASK	ESTIMATED COST
Update Master Plan and CIP based upon Water Resource Investigation	\$15,000
Renovation of existing well site for well head protection and capacity improvements	\$190,000
Source Treatment	\$625,000
Transmission line replacement (capacity increase)	\$870,951

see #11 for dates  
1,773,951  
~~718,000~~ total  
for both

total 1,700,951

9. Summary of events that delayed completion of the water development or application of water to full beneficial use.

Three specific events have delay completion of the water development or application of water to full beneficial use:

? X

1. Population and service growth losses have occurred (school closure) reducing water demands to a level which has not required application to full beneficial use within the specific time frame outlined in the permit, and:
2. Problems have been identified with the existing well site as explained in the attached draft Water Resource Investigation report. Because it is projected that District growth will exceed the current water right limit some time shortly after the year 2005, other water rights need to be obtained and developed, in conjunction with existing water rights, to service future growth. In order for the District to address growth in an efficient and economic manner, a more specific development plan is needed in addition to the current Master Plan.
3. Water conservation measures have reduced water usage through reducing losses and improving system efficiencies.

The District is progressing with addressing growth issues through:

- Contracting with a consulting firm to prepare a Master Plan update
- Applying to the Department of Agriculture, Rural Utilities Services for project funding/financing
- Submitting application for additional surface and groundwater rights

10. Estimated demand projection and date by which the water is anticipated to put to full beneficial use.

It is anticipated growth demand along with performing the tasks outlined above and performing construction of identified improvements could take up to five years. Full beneficial use of the water is likely to occur by October 2008.

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## 11. Summary of plan and schedule to perfect the water right.

TASK	ESTIMATED COMPLETION DATE
Master Plan Update	September 2003
Acquire Federal Funding/Financing for Proposed Improvements	January 2004
New Water Source Development	May 2004
Engineering Design with Plans and Specifications for improvement projects	June 2004
Bid and contract for projects	July 2004
Construction of improvements	January 2005
Population/Service growth to full use	October 2007
Submit a claim of beneficial use, which includes a map and report, prepared by a CWRE.	October 2008

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12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.

No additional service growth losses or additional significant conservation efficiencies are anticipated in the future. Using current water use and equivalent population figures, population growth (at the rate projected by the Water Master Plan) indicates application of water to full beneficial use in five years. Servicing that population is predicated on the planning, financing and installation of the necessary improvements outlined in the response to Item #11.

13. Other information.

N/A

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CURR 000217

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED WATER WELL REPORT

JUN 20 1967 STATE OF OREGON

G-3788

State Well No. 36/146-9

State Permit No.

(1) OWNER:

Name Nesika Beach Water District
Address Gold Beach Oregon

(2) LOCATION OF WELL:

County Curry Driller's well number
Section 10 T. 36 S. R. 14 W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic [ ] Industrial [ ] Municipal [X] Irrigation [ ] Test Well [ ] Other [ ]

(5) TYPE OF WELL:

Rotary [ ] Driven [ ] Cable [X] Jettied [ ] Dug [ ] Bored [ ]

(6) CASING INSTALLED:

10" Diam. from 0 ft. to 24 ft. Gage 273
Threaded [ ] Welded [X]

(7) PERFORATIONS:

Perforated? [ ] Yes [X] No
Type of perforator used
Size of perforations in. by in.

(8) SCREENS:

Well screen installed? [X] Yes [ ] No
Manufacturer's Name Johnson
Stainless Model No.
8" Slot size 80 Set from 24 ft. to 29 ft.
Diam. 8 Slot size 125 Set from 29 ft. to 39 ft.

(9) CONSTRUCTION:

Well seal--Material used in seal Cement
Depth of seal 18 ft. Was a packer used?
Diameter of well bore to bottom of seal 16 in.
Were any loose strata cemented off? [ ] Yes [ ] No
Was a drive shoe used? [X] Yes [ ] No
Was well gravel packed? [ ] Yes [ ] No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? [ ] Yes [ ] No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 9'-6" ft. below land surface Date 4/14/67
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? [X] Yes [ ] No If yes, by whom? Carter's
Yield: 560 gal./min. with 1 ft. drawdown after 24
Ballor test gal./min. with ft. drawdown after
Artesian flow g.p.m. Date
Temperature of water Was a chemical analysis made? [ ] Yes [ ]

(12) WELL LOG:

Diameter of well below casing 8"
Depth drilled 43 ft. Depth of completed well 43

Formation: Describe by color, character, size of material and structure, show thickness of aquifers and the kind and nature of the material in stratum penetrated, with at least one entry for each change of form

Table with columns: MATERIAL, FROM, TO. Rows include Fine Sand, Sand, Heavy with Silt, Coarse Sand, Gravel (1" dia), Gravel, Sand, Cobbles (3" Dia.), Gravel - Cobbles (4" Dia.).

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Work started March 8 1967 Completed March 31, 1967
Date well drilling machine moved off of well March 31, 1967

(13) PUMP:

Manufacturer's Name Layne Bowler
Type: Submersible H.P. 20

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report true to the best of my knowledge and belief.

NAME CARTER'S DRILLING & PUMP SERVICE
Address 325 S 2nd St. Springfield, Oregon 97132

Drilling Machine Operator's License No. 148

[Signed] (Signature) (Water Well Contractor)

Contractor's License No. 126 Date 5/12/19

# Nesika Beach-Ophir Water District

32892 Nesika Road  
Gold Beach, Oregon 97444  
Phone (541) 247-2614 Fax (541) 247-9684  
E-mail nbwd@harborside.com

July 10, 2003

## WATER RESOURCES DEPARTMENT

Attn: Lisa J. Juul  
COMMERCE BUILDING  
158 12<sup>TH</sup> STREET NE  
SALEM, OR 97301-4172

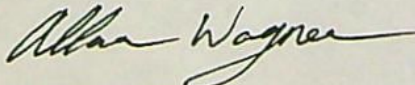
RE. Extension file# G-14016 (Permit# G-13613)

Dear Lisa:

Enclosed you will find the additional information requested next to the last page.

Please feel free to call me if you need anything. Phone (541-247-2614)  
Fax (541-247-9684)

Sincerely,



Allan Wagner  
Nesika Beach-Ophir Water District Manager

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# Oregon

Theodore R. Kulongoski, Governor

**CERTIFIED MAIL**  
**Return Receipt Requested**

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

December 27, 2004

Nesika Beach Water District  
and Ophir Water District  
ATTN: Alan Wagoner  
32892 Nesika Road  
Gold Beach OR 97444

REFERENCE: Pending Application for Extension of Time  
Water Right Application #G-14016 (Permit #G-13613)

Dear Quasi-Municipal Water Right Permit Holder:

The Department is currently evaluating your request for an extension of time on the above referenced quasi-municipal water use permit. We have determined that your extension application does not provide sufficient detail necessary to fully evaluate your request. The information and materials that need clarification are listed below and must be submitted before evaluation can continue.

***NOTE:*** *If you make reference to other documents, reports and/or plans, you must provide copies with your responses and make specific references to the pages, tables and/or charts.*

Copies of your pending application **received June 23, 2003**, and your original permit are enclosed for reference.

***Question #5 - OAR 690-315-0070(3)(f):*** *Document evidence of the maximum instantaneous rate of water diverted to the date of this application, if any, for beneficial Quasi-Municipal or Municipal purposes.*

Your response to this question in your extension application refers 0.54 cfs of water diverted per the attached well log. Permit #G-13613 authorizes use of 0.5 cfs. **Please clarify the actual amount of water used for quasi-municipal purposes rather than the capacity of the well**

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✓ and pump. Of the 0.5 cfs allowed under this permit, how much was used by October 1, 2002? What (if any) quantity was used since that date? If the full amount of authorized water was used by October 1, 2002, and all conditions of the permit were met, an extension of time may not be necessary for Permit #G-13613.

missin  
attachment  
1 -  
pump bgs  
from 2002

Identify the maximum *instantaneous* rate of water diverted by the date of this application for the beneficial use authorized under the permit and state the maximum rate of water use allowed under your permit. The maximum instantaneous rate should be indicated by using the unit specified in the water use permit, such as cubic feet per second, gallons per minute, or acre-feet. Do not provide daily, monthly or annual water use totals.

Documentary evidence substantiating the maximum instantaneous rate of water diversion may include, but is not limited to: meter records; business records; and/or a sworn affidavit. *The maximum instantaneous rate should be based upon at least a continuous 4-hour period of beneficial water use.*

**Question #6 - OAR 690-315-0070(3)(g):** Provide an estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.

✓ Your response to this question in your extension application refers to an attachment which was not provided. **Please submit a copy of the attachment to which you referred.** We note that Section 2.2 of your Master Plan provides information on historic and projected population.

**Question #9 - OAR 690-315-0070(3)(j):** List and describe all 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.

still  
need  
Your response to this question in your extension application refers to an "attached draft Water Resource Investigation report" that was not provided. **Please submit a copy of the attachment to which you referred.**

**Question #10 - OAR 690-315-0070(3)(k):** Provide 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.

Prepare a qualitative analysis indicating the date by which you anticipate to fully develop the water right permit being extended (i.e., the date requested in your extension

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application). In developing your estimated demand projections for the permit being extended, you should describe the following:

- 1) Current Peak Water Demands - **Please provide this information.**  
Describe the current demands for water. Indicate annual average, peak season, and peak day water demand figures.
- 2) Projected Population - This information was provided sufficiently in Section 2.2 of your Water System Master Plan.
- 3) Potential Growth - This information was provided sufficiently in Section 2.3 of your Water System Master Plan and your responses to questions #11-12.
- 4) Inventory of Water Rights Held - **Please provide this information which is not clearly stated in your extension application. See enclosed Attachment "A" to assist you in providing a list of all water rights held by Nesika Beach Water District and Ophir Water District.**

List all water rights held. The Department's website ([www.wrd.state.or.us](http://www.wrd.state.or.us)) may be a helpful source for compiling this information.

Indicate which water rights are used to meet current water demands. Additionally, describe the manner in which the subject permit, other water rights and/or any water supply contracts you may hold are utilized to meet these present water needs. Identify any water rights not currently utilized, or used only in a limited capacity, and explain the reason(s) why. Describe any factors affecting use of the water rights, such as: system redundancy; emergency back-up water supply; climate patterns resulting in seasonal unavailability or high turbidity issues; reliability or quality of existing water supplies; and/or agreements to supply water to other entities.

Describe how the subject permit, other water rights and/or any water supply contracts you may hold are planned or expected to be used to meet anticipated future water needs.

Please submit this information to the Department by **March 28, 2005**. If you cannot provide the requested information by this deadline, you must notify the Department in writing, explaining the reason(s) why, and indicate a date certain by which you anticipate the requested information can be supplied.

If the Department has not received the requested information by **March 28, 2005**, and has not received written notification explaining why the deadline for submittal cannot be met, the

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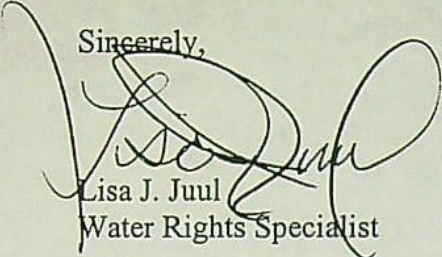
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did not provide  
Attach A -  
discussion is  
missing  
water rights  
email form  
Kim French  
7/20/07  
providing  
inventory in format  
(not in tabular form)

Department will return your "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" as incomplete and refund all fees paid toward the extension of time request.

If you have any questions concerning your extension request or completion of the required materials, please contact me at (503) 986-0808. Thank you for your cooperation and attention to this matter.

Sincerely,



Lisa J. Juul  
Water Rights Specialist

Enclosures: Copy of pending Application for Extension of Time received June 23, 2003  
Copy of Permit #G-13613  
Sample copy of "Attachment A"

cc: Appl #G-14016 (Permit #G-13613)  
Mitch Lewis, Watermaster District #19

S:\groups\wr\extensions\Municipal\muni ext\_add'l info letters\g14016\_Nesika Beach-Ophir WD.wpd

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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

G-14016  
 NESIKA BEACH WATER DISTRICT  
 And OPHIR WATER DISTRICT  
 ATTN: ALAN WAGONER  
 32892 NESIKA RD  
 GOLD BEACH OR 974444

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Alan Wagoner*  Agent  
 Addressee

B. Received by (Printed Name) *Alan Wagoner* C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

## 2. Article Number

(Transfer from service label)

7004 1160 0000 3333 3383

PS Form 3811, February 2004.

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# NESIKA BEACH - OPHIR WATER DISTRICT

32892 Nesika Road  
Gold Beach OR 97444

Phone (541)-247-2614  
Fax (541)-247-9684

Fax Transmittal

To: Tom Hoshall 541-469-5329

Fax #: 541) 469-0768

From: Allan Wagner

Subject: H2O Rights

Date: 4-28-06

Pages: 9 (including this cover sheet)

Comments:

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Tom, this is all I could find in my files that may be applicable.

Thanks Allan

ANN, S, CWRE 2727, WOULD LIKE YOU TO REVIEW THE FILES CC. COPY OF LETTER RESPONDING TO LISA JUL'S DEC. 27, 2004 LETTER.

WE HOPE TO GET THIS FILING CURRENT IN ORDER TO FILE A POA TRANSFER AND A FINAL PROOF. S.'M ALSO WORKING WITH JERRY SAUTER ON A NEW LIMITED LICENSE TO PROVIDE THE TIME NEEDED TO COMPLETE TRANSFER AND PROOF. THANKS FOR YOUR HELP  
Tom

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**CONSULTING ENGINEERS & GEOLOGISTS, INC.**  
385 N. 4<sup>th</sup> Street - Coos Bay, OR 97420-2219 • Tel 541/266-9800 • Fax 541/266-0488 • info@shn-coosbay.com

Reference: 002601.000

January 5, 2005

Ms. Lisa J. Jul  
Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem Oregon 97301-1271

14016

**SUBJECT: PENDING APPLICATION FOR EXTENSION OF TIME  
WATER RIGHTS APPLICATION #G-14016 (PERMIT #G-137613)**

Dear Lisa:

On behalf of the Nesika Beach / Ophir Water District (NBOWD) SHN is responding to your letter of December 27, 2004 regarding the application for an extension of time to accomplish beneficial use of water to the full extent under the terms of permit G-137613. In your letter you asked for additional information on several of the responses in the original submission. The required information follows including attachments as referenced in the text of the responses.

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Question 5. Document evidence of the maximum instantaneous rate of water diverted to the date of this application, for beneficial Quasi Municipal or Municipal purposes

The withdrawal rate from the existing well is limited to 254 gpm (0.57 cfs) by the capacity of the well pumps. Of this withdrawal rate 0.2 cfs is withdrawn under permit G 3571 and the remaining 0.37 cfs is withdrawn under permit G-13614. Instantaneous withdrawal rate from the well before October 2002 did not exceed 246 gpm. Verification of the instantaneous pumping rate is provided in the pump logs for 2002 included as Attachment 1. All of the water withdrawn was used for quasi-municipal purposes.

missing from my copy of file?

The maximum pumping rate since that time was 254 gpm in April 2004 following installation of new well pumps.

6. Provide an estimate of the population served under this permit and a description of the methodology used to make this estimate.

Section 2.2 of the Nesika Beach / Ophir Water District Water Master Plan which was referenced in the original submission is included as Attachment 2. In addition, the answer to this question has been amended to include the most recent population estimates as summarized in the following table.

2-5

before Oct 2002:  $246 \text{ gpm} \times \frac{\text{cfs}}{448.8 \text{ gpm}} = 0.548 - 0.2 \text{ under permit G 3571} = 0.348 \text{ under permit 13613}$

after Oct 2002:  $254 \text{ gpm} \times \frac{\text{cfs}}{448.8 \text{ gpm}} = 0.566 - 0.2 = 0.366$

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Estimate of Population Served 2003/2004						
	2003	2004	2003		2004	
	Active Accounts		EDUs	Equ. Pop <sup>1</sup>	EDUs	Equ. Pop <sup>1</sup>
SF Residential	465	465	458		465	
Commercial	32	32	90		90	
Totals	490	497	548	1315	555	1332
1. Based on 2.4 persons / EDU Curry County Comprehensive Plan, WMP Section 2.2						

9. List and describe all events that delayed completion of the water development or application of water to full beneficial use.

A copy of the sections in the Water Source Investigation (SHN, May 2003) referenced in the extension application regarding problems that have been identified with the existing well site is included as Attachment 3.

missing  
summary  
file copy

In addition to the three events listed in the original extension application, full development of the water right allowed under this permit requires the completion of a replacement well at the Rogue River site. Currently, the withdrawal rate from the existing well is limited by the capacity of the well pumps to approximately 0.56 cfs (250 gpm). Full development of permit #G-13614 requires a pumping capacity of 0.7 cfs, with 0.2 cfs withdrawn under permit G-3571 and the remaining 0.5 cfs under G-13614.

Drilling of a replacement well is scheduled for completion in 2005. Following completion of drilling, Permit #G-13614 will need to be amended to reflect the new location before a claim of beneficial use showing complete application of water to the proposed use can be submitted. The extension will need to be of sufficient duration for the amendment to be processed.

10. Estimated demand projection and date by which the water is anticipated to put to full beneficial use.

The NBOWD obtains its water from a well on the Rogue River that currently serves as the sole source of water for the NBOWD. The District has water rights for a total of 0.7 (including the allowable use of 0.5 cfs under permit G-13613) but the capacity of the existing well is limited to 0.56 cfs. Current expansion plans for the District's supply, schedule replacement of the well in year 2005 and upgrading pumping capacity to the full 0.7 cfs beneficial use by year 2006.

**Current Peak Water Demands**

Current peak water demands are based upon the percapita demands developed in Section 5 of the Water Master Plan, included as attachment 4. Average day demand (ADD) is equivalent to an annual average, maximum month demand (MMD) is the seasonal peak demand and maximum day demand (MDD) is a daily maximum. The required withdrawal rate is based upon delivering the MDD in 24-hour periods. Current demands are presented in the following table based on the actual number of active accounts in 2003, and 2004.

5-1 to 5-6  
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Current Demand							
			ADD	MMD	MDD	Instantaneous Withdrawal	
			gpcd	gpcd	gpcd	Total	G-13613
			109	167	271	cfs	cfs
Year	EDU	Pop.	gpd	gpd	gpd		
2003	948	1,315	143,357	219,638	358,619	0.55	0.35
2004	555	1,332	145,188	222,444	360,972	0.56	0.36

**Population Projections**

Population projections are based upon a 3% growth over the 20-year planning period as summarized in the following table. It is estimated that the District will serve 1078 EDUs in 2020.

Population Projections		
Year	EDU	Population
2000	597	1,433
2005	692	1,661
2010	802	1,926
2020	1078	2,588

→ 360,972 gpd x 1 cfs / 646,272 gpd = 0.556 cfs  
↓  
0.56 cfs

The current service population is less than that predicted for the year 2005 because the growth rate over the last five years has been less than 3%, the District has limited new connections due to water supply concerns and there are also a large number of inactive accounts that are not included in the estimate of current users. Although growth rates and the number of active accounts may be highly variable in the short term, an average growth rate of 3% over the 20-year planning period has been selected by the District Board as the basis for projecting water demands.

**Inventory of Water Rights**

The NBOWD currently has a certificated water right for 0.2 cfs under permit G-3571, in addition to the 0.5 cfs allowed by permit G-13613. Both permits allow for withdrawal from the same well, located on the north bank of the Rogue River at approximately River Mile 5.

Nesika Beach / Ophir Water District Existing Water Rights and Permits							
Application / Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amt Beneficial Use	Limitations
G3788/G3571	37549	Rogue R. Well	Group Domestic		0.2 cfs	0.2 cfs	None
		Rogue R. Well	Quasi/Municipa		0.5cfs	0.5cfs	Well Capacity

1 Well location: Township 36 S Range 14 W Section 9 SESE

missy:  
permit 553985  
permit G-15728  
needs to discuss LL

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The priority date of the certificated permit precedes that of permit G-13613 and it is assumed that the 0.2 cfs allowed under the first permit will be used prior to utilizing the 0.5 cfs. Projected demands are shown in the table above. This increase in growth rate after 2005 reflects the pent-up demand caused by an existing moratorium on connections. The moratorium will no longer be necessary following construction of the replacement well because the replacement well will provide an immediate increase in available water supply.

Projected Demands							
Year	EDU	gpcd Pop.	ADD 109 gpd	MMD 167 gpd	MDD 271 gpd	Instantaneous Rate <sup>1</sup>	
						Total cfs	G-13613 cfs
2003	548	1,315	143,357	219,638	356,419	0.61	0.41
2004	555	1,332	143,188	222,444	360,972	0.62	0.42
2005	578	1,368	151,329	231,853	376,241	0.65	0.45
2006	603	1,447	157,731	241,661	392,156	0.67	0.47
2007	628	1,508	164,403	251,883	408,744	0.70	0.50
2010	712	1,708	186,160	285,218	462,839	0.80	0.60
2020	1077	2,585	281,718	431,623	700,418	1.20	1.00
2050	1452	3,484	379,713	581,762	944,058	1.62	1.42

1. The instantaneous rate is estimated as the required pumping rate to deliver MDD in 24 hrs assuming pump at 90% capacity
2. Demand for water used under permit G-13613 is equal instantaneous rate over 24 hours minus the 0.2 cfs allowed by G-3571.
3. Assuming an overall growth rate from 2000-2020 of 3% the growth rate from 2005 to 2020 is estimated to be 4.7%

Beneficial use to the full extent of the permit is defined as a minimum 4-hour period of beneficial water use at the permitted rate. The replacement well to be constructed in 2005 will have a capacity of 0.7 cfs, equal to combined amount of water allowed under permits G-3571 and G-13613. At 0.7 cfs the new well pump will need to pump 8 hours to produce the estimated average day demand of 151,329 gallons and since the maximum instantaneous rate will be supplied for a period greater than 4 hours, the District will be able to claim full development of permit G-13613 once the new well is completed.

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It is our understanding that prior to perfecting the water right it will be necessary to obtain an amendment to the permit specifying the exact location of the replacement well. Allowing additional time for the processing of the permit amendment and preparing the claim of beneficial use, full development of the water right for permit G-13613 is likely to occur by October 2006.

Best regards,

SHN CONSULTING ENGINEERS & GEOLOGISTS, INC.

Steven K. Donovan, P.E.  
Project Manager

cc: Allan Wagner - Nesika Beach-Ophir Water District

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# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
503-378-3739  
FAX 503-378-8130

### DEAR EXTENSION APPLICANT

The Water Rights Section has received your application for an extension of time for **PERMIT # 6-132013 FILE # 6-14016**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension. A 45 day protest period begins upon issuance of the Proposed Final Order. After the protest period, a Final Order is issued.

If you have questions, please phone our Water Rights Information Group at (503) 378-8455, extension 201. For general information, our Department Internet home page is accessible at [www.wrd.state.or.us](http://www.wrd.state.or.us).

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UNKNOWN DATE?

BEFORE OR AFTER EXTENSION  
RESPONSE TO LETTER 1/5/05

Section

5

# Water Use and Projected Demands

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# Water Use and Projected Demands

Section  
**5**

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## 5.1 Description and Definitions

Water demand is the quantity of water delivered to the system over a period of time to meet the needs of consumers and to supply the needs of fire fighting and system flushing. Additionally, virtually all systems have a small amount of leakage that can not be economically removed and total demand usually includes some leakage. Demand varies seasonally with the lowest usage in winter months and the highest usage during summer months. Variations in demand also occur with respect to time of day (diurnal) with higher usage occurring during the morning breakfast and early evening periods and lowest usage during nighttime hours.

The objective of this section is to determine the current water demand characteristics and to project future demand requirements that will establish system component adequacy and sizing needs. Water demand is described in the following terms:

*Average Annual Demand (AAD)* - The total volume of water delivered to the system in a full year expressed in gallons per year. When demand fluctuates up and down over several years, an average is used.

*Average Daily Demand (ADD)* - The total volume of water delivered to the system over a year divided by 365 days. The average use in a single day expressed in gallons per day.

*Maximum Monthly Demand (MMD)* - The gallons per day average during the month with the highest water demand. The highest monthly usage typically occurs during a summer month.

*Peak Weekly Demand (PWD)* - The greatest 7-day average demand that occurs in a year. Expressed in gallons per day.

*Maximum Day Demand (MDD)* - The largest volume of water delivered to the system in a single day expressed in gallons per day. The water supply, treatment plant and transmission lines should be designed to handle the maximum day demand.

*Peak Hourly Demand (PHD)* - The maximum volume of water delivered to the system in a single hour expressed in gallons per day. Distribution systems should be designed to adequately handle the peak hourly demand. During this peak usage, storage reservoirs supply the demand in excess of the maximum day demand.

Demands described above, expressed in gallons per day (gpd), can be divided by the population served to come up with a demand per person or a per capita demand which is expressed in gallons per capita per day (gpcd). Per capita demands can be multiplied by future population projections to determine future water demands.

## 5.2 Current Water Demand

### Water Sold

Water sales records provide a means to calculate the amount of unaccounted water by comparing water sold with water produced. Water sales are not used to calculate actual demand since the system must provide additional water used for flushing, fire fighting, leakage, and other unaccounted water use. Water sales records also allow calculation of EDUs when various types of users (commercial, industrial, etc.) are present in the system.

Water sales records for the 19-month period from December 1997 to July of 1999 were used to determine consumption values. Based on the summation of all the individual meters in the system, monthly consumption ranged from 2,079,100 gallons in March 1999 to 5,463,800 gallons in July 1998. The average monthly consumption for this period was 3,163,276 gallons, or an average of 104,055 gpd. During this period, an average of 521 accounts consumed water. All but five of the accounts are residential. The five non-residential accounts are the Ophir School, the Hwy 101 State Rest Area in Ophir, The Rogue River RV Park, the Honeybear RV Park, and the Nesika Beach RV Park. The largest water user is the State Rest Area with an average use of 3,907 gpd. The Rogue River RV Park follows with an average use of 3,656 gpd.

### Equivalent Dwelling Unit Calculations

The 1998 water sales records were used to calculate the number of Equivalent Dwelling Units (EDU) in the District's service area. In 1998, there were a total of 520 accounts consuming a total of 39,598,847 gallons of water, or an average of 108,490 gpd. Of these accounts, 515 were residential accounts and 5 were non-residential multi-use accounts. The 515 single-family residential accounts used an average of 94,374 gpd, or 183 gpd per account. This base water use also serves to establish the number of residential EDU's and to calculate the number of EDUs for the non-residential accounts.

Table 5.2.1 - EDU Calculations

User	No. of Accounts	Use (gpd) per Account	No. of EDUs
SF Residential	515	183.25	515
Nesika Beach RV Park	1	1,790	10
Rogue River RV Park	1	3,656	20
State Rest Area	1	3,907	21
HoneyBear RV Park	1	1,973	11
Ophir School	1	2,790	15
<b>Totals</b>	<b>520</b>		<b>592</b>

The 5 non-residential accounts have an average water consumption equal to 77 residential accounts, or 77 EDUs. This gives a total of 592 EDUs in 1998. Using an average household population of 2.4 people per household based on the Curry County Comprehensive Plan gives an equivalent population of 1,421 people in 1998 (The equivalent EDUs per camp site in the RV parks varies widely (0.17 to 0.91) but averaged 0.47 EDUs per RV camp site).

On a per capita basis, consumption averaged 76 gallons per person per day (gpcd). This consumption is considered relatively low. A residential consumption of 90 to 95 gpcd is not uncommon for similar sized communities. The fact that Nesika Beach does not have a public sewer system may be one of the primary reasons for the lower consumption.

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In 1999, four additional residential accounts were added to the District giving a total of 596 EDUs and an equivalent population of 1,430.

### Water Pumped from Well

Water demand values for a community are based on actual water production requirements rather than water sales records. In Nesika Beach, all water required in the service area comes from the well and is measured by a master meter. The volume of water produced from the well is measured with a 6-inch master meter at the well control building.

Water demand recorded on the Oregon Water Resources Department, Annual Water Use - Monthly Quantities Form was used for the years 1993 to 1998 to determine the demand values in this Master Plan. Annual demand has risen from 42,660,600 gallons in 1993 up to 55,683,000 gallons in 1998. Usage is higher during the summer months of July, August, and September with the highest monthly usage occurring most often in August. The highest monthly usage of 7,382,900 gallons was recorded in August of 1996.

Table 5.2.2 - Annual, Average Daily and Maximum Monthly Water Demand - Measured

Year	Annual Demand	ADD (gpd)	ADD (gpcd)	MMD (gpd)	MMD (gpcd)	MMD/ADD
1996	53,434,600 gal.	145,996	117	238,158 (Aug)	190	1.63
1997	55,195,900 gal.	151,222	113	228,161 (Aug)	171	1.51
1998	55,683,000 gal.	152,556	107	226,419 (July)	159	1.48
<b>Average</b>	<b>54,771,167 gal.</b>	<b>149,925</b>	<b>112</b>	<b>230,913</b>	<b>173</b>	<b>1.54</b>

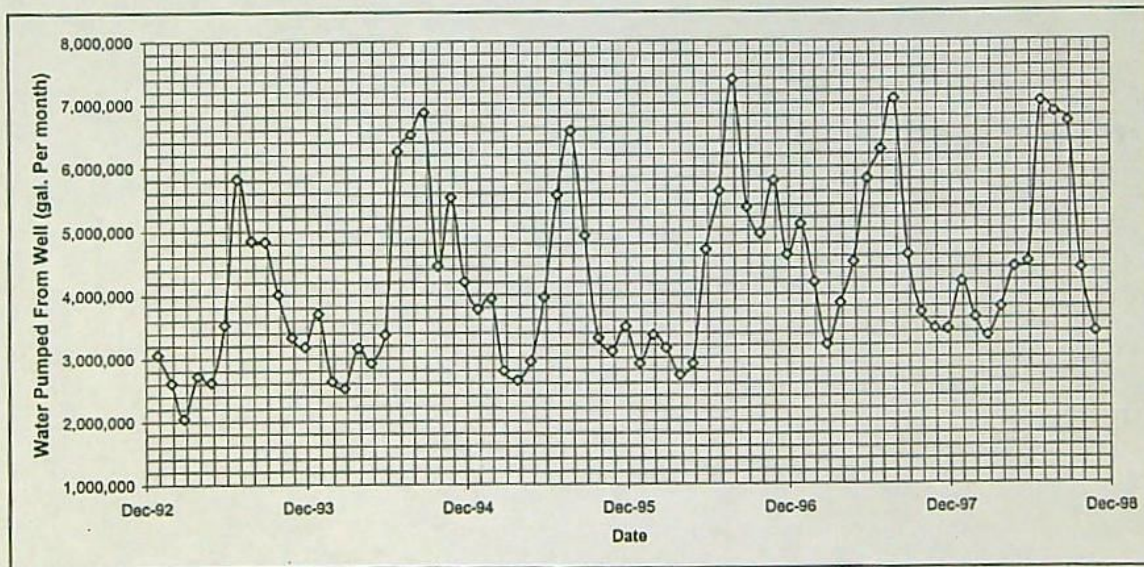


Figure 5.2.1 - Water Pumped from Well

Demand per EDU was approximately 258 gpd/EDU in 1998 as compared to 256 gpd/EDU in 1997, and 261 gpd/EDU in 1996. A value of 260 gpd/EDU was selected to determine the current year 2000 ADD. With a total of 597 EDUs in the year 2000, the estimated current ADD is 155,960 gpd. The peaking factor for the MMD (MMD/ADD) has averaged 1.54 giving the current MMD of 238,800 gpd.

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Maximum daily demands (MDD) and Peak Hourly Demands (PHD) are not recorded at the master meter and must be estimated. The MDD is often approximated at 2.5 times the ADD. When values for the ADD, MMD, MDD and PHD are plotted versus the probability that each value will be exceeded on a log-log chart, a fairly straight trend line results. Plotting the measured ADD and MMD, and using a logarithmic trend line to project the MDD and PHD gives peaking factors of 2.50 for MDD/ADD and 3.4 for PHD/ADD. The predicted MDD and PHD values are 388,050 gpd and 530,000 gpd, respectively.

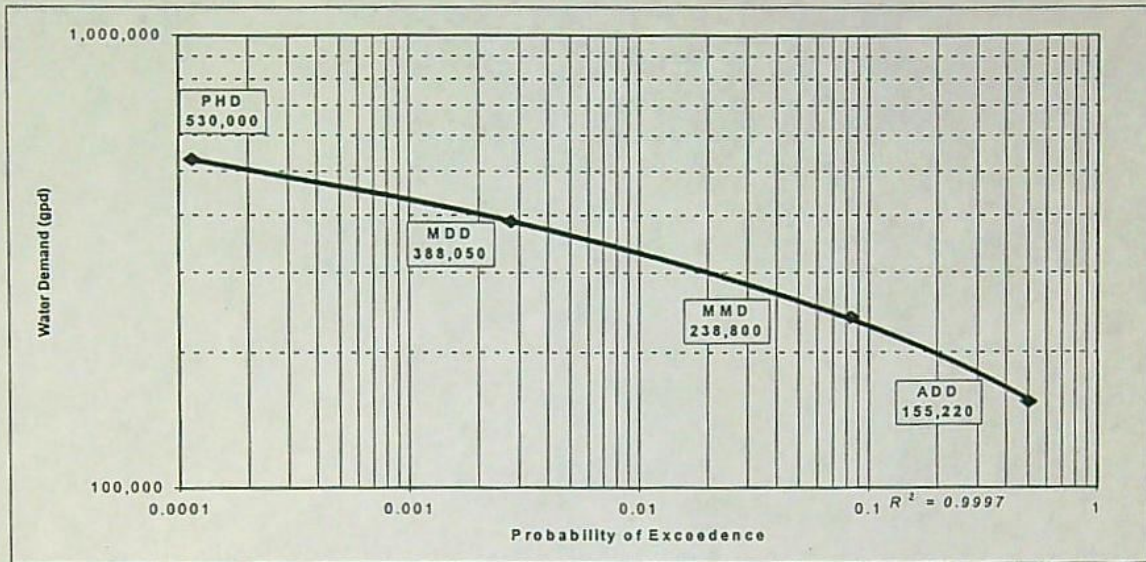


Figure 5.2.2 - Current Water Demand Values

Table 5.2.3 - Water Demands - Year 2000 Values

Demand	Current Value (gpd)	Current Value (gpcd)	Current Value (gpd/EDU)
ADD	155,220	109	260
MMD	238,800	167	400
MDD	388,050	271	650
PHD	530,000	371	888

### Unaccounted Water

The difference between the quantity of water pumped from the well and the quantity of water sold is unaccounted water. The difference can be attributed to system leaks, inaccuracies in customer meters, unmetered services, and other unmetered use such as fire flows and system flushing. A graphical representation of this difference is shown in Figure 5.2.3 for the period of December 1997 through June 1999. During this period, unaccounted water averaged 1,316,671 gallons per month or 43,288 gpd. Approximately 60,000 gallons per month of the total are used for flushing purposes.

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0.7 cfs  
WR =  
14,025,000  
gal/month

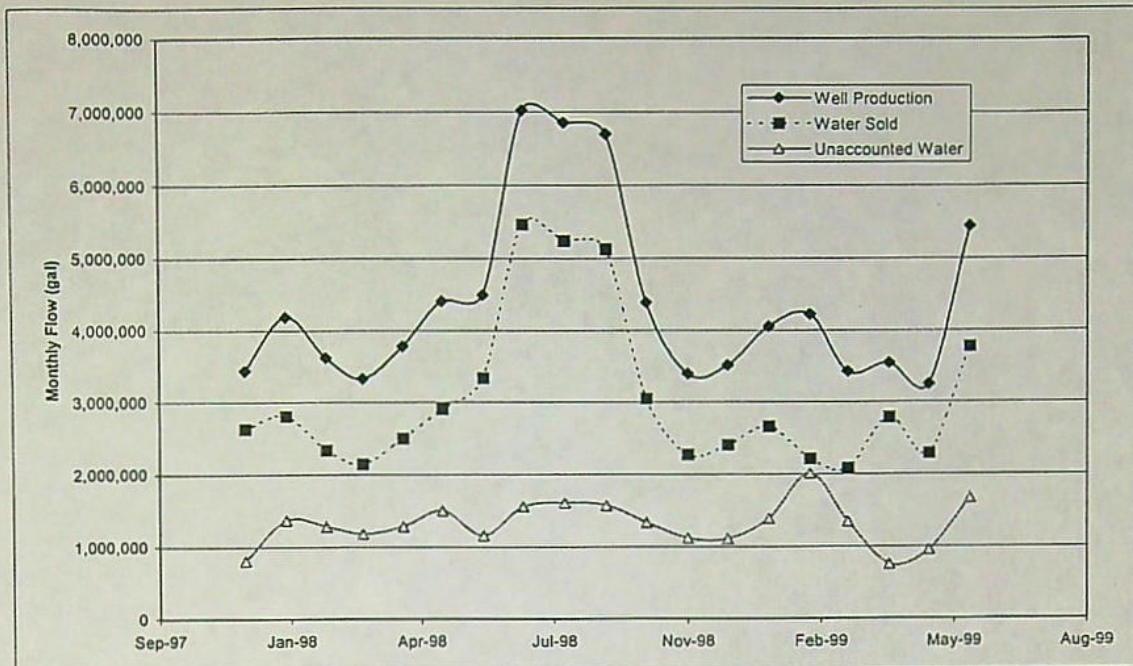


Figure 5.2.3 - Water Produced, Sold and Unaccounted For

As observed in Figure 5.2.4, Unaccounted water has averaged approximately 31% of the total volume produced. OAR 690-086-0140, 2dA defining plan elements and standards for water management and conservation plans includes "A system-wide leak repair program or line replacement to reduce system leakage to 15%, and if the reduction of system leakage to 15% is found to be feasible and appropriate, to reduce system leakage to 10%".

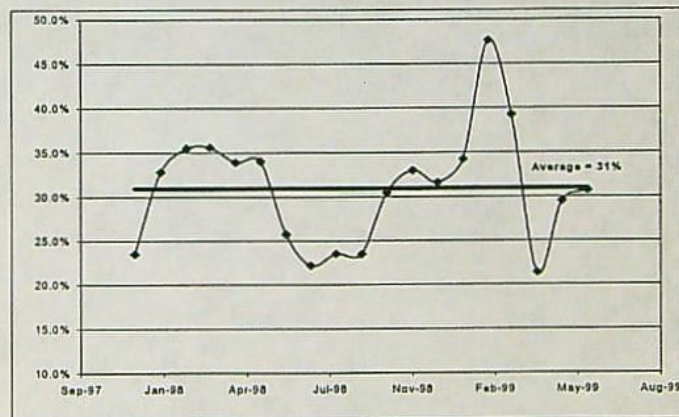


Figure 5.2.4 - Percent Unaccounted Water

No leakage studies have been performed for the District at this time. It is not known how much of the 31% unaccounted water can be attributed to leakage, inaccurate meters, and other sources. The 60,000 gallons per month used for flushing purposes equals approximately 4.6% of the total unaccounted water, or an average of 1.5% of the water pumped from the well. This leaves 29.5% of the total water pumped from the well that is unaccounted for due to reasons other than flushing.

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### 5.3 Projected Water Demand

Water demands are projected into the future using the past records of water produced and water sold along with projected population estimates. The goal of projecting future water demand is not to build larger facilities to accommodate excessive water consumption, but rather to evaluate the capability of existing improvements and to size new facilities for reasonable demand rates. Water demand projections should be based on acceptable water loss quantities, reasonable conservation measures, and the communities expected water use characteristics. There is a degree of uncertainty associated with future water demand projections for any community. Uncertainties in projections exist because of the estimates used to define the community's current water use and the built-in assumptions made with respect to anticipated growth in a community. The impact of water conservation measures on a community's future water consumption is also difficult to predict.

The per capita water use for Oregon is documented by the U.S. Department of the Interior in the 1995 U.S. Geological Survey - Circular 1200. According to the study, the average per capita water use for Oregon is 235 gallons per capita day (gpcd) including domestic, commercial, industrial, and public use and loss. Of the total 235 gpcd, 53% or 124 gpcd is domestic use, 14% or 33 gpcd is commercial, 17% or 40 gpcd is industrial, and 16% or 38 gpcd is public use and loss. An interagency team made up of personnel from the DEQ, Oregon Economic and Community Development Department (OECD), the Health Division (OHD), the Water Resources Department (WRD), the USDA-Rural Utilities Service, Rural Community Assistance Corporation, and the Department of Land Conservation and Development has developed target design numbers based on the USGS study and their experience with Oregon communities. The team has adopted a maximum ADD of 235 gpcd, a MDD of 588 gpcd (2.5 times the ADD), and a PHD of 1,175 gpcd (5 times the ADD) for communities with significant commercial and industrial users.

The area served by the Nesika Beach Water District does not have industrial users or significant commercial users, therefore the average daily usage in the District should be less than 235 gpcd. The State average use for such communities is 124 gpcd excluding public use and loss, and 162 gpcd including public use and loss. The measured ADD in Nesika Beach is 109 gpcd, including public use and loss; much lower than the State average. Since the per capita demand is currently low, it will not be further reduced to reflect a lower percentage of unaccounted water in the future. This conservative assumption will allow higher per capita usage in the future (such as would happen if a sewer system was installed or if improved water quality increased water consumption practices), even while leakage is reduced over time with pipe replacements. The projected ADD that will be used is 109 gpcd.

The water demand values shown in Table 5.2.2 are used as a base for demand projections. The District has selected an average annual growth rate of 3% per year for the 20-year planning period. Beyond 20-years, a 1% average annual growth rate was used to estimate the 50-year projected demands.

Table 5.3.1 - Projected Water Demands

Year	Population	EDUs	Annual Demand (mg)	ADD (gpd)	MMD (gpd)	MDD (gpd)	PHD (gpd)
2000	1433	597	56.66	155,220	238,800	388,050	530,000
2005	1661	692	65.68	179,940	276,835	449,855	614,500
2010	1926	802	76.14	208,600	320,930	521,510	712,175
2015	2232	930	88.27	241,830	372,040	604,570	825,840
2020	2588	1078	102.33	280,345	431,300	700,860	957,265
2050	3488	1453	137.92	377,860	581,325	944,655	1,290,265

85% WR

WR =  
452,422 gpd  
in '06 WR = 1,749,600

$\frac{449,855}{1,446,272} = 0.096 \text{ cfs}$   
 $308,050 \text{ gal/day} \times \frac{1 \text{ cfs}}{646,272 \text{ gal/day}} = 0.60$   
 $\frac{700,860}{1,446,272} = 1.085$

**Oregon Water Resources Department  
Water Rights Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time )  
for Permit G-13613, Water Right Application G-14016, ) **PROPOSED FINAL ORDER**  
in the name of Nesika Beach Water District and Ophir Water District)

**Permit Information**

**Application File G-14016 / Permit G-13613**

Basin 15 – Rogue Basin / Watermaster District 19

Date of Priority: January 5, 1996

**Authorized Use of Water**

Source of Water: A Well in the Rogue River Basin

Purpose or Use: Quasi-Municipal

Maximum Rate: 0.5 Cubic Feet per Second (cfs)

**This Extension of Time request is being processed in accordance  
with Oregon Administrative Rule Chapter 690, Division 315.**

*Please read this Proposed Final Order in its entirety.*

This Proposed Final Order applies only to Permit G-13613, water right Application G-14016.

Proposed Final Order: Permit G-13613

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SALEM, OREGON**

Page 1 of 13

## Summary of Proposed Final Order for Extension of Time

### The Department proposes to:

- grant an extension of time to apply water to full beneficial use from October 1, 2002 to October 1, 2015.

### ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

District – Nesika Beach Water District and Ophir Water District

ODFW – Oregon Department of Fish and Wildlife

PFO – Proposed Final Order

WMCP – Water Management and Conservation Plan

### Units of Measure

cfs – cubic feet per second

gpm – gallons per minute

mgd – million gallons per day

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### AUTHORITY

Generally, see **ORS 537.690 and OAR Chapter 690 Division 315.**

**ORS 537.630(2)** provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, shall order and allow an extension of time, for the completion of the well or other means of developing and securing the ground water or for complete application of water to beneficial use. In determining the extension, the department shall give due weight to the considerations described under **ORS 539.010 (5)** and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

**ORS 539.010(5)** provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

**OAR 690-315-0080** provides in pertinent part that the Department shall make findings to determine if an extension of time for municipal and/or quasi-municipal water use permit holders may be approved to complete construction and/or apply water to full beneficial use.

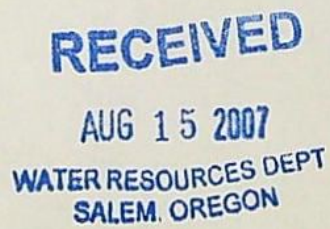
**OAR 690-315-0090(3)** authorizes the Department, under specific circumstances, to condition an extension of time for municipal and/or quasi-municipal water use permit holders to provide that

diversion of water beyond the maximum rate diverted under the permit or previous extension(s) shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

## FINDINGS OF FACT

### Background

1. Permit G-13613 was granted by the Department on March 22, 1999. The permit authorizes the use of up to 0.5 cfs of water from one well within the Rogue River Basin, for quasi-municipal use. It specified that complete application of water was to be made on or before October 1, 2002.
2. On August 19, 1999, the Department approved Special Order Volume 53, page 1156, that required the District to submit a WMCP by August 19, 2001.
3. No prior extensions have been granted for the permit. This is the first extension of time request for Permit G-13613.
4. Due to an ongoing permit extension rulemaking, the Department placed all pending Applications for Extension of Time for municipal and quasi-municipal permits on hold and did not require municipal and quasi-municipal water use permit holders to submit Applications for Extension of Time until the new rules were adopted.
5. Municipal and quasi-municipal water use permit extension rules OAR 690-315-0070 through 690-315-0100 became effective on November 1, 2002, were amended, filed with the Secretary of State, and became effective on November 22, 2005.
6. The permit holder, Nesika Beach Water District and Ophir Water District (District), submitted an "Application for Extension of Time" to the Department on June 23, 2003 requesting the time in which to apply water to full beneficial use under the terms of Permit G-13613 be extended from October 1, 2002 to October 1, 2008.
7. Notification of the District's Application for Extension of Time for Permit G-13613 was published in the Department's Public Notice dated July 1, 2003. No public comments were received regarding the extension application.
8. On May 3, 2006, the District submitted additional information to supplement their Application for Extension of Time.
9. On April 6, 2007, the District submitted a request that time in which to apply water to full beneficial use under the terms of Permit G-13613 be extended from October 1, 2002 to October 1, 2015.



10. On July 20, 2007, the District provided additional information pertaining to all water rights held by the District and how those water rights are currently used by the District.

**Review Criteria for Municipal and Quasi-Municipal Water Use Permits [OAR 690-315-0080(1)]**

*The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0080. This determination shall consider the applicable requirements of ORS 537.230<sup>1</sup>, 537.248<sup>2</sup>, 537.630<sup>3</sup> and/or 539.010(5)<sup>4</sup>*

**Complete Extension of Time Application [OAR 690-315-0080(1)(a)]**

11. By July 20, 2007, the Department received a complete Application for Extension of Time and the fee required by ORS 536.050 from the permit holder.

**Start of Construction [OAR 690-315-0080(1)(b)]**

12. Actual construction of the well began March 8, 1967, which was within the time specified in the permit.

**Duration of Extension [OAR 690-315-0080(1)(c)(d)]**

*Under OAR 690-315-0080(1)(c),(d), in order to approve an extension of time for municipal and quasi-municipal water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.*

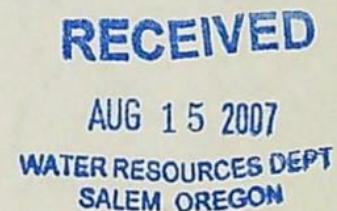
13. The remaining work to be accomplished under Permit G-13613 consists of (1) applying for a permit amendment to change the permitted point of appropriation to a new well, (2) installing transmission pipelines from the new well to the system, (3) source treatment, (4) transmission line replacement, and (5) completing construction of the water system and applying water to full beneficial use.
14. As of June 23, 2003, the permit holder has appropriated 0.366 cfs of the 0.5 cfs of water allowed under Permit G-13613 for quasi-municipal purposes.
15. In addition to the 0.5 cfs of water allowed under Permit G-13613, the District holds the following rights:
- Certificate 37549 for 0.20 cfs of water from one well (the same well as that included in Permit G-13613) within the Rogue River Basin;
  - Permit S-53985 for 1.0 cfs of water from Greggs Creek, tributary of the Pacific Ocean; and

<sup>1</sup> ORS 537.230 applies to surface water permits only.

<sup>2</sup> ORS 537.248 applies to reservoir permits only.

<sup>3</sup> ORS 537.630 applies to ground water permits only.

<sup>4</sup> ORS 537.010(5) applies to surface water and ground water permits.



- Permit G-15728 for 1.0 cfs from a well in Greggs Creek Basin.

The District's certificate and permit water rights total 1.70 cfs of ground water and 1.0 cfs of surface water.

16. The District currently utilizes a peak day demand total of 0.56 cfs of water, being 0.2 cfs from the well under Permit G-3571 and 0.36 cfs from the same well under Permit G-13613 to meet its present demand for water. The District holds Permit G-1527 and S-53985 for redundancy purposes. The District has not yet made use of 0.14 cfs of water under Permit G-13613.
17. Based on a growth rate of 3.0 percent per year, the District projects their population of 1,433 in the year 2000 would grow to 2,588 by the year 2020. As the population increases, the demand for water is expected to rise.
18. The District currently utilizes a peak day demand total of 0.56 cfs of water within its own service boundary. This demand is currently met by water that is made available under Permit G-3571 and Permit G-13613.
19. The District's projected peak day demand is 1.085 cfs of water by the year 2020.
20. Full development of Permit G-13613 is needed for the following reasons. Currently, the withdrawal rate from the well is limited by the capacity of the well pumps to approximately 0.56 cfs (the current peak day demand). In order to meet future projected peak day demands, and to completely develop this water right, a replacement well will need to be drilled by the District, and the water right will need to be amended to include withdrawal of water from the replacement well.
21. The District's request for an extension of time until October 1, 2015, to complete construction of the water system and to apply water to full beneficial use under the terms of Permit G-13613 is both reasonable and necessary, considering findings in this PFO, including:
  - the amount of development left to occur;
  - the District's projected annual growth rate and associated projected demands for water;
  - the need for redundancy and emergency water supply needs of the District; and
  - the reliability of the other water rights held by the District.

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**Good Cause [OAR 690-315-0080(1)(e) and (3)(a-g) and (4)]**

*The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(3).*

**Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0080(3)(a),(c) and (4)]**

*Reasonable diligence and good faith of the appropriator must be demonstrated during the permit period or prior extension period as a part of evaluating good cause in determining whether or not to grant an extension. In*



*determining the reasonable diligence and good faith of a municipal or quasi-municipal water use permit holder, the Department shall consider activities associated with the development of the right including, but not limited to, the items set forth under OAR 690-315-0080(4) and shall evaluate how well the applicant met the conditions of the permit or conditions of a prior extension period.*

22. Prior to the issuance of Permit G-13613 on March 22, 1999, the District constructed the well.
23. During the original development time frame, the following work was completed by the District:
  - a Water System Master Plan and a Water Management and Conservation plan were completed;
  - water meter accuracy was improved;
  - water meters were installed for all un-metered customers;
  - the well pump was replaced to increase production and total dynamic head;
  - a twelve year meter replacement program was adopted.
24. Since October 1, 2002, the District has accomplished the following:
  - the Water Management and Conservation Plan was approved by the Department;
  - a Water Investigation and Source Water Supply Study was completed.
25. As of July 11, 2003, the permit holder has invested \$72,500, which is 4 percent of the total projected cost for complete development of this project. The District anticipates an additional \$1,700,951 is needed for the completion of this project.
26. Since the issuance of Permit G-13613 on March 22, 1999, approximately 0.36 cfs of the 0.50 cfs allowed has been appropriated from the well for beneficial quasi-municipal purposes under the terms of this permit.
27. The Department has considered the District's compliance with conditions, and did not identify any concerns.

**Financial Investment and Cost to Appropriate and Apply Water to a Beneficial Purpose**  
**[OAR 690-315-0080(3)(b)]**

28. As of July 11, 2003, the District has invested an approximate total of \$72,500 into the project for the following:
  - a Water System Master Plan was completed;
  - water meters were installed for all un-metered customers;
  - the well pump was replaced to increase production and total dynamic head;
  - a Water Resource Investigation was conducted.

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The District anticipates an additional \$1,700,951 is needed for the completion of this project.

**The Market and Present Demands for Water [OAR 690-315-0080(3)(d) and (5)(a-f)]**

*For municipal or quasi-municipal water use permits issued after November 2, 1998, in making a determination of good cause pursuant to 690-315-0080(3)(d), the Department shall also consider, but is not limited to, the factors in 690-315-0080(5)(a-f).*

29. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0080(5)(a-c)].
- a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13613; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. Permit G-13613 is not located within a limited or critical ground water area. The point of appropriation for Permit G-13613 is located within the Rogue River Basin. Rogue River is located within or above a state scenic waterway but not a federal scenic waterway. It is located within an area ranked low for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Rogue River is not listed by the Department of Environmental Quality as a water quality limited stream.
30. Economic investment in the project to date [OAR 690-315-0080(5)(d)].
- a. As of July 11, 2003, the permit holder has invested 4 percent of the total projected cost for complete development of this project. An approximate total of \$72,500 has been invested into the project, for the following:
- a Water System Master Plan was completed;
  - water meters were installed for all un-metered customers;
  - the well pump was replaced to increase production and total dynamic head;
  - a Water Resource Investigation was conducted.

The District anticipates an additional \$1,700,951 is needed for the completion of this project.

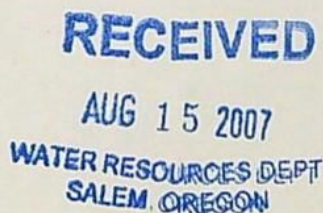
31. Other economic interests dependent on completion of the project [OAR 690-315-0080(5)(e)].
  - a. None have been identified.
32. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0080(5)(f)].
  - a. As described in Findings 14 through 20, above, the District has indicated, and the Department finds, that the District must rely on full development of its current ground water rights within the Rogue River Basin.
  - b. The District projects a population increase, on average, of 3.0 percent per year over the next thirteen years.
  - c. Given the current water supply situation of the District, as well as current and expected demands, there is a market and present demand for the water to be supplied under Permit G-13613.
33. OAR 690-315-0090(3) requires the Department to place a condition on this extension of time to provide the diversion of water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. A "Development Limitation" condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this requirement.

**Fair Return Upon Investment [OAR 690-315-0080(3)(e)]**

34. The District employs generally accepted utility rate-making practices in fixing rates to capture current operating expenses, maintain the system, make debt payments, and create reserves sufficient to repay current users for their investment in the system and provide funds for future improvements. Use and income from the permitted water development project would result in reasonable returns upon the investment made in the project to date.

**Other Governmental Requirements [OAR 690-315-0080(3)(f)]**

35. Delays caused by any other governmental requirements in the development of this project have not been identified.



Events which Delayed Development under the Permit [OAR 690-315-0080(3)(g)]

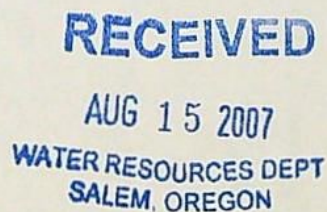
36. Delay of development under Permit G-13613 was due, in part, to the size and scope of the quasi-municipal water system, which was designed to be phased in over a period of years; population and service growth losses, including a school closure, which reduced water demands to a level that did not require application to full beneficial use of the permit; problems with the current well that impacted well production; and the successful implementation of water conservation measures, including reducing system losses and increasing system efficiencies.

CONCLUSIONS OF LAW

1. The District is entitled to apply for an extension of time to completely apply water to the full beneficial use pursuant to ORS 537.630(2).
2. The District has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0080(1)(a).
3. The District demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0080(1)(b).
4. The time requested to apply water to full beneficial use is reasonable, as required by OAR 690-315-0080(1)(c).
5. Completion of full application of water to beneficial use can be completed by October 1, 2015<sup>5</sup> pursuant to OAR 690-315-0080(1)(d).
6. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and the fair return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the water right permit holder had no control, and the Department has determined that the District has shown good cause for an extension of time to complete construction of the water system and to apply the water to full beneficial use pursuant to OAR 690-315-0080(1)(e).
7. As required by OAR 690-315-0090(3) and as described in Finding 33, above, and specified under Item 1 of the "Conditions" section of this PFO, the diversion of water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

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<sup>5</sup> Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.



**Proposed Order**

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

extend the time to apply the water to beneficial use under Permit G-13613 from October 1, 2002 to October 1, 2015.

Subject to the following conditions:

**CONDITIONS**

1. **Development Limitations**

Diversion of any water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving an updated WMCP under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension of time application. Use of water under Permit G-13613 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 that is on file with the Department.

The deadline established in this PFO for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders.

DATED: \*\*\*\*\*, 2007

If you have any questions, please check the information box on the last page for the appropriate names and phone numbers.

\_\_\_\_\_  
Dwight French  
Administrator  
Water Rights and Adjudications Division

## Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may protest and request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than ~~\*\*\*~~, 2007 being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
  
2. A written request for contested case hearing shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
  - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
  - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
  - e. Any citation of legal authority supporting the petitioner, if known;
  - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
  - g. The protest fee required under ORS 536.050, if petitioner is other than the water right permit holder.
  
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
  - a. Issue a final order on the extension request; or
  - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
    - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
    - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

If you have any questions about statements contained in this document, please contact Ann L. Reece at 503-986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Mike Reynolds at 503-986-0820.

If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.

Address any correspondence to:      Water Rights and Adjudications Division  
725 Summer St NE, Suite A  
Fax: 503-986-0901                      Salem, OR 97301-1266

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## Mailing List for Extension PFO Copies

PFO Date: \*\*\*\*\*, 2007

Permit G-13613

Application G-14016

Original mailed to Applicant:

Nesika Beach Water District and Ophir Water District  
Attn: Alan Wagner  
PO Box 39  
Ophir, Oregon 97464-0039

**Copies Mailed**

**By:**

(SUPPORT STAFF)

**on:**

(DATE)

Copies sent to:

1. WRD - Appl. File G- 14016 / Permit G-13613
2. WRD - Watermaster District 19 – Mitch Lewis, Coquille
3. WRD – Bill Fujii
4. DEQ - Western Region - John Blanchard
5. ODFW – District Biologist, Lower Rogue, Todd Confer, Gold Beach

Fee paid as specified under ORS 536.050 to receive copy:

5. None

Receiving via e-mail (10 AM Tuesday of signature date)

6. Static Water Level Decline Levels Triggered (or close to triggering)  YES  NO

If YES..... send an e-mail to the watermaster identifying the extent of static water

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level decline.

7. PFO: WRD – Watermaster District 16 – Mike McCord, Salem  
*Done by* \_\_\_\_\_ *Date* \_\_\_\_\_
8. Notification only: WRD – Salem Opeifa and Gerry Clark (if Reimbursement Authority)  
*Done by* \_\_\_\_\_ *Date* \_\_\_\_\_

CASEWORKER: ALR  
Document1

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Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14016

**Final Order**  
**Extension of Time for Permit Number G-13613**

**Appeal Rights**

**This is a final order in other than 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.

**Application History**

On June 23, 2003, Nesika Beach Water District and Ophir Water District submitted an application to the Department for an extension of time for permit number G-13613. The Department issued permit number G-13613 on March 22, 1999. The permit called for complete application of water to the full beneficial use by October 1, 2002. In accordance with OAR 690-315-0050(2), on PFO DATE, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2015. The protest period closed PROTEST DATE, in accordance with OAR 690-315-0060(1). No protest was filed.

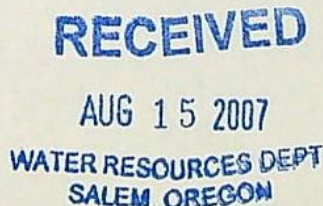
At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

Diversion of any water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving an updated WMCP under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension of time application. Use of water under Permit G-13613 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 that is on file with the Department.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

**Order**

The extension of time for Application Number G-14016, Permit Number G-13613, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2015.



DATED: \*\*\*\*\*, 2007

Phillip C. Ward, Director

If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.

If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900.

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**NOTE:** Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

## Mailing List for Extension FO Copies

Application #G-14016  
Permit #G-13613

FO Date: \*\*\*\*\*, 2007

**Original mailed to permit holder:**

Nesika Beach Water District and Ophir Water District  
PO Box 39  
Ophir, Oregon 97464-0039  
Attn: Alan Wagner

**Copies Mailed**

By: \_\_\_\_\_  
(SUPPORT STAFF)

on: \_\_\_\_\_  
(DATE)

**For Extension FO's - Copies sent to:**

1. WRD - Appl. File #G-14016 / Permit #G-13613
2. WRD - Watermaster District: # 19, Mitch Lewis
3. WRD - SW Regional Manager: \*\*\*, Regional Manager
4. ODFW - Biologist District: # 0, Lower Rogue, Todd Confer
5. DEQ - Regional Office: Western Region, John Blanchard
6. WRD - Sarah Henderson, Technical Services
- 7.
8. WRD - Support Staff, Salem

**Other interested parties:**

None

CASEWORKER: KF

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SALEM, OREGON

W R & A D J  
**Oregon**

**Water Resources Department**  
725 Summer Street NE Suite A  
Salem, OR 97301

ADDRESS SERVICE REQUESTED



G-14016  
NESIKA BEACH - OPHIR WATER DIST  
ATTN: ALLAN WAGNER, DIST MANAGER  
32892 NESIKA RD  
GOLD-BEACH OR 97444

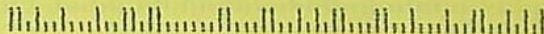
**RECEIVED**

APR 16 2007

WATER RESOURCES DEPT 07  
NESI892\* 974442013 1206 13 06 07  
FORWARD TIME EXP RTN SALOMSON  
:NESIKA-OPHIR WATER DISTRICT  
PO BOX 39  
OPHIR OR 97464-0039

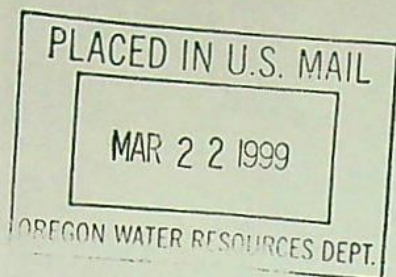
RETURN TO SENDER

9744419507 PO01  
57301/1266



Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14016



**Superseding Final Order**

*Application History*

On March 29, 1995, NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 10, 1998. The protest period closed March 27, 1998, and no protest was filed. On June 8, 1998 a Final Order was issued approving the use contingent upon submittal of \$50.00.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to clarify the conditions requiring meters. The Final Order issued on June 8, 1998, contained two conditions that require meters to be installed that would be more clear if combined as follows:

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under

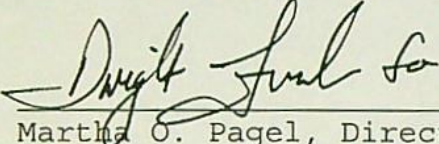
the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

#### Order

Upon payment of outstanding permit recording fees, Application G-14016 shall be approved as modified above and as conditioned in the attached draft permit.

Permit recording fees are required in the amount of \$ 50.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14016.

DATED March 27, 1999

  
Martha O. Pagel, Director

#### Hearing and Appeal Rights

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

*This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document he is most likely the best person to answer your questions. You can reach him toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.*

*If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.*

*If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.*

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

RECEIPT # **22785**

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

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

RECEIVED FROM: Nesika Beach Water  
 BY: District

APPLICATION	G14016
PERMIT	
TRANSFER	

CASH:  CHECK: # 96-7630 OTHER: (IDENTIFY)

TOTAL REC'D \$ 50.00

**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)			\$
(New) TC165 DEPOSIT LIAB. (IDENTIFY)			\$
(Existing) TC168 WATER RIGHTS:			
0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE \$ <u>50.00</u>
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$
WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY)			

*PCA 66111*

**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 (FWWRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **22785**

DATED: 7-13-90

BY: M. Macko

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF REQUIREMENT TO )  
SUBMIT A WATER MANAGEMENT AND ) ORDER  
CONSERVATION PLAN )

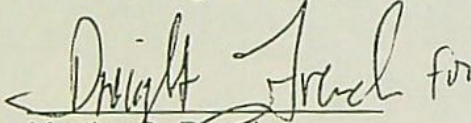
*History*

On January 5, 1996, the Department received application G-14016 from NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT for a water use permit. On March 22, 1999, permit G-13613 was issued. The permit included the following condition regarding a Water Management and Conservation Plan:

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

Consistent with the permit condition above the Department has determined that a plan is now required. Therefore, it is **ORDERED** that the permittee shall submit a Water Management and Conservation Plan, consistent with OAR Chapter 690, Division 86, within **2 years** of the date of this order, unless the Director approves an extension of this timeline.

DATED August 19, 1999

  
Martha O. Pagel  
Director

*Appeal Rights*

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



File # G-14016 RECEIVED

MAR 20 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

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

**Permit Holder: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT**  
**Permit #G13613 Application File #G14016**

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 6, 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.

Allan Wagner  
Signature of Authorized Personnel

3-19-03  
Date

Please return completed form by April 6, 2003 to:  
Water Resources Department  
Attention: Lisa Juul  
158 - 12<sup>th</sup> Street NE  
Salem OR 97301-4172



# 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 6, 2003

NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT  
32892 NESIKA RD  
GOLD BEACH OR 97444

REFERENCE: Permit #G13613 (App File #G14016) 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 6, 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.

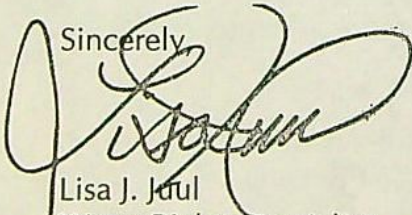
**4. Permit is Not Needed and Wish to Authorize Cancellation**

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 6, 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. Jutul  
Water Rights Specialist  
Water Rights Section

enclosure

cc: App File #G14016 (Permit #G13613)

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

**Permit Holder: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT**  
**Permit #G13613                                  Application File #G14016**

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 6, 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 6, 2003 to:**  
**Water Resources Department**  
**Attention: Lisa Juul**  
**158 - 12<sup>th</sup> Street NE**  
**Salem OR 97301-4172**



THE DYER PARTNERSHIP  
ENGINEERS & PLANNERS, INC.

December 26, 2000

Mr. Bob Rice  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, OR 97310

**RECEIVED**

**DEC 29 2000**

WATER RESOURCES DEPT.  
SALEM, OREGON

RE: Nesika Beach Water District  
Water System Master Plan  
Project No. 9505.01

Dear Mr. Rice:

Enclosed please find a copy of the Nesika Beach Water District's Water System Master Plan. Inclusive to this document is a Water Management Plan outlining conservation and curtailment measures for the District. The Dyer Partnership is pleased to submit the District's Plan on their behalf for your review, comments, and approval.

As you noted in your August 23, 2000 letter, the District was ordered by the Oregon Water Resources Department (OWRD) to complete a Management and Conservation Plan prior to August 19, 2001. The District has prioritized the completion of this Management Plan and included a Water System Master Plan to satisfy the Oregon Health Department requirements, too. The submission of this plan demonstrates the District's commitment to satisfying both agencies' requirements and to planning and providing for the highest possible service level for the users of the water system.

Since the completion of the draft plan in early June, the District has been actively pursuing the reformation of the Ophir Water District and the Nesika Beach Water Districts into a new district, the "Ophir-Nesika Beach Water District". It now appears that the issue may be on the spring ballot for voter approval. This is an important step in the life of the water system and should be recognized by the Water Resources Department as consistent with OAR 690 Division 86 goals.

As you will discover in your review of the Plan, the District requires additional water rights in excess of the current permit and water right allocations. We anticipate your review will assist us outline the necessary steps to establish the long-term legal right to appropriate water for public consumption needs. Once you have reviewed the Plan, we would like to schedule a meeting to review your comments and discuss water rights issues. Should you have any questions during your review, feel free to give me a call.

Best Regards,

THE DYER PARTNERSHIP,  
ENGINEERS & PLANNERS, INC.

Steven K. Donovan, PE

Cc: Mike Meszaros, R.S.  
Mr. Wilbur Moore  
Mr. Jim Coffey, Attorney

Encl.

Appl # G-14016

Permit G-13613

Nesika Beach + Ophir W D

To: Mike Meszaros &lt;MeszarosM@co.curry.or.us&gt;

Subject: Re: FW: Conservation plan

Cc: Lloyd.C.VANGORDON@wrd.state.or.us, Alan.J.COOK@wrd.state.or.us

Mike,

Thanks for the information. As we discussed, the District needs to get an approved Water Management and Conservation Plan into the Department ASAP to comply with permit conditions. I appreciate the effort that the District has put into the draft plan to date, and look forward to getting a revised plan. Please let me know if I can be of additional assistance to you.

--Bob

At 10:07 AM 8/8/01 -0700, you wrote:

&gt; -----Original Message-----

&gt; From: Mike Meszaros

&gt; Sent: Wednesday, August 08, 2001 10:06 AM

&gt; To: Bob Rice (E-mail)

&gt; Subject: Conservation plan

&gt;

> Bob, Just a quick note regarding our phone conversation this morning  
> concerning the Conservation Plan for Mesika Beach - Ophir Water  
> districts.. Our district has fallen behind the eight ball on this issue in  
> that we basically turned it over to the "authoring" agency, Dyer  
> Partnership, to address the deficiencies. That agency has had a shake up  
> and the engineer that was working with us, Steve Donovan, has left and we  
> are not sure who is working on this for us. There are several issues that  
> we needed to address such as adoption of curtailment plans, fee  
> structures, and other policies that we have not done yet. Obviously we are  
> not going to meet the deadline of August 19th. We do not intend to ignore  
> the issue, it's more of a matter of formulating a strategy of how to  
> complete the plan given the obstructions we face.

&gt;

&gt; I will definitely be in touch with you on this matter.

&gt;

&gt; Waterfully,

&gt;

&gt; Mike Meszaros

&gt; Nesika Beach Water District

**Bob Rice**

Field Services Division

Oregon Water Resources Department  
158 12th ST NE, Salem OR 97301-4172

(503) 378-8455 x 238 or (800) 624-3199 x 238

FAX: (503) 378-8130

Water Resources Dept.

*homepage/website address - <http://www.wrd.state.or.us>*

8/19/99

Janet,

Russ said "let Janet do her magic" regarding this order.

Please send copies to:

Ivan Gall ✓ (SW Reg.)

John Drolet ✓

Al Cook ✓

Bob Rice ✓

WRs file ✓

Special order file ✓

Nesika Beach Water District ✓

32892 Nesika Road

Gold Beach, OR 97444

and

Ophir Water District ✓

PO Box 124

Ophir, OR 97464

Many thanks!!

--Bob R. x 238

JH 8/23/99



Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14016

Final Order

*Application History*

On March 29, 1995, NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 10, 1998. The protest period closed March 27, 1998, and no protest was filed.

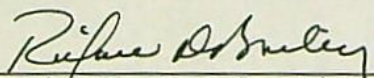
The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe point of diversion and the place of use.

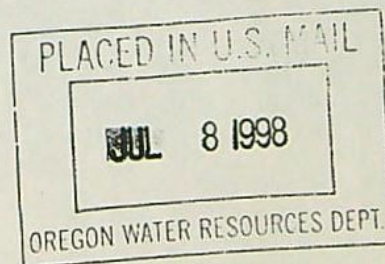
Order

Upon payment of outstanding permit recording fees, Application G-14016 shall be approved as modified above and as conditioned in the attached draft permit.

Permit recording fees are required in the amount of \$ 50.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14016.

DATED June 8, 1998

  
Martha O. Pagel, Director



*Hearing and Appeal Rights*

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

*This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document he is most likely the best person to answer your questions. You can reach him toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.*

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*If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.*

STATE OF OREGON

COUNTY OF CURRY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

NESIKA BEACH WATER DISTRICT AND OPHIR WATER DISTRICT  
32892 NESIKA RD  
GOLD BEACH, OREGON 97444

(503) 247-2614

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14016

SOURCE OF WATER: A WELL IN ROGUE RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

MAXIMUM RATE: 0.5 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 5, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 9, T36S, R14W, W.M.;  
512 FEET NORTH & 2538 FEET EAST FROM S1/4 CORNER, SECTION 9

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 SW 1/4  
SE 1/4 SW 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4  
SECTION 8

NE 1/4 NW 1/4  
NW 1/4 NW 1/4  
SW 1/4 NW 1/4  
SE 1/4 NW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4  
SECTION 17

NE 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 SE 1/4  
SW 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 19

NW 1/4 NW 1/4  
SW 1/4 NW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4  
SECTION 20

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
SE 1/4 SW 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4  
SECTION 30

SW 1/4 NE 1/4  
NE 1/4 NW 1/4  
NW 1/4 NW 1/4  
SW 1/4 NW 1/4  
SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
NW 1/4 SW 1/4  
SE 1/4 SW 1/4  
SECTION 31

TOWNSHIP 35 SOUTH, RANGE 14 WEST, W.M.

SE 1/4 NE 1/4  
NE 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 36

TOWNSHIP 35 SOUTH, RANGE 15 WEST, W.M.

NE 1/4 SW 1/4  
SW 1/4 SW 1/4  
NW 1/4 SE 1/4  
SECTION 5

NW 1/4 NW 1/4  
SW 1/4 NW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4  
SE 1/4 SE 1/4  
SECTION 6

NW 1/4 NW 1/4  
SECTION 7

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4

NE 1/4 NW 1/4  
NW 1/4 NW 1/4  
SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
SE 1/4 SW 1/4  
NE 1/4 SE 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 8

SW 1/4 NW 1/4  
SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4  
SE 1/4 SW 1/4  
NE 1/4 SE 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 9

NE 1/4 NW 1/4  
SECTION 16

NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
NW 1/4 SE 1/4  
SECTION 17

TOWNSHIP 36 SOUTH, RANGE 14 WEST, W.M.

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 SE 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 12

TOWNSHIP 36 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or

measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin by June 8, 1999. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued \_\_\_\_\_, 199\_

DRAFT - THIS IS NOT A PERMIT

\_\_\_\_\_  
Martha O. Pagel, Director  
Water Resources Department

# Mailing List for PFO Copies

Application #G-14016

PFO Date February 10, 1998

## Original mailed to:

Applicant: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT, 32892 NESIKA RD, GOLD BEACH, OREGON 97444

## Copies sent to:

1. WRD - File # G-14016
2. WRD - Water Availability: Ken Stahr

## PFO, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 19
4. WRD - SW Regional Manager :
5. ODFW District Biologist: (CURRY County)

F.O.  
LKS  
7-8-98

Copies Mailed	
By: <u>CWA</u>	
(SUPPORT STAFF)	
on: <u>2/10/98</u>	
(DATE)	

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

6. CWRE, BRYAN FLAVIN, 32053 SQUAW VALLEY RD, GOLD BEACH, OR 97444
7. DEQ-HEADQUARTERS, ~~DEB STURDEVANDT~~ TOM ROSETTA
8. DEPT AGRICULTURE

9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_

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

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_



Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14016

**Final Order**

*Application History*

On March 29, 1995, NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 10, 1998. The protest period closed March 27, 1998, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe point of diversion and the place of use.

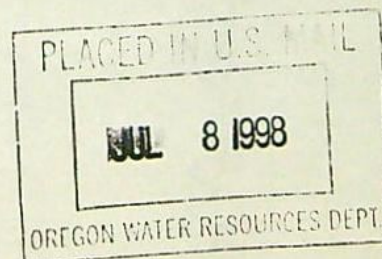
**Order**

Upon payment of outstanding permit recording fees, Application G-14016 shall be approved as modified above and as conditioned in the attached draft permit.

Permit recording fees are required in the amount of \$ 50.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14016.

DATED June 8, 1998

  
Martha O. Pagel, Director



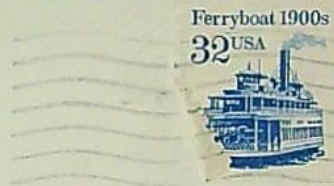
**RECEIVED**  
JUL 13 1998  
WATER RESOURCES DEPT.  
SALEM, OREGON

*Hearing and Appeal Rights*

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

Nesika Beach Water District

32892 NESIKA ROAD  
GOLD BEACH, OREGON 97444



State of Oregon  
Water Resources Department  
158 12th St NE  
Salem OR 97310-0210

97310-0705



# FO CHECKLIST

FILE # C 14016

REVIEW DATE: 5/14/98

PFO WEEK # 132

PFO TO FO CONVERSION

INITIALS: RWK

In preparing to create the FO, you should check the following:

1. Y / (N) Were comments or protests received? If so, **from whom and when?**
2. (✓) On the PFO CC list, verify names and addresses of **ALL** commentors (regardless of comment date), **affected landowners, and those who paid the \$10 fee.** *NOTICE PUBLISHED*
3. (Y) / (N) / NA Have affected landowners been notified?
4. Y / (N) Is the file lacking a signed oath of accuracy for the application?
5. Y / (N) / NA Has ODFW asked for self certification of screening condition? If so, write "ODFW CERT" in the permit blank on the front of the file.
6. Y / (N) Is water use prohibited for one or more months of the normal use period?
7. Y / (N) If # 6 = "Y", is short season letter on file? Note: If short season letter is lacking, see Item #10 below. Give applicant 60 days to submit required information.
8. 50 Verify payment of recording fees (*circle the appropriate option*)  
(1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, **including standing fees if no protest is filed and no modifications are being made to the PFO**  
(2) Issue FO w/o permit if fees are lacking  
*200 EXAM  
100 REC  
300  
PD 250  
50* *OWPS  
50*
9. (Y) / (N) Is further processing possible? If not state reason: \_\_\_\_\_
10. (✓) Notify applicant of additional information or **fees** required prior to permit issuance. (**SEND CERTIFIED LETTER** & use standard wording from M:\...\FO\TOOLS if possible)
11. (✓) Assign permit numbers to files with oath, fees, and no protests or other issues
12. Y / (N) Do the PFO conclusions requires modification? Why? \_\_\_\_\_  
(If YES, circle FOMOD and one other type below)

FO Type: (circle types)	DENIAL	FO w/o PERMIT	FO & PERMIT	FOMOD
COMMENTS:  <i>FIX POD &amp; POU</i>				MGMT CODES: <i>7B</i>

Once created, modify FO as needed to:

Initials \_\_\_\_\_

13. (✓) Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
14. (✓) Include or exclude permit conditions and management codes
15. (✓) Correct PFO errors (such as POD or POU location (verify from map), Permit format)

Once FO document is completed:

16. (✓) Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 139 & delete duplicates
17. (✓) Print final draft of document and submit to team leader for review
18. Y / (N) Team leader review completed

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14016

Proposed Final Order

*Summary of Recommendation:* The Department recommends that the attached draft permit be issued with conditions.

*Application History*

On March 29, 1995, NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT submitted an application to the Department for the following water use permit:

- Amount of Water: 0.5 CUBIC FOOT PER SECOND
- Use of Water: QUASI-MUNICIPAL
- Source of Water: A WELL IN ROGUE RIVER BASIN
- Area of Proposed Use: CURRY County within

NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 SW 1/4  
SE 1/4 SW 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4

SECTION 8

NE 1/4 NW 1/4  
NW 1/4 NW 1/4  
SW 1/4 NW 1/4  
SE 1/4 NW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4

SECTION 17

NE 1/4 NE 1/4  
NE 1/4 SE 1/4  
SW 1/4 SE 1/4  
SE 1/4 SE 1/4

SECTION 19

NW 1/4 NW 1/4  
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NW 1/4 SW 1/4  
SW 1/4 SW 1/4

SECTION 20  
NE 1/4 NE 1/4  
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SW 1/4 NE 1/4  
SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4

SECTION 30  
TOWNSHIP 35 SOUTH, RANGE 14 WEST

NE 1/4 SW 1/4  
SW 1/4 SW 1/4  
NW 1/4 SE 1/4

SECTION 5  
NW 1/4 NW 1/4  
SW 1/4 NW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4

SECTION 6  
NW 1/4 NW 1/4

SECTION 7  
NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 NW 1/4  
NE 1/4 SE 1/4  
NW 1/4 SE 1/4

SECTION 8  
SW 1/4 NW 1/4  
SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
NW 1/4 SW 1/4  
NE 1/4 SE 1/4  
NW 1/4 SE 1/4

SECTION 9  
TOWNSHIP 36 SOUTH, RANGE 14 WEST, W.M.

NE 1/4 NE 1/4  
NW 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 SE 1/4  
SE 1/4 SE 1/4

SECTION 12  
TOWNSHIP 36 SOUTH, RANGE 15 WEST, W.M.

On 11/11/97, the Department mailed the applicant notice of its Initial Review, determining that THE USE OF 0.5 CUBIC FOOT PER SECOND FROM A WELL IN THE ROGUE RIVER BASIN FOR QUASI-MUNICIPAL USE IS ALLOWABLE YEAR-ROUND. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 11/25/97, the Department gave public notice of the application in its

weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

#### *Findings of Fact*

The South Coast Basin Program allows the following uses: QUASI-MUNICIPAL

Senior water rights exist on A WELL IN ROGUE RIVER BASIN or on downstream waters.

A WELL IN ROGUE RIVER BASIN is not within or above a State Scenic Waterway.

An assessment of water availability has been completed. This assessment compared a calculation of natural streamflow minus the consumption portion of all relevant rights of record. A copy of this assessment is in the file. This assessment determined that water is available for further appropriation (at an 80 percent exceedance probability) for the period YEAR ROUND

The Department finds that no more than 0.5 CFS would be necessary for the proposed use. The amount of water requested, 0.5 CUBIC FOOT PER SECOND, is allowable.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely ROGUE RIVER.

The Groundwater Section finds that there is NOT a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Information obtained from the Department of Environmental Quality (DEQ) indicates that the source of water identified in the application is "Water Quality Limited." This designation indicates that water quality concerns exist. DEQ was provided with an opportunity to review this proposed use to determine if any additional conditions or restrictions are needed to protect the water quality.

DEQ did not make any recommendations for additional conditions or restrictions to be imposed on the proposed use for this application.

In accordance with OAR 690-33-330, an interagency team reviewed this proposed use for potential adverse impacts on sensitive, threatened and endangered fish populations. This team consisted of representatives from the Oregon Departments of Water Resources (WRD), Environmental Quality, Fish and Wildlife (DFW), and Agriculture. WRD and DFW representatives included both technical and field staff.

The interagency team recommended that additional limitations or conditions of use be imposed on this application as follows:

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

THE DEPARTMENT HAS DETERMINED A WATER MANAGEMENT AND CONSERVATION PLAN MAY BE REQUIRED FOR THIS APPLICATION UNDER OAR 690 DIVISION 86.

#### *Conclusions of Law*

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the South Coast Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
  - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
  - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

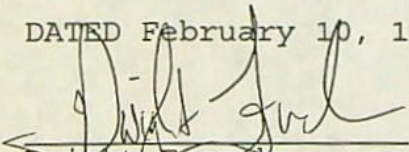
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

#### Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED February 10, 1998

  
Dwight French  
Water Rights Section Manager

#### Protest Rights

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement



of the public interest represented;

- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;

- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;

- Any citation of legal authority to support your protest, if known; and

- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.

- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.

- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Your protest must be received in the Water Resources Department no later than March 27, 1998.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or

- the applicant requests a contested case hearing within 30 days after the close of the protest period.

DM- WEEK 129

DRAFT

This is not a permit!!!  
STATE OF OREGON

DRAFT

COUNTY OF CURRY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

X NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT  
32892 NESIKA RD  
GOLD BEACH, OREGON 97444

(X503) 247-2614

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14016

SOURCE OF WATER: A WELL IN ROGUE RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

MAXIMUM RATE: 0.5 CFS *CUBIC FOOT / SEC*

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 5, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 9, ~~T35S~~<sup>36</sup>, R14W, W.M.;  
512 FEET NORTH & 2538 FEET EAST FROM ~~SW~~<sup>5/4</sup> CORNER, SECTION 9

The amount of water used for irrigation under this right, 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) and 2 1/2 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

- NW 1/4 NE 1/4
- SW 1/4 NE 1/4
- SE 1/4 NE 1/4
- NE 1/4 SW 1/4
- SE 1/4 SW 1/4
- NW 1/4 SE 1/4
- SW 1/4 SE 1/4
- SECTION 8
- NE 1/4 NW 1/4
- NW 1/4 NW 1/4
- SW 1/4 NW 1/4
- SE 1/4 NW 1/4
- NW 1/4 SW 1/4
- SW 1/4 SW 1/4
- SECTION 17

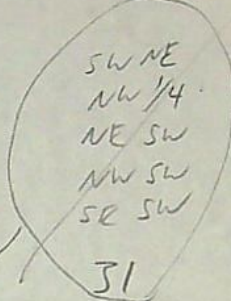
SE NE → NE 1/4 NE 1/4  
 NE 1/4 SE 1/4  
 SW 1/4 SE 1/4  
 SE 1/4 SE 1/4

SECTION 19

NW 1/4 NW 1/4  
 SW 1/4 NW 1/4  
 NW 1/4 SW 1/4  
 SW 1/4 SW 1/4

SECTION 20

NE 1/4 NE 1/4  
 NW 1/4 NE 1/4  
 SW 1/4 NE 1/4  
 SE 1/4 NW 1/4  
 SE SW → NE 1/4 SW 1/4  
 NW 1/4 SE 1/4  
 SW 1/4 SE 1/4



SECTION 30

TOWNSHIP 35 SOUTH, RANGE 14 WEST, W.M.

NE 1/4 SW 1/4  
 SW 1/4 SW 1/4  
 NW 1/4 SE 1/4

SECTION 5

NW 1/4 NW 1/4  
 SW 1/4 NW 1/4  
 NW 1/4 SW 1/4  
 SW 1/4 SW 1/4

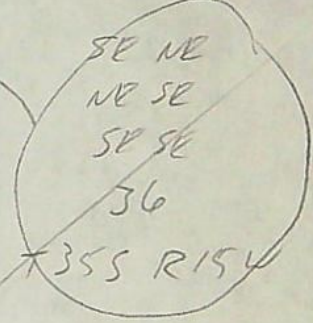
SE SE

SECTION 6

NW 1/4 NW 1/4

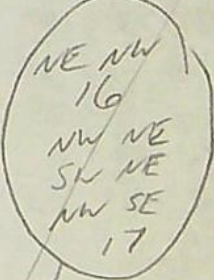
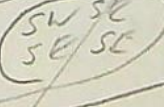
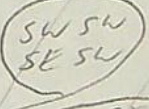
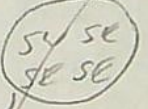
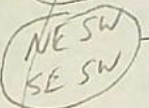
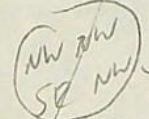
SECTION 7

NE 1/4 NE 1/4  
 NW 1/4 NE 1/4  
 SW 1/4 NE 1/4  
 SE 1/4 NE 1/4  
 NE 1/4 NW 1/4  
 NE 1/4 SE 1/4  
 NW 1/4 SE 1/4



SECTION 8

SW 1/4 NW 1/4  
 SE 1/4 NW 1/4  
 NE 1/4 SW 1/4  
 NW 1/4 SW 1/4  
 NE 1/4 SE 1/4  
 NW 1/4 SE 1/4



SECTION 9

TOWNSHIP 36 SOUTH, RANGE 14 WEST, W.M.

NE 1/4 NE 1/4  
 NW 1/4 NE 1/4  
 SW 1/4 NE 1/4  
 SE 1/4 NE 1/4  
 NE 1/4 SE 1/4  
 SE 1/4 SE 1/4

NW SE, SW SE

SECTION 12  
TOWNSHIP 36 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

**STANDARD CONDITIONS**

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued \_\_\_\_\_, 199\_

DRAFT - THIS IS NOT A PERMIT

Water Resources Department  
Director

Application G-14016  
Basin ~~115~~  
DM- WEEK 129

Water Resources Department  
Volume ~~3~~ EUCRE CR & MISC  
MGMT.CODE

PERMIT DRAFT  
District ~~19~~

1 RIGUER & MISC

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON



Oregon Water Resources Department

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instruction booklet when completing your application. Thank you.

1. Applicant Information

A. Individuals

(If more than one person is applying, please attach a sheet providing the information below for each person applying.)

Name: \_\_\_\_\_  
Last First MI

Mailing address: \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: NESIKA BEACH WATER DISTRICT

Name and title of person applying: LEON LYNCH

Mailing address of organization: 32892 NESIKA ROAD  
(OPHIR) GOLD BEACH OR 97444  
City State Zip

Phone: 541-247-2614 SAME  
Day Evening

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

\*Optional information

For Department Use

App. No. 614016 Permit No. \_\_\_\_\_ Date \_\_\_\_\_

**2. Location and Source**

The Department cannot process your application without accurate information showing the source of water and location of water use. You must attach a map to this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See page 3 in the instruction booklet for detailed map specifications. In addition, please provide the following information:

**A. County**

In what county is the use proposed? CURRY  
 In what county is the appropriation point proposed? CURRY

**B. River Basin**

(See instruction booklet pg.3 for list):

ROGUE

**C. Property Ownership**

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Groundwater Development.")
- No Please check the appropriate box below, and on a separate sheet of paper list the names and addresses of all affected landowners.\*\*
  - I have a recorded easement or written authorization permitting access.
  - I do not currently have written authorization or easement permitting access.

\*\*If more than 25 landowners are involved, a list is not required. See page 4 in the instruction booklet for more details.

**3. Groundwater Development**

A. Number of wells: 1 B. Name of nearest surface water body ROGUE RIVER

C. Distance from well(s) to nearest stream or lake: 1) WITHIN FLOODWAY

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) N/A

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

**E. Well Characteristics**

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

1. Wells will be constructed by: \_\_\_\_\_

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

Completion date: \_\_\_\_\_

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Estimated depth to water	Est. depth to water-bearing stratum	Type of access port or measuring device	Total well depth
1	12"	STEEL 12"	45						

**F. Artesian Flows**

If your water well is flowing artesian, describe your water control and conservation works:

N/A

## 4. Water Use

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

### A. Type(s) of Use(s)

(see list of beneficial uses in the instruction booklet):

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: \_\_\_\_\_
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal**, attach Form M
- If your proposed use is **commercial/industrial** or **quasi-municipal**, attach Form Q

### B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, and for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or Aquifer	Type of Use	Total Annual Amount	Production Rate of the Well in gpm

### C. Season of Use

Indicate the time of year you propose to use the water (for seasonal uses like irrigation give dates when water use would begin and end):

YEAR ROUND

### D. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used:

N/A



**5. Water Management**

**A. Diversion**

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type) 30 hp submersible
- Other means (describe) \_\_\_\_\_

**B. Transport**

How will you transport water to your place of use?

- Ditch, canal (give average width and depth):  
Width \_\_\_\_\_ Depth \_\_\_\_\_  
Is the ditch or canal to be lined?  Yes  No
- Pipe (give diameter and total length)  
Diameter(s) 8", 6", 4", 2" Length Approx. 15 miles
- Other (describe) \_\_\_\_\_

**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use?

Irrigation or land application method (check all that apply):

- Flood  High-pressure sprinkler  Low pressure sprinkler
- Drip  Water cannons  Center pivot system
- Hand lines  Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe \_\_\_\_\_

Distribution method

- In-line storage (tank or pond)  Direct pipe from source  Open canal

**D. Conservation**

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**6. Project Schedule**

Proposed date construction will begin \_\_\_\_\_

Proposed date construction will be completed \_\_\_\_\_

Proposed date beneficial water use will begin \_\_\_\_\_

**7. Remarks**

*If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Signature**

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use is compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge:

Albert J. Lopez  
Signature of Applicant

9-3-97  
Date

\_\_\_\_\_  
Signature of Co-applicant

\_\_\_\_\_  
Date

Before submitting this application, have you:

- Answered every question?
- Included a Land Use Information Form or receipt stub signed by a local official?
- Attached a legible map that meets all the necessary criteria?
- Included a check made out to WRD for at least the amount of the application fee?

NESIKA BEACH WATER DISTRICT

32892 NESIKA ROAD  
GOLD BEACH, OREGON 97444

ATTN: Dallas Miller

Public Notice

NOTICE OF WATER USE REQUEST  
Regarding application: G-14016  
The Oregon Water Resources Department is evaluating the request by Nesika Beach Water District use 0.50 cubic feet per second of the waters of a well for Quasi-municipal purposes. The proposed source of water is located within Curry County, Township 36S, Range 14W, Section 9. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130(3) requires notice to all affected landowners. ORS 537.130(4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at 1 (800) 624-3199 ext. 499. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97310-0210.

Publish: January 14, 21 and 28, 1998.

Affidavit of Publication

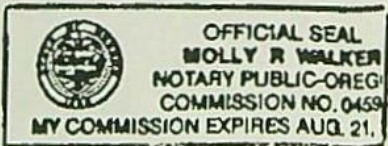
STATE OF OREGON }  
COUNTY OF CURRY } ss.

I, Debbie Smith, being first duly sworn, depose and say that I am the Manager of the Curry County Reporter, a newspaper of general circulation, as defined by sections 1-509, 1-510, Oregon Code; published at Gold Beach in the said county and state; that the Notice of Water Use Request

Curry County Reporter, a printed copy of which is hereto annexed was published in the entire issue of said newspaper for Three (3) successive and consecutive weeks the following issues: January 14, 21 and 28, 1998.

Debbie Smith  
Subscribed and sworn before me this 28th day of Jan, 1998.

Molly R Walker  
Notary Public Of Oregon



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Nesika Beach Water District

32892 NESIKA ROAD

GOLD BEACH, OREGON 97444



**RECEIVED**

JAN 30 1998

WATER RESOURCES DEPT.  
SALEM, OREGON

Angel  
ces Department

NE

110-0210



Nesika Beach Water District

32892 NESIKA ROAD  
GOLD BEACH, OREGON 97444



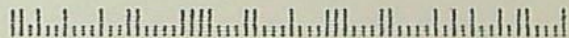
RECEIVED

JAN 30 1998

WATER RESOURCES DEPT.  
SALEM, OREGON

Attn: Cory Engel  
Water Resources Department  
158 12th St NE  
Salem OR 97310-0210

37310+0700



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# Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

November 11, 1997

NESIKA BEACH WATER DISTRICT  
OPIHIR WATER DISTRICT  
32892 NESIKA RD  
GOLD BEACH, OREGON 97444

Reference: File G-14016

Dear Applicant:

**THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN ROGUE RIVER BASIN for QUASI-MUNICIPAL is **allowable** under OAR 690-515-007, the Lower Rogue Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely Rogue River. Therefore limitations to the surface water source must be applied to this application also.
4. Water in the amount of 0.5 CUBIC FOOT PER SECOND for QUASI-MUNICIPAL is **available** year-round.
5. The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

6. ORS 537.130 (3) requires notice to all affected landowners. ORS 537.130 (4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

### Summary of Initial Determinations

**The use of 0.5 CUBIC FOOT PER SECOND from A WELL IN THE ROGUE RIVER BASIN for QUASI-MUNICIPAL is allowable year-round.**

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

**NOTE: The Notice of Water Use Request below satisfies the language requirements of ORS 537.130(3).**

### NOTICE OF WATER USE REQUEST

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#### To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your

application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Tuesday, November 25, 1997**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
  - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
3. You will be required to comply with state and federal water quality standards.
4. The priority date for this application is March 29, 1995.



WARNING: This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

Information obtained from the Department of Environmental Quality (DEQ) indicates that the source of water identified in your application is "Water Quality Limited". That means that there are water quality concerns. DEQ will be looking at information from your application to see if additional conditions or restrictions are needed to protect the water quality situation. One possible outcome is that the Water Resources Department will propose in the proposed final order that your application be denied. You are encouraged to contact Deb Sturdevandt, (503) 229-6691 at DEQ to discuss the specifics of your application. Often, this information exchange can allow the water use to occur and at the same time keep the water quality situation from worsening.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455 extension 499. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call.

Sincerely,



Anita M. McLoud  
Water Rights Specialist

cc: Regional Manager, Watermaster District 19, Water Availability Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

G-14016  
wab 17-01000000  
pou 17-01000000  
gw a

Division 33 Application Review Sheet for Use by ODFW Staff  
Recommendations for Water Right Applications that may affect the Habitat of  
Sensitive, Threatened or Endangered Fish Species OAR 690-33-310 through 340

Date: 11/11/97 14 Day Deadline: \_\_\_\_\_

Application # G-14016 Name: Nesika Beach Water District

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened or endangered fish species? [690-33-330(1)]

No / Yes Species? Coho Status S T E

If Yes, continue, if NO go to Public Interest Review Sheet  (BACK PAGE)

What stage or value is at risk: Spawning; Incubation; Rearing; Passage; Habitat Value

2) Will the proposed use result in a loss in the essential habitat of threatened or endangered species or a net loss in the habitat of sensitive species? No / Yes

A) Standard of "net loss" applies to sensitive species statewide [690-33-330(2)(a)]

B) Standard of "loss" of applies to T or E species outside the Columbia Basin [690-33-330(2)(b)]

3) Can conditions be applied to mitigate the impact to the essential habitat of STE species?

No / Yes [690-33-330(3)] Yes or no, which conditions are recommended? (Try to select those from the menu) 657 - Totalizing Flow Meter, Water Management & Conservation Plan

4) If conditions cannot be identified to offset impacts to the essential habitat of STE fish species, would the proposed use harm the species? [690-33-330(4)] No / Yes If yes, explain

WRD Contact: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ODFW Recommendation:

Approval with fishery conditions See #3 Above

Approval without fishery conditions

Denial

ODFW Representative(s)

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Joel Cufes Date: 12/10/97 (M:\div.33\odfw chk lst i modified.6-25...

Fish District: Lower Rogue/South Coast

WAB#

Application # 6-14016

Applicant Name Nesika Beach

Date: March 26, 1996

AREA

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

INFORMATION/CONDITIONS

1. Are there water quality concerns related to salmon/steelhead/trout? Y  N  
 Should the application be denied? Y N  
 Should the application be restricted? Y N

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

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

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

3. Domestic  
 Should domestic use be conditioned to human consumption? Y N  Based on water availability

4. Fish Screening and Passage
- A. Requires fish screening and passage, with ODFW certification (applications > 0.5 cfs).
  - B. Requires fish screening and passage, without ODFW certification (applications < 0.5 cfs).
  - C. No dam or obstruction without a fishway.

5. Miscellaneous
- A. Reservoir Filling \_\_\_\_\_
  - B. Water Quality Permits \_\_\_\_\_
  - C. Return Flow \_\_\_\_\_
  - D. Time Limited Water Right \_\_\_\_\_
  - E. Other \_\_\_\_\_

6. Measurement and Reporting
- A. Small diversions (<0.1 cfs or <9.2 ac/ft. may/may)
  - B. Medium diversions (0.1 cfs or >9.2 and <1.5 cfs or <100 ac/ft. shall/may)
  - C. Large diversions (1.5 cfs or >100 ac/ft. shall/shall)

FINDINGS

- Permit is proposed for denial prior to interagency team review for fishery concerns.
- Deny permit due to fishery concerns, except for
  - A. Domestic (which may be limited to human consumption, see above)
  - B. Livestock
  - C. Unless water is from storage
- Do not condition further due to fishery concerns.
- Condition permit due to fishery concerns listed above.



PFO CHECKLIST

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

Basin: 15 - ROGUE WAB: ~~15~~ 010000

County Curry Township 36S Range 14W Section 9 1/4 1/4 \_\_\_\_\_

- 1. Is the file complete by the Minimum Requirements Checklist? Y/N Need MAP well location
- 2. Shortcomings (items needed before a permit and/or FO can be issued) Y/N MAP WELL LOC.
- 3. Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
- 4. Groundwater Review A B C D River/Stream Name Rogue R. Conditions TB
  - a. Groundwater Availability A B C
  - b. Is second groundwater review necessary? (comments) Y/N
  - c. Is HB 1033 review complete? Y/N
- 5. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POF) Y/N
- 6. Is use from a B.O.R. project? Y/N Contract in file? Y/N Contract # \_\_\_\_\_
- 7. Is the use allowed by the Basin Program? Y/N Limited? Y/N 690 515 007 (1)
- 8. Water Availability Data OK / REDONE / NA (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
- 9. Is the source withdrawn or limited by statute or Department withdrawal order? Y/N
- 10. Is the Proposed Use located in or above a Scenic Waterway? Y/N ~~Below ROGUE~~ Below ROGUE  
Scenic Well
- 11. Division 33: Above Bonn (after July 17, 1992) Y/N/NA  
Below Bonn (after April 8, 1994; June 3, 1994) Y/N/NA  
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y/N/NA
- 12. Does the IR identify the Proposed Source as being on the DEQ 303d List? Y/N If so, any comments received? Y/N  
Does the IR identify the Proposed Use as being in a Dept of Ag. Water Quality Management Plan Area? Y/N
- 13. Have conflicts been identified, verified and/or addressed? Y/N N/C
- 14. Rate \_\_\_\_\_ Duty \_\_\_\_\_ Irrigation Season \_\_\_\_\_
- 15. Period of Allowed Use YEAR ROUND ALL YEAR
- 16. Allowed Rate of Use 0.5 cfs
- 17. Is the use **Small** ( $\leq 0.1$ cfs,  $\leq 9.2$ AF) Medium ( $> 0.1$ ) or  $< 1.5$ cfs,  $> 9.2$  or  $< 100$ AF) or **Large** ( $\geq 1.5$  cfs,  $\geq 100$  AF)?
- 18. Conditions TB, TJ MED M&R'S - FUJI  
Management Plan
- 19. IR Public Notice Date 11-25-97
- 21. Final Report Checklist
  - Documents used in determination are attached to this checklist and highlighted
  - Fill out PFO CC List (don't forget to check for other property owners)
    - a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y/N
    - b. Check to make sure that the Watermaster Dist. listed on the CC list and the draft permit is correct
  - Spell Check
  - Check for Accuracy
  - Final PFO report hard copy check (format, margins, etc.)
  - Final PFO has been saved to m:\groups\wr\pfo\done\week#\application #

Name: Dallas Miller

Date: 1 5 97

IR CHECKLIST

Application #: 5 14016

Basin: 15 ROXOBS - SO. COAST Lower Roque

WAB: 010000 POU-WAB \_\_\_\_\_

County WRE Township 36S Range 14W Section 9 1/4 1/4 POD SESE

- 1. Complete by Minimum Requirements checklist. Y / N Items still required: \_\_\_\_\_
- 2. Indicators that the process should not continue (ie - items missing, letter to file indicating hold, or other) Y / N \_\_\_\_\_
- 3. Groundwater review  A  B  C  D River/Stream Name Roque R. Conditions 7B  
Water Availability A  B  C  
a. Is the well located in a groundwater limited area? Y / N Name \_\_\_\_\_
- 4. Within or Above a Scenic Waterway  Y  N conditions/restrictions  Y  N 7J
- 5. Allowed under Basin Program Y/N Limitations?  Y  N 190-575-007
- 6. Withdrawn? Y / N season allowed \_\_\_\_\_
- 7. Basin Maps have been checked  Y  N \_\_\_\_\_
- 8. Water Availability (50% < July 17, 1992 \*\* 80% [90% storage] > July 17, 1992) NA ok add back SWW from 3 below -> lobster ok
- 9. Use QUASI-MIN Period of Allowed Use UR-RO
- 10. For Irrigation: Rate \_\_\_\_\_ Duty \_\_\_\_\_ Season \_\_\_\_\_
- 11. Allowable Rate of Use: 0.50 cfs
- 12. Priority Date(s) 3-29-95
- 13. B.O.R. project Y /  N contract # \_\_\_\_\_
- 14. Subject to Division 33 (Above Bonn after July 17, 1992; Below Bonn after April 8, 1994 or June 3, 1994; or  Statewide in shaded areas on t=T, E, & S Map - After June 3, 1994) Y /  N / NA
- 15. Conflicts Y /  N QUASI-MIN - NO
- 16. Conditions? (BOR, GW, other) Y /  N Refer to Bill Fyji Memo.
- 17. Land use approval  OK'd  needs approval  county notified  NA
- 18. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 15  19 -  SWR)
- 19. Letter will be Good Limited Bad Bad w/IRshort because \_\_\_\_\_

CC: (WRE BRYAN FLAVIN)

Name: [Signature]

Date: 10-22-97

Don't count  
Swiftness  
↳ Lobster.

**Bob Rice, John Drol, Nesika Beach Water District G**

---

To: Bob Rice, John Drolett Al Cook, Anita Mcloud  
From: Bill Fujii <William.H.FUJII@wrд.state.or.us>  
Subject: Nesika Beach Water District G 14016  
Cc: Charlotte Haynes, Patrick Lee  
Bcc:  
Attached:

I have reviewed the Nesicka Beach Water District application, because of the small size, unclear rate of growth and the unknown potential impacts to fish habitat of this application it is not clear that a Division 86 water management and conservation plan should be required. After consultation with the Region Manager, we have determined that the applicant should be advised that there "may" be a requirement for a Water Management and Conservation Plan under OAR 690 Division 86.

This is especially important because of the Department's on going role in the Salmon Recovery Plan. If at the time of the development of the PFO any of the State Agencies or Region Staff request such a plan - RMD would not object.

I have printed a copy of this "E-mail" for the file.

(b) (A) To support aquatic life and minimize pollution, in accordance with Section 3, Chapter 796, Oregon Laws 1983, no appropriations of water shall be made or granted by any state agency or public corporation of the state, for the waters of the following Illinois River tributaries listed in Table 5, Section B when flows are below the specified levels. This limitation shall not apply to:

(i) Domestic and livestock use. Domestic use does not include irrigation of lawns and gardens.

(ii) Water legally stored or released from storage subject to provisions of Section A 5.

(B) Attainment of the specified flow levels during some portion of the year will require development of water storage or implementation of other measures to augment flows.

(4) Water Quality

Rights to use of water for industrial, power development, or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with recreational, fish life, or other beneficial uses of water.

(5) Existing Rights

This program does not modify, set aside or alter any existing right to use water or the priority of such use established under existing laws.

**690-515-007 Lower Rogue Basin**

(1) Classifications

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Lower Rogue River Basin and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, agricultural use, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the Lower Rogue River Basin are hereby so classified with the following exceptions:

(A) The maximum economic development of this state, the attainment of the highest and best use of the waters within the Rogue River Scenic Waterway from the confluence with Applegate River near river mile 95 to Lobster Creek Bridge near river mile 11 and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, and irrigation of one-half acre noncommercial garden, and instream use for recreation, wildlife and fish life uses and the aforementioned waters of the Rogue River Scenic Waterway are hereby so classified.

(B) Those waters on which further development is restricted by ORS 538.270 and 542.210.



(C) To protect, maintain and perpetuate anadromous fish habitat and propagation within the Lower Rogue Basin, the waters of the following stream reaches of tributaries to the Rogue River shall not be diverted, interrupted or appropriated for hydropower development purposes:

(i) Lobster Creek from the confluence of the North and South Forks of Lobster Creek, downstream to the mouth.

(ii) North Fork Lobster Creek from the intersection with the east line of Section 15, Township 34 South, Range 13 West, Willamette Meridian, downstream to the mouth.

(iii) South Fork Lobster Creek from the intersection with the east line of Section 30, Township 34 South, Range 12 West, Willamette Meridian, downstream to the mouth.

(iv) Shasta Costa Creek from the intersection with the east line of Section 35, Township 34 South, Range 11 West, Willamette Meridian, downstream to the mouth.

(v) Foster Creek from the intersection with the west line of Section 12, Township 34 South, Range 12 West, Willamette Meridian, downstream to the mouth.

(vi) Quosatana Creek from the intersection with the projected south line of Section 23, Township 36 South, Range 13 West, Willamette Meridian, downstream to the mouth.

(vii) Jim Hunt Creek from the intersection with the south line of Section 14, Township 36 South, Range 14 West, Willamette Meridian, downstream to the mouth.

(viii) Mule Creek from the intersection with the east line of Section 26, Township 32 South, Range 10 West, Willamette Meridian, downstream to the mouth.

(b) Applications for the use of the waters of the Lower Rogue River Basin shall not be accepted by any state agency for any other purpose than those specified in Section A and the granting of applications for such other purposes is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated, coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications, are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE

Stream: ROGUE R @ mouth

Water Availability Subbasin: 0100000000000000

ID Number: 266

Exceedance Level: 80

Time: 14:57

Date: 10/22/1997

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	6870.00	617.00	6250.00	1.17	6250.00	3500.00	2750.00
2	10300.00	1850.00	8450.00	1.83	8450.00	3500.00	4950.00
3	9300.00	1410.00	7890.00	1.35	7890.00	3500.00	4390.00
4	7670.00	989.00	6680.00	7.87	6670.00	3500.00	3170.00
5	6060.00	223.00	5840.00	6.99	5830.00	3000.00	2830.00
6	3420.00	422.00	3000.00	4.34	2996.00	2700.00	296.00
7	2080.00	504.00	1580.00	5.05	1575.00	2000.00	-425.00
8	1650.00	453.00	1200.00	4.02	1196.00	2400.00	-1204.00
9	1580.00	370.00	1210.00	2.61	1207.00	2400.00	-1193.00
10	1920.00	117.00	1800.00	0.71	1799.00	1600.00	199.00
11	2740.00	159.00	2580.00	0.23	2580.00	3500.00	-920.00
12	5750.00	255.00	5490.00	0.65	5490.00	3500.00	1990.00
Stor	5690000	511000	5180000	2200	5180000	2100000	3180000

+  
+  
+  
+164

DETAILED REPORT OF ISWRs

Basin: ROGUE

Stream: ROGUE R @ mouth

Water Availability Subbasin: 0100000000000000

Time: 14:57

Date: 10/22/1997

7 = +1490  
8 = +201  
9 = +272  
11 = +1645

APP #	-91503D	266A	0	0	0	RESULTANT
STATUS:	Scenic WW	Cert.				
1	3500.00	935.00	0.00	0.00	0.00	3500.00X
2	3500.00	935.00	0.00	0.00	0.00	3500.00X
3	3500.00	935.00	0.00	0.00	0.00	3500.00X
4	3500.00	935.00	0.00	0.00	0.00	3500.00X
5	3000.00	935.00	0.00	0.00	0.00	3000.00X
6	2700.00	935.00	0.00	0.00	0.00	2700.00X
7	2000.00	935.00	0.00	0.00	0.00	2000.00X
8	2400.00	935.00	0.00	0.00	0.00	2400.00X
9	2400.00	935.00	0.00	0.00	0.00	2400.00X
10	1600.00	935.00	0.00	0.00	0.00	1600.00X
11	3500.00	935.00	0.00	0.00	0.00	3500.00X
12	3500.00	935.00	0.00	0.00	0.00	3500.00X

Add Back  
↳ Websterck

Do not consider SWW  
This below Scenic WW

And there is W.A. above the 935 cfs ISWR  
DSM

WATER AVAILABILITY TABLE

Basin: ROGUE Exceedance Level: 80  
 Water Availability Subbasin: 0100000000000000 (and Nested Subbasins)  
 Time: 14:57 Date: 10/22/1997

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	NO	NO	NO	YES	NO	YES	YES

STREAM NAMES

Basin: ROGUE  
 Water Availability Subbasin: 0100000000000000 (and Nested Subbasins)  
 Time: 14:57 Date: 10/22/1997

*yes →*

WAB #	Stream Name	Tributary to
0100000000000000	ROGUE R @ mouth	PACIFIC OCEAN

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0100000000000000  
 Basin: ROGUE  
 Exceedance Level: 80  
 Time: 14:57 Date: 10/22/1997

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	0100000000000000	ROGUE R @ mouth	YES	2750.0
2	0100000000000000	ROGUE R @ mouth	YES	4950.0
3	0100000000000000	ROGUE R @ mouth	YES	4390.0
4	0100000000000000	ROGUE R @ mouth	YES	3170.0
5	0100000000000000	ROGUE R @ mouth	YES	2830.0
6	0100000000000000	ROGUE R @ mouth	YES	296.0
7	0100000000000000	ROGUE R @ mouth	NO	-425.0
8	0100000000000000	ROGUE R @ mouth	NO	-1204.0
9	0100000000000000	ROGUE R @ mouth	NO	-1193.0
10	0100000000000000	ROGUE R @ mouth	YES	199.0
11	0100000000000000	ROGUE R @ mouth	NO	-920.0
12	0100000000000000	ROGUE R @ mouth	YES	1990.0
Stor	0100000000000000	ROGUE R @ mouth	YES	3180000.0

New App #	Acres	Use	Prim/Supp	Existing APP #	PERMIT	CERT #	Status	Use	Acres	Prim/Supp
G 14016	0.00	OM	P							
35.00S14.00W 8		NESW	Conflicts:	S 39691	S 29482	35855	V	IR	3.000	P
G 14016	0.00	OM	P							
35.00S14.00W 8		NWSE	Conflicts:	S 39691	S 29482	35855	V	IR	17.400	P
G 14016	0.00	OM	P							
35.00S14.00W 8		SENE	Conflicts:	S 39691	S 29482	35855	V	IR	2.200	P
				S 39765	S 29535	35630	V	IR	19.700	P
G 14016	0.00	OM	P							
35.00S14.00W 8		SESW	Conflicts:	S 29259	S 23078	26462	V	IR	0.300	P
G 14016	0.00	OM	P							
35.00S14.00W 8		SWNE	Conflicts:	S 39691	S 29482	35855	V	IR	4.000	P
G 14016	0.00	OM	P							
35.00S14.00W17		NENW	Conflicts:	S 29259	S 23078	26462	V	ID	0.400	P
G 14016	0.00	OM	P							
35.00S14.00W17		NWNW	Conflicts:	S 29259	S 23078	26462	V	IR	0.100	P
G 14016	0.00	OM	P							
35.00S14.00W17		NWSW	Conflicts:	R 75943	R 101146	73743	V	FW	0.000	P
				S 57753	S 43500	55029	V	IR	3.000	P
G 14016	0.00	OM	P							
35.00S14.00W17		SWSW	Conflicts:	S 59812	S 44650	55035	V	IR	7.000	P
G 14016	0.00	OM	P							
35.00S14.00W19		NESE	Conflicts:	S 69558	S 50230	67290	V	DD	0.000	P
G 14016	0.00	OM	P							
35.00S14.00W20		NWNW	Conflicts:	S 48055	S 36055	42387	V	DD	0.000	P
G 14016	0.00	OM	P							
35.00S14.00W20		SWNW	Conflicts:	S 48055	S 36055	42387	V	DI	0.000	P
G 14016	0.00	OM	P							
35.00S14.00W30		SWNE	Conflicts:	S 55482	S 41505	54009	V	DI	0.000	P
G 14016	0.00	OM	P							
35.00S14.00W 5		SWSW	Conflicts:	S 55274	S 47903	55213	V	DI	0.000	P
G 14016	0.00	OM	P							

36.00S14.00W 8	NENW	Conflicts:	S	54900	S	47479	55431	C	DD	0.000	P
0	14016	0.00	QM	P							
36.00S14.00W 9	NESW	Conflicts:	S	59754	S	52594	0	V	TR	0.500	P
0	14016	0.00	QM	P							
36.00S15.00W12	SESE	Conflicts:	S	60345	S	45697	0	C	DN	0.000	P

# APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)  
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-14016

Applicant: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT

County: CURRY

Watermaster: District 19

Priority Date: March 29, 1995

Source: A WELL IN ROGUE RIVER BASIN

Use: QUASI-MUNICIPAL

Quantity: 0.5 CUBIC FOOT PER SECOND

Basin Name & Number: South Coast, #17

Stream Index Reference: Volume 3 EUCHRE CR & MISC

Point of Diversion Location: SESE, SECTION 9, T35S, R14W, W.M.; 512 FEET NORTH  
& 2538 FEET EAST FROM SW CORNER, SECTION 9

Place of Use: %%NWNE %%SWNE %%SENE %%NESW %%SESW %%NWSE  
%%SWSE @@SECTION 8 %%NENW %%NWNW %%SWNW %%SESW  
%%NWSW %%SWSW @@SECTION 17 %%NENE %%NESE %%SWSE %%SESE  
@@SECTION 19 %%NWNW %%SWNW %%NWSW %%SWSW @@SECTION 20  
%%NENE %%NWNE %%SWNE %%SESW %%NESW %%NWSE %%SWSE  
@@SECTION 30 35 S 35 SOUTH, RANGE 14 WEST, W.M. %%NESW %%SWSW

%%NWSE @@SECTION 5 %%NWNW %%SWNW %%NWSW %%SWSW  
@@SECTION 6 %%NWNW @@SECTION 7 %%NENE %%NWNE %%SWNE  
%%SENE %%NENW %%NESE %%NWSE @@SECTION 8 %%SWNW %%SENW  
%%NESW %%NWSW %%NESE %%NWSE @@SECTION 9 35 S 36 SOUTH, RANGE  
14 WEST, W.M. %%NENE %%NWNE %%SWNE %%SENE %%NESE %%SESE  
@@SECTION 12 35 S 36 SOUTH, RANGE 15 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Tuesday, November 25, 1997

PUBLIC NOTICE DATE: Tuesday, December 2, 1997

30 DAY COMMENT DEADLINE DATE: Thursday, January 1, 1998

Minimum Flows / Instream Water Rights

in the County of                   CURR  
A right to use the waters of       ROGUE R > PACIFIC OCEAN  
in basin                             15  
for the purpose of                 SUPPORTING AQUATIC LIFE AND MINIMIZING POLLUTION

for flows IN ROGUE RIVER AND ITS TRIBUTARIES ABOVE ITS MOUTH (SEC. 30,  
T 36S, R 15W, WM).

The date of priority is            2/24/1966  
                                      Oct 1     935.0   cfs

Conditions:

This instream water right shall not affect domestic or livestock  
uses or waters legally stored or legally released from storage

This instream water right shall not affect rights to appropriate  
water from the main stem Rogue River, for the irrigation of one  
acre or less, with priority dates earlier than June 19, 1984.

The flows listed above include flows established by earlier  
dated instream water rights

Comments: EPD

Basin   ROGUE R MISC                   Vol 1A       Dist 19  
Certificate:   59848                   Application: MF   266



MIN FLOW	MINUS	ISWR	+ SWW	- ISWR	NET
1) 6250	-	3500	3500	935	2750
2) 8450		3500	3500	935	4950
3) 7890		3500	3500	935	4390
4) 6670		3500	3500	935	3170
5) 5830		3000	3000	935	2830
6) 2996		2700	2700	935	296
7) 1575		2000	2000	935	-425
8) 1196		2400	2400	935	-1204
9) 1207		2400	2400	935	-1193
10) 1799		1600	1600	935	199
11) 2580		3500	3500	935	<del>-920</del>
12) 5490		3500	3500	935	1990

			<u>NET</u>
2750	+ 3500	= (6250 - 935)	5315
4950	+ 3500	(8450 - 935)	7515
4390	+ 3500	(7890 - 935)	6955
3170	+ 3500	(6670 - 935)	5735
2830	+ 3000	(5830 - 935)	4895
296	+ 2700	(2996 - 935)	2061
-425	+ 2000	(1575 - 935)	640
-1204	+ 2400	(1196 - 935)	261
-1193	+ 2400	(1207 - 935)	272
199	+ 1600	(1799 - 935)	864
-920	+ 3500	(2580 - 935)	1645
1990	+ 3500	(5490 - 935)	4555

# Mailing List for IR Copies

Application #G-14016

IR Date: November 11, 1997

## Original mailed to:

Applicant: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT, 32892 NESIKA RD, GOLD BEACH, OREGON 97444

## Copies sent to:

1. WRD - File # G-14016
2. WRD - Water Availability: Ken Stahr

## IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 19
4. WRD - Regional Manager (not Bob Main):SWR
5. ODFW District Biologist: (CURRY County)TODD CONFER
6. DEQ (Portland): Deb Sturdevandt

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

7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_

Copies Mailed  
By: Coke  
(SUPPORT STAFF)  
on: 11/7/97  
(DATE)

Div. 33 Statewide Rules  
\*\*\*USE SALMON PAPER\*\*\*

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. G-14016

State of Oregon  
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Groundwater

Applicant(s) Nesika Beach Water Dist / Ophir Water Dist  
(Please print or type - use dark ink)

Mailing Address: 32892 Nesika Road  
Gold Beach Oregon 97444 247-2614  
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. THE DEVELOPMENT (number of wells, tile lines, infiltration galleries, etc.):  
one infiltration gallery within the floodway of  
the Rogue River

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: \_\_\_\_\_

Elevation difference between streambed and development: \_\_\_\_\_

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: 12"/8' stainless screen Depth in feet: 45'

Type and size of well casing: 12" steel No. of feet: \_\_\_\_\_

Estimated depth to water: 32'-35'

Type of access port or measuring device: bolted flange

Wells to be drilled by: \_\_\_\_\_

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

If the water well is flowing artesian, describe your water control and conservation works: \_\_\_\_\_

N/A

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: 0.5 cubic feet per second, OR \_\_\_\_\_ gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: \_\_\_\_\_

SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

3. INTENDED USE(S) OF WATER: Quasi-Municipal

If for more than one use, give the quantity of water from each source for each use: \_\_\_\_\_

If for DOMESTIC use, state the number of households to be supplied: \_\_\_\_\_

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

626 current services / projected growth is expected to double next 10 years / see "exhibit A" for current and projected service areas.

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served: \_\_\_\_\_

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation \_\_\_\_\_

Other (describe) \_\_\_\_\_

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

see "exhibit B"

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin \_\_\_\_\_

Proposed date construction work will be completed \_\_\_\_\_

Proposed date water use will be completed \_\_\_\_\_

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.



SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

       Applicant       CWRE             Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

       Applicant       CWRE             Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? no. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS: application is for Quasi-Municipal use

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Signature of Co-Applicant, if any \_\_\_\_\_ Date \_\_\_\_\_

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before \_\_\_\_\_, 19\_\_\_\_.

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

Water Resources Director

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at \_\_\_\_\_ Oregon, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

APPLICATION NO: \_\_\_\_\_



Application No. 6-14016  
 Permit No.  
 Oregon Water Resources Department

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.  
 SALEM, OREGON

FORM M

FOR MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).  
 An acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: NESIKA BEACH WATER DISTRICT

Name and size of area to be served: \_\_\_\_\_  
 (in square miles)

Present population of service area: 620 SERVICE HOOKUPS (1980±)  
 (Cite source and year.)

Projected population in 20 years: 4000  
 (For example: "20,595 Based upon 1995 Portland State University projections." Contact county planning staff, if needed.)

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:
<u>4/18/1967</u>	<u>ROGUE RIVER</u>	<u>0.20 CFS</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Water Use

Average yearly demand: 48,000,000 AFY Year: 1995-96

Per-capita daily consumption (in gallons): 110  
 (Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 6-1 to 9-30 Total peak season demand: 23,000,000 Acre-feet  
gals.

Peak season per-capita consumption: 19,150 gals.  
 (Divide total peak season demand by population)

Annual amount of water:

produced: 48,000,000  
 (diverted or pumped)

delivered: 48,000,000

Is your system fully metered?  Yes  No

Describe your rate structure: \$15.00 per mo. for 21000 gals. then \$1.30 per thousand.  
 (e.g. flat rate, increasing or decreasing block rate or combination of different systems)

**Request for Water**

A. Discuss the reason(s) for your request for additional water  
(e.g. loss of current supply, peak demand, growth, or other): growth

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B. How long is the amount of water requested in this application expected to meet future needs?  
(e.g. until the year 2040) 2050

C. Briefly discuss operation of water system and the most constraining component of the system:

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D. Percentage of water use by type:

Residential: <u>100%</u>	Commercial: _____
Public Authority: _____	Agricultural: _____
Unaccounted for use: _____	Industrial: _____
Other(specify use): _____	

E. List cost to implement proposed request.

*Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)*

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F. How and by how much will your proposed water use efficiency programs increase efficiency?  
(Express as a percentage of per-capita consumption.)

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WATER RESOURCES DEPT.  
SALEM, OREGON

7/15/1997

\*\*\* OREGON WATER RESOURCES DEPARTMENT \*\*\*

Select by application G 14016

Name: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT  
 32892 NESIKA RD  
 GOLD BEACH, OR 97444

County : CURRY  
 Status : NON-CANCELLED  
 Certificate type:  
 Certificate date: 3/29/1995

Application: G 14016  
 Permit : 0  
 Certificate: 0  
 Supercedes certificate:

Related documents: APP-G3788, PERMIT-G3571, CERT 37549

Remarks :

Sources : A WELL IN ROGUE RIVER BASIN

Purposes: QUASI-MUNICIPAL.

Rates : 0.5 CUBIC FOOT PER SECOND

Priority:

Application No. G-14016  
Permit No.

Source	Use	P/S	Priority	Quantity	Location	LOT/DLC	Status
A WELL > ROGUE R	QM	P	3/29/1995	0.5000CFS	35 S 14 W 9 SESE		V

Legal description: 512 FEET NORTH & 2538 FEET EAST FROM SW CORNER, SECTION 9

Points of appropriations:	Use	P/S	Location	DLC/LOT	Acres	Status
=====						
	QM	P	35 S 14 W 8 NWNE			V
	QM	P	35 S 14 W 8 SWNE			V
	QM	P	35 S 14 W 8 SENE			V
	QM	P	35 S 14 W 8 NESW			V
	QM	P	35 S 14 W 8 SESW			V
	QM	P	35 S 14 W 8 NWSE			V
	QM	P	35 S 14 W 8 SWSE			V
	QM	P	35 S 14 W 17 NENW			V
	QM	P	35 S 14 W 17 NWNW			V
	QM	P	35 S 14 W 17 SWNW			V
	QM	P	35 S 14 W 17 SENW			V
	QM	P	35 S 14 W 17 NWSW			V
	QM	P	35 S 14 W 17 SWSW			V
	QM	P	35 S 14 W 19 NENE			V
	QM	P	35 S 14 W 19 NESE			V
	QM	P	35 S 14 W 19 SWSE			V
	QM	P	35 S 14 W 19 SESE			V

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QM	P	35	S	14	W	20	NWNW	V
QM	P	35	S	14	W	20	SWNW	V
QM	P	35	S	14	W	20	NWSW	V
QM	P	35	S	14	W	20	SWSW	V
QM	P	35	S	14	W	30	NENE	V
QM	P	35	S	14	W	30	NWNE	V
QM	P	35	S	14	W	30	SWNE	V
QM	P	35	S	14	W	30	SENE	V
QM	P	35	S	14	W	30	NESW	V
QM	P	35	S	14	W	30	NWSE	V
QM	P	35	S	14	W	30	SWSE	V
QM	P	36	S	14	W	5	NESW	V
QM	P	36	S	14	W	5	SWSW	V

V Continuing: G 14016

Points of appropriations:

=====

Use	P/S	Location						DLC/LOT	Acres	Status
QM	P	36	S	14	W	5	NWSE			V
QM	P	36	S	14	W	6	NWNW			V
QM	P	36	S	14	W	6	SWNW			V
QM	P	36	S	14	W	6	NWSW			V
QM	P	36	S	14	W	6	SWSW			V
QM	P	36	S	14	W	7	NWNW			V
QM	P	36	S	14	W	8	NENE			V
QM	P	36	S	14	W	8	NWNE			V
QM	P	36	S	14	W	8	SWNE			V
QM	P	36	S	14	W	8	SENE			V
QM	P	36	S	14	W	8	NENW			V
QM	P	36	S	14	W	8	NESE			V
QM	P	36	S	14	W	8	NWSE			V
QM	P	36	S	14	W	9	SWNW			V
QM	P	36	S	14	W	9	SENE			V
QM	P	36	S	14	W	9	NESW			V
QM	P	36	S	14	W	9	NWSW			V
QM	P	36	S	14	W	9	NESE			V
QM	P	36	S	14	W	9	NWSE			V
QM	P	36	S	15	W	12	NENE			V
QM	P	36	S	15	W	12	NWNE			V
QM	P	36	S	15	W	12	SWNE			V
QM	P	36	S	15	W	12	SENE			V
QM	P	36	S	15	W	12	NESE			V
QM	P	36	S	15	W	12	SESE			V

Application No. G14014  
Permit No.

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WATER RESOURCES DEPT.  
SALEM, OREGON

Nesika Beach Water District

Nesika Beach Water District is a "Community water system" located north of the City of Gold Beach. The District obtains water in the Rogue River drainage basin and services connections north of the Rogue River. Portions of the system are also located in the Nesika Beach area and north along Highway 101 toward Ophir.

Water for Nesika Beach is obtained from a well that is 40 feet deep and located on the north bank of the Rogue River approximately 400 feet upstream from Squaw Creek. The well head is located in a gravel bar on the Rogue River. The pump house is approximately 200 feet away from the well, next to the county roadway. A 30 HP turbine pump with a pump rate of 245 gpm is used to convey water from the well and into the distribution line. There are approximately 15 miles of waterline in the Nesika Beach system, water line sizes range from 8 inch to 2 inch. Water storage facilities consist of three storage tanks; there is a 32,000 gallon tank located in the Indian Hills region, a 200,000 gallon tank in the Ophir area, and another 200,000 gallon tank in the vicinity of Nesika Beach. Water usage is monitored by a master meter at the well.

Nesika Beach Water District has a total of 637 connections; currently, 449 of these connections are active and 188 are dormant or in-active. Nesika Beach W.D. recognizes four commercial or multi-use accounts; these are: Nesika Beach Rest Area, Honey Bear RV Park (65 spaces), Nesika Beach RV Park (30 spaces), and Rogue River RV Park (unknown number of spaces). The resident population in Nesika Beach W. D. has been estimated at between 1,000 and 1,200 people. Based on master meter readings provided by District personnel, current and predicted water usage are as follows:

	1996 Estimate	2016 Predicted
Average day demand (gpd)	131,454	180,572
Max. Month Demand (gpd)	211,175	290,079
Maximum Day Demand (gpd)	328,750	451,585
Annual Growth in Usage		1.60%

Water rights consist of 0.2 cfs from a well described as a tributary to the Rogue River.

The District is aware of the need for additional water rights. A water purchase agreement with the City of Gold Beach should be considered in lieu of additional water rights.

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WATER RESOURCES DEPT.  
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## NESIKA BEACH WATER DISTRICT

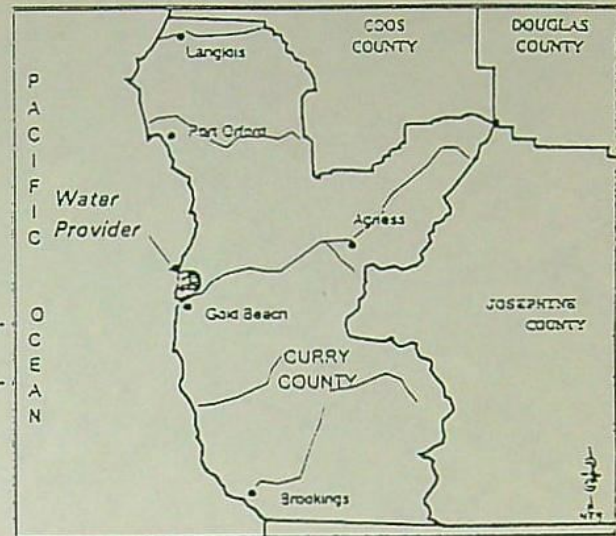
**PROVIDER:**

Nesika Beach Water District  
District Manager  
32892 Nesika Road  
Gold Beach, OR 97444  
(541) 247-2614  
Mr. Leon Lynch

**BASIN**

Rogue River

**LOCATION MAP**



**TYPE OF SYSTEM:**

Small Community

**POPULATION DATA:**

	1996	2006	2016
Population	1,078	1,263	1,481
Res. EDUs	449	526	617
Ave Household	2.40	2.40	2.40
Total EDUs	544	638	747
Equivalent Population	1,306	1,531	1,794
Population Growth Rate*	1.60%		

\*Source County Comp. Plan

**WATER DEMANDS:**

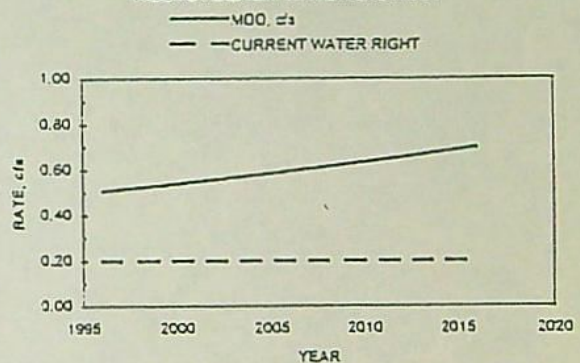
	1996	2006	2016
Average Day Demand, gpd	131,454	154,068	180,572
Per Capita	101		
Max. Month Demand, gpd	211,175	247,502	290,079
Per Capita	162		
Max Day Demand, gpd	328,750	385,303	451,585
Per Capita	252		

**SOURCE(S):**

	WRD ID #	Priority	Rate, cfs
Well	37549	c 4/18/67	0.20

Total Water Right in Current Use 0.20

**NESIKA BEACH WATER DISTRICT**



**INSTREAM WATER RIGHTS, (cfs)**

Name	July	Aug.	Sept.
Rogue River	735.00	735.00	735.00

Certificate No.  
Priority Date 5/22/59 2/24/66

**DESCRIPTION OF SOURCE(S):**

Name	Type	WRD - Use	Owner Use	Township-	Range-	Section	Comments
Well	Water Well	DO	CM	36 S	14 W	9 SESE	less than demands

**Remarks:**

- Source is less than current demands.
- Well head inaccessible during flooding.
- Provider does not distinguish commercial accounts from residential accounts
- Back-up power for supply may not be available
- Could purchase water from City of Gold Beach as alternate or augmented supply source

9-29-96  
by number

1010	Merz, John	32500 Highway 101
1020	Anderson, Darlene	32502 Highway 101
1030	Fickes, Miles	32504 Highway 101
1040	& Rec. Division, Oregon Parks	Geisel Monument
1042	Figueredo, J.	Nesika Rd. (Woodland Subdivision)
1043	Koenig, Johan	32899 Nesika Rd.
1050	Freid, Victor	32896 Nesika Road
1060	Archambault, Alcyon	32762 Nesika Road
1062	Githens, M.R.	Nesika Road
1064	Brayer, Herbert	
1066	Cooper, Robert	
1070	Williams, Karen	94461 Gun Club Road
1075	Boge, Joyce & Ann	94455 Gun Club Road
1080	Tilbury, David	94435 Gun Club Road
1081	Tilbury, David	
1082	Flatebo, Torlieve	????
1083	Carpenter, Dorothy	32800 Kilgore Road
1088	Huth, Clinton	
1089	Huth, Clinton	
1090	Huth, Clinton	94442 B Street
1100	Escover, Manuel	94449 B Street
1110	Blackwell, William	94460 B Street
1120	Tanguay, Laurie	94461 B Street
1130	Marino, James	94470 B Street
1140	Marks, Edwin	94469 B Street
1150	Brewster, Robert	94472 A Street
1155	Howard, Mike	94494 Shadow Lane
1156	Terry, J.D.	94523 Shadow Lane
1157	Freeman, Dugie	94534 Shadow Lane
1160	Donnel, H.R.	94531 Shadow Lane
1170	Krieger, Tyson	94541 Shadow Lane
1180	Dishner, W.A.	94553 Shadow Lane
1190	Fox, Fleet	94561 Shadow Lane
1200		94568 Shadow Lane
1205	Waits, Larry	94577 Shadow Lane
1210	Fowler, Lois	94578 Shadow Lane
1220	Aldridge, Thomas	94590 Shadow Lane
1230	Johnson, Alice	94592 Shadow Lane
1240	Sherman, Bill	
1250	Shawgo, Mrs. Edna	94483 A Street
1260	Wirsing, Robert	94470 A Street
1270	Nelson, Mike	94471 A Street
1280	Slagle, Pattie	94460 A Street
1290	Briggs, Ted R.	94455 A Street
1300	Bambridge, Shirley	94451 A Street
1305	Tilbury, David	
1310	Carpenter, Glenn	94439 A Street
1320	Tilbury, David	94430 A st
1330	O'Brien, Hilda	94429 A Street
1340	Vanina, Rose	94423 A Street
1350		94422 A Street
1360	Hoenie, David	32864 Nesika Road
1370	Read, Jean	North side Rocha access
1380	Short, Kermit	32858 Nesika Road
1390	Nix, Maxine	gas station
1392	High, Heather	32865 Nesika Rd.
1400	Curtis, Willard	94474 Williams St.
1410	Merz, Paul	94454 Willaims St.
1420	Hempt, Frederick	32890 Surfside Dr.

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Application No. C-14016  
Permit No.

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1430	Hollis, Betty	32900	Surfside Drive
1440	Blackwell, Martin	32901	Surfside Dr.
1450	Corbin, David	32899	Surfside Dr.
1460	Moore, Tommy	32903	Andy St.
1470	Engdahl, Norris	32922	Andy St.
1480	Scott, Juli	32915	Andy St.
1490	Kruse, Laurie	32937	Andy St.
1500	Hail, David	32930	Andy St.
1510	Body Shop, Barton's	32918	Nesika Rd.
1520	Kistemaker, Marie		Chandler Rd.
1525	Logsdon, George		Chandler Rd.
1530	Davies, Jean		RV Park-Chandler Rd.
1540	Wilks, Gerald	94531	Chandler Rd.
1550	Repp, Van	94548	Chandler Rd.
1560	Foster, Jodie	94539	Chandler Rd.
1570	Johnson, Merland	94552	Chandler Rd.
1580	Steak, Charles	94558	Chandler Rd.
1590	Barrow, Katherine	94566	Chandler Rd.
1600	Flowers, Joyce	94572	Chandler Rd.
1610	Turner, William	94549	Chandler Rd.
1620	Starkweather, Paul	94561	Chandler Rd.
1630	Adams, Ben	94569	Chandler Rd.
1640	Reaser, Rose	94576	Chandler Road
1650	Couture, Jeanette	94582	Chandler Rd.
1660	Beyerlin, Robert	94575	Chandler Rd.
1662	Sevey, John		
1664	Collins, Larry		
1670	Jones, G. & M.	32956	Nesika Rd.
1675	Carter, Lee		
1680	Lumpkins, Elsie	32980	Nesika Rd.
1690	Holland, Ralph	32990	Nesika Rd.
1700	Lumpkins, Dempsey	32990	Nesika Rd.
1710	Franks, Bill	33004-22	Nesika Rd.
1715	Glucklich, Ariel		Nesika Rd.
1720	Arsenault, Ann		
1730	Arsenault, Ann G.	33032-44	Nesika Rd.
1740	Sherman Shop	33023	Nesika Rd.
1750	Freid, Victor	33041	Nesika Rd.
1755	Deffebach, Beverly		
1760	Research, Quater	33066	Nesika Rd.
1770	Nelson, Grant	33085	Nesika Road
1780	Raymond, Mark	33113	Nesika Rd.
1790	Sorensen, Shirley	33170	Nesika Rd.
1792	Chase, Rose Mary	331??	Nesika Rd.
1794	Foster, Sharron		old abandoned 101
1800	Vreedenburgh, Ray	33310	Nesika Rd.
1810	Pilgrim, Don	33134	Nesika Rd.
1812	Pilgrim, Don	33132	Nesika Rd.
1814	Dawson, Roy	33136	Nesika Road
1820	Murphy, Gail	33130	Nesika Rd.
1830	Appolonari, Dante		Nesika Rd.
1840	Hurd, Barry	33120	Nesika Rd.
1850	Ginsberg, Kenneth	33112	Nesika Rd.
1860	Heller, Brian	33080	Nesika road
1870	Morris, Robert	94501	Hayden Rd1
1880	Wood, Delores	94500	Hayden Rd.
1885	Darling, Thomas		Hayden Rd.
1886	Newman, Rand		
1890	Falosky, Kenneth		behind N.B.Center near Halyden Rd.

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1895	Metz, Carolyn	94542	Hayden Rd.
2010	Case, Charles	33055	Nesika Rd.
2020	Heyne, Allen	94589	Grange Rd.
2030	Smith, Carol	94613	Grange Rd.
2040	Knowlton, Elsie	94619	Grange Rd.
2045	Kruse, George	94608	Grange Road
2047	Watkins, Lynn	94625	Grange Road
2050	Vasquez, Lillian	94635	Grange Road
2060	Waits, Joe	94634	Grange Rd.
2070	Vasquez, Lillian	94639	Grange Rd.
2080	McGrath, Nancy	94646	Grange Rd.
2090	Andrews, Mary	94657	Grange Rd.
2095	Ashcraft, Myron	94657	Grange Road
2100	Hanks, Ronald	94670	Grange Rd.
2110	Moore, Jean	94684	Grange Rd.
2120	Sizemore, Gary	94697	Grange Rd.
2130	Colby, Darlene	94677	Grange Rd.
2140	Fendrich, Jerry	33377	Ophir Rd.
2145	Osborne, George	33327	Ophir Rd.
2150	Sampo, Jeff	33303	Ophir Rd.
2160	Hooker, Herbert	33300	Ophir Rd.
2165	Wadlington, E. F.	33278	Ophir Rd.
2170	Ward, James	33277	Ophir Rd.
2180	Bryer, Robert		on access to Ward
2190	Hall, Don	33280	Ophir Rd.
2200	Meszaros, Ria & Mike	33261	Ophir Rd.
2210	Gurney, M. S.	33260	Ophir Road
2220		33241	Ophir Rd.
2230	Meadows, Rory	33205	Ophir Rd.
2240	Goeres, Betty J.	33201	Ophir Rd.
2245	Pierson, Fred		
2250	Sherman, Frank	94733	Hardtack Rd.
2255	Young, Alan		
2257	Smith, Daniel		
2260	Curtin, Bruce	94761	Hardtack Rd.
2270	Sherman, Daniel	94757	Hardtack Rd.
2280	Carter, Donald	33050	Hillside Acres
2290	Bradley, Ronald	94800	Adams Rd.
2300	Brooks, Lois	94787	Adams Rd.
2310	Wilson, Richard	94786	Adams Rd.
2315	Dumat, Peter		
2320	Voshall, Jeff	94761	Adams Rd.
2330	Geninatti, Felix	94747	Adams Rd.
2340	Taubner, Chuck	94746	Adams Rd.
2342	Brooks, David		
2345	Lowell, Delos	Adams Rd.	
2350	Nickell, Kathy	94705	Adams Rd.
2360	Shaffar, Clifford	94706	Adams Rd.
2370	Hutton, Dorothy	94701	Adams Rd.
2380	Community Church, Ocean View	33055	Hillside Acres
2390	Hooker, Terrell	33055	Hillside Acres
2400	Covey, Pamela	33038	Hillside Acres
2405	Mitchell, Charles	33023	Hillside Acres
2410	Smithers, Duane	33021	Hillside Acres
2420	Holzinger, Fred	33019	Hillside Acres
2425	Belzae, Gordon		
2430	Nelson, Linda	32999	Hillside Acres
2440	Taylor, Debra	32964	Hillside Acres
2442	Sauer, B.T.	32962	Hillside Acres

2450	Rucker, Lewis	32953	Hillside Acres
2460	Johnson, Kay	32950	Hillside Acres
2470	Chanaud, Christopher	32954	Hillside Acres
2480	Shane, Roberta	32952	Hillside Acres
2485	Ricketts, G.	2929	Hillside Acres Rd.
2490	Jones, Frank	32916	Hillside Acres
2500	Stephens, Richard	94660	Raccoon Lane
2510	Hoefler, William	94662	Raccoon Lane
2520	Hochstetler, George	94664	Raccoon Lane
2530	Dorn, Elaine	94671	Raccoon Lane
2540	Hobron, Cleo	94680	Raccoon Lane
2550	Wells, Ruth	94679	Raccoon Lane
2560	Cogan, Stanley		Raccoon Lane
2565	Palmer-Hogan, Maureen	94690	Raccoon Lane
2568	Smothers, Ron		Hillside Acres Road
2570	Ingram, Rod	32890	Hillside Acres
2580	Wood, Larry	32881	Hillside Acres
2590	Pierson, Ervin	32850	Hillside Acres
2600	Barrett, James	32825	Hillside Acres
2610	Ronayne, W.P.	32847	Hillside Acres
2615	Trueblood, Eldon		
2620	Cox, Wallace	32845	Hillside Acres
2625	Stahl, Dean		
2630	Shufelt, Robert	32843	Hillside Acres
2640	Vorster, Christopher	32830	Hillside Acres
2650	Lamb, Linda	32810	Hillside Acres
2660	Kelly, Mrs. C.E.	32821	Hillside Acres
2670	Halcomb, Connie	32809	Hillside Acres
4000	Thomas, Jerry	31744	Rumley Hill
4010	St. Marie, Dale	31771	Rumley Hill
4020	Younce, Jon	31810	Rumley Hill
4030	Leonhart, Joseph	31835	Rumley Hill
4032	Preston, James		
4035	Senke, Hank	31747	Rumley Hill Rd.
4040	Cramer, Shirley	95774	Timber Hill
4050	Ferrara II, Nicolas	95802	Timber Hill
4060	Snider, Stone	95800	Timber Hill
4070	Kee, Charles	95782	Timber Hill
4080	Sollid, John	95772	Timber Hill
4090	Cox, Robert	95773	Timber Hill
4100	Burke, Bradford	95810	North Bank Rogue
4110	Pettingill, Michael	95808	North Bank Rogue
4115	Lukas, Ron	?????	North Bank Rogue
4117	Stanley, Toby	31721	Pedro Gulch
4120	Paul, Clayton	31721	Pedro Gulch
4130	Rouse, Charles	31737	Pedro Gulch
4140	McGrath, Douglas	31713	Pedro Gulch
4150	Sutters, Mel	31695	Pedro Gulch
4160	Halcumb, Kiki		
4170	Rammel, Bob	95755	North Bank Rogue
4180	Downer, Hugh	95748	Quail Mountain
4190	Schoppert, Thomas	95737	North Bank Rogue
4200	Duncan, Mary	95718	North Bank Rogue
4205	Long, Donald	95706	N. Bank Rogue
4210	Gale, Lauren	95702	North Bank Rogue
4215	Walén, Bob	95668	North Bank Rogue
4220	Amos, Everet	95664	North Bank Rogue
4230	Brock, Steve	95660	N. Bank Rogue
4240	Faas, Leonard	95650	North Bank Rogue

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4250	Johnson, Frank	North Bank Rogue
4260	Duvall, C. L.	95620 North Bank Rogue
4265	Mickelson, Richard	Carolyn Lane
4270	Baum, Mel	31690 Carolyn Lane
4275	Keusink, Christopher	31672 Quail Mountain Rd.
4280	Storer, Walter	Quail Mountain
4285	Santee, Gordon	95855 Quail Mountain Rd.
4290	Combs, Garrett	95822 Quail Mountain
4295	Waltz, James	Quail Mountain Rd
4300	Sloan, Owen	95789 Quail Mountain
4310	Carrasco, Valentine	Quail Mountain
4320	Giottonini, Dale	95714 Quail Mountain
4325	Conover, Curtis	95676 Quail Mountain Rd.
4330	Wade, Dennis	95689 Quail Mountain
4332	Johnston, James	
4335	Carey, Jim	31603 Peach Lane
4340	Mallar, Kenneth	95594 N. Bank Rogue
4350	Anderson, Dennis	North Bank Rogue
4360	Vernon, Janet	31641 Peach Lane
4370	Flynn, Don	31675 Peach Lane
4380	Clarno, David	95575 North Bank Rogue
4381	Thomas, Tracy	
4382	Rudder, Farelene	
4385	Androsko, Steve	
4390	Petersen, Erick	95533 North Bank Rogue
4392	Zuber, Bruce	
4400	Webb, Steven	95531 North Bank Rogue
4410	Turner, James Lee	95497 North Bank Rogue
4420	Delzer, Jacob	95499 North Bank Rogue
4430	Warr, Wilford	95511 North Bank Rogue
4440	Schmitt, Mrs. Louis	95495 North Bank Rogue
4450	Wilcox, Chas H.	95465
4460	Wierzba, Joseph	North Bank Rogue
4470	Jorgenson, Elaine	95468 North Bank Rogue
4480	Barke, Barbara	95411 N. Bank Rogue
4500	Barron, Rebecca	95403 North Bank Rogue
4510	Rogers, F.E.	95321 North Bank Rogue
4520	Fendrich, Stanley	95319 North Bank Rogue
4530	Gray, Graydon	95259 North Bank Rogue
4531	Killeen, John	
4533	Roberts, Enrol	
4535	Stuart, William	Indian Hills
4540	Andreson, Wilbur	Lot E Indian Hills
4542	Johnson, James R.	none
4545	Paul, Robert	Lot F Indian Hills
4546	Scardami, Donald	
4550	Aspinwall, Peter	Indian Hills
4551	Bowman Jr., Berwyn	97136 N Bank Rogue
4555	Killian, Jerry	95269 North Bank Rogue
4557	Simmons, Peter	Indian Hills
4558	Subdivision, Indian Hills	Master Meter
4559	Richmond, William	Indian Hills
4560	Richmond, Ralph	95261 North Bank Rogue
4570	Jordan, Donna	95224 North Bank Rogue
4580	Park, Rogue River	95194 North Bank Rogue
4590	Hintz, James	94965 North Bank Rogue
4600	Kunz, Ray	95008 North Bank Rogue
4610	Bowen, Alfred	95142 North Bank Rogue
4620	Riikula, Arvo	95144 Marchmont Rd.

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WATER RESOURCE  
SALEM, OREGON

4630	Clark, Graham	95140	Marchmont Rd.
4640	Descutner, Clyde	95175	Marchmont Rd.
4650	Lister, Nora	95015	North Bank Rogue
4660	Stewart, James	95020	North Bank Rogue
4670	Moore, Ralph	95027	North Bank Rogue
4680	Moxley, Bill	95033	North Bank Rogue
4690	Sheehan, Thomas	95085	North Bank Rogue
4695	Sorber, D.F.	95093	North Bank Rogue
4700	Sorber, James	95095	North Bank Rogue
4710	Nourse, Gary	95117	N. Bank Rogue
4715	Johnson, Jim	95119	North Bank Rogue
4718	Moya, Gilbert		
4720	Pierce, K.F.	95130	North Bank Rogue
4730	Jenson, W. Donald	95131	North Bank Rogue
4740	Demaris, Donald	95155	North Bank Rogue
4750	Jacobs, Gerald	95165	North Bank Rogue
4760	Schroeder, Walter		North Bank Rogue across from RR Park
4762	Jakacky, Tony		corner of R.R. Heights & N. Bank Rogue
4763	Jakacky, Tony	95104	Rogue River Heights
4764	Jakacky, Tony		
4765	Byrd, Phoebe	95521	North Bank Rogue
4770	Bryson, John	31752	Edson Creek
4800	Eisner, Lee	31780	Edson Creek Rd.
4810	Cushing, Susan	31784	Edson Creek Rd.
4815	Lee, Danny & Pandi		Edson Creek Rd.
4820	Morsing, Milt	31811	Edson Creek Road
4830	Wade, Walter	31869	Edson Creek Rd.
4840	Wade, Mozelle	31870	Edson Creek Rd.
4850	Linck, Donald	31907	Edson Creek Rd.
4855	Adams, Scott	31909	Edson Cr. Rd.
4900	Giles, Homer	31905	Edson Creek Rd.
4910	Van Dyke, Richard	31903	Edson Creek Rd.
4920	Adams, Jack	32011	Edson Creek Rd.
4930	Adams, Iris	32101	Edson Creek Rd.
4940	Hensley, Glenn	32193	Edson Creek Rd.
4945	Engdahl, Jerry		
4950	Welch, Larry	32375	Edson Creek Rd.
4955	Pappas, Anthony	32381	Edson Creek Rd.
4956	Piper, Billy		
4958	Jackson-Merritt, Julie		
4960	Power Admin., Bonneville		Dump-Edson Creek Rd.
4970	Johnson, Sue	32366	Old Coast Rd.
4980	Eide, Gloria	32334	Old Coast Rd.
4985	Greene, Robert		
4990	Thomas, William	32267	Highway 101
4992	Knottingham, Frank		
4995	Carlson, Andrew		
5045	Nash, Lawrence V.	31770	Chantrelle Lane
5055	Sallar, Herbert	31780	Chantrelle Lane old # 11
5060	Smith, Meredith		
5065	Ganger, Lowell		old # 13
5070	Jameson, Al		
5075	Bliven, Melvin	31850	Chantrelle Lane
5080	Harward, Carl		
5085	Craske, Duane	31866	Chantrelle Lane
5090	Robinson, Michael		
5095	Kammer, Larry		
5000	Harper, John		N. CHANTRELLE LANE
5005	Pacana, Richard		N. CHANTRELLE LANE

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WATER RESOURCES DEPT.  
SALEM, OREGON

6010	Schmierer, Alan	
6015	Krause, Joseph	
6019	Brousseau, Paul	
6020	Gockel, William	32102 N. Chantrelle Lane
6025	Mayhan, Kenneth	
6029	Manuele, Kenneth	
6033	Moore, Larry	
8010	Conlee, Venita	33397 Ophir Rd.
8015	Arvidson, George	
8017	Augustson, Revana L.	
8018	Augustson, Revana L.	
8019	Hue, Elizabeth	
8020	Belisle, Erma	33562 Ophir Rd.
8030	Walker, Oval	33574 Ophir Rd.
8032	Sonderman, Ronald	33584 Ophir Rd.
8040	London, Jean	33575 Ophir Rd.
8050	English, Lois	33595 Ophir Rd.
8060	Lynch, Albert	33606 Ophir Rd.
8070	Simington, Jack	Ophir Rd.
8080	Morton, William	33620 Ophir Rd.
8090	Morton, William	33630 Ophir Rd.
8095	Timmons, Melvin	
8100	Overstreet, Martha	33616 Ophir Rd.
8101	Augustson, Revana L.	
8102	Augustson, Revana L.	
8103	Augustson, Revana L.	
8104	Augustson, Revana L.	
8105	Augustson, Revana L.	
8106	Augustson, Revana L.	
8110	McLean, George	Ophir Rd.
8115	Wicklender, Grant	Inside fence at S. driveway 33670
8120	McLean, George	Ophir Rd.
8130	Crawford, Forrest	33678 Ophir Rd.
8135	Damas, Henry	
8140	Burch, Henry	33683 Ophir Rd.
8142	Flannery, Russ	33707 Ophir Rd.
8144	Purdy, Douglas	Ophir Rd.
8145	Augustson, Revana	Ophir Road
8146	Kellogg, Kenneth	
8147	, D.E.A.	
8148	, D.E.A.	
8156	Welch, Howard	
8157	Lewis, John	Ophir Rd.
8158	Warburton, John	
8159	Weaver, Mildred	
8160	Beach, Linda	33875 Miller Lane
8161	Lustig, Henry	lot 3 miller lane
8170	Haick, Bob	33877 Miller Lane
8172	VanCamp, James	
8180	Dowden, Loren	33901 Miller Lane
8190	Oliver, B.G.	33917 Miller Lane
8192	Sharp, Steve	Miller Lane
8194	Nettgen, Karl	
8200	Huth, Bill	34012 Ophir Rd.
8210	Huth, Bill	34010 Ophir Rd.
8220	Sparks, R.P.	Greggs Creek Rd.
8255	Furlong, Virginia	
8290	Roberts, Russell	
8295	Kleinschmit, Joe	95169 Gregg's Creek Rd.

8296	Meredith, Earl	
8298	Turnow, Jeff	
8299	Furlong, Virginia	
8300	Wilson, Dan	95171 Greggs Creek Rd. ?????
8400	Knight Sr., Roger	34030 Ophir Rd.
8401	Hawkins, Tim	
8402	Hawkins, Thomas	34035 Ophir Rd.
8403	Theige, Darrell	
8405	Collum, Pat	
8407		
8415	Miller, George	Ophir Rd.
8420	Beck, Edward	34094 Ophir Rd.
8430	Dawson, Dustin	34098 Ophir Rd.
8440	Rooth, Judy	34100 Ophir Rd.
8445	Hoy, Scott	
8450	of Transportation, Oregon Dept.	by Honeybear access to beach
8460	Schafer, Robert	Ophir Rd. Honey Bear beach access
8462	Newman, Warren	
8470	Saks, Gerry	34161 Ophir Rd.
8475	Andrews, Mary	
8477	Freeman, Dugie	
8480	Hanks, Abe	34237 Ophir Rd.
8490	Freeman, Dugie	34250 Ophir Rd.
8500	Sizemore, Russell	34271 Ophir Rd.
8505	Olsen, M. R.	
8510	Waller, Sam	34373 Ophir Rd.
8515	Kvaternik, Joseph	
8516	Canady, Joe	
8517	Kopec, Michael	Welsh Drive
8519	Kvaternik, Joseph	
8520	Welsh, John	34443 Ophir Rd.
8530	Colahan, Clanton	34464 Ophir Rd.
8540	Sthen, Don	34477 Ophir Rd.
8550	Hamilton, R. D.	34493 Ophir Rd.
8560	Wimmer, Ruth	34511 Ophir Rd.
8568	Vedder, Paul	
8569	Wilson, Dale	95161 Horizon Dr.
8570	Hertzog, Allen	95162 Horizon Dr.
8571	Hertzog, Alan	
8572	Younce, Jon	
8573	Simpson, Dorothy	
8575	Tice, George	
8576	Bedzyk, William	34518 Mutts Way
8577	Muney, Lyford	34491 Mutts Way
8578	Ransford, Robert	34495 Mutts Way
8579	Von Kuster, Paula C.	
8580	Davenport, Kay	Horizon Dr.
8581	Partridge, Don	
8582	Schelster, Lawrence	
8583	Meadows, Michael	
8585	Johnson, Lawrence	
8587	McLaws, Michael	
8588	Purdy, Richard	
8589	Kaftan, Warren	
8591	Timm, Richard	
8592	Davis, Norman	
8593	Thomas, Jo Ann	Ophir Rd. Surf Hills Lot # 400
8595		
8596	Stollger, Ewald	34583 Humbug Lane

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WATER RESOURCES DEPT.  
SALEM, OREGON

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WATER RESOURCES DEPT.  
SALEM, OREGON

3597	Gray, Richard	
3610	Moore, Gary	34601 Ophir Rd.
3620	Campbell, Rex	34606 Ophir Road
3622	Heim, Joe	
3630	Rocha, Cruz	34686 Ophir Rd.
3632	Clifton, Harold	
3634	King, Hattie May	
3635	King, Tim	34706 Ophir Rd.
3636	Clifton, Harold	
3639	Dunham, Vern	
3640	Gillespie, John	
3652	Rocha, Cruz	Ophir Rd.
3653	Rocha, Cruz	
3655	Salsbury, John	
3657	Morton, William	
3660	Flower, Joe	34745 Ophir Rd.
3665	Mansavage, Gary	
3670	Will, Gary	34821 Ophir Rd.
3680	Young, Stevin	34823 Ophir Rd.
3685	Hersh, Thomas	
3690	Wells, Ike	34869 Ophir Rd.
3700	Moore, Wilbur	Ophir Rd.
3710	Hunt, Allyson	34902 Ophir Rd.
3720	Moore, Wilbur	34990 Squaw Valley Rd.
3730	Frue', Bobbie	34944 Ophir Rd.
3736	Cronberger, Willliam	
3738	Haynes, Robert	
3740	Buffington, Gloria	95005 Euchre Creek Rd.
3745	Buffington, Charles	
3750	Scott, Maude	35127 Ophir Rd.
3760	Ryan, C.E.	35125 Ophir Rd.
3770	School, Ophir	35095 Ophir Rd.
3780	Puntenney M.D., Dr. Mary	Junc. Coy Creek & Ophir Roads
3785	Herlong, Hal	Coy Creek Rd.
3790	Huang, Al	35418 Highway 101
3795	Holcomb, Michael	
3800	Smith, Geri	35416 Highway 101
2180X	Cox, John	Off Ophir Rd.on access to A/C 485 Ward
4230X	Bland, Cheryl	95660 N.Bank Rogue



Application No. G140/6  
 Permit No.

1995 Oregon Water Resources Department  
 October 1995 through September 1996  
 Annual Water Use - Monthly Quantities Form 1996

USER-ID 1486



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WATER RESOURCES DEPT.  
 SALEM, OREGON

Facility <input type="checkbox"/>					
POD-ID <input type="checkbox"/>	<u>12887</u>				
October - 1995	<u>3,311,800</u>				
November - 1995	<u>3,105,000</u>				
December - 1995	<u>3,489,200</u>				
January - 1996	<u>2,903,600</u>				
February - 1996	<u>3,355,500</u>				
March - 1996	<u>3,150,600</u>				
April - 1996	<u>2,723,300</u>				
May - 1996	<u>2,900,100</u>				
June - 1996	<u>4,698,500</u>				
July - 1996	<u>5,619,100</u>				
August - 1996	<u>7,382,900</u>				
September - 1996	<u>5,359,500</u>				
TOTAL * <u>G</u>	<u>47,999,100</u>				

\* describe the units of measure as G (gallons), CF (cubic feet) or AF (acre-feet); method of measuring the water used; and if for irrigation, describe the number of acres irrigated.

I certify this information is true and accurate to the best of my knowledge.

[Signature]  
 Signature

manager  
 Title

Hesika Beach Water Dist.  
 Reporting Entity

Nov. 12, 1996  
 Date

Application No. G 14016

Oregon Water Resources Department  
Permit No. \_\_\_\_\_

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WATER RESOURCES DEPT.  
SALEM, OREGON

Monthly Quantities Form

Reporting Entity Nesika Beach Water District

User-Id: 1486  
(if applicable)

Contact Name Leon Lynch

Address 32892 Nesika Rd.

Water Year 1995

City, State, Zip Gold Beach OR 97444

POD-ID: 12887  
(enter the Permit Number if there is no POD-ID)

Type of Use: Domestic

<u>Month</u>	<u>Volume diverted or in storage</u>	
	<u>Units (circle one): <u>Gallons</u> Cubic Feet. Acre-feet</u>	
October	<u>4,449,400</u>	
November	<u>5,530,000</u>	
December	<u>4,205,000</u>	
January	<u>3,770,400</u>	
February	<u>3,936,900</u>	
March	<u>2,794,400</u>	
April	<u>2,643,100</u>	
May	<u>2,943,400</u>	
June	<u>3,956,400</u>	
July	<u>5,562,600</u>	
August	<u>6,574,000</u>	
September	<u>4,925,700</u>	

Number of acres irrigated (if applicable): none

Method of measuring flow (please describe clearly):

These are actual figures taken from our master meter at the pump house. A total of 51,291,300 gals. was pumped in this period.

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WATER RESOURCES DEPT.  
 SALEM, OREGON

Monthly Quantities Form

Reporting Entity Nesika Beach Water District

User-Id: 1486  
 (if applicable)

Contact Name Leon Lynch

Address 32892 Nesika Rd.

Water Year 1994

City, State, Zip Gold Beach OR 97444

POD-ID: 12887  
 (enter the Permit Number if there is no POD-ID)

Type of Use: Domestic

<u>Month</u>	<u>Volume diverted or in storage</u>	
	<u>Units (circle one): <u>Gallons</u> Cubic Feet. Acre-feet</u>	
October 1993	<u>4,014,200</u>	_____
November	<u>3,334,700</u>	_____
December	<u>3,182,000</u>	_____
January 1994	<u>3,706,200</u>	_____
February	<u>2,635,500</u>	_____
March	<u>2,526,500</u>	_____
April	<u>3,162,100</u>	_____
May	<u>2,918,700</u>	_____
June	<u>3,372,000</u>	_____
July	<u>6,254,700</u>	_____
August	<u>6,518,200</u>	_____
September	<u>6,868,400</u>	_____

Number of acres irrigated (if applicable): none

Method of measuring flow (please describe clearly):

These are actual figures taken from our master meter at the pump house. A total of 48,493,200 gals. was pumped in this period.



SEP - 8 1997

WATER RESOURCES DEP.  
SALEM, OREGON

Monthly Quantities Form

Reporting Entity Nesika Beach Water District User-Id: 1486  
Contact Name Leon Lynch Water Year 1993  
Address 32892 Nesika Beach Rd.  
City, State, Zip Gold Beach OR 97444

POD-ID: 12887

Type of Use: Domestic

<u>Month</u>	<u>Volume diverted or in storage</u> <u>Units (circle one): Gallons, Cubic Feet, Acre-feet</u>
October 1992	<u>3,898,600</u>
November	<u>2,800,900</u>
December	<u>3,171,300</u>
January	<u>3,066,100</u>
February	<u>2,615,800</u>
March	<u>2,047,800</u>
April	<u>2,726,000</u>
MAY	<u>2,621,200</u>
June	<u>3,532,300</u>
July	<u>5,827,300</u>
August	<u>4,854,200</u>
September	<u>4,839,000</u>

Number of acres irrigated (if applicable): none

Method of measuring flow (please describe clearly):

These are actual figures taken from our master meter at the pump house. a total of 42,000,500 gals . of water was used in this period.

We have 406 active accounts in our system.

SEP - 8 1997

1991 Curry Co.  
Instrument 91 6645

WATER RESOURCES DEPT.  
SALEM, OREGON

INDEX

EASEMENT FOR SITING OF WATER RESERVOIR, WATER TRANSMISSION LINES,  
UTILITIES, INGRESS AND EGRESS

THIS AGREEMENT made and entered into this 27<sup>th</sup> day of November, 1991, by and between JO ANN HAICK, An Individual, hereinafter referred to as "OWNER" and OPHIR WATER DISTRICT, a special municipal district organized under the laws of the State of Oregon, hereinafter referred to as "WATER DISTRICT".

OWNER is the legal owner of certain real property lying within government lot thirteen (13) of section twenty (20), Township thirty-five (35), South, Range Fourteen (14), West of the Willamette Meridian, Curry County, Oregon.

WATER DISTRICT is the owner and operator of a municipal water system which includes water reservoirs and transmission lines which provide water service to the area in the vicinity of OWNER'S property.

WATER DISTRICT wishes to erect, construct and maintain a water reservoir on OWNER'S property and also erect, construct and maintain access roadway and water transmission and utility lines within said roadway and tank site on OWNER'S property. Tank site description and roadway description are contained herein as drafted by H.J. NEWHOUSE, Registered Land Surveyor, dated August, 1990.

For the consideration of mutual covenants and promises outlined herein, the parties agree as follows:

1) OWNER grants to WATER DISTRICT a continuing easement for the purposes of construction, operation and maintenance of a water reservoir, water transmission line, appropriate utility service lines and an ingress and egress access road over and across OWNER'S property as described herein. Part of the consideration for the granting of this easement is OWNER'S acknowledgment that the addition of WATER DISTRICT'S improvements described herein on OWNER'S property potentially enhance the value of OWNER'S property.

2) As consideration for the agreements contained herein, WATER DISTRICT agrees to operate and maintain said water reservoir, transmission lines, utility lines and access road within the confines of the specific legal descriptions outlined herein. The tank site legal description is set out in Exhibit "A" and the access road and utility line description is set out in Exhibit "B", both attached hereto and by reference incorporated herein.

3) OWNER does hereby grant, convey and transfer to WATER DISTRICT a perpetual easement for the purposes herein over their real property more particularly described and set out attached

1 - EASEMENT

Application No. G14016  
Permit No.

of RECORDS

SEP - 8 1997

WATER RESOURCES DEPT  
SALEM, OREGON

hereto and by reference incorporated herein. WATER DISTRICT shall construct and maintain the various uses described herein within the descriptions incorporated herein and shall be solely responsible for the maintenance of said uses. OWNER will be allowed to use the access road for ingress and egress to her property for ongoing uses that were in existence at that time of this agreement.

Should OWNER wish to extend said uses, including the development of her property, OWNER shall be solely responsible for all costs and additional expenditures for maintenance and/or improvement of the roadway directly created by said development or expanded use by OWNER. Any such improvements to the roadway shall be approved in writing by WATER DISTRICT.

4) In the event OWNER, in the future, requests water services for her property from WATER DISTRICT, OWNER shall comply with all rules, regulations, and fees of the WATER DISTRICT and make application for water services in accordance with said rules and regulations as would any other potential user of services from WATER DISTRICT.

5) This agreement shall be binding on the heirs, executors, personal representatives, assigns and successors of each of the parties.

6) In the event any litigation is instituted by either party over the contents of this easement agreement or regarding the easements or usage agreement contained herein, the prevailing party shall be entitled to reasonable attorney fees as well as expert witness fees from the losing party as set by any trial or appellate Court.

DATED this 27<sup>th</sup> day of November, 1991.

*Jo Ann Haick*  
JO ANN HAICK

OPHIR WATER DISTRICT

By *William C. Haack*  
President

OPHIR WATER DISTRICT

By *Rod Moore*  
Secretary

STATE OF OREGON )  
                          ) ss.  
County of Curry )

2 - EASEMENT

of RECORDS

## OWNERSHIP/EASEMENT FORM

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SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

1. Do you own all property related to this application?

YES /  NO  
(circle your answer)If you answered "NO," please  
list the names of all proper  
legal owners of all property  
that you do not own.2. If you answered "NO" to  
question 1, do you have a written  
authorization or an easement permit  
for the property you do not  
own?YES /  NO / NOT APPLICABLE  
(circle your answer)I understand that if I do not own all property associated with this  
application, I may be required to submit a copy of my written  
authorization or easement permit for access before a permit can be issued.SIGNATURE: Albert LopezTITLE: ManagerDATE: 9-3-97Application No G14016  
Permit No.

What is  
this for?  
Application  
says permit  
to cross.  
Copy of ease.  
in file  
DSM

## OWNERSHIP/EASEMENT FORM

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

1. Do you own all property related to this application?

YES /  NO  
(circle your answer)

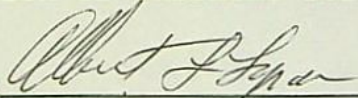
If you answered "NO," please submit the names and addresses of the legal owners of all property related to this application that you do not own.

2. If you answered "NO" to question #1 above, do you have written authorization or an easement permitting access to the lands you do not own?

YES /  NO / NOT APPLICABLE (I answered "YES" to #1.)  
(circle your answer)

I understand that if I do not own all property associated with this application, I may be required to submit a copy of my written authorization or easement for access before a permit can be issued.

SIGNATURE:



TITLE:

Manager

DATE:

9-3-97

Application No G14016  
Permit No.

July 15, 1997

Brian Flavin, CWRE  
32053 Squaw Valley Road  
Gold Beach, OR 97444

RE: Application File #G-14016

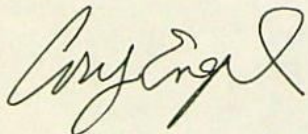
Dear Mr. Flavin,

In response to your telephone call, please find enclosed:

- ◆ A photocopy of Nesika Beach/Ophir Water District's unsigned application;
- ◆ A blank *new* groundwater application;
- ◆ A blank Form M;
- ◆ A blank authorization/easement form;
- ◆ A photocopy of Laura Snedaker's May 20, 1997 letter;
- ◆ A printout of our Water Right Information System record for this application.

At your earliest convenience, please provide the information requested in Laura Snedaker's letter. If you have any questions, or if I may be of further assistance, please feel free to call me at 1-800-624-3199, extension 457.

Sincerely,



Mr. Cory C. Engel  
Water Right Processing Technician



July 7, 1997

ATTN: Leon  
Nesika Beach Water District  
Ophir Water District  
32892 Nesika Road  
Gold Beach OR 97444

RE: Application file number G-14016

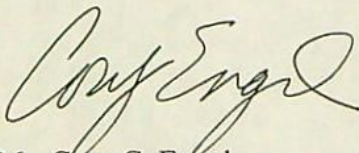
Dear Leon,

As noted in Laura Snedaker's letter of May 20, 1997, the Department is attempting to re-create your application file so that processing of your application may resume as soon as possible. During our telephone conversation on June 12, you indicated that you had referred the matter to Brian Flavin, CWRE, to gather the materials necessary to complete your application file.

As yet, we have not received the requested materials from you or Mr. Flavin. So that we may process your application as quickly as possible, we request that you submit the information at your earliest convenience. If you suspect that it may yet be some time longer before you will be able to provide the information, you might consider requesting that the Department place an administrative hold on the application until our file is made complete; then, as soon as all materials are available to us, processing will resume. (An administrative hold will simplify our paperwork a bit by removing the application from our "to-do" lists until we are able to process it.)

Again, we apologize for the inconvenience this has caused, and would like to do accommodate you in whatever way we can. If I can be of assistance, please feel free to call me at 1-800-624-3199, extension 457.

Sincerely,



Mr. Cory C. Engel  
Water Right Processing Technician

cc: general correspondence file



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

Cory C. Engel, 02:58 PM 6/13/97 , Nesika beach

Received: from bacon.wrd.state.or.us (bacon.wrd.state.or.us [204.94.11.146]) by  
klamath.wrd.state.or.us (8.7.5/8.7.3) with SMTP id OAA22530; Fri, 13 Jun 1997  
14:58:15 -0700 (PDT)  
Date: Fri, 13 Jun 1997 14:58:15 -0700 (PDT)  
Message-Id: <1.5.4.16.19970613150757.460f0572@mailhub.wrd.state.or.us>  
X-Sender: engelcc@mailhub.wrd.state.or.us  
X-Mailer: Windows Eudora Light Version 1.5.4 (16)  
Mime-Version: 1.0  
Content-Type: text/plain; charset="us-ascii"  
To: Dwight.W.FRENCH@wrd.state.or.us, Laura.K.SNEAKER@wrd.state.or.us  
From: "Cory C. Engel" <Cory.C.ENGEL@wrd.state.or.us>  
Subject: Nesika beach  
Cc: Cory.C.ENGEL@wrd.state.or.us  
X-UIDL: dc705f1b9cdc2886961a57d6c01a9edf

I spoke with Leon at Nesika Beach by telephone today. He informed me that he has referred the matter of the missing file to Brian Flavin, their CWRE. He has not heard anything from Flavin yet, but will be in touch with him next week.

The applicant hopes the CWRE will have complete copies of everything sent. If the CWRE does not, I'll work with him to get it all straightened out next week. Hopefully we can get the GW review done so that the IR can be mailed no later than 6/27. (Maybe even 6/20, but that's a long shot.)

```
~~~~~  
 \ Cory C. Engel          Cory.C.ENGEL@wrd.state.or.us /  
 / Initial Reviewer      http://www.wrd.state.or.us \  
 \ Oregon Water Resources Dept. ftp://ftp.wrd.state.or.us /  
 / 503-378-8455, extension 457          FAX: 503-378-6203 \  
~~~~~
```

Application No. 674016  
Permit No.



Dwight W French, 09:11 AM 6/16/97 , Re: Nesika beach

Received: from putnam.wrd.state.or.us (putnam.wrd.state.or.us [204.94.11.188]) by  
klamath.wrd.state.or.us (8.7.5/8.7.3) with SMTP id JAA26157 for  
<Cory.C.ENGEL@wrds.state.or.us>; Mon, 16 Jun 1997 09:11:22 -0700 (PDT)  
Date: Mon, 16 Jun 1997 09:11:22 -0700 (PDT)  
Message-Id: <1.5.4.16.19970616101912.2def2bb6@mailhub.wrd.state.or.us>  
X-Sender: frenchdw@mailhub.wrd.state.or.us  
X-Mailer: Windows Eudora Light Version 1.5.4 (16)  
Mime-Version: 1.0  
Content-Type: text/plain; charset="us-ascii"  
To: "Cory C. Engel" <Cory.C.ENGEL@wrds.state.or.us>  
From: Dwight W French <Dwight.W.FRENCH@wrds.state.or.us>  
Subject: Re: Nesika beach  
X-UIDL: 8f04d891ce70e4ff97635a2f95b666ff0

Thanks Cory, stay on it.  
Dwight

At 02:58 PM 6/13/97 -0700, you wrote:

>I spoke with Leon at Nesika Beach by telephone today. He informed me that he  
>has referred the matter of the missing file to Brian Flavin, their CWRE. He  
>has not heard anything from Flavin yet, but will be in touch with him next  
>week.

>

>The applicant hopes the CWRE will have complete copies of everything sent.  
>If the CWRE does not, I'll work with him to get it all straightened out next  
>week. Hopefully we can get the GW review done so that the IR can be mailed  
>no later than 6/27. (Maybe even 6/20, but that's a long shot.)

>

> ~~~~~  
> \ Cory C. Engel Cory.C.ENGEL@wrds.state.or.us /  
> / Initial Reviewer http://www.wrds.state.or.us \  
> \ Oregon Water Resources Dept. ftp://ftp.wrds.state.or.us /  
> / 503-378-8455, extension 457 FAX: 503-378-6203 \  
> ~~~~~

>

>

>

Dwight French  
Water Rights Section Manager  
Oregon Water Resources Department  
158 12th ST NE, Salem Oregon 97310  
1 800 624-3199 ext. 268 or 503 378-8455 x268  
FAX: 503 378-6203

May 20, 1997

Nesika Beach Water District  
Ophir Water District  
32892 Nesika Road  
Gold Beach, Oregon 97444

Reference File Number: G-14016

Dear Applicant:

On March 29, 1995, you submitted an application to appropriate groundwater for Quasi-Municipal Use to the Department. Unfortunately, the Department is unable to locate your application file for review. The Department would like to move forward with your application. In order to move forward, Department personnel are trying to recreate your application file. To aid in the recreation of your application for groundwater use, the Department requests that you please submit the following information:

- ▶ A signed copy of your application for water use. If you do not have a copy of your original application, please sign and return the enclosed unsigned copy of your application obtained from the Curry County Planning Department.
- ▶ A Form M, the supplemental form for municipal and quasi-municipal water use applications, also needs to be filled out and returned to the Department. This form is enclosed.
- ▶ A copy of your application map. If you did not maintain a copy of your map, please prepare a map using the enclosed list of requirements for application maps. The enclosed copy of your application indicates that you have a Certified Water Rights Examiner, CWRE, acting as an agent. The CWRE may have a copy of your application map.
- ▶ A copy of the well log, for the requested well, if available.
- ▶ Also, please fill out and return the enclosed authorization/easement form.



---

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

# CURRY COUNTY DEPARTMENT OF PUBLIC SERVICES

94235 MOORE STREET  
PO BOX 746  
GOLD BEACH, OREGON 97444

Charles E. Nordstrom  
Director

Phone (541) 247-7011  
FAX (541) 247-4579

MAKE ARCH ON THE CURRY COAST

## FAX TRANSMITTAL

To: Laura - Water Resources Dept

Fax Number: 1(503) 378-6203

FROM: Loren Woolley  
Curry County Planning

Subject: Nesilla Beach Water

Date: 5-16-97

Pages, (8), including this cover sheet

Original to Follow In Mail Yes  No

Comments:  
Hope this helps

### Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses In Addition to Classified Uses

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

Applicant's Name: NESIKA BEACH / OPHIR WATER DIST  
Address: 32892 NESIKA ROAD  
City: GOLD BEACH State: OR Zip: 97444 Day Phone: 247-2614

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
<u>SELF</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>"EXHIBIT A"</u>				

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

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

#### For Local Government Use Only

Application No. 674016

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

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): to serve existing water district area. Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

# Application No. G14016 Permit No.

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: LARA E. WOOLLEY  
Title: SENIOR PLANNER

Date: 3-23-95  
Phone: (503) 247-7011 #285

Signature: *L. Woolley*

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

### Additional Comments:

Planning clearance is for water service  
within existing water district boundary.  
Individual proposed uses will be evaluated  
at the time of approval of land use.

Planning Official Initials: \_\_\_\_\_

## Description of Water Use

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

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

Applicant Name: NESIKA BEACH / OPHIR WATER DIST  
 Address: 32892 NESIKA ROAD  
GOLD BEACH, OR 97444  
 Phone: 503-247-2614

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

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

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	<u>0.5</u> Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

Application No. CS 14016

State of Oregon  
WATER RESOURCES DEPARTMENT

**Application for a Permit to Appropriate Groundwater**

Applicant(s) Nesika Beach Water Dist / Ophir Water Dist  
(Please print or type - use dark ink)

Mailing Address: 32892 Nesika Road  
Gold Beach Oregon 97444 247-2614  
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.):  
one infiltration gallery within the floodway of  
the Rogue River

If development is less than one mile from a natural stream, give the following:  
Distance from development to stream: \_\_\_\_\_  
Elevation difference between streambed and development: \_\_\_\_\_

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: 12"/8' stainless screen Depth in feet: 45'  
Type and size of well casing: 12" steel No. of feet: \_\_\_\_\_  
Estimated depth to water: 32'-35'  
Type of access port or measuring device: bolted flange  
Wells to be drilled by: \_\_\_\_\_  
Address: \_\_\_\_\_

If the water well is flowing artesian, describe your water control and conservation works: N/A

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 0.5 cubic feet per second, OR \_\_\_\_\_ gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: \_\_\_\_\_

3. INTENDED USE(s) OF WATER: Quasi-Municipal

If for more than one use, give the quantity of water from each source for each use; \_\_\_\_\_

If for DOMESTIC use, state the number of households to be supplied; \_\_\_\_\_

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

626 current services / projected growth is expected to double next 10 years / see "exhibit A" for current and projected service areas.

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; \_\_\_\_\_

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation \_\_\_\_\_

Other (describe) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

see "exhibit B"

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin \_\_\_\_\_

Proposed date construction work will be completed \_\_\_\_\_

Proposed date water use will be completed \_\_\_\_\_

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.



6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

       Applicant       CWRE             Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

       Applicant       CWRE             Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?   no  . If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS:        application is for Quasi-Municipal use (roadway of

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Signature of Co-Applicant, if any \_\_\_\_\_ Date \_\_\_\_\_

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant

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

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

19

WITNESS my hand this day of 19

Water Resources Director

By:

This instrument was first received in the office of the Water Resources Director at Oregon, on the day of 19, at o'clock, M.

APPLICATION NO:

614016

=====

CURRY

G 14016 Application, Stream A WELL IN ROGUE RIVER BASIN  
Permit

Applicant NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT  
of 32892 NESIKA RD GOLD BEACH, OR 97444

Point of diversion...

SE 1/4 SE 1/4, Section 9, T 35 S, R 14 W, WM;

Proposed use... QUASI-MUNICIPAL.

Amount... 0.5 CUBIC FOOT PER SECOND

Received on... 3/29/1995 At: 8:00 AM

Returned to the applicant for correction completion\_\_\_\_\_

Endorsed so that to retain its priority it must be returned to the office  
of the Water Resources Department on or before\_\_\_\_\_

Approved\_\_\_\_\_ total amount of water granted\_\_\_\_\_

=====

# WATER FILING APPLICATION for NESIKA BEACH WATER DISTRICT & OPHIR WATER DISTRICT

LOCATED in T 35 S, R 14 W and T 36 S, R 14 W, W.M. CURRY COUNTY, OREGON

SCALE RECEIVED FEBRUARY 1995

SEP - 8 1997

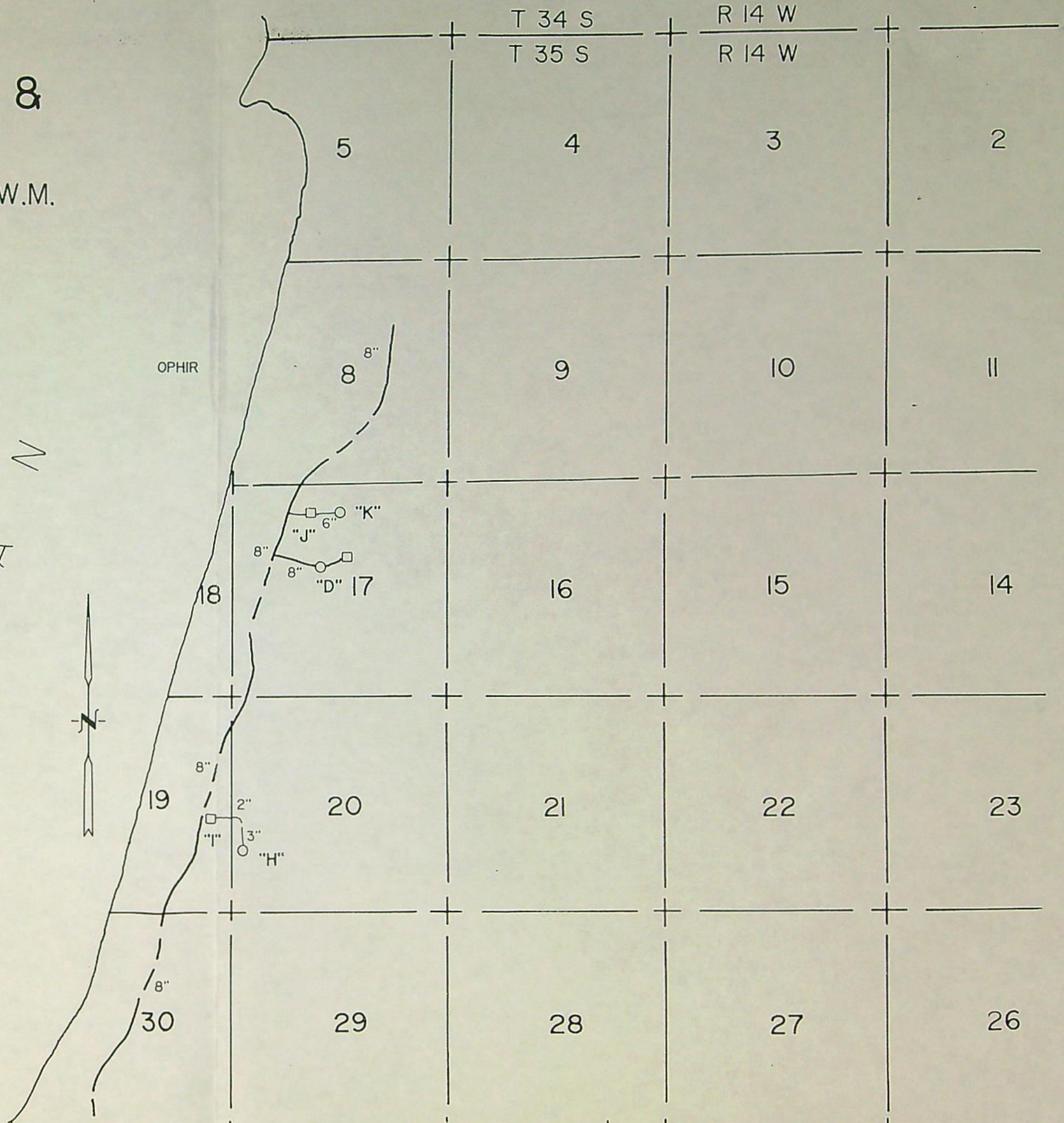
Application No. *6-14016*  
Permit No. *G13613*

WATER RESOURCES DEPT.  
SALEM, OREGON

THE PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE PROPOSED WATER RIGHT AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

- "A" EXISTING 32,000 gal. STEEL TANK
- "B" PROPOSED 32,000 gal. STEEL TANK
- "C" EXISTING 200,000 gal. STEEL TANK
- "D" EXISTING 200,000 gal. STEEL TANK
- "E" EXISTING CONSTANT PRESSURE PUMP STATION
- "F" PROPOSED DUPLEX BOOSTER PUMP STATION
- "G" EXISTING BOOSTER PUMP STATION
- "H" EXISTING 1,500 gal. CONCRETE TANK
- "I" EXISTING BOOSTER PUMP STATION
- "J" EXISTING BOOSTER PUMP STATION
- "K" EXISTING 18,000 gal. STEEL TANK

O C C E A N



T 34 S  
T 35 S

R 14 W  
R 14 W

5

4

3

2

8

9

10

11

18

16

15

14

19

20

21

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23

30

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28

27

26

Page 2/4

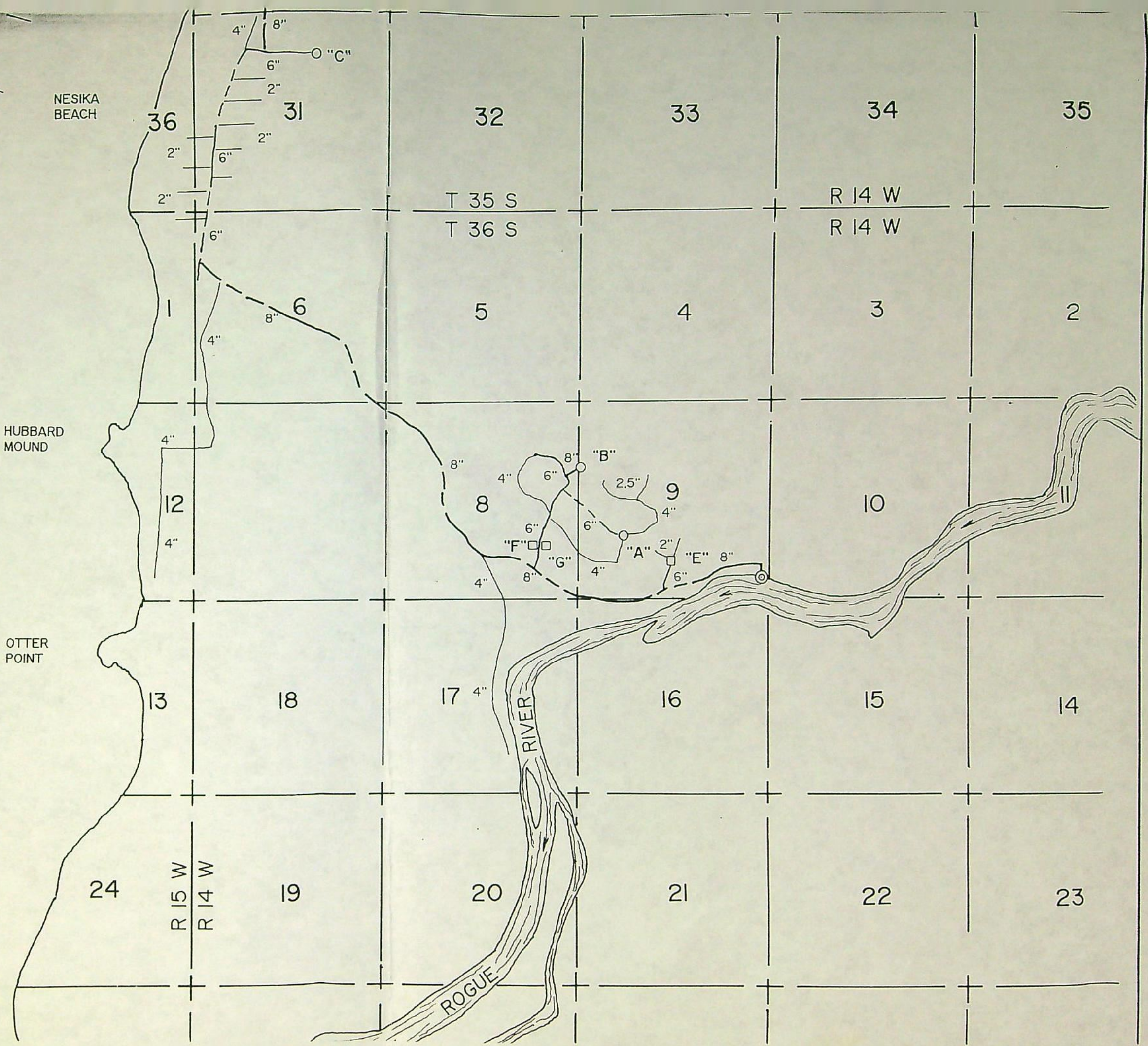
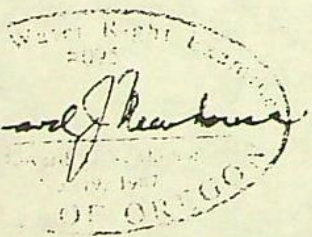
PACIFIC

NESIKA BEACH

HUBBARD MOUND

OTTER POINT

NOTE:  
ALL PIPELINES ARE LOCATED WITHIN ROAD WAYS,  
EXCEPT THAT PORTION OF THE 4" LINE LOCATED IN  
SECTION 12, T36S, R15W.



6/20/17  
Application No. B-14016

Permit No. \_\_\_\_\_

Name Nesika Beach Water Dist.

Address 32892 Nesika Rd, Gold Beach, OR

Assigned \_\_\_\_\_ 97444

Address \_\_\_\_\_

Beginning construction \_\_\_\_\_

Completion of construction \_\_\_\_\_

Extended to \_\_\_\_\_

Complete application of water \_\_\_\_\_

Extended to \_\_\_\_\_

NUMBER 05775

Check 250<sup>00</sup> NO                      Cash                     

614016

           Surface Application

           Reservoir Application

           Ground Water Application

           Transfer Application 0

           Power Claim 250

           Hydroelectric Examination

           Hydroelectric License

           Copying

           Assignment

           Extension of Time

           Other

           P-6

           Quadrangle

           Basin

           Protect

           Constructors Examination

           Constructors License

           Adjudication

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **131321**

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

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

RECEIVED FROM: Desika Beach  
BY: Water Dist.

APPLICATION	G14016
PERMIT	
TRANSFER	

CASH:  CHECK: # 24-12 OTHER: (IDENTIFY)

TOTAL REC'D \$ 250.00

**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**

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

**WATER RIGHTS:**

842.001	SURFACE WATER	EXAM FEE	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$ <u>250.00</u>
842.005	TRANSFER	\$	842.006	\$

**WELL CONSTRUCTION**

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
_____	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)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **131321**

DATED: 1-5-96

BY: Flo Lissner

no file when received



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **117567**

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

RECEIVED FROM: SHW; Consulting Engineers & Geologists Inc.  
BY: \_\_\_\_\_

APPLICATION	G-14016
PERMIT	
TRANSFER	

CASH:  CHECK:#  104054 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES	\$	
OTHER: (IDENTIFY)	\$	
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

**4270 WRD OPERATING ACCT**

MISCELLANEOUS			
0407 COPY & TAPE FEES	46111	\$	
0410 RESEARCH FEES		\$	
0408 MISC REVENUE: (IDENTIFY)		\$	
TC162 DEPOSIT LIAB. (IDENTIFY)		\$	
0240 EXTENSION OF TIME		\$	
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
LANDOWNER'S PERMIT			0220 \$
0200 OTHER (IDENTIFY) <u>COBV</u>			\$ 175.00

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
DESCRIPTION \_\_\_\_\_

**RECEIVED  
OVER THE COUNTER**

RECEIPT: **117567** DATED: 10-1-15 BY: [Signature]

C02

G-14016

G 13613

Nesika Beach Water District  
and Ophir Water District

A. 6/8/99

C 10/1/02

6-11-98

Purge

Application No. G-14419

Permit No. \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Assigned \_\_\_\_\_

Address \_\_\_\_\_

Beginning construction \_\_\_\_\_

Completion of construction \_\_\_\_\_

Extended to \_\_\_\_\_

Complete application of water \_\_\_\_\_

Extended to \_\_\_\_\_