

R-3

ASSIGNED

FILE#: R 73473

HAL GOOD
 GOOD, ADRIENNE
 RT 1 BOX 1480
 BANDON, OR

97411

Application No. R-73473Permit No. R12111 *superseded by R-12695*Certificate No. 90793Stream Index, Page No. 17

See File 73472

Date filed _____

Priority _____

Action suspended until FPD

Return to applicant _____

Date of approval 1-31-97

CONSTRUCTION

Date for beginning 1-31-98Date for completion 10-1-99

Extended to _____

Date for application of water 10-1-00

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received CDBU 10/23/2001

Date Certificate issued _____

FEES PAID

Date	Amount	Receipt No.
7-8-93	300.25	102054
9-14-04	25.00	70083
2-14-14	125.00	111147

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
9-14-04	Coventry Farms, LLC	P.O. Box 1579 San Clarita CA	91386	

REMARKS

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: R-73473

Permit: R-12695

Certificate: 90793

Permit/Certificate Holder:

~~COVENTRY FARMS LLC~~
~~PO BOX 1579~~
CANYON COUNTRY CA 91386-1579

Copies Mailed	
by:	<u>JH</u> (STAFF)
on:	<u>9/22/15</u> (DATE)

Copies of Final Certificate to be sent to:

- ~~1.~~ Watermaster District 19 (include copy of map)
- ~~2.~~ Data Center
- ~~3.~~ Water Availability
- ~~4.~~ Vault
- ~~5.~~ File

Other persons to receive copies: (include map):

- ~~1.~~ Don Knauer, CWRE #75, PO Box 5416, Salem, OR 97304
- ~~2.~~ Clay Jordan, Jordan Engineering, 460 Jordan Lane, Roseburg, OR 97471

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COVENTRY FARMS LLC
PO BOX 1579
CANYON COUNTRY CA 91386-1579

confirms the right to store water perfected under the terms of Permit R-12695. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-73473

SOURCE OF WATER: RESERVOIR 1: UNNAMED STREAM #1, TRIBUTARY OF FLORAS LAKE; RESERVOIR 2: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 3: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 4 AND RESERVOIR 5: UNNAMED STREAM #2 AND RUNOFF, TRIBUTARIES TO FLORAS LAKE

STORAGE FACILITY: FIVE UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT S-53588 FOR CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 24.0 ACRE-FEET (AF) PER YEAR, BEING 5.0 AF IN RESERVOIR 1, 6.0 AF IN RESERVOIR 2, 6.0 AF IN RESERVOIR 3, 3.5 AF IN RESERVOIR 4, AND 3.5 AF IN RESERVOIR 5

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

Reservoirs and points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	27	SE NW	RESERVOIR 1 AND UNNAMED STREAM 1 - 300 FEET NORTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	SE NW	RESERVOIR 2 - 200 FEET NORTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	SE NW	RESERVOIR 3 - 1320 FEET NORTH AND 2120 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	RESERVOIR 4 - 610 FEET SOUTH AND 1690 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	RESERVOIR 5 - 1300 FEET SOUTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	UNNAMED STREAM 2 - 810 FEET SOUTH AND 1570 FEET EAST FROM W 1/4 CORNER, SECTION 27

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The areas submerged by these reservoirs are as follows:

Twp	Rng	Mer	Sec	Q-Q
31 S	15 W	WM	27	NE NW
31 S	15 W	WM	27	SE NW
31 S	15 W	WM	27	NE SW
31 S	15 W	WM	27	SE SW

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device(s) as approved by the watermaster at each point diversion point. The totalizing flow meter must be maintained as identified in OAR 690-507-645. The water user shall keep a complete record of the amount of water used each month. The water user shall submit a report which includes the recorded water use measurements to the Department at its request. The water user may be required to report annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under this right.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream rights, or to pass natural inflow as determined by the Water Resources Director.

The water user shall maintain and operate fish screening and a fishway as required by the Oregon Department of Fish and Wildlife.

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

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

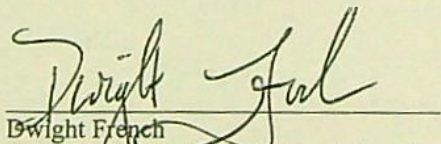
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

SEP 22 2015

Issued _____



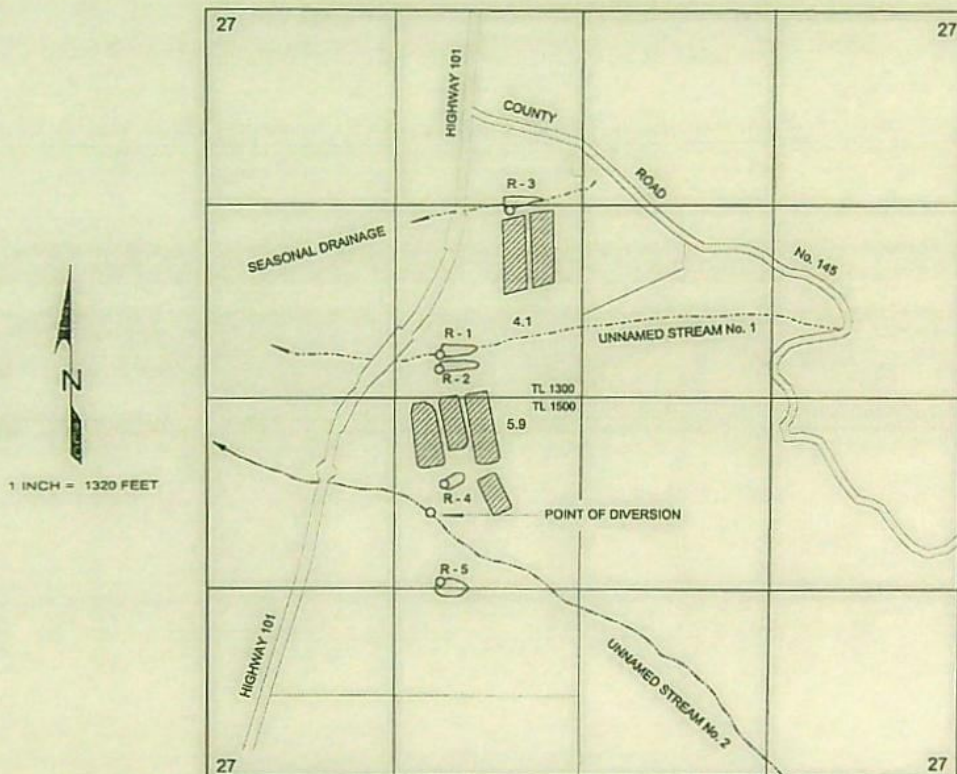
Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

FINAL PROOF SURVEY MAP IN THE NAME OF ADRIENNE GOOD

APPLICATION R - 73473
S - 73472

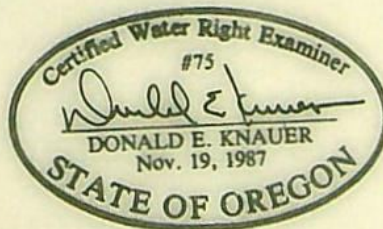
PERMIT R - 12695
53588

SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.



THE POINTS OF DIVERSION ARE LOCATED AS FOLLOWS:

RESERVOIR No. 1 (UNNAMED STREAM No. 1) IS LOCATED 300 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND UNNAMED STREAM No. 2 IS LOCATED 810 FEET SOUTH AND 1570 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND RESERVOIR No. 2 IS LOCATED 200 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND RESERVOIR No. 3 IS LOCATED 1320 FEET NORTH AND 2120 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND RESERVOIR No. 4 IS LOCATED 610 FEET SOUTH AND 1690 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND RESERVOIR No. 5 IS LOCATED 1300 FEET SOUTH AND 1630 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; ALL FROM THE WEST QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.



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



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

Date Mailed: September 22, 2015

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

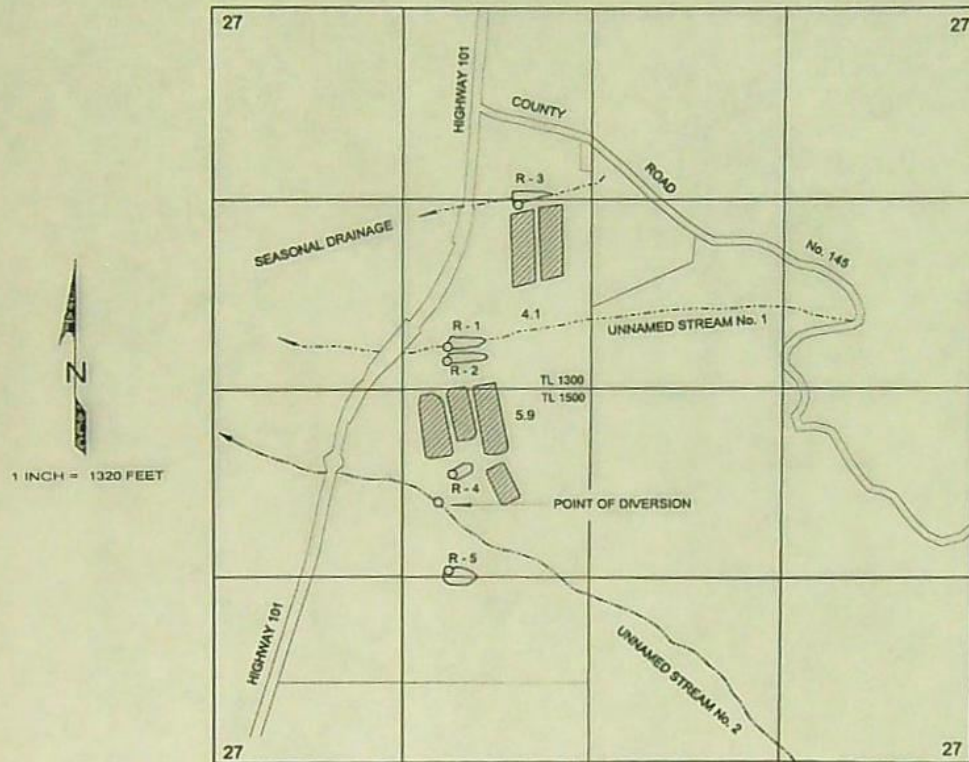
If you have any questions please contact Gerry Clark at 503-986-0811.

FINAL PROOF SURVEY MAP IN THE NAME OF ADRIENNE GOOD

APPLICATION R - 73473
S - 73472

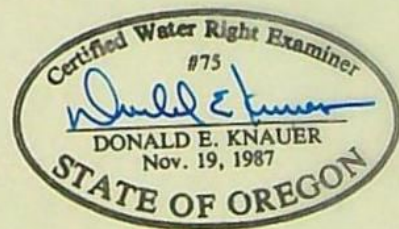
PERMIT R - 12695
53588

SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.



THE POINTS OF DIVERSION ARE LOCATED AS FOLLOWS:

RESERVOIR No. 1 (UNNAMED STREAM No. 1) IS LOCATED 300 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND UNNAMED STREAM No. 2 IS LOCATED 810 FEET SOUTH AND 1570 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND RESERVOIR No. 2 IS LOCATED 200 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND RESERVOIR No. 3 IS LOCATED 1320 FEET NORTH AND 2120 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND RESERVOIR No. 4 IS LOCATED 610 FEET SOUTH AND 1690 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND RESERVOIR No. 5 IS LOCATED 1300 FEET SOUTH AND 1630 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; ALL FROM THE WEST QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.



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

**REIMBURSEMENT AUTHORITY PERMIT
APPLICATION R-73473 PERMIT R-12695**

Certificate 90793 issued 9-22-15.

Proof to the Satisfaction Worksheet (CWRE)

Pre-July 1, 2004 Claims

Application # R-73473
Permit # R-12695
Transfer # _____

This purpose of this worksheet is to document the extent to which proof has been made for the referenced file. Staff recommendation is based on the Claim of Beneficial Use submitted.

Permit R-12695 issued 7-28-99

A date = 1-31-98

B date = 10-1-99

Map Review (check map for the following features/items): C date = 10-1-2000

☒ Permanent quality map (mylar or linen)

☒ CWRE stamp and signature

☒ Disclaimer

☒ Application & permit #; or transfer #

☒ North arrow

☒ Township, range and section

☒ Appropriate scale (1" = 1320', 1" = 400', or scale of assessor's map)

☒ Source

☒ Point(s) of diversion/appropriation

☒ Point(s) of diversion/appropriation (coordinates) Check with scale

☒ Conveyances (pump, pipelines, ditches, etc.) Permanent features shown?

☒ Place of use (1/4 1/4, DLC, or Gov Lot; if irrigation, # of acres in each legal government subdivision)

6 reservoirs

for Supp Cranberry operations

57.0 AF < 9.0 AF Res 1

9.0 AF Res 2

7.0 AF Res 3

9.0 AF Res 4

9.0 AF Res 5

8.0 AF Res 6

Nov 1 - April 30

Corr submitted 10-23-2001

- Res 1, Res 2, Res 3, Res 4 & Res 5

5.0 AF 6.0 AF 6.0 AF 3.5 AF 3.5 AF

OTOTAL = 24.0 AF

Report Review:

☒ Application & permit #; or transfer #

☒ CWRE stamp and signature

☒ Time limits "All time limits met."

☒ Date of survey

☒ Type of use

☒ Extent of use

☒ Source(s) of water

☒ Rate and Duty

☒ Diversion rate for each use AF

☒ Description of conveyances system (from POD to POU)

☒ Diversion works description (pump make, serial model, capacity, and description)

☒ System capacity

☒ Calculated capacity of system

☒ MA OR
Measured amount of use

☒ Permit conditions

☒ Fish screening "shall install, maintain and operate fish screening..."

☒ Meter/measuring device "...TFM or OSMD must be installed...."

☒ Water use reporting "complete record of amount... shall submit report..."

☒ Other conditions

☒ MA Pump Test

per 4-17-2009 from Alyssa Mucken, water use reporting
is NOT required.

Other:

☒ Conflict Check
☒ Check Ownership

Check Area of Interest ☐ YES ☒ NO

Identified Party _____

Staff Recommendations:

_____ Staff recommends that Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

☒ Staff recommends that Proof to the Satisfaction has not been established to the full extent as described in the permit or transfer order and would recommend the following limitations: 5 Reservoirs - total 24.0 AF

_____ Staff recommends that 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: _____

9-15-04 Assigned to Coventry Farms LLC
PO Box 1579
Santa Clara, CA 91386

FINAL PROOF SURVEY MAP IN THE NAME OF ADRIENNE GOOD

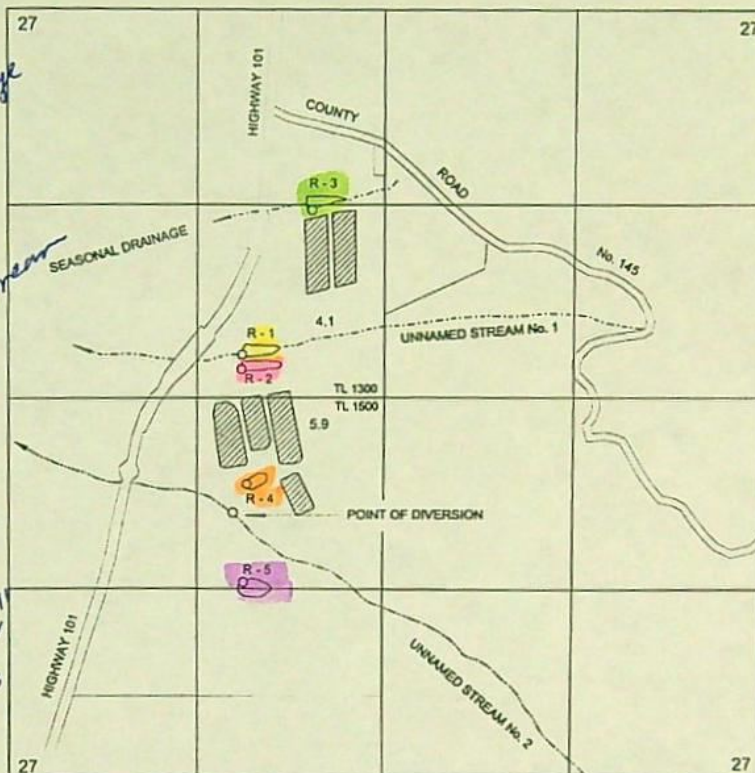
APPLICATION R - 73473
S - 73472

PERMIT R - 12695
53588

SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

*Per 10-4-2013 email
from Todd Conner, ODFW:
1) no fish at Res 3
or no screening/passage
required*

*2) unnamed stream #1
at Res -1
- Screens necessary, but
because fish blocked downstream
at Hwy 101, NMFS
do not apply
fish screening
- fish passage required
at Res 1 - remove dam
boards between Res 1
and Res 2 - allow
fish to "run the river"
fish to unnamed reservoirs
3) Off channel reservoirs
R-2, R-4 and R-5
do not require
fish screening*



THE POINTS OF DIVERSION ARE LOCATED AS FOLLOWS:

RESERVOIR No. 1 (UNNAMED STREAM No. 1) IS LOCATED 300 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE¼ NW¼; AND

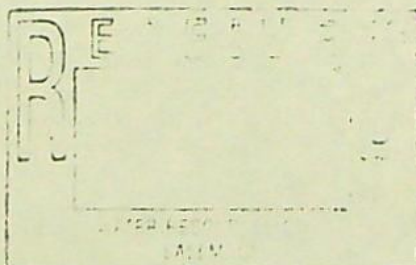
UNNAMED STREAM No. 2 IS LOCATED 810 FEET SOUTH AND 1570 FEET EAST; WITHIN THE NE¼ SW¼; AND

RESERVOIR No. 2 IS LOCATED 200 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE¼ NW¼; AND

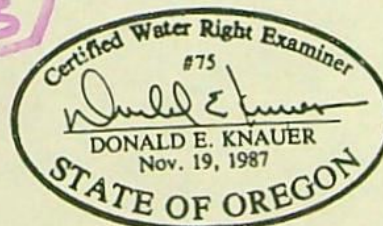
RESERVOIR No. 3 IS LOCATED 1320 FEET NORTH AND 2120 FEET EAST; WITHIN THE SE¼ NW¼; AND

RESERVOIR No. 4 IS LOCATED 610 FEET SOUTH AND 1690 FEET EAST; WITHIN THE NE¼ SW¼; AND

RESERVOIR No. 5 IS LOCATED 1300 FEET SOUTH AND 1630 FEET EAST; WITHIN THE NE¼ SW¼; ALL
FROM THE WEST QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH,
RANGE 15 WEST, W.M.; CURRY COUNTY.



5 Reservoirs



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

DRAFT 2

8-24-15 WRD rec'd letter from water user affirming both runoff & un. stream #2 were used to fill Res 4 & Res 5 between 7-28-99 & 10-1-00.

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COVENTRY FARMS LLC
PO BOX 1579
CANYON COUNTRY CA 91386-1579

confirms the right to store water perfected under the terms of Permit R-12695. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-73473

SOURCE OF WATER: RESERVOIR 1: UNNAMED STREAM #1, TRIBUTARY OF FLORAS LAKE; RESERVOIR 2: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 3: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 4 AND RESERVOIR 5: RUNOFF, TRIBUTARY TO FLORAS LAKE

STORAGE FACILITY: FIVE UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT S-53588 FOR SUPPLEMENTAL CRANBERRY OPERATIONS

per DWF → ok to change use to CRANBERRY OPERATIONS.

MAXIMUM VOLUME ALLOWED: 24.0 ACRE-FEET (AF) PER YEAR, BEING 5.0 AF IN RESERVOIR 1, 6.0 AF IN RESERVOIR 2, 6.0 AF IN RESERVOIR 3, 3.5 AF IN RESERVOIR 4, AND 3.5 AF IN RESERVOIR 5

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

Reservoirs and points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	27	SE NW	RESERVOIR 1 AND UNNAMED STREAM 1 - 300 FEET NORTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	SE NW	RESERVOIR 2 - 200 FEET NORTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	SE NW	RESERVOIR 3 - 1320 FEET NORTH AND 2120 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	RESERVOIR 4 - 610 FEET SOUTH AND 1690 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	RESERVOIR 5 - 1300 FEET SOUTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	UNNAMED STREAM #2 - 810 FT S & 1570 FT E From W 1/4 CORNER, SECTION 27

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The areas submerged by these reservoirs are as follows:

Twp	Rng	Mer	Sec	Q-Q
31 S	15 W	WM	27	NE NW
31 S	15 W	WM	27	SE NW
31 S	15 W	WM	27	NE SW
31 S	15 W	WM	27	SE SW

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device(s) as approved by the watermaster at each point diversion point. The totalizing flow meter must be maintained as identified in OAR 690-507-645. The water user shall keep a complete record of the amount of water used each month. The water user shall submit a report which includes the recorded water use measurements to the Department at its request. The water user may be required to report annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under this right.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream rights, or to pass natural inflow as determined by the Water Resources Director.

The water user shall maintain and operate fish screening and a fishway as required by the Oregon Department of Fish and Wildlife.

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

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

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

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

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

Issued _____

Dwight W. French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

DRAFT 1

Permit R-12695

Or Res 4 & 5 - unnamed stream #2 & runoff, trib to unnamed stream #1

Peer reviewed
by Ann Reese

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

8-24-15 Rec'd letter from
water user → sources are
runoff of un. stream #2

to fill Res 4 & Res 5.

THIS CERTIFICATE ISSUED TO

COVENTRY FARMS LLC

PO BOX 1579

SANTA CLARITA CA 91386-1579

(not same city as on the RA contract w/ that PO Box)

confirms the right to store water perfected under the terms of Permit R-12695. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-73473

SOURCE OF WATER: RESERVOIR 1 UNNAMED STREAM #1, TRIBUTARY OF FLORAS LAKE; RESERVOIR 2 RUNOFF, TRIBUTARY UNNAMED STREAM #1; RESERVOIR 3: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 4 AND RESERVOIR 5 UNNAMED STREAM #2 AND RUNOFF, TRIBUTARY TO FLORAS LAKE

1, 4
2 5
3

STORAGE FACILITY: FIVE UNNAMED RESERVOIRS

NOT listed as source of claim or yes, I agree.

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT S-53588 FOR SUPPLEMENTAL CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 24.0 ACRE-FEET (AF) PER YEAR, BEING 5.0 AF IN RESERVOIR 1, 6.0 AF IN RESERVOIR 2, 6.0 AF IN RESERVOIR 3, 3.5 AF IN RESERVOIR 4, AND 3.5 AF IN RESERVOIR 5

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

Dam locations and points of diversion are located as follows:

should those be in separate tables?

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	27	SE NW	RESERVOIR 1 AND UNNAMED STREAM 1 - 300 FEET NORTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	UNNAMED STREAM 2 - 810 FEET SOUTH AND 1570 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	SE NW	RESERVOIR 2 - 200 FEET NORTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	SE NW	RESERVOIR 3 - 1320 FEET NORTH AND 2120 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	RESERVOIR 4 - 610 FEET SOUTH AND 1690 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	RESERVOIR 5 - 1300 FEET SOUTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The areas submerged by these reservoirs are as follows:

Twp	Rng	Mer	Sec	Q-Q
31 S	15 W	WM	27	NE NW
31 S	15 W	WM	27	SE NW
31 S	15 W	WM	27	NE SW
31 S	15 W	WM	27	SW SW

not on claim, but on map

OK
OK

SE

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device(s) as approved by the watermaster at each point diversion point. The totalizing flow meter must be maintained as identified in OAR 690-507-645. The water user shall keep a complete record of the amount of water used each month. The water user shall submit a report which includes the recorded water use measurements to the Department at its request. The water user may be required to report annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under this right.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream rights, or to pass natural inflow as determined by the Water Resources Director.

The water user shall maintain and operate fish screening and a fishway as required by the Oregon Department of Fish and Wildlife.

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

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

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

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

Issued _____

Dwight W. French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: R-73473

Permit: R-12695

Certificate: PROPOSED

Permit/Certificate Holder:

COVENTRY FARMS LLC

PO BOX 1579

SANTA CLARITA CA 91386-1579

Canyon Country, CA

Copies of Final Certificate to be sent to:

1. Watermaster District 19 (include copy of map)
2. Data Center
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. Don Knauer, CWRE
2. ~~Norm Daft~~

*? Clay Jordan, Jordan Engineering,
460 Jordan Lane
Roseburg OR 97471*

Copies Mailed

by: _____
(STAFF)

on: _____
(DATE)

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HAL AND ADRIENNE GOOD
ROUTE 1, BOX 1480
BANDON, OREGON 97411

PHONE: (541) 347-3262

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

APPLICATION FILE NUMBER: R-73473

SOURCE OF WATER: RESERVOIR 1: UNNAMED STREAM # 1, TRIBUTARY OF FLORAS LAKE; RESERVOIR 2: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 3: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 4 AND RESERVOIR 5: UNNAMED STREAM #2 AND RUNOFF, TRIBUTARY TO FLORAS LAKE; RESERVOIR 6: RUNOFF, TRIBUTARY TO UNNAMED STREAM #2

STORAGE FACILITY: SIX UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT 53588 FOR SUPPLEMENTAL CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 51.0 ACRE-FEET (AF) PER YEAR, BEING 9.0 AF IN RESERVOIR 1, 9.0 AF IN RESERVOIR 2, 7.0 AF IN RESERVOIR 3, 9.0 AF IN RESERVOIR 4, 9.0 AF IN RESERVOIR 5 AND 8.0 AF IN RESERVOIR 6

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

The area submerged by Reservoir 1, when full, will be 1.2 acres and the maximum depth of water will be 12.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

The area submerged by Reservoir 2, when full, will be 1.0 acre and the maximum depth of water will be 11.0 feet. The maximum height of the dam shall not exceed 17.0 feet.

The area submerged by Reservoir 3, when full, will be 0.6 acre and the maximum depth of water will be 11.5 feet. The maximum height of the dam shall not exceed 15.0 feet.

Application R-73473 Water Resources Department

PERMIT R-12695

The area submerged by Reservoir 4, when full, will be 1.3 acres and the maximum depth of water will be 14.0 feet. The maximum height of the dam shall not exceed 19.0 feet.

The area submerged by Reservoir 5, when full, will be 1.1 acres and the maximum depth of water will be 14.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

The area submerged by Reservoir 6, when full, will be 0.6 acre and the maximum depth of water will be 16.0 feet. The maximum height of the dam shall not exceed 4-6 feet.

DAM LOCATIONS: SE 1/4 NW 1/4, NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 1 - 2250 FEET SOUTH & 1070 FEET WEST; RESERVOIR 2 - 2500 FEET SOUTH & 1100 FEET WEST; RESERVOIR 4 - 3220 FEET SOUTH & 1350 FEET WEST; RESERVOIR 5 - 3380 FEET SOUTH & 1720 FEET WEST; ALL FROM THE NORTH 1/4 CORNER, SECTION 27

RESERVOIR LOCATIONS: SE 1/4 NW 1/4, NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 3 - 1390 FEET SOUTH & 680 FEET WEST; RESERVOIR 6 - 4160 FEET SOUTH & 1800 FEET WEST; BOTH FROM THE NORTH 1/4 CORNER, SECTION 27

STREAM #2 POINT OF DIVERSION: NE 1/4 SW 1/4, SECTION 27, T31S, R15W, W.M.; 3390 FEET SOUTH AND 1200 FEET WEST FROM NORTH 1/4 CORNER, SECTION 27

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

SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SECTION 27

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster 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 keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The

Application R-73473 Water Resources Department

PERMIT R-12695

permittee may be required to report 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.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish.

Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions.

STANDARD CONDITIONS

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

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

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

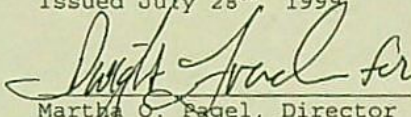
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

This permit is issued to correctly describe the locations of the reservoirs 2, 3 and 4, to correctly describe the source of water for each reservoir, the surface area of reservoir 3, the maximum depth of reservoirs 2, 3 and 4, the dam/reservoir locations for reservoirs 2, 3, 5, and 6, the maximum height of the dams on reservoirs 2 and 4, and the area to be submerged by reservoir 3. Permit R-12111, dated January 31, 1997, is superseded by this instrument and is of no further force or effect.

Actual construction work shall begin by January 31, 1998, and shall be completed on or before October 1, 1999. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2000.

Issued July 28th 1999


Martha C. Pagel, Director
Water Resources Department

Application R-73473 Water Resources Department
Basin 17 Vol.3 Floras Lake & Misc.

PERMIT R-12695
District 19

CLAIM OF BENEFICIAL USE

Section 27 Twp 31S Range 15W, W.M.

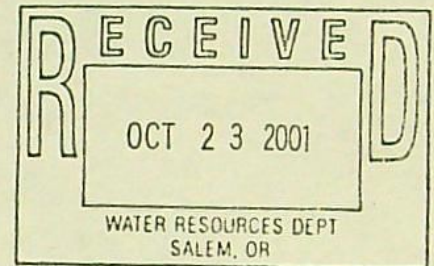
Curry County

FOR: Adrienne Good

Application # R-73473

Permit # R-12695

Date surveyed: August 10, 2001

**OWNER INFORMATION:**

permittee:

name: Adrienne Good
address: Route 1 Box 1480
city & state: Bandon, OR 97411
phone: 541-347-3262

property owner: same

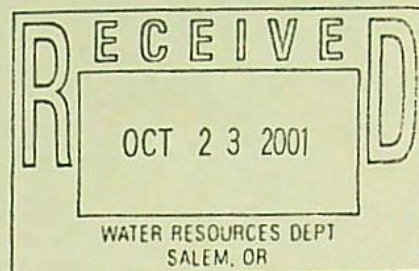
person interviewed: Dave Peck, Manager
address: 89551 Two Mile Lane
city and state: Bandon, OR 97411
phone: 541-347-3121

SOURCE:

Reservoir 1: unnamed stream #1, tributary of Floras Lake; Reservoir 2: runoff, tributary to unnamed stream #1; Reservoir 3: runoff, tributary to unnamed stream #1; Reservoir 4 and Reservoir 5: runoff, tributary to Floras Lake

TYPE OF USE:

cranberry operations and supplemental cranberry operations

DIVERSION WORKS DESCRIPTION:**Reservoir 1:**

Height: 22 feet
 Top width: 20 feet
 Length: 100 feet
 D/S slope: 1 1/2:1
 U/S slope: 1 1/2:1
 Max. depth: 14 feet (water)
 Conduit: 4 ft. 1/2 round CMP w/flash boards upright connected to 36" CMP through dam
 Spillway: 24" ribbed plastic pipe discharging to original ground away from dam
 Freeboard: 7.2 feet
 Surface area: 0.5 acre surface area of reservoir
 Excavation: partially excavated
 Capacity: 5 acre feet maximum storage
 Water may be gravity fed to reservoir no. 2 through a 4" PVC line.

Reservoir 2:

Height: 27 feet
 Top width: 15 feet
 Length: 72 feet
 D/S slope: 1 1/2:1
 U/S slope: 1 1/2:1
 Max. depth: 20.5 feet (water)
 Conduit: None. This reservoir is off channel and excavated along the slope and excavated material was used to construct the dam.
 Spillway: 18" CMP through dam on right side and piped through a 24" CMP below face of dam to creek
 Freeboard: 6.5 feet
 Surface area: 0.5 acre surface area of reservoir
 Excavation: reservoir was excavated with fairly steep sides-around 1:1 near pump house located along northern side. The point of diversion used was the dam at the spillway.
 Capacity: 6 acre feet maximum storage

Reservoir 3:

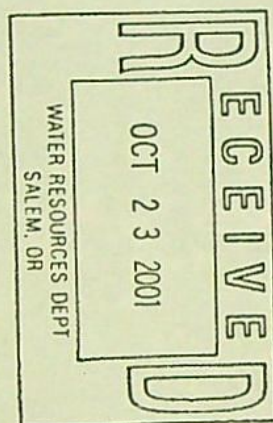
Height: 20' 3"
 Top width: 21 feet
 Length: 105 feet
 D/S slope: 1 1/2:1

U/S slope: 1 ½:1
 Max. depth: 15 feet (water)
 Conduit: 8" vertical PVC Pipe (screened) connected to 8" PVC conduit through dam with an 8" gage valve assembly
 Spillway: 18" CMP through dam on left side and piped below face of dam to creek
 Freeboard: 3.2 feet
 Surface area: 0.55 acre surface area of reservoir
 Excavation: partially excavated to 2/3 of reservoir- very steep sides
 Capacity: 6 acre feet maximum storage

Note: Water is delivered to reservoirs one and two via a 4" PVC buried pipe.

Reservoir 4:

Height: 32 feet
 Top width: 12 feet
 Length: 105 feet
 D/S slope: 2:1
 U/S slope: 1 ½:1
 Max. depth: 14 feet (water)
 Conduit: None. This reservoir/dam was built along the creek on sloping ground and the excavated material provided for the embankment. Reservoir is located totally off channel.
 Spillway: 18" ribbed plastic Culvert
 Freeboard: 5 feet
 Surface area: 0.3 acre surface area of reservoir
 Excavation: see above
 Capacity: 2 acre-feet at 14' (normal level) and up to 3.5 acre-feet when spillway is used.



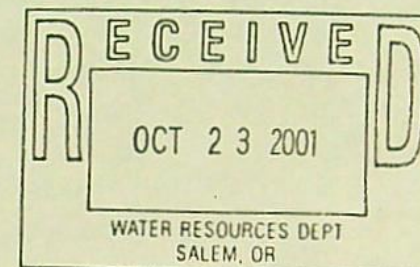
Reservoir 5:

Height: 20 feet downstream, 16.5 feet upstream
 Top width: 10 feet
 Length: 65 feet- on the arc
 D/S slope: 1 ½:1
 U/S slope: 2 ½:1
 Max. depth: 16 feet (water) excavation on upper side of reservoir- below base of dam.
 Conduit: None. This reservoir/dam was built in a field with no visible channel nearby. Rain and field runoff is all that fills this reservoir. The pump which pumps from unnamed stream two can also pump from this reservoir.

Spillway: 8" PVC
Freeboard: 3 feet
Surface area: 0.45 acre surface area of reservoir
Excavation: see above
Capacity: 3.5 acre feet

SYSTEM CAPACITY:

Reservoir #1 = 5 acre-feet
Reservoir #2 = 6 acre-feet
Reservoir #3 = 6 acre-feet
Reservoir #4 = 3.5 acre-feet
Reservoir #5 = 3.5 acre-feet
Total = 24 acre feet

**DIVERSION POINTS LOCATION:**

Reservoir #1 (unnamed stream #1) is located 300 feet north and 1630 feet east; within the SE1/4 NW1/4; and unnamed stream #2 is located 810 feet south and 1570 feet east; within the NE1/4 SW1/4

Reservoir #2 is located 200 feet north and 1630 feet east; within the SE1/4 NW1/4

Reservoir #3 is located 1320 feet north and 2120 feet east; within the SE1/4 NW1/4

Reservoir #4 is located 610 feet south and 1690 feet east; within the NE1/4 SW1/4

Reservoir #5 is located 1300 feet south and 1630 feet east; within the NE1/4 SW1/4; all from the west quarter corner of section 27 and within section 27, T31S, R15W, W.M.

RATE: Allowed by permit: 51 acre feet

Calculated based on the system: 24 acre feet

PLACE OF USE AND EXTENT OF USE:

SE1/4 NW1/4 4.1 acres; NE1/4 SW1/4 5.9 acres; both section 27, T31S R15W, W.M.

TIME LIMITS:

All time limits were met.

CROP TYPE AND PERIOD OF USE:

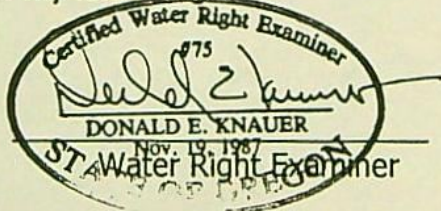
cranberries; year round from stored water only.

PERMIT CONDITIONS:

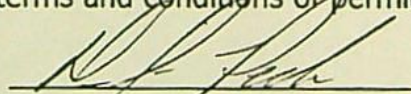
meter: a flow meter is installed

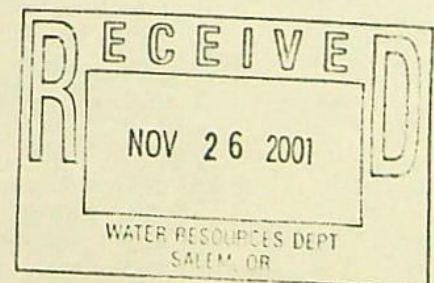
Dams and reservoirs were constructed per letter from Todd Confer, biologist, copy attached.

The final proof survey and inspection of the water use was found to be completed under the terms and conditions of permit 53588 on August 10, 2001, and the facts contained in this report and accompanying map are correct to the best of my knowledge.



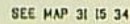
I, Dave Peck, Manager, agree to the findings of the Water Right Examiner and submit this report and map as Claim of Beneficial Use of the water as provided under the terms and conditions of permit # 53588.


Signature



$1'' = 400'$

CANCELLED NO.
900
1301
1302



31S15W27

Map Tax Lot	Property ID	Owner Name	Address 1	Address 2	Address 3	City State Zip	Acreage
3115-27 -00600	R11772	CLARK, SANDRA E SCOTT ET AL HULL, LONNIE S	46248 HWY 101			LANGLOIS, OR 97450	5
3115-27 -00600	R14903	CLARK, SANDRA E SCOTT ET AL HULL, LONNIE S	46248 HWY 101			LANGLOIS, OR 97450	24
3115-27 -00700	R11834	OLAH, STEVEN R	P O BOX 1044			LANGLOIS, OR 97450	4.04
3115-27 -00800	R11894	MATTOS, HENRY A & JANICE SUE	1652 SE JACKSON STREET			ROSEBURG, OR 97470	3.8
3115-27 -00801	R15024	HARNESS, DAWNA K ETAL PAULUS, SHIRLEY M ASHER, SANDRA K	P O BOX 915			LANGLOIS, OR 97450	3
3115-27 -00801	M30667	HARNESS, DAWNA K ETAL PAULUS, SHIRLEY M ASHER, SANDRA K	P O BOX 915			LANGLOIS, OR 97450	
3115-27 -00801	R11956	HARNESS, DAWNA K ETAL PAULUS, SHIRLEY M ASHER, SANDRA K	P O BOX 915			LANGLOIS, OR 97450	5
3115-27 -01000	M34774	BOLLS, LEROY S	MT FOULK, GEORGE F & DEBRA	46132 HWY 101		LANGLOIS, OR 97450	
3115-27 -01000	R15089	FOULK, ROBERT M & DORIS D	46130 HWY 101			LANGLOIS, OR 97450	13.5
3115-27 -01000	R12022	FOULK, ROBERT M & DORIS D	46130 HWY 101			LANGLOIS, OR 97450	5
3115-27 -01100	R15152	ROSENBERRY, FORREST & EMMA L	P O BOX 355			PORT ORFORD, OR 97465	10
3115-27 -01100	R12084	ROSENBERRY, FORREST & EMMA L	P O BOX 355			PORT ORFORD, OR 97465	5
3115-27 -01200	R12141	KEELER, LYLE A & RONDA J	46166 HIGHWAY 101			LANGLOIS, OR 97450	1
3115-27 -01300	R15209	COVENTRY FARMS, LLC	P O BOX 1579			SANTA CLARITA, CA 91386	41.21
3115-27 -01400	R15269	CAREY, CHRISTOPHER & BRENDA L	P O BOX 1006			ISSAQUAH, WA 98027	31.2
3115-27 -01401	R15336	COX, JERRY & BONNIE	93800 STONECYPHER ROAD			LANGLOIS, OR 97450	5.89
3115-27 -01401	R12204	COX, JERRY & BONNIE	93800 STONECYPHER ROAD			LANGLOIS, OR 97450	5
3115-27 -01500	R15395	COVENTRY FARMS, LLC	P O BOX 1579			SANTA CLARITA, CA 91386	67.84
3115-27 -01501	R15458	CUTHBERT, MERRILYN	45900 HIGHWAY 101			LANGLOIS, OR 97450	2.3
3115-27 -01502	R15521	ALBRECHT, ELISABETH J TRSTEE	ALBRECHT, ELISABETH J FAM TRST	2139 6TH STREET		NORCO, CA 92860	4.53
3115-27 -01503	R15583	TATE, DONALD H & CAROL L TRSTEE	P O BOX 1071			LANGLOIS, OR 97450	2.12
3115-27 -01504	R15644	TREMMEL, WILLIAM B & KATHRYN J	45954 HIGHWAY 101			LANGLOIS, OR 97450	19.15
3115-27 -01504	R12258	TREMMEL, WILLIAM B & KATHRYN J	45954 HIGHWAY 101			LANGLOIS, OR 97450	5
3115-27 -01505	R15708	TATE, DONALD H & CAROL L TRSTEE	P O BOX 1071			LANGLOIS, OR 97450	2.13
3115-27 -01506	R15770	TATE, DONALD H & CAROL L TRSTEE	P O BOX 1071			LANGLOIS, OR 97450	5.88
3115-27 -01600	R15830	DRESCHER, DON A ETAL	PENDERGRASS, VIOLET R	P O BOX 61		LANGLOIS, OR 97450	3
3115-27 -01600	R22653	DRESCHER, DON A ETAL PENDERGRASS, VIOLET R	PENDERGRASS, VIOLET R	P O BOX 61		LANGLOIS, OR 97450	5
3115-27 -01700	R15890	LANG, EARL A & MERRI L	86929 LOSH BAUGH LN			BANDON, OR 97411	75
3115-27 -01700	R22654	LANG, EARL A & MERRI L	86929 LOSH BAUGH LN			BANDON, OR 97411	5
3115-27 -01701	R15954	STONECYPHER RANCH, INC	P O BOX 328			SIXES, OR 97476	99.6


[\(http://co.curry.or.us/\)](http://co.curry.or.us/)
[Home](#)
[Board of Commissioners](#)
[Elected Officials](#)
[Departments](#)
[\(http://co.curry.or.us/\)](http://co.curry.or.us/) <http://co.curry.or.us/Board-of-Commissioners> <http://co.curry.or.us/Elected-Officials> <http://co.curry.or.us/DEPARTMENTS>
[Employment](#)
[CONTACT](#)
<http://co.curry.or.us/Employment> <http://co.curry.or.us/CONTACT>
[Login \(http://co.curry.or.us/Login?returnurl=%2fDepartments%2fAssessment\)](http://co.curry.or.us/Login?returnurl=%2fDepartments%2fAssessment)
[Search...](#)

 You are here: [Departments \(http://co.curry.or.us/DEPARTMENTS\)](http://co.curry.or.us/DEPARTMENTS) >> [Assessment \(http://co.curry.or.us/Departments/Assessment\)](http://co.curry.or.us/Departments/Assessment)

(1)

LINKS

Curry County Assessor's Office

ASSESSOR HOME

[\(/Departments/Assessment\)](#)

ADDRESS/NAME CHANGES

[\(/Departments/Assessment](#)
[/ADDRESS-AND-NAME-CHANGES\)](#)

FARM / FOREST LAND

[\(/Departments/Assessment](#)
[/FARM-FOREST-LAND\)](#)

MANUFACTURED HOMES

[\(/Departments/Assessment](#)
[/MANUFACTURED-HOMES\)](#)

PERSONAL PROPERTY

[\(/Departments/PERSONAL-](#)
[PROPERTY\)](#)

REAL PROPERTY

[\(/Departments/Assessment](#)
[/REAL-PROPERTY\)](#)

TABULAR DATA

[\(/Departments/Tax-Collector](#)
[/tabdata\)](#)

TAX PAYMENTS ARE DUE MAY 15, 2015

OFFICE HOURS ARE MONDAY – THURSDAY, 9 A.M. TO 4 P.M.

LOCATION: 29821 ELLENSBURG AVENUE, MIDDLE FLOOR OF COURTHOUSE BUILDING

MAILING ADDRESS: 94235 MOORE STREET, SUITE 222, GOLD BEACH, OR 97444

*PAYMENT OPTIONS: DROP SLOT OUTSIDE OF OFFICE DOOR; CREDIT/DEBIT PAYMENTS ONLINE (SEE TAX DEPARTMENT WEB PAGE); MAIL YOUR PAYMENT; BRING PAYMENT TO TAX OFFICE

2014 OREGON PROPERTY TAX DEFERRAL:

If you qualify for this program, the Oregon Department of Revenue will pay your county property taxes on November 15 of each year.

For more information and to see if you qualify, please click the link below. Space is limited for this program and applications are due

to the county Assessor by April 15th of each year.

DISABLED VETERAN OR SURVIVING SPOUSE EXEMPTION:

 Oregon Property Tax Deferral For Disabled & Senior Citizens Form (http://www.oregon.gov/dor/PTD/docs/deferral-disabled-senior_490-015.pdf)

Contact

Jim Kolen
Curry County
Assessor/Tax Collector

Office Hours 9:00 AM - 4:00 PM

Monday - Thursday

94235 Moore Street, Suite 221

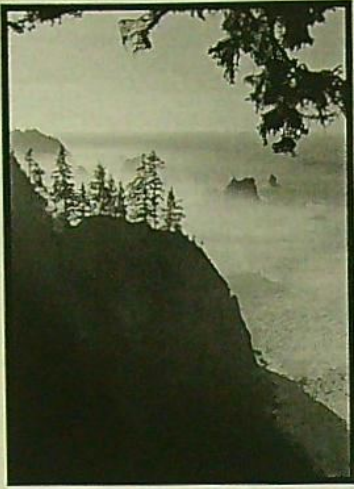
Gold Beach, Oregon 97444

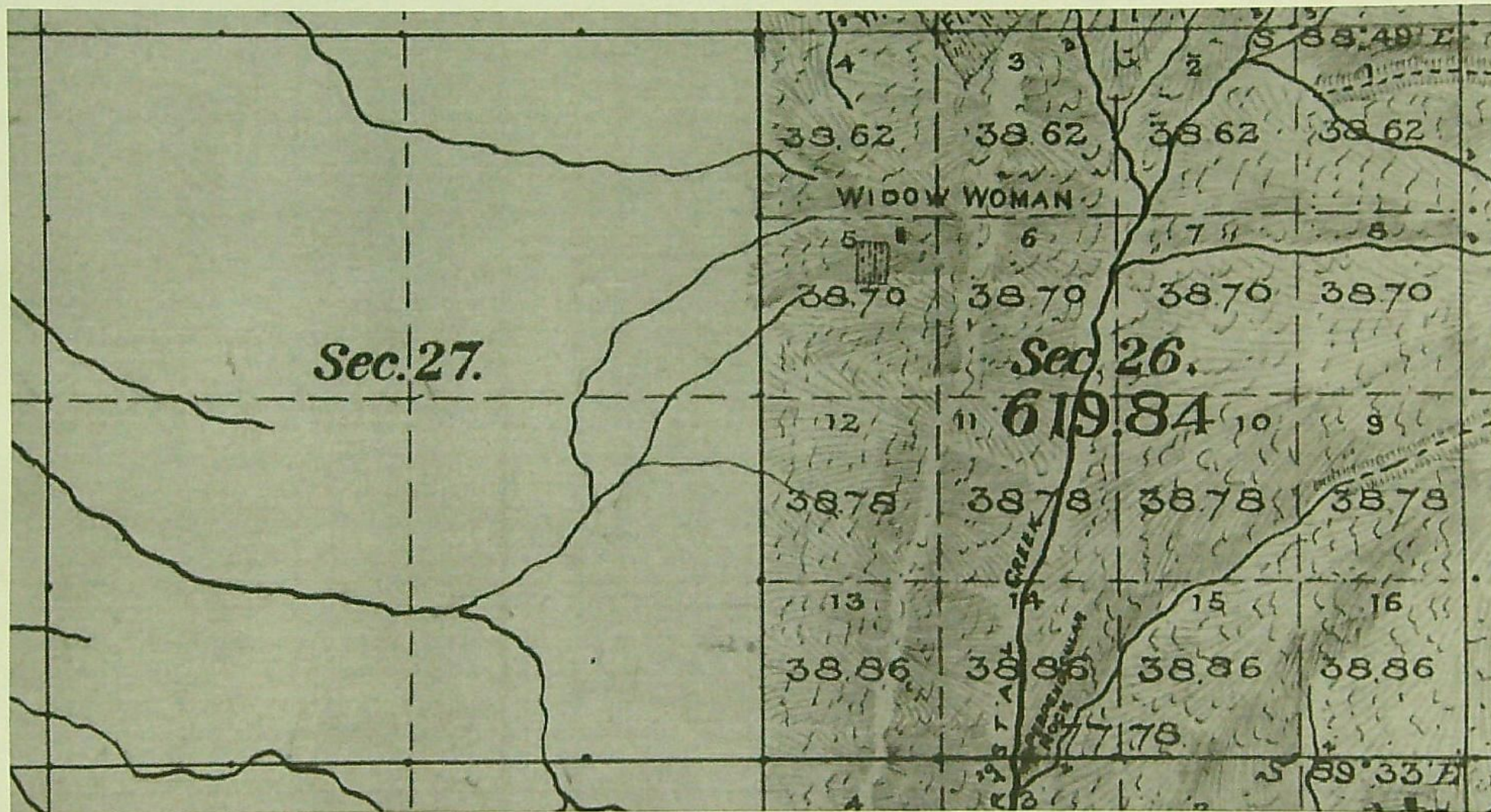
(541) 247-3294 or (800) 242-7601

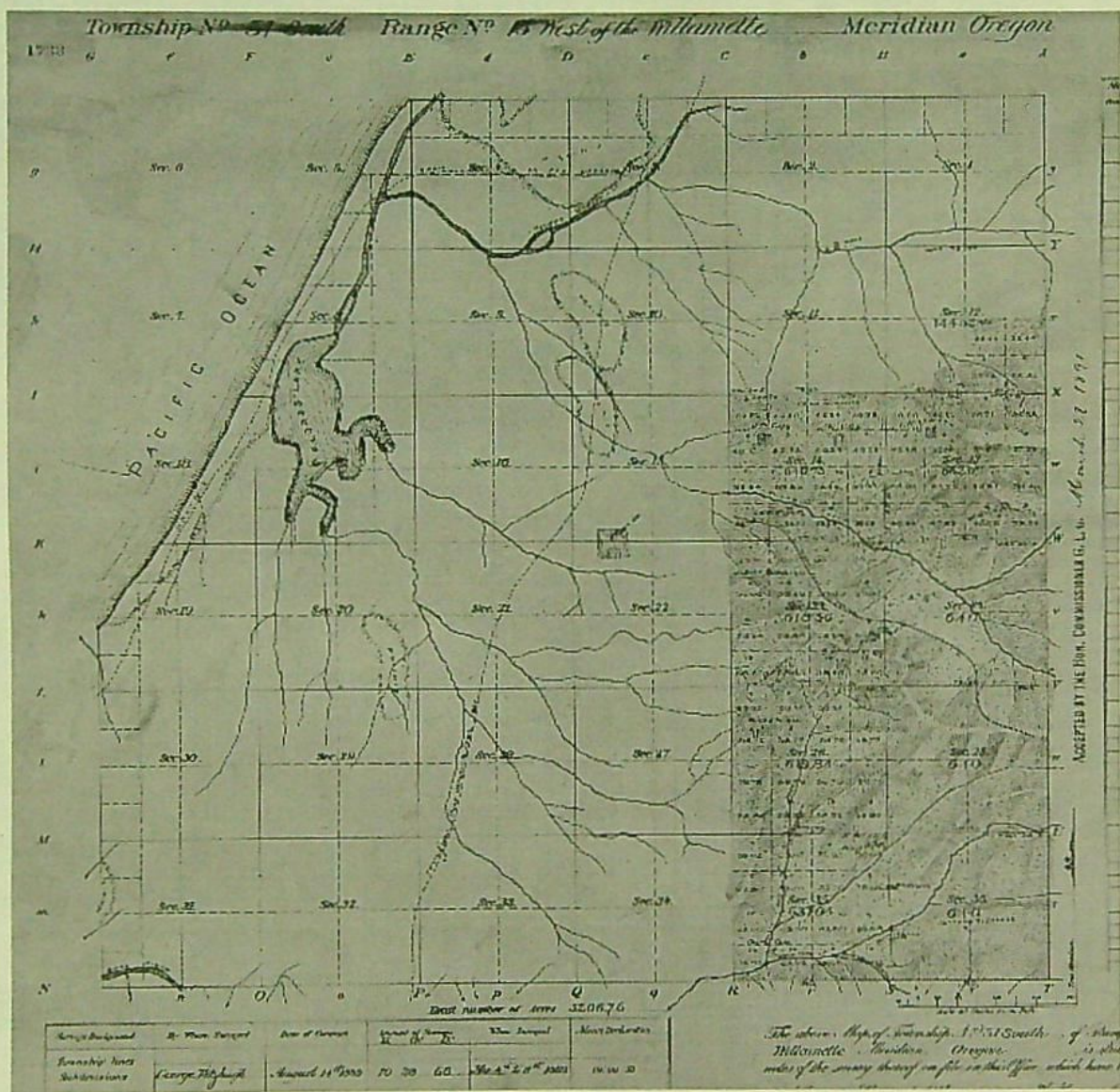
Fax (541) 247-2387

Tax Rate Summaries

[2012 / 2013 TAX RATE SUMMARY \(/Portals/0/Documents/assessor/2012-13 Tax Summary.pdf\)](#)
[2013 / 2014 TAX RATE SUMMARY \(/Portals/0/Documents/assessor/2013-14 Tax Rate Summary.pdf\)](#)
[2014 / 2015 TAX RATE SUMMARY \(/Portals/0/Documents/assessor/2014-15 Tax Rate Summary.pdf\)](#)







Water Rights Platcard Report

NCR

Meridian: Willamette Township: 31 South Range: 15 West Section: 27 Records per 12 Page: Search Platcards Maps! Learn about * View Map

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Permit: R 12111 CN Additional Info: HAL GOOD App: R73473 Permit: R12111		7/8/1993	CRANBERRY (Suppl'mtl)	CN											*	*	*	*						
Select Permit: R 12695 * Additional Info: COVENTRY FARMS LLC App: R73473 Permit: R12695		7/8/1993	CRANBERRY (Suppl'mtl)												*	*	*	*						
Select Permit: S 52992 CN Additional Info: HAL GOOD App: S73472 Permit: S52992		7/8/1993	CRANBERRY	CN					4					6	2.4	6.7	3.1							
Select Permit: S 53588 * Additional Info: COVENTRY FARMS LLC App: S73472 Permit: S53588		7/8/1993	CRANBERRY						4					6	2.4	6.7	3.1							
Select Permit: S 53005 * Additional Info: SANDRA CLARK App: S73471 Permit: S53005		7/7/1993	CRANBERRY						3	7														
Select Cert: 13808 OR * Additional Info: BERTHA WEBER App: S18459 Permit: S14114 Cert: 13808		11/9/1939	DOMESTIC					*																
Select Cert: 13822 OR * Additional Info: VIRNA EMERY App: S18459 Permit: S14114 Cert: 13822		11/9/1939	DOMESTIC					*																
Select Cert: 20711 OR * Additional Info: CLIFFORD E LANG App: S17520 Permit: S13225 Cert: 20711		8/15/1938	DOMESTIC																	*				
Select Cert: 20711 OR * Additional Info: CLIFFORD E LANG App: S17520 Permit: S13225 Cert: 20711		8/15/1938	IRRIGATION															7.2		0.5	1.3			
Select Cert: 42380 OR * Additional Info: TRESSA F GORSUCH App: S44627 Permit: S33389 Cert: 42380		3/25/1968	IRRIGATION														10							
Select Cert: 20711 OR * Additional Info: CLIFFORD E LANG App: S17520 Permit: S13225 Cert: 20711		8/15/1938	LIVESTOCK																	*				
Select Permit: R 12110 * Additional Info: SANDRA CLARK App: R73470 Permit: R12110		7/7/1993	STORAGE										*											

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate)

(12.25) Acreage has been suspended

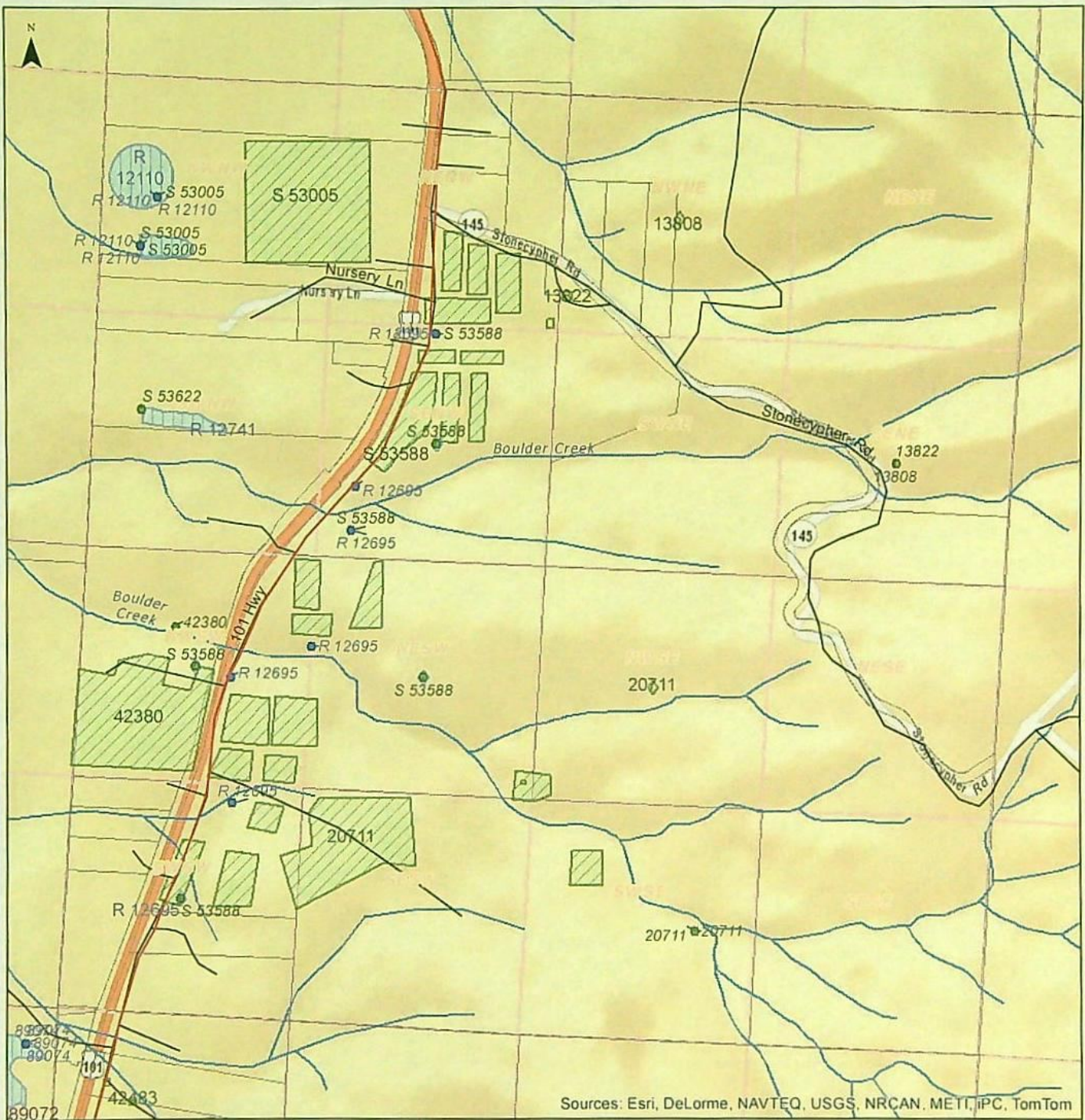
* Acreage is not specified



Oregon Water Resources Department
Water Rights by Type

WM31.00S15.00W27

Map Date: February 8, 2015



Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom

0 1,000 Feet

Legend

Points of Diversion Places of Use

● 75030

● 24883

● 24883

75030

24883

24883

Storage water

Surface water

Ground water

◇ Water Rights - Outline to be determined. (Applies to all colors)

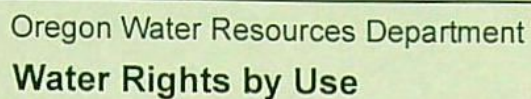
Water right labels indicate certificate number or permit letter(s) and number. Municipality uses excluded.

Index Map



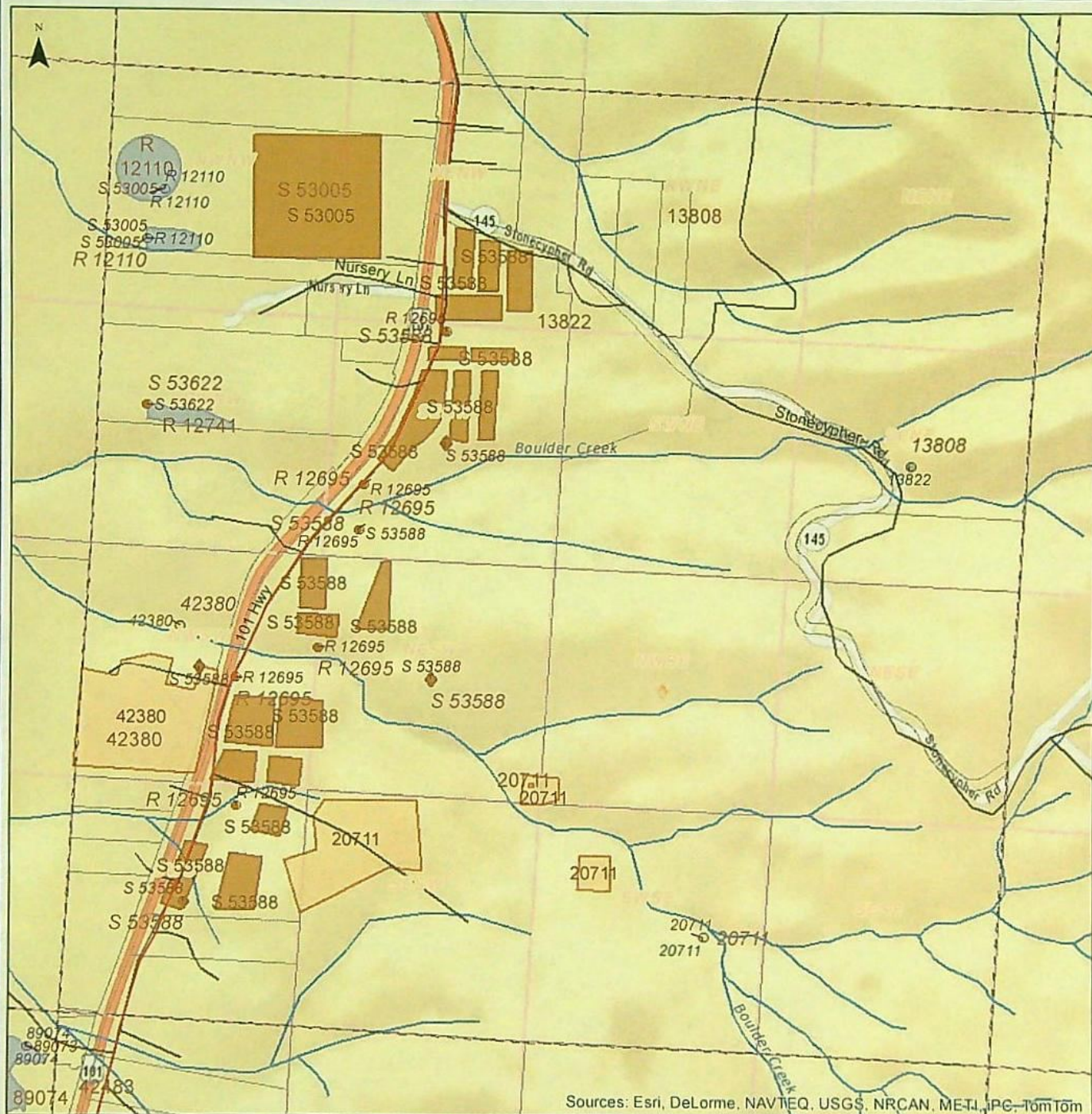
For more information:
<http://www.wrd.state.or.us> and
<http://apps.wrd.state.or.us/apps/wr/wrinfo/>

This map is for informal purposes only.
It is not intended for legal, engineering or
surveying purposes. Municipal rights are
not included on this map.



WM31.00S15.00W27

Map Date: February 8, 2015



Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, JGC-TomTom

0 1,000 Feet

- POD - Points of Diversion
- POU - Places of Use

For more information:
<http://www.wrd.state.or.us>
 and
<http://apps.wrd.state.or.us/apps/wr/wrinfo/>

This map is for informal purposes only.
It is not intended for legal, engineering or
surveying purposes.

Legend

POD*	POU*	
		Municipal
		Domestic
		Commercial
		Power
		Mining

POD	POU	
		Irrigation
		Livestock
		Agriculture
		Misc.

◆ Water Rights - Outline to be determined. (Applies to all colors)

POD	POU	
		Instream
		Wildlife
		Fish
		Recreation

Index Map



**Oregon Water Resources Department
Water Rights Mapping Tool**[User Guide](#)[OWRD Only](#)

725 Summer St NE, Salt

**Search**

Search: Water Right by File

Application: R 73473

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Source: Equals

Irr. District:

(Draw box on map.)

Places of Diversion: (Count: 6)

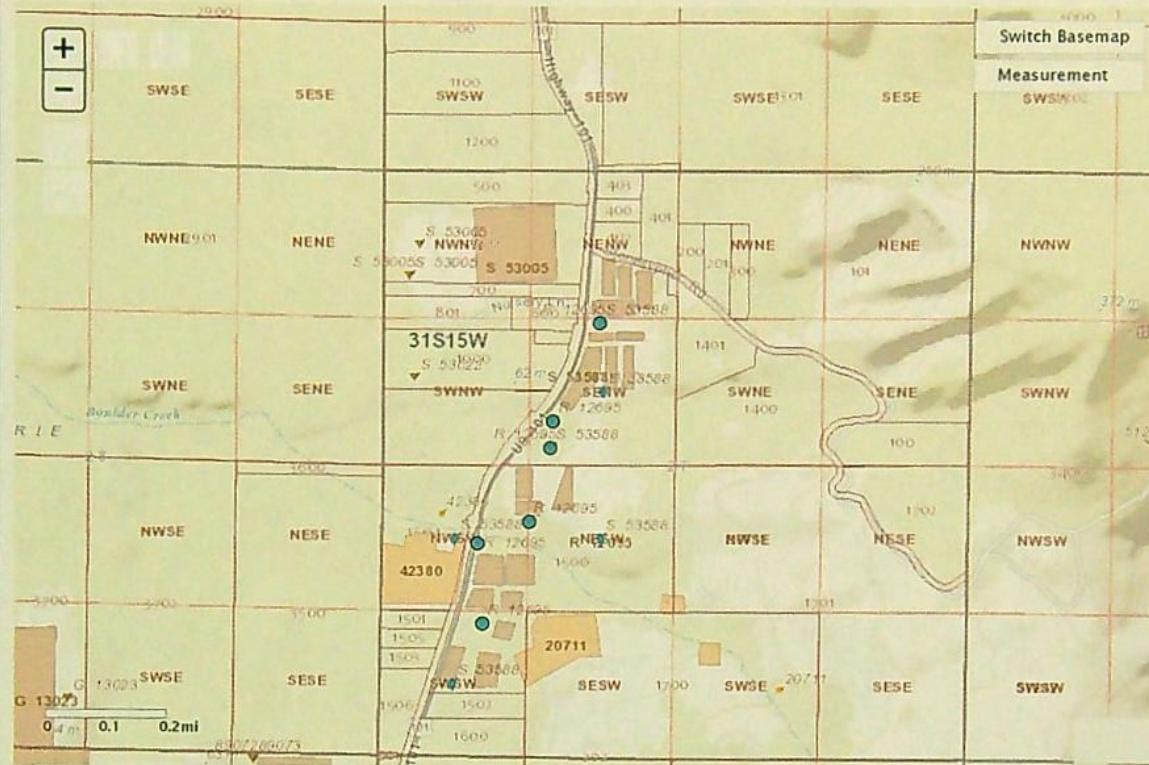
Places of Use: (Count: 1)

Identify Non-Water Right Features

Tools

Layers

Bookmarks



Switch Basemap

Measurement

POD

POU

Irrigation Districts AOI

WR By Time

Application # R-73473 Permit # R-12695 Transfer #

Applicant's Name: RA#
 Good R12154-11

Reimbursement Authority Process

Itemized Estimate Sheet

for

Certificates

	Est. Time (hr)	Individual	Est. Cost	Date	Act. Time (hr)
1. Review Claim of Beneficial Use report and map	1.00	Craig	\$95	7-20-15	0.5
2. Conflict Check		Craig	\$0		
3. Preparation of deficiency letter	0.50	Craig	\$47	5-5	0.25
4. Preparation of proposed certificates	1.50	Craig	\$142	1-8 0.75	0.75
5a. Peer review			\$0		
5b. Peer review	0.10	Dwight	\$12	9-22	0.1
5c. Peer review	0.75	Ann	\$65	7-7	0.5
6. Project Management	3.00	Craig	\$284	5-2 0.5	0.4
7a. Water right data record update	0.20	Connie	\$12	9-22	0.1
7b. Water right data record update	1.25	Data Tech	\$73	9-17	0.75
8. Pump test (if applicable)	0.00	Mike Z	\$0		
Total	8.30		\$728		

Deficiencies: No evidence of fish screens for either Unnamed Stream #1 or #2 or fishway's to provide adequate upstream and downstream passage. Need a copy of letter from Todd Confer w/ODFW that "placement of reservoirs 1&2 were determined by him."

Certificate 90793 issued 9-22-15.

95
 95
 247
 12
 44
 252
 6
 44
 738
 over \$10
 difference < \$50.

KAVANAGH Kerry L

From: KCJ <kcjengineer@zoho.com>
Sent: Saturday, September 12, 2015 7:02 AM
To: Kerry Kavanagh; Norm Daft; Dennis Bowman
Subject: Fwd: RE: Fwd: RA Projects for Adrienne Good -- R-12153-11, Application S-74342, and R12154-11, Application R-73473 -- please review draft proposed certificates

== == == == == Forwarded message == == == == ==

From : ag@gnaw4.com
To : "KCJ" <kcjengineer@zoho.com>
Date : Fri, 11 Sep 2015 19:22:53 -0400
Subject : RE: Fwd: RA Projects for Adrienne Good -- R-12153-11, Application S-74342, and R12154-11, Application R-73473 -- please review draft proposed certificates

== == == == == Forwarded message == == == == ==

they look ok to me..looking forward to receiving certificates
agood

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

Subject: Fwd: RA Projects for Adrienne Good -- R-12153-11, Application S-74342, and R12154-11, Application R-73473 -- please review draft proposed certificates

From: KCJ <kcjengineer@zoho.com>
Date: Thu, September 10, 2015 6:20 pm
To: <ag@gnaw4.com>
Cc: "Kerry Kavanagh" <kerry.l.kavanagh@state.or.us>, "Norm Daft" <normthewaterguy@charter.net>, "Norm Daft" <normthewaterguy@charter.net>

Ms. Good,
Please review these two draft certificates and let me know if all is correct. Norm and I have already review and did not observed any issues.
Clay

===== Forwarded message =====

From : KAVANAGH Kerry L <kerry.l.kavanagh@state.or.us>
To : "KCJ (kcjengineer@zoho.com)" <kcjengineer@zoho.com>, "Norm Daft (normthewaterguy@charter.net)" <normthewaterguy@charter.net>
Date : Wed, 02 Sep 2015 20:05:22 -0400
Subject : RA Projects for Adrienne Good -- R-12153-11, Application S-74342, and R12154-11, Application R-73473 -- please review draft proposed certificates

===== Forwarded message =====

Hi Clay and Norm,

Please find attached to this email the draft certificates for Applications R-73473 and S-74342. Please ask Adrienne Good to review the draft certificates and compare them to Permits R-12695 and S-53588 for accuracy and completeness.

For your convenience, here is a link to information regarding Application R-73473 in the Department's Water Rights Information System (WRIS) database: http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=33379

Click on "document" to view Permit R-12695.

For your convenience, here is a link to information regarding Application S-73473 in the Department's Water Rights Information System (WRIS) database: http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=51830

Click on "document" to view Permit S-53588.

Please provide me your comments or edits, should you have any. If you and Adrienne Good agree with the draft proposed certificates and let me know this, I can then proceed to issue the certificates without waiting the standard 60-day notice period.

Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Wednesday, September 02, 2015 5:05 PM
To: KCJ (kcjengineer@zoho.com); Norm Daft (normthewaterguy@charter.net)
Subject: RA Projects for Adrienne Good -- R-12153-11, Application S-74342, and R12154-11, Application R-73473 -- please review draft proposed certificates
Attachments: 73473-or-prop-DRAFT-2015-09-02.pdf; 73472-or-prop_DRAFT-2015-09-02.pdf

Hi Clay and Norm,

Please find attached to this email the draft certificates for Applications R-73473 and S-74342. Please ask Adrienne Good to review the draft certificates and compare them to Permits R-12695 and S-53588 for accuracy and completeness.

For your convenience, here is a link to information regarding Application R-73473 in the Department's Water Rights Information System (WRIS) database: http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=33379
Click on "document" to view Permit R-12695.

For your convenience, here is a link to information regarding Application S-73473 in the Department's Water Rights Information System (WRIS) 2database: http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=51830
Click on "document" to view Permit S-53588.

Please provide me your comments or edits, should you have any. If you and Adrienne Good agree with the draft proposed certificates and let me know this, I can then proceed to issue the certificates without waiting the standard 60-day notice period.

Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COVENTRY FARMS LLC
PO BOX 1579
CANYON COUNTRY CA 91386-1579

confirms the right to store water perfected under the terms of Permit R-12695. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-73473

SOURCE OF WATER: RESERVOIR 1: UNNAMED STREAM #1, TRIBUTARY OF FLORAS LAKE; RESERVOIR 2: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 3: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 4 AND RESERVOIR 5: UNNAMED STREAM #2 AND RUNOFF, TRIBUTARIES TO FLORAS LAKE

STORAGE FACILITY: FIVE UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT S-53588 FOR SUPPLEMENTAL CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 24.0 ACRE-FEET (AF) PER YEAR, BEING 5.0 AF IN RESERVOIR 1, 6.0 AF IN RESERVOIR 2, 6.0 AF IN RESERVOIR 3, 3.5 AF IN RESERVOIR 4, AND 3.5 AF IN RESERVOIR 5

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

Reservoirs and points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	15 W	WM	27	SE NW	RESERVOIR 1 AND UNNAMED STREAM 1 - 300 FEET NORTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	SE NW	RESERVOIR 2 - 200 FEET NORTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	SE NW	RESERVOIR 3 - 1320 FEET NORTH AND 2120 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	RESERVOIR 4 - 610 FEET SOUTH AND 1690 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	RESERVOIR 5 - 1300 FEET SOUTH AND 1630 FEET EAST FROM W 1/4 CORNER, SECTION 27
31 S	15 W	WM	27	NE SW	UNNAMED STREAM 2 - 810 FEET SOUTH AND 1570 FEET EAST FROM W 1/4 CORNER, SECTION 27

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The areas submerged by these reservoirs are as follows:

Twp	Rng	Mer	Sec	Q-Q
31 S	15 W	WM	27	NE NW
31 S	15 W	WM	27	SE NW
31 S	15 W	WM	27	NE SW
31 S	15 W	WM	27	SE SW

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device(s) as approved by the watermaster at each point diversion point. The totalizing flow meter must be maintained as identified in OAR 690-507-645. The water user shall keep a complete record of the amount of water used each month. The water user shall submit a report which includes the recorded water use measurements to the Department at its request. The water user may be required to report annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under this right.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream rights, or to pass natural inflow as determined by the Water Resources Director.

The water user shall maintain and operate fish screening and a fishway as required by the Oregon Department of Fish and Wildlife.

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

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

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

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

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

Issued _____

Dwight W. French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Friday, July 10, 2015 9:56 AM
To: KCJ (kcjengineer@zoho.com); Norm Daft (normthewaterguy@charter.net)
Subject: RA Project R12154-11 Adrienne Good involving Application R-73473 - need clarification regarding diversion from unnamed stream #2

Hello Clay and Norm,

I have been preparing the draft certificates for Adrienne Good.

In reviewing the Claim of Beneficial Use (Claim) report and map prepared by Don Knauer, I have found a discrepancy regarding the diversion from unnamed stream #2. The Claim report states that runoff is used to fill Reservoir 4 and Reservoir 5.

The Claim map, however, does show the location and coordinates for the diversion from unnamed stream #2. Also, you recently obtained and submitted information from ODFW regarding the fish screen at this diversion.

Permit R-12695 describes the sources of water for Reservoir 4 and Reservoir 5 as runoff and unnamed stream #2.

Please provide clarification whether water was diverted from the unnamed stream #2 to fill Reservoir 4 and/or Reservoir 5 during the time window authorized by Permit R-12695, which is between July 28, 1999, when the permit was issued, and October 1, 2000, when complete application of stored water to the use was to have been made. I will need a written statement signed by the water user describing diversion of water from unnamed stream #2.

Let me know if you have any questions.

Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>

KOHANEK Craig

From: Norm Daft <normthewaterguy@charter.net>
Sent: Wednesday, January 07, 2015 8:43 AM
To: Craig Kohanek
Cc: kcjengineer
Subject: RA permits R-12695 and S-53588

Craig,

Can you tell me what the status of these RA requests are?

It's been quite a while (8+ months) since the contracts were executed.

Thanks.

Norm

Norm Daft

(541) 761-1057

KOHANEK Craig

From: KOHANEK Craig
Sent: Tuesday, January 13, 2015 2:09 PM
To: Norm Daft (normthewaterguy@charter.net)
Subject: FW: RA Agreement for Coventry Farms LLC (Good) R12153-11 involving application S-73472 and R12154-11 involving application R-74473
Attachments: RA contract executed.pdf; RA contract executed.pdf; RA contract receipt.pdf; RA contract receipt.pdf; COBU & map; no fish screens or fisways.pdf

Norm,

For some inexplicable reason the email you sent me went to my junk email, thus the delay in my response. The reason you haven't seen these certificates is due to the email that I sent below. I have the two Draft certificates prepared but need the letter from ODFW – Todd Confer - that Don Knauer refers to in the Claim of Beneficial Use. It is especially important as the height of all five of the dams exceeds what's identified in the permit as does the maximum depth of several of the reservoirs.

Craig

From: KOHANEK Craig
Sent: Monday, May 05, 2014 11:43 AM
To: kcjengineer@zoho.com
Subject: RA Agreement for Coventry Farms LLC (Good) R12153-11 involving application S-73472 and R12154-11 involving application R-74473

Clay,

Hope that this finds you well.

Attached are copies of the fully executed Applicant Agreements signed by the required parties and receipts for the monies paid for these expedited services. The agreements detail the terms and conditions that the work orders were issued for the expedited services you requested.

I mailed copies of these documents to Coventry Farms, attention Adrienne Good on May 2, 2014.

If you have any questions concerning the agreements or the program, please contact me.

In addition, there are several items that I must have before I may proceed with these projects.

1. Permits R-12695 and S-53888 require that "Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions." In his Claims of Beneficial Use (COBU) for these projects, in the Permit Conditions Section, Don Knauer states "Constructed per biologist's instructions: all dams constructed per letter copy from Todd Confar, biologist, copy attached." Having looked through both of the files, I am unable to find this letter.
2. Permit R-12695 has the condition (see attached) "the permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The requires screens and

fishways are to be in place, functional, and approved by the Oregon Department of fish and Wildlife before diversion of any water." I find no evidence in the COBU, see attached, nor in the file of this condition having been satisfied.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrд.state.or.us

KOHANEK Craig

From: KOHANEK Craig
Sent: Monday, May 05, 2014 11:43 AM
To: kcjengineer@zoho.com
Subject: RA Agreement for Coventry Farms LLC (Good) R12153-11 involving application S-73472 and R12154-11 involving application R-74473
Attachments: RA contract executed.pdf; RA contract executed.pdf; RA contract receipt.pdf; RA contract receipt.pdf; COBU & map; no fish screens or fishways.pdf

Clay,

Hope that this finds you well.

Attached are copies of the fully executed Applicant Agreements signed by the required parties and receipts for the monies paid for these expedited services. The agreements detail the terms and conditions that the work orders were issued for the expedited services you requested.

I mailed copies of these documents to Coventry Farms, attention Adrienne Good on May 2, 2014.

If you have any questions concerning the agreements or the program, please contact me.

In addition, there are several items that I must have before I may proceed with these projects.

1. Permits R-12695 and S-53888 require that "Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions." In his Claims of Beneficial Use (COBU) for these projects, in the Permit Conditions Section, Don Knauer states "Constructed per biologist's instructions: all dams constructed per letter copy from Todd Confar, biologist, copy attached." Having looked through both of the files, I am unable to find this letter.
2. Permit R-12695 has the condition (see attached) "the permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The requires screens and fishways are to be in place, functional, and approved by the Oregon Department of fish and Wildlife before diversion of any water." I find no evidence in the COBU, see attached, nor in the file of this condition having been satisfied.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrд.state.or.us

CLAIM OF BENEFICIAL USE

Section 27 Twp 31S Range 15W, W.M.

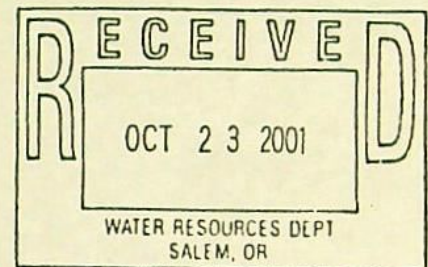
Curry County

FOR: Adrienne Good

Application # R-73473

Permit # R-12695

Date surveyed: August 10, 2001



OWNER INFORMATION:

permittee:

name: Adrienne Good

address: Route 1 Box 1480

city & state: Bandon, OR 97411

phone: 541-347-3262

property owner: same

person interviewed: Dave Peck, Manager

address: 89551 Two Mile Lane

city and state: Bandon, OR 97411

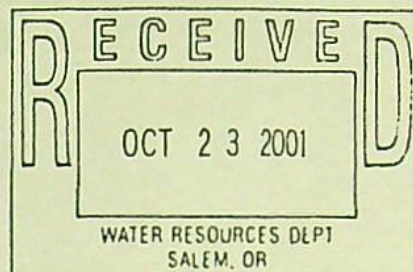
phone: 541-347-3121

SOURCE:

Reservoir 1: unnamed stream #1, tributary of Floras Lake; Reservoir 2: runoff, tributary to unnamed stream #1; Reservoir 3: runoff, tributary to unnamed stream #1; Reservoir 4 and Reservoir 5: runoff, tributary to Floras Lake

TYPE OF USE:

cranberry operations and supplemental cranberry operations

DIVERSION WORKS DESCRIPTION:**Reservoir 1:**

Height: 22 feet
 Top width: 20 feet
 Length: 100 feet
 D/S slope: 1 ½:1
 U/S slope: 1 ½:1
 Max. depth: 14 feet (water)
 Conduit: 4 ft. ½ round CMP w/flash boards upright connected to 36" CMP through dam
 Spillway: 24" ribbed plastic pipe discharging to original ground away from dam
 Freeboard: 7.2 feet
 Surface area: 0.5 acre surface area of reservoir
 Excavation: partially excavated
 Capacity: 5 acre feet maximum storage
 Water may be gravity fed to reservoir no. 2 through a 4" PVC line.

Reservoir 2:

Height: 27 feet
 Top width: 15 feet
 Length: 72 feet
 D/S slope: 1 ½:1
 U/S slope: 1 ½:1
 Max. depth: 20.5 feet (water)
 Conduit: None. This reservoir is off channel and excavated along the slope and excavated material was used to construct the dam.
 Spillway: 18" CMP through dam on right side and piped through a 24" CMP below face of dam to creek
 Freeboard: 6.5 feet
 Surface area: 0.5 acre surface area of reservoir
 Excavation: reservoir was excavated with fairly steep sides-around 1:1 near pump house located along northern side. The point of diversion used was the dam at the spillway.
 Capacity: 6 acre feet maximum storage

Reservoir 3:

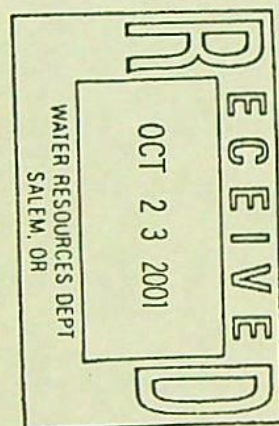
Height: 20" 3"
 Top width: 21 feet
 Length: 105 feet
 D/S slope: 1 ½:1

U/S slope: 1 ½:1
 Max. depth: 15 feet (water)
 Conduit: 8" vertical PVC Pipe (screened) connected to 8" PVC conduit through dam with an 8" gage valve assembly
 Spillway: 18" CMP through dam on left side and piped below face of dam to creek
 Freeboard: 3.2 feet
 Surface area: 0.55 acre surface area of reservoir
 Excavation: partially excavated to 2/3 of reservoir- very steep sides
 Capacity: 6 acre feet maximum storage

Note: Water is delivered to reservoirs one and two via a 4" PVC buried pipe.

Reservoir 4:

Height: 32 feet
 Top width: 12 feet
 Length: 105 feet
 D/S slope: 2:1
 U/S slope: 1 ½:1
 Max. depth: 14 feet (water)
 Conduit: None. This reservoir/dam was built along the creek on sloping ground and the excavated material provided for the embankment. Reservoir is located totally off channel.
 Spillway: 18" ribbed plastic Culvert
 Freeboard: 5 feet
 Surface area: 0.3 acre surface area of reservoir
 Excavation: see above
 Capacity: 2 acre-feet at 14' (normal level) and up to 3.5 acre-feet when spillway is used.



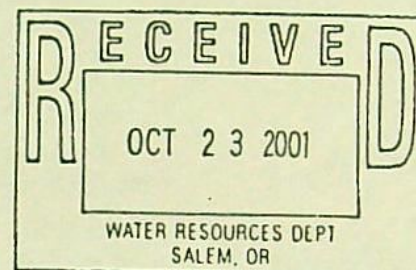
Reservoir 5:

Height: 20 feet downstream, 16.5 feet upstream
 Top width: 10 feet
 Length: 65 feet- on the arc
 D/S slope: 1 ½:1
 U/S slope: 2 ½:1
 Max. depth: 16 feet (water) excavation on upper side of reservoir- below base of dam.
 Conduit: None. This reservoir/dam was built in a field with no visible channel nearby. Rain and field runoff is all that fills this reservoir. The pump which pumps from unnamed stream two can also pump from this reservoir.

Spillway: 8" PVC
Freeboard: 3 feet
Surface area: 0.45 acre surface area of reservoir
Excavation: see above
Capacity: 3.5 acre feet

SYSTEM CAPACITY:

Reservoir #1 = 5 acre-feet
Reservoir #2 = 6 acre-feet
Reservoir #3 = 6 acre-feet
Reservoir #4 = 3.5 acre-feet
Reservoir #5 = 3.5 acre-feet
Total = 24 acre feet

**DIVERSION POINTS LOCATION:**

Reservoir #1 (unnamed stream #1) is located 300 feet north and 1630 feet east; within the SE1/4 NW1/4; and unnamed stream #2 is located 810 feet south and 1570 feet east; within the NE1/4 SW1/4

Reservoir #2 is located 200 feet north and 1630 feet east; within the SE1/4 NW1/4

Reservoir #3 is located 1320 feet north and 2120 feet east; within the SE1/4 NW1/4

Reservoir #4 is located 610 feet south and 1690 feet east; within the NE1/4 SW1/4

Reservoir #5 is located 1300 feet south and 1630 feet east; within the NE1/4 SW1/4; all from the west quarter corner of section 27 and within section 27, T31S, R15W, W.M.

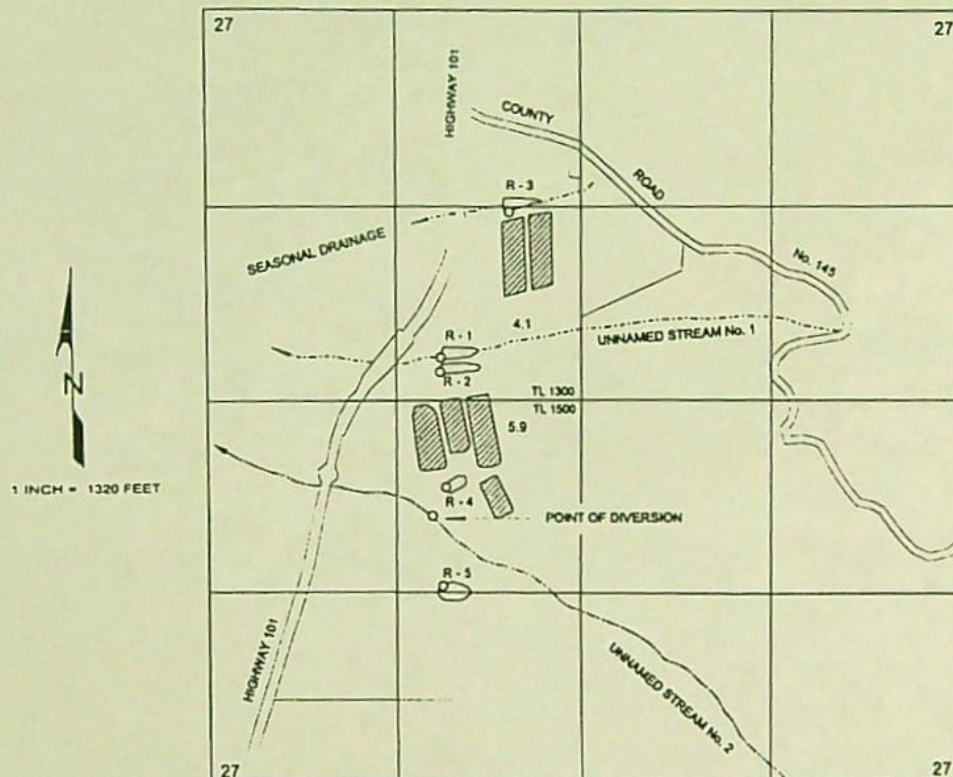
RATE: Allowed by permit: 51 acre feet
Calculated based on the system: 24 acre feet

FINAL PROOF SURVEY MAP IN THE NAME OF ADRIENNE GOOD

APPLICATION R - 73473
S - 73472

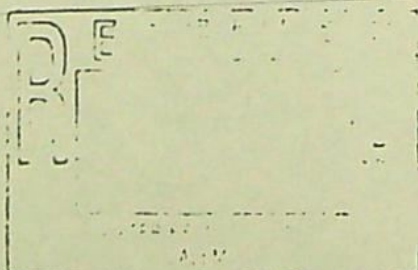
PERMIT R - 12695
53588

SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

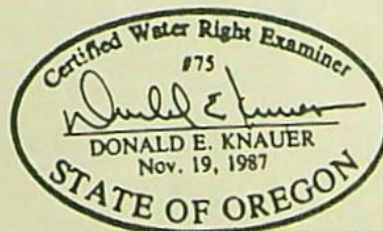


THE POINTS OF DIVERSION ARE LOCATED AS FOLLOWS:

RESERVOIR No. 1 (UNNAMED STREAM No. 1) IS LOCATED 300 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND UNNAMED STREAM No. 2 IS LOCATED 810 FEET SOUTH AND 1570 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND RESERVOIR No. 2 IS LOCATED 200 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND RESERVOIR No. 3 IS LOCATED 1320 FEET NORTH AND 2120 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND RESERVOIR No. 4 IS LOCATED 610 FEET SOUTH AND 1690 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND RESERVOIR No. 5 IS LOCATED 1300 FEET SOUTH AND 1630 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; ALL FROM THE WEST QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.



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





Oregon

John A. Kitzhaber, MD, 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

May 2, 2014

Coventry Farms
Attn: Adrienne Good
P.O. Box 1579
Canyon Country, CA 91386

RE: Reimbursement Authority Signed Contracts R12153-11 involving
application S-73472 and R12154-11 involving application R-74473

Ms. Good,

Enclosed are copies of the fully executed Applicant's Agreements signed by the
required parties. These agreement details the terms and conditions under which
these work orders are issued for the expedited services that you requested.

If you have any questions concerning the agreements or the program, please
contact me at 503-986-0823.

Sincerely,

R. Craig Kohanek
Senior Water Rights Analyst
Ronald.c.kohanek@wrд.state.or.us

Attachment: Receipt's #'s 111908 & 111909



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT

Contract Number: **R12154-11**



This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Adrienne Good**, hereafter Applicants, hereafter known together as the parties.

OWRD Information

Project Contact: R. Craig Kohanek
Reimbursement Authority
Oregon Water Resources Department
725 Summer Street, NE
Salem, OR 97301-1271
Phone: 503-986-0823
Email: Ron.c.kohanek@state.or.us

Applicant's Information

Name: Adrienne Good
Title: Owner
Company:
Address: P.O. Box 1579
Canyon Country, CA 91386
Phone:
Email:

Applicant's Representative

Name: Clay Jordan
Title: Representative
Company: Jordan Engineering
Address: 460 Jordan Lane
Roseburg, OR 97471
Phone: 541-673-1931
Email: kcjengineering@zoho.com

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Application Number: **R-73473**)
2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Adrienne Good and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise term this Agreement shall become effective on the date on and the full deposit of the estimated cost of the propo
5. **Consideration.** Adrienne Good shall pay OWRD in Adrienne Good agrees to pay the full amount of **\$730** stated in this Agreement. This payment will be place drawn upon as costs are actually incurred. If the actu payments received, OWRD will refund the unspent b the estimate, the Applicant can either elect to termina reflect the increase in cost. The costs stated in this A processing and filing fees.
6. **Confidentiality.** Adrienne Good agrees that any in under this Agreement will be subject to the Oregon records.
7. **Indemnity.** Applicant shall defend, save, hold harm and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

RECEIVED BY OWRD

MAY 01 2014

SALEM, OR

PCA 47126



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT

Contract Number: R12154-11



This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Adrienne Good, hereafter Applicants, hereafter known together as the parties.

OWRD Information

Project Contact: R. Craig Kohanek
Reimbursement Authority
Oregon Water Resources Department
725 Summer Street, NE
Salem, OR 97301-1271
Phone: 503-986-0823
Email: Ron.c.kohanek@state.or.us

Applicant's Information

Name: Adrienne Good
Title: Owner
Company:
Address: P.O. Box 1579
Canyon Country, CA 91386
Phone:
Email:

Applicant's Representative

Name: Clay Jordan
Title: Representative
Company: Jordan Engineering
Address: 460 Jordan Lane
Roseburg, OR 97471
Phone: 541-673-1931
Email: kcjengineering@zoho.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Application Number: R-73473)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Adrienne Good and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Adrienne Good shall pay OWRD in advance for actual costs incurred by OWRD. Adrienne Good agrees to pay the full amount of \$730 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Adrienne Good agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: Adrienne Good

Name: Adrienne Good

Title: Owner

Company:

Date: 4-25-2014

For OWRD: R. Craig Kohanek

Name: R. Craig Kohanek

Water Rights and Adjudication Division

Date: 5-2-2014

Mail signed Agreement to:

Craig Kohanek

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

PCA 47126

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT #

111909

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

RECEIVED FROM:

Coventry Farms LLC

APPLICATION

R 73473

BY:

PERMIT

TRANSFER

CASH:

CHECK:#

OTHER: (IDENTIFY)



4218



TOTAL REC'D

\$730.00

1083 TREASURY

4170 WRD MISC CASH ACCT

0407

COPIES

47126 R12154-11

\$

0408

OTHER:

(IDENTIFY) Reimbursement Authority

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

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

\$

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 (FWWRD)

\$

0231

HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT:

111909

DATED:

5.1.14

BY:

[Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

COVENTRY FARMS LLC

Oregon Water Resources Department

R73473

4/25/2014

4218

730.00

RECEIVED BY OWRD

MAY 01 2014

SALEM, OR

Umpqua Bank

R73473

730.00

KOHANEK Craig

From: KOHANEK Craig
Sent: Wednesday, February 19, 2014 10:52 AM
To: kcjengineer@zoho.com
Subject: RA Certificate Estimates for Good R12153-11, application S-73472, and R12154-11, application R-73473
Attachments: RA contract.pdf; RA contract.pdf

Clay, .

Please find the attached estimates and agreements to process your clients permits into certificates. If the proposed agreements are acceptable to you and your client, please return a signed copy of each to our office along with the payments of the estimated cost to process these permits into certificates.

Please let me know if you would like me to mail copies of these agreements to Ms. Good.

If you have any questions, please call me.

There are several deficiencies associated with these two projects.

R12153-11 for application S-73472, permit S-53588, see link for permit http://apps.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Permit&permit_char=S&permit_nbr=53588 1) No meters or other suitable devices at the five POD's from the reservoirs. 2) Need a copy of the letter from Todd Confer w/ODFW that the placement of reservoirs 1 & 2 were determined by him.

R12154-11 for application R-73472, permit R-12695, see link for permit http://apps.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Permit&permit_char=R&permit_nbr=12695 1) No evidence of fish screens, to exclude fish, or fishway's to provide adequate upstream or downstream passage.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrdd.state.or.us



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
☒	Certificate Request	Application Number R-73473 Permit Number R-12695 Transfer Number/Permit Amendment (if applicable) _____

Applicant Information		Applicant's Representative/Contact
Name:	Adrienne Good	Clay Jordan, Jordan Engineering
Address:	P.O. Box 1579 Canyon Country, CA 91386	460 Jordan Lane Roseburg, OR 97471
Phone:		(541) 673-1931
Fax:		
E-Mail Address:		kcjengineer@zoho.com

I certify that I (check one):

- ☒ have previously filed a Claim of Beneficial Use
☐ am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate 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 Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:
Oregon Water Resources Department
Certificate Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

RECEIVED BY OWRD

FEB 14 2014

SALEM, OR

I certify that I am the (check one):

- ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Name: Adrienne Good

Signature: Adrienne Good

OWRD USE ONLY: Reimbursement Authority Number: R12 154 11

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 111147

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

S-73472

RECEIVED FROM: Coventry Farms LLC

APPLICATION R-734739

BY:

PERMIT

TRANSFER

CASH: CHECK:# OTHER: (IDENTIFY)



4209



TOTAL REC'D \$ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407

COPIES

47126 R-73473 S-73472

\$

0408

OTHER:

(IDENTIFY) Reimbursement Authority

\$

250.00

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

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

\$

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 (FWWRD)

\$

0231

HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT: 111147

DATED: 2-14-14

BY: [Signature]

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 111147

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

S-73472

RECEIVED FROM: Coventry Farms LLCAPPLICATION R-734734

BY: _____

PERMIT

TRANSFER

CASH: ☐ CHECK: # 4209 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R-73473 S-73472 \$0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 250.00

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) _____ \$

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

EXAM FEE

\$

\$

\$

EXAM FEE

\$

RECORD FEE

0202 \$

0204 \$

LICENSE FEE

0219 \$

0220 \$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$

0210 MONITORING WELLS \$

OTHER (IDENTIFY) _____

CARD #

CARD #

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 _____ \$

RECEIPT: 111147

DATED: 2-14-14

BY: [Signature]

COVENTRY FARMS LLC

Oregon Water Resources Department

1/31/2014

4209

Cert Reimb Authority App# R-73473, R-12695 and S-

250.00

RECEIVED BY OWRD

FEB 14 2014

SALEM, OR

mpqua Bank

Cert Reimb Authority App# R-73473, R-12695 a

250.00

KOHANEK Craig

From: SUMPTION Mishelle K
Sent: Friday, February 14, 2014 3:01 PM
To: GRAYBILL April J; TODD Sandra K
Cc: OPEIFA Salem B; KOHANEK Craig; REECE Ann L
Subject: RE: CERTIFICATE REQUEST

Below are you project numbers and the PCA for both is 47126

Thank you.

Mishelle

From: GRAYBILL April J
Sent: Friday, February 14, 2014 2:58 PM
To: TODD Sandra K
Cc: OPEIFA Salem B; SUMPTION Mishelle K; KOHANEK Craig; REECE Ann L
Subject: CERTIFICATE REQUEST

Hello,
I have two applications with one check.

Project R12153-11
Applicant: Adrienne Good
Related to Application # S-73472
Receipt # 111147

Project R12154-11
Applicant: Adrienne Good
Related to Application # R-73473
Receipt # 111147

Thanks,

April Graybill
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301
503.986.0800

KOHANEK Craig

From: GRAYBILL April J
Sent: Friday, February 14, 2014 2:58 PM
To: TODD Sandra K
Cc: OPEIFA Salem B; SUMPTION Mishelle K; KOHANEK Craig; REECE Ann L
Subject: CERTIFICATE REQUEST

Hello,
I have two applications with one check.

Applicant: Adrienne Good
Related to Application # S-73472
Receipt # 111147

Applicant: Adrienne Good
Related to Application # R-73473
Receipt # 111147

Thanks,

April Graybill
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301
503.986.0800

Jordan Engineering

Structural-Civil-Geotech

460 Jordan Lane
Roseburg, OR 97471
541-673-1931

Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Claim Of Beneficial Use Reimbursement:

Application: R73473 and S-73472

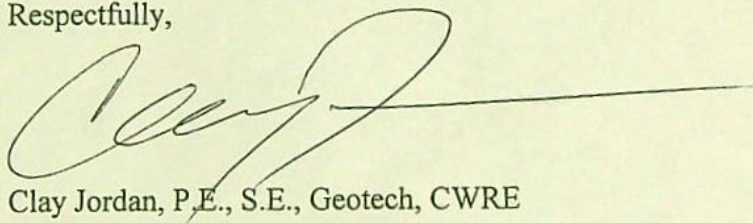
February 12, 2014

Sir:

Inclosed are two certificate reimbursement authority estimate application forms and check number 4209 in the sum of \$250 made out to the Department.

If there are any questions please officially contact the applicant with a copy to me.

Respectfully,



Clay Jordan, P.E., S.E., Geotech, CWRE

cc: Coventry Farms LLC

file: Reimbursement COBU R73473 and S-73472.wpd

RECEIVED BY OWRD

FEB 14 2014

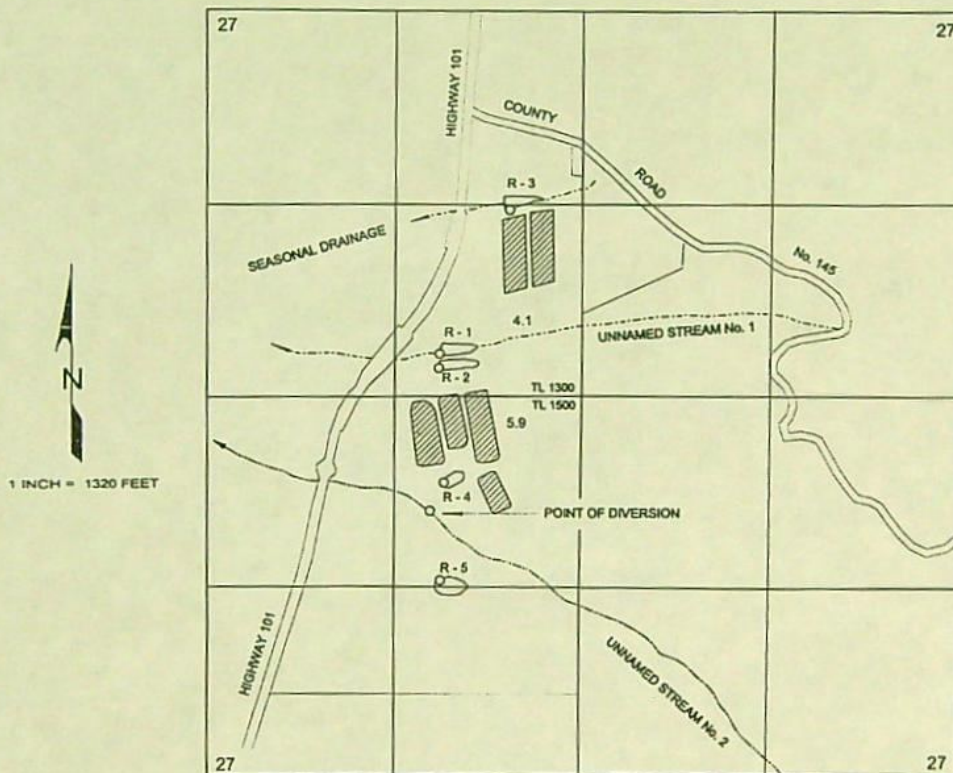
SALEM, OR

FINAL PROOF SURVEY MAP IN THE NAME OF ADRIENNE GOOD

APPLICATION R - 73473
S - 73472

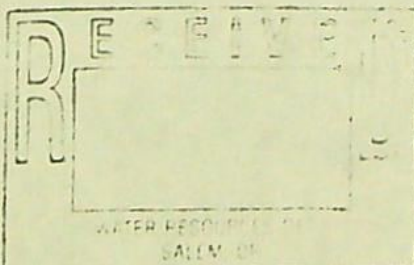
PERMIT R - 12695
53588

SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

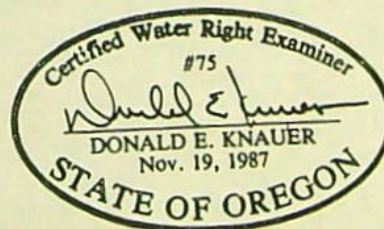


THE POINTS OF DIVERSION ARE LOCATED AS FOLLOWS:

RESERVOIR No. 1 (UNNAMED STREAM No. 1) IS LOCATED 300 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND UNNAMED STREAM No. 2 IS LOCATED 810 FEET SOUTH AND 1570 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND RESERVOIR No. 2 IS LOCATED 200 FEET NORTH AND 1630 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND RESERVOIR No. 3 IS LOCATED 1320 FEET NORTH AND 2120 FEET EAST; WITHIN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$; AND RESERVOIR No. 4 IS LOCATED 610 FEET SOUTH AND 1690 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND RESERVOIR No. 5 IS LOCATED 1300 FEET SOUTH AND 1630 FEET EAST; WITHIN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$; ALL FROM THE WEST QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.



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



Oregon Water Resources Department
Attn: Kerry Kavanagh
725 Summer Street NE, Suite A
Salem, OR 97301

COBU- RA Project R12154-11
Application: R-73473
Permit: R-12695

Date: 8-13-2015

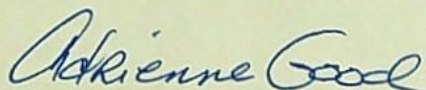
Dear Ms. Kavanagh:

It has been brought to my attention that the Claim of Beneficial Use we had done by a former Department employee and submitted on October 23, 2001, is unclear as to the source of water to fill reservoirs 4 and 5.

The pump in Unnamed Stream #2 has and does now deliver water for storage in reservoirs 4 and 5 in addition to runoff. The pump was used to deliver water from Unnamed Stream #2 to both reservoirs 4 & 5, for storage, in the time frame from July 28, 1999 and October 1, 2000.

I hope this clarifies any confusion on our current and past use of water under permit R-12695.

Respectfully Submitted



Adrienne Good

cc: Jordan Engineering
Mr. Dennis Bowman

RECEIVED BY OWRD

AUG 24 2015

SALEM, OR

PO BOX 1579
Santa Clarita CA
91386-1579

SANTA CLARITA CA 913

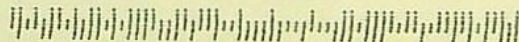
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Oregon Water Resources Dept.
725 Summer St NE, Suite A
Salem, Oregon 97301

Attn. Kerey Kavanagh

97301126573



KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Friday, July 10, 2015 9:56 AM
To: KCJ (kcjengineer@zoho.com); Norm Daft (normthewaterguy@charter.net)
Subject: RA Project R12154-11 Adrienne Good involving Application R-73473 - need clarification regarding diversion from unnamed stream #2

Hello Clay and Norm,

I have been preparing the draft certificates for Adrienne Good.

In reviewing the Claim of Beneficial Use (Claim) report and map prepared by Don Knauer, I have found a discrepancy regarding the diversion from unnamed stream #2. The Claim report states that runoff is used to fill Reservoir 4 and Reservoir 5.

The Claim map, however, does show the location and coordinates for the diversion from unnamed stream #2. Also, you recently obtained and submitted information from ODFW regarding the fish screen at this diversion.

Permit R-12695 describes the sources of water for Reservoir 4 and Reservoir 5 as runoff and unnamed stream #2.

Please provide clarification whether water was diverted from the unnamed stream #2 to fill Reservoir 4 and/or Reservoir 5 during the time window authorized by Permit R-12695, which is between July 28, 1999, when the permit was issued, and October 1, 2000, when complete application of stored water to the use was to have been made. I will need a written statement signed by the water user describing diversion of water from unnamed stream #2.

Let me know if you have any questions.

Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L

From: Norm Daft <normthewaterguy@charter.net>
Sent: Monday, May 18, 2015 8:10 AM
To: KAVANAGH Kerry L
Cc: KCJ
Subject: Adrienne Good **Permits R-12695 & S-53588** RA contracts R-12153-11 & R-12154-11
Attachments: ODF-W-Good Permit R12695.pdf

App R-73473

Kerry,

Attached is a letter from ODF&W (Todd Confer) concerning fish issues for the above referenced permits.

Please resume the reimbursement authority processing for certificate issuance.

Thanks.

Norm

Norm Daft
(541) 761-1057



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Gold Beach District Office

29907 Airport Way

PO Box 642

Gold Beach, OR 97444

(541) 247-7605

FAX (541) 247-2321



May 15, 2015

Clay Jordan
Jordan Engineering
kejengineer@zoho.com

Re: Water Right Application #R-73473, Permit #R-12695

Dear Clay:

Oregon Department of Fish and Wildlife (ODFW) staff inspected fish screening at the POD on Unnamed stream no. 2 on May 15, 2015. The POD consisted of a 2" flexible hose with a conical screen attached. The screen material was perforated stainless steel. Screen openings were circular and 3/32" diameter. During the inspection multiple coho fry and 1 juvenile steelhead were observed in Unnamed stream #2 near the POD.

The fish screening at the POD on Unnamed stream no. 2 meets design criteria identified in ANADROMOUS SALMONID PASSAGE FACILITY DESIGN, National Marine Fisheries Service Northwest Region, July 2011:

11.7.1 Specific Criteria and Guidelines – Screen Material

11.7.1.1 Circular Screen Openings: Circular screen face openings must not exceed 3/32 inch in diameter. Perforated plate must be smooth to the touch with openings punched through in the direction of approaching flow.

11.7.1.4 Material: The *screen material* must be corrosion resistant and sufficiently durable to maintain a smooth uniform surface with long term use.

11.7.1.5 Other Components: Other components of the screen facility (such as seals) must not include gaps greater than the maximum screen opening defined above.

11.7.1.6 Open Area: The percent open area for any *screen material* must be at least 27%.

Based on our inspection it is the determination of ODFW that the applicant is in compliance with the fish screening condition placed on Water Right Application #R-73473, Permit #R-12695.

Please call if you have any questions.

Sincerely,

Todd Confer
District Fish Biologist

KAVANAGH Kerry L

From: CLARK Gerry E
Sent: Tuesday, May 05, 2015 10:37 AM
To: Norm Daft
Cc: KCJ; KAVANAGH Kerry L
Subject: RE: Adrienne Good Permits R-12695 & S-53588 RA contracts R-12153-11 & R-12154-11

Norm,

That sounds like a plan. Please keep Kerry informed.

Gerry

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

Phone: 503-986-0811

From: Norm Daft [<mailto:normthewaterguy@charter.net>]
Sent: Tuesday, May 05, 2015 10:21 AM
To: CLARK Gerry E
Cc: KCJ
Subject: Adrienne Good Permits R-12695 & S-53588 RA contracts R-12153-11 & R-12154-11

Gerry,

After our phone discussion, I reviewed Todd Confer's E-mail and it appears the only fish issue remaining is whether or not the screen on the pump in Unnamed Stream #2 is adequate or not. All other fish issues appear to have been adequately addressed.

Todd is willing to take a look at the screen for compliance. We'll get you something in writing after it's inspected.

The COBU on these are pretty old (2001) and Clay and I were not involved in them.

We trust the COBU's will be processed if we get a screen approval from Mr. Confer.

Norm

(541) 761-1057

KOHANEK Craig

From: Norm Daft <normthewaterguy@charter.net>
Sent: Tuesday, January 13, 2015 7:34 PM
To: 'KOHANEK Craig'
Cc: kcjengineer
Subject: RE: RA Agreement for Coventry Farms LLC (Good) R12153-11 involving application S-73472 and R12154-11 involving application R-74473
Attachments: Forwarded message.docx

Craig,

Thanks for your response.

I've attached a copy of an E-mail from Todd Confer to Clay Jordan (October 2013).

I hope this will suffice as we do not have a copy of the letter Don referred to in his claim. If it was not in the file when the COBU was submitted, the Department should have notified him of its absence.

Be that as it may, I think the E-mail adequately addresses the fish issues for certificate issuance.

Norm

From: KOHANEK Craig [<mailto:ron.c.kohane@state.or.us>]
Sent: Tuesday, January 13, 2015 2:10 PM
To: Norm Daft (normthewaterguy@charter.net)
Subject: FW: RA Agreement for Coventry Farms LLC (Good) R12153-11 involving application S-73472 and R12154-11 involving application R-74473

Norm,

For some inexplicable reason the email you sent me went to my junk email, thus the delay in my response. The reason you haven't seen these certificates is due to the email that I sent below. I have the two Draft certificates prepared but need the letter from ODFW – Todd Confer - that Don Knauer refers to in the Claim of Beneficial Use. It is especially important as the height of all five of the dams exceeds what's identified in the permit as does the maximum depth of several of the reservoirs.

Craig

From: KOHANEK Craig
Sent: Monday, May 05, 2014 11:43 AM
To: kcjengineer@zoho.com
Subject: RA Agreement for Coventry Farms LLC (Good) R12153-11 involving application S-73472 and R12154-11 involving application R-74473

Clay,

Hope that this finds you well.

Attached are copies of the fully executed Applicant Agreements signed by the required parties and receipts for the monies paid for these expedited services. The agreements detail the terms and conditions that the work orders were issued for the expedited services you requested.

I mailed copies of these documents to Coventry Farms, attention Adrienne Good on May 2, 2014.

If you have any questions concerning the agreements or the program, please contact me.

In addition, there are several items that I must have before I may proceed with these projects.

1. Permits R-12695 and S-53888 require that "Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions." In his Claims of Beneficial Use (COBU) for these projects, in the Permit Conditions Section, Don Knauer states "Constructed per biologists instructions: all dams constructed per letter copy from Todd Confar, biologist, copy attached." Having looked through both of the files, I am unable to find this letter.
2. Permit R-12695 has the condition (see attached) "the permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The requires screens and fishways are to be in place, functional, and approved by the Oregon Department of fish and Wildlife before diversion of any water." I find no evidence in the COBU, see attached, nor in the file of this condition having been satisfied.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrdd.state.or.us

=====
From : Todd Confer<todd.a.confer@state.or.us>
To : <kcjengineer@zoho.com>
Cc : "Steve Mazur" <steve.j.mazur@state.or.us>
Date : Fri, 04 Oct 2013 11:57:24 -0700
Subject : Adrienne Good Permit R-12695 (appl. R-73473)
=====

Hi Clay:

I looked through my files and was unable to find the Nov. 6, 2001 letter recommending conditions for R-12695.

I have some recollection of the site and discussions with Mrs. Good's representative. My recollections are as follows:

ODFW determined that fish were not present in the seasonal drainage at the site of R-3 (as identified on the attached survey map). Because no fish were present neither fish passage or screening was deemed necessary for R-3.

Juvenile resident rainbow trout were found in unnamed stream no. 1 at the site of R-1. Fish screens were determined to be necessary, but because anadromous fish use is blocked downstream at Hwy 101 NMFS fish screening criteria do not currently apply. A screen sufficiently large in diameter with small enough openings to prevent clogging with organic debris is adequate to protect the resident trout present at R-1. *[It should be noted that the Hwy 101 culvert located downstream will be replaced with a fish passable structure at some point in the future. When that occurs federally threatened Oregon Coast Coho will be able to access R-1, requiring that NMFS screening criteria be met. That would require replacing existing screen material with material meeting NMFS criteria, when existing screen material wears out.]*

Fish passage was determined to be required at R-1. However, ODFW determined that upstream juvenile passage was not necessary due to the limited rearing habitat available upstream. Adult passage could be accomplished by removing dam boards and allowing 'run of the river' flow through R-1 between Nov. 1 and February 28, in lieu of constructing fish passage facilities.

Off-channel reservoirs R-2, R-4, and R-5 were determined not to require fish screening.

Federally threatened Oregon Coast Coho are present in Unnamed stream no. 2 and any diversions should be screened to meet NMFS criteria (attached).

Let me know if you have any questions.

Thanks

Todd

Todd Confer, District Fish Biologist
Oregon Department of Fish and Wildlife
PO Box 642
29907 Airport Way
Gold Beach, OR 97444
(541) 247-7605, Fax (541) 247-2321
Todd.A.Confer@state.or.us

Gerry Clark

From: Gerry Clark
Sent: Tuesday, September 10, 2013 12:34 PM
To: 'normthewaterguy@charter.net'
Subject: RE: Copies of COBU's
Attachments: CBU R-73473.pdf; CBU S-73472.pdf

Norm,

I have attached copies of the CBUs and map for the requested files.

Gerry

From: normthewaterguy@charter.net [mailto:normthewaterguy@charter.net]
Sent: Friday, September 06, 2013 7:40 AM
To: Gerry Clark
Subject: Copies of COBU's

Hi Gerry,

One of our clients has asked us to check into the completeness of a couple of permits:

1. App R-73473 Permit R-23695
2. App S-73472 Permit S-53588

There is no permit map on the Web Site.

Could you send me a copy of the permit map and a copy of the COBU reports and maps?

Don Knauer did the claims.

We want to review the claims to see if there area any issues.

Thanks.

Norm

(541) 761-1057

Proof to the Satisfaction Worksheet (CWRE)

Pre-July 1, 2004 Claims

Application # R-73473

Permit # R-12695

Transfer # _____

This purpose of this worksheet is to document the extent to which proof has been made for the referenced file. Staff recommendation is based on the Claim of Beneficial Use submitted.

Map Review (check map for the following features/items):

- ☒ Permanent quality map (mylar or linen)
- ☒ CWRE stamp and signature
- ☒ Disclaimer
- ☒ Application & permit #; or transfer #
- ☒ North arrow
- ☒ Township, range and section
- ☒ Appropriate scale (1" = 1320', 1" = 400', or scale of assessor's map)
- ☒ Source
- ☒ Point(s) of diversion/appropriation 5 reservoirs -
- ☒ Point(s) of diversion/appropriation (coordinates) Check with scale
- ☒ Conveyances (pump, pipelines, ditches, etc.) Permanent features shown?
- ☒ N/A Place of use (1/4 1/4, DLC, or Gov Lot; if irrigation, # of acres in each legal government subdivision)

Report Review:

- ☒ Application & permit #; or transfer #
- ☒ CWRE stamp and signature
- ☒ Time limits
- ☒ Date of survey
- ☒ Type of use
- ☒ Extent of use
- ☒ Source(s) of water
- ☒ N/A Rate and Duty - 51.0 A/EFT - 2d ACFT Developed.
- ☒ Diversion rate for each use
- ☒ Description of conveyances system (from POD to POU)
- ☒ N/A Diversion works description (pump make, serial model, capacity, and description)
- ☒ System capacity
 - ☒ Calculated capacity of system
 - OR
 - ☒ Measured amount of use
- ☒ Permit conditions
 - ☒ ? Fish screening - Rec'd for 6 reservoirs?
 - ☒ Meter/measuring device
 - ☒ Water use reporting
 - ☒ Other conditions
- ☒ Pump Test

Other:

_____ Conflict Check
_____ Check Ownership

Check Area of Interest ☐ YES ☐ NO

Identified Party _____

Staff Recommendations:

_____ Staff recommends that Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

_____ Staff recommends that Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and would recommend the following limitations: _____

_____ Staff recommends that 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: _____

CLAIM OF BENEFICIAL USE

Section 27 Twp 31S Range 15W, W.M.

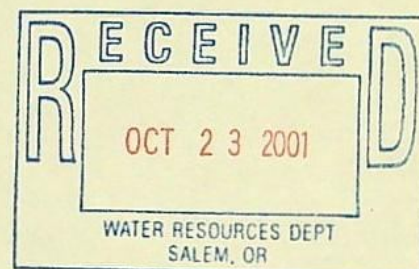
Curry County

FOR: Adrienne Good

Application # R-73473

Permit # R-12695

Date surveyed: August 10, 2001



OWNER INFORMATION:

permittee:

name: Adrienne Good

address: Route 1 Box 1480

city & state: Bandon, OR 97411

phone: 541-347-3262

property owner: same

person interviewed: Dave Peck, Manager

address: 89551 Two Mile Lane

city and state: Bandon, OR 97411

phone: 541-347-3121

SOURCE:

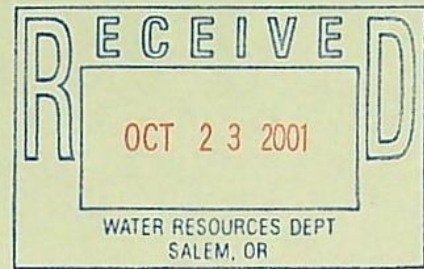
Reservoir 1: unnamed stream #1, tributary of Floras Lake; Reservoir 2: runoff, tributary to unnamed stream #1; Reservoir 3: runoff, tributary to unnamed stream #1; Reservoir 4 and Reservoir 5: runoff, tributary to Floras Lake

TYPE OF USE:

cranberry operations and supplemental cranberry operations

DIVERSION WORKS DESCRIPTION:**Reservoir 1:**

Height: 22 feet
 Top width: 20 feet
 Length: 100 feet
 D/S slope: 1 1/2:1
 U/S slope: 1 1/2:1
 Max. depth: 14 feet (water)
 Conduit: 4 ft. 1/2 round CMP w/flash boards upright connected to 36" CMP through dam
 Spillway: 24" ribbed plastic pipe discharging to original ground away from dam
 Freeboard: 7.2 feet
 Surface area: 0.5 acre surface area of reservoir
 Excavation: partially excavated
 Capacity: 5 acre feet maximum storage
 Water may be gravity fed to reservoir no. 2 through a 4" PVC line.

**Reservoir 2:**

Height: 27 feet
 Top width: 15 feet
 Length: 72 feet
 D/S slope: 1 1/2:1
 U/S slope: 1 1/2:1
 Max. depth: 20.5 feet (water)
 Conduit: None. This reservoir is off channel and excavated along the slope and excavated material was used to construct the dam.
 Spillway: 18" CMP through dam on right side and piped through a 24" CMP below face of dam to creek
 Freeboard: 6.5 feet
 Surface area: 0.5 acre surface area of reservoir
 Excavation: reservoir was excavated with fairly steep sides-around 1:1 near pump house located along northern side. The point of diversion used was the dam at the spillway.
 Capacity: 6 acre feet maximum storage

Reservoir 3:

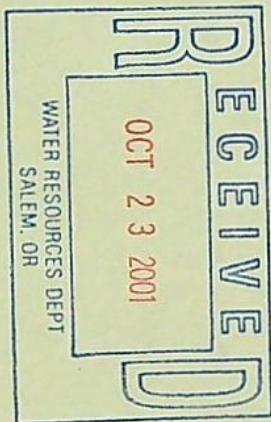
Height: 20" 3"
 Top width: 21 feet
 Length: 105 feet
 D/S slope: 1 1/2:1

U/S slope: 1 ½:1
 Max. depth: 15 feet (water)
 Conduit: 8" vertical PVC Pipe (screened) connected to 8" PVC conduit through dam with an 8" gage valve assembly
 Spillway: 18" CMP through dam on left side and piped below face of dam to creek
 Freeboard: 3.2 feet
 Surface area: 0.55 acre surface area of reservoir
 Excavation: partially excavated to 2/3 of reservoir- very steep sides
 Capacity: 6 acre feet maximum storage

Note: Water is delivered to reservoirs one and two via a 4" PVC buried pipe.

Reservoir 4:

Height: 32 feet
 Top width: 12 feet
 Length: 105 feet
 D/S slope: 2:1
 U/S slope: 1 ½:1
 Max. depth: 14 feet (water)
 Conduit: None. This reservoir/dam was built along the creek on sloping ground and the excavated material provided for the embankment. Reservoir is located totally off channel.
 Spillway: 18" ribbed plastic Culvert
 Freeboard: 5 feet
 Surface area: 0.3 acre surface area of reservoir
 Excavation: see above
 Capacity: 2 acre-feet at 14' (normal level) and up to 3.5 acre-feet when spillway is used.



Reservoir 5:

Height: 20 feet downstream, 16.5 feet upstream
 Top width: 10 feet
 Length: 65 feet- on the arc
 D/S slope: 1 ½:1
 U/S slope: 2 ½:1
 Max. depth: 16 feet (water) excavation on upper side of reservoir- below base of dam.
 Conduit: None. This reservoir/dam was built in a field with no visible channel nearby. Rain and field runoff is all that fills this reservoir. The pump which pumps from unnamed stream two can also pump from this reservoir.

Spillway: 8" PVC
 Freeboard: 3 feet
 Surface area: 0.45 acre surface area of reservoir
 Excavation: see above
 Capacity: 3.5 acre feet

SYSTEM CAPACITY:

Reservoir #1 = 5 acre-feet

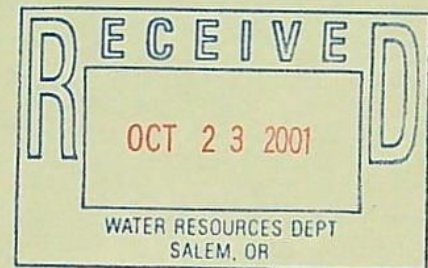
Reservoir #2 = 6 acre-feet

Reservoir #3 = 6 acre-feet

Reservoir #4 = 3.5 acre-feet

Reservoir #5 = 3.5 acre-feet

Total = 24 acre feet



DIVERSION POINTS LOCATION:

Reservoir #1 (unnamed stream #1) is located 300 feet north and 1630 feet east; within the SE1/4 NW1/4; and unnamed stream #2 is located 810 feet south and 1570 feet east; within the NE1/4 SW1/4

Reservoir #2 is located 200 feet north and 1630 feet east; within the SE1/4 NW1/4

Reservoir #3 is located 1320 feet north and 2120 feet east; within the SE1/4 NW1/4

Reservoir #4 is located 610 feet south and 1690 feet east; within the NE1/4 SW1/4

Reservoir #5 is located 1300 feet south and 1630 feet east; within the NE1/4 SW1/4; all from the west quarter corner of section 27 and within section 27, T31S, R15W, W.M.

RATE: Allowed by permit: 51 acre feet

Calculated based on the system: 24 acre feet

PLACE OF USE AND EXTENT OF USE:

SE1/4 NW1/4 4.1 acres; NE1/4 SW1/4 5.9 acres; both section 27, T31S R15W, W.M.

TIME LIMITS:

All time limits were met.

CROP TYPE AND PERIOD OF USE:

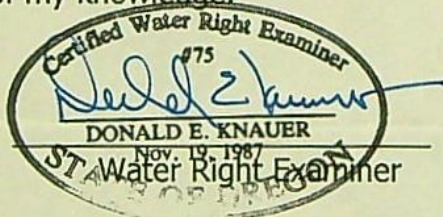
cranberries; year round from stored water only.

PERMIT CONDITIONS:

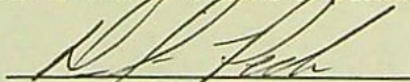
meter: a flow meter is installed

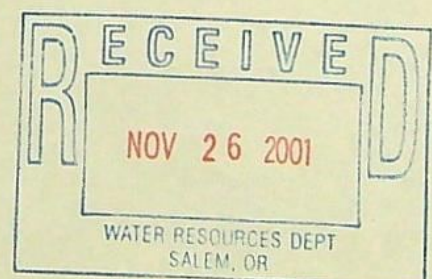
Dams and reservoirs were constructed per letter from Todd Confer, biologist, copy attached.

The final proof survey and inspection of the water use was found to be completed under the terms and conditions of permit 53588 on August 10, 2001, and the facts contained in this report and accompanying map are correct to the best of my knowledge.



I, Dave Peck, Manager, agree to the findings of the Water Right Examiner and submit this report and map as Claim of Beneficial Use of the water as provided under the terms and conditions of permit # 53588.


Signature



DON KNAUER CONSULTING

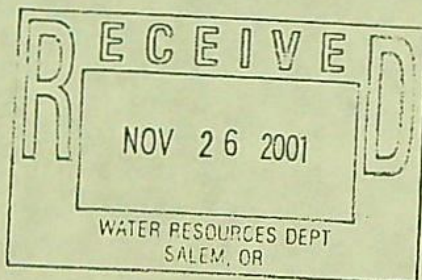
Water Right Consultation and Water Right Surveys

phone and fax: 503-585-8474
PO Box 5416 cell: 503-949-3720
Salem OR 97304 e-mail: knauerde@open.org

November 26, 2001

Water Resources Department
158 12th Street NE
Salem Or 97301-4172

Attached are the signature pages for files 73472 and R-73473. In addition, there is a copy of the Certificate of Death for Howard Harold Good. This is to notify you that the certificate of water right should be issued in the name of Adrienne Good.



10/23/01
NOTE: CWRE
made arrangements
w/ DWF to turn
COBU in late
- per Don E. Knauer

- JCB

DON KNAUER CONSULTING

Water Right Consultation and Water Right Surveys

phone and fax: 503-585-8474

PO Box 5416

cell: 503-949-3720

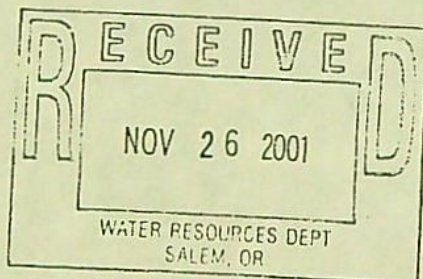
Salem OR 97304

e-mail: knauerde@open.org

November 26, 2001

Water Resources Department
158 12th Street NE
Salem Or 97301-4172

Attached are the signature pages for files 73472 and R-73473. In addition, there is a copy of the Certificate of Death for Howard Harold Good. This is to notify you that the certificate of water right should be issued in the name of Adrienne Good.





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 17, 2009

COVENTRY FARMS, LLC.
DENNIS BOWMAN
PO BOX 209
SIXES, OR 97476

Reference: Water use reporting for Permits S-53588 and R-12695

Dear Mr. Bowman,

On April 1, 2009, the Oregon Water Resources Department (Department) sent a reminder card to certain Permit Holders that water use reports are due for the 2008 water year. This reminder was mistakenly sent to you. Please know that the Department is not requesting any water use data at this time and we apologize for any inconvenience that this may have caused.

If you have any questions, please call me at 503-986-0837.

Sincerely,

Alyssa Mucken
Water Measurement Specialist

cc:

Dwight French
Lloyd Van Gordon
File S-73472
File R-73473

Alyssa Mucken

From: Dwight French
Sent: Thursday, April 09, 2009 3:55 PM
To: Alyssa Mucken
Subject: RE: Bandon area rights and water use reporting condition

Hi Alyssa,
 I remember a lot about the history and background for what I call the "New River Permits" or "New River ADR."

These permit holders, with this language, aren't automatically required to provide data unless we determine that we need the data. Then, we can ask for it and they'll have to provide it until we tell them that we don't need it anymore.

The "its" is in reference to WRD. So, if we request the data they have to provide it.
 If you need more information or want to talk about it we can.

Dwight

*we shouldn't have requested it - (wup)
 - this is a more formal request by WRD - per Dwight
 ∴ removed rights from wup db.*

From: Alyssa Mucken
Sent: Thursday, April 09, 2009 1:38 PM
To: Dwight French
Cc: Lloyd VanGordon
Subject: Bandon area rights and water use reporting condition

Hi Dwight,

I have two users (Coventry Farms and Seawind Farms) down near the Bandon area that have permits with a slightly different language used for the Water use reporting condition.

The following permits use the term "at it's request" in the measurement, recording, and reporting condition:

Permit S-53588
 Permit R-12695
 Permit R-12095
 Permit R-12960
 Permit S-53713
 Permit R-13159

"At it's request" isn't used in the typical water use reporting condition we use today - and I've only seen it used in this particular area. Some of these permits, although not all, reference the New River ADR agreement. Someone in this position made the interpretation that both of these Users were required to submit their data, however, after reading the condition, I'm not so sure.

I just sent both Farms a reminder postcard that water use reports were due. I'm wondering if we shouldn't have. It's not clear from reading the Technical Review or the Proposed Final Orders why the language was modified in such a way. Can you tell me whether we should be requesting their data at this time? I was hoping you might be familiar with the New River ADR and whether that agreement was related to the language that was used for the measurement, recording and reporting condition.

2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

USER-ID 50261

2004



Facility					
POD-ID					
October - 2003					
November - 2003					
December - 2003					
January - 2004					
February - 2004					
March - 2004	1245				
April - 2004	1189				
May - 2004	852				
June - 2004	842				
July - 2004	864				
August - 2004	876				
September - 2004	830				
TOTAL *	6699 KG				

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MC³ (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Badger meter. If use is irrigation, total number acres irrigated 9.5
I certify this information is true and accurate to the best of my knowledge.

Dennis Bowman
Signature

Farm Manager
Title

Reporting Entity

Date

Dennis Bowman
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT

Dear Water User: Water year 2004 has ended! All water use reports for October 2003 to September 2004 are requested to be submitted. During the past year we transferred our data to a new computer system, and have developed a website from which you may submit your data, if you so choose. In some cases the references numbers for points of diversion may have been changed. If this creates a problem for you, please contact me. If you would like to use the new site go to the web address listed below. You will not need to mail in this completed form. This information is important for water management in Oregon. Please, complete the form on the reverse side for the water rights listed below by December 31, 2004. If you have questions, or need more time please, contact me at 503-986-0833. Thank you for your attention to this matter. Mary Grainey



<http://www.wrd.state.or.us>

COVENTRY FARMS LLC
PO BOX 1579
SANTA CLARITA CA 91386

User-ID 50261
Password: 50261

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO
61768		0 S	53588 S	73472	7/8/1993	CR	L	31 S	15 W	27	SE NW	9 A	P RESERVOIR 1	BOULDER CR
61769		0 S	53588 S	73472	7/8/1993	CR	L	31 S	15 W	27	SE NW	9 A	P RESERVOIR 2	BOULDER CR
61770		0 S	53588 S	73472	7/8/1993	CR	L	31 S	15 W	27	SE NW	7 A	P RESERVOIR 3	BOULDER CR
61771		0 S	53588 S	73472	7/8/1993	CR	L	31 S	15 W	27	NE SW	9 A	P RESERVOIR 4	BOULDER CR
61772		0 S	53588 S	73472	7/8/1993	CR	L	31 S	15 W	27	NW SW	9 A	P RESERVOIR 5	BOULDER CR
61773		0 S	53588 S	73472	7/8/1993	CR	L	31 S	15 W	27	SW SW	9 A	P RESERVOIR 6	BOULDER CR
61775		0 R	12695 R	73473	7/8/1993	CR	L	31 S	15 W	27	SE NW	9 A	S UNN STR/RES 1	FLORAS L
61776		0 R	12695 R	73473	7/8/1993	CR	L	31 S	15 W	27	SE NW	9 A	S RUNOFF/RES 2	FLORAS L
61777		0 R	12695 R	73473	7/8/1993	CR	L	31 S	15 W	27	SE NW	7 A	S RUNOFF/RES 3	FLORAS L
61778		0 R	12695 R	73473	7/8/1993	CR	L	31 S	15 W	27	NW SW	9 A	S UNN STR/RES 4	FLORAS L
61779		0 R	12695 R	73473	7/8/1993	CR	L	31 S	15 W	27	NW SW	9 A	S UNN STR/RES 5	FLORAS L
61780		0 R	12695 R	73473	7/8/1993	CR	L	31 S	15 W	27	SW SW	8 A	S RUNOFF/RES 6	FLORAS L

USER-ID 50261

RECEIVED

DEC 16 2004

WATER RESOURCES DEPT
SALEM, OREGON



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

September 15, 2004

M. John Youngquist
827 SE Mosher
Roseburg, Oregon 97470

Reference: Application S-73472, Permit S-53588
Application R-73473, Permit R-12695

The assignment from Hal and Adrienne Good to Coventry Farms, LLC has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 70083 covering the recording fee of \$50.00 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: receipt 70083

cc: Watermaster 19
Adrienne Good
Data Center, OWRD
Mary Rohling
File



REQUEST FOR ASSIGNMENT

RECEIVED

SEP 14 2004

WATER RESOURCES DEPT
SALEM, OREGON

I, Adrienne Good

(Name of Applicant / Permit / Transfer Holder)

P. O. Box 1579

Santa Clarita

CA

91386

(661)252-2028

(mailing address)

(City)

(State)

(Zip)

(Phone #)

CHECK ONE

- ☒ ...hereby assign **all my interest** in and to application/permit/transfer;
- ☐ ...hereby assign **all my interest** in and to a **portion** of application/permit/transfer;
(You must include a map showing the portion of the application/permit to be assigned.)
- ☐ ...hereby assign **a portion of my interest** in and to the **entire** application/permit/transfer;

Application # R-73473, Permit # R-12695, Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # _____

as filed in the office of the Water Resources Director, to:

Coventry Farms, LLC

(Name of New Owner)

P. O. Box 1579

Santa Clarita

CA

91386

(661)252-2028

(mailing address)

(City)

(State)

(Zip)

(Phone #)

NOTE:

If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this _____ day of _____, 20____.

Applicant/Permit holder Adrienne Good

Applicant/Permit holder _____

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.

Fee receipt # 70083

For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the appropriate recording fees:

- ♦ \$25 for the first page, and
 - ♦ \$5 for each additional page.
- [as required by ORS 536.050(1)(d)]

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271

Handwritten notes: #20164, 9/15/2004, and a signature.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **70083**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: M. John Youngquist
BY: _____

APPLICATION	<u>see below</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 2066 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 50.00

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 25.00 73472
0407 COPY & TAPE FEES 25.00 73473 \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) assignment \$ 50.00
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	\$ _____
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 (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____

\$ _____

RECEIPT: **70083**

DATED: 9/14/04 BY: Linda Doefer

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



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

April 12, 2002

HAL AND ADRIENNE GOOD
ROUTE 1 BOX 1480
BANDON OR 97411

Application(s): R-73473, S-73472

Permit Number(s): R-12111, S-53588

Re: Best Management Practices

As you know, your water right permit(s) as referenced above require(s) use of best management practices to protect water quality. The "best management practices" condition was developed as part of a negotiated settlement of challenges to yours and other water right applications in the New River area. The best management practices were to be developed by a consensus process in which participation was available to a broad range of interests, and were to include mechanisms to ensure their effectiveness.

The Oregon Agricultural Water Quality Management Act, ORS 568.900 to 568.933 (SB 1010), provides a framework for the Oregon Department of Agriculture to develop watershed-based plans to address agricultural water quality issues. The Agricultural Water Quality Management Area Plan and the associated rules for the Coos and Coquille Watersheds (SB 1010 plan; OAR Chapter 603, Division 95 sec 1500 to 1560) were adopted by the State Board of Agriculture last month and the rules filed with the Secretary of State on March 7, 2002. The plan and rules were developed by a Local Advisory Committee consisting of stakeholders residing in the Coos and Coquille watershed. A copy of the plan and rules can be found at the following website:

["http://www.oda.state.or.us/Natural_Resources/agwqmpr.htm"](http://www.oda.state.or.us/Natural_Resources/agwqmpr.htm)

The plan identifies best management practices, - measures and strategies to prevent and control water pollution resulting from agricultural activities. The rules identify mechanisms to ensure the effectiveness of the best management practices - to address prohibited conditions with respect to management of sediment, nutrients, pesticides, riparian areas, irrigation and waste (OAR 690-095-1540). The Water Resources Department (WRD) proposes to rely on the SB 1010 plan and rules for the Coos and Coquille

April 12, 2002

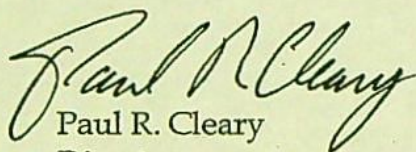
Page 2

Watersheds to satisfy the best management practices permit condition for the New River water right permits, such that compliance with the SB 1010 plan and rules will constitute compliance with the permit condition.

The New River water right permits with the "best management practices" permit condition encompass an area that includes Coos, Coquille and Curry Counties. Within the next year the Department of Agriculture is scheduled to complete a similar plan and rules for the Curry watershed area. WRD proposes to rely on the Coos and Coquille plan for the Curry County permits as well, until the Curry County Agricultural Water Quality Management Plan and associated rule are adopted.

Thank you for your cooperation and assistance. If you have questions or concerns with this proposal, please contact Dwight French, Water Rights Manager, at 503-378-8455, ext. 268.

Sincerely,



Paul R. Cleary
Director

cc: Brad Howe, Croft Lake Association
Doug Richert
Eric Aasen
Lonnie Hull
Wayner Scherer, Bandon Cranberry Water Control District
Carol Russell, Oregon Cranberry Farmers Alliance
Karen Russell, WaterWatch of Oregon
Al Cook, WRD
Lloyd Vangordon, WRD
Ray Jaindl, Department of Agriculture
Pam Blake, Department of Environmental Quality
Todd Confer, ODFW
Jill Zarnowitz, ODFW
John Youngquist
Dan Carpenter, Bureau of Land Management

RECEIVED

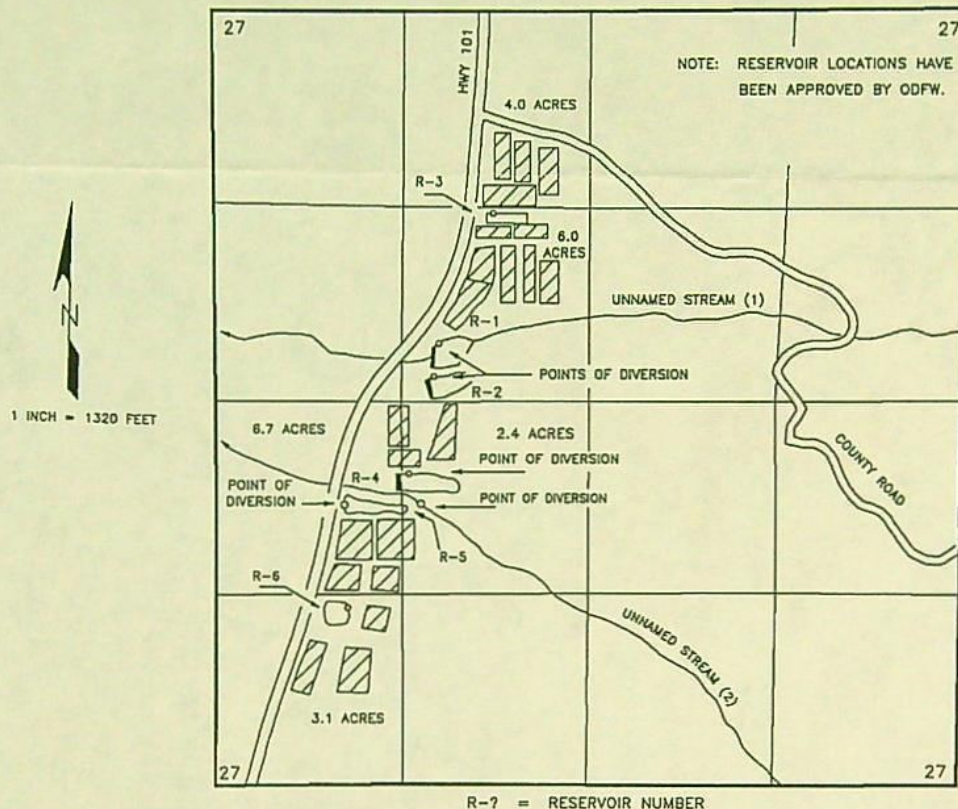
JUL 28 1999

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION MAP

IN THE NAME OF HAL or ADRIENNE GOOD

SECTION 27, T 31 S, R 15 W, W.M.



POINT OF DIVERSION	SOUTH	WEST	¼ ¼ SECTION
UNNAMED STREAM AND RESERVOIR No. 1	2,250 FEET	1,070 FEET	SE¼ NW¼
RESERVOIR No. 2 AND DAM (dike)	2,500 FEET	1,100 FEET	SE¼ NW¼
RESERVOIR No. 3	1,390 FEET	680 FEET	SE¼ NW¼
CENTER OF RESERVOIR No. 3	1,410 FEET	600 FEET	SE¼ NW¼
RESERVOIR No. 4	3,175 FEET	1,285 FEET	NE¼ SW¼
RESERVOIR No. 4 DAM	3,220 FEET	1,350 FEET	NW¼ SW¼
RESERVOIR No. 5 AND DAM (Dike)	3,380 FEET	1,720 FEET	NW¼ SW¼
RESERVOIR No. 6	4,100 FEET	1,700 FEET	SW¼ SW¼
CENTER OF RESERVOIR No. 6	4,160 FEET	1,800 FEET	SW¼ SW¼
UNNAMED STREAM No. 2	3,390 FEET	1,200 WEST	NE¼ SW¼

ALL FROM THE NORTH QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.

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



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

July 28, 1999

Adrienne Good
Route 1 Box 1480
Bandon, Oregon 97411

Reference File Number: R-73473

Dear Mrs. Good:

A superseding permit has been issued under application R-73473.

On July 21, 1998, John Drolet, Water Resources Department (WRD) Watermaster, requested the Water Rights Division review permit R-12111 (Application R-73473). He identified that there appeared to be some discrepancies on the permit. Upon further examination, the Department identified that the permit does not clearly describe the source of water for several of the reservoirs and how they are to be filled.

On August 18, 1998, the Department contacted the applicant and spoke with David Peck about the reservoir permit. The reservoir permit issued to you allowed for the placement of Reservoirs 1 and 2 to be determined by the local Oregon Department of Fish and Wildlife fishery biologist. According to Mr. Peck, Reservoir 2 was constructed off channel per instructions from the Oregon Department of Fish and Wildlife fisheries biologist. Mr. Peck also clarified how each of the reservoirs are filled and he also identified that Reservoir 4 had been constructed in a different location than that shown on the application map.

The Department requested a modified application map showing the correct location of each reservoir and the coordinates to each dam and/or reservoir location. The Department also requested updated information regarding dam heights, reservoir depths, and surface areas.

A finalized revised map was received by the Department on June 10, 1999.

The attached superseding permit has been issued to correctly describe the source of water for each reservoir, the locations of the reservoirs 2, 3 and 4, the surface area of reservoir 3, the maximum depth of reservoirs 2, 3 and 4, the dam/reservoir locations for

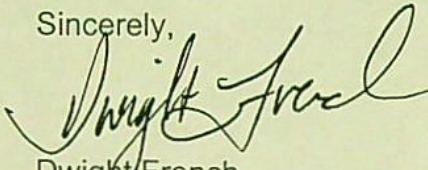


reservoirs 2, 3, 5, and 6, the maximum height of the dams on reservoirs 2 and 4, and the area to be submerged by reservoir 3.

This letter is a Final Order and may be appealed. Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-005 each applicant may either petition the Director for reconsideration of this order or to seek judicial review of this order with the Circuit Court of Marion County or the circuit court in the county in which all or part of the property affected by the order is situated, within 60 days from the date this order is served. Such review shall be conducted as provided in ORS 536.075.

If you have any questions, please call Laura Snedaker of my staff at (503) 378-8455 or toll free within Oregon at 1 (800) 624-3199, extension 331. My extension is 268.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dwight French".

Dwight French
Water Rights Division Acting Administrator

Enclosure: Permit R-12695

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HAL AND ADRIENNE GOOD
ROUTE 1, BOX 1480
BANDON, OREGON 97411

PHONE: (541) 347-3262

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

APPLICATION FILE NUMBER: R-73473

SOURCE OF WATER: RESERVOIR 1: UNNAMED STREAM # 1, TRIBUTARY OF FLORAS LAKE; RESERVOIR 2: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 3: RUNOFF, TRIBUTARY TO UNNAMED STREAM #1; RESERVOIR 4 AND RESERVOIR 5: UNNAMED STREAM #2 AND RUNOFF, TRIBUTARY TO FLORAS LAKE; RESERVOIR 6: RUNOFF, TRIBUTARY TO UNNAMED STREAM #2

STORAGE FACILITY: SIX UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT 53588 FOR SUPPLEMENTAL CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 51.0 ACRE-FEET (AF) PER YEAR, BEING 9.0 AF IN RESERVOIR 1, 9.0 AF IN RESERVOIR 2, 7.0 AF IN RESERVOIR 3, 9.0 AF IN RESERVOIR 4, 9.0 AF IN RESERVOIR 5 AND 8.0 AF IN RESERVOIR 6

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

The area submerged by Reservoir 1, when full, will be 1.2 acres and the maximum depth of water will be 12.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

The area submerged by Reservoir 2, when full, will be 1.0 acre and the maximum depth of water will be 11.0 feet. The maximum height of the dam shall not exceed 17.0 feet.

The area submerged by Reservoir 3, when full, will be 0.6 acre and the maximum depth of water will be 11.5 feet. The maximum height of the dam shall not exceed 15.0 feet.

The area submerged by Reservoir 4, when full, will be 1.3 acres and the maximum depth of water will be 14.0 feet. The maximum height of the dam shall not exceed 19.0 feet.

The area submerged by Reservoir 5, when full, will be 1.1 acres and the maximum depth of water will be 14.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

The area submerged by Reservoir 6, when full, will be 0.6 acre and the maximum depth of water will be 16.0 feet. The maximum height of the dam shall not exceed 4-6 feet.

DAM LOCATIONS: SE 1/4 NW 1/4, NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 1 - 2250 FEET SOUTH & 1070 FEET WEST; RESERVOIR 2 - 2500 FEET SOUTH & 1100 FEET WEST; RESERVOIR 4 - 3220 FEET SOUTH & 1350 FEET WEST; RESERVOIR 5 - 3380 FEET SOUTH & 1720 FEET WEST; ALL FROM THE NORTH 1/4 CORNER, SECTION 27

RESERVOIR LOCATIONS: SE 1/4 NW 1/4, NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 3 - 1390 FEET SOUTH & 680 FEET WEST; RESERVOIR 6 - 4160 FEET SOUTH & 1800 FEET WEST; BOTH FROM THE NORTH 1/4 CORNER, SECTION 27

STREAM #2 POINT OF DIVERSION: NE 1/4 SW 1/4, SECTION 27, T31S, R15W, W.M.; 3390 FEET SOUTH AND 1200 FEET WEST FROM NORTH 1/4 CORNER, SECTION 27

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

SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SECTION 27

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster 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 keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The

permittee may be required to report 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.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish.

Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions.

STANDARD CONDITIONS

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

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

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

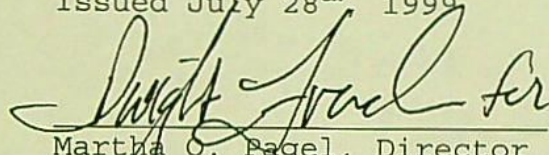
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

This permit is issued to correctly describe the locations of the reservoirs 2, 3 and 4, to correctly describe the source of water for each reservoir, the surface area of reservoir 3, the maximum depth of reservoirs 2, 3 and 4, the dam/reservoir locations for reservoirs 2, 3, 5, and 6, the maximum height of the dams on reservoirs 2 and 4, and the area to be submerged by reservoir 3. Permit R-12111, dated January 31, 1997, is superseded by this instrument and is of no further force or effect.

Actual construction work shall begin by January 31, 1998, and shall be completed on or before October 1, 1999. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2000.

Issued July 28th 1999


Martha O. Pagel, Director
Water Resources Department

Mailing List for Superseding Permit Copies

Application# R-73473

Mailing List Print Date July 28, 1999

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

Applicant: Hal & Adrienne Good, Route 1 Box 1480, Bandon, Oregon 97411

Permit Copies sent to (Remember to reduce copy margins):

1. WRD - File # R-73473
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 (w/copy of permit map)
7. WRD - John Falk (for reservoir permits only)

Copies Mailed
By: <u>JE</u>
(SUPPORT STAFF)
on: <u>8/10/99</u>
(DATE)

COPIES TO Other Interested Persons

8. M. John Youngquist
9. David Peck, P.O. Box 1934, Bandon, Oregon 97411
10. _____

CASEWORKER: LKS

PERMIT STATUS REVIEW BY SB DATE 4/27/04 FILE # R-73473

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if:

update appropriate db

Yes Permit is for municipal or quasi-municipal use (per DF, when in doubt about MU/QM, change database code) or in Bonanza study area or New River

NO Extension pending _____

NO Assignment is pending _____

NO Cancellation has been requested _____

NO Dept. has already sent a certified "Form 100" letter (date _____, # _____)

Was 60 days notice allowed? _____

Was mail deliverable as addressed? _____ date _____

Send cancellation letter _____

Yes Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received 11/26/01

2. IF NONE OF THE ABOVE APPLY

Send certified "C" date notice packet to permit holder.

"C" DATE _____ BASIN NUMBER _____

CWRE or AGENT _____

A in notes (New River file) pulled 73472

John M. Youngquist, 08:25 AM 7/13/99 , Good Application

Date: Tue, 13 Jul 1999 08:25:45 -0700
From: "John M. Youngquist" <mjywater@sorcom.com>
Reply-To: mjywater@sorcom.com
To: Laura.K.SNEDAKER@wrd.state.or.us
Subject: Good Application

Laura:

The corrected map is on its way. The coordinates will be 3,390 feet south and 1,200 feet west from the north quarter corner of section 27, within the NESW of Section 27, Township 31 South, Range 15 West.

thanks

John

PERMIT STATUS REVIEW BY KS DATE 4/15/2011 FILE # R-73473

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: update appropriate db

NO Extension pending _____

NO Assignment is pending _____

NO Cancellation has been requested _____

NO Dept. has already sent a certified 60-Day Compliance letter (date _____, # _____)

Was 60 days notice allowed? Y N If No, How Much Time? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check? Y N date _____ successful? Y N

Re-send Cert. Letter? Y N date _____

Send cancellation order Y N

YES Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received 11/26/2001

DONALD E. KNUER # 75

2. IF NONE OF THE ABOVE APPLY

NO Send certified "C" date notice packet to permit holder.

"C" DATE 10-1-2000 BASIN NUMBER 17 WM # 19

CWRE or AGENT _____

UPDATE DATABASE
AS NEEDED
A.H.

RECEIVED

JUL 28 1999

WATER RESOURCES DEPT.
SALEM, OREGON

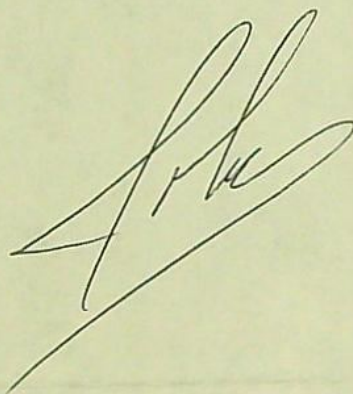
Fax

To: Laura Snedaker
Of: Oregon Water Resources Department
Fax: (501) 378 - 6203
Pages: 2, including this cover sheet.
Date: July 27, 1999

Laura:

Following is the fax we discussed concerning the Good property in Curry County. I am placing this in the mail today also.

Please call (on any other file) if you have any questions.



From the desk of...

M. John Youngquist
827 SE Mosher Ave
Roseburg, Oregon 97470
(541) 672 - 5692

Mailing List for Superseding Permit Copies

Application# R-73473

Mailing List Print Date July 8, 1999

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

Applicant: Hal & Adrienne Good, Route 1 Box 1480, Bandon, Oregon 97411

Permit Copies sent to (Remember to reduce copy margins):

1. WRD - File # R-73473
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 (w/copy of permit map)
7. WRD - John Falk (for reservoir permits only)

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

COPIES TO Other Interested Persons

8. M. John Youngquist
9. David Peck, P.O. Box 1934, Bandon, Oregon 97411
10. _____

CASEWORKER: LKS

Fax

To: Laura Snedaker
Of: Oregon Water Resources Department
Fax: (501) 378 - 6203
Pages: 2, including this cover sheet.
Date: July 27, 1999

Laura:

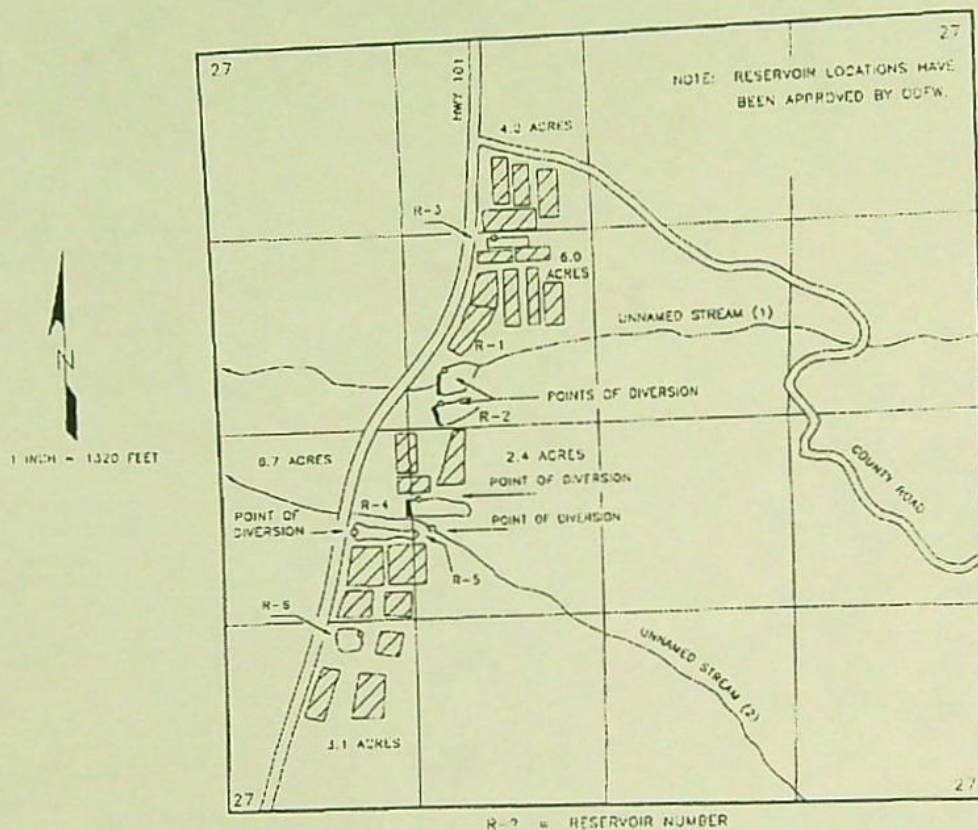
Following is the fax we discussed concerning the Good property in Curry County. I am placing this in the mail today also.

Please call (on any other file) if you have any questions.

From the desk of

M. John Youngquist
827 SE Mosher Ave
Roseburg, Oregon 97470
(541) 672 - 5692

APPLICATION MAP
IN THE NAME OF HAL or ADRIENNE GOOD
SECTION 27, T 31 S, R 15 W, W.M.



POINT OF DIVERSION	SOUTH	WEST	¼ ¼ SECTION
UNNAMED STREAM AND RESERVOIR No. 1	2,250 FEET	1,070 FEET	SE¼ NW¼
RESERVOIR No. 2 AND DAM (dike)	2,500 FEET	1,100 FEET	SE¼ NW¼
RESERVOIR No. 3	1,390 FEET	680 FEET	SE¼ NW¼
CENTER OF RESERVOIR No. 3	1,410 FEET	600 FEET	SE¼ NW¼
RESERVOIR No. 4	3,175 FEET	1,285 FEET	NE¼ SW¼
RESERVOIR No. 4 DAM	3,220 FEET	1,350 FEET	NW¼ SW¼
RESERVOIR No. 5 AND DAM (Dike)	3,380 FEET	1,720 FEET	NW¼ SW¼
RESERVOIR No. 6	4,100 FEET	1,700 FEET	SW¼ SW¼
CENTER OF RESERVOIR No. 6	4,160 FEET	1,800 FEET	SW¼ SW¼
UNNAMED STREAM No. 2	3,390 FEET	1,200 WEST	NE¼ SW¼

ALL FROM THE NORTH QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M. CURRY COUNTY

Date: Tue, 06 Jul 1999 08:19:41 -0700
From: "John M. Youngquist" <mjywater@sorcom.com>
Reply-To: mjywater@sorcom.com
To: Laura.K.SNEDAKER@wrд.state.or.us
Subject: R-73473 in the name of Good

Laura:

I caught Dave today and he provided the following information:

Reservoir 2: Maximum Height 17 feet with maximum water @ 11 feet
He has a spillway and road over the dam. Even with the height
and
depth, he is well below 9 acre feet.

Reservoir 3: Maximum Height 15 feet with maximum water @ 11.5 feet.

Reservoir 4: Maximum Height 19 feet with maximum water @ 14 feet.

He has roads on each structure which is part of the reason for the high dams. In addition, when they were moved, they are on steeper ground and they will probably store less than applied for.

John

Superseded
by map ~~6-10-99~~ received

RECEIVED

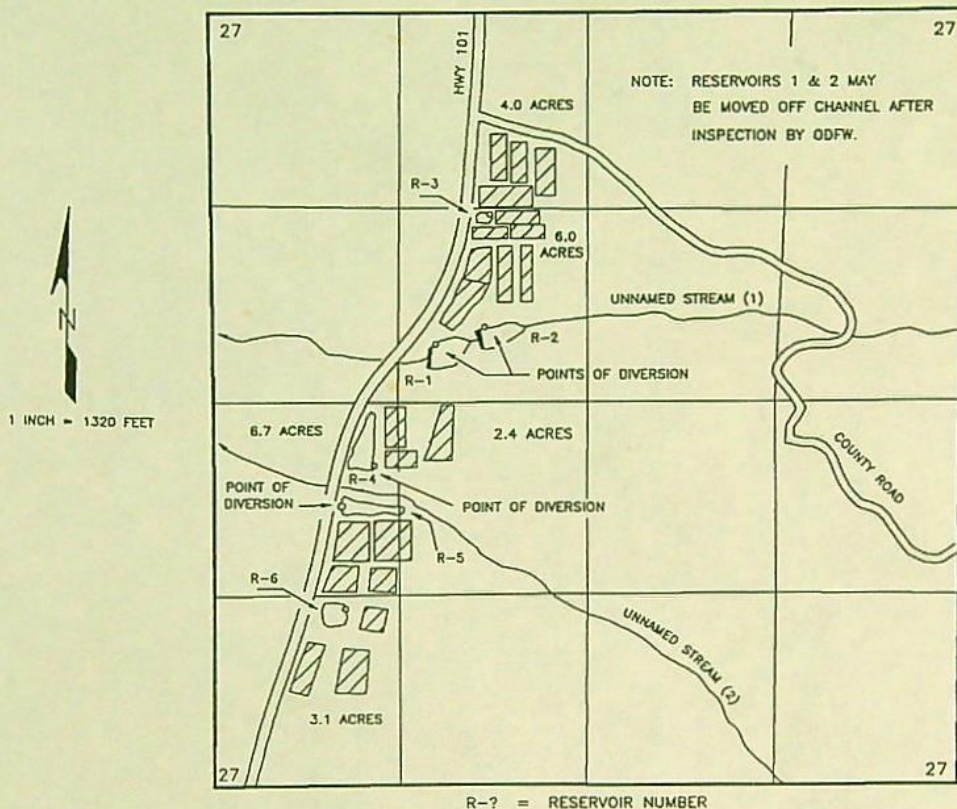
APPLICATION MAP

JUN 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

IN THE NAME OF HAL or ADRIENNE GOOD

SECTION 27, T 31 S, R 15 W, W.M.



Application No. R-73473
Permit No. R12111

THE POINTS OF DIVERSION ARE TO BE LOCATED AS FOLLOWS:

SOURCE	SOUTH	WEST	¼ ¼ SECTION
UNNAMED STREAM (1) and RESERVOIR 1	2250 FEET	1070 FEET	SE¼ NW¼
UNNAMED STREAM (1) and RESERVOIR 2	2140 FEET	700 FEET	SE¼ NW¼
RESERVOIR 3	1390 FEET	680 FEET	SE¼ NW¼
RESERVOIR 4	3120 FEET	1490 FEET	NW¼ SW¼
RESERVOIR 5	3380 FEET	1720 FEET	NE¼ SW¼
RESERVOIR 6	4100 FEET	1700 FEET	SW¼ SW¼

ALL FROM THE NORTH QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M., CURRY COUNTY.

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



M. JOHN YOUNGQUIST
WATER RESOURCES CONSULTANT
827 SE MOSHER
ROSEBURG, OREGON 97470
PHONE/FAX: (541) 672-5692
Email: mjoywater@sorcom.com



June 8, 1999

RECEIVED

JUN 10 1999

Laura Snedaker, Senior Water Rights Examiner
Oregon Water Resources Department
158 12th Street, NE
Salem, Oregon 97310

WATER RESOURCES DEPT
SALEM, OREGON

Re: File No. R - 73473 and S - 73472

Dear Ms. Snedaker:

In response to your letter of May 14, 1999, following is the approximate size of reservoirs 2, 3 and 4 on the above referenced applications:

Reservoir Two:	1.0 acre surface area	<i>no change from orig permit</i>
Reservoir Three:	0.6 acre surface area	<i>up .2 acre from orig size</i>
Reservoir Four:	1.3 acres surface area	<i>no change from orig permit</i>

Also enclosed is a map with the additional information you requested. Given the small size for these reservoirs, I don't understand the need to identify the "center of the reservoir" in addition to the point of diversion from the reservoir. Is this a standard requirement for the future?

Please contact me if you have any questions or need additional information.

Yours truly,

M. John Youngquist

cc: Dave Peck
Route 1, Box 1934
Bandon, Oregon 97411

APPLICATION MAP

IN THE NAME OF HAL or ADRIENNE GOOD

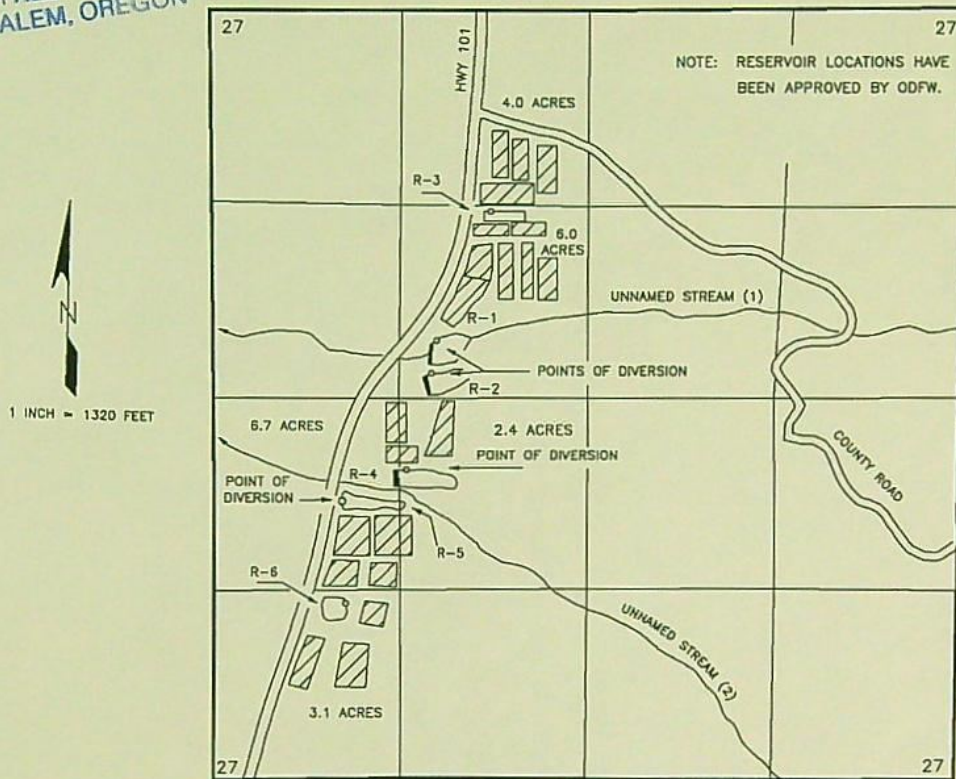
SECTION 27, T 31 S, R 15 W, W.M.

Super Subsea

RECEIVED

JUN 10 1999

WATER RESOURCES DEPT
SALEM, OREGON



R-? = RESERVOIR NUMBER

THE POINTS OF DIVERSION ARE TO BE LOCATED AS FOLLOWS:

SOURCE	SOUTH	WEST	¼ ¼ SECTION
UNNAMED STREAM AND RESERVOIR No. 1	2,250 FEET	1,070 FEET	SE¼ NW¼
RESERVOIR No. 2 AND DAM (dike)	2,500 FEET	1,100 FEET	SE¼ NW¼
RESERVOIR No. 3	1,390 FEET	680 FEET	SE¼ NW¼
CENTER OF RESERVOIR No. 3	1,410 FEET	600 FEET	SE¼ NW¼
RESERVOIR No. 4	3,175 FEET	1,285 FEET	NE¼ SW¼
RESERVOIR No. 4 DAM	3,220 FEET	1,350 FEET	NW¼ SW¼
RESERVOIR No. 5 AND DAM (Dike)	3,380 FEET	1,720 FEET	NW¼ SW¼
RESERVOIR No. 6	4,100 FEET	1,700 FEET	SW¼ SW¼
CENTER OF RESERVOIR No. 6	4,160 FEET	1,800 FEET	SW¼ SW¼

ALL FROM THE NORTH QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.

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



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

May 14, 1999

M. John Youngquist
827 SE Mosier
Roseburg, Oregon 97470

Reference File Number: S-73472 & R-73473

Dear John:

I am currently in the process of drafting new permits for the above referenced applications. However, before I put these together I need some updated information on the reservoirs. Please supply the following:

Reservoir 2, 3 and 4: For each reservoir please identify the surface area (in acres) of the reservoir, the maximum dam height, and maximum depth of the reservoir.

Additional map modifications: Please show on a revised map, or on an attachment, for the reservoir permit, the coordinates to each dam location for reservoirs 1 through 6. If the reservoir does not have a dam, you may take the coordinates from the center of the reservoir to identify the reservoir location.

If you have any questions, please give me a call at (503) 378-8455 or toll free within Oregon at 1 (800) 624-3199, extension 331.

Sincerely,

Laura K. Snedaker
Senior Water Rights Examiner

cc: John Drolet, Watermaster District 19
David Peck

MEMO

DATE: April 19, 1999
TO: Dwight French
FROM: Laura Snedaker

SUBJECT: Permits R-12111 (File R-73473) & 52992 (File S-73473)
Adrienne Good

OK,
Please proceed
as you have
recommended.
Dwight 4-27-99

In August of last year we discussed the possibility of applications at the recommendation of John Drolet. going to be reissued to include the point of diversion was not included on the permit.

Upon looking further into this issue, I discovered several reservoir permit that was issued and the application the permit only identified an unnamed stream as the source the use of water from two unnamed streams and runoff. I found that there had been additional changes made, recommendations by ODFW.

The applicant has a reservoir permit to store water in 6 changes have been made:

Reservoir 1: No changes to source, Unnamed Stream #1, or to location, in-channel on Stream #1.

Reservoir 2: It was stipulated in the permit that the locations of Reservoirs 1 and 2 would be determined by ODFW. This came out of the New River ADR. The location of Reservoir 2 has been changed based upon this condition. Also, originally these two reservoirs were to be filled by surface water from Unnamed Stream #1 and were both located in-channel. Reservoir 2 is now located off channel and according to David Peck, partner of Adrienne Good, the source is runoff.

Recommendation: I recommend we reissue the permit including these modifications. In a previous buy off meeting we discussed this issue, and identified that a change in source to runoff from live flow would be ok. Based upon its location, the runoff would likely flow into Stream #1. Also, the change in location is based upon one of the permit conditions allowing ODFW to determine its location.

You should
respond

→ Before we reissue, we should find out what the new surface area is, dam height and depth of reservoir if different that what was originally proposed.

Laura -
Here is The
New map.
Thanks -
John

7-10-99

MEMO

OK,
Please proceed
as you have
recommended.
Dwight 4-27-99

DATE: April 19, 1999
TO: Dwight French
FROM: Laura Snedaker
SUBJECT: Permits R-12111 (File R-73473) & 52992 (File S-73472) for Hal & Adrienne Good

In August of last year we discussed the possibility of reissuing permits on the above applications at the recommendation of John Drolet. Initially the reservoir permit was going to be reissued to include the point of diversion on Unnamed Stream #2, which was not included on the permit.

Upon looking further into this issue, I discovered several discrepancies between the reservoir permit that was issued and the application that was proposed. Namely the permit only identified an unnamed stream as the source. The applicant had requested the use of water from two unnamed streams and runoff. When I contacted the applicant I found that there had been additional changes made, partially based upon recommendations by ODFW.

The applicant has a reservoir permit to store water in 6 reservoirs. The following changes have been made:

Reservoir 1: No changes to source, Unnamed Stream #1, or to location, in-channel on Stream #1.

Reservoir 2: It was stipulated in the permit that the locations of Reservoirs 1 and 2 would be determined by ODFW. This came out of the New River ADR. The location of Reservoir 2 has been changed based upon this condition. Also, originally these two reservoirs were to be filled by surface water from Unnamed Stream #1 and were both located in-channel. Reservoir 2 is now located off channel and according to David Peck, partner of Adrienne Good, the source is runoff.

Recommendation: I recommend we reissue the permit including these modifications. In a previous buy off meeting we discussed this issue, and identified that a change in source to runoff from live flow would be ok. Based upon its location, the runoff would likely flow into Stream #1. Also, the change in location is based upon one of the permit conditions allowing ODFW to determine its location.

You should
research

→ Before we reissue, we should find out what the new surface area is, dam height and depth of reservoir if different than what was originally proposed.

Reservoir 3: The location of this reservoir has been slightly modified and the surface area shown on the revised map is larger than the original. The area covered by the reservoir was previously identified as the location of a cranberry bog. The source of water, runoff, is still the same.

Recommendation: I recommend that we allow this change. The quarter quarter description of its location does not change at all but we would need to find out its new surface area, depth and dam height. Also, when we redo the permit, we should make sure to clearly identify the source as runoff, as requested in the application. That runoff is not identified as a source, appears to be a Departmental error.

Reservoir 4: The location of this reservoir is very different than what was originally identified. However, the location is still in the drainage basin for Unnamed Stream #2. The location has moved from being completely located in the NW SW to being mostly located in the NE SE of Section 27. Also, based upon a request from ODFW, this reservoir is not being filled from Unnamed Stream #2. The reservoir is instead being filled from runoff.

Recommendation: I recommend that we allow these modifications. The location appears to still be in the drainage basin for Unnamed Stream #2 and the runoff is water that would likely flow into Stream #2.

We could reissue the permit identifying both stream #2 and runoff as the source. Unnamed stream #2 was the intended source when the application was filed.

Before we make the change in the permit, we should get the new surface area, dam height and reservoir depth.

Reservoir 5: The location of this reservoir has not been modified but at the request of ODFW they are using runoff to fill the reservoir instead of Unnamed Stream #2.

Recommendation: This reservoir is located in the drainage basin for Unnamed Stream #2. Runoff would likely flow into Stream #2. I recommend we allow the change in source. This seems to be a no harm, no foul situation. Also, last time I spoke with Mr. Peck, this reservoir had not yet been constructed and might never be.

We could reissue the permit identifying both stream #2 and runoff as the source. Unnamed stream #2 was the intended source when the application was filed.

Reservoir 6: There have been no changes made to this reservoir but the source of water, runoff, for this reservoir was not identified on the permit.

Recommendation: When we redo the permit, we should make sure to clearly identify the source of water for this reservoir as runoff, as requested in the

application. That runoff was not identified as a source appears to be a Departmental error.

Surface Water Application: If we reissue the reservoir permit we will also need to reissue the secondary permit to appropriate the stored water. A few of the reservoir locations have been changed and therefore, the points of diversion to appropriate water from the reservoirs have been changed. Points of Diversion should be the only changes that need to be made to the secondary permit.



M. JOHN YOUNGQUIST
WATER RESOURCES CONSULTANT
827 SE MOSHER
ROSEBURG, OREGON 97470
PHONE/FAX: (541) 672-5692
Email: mjjwater@sorcom.com



MEMORANDUM

DATE: March 9, 1999
TO: Laura Snedaker, Senior Water Rights Examiner
FROM: John Youngquist *[Signature]*
SUBJECT: Hal or Adrienne Good's Superceding Map

RECEIVED
MAR 11 1999
WATER RESOURCES DEPT.
SALEM, OREGON

Dear Laura:

Enclosed is the superceding map for applications R-73473 and S-73472. The reservoir locations have been approved by Todd Confir, Biologist with ODFW, in accordance with the New River ADR.

Please contact me if you need additional information.

APPLICATION MAP

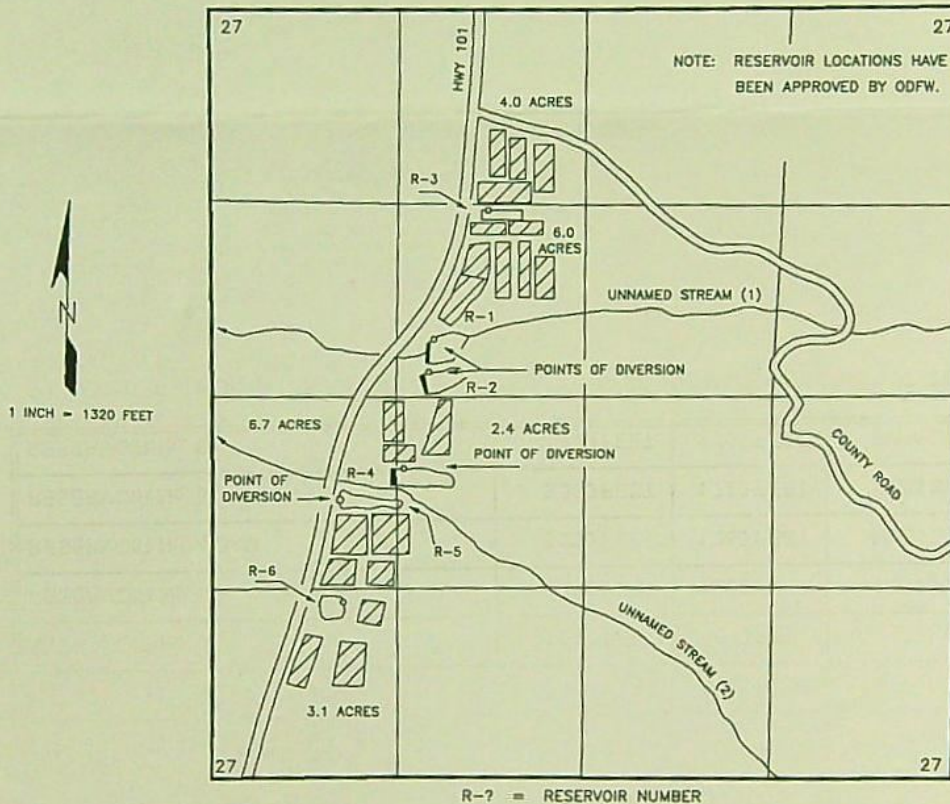
IN THE NAME OF HAL or ADRIENNE GOOD

SECTION 27, T 31 S, R 15 W, W.M.

RECEIVED

MAR 11 1999

WATER RESOURCES DEPT.
SALEM, OREGON



THE POINTS OF DIVERSION ARE TO BE LOCATED AS FOLLOWS:

SOURCE	SOUTH	WEST	¼ ¼ SECTION
UNNAMED STREAM AND RESERVOIR No. 1	2,250 FEET	1,070 FEET	SE¼ NW¼
RESERVOIR No. 2	2,500 FEET	1,100 FEET	SE¼ NW¼
RESERVOIR No. 3	1,390 FEET	680 FEET	SE¼ NW¼
RESERVOIR No. 4	3,175 FEET	1,285 FEET	NE¼ SW¼
RESERVOIR No. 4 DAM	3,220 FEET	1,350 FEET	NW¼ SW¼
RESERVOIR No. 5	3,380 FEET	1,720 FEET	NW¼ SW¼
RESERVOIR No. 6	4,100 FEET	1,700 FEET	SW¼ SW¼

ALL FROM THE NORTH QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.

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

M. John Youngquist
Water Resources Consultant
827 S.E. Mosher Ave.
Roseburg, Oregon 97470

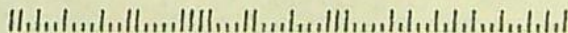


Larua Snedaker

Oregon Water Resources Dept.

158

97470-0000





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

September 22, 1998

David Peck
P.O. Box 1934
Bandon, Oregon 97411

Reference File Numbers: R-73473 & S-73472

Dear Mr. Peck:

As we discussed, I have enclosed a copy of the permit map associated with the files referenced above.

On the map please show the following information:

The location of a point of diversion on Unnamed Stream #2 where water would be appropriated for diversion into Reservoirs #4 and #5, if necessary. Also, provide the coordinates to that point of diversion. The coordinates are the distances east or west and north or south from a recognized public land survey corner, such as a section corner.

The location of Reservoir #4. Also provide the coordinates to the dam on this reservoir. The coordinates can be taken from the middle of the dam or if there is no dam from the middle of the reservoir location.

Also, on Reservoir #4, please show the location of the point of diversion where water is taken out of the reservoir for use for Cranberry Operations. Also, provide the coordinates to this point of diversion.

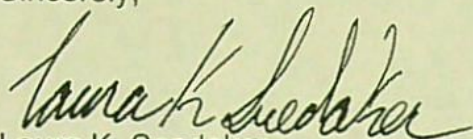
For Reservoirs #1 and #2, please show where they ended up being constructed. On the reservoirs, please show the location of the dams and the points of diversion where water is removed for use. Also, identify the coordinates to each of the dam locations and to the points of diversion.

Based upon review of the information submitted on the map, the Department will determine what changes need to be made to the permits and which changes may not be made or don't need to be made.

Also, for our records, please submit a statement from Adrienne Good, which indicates that you are authorized to act as her agent in this matter.

If you have any questions, please give me a call at (503) 378-8455 or toll free within Oregon at 1 (800) 624-3199, extension 331.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laura K. Snedaker".

Laura K. Snedaker
Senior Water Rights Examiner

cc: John Drolet, Watermaster District 19
Adrienne Good (permittee)

MEMO

DATE: August 21, 1998

TO: Dwight French

FROM: Laura Snedaker

SUBJECT: R-73473 (permit R-12111) in the name of Hal and Adrienne Good

I spoke with David Peck on August 18, 1998, about the Department wanting to reissue the above permit due to some source and POD discrepancies on the existing permit. I if you remember this was something that John Drolet brought to my attention and wants to have the Department reissue the permit if possible. David Peck is Adrienne Good's partner in the Cranberry Operation.

During the course of my discussion with Mr. Peck I found out several things about their operation. During the course of constructing the reservoirs, Reservoir 4 did not get constructed quite in the same location as what was identified on the application map. Also Reservoir 4 is being filled from runoff rather than from Unnamed Stream #2. According to Mr. Peck, ODFW had requested they not appropriate water from Stream #2 due to the presence of fish in the stream.

Reservoirs 1 and 2 were also built in different locations. But this was allowed by on of the conditions in the permit. However, also instead of being filled by Stream #1, Reservoir 2 is filled by runoff. The reservoir sits in an unnamed drainage.

What I would like to determine is whether, when we reissue the permit that we could specify that the source of water for Reservoir is runoff instead of Stream #2. This would also be the same case for Reservoir 5, which has not yet been constructed and may not be. Mr. Peck indicated that he does not have a problem using Stream #2 as a source but that ODFW would prefer that he doesn't. Or perhaps we could include runoff as a source for these two reservoirs in addition to Stream #2? Or does he need to use Stream #2 as a source?

I also need to find out if it is ok that Res 4 was built in a location somewhat different than that shown on the application and if he should submit a revised map showing the correct location of Reservoir 4 and also identify the correct point of diversion for the reservoir. In this case the POD to appropriate water from this reservoir on the secondary permit would also likely be incorrect. Or is this something that we wouldn't be overly concerned about and would be taken care of at time of proof? Or should they file a permit amendment?

Thanks.

Laura, Please bring to next meeting
Drolet

- 1) Sources - fix new permit
- 2) change of sources - can change to runoff
- 3) loc of Res 4 =
if same source + same drainage
ok - need map showing loc.
Before can make change
- 4)

8-17-98

2:15 left msg for Adrienne Good
re R-73473 (permit R-12111)

8-18-98

Spoke w/ David Peck (Adrienne Good's
Partner)

Discussed issues w/ Permit.

Dept wants to reissue permit
to fix source & problems.

Mr. Peck described that:

Res # 2 fills from an unnamed
drainage (runoff) - placed in
location specified by ODFW as
per allowed by permit (see permit)

Res # 5 does not exist - may not
build

Res # 6 does not yet exist - may
not build

Res # 3 - not yet completed. if
completed would be filled from
runoff.

Res # 1 - unnamed stream # 1 - in
channel - about where
map shows.

*

Res # 4 - filled from run-off - not
located exactly where map
shows. ODFW did not want water
diverted from Stream # 2 (fish
found in stream)

Discussed map. Will send him copy of map & he will put loc of ~~POD~~ ~~for Res~~ on unnamed stream # 2 for if water was removed from stream to fill Res 4 &/or 5.

Unnamed stream # 2 not currently used as source because of OFW concerns

Send map to
PO Box 1934
Bandon, OR 97411

Will discuss w/ D.F.

- Whether ok for Res 4 to be located in other than what shown on map.

- Also, Whether ok for source as

→ run-off on Res #4 ~~other than~~ rather than unnamed stream # 1

- Would above also be ok for Res 5.

LKS

John Drolet 7-21-98
S-73472 (perm. 52992)
R-73473 (perm. R-12111)

- Permit for reservoir does not identify a POD on unnamed stream #2 to divert water to Res 4, 5, & 6 (off-chan.)
- also does not identify a POD to Res 3. - also an off channel res.
- how fill? no authorized POD?
- Will write memo to file
- asked me to bring to Dwight's attention - anything that can be done at this point?

also noted that permit only identifies an unnamed stream as the source. application ^{supplemental} materials identify sources as
unnamed stream #1 = for Res #1
unnamed stream #2 = for Res 2, Res 4, & 5
Field Runoff = Res #3 & 6

Res 2 probably actually meant to be filled from Unn. Stream #1 = is in channel of Stream #1

Dwight - can redo permit, if write ltr to app. ask where POD is on #2 & if want corrected w/ 2 other sources

7-31-98

John Droker file S-73472 (perm 52992)
R-73473 (perm R-1211)

Discussed Res permit

two sources not on permit in
addition to discrepancies you noted
Let him know that Dwight ok w/ yedg
permit if first contact permit holder
to determine if ok w/ them

J.D. - feels that it is imperative
from a regulation standpoint that
the res. permit be fixed.
asked if I would further discuss w/
D.F.

Dwight French

Call Goods & let them know that
we have noted discrepancies

Can fix pretty easily

Send map to have them mark Rod
on stream # 2 fr Res 445

If not receptive - need to discuss further

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-73473

Final Order

Application History

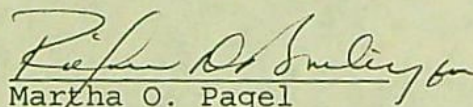
On July 8, 1993, HAL AND ADRIENNE GOOD submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 15, 1996. The protest period closed November 29, 1996, and no protest was filed.

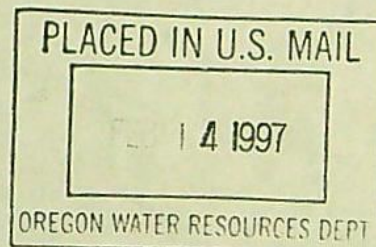
The proposed use would not impair or be detrimental to the public interest.

Order

Application R-73473 therefore is approved as proposed by the Proposed Final Order, and Permit R-12111 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED January 31, 1997


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.

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HAL AND ADRIENNE GOOD
ROUTE 1, BOX 1480
BANDON, OREGON 97411

(541) 347-3262

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

APPLICATION FILE NUMBER: R-73473

SOURCE OF WATER: AN UNNAMED STREAM, TRIBUTARY OF FLORAS LAKE

STORAGE FACILITY: SIX UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER
APPLICATION S-73472, PERMIT 52992 FOR SUPPLEMENTAL CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 51.0 ACRE-FEET (AF) PER YEAR, BEING 9.0 AF IN
RESERVOIR 1, 9.0 AF IN RESERVOIR 2, 7.0 AF IN RESERVOIR 3, 9.0 AF IN
RESERVOIR 4, 9.0 AF IN RESERVOIR 5 AND 8.0 AF IN RESERVOIR 6

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING
THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

The area submerged by Reservoir 1, when full, will be 1.2 acres and the
maximum depth of water will be 12.0 feet. The maximum height of the dam
shall not exceed 9.8 feet.

The area submerged by Reservoir 2, when full, will be 1.0 acre and the
maximum depth of water will be 14.0 feet. The maximum height of the dam
shall not exceed 9.8 feet.

The area submerged by Reservoir 3, when full, will be 0.4 acre and the
maximum depth of water will be 18.0 feet. The maximum height of the dam
shall not exceed 3-5 feet.

The area submerged by Reservoir 4, when full, will be 1.3 acres and the
maximum depth of water will be 11.0 feet. The maximum height of the dam
shall not exceed 9.8 feet.

The area submerged by Reservoir 5, when full, will be 1.1 acres and the
maximum depth of water will be 14.0 feet. The maximum height of the dam
shall not exceed 9.8 feet.

The area submerged by Reservoir 6, when full, will be 0.6 acre and the
maximum depth of water will be 16.0 feet. The maximum height of the dam
shall not exceed 4-6 feet.

Application R-73473 Water Resources Department

PERMIT R-12111

DAM LOCATION: SE 1/4 NW 1/4, NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 1 - 2250 FEET SOUTH & 1070 FEET WEST; RESERVOIR 2 - 2140 FEET SOUTH & 700 FEET WEST; RESERVOIR 3 - 1390 FEET SOUTH & 680 FEET WEST; RESERVOIR 4 - 3120 FEET SOUTH & 1490 FEET WEST; RESERVOIR 5 - 3380 FEET SOUTH & 1720 FEET WEST; RESERVOIR 6 - 4100 FEET SOUTH & 1700 FEET WEST; ALL FROM THE NORTH 1/4 CORNER, SECTION 27

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

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

SECTION 27

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster 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 keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The permittee may be required to report 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.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish.

Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions.

STANDARD CONDITIONS

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

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

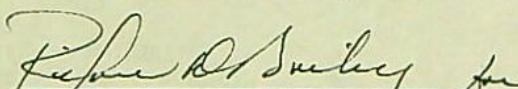
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1999. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2000.

Issued January 31, 1997


Martha O. Pagel, Director
Water Resources Department

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-73473

Final Order

Application History

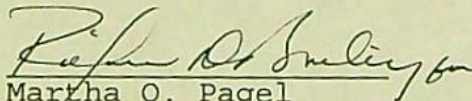
On July 8, 1993, HAL AND ADRIENNE GOOD submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 15, 1996. The protest period closed November 29, 1996, and no protest was filed.

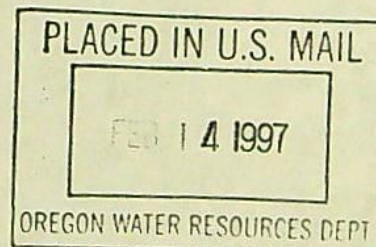
The proposed use would not impair or be detrimental to the public interest.

Order

Application R-73473 therefore is approved as proposed by the Proposed Final Order, and Permit R-12111 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED January 31, 1997


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.

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HAL AND ADRIENNE GOOD
ROUTE 1, BOX 1480
BANDON, OREGON 97411

(541) 347-3262

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

APPLICATION FILE NUMBER: R-73473

*modify per 4-19-99 memo
to Dwight French.*

SOURCE OF WATER: AN UNNAMED STREAM, TRIBUTARY OF FLORAS LAKE

STORAGE FACILITY: SIX UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER
APPLICATION S-73472, PERMIT 52992 FOR SUPPLEMENTAL CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 51.0 ACRE-FEET (AF) PER YEAR, BEING 9.0 AF IN
RESERVOIR 1, 9.0 AF IN RESERVOIR 2, 7.0 AF IN RESERVOIR 3, 9.0 AF IN
RESERVOIR 4, 9.0 AF IN RESERVOIR 5 AND 8.0 AF IN RESERVOIR 6

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING
THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

2 The area submerged by Reservoir 1, when full, will be 1.2 acres and the
maximum depth of water will be 12.0 feet. The maximum height of the dam
shall not exceed 9.8 feet.

The area submerged by Reservoir 2, when full, will be 1.0 acre and the
maximum depth of water will be 14.0 feet. The maximum height of the dam
shall not exceed 9.8 feet.

The area submerged by Reservoir 3, when full, will be 0.4 acre and the
maximum depth of water will be 18.0 feet. The maximum height of the dam
shall not exceed 3-5 feet.

The area submerged by Reservoir 4, when full, will be 1.3 acres and the
maximum depth of water will be 11.0 feet. The maximum height of the dam
shall not exceed 9.8 feet.

The area submerged by Reservoir 5, when full, will be 1.1 acres and the
maximum depth of water will be 14.0 feet. The maximum height of the dam
shall not exceed 9.8 feet.

The area submerged by Reservoir 6, when full, will be 0.6 acre and the
maximum depth of water will be 16.0 feet. The maximum height of the dam
shall not exceed 4-6 feet.

Application R-73473 Water Resources Department

PERMIT R-12111

DAM LOCATION: SE 1/4 NW 1/4, NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 1 - 2250 FEET SOUTH & 1070 FEET WEST; RESERVOIR 2 - 2140 FEET SOUTH & 700 FEET WEST; RESERVOIR 3 - 1390 FEET SOUTH & 680 FEET WEST; RESERVOIR 4 - 3120 FEET SOUTH & 1490 FEET WEST; RESERVOIR 5 - 3380 FEET SOUTH & 1720 FEET WEST; RESERVOIR 6 - 4400 FEET SOUTH & 1700 FEET WEST; ALL FROM THE NORTH 1/4 CORNER, SECTION 27

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

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

SECTION 27

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

no change

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster 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 keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The permittee may be required to report 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.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish.

Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions.

STANDARD CONDITIONS

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

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

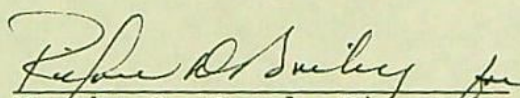
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1999. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2000.

Issued January 31, 1997


Martha O. Pagel, Director
Water Resources Department

FO CHECKLIST

FILE # R73473

REVIEW DATE: 11, 27, 96

WEEK # 64

PFO TO FO CONVERSION

INITIALS: DB

In preparing the FO, you should check the following:

1. ☒ Y / ☐ N Were comments or protests received? If so, from whom and when?
WATERWATCH 11/22/96
2. ☒ Y / ☐ N 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.
3. ☒ Y / ☐ N Have affected landowners been notified?
4. ☐ Y / ☒ N Is the file lacking a signed oath of accuracy for the application?
5. ☐ Y / ☒ N 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. ☒ Y / ☐ N 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
9. ☒ Y / ☐ N Is further processing possible? If not state reason: _____
10. NA Notify applicant of additional information or fees required prior to permit issuance. (SEND CERTIFIED LETTER & use standard wording from M:\T\FO\TOOLS if possible)
11. ☒ Y / ☐ N Assign permit numbers to files with oath, fees, and no protests or other issues

Route to: (circle one)
DENIAL FO w/o PERMIT

FO & PERMIT

Respond to Requested changes
COMMENTS

Incorporated into FO/Permit wording

Modify FO as needed to:

Initials DB

12. ☒ Y / ☐ N Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
13. ☐ Y / ☐ N Include or exclude permit conditions and management codes
14. ☒ Y / ☐ N Correct PFO errors (such as POD or POU location (verify from map), Permit format)
POD ERRORS

Once FO document is completed:

15. ☒ Y / ☐ N Save WordPerfect document in M:\T\FO\WEEK 64 & delete duplicates
16. ☒ Y / ☐ N Print final draft of document and submit to team leader for review
17. ☐ Y / ☐ N Team leader review completed

RECEIVED

November 20, 1996 NOV 22 1996

Dwight French
Water Resources Department
158 12th St. NE
Salem, OR 97310

WATER RESOURCES DEPT.
SALEM, OREGON

Re: PFO for Application No. R-73473, Unnamed Stream/Floras
Lake, Hal and Adrienne Good

Dear Mr. French,

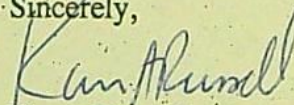
We reviewed this Proposed Final Order (PFO) to ensure that was consistent with the agreements reached by all the parties, including the Water Resources Department, in the New River Alternate Dispute Resolution process (ADR). Our comments below outline where the PFO does not reflect the agreements reached in the ADR. We are not protesting or filing a standing statement on this application because we have been assured that this and other PFO's for applications in the New River Basin will be processed consistent with the New River ADR and that the applicant has agreed to these conditions.

We can support this applicants use as proposed in the PFO with the following which is consistent with the ADR:

- As agreed in the ADR, the applicants, Hal and Adrienne Good, have signed the New River Alternative Dispute Resolution Team Agreement (which was faxed to our offices today), prior to the issuance of any final order issuing a permit.

Thanks in advance for your attention to this letter. Please call if you have any questions.

Sincerely,


Karen Russell
Assistant Director

c. Hal and Adrienne Good
Al Cook, WRD
Todd Confer, ODFW

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-73473

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On July 8, 1993, HAL AND ADRIENNE GOOD submitted an application to the Department for the following water use permit:

- Amount of Water: 51.0 ACRE-FEET (AF), BEING 9.0 AF IN RESERVOIR 1, 9.0 AF IN RESERVOIR 2, 7.0 AF IN RESERVOIR 3, 9.0 AF IN RESERVOIR 4, 9.0 AF IN RESERVOIR 5 AND 8.0 AF IN RESERVOIR 6
- Use of Water: SUPPLEMENTAL CRANBERRY OPERATIONS
- Source of Water: AN UNNAMED STREAM, A TRIBUTARY OF FLORAS LAKE, TO BE APPROPRIATED UNDER APPLICATION S-73472
- Area of Proposed Use: Curry County within SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

The Department mailed the applicant notice of its Technical Review April 14, 1994, determining that 51.0 AF OF WATER FROM AN UNNAMED STREAM, A TRIBUTARY OF FLORAS LAKE, MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD OCTOBER 1 THROUGH JUNE 30. The 60-day objection period closed June 24, 1994.

Within the 60-day period, objections were received from the Oregon Department of Fish and Wildlife (6/1/94) and WaterWatch (6/22/94).

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
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any comments received

Findings of Fact

Based on continued evaluation, the Department finds the determinations of the Technical Review require modification to further limit the period of allowed storage and to incorporate additional conditions as set by the New River Alternate Dispute Resolution team. The Department has further determined that, to protect the resource, an additional condition prohibiting the permittee to construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream is necessary.

The applicant has met all the requirements set by the Oregon Department of Fish and Wildlife for those reservoirs located on the northern tributaries/channels.

The South Coast Basin Program allows the following uses: CRANBERRY OPERATIONS

Senior water rights exist on AN UNNAMED STREAM, A TRIBUTARY OF FLORAS LAKE, or on downstream waters.

AN UNNAMED STREAM, A TRIBUTARY OF FLORAS LAKE, is not within or above a State Scenic Waterway.

Water is available for further appropriation (at a 50 percent exceedance probability) for the period YEAR ROUND.

The Department finds that no more than 51.0 AF, BEING 9.0 AF IN RESERVOIR 1, 9.0 AF IN RESERVOIR 2, 7.0 AF IN RESERVOIR 3, 9.0 AF IN RESERVOIR 4, 9.0 AF IN RESERVOIR 5 AND 8.0 AF IN RESERVOIR 6, would be necessary for the proposed use. The amount of water requested, 51.0 AF, BEING 9.0 AF IN RESERVOIR 1, 9.0 AF IN RESERVOIR 2, 7.0 AF IN RESERVOIR 3, 9.0 AF IN RESERVOIR 4, 9.0 AF IN RESERVOIR 5 AND 8.0 AF IN RESERVOIR 6, is allowable.

The Oregon Department of Fish and Wildlife has advised that one or more species of game fish are present at the described point of diversion.

The New River Alternate Dispute Resolution team reviewed this proposed use for potential adverse impacts on declining fish populations. This team consisted of representatives from the Oregon Department of Water Resources, Oregon Department of Fish and Wildlife, U.S. Bureau of Land Management, Oregon Cranberry Association, WaterWatch of Oregon, Croft Lake Association, the Audubon Society, and the Bandon Water Control District. In addition, individual applicants participated in the ADR process when issues relevant to their applications were addressed. The ADR team recommended that the following limitations or conditions of use be imposed on this application:

The period of allowed storage has been limited to NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead pool storage must be installed in the reservoir. The staff gage shall be permanently located in the pool to allow readings of total range of pool elevations or surveyed to a permanent monument and be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions.

Conclusions of Law

Under the provisions of ORS 537.153, the Department must presume that a proposed use will not impair or be detrimental to the public interest 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.

For these reasons, the required presumption has been established.

Once the required presumption has been established, under the provisions of ORS 537.153(2) 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 will impair or be detrimental to the public interest as demonstrated in comments, in a protest . . . or in

a finding of the department that shows:

- (A) The specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected; and
- (B) Specifically how the identified public interest would be impaired or detrimentally affected.

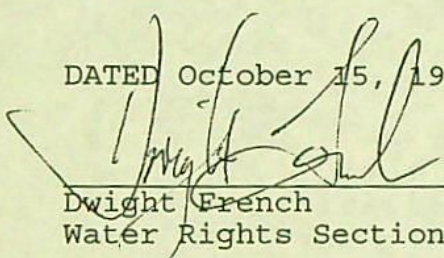
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use will impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount of water necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use will not impair or be detrimental to the public interest as provided in ORS 537.170.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED October 15, 1996


Dwight French
Water Rights Section Manager

Protest Rights

Under the provisions of ORS 537.153(6) or 537.621(7), you have the right to submit a protest against 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.
- If you are the applicant, a statement of whether or not you are requesting that a contested case hearing be held. If you do

not request a hearing, the Department will presume that you do not wish for a hearing to be held.

Your protest must be received in the Water Resources Department no later than November 29, 1996.

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.

BW

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF CURRY

DRAFT PERMIT TO STORE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

HAL AND ADRIENNE GOOD
ROUTE 1, BOX 1480
BANDON, OREGON 97411

(541) 347-3262

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

APPLICATION FILE NUMBER: R-73473

SOURCE OF WATER: AN UNNAMED STREAM

TRIBUTARY OF: FLORAS LAKE

STORAGE FACILITY: SIX UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-73472 FOR SUPPLEMENTAL CRANBERRY OPERATIONS

MAXIMUM VOLUME ALLOWED: 51.0 ACRE-FEET (AF), BEING 9.0 AF IN RESERVOIR 1, 9.0 AF IN RESERVOIR 2, 7.0 AF IN RESERVOIR 3, 9.0 AF IN RESERVOIR 4, 9.0 AF IN RESERVOIR 5 AND 8.0 AF IN RESERVOIR 6

PERIOD OF ALLOWED STORAGE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 8, 1993

The area submerged by Reservoir 1, when full, will be 1.2 acres and the maximum depth of water will be 12.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

The area submerged by Reservoir 2, when full, will be 1.0 acre and the maximum depth of water will be 14.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

The area submerged by Reservoir 3, when full, will be 0.4 acre and the maximum depth of water will be 18.0 feet. The maximum height of the dam shall not exceed 3-5 feet.

The area submerged by Reservoir 4, when full, will be 1.3 acres and the maximum depth of water will be 11.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

Application R-73473 Water Resources Department

PERMIT DRAFT

The area submerged by Reservoir 5, when full, will be 1.1 acres and the maximum depth of water will be 14.0 feet. The maximum height of the dam shall not exceed 9.8 feet.

The area submerged by Reservoir 6, when full, will be 0.6 acre and the maximum depth of water will be 16.0 feet. The maximum height of the dam shall not exceed 4-6 feet.

DAM LOCATION: SE 1/4 NW 1/4, NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; RESERVOIR 1 - 2250 FEET SOUTH & 1070 FEET WEST; RESERVOIR 2 - 2140 FEET SOUTH & 700 FEET WEST; RESERVOIR 3 1380 FEET SOUTH & 690 FEET WEST; RESERVOIR 4 - 3410 FEET SOUTH & 1540 FEET WEST; RESERVOIR 5 - 3410 FEET SOUTH & 1020 FEET WEST; RESERVOIR 6 - 4120 FEET SOUTH & 1720 FEET WEST; ALL FROM THE NORTH 1/4 CORNER, SECTION 27

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

SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SECTION 27

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead pool storage must be installed in the reservoir. The staff gage shall be permanently located in the pool to allow readings of total range of pool elevations or surveyed to a permanent monument and be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. The permittee shall take a reading from the gage once a month and keep a record of these measurements and shall be responsible for maintaining the gage. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The permittee may be required to measure water use more frequently or report 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.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of eight inches, or the provision of other means to evacuate water when determined necessary for public safety, to satisfy prior downstream users rights, or pass natural inflow as determined by the Water Resources Director.

The permittee shall install, maintain, and operate fish screening to

prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish.

Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions.

STANDARD CONDITIONS

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

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

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

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

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

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

Issued _____, 199_

DRAFT - THIS IS NOT A PERMIT

Water Resources Department
Director

Application R-73473 Water Resources Department
Basin 17 Volume
BW MGMT.CODE

PERMIT DRAFT
District 19

PFO CHECKLIST

Application #: _____

Basin: _____ WAB: _____

Township _____ Range _____ Section _____ 1/4 1/4 _____

✓ A1. Public Interest Screen Criteria

✓ 1. Is the file complete by the Completeness Checklist?

✓ 2. Fees or other shortcomings (items needed before a permit and/or FO can be issued)

✓ 3. Check file for indicators that the process should not continue until a later date (ie - protest, letter to file indicating hold, or other)

N/A 4. A groundwater review has been evaluated for substantial interference with surface water (convert old gw conditions to the 7 series and add to the PFO, if necessary)

- a. Is second groundwater review necessary? (objection)

- b. Is HB 1033 review complete?

N 5. Is the source withdrawn or limited? - State Engineer, Legislative (ORS 538), etc.

N 6. Is the Proposed Use located in or above a Scenic Waterway?

N 7. Is the proposed use located in a TMDL Basin? (Tualatin, Yamhill, Pudding)

Y 8. Is the use allowed or limited by the Basin Program?

N/A 9. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POD)

N/A 10. ^{New River AOR} Water Availability Data has been verified (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)

N/A 11. Rate _____ Duty _____ Irrigation Season _____

✓ 12. Period of Allowed ^{Storage} Use Nov 1 ~ April 30

N 13. Is use from a B.O.R. project and if so, is a signed contract in the file?

N/A 14. Division 33 has been addressed - if applicable (Above Bonn after July 17, 1992 & Below Bonn after April 8, 1994 or June 3, 1994)

✓ 15. Have conflicts been identified, verified and/or addressed?

✓ 16. Is the use Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or Large (≥ 1.5 cfs, ≥ 100 AF)? _____

✓ 17. Check TR/IR for permit conditions not included in the Draft Permit attached to the PFO

✓ 18. Fill out Accuracy Checklist

✓ 19. Spell Check

✓ 20. Documents used in determination are attached and highlighted

✓ 21. Fill out PFO CC List (a.k.a. the Check-Off Sheet) - don't forget to check for other property owners.

- a. Does Ken Stahl need to be on the CC list (Rate, Duty and Period of Allowed Use changes)

✓ 22. Final PFO report hard copy check (format, margins, etc.)

✓ 23. Final PFO has been saved to m:\t\pfo\done\week#\application #

Name: Bernadette Date: 10/10/26 BW

Application R-73473

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # R-73473

WATERMASTER # 19: John Drolet

REGIONAL MANAGER: Al Cook

ODF&W - Curry County: YES

CWRE (if agent): N/A

DEQ: YES

OTHER STATE AGENCY IF NECESSARY: N/A

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

POWER BUILDER UPDATER; FRONT COUNTER; KEN STAHR

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

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

Ron Yockim
P.O. Box 218
Roseburg, OR 97470

WW - FO

CASEWORKER : BW

facsimile

TRANSMITTAL

to: Jake Szramek
fax #: (503) 378 - 6203
re: McKenzie and Good
date: June 9, 1996
pages: 2, including cover sheet.

Dear Jake:

First, I did not have a chance to complete the mapping for McKenzie. He was allowed two of four wells and after John Drolet's inspection, should be allowed all four wells. The unnamed stream within 1/4 mile of his two most easterly wells are not that close. The stream is miss-plotted and is, in fact, almost 1/2 mile from the wells. John should have a letter attesting to that in the file. Map will be on your desk later this week.

Hal Good: I am enclosing a new map. The two reservoirs on the southern stream are to be off channel. I discussed this application with Todd Confir, biologist in Curry County, and he will accept language similar to the following on the northern two reservoirs:

"Prior to construction, placement of reservoirs one and two will be determined by the local ODFW fishery biologist. The reservoirs will be either in or out of channel, in accordance with the biologist's instructions."

It may be possible to have the reservoirs in channel. Todd will need a second visit to the site to confirm the reservoir locations.

John.

From the desk of...

M. John Youngquist
Consultant

827 SE Mosher
Roseburg, Oregon 97470

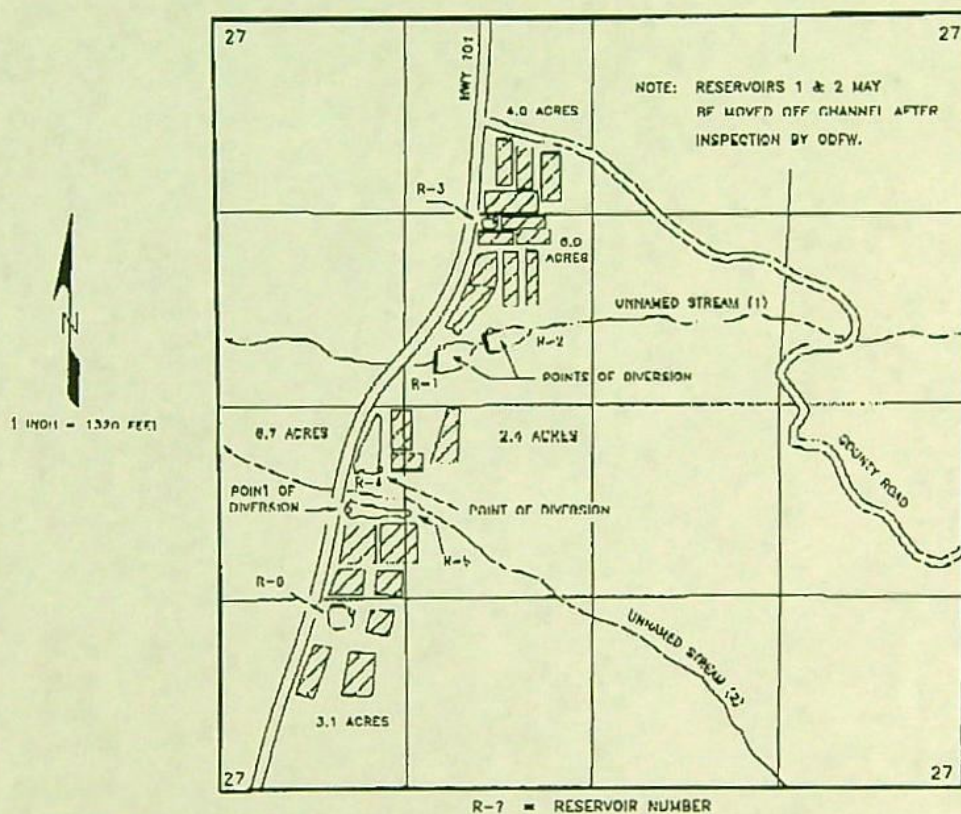
(503) 672-5692
Fax: (503) 672-5692

R12111

APPLICATION MAP

IN THE NAME OF HAL or ADRIENNE GOOD

SECTION 27, T 31 S, R 15 W, W.M.



THE POINTS OF DIVERSION ARE TO BE LOCATED AS FOLLOWS:

SOURCE	SOUTH	WEST	¼ ¼ SECTION
UNNAMED STREAM (1) and RESERVOIR 1	2250 FEET	1070 FEET	SE¼ NW¼
UNNAMED STREAM (1) and RESERVOIR 2	2140 FEET	700 FEET	SE¼ NW¼
RESERVOIR 3	1390 FEET	680 FEET	SE¼ NW¼
RESERVOIR 4	3120 FEET	1490 FEET	NW¼ SW¼
RESERVOIR 5	3380 FEET	1720 FEET	NE¼ SW¼
RESERVOIR 6	4100 FEET	1700 FEET	SW¼ SW¼

ALL FROM THE NORTH QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M., CURRY COUNTY.

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

RECEIVED

JUN - 6 1994

June 1, 1994

WATER RESOURCES DEPT.
SALEM, OREGONDEPARTMENT OF
FISH AND
WILDLIFEWater Rights Section
Water Resources Department
3850 Portland Rd., NE
Salem, OR 97310HABITAT
CONSERVATION
DIVISIONRE: Water Right Application #R-73473 and 73472; Reports of
Technical Review

ODFW District personnel met with a representative of the applicant on-site and discussed the subject water developments in detail. The following are their observations and recommendations:

- The 2 draws referenced in the applications are probably non-fish-bearing--no screening or passage facilities will be necessary here;
- The 2 "unnamed streams" are two forks of Big (Boulder) Creek, the largest stream tributary to Floras Lake. Big Creek supports populations of coho salmon, winter steelhead and cutthroat trout;
- Upstream passage into the 2 forks is currently blocked by culverts running under Hwy 101. Both forks provide excellent habitat for, and support significant populations of, resident cutthroat trout above the culverts.

In order to avoid further fragmentation of resident trout populations in the forks of Boulder Creek, ODFW requests the following condition relating to in-channel obstructions be included as a permit condition:

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream.

During the site inspection, side draws were identified that could be developed into reservoirs in preference to creating in-channel reservoirs. In order to minimize negative impacts of planned withdrawals, ODFW recommends and requests the storage period and any use of live flows be limited to the period November 1 through May 31.

2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-6967

WR R-73473 and 73472

June 1, 1994

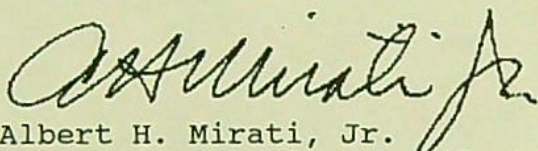
Page 2

Because one or more species of game fish are present in the subject streams, ODFW will require the applicant to provide fish screening pursuant to ORS 498.248 at any point water is diverted from the stream. Therefore, ODFW requests WRD add the following condition to those already proposed:

The permittee shall install and maintain a fish screening device as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

Thank you for the opportunity to comment.

Sincerely,



Albert H. Mirati, Jr.
Water Right Review Coordinator

c. WaterWatch of Oregon (public information request)
Unterwegner, Gold Beach

FILE: R-73473.TEC

COMPLETED**COMPLETENESS DETERMINATION CHECKLIST**

Application #	Review Date	Reviewer
R-73473	10/4/95	GERRY

200 Exam
100.25 ACFTA checkmark (✓) indicates that the item is incomplete or defective.300.25 Total
300.25 Received

Q Fees OK

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

8/16/95

Mrs.
HAL GOOD

SAND CANYON RANCH

Telephone 805 252-2028
Fax 805 252-5535

8 March 1995

Tom Shook, Water Right Specialist
Oregon Water Resources Dept.

158 12th St. NE

Salem, Oregon 97310

RECEIVED

MAR 14 1995

WATER RESOURCES DEPT.
SALEM, OREGON

RE File Nos. 73472 and R 73473

Dear Sir.

Enclosed please find

1. Check # 127 for \$122.00
2. Oath signed & dated
3. Map

Please process Request for water rights. Delay on my part was ~~due~~ to the death of my husband, Hal, on 01-18-94 which stopped action on this until I could assess^{the} direction I should take, I hope his untimely passing will not stop the request process.

Should you require anything further I may be contacted at the below address or by FAX.

Thank you in advance for your attention to this matter.

Sincerely
Adrienne Good

RECEIVED

MAR 14 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon Water Resources Department
158 12th Street, NE
Salem, Oregon 97310

Reference: File No. 73472 and R-73473

Requested oath for the above referenced files:

"I, Adrienne Good, certify that the information provided in applications 73472 and R-73473 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge".

Adrienne Good

Adrienne Good

3. 8. 95

Date

WaterWatch

By FAX and Regular Mail

June 22, 1994

Oregon Water Resources Department
Water Rights Section
158 12th NE
Salem, Oregon 97310

Re: Objection to Technical Report for:

73459, R 73460, Foster, Irrigation & Ag., Davis, Conner, Abes, Unnamed
73472, R 73473, Good, Cranberry Bogs, Unnamed/Boulder Crk, Floras Lake
73471, R 73470, Boots, Cranberry Bogs, Unnamed/Boulder Crk, Floras Lake
73403, R 73402, Smith, Cranberry Bogs, Butte Crk, Mill Creek, New Lake

These applications are just a few of the many pending applications requesting water for cranberry bogs and irrigation in the Croft Lake and New River area. These proposed uses request water from sumps and wells that are in direct connection with tributaries to the New River and from surface water streams. The cumulative impacts of these proposed uses are of great concern to WaterWatch. We have been in contact with area residents who have concerns about the ability of the resource to accommodate all of these proposed uses.

Croft Lake and its surrounding tributaries and wetlands support a variety wildlife and fish life. Residents in the area have reported searun cutthroat trout in the lake and its tributaries. It is suspected that the trout spawn in the lakes tributaries. Croft lake is also a source of recreation in the area and area residents are concerned about maintaining the lakes existing water quality. The surrounding wetlands provide wildlife and other habitat and we understand that the Nature Conservancy has been involved in wetland protection efforts in the area.

Croft Lake and Floras Lake drain into the New River. The New River has been designated by the Bureau of Land Management (BLM) as an Area of Critical Environmental Concern. The BLM has ongoing studies and is developing a management plan for the area. The New River supports a variety of anadromous fish species and provides wetland habitat for native bird populations.

The analysis contained in the technical reports reveals that little information is known about the hydrology of the water system in this area. Because of our concerns about protection of the resource from the cumulative effects of these proposed developments and our growing concerns about the capacity of the resource to accommodate further expansion of the cranberry industry, we request that these applications joined in a contested case process with other pending applications for the area.

Water Resources Dept.

73459, R 73460, 73472, R 73473, 73471, R 73470, 73403, R 73402

Page 2

In addition, we submit the following objections pursuant to OAR 690-11-170:

The Technical Reports are Defective

The technical reports fail to contain many of the elements and evaluations required in OAR 690-11-160(1). The specific areas of deficiency are the same as outlined in WaterWatch's objections on G-12685 which are hereby incorporated into this objection.

The Uses As Proposed are Not in the Public Interest

The proposed uses fail to pass the public interest considerations in ORS 537.170(5) and 537.620 and the policies of Oregon's water laws including ORS 468B.155 and 468B.015. *See also*, OAR 690-11-195(3)(d), (4)(a), (4)(c)(A), (4)(d)(A), (4)(d)(B), (4)(e), and (4)(f). The proposed uses will not be supported by existing surface water supplies and will deplete flows needed to for the New River system.

1. **The proposed uses are not in the public interest because they will deplete surface waters which provide habitat for public instream and riparian area uses.**

The South Coast Basin plan states:

Income from water-related recreation is a major contributor to the economy of the South Coast Basin. Finding 39.

The natural lakes, storage reservoirs and free-flowing streams support part of the water-based recreation use. Finding 40.

The water resources, wetlands and associated habitat are critical to the subsistence and propagation of wildlife in the Basin. Finding 42.

The basin plan admits that little is known about groundwater in the basin. The presence of wetlands indicates that the hydraulic connection between groundwater and surface waters in the area is immediate. Reduction in groundwater and surface water contribution to wetlands will decrease contributions to existing wetlands, decrease inflows into the lake and hinder or destroy the filtering capacity and other functions of the wetlands. Groundwater and surface water in this area is vital to the maintenance of lake levels, surface water flows, wetlands and the protection of public uses of water including wildlife, recreation and fish.

The proposed uses propose to divert water from tributaries of Croft Lake, Floras Lake and New Lake, all tributaries to the New River. Croft Lake is a major tributary

Water Resources Dept.

73459, R 73460, 73472, R 73473, 73471, R 73470, 73403, R 73402

Page 3

of the New River. *New River, Area of Critical Environmental Concern*, June 1989, Bureau of Land Management at 2 (hereinafter BLM). The New River is a unique estuarine and freshwater ecosystem utilized by a wide diversity of fish and wildlife. According to the BLM's study of the New River this River:

supports a unique mix of wildlife, fisheries, botanical, and cultural resources found in association with few other coastal rivers in the Pacific Northwest. Four species of wildlife that use the area are designated as either threatened or endangered on state or federal lists. One plant species has been identified as a candidate for federal listing, and is designated as threatened on the state list. A number of prehistoric cultural sites have been found along the banks of this drainage, and the river itself is thought to provide critical rearing habitat for juvenile salmonids.

... New River has received special attention from a variety of private, state, and federal conservation interests. The Nature Conservancy has examined New River as a candidate area for their conservation programs. . . the Oregon Natural Resources Council considers New River to be the single most important estuary in Oregon that currently is not under any comprehensive form of management. . . New River also has been identified by the U.S. Fish and Wildlife Service as a candidate site for establishing a National Wildlife Refuge. . . The Oregon Department of Fish and Wildlife has identified the area as critical habitat for the western snowy plover. . . (S)ince 1983, BLM has designated its ownership as an Area of Critical Environmental Concern (ACEC), giving the area special recognition and status for improved management of the unique resources that are present. . .

BLM at 1. Since publication of the BLM's report, the western snowy plover has listed as "threatened" under the Federal Endangered Species Act and nine additional wildlife species that utilize the New River system are either listed under the federal act, or are candidates for listing.¹

¹ These include the Brown Pelican, Peregrine Falcon, Leatherback Sea Turtle, Aleutian Canada Goose, American Bald Eagle, Loggerhead Sea Turtle, Pacific Ridley Sea Turtle, Letherback Sea Turtle, and the red legged frog.

Water Resources Dept.

73459, R 73460, 73472, R 73473, 73471, R 73470, 73403, R 73402

Page 4

The New River supports chinook salmon, coho and other fish populations. Since this BLM report was written, coastal coho populations, which utilize coastal streams such as the New River, have been petitioned for listing under the federal Endangered Species Act. Coastal stocks of fall chinook and coastal cutthroat trout are identified by the state as species of concern. The New River provides important habitat for these species. For example, some of the best pools for fish rearing are found in the New River, below the rivers confluence with Croft Lake. *BLM* at 30. However, downstream fish migration coincides with periods of low flows which can result in high fish mortality. *BLM* at 30. For instance, juveniles trapped in isolated pools in the river:

may be subject to predation, suffocation, and heat stress. Local ranchers have observed great blue herons and kingfishers feeding on these juveniles in the shallower, isolated pools over a period of days in which the channel remained dry.

BLM at 30.

In addition to the resources identified in BLM's plan, Croft Lake and its tributaries, which include Conner Abes and Davis Creek provide habitat for a multitude of other fish and wildlife resources, including sensitive populations of searun cutthroat. Croft Lake and its tributaries also provide recreational benefits to residents living and vacationing in the area. Streamflows into and out of the Lake maintain the water quality that is essential for these public uses of the lake.

The BLM has identified the Croft Lake area as part of the management area in the ACEC and has looked at purchasing access to the lake. *BLM* at 1 and Table 1. However, Croft lake has been shrinking over the past several years. *BLM* at 2. Existing use of water for irrigation has had significant effects on the current habitat of the New River and its tributaries. *BLM* at 17.

The BLM has recognized that actions by state agencies, such as the Water Resource Commission have significant effects on management within this ACEC. *BLM* at 7. Commission actions on protecting minimum flows and other water use policies greatly affect the viability of this ecosystem. One of the management objectives identified by the BLM is to maintain minimum flows because:

New River provides important rearing habitat for juvenile salmonids during summer. Channel drying during summer may coincide with downstream migration of juveniles. This may result in high mortality if juveniles become trapped in

Water Resources Dept.

73459, R 73460, 73472, R 73473, 73471, R 73470, 73403, R 73402

Page 5

isolated pools, where they are subject to predation, temperature stress, and suffocation. Losses of juveniles during migration may preclude full use of more stable rearing habitat present downstream in estuarine portions of the ACEC.

Lack of water in the middle section of New River during summer also precludes full use of marshlands by waterfowl. During most years, water is absent from early July to early September in the areas immediately south of the ACEC. This eliminates potential habitat for rearing broods, in turn reducing the prey available to peregrine falcons and bald eagles.

BLM at 35.

Conner Creek is one of the two main tributaries of Croft Lake. Resident and anadromous fish species which rely on streamflows in and streamflows arising from Conner Creek and other coastal streams are recognized in the Commission's South Coast Basin Program as "significant" to the State of Oregon. Finding 43, 44. The basin program also recognizes that "(a)dequate streamflow throughout the year is necessary for the maintenance of aquatic life in the coastal streams." Finding 45. Lakes and streams in the area are also important to recreational use in the basin, a use which is a major contributor to the economy of the South Coast Basin. Program Finding 39, 40. Surface waters also contributes to wetlands which are critical to the ecological integrity of the area. To date, no instream water rights have been set for Croft lake or it's feeder streams, Conner and Davis Creek, or the New River.

Boulder Creek, the unnamed streams and New and Floras Lakes all provide either habitat or flows or both to the petitioned fish populations in the New River system. The tributaries also provide flows for the marshlands that support the wildlife in the area and the values for which the Area of Critical Environmental Concern is managed.

These and other pending applications, both individually, and cumulatively, will deplete flows that currently provide habitat for the fish and wildlife mentioned above. The proposed uses and storage projects will also adversely affect water quality in the system. The construction and operation of storage facilities can lead to increased turbidity in the water. The use of water for bogs and irrigation can result in pesticides and fertilizers being leached into the ground water and into the stream system. Allowing these uses to go forward, without analysis of the cumulative impacts of these uses and conditioning and/or denying these uses in order to protect

Water Resources Dept.

73459, R 73460, 73472, R 73473, 73471, R 73470, 73403, R 73402

Page 6

these fish and wildlife values in contrary to Oregon policies which promote use within the capacity of the resource, require protection of instream flow needs and values, requires protection of fish, water quality, wetlands, and other public uses of water and call for integrated and coordinated water management. ORS 496.435, ORS 537.170(5), ORS 537.525, ORS 196.669, ORS 196.672, ORS 496.182, ORS 496.268, 16 USC 1538, OAR 690-11-195(4)(c)(A), (d), (e), (f), (h).

2. Measurement and reporting.

If these uses were to be permitted, the measurement and reporting conditions are not adequate to protect the public's interest in the resource. Measurement and reporting should be a mandatory condition of all new uses. The condition should also require measurement and reporting of both rate and duty. Applicants for reservoirs should be required to report both inflow and outflow from their reservoirs to ensure that storage is not occurring during times when it is prohibited. Finally, there should be some requirement of measurement of streamflows effected by these uses - either by each individual user or as part of a cooperative effort. This should be a mandatory condition of any new water use.

3. The proposed uses are likely to impair the public interest because there is not water available.

The availability of water for further appropriation from system, for these applications is inadequate for the following and other reasons:

There is no analysis of water availability in the files for Davis, Conner, Abes and Boulder Creeks and the unnamed streams that are the proposed sources of water for these application.

The analysis used for these applications is based upon estimates - not actual - flows in the New River. In many cases the flows predicted are significantly greater than the flows that are actually observed in these streams.

None of the analyses for these applications take into account the full amount of water rights of record. The failure to adequately determine water availability does not comply with the statewide allocation policy and Oregon law. OAR 690-400-010, ORS 537.170(5).

Application R 73460 allows storage from November through June even though the water availability analysis on file show that no water is available in November.

The analysis for 73472, performed 4/14/94 shows more water available per

Water Resources Dept:

73459, R 73460, 73472, R 73473, 73471, R 73470, 73403, R 73402

Page 7

month than a previously done analysis for the same creek. See analysis dated 3/14/94 reflected in Appendix 11 of WaterWatch's April, 1994 Coastal Closure Petition. If the earlier analysis had been used, there would be no water available for appropriation from June through October. In addition, the analysis for this application and its companion reservoir application should take into account prior pending applications 73471 and R 73470 which have been proposed for issuance. If the analysis had accounted for these prior applications there would also be a water availability shortage in May.

There was no water availability analysis in the Department's file for R 73402 and the analysis in the file for 73403 failed to provide the actual water availability figures. A comparison of these applications with an earlier analysis that was done by the Department shows that the proposed use would take all of the flow in Butte Creek during the months of August and exceeds that water available for the months of September through October. Despite this evident overappropriation, the technical reports would allow storage from October through June and direct flow appropriation year round. This is contrary to the state's policy against further overallocation of the resource.

The water availability analysis for the reservoir applications used a 50% exceedence flow rather than an 80% exceedence flow. The Water Allocation Policy requires that water be available at least 80% of the time before a permit can be issued. OAR 690-400-010(2)(a). Subsection (c) does give the agency the discretion to allow new storage facilities even if water is not available under this standard. It does not, however, automatically exempt storage facilities from this standard.

The initial water availability analysis must use the same standard for storage and other proposed uses of water. If, after the initial calculations are made, it is determined that a different standard will be used, the Department must justify the use of a different standard. This justification should be stated in the technical report. It is not good public policy to use two different water availability standards in the initial analysis.

Finally, there has been no review of the cumulative effects of these and other pending applications on the resources and flows in the New River Basin. Failure to ensure that these and other proposed uses for this area do not impair the public's interest in the wetlands, fish and wildlife which rely on surface and ground water is contrary to the statewide Allocation Policy. This policy prohibits the overallocation of ground and surface water. OAR 690-410-070. The policy requires that new out-of-stream applications be conditioned to protect public uses. OAR 690-410-070(2)(h). See also Instream Flow Protection policy OAR 690-410-030 and the Groundwater Management policy OAR 690-410-010.

Water Resources Dept.

73459, R 73460, 73472, R 73473, 73471, R 73470, 73403, R 73402

Page 8

4. The uses of surface water will impair the public interest because fish screening and passage facilities are not clearly mandatory conditions of use and dams and obstructions were not prohibited.

The technical reports do not require mandatory fish screening and passage facilities prior to diversion and use of water. Given the critical status of fish populations in the this basin, the adverse impact diversions and dams have on fish habitat, screening and passage should clearly be required to be in place before any diversion or storage of water. In addition, failure to maintain screening and passage facilities must be grounds for shutting off water use. There should be a condition which clearly states these requirements.

In addition, ODFW specifically requested that applications for R 73473 and 73472 be conditioned to prohibit the construction of dams or artificial obstructions in Boulder Creek. There were no such conditions proposed in the technical report. Boulder Creek and it's two forks support populations of petitioned coho salmon and winter steelhead. Oregon law places a duty on the Department to ensure that these new uses of water do not harm fish populations in these creeks. A condition must be added to prohibit the erection of dams or obstructions as part of the water use.

6. The proposed uses are contrary to Oregon policy.

ORS 537.170(5)(a) and (c) require the Department to ensure that waters in the basin will be used and controlled for all purposes, not just consumptive purposes. The Statewide Instream Flow Protection Policy states that "(w)here streamflows have been depleted to the point that public uses have been impaired, methods to restore the flows are to be developed and implemented." OAR 690-410-030(1). When considering applications for new water rights the agency is required to consider the needs of instream and out-of-stream uses and the need to develop streamflow restoration programs. OAR 690-410-030(2)(a). No such consideration has been done.

Critical to the protection of instream flows is knowing and controlling water use in the basin. These and other potential water users in the basin should be required to contribute to activities that enable the state to better manage and control the resource - such contributing funds for installation and maintenance of gauging stations in key locations.

The recent petitions for listing of coastal coho and steelhead populations makes the protection of instream flows even more important for achieving a balance. The

Water Resources Dept.

73459, R 73460, 73472, R 73473, 73471, R 73470, 73403, R 73402

Page 9

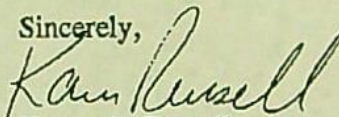
protection of instream flow will help to achieve a balanced allocation of water between public instream and other uses in Basin and throughout the state.

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

Conservation

Oregon statutes and rules call for the state to "aggressively promote" water conservation and places a high priority on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a) and OAR 690-410-060(1). The proposed conditions do little to further these policies. These proposed uses should be held to a specific efficiency standard prior to any permit approval and the applicant should have an approved conservation plan in place and approved by the Department prior to any permit issuance.

Sincerely,



Karen A. Russell
Assistant Director

Take,
As an additional condition if any of these 6 reservoirs are w/in 04-19-94
A NATURAL stream channel, require:
A. Weirs both above upstream & downstream of each res
B. gated valve outlet for outlet at base of structure

PROPOSED PERMIT CONDITIONS

John Drolet

Application: R-73473

RECEIVED

APR 21 1994

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

WATER RESOURCES DEPT
SALEM, OREGON

1. Use of water under this permit is subject to all prior rights.
2. Water may be appropriated for storage during the period: OCTOBER 1 THROUGH JUNE 30
3. Storage: 51 AC-FT, BEING 9.0 AC-FT IN RESERVOIR #1; 9.0 AC-FT RES 2; 7.0 AC-FT RES 3; 9.0 AC-FT RES 4; 9.0 AC-FT RES 5; 8.0 AC-FT RES 6.
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The total area proposed to be submerged by the reservoirs, when full is 5.6 acres; the proposed maximum depth of water in feet is 18; the maximum height of the dam is 9.8 feet.
10. The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.
11. Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

April 14, 1994

HAL AND ADRIENNE GOOD
RT 1, BOX 1480
BANDON, OR 97411

Reference: File R-73473

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

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

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

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

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

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

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



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

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

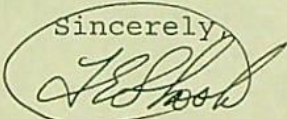
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before JUNE 24, 1994, or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

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

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

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

Sincerely,



THOMAS E. SHOOK
WATER RIGHT SPECIALIST

Enclosures

Report Date: April 14, 1994

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: JUNE 24, 1994,

1. APPLICATION FILE NUMBER - R-73473

2. MINIMUM APPLICATION INFORMATION

HAL AND ADRIENNE GOOD
RT 1, BOX 1480
BANDON, OR 97411
CURRY COUNTY 503-347-3262

Date application received for filing and/or tentative date
of priority: 7/8/93

SOURCE: TWO UNNAMED STREAMS AND TWO UNNAMED DRAWS
TRIBUTARIES TO: FLORAS LAKE

Purpose and/or use: STORAGE FOR CRANBERRY OPERATIONS
(IRRIGATION AND AGRICULTURAL USES)

STORAGE: 51 ACRE FEET (AC-FT) IN SIX RESERVOIRS

Point of Diversion Location:
T 31 S, R 15 W, W.M.; SECTION 27, SENW, NESW,
NWSW, SWSW

Place of use:
SENW, NESW, NWSW, SWSW
SECTION 27
T 31 S, R 15 W, W.M.

SURFACE WATER AVAILABILITY

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

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

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

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

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 51 AC-FT is likely available for storage. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

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

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

PROPOSED PERMIT CONDITIONS

Application: R-73473

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

1. Use of water under this permit is subject to all prior rights.
2. Water may be appropriated for storage during the period: OCTOBER 1 THROUGH JUNE 30
3. Storage: 51 AC-FT, BEING 9.0 AC-FT IN RESERVOIR #1; 9.0 AC-FT RES 2; 7.0 AC-FT RES 3; 9.0 AC-FT RES 4; 9.0 AC-FT RES 5; 8.0 AC-FT RES 6.
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The total area proposed to be submerged by the reservoirs, when full is 5.6 acres; the proposed maximum depth of water in feet is 18; the maximum height of the dam is 9.8 feet.
10. The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.
11. Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

April 14, 1994

HAL AND ADRIENNE GOOD
RT 1, BOX 1480
BANDON, OR 97411

Reference: File R-73473

Under separate cover I have enclosed our report of technical review. Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information or documentation.

In addition, please send the following:

a map prepared by a Certified Water Rights Examiner identifying unnamed draws as sources for ponds 3 and 6; diversion points must be identified at thread of stream at dam, not at edge of ponds;

item 3 of the application must be completed by stating how the stored water will be used.

Before we can process your application further, both of you will need to submit an oath:

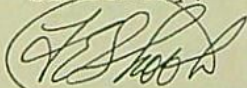
"We, Hal and Adrienne Good, certify that the information provided in application R-73473 is an accurate representation of the proposed water use and is true and correct to the best of our knowledge".

This requirement was created by an amendment of our administrative rules and applies to all applications filed after June 5, 1992.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



THOMAS E. SHOOK
WATER RIGHT SPECIALIST

cc: GOSSON, CWRE



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

R 23473

04/14/1994

[illegible]

Basin: South Coast

Detailed Report for Water Availability Subbasin 5004000000000000
 Water Availability By Month for Exceedance Level 50
 08:26 04/14/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	24.70	.00	24.70	.00	24.70	.00	24.70
2	27.40	.00	27.40	.00	27.40	.00	27.40
3	23.20	.00	23.20	.00	23.20	.00	23.20
4	11.10	.00	11.10	.00	11.10	.00	11.10
5	4.42	.00	4.42	.00	4.42	.00	4.42
6	5.32	.00	5.32	.00	5.32	.00	5.32
7	4.26	.00	4.26	.00	4.26	.00	4.26
8	2.93	.00	2.93	.00	2.93	.00	2.93
9	2.07	.00	2.07	.00	2.07	.00	2.07
10	2.64	.00	2.64	.00	2.64	.00	2.64
11	12.90	.00	12.90	.00	12.90	.00	12.90
12	26.80	.00	26.80	.00	26.80	.00	26.80
Stor	8850	0	8850	0	8850	0	8850

Basin: South Coast

Detailed Report for the ISWRs
 In Water Availability Subbasin 500000000000000000
 08:25 04/14/1994

-----ISWRs-----								RESULTANT
APP # :	0	0	0	0	0	0	0	
STATUS:								
1	.0	.0	.0	.0	.0	.0	.0	.0
2	.0	.0	.0	.0	.0	.0	.0	.0
3	.0	.0	.0	.0	.0	.0	.0	.0
4	.0	.0	.0	.0	.0	.0	.0	.0
5	.0	.0	.0	.0	.0	.0	.0	.0
6	.0	.0	.0	.0	.0	.0	.0	.0
7	.0	.0	.0	.0	.0	.0	.0	.0
8	.0	.0	.0	.0	.0	.0	.0	.0
9	.0	.0	.0	.0	.0	.0	.0	.0
10	.0	.0	.0	.0	.0	.0	.0	.0
11	.0	.0	.0	.0	.0	.0	.0	.0
12	.0	.0	.0	.0	.0	.0	.0	.0

Basin: South Coast

Detailed Report for Water Availability Subbasin 500000000000000000
 Consumptive Use and Storage After 1/1/93 By Month
 08:25 04/14/1994

Month	Consumptive Use			Storage		
	Apps.	Permits	Certs.	Apps.	Permits	Certs.
1	.00	.00	.00	.22	.00	.00
2	.00	.00	.00	.26	.00	.00
3	.00	.00	.00	.20	.00	.00
4	.00	.00	.00	.12	.00	.00
5	.00	.00	.00	.00	.00	.00
6	.00	.00	.00	.00	.00	.00
7	.00	.00	.00	.00	.00	.00
8	.00	.00	.00	.00	.00	.00
9	.00	.00	.00	.00	.00	.00
10	.00	.00	.00	.00	.00	.00
11	.00	.00	.00	.00	.00	.00
12	.00	.00	.00	.25	.00	.00

Basin: South Coast

Limiting Water Availability Subbasins
 For Water Availability Subbasin 5004000000000000
 Water Availability By Month for Exceedance Level 50
 08:26 04/14/1994

Month	Limiting Subbasin	Water Available?	Net Water Available
1	5004000000000000	YES	24.7
2	5004000000000000	YES	27.4
3	5004000000000000	YES	23.2
4	5004000000000000	YES	11.1
5	5004000000000000	YES	4.4
6	5004000000000000	YES	5.3
7	5004000000000000	YES	4.3
8	5004000000000000	YES	2.9
9	5004000000000000	YES	2.1
10	5004000000000000	YES	2.6
11	5004000000000000	YES	12.9
12	5004000000000000	YES	26.8
Stor	5004000000000000	YES	8850.0

Basin: South Coast

Detailed Report for Water Availability Subbasin 500000000000000000
 Water Availability By Month for Exceedance Level 50
 08:25 04/14/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	1030.00	.00	1030.00	.22	1030.00	.00	1030.00
2	1120.00	.00	1120.00	.26	1120.00	.00	1120.00
3	972.00	.00	972.00	.20	972.00	.00	972.00
4	533.00	1.00	532.00	.12	532.00	.00	532.00
5	249.00	3.00	246.00	.00	246.00	.00	246.00
6	218.00	9.00	209.00	.00	209.00	.00	209.00
7	149.00	14.00	135.00	.00	135.00	.00	135.00
8	99.00	11.20	87.80	.00	87.80	.00	87.80
9	71.60	4.80	66.80	.00	66.80	.00	66.80
10	96.70	.70	96.00	.00	96.00	.00	96.00
11	563.00	1.00	562.00	.00	562.00	.00	562.00
12	1190.00	.00	1190.00	.25	1190.00	.00	1190.00
Stor	377000	2680	374000	62	374000	0	374000

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # R-73473

WATERWATCH

ODF&W

WATERMASTER # 19

REGIONAL MANAGER - ~~TS~~ SW

CWRE - J. F. Gosson # 54

DEQ

OREGON ASSOCIATION OF NURSERYMEN INC.

KEN STAHR

OTHER ADDRESSES: Don Yockum
PO Box 218
Roseburg, OR 97470

CASEWORKER SHOOK

ORIGINAL TO APPLICANT 2/03/94

TECHNICAL REVIEW CHECKLIST

1. Application: R-73473
2. Review Date: 4-14-94

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

SUMMARY

S

Land Use

NA yes/no

Substantial SW interference
 (if yes, see results of surface
 water availability analysis)

S

Conflicts

S

Water Availability (5004)
 (Water Availability Sub-basin)

U

The application, map and supporting
 data are complete and free of defects.

ITEM 3 (USE)

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

4. N/A No oath is required because application was filed before June 5, 1992.

5. S Application fees:

Examination fee:	\$ <u>200</u>
Recording fee:	\$ <u>100.25</u>
TOTAL REQUIRED	\$ <u>300.25</u>
TOTAL SUBMITTED	\$ <u>300.25</u>
AMOUNT DUE prior to issuance of permit	\$ <u> </u>
AMOUNT OVERPAID refund due applicant	\$ <u> </u>

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

7. U A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.)

POD @
 THEAD OF STREAM

IDENTIFY DRAW FOR RE) 3 & 6 & PODs

8. S A written copy of the legal description of the property on which the water is to be used.
9. N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
10. N/A No statement of ownership was required for applications filed before August, 1990.
11. S The proposed use is not restricted or prohibited by statute.
12. S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. S IR & AG use(s) is/are classified uses(s) under the S.C. Basin Program, OAR 690 - 517-001(2)

Land Use Compatibility:

14. As expressed by the Planning Department of CURRY COUNTY
15. S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 3.051(7)).
16. N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
17. N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For reservoir applications:

18. S Plans, specifications and supporting information for the dam and impoundment area.

RECEIVED

JUL 19 1993

COMMENT FORM

WATER RESOURCES DEPT.
SALEM, OREGON

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application #s R-73470, R-73473, 73471, 73472

Send to:

Ron Yochum
P.O. Box 218
Roseburg, OR 97470

Please include specific comments or concerns. Use additional sheets if necessary.

Return to:

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

This Comment corresponds to the JUL/14/1993 Public Notice.

WaterWatch

O F O R E G O N

July 17, 1993

Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

RE: Application for Permit #R73473, 73472, Hal Good
Florals Lake Tribs., Curry Co., Cranberry Use

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions, and concerns:

Is there unappropriated water available for this proposed use? Does the Department have adequate data to accurately determine the 80% exceedence level?

What effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation, and a healthy aquatic system?

This water source may suffer from water quality problems. Has the Department consulted with the Department of Environmental Quality to determine the effect this proposed withdrawal will have on water quality?

If this water source provides habitat to native fish during any phase of their life cycle, we request that the Department include conditions requiring the installation and maintenance of fish screening and bypass devices prior to any diversion of water.

Given the importance of surface water sources, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5).

Will this proposed use be compatible with Goal 5 elements of the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR690-410-060(1). Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. OAR 690-410-060(2)(a). What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical review of this application.

Sincerely,

Jim Myron

bc:
WaterWatch of Oregon, Inc. 921 S.W. Morrison, Suite 438 Portland, Oregon 97205 (503) 295-4039

July 12, 1993

HAL GOOD
GOOD, ADRIENNE
RT 1 BOX 1480
BANDON, OR 97411

REFERENCE: File(s) R-73473, S-73472

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Even though your application has been received, filed and assigned an application reference number, no authorization has been granted to develop your water use. The filing of an application does not create a water right. Water may not be used without a water right permit.

After an application has been accepted for filing, public notification of the application is made, followed by the mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. Applications are processed in the order in which they are received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo a specialized analysis called a technical review and a public interest review. There is no way to determine at this time whether your particular proposed water use will be recommended for a permit.



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

July 12, 1993

HAL GOOD
GOOD, ADRIENNE
RT 1 BOX 1480
BANDON, OR 97411

REFERENCE: File(s) R-73473, S-73472

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Even though your application has been received, filed and assigned an application reference number, no authorization has been granted to develop your water use. The filing of an application does not create a water right. Water may not be used without a water right permit.

After an application has been accepted for filing, public notification of the application is made, followed by the mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. Applications are processed in the order in which they are received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo a specialized analysis called a technical review and a public interest review. There is no way to determine at this time whether your particular proposed water use will be recommended for a permit.



REFERENCE: File(s) - R-73473, S-73472

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review. In most cases no objections are received and the application processing can proceed without further conflict resolution, protest, or hearing.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, and the demands of prior right holders, and other conditions to conform the water use to particular standards.

Please contact the Water Rights Section of the Water Resources Department if you have any questions. You may write to us at 3850 Portland Road, Northeast, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,


Laurie Beth English *By DCB*
Water Rights Program Analyst

cc:CWRE

TOWNSHIP 31 S, RANGE 13 W, W. M.

SECTION 27[illegible]

APPLICATION MAP

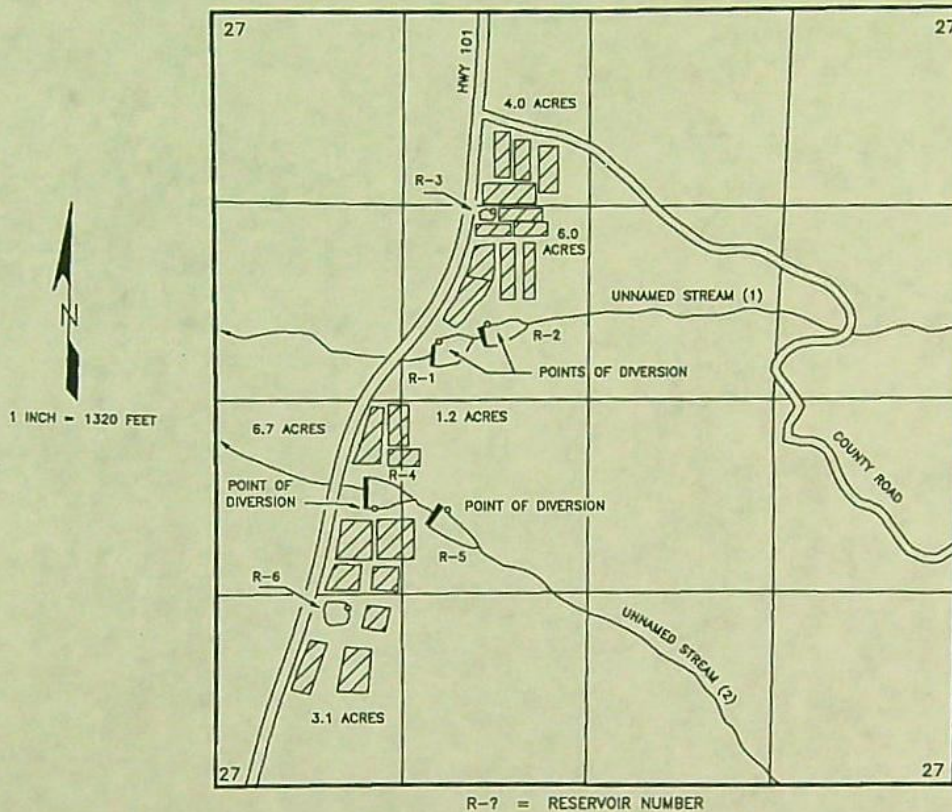
IN THE NAME OF ADRIENNE GOOD

SECTION 27, T 31 S, R 15 W, W.M.

RECEIVED

MAR 14 1995

WATER RESOURCES DEPT.
SALEM, OREGON

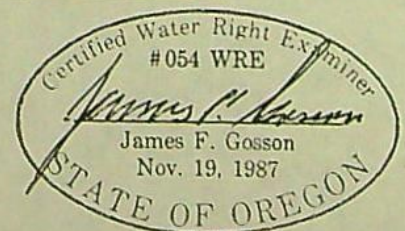


Superseded

THE POINTS OF DIVERSION ARE TO BE LOCATED AS FOLLOWS:

SOURCE	SOUTH	WEST	¼ ¼ SECTION
UNNAMED STREAM (1) AND RESERVOIR 1	2250 FEET	1070 FEET	SE¼NW¼
UNNAMED STREAM (1) AND RESERVOIR 2	2140 FEET	700 FEET	SE¼NW¼
RESERVOIR 3	1380 FEET	690 FEET	SE¼NW¼
UNNAMED STREAM (2) AND RESERVOIR 4	3410 FEET	1540 FEET	NW¼SW¼
UNNAMED STREAM (2) AND RESERVOIR 5	3410 FEET	1020 FEET	NE¼SW¼
RESERVOIR 6	4120 FEET	1720 FEET	SW¼SW¼

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



RECEIVED

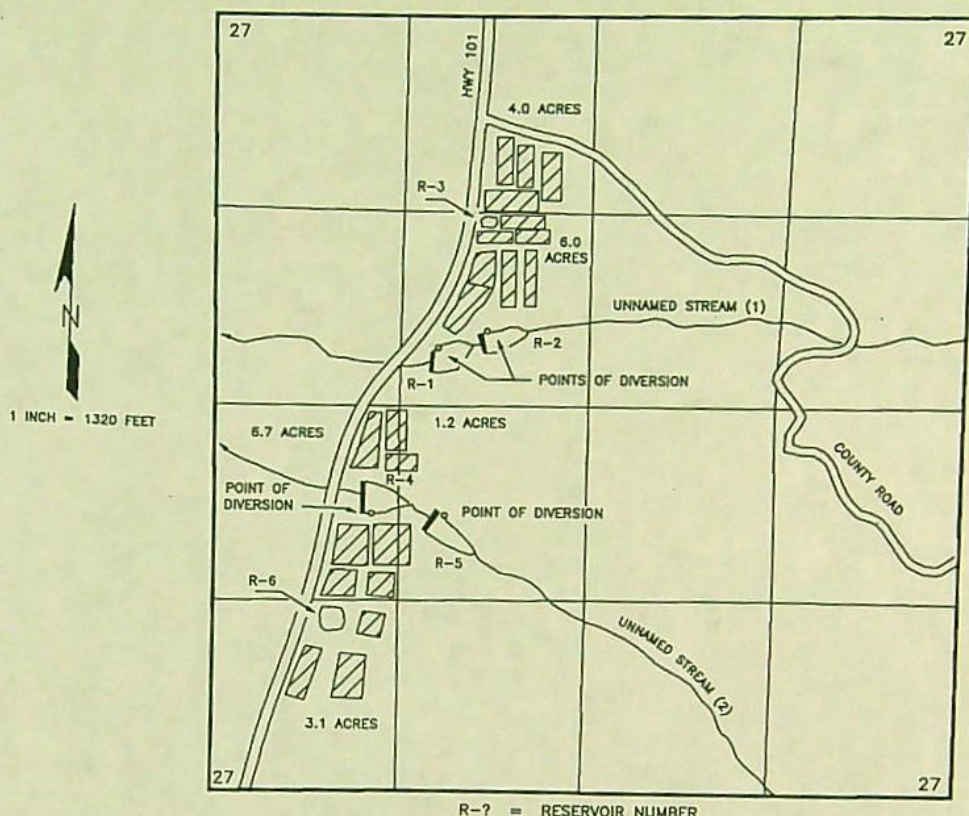
JUL - 8 1993

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION MAP

IN THE NAME OF HAL or ADRIENNE GOOD

SECTION 27, T 31 S, R 15 W, W.M.



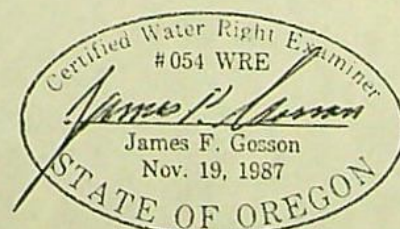
Application No. 73472
Permit No. Superseded

THE POINTS OF DIVERSION ARE TO BE LOCATED AS FOLLOWS:

SOURCE	SOUTH	WEST	¼ ¼ SECTION
UNNAMED STREAM (1) and RESERVOIR 1	2250 FEET	1070 FEET	SE¼ NW¼
UNNAMED STREAM (1) and RESERVOIR 2	2140 FEET	700 FEET	SE¼ NW¼
RESERVOIR 3			SE¼ NW¼
UNNAMED STREAM (2) and RESERVOIR 4	3410 FEET	1540 FEET	NW¼ SW¼
UNNAMED STREAM (2) and RESERVOIR 5	3410 FEET	1020 FEET	NE¼ SW¼
RESERVOIR 6			SW¼ SW¼

ALL FROM THE NORTH QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M., COOS COUNTY.

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



AMENDED

R-73473

1/2

73472

APPLICATION MAP

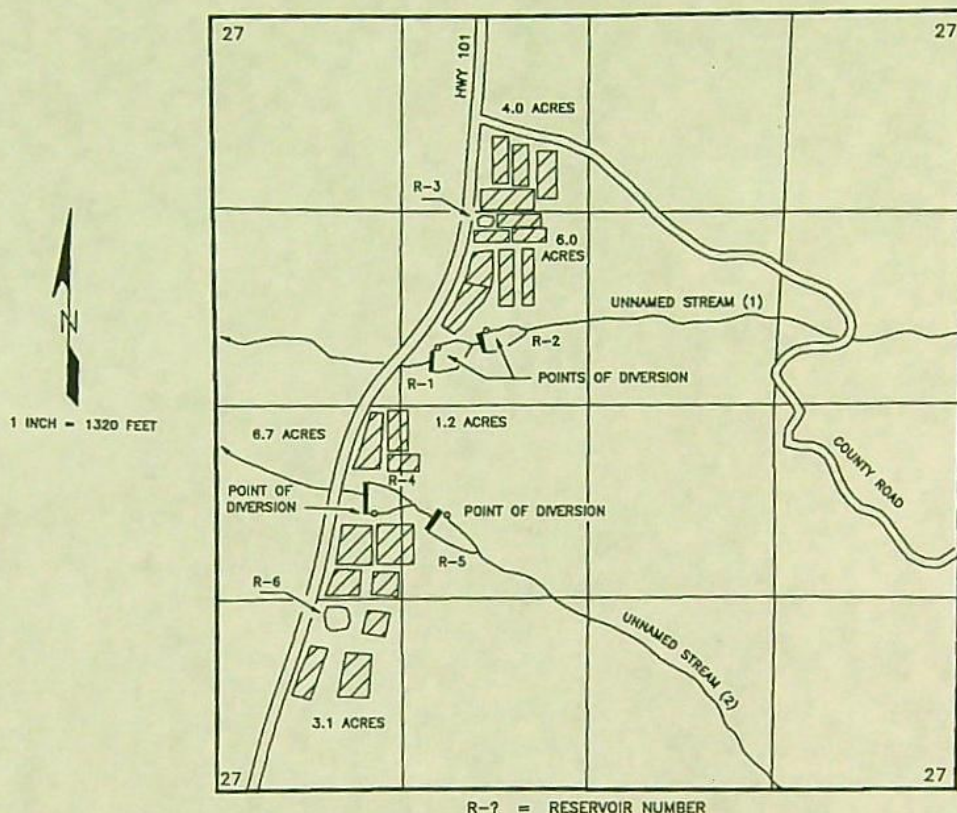
IN THE NAME OF HAL or ADRIENNE GOOD

SECTION 27, T 31 S, R 15 W, W.M.

RECEIVED

SEP 9 1993

WATER RESOURCES DEPT
SALEM, OREGON



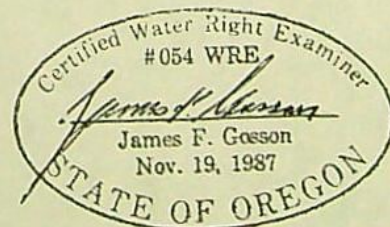
Superseded

THE POINTS OF DIVERSION ARE TO BE LOCATED AS FOLLOWS:

SOURCE	SOUTH	WEST	1/4 1/4 SECTION
UNNAMED STREAM (1) and RESERVOIR 1	2250 FEET	1070 FEET	SE 1/4 NW 1/4
UNNAMED STREAM (1) and RESERVOIR 2	2140 FEET	700 FEET	SE 1/4 NW 1/4
RESERVOIR 3			SE 1/4 NW 1/4
UNNAMED STREAM (2) and RESERVOIR 4	3410 FEET	1540 FEET	NW 1/4 SW 1/4
UNNAMED STREAM (2) and RESERVOIR 5	3410 FEET	1020 FEET	NE 1/4 SW 1/4
RESERVOIR 6			SW 1/4 SW 1/4

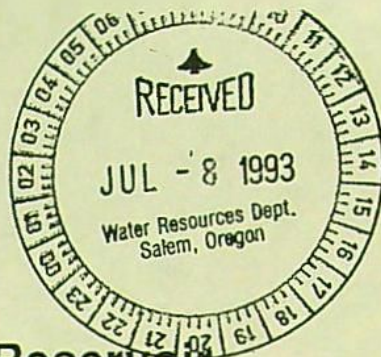
ALL FROM THE NORTH QUARTER CORNER OF SECTION 27 AND WITHIN SECTION 27, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M., CURRY COUNTY.

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



Application No.

R- 73473



State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

Applicant(s) Hal or Adrienne Good

(Please print or type - use dark ink)

Mailing Address: Route 1, Box 1480

Bandon,

City

Oregon

State

97411

Zip

(503) 347-3262

Daytime Phone No.

I (We) make application for a permit to construct 6 reservoirs reservoir and store the following described waters of the State of Oregon:

1. **SOURCE OF WATER** for the proposed use: See Supplemental Sheet,
a tributary of an unnamed stream tributary of Floras Lake.
If not in channel of a stream, state how it is to be filled: _____

2. **THE DAM:** The maximum height of the structure will be _____ feet above stream bed or ground surface at the centerline. See Supplemental Sheet

The dam will be (check one) XX earthfill, _____ concrete, _____ flashboard, _____ other.

If "other" give description: _____

Reservoir #3 and #6 are primarily excavated

Give the location, description, and dimensions of the outlet conduit: _____

See Supplemental Sheet

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. **THE USE(s)** of the impounded water will be: See Supplemental Sheet

4. **THE AMOUNT OF WATER** to be stored is: 51 acre feet acre-feet.
The area submerged by the reservoir, when filled, will be See Supplemental sheet acres,
and the maximum depth of water will be See Supplemental Sheet feet.

5. **SPILLWAY DESCRIPTION** (location and dimensions). State whether over or around the dam.

Reservoirs 1, 2, 4, and 5 will have 18" half round CMP connected to
outlet conduit with flashboards. An Additional 11" emergency overflow
will be provided.

Reservoir 3 and 6 are primarily excavated with small off channel dikes
on the low side. An eight inch conduit will be provided in event of
heavy rainfall.

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

Proposed date construction work will begin October, 1994

Proposed date construction work will be completed October, 1997

Proposed date water use will be completed October, 1999

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

Applicant XX 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 XX CWRE Other (Identify in REMARKS section)

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

REMARKS: _____

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.

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.

Paul Good
Signature of Applicant

JUNE 27 1993
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at SALEM, Oregon, on the 8TH day of July, 1993, at 8:00 o'clock, A M.

APPLICATION NO: R-73473

RECEIVED

JUL - 8 1993

CURRY COUNTY TITLE
Title Number: 60020
Page 4

WATER RESOURCES DEPT.
SALEM, OREGON

ALSO EXCEPT Beginning at a point on the South line of a 60 foot road right of way deeded to Curry County by deed recorded at page 47, Volume 18, Curry County Deed Records, which point is South of the Quarter Section corner between Section 22 and 27, Township 31 South, Range 15 West of the Willamette Meridian in Curry County, Oregon, which point is also 60 feet West of the Northeast corner of that parcel conveyed to the grantor herein by Dr. Walter W. Black and wife by deed recorded September 9, 1947, page 294, volume 32, Curry County Deed Records, and running thence South 80 feet along the West line of a parcel heretofore conveyed to the grantees herein by the grantor herein, to the Southwest corner of such parcel;

thence East 60 feet along the South line of such parcel, to the Southeast corner of such parcel;

thence South 70 feet;

thence West 80 feet;

thence North 150 feet to the South line of the above mentioned road right of way;

thence East 20 feet along the South line of said right of way to the point of beginning.

PARCEL II

The following described tracts of land situated in the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-seven (27), Township Thirty-one (31) South, Range Fifteen (15) West of the Willamette Meridian, Curry County, Oregon.

That portion of the North half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-seven (27), Township Thirty-one (31) South, Range Fifteen (15) lying East of the East right of way line of Oregon Coast Highway #101.

ALSO beginning at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-seven (27);

thence North along the East line of Southwest Quarter (SW $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$), 580 feet;

thence continuing North along said line to the Northeast corner of Southwest Quarter (SW $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$);

thence West along the East-West center line of Southwest Quarter to the Easterly right of way line of Oregon State Highway #101;

thence Southwesterly along said right of way line to the Northwest corner of property described in Deed Volume 55, page 553;

thence East along the North line of said deed to point of beginning.

Application No. R-73473
Permit No.

RECEIVED

JUL - 8 1993

WATER RESOURCES DEPT.
SALEM, OREGON

CURRY COUNTY TITLE
Title Number: 60020
Page 3

Exhibit "A"

PARCEL I

All that portion of the following described property which lies South of the 60 feet strip deeded to Curry County by deed recorded in Deed Book 18, on page 47 on August 19, 1920, to wit:

Beginning at the Quarter Section corner between Sections Twenty-two (22) and Twenty-seven (27), Township Thirty-one (31) South, Range Fifteen (15) West of Willamette Meridian;

thence South 2640 feet;

thence West 1544.8 feet to the right of way line East side of the Oregon State Highway;

thence along the East side of said Highway as follows:

North 39° 50' East 478 feet;

thence North 33° 10' East 273 feet;

thence North 28° 30' East 262 feet;

thence North 20° 20' East 232 feet;

thence North 12° 30' East 220 feet;

thence North 4° 28' East 1397.1 feet;

thence East 711.7 feet to the place of beginning.

All of the above described property being in the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-seven (27), Township Thirty-one (31) South, Range Fifteen (15) West of Willamette Meridian, in the County of Curry and State of Oregon.

EXCEPT Beginning at a point on the South line of a 60 foot road right of way deeded at Curry County by deed recorded at page 47 of Volume 18 of Curry County Deed Records, which point is South of the Quarter Section corner between Sections 22 and 27, Township 31 South, Range 15 West of the Willamette Meridian, in Curry County, Oregon, which is also the Northeast corner of that parcel of land deeded by Dr. Walter W. Black and wife to the grantor herein by deed recorded September 29, 1947 on page 294 of Volume 32, Curry County Deed Records; and running thence South 80 feet;

thence West 60 feet;

thence North 80 feet to the South line of the said 60 foot road right of way;

thence East 60 feet, along the South line of said 60 foot road right of way, to the point of beginning.

(Exhibit "A" continued)

Application No. R-73473
Permit No.

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.

RECEIVED

Applicant Name: Hal or Adrienne Good
 Address: Route 1, Box 1480
Bandon, Oregon 97411
 Phone: (503) 347-3262

JUL - 8 1993

WATER RESOURCES DEPT.
SALEM, OREGON

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): Cranberry Use

Application No. R-73473
Permit No.

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☒ Surface Water Name sources: <u>2 Unnamed streams</u> ☒ Reservoir or pond (6) ☐ Ground Water	<u>3.00</u> Cubic feet per second. <u>1348</u> Gallons per minute. <u>51</u> Acre-Feet

**Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in
Addition to Classified Uses**

RECEIVED

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.

JUL 8 1993
WATER RESOURCES DEPT.
SALEM, OREGON

Applicant's Name: Hal or Adrienne Good
Address: Route 1, Box 1480
City: Bandon State: Or. Zip: 97411 Day Phone: (503) 347-3262

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
31/15 S 27		X	X	X
TL 1300	FORESTRY GRAZING (FG)			
TL 1500	" " "	X	X	X

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. R-73473
Permit No.

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

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): 3.051 (7). 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

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: DIANNE L. SNOW

Title: PLANNER

Date: 7/1/93

Phone: 547-7011

Signature: Dianne L. Snow

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.

Additional Comments:

FARMING IS AN OUT-RIGHT USE
IN FG ZONE

STATE OF OREGON
WATER RESOURCES DEPARTMENT
RECEIPT # 102054 3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

RECEIVED FROM: Hal Good
BY:

APPLICATION 73473

PERMIT

TRANSFER

CASH: ☐ CHECK: # ☒ 96-292 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 700.25

01-00-0 WRD MISC CASH ACCT

842.010 ADJUDICATIONS

831.087 PUBLICATIONS/MAPS

830.650 PARKING FEES Name/month

OTHER: (IDENTIFY)

REDUCTION OF EXPENSE

CASH ACCT.

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001 COPY FEES

850.200 RESEARCH FEES

880.109 MISC REVENUE: (IDENTIFY)

520.000 OTHER (P-6) (IDENTIFY)

WATER RIGHTS:

842.001 SURFACE WATER

842.003 GROUND WATER

842.005 TRANSFER

WELL CONSTRUCTION

842.022 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE

\$ 200

\$

\$

EXAM FEE

\$

RECORD FEE

\$ 100.25

\$

\$

LICENSE FEE

\$

\$

06-00-0 WELL CONST START FEE

842.013 WELL CONST START FEE

MONITORING WELLS

CARD #

CARD #

45-00-0 LOTTERY PROCEEDS

864.000 LOTTERY PROCEEDS

07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011 POWER LICENSE FEE(FW/WRD)

842.115 HYDRO LICENSE FEE(FW/WRD)

HYDRO APPLICATION

RECEIPT # 102054

DATED: 7-7-93

BY: R. B. Hall

Distribution—White Copy—Customer Yellow Copy—Fiscal Blue Copy—Fiscal

Form 111

HAL GOOD
GOOD, ADRIENNE
RT 1 BOX 1480
BANDON, OR 97411
Assigned
Address
Beginning construction
Completion of construction
Extended to
Complete application of water
Extended to

Application No.
Permit No.

73473

July 12, 1993

HAL GOOD
GOOD, ADRIENNE
RT 1 BOX 1480
BANDON, OR 97411

REFERENCE: File(s) R-73473, S-73472

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Even though your application has been received, filed and assigned an application reference number, no authorization has been granted to develop your water use. The filing of an application does not create a water right. Water may not be used without a water right permit.

After an application has been accepted for filing, public notification of the application is made, followed by the mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. Applications are processed in the order in which they are received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo a specialized analysis called a technical review and a public interest review. There is no way to determine at this time whether your particular proposed water use will be recommended for a permit.



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

REFERENCE: File(s) - R-73473, S-73472

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review. In most cases no objections are received and the application processing can proceed without further conflict resolution, protest, or hearing.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, and the demands of prior right holders, and other conditions to conform the water use to particular standards.

Please contact the Water Rights Section of the Water Resources Department if you have any questions. You may write to us at 3850 Portland Road, Northeast, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,

Laurie Beth English
By DCB

Laurie Beth English
Water Rights Program Analyst

cc:CWRE

WaterWatch

O F O R E G O N

July 17, 1993

Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

RE: Application for Permit, #R73473, 73472, Hal Good
Florals Lake Tribs., Curry Co., Cranberry Use

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions, and concerns:

Is there unappropriated water available for this proposed use? Does the Department have adequate data to accurately determine the 80% exceedence level?

What effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation, and a healthy aquatic system?

This water source may suffer from water quality problems. Has the Department consulted with the Department of Environmental Quality to determine the effect this proposed withdrawal will have on water quality?

If this water source provides habitat to native fish during any phase of their life cycle, we request that the Department include conditions requiring the installation and maintenance of fish screening and bypass devices prior to any diversion of water.

Given the importance of surface water sources, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5).

Will this proposed use be compatible with Goal 5 elements of the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR690-410-060(1). Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. OAR 690-410-060(2)(a). What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical review of this application.

Sincerely,

Jim Myron

bc:

WaterWatch of Oregon, Inc. 921 S.W. Morrison, Suite 438 Portland, Oregon 97205 (503) 295-4039

RECEIVED

JUL 19 1993

COMMENT FORM

WATER RESOURCES DEPT.

SALEM, OREGON

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application #s R-73470, R-73473, 73471, 73472

Send to:

Ron Yochum
P.O. Box 218
Roseburg, OR 97470

Please include specific comments or concerns. Use additional sheets if necessary.

Return to:

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

This Comment corresponds to the JUL/14/1993 Public Notice.

[illegible]

7/8/93

८६

MINIMUM REQUIREMENTS TO FILE

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

FIELD OPERATIONS

7/15/93

QLO

Application date stamped per money receipt date
Stream Indexed Basin 17
Stream Code _____
Scenic Waterway _____

Findings:

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

7/16/93

DXB

Plat Carded and copy made ☒ YES ☐ NO
 Conflicts (well _____ surface _____) _____
 Prior ISWR # _____
 Within Irrigation District _____ (name)

Notified

District excerpt received

Entered in Paradox

Prepare six copies of Draft Permit

Send one copy to Data Center

SUPPORT SERVICES

7/12/43

DLB

DLD

1

DLB

_____ NA

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

FIELD OPERATIONS

Ownership Statement
Name and address of all owners
Other landowners notified
Legal Description
Need Commission review

YES

NO

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

GW comments received	_____	resolved	_____
ODFW comments received	_____	resolved	_____
DEQ comments received	_____	resolved	_____

Interest Groups

Water availability received

Objections received _____ resolved _____

Protest received _____ resolved _____

Management Codes

EXAMINATION FEE: _____
RECORDING FEE: _____

REMARKS:

TOTAL: _____
REFUND: _____
DEFICIENT: _____

RECEIVED

JUN - 6 1994

June 1, 1994

WATER RESOURCES DEPT.
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

HABITAT
CONSERVATION
DIVISION

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

RE: Water Right Application #R-73473 and 73472; Reports of
Technical Review

ODFW District personnel met with a representative of the applicant on-site and discussed the subject water developments in detail. The following are their observations and recommendations:

- The 2 draws referenced in the applications are probably non-fish-bearing--no screening or passage facilities will be necessary here;
- The 2 "unnamed streams" are two forks of Big (Boulder) Creek, the largest stream tributary to Floras Lake. Big Creek supports populations of coho salmon, winter steelhead and cutthroat trout;
- Upstream passage into the 2 forks is currently blocked by culverts running under Hwy 101. Both forks provide excellent habitat for, and support significant populations of, resident cutthroat trout above the culverts.

In order to avoid further fragmentation of resident trout populations in the forks of Boulder Creek, ODFW requests the following condition relating to in-channel obstructions be included as a permit condition:

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream.

During the site inspection, side draws were identified that could be developed into reservoirs in preference to creating in-channel reservoirs. In order to minimize negative impacts of planned withdrawals, ODFW recommends and requests the storage period and any use of live flows be limited to the period November 1 through May 31.



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-6967

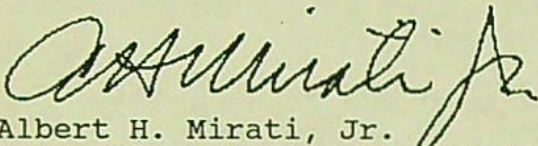
WR R-73473 and 73472
June 1, 1994
Page 2

Because one or more species of game fish are present in the subject streams, ODFW will require the applicant to provide fish screening pursuant to ORS 498.248 at any point water is diverted from the stream. Therefore, ODFW requests WRD add the following condition to those already proposed:

The permittee shall install and maintain a fish screening device as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

Thank you for the opportunity to comment.

Sincerely,



Albert H. Mirati, Jr.
Water Right Review Coordinator

c. WaterWatch of Oregon (public information request)
Unterwegner, Gold Beach

FILE: R-73473.TEC

Mrs.
HAL GOOD

SAND CANYON RANCH

Telephone 805 252-2028
Fax 805 252-5535

8 March 1995

Tom Shook, Water Right Specialist
Oregon Water Resources Dept.
158 12th St. NE
Salem, Oregon 97310

RECEIVED

MAR 14 1995

WATER RESOURCES DEPT.
SALEM, OREGON

RE File Nos. 73472 and R 73473

Dear Sir.

Enclosed please find

1. Check # 127 for \$122.00
2. Oath signed & dated
3. Map

Please process Request for water rights. Delay on my part was ~~due~~ to the death of my husband, Hal, on 01-18-94 which stopped action on this until I could assess ^{the} direction I should take, I hope his untimely passing will not stop the request process.

Should you require anything further I may be contacted at the below address or by FAX.

Thank you in advance for your attention to this matter.

Sincerely
Adrienne Good

COMPLETED**COMPLETENESS DETERMINATION CHECKLIST**

Application #	Review Date	Reviewer
R-73473	10/14/95	GERRY

200 Exam
100.251 ACFTA checkmark (✓) indicates that the item is incomplete or defective.

300.25 Total

300.25 Received

Q Fees OK

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

RESERVOIR APPLICATION IN THE NAME OF HAL or ADRIENNE GOOD

SUPPLEMENTAL SHEET

RESERVOIR	SOURCE	CONDUIT	WATER DEPTH	SURFACE ACRES	STORAGE	DAM (DIKE) HEIGHT
RESERVOIR 1	UNNAMED STREAM (1)	18 INCHES	12 FEET	1.2 ACRE	9.0 ACRE FEET	9.8 FEET
RESERVOIR 2	UNNAMED STREAM (2)	18 INCHES	14 FEET	1.0 ACRE	9.0 ACRE FEET	9.8 FEET
RESERVOIR 3	FIELD RUNOFF	NONE	18 FEET	0.4 ACRE	7.0 ACRE FEET	3-5 FEET
RESERVOIR 4	UNNAMED STREAM (2)	18 INCHES	11 FEET	1.3 ACRE	9.0 ACRE FEET	9.8 FEET
RESERVOIR 5	UNNAMED STREAM (2)	18 INCHES	14 FEET	1.1 ACRE	9.0 ACRE FEET	9.8 FEET
RESERVOIR 6	FIELD RUNOFF	NONE	16 FEET	0.6 ACRE	8.0 ACRE FEET	4-6 FEET

Application No. R-73473
Permit No.

lake.
As an additional condition if any of these 6 reservoirs are w/in

04-19-9

A. NATURAL stream channel, require:

- A. Weirs both above upstream & downstream of each res
- B. gated valve outlet for outlet at base of structure

PROPOSED PERMIT CONDITIONS

John Drolet

Application: R-73473

RECEIVED

APR 21 1994

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

WATER RESOURCES DEF
SALEM, OREGON

1. Use of water under this permit is subject to all prior rights.
2. Water may be appropriated for storage during the period: OCTOBER 1 THROUGH JUNE 30
3. Storage: 51 AC-FT, BEING 9.0 AC-FT IN RESERVOIR #1; 9.0 AC-FT RES 2; 7.0 AC-FT RES 3; 9.0 AC-FT RES 4; 9.0 AC-FT RES 5; 8.0 AC-FT RES 6.
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The total area proposed to be submerged by the reservoirs, when full is 5.6 acres; the proposed maximum depth of water in feet is 18; the maximum height of the dam is 9.8 feet.
10. The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.
11. Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # R-73473

WATERWATCH

ODF&W

WATERMASTER # 19

REGIONAL MANAGER - ~~FS~~ SW

CWRE - J.F. Gosson # 54

DEQ

OREGON ASSOCIATION OF NURSERYMEN INC.

KEN STAHR

OTHER ADDRESSES: Don Yockum
PO BOX 218
ROSEBURG, OR 97470

CASEWORKER SHOOK

ORIGINAL TO APPLICANT 2/03/94

April 14, 1994

HAL AND ADRIENNE GOOD
RT 1, BOX 1480
BANDON, OR 97411

Reference: File R-73473

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

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

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

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

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

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

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



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

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

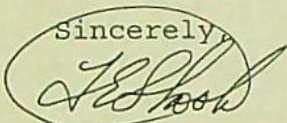
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before JUNE 24, 1994, or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

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

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

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

Sincerely,



THOMAS E. SHOOK
WATER RIGHT SPECIALIST

Enclosures

Hold until next meet

Report Date: April 14, 1994

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

OK

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: JUNE 24, 1994.

1. APPLICATION FILE NUMBER - R-73473

2. MINIMUM APPLICATION INFORMATION

HAL AND ADRIENNE GOOD
RT 1, BOX 1480
BANDON, OR 97411
CURRY COUNTY 503-347-3262

Send in Modified Appl. mapping fields

Date application received for filing and/or tentative date of priority: 7/8/93

SOURCE: TWO UNNAMED STREAMS AND TWO UNNAMED DRAWS
TRIBUTARIES TO: FLORAS LAKE

Purpose and/or use: STORAGE FOR CRANBERRY OPERATIONS
(IRRIGATION AND AGRICULTURAL USES)

STORAGE: 51 ACRE FEET (AC-FT) IN SIX RESERVOIRS

Point of Diversion Location:
T 31 S, R 15 W, W.M.; SECTION 27, SENW, NESW,
NWSW, SWSW

Place of use:
SENW, NESW, NWSW, SWSW
SECTION 27
T 31 S, R 15 W, W.M.

SURFACE WATER AVAILABILITY

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

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

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

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

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 51 AC-FT is likely available for storage. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

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

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

PROPOSED PERMIT CONDITIONS

Application: R-73473

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

1. Use of water under this permit is subject to all prior rights.
2. Water may be appropriated for storage during the period: OCTOBER 1 THROUGH JUNE 30
3. Storage: 51 AC-FT, BEING 9.0 AC-FT IN RESERVOIR #1; 9.0 AC-FT RES 2; 7.0 AC-FT RES 3; 9.0 AC-FT RES 4; 9.0 AC-FT RES 5; 8.0 AC-FT RES 6.
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

April 30
Nov 1 - May 31

Permitting
David
if done
Staff

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The total area proposed to be submerged by the reservoirs, when full is 5.6 acres; the proposed maximum depth of water in feet is 18; the maximum height of the dam is 9.8 feet.
10. The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.
11. Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

*for
down*

April 14, 1994

HAL AND ADRIENNE GOOD
RT 1, BOX 1480
BANDON, OR 97411

Reference: File R-73473

Under separate cover I have enclosed our report of technical review. Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information or documentation.

In addition, please send the following:

a map prepared by a Certified Water Rights Examiner identifying unnamed draws as sources for ponds 3 and 6; diversion points must be identified at thread of stream at dam, not at edge of ponds;

item 3 of the application must be completed by stating how the stored water will be used.

Before we can process your application further, both of you will need to submit an oath:

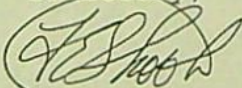
"We, Hal and Adrienne Good, certify that the information provided in application R-73473 is an accurate representation of the proposed water use and is true and correct to the best of our knowledge".

This requirement was created by an amendment of our administrative rules and applies to all applications filed after June 5, 1992.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



THOMAS E. SHOOK
WATER RIGHT SPECIALIST

cc: GOSSON, CWRE



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

TECHNICAL REVIEW CHECKLIST

Application: R-73473Review Date: 4-14-94

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

SUMMARY

S

Land Use

NA yes/no

Substantial SW interference
 (if yes, see results of surface
 water availability analysis)

S

Conflicts

S

Water Availability (5004)
 (Water Availability Sub-basin)

U

The application, map and supporting
 data are complete and free of defects.

ITEM 3 (USE)

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

4. N/A No oath is required because application was filed before June 5, 1992.

5. S Application fees:

Examination fee:	\$ 200
Recording fee:	\$ 100.25
TOTAL REQUIRED	\$ 300.25
TOTAL SUBMITTED	\$ 300.25
AMOUNT DUE prior to issuance of permit	\$ —
AMOUNT OVERPAID refund due applicant	\$ —

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

7. U A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.)

POD @
 TREAD OF STREAM

IDENTIFY DRAW FOR RE 3 & 6 & PODs

8. S A written copy of the legal description of the property on which the water is to be used.
9. N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
10. N/A No statement of ownership was required for applications filed before August, 1990.
11. S The proposed use is not restricted or prohibited by statute.
12. S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. S IR & AG use(s) is/are classified uses(s) under the S-C. Basin Program, OAR 690 - 517-001(8)

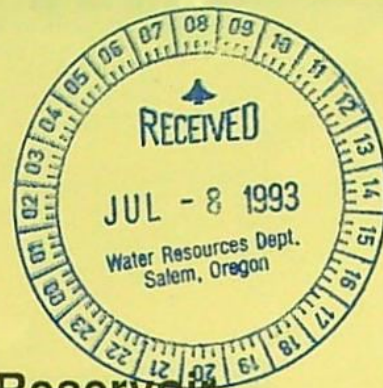
Land Use Compatibility:

14. As expressed by the Planning Department of CURRY COUNTY
15. S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 3.051(7)).
16. N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
17. N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For reservoir applications:

18. S Plans, specifications and supporting information for the dam and impoundment area.

Application No. R- 73473



State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

Applicant(s) Hal or Adrienne Good

(Please print or type - use dark ink)

Mailing Address: Route 1, Box 1480

Bandon, Oregon 97411 (503) 347-3262
City State Zip Daytime Phone No.

I (We) make application for a permit to construct 6 reservoirs reservoir and store the following described waters of the State of Oregon:

1. **SOURCE OF WATER** for the proposed use: See Supplemental Sheet,
a tributary of an unnamed stream tributary of Floras Lake.
If not in channel of a stream, state how it is to be filled: _____

2. **THE DAM:** The maximum height of the structure will be _____ feet above stream bed or ground surface at the centerline. See Supplemental Sheet

The dam will be (check one) XX earthfill, _____ concrete, _____ flashboard, _____ other.

If "other" give description: _____

Reservoir #3 and #6 are primarily excavated

Give the location, description, and dimensions of the outlet conduit: _____

See Supplemental Sheet

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. **THE USE(s)** of the impounded water will be: See Supplemental Sheet

4. **THE AMOUNT OF WATER** to be stored is: 51 acre feet acre-feet.
The area submerged by the reservoir, when filled, will be See Supplemental sheet acres,
and the maximum depth of water will be See Supplemental Sheet feet.

5. **SPILLWAY DESCRIPTION** (location and dimensions). State whether over or around the dam. _____

Reservoirs 1, 2, 4, and 5 will have 18" half round CMP connected to
outlet conduit with flashboards. An Additional 11" emergency overflow
will be provided.

Reservoir 3 and 6 are primarily excavated with small off channel dikes
on the low side. An eight inch conduit will be provided in event of
heavy rainfall.

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

Proposed date construction work will begin October, 1994

Proposed date construction work will be completed October, 1997

Proposed date water use will be completed October, 1999

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

 Applicant XX 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):

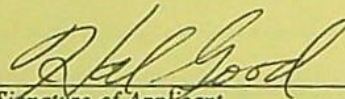
 Applicant XX CWRE Other (Identify in REMARKS section)

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

REMARKS: _____

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.

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

JUNE 27 1993
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at SALEM, Oregon, on the 8TH day of JULY, 1993, at 8:00 o'clock, A M.

APPLICATION NO: R-73473

RESERVOIR APPLICATION IN THE NAME OF HAL or ADRIENNE GOOD

SUPPLEMENTAL SHEET

RESERVOIR	SOURCE	CONDUIT	WATER DEPTH	SURFACE ACRES	STORAGE	DAM (DIKE) HEIGHT
RESERVOIR 1	UNNAMED STREAM (1)	18 INCHES	12 FEET	1.2 ACRE	9.0 ACRE FEET	9.8 FEET
RESERVOIR 2	UNNAMED STREAM (2)	18 INCHES	14 FEET	1.0 ACRE	9.0 ACRE FEET	9.8 FEET
RESERVOIR 3	FIELD RUNOFF	NONE	18 FEET	0.4 ACRE	7.0 ACRE FEET	3-5 FEET
RESERVOIR 4	UNNAMED STREAM (2)	18 INCHES	11 FEET	1.3 ACRE	9.0 ACRE FEET	9.8 FEET
RESERVOIR 5	UNNAMED STREAM (2)	18 INCHES	14 FEET	1.1 ACRE	9.0 ACRE FEET	9.8 FEET
RESERVOIR 6	FIELD RUNOFF	NONE	16 FEET	0.6 ACRE	8.0 ACRE FEET	4-6 FEET

Application No. R-73473
Permit No.

RECEIVED

JUL - 8 1993

CURRY COUNTY TITLE
Title Number: 60020
Page 4

WATER RESOURCES DEPT.
SALEM, OREGON

ALSO EXCEPT Beginning at a point on the South line of a 60 foot road right of way deeded to Curry County by deed recorded at page 47, Volume 18, Curry County Deed Records, which point is South of the Quarter Section corner between Section 22 and 27, Township 31 South, Range 15 West of the Willamette Meridian in Curry County, Oregon, which point is also 60 feet West of the Northeast corner of that parcel conveyed to the grantor herein by Dr. Walter W. Black and wife by deed recorded September 9, 1947, page 294, volume 32, Curry County Deed Records, and running thence South 80 feet along the West line of a parcel heretofore conveyed to the grantees herein by the grantor herein, to the Southwest corner of such parcel;

thence East 60 feet along the South line of such parcel, to the Southeast corner of such parcel;

thence South 70 feet;

thence West 80 feet;

thence North 150 feet to the South line of the above mentioned road right of way;

thence East 20 feet along the South line of said right of way to the point of beginning.

PARCEL II

The following described tracts of land situated in the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-seven (27), Township Thirty-one (31) South, Range Fifteen (15) West of the Willamette Meridian, Curry County, Oregon.

That portion of the North half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-seven (27), Township Thirty-one (31) South, Range Fifteen (15) lying East of the East right of way line of Oregon Coast Highway #101.

ALSO beginning at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$) of said Section Twenty-seven (27);

thence North along the East line of Southwest Quarter (SW $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$), 580 feet;

thence continuing North along said line to the Northeast corner of Southwest Quarter (SW $\frac{1}{4}$) of Southwest Quarter (SW $\frac{1}{4}$);

thence West along the East-West center line of Southwest Quarter to the Easterly right of way line of Oregon State Highway #101;

thence Southwesterly along said right of way line to the Northwest corner of property described in Deed Volume 55, page 553;

thence East along the North line of said deed to point of beginning.

Application No. R-73473
Permit No.

RECEIVED

JUL - 8 1993

WATER RESOURCES DEPT.
SALEM, OREGON

CURRY COUNTY TITLE
Title Number: 60020
Page 3

Exhibit "A"

PARCEL I

All that portion of the following described property which lies South of the 60 feet strip deeded to Curry County by deed recorded in Deed Book 18, on page 47 on August 19, 1920, to wit:

Beginning at the Quarter Section corner between Sections Twenty-two (22) and Twenty-seven (27), Township Thirty-one (31) South, Range Fifteen (15) West of Willamette Meridian;

thence South 2640 feet;

thence West 1544.8 feet to the right of way line East side of the Oregon State Highway;

thence along the East side of said Highway as follows:

North 39° 50' East 478 feet;

thence North 33° 10' East 273 feet;

thence North 28° 30' East 262 feet;

thence North 20° 20' East 232 feet;

thence North 12° 30' East 220 feet;

thence North 4° 28' East 1397.1 feet;

thence East 711.7 feet to the place of beginning.

All of the above described property being in the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-seven (27), Township Thirty-one (31) South, Range Fifteen (15) West of Willamette Meridian, in the County of Curry and State of Oregon.

EXCEPT Beginning at a point on the South line of a 60 foot road right of way deeded at Curry County by deed recorded at page 47 of Volume 18 of Curry County Deed Records, which point is South of the Quarter Section corner between Sections 22 and 27, Township 31 South, Range 15 West of the Willamette Meridian, in Curry County, Oregon, which is also the Northeast corner of that parcel of land deeded by Dr. Walter W. Black and wife to the grantor herein by deed recorded September 29, 1947 on page 294 of Volume 32, Curry County Deed Records; and running thence South 80 feet;

thence West 60 feet;

thence North 80 feet to the South line of the said 60 foot road right of way;

thence East 60 feet, along the South line of said 60 foot road right of way, to the point of beginning.

(Exhibit "A" continued)

Application No. R-73473
Permit No.

RECEIVED

JUL - 8 1993

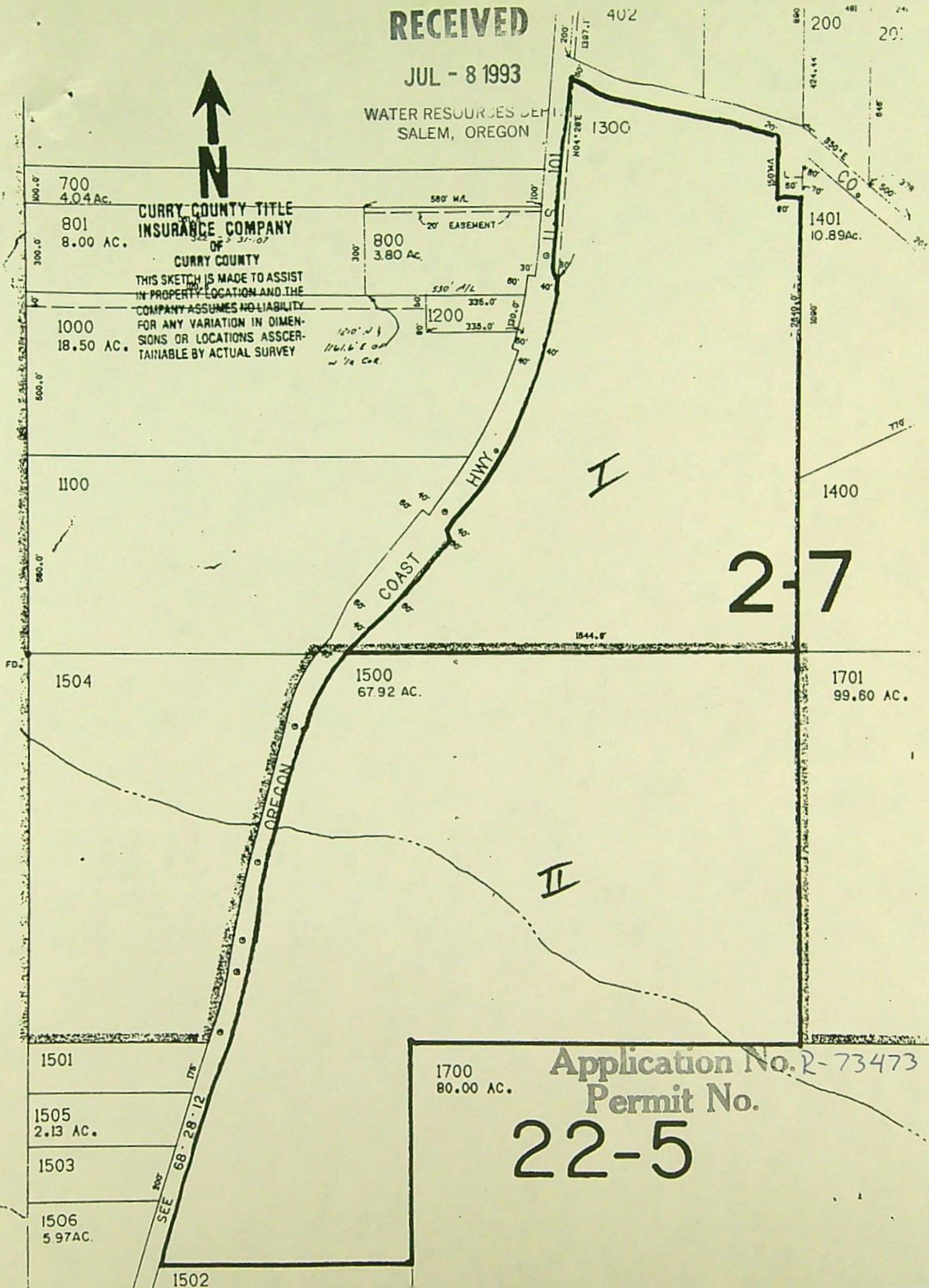
WATER RESOURCES DEPT.
SALEM, OREGON



CURRY COUNTY TITLE
INSURANCE COMPANY

OF
CURRY COUNTY

THIS SKETCH IS MADE TO ASSIST
IN PROPERTY LOCATION AND THE
COMPANY ASSUMES NO LIABILITY
FOR ANY VARIATION IN DIMEN-
SIONS OR LOCATIONS ASCER-
TAINABLE BY ACTUAL SURVEY



2-7

Application No. R-73473

Permit No.

22-5

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.

RECEIVED

JUL - 8 1993

Applicant Name: Hal or Adrienne Good
Address: Route 1, Box 1480
Bandon, Oregon 97411
Phone: (503) 347-3262

WATER RESOURCES DEPT.
SALEM, OREGON

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): Cranberry Use

Application No. R-73473
Permit No.

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☒ Surface Water Name sources: <u>2 Unnamed streams</u>	<u>3.00</u> Cubic feet per second. <u>1348</u> Gallons per minute. <u>51</u> Acre-Feet
☒ Reservoir or pond (6)	
☐ Ground Water	

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

RECEIVED

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.

WATER RESOURCES DEPT.
SALEM, OREGON

Applicant's Name: Hal or Adrienne Good
Address: Route 1, Box 1480
City: Bandon State: Or. Zip: 97411 Day Phone: (503) 347-3262

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
31/15 S 27		X	X	X
TL 1300	FORESTRY GRAZING (EG)			
TL 1500	" " "	X	X	X

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. R-73473
Permit No.

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

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): 3.051 (7). 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

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: DIANNE L. SNOW
Title: PLANNER

Date: 7/1/93
Phone: 247-7011

Signature: Dianne L. Snow

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.

Additional Comments:

FARMING IS AN OUT-RIGHT USE
IN FG ZONE

MINIMUM REQUIREMENTS TO FILE

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

Application date stamped per money receipt date
Stream Indexed Basin 17
Stream Code _____
Scenic Waterway _____

Findings:

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

Plat Carded and copy made YES NO
 Conflicts (well _____ surface _____) _____
 Prior ISWR # _____
 Within Irrigation District _____ (name)
 Notified _____
 District excerpt received _____

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

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

FIELD OPERATIONS

	<u>YES</u>	<u>NO</u>
Ownership Statement	_____	_____
Name and address of all owners	_____	_____
Other landowners notified	_____	_____
Legal Description	_____	_____
Need Commission review	_____	_____
Requests greater than 5.0 cfs	_____	_____
Dam height greater than 20 feet	_____	_____
Storage greater than 100 acre-feet	_____	_____
Out of Basin diversion	_____	_____
Groundwater recharge project	_____	_____
Other substantial public interest	_____	_____
GW comments received _____	resolved _____	
ODFW comments received _____	resolved _____	
DEQ comments received _____	resolved _____	
Interest Groups _____		
Water availability received _____		
Objections received _____	resolved _____	
Protest received _____	resolved _____	
Management Codes		

REMARKS: _____

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 102054

3850 PORTLAND ROAD NE

SALEM, OR 97310

378-8455/378-8130 (FAX)

RECEIVED FROM:

Hal Good

BY:

APPLICATION

R73473

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐☒

96-292

☐

TOTAL REC'D

\$ 700.25

01-00-0 WRD MISC CASH ACCT

842.010 ADJUDICATIONS

\$

831.087 PUBLICATIONS/MAPS

\$

830.650 PARKING FEES Name/month

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001 COPY FEES

\$

850.200 RESEARCH FEES

\$

880.109 MISC REVENUE: (IDENTIFY)

\$

520.000 OTHER (P-6) (IDENTIFY)

\$

WATER RIGHTS:

842.001 SURFACE WATER

EXAM FEE

\$ 200.00

842.002

RECORD FEE

\$ 100.25

842.003 GROUND WATER

\$

842.004

\$

842.005 TRANSFER

\$

842.006

\$

WELL CONSTRUCTION

EXAM FEE

\$

LICENSE FEE

842.022 WELL DRILL CONSTRUCTOR

842.023

\$

LANDOWNER'S PERMIT

842.024

\$

OTHER (IDENTIFY)

06-00-0 WELL CONST START FEE

842.013 WELL CONST START FEE

\$

CARD #

MONITORING WELLS

\$

CARD #

45-00-0 LOTTERY PROCEEDS

864.000 LOTTERY PROCEEDS

\$

07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011 POWER LICENSE FEE(FW/WRD)

\$

842.115 HYDRO LICENSE FEE(FW/WRD)

\$

HYDRO APPLICATION

\$

RECEIPT #

102054

DATED:

7-8-93

BY:

R. Bushnell

FOR LKS
DATE 6-8-99 TIME 2:52 A.M.
FROM John Yonnegquist
FIRM _____
PHONE 541-672-5692
AREA CODE NUMBER EXTENSION
☐ FAX
☐ MOBILE
AREA CODE NUMBER TIME TO CALL

TELEPHONED		PLEASE CALL	☒
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE R-73473
new map - Why?
Point of diversion

SIGNED _____



FORM 4007
MADE IN U.S.A.

MESSAGE

FPD

73473

HAL GOOD
GOOD, ADRIENNE
RT 1 BOX 1480
BANDON, OR

Application No.

Permit No. **R12111**

97411

Assigned

Address

Beginning construction

1-31-98

Completion of construction

10-1-99

Extended to

Complete application of water

10-1-00

Extended to