

97470

## REMARKS

FILE#: R 76265

LARRY COOKUS  
3238 OAK HILL RD  
ROSEBURG, OR

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LARRY COOKUS  
3238 OAK HILL RD  
ROSEBURG, OR

97470



STATE OF OREGON  
COUNTY OF Douglas

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

LARRY COOKUS  
3238 OAK HILL RD  
ROSEBURG, OR 97470

confirms the right to store the waters of  
AN UNNAMED STREAM AND RUNOFF IN SIX RESERVOIRS  
for LIVESTOCK.

The right to store and use these waters was perfected under Reservoir Application R-76265.  
The date of priority is January 1, 1993. The amount of water entitled to be stored and  
used each year under this right is not more than 2.074 ACRE-FEET, BEING  
0.103 AF IN RESERVOIR 1, 0.358 AF IN RESERVOIR 2, 0.373 AF IN  
RESERVOIR 3, 0.092 AF IN RESERVOIR 4, 0.088 AF IN RESERVOIR 5 AND  
1.06 AF IN RESERVOIR 6

Located as follows:

SW 1/4 SW 1/4 SECTION 35, TOWNSHIP 25 SOUTH, RANGE 6 WEST WM.  
NE 1/4 SE 1/4 SECTION 35, TOWNSHIP 25 SOUTH, RANGE 6 WEST WM.  
NW 1/4 NE 1/4 SECTION 35, TOWNSHIP 25 SOUTH, RANGE 6 WEST WM.  
SE 1/4 NW 1/4 SECTION 35, TOWNSHIP 25 SOUTH, RANGE 6 WEST WM.  
NE 1/4 NW 1/4 SECTION 35, TOWNSHIP 25 SOUTH, RANGE 6 WEST WM.  
NW 1/4 NW 1/4 SECTION 35, TOWNSHIP 25 SOUTH, RANGE 6 WEST WM.

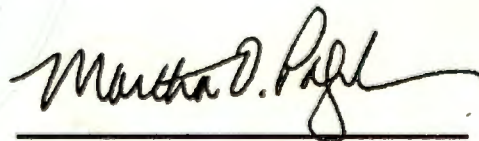
ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which  
anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife  
(ODFW). If the subject pond is in-channel and fish are present, the certificate holder is directed to contact the ODFW Fish Passage Program  
Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish  
District office for a determination.

If water is to be diverted from an in-channel pond where fish are present, the certificate holder shall install, maintain and operate fish  
screening and by-pass devices as required by ORS 498.306 through ORS 498.346 and approved by ODFW. Contact the ODFW Fish  
Screening Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact  
the nearest ODFW Fish District office for a determination.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or  
the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as  
determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

WITNESS the signature of the Water Resources Director, affixed **FEBRUARY 27, 1996.**



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 70221

January 26, 1995

LARRY COOKUS

3238 OAK HILL RD  
ROSEBURG, OR 97470

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WATER  
RESOURCES  
DEPARTMENT

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REFERENCE: File # R-76265;

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.

Your application will be considered under House Bill 2153 enacted by the 1993 Oregon Legislature. You may continue the storage of water while a decision is pending on your application.

After an application has been accepted for filing, public notification of the application is made, followed by a 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. In general, the Department works through Oregon's 18 river basins on a rotating schedule, processing applications in the order in which they have been received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo specialized analysis called a technical review and a public interest review. Until your application is reviewed, it is not possible to determine whether your particular proposed water use will be recommended for a permit.

Technical Reviews are processed in accordance with Oregon Administrative Rules. The Water Resources Commission is considering the adoption of rules to protect stream flows for fish species. This action is being contemplated in response to current and future Endangered Species Act fish listings, including many runs of salmon, steelhead and resident fish throughout the state.



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



REFERENCE: File(s) - R-76265

The proposed rules, if adopted, could limit the issuance of new water right permits in certain areas of the state. If and when the Commission adopts these rules, new criteria or restrictions may be imposed on water use applications received after:

July 17, 1992, for use of water in the Upper Columbia/Snake Basin (above Bonneville Dam), including the mainstem Columbia and Snake Rivers and the Hood, Deschutes, John Day, Umatilla, Grande Ronde, Powder, Malheur and Owyhee Basins;

April 8, 1994, for use of water in the North Coast, Mid Coast, South Coast, Rogue and Umpqua Basins and the Clackamas Subbasin of the Willamette Basin; and

June 3, 1994, for use of water in all Oregon basins.

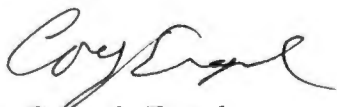
When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. 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.

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, the demands of prior right holders and other conditions to conform the water use to particular standards.

Please contact a Water Rights Research Assistant of the Water Resources Department if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,



Mr. Cory C. Engel  
Water Rights Research Assistant  
Water Rights/Adjudication Division

cc: CWRE

Application No. 2-76265

RECEIVED

JAN - 3 1995

WATER RESOURCES  
SALEM, OREGON

State of Oregon  
WATER RESOURCES DEPARTMENT

# Application for a Permit to Construct a Reservoir

Applicant(s) LARRY COOKUS

(Please print or type - use dark ink)

Mailing Address: 3238 Oak Hill Rd

Roseburg  
City

OR  
State

97477  
Zip

6727330  
Daytime Phone No.

I (We) make application for a permit to construct \_\_\_\_\_ reservoir and store the following described waters of the State of Oregon:

POND #1

1. SOURCE OF WATER for the proposed use: UNNAMED STREAM  
a tributary of \_\_\_\_\_

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 4 feet above stream bed or ground surface at the centerline. (ALL PONDS)

The dam will be (check one) X earthfill, \_\_\_\_\_ concrete, \_\_\_\_\_ flashboard, \_\_\_\_\_ other. 510SW

If "other" give description: \_\_\_\_\_

Give the location, description, and dimensions of the outlet conduit: NONE (ALL PONDS)

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: STOCK WATER

4. THE AMOUNT OF WATER to be stored is: 0.103 acre-feet.  
The area submerged by the reservoir, when filled, will be 0.06 acres,  
and the maximum depth of water will be 4 feet.

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam. ~~PERMANENT~~ 6' W. X 1' D. AROUND

DAM THROUGH NATURAL  
GROUND.

6. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin COMPLETE

Proposed date construction work will be completed /

Proposed date water use will be completed /

NOTE: Prior to issuance of a permit, it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. 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):

X Applicant        CWRE        Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

X Applicant        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: SEE ATTACHED SHEET FOR ADDITIONAL  
PONDS (6 IN ALL)

RECEIVED

JAN - 3 1995

WATER RES.  
SALEM, OREGON

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Signature

Date

12-29-94

Signature

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 3rd day of Jan, 1995, at 8:00 o'clock, A M.

APPLICATION NO: R-76265

**APPLICANT NAME**

[illegible]

Application No. *R-76265*  
Permit No.



## NOTE TO LOCAL GOVERNMENTS

WATER  
RESOURCES  
DEPARTMENT

RECEIVED

JAN - 3 1995

WATER RESOURCES  
SALEM, OREGON

The person presenting the attached request for land use information is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

WRD will not accept applications which are not accompanied by this completed land use form or the signed, dated receipt stub detached from the bottom of the land use information form.

You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more detailed information about WRD's water rights process and comment opportunities. If you give the applicant the receipt stub in lieu of completing the form, you will have 30 days from the date of the notice mentioned above to complete the form and return it to WRD. If no land use information is received from you within that 30 day period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by both the applicant and WRD. If you have questions concerning the form, please contact WRD at 378-3739.

Application No. *R-76265*  
Permit No.





# Description of Water Use

Planning Official Initials: Clark

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: LARRY COOKUS  
 Address: 3238 Oakhill Rd.  
Roseburg, OR 97470  
 Phone: 502-7330

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): \_\_\_\_\_

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____	_____ Cubic feet per second.
<input type="checkbox"/> Reservoir or pond	_____ Gallons per minute.
<input type="checkbox"/> Ground Water	<input checked="" type="checkbox"/> Acre-Feet
	Approx. 2.074 Acre-Feet



**Land Use Information Form: Permits, Hydroelectric Licenses,  
Water Uses in Addition to Classified Uses**

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: LARRY CARKUS  
Address: 3238 Oakwood Rd.  
City: Roseburg State: OR Zip: 97470 Day Phone: 672 7330

JAN - 3 1995

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.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING Rural Residential/RR-5)	(e.g.	WATER DIVERTED	WATER CONVEYED	WATER USE
25-6-35	Farm Grazing (FG)				X
TL 100	Farm Forest (FF)				

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

Douglas

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

**For Local Government Use Only**

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); 3.3.000 3.5.000. 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 on the reverse of this form. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)**

Receipt for Request for Land Use Information

WRD Applicant Name: W/A

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: \_\_\_\_\_



(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

Name: LISA HAWLEY Date: 12/30/94  
Title: PLANNER Phone: (503) 440-4289  
Signature: Lisa Hawley  
CA 94-579

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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.





L-76265

**DATE STAMP**

### Route to Data Center (Unless 2153/2107)

Entered into WRIS

Place label on file and calender card

AC-FT, route file to Dam Safety Section

### Management Codes

5/94

**MINIMUM APPLICATION REQUIREMENTS TO FILE:**

**HB 2153 - existing, small, EXEMPT ponds**

\_\_\_\_\_  
(date & initials) NOTICE OF EXEMPT RESERVOIR form (or letter  
if prior to April 8, 1994).

\_\_\_\_\_  
Appropriate map (see item 1 on form).

\_\_\_\_\_  
Evidence that reservoir existed before  
January 1, 1993 (one or more of the following: dated aerial  
photo, NOTARIZED affidavit, dated map from agency, construction  
receipts or other documentation).

\_\_\_\_\_  
Items 2, 3, 4, 5, and 6 are completed.

\_\_\_\_\_  
Signature (and title, if applicable)

**HB 2153 - non-exempt existing ponds (large, on-channel)**

Complete Minimum Requirements to File on reverse, except before  
routing to Data Center, change priority date to 1/1/1993. Also,  
confirm the following:

yes a Receipt of evidence that reservoir existed  
before January 1, 1993 (one or more of the following: dated  
aerial photo, NOTARIZED affidavit, dated map from agency,  
construction receipts or other documentation)

**HB 2107 - wetland, stream restoration and storm water  
management**

Complete Minimum Requirements to File on reverse EXCEPT DO NOT  
ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the  
following:

\_\_\_\_\_  
Name/address of adjacent property owner  
within 1/4 mile

\_\_\_\_\_  
Map with scale not less than 2 in.=1 mi.

\_\_\_\_\_  
CWRE map if > 10 feet dam or > 9.2 AF

\_\_\_\_\_  
Description of proposed use

\_\_\_\_\_  
Condition addressed

\_\_\_\_\_  
Resulting benefits

\_\_\_\_\_  
Public notices (circle) #1 #2



K-76265

Application No. ....

Permit No. ....

Name ..... LARRY COOKUS  
Address ..... 3238 OAK HILL RD  
ROSEBURG, OR 97470

Assigned .....

Address .....

Beginning construction .....

Completion of construction .....

Extended to .....

Complete application of water .....

Extended to .....





IN STOCK  
AERIAL PHOTO  
PROGRAM  
1-800-445-8088  
2400 CONNER STREET  
SUITE 200  
EUGENE, OREGON 97401  
© COPYRIGHT 1991 WAC CORPORATION

DOUGLAS COUNTY SURVEYOR  
T25S, R6W, SEC 35  
1" = 400' 1990/91  
Scale & corners are approximate



Application No. R-76265  
Permit No.

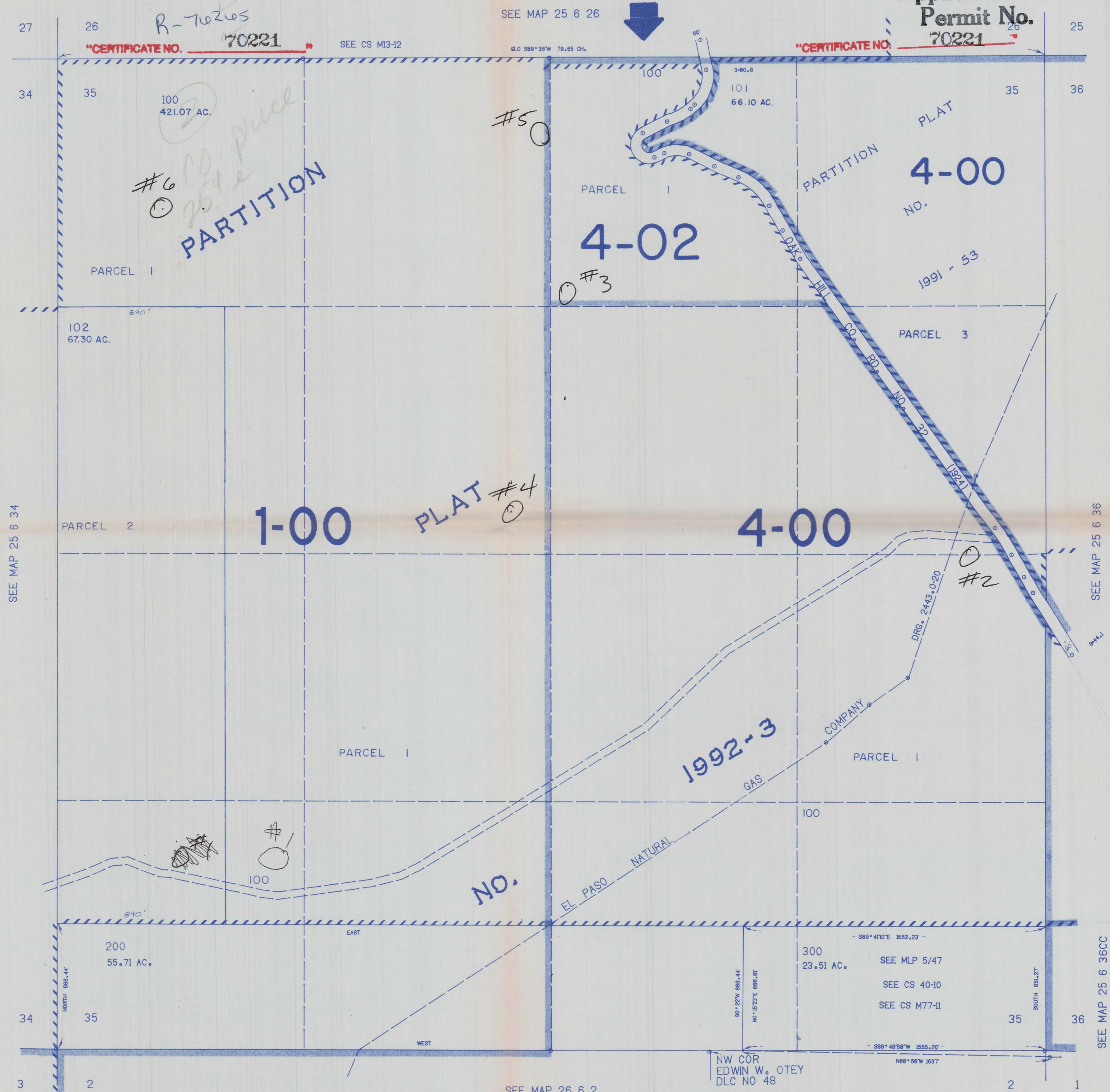
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SALEM, OREGON



1"-400'

REVISED ON  
4-20-94

Application No. *R-76265*  
Permit No. *26* | *25*



25 6 35