# CLAIM OF BENEFICIAL USE for Reservoir Permits by CWRE's (not self-certified)



# O R E G O N Oregon Water Resources Department 725 Summer Street NE, Suite A

725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

www.oregon.gov/OWRD

# A fee of \$230 must accompany this form for <u>permits</u> with priority dates of July 9, 1987, or later.

Claims received without the correct fee of \$200 will be returned.

This COBU is for a permit with a priority date of July 6, 1982; the \$230 fee is not applicable.

#### A separate form shall be completed for each permit.

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

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: <a href="https://www.oregon.gov/OWRD/Forms/Pages/default.aspx">https://www.oregon.gov/OWRD/Forms/Pages/default.aspx</a>

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

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

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

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx

# SECTION 1 GENERAL INFORMATION

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#### 1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-63735	R-8662	

#### 2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME	PHONE No.		ADDITIONAL CONTACT NO.	
Daniel Arriola		541-404-2829		
Address				
PO Box 1200				
Сіту	STATE	ZIP	E-MAIL	
Bandon	OR	97411	Danielarrio	la533@yahoo.com
APPLICANT/BUSINESS NAME		PHONE NO.		ADDITIONAL CONTACT NO.
Anthony Arriola		541-404-28	29	
Address				
PO Box 1200				
CITY	STATE	ZIP	E-Mail	
Bandon	OR	97411	tony@orcranberry.com	
Annual Programme Name		Dugus No		Assissant Courter No.
APPLICANT/BUSINESS NAME		PHONE No.		Additional Contact No.
Arriola Cranberry Company, LLC		541-404-2829		
Address				
PO Box 1200				
CITY	STATE	ZIP	ZIP E-MAIL	
Bandon	OR	97411	tony@orcranberry.com	

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. <u>Each</u> permit holder of record must sign this form.

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

OR

PERMIT HOLDER OF RECORD	***************************************		
Daniel Arriola			
Address			
PO Box 1200			
CITY	STATE	ZIP	
Bandon	OR	97411	
ADDITIONAL PERMIT HOLDER OF RECORD Anthony Arriola ADDRESS	D		
PO Box 1200 City	STATE	ZIP	
Bandon	OR	97411	
ADDITIONAL PERMIT HOLDER OF RECORD  Arriola Cranberry Company, LLC	D		
Address			
PO Box 1200			
CITY	STATE	ZIP	

#### 4. Date of Site Inspection:

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10/19/2023, 10/23/2024

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**Bandon** 

97411

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

Name	DATE	ASSOCIATION WITH THE PROJECT
Tony Arriola	10/19/2023,	Arriola Cranberry Company
	10/23/2024	
Daniel Arriola	10/23/2024	Arriola Cranberry Company
Alan Foster	10/18/2024	Former permit holder and landowner

#### 6. County

Coos		
C003		

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

Owner of Record			
NA			
Address			
CITY	STATE	ZIP	
1			

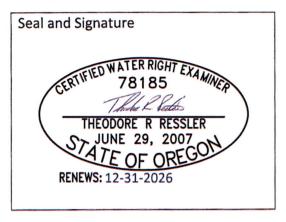
Add additional tables for owners of record as needed

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#### SECTION 2 SIGNATURES

#### **CWRE Statement, Seal and Signature**

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



CWRE NAME		PHONE NO.		ADDITIONAL CONTACT NO.
Theodore R. Ressler		503-701-4535		
ADDRESS				
Summit Water Resources, LLC, 4784	Suite 111			
CITY	STATE	ZIP	E-MAIL	
Portland			tressler@su	mmitwr.com

#### Permit Holder's of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
Millines	Daniel Arriola	Owner	1-8-25
Anthon & A	Anthony Arriola	Owner	1-8-2024
Anthony & D	Anthony Arriola	Manager, Arriola Cranberry Company LLC	1-8-2074

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#### **SECTION 3**

#### **CLAIM DESCRIPTION**

1. Reservoir source and, if from surface water, the tributary:

RESERVOIR NAME OR NUMBER	Source	TRIBUTARY
Reservoir 1	Unnamed Stream 1 (Abe's Creek)	Davis Creek
	Unnamed Stream 2	Unnamed Stream 1 (Abe's Creek)
Reservoir 2	Unnamed Stream 2	Unnamed Stream 1 (Abe's Creek)
Reservoir 3	Unnamed Stream 3*	Conner Creek

<sup>\*</sup>Unnamed Stream 3 appears to reference a drainageway on the property that drains into and terminates in Reservoir 3.

2. Developed use(s), period of use, and acre foot (af) for each use:

RESERVOIR NAME OR NUMBER	Uses	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
Reservoir 1	Storage for IR (0.3 AF) & TC (0.3 AF)	Fall to spring, or when water is otherwise available	0.6
Reservoir 2	Storage for IR (3.0 AF) & TC (1.3 FA)	Fall to spring, or when water is otherwise available	4.3
Reservoir 3	Storage for IR (2.0 AF) & TC (0.5 AF)	Fall to spring, or when water is otherwise available	2.5
Total Quantity of V	Vater Stored		0.6 AF in Reservoir 1 4.3 AF in Reservoir 2 2.5 AF in Reservoir 3

3. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the reservoir:

<u>Reservoir 1</u>. Water from Unnamed Stream 1 (Abe's Creek) and Unnamed Stream 2 flow into Reservoir 1 where the water is impounded behind a dam.

<u>Reservoir 2</u>. Water from Unnamed Stream 2 flows into Reservoir 2 where the water is impounded behind a dam. Overflow passing through the outlet of Reservoir 2 flows into Reservoir 1.

Reservoir 3. Water from Unnamed Stream 3 flows into Reservoir 3 where the water is impounded. Reservoir 3 is excavated (no berm or dam).

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

#### 4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

YES

(e.g. "The permit allowed the development of three reservoirs. The permit holder only developed one of the reservoirs." or "The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet.")

<u>Point of Diversion</u>. The location of the point of diversion for Reservoir 1 (outlet), Reservoir 2 (outlet), and Reservoir 3 (outlet) have been re-described slightly from that stated on the permit to more accurately locate the outlet for each reservoir.

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#### 5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Reservoir 1	0.6	0.6
Reservoir 2	4.3	4.3
Reservoir 3	2.5	2.5

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#### **SECTION 4**

#### SYSTEM DESCRIPTION

Are there multiple reservoirs?

YES

If "YES" you will need to copy and complete Sections A through E for each reservoir.

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

#### Reservoir 1

#### A. Reservoir Location

1. Is the reservoir on-channel?

YES

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
<b>30S</b>	15W	WM	11	NESW			Reservoir 1 Outlet. Located 840 feet South
							and 105 feet West from center of Section 11

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

#### **B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

If "NO" items 2 through item 5 may be deleted.

#### 6. Additional notes or comments related to the system:

Reservoir 1 (dam and pool) is located on TL 1200, which is owned by Daniel Arriola. Water is stored in Reservoir 1 under multiple water rights. In order of priority date, these include Certificate 50352 (5.0 AF), Permit R-8662 (0.6 AF), Permit R-8453 (3.6 AF), and Certificate 96651 (2.7 AF).

#### C. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

NO

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

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D. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

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

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications?

NO

NO

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted. If "NO", skip items 2; answer items 3 through 8.

#### 2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
N/A			

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and asbuilt plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
12 ft	8 ft	1.6	12.8 AF

Maximum depth, average depth, and surface area of reservoir as documented in claim of beneficial use for Permit R-12108, which also authorizes storage of water in this reservoir.

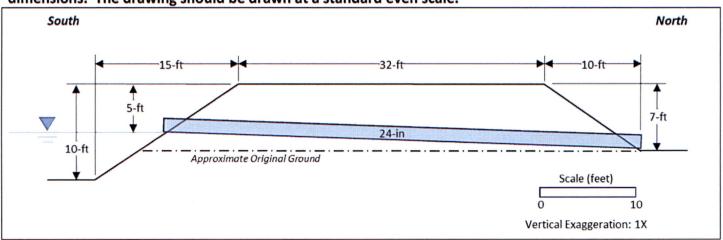
#### 4. Provide reservoir volume calculations:

Surface Area × Average Depth = Volume 1.6 acres × 8 feet = 12.8 AF

#### 5. Provide the following information concerning the physical characteristics of the dam:

CREST	DAM HEIGHT	DISTANCE	DISTANCE	WATER LEVEL AT	DOWN-STREAM	UP-STREAM
WIDTH (W)	AT CENTERLINE (H)	FROM DOWNSTREAM	FROM UPSTREAM	INSPECTION	SLOPE (H:V)	SLOPE (H:V)
		TOP OF DAM TO DOWNSTREAM TOE (L)	TOP OF DAM TO UPSTREAM TOE (U)			
32 ft	7 ft	10 ft	15 ft	8 ft (average)	1.4:1	1.5:1

# 6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.



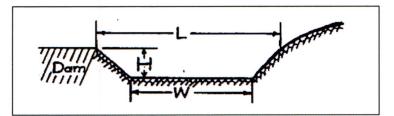
#### 7. Describe the outlet works (size and type of the outlet conduit and location):

24 inch ABS overflow pipe installed near the middle of the dam. The upstream side of the outlet pipe is fitted with an inlet box with stop logs that is used to control the level of water in the reservoir.

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8. Describe the emergency spillway (dimensions and location):

Воттом width (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
None		



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#### Reservoir 2

#### A. Reservoir Location

#### 1. Is the reservoir on-channel?

YES

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	Measured Distances
<b>30S</b>	15W	WM	11	NWSE			Reservoir 2 Outlet. Located 400 feet South
							and 390 feet East from center of Section 11

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

#### B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

If "NO" items 2 through item 5 may be deleted.

#### 6. Additional notes or comments related to the system:

The outlet for Reservoir 2 is located on TL 1200, which is owned by Daniel Arriola. The storage pool for Reservoir 2 is located on TL 1201, which is owned by Tony Arriola.

#### C. Gravity Flow Pipe

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

#### Does the system involve a gravity flow pipe?

NO

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

#### D. Gravity Flow Canal or Ditch

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

# 1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

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

#### E. Reservoir

#### Does the reservoir require the submittal of as-built plans and specifications?

NO

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted. If "NO", skip items 2; answer items 3 through 8.

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#### 2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED?	When were the Documents Submitted?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
YES OR NO			
N/A			

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and asbuilt plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
12 ft	7 ft	0.6	4.3 AF

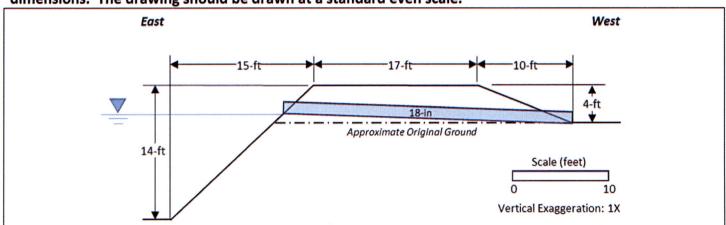
#### 4. Provide reservoir volume calculations:

Surface Area × Average Depth = Volume ~0.6 acres × ~7 feet = 4.3 AF

5. Provide the following information concerning the physical characteristics of the dam:

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE (H:V)	UP-STREAM SLOPE (H:V)
17 ft	4 ft	10 ft	15 ft	7 (average)	3:1	1:1

6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.



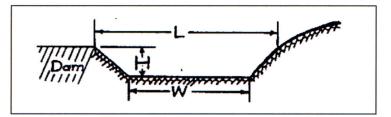
7. Describe the outlet works (size and type of the outlet conduit and location):

18-inch ABS overflow pipe installed near the middle of the dam; no valve. Overflow from Reservoir 2 flows into Reservoir 1.

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8. Describe the emergency spillway (dimensions and location):

Воттом width (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
None		



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#### Reservoir 3

#### A. Reservoir Location

1. Is the reservoir on-channel?

YES

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	Measured Distances
<b>30S</b>	15W	WM	11	NESE			Reservoir 3 Outlet. Located 1262 feet South
							and 1305 feet East from center of Section 11

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

#### **B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

NO

If "NO" items 2 through item 5 may be deleted.

6. Additional notes or comments related to the system:

The outlet (POD) for Reservoir 3 is located on TL 1201, which is owned by Tony Arriola. The storage pool for Reservoir 3 is located on TL 900, which is owned by Arriola Cranberry Company LLC.

#### C. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

NO

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

#### D. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

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

#### E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications?

NO

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted. If "NO", skip items 2; answer items 3 through 8.

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#### 2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
N/A			

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and asbuilt plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
15 ft	5 ft	0.5	2.5 AF

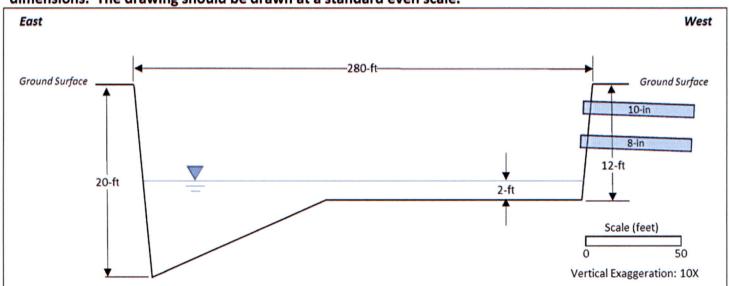
#### 4. Provide reservoir volume calculations:

Surface Area × Average Depth = Volume 0.5 acres × 5 feet = 2.5 AF

5. Provide the following information concerning the physical characteristics of the dam:

CREST	DAM HEIGHT	DISTANCE	DISTANCE	WATER LEVEL	DOWN-STREAM	UP-STREAM
WIDTH (W)	AT CENTERLINE	FROM	FROM	AT INSPECTION	SLOPE	SLOPE
	(H)	DOWNSTREAM	UPSTREAM			
		TOP OF DAM TO	TOP OF DAM			
		DOWNSTREAM	TO UPSTREAM			
		TOE (L)	TOE (U)			

6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.



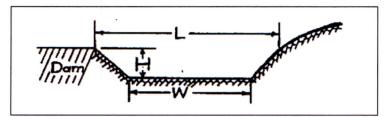
7. Describe the outlet works (size and type of the outlet conduit and location):

8-inch PVC and 10-inch ABC overflow pipes located in the southwest corner of the reservoir.

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8. Describe the emergency spillway (dimensions and location):

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
None		



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#### **SECTION 5**

#### **CONDITIONS**

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

#### 1. Time Limits:

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

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	8/25/1983		
BEGIN CONSTRUCTION (A)	8/25/1984	Prior to 1984	The reservoir was an existing storage facility.
COMPLETE CONSTRUCTION (B)	10/1/1985	Prior to 1985	The reservoir was an existing storage facility.
COMPLETE APPLICATION OF WATER (C)	10/1/1985	1985	Water stored in reservoir (see Attachment 3)

<sup>\*</sup> must be within period between permit or any extension final order issuance and the date to completely apply water

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

NO

#### 3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device?

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

#### 4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

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

#### 5. Outlet Pipe

a. Is the water user required to install a minimum 8"outlet pipe/conduit?

NO

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

#### 6. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

NO

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

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#### 7. By-pass Devices

<ul> <li>If "NO", items b and c relating to this section may be deleted.</li> <li>8. Other conditions required by permit, permit amendment final order, or extension final order <ul> <li>a. Was the water user required to restore the riparian area if it was disturbed?</li> <li>b. Was a fishway required?</li> <li>c. Was submittal of a letter from an engineer required prior to storage of water?</li> <li>d. Was submittal of a water management and conservation plan required?</li> <li>NO</li> <li>e. Other conditions?</li> <li>NO</li> </ul> If "YES" to any of the above, identify the condition and describe the water user's actions to</li> </ul>	a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?	NO
<ul> <li>a. Was the water user required to restore the riparian area if it was disturbed?</li> <li>b. Was a fishway required?</li> <li>c. Was submittal of a letter from an engineer required prior to storage of water?</li> <li>d. Was submittal of a water management and conservation plan required?</li> <li>e. Other conditions?</li> </ul>	If "NO", items b and c relating to this section may be deleted.	
<ul> <li>b. Was a fishway required?</li> <li>c. Was submittal of a letter from an engineer required prior to storage of water?</li> <li>d. Was submittal of a water management and conservation plan required?</li> <li>e. Other conditions?</li> </ul> NO	8. Other conditions required by permit, permit amendment final order, or extension final	order
c. Was submittal of a letter from an engineer required prior to storage of water?  d. Was submittal of a water management and conservation plan required?  NO  e. Other conditions?	a. Was the water user required to restore the riparian area if it was disturbed?	NO
d. Was submittal of a water management and conservation plan required?  e. Other conditions?  NO	b. Was a fishway required?	NO
e. Other conditions?	c. Was submittal of a letter from an engineer required prior to storage of water?	NO
	d. Was submittal of a water management and conservation plan required?	NO
If "YES" to any of the above, identify the condition and describe the water user's actions to	e. Other conditions?	NO
comply with the condition(s):		

#### **SECTION 6**

#### **ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION			
Attachment 1	Maps			
Attachment 2	Water Right Information			
Attachment 3	Supporting Documentation of Beneficial Use			

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#### **SECTION 7**

#### **CLAIM OF BENEFICIAL USE MAP**

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

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

The reservoir was visited during the site inspection. The location of the dam (point of diversion) and the extent of the reservoir pool were established using an aerial photograph (August 28, 1985). The map was created using Geographic Information System (GIS) software and spatial datasets obtained from Bureau of Land Management (BLM), Oregon Water Resources Department (OWRD), Oregon Geospatial Enterprise Office (OGEO), United States Geological Survey (USGS), and Coos County. Additional data and information specific to the use water of under the water right described in this Claim of Beneficial Use report were obtained from the water user.

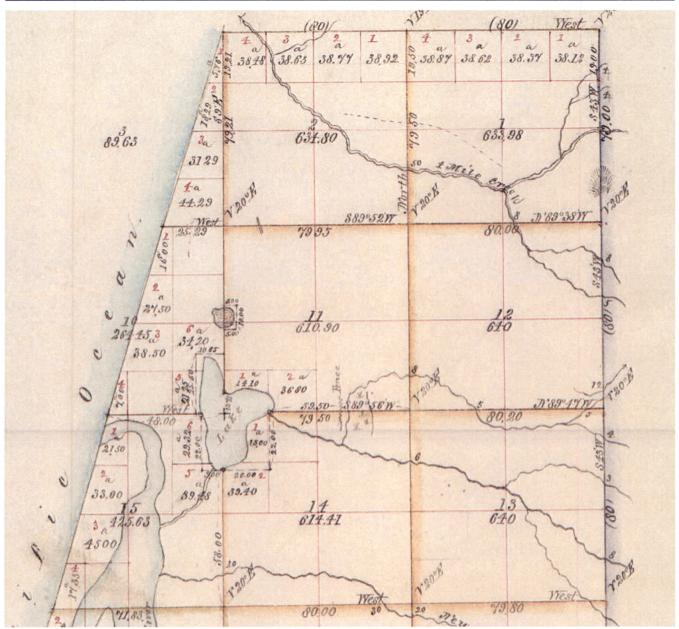
#### **Map Checklist**

	der: Incomplete maps and/or claims may be returned.)	
$\boxtimes$	Map on polyester film.	
$\boxtimes$	Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the map)	e county assessor
$\boxtimes$	Township, Range, Section, Donation Land Claims, and Government Lots	
N/A	If irrigation, number of acres irrigated within each projected Donation Land Claim Quarter-Quarters	s, Government Lots
N/A	Locations of fish screens and/or fish by-pass devices in relationship to point of div	ersion
N/A	Locations of meters and/or measuring devices in relationship to point of diversion	ı
N/A	Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)	
$\boxtimes$	Point(s) of diversion or appropriation (illustrated and coordinates)	
$\boxtimes$	Tax lot boundaries and numbers	
$\boxtimes$	Source illustrated if surface water	
$\boxtimes$	Disclaimer ("This map is not intended to provide legal dimensions or locations of $\mu$ lines")	
$\boxtimes$	Application and permit number or transfer number	Received
$\boxtimes$	North arrow	JAN 2 1 2025
$\boxtimes$	Legend	OWRD
$\boxtimes$	CWRE stamp and signature	

Received
JAN 2 1 2025
OWRD

# Attachment 1 Maps

https://www.blm.gov/or/landrecords/survey/yPlatView1 2.php?path=POR&name=t300s150w 003.jpg



Received
JAN 2 1 2025
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Received JAN 2 1 2025

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Attachment 2
Water Right Information



#### Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904 www.oregon.gov/owrd

December 16, 2024

Geo-Logic Associates 2777 E. Guasti Rd STE 1 Ontario, CA 91761

Reference: Application R-63735, Permit R-8662

The partial assignments by proof from Wayne Foster to Daniel Arriola, Anthony Arriola, and Arriola Cranberry Company, LLC (Anthony Arriola, agent) have been recorded in the records of the Water Resources Department.

The Departments records will now show Daniel Arriola, Anthony Arriola, and Arriola Cranberry Company, LLC (Anthony Arriola, agent) as the permit holders of record.

Our records have been changed accordingly and the original requests are enclosed. Receipt numbers 144369, 144368 and 144371 covering the recording fees are also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Sincerely,

Mary F. Bjork

Mary 25

Water Rights Program Analyst Water Right Services Division

Enclosure: Original Requests and Receipts 144369, 144368 and 144371

cc: Daniel Arriola – PO Box 1200, Bandon, OR 97411
Anthony Arriola – PO Box 1200, Bandon, OR 97411
Arriola Cranberry Company, LLC – PO Box 1200, Bandon, OR 97411
Ted Ressler, Summit Water Resources, LLC – 4784 SE 17<sup>th</sup> Ave, Ste 111, Portland, OR 97202
Data Center, OWRD (cover letter, requests & maps)
File

Received JAN 2 1 2025

## Request for Assignment By Proof of Ownership

(If Water Right Holder is Not Available)



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900 www.oregon.gov/owrd

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, _D	Paniel Arriola				
•	ne of Party Requesting Assignment)				
PC	D Box 1200	Bandon	-	97411	541-404-2829
(Mai	ling Address)	(City)	(State)	(Zip)	(Phone #)
	hereby request assignment of an entire application	n/permit/trans	er order	/limited li	cense/groundwater statement;
X	hereby request assignment of a <u>portion</u> of applica ( <u>You must include a map</u> showing the portion of t statement to be assigned.)	tion/permit/tra the application/	nsfer ord permit/	der/limited transfer of	l license/groundwater statemen der /limited license/groundwat
	Application #R-63735 Permit #	R-8662	; Tran	sfer Order	#
	Limited License #	_; Groundwate	r Statem	ent #	
_Wa	ayne Foster				
-	e of Current Holder of Record)		0.0	07450	
-	) Box 114	Langlois	OR		
(Mail	ing Address)	(City)	(State)	(Zip)	(Phone #)
Not	te: Write the initials (first letters) of your first and la	ast names at the	snots in	dicated be	elow
1)	limited license, or groundwater statement. I have to: a copy of the deed to the land, a copy of a land survivorship of property held jointly. The Department.	property descril attached proof d sales contract nent cannot acc	oed in the of owner, a court cept a co	is applicati rship that i order or d py of a tax	on, permit, transfer order, may include but not be limited lecree, documentation of statement.
2)	I have the legal right to request assignment	t under OAR 69	0-310-02	80 and 690	0-320-0060.
3)	I have not been able to contact the owner( attached proof acceptable to the Department that each identified property owner not a party to the result in the return of your request. (Proof may in	(s) of record for t notice of the a assignment. O	the abo essignme RS 537.2	ve referen ent has bee 20(2) <u>Failu</u>	ced transaction. <u>I have</u> en given or attempted for re to submit this proof will
	mailing, copy of a Death Certificate, or a court ord				
4)	I further certify that the information provid	led herein is tru	e and co	rrect to the	e best of my knowledge.
Wit	ness my hand this 23 day of Octo	(Month)	20_	24 (Year)	
	Signature of Party Requesting Assignment Failure to provide any of the required information	ment // (mation will res	WCG ult in the	e return of	OWRD your application.
-					

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

Received DEC 1 2 2024

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SALEM, OREGON Water resources dept. DEC 7 0 1885

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SALEM, OREGON WATER RESOURCES DEFT.

Other Sources.

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POOP #1 400'S 388E FM THERIOF MECHAP ALLEGE L'ACTE

500 BC65; Foster to Daniel Arriola on tax lot 1200 from Wayne portion of Permit R-8662 located Requesting assignment of the SUM RI RUS OWRD ,00H=,1 JAN 2 1 2025 21475 Received 1- m TL 1200 **1L 900** TL 1100 100 th Conter 10 R OWRD DEC 12 2024 Received Permit No. 8 8662 osooro /\* Paroi-O Las three ion Monesilgal BYLEW CHECON 11 205 SELEU-A

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## Request for Assignment By Proof of Ownership

(If Water Right Holder is Not Available)



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900 www.oregon.gov/owrd

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

		•			
Name of Party Requesting	Assignment)				
PO Box 1200		Bandon	OR 9	97411	541-290-7634
Mailing Address)		(City)	(State)	(Zip)	(Phone #)
hereby request assign	ment of an <u>entire</u> application	on/permit/trans	fer order	/limited	license/groundwater statement;
	nap showing the portion of				d license/groundwater statement order /limited license/groundwate
Application #_	R-63735 ; Permit #_	R-8662	; Tran	sfer Orde	r#;
Limited	License #	; Groundwate	r Stateme	ent #	
Wayne Foster					
lame of Current Holder of	Record)	1	00	07450	
PO Box 114		Langlois	OR	97450	
lailing Address)		(City)	(State)	(ZIP)	(Phone #)
1) 10 I certify that I	am the current owner of the	property descri	hed in thi	s applica	tion, permit, transfer order.
to: a copy of the deer survivorship of proper constructions.  2)	d to the land, a copy of a lar erty held jointly. The Depart of right to request assignment on able to contact the owner of table to the Department the	attached proof nd sales contract ment cannot ac nt under OAR 69 r(s) of record for at notice of the e assignment. O nclude but not be rder.)	or owner, a court cept a co 0-310-02 the aborassignme RS 537.2 pe limited	order or py of a ta 80 and 6 ve refere ant has be 20(2) <u>Fail</u> I to: a co	decree, documentation of exstatement.  90-320-0060.  Inced transaction. I have even given or attempted for ure to submit this proof will by of returned certified

Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon. Fee receipt # 4368
For Director by Mary F. Bjork. Program Analyst in

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$120.

Received
DEC 1 2 2024

**OWRD** 

Water Rights Division. >

SALEM, OREGON WATER RESOURCES DEPT.

DEC 7 0 1285

Other Sources.

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Permit No. R 8662

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WATER RESOURCES DEFT.

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H RI Res #3 t paby **TL 900** TL 1200

TL 1100 OWRD

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# Request for Assignment By Proof of Ownership

(If Water Right Holder is Not Available)



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900 www.oregon.gov/owrd

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant. If for multiple rights, a separate form and fee for each right will be required.

P	Arriola Cranberry Company LLC ne of Party Requesting Assignment) O Box 1200			07444	42.1		
	ling Address)	Bandon		97411	541-290-7634	4	
	hereby request assignment of an entire	(City) application/permit/trans	(State) fer order		(Phone #)	er statement	
X	hereby request assignment of a <u>portion</u> ( <u>You must include a map</u> showing the statement to be assigned.)	of application/permit/tra	nsfer or	der/limite	d license /genundu		
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		; Groundwate	r Statem	ent #	N. ANDRONA DE SENTENCIO DE SENT		
	ayne Foster	National American Print, communication and the American period of the Control of	· Tomas des tordesse su d'Albertone	total statement in the same			
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year an extended of the	ing Address)	(City)	(State)	CONTRACTOR OF STREET	(Phone #)		player
ſ.,					manifel Mean and a second		١,
110	te: Write the initials (first letters) of your	first and last names at the	e spots in	dicated b	elow		
1)	I certify that I am the current ow limited license, or groundwater statem to: a copy of the deed to the land, a co survivorship of property held jointly. T	py of a land sales contract	of owner	rship that	may include but no	at ha limited	
2)	1 have the legal right to request						
3)	The I have not been able to contact					have t	- 1
<b>3</b> ]	attached proof acceptable to the Depa each identified property owner not a p result in the return of your request. (Pr mailing, copy of a Death Certificate, or	rtment that notice of the a arty to the assignment. Of oof may include but not b	assignme RS 537.22	nt has be	en given or attemp	oted for	
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Water Rights Division. >

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WATER RESOURCES DEPT

R-63735, Sec 11 Application No. 63744 and 6-10769 BALFM, GREGON G10080 Permit No. R 8662 Received Conter INTERIOR 14 cor TL 1100 TL 1200 TL 900 Pap#4 SCAle 1"= 400 POD/ Requesting assignment of the

Sources:

direct flows stored water POD #1 400'S 380'E FA Interior 4 Corner

. The week good POD#3 1280'S 1300'E " POD #4 920'S 100'W

" direct flow Stored Water, Graind WATER " direct flow, Stored water

portion of Permit R-8662 located on tax lot 900 from Wayne Foster to Arriola Cranberry Company LLC

Received

USES:

JAN 2 1 2025

OWRD

Primary Coanberry Irrigation, temperture Control And Flood HARVEST From direct Flow, From un'nd Str #10 Supp Irrigation, Supp Temperture Control, Supp Flood HARVEST From All other Sources.

# RECEIVED

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WATER RESOURCES DEPT. SALEM, OREGON

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WATER RESOURCES DEPT SALEM OFECON

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OCT 6 1982

WATER RESOURCES DEFT. SALEM. OREGON

By WAYNE Foster



#### STATE OF OREGON

County of COOS

#### PERMIT to CONSTRUCT a RESERVOIR and to STORE for BENEFICIAL USE the PUBLIC WATERS

AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Wayne Foster of Box 114, Langlois, Oregon 97450, phone 348-2351, for the construction of two reservoirs and the enlargement of one reservoir constructed under Permit R-6381, and storage of water from two unnamed streams, to be appropriated under Application 63744, Permit 47592 for irrigation and temperature control,

The dam will be LOCATED in the: Pond 1 - NE 1/4 SW 1/4; Pond 2 - N 1/2 NE 1/4; Pond 3 - NW 1/4 · SE 1/4 of Section 11, Township 30 South, Range 15 West, WM, in the County of Coos.

The maximum height will be 9.9, 9.9 feet above the stream bed or ground surface at the centerline. The top width will be \* , slope of upstream face 1:1, 2:1 , slope of downstream face 3:1 , and height of dam above water line when full 2.5 feet, 3.0 feet

, and the maximum depth of water will be 10.0 feet. The area submerged by the reservoir, when full, will be 20 feet, 30 feet

- \* 16 feet, 20 feet
- \*\* 2.0 acres, 0.30 acres, 0.09 acres

\*\*\* unnamed Stream 1 stored in Reservoir 2 (3.0 af for irrigation and 1.3 af for temperature control), 2.5 af from unnamed Stream 3 stored in Reservoir 3 (2.0 af for irrigation and 0.5 af for temperature control).

The locations and dimensions of the spillway are Pond 2: Bottom width 0.0 feet, top width 8.0 feet, the distance between the crest of the dam and the crest of the spillway 2.5 feet.

The location and dimensions of the outlet conduit will be: In the bottom of dam of sump/Reservoir 2, 6-inch PVC.

The structures are in the channel.

The dams will be earthfill construction. Reservoir I and Sump Reservoir 2 will be earthfill Sump/Reservoir 3 will be excavated.

The right hereunder shall be limited to the storage of 7.4 acre-feet, being 0.6 af from unnamed Stream 1 stored in Reservoir 1 (0.3 af for irrigation and 0.3 af for temperature control), 4.3 af from \*\*\* The PRIORITY DATE of this permit is July 6, 19872 see application file 10/25/84 def

Actual construction work shall begin on or before August 25, 1984 diligence and be completed on or before October 1, 19 85

, and shall thereafter be prosecuted with reasonable

Received

JAN 2 1 2025

OWRD

Witness my hand this 25th

day of August

· 19 83 ·

/s/ CHRIS L. WHEELER

**DEPUTY** WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. 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 that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

R 8662

Received
JAN 2 1 2025
OWRD

### **Attachment 3**

**Supporting Documentation of Beneficial Use** 

# AFFIDAVIT ATTESTING TO USE OF WATER UNDER PERMIT R-8662

State of Oregon ) County of Coos
I, Alan Foster, in my capacity as farm operator, mailing address  Polocy 512 Langles or 97450  telephone number 541-551-6321, being first duly sworn depose and say:  1. My knowledge of the use of the water under Permit R-8662 is based on my personal observation and use of water under this water right.
2. The storage of water as described in the Claim of Beneficial Use for Permit R-8662 is representative of the water storage that was occurring in Reservoir 1, Reservoir 2, and Reservoir 3 prior to October 1, 1985.
3. Exhibit 1 accurately shows the location of Reservoir 1, Reservoir 2, and Reservoir 3 constructed under Permit R-8662 prior to October 1, 1985.
Color Face Signature of Affiant Date
Signed and sworn to (or affirmed) before me this 18 day of October, 2024.
OFFICIAL STAMP VINCENTE ANGEL NUNES-NAVA NOTARY PUBLIC - OREGON COMMISSION NO. 1050694 MY COMMISSION EXPIRES AUGUST 12, 2028  My Commission Expires: 8-12-28
Rece

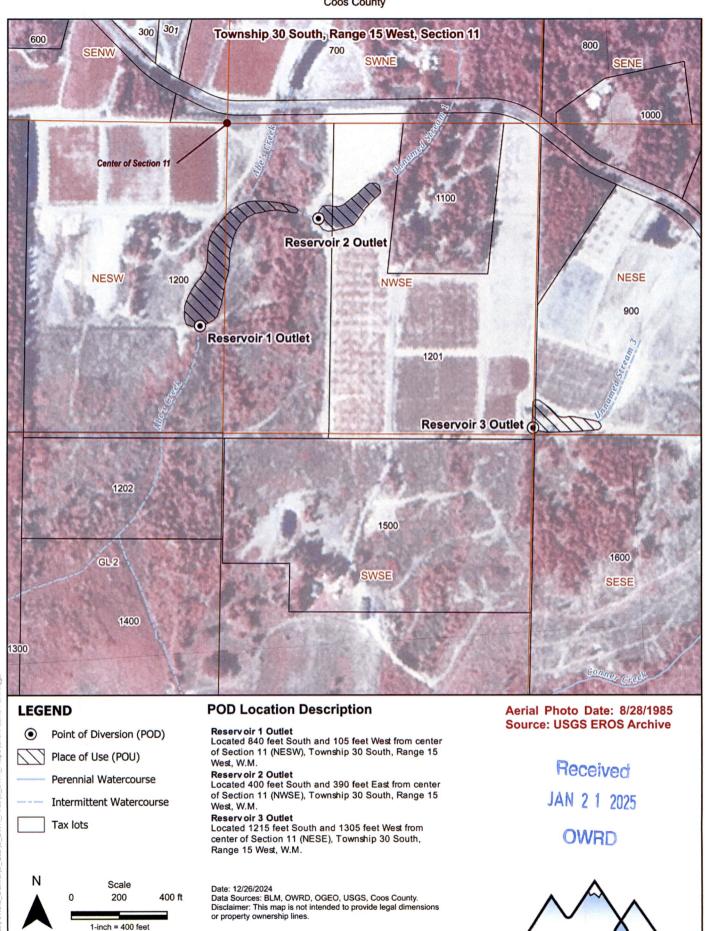
JAN 2 1 2025

# **Exhibit 1** Location of Water Use

Received
JAN 2 1 2025

#### Claim of Beneficial Use Permit R-8662, Application R-63735

A Water Right held by Daniel Arriola, Anthony Arriola, and Arriola Cranberry Company LLC Coos County



The Charles of the Court of the



January 15, 2025

Mr. Gerry Clark
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Subject: Claim of Beneficial Use for Permit R-8662 (Application R-63735)

Mr. Clark:

On behalf of the permit holder, please find enclosed Claim of Beneficial Use (COBU) report for Permit R-8662. The permit has a priority date of July 6, 1982; therefore, no fee is required for the COBU. Please do not hesitate to contact me at 503-701-4535 with questions about the enclosed COBU.

Respectfully submitted,

Theodore Ressler, RG, CWRE Summit Water Resources LLC

**Enclosures:** 

Claim of Beneficial Use for Permit R-8662

Cc:

Daniel Arriola Tony Arriola

Arriola Cranberry Company, LLC

Received AN 2 1 2025