

86060

Name \_\_\_\_\_  
 By \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Priority \_\_\_\_\_  
 County \_\_\_\_\_ WM# \_\_\_\_\_

S-86060 **ASSIGNED**  
 HAL STRAIN  
 PO BOX 312  
 MYRTLE POINT OR 97458

Application No. 86060  
 Permit No. 54156  
 Certificate No. \_\_\_\_\_

Date

DENIED \_\_\_\_\_

MISFILED \_\_\_\_\_

Volume Page

WITHDRAWN \_\_\_\_\_

CANCELLED \_\_\_\_\_

## FEES PAID

| Date     | Amount    | Receipt No. |
|----------|-----------|-------------|
| 7-26-04  | \$500.00  | 68897       |
| 11-22-04 | 250.00    | 71526       |
| 6-1-2021 | \$770.00  | 135424      |
|          |           |             |
|          | Cert. Fee |             |

## FEES REFUNDED

| Date      | Amount   | Receipt No. |
|-----------|----------|-------------|
| 8/11/2021 | \$670.00 | VR052517    |
|           |          |             |
|           |          |             |

## RELATED FILES

## ASSIGNMENTS

## DEVELOPMENT

Date

Completion 10-1-09

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

Final Proof received \_\_\_\_\_

Proposed Cert. Mailed \_\_\_\_\_

Date

To Whom

Address

6/10/2021

Coquille Indian Tribe

3050 Tremont St.; North Bend, OR. 97459

REMARKS \_\_\_\_\_

MAP LOCATION \_\_\_\_\_

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HALE E. STRAIN S-86060  
PATRICIA L. STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458



9590 9403 0912 5223 1863 67

2. Article Number (Transfer from service label)

7016 0340 0000 2326 0592

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

JUL 01 2016

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## 3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery



USPS TRACKING#



9590 9403 0912 5223 1863 67

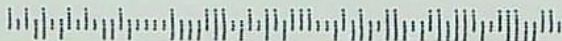


First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box •

Oregon Water Resources Department  
725 Summer St NE, STE A  
Salem, OR 97301



**HOLMES Codi N \* WRD**

---

**From:** HOLMES Codi N \* WRD  
**Sent:** Monday, March 1, 2021 7:12 AM  
**To:** Bridgett Wheeler  
**Subject:** RE: 17260 Hwy 42, Myrtle Point OR  
**Attachments:** Assign\_by\_proof.pdf

Hi Bridgett:

1. The permit needs to be assigned to the Coquille Tribe. I'll attach the form that you'll need to use. This needs to be done in order to apply for an extension of time and eventually, the claim of beneficial use.
2. Extension of Time OR Claim
  - a. If the development of the permit is done with compliance of the conditions by the completion date (Oct. 1, 2009), you just need to submit the claim, then you'll need to hire a Certified Water Right Examiner.
  - b. If the development of the permit is NOT done, then you'll need to proceed with an extension of time.

Specifics of S-86060:

Domestic use for 1 household, further limited to human consumption May 1 – Nov. 30 each year.

Conditions:

1. Meter must be installed before Oct. 1 2009
2. Fish screen installed be Oct. 1, 2009

If the pump, meter and fish screen have been installed, then an extension is not needed. You're ready to hire the CWRE to complete the claim of beneficial use.

Please let me know if you have any additional questions or concerns.

Codi Holmes  
Certificate Specialist  
503-986-0887

---

**From:** Bridgett Wheeler <bridgettwheeler@coquilletribe.org>  
**Sent:** Saturday, February 27, 2021 9:16 AM  
**To:** HOLMES Codi N \* WRD <Codi.N.Holmes@oregon.gov>  
**Subject:** 17260 Hwy 42, Myrtle Point OR

Good morning, I wanted to check in and let you know that I will be pursuing an extension on the water rights to this property. Thank you for providing the information on how to do so. Hal Strain passed away a couple of years ago, and the Coquille Tribe is the new owner of this property. Do I need to provide a copy of the deed or other information to correct this? Thank you for any information you may provide.

Also – did go online to complete a CBU – but there were multiple CBU forms. Do you know which specific CBU form I need to complete?

Best Regards,  
*Bridgett Wheeler*



Bridgett Wheeler  
Culture and Education Director  
Coquille Indian Tribe  
495 Miluk Drive  
Coos Bay, OR 97420  
(541) 751-2004  
(541) 888-2418 Fax  
[bridgett Wheeler@coquilletribe.org](mailto:bridgett Wheeler@coquilletribe.org)

## INTEROFFICE MEMO

DATE: July 26, 2021  
TO: Abby Hungate, FISCAL  
FROM: Extensions - Dwight French / Jeffrey Pierceall  
RE: REQUEST FOR REFUND  
FILE: APP: S-86060/ PERMIT: S-54156

Please prepare a refund in the amount of \$670 receipt 135424, made payable to:

Name: Coquille Indian Tribe  
Address: 3050 Tremont St  
City: North Bend, OR 97459

These funds are being paid as a result of:

- ☒ Application rejected/ withdrawn
- ☐ Excess fees collected for application
- ☐ File Closed
- ☐ Payment of Publication of Notice (PON)
- ☐ Protest Filing Fees
- ☐ Other:

46111  
0204

☒ The applicant has been notified and is expecting a refund check.

Please route the refund check and the file back to Jeffrey Pierceall for further processing.

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: \_\_\_\_\_



Date: \_\_\_\_\_

7/28/21



# Routing Slip

Oregon Water Resources Department

Water Rights Service Division

Date: 6-9-2021

File: 5-86060

Subject/Process: Assign & Extn

From: Mary B.

6-15-21

pin & slip  
→ fiscal

| ACTION   | TE      |
|--|---------|
| NOTES:   |         |
| TO: Jeffrey - Hi, I'm accepting the assignment. If the extn is OK, please pin & slip & I'll look for the                           |         |
| TO: file to process next week. thnx!   | Mary B. |
| TO: Mary - Please accept the assignment. THE EOT is problematic, but I will discuss w/ permit holder either updates or withdrawal. | JP      |

60-Day sent 2/16

Extra Assign  
Returned 4/9

Spoke with Mark Heely from Cog. Ind Tribe.  
will be resubmitting Assignment & EOT.  
Moved 60-day Deadline to 5-27-2021 JP  
5-14-21



# Routing Slip

Oregon Water Resources Department

Water Rights Service Division

Date: 4-6-2021

File: 5-86060

Subject/Process: Assign + Extn

From: Mary B.

| ACTION  | DATE     |
|---|----------|
| NOTES: Assign OK, will process pending pink slip receipt.         |          |
| TO: Jeffrey - Pls Review attached Extn + Rtn file to me when done | 4-6-2021 |
| TO:   |          |
| TO:   |          |

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **135424**

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

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

RECEIVED FROM:

BY:

CASH:

CHECK #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$ **770.00**

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

**4270 WRD OPERATING ACCT**

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$ **670.00**

**WATER RIGHTS:**

0201 SURFACE WATER

EXAM FEE

\$

0202

0203 GROUND WATER

\$

0204

0205 TRANSFER

\$

RECORD FEE

\$

\$

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

\$

0219

LANDOWNER'S PERMIT

0220

LICENSE FEE

\$

\$

0250 OTHER (IDENTIFY)

*Assignment*

**\$100.00**

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

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

**0607 TREASURY 0467 HYDRO ACTIVITY**

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

**TREASURY**

**OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

\$

RECEIPT: **135424**

DATED: **6-1-2021** BY: *[Signature]*



## COQUILLE INDIAN TRIBE

125716

Payee Oregon Water Resources Dept.

125716

Vendor ID OREGON WATER

Account #:

04/01/2021

| Invoice | Description  | Amount   |
|---------|--|----------|
| 026489  | NRD Request for Assignment by Proof of Ownership CIT 3/15/21 | \$100.00 |
| 026490  | NRD Application Extension of Time Transfer water rights CIT  | \$670.00 |
| -       |  |          |
| -       |  |          |

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Total :

\$0.00

\$770.00



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Ste A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

June 10, 2021

Coquille Indian Tribe; Tribal Government  
Attn: Mark Johnston  
3050 Tremont Street  
North Bend, OR 97459

Reference: Application S-86060, Permit S-54156

The assignment by proof from Hal and Patricia Strain to Coquille Indian Tribe has been recorded in the records of the Water Resources Department.

The Departments records will now show Coquille Indian Tribe as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 135424 covering the recording fee is 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.

Please note that this permit required complete application of water to the proposed use by October 1, 2009, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Sincerely,

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Original Request and Receipt #135424

cc: Data Center, OWRD (cover letter & request)  
File







Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301  
(503) 986-0900  
www.wrd.state.or.us

# Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)

RECEIVED

APR 05 2021

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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.

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I, Coquille Indian Tribe- Mark Johnston, Executive Director

JUN 01 2021

(Name of Party Requesting Assignment)

3050 Tremont Street

North Bend, OR, 97459

541-756-0904

(Mailing Address)

(City) (State) (Zip)

(Phone #)

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- ☒ hereby request assignment of an entire application/permit/transfer/limited license/groundwater statement; hereby request assignment of a portion of application/permit/transfer/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/ transfer/limited license/groundwater statement to be assigned.)

Application # S-86060; Permit # S-54156; Transfer # \_\_\_\_\_;

Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;

Hal E. Strain

(Name of Current Holder of Record)

PO BOX 312

Myrtle Point, OR, 97458

(Mailing Address)

(City) (State) (Zip)

(Phone #)

Note: Write the initials (first letters) of your first and last names at the spots indicated below MJ.

- MJ I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- MJ I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- MJ I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- MJ I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 15 day of March, 20 21.  
(Day) (Month) (Year)

Signature of Party Requesting Assignment Mark Johnston

Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.  
Fee receipt # 135424  
For Director by Mary Bjork, Program Analyst in Water Rights Division. MJB

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$100.

Assign by Proof - Approve  
WJB 7-2-2021



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## COQUILLE INDIAN TRIBE

3050 Tremont Street, North Bend, OR 97549  
Telephone: (541) 756-0904 ~ Fax: (541) 756-0847  
[www.coquilletribe.org](http://www.coquilletribe.org)

May 24, 2021

Oregon Water Resources Department  
Attn: Water Right Permit Extension  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

Re: Application S86060, Permit S-54156

Dear Water Right Examiner,

Attached is our Request for Assignment and our Extension of Time for Transfer of Water Rights. Also included is a check for \$770.00 to cover both requests. We submitted the Request for Assignment and the wrong Extension of Time form in early April. Attached is the letter from Jeffery Pierceall explaining the need to send in the correct form.

If you have any further questions about these comments call Mark Johnston at (541)-756-0904 or Mark Healy at (541)290-5832.

Sincerely,

Mark Johnston



Records have been redacted or withheld pursuant to the exemption for vital records specified in ORS 432.350.



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TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT  
*A separate extension application must be submitted for each permit as per  
OAR 690-315-0020(2).*

I, Mark Johnston

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

3050 Tremont Street  
ADDRESS

North Bend  
CITY

OR  
STATE

97459  
ZIP

5417560904  
PHONE

markjohnston@coquilletribe.org  
E-MAIL ADDRESS

the permit holder of: Application Number S-86060

Permit Number S-54156  
[OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and water put to full beneficial use, which time now expires on Month: 5 Day: 27 Year: 2021, be extended to October 1, 2026, [OAR 690-315-0020(3)(i)]

I am the permit holder, and may apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.

Mark Johnston  
Signature Date

Printed Name Title

The agent below is authorized to represent the applicant in all matters relating to THIS application. \_\_\_\_\_  
Permit Holder Initials

Authorized Agent (Print Agent Name) Agent contact



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Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

**MAIL COMPLETED APPLICATION**

along with the Supporting documents and/ or evidence and correct fee to:

Water Resources Department  
Attn: Water Right Permit Extensions  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

GENERAL TIPS:

- Permit holders of municipal or quasi-municipal water use permits **DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS.
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.



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- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

**Reference Materials Needed to Complete this Application:**

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

**Questions to complete this application for an Extension of Time**

Please see the instruction sheet to help you answer these items.

1. **Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

**For Groundwater Permits**

Has construction of the point of appropriation (well) authorized under this permit begun?

☐ Yes ☐ No

Date construction began Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_

Details of construction and attach documentation: \_\_\_\_\_

**For Surface/Reservoir Permit**

Has construction of the water system begun? ☒ Yes ☐ No

Date construction began Month: 4 Day: 15 Year: 2021

Details of construction and attach documentation: Well house was constructed in April 2021. Tribe is still working on a construction design of the water system and survey of the property.



JUN 01 2021

OAR 690-315-0020(3)(A)(e)(A)

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2<sup>nd</sup> column are contained within it. Using the extra row labeled "other" to specify any other additional conditions included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1<sup>st</sup> column check the box for each condition (row) identified as relevant. In the 3<sup>rd</sup> column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4<sup>th</sup> column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

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CHART-A

| Permit Conditions in this Permit    |  | Have Completed or Met?  | Date satisfied/ or will be satisfied |
|-------------------------------------|--|---|--------------------------------------|
| Checkbox                            | Ground water<br>Check those included on this permit  |   |                                      |
| <input type="checkbox"/>            | Installation of a meter/totalizing flow meter  | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Submittal of annual water usage report   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Submittal of initial static water level measurement  | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Submittal of annual static water level measurements in the month required                                  | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Submittal of Seven consecutive static water level measurements in the month required                       | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Special well construction standards  | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Submittal of a monitoring plan   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Other (Specify):   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Other (Specify):   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Other (Specify):   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| Surface Water or Reservoir          |  |   |                                      |
| <input checked="" type="checkbox"/> | Installation of a meter/ totalizing flow meter   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7/31/2021                            |
| <input checked="" type="checkbox"/> | Submittal of annual water use report   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10/1/2021                            |
| <input checked="" type="checkbox"/> | Installation of a fish screen  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7/31/2021                            |
| <input type="checkbox"/>            | Installation of a fish by-pass device  | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Installation of a fish passage   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input checked="" type="checkbox"/> | Installation of an outlet gate/pipe/ conduit   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7/31/2021                            |
| <input type="checkbox"/>            | Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input checked="" type="checkbox"/> | Submit as-built plans and specification  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8/30/2021                            |
| <input type="checkbox"/>            | Submittal of a letter from an engineer prior to storage  | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Other (Specify):   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Other (Specify):   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |
| <input type="checkbox"/>            | Other (Specify):   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                      |



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2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

the Coquille Indian Tribe acquired the land recently and have just begun plans to renovate the property. COVID delayed this project and other tribal projects as tribal resources and staff were used to deal with the health emergency. we will be in full compliance by October 1, 2021.

[OAR 690-315-0020(3)(e)]

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. *Use chronological order.* Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops is *not* considered work in the development of the water system. *Work accomplished under other water rights may not be considered work under this permit.*)

CHART-B

| DATE      | WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED<br><i>List any work done before the permit was issued – eg. well drilled.</i>  | COST*    |
|-----------|---|----------|
|           |   |          |
|           |   |          |
| DATE      | WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED<br>and PRIOR TO DATE SPECIFIED IN PERMIT<br>FOR COMPLETE APPLICATION OF WATER<br><i>List work/actions done during the permitted time period.</i>  | COST*    |
| 1/20/2005 | Date the permit was signed - find date above signature on last page of permit.  |          |
|           |   |          |
|           |   |          |
|           |   |          |
|           |   |          |
|           |   |          |
|           | Date the permit specified complete application of water to the use shall be made- all permits contain this date.  |          |
| DATE      | WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order<br><i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i> | COST*    |
| 4/5/2021  | Request for Assignment and sent to OWRD   | \$ 770   |
| 4/30/2021 | Pump House constructed  | \$750.00 |
|           |   |          |







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[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit made to date.

*TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.*

**6. For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):**

*TIP: Report the rate in the same units of measurement as specified in the permit.*

Maximum rate used to date = 0.005 cfs (cubic feet per second) or,

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute) or,

Maximum volume of stored water used to date = \_\_\_\_\_ or,

Maximum volume stored annually to date = \_\_\_\_\_ AF

**7. For Ground Water Permit Extensions (e.g. G-XXXX):**

*TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.*

CHART-D

| Well # as identified on Permit | Water User's Well # | Has this well been drilled?                                 | IF DRILLED                         |  |  |   |   | If yes, provide the Permit, Certificate, or Transfer No. |
|--------------------------------|---------------------|---|------------------------------------|--|--|---|---|--|
|                                |                     |   | Well Log Number<br>e.g. MORR 50473 | Well Tag Number<br>e.g. # 27566 or N/A | Is the actual drilled location authorized on this permit or on a permit amendment? | Maximum instantaneous rate used to date from this well -- under this permit only (CFS or GPM) | Is this well authorized or utilized under any OTHER water rights? |  |
|                                |                     | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |                                    |  | Yes <input type="checkbox"/><br>No <input type="checkbox"/>                        |   | Yes <input type="checkbox"/><br>No <input type="checkbox"/>       | -<br>-   |
|                                |                     | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |                                    |  | Yes <input type="checkbox"/><br>No <input type="checkbox"/>                        |   | Yes <input type="checkbox"/><br>No <input type="checkbox"/>       | -<br>-   |
|                                |                     | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |                                    |  | Yes <input type="checkbox"/><br>No <input type="checkbox"/>                        |   | Yes <input type="checkbox"/><br>No <input type="checkbox"/>       | -<br>-   |
|                                |                     | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |                                    |  | Yes <input type="checkbox"/><br>No <input type="checkbox"/>                        |   | Yes <input type="checkbox"/><br>No <input type="checkbox"/>       | -<br>-   |
|                                |                     | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |                                    |  | Yes <input type="checkbox"/><br>No <input type="checkbox"/>                        |   | Yes <input type="checkbox"/><br>No <input type="checkbox"/>       | -<br>-   |
|                                |                     | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |                                    |  | Yes <input type="checkbox"/><br>No <input type="checkbox"/>                        |   | Yes <input type="checkbox"/><br>No <input type="checkbox"/>       | -<br>-   |
|                                |                     | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |                                    |  | Yes <input type="checkbox"/><br>No <input type="checkbox"/>                        |   | Yes <input type="checkbox"/><br>No <input type="checkbox"/>       | -<br>-   |
|                                |                     | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |                                    |  | Yes <input type="checkbox"/><br>No <input type="checkbox"/>                        |   | Yes <input type="checkbox"/><br>No <input type="checkbox"/>       | -<br>-   |



|  |  |
|--|--|
| Total instantaneous rate from all wells utilized under this permit |  |
|--|--|

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8. Has a Permit Amendment Application been filed? Yes ☐ No ☒

If yes, identify Transfer No. T-\_\_\_\_\_

[OAR 690-315-0020(3)(e)(C)]

9. For Irrigation and Nursery Use Permits Extensions

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date: \_\_\_\_\_

b) List by year, the number of acres irrigated each year since permit issuance.

| Year | Acres | Year | Acres | Year | Acres |
|------|-------|------|-------|------|-------|
|      |       |      |       |      |       |
|      |       |      |       |      |       |
|      |       |      |       |      |       |
|      |       |      |       |      |       |

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA)#\_\_\_\_\_ Acres\_\_\_\_\_ (POD/POA) #\_\_\_\_\_ Acres\_\_\_\_\_

(POD/POA) #\_\_\_\_\_ Acres\_\_\_\_\_ (POD/POA) #\_\_\_\_\_ Acres\_\_\_\_\_

[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

| APPROXIMATE DATE RANGE (projected) | WORK OR ACTION TO BE ACCOMPLISHED (projected)   | ESTIMATED COST (projected) |
|------------------------------------|---|----------------------------|
| 4/1/21- 6/1/21                     | Survey Property for waterline, etc. Obligated money to Stunzner   | \$8,200.00                 |
| 6/30/2021                          | Install electrical system for pump. Obligated money for installation  | \$3,300.00                 |
| 6/30/2021                          | Obligated NTE \$10,000 to Gilbert Well and Pump for installation of pump system, tank and fish screen. Project to proceed in May/June | \$10,000.00                |
|                                    |   |                            |
|                                    |   |                            |
|                                    |   |                            |
|                                    |   |                            |
| Year: 10/1/26                      | Date intend to apply water to full beneficial use under the terms and conditions of this permit.                                      |                            |



[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: 21,500.00

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(The total cost from CHART-E)

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[OAR 690-315-0020(3)(j)]

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: *(List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)* April 2021: Approval by Executive Director to move forward on tabled projects (projects that were paused to respond to the Covid pandemic)

Survey property ordered: April 2021, \$8,200

Pump house built: Pump house built April 2021, needed for pump house and panel box

Electrical – bid completed April 2021 - \$3,300 – this is needed to place the panel box prior to installing the pump, and upgrade electrical on property

May 2021 – Begin contract with Gilbert Well and Pump for installation of water system, pump, tank and fish screen – ODFW Fish screen compliance written into contract. Expected to cost between \$5,000 and \$10,000 for the full installation. Rich Kilbane, ODFW contacted and said he will come out to approve of the fish screen. His number is 541-857-2421

[OAR 690-315-0020(3)(k)]

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. *(Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)*

Land was purchased by the Coquille Indian Tribe after the death of the original owner. Tribe took time to decide how to fix up the property and appropriately use the water.

[OAR 690-315-0020(3)(l)]

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* Yes it will. The Tribe now has plans to use the property and water to its beneficial use. Without water, the tribal public will not be able to visit the site and use the property as planned.



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14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)* Hauling in water to provide temporary water is the only other potential source of water. This is expensive and is not in the long-term benefit to the Tribe

[OAR 690-315-0020(3)(h)]

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? *(Explain in detail, including how much time did this delay the project; list dates.)* Yes. Development of the site required Tribal Council approval and prior planning in order to figure out how best to use the water.

[OAR 690-315-0020(3)(h)]

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. *(Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events.)* COVID delayed all tribal plans by one year.



[OAR 690-315-0020(3)(h)]

17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. *(Provide supporting information for the reason(s) that best fits your circumstances.)*

During COVID emergency, funding from the Tribe was prioritized to deal with the current COVID emergency.

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[OAR 690-315-0020(3)(m)(n)]

18. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.

N/A

[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? *(Explain in detail)* The Tribe's investment on the property and water system will provide a fair and reasonable return if the Tribe is able to use the water provided in the water right for tribal member use.

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. *(Who will be effected and how?)* The Tribe has a grant for 80K to fix up the property. If the permit extension is not approved the funding from this grant may have to be refunded to the grantee.



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Attach permit, and documentation to the application

STATE OF OREGON

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COUNTY OF COOS

JUN 01 2021

PERMIT TO APPROPRIATE THE PUBLIC WATERS

OWRD

THIS PERMIT IS HEREBY ISSUED TO

HAL AND PATRICIA STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

(541) 572-5400

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

APPLICATION FILE NUMBER: S-86060

SOURCE OF WATER: MIDDLE FORK COQUILLE RIVER, A TRIBUTARY OF SOUTH FORK COQUILLE RIVER

PURPOSE OR USE: DOMESTIC USE FOR ONE HOUSEHOLD, FURTHER LIMITED TO HUMAN CONSUMPTION (COOKING, DRINKING, AND SANITATION) AS SPECIFIED BELOW

MAXIMUM RATE: 0.005 CUBIC FOOT PER SECOND

PERIOD OF USE: DOMESTIC - DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR  
HUMAN CONSUMPTION - MAY 1 THROUGH NOVEMBER 30 OF EACH YEAR

DATE OF PRIORITY: JULY 26, 2004

POINT OF DIVERSION LOCATION: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 19, T29S, R11W, W.M.;  
1600 FEET SOUTH & 1600 FEET WEST FROM C1/4 CORNER, SECTION 19

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW  $\frac{1}{4}$  SW  $\frac{1}{4}$   
SECTION 19  
TOWNSHIP 29 SOUTH, RANGE 11 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Application S-86060 Water Resources Department

PERMIT 54156



JUN 01 2021

PAGE 2

## OWRD

- 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.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

**STANDARD CONDITIONS**

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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.

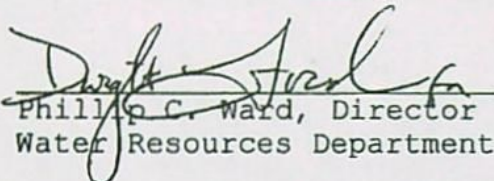


The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows, except where those instream water rights allow for the use authorized herein.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued January 20, 2005

  
Phillip C. Ward, Director  
Water Resources Department

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ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

Application S-86060 Water Resources Department  
Basin 17 Volume 2A MFK COQUILLE R

PERMIT 54156  
19



REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

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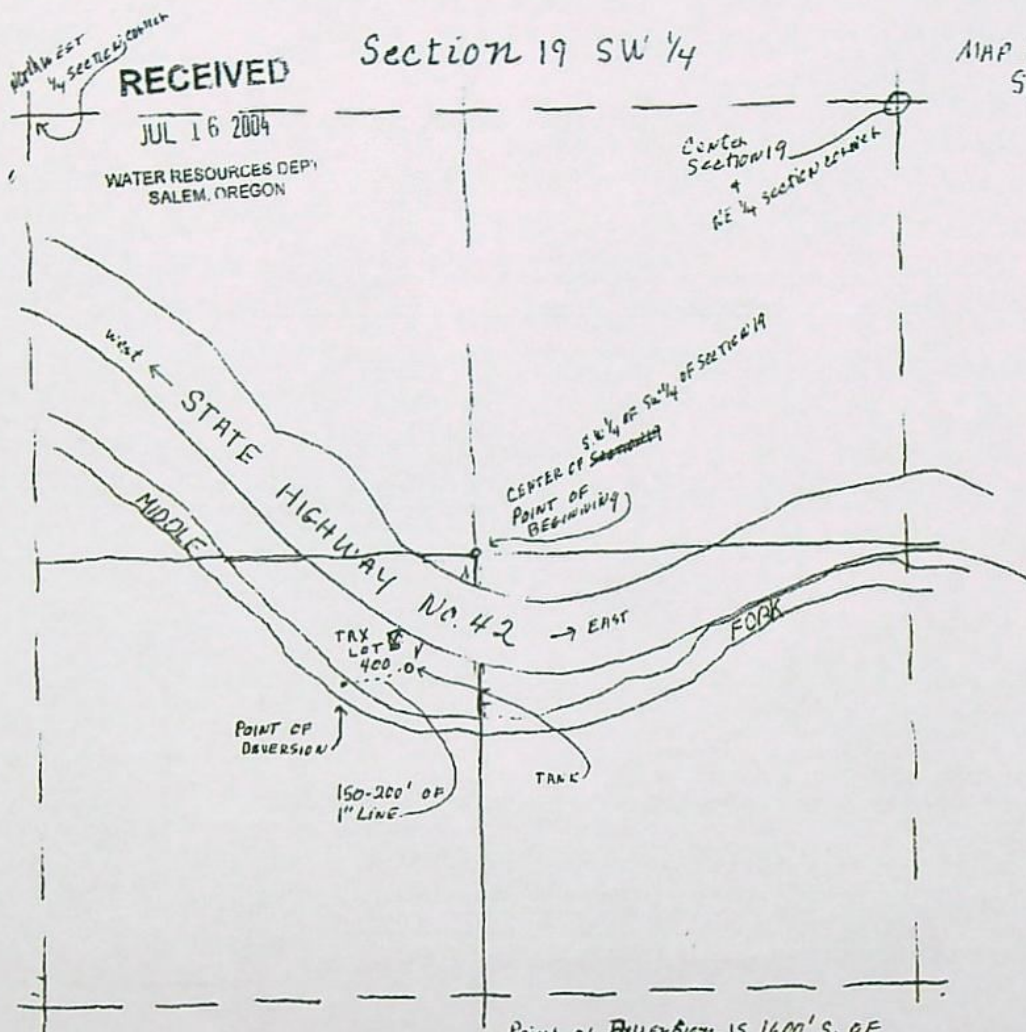
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Application S-86060  
Basin 17

Water Resources Department  
Volume 2A MFK COQUILLE R

PERMIT 54156  
19





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JUL 16 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

Section 19 SW 1/4

Location:  
MAP FOR WATER Right Application Location in  
Section 19 Township 29 South, Range 11 West W. 1  
COPPS County, OREGON  
TAX LOT 400

FOR  
HAL AND Patti Strain  
P.O. Box 312  
Myrtle Point, OR 97458

Date  
July 14, 2004

North ↑  
One inch = 400 feet

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JUL 26 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

this map is for the purpose of  
identifying the location of the  
water right only & is not  
intended to provide legal  
dimensions or locations of  
property ownership lines.

Ⓢ Location of house

app no. S86060

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# Oregon

Kate Brown, Governor

Water Resources Department  
North Mall Office Building  
725 Summer St NE, Ste A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

April 9, 2021

Mark Johnston  
Coquille Indian Tribe  
3050 Tremont St  
North Bend, OR 97459

**RECEIVED**

**JUN 01 2021**

**OWRD**

Reference: Application S-86060, Permit S-54156

Dear Applicant,

The Department received an Application for Extension of Time for Transfer of Water Right on April 5, 2021, requesting to extend the date to apply water to full beneficial use under the terms and conditions of Permit S-54156. The request submitted is on an incorrect form. Please find included the application material submitted along with an Application for Extension of Time for a Water Right Permit and a copy of your permit. Please complete this Application and return it to the Department, along with the fees for consideration.

Since the check included covers the fees for both the Assignment Request and the Extension of Time, the Assignment Request is also being returned.

If you have any other questions please do not hesitate to contact me.

Sincerely,

Jeffrey D. Pierceall  
Extension Specialist  
Water Rights Division  
[Jeffrey.D.Pierceall@oregon.gov](mailto:Jeffrey.D.Pierceall@oregon.gov)





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

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Sincerely,

Jeffrey D. Pierceall  
Extension Specialist  
Water Rights Division  
[Jeffrey.D.Pierceall@oregon.gov](mailto:Jeffrey.D.Pierceall@oregon.gov)





State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271  
(503) 986-0900

Application for Extension of Time for  
Transfer of Water Right

Transfer Number: T- \_\_\_\_\_

A summary of review criteria and procedures that are generally applicable to these applications is available at [https://www.oregon.gov/owrd/WRDFormsPDF/transfer\\_extension\\_criteriareview.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/transfer_extension_criteriareview.pdf)

|  |       |                                    |                                |              |
|--|-------|------------------------------------|--------------------------------|--------------|
| Applicant = Transfer Holder of Record* |       |                                    | Contact Name                   | Phone No.    |
| Coquille Indian Tribe                  |       |                                    | Mark Johnston                  | 541-756-0904 |
| Address                                |       |                                    |                                | Fax No.      |
| 3050 Tremont Street                    |       |                                    |                                | 541-756-0847 |
| City                                   | State | Zip                                | E-Mail                         |              |
| North Bend                             | OR    | 97459                              | markjohnston@coquilletribe.org |              |
| Report Prepared By                     |       | Title                              | Contact Information            |              |
| Mark Healy                             |       | Water and Environmental Specialist | markhealy@coquilletribe.org    |              |

\*The applicant must be the transfer holder of record. If the applicant is not the transfer holder of record, the applicant must request an assignment of interest prior to submitting the transfer extension application. Alternatively, the request for assignment may be submitted simultaneously with the extension application. Separate checks for the fees is helpful. Links to assignment forms: <https://www.oregon.gov/owrd/WRDFormsPDF/assign.pdf>, [https://www.oregon.gov/owrd/WRDFormsPDF/Assign\\_by\\_proof.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Assign_by_proof.pdf)  
Contact information about assignments is available at <https://www.oregon.gov/owrd/programs/WaterRights/Permits/Assignment/Pages/default.aspx>

To the WATER RESOURCES DIRECTOR OF OREGON:

1. I/WE, THE TRANSFER HOLDER(S) OF RECORD, do hereby make application for an extension of time within which to complete a change in (check all that apply):

- ☒ point(s) of diversion/appropriation  
☐ place(s) of use  
☐ character of use

under the terms of a final order of the Water Resources Director entered on \_\_\_\_\_ (month/day/year) for Transfer Number T-\_\_\_\_\_.

2. THE FOLLOWING WORK HAS BEEN ACCOMPLISHED toward completion of the change within the time allowed, which expired on 10-1-2009 (month/day/year):

The Coquille Indian Tribe recently purchased the property and were unaware that a water right permit was in process until a letter dated 2-16-2021 was received and was signed by Codi Holmes. We are filing this extension and transfer of ownership at the same time.

3. TO FULLY COMPLETE THE CHANGE, it will be necessary to accomplish the following:

Install piping from fish screened diversion, pumping system and meter to holding tank and show use on property.

(continue on next page)

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APR 05 2021

July 2020

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4. I/WE ARE REQUESTING THE TIME FOR COMPLETION be extended to October 1, 2026 (year).

*Transfer extensions can be authorized for one (1) calendar year from October 1 to October 1 of each year, or up to five (5) years for transfers involving municipal or quasi-municipal uses, unless the applicant can justify the need for a longer period of time by submission of pertinent evidence. OAR 690-380-6020 (3) and OAR 690-385-7200 (5).*

5. I/WE CERTIFY THAT TO THE BEST OF MY/OUR KNOWLEDGE the information contained in this application is true and accurate.

3-15-2021

Date

Mark Johnston Digitally signed by Mark Johnston  
Date: 2021.03.15 15:08:03 -07'00'

Signature of Applicant(s), i.e., Transfer Holder(s) of Record

6. IN ORDER FOR AN APPLICATION TO BE COMPLETE, it must be accompanied by the required fee. See the Department's fee schedule at [https://www.oregon.gov/owrd/WRDFormsPDF/fee\\_schedule.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf) or call (503) 986-0900.

7. MAIL THE COMPLETED APPLICATION AND FEE TO:

Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271





Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301  
(503) 986-0900  
www.wrd.state.or.us

# Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)

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APR 05 2021

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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, Coquille Indian Tribe- Mark Johnston, Executive Director

(Name of Party Requesting Assignment)

3050 Tremont Street North Bend, OR, 97459 541-756-0904  
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☒ hereby request assignment of an entire application/permit/transfer/limited license/groundwater statement; hereby request assignment of a portion of application/permit/transfer/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer/limited license/groundwater statement to be assigned.*)

Application # S-86060 ; Permit # S-54156 ; Transfer # \_\_\_\_\_;

Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;

Hal E. Strain

(Name of Current Holder of Record)

PO BOX 312 Myrtle Point, OR, 97458  
(Mailing Address) (City) (State) (Zip) (Phone #)

**Note:** Write the initials (first letters) of your first and last names at the spots indicated below MJ.

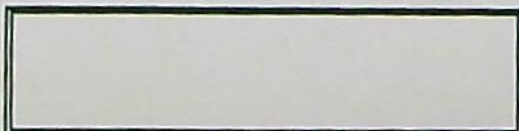
- 1) MJ I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) MJ I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) MJ I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) MJ I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 15 day of March, 20 21.  
(Day) (Month) (Year)

Signature of Party Requesting Assignment Mark Johnston

Failure to provide any of the required information will result in the return of your application.

**DO NOT WRITE IN THIS BOX**



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.



Records have been redacted or withheld pursuant to the exemption for vital records specified in ORS 432.350.



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

S-86060  
 Coquille Indian Tribe  
 USA TTEE  
 3050 Tremont St.  
 North Bend, OR 97459-3059



9590 9402 5870 0038 7393 03

2. Article Number (Transfer from service label)

7018 0680 0002 0041 6616

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

B.H. C-2

☒ Agent☐ Addressee

B. Received by (Printed Name)

C-19

C. Date of Delivery

2-19-21

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

RECEIVED

FEB 22 2021

OWRD

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery



USPS TRACKING #



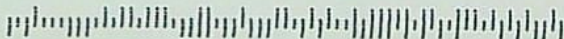
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 5870 0038 7393 03

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

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







Oregon  
Kate Brown, Governor

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

February 16, 2021

Coquille Indian Tribe  
USA TTEE  
3050 Tremont St.  
North Bend, OR 97459-3059

*Sent Certified*

*2/16/21*

*7018 0680 0002 0041 6616*

Reference: Application: S-86060 Permit: S-54156

Dear Property Owner,

You have been identified as the owner of lands covered in part or in whole by the above referenced permit.

Please see the enclosed 'Resource Sheet' to access the assignment form if you wish to continue using this water.

Should you have any questions, please contact me at [Codi.N.Holmes@oregon.gov](mailto:Codi.N.Holmes@oregon.gov), the address above or by telephone at 503-986-0887. Due to Covid-19, email may be the best way to reach me.

Sincerely,

*Leona Albino*

Codi Holmes  
Certificate Specialist

cc file  
Watermaster #15





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE Ste A  
Salem, OR 97301-1266

**NOTE:** For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD) Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

Certified mail number 7018 0680 0002 0041 6616  
Return receipt requested

February 16, 2021

HAL E. STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2009. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$670.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 27, 2021) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact me at [Codi.N.Holmes@oregon.gov](mailto:Codi.N.Holmes@oregon.gov), the address above or by telephone at 503-986-0887. Due to Covid-19, email may be the best way to reach me.

Sincerely,

*Leona Albin*  
for Codi Holmes  
Certificate Specialist

Enclosures (1)

cc: File

OWRD Watermaster District 15





# Mailing List for 60-Day Letter

Application: S-86060

Permit: S-54156

**Permit Holder(s):**

HAL E. STRAIN - NO mailing address  
PO BOX 312 - available  
MYRTLE POINT OR 97458

**Copies Mailed**

by: La  
(STAFF)

on: 2/16/21  
(DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES NO

**Copies of Cancellation Order to be sent to Permit Holder(s) and following:**

1. Watermaster District #15
2. File

**Other persons to receive copies:**

Coquille Indian Tribe  
USA TTEE  
3050 Tremont St.  
North Bend, OR 97459-3059



7018 0680 0002 0047 6616

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- |  |          |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic)         | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | \$ _____ |
| <input type="checkbox"/> Adult Signature Required            | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postmark  
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®



# COMPLETENESS PROJECT

Page 2

## Final Cancellation Review

PERMIT STATUS REVIEW BY C. Holmes DATE 12.11.20

1. C Date 10 / 1 / 2019
2. Certified Letter Date 26 / 21 / 2016
3. Return Receipt Rcvd.      /      /
4. Return Receipt Signed By
5. Other Communication: 2 / 12 / 2018  
new landowner: Tony Randall

Recommend Cancellation ☐ or  
Hold Action until      /      /     

Send 60 day letter - new landowner  
Coquille Indian Tribe

New Owner - Tribes  
Old owner -  
wrong address /  
UTF -  
No assignment

# COMPLETENESS PROJECT

Page 1

## 60 Day Letter

PERMIT STATUS REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_ FILE # \_\_\_\_\_

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

\_\_\_\_ Extension pending Yes / No \_\_\_\_\_

\_\_\_\_ Assignment is pending Yes / No \_\_\_\_\_

\_\_\_\_ Cancellation has been requested Yes / No \_\_\_\_\_

\_\_\_\_ Claim of Beneficial Use received Yes / No \_\_\_\_\_  
Date information received \_\_\_\_\_

\_\_\_\_ Dept. has already sent a **certified** 60-Day Compliance letter (date \_\_\_\_\_, Cert mail # \_\_\_\_\_)

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

2. IF NONE OF THE ABOVE APPLY

\_\_\_\_ Send **certified** "C" date notice packet to permit holder.

"C" DATE \_\_\_\_\_ BASIN NUMBER \_\_\_\_\_ WM # \_\_\_\_\_

CWRE or AGENT Yes/No \_\_\_\_\_

3. AOI Yes \_\_\_\_\_ NO \_\_\_\_\_ If Yes, name(s) of AOI \_\_\_\_\_

4. Current Landowner(s) and Mailing Address

County of Place of Use \_\_\_\_\_ Tax Lot(s) \_\_\_\_\_

Attach copy of email from County Assessor or Printout from Assessor's Site

Contacts regarding 60 Day Letter:

Hold Action Request from Permit/Landowner – Date of Request \_\_\_\_\_ Requesting Parties Name \_\_\_\_\_

Hold Action Until (Date) \_\_\_\_\_

No more than 60 days beyond original deadline to submit an extension, assignment, or Alt Res CBU

Hold Action Request from CWRE – Date of Request \_\_\_\_\_ CWRE Name \_\_\_\_\_

Hold Action Until (Date) \_\_\_\_\_

No more than 6 months beyond original deadline to submit a CBU



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

NOT OFFICIAL VALUE

December 11, 2020 7:33:14 am

Account # 1090300  
Map # 29S11190000400  
Code - Tax # 4101-1090300

Tax Status ASSESSABLE  
Acct Status ACTIVE  
Subtype NORMAL

Legal Descr See Record

Mailing Name COQUILLE INDIAN TRIBE

Deed Reference # 2019-4722

Agent

Sales Date/Price 06-06-2019 / \$100,000.00

In Care Of USA TTEE

Appraiser

Mailing Address 3050 TREMONT ST  
NORTH BEND, OR 97459-3059

Prop Class 100 MA SA NH Unit  
RMV Class 100 05 21 RRF 19109-1

| Situs Address(s)    | Situs City   |
|---------------------|--------------|
| ID# 10 17260 HWY 42 | MYRTLE POINT |

| Code Area       | RMV    | MAV    | Value Summary<br>AV | SAV | MSAV | RMV Exception | CPR % |
|-----------------|--------|--------|---------------------|-----|------|---------------|-------|
| 4101 Land       | 74,660 |        |                     |     |      | Land          | 0     |
| Impr.           | 0      |        |                     |     |      | Impr.         | 0     |
| Code Area Total | 74,660 | 66,210 | 66,210              | 0   | 0    |               | 0     |
| Grand Total     | 74,660 | 66,210 | 66,210              | 0   | 0    |               | 0     |

| Code Area   | ID# | RFPD                                | Ex | Plan Zone | Value Source | Land Breakdown<br>TD% LS | Size | Land Class | LUC | Trended<br>RMV |
|-------------|-----|-------------------------------------|----|-----------|--------------|--------------------------|------|------------|-----|----------------|
| 4101        | 10  | <input checked="" type="checkbox"/> |    | F         | Market       | 100 A                    | 2.80 | MV         | 003 | 74,660         |
| Grand Total |     |                                     |    |           |              |                          | 2.80 |            |     | 74,660         |

| Code Area   | ID# | Yr Built | Stat Class | Description | Improvement Breakdown<br>TD% | Total<br>Sq. Ft. | Ex% MS Acct # | Trended<br>RMV |
|-------------|-----|----------|------------|-------------|------------------------------|------------------|---------------|----------------|
| Grand Total |     |          |            |             |                              |                  |               | 0              |

| Code Area | Type                 | Exemptions/Special Assessments/Potential Liability |
|-----------|----------------------|--|
| 4101      | FIRE PATROL:         |  |
|           | ■ FIRE PATROL TIMBER | Amount 18.75 Acres 2.8 Year 2021                   |





# Oregon

Kate Brown, Governor

Rtn:

## 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.wrd.state.or.us](http://www.wrd.state.or.us)

**NOTE: For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)**

February 12, 2018

Certified mail number 7017 0530 0001 1436 4277  
Return receipt requested

TONY RANDALL  
PO BOX 61  
COOS BAY OR 97420-0061

*cancel FTMP  
JS 11/1/2017*

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2009. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$670.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 12, 2018) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-86060

OWRD Watermaster District 19





# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

August 24, 2017 8:39:47 am

Account # 1090300  
Map # 29S1119-00-00400  
Code - Tax # 4101-1090300

Tax Status ASSESSABLE  
Acct Status ACTIVE  
Subtype NORMAL

Legal Descr See Record

Mailing Name RANDALL, TONY

Deed Reference # 2016-5838

Agent

Sales Date/Price 07-08-2016 / \$77,700.00

In Care Of

Appraiser

Mailing Address PO BOX 61  
COOS BAY, OR 97420-0061

Prop Class 100 MA SA NH Unit  
RMV Class 100 05 21 RRF 19109-1

| Situs Address(s)    | Situs City   |
|---------------------|--------------|
| ID# 10 17260 HWY 42 | MYRTLE POINT |

| Value Summary   |        |        |        |               |       |
|-----------------|--------|--------|--------|---------------|-------|
| Code Area       | AV     | RMV    | MAV    | RMV Exception | CPR % |
| 4101 Land       |        | 72,470 |        | Land          | 0     |
| Impr.           |        | 0      |        | Impr.         | 0     |
| Code Area Total | 58,850 | 72,470 | 58,850 |               | 0     |
| Grand Total     | 58,850 | 72,470 | 58,850 |               | 0     |

| Land Breakdown |     |     |    |           |              |     |    |      |            |             |
|----------------|-----|-----|----|-----------|--------------|-----|----|------|------------|-------------|
| Code Area      | ID# | RFD | Ex | Plan Zone | Value Source | TD% | LS | Size | Land Class | Trended RMV |
| 4101           | 10  | R   |    | F         | Market       | 100 | A  | 2.80 | MV         | 72,470      |
| Grand Total    |     |     |    |           |              |     |    |      | 2.80       | 72,470      |

| Improvement Breakdown |     |          |            |             |     |               |     |    |        |             |
|-----------------------|-----|----------|------------|-------------|-----|---------------|-----|----|--------|-------------|
| Code Area             | ID# | Yr Built | Stat Class | Description | TD% | Total Sq. Ft. | Ex% | MS | Acct # | Trended RMV |
| Grand Total           |     |          |            |             |     |               |     |    |        | 0           |

| Code Area |   | Exemptions/Special Assessments/Potential Liability |       |       |     |      |      |  |
|-----------|---|--|-------|-------|-----|------|------|--|
| Type      |   |  |       |       |     |      |      |  |
| 4101      |   |  |       |       |     |      |      |  |
|           | SPECIAL ASSESSMENT:                         |  |       |       |     |      |      |  |
|           | ■ FIRE PATROL TIMBER                        | Amount   | 18.75 | Acres | 2.8 | Year | 2017 |  |
|           | NOTATION(S):                                |  |       |       |     |      |      |  |
|           | ■ PROPERTY CLASS CHANGE ADDED 2016          |  |       |       |     |      |      |  |
|           | 9/13/16 PC 400 to 100 - under 10 acres. MJS |  |       |       |     |      |      |  |

Comments: FIRE PAT ACRES 40.00  
DECLASS .40 AC TOO SMALL TO QUALIFY  
ADD TAX: \$593.67 1/13/06 JK



THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 19 T29S R11W W.M.  
COOS COUNTY

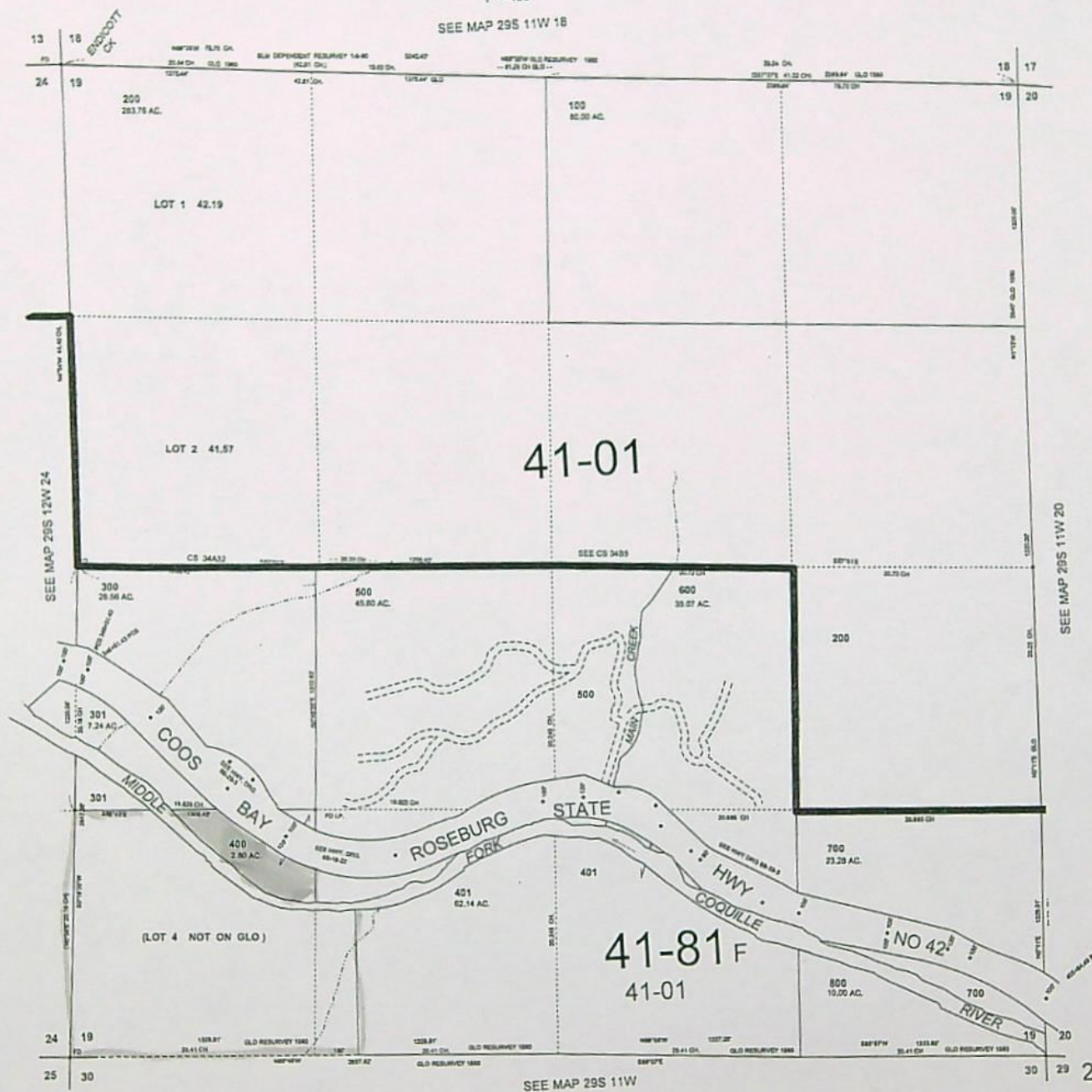
1" = 400'

SEE MAP 29S 11W 18

29S 11W 19

CANCELLED NO.

402







# Oregon

Kate Brown, Governor

Rcd 5/23/17

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.wrd.state.or.us](http://www.wrd.state.or.us)

*NOTE: For water rights information and useful forms, please see our web site at*  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

May 17, 2017

Certified mail number 7016 0340 0000 0164 2150  
Return receipt requested

LINDA LUHRS  
PO BOX 223  
KENT, WA 98035

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2009. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (July 15, 2017) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-86060

OWRD Watermaster District 19







# Oregon

Kate Brown, Governor

Rtn

## 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.wrd.state.or.us](http://www.wrd.state.or.us)

*NOTE: For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)*

June 21, 2016

Certified mail number 7016 0340 0000 2326 0592  
Return receipt requested

HAL E. AND PATRICIA L. STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2009. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

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In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (August 19, 2016) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-86060  
OWRD Watermaster District 19



# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2016

NOT OFFICIAL VALUE

June 1, 2016 3:21:13 pm

Account # 1090300  
Map # 29S1119-00-00400  
Code - Tax # 4101-1090300

Tax Status ASSESSABLE  
Acct Status ACTIVE  
Subtype NORMAL

Legal Descr See Record

Mailing Name LUHRS, LINDA

Deed Reference # 2013-6202

Agent

Sales Date/Price 06-26-2013 / \$60,000.00

In Care Of

Appraiser

Mailing Address P.O. BOX 223  
KENT, WA 98035

Prop Class 400 MA SA NH Unit  
RMV Class 400 05 21 RRF 19109-1

| Situs Address(s)    | Situs City   |
|---------------------|--------------|
| ID# 10 17260 HWY 42 | MYRTLE POINT |

|                 |       | Value Summary |        |        |               |
|-----------------|-------|---------------|--------|--------|---------------|
| Code Area       |       | AV            | RMV    | MAV    | RMV Exception |
| 4101            | Land  |               | 59,890 |        | Land 0        |
|                 | Impr. |               | 0      |        | Impr. 0       |
| Code Area Total |       | 57,140        | 59,890 | 57,140 | 0             |
| Grand Total     |       | 57,140        | 59,890 | 57,140 | 0             |

|             |     | Land Breakdown |    |           |              |     |    |      |            | Trended |
|-------------|-----|----------------|----|-----------|--------------|-----|----|------|------------|---------|
| Code Area   | ID# | RFD            | Ex | Plan Zone | Value Source | TD% | LS | Size | Land Class | LUC     |
| 4101        | 10  | R              |    | F         | Market       | 100 | A  | 2.80 | MV         | *       |
| Grand Total |     |                |    |           |              |     |    | 2.80 |            | 59,890  |

|             |     | Improvement Breakdown |            |             |     |         |     | Total     | Trended |     |
|-------------|-----|-----------------------|------------|-------------|-----|---------|-----|-----------|---------|-----|
| Code Area   | ID# | Yr Built              | Stat Class | Description | TD% | Sq. Ft. | Ex% | MS Acct # | RMV     | RMV |
| Grand Total |     |                       |            |             |     |         |     | 0         |         | 0   |

|           |                      | Exemptions/Special Assessments/Potential Liability |       |       |     |      |      |  |  |  |
|-----------|----------------------|--|-------|-------|-----|------|------|--|--|--|
| Code Area | Type                 |  |       |       |     |      |      |  |  |  |
| 4101      | SPECIAL ASSESSMENT:  |  |       |       |     |      |      |  |  |  |
|           | ■ FIRE PATROL TIMBER | Amount   | 18.75 | Acres | 2.8 | Year | 2016 |  |  |  |

Comments: FIRE PAT ACRES 40.00  
DECLASS .40 AC TOO SMALL TO QUALIFY  
ADD TAX: \$593.67 1/13/06 JK



# Oregon

Water Resources Department  
Water Right Services Division  
725 Summer St NE, Suite A  
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

**CERTIFIED MAIL®**



7017 0530 0001 1436 4277

U.S. POSTAGE >> PITNEY BOWES



ZIP 97301 \$ 006.67<sup>0</sup>  
02 1W  
0001393082 FEB 13 2018

*NOT AT  
THIS  
PO BOX*

*S-86060*

*2/15*

*2-15  
2-22  
2-27*

**RECEIVED**

**MAR 01 2018**

**OWRD**



TONY RANDALL  
PO BOX 61  
COOS BAY OR 97420-0061

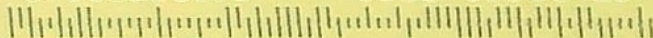
1X1E 970 FE 1/06 0002/2/18

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

UTF

97301>1266

BC: 97301126673 \*0928-05306-13-43





**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tony Randall  
PO Box 61  
Coos Bay OR 97420-0061



9590 9402 2005 6123 9104 52

2. Article Number (Transfer from service label)

7017 0530 0001 1436 4277

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

PS Form 3811, July 2015 PSN 7530-02-000-9053 *with 5-86060*

Domestic Return Receipt





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

*NOTE: For water rights information and useful forms, please see our web site at  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)*

February 12, 2018

Certified mail number 7017 0530 0001 1436 4277  
Return receipt requested

TONY RANDALL  
PO BOX 61  
COOS BAY OR 97420-0061

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2009. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$670.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 12, 2018) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-86060  
OWRD Watermaster District 19





## RESOURCE SHEET

Please visit our Department's website at [www.wrd.state.or.us](http://www.wrd.state.or.us) to locate the forms you will need.

### **Voluntary Cancellation**

- Click on "Forms" (Column to the left)
- Under Index click on "Cancellation and Diminishment of Water Right Forms"
- Click on "Affidavit for Voluntary Cancellation of a Water Right Permit" (3<sup>rd</sup> item on the list)

### **Extension of Time Applications**

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on either the "Application for Water Right Extension of Time" or "Application for Water Right Extension of Time for Quasi-Municipal & Municipal Water Use Permit" (1<sup>st</sup> & 2<sup>nd</sup> items on the list)

### **Assignment**

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on either "Request for Assignment" or "Request for Assignment in the Absence of Permit Holder" (11<sup>th</sup> & 12<sup>th</sup> items on the list)

### **Self Certification Form**

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on "Claim of Beneficial Use (for qualifying alternate review reservoirs only)" (7<sup>th</sup> item on the list)

### **Certified Water Rights Examiner (CWRE)**

From the Departments home page:

- Click on "Water Rights" (Column to the left)
- Click on "Learning About and Applying for Water Rights" (1<sup>st</sup> item on list)
- Click on "Certified Water Right Examiners Query" (5<sup>th</sup> paragraph)

If you have any questions please call Customer Service at 503-986-0801.



com  
**Oregon**

Water Resources Department  
Water Right Services Division  
725 Summer St NE, Suite A  
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

**CERTIFIED MAIL®**



7016 0340 0000 2326 0592



U.S. POSTAGE >> PITNEY BOWES



ZIP 97301 \$ 006.46<sup>5</sup>  
02 1W  
0001393082 JUN 21 2016

**RECEIVED**

**JUN 29 2016**

**OWNED**

HAL E. STRAIN S-86060  
PATRICIA L. STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

NIXIE 970 FE 1 0006/25/16

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 97301126673 \*0129-01353-21-40

57438603126 B001





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

**NOTE: For water rights information and useful forms, please see our web site at**

**[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)**

June 21, 2016

Certified mail number 7016 0340 0000 2326 0592  
Return receipt requested

HAL E. AND PATRICIA L. STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2009. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (August 19, 2016) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-86060  
OWRD Watermaster District 19





PERMIT STATUS REVIEW BY Corey Courchane DATE 8/24/17 FILE # S-86060

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

no Extension pending \_\_\_\_\_

no Assignment is pending \_\_\_\_\_

no Cancellation has been requested \_\_\_\_\_

yes Dept. has already sent a certified 60-Day Compliance letter (date 5/17/17, # 2016 0340 0000, 0164 2150)

Was 60 days notice allowed? ☒ N If No, How Much Time? \_\_\_\_\_

Was mail deliverable as addressed? ☒ N date \_\_\_\_\_

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

Re-send Cert. Letter? Y ☒ date \_\_\_\_\_

Send cancellation order Y ☒

no Claim of beneficial use and final proof map (COBU) have been received by Department  
Date information received \_\_\_\_\_

2. IF NONE OF THE ABOVE APPLY

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

"C" DATE 10/1/09 BASIN NUMBER 17 WM # 19

CWRE or AGENT none

3. AOI Yes \_\_\_\_\_ NO ☒ If Yes, name of AOI \_\_\_\_\_

S:\groups\wr\PERMIT C jdlc-date-checklist.doc

Resend letter  
to updated  
owner/address  
cc  
8/24/17





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

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*NOTE: For water rights information and useful forms, please see our web site at  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)*

February 12, 2018

Certified mail number 7017 0530 0001 1436 4277

Return receipt requested

TONY RANDALL  
PO BOX 61  
COOS BAY OR 97420-0061

*CANCEL FTMP  
JS 11/1/2017*

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

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Should you have any questions, please contact Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-86060

OWRD Watermaster District 19





# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2017

NOT OFFICIAL VALUE

August 24, 2017 8:39:47 am

Account # 1090300  
Map # 29S1119-00-00400  
Code - Tax # 4101-1090300

Tax Status ASSESSABLE  
Acct Status ACTIVE  
Subtype NORMAL

Legal Descr See Record

Mailing Name RANDALL, TONY

Deed Reference # 2016-5838

Agent

Sales Date/Price 07-08-2016 / \$77,700.00

In Care Of

Appraiser

Mailing Address PO BOX 61  
COOS BAY, OR 97420-0061

Prop Class 100 MA SA NH Unit  
RMV Class 100 05 21 RRF 19109-1

|                     |              |
|---------------------|--------------|
| Situs Address(s)    | Situs City   |
| ID# 10 17260 HWY 42 | MYRTLE POINT |

| Value Summary   |        |        |        |               |       |
|-----------------|--------|--------|--------|---------------|-------|
| Code Area       | AV     | RMV    | MAV    | RMV Exception | CPR % |
| 4101 Land       |        | 72,470 |        | Land          | 0     |
| Impr.           |        | 0      |        | Impr.         | 0     |
| Code Area Total | 58,850 | 72,470 | 58,850 |               | 0     |
| Grand Total     | 58,850 | 72,470 | 58,850 |               | 0     |

| Land Breakdown |     |     |    |           |              |     |    |      |             |
|----------------|-----|-----|----|-----------|--------------|-----|----|------|-------------|
| Code Area      | ID# | RFD | Ex | Plan Zone | Value Source | TD% | LS | Size | Trended RMV |
| 4101           | 10  | R   |    | F         | Market       | 100 | A  | 2.80 | 72,470      |
| Grand Total    |     |     |    |           |              |     |    | 2.80 | 72,470      |

| Improvement Breakdown |     |          |            |             |     |               |     |           |             |
|-----------------------|-----|----------|------------|-------------|-----|---------------|-----|-----------|-------------|
| Code Area             | ID# | Yr Built | Stat Class | Description | TD% | Total Sq. Ft. | Ex% | MS Acct # | Trended RMV |
| Grand Total           |     |          |            |             |     |               |     | 0         | 0           |

| Code Area                                   |  | Exemptions/Special Assessments/Potential Liability |       |       |     |      |      |  |
|---|--|--|-------|-------|-----|------|------|--|
| Type  |  |  |       |       |     |      |      |  |
| 4101  |  |  |       |       |     |      |      |  |
| SPECIAL ASSESSMENT:                         |  |  |       |       |     |      |      |  |
| ■ FIRE PATROL TIMBER                        |  | Amount   | 18.75 | Acres | 2.8 | Year | 2017 |  |
| NOTATION(S):                                |  |  |       |       |     |      |      |  |
| ■ PROPERTY CLASS CHANGE ADDED 2016          |  |  |       |       |     |      |      |  |
| 9/13/16 PC 400 to 100 - under 10 acres. MJS |  |  |       |       |     |      |      |  |

Comments: FIRE PAT ACRES 40.00  
DECLASS .40 AC TOO SMALL TO QUALIFY  
ADD TAX: \$593.67 1/13/06 JK



THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 19 T29S R11W W.M.  
COOS COUNTY

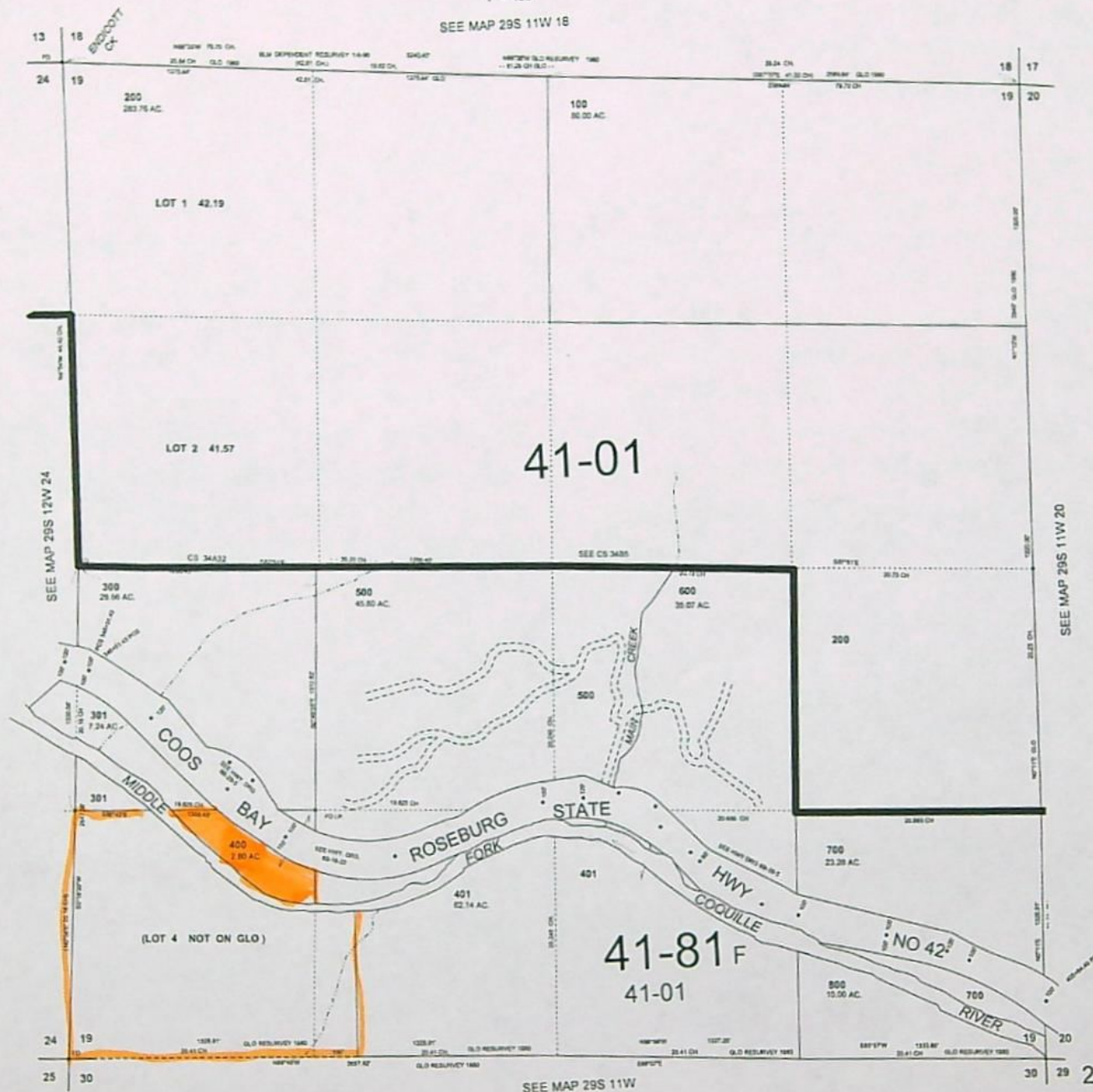
29S 11W 19

CANCELLED NO.

402

1" = 400'

SEE MAP 29S 11W 18





PERMIT STATUS REVIEW B : Jeffrey Pierceall DATE June 1, 2016 FILE # S-86000

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

NO Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received \_\_\_\_\_

2. IF ~~NONE~~ OF THE ABOVE APPLY

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

"C" DATE Oct 1, 2009 BASIN NUMBER \_\_\_\_\_ WM # \_\_\_\_\_

CWRE or AGENT \_\_\_\_\_

3. AOI Yes \_\_\_\_\_ NO ☒ If Yes, name of AOI \_\_\_\_\_

S:\groups\wr\PERMIT C jd\c-date-checklist.doc

SEND LETTER FOR  
CURRENT LANDOWNER  
SEE ATTACHED





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

[www.wrd.state.or.us](http://www.wrd.state.or.us)

*NOTE: For water rights information and useful forms, please see our web site at*

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

May 17, 2017

Certified mail number 7016 0340 0000 0164 2150

Return receipt requested

LINDA LUHRS  
PO BOX 223  
KENT, WA 98035

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2009. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (July 15, 2017) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-86060

OWRD Watermaster District 19







# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
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*NOTE: For water rights information and useful forms, please see our web site at*  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

June 21, 2016

Certified mail number 7016 0340 0000 2326 0592

Return receipt requested

HAL E. AND PATRICIA L. STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

Reference: Application S-86060, Permit S-54156

Dear Permit Holder:

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Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-86060

OWRD Watermaster District 19





# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2016

NOT OFFICIAL VALUE

June 1, 2016 3:21:13 pm

Account # 1090300

Map # 29S1119-00-00400

Code - Tax # 4101-1090300

Legal Descr See Record

Mailing Name LUHRS, LINDA

Agent

In Care Of

Mailing Address P.O. BOX 223  
KENT, WA 98035

Tax Status ASSESSABLE

Acct Status ACTIVE

Subtype NORMAL

Deed Reference # 2013-6202

Sales Date/Price 06-26-2013 / \$60,000.00

Appraiser

Prop Class 400 MA SA NH Unit  
RMV Class 400 05 21 RRF 19109-1

| Situs Address(s)    | Situs City   |
|---------------------|--------------|
| ID# 10 17260 HWY 42 | MYRTLE POINT |

| Value Summary   |        |        |        |               |       |
|-----------------|--------|--------|--------|---------------|-------|
| Code Area       | AV     | RMV    | MAV    | RMV Exception | CPR % |
| 4101 Land       |        | 59,890 |        | Land          | 0     |
| Impr.           |        | 0      |        | Impr.         | 0     |
| Code Area Total | 57,140 | 59,890 | 57,140 |               | 0     |
| Grand Total     | 57,140 | 59,890 | 57,140 |               | 0     |

| Land Breakdown |     |     |    |           |              |     |    |      |            |             |
|----------------|-----|-----|----|-----------|--------------|-----|----|------|------------|-------------|
| Code Area      | ID# | RFD | Ex | Plan Zone | Value Source | TD% | LS | Size | Land Class | Trended RMV |
| 4101           | 10  | R   |    | F         | Market       | 100 | A  | 2.80 | MV         | 59,890      |
| Grand Total    |     |     |    |           |              |     |    |      | 2.80       | 59,890      |

| Improvement Breakdown |     |          |            |             |     |               |     |           |  |             |
|-----------------------|-----|----------|------------|-------------|-----|---------------|-----|-----------|--|-------------|
| Code Area             | ID# | Yr Built | Stat Class | Description | TD% | Total Sq. Ft. | Ex% | MS Acct # |  | Trended RMV |
| Grand Total           |     |          |            |             |     |               |     |           |  | 0           |

| Exemptions/Special Assessments/Potential Liability |                      |        |       |       |     |      |      |  |  |  |
|--|----------------------|--------|-------|-------|-----|------|------|--|--|--|
| Code Area  | Type                 |        |       |       |     |      |      |  |  |  |
| 4101   | SPECIAL ASSESSMENT:  |        |       |       |     |      |      |  |  |  |
|  | ■ FIRE PATROL TIMBER | Amount | 18.75 | Acres | 2.8 | Year | 2016 |  |  |  |

Comments: FIRE PAT ACRES 40.00  
DECLASS .40 AC TOO SMALL TO QUALIFY  
ADD TAX: \$593.67 1/13/06 JK



Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-86060

**Final Order**

*Application History*

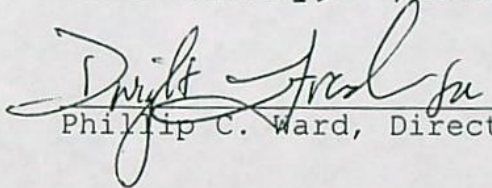
On July 26, 2004, HAL AND PATRICIA STRAIN submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on November 9, 2004. The protest period closed December 24, 2004, and no protest was filed.

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

**Order**

Application S-86060 therefore is approved as proposed by the Proposed Final Order, and Permit 54156 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED January 20, 2005

  
Phillip C. Ward, Director

*Appeal Rights*

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

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

*This document was prepared by Kerry Lefever. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 503-986-0816.*



*If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Mike Reynolds at 503-986-0820.*

*If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at 503-986-0801.*

*Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271; Fax: 503-986-0901.*



STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HAL AND PATRICIA STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

(541) 572-5400

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

APPLICATION FILE NUMBER: S-86060

SOURCE OF WATER: MIDDLE FORK COQUILLE RIVER, A TRIBUTARY OF SOUTH FORK COQUILLE RIVER

PURPOSE OR USE: DOMESTIC USE FOR ONE HOUSEHOLD, FURTHER LIMITED TO HUMAN CONSUMPTION (COOKING, DRINKING, AND SANITATION) AS SPECIFIED BELOW

MAXIMUM RATE: 0.005 CUBIC FOOT PER SECOND

PERIOD OF USE: DOMESTIC - DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR  
HUMAN CONSUMPTION - MAY 1 THROUGH NOVEMBER 30 OF EACH YEAR

DATE OF PRIORITY: JULY 26, 2004

POINT OF DIVERSION LOCATION: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 19, T29S, R11W, W.M.;  
1600 FEET SOUTH & 1600 FEET WEST FROM C1/4 CORNER, SECTION 19

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW  $\frac{1}{4}$  SW  $\frac{1}{4}$   
SECTION 19  
TOWNSHIP 29 SOUTH, RANGE 11 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.



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

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

#### STANDARD CONDITIONS

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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.

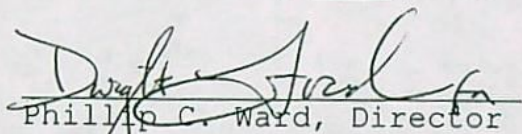


The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows, except where those instream water rights allow for the use authorized herein.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued January 20, 2005

  
Phillip C. Ward, Director  
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.



REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.





Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301  
(503) 986-0900  
www.wrd.state.or.us

# Request for Assignment

By Proof of Ownership  
(If Water Right Holder is Not Available)

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

I, \_\_\_\_\_  
(Name of Party Requesting Assignment)

\_\_\_\_\_  
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☒ hereby request assignment of application/permit/transfer/license/GR Certificate of Registration;
- ☐ hereby request assignment of a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # S-86060; Permit # S-54156; Transfer# \_\_\_\_\_  
-OR-

License # \_\_\_\_\_ GR Statement # \_\_\_\_\_; GR Certificate of Registration # \_\_\_\_\_

Hal and Patricia Strain  
(Name of Holder of Record)

\_\_\_\_\_  
(Mailing Address) (City) (State) (Zip) (Phone #)

**Note:** You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)

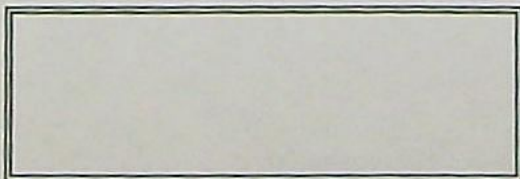
- 1) I certify that I am the current owner of the property described in this application, Permit, transfer, license or GR Certificate of Registration.
- 2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
- 4) I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Party Requesting Assignment \_\_\_\_\_

Party Requesting Assignment \_\_\_\_\_

**DO NOT WRITE IN THIS BOX**



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$85.



North West  
1/4 Section 19 corner

RECEIVED

JUL 16 2004

WATER RESOURCES DEPT  
SALEM, OREGON

Section 19 SW 1/4

Center  
Section 19  
&  
NE 1/4 section corner

Center of SW 1/4 of SW 1/4 of Section 19  
POINT OF BEGINNING

POINT OF  
DIVERSION

150-200' OF  
1" LINE

TANK

FORK

Point of Diversion is 1600' S. OF  
Center of Section 19 and 1600' W.  
OR 300' S. OF POINT OF BEGINNING at  
Center of SW 1/4 of Section 19 and 400' W.

NOTE: THE P.O.D. and water line/TANK is  
entirely located on property  
owned by APPLICANT.

Location

MAP FOR WATER Right Application Located in  
Section 19 Township 29 South, Range 11 West W.M.  
COOS County, OREGON  
TAX LOT 400

FOR  
HAL AND Patti Strain  
P.O. Box 312  
Myrtle Point, OR 97458

Date

July 14, 2004

RECEIVED

JUL 26 2004

WATER RESOURCES DEPT  
SALEM, OREGON

North ↑

One inch = 400 feet

This map is for the purpose of  
identifying the location of the  
water right only & is not  
intended to provide legal  
dimensions or locations of  
property ownership lines.

⊗ Location of house

Permit no. 54156

app no. S86060



# FO CHECKLIST

Application #: S-86060 Applicant: HAL AND PATRICIA STRAIN PFO week: 485 FO week: 442

✓ Has applicant **name and/or address changed**, or has the file been assigned? Y / N  
If new: \_\_\_\_\_

✓ Were **comments** received? If so, from whom and when? NO  
Respond to significant comments, issues, or disputes related to the proposed use of water

✓ **Verify names and mailing addresses** of all commentors, affected landowners and those who paid \$10 fee on PFO cc: list.

✓ Have **affected landowner(s)** been notified? Y / N / NA If not, do not issue FO. Send a letter to affected landowner(s).

\_\_\_ Has ODFW asked for **screening** condition and rate  $\leq 0.5$  CFS? Y / N / NA If yes, include fish screening form.

✓ Are requested **GW conditions** included in permit? Y / N / NA If not, add condition(s) \_\_\_\_\_

✓ Do PFO conclusions **require modification** due to typos or errors? Y / N What and why? \_\_\_\_\_

## ✓ Fees

Base Fee

Water Amount (Q)

\$100 / \$150

1<sup>st</sup> CFS/AF

200

\$250 / \$300

\_\_\_ Addl @ \_\_\_ + —

300  
(base) +

200  
(Q) =

500  
(total exam fee)

|                   |            |                        |               |
|-------------------|------------|------------------------|---------------|
| EXAM FEE REQUIRED | <u>500</u> | RECORDING FEE REQUIRED | \$175 / \$250 |
| EXAM FEE PAID     | <u>500</u> | RECORDING FEE PAID     | <u>250</u>    |
| STILL OWED        | <u>0</u>   | STILL OWED             | <u>0</u>      |

FO type \_\_\_ DENIAL

X FO w/ Permit # 54156

\_\_\_ FO w/o permit \_\_\_ lacks fees  
\_\_\_ lacks easement  
\_\_\_ lacks approved dam plans & specs

Name: Kerry Lefever Date: 1/10/2005

Peer Reviewer: CORY ENGEL

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.



Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-86060

Prior to issuance of a permit, recording fees in the amount of \$250.00 must be submitted to the Department. In order to increase Department efficiency and expedite the processing of your application, please submit the necessary fees prior to the protest deadline of **December 24, 2004**. Please include your application number on your check made out to the Oregon Water Resources Department. If this fee is not paid prior to **December 24, 2004**, issuance of a permit may be delayed.

**Proposed Final Order**

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

*Application History*

On July 26, 2004, HAL AND PATRICIA STRAIN submitted an application to the Department for the following water use permit:

- Amount of Water: 0.005 CUBIC FOOT PER SECOND (CFS)
- Use of Water: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD
- Source of Water: MIDDLE FORK COQUILLE RIVER, A TRIBUTARY OF SOUTH FORK COQUILLE RIVER
- Area of Proposed Use: Coos County within SECTION 19, TOWNSHIP 29 SOUTH, RANGE 11 WEST, W.M.

On August 20, 2004, the Department mailed the applicant notice of its Initial Review, determining that "the use of 0.005 cubic foot per second of water from Middle Fork Coquille River, a tributary of South Fork Coquille River for domestic use expanded for one household is not allowable, and it appears unlikely that you will be issued a permit." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On August 24, 2004, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.



On August 26, 2004, the department received information from the applicant intending to document that no alternate source is available, and that denial of the permit would cause loss of reasonable expectation for use of their property.

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*

The South Coast Basin Program allows the use of water for domestic use.

Senior water rights exist on MIDDLE FORK COQUILLE RIVER, A TRIBUTARY OF SOUTH FORK COQUILLE RIVER, or on downstream waters.

MIDDLE FORK COQUILLE RIVER, A TRIBUTARY OF SOUTH FORK COQUILLE RIVER is not within or above a State Scenic Waterway.

An assessment of water availability has been completed. This assessment compared a calculation of natural streamflow minus the consumption portion of all relevant rights of record. A copy of this assessment is in the file. This assessment determined that water is available for further appropriation (at an 80 percent exceedance probability) during the period December 1 through April 30. The reason water is not available is due to instream water rights. The Department has consulted with ODFW regarding the instream water rights and the proposed use, and the water use proposed under application S-86060. The Department and ODFW have determined that instream values can be protected if the permit is properly conditioned, including limiting the use to human consumption during the period May 1 through November 30.

The Department finds that the amount of water requested, 0.005 CFS, is an acceptable amount.



In accordance with OAR 690-33-330, an interagency team reviewed this proposed use for potential adverse impacts on sensitive, threatened and endangered fish populations. This team consisted of representatives from the Oregon Departments of Water Resources (WRD), Environmental Quality, Fish and Wildlife (DFW), and Agriculture. WRD and DFW representatives included both technical and field staff. The interagency team recommended that additional limitations or conditions of use be imposed on this application as follows:

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

#### *Instream Water Right Findings*

The proposed diversion is necessary to uses designated in ORS 536.310(12), specifically human consumption use (cooking, drinking, and sanitation).

After considering various alternative water sources, including groundwater, stored water, purchased trucked water, community and municipal suppliers, and transfers of existing water rights, the applicant provided documentation that there are no reasonable alternative sources of water.

The Department has considered the following factors:

The maximum economic development of the waters involved: The applicant has demonstrated that denial of this application would result in loss of reasonable expectations for use of the property.



The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control: Human consumption includes uses of water for sanitation (OAR 690-300-0010(24)). Because the applicant has no other reasonable source of water to provide sanitation to their home, human consumption use is necessary to provide the beneficial use of sanitation to the applicant.

The amount of waters available for appropriation for beneficial use: Water is not available for the proposed use during the full period requested.

The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved: The use will be conditioned to require reasonable use of the water and installation of equipment to permit water use measurement and reporting.

All vested and inchoate rights to the waters of this state or to the use of waters of this state, and the means necessary to protect such rights: Issuance of this right may increase the likelihood that water may not be available for all water rights. However, those rights are protected by their respective relative priority dates, the prior appropriation doctrine, and established regulatory procedures.

The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.534: ORS 536.310(12) provides that "[w]hen available supplies of water are insufficient for all who desire to use them, preference shall be given to human consumption purposes over all other uses." Because the proposed use is human consumption there is a preference for this use over all other uses.

Applying these factors one may conclude that the proposed use could increase the likelihood that water may not be available for all existing water rights (including those for the protection of fish and wildlife) because water is not available for the proposed use during the full period requested. However, because the proposed use is preferred above all other uses, is for sanitation and will not be wasteful, uneconomic, impracticable or unreasonable, and because denial of this application will result in the loss of reasonable expectations for use of the property, the public interest in the proposed use outweighs water availability concerns.

#### *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, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is **not** available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

Because water is not available, the required presumption has not been established.

OAR 690-310-120(2)(b) states that when the presumption is not established, the Department shall determine whether the proposed use will impair or be detrimental to the public interest considering the factors in ORS 537.170(8), and may make specific findings to demonstrate that even though the presumption is not established, the proposed use will not impair or be detrimental to the public interest, and propose approval of the application with appropriate modifications or conditions.

In consideration of findings described above under "*Instream Water Right Findings*", even though the presumption is not established, the proposed use will not impair or be detrimental to the public interest if approved with the following conditions:

1. During the period May 1 through November 30 of each year, the use shall be limited to HUMAN CONSUMPTION FOR ONE HOUSEHOLD at a diversion rate of 0.005 CFS.
2. 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.
3. The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
4. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

When issuing permits, ORS 537.211(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public interest. The attached draft permit is conditioned accordingly.

#### Recommendation

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

DATED November 9, 2004

  
Dwight French

Water Rights Section Manager

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



### *Protest Rights and Standing*

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the protest fee of \$250 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

### *Requests for Standing*

Under the provisions of 537.153(5), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$200.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **December 24, 2004**.

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.

*This document was prepared by Kerry Lefever. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0816.*

*If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at 503-986-0824.*

*If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:*

*Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.*



DRAFT

This is not a permit.

DRAFT

STATE OF OREGON

COUNTY OF COOS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

HAL AND PATRICIA STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

(541) 572-5400

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

APPLICATION FILE NUMBER: S-86060

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PURPOSE OR USE: DOMESTIC USE FOR ONE HOUSEHOLD, FURTHER LIMITED TO HUMAN CONSUMPTION (COOKING, DRINKING, AND SANITATION) AS SPECIFIED BELOW

MAXIMUM RATE: DOMESTIC - 0.005 CUBIC FOOT PER SECOND  
HUMAN CONSUMPTION - 0.005 CUBIC FOOT PER SECOND

PERIOD OF USE: DOMESTIC - DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR  
HUMAN CONSUMPTION - MAY 1 THROUGH NOVEMBER 30 OF EACH YEAR

DATE OF PRIORITY: JULY 26, 2004

POINT OF DIVERSION LOCATION: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 19, T29S, R11W, W.M.;  
1600 FEET SOUTH & 1600 FEET WEST FROM C1/4 CORNER, SECTION 19

THE PLACE OF USE IS LOCATED AS FOLLOWS:

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SECTION 19  
TOWNSHIP 29 SOUTH, RANGE 11 WEST, W.M.

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- 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.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

#### STANDARD CONDITIONS

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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, except where those instream water rights allow for the use authorized herein.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued \_\_\_\_\_, 2004

DRAFT - THIS IS **NOT** A PERMIT

Phillip C. Ward, Acting Director  
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.



REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.



North West  
1/4 Section 19

RECEIVED

JUL 16 2004

WATER RESOURCES DEPT  
SALEM, OREGON

Section 19 SW 1/4

Center  
Section 19  
+  
NE 1/4 section corner

MAP FOR WATER Right Application Located in  
Section 19 Township 29 South, Range 11 West W.M.  
COOS County, OREGON  
TAX LOT 400

FOR  
HAL AND Patti Strain  
P.O. Bx 312  
Myrtle Point, OR 97458

Date  
July 14, 2004

RECEIVED

JUL 26 2004

WATER RESOURCES DEPT  
SALEM, OREGON

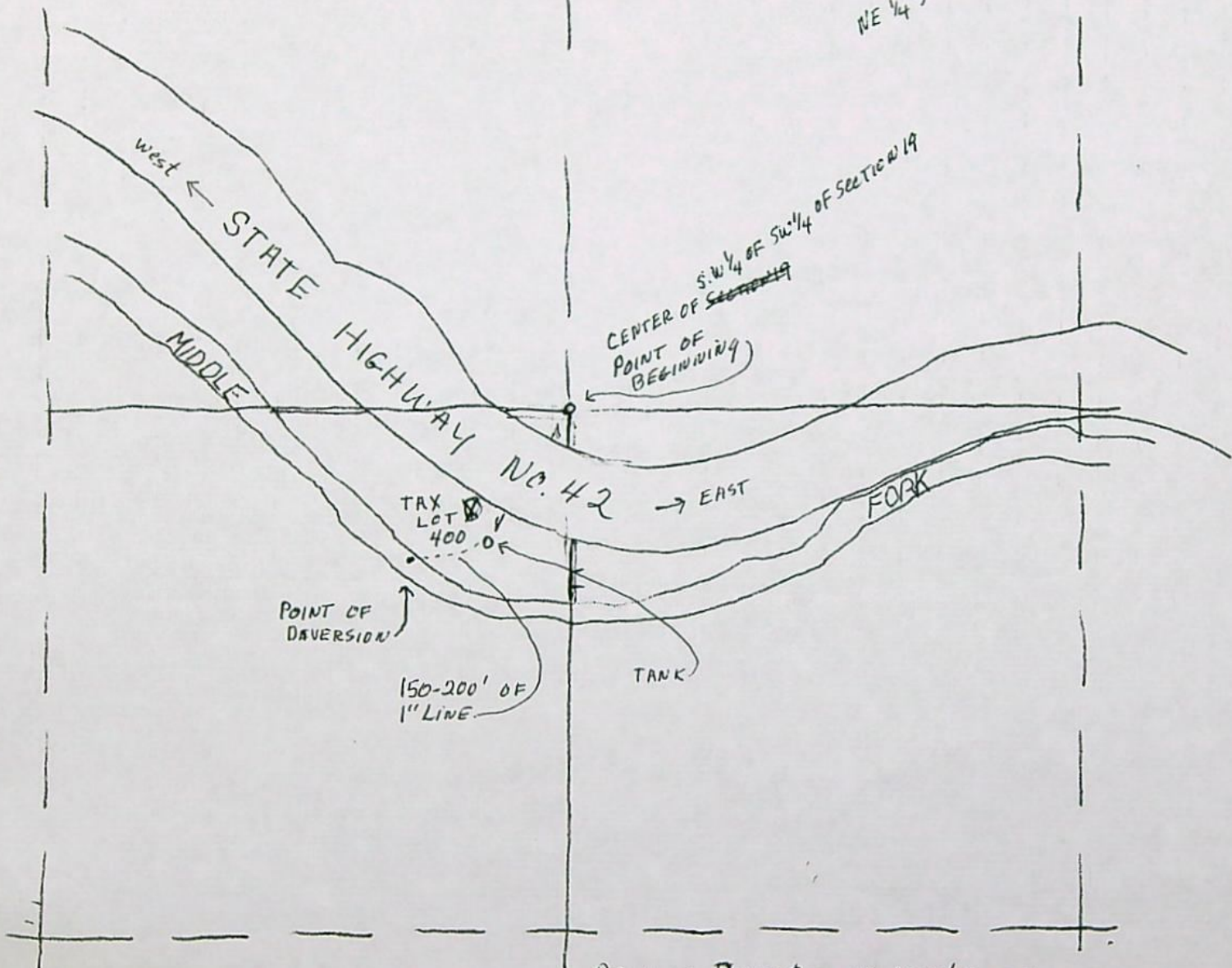
North ↑

One inch = 400 feet

This map is for the purpose of  
identifying the location of the  
water right only & is not  
intended to provide legal  
dimensions or locations of  
property ownership lines.

⊗ Location of house

app no. S86060



NOTE: THE P.O.D. and water line/TANK is  
entirely located on property  
owned by applicant

Point of Diversion is 1600' S. OF  
Center of Section 19 and 1600' W.  
OR 300' S. OF POINT OF BEGINNING at  
Center of SW 1/4 of Section 19 and 400' W.





10-20-04 Replying to:  
Request by letter of October 13, 2004 from Kerry Defener to  
Supply "a copy of the Conditional Use permit by Coos County."  
From Patti & Hal Strain

**Coos County Planning Department**  
Coos County Courthouse Annex, Coquille, Oregon 97423  
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210  
FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN

PLANNING DIRECTOR

## NOTICE OF PLANNING DIRECTOR'S DECISION

August 12, 2004

Hal & Patricia Strain  
1819 Spruce Street  
Myrtle Point, Oregon 97458

RECEIVED

OCT 21 2004

WATER RESOURCES DEPT  
SALEM, OREGON

**REQUEST(S)** : A conditional use to allow a template dwelling in the Forest Mixed Use zone

**FILE** : ACU-04-36

**APPLICANT** : Hal & Patricia Strain

**LEGAL DESCRIPTION(S)** : T.29, R.11, S.19, Tax Lot 400

**LOCATION(S)** : Located south of the City of Myrtle Point and west of the community of Bridge off of Highway 42

**ZONE(S)** : Forest Mixed Use (FMU)

**ACREAGE** : 2.00 acres

Notice is hereby given that the Planning Director has approved the above referenced conditional use request, subject to conditions and requirements in the staff report attached\*.

**REVIEW CRITERIA:** The subject application to site a template dwelling in the Forest Mixed Use must meet criteria set forth in the Coos County Zoning and Land Development Ordinance (CCZLDO) Section 4.8.525(B).

**REVIEW OF APPLICATION MATERIALS/STAFF REPORT:** A copy of the application, all documents and evidence relied upon by the applicant(s), staff report and the applicable criteria are available for review at the Planning Department. You may purchase these documents for a fee of \$.25 per page, or you may check out these documents for a deposit equaling \$.25 per page and take them to be copied elsewhere. Upon return of the documents to the Planning Department, your deposit will be refunded.

The decision may be appealed to the Coos County Hearings Body pursuant to Article 5.8 of the Ordinance within 15 days of the date notice of decision is mailed by filing a written "NOTICE OF



INTENT TO APPEAL" and the required filing fee with the Planning Director. Therefore, appeals filed after August 27, 2004 are not timely and will not be considered. This decision will not be final until the period for filing an appeal has expired. This decision cannot be appealed directly to the Land Use Board of Appeals under ORS.197.830.

Detailed information about the appeal process, filing fees and additional information may be obtained by contacting Staci Queen, Planner, at (541) 396-3121 or 756-2020, Extension 210.

Sincerely,

**COOS COUNTY PLANNING DEPARTMENT**

*Judy Norris by W. Darling*  
Judy Norris, Administrative Aide  
JN/jb

\*Attachment-Staff Report

c:     \*David Perry, DLCD  
       \*Del Cline, DEQ  
       \*Assessor's Office  
       \* Don Ivy, Cultural Resource Program, Coquille Indian Tribe  
       \*Coos County Road Department  
       \* Bridge Rural Fire Protection District  
       \*Watermaster  
       Adjacent Property owners within the 750' notification boundary  
       Planning Commission  
       File





**Staff Report**

File #: ACU-04-36

Date: August 12, 2004

Staff: Staci Queen, Planner II

**Applicant:** Hal & Patricia Strain  
1819 Spruce Street  
Myrtle Point, Oregon 97458



**Request:** Template dwelling within the Forest zone

**Legal Description:** T.29, R.11, S.19, Tax Lot # 400

**Legal Lot of Record:** Pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Section 3.3.800(1) if lots or parcels were created lawfully prior to January 1, 1986 the lots or parcels are legal lots or parcels. According to the 1982 microfiche Tax Lot #400 was created in 1983 (Deed# 83-20581). On December 16, 2003 the Planning Department authorized a property line adjustment with an adjacent parcel creating the current configuration of the subject property; therefore, the subject property is a legal lot of record.

**Acreage:** 2.00 acres

**Zone:** Forest Mixed Use (FMU)

**Decision:** Approved with conditions

**Location:** The subject property lies west of the community of Bridge off of Highway 42.

**CCZLDO Review Criteria:**

**Section 4.8.525(B)**

B. **TEMPLATE DWELLING.** A single-family dwelling on a lot or parcel located within a forest zone may be allowed as a conditional use if:

1. There are no other dwellings on the tract on which the dwelling will be sited.

**FINDING:** The applicant has shown on the submitted plot plan there are no other dwellings on the tract, which consists of 2.00 acres. The assessment records and air photo confirm this.

2. There are no deed restrictions established on the lots or parcels that make up the tract which do not allow a dwelling.

**FINDING:** The deed for the subject property, recorded in 2004 (2004-6742), does not reference any deed restrictions limiting development on the tract.

3. The lot or parcel on which the dwelling is to be located is predominantly composed of soils that are capable of producing the following cubic feet per acre per year:

|  | Cf/Ac/Yr of Growth |       |     |
|--|--------------------|-------|-----|
|  | 0-49               | 50-85 | +85 |
| Required minimum number of lots or parcels or portions thereof existing on January 1, 1993, with a 160-acre rectangle centered on the subject tract. | 3                  | 7     | 11  |
| Required minimum number of dwellings existing on January 1, 1993, on the lots or parcels   | 3                  | 3     | 3   |



OCT 21 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

NOTE: Lots or parcels within urban growth boundaries shall not be used to satisfy the above requirements.

**FINDING:** A letter from the Oregon Department of Forestry dated July 2, 2004 states the cubic foot growth estimates for tax lot 400 to be 137 cubic feet per acre per year. The Planning Department Cartography section determined the cubic feet per acre per year for the subject property to be 200.

Based upon the above criteria the template option required 11 parcels and 3 dwellings established before January 1, 1993, within a 160-acre rectangle centered on the subject tract. The subject property qualifies for a forest template dwelling because there are 11 parcels and 5 dwellings within the 160-acre template.

4. The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged Comprehensive Plan and its implementing measures.

**FINDING:** The proposed dwelling meets the criteria in Section 4.8.525(B) "Template Dwelling" and the acknowledged Comprehensive Plan.

#### Analysis:

The applicant is seeking approval for a forest template dwelling on the subject property. Based upon the above review criteria the Planning Department has determined the submitted conditional use application for a forest dwelling meets the applicable review criteria of the CCZLDO.

Please note all applications are subject to review of all applicable review criteria in the Coos County Comprehensive Plan (CCCP), the Coos County Zoning and Land Development Ordinance (CCZLDO), and all land use regulations.

Pursuant to Section 4.8.700 (A) ... A variance application will not be required if the parcel's configuration (shape and/or size) does not allow the primary or secondary firebreak to be met.

#### Conditions of approval:

1. Evidence must be provided that a "Forest Management Covenant" which recognizes the right of adjacent and nearby landowners to conduct forest operations consistent with the Forest Practices Act and Rules has been recorded with the Deed Records of Coos County.

2. The applicant shall provide evidence that the dwelling's domestic water supply is from a source authorized by the Water Resources Department and not from a Class II stream as designated by the State Forestry.

3. Road/Driveway Confirmation form must be signed by the County Roadmaster that the Road/Driveway has been improved in accordance with Chapter VII of the CCZLDO.

All driveways are considered new if a dwelling does not currently exist on the subject property or a second dwelling requires the creation of a new driveway.

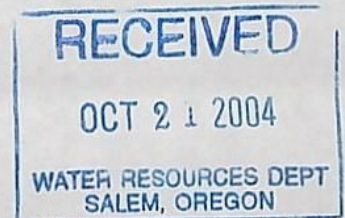
4. The proposed dwelling site is located within the 100-year floodplain; therefore, a floodplain certification must be submitted and approved prior to the issuance of a Zoning Compliance Letter.
5. The applicant must obtain a Zoning Compliance Letter (ZCL) from the Planning Department after items 1-4 above have been met in order to obtain any required development permits from the Department of Environmental Quality (DEQ) or the State Building Codes Agency.



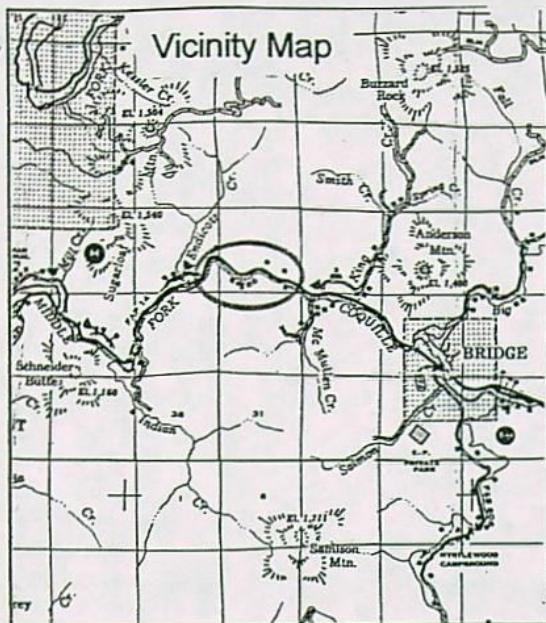
6. The permit shall run with the land and may be transferred to a new landowner when the property is conveyed. However, the "seller" or "grantor" by acting upon this permit agrees to notify the "buyer" or "grantee" of the terms and conditions of the permit.
7. The dwelling shall be located as shown on the applicants' submitted plot plan, subject to applicable setbacks of the zoning district.
8. Construction activities that disturb one or more acres of land are subject to Department of Environmental Quality (DEQ) review. Less than one acre may be subject to review if part of a larger common plan. Please direct all questions to DEQ.

C: David Perry, DLCD  
Del Cline, DEQ  
Assessor's Office  
Don Ivy, Cultural Resource Program, Coquille Indian Tribe  
File

Coos County Road Department  
Bridge Rural Fire Protection District  
Watermaster







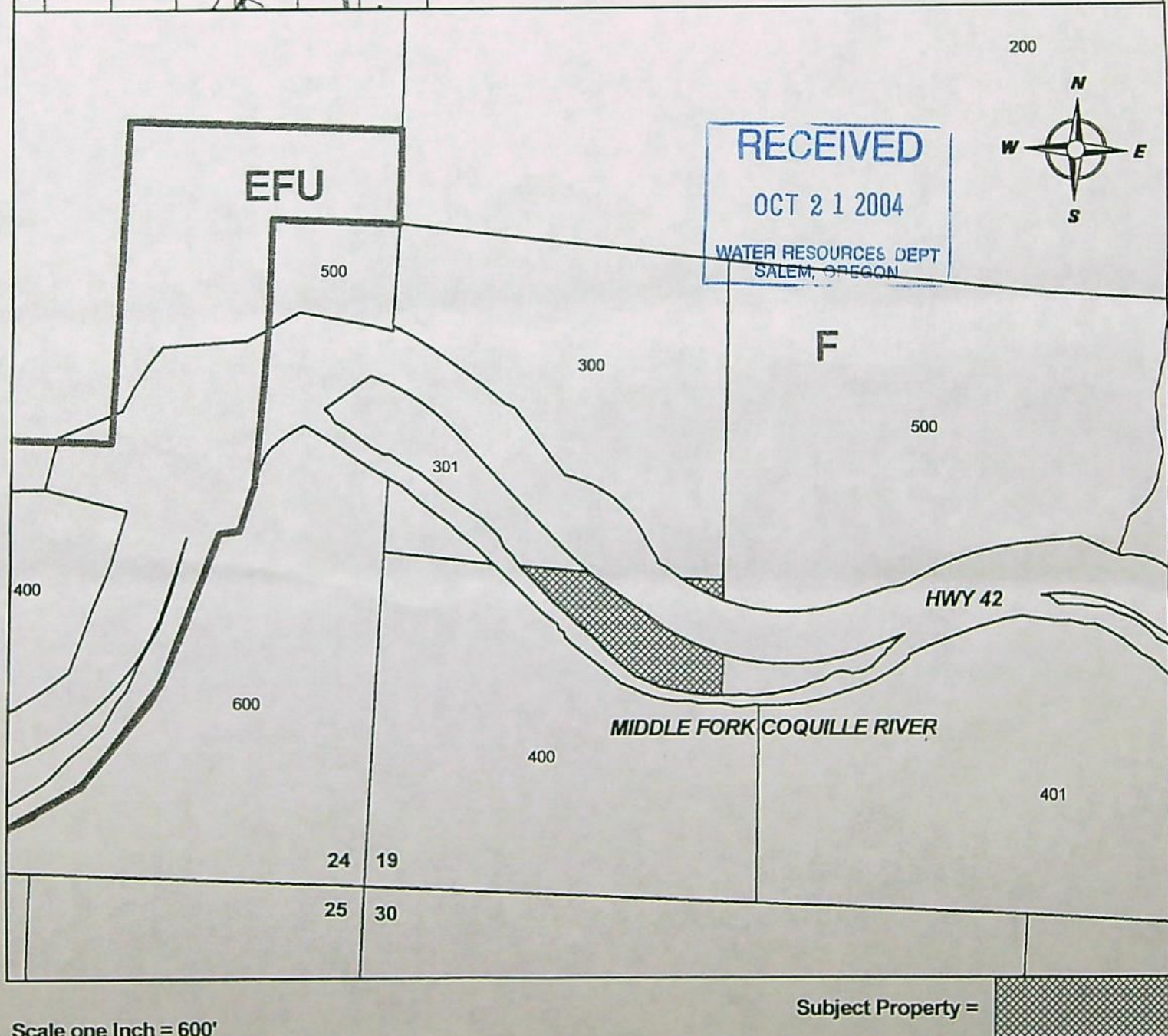
Coos County Courthouse Annex, 290 N. Central  
Coquille, Oregon 97423  
(541) 396-3121 Ext. 210 Fax (541) 396-2690

File Number: ACU-04-36

Applicant: Hal & Patricia Strain  
1819 Spruce St  
Myrtle Point, OR 97458

Location: T29 R11 Sec.19 TL 400

Proposal: Template Dwelling





**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

S-86060

HAL &amp; PATRICIA STRAIN

PO BOX 312

MYRTLE POINT OR 97458

**RECEIVED****OCT 15 2004****WATER RESOURCES DEPT  
SALEM, OREGON****COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*Patricia Strain*☐ Agent☒ Addressee

B. Received by (Printed Name)

*PATTI STRAIN*

C. Date of Delivery

*10-14-04*

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7004 1160 0007 2344 0469



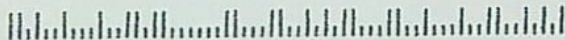
UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

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







# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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

### CERTIFIED MAIL RETURN RECEIPT REQUESTED

October 13, 2004

HAL AND PATRICIA STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

Reference: File S-86060

Dear Mr. and Mrs. Strain:

The Department is currently in the process of preparing a Proposed Final Order for the above referenced application. However, based upon continued review, the Department has determined that additional information is necessary in order to complete your application.

#### **Please provide the following information:**

- A copy of the conditional use permit approved by Coos County.

Please submit the information described above no later than **Friday, November 12, 2004**. If necessary, you may request an administrative hold on the application for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or a request for time out from processing, we **may** reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 986-0816.

Sincerely,

Kerry Lefever  
Water Rights Application Caseworker

cc: Watermaster #19  
File





File #: S-86060

Oregon Water Resources Department  
Application Supplement for  
Human Consumption & Livestock Uses

For water use permit applications within or above scenic waterways or from streams water rights for which water is not available due to required instream flows, the Department may issue limited permits for human consumption and livestock uses. Human consumption use is limited to use of water for drinking, cooking, and sanitation, and does not include other uses such as lawn or garden watering or other related water uses.

In order to issue a permit to you for human consumption or livestock use, the Department must find that you cannot reasonably obtain water from any other source. For human consumption, an additional finding must be made that denial of the water right would result in loss of reasonable expectations for use of your property. For livestock use, additional findings must be made that issuance of a permit is necessary to prevent the livestock from watering in or along the stream bed and that you have excluded livestock from the stream and the adjacent riparian zone.

Please answer the following questions, and sign and return this form to Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

1. Can you reasonably obtain water from any other source? YES / NO  
(circle one)

If not, please describe why each of the following options are not reasonable:

- a. Groundwater, such as a well on yours or a neighbor's property. (If expense is the reason groundwater is not reasonable, please provide two estimates of the cost.)

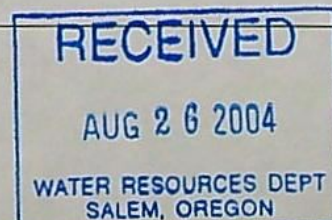
They have a spring & refuse to share  
because of supply - small -

- b. Securing stored water from upstream reservoirs.

There are none.

- c. Trucking water. (If expense is the reason this option is not reasonable, please provide a copy of an estimate of the cost of trucking water.)

No equipment or service.







d. Community or municipal water suppliers.

None available

e. Tying in to a neighboring property's spring.

see A - not available

g. Transferring existing water rights to your proposed use(s).

none available to transfer

Please identify any other alternate water sources you have considered, and why they are not feasible:

None available

2. If you are seeking a permit for **human consumption use**, would denial of your application result in loss of reasonable expectations for use of your property?

YES / NO / NOT APPLICABLE  
(circle one)

If so, please describe how:

Could not have a home there  
& could not utilize the non-site

3. If you are seeking a permit for **livestock use**, is the proposed use necessary to prevent the livestock from watering in or along the stream bed?

YES / NO / NOT APPLICABLE  
(circle one)

no livestock

3. If you are seeking a permit for **livestock use**, have you excluded livestock from the stream and the adjacent riparian zone?

YES / NO / NOT APPLICABLE  
(circle one)

Applicant Signature:

[Signature]

Date:

8/25/04

Applicant Signature:

[Signature]

Date:

8/25/04



# WATERMASTER DIVISION 33 APPLICATION WORK SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species,  
OAR 690-33-310 through 340.

Date: August 20, 2004

21 day Deadline Date: September 14, 2004

Application # S-86060

Applicant's Name: HAL AND PATRICIA STRAIN

SOURCE OF WATER: ☐ GROUNDWATER ☒ SURFACE WATER ☐ STORAGE

DESCRIPTION OF THE SOURCE: MF COQUILLE RIVER

(A spring, well, sump, exempt pond, unnamed stream, etc.)

1) If from surface water, does the water at the proposed diversion location flow above ground in a defined channel into another water body?

☒ YES ☐ NO ☐ SOMETIMES

If sometimes, describe the time period, Between: \_\_\_\_\_ and \_\_\_\_\_.

2) Does the source ever go dry in the area of the proposed diversion?

☐ YES ☒ NO

3) To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?

☐ YES ☒ NO

If YES, please explain: \_\_\_\_\_

4) Do you agree with the water availability recommended period of use?

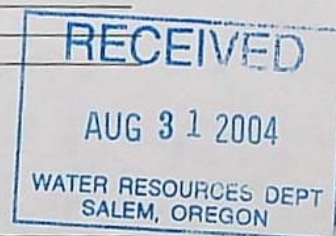
☒ YES ☐ NO ☐ I DON'T KNOW

If NO, why do you disagree with the recommended period of use and what period do you recommend? \_\_\_\_\_

5) Did you meet with staff from another agency to discuss this application?

☐ YES ☒ NO

Who: \_\_\_\_\_ Agency: \_\_\_\_\_ Date: \_\_\_\_\_



6) Is mitigation an option?

☒ YES ☐ NO

If YES, please explain: PASS APPLICATION TO HUMAN

CONSUMPTION ONLY

Comments: \_\_\_\_\_

Name: MITCH LEWIS Date: 8-24-04 Title: WATERMASTER DIST. 19

WRD Contact: Caseworker: Kerry Lefever, Water Rights Division  
503-986-0816 / Fax: 503-986-0901 / e-mail: Kerry.A.LEFEVER@ wrd.or.state.us



MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG  
(Developed 6/27/97 - revised 7/13/04)

**standard language for all surface and reservoir applications unless instructed otherwise by ODFW:**

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, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction. (formerly b54c and odfwdam)

**fishself** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary. (formerly fish)

**fishapprove** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary. (formerly odfw and b54b)

**fishdiv33** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed. [same as riparian]  
(formerly pisp)

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows. [same as wq]

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary. [same as fishapprove]

**fishmay** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish. (formerly odfwmay)

**b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.

**b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

**b51a** The period of use has been limited to \_\_\_\_\_ through \_\_\_\_\_.

**b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

**b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

**futile call** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the \_\_\_\_\_ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

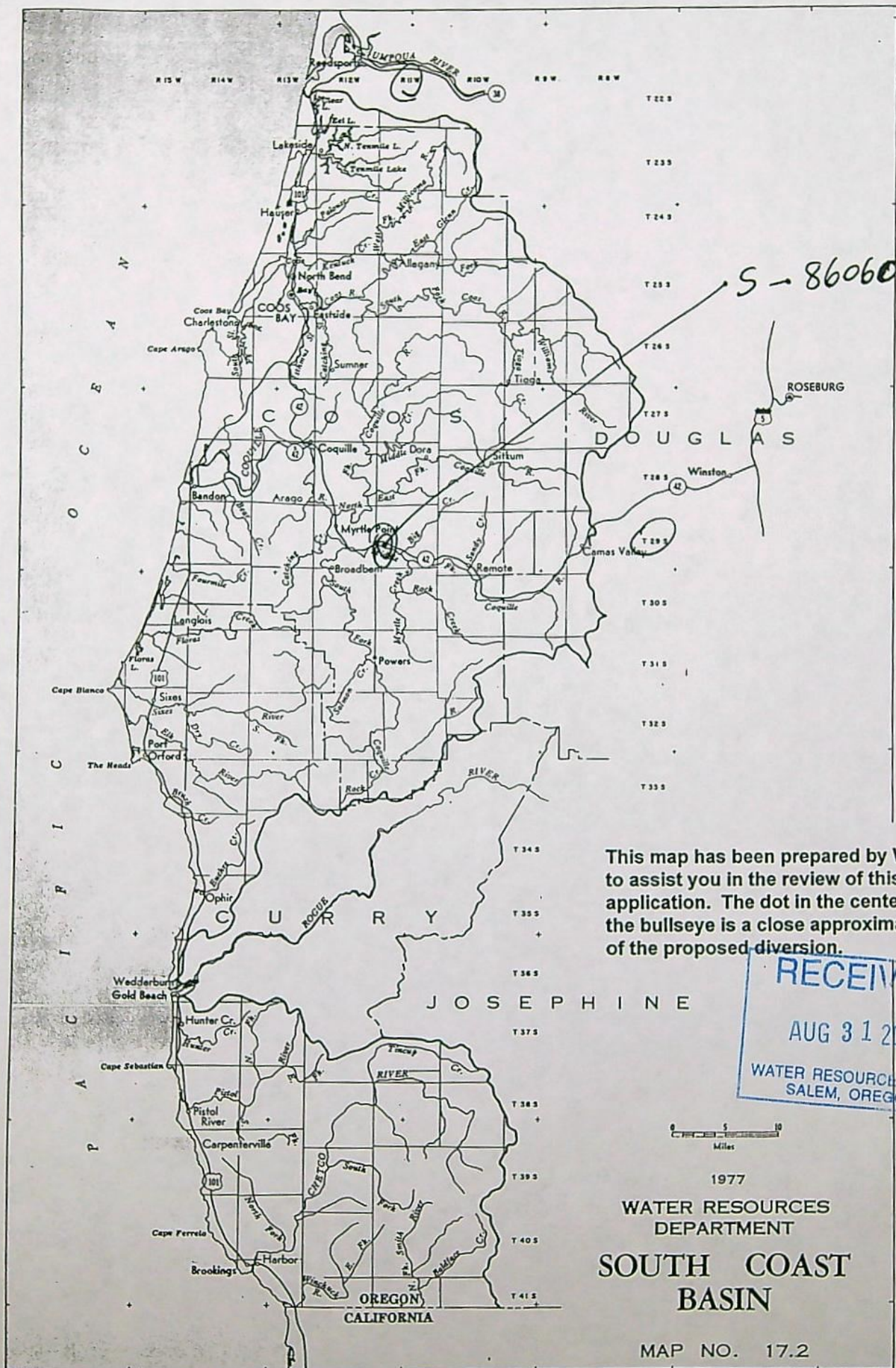
**riparian** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

**wq** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

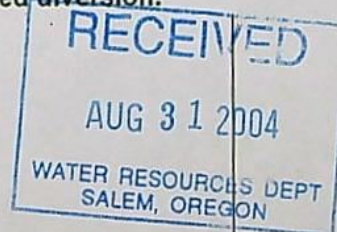
**fence** The stream and its adjacent riparian area shall be fenced to exclude livestock.

**blv** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.





This map has been prepared by WRD to assist you in the review of this application. The dot in the center of the bullseye is a close approximation of the proposed diversion.



1977  
WATER RESOURCES  
DEPARTMENT  
SOUTH COAST  
BASIN

MAP NO. 17.2





# 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

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

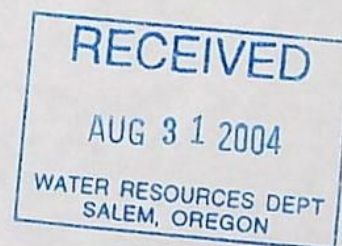
August 20, 2004

HAL AND PATRICIA STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

(541)572-5400

Reference: File S-86060

Dear Applicant:



**THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except where otherwise noted below.
2. The use of water from from Middle Fork Coquille River, a tributary of South Fork Coquille River for domestic use expanded **is a classified use** under OAR 690-517, the South Coast Basin Program.
3. Water in the amount of 0.005 cubic foot per second for domestic use expanded for one household **is not available** from May 1 through November 30.
4. Because water is not available for domestic use expanded year round, you may provide additional information that would allow you to pursue a permit for a limited, human consumption (cooking, drinking, and sanitation) use. Please refer to the ADDITIONAL INFORMATION OPPORTUNITY section below for details and additional information required.



5. The Department has determined there are deficiencies with the application submitted. Please refer to the **ADDITIONAL INFORMATION REQUIRED** section below for specific information.

### Summary of Initial Determinations

Because item #3 above is unfavorable, the use of 0.005 cubic foot per second of water from Middle Fork Coquille River, a tributary of South Fork Coquille River for domestic use expanded for one household is not allowable, and it appears unlikely that you will be issued a permit. At this time, you must decide whether to proceed or to withdraw your application as described below.

### ADDITIONAL INFORMATION OPPORTUNITY:

- **Instream Water Rights for Fish Flows and Scenic Waterway**  
Due to the lack of water necessary to maintain instream uses protected by an instream water right, water is not available in sufficient quantities to support the proposed use. However, by rule, additional uses may be allowed where public interest in the use is high and the use is conditioned to protect instream values (OAR 690-410-070(2)(a) & 690-310-260(2)). Human consumption of water (cooking, drinking and sanitation) from the proposed source may be considered a high public interest use if there is no reasonable alternative. This may be especially true if denial of the application will result in loss of reasonable expectations for use of the property. If you can provide evidence that this is the case, we will work with the Oregon Department of Fish and Wildlife to determine conditions which will protect instream values and the scenic waterway during the months listed above in item #3. These conditions may include mitigation measures to offset the impact of the requested use.

### ADDITIONAL INFORMATION REQUIRED:

- Land use information submitted to the Department signed by the local planning authority has indicated that conditional land use approval is required for your proposed use. Please submit notice of compliance with land use planning as outlined by Coos County.

**Please complete and return the enclosed "Application Supplement for Human Consumption & Livestock Uses" form and land use information no later than Thursday, September 23, 2004.** If necessary, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the requested form by this date and you do not request an administrative hold, we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-



refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

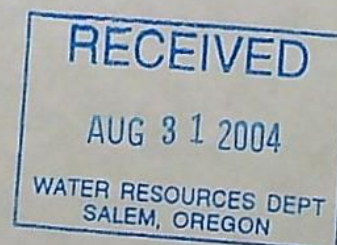
If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, September 3, 2004**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
  - 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.





2. You may be required to install fish screens at the diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.
3. The priority date for this application is July 26, 2004.

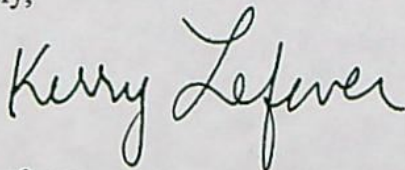
WARNING: This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at [http://www.oda.state.or.us/nrd/water\\_quality/index.html](http://www.oda.state.or.us/nrd/water_quality/index.html) to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at 503-986-0801. Feel free to call me at 503-986-0816 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.

Sincerely,



Kerry Lefever  
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

S-86060  
wab 17-72525  
pou 17-72525  
gw



# APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)  
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: S-86060

Applicant: HAL AND PATRICIA STRAIN

County: Coos

Watermaster: 19

Priority Date: July 26, 2004

Source: MIDDLE FORK COQUILLE RIVER, A TRIBUTARY OF SOUTH FORK COQUILLE RIVER

Use: DOMESTIC EXPANDED

Quantity: 0.005 CUBIC FOOT PER SECOND

Basin Name & Number: South Coast, #17

Stream Index Reference: Volume 2A MFK COQUILLE R

Point of Diversion Location: SWSW SECTION 19, T29S, R11W, W.M.; 1600 FEET SOUTH & 1600 FEET WEST FROM C1/4 CORNER, SECTION 19

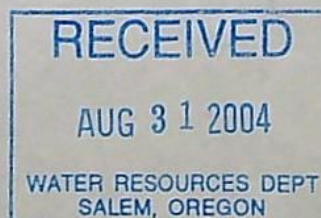
Place of Use: SWSW, SECTION 19, TOWNSHIP 29 SOUTH, RANGE 11 WEST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, September 3, 2004**

**PUBLIC NOTICE DATE: Tuesday, August 24, 2004**

**30 DAY COMMENT DEADLINE DATE: Thursday, September 23, 2004**

Application S-86060



Page 5



Section 19 SW 1/4

RECEIVED

JUL 16 2004

WATER RESOURCES DEPT  
SALEM, OREGON

Center  
Section 19  
+  
NE 1/4 section corner

Location  
MAP FOR WATER Right Application Located in  
Section 19 Township 29 South, Range 11 West W.M.  
COOS County, OREGON  
TAX LOT 400

FOR  
HAL AND Patti Strain  
P.O. Box 312  
Myrtle Point, OR 97458

Date  
July 14, 2004

RECEIVED  
JUL 26 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

North ↑  
One inch = 400 feet

This map is for the purpose of  
identifying the location of the  
water right only & is not  
intended to provide legal  
dimensions or locations of  
property ownership lines.

⊗ Location of house

app no. S86060

West ← STATE HIGHWAY NO. 42 → EAST  
MIDDLE  
FORK  
TANK  
POINT OF DIVERSION  
150-200' OF  
1" LINE  
TAX LOT 400 OF

S.W. 1/4 OF SW 1/4 OF SECTION 19  
CENTER OF ~~SECTION 19~~  
POINT OF BEGINNING

RECEIVED

AUG 31 2004

WATER RESOURCES DEPT  
SALEM, OREGON

NOTE: THE P.O.D. and water line/TANK IS  
entirely located on property

Point of DIVERSION IS 1600' S. OF  
Center of Section 19 and 1600' W.  
OR 300' S. OF POINT OF BEGINNING at  
Center of SW 1/4 of Section 19 and 400' W.



## Form 2 - Lower Columbia/Statewide

ODFW DIVISION 33 APPLICATION REVIEW SHEET *Hurn*

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Date: August 20, 2004

21 day Deadline Date: September 14, 2004

Application # S-86060

Applicant's Name: HAL AND PATRICIA STRAIN

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened, or endangered fish species? [690-33-330(1)]

NO / YES Species: *Pacific/Brook Lamprey* Status: *Sensitive* *Coho* *Threatened* *Endangered*

IF ANSWER TO QUESTION (1) IS YES, CONTINUE ON THIS PAGE TO QUESTION (2),

IF ANSWER IS NO, FILL OUT PUBLIC INTEREST REVIEW SHEET (PAGE 2)

What stage or value is at risk (circle all that apply) *Spawning, Incubation, Rearing, Passage, Habitat Value*

2) Will the proposed use result in a LOSS in the essential habitat of THREATENED OR ENDANGERED SPECIES or a NET LOSS in the habitat of a SENSITIVE SPECIES?

NO / *YES*

A) Standard of NET LOSS applies to sensitive species statewide. [690-33-330(2)(a)]

B) Standard of LOSS applies to T or E species outside the Columbia Basin. [690-33-330(2)(b)]

3) Can conditions be applied to mitigate the impact to the essential habitat of a S, T or E species?

NO (if no go to 4) / *YES* [690-33-330(3)]

Which conditions are recommended?

*Riparian, fish self*

*If water quantity is to be reduced by a Human Cons. water right, then water quality/fish habitat should be improved to provide a net benefit.*

(Try to select conditions from the Menu of Conditions)

*(Shade, cover, stream complexity, etc.)*

4) If conditions cannot be identified to offset impacts to the essential habitat of S, T or E species, would the proposed use harm the species?

NO / *YES* [690-33-330(4)]

If YES, please explain:

*Loss of habitat; low water on spawning grounds, removal of streamside vegetation, and juvenile fish drawn into water diversion and killed.*

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what fish screening, bypass or other conditions should be included in the permit?

*Screening requirements listed in contract, contact Rich Kilbane 541 826-8774 Riparian mitigation required for disturbances on stream bank at point of diversion*

ODFW Representative: Name:

*Shannon Hurn*

Date:

*9-7-04*

WRD Contact: Caseworker: *Kerry Lefever, Water Rights Division*

503-986-0816 / Fax: 503-986-0901 / e-mail: *Kerry.A.LEFEVER@wrdr.or.state.us*



**ODFW PUBLIC INTEREST REVIEW SHEET**

Page 2

Application # S-86060

Applicant's Name: **HAL AND PATRICIA STRAIN**

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

NO (Sign form and return) / YES Species: \_\_\_\_\_

Other: \_\_\_\_\_

What stage or value is at risk (circle all that apply): Spawning, Incubation, Rearing, Passage, Habitat Value

2) Will the proposed use result in a loss of habitat? NO / YES

3) Can conditions be applied to mitigate the impact to the loss of habitat? NO / YES

Which conditions are recommended? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Try to select conditions from the Menu of Conditions)

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species?

NO / YES

If YES, please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what fish screening, bypass or other conditions should be included in the permit?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ODFW Representative: Name: \_\_\_\_\_ Date: \_\_\_\_\_

WRD Contact: Caseworker: Kerry Lefever, Water Rights Division  
503-986-0816 / Fax: 503-986-0901 / e-mail: Kerry.A.LEFEVER@wrdr.state.us

Revised 07/13/04



# PFO CHECKLIST

Application # 5-86060

PFO work week # 482

1. Shortcomings preventing PFO? ☒ Y / ☐ N Should process continue? ☒ Y / ☐ N *10-21-04 Wed Rec'd land use approval Cert letter - RE: Land Use*
2. IR Date 8-20-04 Public Notice Date 8-24-04 Comments received? ☒ Y / ☐ N *Div 33 - ODFW dlm*
3. Was additional information requested in the IR? ☒ Y / ☐ N If so, do we now have enough info to do the PFO? ☒ Y / ☐ N *Rec'd HC info from appo*
4. Was the application filed after 10/23/99? ☒ Y / ☐ N (If not, add A date requirement) *\*Need Land Use approval\**
5. Does the applicant intend to begin construction within 5 years? ☒ Y / ☐ N (If not, bring to supervisor's attention.)
6. Is second gw review necessary? Y / N / ☒ NA Complete? Y / N
8. Water Availability ☒ OK / REDONE / NA
9. Have conflicts been addressed? Y / N / ☒ NA
10. Changes from IR determinations

*WM - recommends HC only*  
*ODFW - "RIPARIAN", "FISH SELF"*

11. Copy to WM  
Reg. Manager - SW  
Dave Jurell

## 12. Fees

Base Fee

Water Amount

\$100 / \$150  
\$250 / \$300

1<sup>st</sup> CFS/AF

200

Addl @

+

300 +

200

=

500

EXAM FEE REQUIRED

500

RECORDING FEE REQUIRED

\$175 / \$250

EXAM FEE PAID

500

RECORDING FEE PAID

0

STILL OWED

0

STILL OWED

250

*\*Fees Text Box\**

Name: KERRY LEFEVER

Date: 10-12-04

Peer Reviewer:

Jenna Eastman

Date:

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.



June 16, 2003: THIS DOCUMENT IS CURRENTLY UNDER CONSTRUCTION.

This document is located at S:\groups\wr\Resource Center\findings & other lang\pfo language\instream water right hc exception.wpd.

The following changes should be made in PFO's for an HC exception above instream water rights; begin with a macro-produced positive PFO, and make modifications where indicated by yellow highlighting:

PFO MODIFICATION #1:

-----  
The following replaces the paragraph: "No written comments were received within 30 days."

On [date], the Department received information from the applicant intending to document that no alternate source is available, and that denial of the permit would cause loss of reasonable expectation for use of their property.

-----  
PFO MODIFICATION #2:

-----  
Add the following text in the PFO immediately above the "Conclusions of Law" heading. The underlined factors considered may require some customization, depending on the specific reasons that the presumption is not established.

*Instream Water Right Findings*

The proposed diversion is necessary to uses designated in ORS 536.310(12), specifically human consumption use (cooking, drinking, and sanitation).

After considering various alternative water sources, including groundwater, stored water, purchased trucked water, community and municipal suppliers, and transfers of existing water rights, the applicant provided documentation that there are no reasonable alternative sources of water.

The Department has considered the following factors:

The maximum economic development of the waters involved: The applicant has demonstrated that denial of this application would result in loss of reasonable expectations for use of the property.

The control of the waters of this state for all beneficial purposes, including drainage, sanitation and



flood control: Human consumption includes uses of water for sanitation (OAR 690-300-0010(24)). Because the applicant has no other reasonable source of water to provide sanitation to their home, human consumption use is necessary to provide the beneficial use of sanitation to the applicant.

The amount of waters available for appropriation for beneficial use: Water is not available for the proposed use during the full period requested.

The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved: The use will be conditioned to require reasonable use of the water and installation of equipment to permit water use measurement and reporting.

All vested and inchoate rights to the waters of this state or to the use of waters of this state, and the means necessary to protect such rights: Issuance of this right may increase the likelihood that water may not be available for all water rights. However, those rights are protected by their respective relative priority dates, the prior appropriation doctrine, and established regulatory procedures.

The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.534: ORS 536.310(12) provides that "[w]hen available supplies of water are insufficient for all who desire to use them, preference shall be given to human consumption purposes over all other uses." Because the proposed use is human consumption there is a preference for this use over all other uses.

Applying these factors one may conclude that the proposed use could increase the likelihood that water may not be available for all existing water rights (including those for the protection of fish and wildlife) because water is not available for the proposed use during the full period requested. However, because the proposed use is preferred above all other uses, is for sanitation and will not be wasteful, uneconomic, impracticable or unreasonable, and because denial of this application will result in the loss of reasonable expectations for use of the property, the public interest in the proposed use outweighs water availability concerns.

-----



PFO MODIFICATION #3:

-----  
In the Conclusions of Law, the paragraphs regarding the basin plan, water availability, etc. should be modified as appropriate to indicate negative findings (i.e. the reason(s) that the presumption is not established).  
-----

PFO MODIFICATION #4:

-----  
DELETE THE FOLLOWING IN CONCLUSIONS OF LAW:

\*\*\*SURFACE WATER\*\*\*

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 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.

\*\*\*GROUNDWATER\*\*\*

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the



- presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
    - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
    - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

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

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

REPLACE THE ABOVE WITH THIS:

Because [water is not available, etc.], the required presumption has not been established.

[SURFACE: "OAR 690-310-120(2)(b)" GROUNDWATER: "OAR 690-310-120(2)(b)"] states that when the presumption is not established, the Department shall determine whether the proposed use will [SURFACE: "impair or be detrimental to the public interest considering the factors in ORS 537.170(8)" GROUND: "adversely affect the public welfare, safety and health"], and may make specific findings to demonstrate that even though the presumption is not established, the proposed use will not [SURFACE: "impair or be detrimental to the public interest" GROUND: "adversely affect the public welfare, safety and health"], and propose approval of the application with appropriate modifications or conditions.

In consideration of findings described above under "*Instream Water Right Findings*", even though the presumption is not established, the proposed use will not [SURFACE: "impair or be detrimental to the public interest" GROUND: "adversely affect the public welfare, safety and health"] if approved with the following conditions:



1. The use shall be limited to HUMAN CONSUMPTION FOR ONE HOUSEHOLD at a diversion rate of 0.005 CFS.
2. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained consistent with those standards identified in OAR 690-507-645(1) through (3).
  - B. The permittee shall allow the watermaster access to the meter; provided however, where the meter 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.

[SPECIFY ANY OTHER CONDITIONS NECESSARY TO OVERCOME THE NON-ESTABLISHMENT OF THE PRESUMPTION.]

-----  
PFO MODIFICATION #5:

-----  
In the draft permit the condition that says...

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.

...should be modified to read:

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, except where those instream water rights allow for the use authorized herein.



# IR CHECKLIST

App # S-86060 Name HAL & PATRICIA STRAIN

Use(s) Dom Exp -0.005 cfs Priority Date(s) 7-26-04  
(If quasi/muni, reviewed by Bill Fujii?)

- ✓ 1. Is the application complete? Y / N
- ✓ 2. Prohibited by ORS 538? If so, do not do an IR; return app & fees to applicant.
- NA 3. GW Review ☐ basin classification triggered ☐ Is there PFSI? stream name \_\_\_\_\_  
☐ will not ☐ will likely be available ...without injury... and/or within the capacity of the resource  
☐ will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource  
☐ Well located in GWLA or CGWA or TIN R3E Sec 20, 21, 28, 29? Y / N (If Y, include basin map noting POD)
- ✓ 4. WM Dist (NWR - 1 2 16 18 20) (NCR - 3 4 5 21) (ER - 6 8 9 10) (SCR - 11 12 17) (SWR - 13 14 15)  
Coos Co. swr cc: dave jarrett
- ✓ 5. DIVISION 33 Y / N / NA ☐ Above Bonn ☐ If above, not allowed April 15 - September 30?  
 (If Y, attach basin map w/ pod) ☐ Below Bonn ☒ Statewide
- ✓ 6. SW Availability NA ☒ 80% live ☐ 50% storage water avail Dec 1-Apr 30 WID: 17-72525  
☐ wab in Lost River Basin? If so, use 7-13-04 table for watershed ID # 31420404. No  
☐ wab in Chehalem, Champoeg, Mission or Case Creeks? If so, use 9-12-95 memo written by Dave Jarrett. No
- ✓ 7. Is there a conflict? Y / N / NA  
☐ If conflict, are rights from a different source?  
☐ If supplemental, ☐ check for primary right on same land  
☐ will this be making up a deficiency in rate?
8. Allowed under Basin Program Y / N Limitations? Y / N ORR 690-517
- ✓ 9. Middle Fk Coquille R 303D Y / N / NA IN GEOGRAPHIC UMATILLA Y N BOTTLED WATER Y / N  
 (cc: DEQ Regional Manager) (cc: CTUIR) (cc: DOA Food Safety Division)
- ✓ 10. Rate \_\_\_\_\_ Rate Max Dom Exp -0.001 cfs Req 0.005 cfs  
 Duty \_\_\_\_\_ Season Allowed 4R Req 4R
- ✗ 11. Land use approval OK needs approval county notified NA
- ✓ 12. B.O.R. or Doug Co. project Y / N contract # \_\_\_\_\_
- ✓ 13. Does the applicant intend to complete beneficial use within 5 years? Y / N  
 (If not, bring to supervisor's attention.)
- ✓ 14. Statement allowing someone to act as authorizing agent? Y / N / NA
- ✓ 15. Conditions: Medium  
Small  $\leq 0.1$  CFS,  $\leq 9.2$  AF, Medium  $> 0.1$  or  $\leq 1.5$  CFS,  $> 9.2$  or  $\leq 100$  AF, Large  $\geq 1.5$  CFS,  $\geq 100$  AF  
 use at least Medium for: human consumption, sitcoos lake, livestock SWW, Galesville/BOR  
 uses that require Large: GW condition 71, temp control (nu), gov. entity and tenmile lake
- ✓ 16. Is the stream withdrawn? Y / N / NA season allowed \_\_\_\_\_



App # 5-86060 Name STRAIN

✓ 17. Basin Maps have been checked ☒ Y / N River Mile near RM 5 Middle FK Coquille R

✓ 18. SWW ABOVE WITHIN ☒ NO (if so, notify state parks & record app # in book) Name \_\_\_\_\_

✓ 19. Is the use located within Oregon Streamflow Restoration Area? Y / ☒ N / NA

✓ 20. Letter format Good Limited Bad Bad w/ HC Opportunity

21. If Initial Review is negative, did you notify the applicant? Y / N / NA

✓ 22. CWRE, representative, etc. to notify? ☒ Y / N ODFW - Shannon Hurn  
DES - John Blanchard  
OPA - Jim Johnson

23. Addn'l info req'd? Y / N Supp for HC  
(If Y, send certified)

24. Attachments included? ☒ Y / N / NA

✓ 25. Fees

Base Fee

Water Amount (Q)

\$100 / \$150

1<sup>st</sup> CFS/AF

200

\$250 \$300

\_\_\_\_\_ Addl CFS/AF @ \_\_\_\_\_ + \_\_\_\_\_

300 +  
(base)

200 = 500  
(Q) (total exam fee)

• Applied for Dom of watering 1/4 garden - only requested 0.005 cfs  
• Need conditional land use approval - none  
• water available Dec 1 - Apr 30 → HC opp.

|                   |            |
|-------------------|------------|
| EXAM FEE REQUIRED | <u>500</u> |
| EXAM FEE PAID     | <u>500</u> |
| STILL OWED        | <u>0</u>   |

Name: Kerry Lefever Date: 8-11-04 Peer Reviewer: Jerry Gurney

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.



## **690-517-0000    Classifications**

(8) All other surface and ground water resources are hereby classified for domestic, livestock, municipal, industrial, fire control, irrigation, agricultural use, mining, power development, recreation, wildlife and fish life uses.



**Analysis for Application: S86060****Location: 29S-11W-19-SWSW**

Uses: DN P

**Basins**

| BASIN_NUM | BASIN_NAME  |
|-----------|-------------|
| 17        | South Coast |

Records Found: 1

**WaterMaster Districts**

| WATERDIST | REGION | WMASTER     | ADDRESS                             | CITY     | ZIP   | PHONE        | EXT | FAX          |
|-----------|--------|-------------|-------------------------------------|----------|-------|--------------|-----|--------------|
| 19        | SW     | Mitch Lewis | Coos County Annex, 290 N Central St | Coquille | 97423 | 541-396-3121 | 254 | 541-396-6233 |

Records Found: 1

**WAB**

| GAGE  | BASIN | LINK1                       | LINK2                    |
|-------|-------|-----------------------------|--------------------------|
| 72525 | 17    | Water Availability: 50% 80% | Flood Frequency Analysis |

Records Found: 1

**County**

| COUNTY | FIPS  |
|--------|-------|
| Coos   | 41011 |

Records Found: 1

**Groundwater Restricted** Records Found: 0**Division 33 Area**

| DIV33           |
|-----------------|
| In a Div33 area |

Records Found: 1

**Rule 4D**

| RULE4D           |
|------------------|
| In a Rule4D Area |

Records Found: 1

**303D Streams**

| WATERBODYN                 | RM        | PARAMETER        | SEASON        | BASIN    | BASINCODE | FKSTREAMLL    | RM1 | RM2      | CRITERIA_T          | PKMATRIXID | LISTING_ST  |
|----------------------------|-----------|------------------|---------------|----------|-----------|---------------|-----|----------|---------------------|------------|-------------|
| Middle Fork Coquille River | 0 to 39.6 | Temperature      | Summer        | COQUILLE | 17100305  | 1241173430339 | 0   | 209043.3 | Rearing: 17.8 C     | 4632       | 303(d) List |
| Middle Fork Coquille River | 0 to 39.6 | Fecal Coliform   | Winter/Spring | COQUILLE | 17100305  | 1241173430339 | 0   | 209043.3 | Geometric Mean of 2 | 4713       | 303(d) List |
| Middle Fork Coquille River | 0 to 39.6 | Dissolved Oxygen | Winter/Spring | COQUILLE | 17100305  | 1241173430339 | 0   | 209043.3 | Spawning: 11 mg/L o | 4937       | 303(d) List |
| Middle Fork Coquille River | 0 to 39.6 | Temperature      | October 1 - M | COQUILLE | 17100305  | 1241173430339 | 0   | 209043.3 | Spawning: 12.8 C    | 8316       | 303(d) List |

Records Found: 4

**303D Lakes** Records Found: 0





# Water Availability for WID 72525

## jump to:

- [home](#)
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- [water rights](#)
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- [ground water](#)
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- [links](#)
- [staff](#)
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- [oregon online](#)
- [comments](#)

WATER AVAILABILITY TABLE  
 Water Availability as of 8/11/2004 for  
 M FK COQUILLE R > S FK COQUILLE R - AT MOUTH  
 Watershed ID #: 72525 Basin: SOUTH COAST Exceedance Level: 80  
 Time: 07:45 Date: 08/11/2004

Select an Item Number for More Details

| Item # | Watershed ID # | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Sto |
|--------|----------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 1      | 384            | YES | YES | YES | YES | YES | YES | YES | NO  | NO  | NO  | YES | YES | YES |
| 2      | 72526          | YES | YES | YES | YES | YES | YES | NO  | NO  | NO  | NO  | NO  | YES | YES |
| 3      | 72525          | YES | YES | YES | YES | NO  | NO  | NO  | NO  | NO  | NO  | NO  | YES | YES |

*available Dec 1 - April 30*

STREAM NAMES  
 Water Availability as of 8/11/2004 for  
 M FK COQUILLE R > S FK COQUILLE R - AT MOUTH  
 Watershed ID #: 72525 Basin: SOUTH COAST Exceedance Level: 80  
 Time: 07:45 Date: 08/11/2004

| Item | Watershed ID | Stream Name                                  |
|------|--------------|--|
| 1    | 384          | COQUILLE R > PACIFIC OCEAN - AT MOUTH        |
| 2    | 72526        | S FK COQUILLE > COQUILLE R - AT MOUTH        |
| 3    | 72525        | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH |

LIMITING WATERSHEDS  
 Water Availability as of 8/11/2004 for  
 M FK COQUILLE R > S FK COQUILLE R - AT MOUTH  
 Watershed ID #: 72525 Basin: SOUTH COAST Exceedance Level: 80  
 Time: 07:45 Date: 08/11/2004

| Mnth | Limiting Watershed | Stream Name                                  | Water Avail? | Net Water Available |
|------|--------------------|--|--------------|---------------------|
| 1    | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | YES          | 173.0               |
| 2    | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | YES          | 337.0               |
| 3    | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | YES          | 371.0               |
| 4    | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | YES          | 41.5                |
| 5    | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | NO           | -143.0              |
| 6    | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | NO           | -88.4               |
| 7    | 72526              | S FK COQUILLE > COQUILLE R - AT MOUTH        | NO           | -56.1               |
| 8    | 384                | COQUILLE R > PACIFIC OCEAN - AT MOUTH        | NO           | -47.7               |
| 9    | 384                | COQUILLE R > PACIFIC OCEAN - AT MOUTH        | NO           | -29.6               |
| 10   | 384                | COQUILLE R > PACIFIC OCEAN - AT MOUTH        | NO           | -294.0              |
| 11   | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | NO           | -192.0              |
| 12   | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | YES          | 33.5                |
| Stor | 72525              | M FK COQUILLE R > S FK COQUILLE R - AT MOUTH | YES          | 239000.0            |

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION  
 Water Availability as of 8/11/2004 for  
 COQUILLE R > PACIFIC OCEAN - AT MOUTH  
 Watershed ID #: 384 Basin: SOUTH COAST Exceedance Level: 80  
 Time: 07:45 Date: 08/11/2004

| Month | Natural Stream Flow | CU + Stor Prior to 1/1/93 | CU + Stor After 1/1/93 | Expected Stream Flow | Reserved Stream Flow | Instream Water Rights | Net Water Available |
|-------|---------------------|---------------------------|------------------------|----------------------|----------------------|-----------------------|---------------------|
| 1     | 2180.00             | 15.80                     | 11.70                  | 2150.00              | 0.00                 | 360.00                | 1790.00             |
| 2     | 2890.00             | 16.00                     | 12.50                  | 2860.00              | 0.00                 | 340.00                | 2520.00             |
| 3     | 2630.00             | 13.50                     | 10.60                  | 2610.00              | 0.00                 | 340.00                | 2270.00             |
| 4     | 1520.00             | 15.50                     | 5.57                   | 1500.00              | 0.00                 | 340.00                | 1160.00             |



|      |         |       |       |         |      |        |         |
|------|---------|-------|-------|---------|------|--------|---------|
| 5    | 731.00  | 26.00 | 3.65  | 701.00  | 0.00 | 340.00 | 361.00  |
| 6    | 358.00  | 52.40 | 1.83  | 304.00  | 0.00 | 200.00 | 104.00  |
| 7    | 165.00  | 73.20 | 1.51  | 90.30   | 0.00 | 71.00  | 19.30   |
| 8    | 86.40   | 62.10 | 0.98  | 23.30   | 0.00 | 71.00  | -47.70  |
| 9    | 77.00   | 34.80 | 0.84  | 41.40   | 0.00 | 71.00  | -29.60  |
| 10   | 102.00  | 15.40 | 0.38  | 86.20   | 0.00 | 380.00 | -294.00 |
| 11   | 541.00  | 14.50 | 3.35  | 523.00  | 0.00 | 380.00 | 143.00  |
| 12   | 1890.00 | 15.70 | 10.10 | 1860.00 | 0.00 | 360.00 | 1500.00 |
| Stor | 1710000 | 21500 | 3780  | 1680000 | 0    | 196000 | 1500000 |

## DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 8/11/2004 for  
COQUILLE R > PACIFIC OCEAN - AT MOUTH

Watershed ID #: 384 Basin: SOUTH COAST Exceedance Level: 80  
Time: 07:45 Date: 08/11/2004

| Mo | Storage | Irrig | Munic | Ind/Man | Commer | Domest | Agricul | Other | Total |
|----|---------|-------|-------|---------|--------|--------|---------|-------|-------|
| 1  | 9.44    | 0.00  | 9.72  | 0.94    | 0.01   | 2.62   | 4.63    | 0.09  | 27.40 |
| 2  | 10.50   | 0.00  | 9.72  | 0.94    | 0.01   | 2.62   | 4.63    | 0.09  | 28.50 |
| 3  | 6.00    | 0.00  | 9.72  | 0.94    | 0.01   | 2.62   | 4.73    | 0.09  | 24.10 |
| 4  | 2.93    | 2.12  | 9.72  | 0.94    | 0.01   | 2.62   | 2.64    | 0.09  | 21.10 |
| 5  | 1.01    | 12.70 | 9.72  | 0.94    | 0.01   | 2.54   | 2.64    | 0.09  | 29.60 |
| 6  | 0.18    | 37.70 | 11.60 | 0.94    | 0.01   | 2.53   | 1.26    | 0.09  | 54.30 |
| 7  | 0.02    | 58.30 | 11.60 | 0.94    | 0.01   | 2.53   | 1.26    | 0.09  | 74.80 |
| 8  | 0.00    | 47.00 | 11.60 | 0.94    | 0.01   | 2.52   | 0.97    | 0.06  | 63.10 |
| 9  | 0.00    | 19.60 | 11.60 | 0.94    | 0.01   | 2.53   | 0.97    | 0.06  | 35.70 |
| 10 | 0.00    | 1.94  | 9.72  | 0.94    | 0.01   | 2.53   | 0.61    | 0.06  | 15.80 |
| 11 | 2.05    | 0.00  | 9.72  | 0.94    | 0.01   | 2.53   | 2.54    | 0.09  | 17.90 |
| 12 | 8.25    | 0.00  | 9.72  | 0.94    | 0.01   | 2.62   | 4.13    | 0.09  | 25.80 |

## DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 8/11/2004 for  
COQUILLE R > PACIFIC OCEAN - AT MOUTH

Watershed ID #: 384 Basin: SOUTH COAST Exceedance Level: 80  
Time: 07:45 Date: 08/11/2004

| Reservations |      |      |      |      |      |      |      |       |
|--------------|------|------|------|------|------|------|------|-------|
| APP #        | 0    | 0    | 0    | 0    | 0    | 0    | 0    | TOTAL |
| Status Use   |      |      |      |      |      |      |      |       |
| 1            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 2            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 3            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 4            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 5            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 6            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 7            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 8            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 9            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 10           | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 11           | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 12           | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |

## DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 8/11/2004 for  
COQUILLE R > PACIFIC OCEAN - AT MOUTH

Watershed ID #: 384 Basin: SOUTH COAST Exceedance Level: 80  
Time: 07:45 Date: 08/11/2004

| ISWRs  |       |   |   |   |   |   |   |         |
|--------|-------|---|---|---|---|---|---|---------|
| APP #  | 384A  | 0 | 0 | 0 | 0 | 0 | 0 | MAXIMUM |
| Status | Cert. |   |   |   |   |   |   |         |



|    |        |      |      |      |      |      |      |        |
|----|--------|------|------|------|------|------|------|--------|
| 1  | 360.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 360.00 |
| 2  | 340.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 340.00 |
| 3  | 340.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 340.00 |
| 4  | 340.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 340.00 |
| 5  | 340.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 340.00 |
| 6  | 200.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 200.00 |
| 7  | 71.00  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 71.00  |
| 8  | 71.00  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 71.00  |
| 9  | 71.00  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 71.00  |
| 10 | 380.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 380.00 |
| 11 | 380.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 380.00 |
| 12 | 360.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 360.00 |

## DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 8/11/2004 for

S FK COQUILLE &gt; COQUILLE R - AT MOUTH

Watershed ID #: 72526

Basin: SOUTH COAST

Exceedance Level: 80

Time: 07:45

Date: 08/11/2004

| Month | Natural<br>Stream<br>Flow | CU + Stor<br>Prior to<br>1/1/93 | CU + Stor<br>After<br>1/1/93 | Expected<br>Stream<br>Flow | Reserved<br>Stream<br>Flow | Instream<br>Water<br>Rights | Net<br>Water<br>Available |
|-------|---------------------------|---------------------------------|------------------------------|----------------------------|----------------------------|-----------------------------|---------------------------|
| 1     | 1050.00                   | 1.31                            | 0.29                         | 1050.00                    | 0.00                       | 305.00                      | 743.00                    |
| 2     | 1470.00                   | 1.34                            | 0.37                         | 1470.00                    | 0.00                       | 305.00                      | 1160.00                   |
| 3     | 1460.00                   | 1.18                            | 0.41                         | 1460.00                    | 0.00                       | 305.00                      | 1150.00                   |
| 4     | 841.00                    | 1.60                            | 0.19                         | 839.00                     | 0.00                       | 305.00                      | 534.00                    |
| 5     | 365.00                    | 3.78                            | 0.09                         | 361.00                     | 0.00                       | 305.00                      | 56.10                     |
| 6     | 163.00                    | 8.96                            | 0.11                         | 154.00                     | 0.00                       | 108.00                      | 45.90                     |
| 7     | 68.30                     | 13.30                           | 0.13                         | 54.90                      | 0.00                       | 111.00                      | -56.10                    |
| 8     | 38.50                     | 11.00                           | 0.07                         | 27.40                      | 0.00                       | 64.30                       | -36.90                    |
| 9     | 34.50                     | 5.29                            | 0.07                         | 29.10                      | 0.00                       | 52.40                       | -23.30                    |
| 10    | 46.20                     | 1.58                            | 0.07                         | 44.50                      | 0.00                       | 200.00                      | -155.00                   |
| 11    | 241.00                    | 1.24                            | 0.08                         | 240.00                     | 0.00                       | 305.00                      | -65.30                    |
| 12    | 874.00                    | 1.31                            | 0.26                         | 872.00                     | 0.00                       | 305.00                      | 567.00                    |
| Stor  | 888000                    | 3150                            | 129                          | 885000                     | 0                          | 161000                      | 732000                    |

## DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES

Water Availability as of 8/11/2004 for

S FK COQUILLE &gt; COQUILLE R - AT MOUTH

Watershed ID #: 72526

Basin: SOUTH COAST

Exceedance Level: 80

Time: 07:45

Date: 08/11/2004

| Mo | Storage | Irrig | Munic | Ind/Man | Commer | Domest | Agricul | Other | Total |
|----|---------|-------|-------|---------|--------|--------|---------|-------|-------|
| 1  | 0.28    | 0.00  | 0.13  | 0.32    | 0.00   | 0.76   | 0.11    | 0.00  | 1.60  |
| 2  | 0.39    | 0.00  | 0.13  | 0.32    | 0.00   | 0.76   | 0.11    | 0.00  | 1.71  |
| 3  | 0.27    | 0.00  | 0.13  | 0.32    | 0.00   | 0.76   | 0.11    | 0.00  | 1.59  |
| 4  | 0.03    | 0.43  | 0.13  | 0.32    | 0.00   | 0.76   | 0.11    | 0.00  | 1.79  |
| 5  | 0.00    | 2.61  | 0.13  | 0.32    | 0.00   | 0.70   | 0.11    | 0.00  | 3.87  |
| 6  | 0.00    | 7.75  | 0.19  | 0.32    | 0.00   | 0.70   | 0.11    | 0.00  | 9.07  |
| 7  | 0.00    | 12.10 | 0.19  | 0.32    | 0.00   | 0.69   | 0.11    | 0.00  | 13.40 |
| 8  | 0.00    | 9.74  | 0.19  | 0.32    | 0.00   | 0.69   | 0.11    | 0.00  | 11.10 |
| 9  | 0.00    | 4.05  | 0.19  | 0.32    | 0.00   | 0.69   | 0.11    | 0.00  | 5.37  |
| 10 | 0.00    | 0.40  | 0.13  | 0.32    | 0.00   | 0.69   | 0.11    | 0.00  | 1.66  |
| 11 | 0.07    | 0.00  | 0.13  | 0.32    | 0.00   | 0.69   | 0.11    | 0.00  | 1.32  |
| 12 | 0.24    | 0.00  | 0.13  | 0.32    | 0.00   | 0.76   | 0.11    | 0.00  | 1.57  |

## DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 8/11/2004 for

S FK COQUILLE &gt; COQUILLE R - AT MOUTH

Watershed ID #: 72526

Basin: SOUTH COAST

Exceedance Level: 80

Time: 07:45

Date: 08/11/2004

| Reservations |   |   |   |   |   |   |   |   |       |
|--------------|---|---|---|---|---|---|---|---|-------|
| APP #        | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | TOTAL |



| Status Use |      |      |      |      |      |      |      |      |      |
|------------|------|------|------|------|------|------|------|------|------|
| 1          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 2          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 3          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 5          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 6          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 7          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 8          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 9          | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 10         | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 11         | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 12         | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

## DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 8/11/2004 for

S FK COQUILLE &gt; COQUILLE R - AT MOUTH

Watershed ID #: 72526

Basin: SOUTH COAST

Exceedance Level: 80

Time: 07:45

Date: 08/11/2004

| APP #  | 417A   | 72526A | 0    | 0    | 0    | 0    | 0    | MAXIMUM |
|--------|--------|--------|------|------|------|------|------|---------|
| Status | Cert.  | Cert.  |      |      |      |      |      |         |
| 1      | 180.00 | 305.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 305.00  |
| 2      | 180.00 | 305.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 305.00  |
| 3      | 180.00 | 305.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 305.00  |
| 4      | 180.00 | 305.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 305.00  |
| 5      | 180.00 | 305.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 305.00  |
| 6      | 100.00 | 108.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 108.00  |
| 7      | 45.00  | 111.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 111.00  |
| 8      | 45.00  | 64.30  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 64.30   |
| 9      | 45.00  | 52.40  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 52.40   |
| 10     | 200.00 | 93.10  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 200.00  |
| 11     | 200.00 | 305.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 305.00  |
| 12     | 180.00 | 305.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 305.00  |

## DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 8/11/2004 for

M FK COQUILLE R &gt; S FK COQUILLE R - AT MOUTH

Watershed ID #: 72525

Basin: SOUTH COAST

Exceedance Level: 80

Time: 07:45

Date: 08/11/2004

| Month | Natural Stream Flow | CU + Stor Prior to 1/1/93 | CU + Stor After 1/1/93 | Expected Stream Flow | Reserved Stream Flow | Instream Water Rights | Net Water Available |
|-------|---------------------|---------------------------|------------------------|----------------------|----------------------|-----------------------|---------------------|
| 1     | 439.00              | 0.34                      | 0.23                   | 438.00               | 0.00                 | 265.00                | 173.00              |
| 2     | 603.00              | 0.39                      | 0.31                   | 602.00               | 0.00                 | 265.00                | 337.00              |
| 3     | 637.00              | 0.21                      | 0.34                   | 636.00               | 0.00                 | 265.00                | 371.00              |
| 4     | 307.00              | 0.35                      | 0.14                   | 307.00               | 0.00                 | 265.00                | 41.50               |
| 5     | 123.00              | 1.07                      | 0.05                   | 122.00               | 0.00                 | 265.00                | -143.00             |
| 6     | 55.40               | 2.76                      | 0.07                   | 52.60                | 0.00                 | 141.00                | -88.40              |
| 7     | 14.40               | 4.19                      | 0.09                   | 10.10                | 0.00                 | 31.20                 | -21.10              |
| 8     | 4.25                | 3.43                      | 0.03                   | 0.79                 | 0.00                 | 16.30                 | -15.50              |
| 9     | 6.23                | 1.55                      | 0.04                   | 4.65                 | 0.00                 | 15.00                 | -10.40              |
| 10    | 11.10               | 0.35                      | 0.04                   | 10.70                | 0.00                 | 175.00                | -164.00             |
| 11    | 73.80               | 0.26                      | 0.04                   | 73.50                | 0.00                 | 265.00                | -192.00             |
| 12    | 299.00              | 0.33                      | 0.20                   | 298.00               | 0.00                 | 265.00                | 33.50               |
| Stor  | 365000              | 925                       | 94                     | 364000               | 0                    | 135000                | 239000              |

## DETAILED REPORT OF CONSUMPTIVE USES AND STORAGES



Water Availability as of 8/11/2004 for  
M FK COQUILLE R > S FK COQUILLE R - AT MOUTH

Watershed ID #: 72525 Basin: SOUTH COAST Exceedance Level: 80  
Time: 07:45 Date: 08/11/2004

| Mo | Storage | Irrig | Munic | Ind/Man | Commer | Domest | Agricul | Other | Total |
|----|---------|-------|-------|---------|--------|--------|---------|-------|-------|
| 1  | 0.26    | 0.00  | 0.00  | 0.00    | 0.00   | 0.29   | 0.02    | 0.00  | 0.58  |
| 2  | 0.38    | 0.00  | 0.00  | 0.00    | 0.00   | 0.29   | 0.02    | 0.00  | 0.69  |
| 3  | 0.24    | 0.00  | 0.00  | 0.00    | 0.00   | 0.29   | 0.02    | 0.00  | 0.56  |
| 4  | 0.02    | 0.15  | 0.00  | 0.00    | 0.00   | 0.29   | 0.02    | 0.00  | 0.49  |
| 5  | 0.00    | 0.87  | 0.00  | 0.00    | 0.00   | 0.23   | 0.02    | 0.00  | 1.12  |
| 6  | 0.00    | 2.58  | 0.00  | 0.00    | 0.00   | 0.23   | 0.02    | 0.00  | 2.83  |
| 7  | 0.00    | 4.03  | 0.00  | 0.00    | 0.00   | 0.23   | 0.02    | 0.00  | 4.28  |
| 8  | 0.00    | 3.21  | 0.00  | 0.00    | 0.00   | 0.22   | 0.02    | 0.00  | 3.46  |
| 9  | 0.00    | 1.34  | 0.00  | 0.00    | 0.00   | 0.23   | 0.02    | 0.00  | 1.59  |
| 10 | 0.00    | 0.13  | 0.00  | 0.00    | 0.00   | 0.23   | 0.02    | 0.00  | 0.38  |
| 11 | 0.06    | 0.00  | 0.00  | 0.00    | 0.00   | 0.23   | 0.02    | 0.00  | 0.31  |
| 12 | 0.21    | 0.00  | 0.00  | 0.00    | 0.00   | 0.29   | 0.02    | 0.00  | 0.53  |

DETAILED REPORT OF RESERVATIONS FOR CONSUMPTIVE USE

Water Availability as of 8/11/2004 for  
M FK COQUILLE R > S FK COQUILLE R - AT MOUTH

Watershed ID #: 72525 Basin: SOUTH COAST Exceedance Level: 80  
Time: 07:45 Date: 08/11/2004

| Reservations |      |      |      |      |      |      |      |       |
|--------------|------|------|------|------|------|------|------|-------|
| APP #        | 0    | 0    | 0    | 0    | 0    | 0    | 0    | TOTAL |
| Status Use   |      |      |      |      |      |      |      |       |
| 1            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 2            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 3            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 4            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 5            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 6            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 7            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 8            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 9            | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 10           | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 11           | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |
| 12           | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00  |

DETAILED REPORT OF INSTREAM REQUIREMENTS

Water Availability as of 8/11/2004 for  
M FK COQUILLE R > S FK COQUILLE R - AT MOUTH

Watershed ID #: 72525 Basin: SOUTH COAST Exceedance Level: 80  
Time: 07:45 Date: 08/11/2004

| ISWRs  |        |        |      |      |      |      |      |         |
|--------|--------|--------|------|------|------|------|------|---------|
| APP #  | 402A   | 72525A | 0    | 0    | 0    | 0    | 0    | MAXIMUM |
| Status | Cert.  | Cert.  |      |      |      |      |      |         |
| 1      | 175.00 | 265.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 265.00  |
| 2      | 155.00 | 265.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 265.00  |
| 3      | 155.00 | 265.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 265.00  |
| 4      | 155.00 | 265.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 265.00  |
| 5      | 155.00 | 265.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 265.00  |
| 6      | 100.00 | 141.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 141.00  |
| 7      | 15.00  | 31.20  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 31.20   |
| 8      | 15.00  | 16.30  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 16.30   |
| 9      | 15.00  | 13.40  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 15.00   |
| 10     | 175.00 | 24.70  | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 175.00  |
| 11     | 175.00 | 265.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 265.00  |
| 12     | 175.00 | 265.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 265.00  |



1

*Paul R. Cleary, Director*

*Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496*



# Platcard Report

## Township 29S Range 11W Section 19

|   |                      |                        |                  |                   | NE |    |    |    | NW |    |    |    | SW |           |    |    | SE |    |    |    |             |     |
|---|----------------------|------------------------|------------------|-------------------|----|----|----|----|----|----|----|----|----|-----------|----|----|----|----|----|----|-------------|-----|
|   | App#<br>Priority     | Permit/<br>Certificate | Claim/<br>Decree | Status<br>dlc/lot | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW        | SW | SE | NE | NW | SW | SE | Govt<br>Lot | DLC |
| i | S60232<br>06/05/1980 | S45664<br>-            |                  |                   |    |    |    |    |    |    |    |    |    | DO        |    |    |    |    |    |    |             |     |
|   | 06/05/1980           |                        |                  |                   |    |    |    |    |    |    |    |    |    | 4.7<br>IR |    |    |    |    |    |    |             |     |
|   | 06/05/1980           |                        |                  |                   |    |    |    |    |    |    |    |    |    | LV        |    |    |    |    |    |    |             |     |
| i | S60602<br>09/09/1980 | S45410<br>65307        |                  |                   |    |    |    |    |    |    |    |    |    |           |    |    |    | DN |    |    |             |     |
| i | S86060<br>07/26/2004 | SUBJECT FILE           |                  |                   |    |    |    |    |    |    |    |    |    | DN        |    |    |    |    |    |    |             |     |

Page:1

[Return to Platcard Query Screen](#)

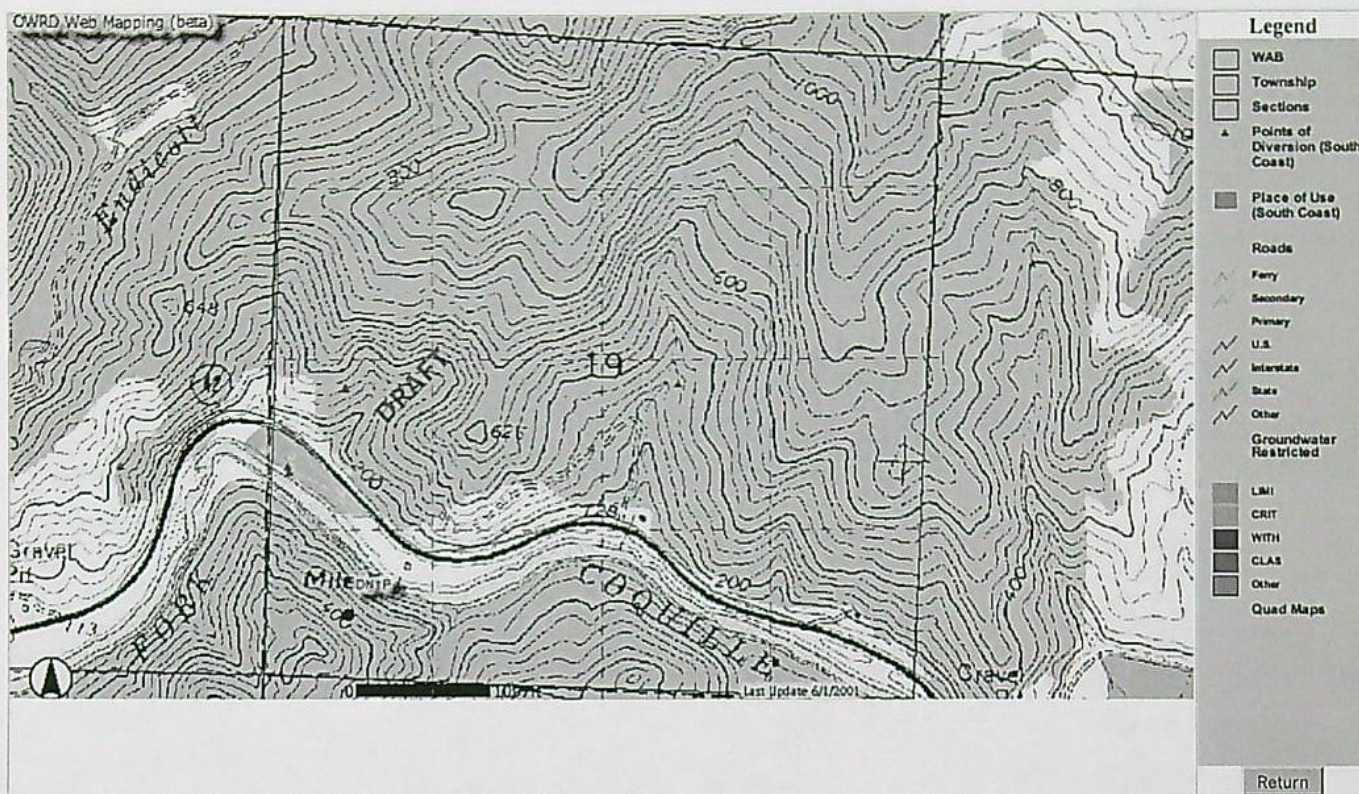
Phillip C. Ward, Acting Director

Oregon Water Resources Department • 725 Summer ST NE, Suite A • Salem, OR 97301 • Phone: 503-986-0900 • Fax: 503-986-0903

Run Time: 0 seconds



# Application S-86060





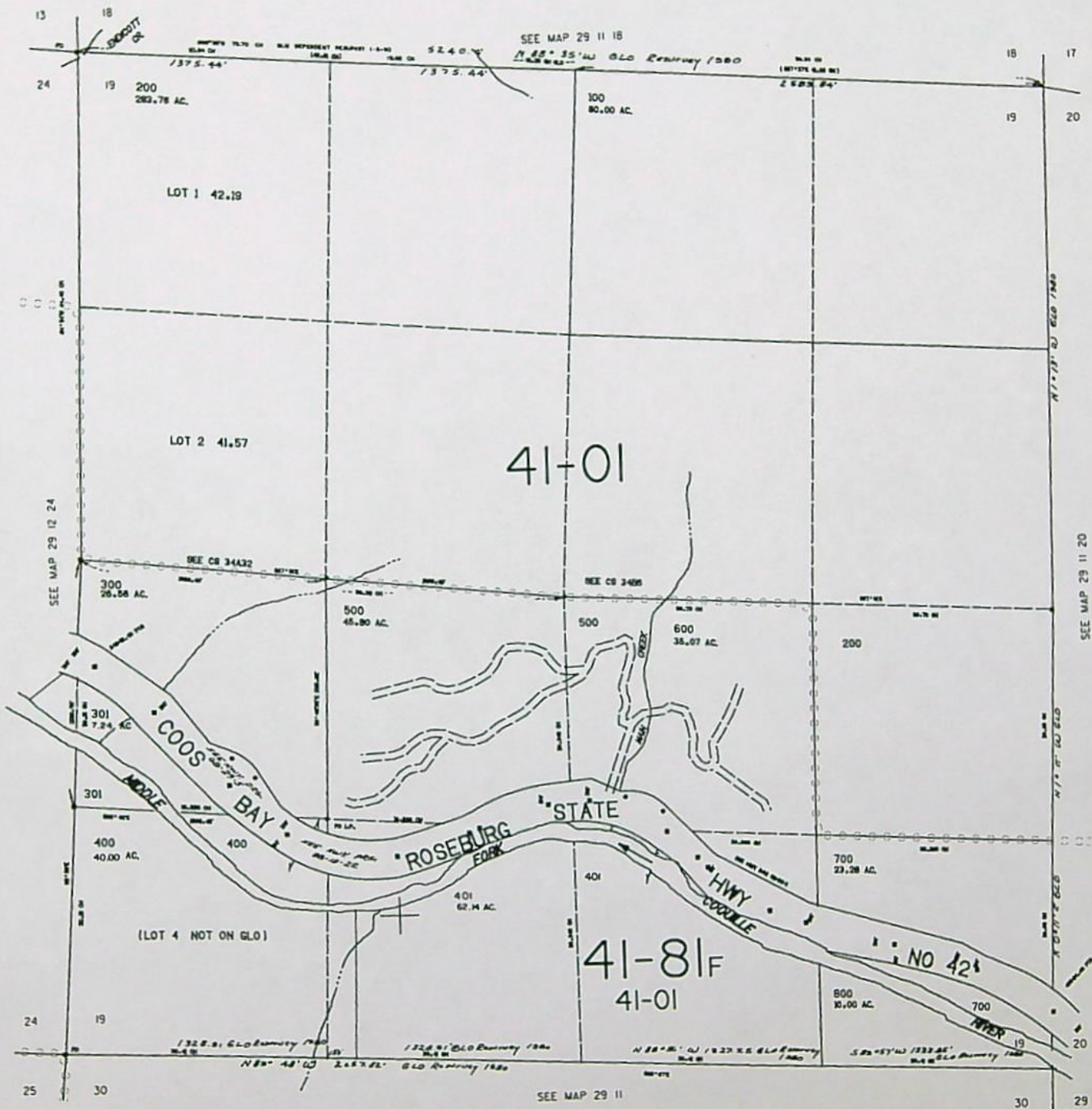
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 19 T.29S. R.11W. W.M.  
COOS COUNTY

 $l'' = 400'$ 

29 11 19

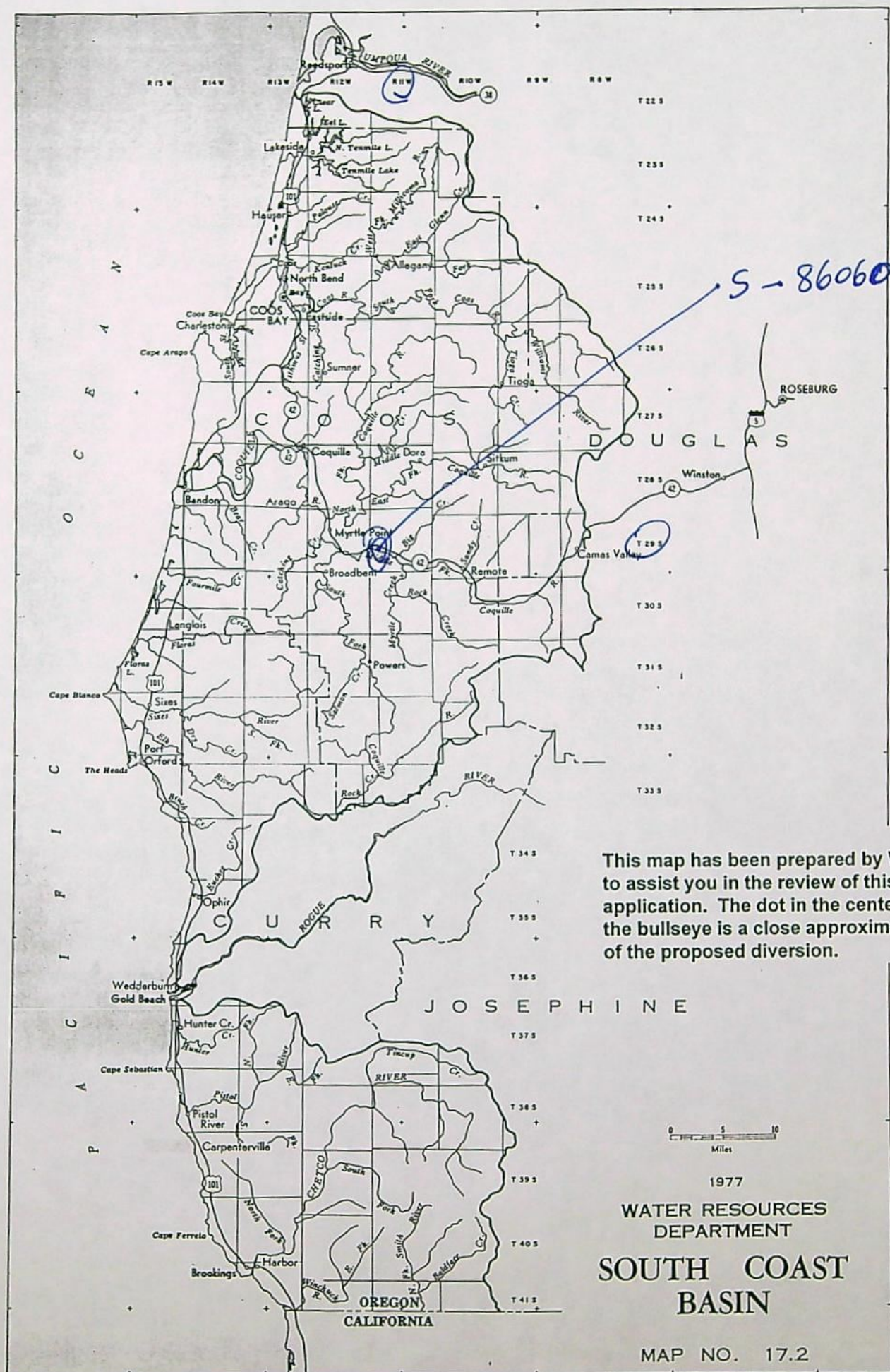
CANCELLED



•DATE•

29 11 19







**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

S-86060  
HAL STRAIN  
PO BOX 312  
MYRTLE POINT OR 97458

2. Article Number

(Transfer from service label)

7004 0750 0000 7516 0374

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Hal E. Strain

☐ Agent☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

8/23/04

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☒ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

**RECEIVED**

**AUG 24 2004**

WATER RESOURCES DEPT  
SALEM OREGON

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







# 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

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

August 20, 2004

HAL AND PATRICIA STRAIN  
PO BOX 312  
MYRTLE POINT, OR 97458

(541)572-5400

Reference: File S-86060

Dear Applicant:

**THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except where otherwise noted below.
2. The use of water from from Middle Fork Coquille River, a tributary of South Fork Coquille River for domestic use expanded is a **classified use** under OAR 690-517, the South Coast Basin Program.
3. Water in the amount of 0.005 cubic foot per second for domestic use expanded for one household is **not available** from May 1 through November 30.
4. Because water is not available for domestic use expanded year round, you may provide additional information that would allow you to pursue a permit for a limited, human consumption (cooking, drinking, and sanitation) use. Please refer to the ADDITIONAL INFORMATION OPPORTUNITY section below for details and additional information required.



5. The Department has determined there are deficiencies with the application submitted. Please refer to the **ADDITIONAL INFORMATION REQUIRED** section below for specific information.

#### Summary of Initial Determinations

Because item #3 above is unfavorable, the use of 0.005 cubic foot per second of water from Middle Fork Coquille River, a tributary of South Fork Coquille River for domestic use expanded for one household is not allowable, and it appears unlikely that you will be issued a permit. At this time, you must decide whether to proceed or to withdraw your application as described below.

#### ADDITIONAL INFORMATION OPPORTUNITY:

- **Instream Water Rights for Fish Flows and Scenic Waterway**  
Due to the lack of water necessary to maintain instream uses protected by an instream water right, water is not available in sufficient quantities to support the proposed use. However, by rule, additional uses may be allowed where public interest in the use is high and the use is conditioned to protect instream values (OAR 690-410-070(2)(a) & 690-310-260(2)). Human consumption of water (cooking, drinking and sanitation) from the proposed source may be considered a high public interest use if there is no reasonable alternative. This may be especially true if denial of the application will result in loss of reasonable expectations for use of the property. If you can provide evidence that this is the case, we will work with the Oregon Department of Fish and Wildlife to determine conditions which will protect instream values and the scenic waterway during the months listed above in item #3. These conditions may include mitigation measures to offset the impact of the requested use.

#### ADDITIONAL INFORMATION REQUIRED:

- Land use information submitted to the Department signed by the local planning authority has indicated that conditional land use approval is required for your proposed use. Please submit notice of compliance with land use planning as outlined by Coos County.

Please complete and return the enclosed "Application Supplement for Human Consumption & Livestock Uses" form and land use information no later than Thursday, September 23, 2004. If necessary, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the requested form by this date and you do not request an administrative hold, we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-



refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, September 3, 2004**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
  - 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.



2. You may be required to install fish screens at the diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.
3. The priority date for this application is July 26, 2004.

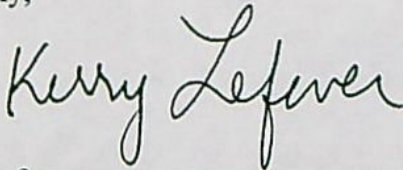
WARNING: This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at [http://www.oda.state.or.us/nrd/water\\_quality/index.html](http://www.oda.state.or.us/nrd/water_quality/index.html) to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at 503-986-0801. Feel free to call me at 503-986-0816 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.

Sincerely,



Kerry Lefever  
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

S-86060  
wab 17-72525  
pou 17-72525  
gw



# APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)  
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: S-86060

Applicant: HAL AND PATRICIA STRAIN

County: Coos

Watermaster: 19

Priority Date: July 26, 2004

Source: MIDDLE FORK COQUILLE RIVER, A TRIBUTARY OF SOUTH FORK COQUILLE RIVER

Use: DOMESTIC EXPANDED

Quantity: 0.005 CUBIC FOOT PER SECOND

Basin Name & Number: South Coast, #17

Stream Index Reference: Volume 2A MFK COQUILLE R

Point of Diversion Location: SWSW SECTION 19, T29S, R11W, W.M.; 1600 FEET SOUTH & 1600 FEET WEST FROM C1/4 CORNER, SECTION 19

Place of Use: SWSW, SECTION 19, TOWNSHIP 29 SOUTH, RANGE 11 WEST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, September 3, 2004**

**PUBLIC NOTICE DATE: Tuesday, August 24, 2004**

**30 DAY COMMENT DEADLINE DATE: Thursday, September 23, 2004**



Point of Division is 1600' S. of  
Center of Section 19 and 1600' W.  
OR 300' S. of Point of Beginning at  
Center of SW 1/4 of Section 12 and 400' W.





Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem Oregon 97301-1271  
(503) 986-0900  
www.wrd.state.or.us

# Application for a Permit to Use Surface Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/publication/reports/index.shtml](http://www.wrd.state.or.us/publication/reports/index.shtml).

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: Hal E. Strain + Patricia L. Strain  
First Last

Mailing address: Patricia L. Strain P.O. Box 312  
P.O. Box 312 Myrtle Point, Or. 97458  
City State Zip

Phone: 541-572-5400 N/A N/A  
Home Work Other

\*Fax: N/A \*E-Mail address: N/A

### B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: N/A

Name and title of person applying: \_\_\_\_\_

Mailing address of organization: \_\_\_\_\_

City State Zip

Phone: \_\_\_\_\_  
Day Evening

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

\*Optional information

|                         |                  |            |
|-------------------------|------------------|------------|
| For Department Use      |                  |            |
| App. No. <u>5 86060</u> | Permit No. _____ | Date _____ |

Surface Water/ 1

RECEIVED

JUL 26 2004

WATER RESOURCES DEPT  
SALEM OREGON



## 2. SOURCE AND PROPERTY OWNERSHIP

### A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Middle Fork Tributary to: Coguille River  
Source 2: \_\_\_\_\_ Tributary to: \_\_\_\_\_  
Source 3: \_\_\_\_\_ Tributary to: \_\_\_\_\_  
Source 4: \_\_\_\_\_ Tributary to: \_\_\_\_\_

### B. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (Skip to section 3 "Water Use.")

☐ No Please check the appropriate box below.

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or an easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

List the names and mailing addresses of all affected landowners.

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 3. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express the amount of water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

### A. Type(s) of Use(s)

See list of beneficial uses in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: ONE
- If your proposed use is **irrigation**, please attach Form I (garden only)
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal or quasi-municipal**, attach Form M
- If your proposed use is **commercial/industrial**, attach Form Q



### B. Amount of Water

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

| Source                     | Use         | Amount   |
|----------------------------|-------------|--|
| Middle Fork Coquille River | Residential | 0.005 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
|                            |             | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af                  |
|                            |             | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af                  |
|                            |             | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af                  |

### C. Period of Use

Indicate the time of year you propose to use the water: ALL YEAR  
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

### D. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 1/4 ACRE GARDEN  
(This number should be consistent with your application map.)

## 4. WATER MANAGEMENT

### A. Diversion

What method will you use to divert water from the source?

- ☒ Pump (give horsepower and pump type) SUBMERSIBLE PUMP 3/4 HSP Gould  
☐ Head-gate (give dimensions) \_\_\_\_\_  
☐ Other means (describe) \_\_\_\_\_

### B. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- ☐ Weir ☐ Meter ☐ Periodic Sampling  
☒ Other (describe) House use averages 3000 Gallons per month at current residence on metered municipal service. Past experience is our only method of monitoring use.

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### C. Transport

How will you transport water to your place of use?

☐ Ditch or canal (give average width and depth)

Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined? ☐ Yes ☐ No

☒ Pipe (give diameter and total length)

Diameter one inch Length 200'

☐ Other (describe) \_\_\_\_\_

### D. Application/Distribution Method

What equipment will you use to apply water to your place of use? \_\_\_\_\_

Irrigation or land application method (check all that apply):

☐ Flood

☐ High-pressure sprinkler

☒ Low pressure sprinkler

☐ Drip

☐ Water cannons

☐ Center pivot system

☐ Hand lines

☐ Wheel lines

☐ Siphon tubes or gated pipe with furrows

☐ Other, describe \_\_\_\_\_

Distribution method

☒ Direct pipe from source ☒ In-line storage (tank or pond) ☐ Open canal

### E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain.

Long term plan is for drip irrigation

## 5. RESOURCE PROTECTION

### Protection Practices

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See the instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.



- ☐ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions:

The pump is equipped with fine mesh screen.

- ☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions:

Existing trail to river will be used

- ☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe:

The pump is small - 6" around by 36" long & has minimal impact

- ☐ Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:

No reason to have "run-off" and we do not use chemicals for health reasons.

- ☐ Other:

## 6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin

April 2005

Proposed date construction will be completed

April 2005

Proposed date beneficial water use will begin

April 2005

## 7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

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

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## 8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

## 9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

*Hal E. Strain*  
Signature of Applicant (If more than one applicant, all must sign)

*July 23, 2004*  
Date

*Patricia L. Strain*

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's Fee Schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.





Oregon Water Resources Department  
Land Use Information Form

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, or used only on federal lands.

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WATER RESOURCES DEPT  
SALEM, OREGON

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: HAL E. AND PATRICIA L. STRAIN

Address: P.O. Box 312

City: Myrtle Point State: OR Zip: 97458 Day Phone: 541-572-5400

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (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 I.D.   | Plan Designation (e.g. Rural Residential/RR-5) | Water to be: (check all that apply)          |  |  |
|----------------|--|--|--|--|
| <u>1090300</u> | <u>RURAL FMU</u>                               | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used |
|                |  | <input type="checkbox"/> Diverted            | <input type="checkbox"/> Conveyed            | <input type="checkbox"/> Used            |
|                |  | <input type="checkbox"/> Diverted            | <input type="checkbox"/> Conveyed            | <input type="checkbox"/> Used            |

List counties and cities where water is proposed to be diverted, conveyed, or used. COOS COUNTY - RURAL

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): RESIDENTIAL Household use/Garden

Briefly describe: TO SERVE ONE HOUSE

D. Source

Indicate the source for the proposed water use:

☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water Middle Fork Coquille River  
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:

0.005

☒ CFS

☐ GPM

☐ Acre-Feet

Receipt for Request for Land Use Information

State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
(503) 986-0900

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WATER RESOURCES DEPT  
SALEM, OREGON

app no. S 86060



### For Local Government Use Only

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 or feel free to copy.

#### A. Allowed Use

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): \_\_\_\_\_ Go to section B "Approval" below
- ☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

| Type of Land Use Approval Needed<br>(e.g. plan amendments, rezones,<br>conditional use permits, etc.) | Cite Most Significant, Applicable<br>Plan Policies & Ordinance<br>Section References | Check the item that applies:<br>Land Use Approval: |   |
|---|--|--|---|
| Conditional use for<br>tentacle dwelling  | 4.8.525(B)   | <input type="checkbox"/> Obtained                  | <input checked="" type="checkbox"/> Being pursued |
|   |  | <input type="checkbox"/> Denied                    | <input type="checkbox"/> Not being pursued        |
|   |  | <input type="checkbox"/> Obtained                  | <input type="checkbox"/> Being pursued            |
|   |  | <input type="checkbox"/> Denied                    | <input type="checkbox"/> Not being pursued        |
|   |  | <input type="checkbox"/> Obtained                  | <input type="checkbox"/> Being pursued            |
|   |  | <input type="checkbox"/> Denied                    | <input type="checkbox"/> Not being pursued        |
|   |  | <input type="checkbox"/> Obtained                  | <input type="checkbox"/> Being pursued            |
|   |  | <input type="checkbox"/> Denied                    | <input type="checkbox"/> Not being pursued        |

**Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

#### B. Approval

Please provide printed name and written signature.

Name: Debby Darling Date: 7-13-04  
 Title: Planning Specialist Phone: 541-396-3121 X210  
 Signature: Debby Darling

#### C. Additional Comments

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.

**Note:** If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

#### Receipt for Request for Land Use Information

Name of water right applicant: Hal & Patricia Shain

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: Cosco  
 Staff contact: Debby Darling Phone: 541-396-3121 X210  
 Signature: Debby Darling Date: 7-13-04



Title No. 24-91405- (also Esrow number)  
Hal + Patti Atrain - Water Right Application 7-21-04  
Legal Description: (from deed)

Government Lot 4 of Section 19,  
Township 29 South, Range 11, West of the  
Willamette Meridian, Coos County, Oregon.

Also: A strip of land 150.00 feet in width  
on the West side of the Southeast quarter  
of the Southwest quarter and extended from  
the South Bank of the Middle Fork of the Coquille  
River to the Southern boundary of said Section 19,  
Township 29 South, Range 11 West of the Willamette  
Meridian, Coos County, Oregon.

Excepting therefrom that portion lying South of the  
Middle Fork of the Coquille River as conveyed in  
Lot Line Adjustment Deed, recorded January 9, 2004  
as Microfilm No. 2004-352, Records of Coos County, Oregon.

Together with appurtenant easements for access,  
including the terms and provisions thereof,  
in instrument recorded March 28, 1983, as  
Microfilm No. 83-2-0584, Records of Coos County, Oregon.

app no. S 86060



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

LINDA LUHRS  
PO-BOX 223  
KENT, WA 98035

S-86060



9590 9402 2005 6123 9155 25

2. Article Number (Transfer from service label)

7016 0340 0000 0164 2150

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X Linda Luhrs ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

X Linda Luhrs

C. Date of Delivery

5/23/17

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

**RECEIVED**

MAY 30 2017

3. Service Type

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

**OWRD**

Domestic Return Receipt

sp JKS



USPS TRACKING #



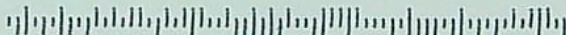
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 <sup>PM 41</sup> 2005 6123 9155 25

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box •

Oregon Water Resources Department  
725 Summer St NE, STE A  
Salem, OR 97301







# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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

July 19, 2004

Hal E. & Patricia L. Strain  
P O Box 312  
Myrtle Point, OR 97458

Dear Hal & Patricia Strain:

The Oregon Water Resources Department has received your *Application for a Permit to Use Surface Water*. Unfortunately, we are unable to accept your application for the following reasons:

You need to use an updated application form. A new one is enclosed for your convenience.

You did a wonderful job getting your map to scale. However, we need more information on it. Please see the enclosed letter for details.

We also need a legal description of the property. A copy of the deed, land sales contract or title insurance policy can provide this information. We cannot accept copies of the tax bill.

As soon as we receive your completed application form with the additional information we will start processing your application.

If you have any questions, you may contact me by phone at 503-986-0803.

Sincerely,

Connie Vance  
Customer Service Rep.  
Water Resources Dept.

Enc. original application  
check for \$500.00  
Sample maps  
letter to applicant  
new application packet

cc: Fiscal  
file





# Oregon

Theodore R. Kulongoski, Governor

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

JULY 19, 2004

Dear Hal & Patti Strain:

The Water Resources Department has received your application(s) to use or store water. At this time however, we are unable to accept your application(s) because the minimum filing requirements are not met according to the Oregon Administrative Rules for minimum filing requirements (OAR 690-310-0040 and 0050).

Please return any correspondence, application, and supporting data, including this checklist, so the Department may begin processing your application in a timely manner.

**PLEASE CORRECT OR INCLUDE THE FOLLOWING NOTED INFORMATION:**

- ☐ Applicant/Organization Name, Mailing Address and Telephone Number
- ☐ Source of water
- ☐ Property ownership indicated
  - ☐ If applicant does not own all the land, the affected landowner's name and mailing address must be listed.
  - ☐ If applicant does not own all the land, a statement declaring the existence of written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.
- ☐ Groundwater development section (Page 2, Section 3 and/or Page 3, Section 2) or a well log report
- ☐ Proposed use of water
- ☐ Enclosed Supplemental Form for each proposed use
  - ☐ Form I (Irrigation)                      ☐ Form M (Municipal or Quasi-Municipal)
  - ☐ Form R (Mining)                          ☐ Form Q (Commercial or Industrial)
  - ☐ Spring Description Sheet
- ☐ Amount of water from *each* source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF)
- ☐ Period of use
- ☐ Water management section (Please estimate if the water system has not been designed).



- ☐ Resource Protection Section (Pages 4 and 5, Section 5)
- ☐ Project schedule (If system is already completed, indicate "existing").
- ☐ All applicants, or the authorized agent with title or authority if for an organization or corporation, must sign the application in ink.
- ☒ Legal description of the property involved that includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information. The Department will not accept a copy of the tax bill.
- ☐ A completed Land Use Form or receipt signed and dated by the appropriate planning department officials. *Date should be within 6 months.*
- ☐ The map must meet all the map minimum requirements of OAR 690-310-0050.

- ☐ Township, Range, Section
- ☐ Location of each diversion point, well or dam
- ☒ Reference corner on map
- ☒ Each point of diversion coordinate by reference to a recognized public land survey corner
- ☐ Even scale of the map, not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.)
- ☐ North Directional Symbol

- ☒ Place of use 1/4's and tax lot clearly identified
- ☐ Number of acres per 1/41/4, if irrigation, nursery, or agriculture
- ☐ Location of main canals, ditches, pipelines or flumes
- ☒ Other *What part of the SW 1/4? You need to show location of home. What corner is the point of beginning. How many feet south from beginning is the point of use.*

☐ Fees: Amount of water requested .005 = 1 cfs

Base Fee \$ 300.00

Total Exam Fee \$ 500.00

1st CFS/AF 200.00

Total Paid \$ 500.00  
*Check being returned with app.*

\_\_\_\_\_ Addtn'l @ \_\_\_\_\_ = \_\_\_\_\_

Amount Due \$ \_\_\_\_\_

Should you have any questions, please do not hesitate to contact me at the address above or by telephone. My telephone number is listed below.

Sincerely,

*Connie Vance*

Connie Vance  
Customer Service Rep.  
503-986-0803



# Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application Strain

County: \_\_\_\_\_

Priority Date: \_\_\_\_\_

Township: \_\_\_\_\_

Use(s): \_\_\_\_\_

Range: \_\_\_\_\_

Section: \_\_\_\_\_

POD  $\frac{1}{4}$   $\frac{1}{4}$ : \_\_\_\_\_

Rate: \_\_\_\_\_

POU  $\frac{1}{4}$   $\frac{1}{4}$ : \_\_\_\_\_

☒ Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.

☒ Source listed

☒ Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is located .....or..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE:** An easement or agreement DOES NOT need to be submitted at this time, however a statement declaring the existence of written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work is required at this time. Easement or agreement will be required before a permit will be issued.

☐ If a groundwater application...is the groundwater development section completed, including copies of well logs?

☒ Proposed Use of the water.... Is each proposed use identified?

☐ Has the appropriate "Supplemental Form" for each proposed use been completed, if applicable?

☐ Form I (Irrigation)

☐ Form M (Municipal or Quasi-Municipal)

☐ Form R (Mining)

☐ Form Q (Commercial or Industrial)

☐ Spring Description Sheet (if source is a Spring)

☒ Amount of water from each source listed in GPM, CFS or AF?

☐ Acreage being proposed, if applicable.



☒ Season being requested by applicant.

☒ Water management section has been completed? If system has not been designed, the applicant may estimate this information.

☒ Resource protection system completed on Surface Water application?

☒ Are the dates of construction indicated? Proposed dates for the Beginning of construction, completion of construction, and complete application of water to the proposed use(s) If system already completed, applicant should indicate existing. Applicant may indicate in other than dates, these timelines.

☒ Is the application signed in ink by the applicant? If the application is in the name of an organization or corporation, the authorized agent with title or authority, must sign the application. If more than one applicant named, both/all must sign or application is incomplete.

☒ Legal description included? A copy of the deed, land sales contract or title insurance policy can provide this information. We cannot accept a copy of the tax bill.

☒ A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application? Date should be within 6 months.

☐ Does the map meet map requirements of OAR 690-310-050?

☐ Town, Range, Sec, 1/4 1/4 and Tax Lot #

☒ Scale of the Map, not less than 4" = 1 mile

☐ Reference corner on map

☒ North Directional Symbol (not fatal if omitted)

☐ 1/4 1/4's clearly identified

☒ Location of each diversion point, well or dam

☐ POU clearly identified  
location of place of use where water  
is to be used. ie: domestic, industrial  
stock, irr, etc.

☐ Location Coordinates for each POD  
by reference to a recognized public land survey  
corner

☐ Number of acres per 1/4 1/4, if Irrigation

☒ Other <sup>used</sup> ~~old~~ Form

☐ fees enclosed?

Base Fee \$ 300.00

Total Paid \$ 500.00

plus \$ 200.00

plus \$ \_\_\_\_\_

Total Amount of  
Water Requested: .005 cfs  
= 1 cfs

Total Exam Fee \$ 500.00

Total Exam Fee \$ 500.00

Recording Fee \$ 250.00

Completeness Check by: Connie Vance

Date: 7/16/04





State of Oregon  
**Water Resources Department**  
 158 12th Street NE, Salem, OR 97301-4172  
 503-378-8455  
<http://www.wrd.state.or.us>

# Application for a Permit to Use Surface Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

**RECEIVED**

JUL 16 2004

WATER RESOURCES DEPT  
 SALEM, OREGON

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: Hal E. Strain  
First Last

Co-applicant: Patricia L. Strain  
First Last

Mailing address: P.O. Box 312  
Myrtle Point OR. 97458  
City State Zip

Phone: 541-572-5400 N/A N/A  
Home Work Other

\*Fax: N/A \*E-Mail address: N/A

### B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: N/A

Name and title of person applying: N/A

Mailing address of organization: N/A

City State Zip

Phone:    
Day Evening

\*Fax: N/A \*E-Mail address: burtonpr@Verizon.com

\*Optional information

### For Department Use

App. No.  Permit No.  Date



## 2. SOURCE AND PROPERTY OWNERSHIP

### A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Middle Fork Tributary to: Cogville River / South Coast Basin  
Source 2: N/A Tributary to: \_\_\_\_\_  
Source 3: N/A Tributary to: \_\_\_\_\_  
Source 4: N/A Tributary to: \_\_\_\_\_

### B. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (Skip to section 3 "Water Use.")

☐ No Please check the appropriate box below.

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or an easement permitting access.

List the names and mailing addresses of all affected landowners.\*

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*If more than 25 landowners are involved, a list is not required. See instructions.

## 3. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express the amount of water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

### A. Type(s) of Use(s)

See list of beneficial uses in the instructions.

☒ • If your proposed use is domestic, indicate the number of households to be supplied with water: DNE

☐ • If your proposed use is irrigation, please attach Form I (garden only)

☐ • If your proposed use is mining, attach Form R

☐ • If your proposed use is municipal or quasi-municipal, attach Form M

☐ • If your proposed use is commercial/industrial, attach Form Q



RECEIVED

JUL 16 2004

WATER RESOURCES DEPT  
SALEM, OREGON

**B. Amount of Water**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

| Source                  | Use                  | Amount       |
|-------------------------|----------------------|--------------|
| Middle Fork of Cogville | RESIDENTIAL + GARDEN | 0.005 cfs af |
|                         |                      | af           |
|                         |                      | af           |
|                         |                      | af           |

**C. Period of Use**

Indicate the time of year you propose to use the water: ALL YEAR  
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

**D. Acreage**

If you will be applying water to land, indicate the total number of acres where water will be applied or used: ~~1/4~~ 1/2 ACRE GARDEN  
(This number should be consistent with your application map.)

**4. WATER MANAGEMENT**

**A. Diversion**

What method will you use to divert water from the source?

- ☒ Pump (give horsepower and pump type) submersible 3/4's HSP Gould pump  
☐ Head-gate (give dimensions) \_\_\_\_\_  
☐ Other means (describe) \_\_\_\_\_

**B. Monitoring**

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- ☐ Weir ☐ Meter ☐ Periodic Sampling  
☒ Other (describe) (Present) Household use AVERAGES 3000 gallons per month (with garden) at HOME on municipal service. DO NOT expect our use to change. We have no other way to monitor our use except past experience for our household.



### C. Transport

How will you transport water to your place of use?

- ☐ Ditch or canal (give average width and depth) *N/A*

Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined? ☐ Yes

- ☒ Pipe (give diameter and total length)

Diameter *ONE INCH PVC* Length *200'*

- ☐ Other (describe) \_\_\_\_\_

### D. Application/Distribution Method

What equipment will you use to apply water to your place of use?

*only as above*

Irrigation or land application method (check all that apply):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Flood                                   | <input type="checkbox"/> High-pressure sprinkler | <input checked="" type="checkbox"/> Low pressure sprinkler |
| <input checked="" type="checkbox"/> Drip                         | <input type="checkbox"/> Water cannons           | <input type="checkbox"/> Center pivot system               |
| <input checked="" type="checkbox"/> Hand lines                   | <input type="checkbox"/> Wheel lines             |  |
| <input type="checkbox"/> Siphon tubes or gated pipe with furrows |  |  |
| <input type="checkbox"/> Other, describe _____                   |  |  |

Distribution method

- ☒ Direct pipe from source ☒ In-line storage (~~tank or pond~~) ☐ Open canal

### E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain.

*Long term plan is to install drip irrigation after house is built & garden areas established. (The original home from the 1940s is gone) (They used river water but probably without a permit)*

## 5. RESOURCE PROTECTION

### Protection Practices

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See the instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.



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☒ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions: The pump is equipped with screens.

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☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions:

Existing trail to river will be used

☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe:

The pump is a 6" x 36" cylinder & has minimal impact.

☐ Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:

No reason to have "run-off" and no chemicals will be used. We do not use chemicals because of health issues.

☐ Other:

## 6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin April 2005

Proposed date construction will be completed April 2005

Proposed date beneficial water use will begin April 2005

## 7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.



## 8. MAP REQUIREMENTS

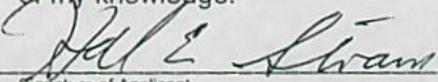
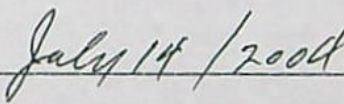
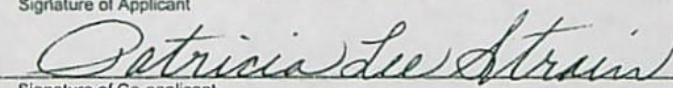
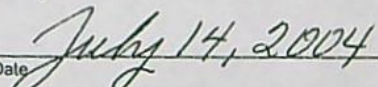
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

## 9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

|  |   |
|--|---|
| <br>Signature of Applicant    | <br>Date |
| <br>Signature of Co-applicant | <br>Date |

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.





Oregon Water Resources Department  
Land Use Information Form

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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, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: HAL E. AND PATRICIA L. STRAIN

Address: P.O. BOX 312

City: MYRTLE POINT State: OR Zip: 97458 Day Phone: 541-572-5400

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (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 I.D.   | Plan Designation (e.g. Rural Residential/RR-5) | Water to be: (check all that apply)          |  |  |
|----------------|--|--|--|--|
| <u>1090300</u> | <u>RURAL FMU</u>                               | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used |
|                |  | <input type="checkbox"/> Diverted            | <input type="checkbox"/> Conveyed            | <input type="checkbox"/> Used            |
|                |  | <input type="checkbox"/> Diverted            | <input type="checkbox"/> Conveyed            | <input type="checkbox"/> Used            |

List counties and cities where water is proposed to be diverted, conveyed, or used. COOS COUNTY - RURAL

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): RESIDENTIAL HOUSEHOLD USE / GARDEN

Briefly describe: TO SERVE ONE HOUSE

D. Source

Indicate the source for the proposed water use:

☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water MIDDLE FORK - COQUILLE RIVER

SOUTH COAST BASIN

E. Quantity

Indicate the estimated quantity of water the use will require:

0.005

☒ CFS

☐ GPM

☐ Acre-Feet

Receipt for Request for Land Use Information

State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
(503) 986-0900



### For Local Government Use Only

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 or feel free to copy.

#### A. Allowed Use

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): \_\_\_\_\_ Go to section B "Approval" below
- ☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

| Type of Land Use Approval Needed<br>(e.g. plan amendments, rezones,<br>conditional use permits, etc.) | Cite Most Significant, Applicable<br>Plan Policies & Ordinance<br>Section References | Check the item that applies:<br>Land Use Approval: |   |
|---|--|--|---|
| Conditional use for   | 4.8.525(B)   | <input type="checkbox"/> Obtained                  | <input checked="" type="checkbox"/> Being pursued |
| template dwelling   |  | <input type="checkbox"/> Denied                    | <input type="checkbox"/> Not being pursued        |
|   |  | <input type="checkbox"/> Obtained                  | <input type="checkbox"/> Being pursued            |
|   |  | <input type="checkbox"/> Denied                    | <input type="checkbox"/> Not being pursued        |
|   |  | <input type="checkbox"/> Obtained                  | <input type="checkbox"/> Being pursued            |
|   |  | <input type="checkbox"/> Denied                    | <input type="checkbox"/> Not being pursued        |
|   |  | <input type="checkbox"/> Obtained                  | <input type="checkbox"/> Being pursued            |
|   |  | <input type="checkbox"/> Denied                    | <input type="checkbox"/> Not being pursued        |

**Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

#### B. Approval

Please provide printed name and written signature.

Name: Debby Darling Date: 7-13-04  
 Title: Planning Specialist Phone: 541-396-3121 x210  
 Signature: Debby Darling

#### C. Additional Comments

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.

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**Note:** If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

#### Receipt for Request for Land Use Information

Name of water right applicant: Hal & Patricia Shain

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: Coss  
 Staff contact: Debby Darling Phone: 541-396-3121 x210  
 Signature: Debby Darling Date: 7-13-04



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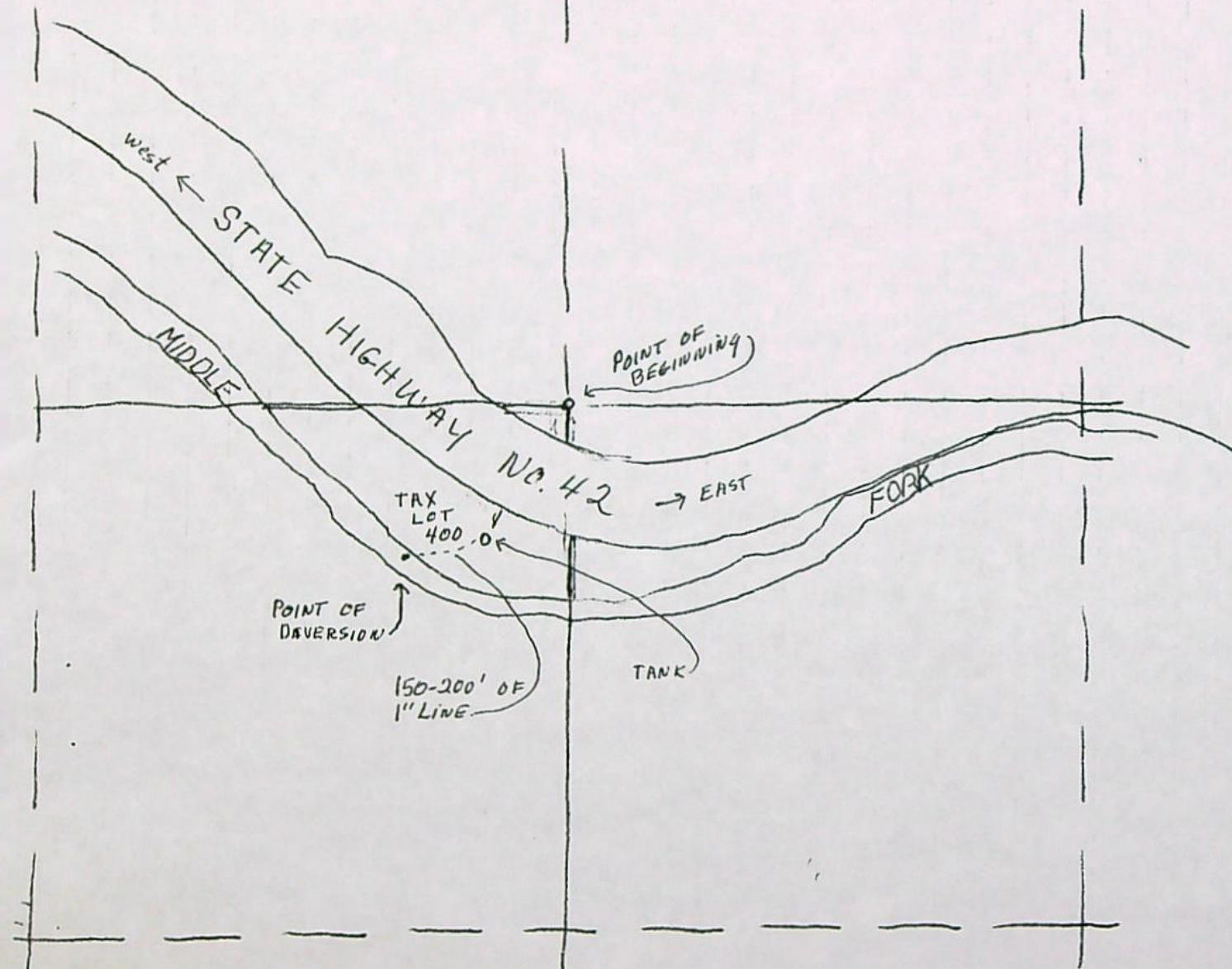
Section 19 SW 1/4

MAP FOR WATER Right Application Located in  
Section 19 Township 29 South, Range 11 West W.M.  
COOS County, OREGON  
TAX LOT 400

FOR  
HAL AND Patti Strain  
P.O. Box 312  
Myrtle Point, OR 97458

Date  
July 14, 2004

North ↑  
One inch = 400 feet



This map is for the purpose of  
identifying the location of the  
water right only & is not  
intended to provide legal  
dimensions or locations of  
property ownership lines.

NOTE: THE P.O.D. and water line/TANK IS  
ENTIRELY LOCATED ON PROPERTY  
OWNED BY APPLICANT

Point of diversion is approximately  
550' S.E. OF POINT OF BEGINNING



SE1/4 SEC.14 T.22S. R.10W. W.M.  
DOUGLAS COUNTY

1"=200'

SPARED FOR  
USE ONLY.

Permit No. .

SEE 22 10 14

APPROX.  
CEN. SEC.

NW 1/4, SE 1/4

NE 1/4, SE 1/4

105-

PLACE OF  
USE  
3/4 ACRE

APPLICATION MAP  
FOR LELAND &  
BARBARA HEREFORS

105-07

RIVER

UMPOUA

UMPOUA HWY.

ST. HWY. NO. 38

SCOTTSBURG - WEST RD.

CO. RD. NO. 240

2300  
9.84 AC.

-00

LOT 8 14.70

1/4 COR.

MC

7.6 CH.

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OCT 19 1999

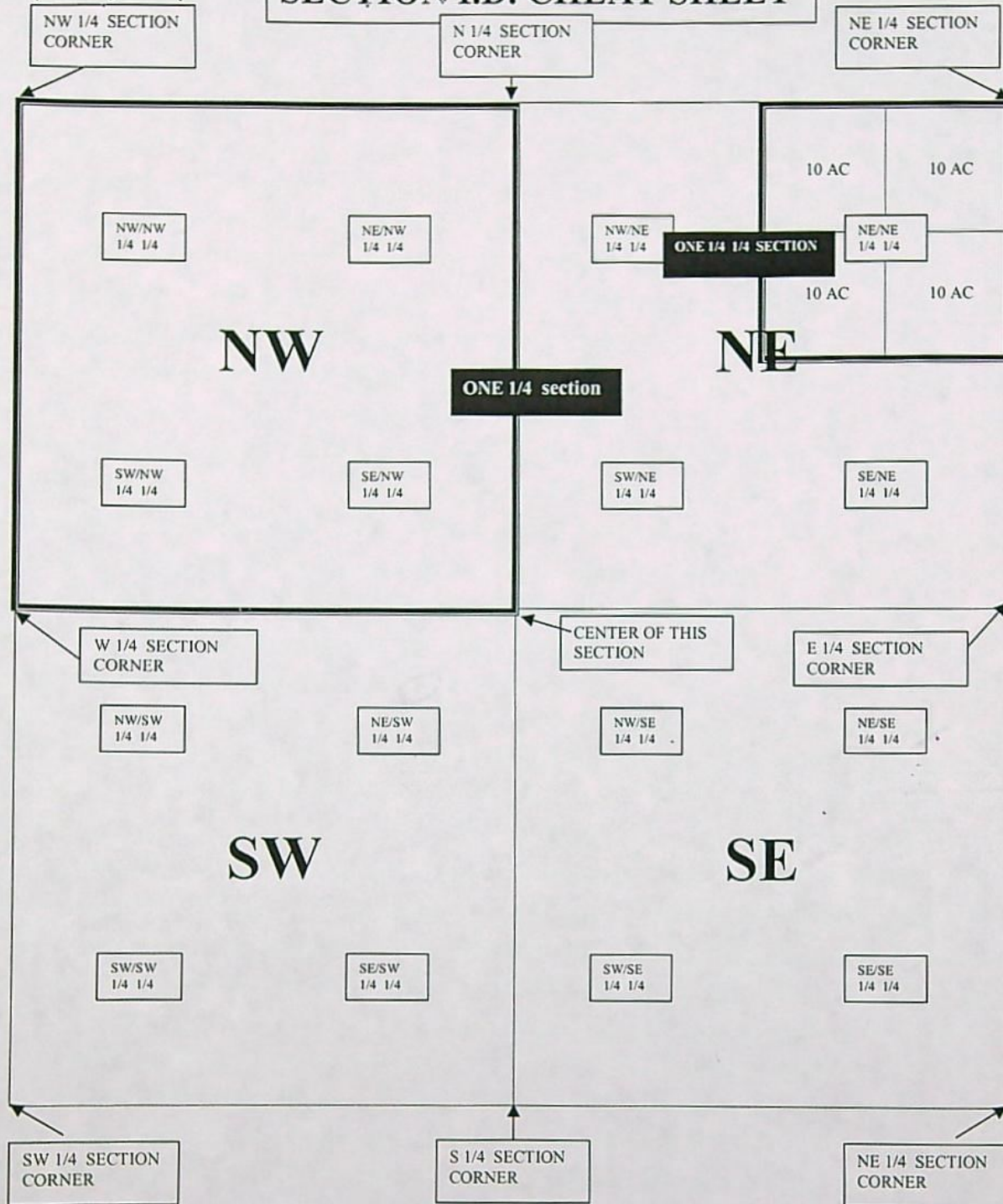
WATER RESOURCES DEPT.  
SALEM, OREGON

SEE MAP 22 10 23



SCALE = 1" = 800'

## SECTION I.D. CHEAT SHEET



ONE SECTION = 640 ACRES    ONE QUARTER SECTION = 160 ACRES    ONE QUARTER-QUARTER SECTION = 40 ACRES



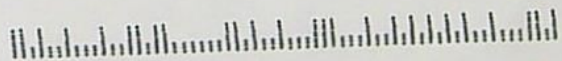


Hal and Patti Strain  
P.O. Box 312  
Myrtle Point, OR 97458



Water Resources Department  
158 12th Street N.E.  
Salem, Oregon  
97301-4172

97301+4172





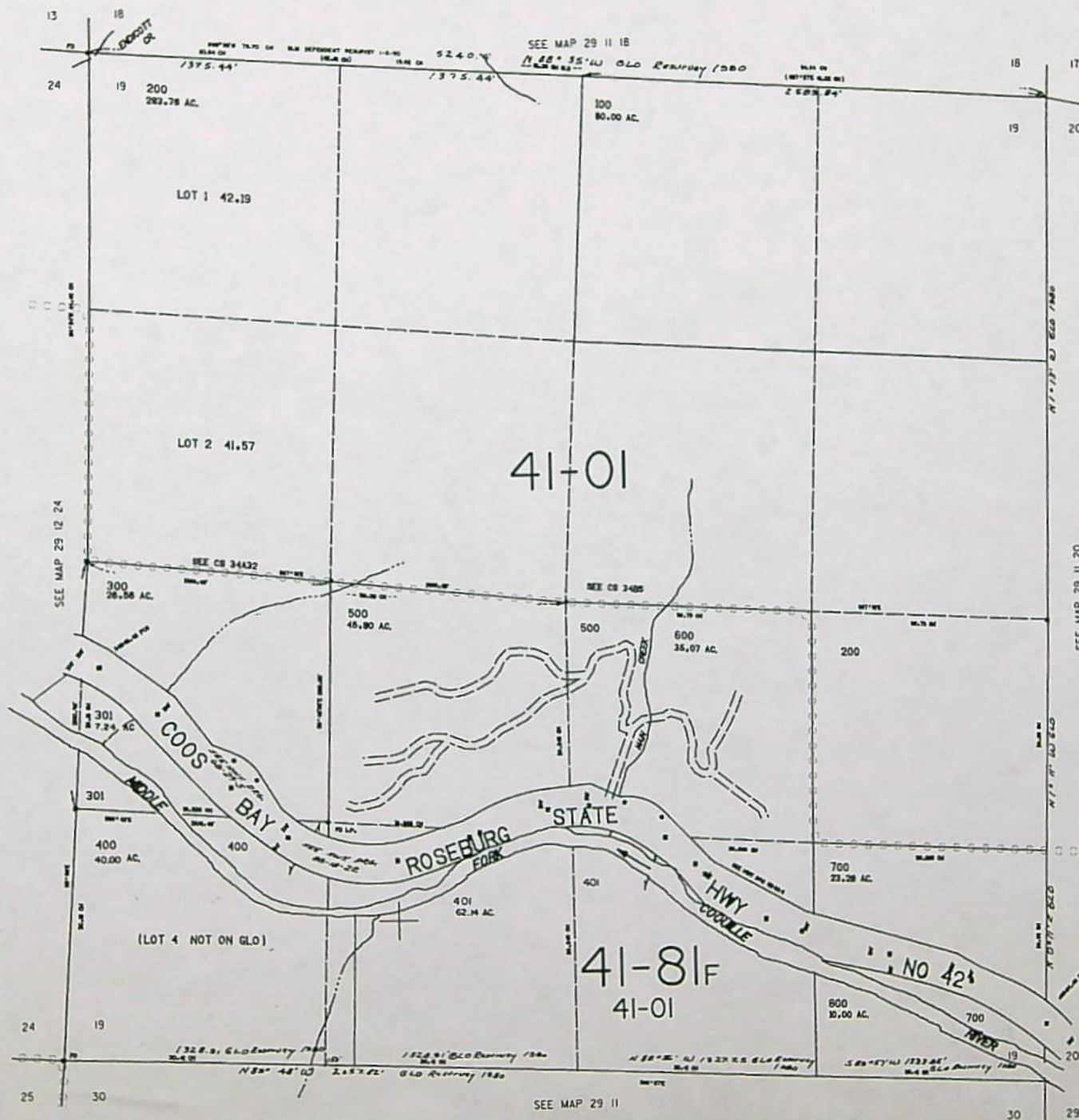
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 19 T.29S. R.11W. W.M.  
COOS COUNTY

1" = 400'

29 11 19

CANCELLED



DATE

29 11 19



Time: 7/16/2004 3:50 PM

User Name: pubgis

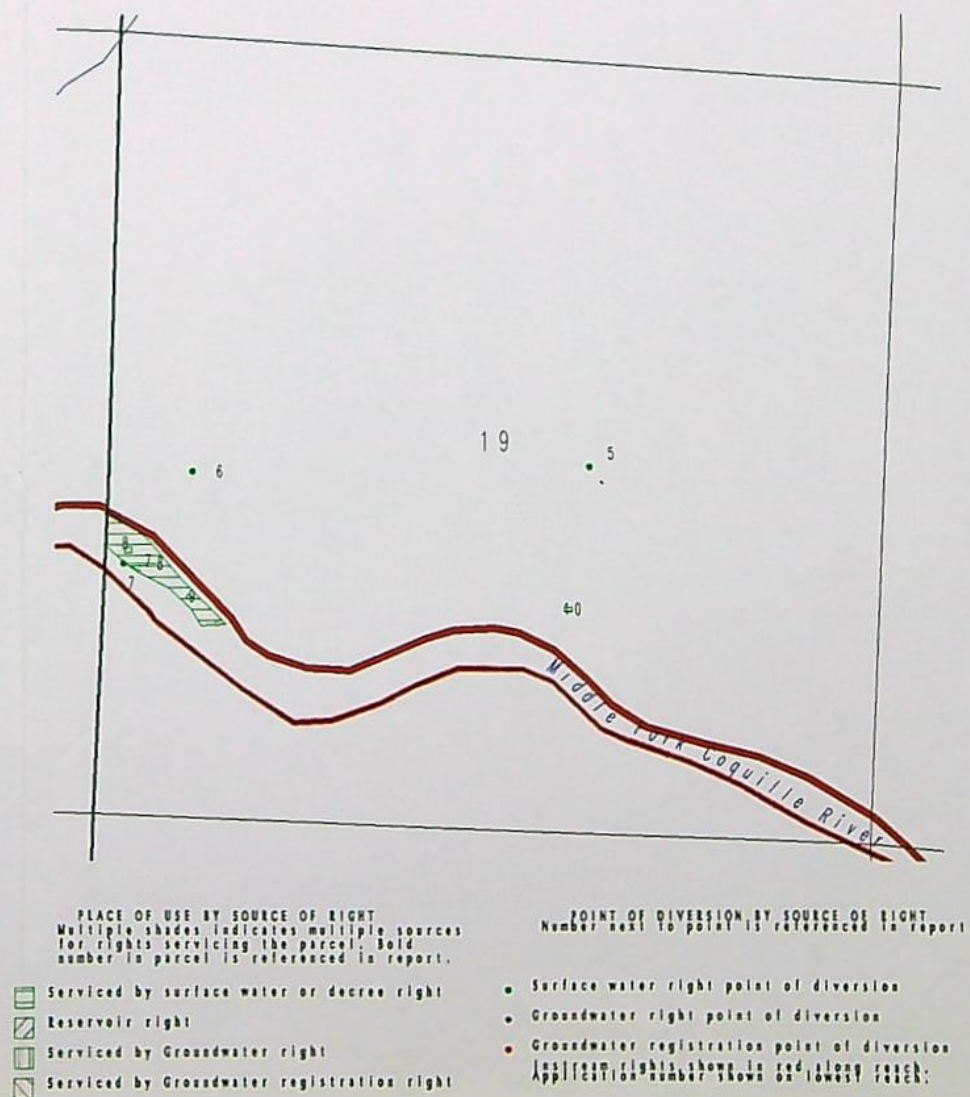
Metafile: c29s11w.gra

Plot Name: /raid1/users/pubgis/c29s11w.hp



# WATER RIGHTS IN TOWNSHIP 29 S 11 W

## Section(s) 19



Rights shown on this map are approximate.  
Contact OWSD for the best locational data.



Map produced July 14, 2004



POINT OF DIVERSION REPORT 29 S 11 W  
Section(s) 19

| TWP/RNG      | POD-ID | APPLICATI | PERMIT | CERT # | USE | RATE<br>(Cfs/Gpm) | PRIORITY<br>DATE |
|--------------|--------|-----------|--------|--------|-----|-------------------|------------------|
| 29.00S11.00W | 5 S    | 60602 S   | 45410  | 65307  | DN  |                   | / /              |
| 29.00S11.00W | 6 S    | 60232 S   | 45664  | 0      | DO  |                   | / /              |
| 29.00S11.00W | 7 S    | 60232 S   | 45664  | 0      | IR  |                   | / /              |
| 29.00S11.00W | 8 S    | 60232 S   | 45664  | 0      | LV  |                   | / /              |

This report printed for request c29s11w

The map extent is for Township 29 S 11 W  
Section(s) 19

The following layers are shown on the map -

Roads  
Streams and Lakes  
Township/Range and Sections  
Taxlot lines and parcel ids (where available, not necessarily current)  
City boundaries and names  
Surface water rights  
Groundwater rights  
Places of Use  
Points of Diversion  
Instream water rights

The following Instream Water Rights are within the map extent:

| PERMIT   | NAME                              | PRIORITY  |
|----------|-----------------------------------|-----------|
| IS 72525 | M FK COQUILLE R > S FK COQUILLE R | 6/30/1992 |

OWRD Groundwater Management Areas

The water rights reported here have been interpreted by Department staff from Department files and are intended to represent that interpretation graphically. Locations shown on the map are only approximate and should not be used for legal, financial or real estate decisions. For more accurate legal location information, please contact the Department.



07/16/04

PAGE 1

PLACE OF USE REPORT 29 S 11 W  
Section(s) 19

| TWP/RNG      | POU-ID | POD-ID | APPLICATION | PERMIT | CERT # | USE      |
|--------------|--------|--------|-------------|--------|--------|----------|
| 29.00S11.00W | 7      | 7 S    | 60232       | S      | 45664  | 0 IR     |
| 29.00S11.00W | 8      | 6 S    | 60232       | S      | 45664  | 0 DO     |
| 29.00S11.00W | 9      | 8 S    | 60232       | S      | 45664  | 0 LV     |
| 29.00S11.00W | 10     | 5 S    | 60602       | S      | 45410  | 65307 DN |



S-86060

HAL STRAIN

PO BOX 312

MYRTLE POINT OR 97458

S-86060

HAL STRAIN

PO BOX 312

MYRTLE POINT OR 97458



## RECEIPT #68897

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

|             |        |
|-------------|--------|
| APPLICATION | 576160 |
|-------------|--------|

|        |  |
|--------|--|
| PERMIT |  |
|--------|--|

|          |  |
|----------|--|
| TRANSFER |  |
|----------|--|

|             |          |
|-------------|----------|
| TOTAL REC'D | \$ 26.00 |
|-------------|----------|

|      |        |    |
|------|--------|----|
| 0407 | COPIES | \$ |
|------|--------|----|

OTHER: (IDENTIFY) \_\_\_\_\_ \$

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

## 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 | \$76.50 | 0202 | \$ |
|------|---------------|---------|------|----|

|      |              |    |      |    |
|------|--------------|----|------|----|
| 0203 | GROUND WATER | \$ | 0204 | \$ |
|------|--------------|----|------|----|

|      |          |    |
|------|----------|----|
| 0205 | TRANSFER | \$ |
|------|----------|----|

## WELL CONSTRUCTION

|      |                        |    |      |    |
|------|------------------------|----|------|----|
| 0218 | WELL DRILL CONSTRUCTOR | \$ | 0219 | \$ |
|------|------------------------|----|------|----|

LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY) \_\_\_\_\_

|      |                      |    |        |
|------|----------------------|----|--------|
| 0211 | WELL CONST START FEE | \$ | CARD # |
|------|----------------------|----|--------|

|      |                  |    |        |
|------|------------------|----|--------|
| 0210 | MONITORING WELLS | \$ | CARD # |
|------|------------------|----|--------|

OTHER (IDENTIFY) \_\_\_\_\_

|      |                            |  |    |
|------|----------------------------|--|----|
| 0233 | POWER LICENSE FEE (FW/WRD) |  | \$ |
|------|----------------------------|--|----|

|      |                            |  |    |
|------|----------------------------|--|----|
| 0231 | HYDRO LICENSE FEE (FW/WRD) |  | \$ |
|------|----------------------------|--|----|

HYDRO APPLICATION \$

| FUND  | TITLE |
|-------|-------|
| 100   | 100   |
| 101   | 101   |
| 102   | 102   |
| 103   | 103   |
| 104   | 104   |
| 105   | 105   |
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| 261   | 261   |
| 262</ |       |

| OBJ. CODE | VENDOR # | QTY | UNIT PRICE | TOTAL PRICE | DATE   | TIME   | STATUS | REMARKS |
|-----------|----------|-----|------------|-------------|--------|--------|--------|---------|
| 000000    | 000000   | 000 | 000.00     | 000.00      | 000000 | 000000 | 000000 | 000000  |

| DESCRIPTION | \$ |
|-------------|----|
|-------------|----|

RECEIPT: 68897

DATED: 1/26/04 BY: J. Wilson



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **71526**

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

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

RECEIVED FROM: Hal E. Strain

BY: \_\_\_\_\_

APPLICATION 586060

PERMIT

TRANSFER

CASH: ☐ CHECK: # 7069 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 250.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES

\$

OTHER: (IDENTIFY) \_\_\_\_\_

\$

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES

\$

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

\$ 250.00

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: **71526**

DATED: 11/22/04 BY: Linda Dwyer



Hal and Patti Strain

CERTIFIED MAIL™



RECEIVED

Nov. 19, 2004  
NOV 22 2004

Kerry Lefever:

WATER RESOURCES DEPT  
SALEM, OREGON

Attached is \$250<sup>00</sup> - ck # 7069 -  
for Recording Fees for Water  
Rights Application # S-86060

Patti & Hal Strain  
P.O. BX 312  
MYRTLE Point, OR. 97458

U.S. P  
PAI  
MYRTLE PC  
974  
NOV 19  
AMOL

\$4  
000

TV: A

pt.  
E.A  
271



Hal and Patti Strain  
P.O. Box 312  
Myrtle Point, OR 97458

CERTIFIED MAIL™



RECEIVED

7004 1350 0002 2872 4225

NOV 22 2004

WATER RESOURCES DEPT.  
SALEM, OREGON

*Oregon Water Resources Dept.*  
*725 Summer St. N.E. Ste. A*  
*Salem, Oregon 97301-1271*

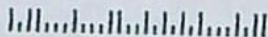
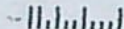
U.S. POSTAGE  
PAID  
MYRTLE POINT, OR  
97458  
NOV 19, 04  
AMOUNT

\$4.05

00051483-03

TV: KERRY LEFEVER

97301#1271





S-86060

HAL STRAIN

PO BOX 312

MYRTLE POINT OR 97458



Hal and Patti Strain  
P.O. Box 312  
Myrtle Point, OR 97458



Water Resources Department  
Water Rights & Adjud. Division  
725 Summer St. N.E. Suite A  
Salem, Or. 97301-1271  
Attn: Connie Vance

97301+1271

