

ASSIGNED

FILE#: G 13208

DAVE H BROOKS

RT 1 BOX 906

BANDON, OR

97411

Application No. G13208Permit No. G13022Certificate No. 89934Stream Index, Page No. 17**FEES PAID**

Date	Amount	Receipt No.
12-7-92	450. ⁰⁰	94817
5-19-04	16.25	67419
7-12-11	75.00	103382

FEES REFUNDED

Date	Amount	Check No.
6/11/14	3.75	118380619

Date filed

Priority

Action suspended until

Return to applicant

Date of approval

CONSTRUCTION

Date for beginning

Date for completion

Extended to

Date for application of water

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
11-6-98	Dave Brooks	above		
and	NW Farm Credit Svcs. ACA	POB 1490 - Roseburg 97470	8	287
5-19-04	Ronald D Puhl + Mary Anne Puhl	PO Box 807, Port OR Ford, OR 97445		
	Trustees of the Ronald + Mary Anne Puhl Trust			

REMARKS

10 Pump test 9/16/08
 Assignments:

2/12/2011

BANDON BIOTA, LLC
 2450 LAKEVIEW AVE
 CHICAGO IL 60614

PUMP TEST

2/27/2013

APPROVED

MEMORANDUM

TO: DOUG WOODCOCK, MANAGER GROUND WATER SECTION
FROM: CERTIFICATE SECTION - CONNIE VANCE
SUBJECT: PUMP TEST FOR PERMIT G-13022 APPLICATION G-13208
DATE: 5/26/2010

The attached pump test was recently received. We have retained the original for the application file.

S:\groups\wr\certs\Resource Center\pump test memo normal.doc

Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:

Name: Ronald & Mary Anne Puhl Trust
Address: PO Box 807 Hoffer Ln (well location)
County: Coos (well location)
City: Port Orford State: OR Zip: 97465-0000
Original owner (from well log): Dave Brooks

Well Location:

Township: 29 S Range: 15 W
Section: 25 $\frac{1}{4}$: SE $\frac{1}{16}$: NW $\frac{1}{64}$: NE
Well depth: 48.0 Date drilled: 1/14/1997
Owners well no. (if any): 97002
POD ID: _____

Water Right Information:

Application: G-13208 Permit: G-13022 Certificate: _____
Is this well listed on more than one water right? ☐ Yes If yes, list additional water rights below:
Application: _____ Permit: _____ Certificate: _____
Application: _____ Permit: _____ Certificate: _____

Pump Test:

Test Conducted by: Jim Mack Sr Well Owner? ☐ Yes
Company: Bandon Well & Pump Co.
Address: 47530 Hwy 101 Date of Test: 05/04/2010
City: Bandon State: OR Zip: 97411
Daytime phone: (541) 347-7867

Method of discharge measurement (see our brochure for more information): Flow meter
Method of water-level measurement (pick one or enter other method used): Electric tape
Length of air line (if used): _____

Pump type (pick one or enter other method used): Submersible
Was the pump test conducted during normal use of the well? ☐ Yes Note: No
Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? ☐ Yes Note: No
If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: N/A

Is there a lake, stream or other surface water body within $\frac{1}{4}$ mile of the tested well? ☒ Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: 45.00 ft Approx. elevation difference: 5.00 ft

Well elevation is above surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) Removed Well Seal

Measuring point distance above land surface 1.25 feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
<u>8:15 am</u>	<u>5.00</u>	<u>3.75</u>
<u>8:45 am</u>	<u>5.00</u>	<u>3.75</u>
<u>9:15 am</u>	<u>5.00</u>	<u>3.75</u>

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
<u>9:25 am</u>	<u>83.50</u>	<u>gpm (gallons per minute)</u>
<u>10:30 am</u>	<u>68.80</u>	<u>gpm (gallons per minute)</u>
<u>11:30 am</u>	<u>72.00</u>	<u>gpm (gallons per minute)</u>
<u>12:30 pm</u>	<u>70.90</u>	<u>gpm (gallons per minute)</u>
<u>1:25 pm</u>	<u>71.30</u>	<u>gpm (gallons per minute)</u>

Time pump turned on: Date 05/04/2010 Time 9:25 am
Time pump turned off: Date 05/04/2010 Time 1:25 am
Total pumping time: 4 hours 0 minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: _____

Jim Mack Sr. #1493

RECEIVED

MAY 26 2010

WATER RESOURCES DEPT
SALEM, OREGON

Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM

Well owner:

Name	Ronald & Mary Anne Puhl Trust		
Address	PO Box 807 (Well location @ Hoffer Ln, Coos County)		
City/State/Zip	Port Orford	OR	97465
Phone/Fax/Cell			
Email			

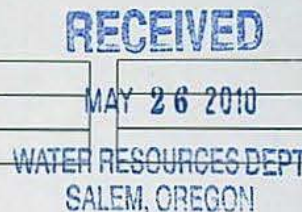
Application:	G-13208
Permit:	G-13022
Certificate:	
Userid:	L-11711
Transfer	

Your water right requires periodic static water-level measurements in your wells. Consult your permit or certificate to determine when measurements should be made, when reports are due, and who is allowed to make the measurements. Keep a copy of all measurement reports for your records. All wells that have been constructed must be measured regardless of whether they are being used. Please contact the Department if you are no longer the holder of this right or no longer have an interest in it.

Complete one form for each well.

Other water rights that list this well:

Application number(s):				
Permit number(s):				
Certificate number(s):				



Identification of measured well (Provide as much information as possible.)

Water Resources Well Log ID:		Owner's well name:	Ronald & Mary Anne Puhl Trust	
Well ID (Well Tag) on Well: L-	11711			
Well ID (Well Tag) on Well Log: L-	11711	Well drilled by:	Gary Reeder	
Start Card # on Well Log:	94279	Total depth:	48	Casing diameter (inches): 6"
Date drilled:	1/14/1997	Owner on well log:	Dave Brooks	

Water-Level Measurement

Date of measurement: 5/4/2010

Measurements should be made to at least the nearest tenth of a foot (10.2"), the nearest inch (10' 3") or the nearest pound, if using a gage.

Depth to water below measuring point:	5'	Airline length or transducer depth:		feet
Measuring point height above/below land surface:	above 1'3"	Airline pressure:		psi x 2.31= feet
Depth to water below land surface:	3'9"	Shut-in pressure:		psi x 2.31= feet

Measurement Status: Static ☒ Pumping ☒ Rising ☐ Flowing ☐ Other ☐

Measurement Method: E-tape ☒ Airline ☐ Other ☐

Length of time well was idle prior to measurement: 2 months

Measuring point description: Removed well seal

The measuring point is the reference point from which the measurement is made. Examples are: 1/2" access port in well cap; 1-1/2" port pipe on N side; pressure gage.

Comments: well #L-11712 is +/-150' from L-11711 also with the same static water level. This well was not pump tested because of similar formations and depths.

When did water use begin for this well under this permit? Month Year

I hereby certify that the information on this report is accurate and represents the static water level in the well at the time of measurement.

Person making measurement (print): Jim Mack Sr

Signature of measurer:

Company: Bandon Well & Pump Co

Licensed number (circle license type: CWRE, RG, PE, WWC, Pump Installer): WRD #1493

Daytime phone number: (541) 347-7867

Email address:

If you have any questions about this notice, please call the Measurement & Reporting Section of the Department at 503-986-0822 or 503-986-0843. Return this Form to: OWRD, Meas & Rept Section, 725 Summer St. NE, Suite. A, Salem, OR 97301-1266.

Additional forms can be obtained from our web sit at: <http://www.wrd.state.or.us>

OWRD GW/KCW 1/13/2009

May 20, 2010

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

Re: Water Right Permit G-13022

Dear Sir or Madam:

Attached please find the Pump Test data from the test done as the final requirement for issuance of a Water Right Certificate for this permit per the letter from Diana Durbin, November 15, 2008 (Durbin letter attached).

There are two wells allowed by this permit but only one, L-11711 was tested. We request that the second well L-11712, be exempt from testing per the following statute:

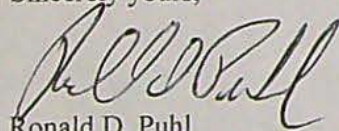
OAR 690-217-0020(3) If a landowner owns multiple wells producing from the same aquifer and has tested one of those wells, he may request exemptions for all other of those wells which are within five miles of the tested well and which produce water from the same aquifer. If a well is more than five miles from the tested well, or produces from a different aquifer, it must be tested separately. Requests for exemptions shall be in writing and include water well reports or other documentation showing the water producing zones for each well.

The two wells are located approximately 150 feet apart. (Please see the attached Final Proof Survey Map for this Permit showing the location of the two wells.) We are including the water well reports for both the wells permitted by G-13022. The area where these two wells are located has been identified as being within the same aquifer by our former Watermaster, John Drolet. Also please see the comments on the attached Water-level Reporting Form made by Jim Mack, Sr. #1493, who performed the Pump Test. It was his opinion that testing both wells was not necessary. His comments are: "Well #L-11712 is +/- 150' from L-11711 also with the same static water level. This well was not pump tested because of similar formations and depths."

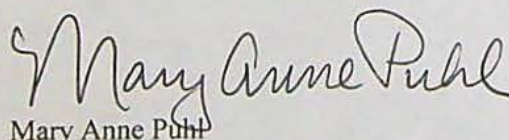
Please note that the property where these wells are located will be sold soon. The new owner will be Bandon Biota, LLC. We will submit Assignment forms for this Permit as soon as the sale closes.

Please let us know if you need anything else to complete the issuance of a Certificate for Permit G-13022.

Sincerely yours,



Ronald D. Puhl



Mary Anne Puhl

Owners of Record as of May 20, 2010
Ronald D Puhl and Mary Anne Puhl, Trustees of the
Ronald and Mary Anne Puhl Trust, UAD 12-1-1995
PO Box 807
Port Orford, OR 97465
541-332-1345 or 541-348-2320

RECEIVED

MAY 26 2010

WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

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

November 15, 2008

DAVID BROOKS
RT 1 BOX 906
BANDON, OR 97411

RECEIVED

MAY 26 2010

WATER RESOURCES DEPT
SALEM, OREGON

Subject: Water Right Permit Number G- 13022

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

Diana Durbin
Water Rights Certificate Staff

C: Permit File



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

RECEIVED

FEB - 7 1997

ID# L11711

(START CARD) # 94279

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

WATER RESOURCES DEPT.

(1) OWNER: Well Number 97002
Name DAVE BROOKS
Address RT 1 BOX 906
City BANDON State OR Zip 97411

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☐ No Depth of Completed Well 48 ft.
Explosives used ☐ Yes ☒ No Type Amount

HOLE SEAL
Diameter From To Material From To Sacks or pounds
10" 0 20' BENT 0 20' 19

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other POURED FROM SURFACE
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:
Diameter From To Gauge Steel Plastic Welded Threaded
Casing: 6" +1 20' 250 ☒ ☐ ☒ ☐
Liner: 4 1/2" -4' 28' 48 ☐ ☒ ☐ ☐

Final location of shoe(s) NONE
(7) PERFORATIONS/SCREENS:
☐ Perforations Method
☒ Screens Type Johnson Material PVC
From To Slot Number Diameter Tele/pipe Casing Liner
18' 48' 20 4" 4" ☐ ☐

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailor ☒ Air ☐ Flowing
Yield gal/min Drawdown Drill stem at Time
60 48" 4 1/2 hr.

Temperature of water 52° Depth Artesian Flow Found
Was a water analysis done? ☐ Yes By whom
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County Coo's Latitude Longitude
Township 29 N or S Range 15 E or W WM.
Section 25 NE 1/4 NW 1/4
Tax Lot 1001 Lot Block Subdivision
Street Address of Well (or nearest address)
1036 DEW VALLEY RD

(10) STATIC WATER LEVEL:
6' ft. below land surface. Date 1-14-97
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 8'

From	To	Estimated Flow Rate	SWL
<u>8'</u>	<u>20'</u>	<u>10 GPM</u>	<u>10'</u>
<u>20'</u>	<u>40'</u>	<u>40 GPM</u>	<u>6'</u>
<u>40'</u>	<u>50'</u>	<u>60 GPM</u>	<u>6'</u>

(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
<u>SANDSTONE BROWN</u>	<u>0</u>	<u>3</u>	
<u>SANDSTONE @ CLAY LENS GRN</u>	<u>3</u>	<u>25</u>	<u>10'</u>
<u>SANDSTONE + GRAVEL SM BROWN</u>	<u>25</u>	<u>48</u>	<u>6'</u>
<u>SOLID ROCK</u>	<u>48'</u>		<u>6'</u>

Date started 1-10-97 Completed 1-14-97

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

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 1689
Signed Harry W. Reader Date 2-3-97

(as required by ORS 537.765)

(START CARD) # 94262

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER



Oregon

John A. Kitzhaber, MD, Governor

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

DATE MAILED: NOV 24 2014

NOTICE

Reference: Application G-13208 Permit G-13022

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review these proposals. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Jerry Sauter at 503-986-0817.

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

Sincerely,

Dwight French
Water Right Services Administrator

COPY

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BANDON BIOTA, LLC
2450 N LAKEVIEW AVE
CHICAGO, IL 60614

PROPOSED

confirms the right to use the waters of TWO WELLS IN THE FOURMILE CREEK BASIN for CRANBERRY OPERATIONS ON 13.8 ACRES.

This right was perfected under Permit G-13022. The date of priority is DECEMBER 7, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.33 CUBIC FOOT PER SECOND, IN ANY COMBINATION FROM THE WELLS, or its equivalent in case of rotation, measured at the wells.

The period of allowed use is YEAR ROUND.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	15 W	WM	25	SE NW	WELL 1 - 1810 FEET SOUTH & 120 FEET WEST FROM N 1/4 CORNER, SECTION 25
29 S	15 W	WM	25	SE NW	WELL 2 - 1980 FEET SOUTH & 125 FEET WEST FROM N 1/4 CORNER, SECTION 25

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre. For flood harvesting or pest control, 0.05 cubic foot per second per acre. For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	15 W	WM	25	NE NW	4.9
29 S	15 W	WM	25	SE NW	8.9

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Certificate *****
PROPOSED
89934

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user 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.

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

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

The Director may require water level or pump test results every ten years.

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

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

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

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

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

Issued _____

PROPOSED

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

Mailing List for Certificate

Scheduled Mailing Date:

Application: G-13208

Permit: G-13022

Certificate: *****

Permit/Certificate Holder:

BANDON BIOTA, LLC ✓
2450 N LAKEVIEW AVE
CHICAGO, IL 60614

Copies of Final Certificate to be sent to:

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

Other persons to receive copies: (include map):

1. Donald E. Knauer, CWRE ✓

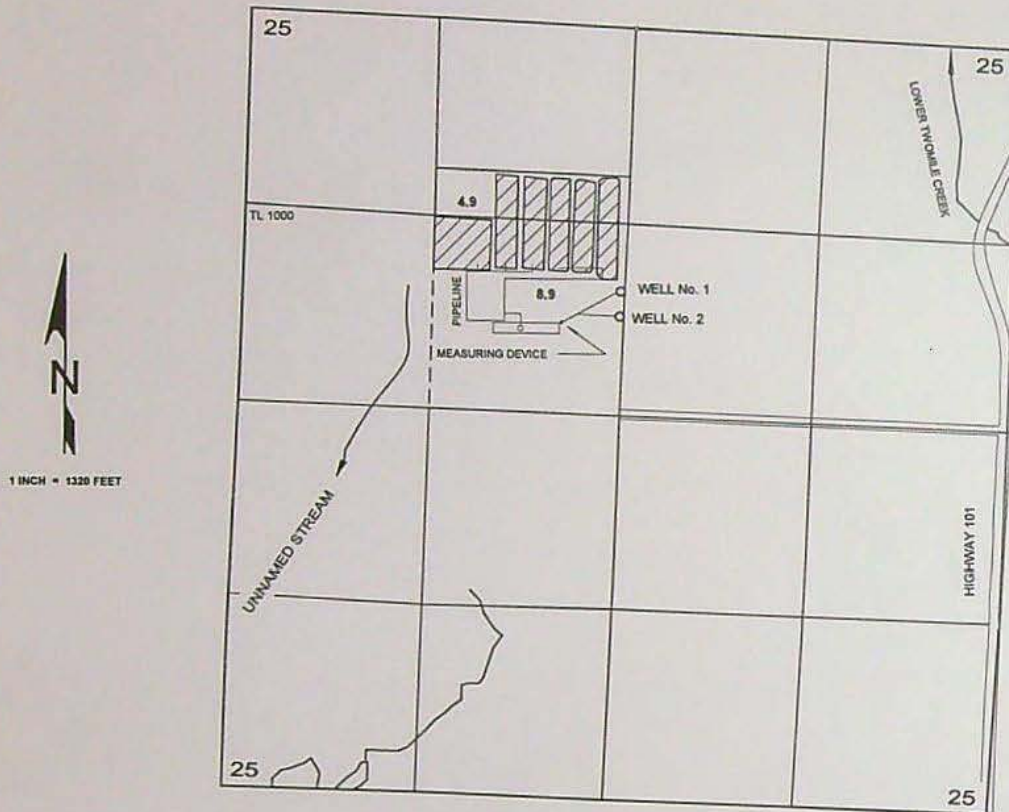
Copies Mailed	
by	<u>Connie Vance</u>
	(STAFF)
on:	<u>NOV 24 2014</u>
	(DATE)

FINAL PROOF SURVEY MAP IN THE NAME OF DAVE H. BROOKS

APPLICATION G - 13208

PERMIT G - 13022

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.



THE WELLS ARE LOCATED AS FOLLOWS:

WELL No. 1 IS LOCATED 1810 FEET SOUTH AND 120 FEET WEST AND WELL No. 2 IS LOCATED 1980 FEET SOUTH AND 125 FEET WEST, BOTH FROM THE NORTH QUARTER CORNER OF SECTION 25; BEING WITHIN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.; COOS COUNTY.



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

MEMO – 2014-2015 Certificate Project Proof to Satisfaction (Aug 7, 2014)

Application # <u>613208</u>	Permit # <u>6-13022</u>	Transfer #
WRD Reviewer <u>Corey Courchane</u>	Date <u>9-18-14</u>	
WRD Peer Reviewer <u>Kerry</u>	Date <u>10-6-14</u>	

Research

- ☒ Organize file in chronological order
- ☒ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- ☒ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- ☒ Water Organization identified using AOI? ☒ No ☐ Yes
If "Yes" cc: _____ & Add to Mailing List
- ☒ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor Confirmed by phone w/ Assessor 9-18-14
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- ☒ Print Platcard & check for Place of Use Conflict? ☒ No ☐ Yes
If "Yes", provide copy of certificate & relevant map
- ☒ Print BLM Cadastral Survey
- ☒ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ☐ No ☒ Yes
If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- N/A Fish Conditions
- yes Meter/measuring device
- yes Water Use Reporting
- yes Pump Test (post December 19, 1988) Approved 2-27-13
- N/A Other Conditions _____
- N/A SWL
- yes C-Date Coble 8-20-02 WRD letter gave date of 11-22-02 / water report form stated 3-17-99
- ☒ Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

<u>A</u>	<u>1-31-98</u>	<u>1-10-97</u>	<u>1-16-97</u>
<u>B</u>	<u>10-1-99</u>	<u>1-14-97</u>	<u>1-19-97</u>
<u>C</u>	<u>10-1-00</u>		

Pump Capacity Calculation Sheet

using Department designed formula:

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

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Well 1

Data Entry (fill in underlined blanks)

HP = 1.5
Efficiency = 7.04
Lift = 20
PSI = 0

Results Calculated

$(hp)(\text{efficiency}) = 10.56$
Head based on psi = 0.0
Total dynamic head = 20.0
(head + lift)

Pump Capacity = 0.53 feet per second

Pump Capacity Calculation Sheet

using Department designed formula:

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

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Well 2

Data Entry (fill in underlined blanks)

HP = 5
Efficiency = 7.04
Lift = 20
PSI = 0

Results Calculated

(hp)(efficiency) = 35.2
Head based on psi = 0.0
Total dynamic head = 20.0
(head + lift)

Pump Capacity = 1.76 feet per second

SECTION 25 T29S R15W W.M.
COOS COUNTY

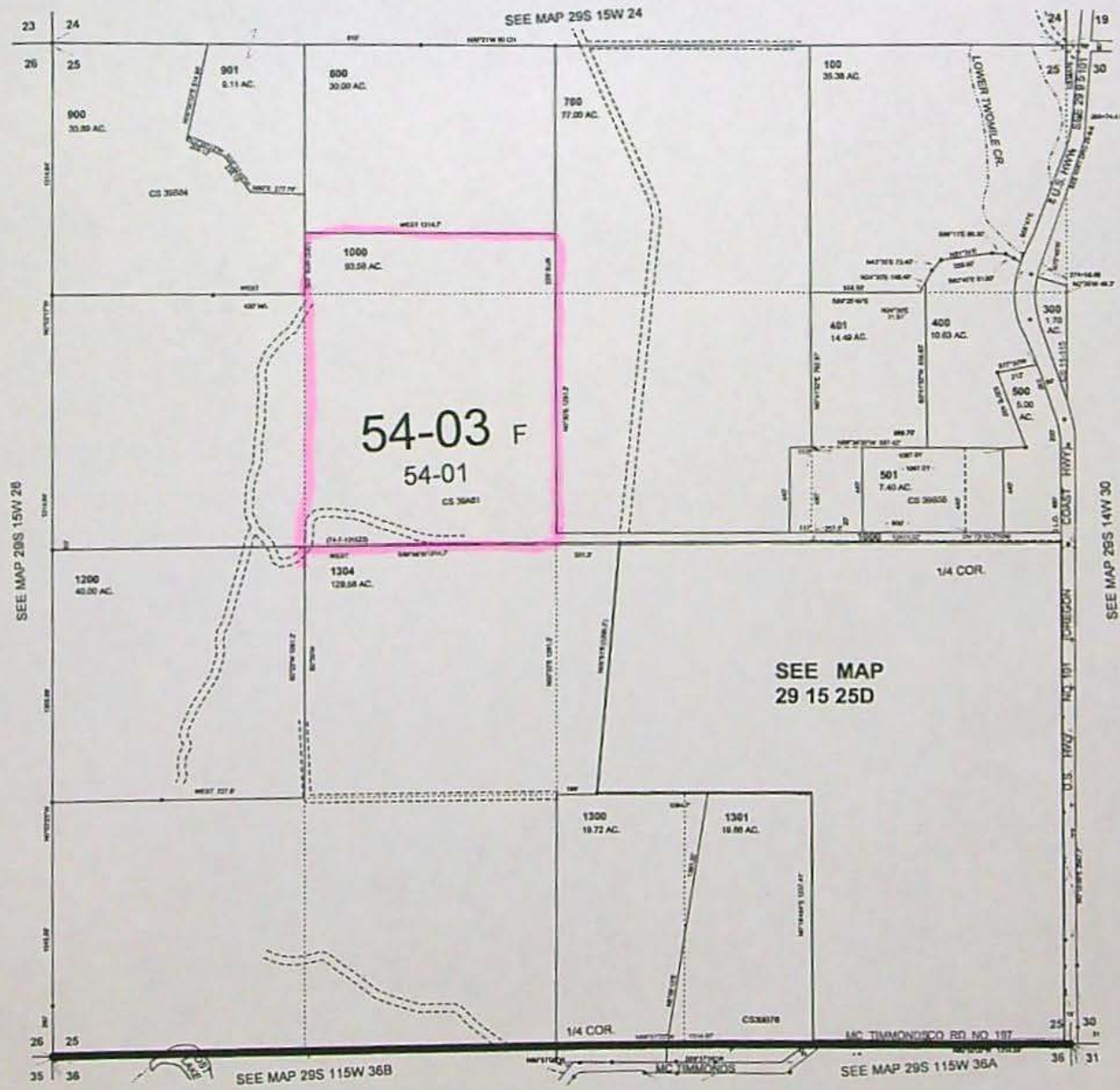
1" = 400'

29S 15W 25

CANCELLED NO.

600
1302
502
1100U1
1100U2
1100
1001
503
200

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



DATE

29S 15W 25

COOS County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2014

NOT OFFICIAL VALUE

September 18, 2014 11:53:37 am

Account # [REDACTED]
 Map # 23S1205-00-01000
 Code - Tax # 1305-11600
 Legal Descr See Record
 Mailing Name BANDON BIOTA, LLC
 Agent
 In Care Of
 Mailing Address 2450 N LAKEVIEW AVE
 CHICAGO, IL 60614

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Deed Reference # See Record
 Sales Date/Price See Record
 Appraiser

Prop Class 100 MA SA NH Unit
 RMV Class 100 01 06 LKF 125-1

Situs Address(s) Situs City

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
1305 Land Impr.		196,000		196,000	85.9194
		0		0	
Code Area Total	196,000	196,000	0	196,000	
Grand Total	196,000	196,000	0	196,000	

Land Breakdown										
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
1305	10	R		F	Market	98	A	79.50	MV	196,000
Grand Total								79.50		196,000

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		
1305		
NOTATION(S):		
■ TAXABLE TO EXMPT OR VICE VERSA ADDED 2014		
6/18/14 Exempt to Taxable - ODFW land exchange to Bandon Biota. MJS		

Appr Maint: 2014 - TAX STATUS CHANGE TO ASSESSABLE
 Comments: NW1/4SW1/4,SW1/4SW1/4

Water Rights Platcard Report

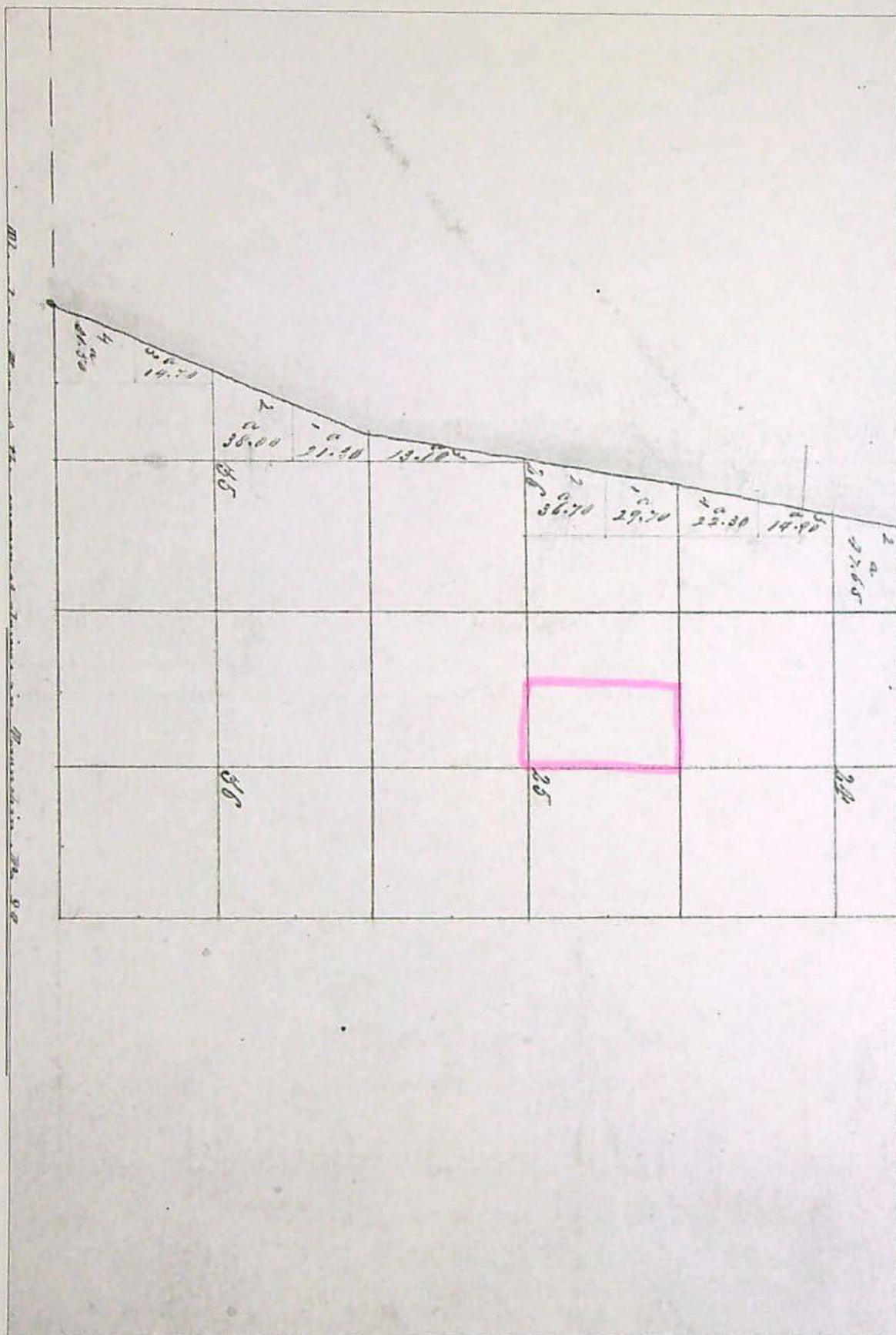
Meridian: Willamette Township: 29 South Range: 15 West Section: 25 Records per 999 Page: Search Platcards Maps! Learn about * View Map

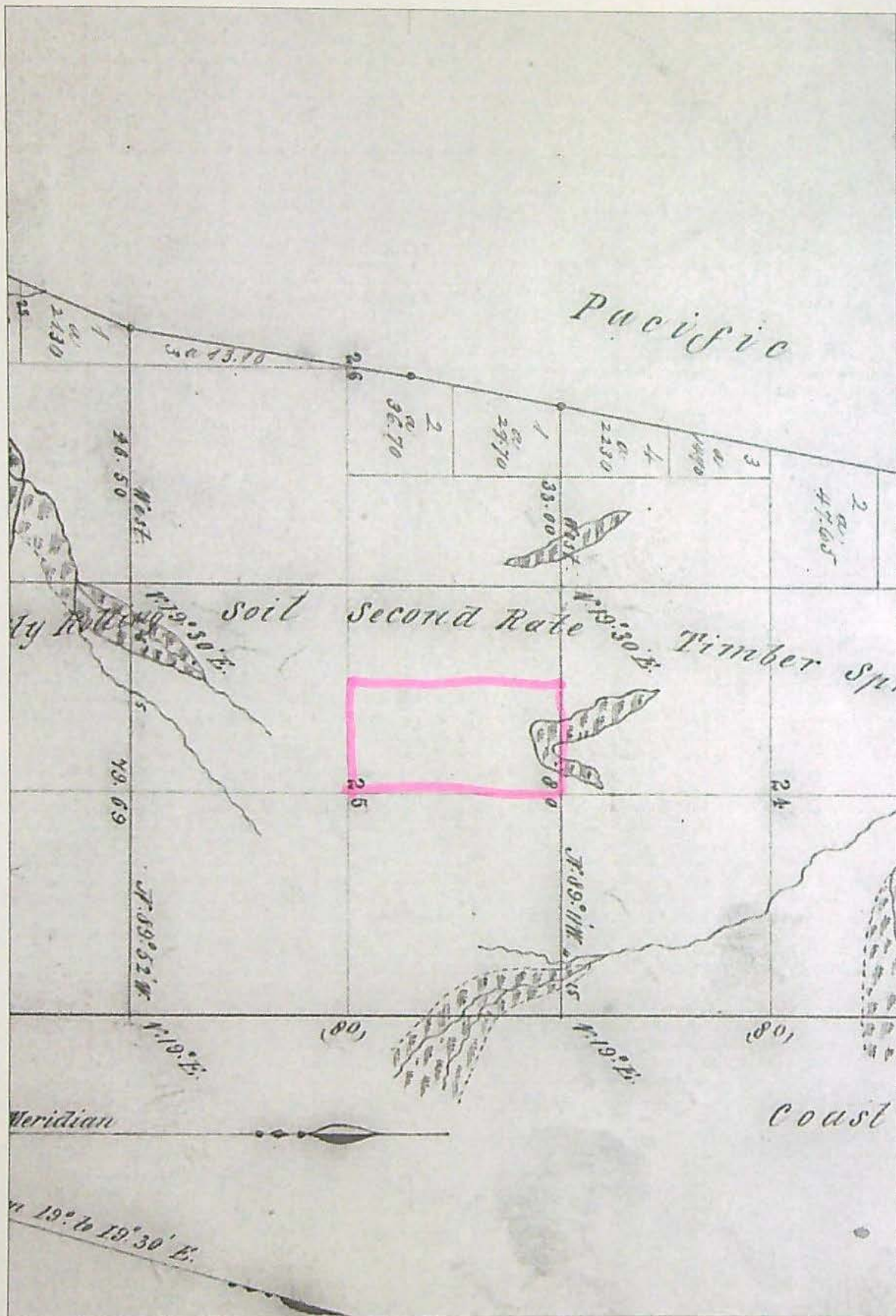
Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:86449 OR * Additional Info: RONALD PUHL App: G10112 Permit: G9684 Cert: 86449		4/5/1982	IRRIGATION												17.4									
Select Cert:86448 OR * Additional Info: RONALD PUHL App: S61176 Permit: S46674 Cert: 86448		4/5/1982	SUPPLEMENTAL IRRIGATION (Suppl'mtl)												17.4									
Select Permit: G 12852 CN Additional Info: DAVID BROOKS App: G11800 Permit: G12852		4/1/1988	AGRICULTURE CN USES												16									
Select Permit: G 13022 * Additional Info: DAVID BROOKS App: G13208 Permit: G13022		12/7/1992	CRANBERRY								7				13		8							
Select Cert:86449 OR * Additional Info: RONALD PUHL App: G10112 Permit: G9684 Cert: 86449		4/5/1982	TEMPERATURE CONTROL												*									
Select Cert:86449 OR * Additional Info: RONALD PUHL App: G10112 Permit: G9684 Cert: 86449		4/5/1982	HARVESTING OF CRANBERRIES												*									
Select Cert:86448 OR * Additional Info: RONALD PUHL App: S61176 Permit: S46674 Cert: 86448		4/5/1982	HARVESTING OF CRANBERRIES (Suppl'mtl)												*									
Select Cert:86448 OR * Additional Info: RONALD PUHL App: S61176 Permit: S46674 Cert: 86448		4/5/1982	TEMPERATURE CONTROL (Suppl'mtl)												*									

NCR

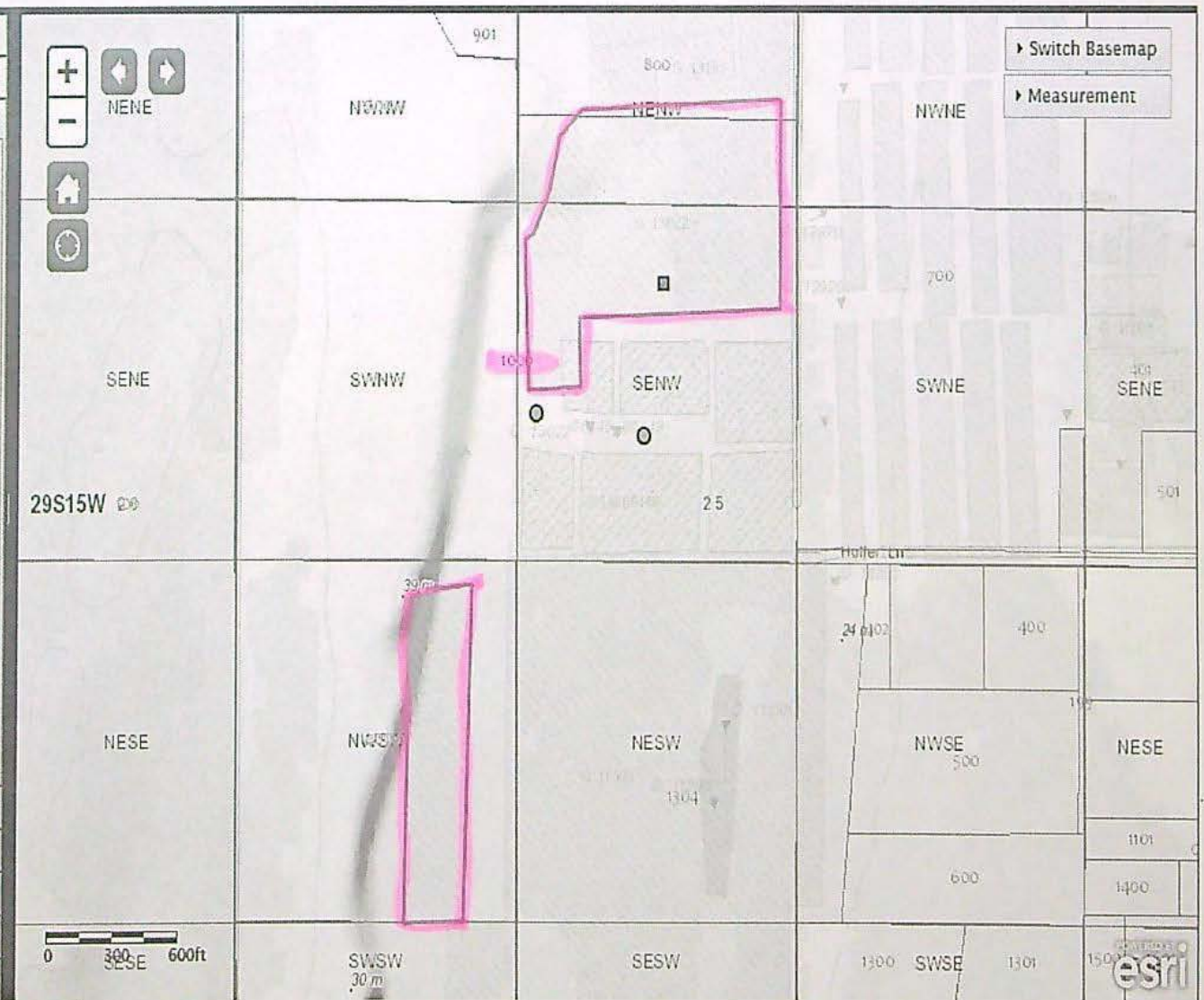
Select	App: P 82468 *	1/28/1997	CRANBERRY				*												
Additional Info: HOWARD W HOFFER App: P82468																			
Select	Permit: G 11595 *	12/4/1991	CRANBERRY							29.8	3	28.5	3.7						
Additional Info: RODERICK FRASER II App: G12723 Permit: G11595																			
Select	Permit: G 12605 CN	7/3/1991	CRANBERRY				15.7	1.4											
Additional Info: VIVIAN BROWN App: G12600 Permit: G12605																			
Select	Permit: G 12920 *	10/18/1993	CRANBERRY		29	26													
Additional Info: RANDALL MANICKE App: G13530 Permit: G12920																			
Select	Permit: G 13133 *	7/3/1991	CRANBERRY				15.7	1.4											
Additional Info: App: G12600 Permit: G13133																			
Select	Claim:GR 3277 *	12/31/1953	IRRIGATION															1	
Additional Info: EARL L MCTIMMONDS Claim: GR3277																			
Select	Permit: R 11615 CN	2/24/1993	CRANBERRY																
Additional Info: CHARLES O'DONNELL App: R73262 Permit: R11615																			
Select	Permit: S 35437 CN	7/27/1970	IRRIGATION				0.3												
Additional Info: JOHNIE M MELTON App: S47295 Permit: S35437																			
Select	Permit: S 42563 *	9/27/1977	CRANBERRY							40	20	40	8	40					
Additional Info: EVERETT W CUSHMAN App: S56660 Permit: S42563																			
Select	Permit: S 46495 *	9/14/1981	CRANBERRY														11.5		
Additional Info: WESLEY L OSBORNE App: S62750 Permit: S46495																			
Select	Permit: S 51855 *	2/24/1993	CRANBERRY		1.4		4.6												
Additional Info: CHARLES O'DONNELL App: S73263 Permit: S51855																			
Select	Cert:21883 OR *	11/13/1944	IRRIGATION		7.1														
Additional Info:																			

Acreage Legend:	12.25 Regular acreage	12.25 Acreage is on a canceled right	(12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate)	[12.25] Acreage has been suspended	* Acreage is not specified
-----------------	-----------------------	--------------------------------------	--	------------------------------------	----------------------------





Search	
Identify Non-Water Right Features	
Tax Lots	
Identify Tax Lots	<u>OR Map</u>
<input type="radio"/> Off	
<input checked="" type="radio"/> On	
County:	Coos
Taxlot:	20S15W25TL0100000
Owner1:	BANDON BIOTA, LLC
Owner2:	
Owner Address:	2450 LAKEVIEW AVE CHICAGO IL 60614
Site Address:	0
Acres:	0
TRSQQ:	WM29.00S15.00W25XXXX
Effective Date:	January 1, 2014
<p>Note: Tax lot information provided here is for general inquiry purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.</p> <p>It is recommended to zoom to a detailed extent before inquiry.</p>	
Tools	
Legend	
Layers	
Print	
Bookmarks	



Mailing List for Certificate

Scheduled Mailing Date:

Application: G-13208

Permit: G-13022

Certificate: 89934

Permit/Certificate Holder:

~~BANDON~~ BIOTA, LLC
2450 N LAKEVIEW AVE
CHICAGO, IL 60614

Copies of Final Certificate to be sent to:

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

Other persons to receive copies: (include map):

- 1. ~~Donald E. Knauer, CWRE~~

Copies Mailed	
by:	<u>JH</u> (STAFF)
on:	<u>3/13/15</u> (DATE)



Oregon
Kate Brown, Governor

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

Date Mailed: March 13, 2015

NOTICE OF CERTIFICATE ISSUANCE

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

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

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

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

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

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BANDON BIOTA, LLC
2450 N LAKEVIEW AVE
CHICAGO, IL 60614

confirms the right to use the waters of TWO WELLS IN THE FOURMILE CREEK BASIN for CRANBERRY OPERATIONS ON 13.8 ACRES.

This right was perfected under Permit G-13022. The date of priority is DECEMBER 7, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.33 CUBIC FOOT PER SECOND, IN ANY COMBINATION FROM THE WELLS, or its equivalent in case of rotation, measured at the wells.

The period of allowed use is YEAR ROUND.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	15 W	WM	25	SE NW	WELL 1 - 1810 FEET SOUTH & 120 FEET WEST FROM N 1/4 CORNER, SECTION 25
29 S	15 W	WM	25	SE NW	WELL 2 - 1980 FEET SOUTH & 125 FEET WEST FROM N 1/4 CORNER, SECTION 25

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre. For flood harvesting or pest control, 0.05 cubic foot per second per acre. For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	15 W	WM	25	NE NW	4.9
29 S	15 W	WM	25	SE NW	8.9

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user 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.

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

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

The Director may require water level or pump test results every ten years.

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

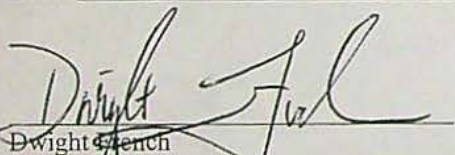
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued MAR 13 2015.



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

CLAIM OF BENEFICIAL USE

Section 25 Twp 29 S Range 15 W

Coos County

FOR: Dave H. Brooks

Application # G-13208

Permit # G-13022

Date surveyed: August 20, 2002

OWNER INFORMATION:

permittee:

name	Dave H. Brooks
address	PO Box 98
city & state	Bandon OR 97411
phone	

property owner: same

name	
address	
city & state	
phone	

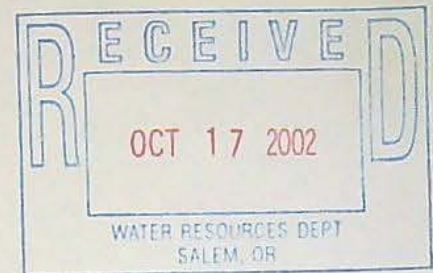
person interviewed: same



SOURCE: Two wells in the Fourmile Creek Basin

TYPE OF USE: Cranberry Operations

DIVERSION WORKS DESCRIPTION:



Pump System:

Motor:

horsepower: Well #1 = 1.5, Well #2 = 5

Pump:

type: Well #1 = submersible, Well #2 submersible

discharge size: Well #1 = 4", Well #2 = 4"

Pipe:

mainline, size and length: 8" pvc to 6" to 4"; 2000' of 8" pvc buried, 1000' of 6" line buried, 1000' of 4" line buried.

Sprinkler Heads:

make and model: Rainbird and Dan (revolving)

size: all 1/8th inch nozzels

maximum number operating at any one time: 28 – 33 sprinklers per acre.

Lift:

source to pump: 20'

pump to place of use: 20'-30'

Measuring devise on flow from wells: Micrometer flow meter, model # 97-8994-4, reading 569247.5 at time of field survey.

The water is piped into the farm system which has two secondary turbine pumps:

30 hp US electric motor V-turbine, serial/model # L8C/T622-8X8, ID: R-6233-04-146-R-21471445 460V 75.5 amps Jacuzzi pump serial # L8822525 8" discharge

30 hp US electric motor 440V 1800 rpm Serial # 3394401 Jacuzzi pump Model # 10M5-4 Serial # WL6826 6"x1" 6" discharge

SYSTEM CAPACITY:

Measured by flow meter: 140-150 gpm

DIVERSION POINT/POINTS LOCATION:

Well #1: 1810' south and 120' west from the north ¼ corner sections 24 and 25

Well #2: 1980' south and 125' west from the north ¼ corner sections 24 and 25

both T29S R15W

RATE:

rate allowed by permit : 2.0 cfs

rate of beneficial use measured: 140 – 150 gpm

PLACE OF USE AND EXTENT OF USE:

NE NW 4.9 ACRES

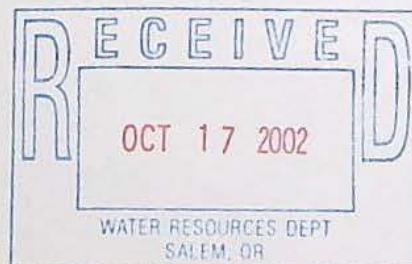
SE NW 8.9 ACRES

TOTAL = 13.8 ACRES

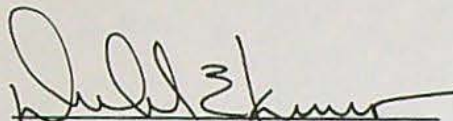
TIME LIMITS: Time limits were met.

CROP TYPE AND PERIOD OF USE: Cranberry operations, year round

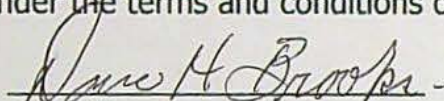
PERMIT CONDITIONS: A meter was installed in 1997 and Mr. Brooks has allowed the WRD to measure his wells since that time.



The final proof survey and inspection of the water use as found to be completed under the terms and conditions of Permit G-13022 which was completed on August 20, 2002, and the facts contained in this report and accompanying map are correct to the best of my knowledge.


Water Right Examiner

I, Dave H. Brooks, agree to the findings of the Water Right Examiner and submit this report and map as my Claim of Beneficial Use of the water as provided under the terms and conditions of my permit # G-13022.


Signature





Oregon

John A. Kitzhaber, MD, Governor

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

February 27, 2013

GW

BANDON BIOTA LLC
2450 N LAKEVIEW AVE
CHICAGO IL 60614

The Department has accepted the pump test results for the following permitted well(s):

Application	Permit	Permitted Well	Tested Well	Test Date	Test Status	Exemption	Owner's Well Name
G 13208	G 13022	COOS 50393	COOS 50393	05/04/2010	Approved	None	Well 2 (L-11711)
G 13208	G 13022	COOS 50394	COOS 50393	05/04/2010	Approved	Multiple Well	Well 1 (L-11712)

Please contact me if you have any questions.

Sincerely,

Karl Wozniak
Ground Water/Hydrology Section

cc: GW Pump Test 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

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

I, Ronald D Puhl & Mary Anne Puhl, Trustees of the Ronald & Mary Anne Puhl Trust, UAD 12-1-95

(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

PO Box 807 Port Orford OR 97465 541-332-1345
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☒ hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- ☐ hereby assign all my interest in and to 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.)
- ☐ hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # G-13208 ; Permit # G-13022 ; Transfer #
-OR-
License # ; GR Statement # ; GR Certificate of Registration #

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

RECEIVED

Bandon Biota, LLC
(Name of New Owner)

2450 Lakeview Ave. Chicago, IL OR 60614 WATER RESOURCES DEPT
(Mailing Address) (City) (State) (Zip) (Phone #) SALEM, OREGON

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

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 25 day of May, 2010.

Applicant/Permit Holder

Applicant/Permit Holder

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 103982
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$75.

Assign
J. P. 7/13/2011



Oregon

John A. Kitzhaber, MD, 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

July 13, 2011

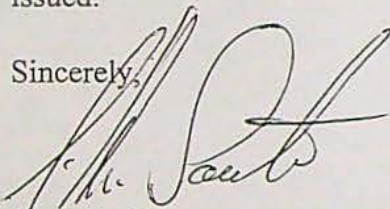
Bandon Biota, LLC
2450 Lakeview Ave.
Chicago, IL 60614

Reference: Application G-13208, Permit G-13022

The assignment from Ronald D. Puhl and Mary Anne Puhl, Trustees of the Ronald and Mary Anne Puhl Trust, UAD12-1-95 to Bandon Biota, LLC has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 13208 covering the recording fee of \$75 is also enclosed.

Please review the permit to be familiar with the conditions and timelines contained in the permit. These conditions and timelines will have to be met before a Certificate of Water Right can be issued.

Sincerely,


Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 103382

cc: Watermaster 19
Ronald D. Puhl and Mary Anne Puhl,
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
File





Northwest
FARM CREDIT SERVICES

1700 South Assembly Street
PO Box 2515, Spokane, WA 99220-2515
Voice: 509.340.5300 Toll Free: 800.827.6505 Fax: 509.340.5400

November 18, 2010

Water Resources Department
158 12th Street NE
Salem, OR 97310

RE: Water right permits

To Whom It May Concern:

This letter is to inform you that Northwest Farm Credit Services no longer holds a security interest in Water Right Permit Nos. G-9684, G-12852 & G-13022.

LEAD: 86449

CM

G-13022 - AAD

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

TO BE REVIEWED OR

Sincerely,

Joy Alexander
Financial Specialist
Legal Division- Central Servicing
1700 South Assembly Street
PO Box 2515
Spokane, WA 99220-2515

866.552.9172 Ext 5367

RECEIVED

DEC 02 2010

WATER RESOURCES DEPT
SALEM, OREGON

Gerry Clark

From: Gerry Clark
Sent: Thursday, May 20, 2010 2:03 PM
To: 'Cape Blanco Cranberries'
Subject: RE: Well Pump Tests completed for G-13022

Mary,

I have inserted my responses to the questions you raised in your message below. My responses are in blue.

Let me know if you have any additional questions.

Gerry

From: Cape Blanco Cranberries [mailto:bogron@harborside.com]
Sent: Thursday, May 20, 2010 1:10 PM
To: cape blanco cranberries; Gerry Clark; bogron; gerald.e.clark@state.or.us
Subject: Re: Well Pump Tests completed for G-13022

Hello Gerry,

Thank you again for your speedy handling of our two permits!

I wanted to be sure that you received the email below I sent you on Tuesday so I am sending it to two email addresses I have for you. Since you spent so much time on our other "issues" this also may be buried.

Can you please take a quick look at this and let me know how to correctly submit the pump test or pass this along to the correct person? We have scheduled closing for Monday and I would love to have the test mailed to WRD before then. Then all three water rights for the property will have certificates forthcoming.

And to think, we bought the property thinking everything with WRD was in order. Good lesson learned. Due diligence is worth the cost!

Thank you very much,

Mary Anne Puhl

Cape Blanco Cranberries, Inc.
PO Box 1365, Port Orford, Oregon, USA 97465
Office: 541-348-2320, Fax: 541-348-2360
www.capeblancocranberries.com

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

From: "Cape Blanco Cranberries" <bogron@harborside.com>
Sent 5/18/2010 5:14:51 PM

5/20/2010

To: clarkge@wrд.state.or.us, "bogron" <bogron@harborside.com>
 Subject: Re: Well Pump Tests completed for G-13022

Hello Gerry,

I am writing today about a completely different Permit than the two we have been working on so diligently.

We had one other outstanding water rights issue with the Riley Farm we are selling; the Pump Test for Permit G-13022, the final step to qualify for a Certificate. I had contacted you regarding this last year (please see our emails below).

We have now completed the Pump Test for one of the two wells for this Permit and I am ready to send in the information to WRD. I have a few quick questions for you.

1) As you noted in your email below, we had the pump test done on only one of the two wells as they are both clearly within the same aquifer. The two wells for this permit are located approximately 175 feet apart (per my rough calculations from the Claim of Beneficial Use description of their locations) on approximately the same elevation, along the East side of the bogs.

As we have discussed in regards to the movement of Sump #1 from it's original location to the "as built" location for permit for G-9684, the entire area where all these bogs are located is within one aquifer. I will attach a copy of the Final Proof Survey Map for Permit G-13022 to show the location of the two wells. Will the WRD need any further information or proof from me that these two wells are within the same aquifer to be sent in with the Pump Test results?

You will need to include copies of the well logs for the two wells.

2) We were given two original copies of the Pump Test Data Sheet, the Pump Test Form Cover Sheet, and the Permit Condition Water-level Reporting Form. How many copies does the WRD need?

The Department only needs one copy of the forms.

3) One potentially important item was left blank on the Permit Condition Water-level Reporting Form; the date water use began for this well. Do I need to find that information and fill in that blank?

Unless I am missing something, I do not see in the permit where you were required to measure the static water levels in the wells.

4) I also see that a very minor error was made on the Pump Test Form Cover Sheet. The time for the pump being turned off was listed as 1:25 a.m. instead of 1:25 p.m. It is obvious this is not the case as the time of measurements, directly above this line, state the last measurement was made at 1:25 p.m. Do we need to change this or have Mr. Mack make another corrected copy of the form?

I checked with someone in the Ground Water Section and was told that you can make the correction on the form and initial the change.

5) Are any fees required for filing this report?

There are no fees for filing the pump test.

6) Are you the correct person to whom to send the Pump Test results? If not, to whom should I send them?

Although my Section is not the where the test will be reviewed, please send it to the Certificate Section so that we can log it into our system. We will forward a copy to the Ground Water Section.

If you can think of anything else I need to address before sending in these Pump Test forms please let me know. I want to be certain this is done correctly so that the new owners will not have any issues to deal with after the sale of this property.

Thank you very much.

Sincerely yours,

Mary Anne Puhl

Cape Blanco Cranberries, Inc.
PO Box 1365, Port Orford, Oregon, USA 97465
Office: 541-348-2320, Fax: 541-348-2360
.capeblancocranberries.com

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

From: Cape Blanco Cranberries

To: Gerry Clark ; bogron

Sent: Tuesday, April 21, 2009 2:31 PM

Subject: Re: Water Right Permit Number G-13022

Dear Gerry,

Thank you for the information and your call yesterday. I will try to get to this next week. I am in the midst of trying to tie up the last of my taxes right now.

I'll look up the well logs and see if the two wells are close enough in depth to be considered in the same aquifer. I'll check back in with you.

Thanks again.

Sincerely,

Mary Anne

Cape Blanco Cranberries, Inc.
PO Box 1365, Port Orford, OR 97465
Office: 541-348-2320, Fax: 541-348-2360
www.capeblancocranberries.com

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

From: "Gerry Clark" <clarkge@wr.d.state.or.us>

Sent: 4/20/2009 4:58:25 PM

To: "Cape Blanco Cranberries" <bogron@harborside.com>

5/20/2010

Subject: RE: Water Right Permit Number G-13022

Mary Anne,

In response to your question, you are not too late to provide pump test(s). The condition on the permit indicates that "prior" to certificate issuance, the pump test requirement needs to be fulfilled. You were notified of the requirement to ensure that when your file was completely reviewed, that the required test had been completed.

Please be aware that if the two wells are in the same aquifer, you may only need to perform one pump test to cover both wells. In order to qualify for a multiple well exemption, you would need to request the exemption in writing. The following Rule describes the criteria for the multiple well exemption:

OAR 690-217-0020(3) If a landowner owns multiple wells producing from the same aquifer and has tested one of those wells, he may request exemptions for all other of those wells which are within five miles of the tested well and which produce water from the same aquifer. If a well is more than five miles from the tested well, or produces from a different aquifer, it must be tested separately. Requests for exemptions shall be in writing and include water well reports or other documentation showing the water producing zones for each well.

If you have any additional questions, please feel free to contact me.

Gerry

Gerry Clark
Water Rights Specialist/Certificates
725 Summer St. NE, Ste. A
Salem, OR 97301

Phone: 503-986-0811
Fax: 503-986-0901

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

size=2 width="100%" align=center tabindex=-1>

From: Cape Blanco Cranberries [mailto:bogron@harborside.com]
Sent: Monday, April 20, 2009 2:15 PM
To: Gerry Clark
Cc: bogron
Subject: Re: Water Right Permit Number G-13022

Dear Mr. Clark,

Apparently you have replaced Ms. Durbin. Can you please respond to my questions below regarding two letters she wrote on November 15, 2008. The letters were addressed to David Books, the former owner of the properties we now own as of May, 2004. The two envelopes were actually addressed to Farm Credit Services at our address in Port Orford and the second was addressed to us.

Thank you,

Mary Anne

Dear Ms. Durbin,

My husband and I purchased the property on which this water right is in place in May, 2004. The farm

5/20/2010

managers we inherited with the purchase always filled out any water rights paperwork related to that property. They were released from their duties as of the end of 2008 and I am cleaning up some of the unfinished paperwork.

I see that there are two wells that need to have well tests for our Permit G-13022. Are we too late to meet this request?

We will either conduct the test ourselves according to the OARS rules that are cited in your letter or else have a well driller come perform the tests for us.

Please let us know if we should still conduct these tests or if you have any questions for me.

Thank you very much.

Sincerely,

Mary Anne Puhl
Ronald D Puhl and Mary Anne Puhl
Ronald D and Mary Anne Puhl Trust
PO Box 807
Port Orford, OR 97465
cell: 541-253-6600
Office: Cape Blanco Cranberries, Inc.
PO Box 1365, Port Orford, OR 97465
Office: 541-348-2320, Fax: 541-348-2360
www.capeblancocranberries.com

Gerry Clark

From: Gerry Clark
Sent: Monday, April 26, 2010 9:37 AM
To: 'Norm Daft'
Subject: RE: COBU for Permit G-13022 (App G-13208)
Attachments: 20100426093251464.pdf

Norm,

I have attached the Claim for your reference.

Gerry

Gerry Clark
Water Rights and Adjudications Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

From: Norm Daft [mailto:normthewaterguy@charter.net]
Sent: Monday, April 26, 2010 9:17 AM
To: Gerald. E. Clark
Subject: COBU for Permit G-13022 (App G-13208)

Hi Gerry,

Clay and I are working on several COBU's for the new property owners.

I think it would be helpful to have a copy of a COBU submitted by Don Knauer for permit G-13022.

We would like to make sure the previous claim is in order. Also part of what we are doing may be supplemental to G-13022.

We have a copy of the COBU map but not the report.

When you get a chance could you E-mail me a copy of the report?

Thanks.

Norm

541 761-1057

4/26/2010

Alyssa Mucken

From: Alyssa Mucken
Sent: Wednesday, February 17, 2010 12:33 PM
To: 'Cape Blanco Cranberries'
Subject: 2008 and 2009 water use reports recieved, thank you.

Hi Mary Anne,

This email is to confirm that we received your water use report for both the 2008 and 2009 water year for Permit G-13022 (Application G-13208). I will place a copy of this email in the application file. The data is also viewable online when you log into your user account of 29559.

Thank you for your explanation of challenges faced in 2008. For future reporting, please keep track of your monthly water use by taking monthly readings, rather than annual, to comply with the condition.

Sincerely,

Alyssa Mucken

~~~~~  
Alyssa Mucken  
Policy Coordinator  
Integrated Water Resources Strategy  
Oregon Water Resources Department  
725 Summer Street, Suite A  
Salem, Oregon 97301-1266  
Phone: 503-986-0911



## Water Use Reporting Entry

[Logout](#)

RONALD AND MARY ANNE PUHL TRUST  
 RONALD & MARY ANNE PUHL  
 PO BOX 807  
 PORT ORFORD, OR 97465

Now reporting for water year: 2009. The deadline for this is 3/31/2010.

Records per Page:

| Report ID                    | Facility                     | Associated Water Rights & Description                                                                          |
|------------------------------|------------------------------|----------------------------------------------------------------------------------------------------------------|
| <a href="#">Select</a> 61727 |                              | <a href="#">Permit:S 53273</a> * RES 6; 29S-14W-18-NE NE; 922 FEET NORTH & 140 FEET EAST FROM SE CORNER, NWNE, |
| <a href="#">Select</a> 61728 |                              | <a href="#">Permit:S 53273</a> * RES 7; 29S-14W-18-NW NE; 656 FEET NORTH & 563 FEET WEST FROM SE CORNER, NWNE  |
| <a href="#">Select</a> 61729 |                              | <a href="#">Permit:G 13022</a> * WELL 1; 29S-15W-25-SE NW; 2140 FEET SOUTH & 680 FEET WEST FROM N1/4 CORNER, S |
| <a href="#">Select</a> 61730 | 61729/61730 METERED TOGETHER | <a href="#">Permit:G 13022</a> * WELL 2; 29S-15W-25-SE NW; 2060 FEET SOUTH & 1180 FEET WEST FROM N1/4 CORN     |

1 2 3

Report ID: 61730

| Water Year | Unit | Oct     | Nov     | Dec     | Jan | Feb | Mar | Apr | May | Jun     | Jul     | Aug     | Sep     |
|------------|------|---------|---------|---------|-----|-----|-----|-----|-----|---------|---------|---------|---------|
| 2009       | G    | 0.0     | 0.0     | 0.0     | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0     | 0.0     | 0.0     | 48891.0 |
| 2008       | G    | 0.0     | 0.0     | 0.0     | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0     | 0.0     | 0.0     | 93257.0 |
| 2007       | G    | 23826.0 | 23826.0 | 23826.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0     | 0.0     | 8988.0  | 13791.0 |
| 2006       |      |         |         |         |     |     |     |     |     |         |         |         |         |
| 2005       | G    | 10204.5 | 10204.5 | 0.0     | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10204.5 | 10204.5 | 10204.5 | 10204.5 |

premiuns data under premiuns owner acct - brooks  
 Report ID's : 38114 ; 38115  
 (nwu1729) (nwu1730)



Herb Mosgar

paper clip contains  
reports copied by Tiffany  
for checked files.

From: Blegen, Ron [RBlegen@golder.com]

Sent: Monday, February 15, 2010 3:50 PM

To: Herb Mosgar

Subject: File availability

Hi Herb,

Would it be possible for one of our folks from our Portland office to come down to review/copy files related to the following water right permits?

| Application                                     | Permit | Owner and/or Trustee                                                |                         |
|-------------------------------------------------|--------|---------------------------------------------------------------------|-------------------------|
| ✓ G10112<br>UNAVAILABLE<br>NO CHECK<br>OUT CARD | G9684  | Northwest Farm Credit Services, David Brooks<br>Trustee: Puhl Trust |                         |
| ✓ G11800<br>→                                   | G12852 | Northwest Farm Credit Services, David Brooks                        | Canceled.<br>DESTROYED? |
| ✓ G13208                                        | G13022 | Northwest Farm Credit Services, David Brooks<br>Trustee: Puhl Trust | or<br>ARCHIVED?         |
| ✓ S61176                                        | S46674 | Brookhill Farms (Dave H. Brooks)                                    |                         |

When you get a chance to pull the files, please let me know when they are ready and I'll arrange for a pickup to make copies. An assessment of file size would be extremely helpful.

Thank you.

Ron Blegen

Ron Blegen (R.G.) | Senior Project Hydrogeologist | Golder Associates Inc.

1430 West Broadway Road, Suite 108, Tempe, Arizona, USA 85282

T: +1 (480) 966-0153 | D: +1 (480) 966-0153 | F: +1 (480) 966-0193 | C: +1 (480) 254-6670 | E:

RBlegen@golder.com | [www.golder.com](http://www.golder.com)



**Gerry Clark**

---

**From:** Gerry Clark  
**Sent:** Monday, April 20, 2009 2:58 PM  
**To:** 'Cape Blanco Cranberries'  
**Subject:** RE: Water Right Permit Number G-13022

Mary Anne,

In response to your question, you are not too late to provide pump test(s). The condition on the permit indicates that "prior" to certificate issuance, the pump test requirement needs to be fulfilled. You were notified of the requirement to ensure that when your file was completely reviewed, that the required test had been completed.

Please be aware that if the two wells are in the same aquifer, you may only need to perform one pump test to cover both wells. In order to qualify for a multiple well exemption, you would need to request the exemption in writing. The following Rule describes the criteria for the multiple well exemption:

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If you have any additional questions, please feel free to contact me.

Gerry

---

Gerry Clark  
Water Rights Specialist/Certificates  
725 Summer St. NE, Ste. A  
Salem, OR 97301

Phone: 503-986-0811  
Fax: 503-986-0901

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

---

**From:** Cape Blanco Cranberries [mailto:bogron@harborside.com]  
**Sent:** Monday, April 20, 2009 2:15 PM  
**To:** Gerry Clark  
**Cc:** bogron  
**Subject:** Re: Water Right Permit Number G-13022

Dear Mr. Clark,

Apparently you have replaced Ms. Durbin. Can you please respond to my questions below regarding two letters she wrote on November 15, 2008. The letters were addressed to David Books, the former owner of the properties we now own as of May, 2004. The two envelopes were actually addressed

4/20/2009



to Farm Credit Services at our address in Port Orford and the second was addressed to us.

Thank you,

Mary Anne

Dear Ms. Durbin,

My husband and I purchased the property on which this water right is in place in May, 2004. The farm managers we inherited with the purchase always filled out any water rights paperwork related to that property. They were released from their duties as of the end of 2008 and I am cleaning up some of the unfinished paperwork.

I see that there are two wells that need to have well tests for our Permit G-13022. Are we too late to meet this request?

We will either conduct the test ourselves according to the OARS rules that are cited in your letter or else have a well driller come perform the tests for us.

Please let us know if we should still conduct these tests or if you have any questions for me.

Thank you very much.

Sincerely,

Mary Anne Puhl  
Ronald D Puhl and Mary Anne Puhl  
Ronald D and Mary Anne Puhl Trust  
PO Box 807  
Port Orford, OR 97465  
cell: 541-253-6600  
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# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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

November 15, 2008

DAVID BROOKS  
RT 1 BOX 906  
BANDON, OR 97411

*No Longer  
Owner*

Subject: Water Right Permit Number G- 13022

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at [http://arcweb.sos.state.or.us/rules/OARS\\_600/OAR\\_690/690\\_217.html](http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html) or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

Diana Durbin  
Water Rights Certificate Staff

C: Permit File



690-217-0050

### **Qualifications for Conducting Pump Tests**

Only pump tests conducted by the well owner, a full-time employee of the well owner who routinely works with and is familiar with wells and pumps, or a qualified individual authorized by the well owner shall be accepted by the Director. Individuals in the following groups will be considered qualified and authorized provided they have significant experience conducting pump tests:

- (1) Oregon licensed water well constructors.
- (2) Oregon registered professional geologists or certified engineering geologists.
- (3) Certified water rights examiners.
- (4) Oregon registered professional engineers.
- (5) Individuals whose primary occupation involves, wholly or in significant part, pump installation, service or testing.



Oregon Water Resources Department  
**PUMP TEST FORM COVER SHEET**

**Well Owner:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
County: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Original owner (from well log): \_\_\_\_\_

**Well Location:**

Township: \_\_\_\_\_ (N/S) Range: \_\_\_\_\_ (E/W)  
Section: \_\_\_\_\_  $\frac{1}{4}$ : \_\_\_\_\_  $\frac{1}{16}$ : \_\_\_\_\_  $\frac{1}{64}$ : \_\_\_\_\_  
Well depth: \_\_\_\_\_ Date drilled: \_\_\_\_\_  
Owners well no. (if any): \_\_\_\_\_  
POD ID: \_\_\_\_\_

**Water Right Information:**

Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_  
Is this well listed on more than one water right? ☐ Yes If yes, list additional water rights below:  
Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_  
Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_

**Pump Test:**

Test Conducted by: \_\_\_\_\_ Well Owner? ☐ Yes  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_ Date of Test: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime phone: \_\_\_\_\_

Method of discharge measurement (see our brochure for acceptable methods): \_\_\_\_\_  
Method of water-level measurement (pick one or enter other method used): \_\_\_\_\_  
Length of air line (if used): \_\_\_\_\_

Pump type (pick one or enter other method used): \_\_\_\_\_

Was the pump test conducted during normal use of the well? ☐ Yes Note: \_\_\_\_\_

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? ☐ Yes Note: \_\_\_\_\_

If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: \_\_\_\_\_

Is there a lake, stream or other surface water body within  $\frac{1}{4}$  mile of the tested well? ☐ Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: \_\_\_\_\_ ft Approx. elevation difference: \_\_\_\_\_ ft

Well elevation is \_\_\_\_\_ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) \_\_\_\_\_

Measuring point distance \_\_\_\_\_ land surface \_\_\_\_\_ feet.

**Static water level measurements:** (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

| Time  | Depth to water below meas. point | Depth to water below land surface |
|-------|----------------------------------|-----------------------------------|
| _____ | _____                            | _____                             |
| _____ | _____                            | _____                             |
| _____ | _____                            | _____                             |

**Discharge measurements:** (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

| Time  | Discharge Rate | Discharge Units (e.g. gpm, cfs, etc) |
|-------|----------------|--------------------------------------|
| _____ | _____          | _____                                |
| _____ | _____          | _____                                |
| _____ | _____          | _____                                |
| _____ | _____          | _____                                |

Time pump turned on: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
Time pump turned off: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
Total pumping time: \_\_\_\_\_ hours \_\_\_\_\_ minutes

**Note:** Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: \_\_\_\_\_





# 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

May 28, 2004

Ticor Title Insurance Co.  
P.O. Box 1075  
Coos Bay, Oregon 97420-0233

Reference: Application S-61175, Permit S-46909  
Application G-10112, Permit G-9684  
Application S-69576, Permit S-53273  
Application S-66058, Permit S-47906  
Application G-11800, Permit G-12852-Cancelled  
Application G-13208, Permit G-13022  
Application R-63451, Permit R-8479  
Application R-65269, Permit R-8895  
Application G-14583, Permit G-13415

For permit G-13415, the assignment from Dave Brooks to Ronald D. Puhl and Mary Anne Puhl, Trustees of the Ronald and Mary Anne Puhl Trust, and has been recorded in the records of the Water Resources Department.

For the remainder, the partial assignment from Dave Brooks and Northwest Farm Credit Services ACA, to Ronald D. Puhl and Mary Anne Puhl, Trustees of the Ronald and Mary Anne Puhl Trust, and Northwest Farm Credit Services ACA, has been recorded in the records of the Water Resources Department.

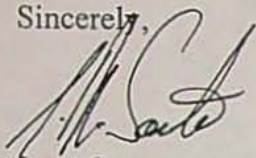
Application G-11800, Permit G-12852 was cancelled by special order Volume 58, page 222 on December 1, 2003 and is of no further force or effect. This file was not assigned.

I am also enclosing a refund in the amount of \$30.00 submitted in excess of assignment fees

Our records have been changed accordingly and the original request is enclosed. Receipt number 67419 covering the recording fee of \$100.00 is also enclosed.



Sincerely,



Jerry Sauter

Water Rights Program Analyst

Enclosure: receipt 67419

cc: Watermaster 19

Dave Brooks

Ronald D. and Mary Anne Puhl

John Whitty

Data Center, OWRD

Mary Rohling

File

Sent Out August 19, 2004





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

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

November 15, 2008

DAVID BROOKS  
RT 1 BOX 906  
BANDON, OR 97411

Subject: Water Right Permit Number G- 13022

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump-testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at [http://arcweb.sos.state.or.us/rules/OARS\\_600/OAR\\_690/690\\_217.html](http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html) or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

Diana Durbin  
Water Rights Certificate Staff

C: Permit File





690-217-0050

### **Qualifications for Conducting Pump Tests**

Only pump tests conducted by the well owner, a full-time employee of the well owner who routinely works with and is familiar with wells and pumps, or a qualified individual authorized by the well owner shall be accepted by the Director. Individuals in the following groups will be considered qualified and authorized provided they have significant experience conducting pump tests:

- (1) Oregon licensed water well constructors.
- (2) Oregon registered professional geologists or certified engineering geologists.
- (3) Certified water rights examiners.
- (4) Oregon registered professional engineers.
- (5) Individuals whose primary occupation involves, wholly or in significant part, pump installation, service or testing.



# COPY

## REQUEST FOR ASSIGNMENT

**RECEIVED**

MAY 19 2004

 WATER RESOURCES DEPT  
SALEM, OREGON

 I, DAVID BROOKS

(Name of Applicant / Permit / Transfer Holder)

P.O. Box 906 Bandon OR 97411 541-347-9296  
 (mailing address) (City) (State) (Zip) (Phone #)

**CHECK ONE**
**RECEIVED**
☐ ...hereby assign all my interest in and to application/permit/transfer;

AUG 06 2004

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

 WATER RESOURCES DEPT  
SALEM, OREGON

☐ ...hereby assign a portion of my interest in and to the entire application/permit/  
 transfer;

G13208 G13022  
R63451 R8479  
 Application # R65269, Permit # R8895, Transfer # \_\_\_\_\_  
 -OR-

GR Statement # \_\_\_\_\_, GR Certificate of Registration # \_\_\_\_\_

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

RONALD D. PUHL AND MARY ANNE PUHL, TRUSTEES OF THE RONALD  
AND MARYANNE PUHL TRUST UNDER AGREEMENT DATED 12-1-95

(Name of New Owner)

P.O. Box 807 PORT ORFORD OR 97465 541-332-1345  
 (mailing address) (City) (State) (Zip) (Phone #)

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

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

 Witness my hand this 14<sup>th</sup> day of MAY, 2004.

 Applicant/Permit holder David Brooks

Applicant/Permit holder \_\_\_\_\_

**DO NOT WRITE IN THIS BOX**

 This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.  
 Fee receipt # 62419  
 For Director by Jerry Sauter, Program Analyst in Water Rights Division

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

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

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

OK ASSIGN BROOKS TO PUHL  
MAY 19 2004  
J. Sauter



PERMIT STATUS REVIEW BY jd DATE 9/10/02 FILE # 6-13208

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if : note on JS list  
no Permit is for municipal or quasi-municipal use or in Bonanza study area  
(per DF, when in doubt about MU/QM, change database code)

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

no Assignment is pending - partial assignment 11/98

no Cancellation is requested \_\_\_\_\_ final \_\_\_\_\_

no Dept. has already sent a certified "Form 100" letter (date \_\_\_\_\_, # \_\_\_\_\_)  
Was mail deliverable as addressed? \_\_\_\_\_ date \_\_\_\_\_  
Send cancellation letter \_\_\_\_\_

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 10/1/2000  
WATERMASTER DISTR # 19

WATERMASTER NAME Lloyd Van Gordon

*ok. French  
11/13/02  
9/13/02*





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

September 23, 2002

Certified mail number 7020 2538  
Return receipt requested

NW FARM CR SVC, ACA  
PO BOX 1490  
ROSEBURG OR 97470

Reference: Application G-13208, Permit G-13022

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, 2000.

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, to include a final proof survey map of the development. The map and claim of beneficial use was to have been submitted to our Department within one year of October 1, 2000. A list of certified water right examiners is enclosed for your use.

If you are not finished with the development of your permit, you need to file for an extension of time to complete your development. An extension form is also enclosed with this letter.

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. A cancellation form is enclosed, 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 of your permit, within 60 days of the date of this letter (November 22, 2002) the Department may cancel your permit without further notice.**

Please give me a call if you have questions. My phone number is 503-378-8455 extension 274.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (3)

cc: Dave Brooks, dba Cranebrook Farms of Oregon (partial assignment)  
OWRD Watermaster LLOYD VAN GORDON, District 19  
File G-13208





Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-13208

Proposed Final Order

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

*Application History*

On December 7, 1992, DAVE H. BROOKS submitted an application to the Department for the following water use permit:

- Amount of Water: 4.0 CUBIC FEET PER SECOND (CFS)
- Use of Water: CRANBERRY OPERATIONS ON 28.0 ACRES
- Source of Water: TWO SUMP WELLS IN THE FOURMILE CREEK BASIN
- Area of Proposed Use: Coos County within SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

The Department mailed the applicant notice of its Unsatisfactory Technical Review April 3, 1994, determining that the USE OF 4.0 CFS FROM TWO SUMP WELLS IN THE FOURMILE CREEK BASIN FOR CRANBERRY OPERATIONS ON 28.0 ACRES IS NOT ALLOWED. The 60-day objection period closed May 16, 1994.

Within the 60-day period, objections were received from the applicant, Dave H. Brooks (4/11/94).

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received



*Findings of Fact*

Based on continued evaluation, the Department finds the determinations of the Unsatisfactory Technical Review require modification to allow the use of 2.0 cfs, being 1.0 cfs from each of two drilled wells, as set by the New River Alternate Dispute Resolution team.

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

Senior water rights exist on TWO WELLS IN THE FOURMILE CREEK BASIN or on downstream waters.

TWO WELLS IN THE FOURMILE CREEK BASIN are not within or above a State Scenic Waterway.

The Department finds that no more than 2.0 CFS, BEING 1.0 CFS FROM EACH WELL, would be necessary for the proposed use. The amount of water requested, 4.0 CFS, shall be restricted to 2.0 CFS, BEING 1.0 CFS FROM EACH WELL.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.

The Groundwater Section finds that there is NOT a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

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

The use of 2.0 cfs, being 1.0 cfs from each of two drilled wells, is allowed year round.

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



Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement date (blank), 1996 on file with the Department.

### *Conclusions of Law*

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the South Coast Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

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

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

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

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

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by



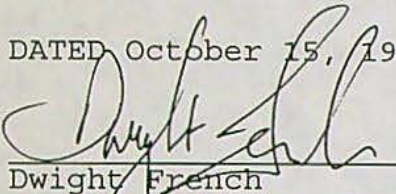
a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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

#### Recommendation

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

DATED October 15, 1996

  
Dwight French  
Water Rights Section Manager

#### Protest Rights

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

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting that a contested case hearing be held. If you do not request a hearing, the Department will presume that you do not wish for a hearing to be held.

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



After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

BW



DRAFT

This is not a permit!!!  
STATE OF OREGON

DRAFT

COUNTY OF Coos

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

DAVE H BROOKS  
RT 1 BOX 906  
BANDON, OREGON 97411

(541) 347-9296

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

APPLICATION FILE NUMBER: G-13208

SOURCE OF WATER: TWO WELLS IN THE FOURMILE CREEK BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 28.0 ACRES

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND (CFS), BEING 1.0 CFS FROM EACH SUMP WELL

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 7, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NW 1/4, SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.; WELL 1 - 2140 FEET SOUTH & 680 FEET WEST; WELL 2 - 2060 FEET SOUTH & 1180 FEET WEST; BOTH FROM NORTH 1/4 CORNER, SECTION 25

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 7.0 ACRES  
SE 1/4 NW 1/4 13.0 ACRES  
NW 1/4 SW 1/4 8.0 ACRES  
SECTION 25

TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.



Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

Diversions and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement date (blank), 1996 on file with the Department.

STANDARD CONDITIONS

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

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

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



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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued \_\_\_\_\_, 199\_

DRAFT - THIS IS NOT A PERMIT

Water Resources Department  
Director





**COBU CHECK LIST**  
(CWRE SURVEYS - POST 7/9/87)



APPLICATION NO.: \_\_\_\_\_  
PERMIT NO: \_\_\_\_\_

**FILES**

- ☒ WRIS PRINTOUT  
☐ CONFLICT CHECKED  
☐ COMPARED TO EXISTING RIGHTS

**DRAFTING**

- ☐ GLO'S (LAYOUT, LOTS, DLC'S)  
☐ LEGAL DESCRIPTION  
☐ SECTION BREAKDOWN  
☐ DIVERSION POINT DIMENSIONS  
☐ ACREAGE  
☐ TOWNSHIP, RANGE, SECTION  
☐ PHYSICAL FEATURES  
☐ SURVEY ID INFO

**FIELD FORM**

- ☐ NAME, ADDRESS, COUNTY  
☐ SOURCE  
☐ TRIBUTARY  
☐ PRIORITY DATE  
☐ POINT OF DIVERSION  
☐ TIME LIMITS, SURVEY  
REGARDLESS  
☐ PLACE OF USE

- ☐ CALCULATIONS  
☐ RATE/DUTY  
☐ PERMIT CONDITIONS

**ASSOCIATED RIGHTS**

- ☐ TOTAL QUANTITY FROM POD  
☐ PRIMARY SOURCE USED

**PROPOSED CERTIFICATE**

- ☐ PROOFED, CORRECTED, INITIALED  
& DATED  
DIRECTORY \_\_\_\_\_

**OWNERSHIP**

- ☐ OTHER OWNERS (Has the  
permittee/department identified any property  
owner for lands not included in the final  
proof?)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REMARKS:**

*COBU in the name of Brooks & NWPCSVCS,*  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWER \_\_\_\_\_

DATE: \_\_\_\_\_



## Plat Card Report for: Township: 29S, Range: 15W Section: 25

Page

| Application | Permit  | Certificate | Status<br>lot/dlc | NE |    |    |                 | NW                     |                       |    |              | SW           |             |             |              | SE |             |    |             | Gov't<br>Lot |
|-------------|---------|-------------|-------------------|----|----|----|-----------------|------------------------|-----------------------|----|--------------|--------------|-------------|-------------|--------------|----|-------------|----|-------------|--------------|
|             |         |             |                   | NE | NW | SW | SE              | NE                     | NW                    | SW | SE           | NE           | NW          | SW          | SE           | NE | NW          | SW | SE          |              |
| GR 3277     | GR 3115 |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    | 1.000<br>IR |              |
| 12/31/1953  |         |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 10112     | G 9684  |             |                   |    |    |    |                 |                        |                       |    | 10.000<br>CR |              |             |             |              |    |             |    |             |              |
| 4/15/1982   |         |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 10112     | G 9684  |             |                   |    |    |    | 10.000<br>CR    |                        |                       |    | 10.000<br>CR |              |             |             |              |    |             |    |             |              |
| 4/15/1982   | *       |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 10112     | G 9684  |             |                   |    |    |    |                 |                        |                       |    | 10.000<br>CR |              |             |             |              |    |             |    |             |              |
| 4/15/1982   | *       |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 11800     | G 12852 |             |                   |    |    |    |                 |                        |                       |    | 16.000<br>CR |              |             |             |              |    |             |    |             |              |
| 4/1/1988    |         |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 12600     | G 12605 |             | Cncl'd            |    |    |    |                 | 15.700<br>CR<br>Cncl'd | 1.400<br>CR<br>Cncl'd |    |              |              |             |             |              |    |             |    |             |              |
| 7/3/1991    |         |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 12600     | G 13133 |             |                   |    |    |    |                 | 15.700<br>CR           | 1.400<br>CR           |    |              |              |             |             |              |    |             |    |             |              |
| 7/3/1991    | *       |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 12723     | G 11595 |             |                   |    |    |    |                 |                        |                       |    |              | 29.800<br>CR |             | 3.000<br>CR | 28.500<br>CR |    | 3.700<br>CR |    |             |              |
| 12/4/1991   |         |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 13208     | G 13022 |             |                   |    |    |    |                 | 7.000<br>CR            |                       |    | 13.000<br>CR |              | 8.000<br>CR |             |              |    |             |    |             |              |
| 12/7/1992   |         |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| G 13220     |         |             |                   |    |    |    | 6.500<br>CR (s) |                        |                       |    |              |              |             |             |              |    |             |    |             |              |
| 12/17/1992  |         |             |                   |    |    |    |                 |                        |                       |    |              |              |             |             |              |    |             |    |             |              |

CANCEL / No CORB / USE COVERED UNDER EITHER G-9684 OR G-13022  
 or 4667A under  
 ORS-540

Not a Conflict

Go to 29S, 15W, 25 page: 1 2 3 Next >>

[Return to Plat Card Search](#)

NOTE: Please read the [disclaimer](#) before using this information.

Frequently asked questions and the abbreviations (water use codes) noted above are discussed in our Plat Card [FAQ](#).



## Plat Card Report for: Township: 29S, Range: 15W Section: 25

Page

| Application | Permit  | Certificate | Status<br>lot/dlc | NE                    |              |              |                       | NW               |    |    |                  | SW           |    |              |              | SE |             |              |    | Gov't<br>Lot |
|-------------|---------|-------------|-------------------|-----------------------|--------------|--------------|-----------------------|------------------|----|----|------------------|--------------|----|--------------|--------------|----|-------------|--------------|----|--------------|
|             |         |             |                   | NE                    | NW           | SW           | SE                    | NE               | NW | SW | SE               | NE           | NW | SW           | SE           | NE | NW          | SW           | SE |              |
| G 13530     | G 12920 |             |                   |                       | 29.000<br>CR | 26.000<br>CR |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| 10/18/1993  |         |             |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 20570     | S 16074 | 21883       |                   | 7.100<br>IR           |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| 11/13/1944  |         | -           |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 29188     | S 23069 | 26150       |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             | 5.000<br>IR  |    |              |
| 5/20/1954   |         | -           |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 47295     | S 35437 |             | Cncl'd            | 1.000<br>IR<br>Cncl'd |              |              | 0.300<br>IR<br>Cncl'd |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| 7/27/1970   |         |             |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 55594     | S 41660 | 50470       |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| 3/31/1977   |         | -           |                   | LV                    |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 55594     | S 41660 | 50470       |                   | 2.000<br>IR           |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| 3/31/1977   | *       | -           |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 56131     | S 41955 | 57647       |                   | 0.600<br>IR           |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| 6/27/1977   |         | -           |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 56660     | S 42563 |             |                   |                       |              |              |                       |                  |    |    |                  | 40.000<br>CR |    | 20.000<br>CR | 40.000<br>CR |    | 8.000<br>CR | 5.000<br>CR  |    |              |
| 9/27/1977   |         |             |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 56660     | S 42563 |             |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             | 35.000<br>CR |    |              |
| 9/27/1977   | *       |             |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |
| S 61176     | S 46674 |             |                   |                       |              |              |                       | 10.000<br>CR (s) |    |    | 30.000<br>CR (s) |              |    |              |              |    |             |              |    |              |
| 4/5/1982    |         |             |                   |                       |              |              |                       |                  |    |    |                  |              |    |              |              |    |             |              |    |              |

Go to 29S, 15W, 25 page: &lt;&lt;Previous 1 2 3 Next&gt;&gt;

[Return to Plat Card Search](#)**NOTE: Please read the [disclaimer](#) before using this information.**Frequently asked questions and the abbreviations (water use codes) noted above are discussed in our Plat Card [FAQ](#).



Plat Card Report for: *Township: 29S, Range: 15W Section: 25*

Page

| Application | Permit  | Certificate | Status<br>lot/dlc | NE          |    |    |             | NW |    |    |    | SW |    |    |    | SE |    |             |    | Gov't<br>Lot |
|-------------|---------|-------------|-------------------|-------------|----|----|-------------|----|----|----|----|----|----|----|----|----|----|-------------|----|--------------|
|             |         |             |                   | NE          | NW | SW | SE          | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW          | SE |              |
| S 62750     | S 46495 |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    | 2.200<br>CR |    |              |
| 9/14/1981   |         |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    |             |    |              |
| S 62750     | S 46495 |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    | 6.000<br>CR |    |              |
| 9/14/1981   | *       |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    |             |    |              |
| S 62750     | S 46495 |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    | 3.300<br>CR |    |              |
| 9/14/1981   | *       |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    |             |    |              |
| R 70336     | R 11402 |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    |             |    |              |
| 5/8/1990    |         |             |                   |             |    |    | CR          |    |    |    |    |    |    |    |    |    |    |             |    |              |
| S 70337     | S 51287 |             |                   |             |    |    | 6.500<br>CR |    |    |    |    |    |    |    |    |    |    |             |    |              |
| R 73262     | R 11615 |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    |             |    |              |
| 2/24/1993   |         |             |                   | CR          |    |    | CR          |    |    |    |    |    |    |    |    |    |    |             |    |              |
| S 73263     | S 51855 |             |                   | 1.400<br>CR |    |    | 4.600<br>CR |    |    |    |    |    |    |    |    |    |    |             |    |              |
| 2/24/1993   |         |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    |             |    |              |
| P 82468     |         |             |                   |             |    |    | CR          |    |    |    |    |    |    |    |    |    |    |             |    |              |
| 1/28/1997   |         |             |                   |             |    |    |             |    |    |    |    |    |    |    |    |    |    |             |    |              |

Go to 29S, 15W, 25 page: <<Previous 1 2 3[Return to Plat Card Search](#)**NOTE: Please read the disclaimer before using this information.**Frequently asked questions and the abbreviations (water use codes) noted above are discussed in our Plat Card [FAQ](#).





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97301-4172  
(503) 378-3739  
FAX (503) 378-8130  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

April 12, 2002

DAVE BROOKS dba CRANEBROOK FARMS  
OF OREGON and NW FARM CREDIT SERVICES  
PO BOX 98  
BANDON OR 97411

Application(s): G-13208

Permit Number(s): G-13022

Re: Best Management Practices

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

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

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

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



April 12, 2002

Page 2

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

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

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

Sincerely,



Paul R. Cleary

Director

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





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FEB 01 2005

WATER RESOURCES DEPT  
SALEM, OREGON

January 5, 2005

Oregon Water Resources Department  
Water Use Reporting Program  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210

RE: 2 wells, #11711 and #11712 (Coos)  
Application File #G-13208

In accordance with the water rights accorded to me, the meter as of January 5, 2005, reads 986,683 gallons. This reflects the usage for the 2004 season for Cranberries. The total 2004 season use is then 87,916 gallons.

Sincerely,

Cliff Neis  
Cape Blanco Cranberries, Inc. / Cranebrook Farms of Oregon  
P.O. Box 1193  
Bandon, OR 97411



2003

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

USER-ID

(38114)  
38115

11378

2004



|                                              |                 |  |  |  |  |
|----------------------------------------------|-----------------|--|--|--|--|
| Facility <input checked="" type="checkbox"/> |                 |  |  |  |  |
| POD-ID <input checked="" type="checkbox"/>   |                 |  |  |  |  |
| February 2003<br>October - 2003              |                 |  |  |  |  |
| November - 2003                              |                 |  |  |  |  |
| December - 2003                              | 180,198 gallons |  |  |  |  |
| January - 2004                               |                 |  |  |  |  |
| February - 2004                              |                 |  |  |  |  |
| March - 2004                                 |                 |  |  |  |  |
| April - 2004                                 |                 |  |  |  |  |
| May - 2004                                   | 87916 Gallons   |  |  |  |  |
| June - 2004                                  |                 |  |  |  |  |
| July - 2004                                  |                 |  |  |  |  |
| August - 2004                                |                 |  |  |  |  |
| September - 2004                             |                 |  |  |  |  |
| TOTAL * Jan 2005                             |                 |  |  |  |  |

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FEB 01 2005

WATER RESOURCES DEPT  
SALEM, OREGON

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

Describe method of measuring the water used: Flowmeter Micrometer If use is irrigation, total number acres irrigated 28 acres  
I certify this information is true and accurate to the best of my knowledge.

Clifford Neis  
Signature

Farm Manager  
Title

Clifford Neis  
Cape Blanco Cranberries  
Reporting Entity Cranebrook Farms

1-5-05  
Date

Clifford Neis  
Name - Please Print

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





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

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



RONALD D PUHL

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

PUHL, MARY ANNE; PUHL TRUST; NW FARM CREDIT

User-ID 29559

PO BOX 807

Password: 29559

PORT ORFORD OR 97465

| POD-ID | FACILITY | CERT | PERMIT | APPL  | PRIORITY | USE   | L/S       | TWP | RANGE | SEC | Q/Q | RATE | SOURCE | TRIBUTARY TO |      |      |   |          |             |
|--------|----------|------|--------|-------|----------|-------|-----------|-----|-------|-----|-----|------|--------|--------------|------|------|---|----------|-------------|
| 61722  |          | 0    | S      | 53273 | S        | 69576 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 7            | SESW | 25 A | P | RES 1    | CROOKED R   |
| 61723  |          | 0    | S      | 53273 | S        | 69576 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 18           | NENW | 25 A | A | RES 2    | CHINA CR    |
| 61724  |          | 0    | S      | 53273 | S        | 69576 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 7            | SESE | 25 A | A | RES 3    | CROOKED CR  |
| 61725  |          | 0    | S      | 53273 | S        | 69576 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 18           | NWNE | 25 A | A | RES 4    | CHINA CR    |
| 61726  |          | 0    | S      | 53273 | S        | 69576 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 7            | SESE | 25 A | A | RES 5    | CROOKED CR  |
| 61727  |          | 0    | S      | 53273 | S        | 69576 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 18           | NENE | 25 A | A | RES 6    | CHINA CR    |
| 61728  |          | 0    | S      | 53273 | S        | 69576 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 18           | NWNE | 25 A | A | RES 7    | CHINA CR    |
| 61729  |          | 0    | G      | 13022 | G        | 13208 | 12/7/1992 | CR  | L     | 29  | S   | 15   | W      | 25           | SENW | 2    | C | P WELL 1 | FOURMILE CR |
| 61730  |          | 0    | G      | 13022 | G        | 13208 | 12/7/1992 | CR  | L     | 29  | S   | 15   | W      | 25           | SENW | 2    | C | A WELL 2 | FOURMILE CR |

USER-ID

29559





RECEIVED

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

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



RONALD D PUHL

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

PUHL, MARY ANNE; PUHL TRUST; NW FARM CREDIT

User-ID 29559

PO BOX 807

Password: 29559

PORT ORFORD OR 97465

| POD-ID | FACILITY | CERT | PERMIT | APPL    | PRIORITY  | USE | L/S | TWP  | RANGE | SEC | Q/Q  | RATE   | SOURCE | TRIBUTARY TO |
|--------|----------|------|--------|---------|-----------|-----|-----|------|-------|-----|------|--------|--------|--------------|
| 61722  |          | 0 S  | 53273  | S 69576 | 4/1/1988  | CR  | L   | 29 S | 14 W  | 7   | SESW | 25 A P | RES 1  | CROOKED R    |
| 61723  |          | 0 S  | 53273  | S 69576 | 4/1/1988  | CR  | L   | 29 S | 14 W  | 18  | NENW | 25 A A | RES 2  | CHINA CR     |
| 61724  |          | 0 S  | 53273  | S 69576 | 4/1/1988  | CR  | L   | 29 S | 14 W  | 7   | SESE | 25 A A | RES 3  | CROOKED CR   |
| 61725  |          | 0 S  | 53273  | S 69576 | 4/1/1988  | CR  | L   | 29 S | 14 W  | 18  | NWNE | 25 A A | RES 4  | CHINA CR     |
| 61726  |          | 0 S  | 53273  | S 69576 | 4/1/1988  | CR  | L   | 29 S | 14 W  | 7   | SESE | 25 A A | RES 5  | CROOKED CR   |
| 61727  |          | 0 S  | 53273  | S 69576 | 4/1/1988  | CR  | L   | 29 S | 14 W  | 18  | NENE | 25 A A | RES 6  | CHINA CR     |
| 61728  |          | 0 S  | 53273  | S 69576 | 4/1/1988  | CR  | L   | 29 S | 14 W  | 18  | NWNE | 25 A A | RES 7  | CHINA CR     |
| 61729  |          | 0 G  | 13022  | G 13208 | 12/7/1992 | CR  | L   | 29 S | 15 W  | 25  | SENW | 2 C P  | WELL 1 | FOURMILE CR  |
| 61730  |          | 0 G  | 13022  | G 13208 | 12/7/1992 | CR  | L   | 29 S | 15 W  | 25  | SENW | 2 C A  | WELL 2 | FOURMILE CR  |

USER-ID

29559



Oregon Water Resources Department  
Coos County annex  
250 N. Baxter  
Coquille, Oregon 97423

JANUARY 1, 2002

Re: 2 wells, #'s 11711 and 11712

Application File # G-13208 - Permit 613022

11378

Attn: Water Master

In accordance of the water rights accorded me, the meter as of JANUARY 1, 2002 reads 514891. This reflects the usage for the 2001 season for Cranberries.

Sincerely,

POD-10 38114

Dave Brooks

*Dave Brooks*

DBA Cranebrook Farms of Oregon  
P. O. Box 98  
Bandon, Oregon 97411

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APR 24 2002

WATER RESOURCES DEPT.  
SALEM, OREGON



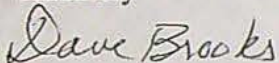
April 12, 2003

Oregon Water Resources Department  
Water Use Reporting Program  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210

Re: 2 well, #'s 11711 and 11712 (Coos)  
Application File # G-13208

In accordance of the water rights accorded me, the meter as of January 1, 2003 reads 718569. This reflects the usage for the 2002 season for Cranberries. The total 2002 season use is then 203,678 gallons.

Sincerely



Dave H Brooks

DBA Cranebrook Farms of Oregon  
P.O. Box 98  
Bandon, Oregon 97411

**RECEIVED**

APR 15 2003

WATER RESOURCES DEPT.  
SALEM, OREGON



2001

Oregon Water Resources Department  
October 2001 through September 2002  
Annual Water Use - Monthly Quantities Form

USER-ID

(38114)  
38115

11378

2002



|                                              |                          |          |                |  |  |
|----------------------------------------------|--------------------------|----------|----------------|--|--|
| Facility <input checked="" type="checkbox"/> | meter readings           |          |                |  |  |
| POD-ID <input checked="" type="checkbox"/>   | 38114 (2 wells)<br>38115 |          | each well      |  |  |
| October - 2001                               |                          | 38583.75 | (1/2 19291.88) |  |  |
| November - 2001                              | 154,335 gallons          | 38583.75 | "              |  |  |
| December - 2001                              |                          | 38583.75 | "              |  |  |
| January - 2002                               |                          | 38583.75 | "              |  |  |
| February - 2002                              |                          | 25459.75 | (1/2 12729.88) |  |  |
| March - 2002                                 |                          | 25459.75 | "              |  |  |
| April - 2002                                 | 203,678 gallons          | 25459.75 | "              |  |  |
| May - 2002                                   |                          | 25459.75 | "              |  |  |
| June - 2002                                  |                          | 25459.75 | "              |  |  |
| July - 2002                                  |                          | 25459.75 | "              |  |  |
| August - 2002                                |                          | 25459.75 | "              |  |  |
| September - 2002                             |                          | 25459.75 | "              |  |  |
| TOTAL *                                      |                          |          |                |  |  |

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APR 15 2003

WATER RESOURCES DEPT.  
SALEM, OREGON

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

① 28 acres

Describe method of measuring the water used: slow meter Mcrometer. If use is irrigation, total number acres irrigated \_\_\_\_\_

I certify this information is true and accurate to the best of my knowledge.

Jeanette Brooks  
Signature

Owner  
Title

Dave H. Brooks  
CRANEBROOK farms of Oregon  
Reporting Entity

4-12-03  
Date

Jeanette Brooks  
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;  
158 12<sup>th</sup> Street NE, OR 97310-0210





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



Dear Water User: Your water use report for October 2001 to September 2002 has not been received by our office. This information is important for water management in Oregon. Please complete the form on the reverse side for the water rights listed below. If you have questions, or need more time please, contact me at 503-378-8455 ext. 333. Thank you for your attention to this matter. Mary Grainey

DAVID H BROOKS  
DBA CRANEBROOK FARMS OF OREGON  
P.O. BOX 98  
BANDON OR 97411

USER-ID 11378

| POD-ID | FACILITY | CERT | PERMIT | APPL. | PRIORITY | USE   | L/S       | TWP | RANGE | SEC | Q/Q | RATE | SOURCE | TRIBUTARY TO |      |    |   |   |        |             |
|--------|----------|------|--------|-------|----------|-------|-----------|-----|-------|-----|-----|------|--------|--------------|------|----|---|---|--------|-------------|
| 38114  |          | 0    | G      | 13022 | G        | 13208 | 12/7/1992 | CR  | L     | 29  | S   | 15   | W      | 25           | SENW | 2  | C | P | WELL 1 | FOURMILE CR |
| 38115  |          | 0    | G      | 13022 | G        | 13208 | 12/7/1992 | CR  | L     | 29  | S   | 15   | W      | 25           | SENW | 2  | C | A | WELL 2 | FOURMILE CR |
| 51408  |          | 0    | S      | 53273 | S        | 69376 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 7            | SESW | 25 | A | P | RES 1  | CROOKED R   |
| 51409  |          | 0    | S      | 53273 | S        | 69376 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 18           | NENW | 25 | A | A | RES 2  | CHINA CR    |
| 51410  |          | 0    | S      | 53273 | S        | 69376 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 7            | SESE | 25 | A | A | RES 3  | CROOKED CR  |
| 51411  |          | 0    | S      | 53273 | S        | 69376 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 18           | NWNE | 25 | A | A | RES 4  | CHINA CR    |
| 51412  |          | 0    | S      | 53273 | S        | 69376 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 7            | SESE | 25 | A | A | RES 5  | CROOKED CR  |
| 51413  |          | 0    | S      | 53273 | S        | 69376 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 18           | NENE | 25 | A | A | RES 6  | CHINA CR    |
| 51414  |          | 0    | S      | 53273 | S        | 69376 | 4/1/1988  | CR  | L     | 29  | S   | 14   | W      | 18           | NWNE | 25 | A | A | RES 7  | CHINA CR    |

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APR 15 2003

3/5/2003

WATER RESOURCES DEPT.  
SALEM, OREGON

USER-ID

11378



9-1-20  
**RECEIVED**

MAR 22 1999

March 17, 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon Water Resources Department  
Coos County Annex  
250 N. Baxter  
Coquille, Oregon 97423

Re: 2 wells, #'s 11711 and 11712  
Application file # G-13208

Attn: John Droulet

In accordance of the water rights accorded me, the meter as of today,  
March 17, 1999 reads 059016. This reflects the usage for 1998 as pumps  
have not yet been turned of for 1999 season.

Sincerely,

*Dave Brooks* *1st Jeannette Brooks*

Dave Brooks  
Brookhill Farms of Oregon, now  
DBA Cranebrook Farms of Oregon  
Rt 1, Box 906  
Bandon, Oregon 97411

03-19-99

Terre

Please post in our  
files & forward a  
cy to Dwight French  
for OWRD files  
JPD



TO: DWIGHT TRENCH

FM: J.P. Droulet

SUB: Permit Conditions - Meter Rdg 1999 - From Water User

Oregon Water Resources Department  
Coos County Annex  
250 N. Baxter  
Coquille, Oregon 97423

June 1, 2000

Re: 2 wells, #'s 11711 and 11712  
Application File # G-13208

Attn: John Droulet,

In accordance of the water rights accorded me, the meter as of June 1, 2000, reads 186004. This reflects the usage for the 1999 season for Cranberries.

Sincerely,

✓Dave Brooks  
✓Brookhill Farms of Oregon, NOW  
✓DBA Cranebrook Farms of Oregon  
P. O. Box 98  
Bandon, Oregon 97411

*new name &  
address*

**RECEIVED**

JUL 26 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



Oregon Water Resources Department  
Coos County annex  
250 N. Baxter  
Coquille, Oregon 97423

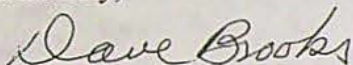
October 21, 2000

Re: 2 wells, #'s 11711 and 11712  
Application File # G-13208

Attn: Water Master

In accordance of the water rights accorded me, the meter as of October 21, 2000 reads 360556. This reflects the usage for the 2000 season for Cranberries.

Sincerely,



Dave Brooks  
Brookhill Farms of Oregon, NOW  
DBA Cranebrook Farms of Oregon  
P. O. Box 98  
Bandon, Oregon 97411

**RECEIVED**

NOV 07 2000

WATER RESOURCES DEPT.  
SALEM, OREGON



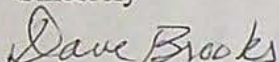
April 12, 2003

Oregon Water Resources Department  
Water Use Reporting Program  
158 12<sup>th</sup> Street NE  
Salem, OR 97310-0210

Re: 2 well, #'s 11711 and 11712 (Coos)  
Application File # G-13208

In accordance of the water rights accorded me, the meter as of January 1, 2003 reads 718569. This reflects the usage for the 2002 season for Cranberries. The total 2002 season use is then 203,678 gallons.

Sincerely



Dave H Brooks

DBA Cranebrook Farms of Oregon  
P.O. Box 98  
Bandon, Oregon 97411

**RECEIVED**

APR 15 2003

WATER RESOURCES DEPT.  
SALEM, OREGON



Oregon Water Resources Department  
Coos County annex  
250 N. Baxter  
Coquille, Oregon 97423

JANUARY 1, 2002

Re: 2 wells, #'s 11711 and 11712  
Application File # G-13208 - *Permit 613022*

*11378*

Attn: Water Master

In accordance of the water rights accorded me, the meter as of *JANUARY 1, 2002* reads *514891*. This reflects the usage for the 2001 season for Cranberries.

Sincerely,

*POD-10 38114*

Dave Brooks

*Dave Brooks*

DBA Cranebrook Farms of Oregon  
P. O. Box 98  
Bandon, Oregon 97411

RECEIVED

APR 24 2002

WATER RESOURCES DEPT.  
SALEM, OREGON





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

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

November 20, 1998

DAVID BROOKS  
RT 1 BOX 906  
BANDON OR 97411

REFERENCE: Files 61175, 66058, R-63451, 69576, R-65269, G-10112, G-13208, & G-11800

The assignment of Permits 46909, 47906, R-8479, 53273, R-8895, G-9684, G-13022, and G-12852 to Northwest Farm Credit Services, ACA and David Brooks has been recorded in the records of the Water Resources Department. Our records have been changed accordingly and the original assignments are enclosed.

Our receipts number 25975 and 26043 covering the \$50 recording fee have been sent to Ticor Title Company.

If you have any questions, please contact me at the number above, or toll-free 1-800-624-3199.

Sincerely,

Dallas S. Miller  
Water Rights Specialist

DSM:jh

enclosure

cc: John Drolet, Watermaster  
James Gosson, CWRE  
Susie DeHaas, Field Office-SW Region, Medford  
Ticor Title Company - PO Box 1075, Coos Bay, OR 97420  
Northwest Farm Credit Services, ACA - PO Box 1490, Roseburg, OR 97470-0356



RECEIVED

NOV 06 1998

REQUEST FOR ASSIGNMENT

I, (permit holder, applicant) David H. Brooks

WATER RESOURCES DEPT.  
SALEM, OREGON

Rt 1 Box 906

Bandon, OR 97411

(541) 347-9296

(mailing address)

(City, State, Zip)

(Phone)

CHECK ONE

☒ [ X ] hereby assign all my interest in and to application/permit;

☐ [ ] hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);

☐ [ ] hereby assign a portion of my interest in and to the entire application/permit;

Permit #'s ~~45906, 45909, R 2229, G 9684, G 13208, G 12852, and G 12752~~

OR GR Statement # \_\_\_\_\_, GR Certificate of Registration # \_\_\_\_\_ as  
filed in the office of the Water Resources Director. TO:

David H. Brooks

(541) 347-9296

(name of new owner)

(phone #)

Rt 1 Box 906

Bandon, OR 97411

(address)

(city, state, zip)

AND

Northwest Farm Credit Services, ACA

(541) 673-3248

(name of new owner)

(phone #)

2222 Northwest Kline Street, PO Box 1490

Roseburg, OR 97470-0356

(address)

(city, state, zip)

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Registration you must attach a list of their names and addresses to this form.)

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

Witness my hand this 29th day of October, 19 98

applicant/permit holder David H. Brooks

applicant/permit holder \_\_\_\_\_

PLEASE DO NOT WRITE IN THIS BOX

STATE OF OREGON, )

) ss

County of Marion. )

I certify that the within was  
received by me on the 16th day of  
Nov, 19 98, at 8 o'clock

A m., and was recorded in the  
Miscellaneous Records, Vol. 8

Page 287

Water Resources Director

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT

158 12TH STREET NE

SALEM, OREGON 97310-0210

(40994-441)

OK  
DSM

Application #s G-10112, G-13208, G-11800



File

# Oregon

March 5, 1997

WATER  
RESOURCES  
DEPARTMENT

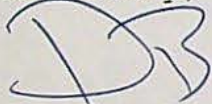
BROOKFIELD FARMS OF OREGON  
RT 1 BOX 906  
BANDON OR 97411

REFERENCE: REFUND, APPLICATION FILE G13208

Enclosed is a check, no. 4401992, in the amount of \$100. This is a refund of excess recording fees paid for the above referenced application file. Your permit is not affected by this refund of excess fees.

If you need further assistance please contact the Water Rights Section at the address listed below or phone (503) 378-3739.

Sincerely,



Douglas L. Baer  
Senior Water Rights Technician

enclosure

cc: Watermaster # 19



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



Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-13208

Final Order

*Application History*

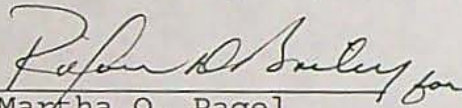
On December 7, 1992, DAVE H BROOKS submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 15, 1996. The protest period closed November 29, 1996, and no protest was filed.

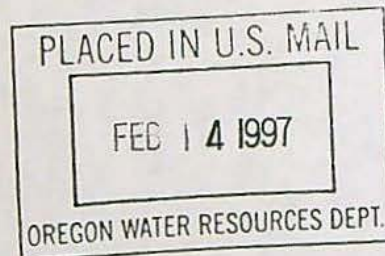
The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe the groundwater interference condition.

Order

Application G-13208 therefore is approved with the above modifications to the Proposed Final Order, and Permit Number G-13022 is issued as limited by the conditions set forth therein.

DATED January 2/ , 1997

  
Martha O. Pagel  
Director



*Hearing and Appeal Rights*

Under the provisions of ORS 537.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 537.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issues based on the above modifications to the proposed final order may be addressed.

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



STATE OF OREGON

COUNTY OF Coos

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVE H BROOKS  
RT 1 BOX 906  
BANDON, OREGON 97411

(541) 347-9296

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

APPLICATION FILE NUMBER: G-13208

SOURCE OF WATER: TWO WELLS IN THE FOURMILE CREEK BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 28.0 ACRES

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND (CFS), BEING 1.0 CFS FROM EACH SUMP WELL

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 7, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NW 1/4, SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.; WELL 1 - 2140 FEET SOUTH & 680 FEET WEST; WELL 2 - 2060 FEET SOUTH & 1180 FEET WEST; BOTH FROM NORTH 1/4 CORNER, SECTION 25

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 7.0 ACRES  
SE 1/4 NW 1/4 13.0 ACRES  
NW 1/4 SW 1/4 8.0 ACRES  
SECTION 25

TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as  
Application G-13208 Water Resources Department PERMIT G-13022



approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

#### STANDARD CONDITIONS

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

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

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

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

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



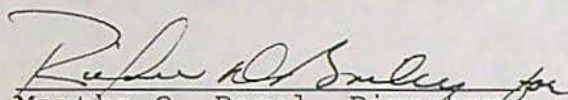
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1999. Complete application of the water to the use shall be made on or before October 1, 2000.

Issued January 31, 1997

  
Martha O. Pagel, Director  
Water Resources Department



FILE # 6-13208

## FO CHECKLIST

REVIEW DATE: 11, 27, 96WEEK # 64

PFO TO FO CONVERSION

INITIALS: DB

In preparing the FO, you should check the following:

1. ☒ N Were comments or protests received? If so, from whom and when?  
WATERWATCH 11/22/96
2. ☒ On the PFO CC list, verify names and addresses of **ALL** commentors (regardless of comment date), **affected landowners**, and **those who paid the \$10 fee**.
3. ☒ N Have affected landowners been notified?
4. Y / ☒ N Is the file lacking a signed oath of accuracy for the application?
5. Y / ☒ N Has ODFW asked for self certification of screening condition? If so, write "ODFW CERT" in the permit blank on the front of the file.
6. Y / ☒ N Is water use prohibited for one or more months of the normal use period?
7. ☒ If # 6 = "Y", is short season letter on file? Note: If short season letter is lacking, see Item #10 below. Give applicant 60 days to submit required information.
8. \$100 Verify payment of recording fees (circle the appropriate option)  
(1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO Ap=CR 2.0 CFS \$350  
(2) Issue FO w/o permit if fees are lacking
9. ☒ N Is further processing possible? If not state reason: \_\_\_\_\_
10. ☒ Notify applicant of additional information or fees required prior to permit issuance. (SEND CERTIFIED LETTER & use standard wording from M:\T\FO\TOOLS if possible)
11. ☒ Assign permit numbers to files with oath, fees, and no protests or other issues

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

FO &amp; PERMIT

Respond to Requested changes  
COMMENTSIncorporated into FO/Permit wording

Modify FO as needed to:

Initials DB

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

Once FO document is completed:

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

これはどこまで?

m:\t\fo\tools\chklist.mst



M. JOHN YOUNGQUIST  
WATER RESOURCES CONSULTANT

827 SE MOSHER  
ROSEBURG, OREGON 97470  
PHONE/FAX: (541) 672-5692

RECEIVED

OCT - 2 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

PROJECT MANAGEMENT

PERMITS/LICENSING

RESEARCH

PLANNING

September 30, 1996

Bernadette Williams, Water Right Specialist  
Oregon Water Resources Department  
158 12th Street, N.E.  
Salem, Oregon 97310

Re: File No. G - 13208  
In the Name of David Brooks

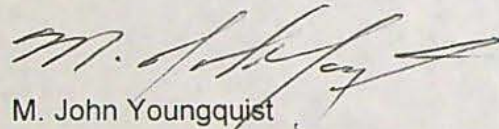
Dear Ms. Williams:

As we discussed in your office, the map I submitted showing the approximate location of the two wells is the correct map to use. That map, if you recall, does not have any supplemental use associated with it. The only use of water from the two wells will be for primary cranberry harvesting.

I apologize for the delay in responding. I hope this clears up the matter. I discussed the two maps with James F. Gosson, CWRE, and we do not understand how the second map corrected the first. I am enclosing a copy of the map for your information.

Please contact me if you have any questions.

Yours truly,



M. John Youngquist

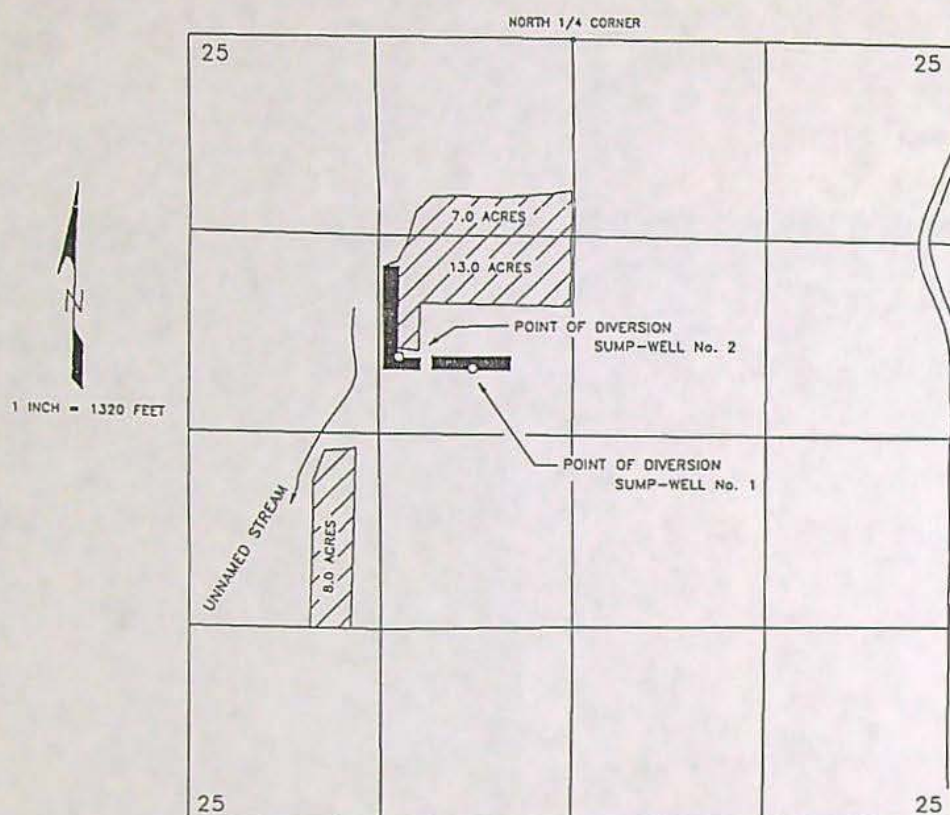
cc: David Brooks  
Route 1, Box 906  
Bandon, Oregon 97411



RECEIVED

OCT - 2 1996

WATER RESOURCES DEPT.  
SALEM, OREGON



G13022



TO: Water Rights Section

AUG 28, 1996

FROM: Groundwater/Hydrology Section D. WOODCOCK

Reviewer's Name

SUBJECT: Application G- 13208

### GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE \_\_\_\_\_ Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source (\_\_\_\_\_) and taps a groundwater source ☒ hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a. \_\_\_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest
  - b. ☒ will not \_\_\_\_\_ surface water source, namely FOUR MILE BASIN; or
  - c. ☒ will if properly conditioned, adequately protect the surface water from interference:
    - i. \_\_\_\_\_ The permit should contain condition #(s) 7B;
    - ii. \_\_\_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_\_\_ The permit should be conditioned as indicated in item 4 below; or
  - d. \_\_\_\_\_ will, with well reconstruction, adequately protect the surface from substantial interference.

### GROUNDWATER AVAILABILITY CONSIDERATIONS

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

REMARKS: THIS REVIEW SUPERSEDES REVIEW OF 5/6/93. IT IS  
BASED UPON RESOLUTION PROCESS (ADR) THAT APPLICANT MOVE  
PROPOSED POA'S TO GREATER THAN 1/4 MILE FROM SURFACE  
WATER, APPROPRIATE WATER FROM DRILLED WELLS RATHER  
THAN SUMPS, AND REDUCE REQUESTED QUANTITY TO LESS  
THAN 1.0 CFS.

(Well Construction Considerations on Reverse Side)



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

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

---

RECOMMENDATION:

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

---

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

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

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



NOV 22 1996

November 20, 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

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

Re: PFO for Application No. G-13208, Fourmile Creek Basin, Dave Brooks

Dear Mr. French,

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

We can support this applicants use as proposed in the PFO<sup>1</sup> with the following specific changes which are consistent with the ADR:

- The "7b" interference condition in the PFO must be modified to be consistent with the language agreed to in earlier ADR meetings and specified in the November 6th meeting. The condition should be as follows:

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

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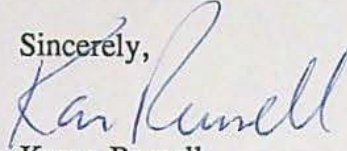
<sup>1</sup> Please note that the measurement and reporting condition as proposed in the PFO is the Department's "large" condition. Since the amount of proposed use was changed from the lower rate of .44 cfs agreed to in the early ADR negotiations to 2 cfs, the "large" measurement and reporting condition should be retained.



- As agreed in the ADR, the applicant, Dave Brooks, has signed the New River Alternative Dispute Resolution Team Agreement (which was faxed to our offices today), prior to the issuance of any final order issuing a permit.

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

Sincerely,

A handwritten signature in blue ink that reads "Karen Russell". The signature is fluid and cursive, with the first name "Karen" and last name "Russell" clearly distinguishable.

Karen Russell  
Assistant Director

- c. Dave Brooks  
Al Cook, WRD  
Todd Confer, ODFW



*Dou*  
**INTEROFFICE MEMORANDUM**

Water Rights Section

TO: Fred Lissner  
FROM: Dwight French, x-268  
DATE: August 9, 1996  
RE: Application G-13208

This application is in the New River basin. An Alternate Dispute Resolution process (similar to triage) was used and certain determinations were made for those applications within that basin. The determination for application G-13208 was to have it re-reviewed by Groundwater Section.

Therefore, could you have Doug Woodcock take a look at this and then have it routed back to Bernadette Williams when the review is completed. A timely response would be appreciated.

Thank you.

*2 well  
200 gpm*







**COMPLETED**  
 DL 10-10-95

**COMPLETENESS DETERMINATION CHECKLIST**

| Application # | Review Date | Reviewer |
|---------------|-------------|----------|
| G-13208       | 10/21/95    | GERRY    |

200 Exam

~~136~~ ~~20~~ ~~164~~ ~~42~~ ~~156~~

364 ~~336~~ Total

450 Received

~~\$114 Refund~~

~~\$86 Refund~~

A checkmark (✓) indicates that the item is incomplete or defective.

1. Examination fees (and recording fees, if for PFO/FO).
2. Name and address of the applicant, and title if applicable.
3. Source of water.
4. Use of water.
5. Amount of water.
6. Description of delivery system.
7. A statement of whether the applicant has written authorization or easements permitting access to lands owned by others.
8. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
9. Proposed dates of beginning and completion of construction, and complete application of water.
10. If for **municipal use**, the present population to be served and expected future water requirements.
11. If for **mining use**, the type of mines and methods of supplying & utilizing the water.
12. If for a **reservoir**:
  - a. The height of the dam.
  - b. The storage capacity.
  - c. The area submerged.
  - d. The maximum depth.
  - e. The construction method (earthfill, concrete, flashboard, etc.).
  - f. A description of the outlet conduit.
  - g. A description of the spillway.
13. If for **groundwater**, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
14. If the application was made under **HB 2107**:
  - a. Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
  - b. A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
  - c. The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
15. An oath that the application information is true and correct.
16. The signature of the applicant(s).
17. A satisfactory map of the proposed POD & POU.
18. A Land Use Information Form or receipt.
19. A legal description of the property where water will be used.

8/16/95



RECEIVED

OCT - 9 1995

WATER RESOURCES DEPT.  
SALEM, OREGONWATER  
RESOURCES  
DEPARTMENT

October 3, 1995

DAVE H BROOKS  
RT 1 BOX 906  
BANDON OREGON 97411

RE: Application File # G-13208

Dear Dave,

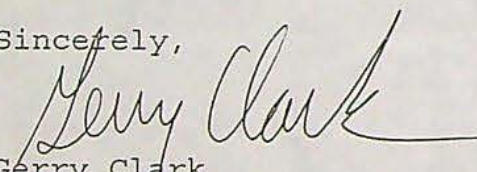
The Water Resources Department is currently reviewing your application for water use. Preliminary review indicates the following items were not included with your application:

- ▶ An oath that the information in the application is true and accurate. Please sign and return the enclosed oath.
- ▶ A legal (metes and bounds) description of the property where water is to be used, such as that found on your deed or title insurance contract.

In order to expedite the processing of your application, we request that you submit these items by October 18, 1995. I have enclosed a stamped envelope for your use.

Should you have any questions regarding your application or the required materials listed above, please call me personally at 1-800-624-3199 extension 261.

Sincerely,

  
Gerry Clark  
Completeness Team

Enclosures

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



# WaterWatch

O F O R E G O N

Messenger Delivered

May 13, 1994

Oregon Water Resources Department  
Water Rights Section  
158 12th Street NE  
Salem, Oregon 97310

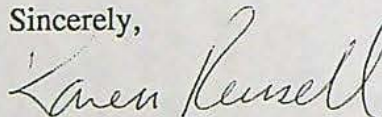
Re: Technical Reports for:  
73066, Hardman, Irrigation, Myrtle Crk/MF Coquille  
G-13208, Brooks, Cranberry Use, Fourmile Crk/South Coast  
R-71343, 71342, Kemnitz, Irrigation, Rock Crk/Molalla River

Dear Water Rights Section:

WaterWatch supports the proposed rejection of these applications for the reasons outlined in the technical reports and other reasons. We request notification and copies of any objections that are filed to these technical reports, copies of the Department's response to objections and notice and opportunity to file protests if the Department decides to recommend issuance of either of these applications.

Thank you. Please call if you have any questions.

Sincerely,



Karen Russell  
Assistant Director

RECEIVED  
MAY 13 1994  
WATER RESOURCES DEPT.  
SALEM, OREGON



May 10, 1994

Dave Brooks  
Route 1, Box 906  
Bandon, OR 97411

Reference: Application Number G13208

Dear Mr. Brooks:

We have received your letter of April 27, 1994, in which you requested to begin Alternative Dispute Resolution (ADR).

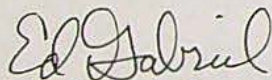
Alternative Dispute Resolution is an option only when there is an objector(s) besides the applicant. You were the only objector to the Report of Technical Review on your application.

The Department's role in ADR is to counsel, direct and facilitate the dispute resolution. It is not actually a party to the ADR, although any agreement reached by the parties in an ADR is subject to Departmental approval.

We would be willing to discuss your application with you at your convenience, either over the phone or here in the Salem office.

If you have any questions, please call.

Sincerely;



Ed Gabriel  
Water Rights Specialist  
Water Rights and Adjudications Division



---

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



April 11, 1994

RECEIVED

APR 14 1994

WATER RESOURCES DEPT  
SALEM, OREGON

Oregon Water Resources Department  
158 12th Street, NE  
Salem, Oregon 97310

Attention: Steve Brown, Manager  
Water Rights Division

Reference: File No. S 13208  
Objection to the Technical Review

Dear Mr. Brown:

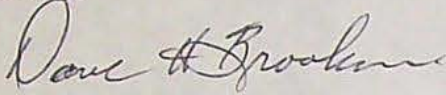
In response to the Satisfactory report of Technical Review for Water Use Permit applicable to application G 13208, I would like to object to the Unsatisfactory Technical Review in accordance with OAR 690-11-170 for the following reasons:

1. I am within the Bandon Cranberry Growing area, as zoned by the Coos County Comprehensive Plan. The growing of cranberries is valued as one of the highest priorities for this area and in the public interest. The public interest discussion may be found in the Oregon Farmer's Cranberry Alliance's objections to various instream water right filings in the Bandon area. I incorporate by this reference all objections filed by the Oregon Cranberry Farmers Alliance relative to the instream applications on Four Mile Creek and various other streams in this area.
2. I am over 3000 feet from the nearest major water body, however, there is a small stream originating on my land that is within 1320 feet of my proposed point of diversion. The sumpwell I am currently using is immediately East of the proposed new sumpwell. Use from the existing sumpwell has not visually affected the flow of the small drainage.  
  
A large sand dune is located adjacent to the small drainage. My property generally slopes westerly to the sand dune. The small drainage originates on my land and allows surface runoff to discharge off my lands. It does not contribute to anadromous fish habitat. The beach and Pacific Ocean are located adjacent to and immediately West of my ownership. I do not believe use from my proposed diversion will affect any surface water in this area.
3. If the rules prohibit my use of the sumpwell as described, it may be possible to develop an alternate source of ground water on my property that would be acceptable.



I desire to participate in alternate dispute resolution (OAR 690-11-180) with the Department to determine if water is available for my use. I am approaching the time limit on my Ocean Spray contract to develop new bog lands and would appreciate initiating discussions with your department immediately after May 16, 1994.

Sincerely,

A handwritten signature in blue ink that reads "Dave H. Brooks". The signature is written in a cursive style with a large initial "D" and "B".

Dave H. Brooks

**RECEIVED**

APR 14 1994

WATER RESOURCES DEPT.  
SALEM, OREGON



MARCH 4, 1994

DAVE H. BROOKS  
RT 1, BOX 906  
BANDON, OR 97411

Reference: File G-13208

Hello:

This letter informs you of the current status of your application for a water right and accompanies the Unsatisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of the application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION, WE HAVE DETERMINED THAT YOUR APPLICATION DOES NOT SATISFY THE REQUIREMENTS OF THE TECHNICAL REVIEW AND THEREFORE, THE DIRECTOR OF THE WATER RESOURCES DEPARTMENT PROPOSES THAT YOUR APPLICATION FOR A WATER USE PERMIT BE REJECTED.

If you disagree with any of the analyses contained in the Report, you may object to them. You must submit your objections to the Water Resources Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objections must allege that the technical review is defective. You may also submit evidence that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



---

3850 Portland Rd. NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130



If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before MAY 16, 1994 or the Department may presume there is no opposition to the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted no later than the above time and date, the Director will evaluate each issue raised in the objections and will either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If your objections are accepted and the technical issues are resolved in satisfaction of the technical review requirements, the Department will move your application to the next phase of processing. This phase will include a full public interest assessment of your proposed water use. No final action may be taken on your application until the public interest review is completed.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions about any of the requirements described above or about any of the findings contained in the Report of Technical Review, please feel free to telephone me or any the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,

THOMAS E. SHOOK  
WATER RIGHT SPECIALIST

Enclosures



Report Date: MARCH 4, 1994

OREGON WATER RESOURCES DEPARTMENT

**UNSATISFACTORY REPORT OF TECHNICAL REVIEW**  
**FOR WATER USE PERMIT(S)**

OBJECTIONS TO THE PROPOSED REJECTION OF WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: MAY 16, 1994.

1. APPLICATION FILE NUMBER - G-13208

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

DAVE H. BROOKS  
RT 1, BOX 906  
BANDON, OR 97411  
COOS COUNTY 503-347-9296

Date application received for filing and/or tentative date  
of priority: 12/7/92

SOURCE: TWO SUMP WELLS TRIBUTARY TO: FOURMILE CREEK

Purpose and/or use:  
CRANBERRY USE (IRRIGATION AND AGRICULTURAL USE)

Flow: 4 CUBIC FEET PER SECOND (CFS)

Point of Diversion Location:  
T 29 S, R 15 W, W.M.; SECTION 25, SENW

| Place of use:        | IRRIGATION | AGRICULTURAL USE |
|----------------------|------------|------------------|
| NENW                 | 7.0 ACRES  | X                |
| SEnw                 | 13.0 ACRES | X                |
| NWSW                 | 8.0 ACRES  | X                |
| SECTION 25           |            |                  |
| T 29 S, R 15 W, W.M. |            |                  |

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:



Pursuant to OAR 690-09-040, the proposed groundwater withdrawal will have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported the water is likely to be available to supply the proposed use.

#### SURFACE WATER AVAILABILITY

Water is not likely available in excess of needs for all existing rights 80% of the time during each monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

#### CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

There are existing water rights appurtenant to the lands described in the application. See proposed permit conditions.

#### WATER AVAILABILITY

Surface water streamflows have been evaluated against all surface water rights including consumptive out-of-stream uses, non-consumptive out-of-stream rights and instream water rights. As a result of this evaluation the Department has determined that water is not available for additional appropriation. The water availability tables are on file and available for review at the Water Resources Department.

**THEREFORE, THE DIRECTOR FINDS THAT WATER IS NOT AVAILABLE IN SUFFICIENT AMOUNT DURING THOSE PERIODS OF TIME WHICH WOULD REASONABLY SUPPORT THE PROPOSED USE.**

Based on findings set out above, the Director will recommend rejection of the application unless the applicant can provide evidence that the (CRANBERRY) use of water for less than the full season will not result in wasteful, uneconomic, impracticable or unreasonable use of the waters involved.

The applicant can overcome a proposed rejection by demonstrating that an alternative source of water is available during the period water is not available from the proposed source.

In the alternative, the applicant may submit evidence that the proposed use is of high public interest.



In determining whether the public interest in the proposed use is high and whether the application should be granted an exception under OAR 690-410-070(2)(a), the Commission and/or Director will weigh the relative value of the proposed use in accordance with the public interest standards set out in ORS 537.170 (5) and OAR 690-11-195.

If the Commission and/or Director find that the proposed use should be granted such an exception, a finding will be prepared stating that water is available for the proposed use if the permit can be conditioned to protect instream uses.

THE APPLICANT MAY PRESENT EVIDENCE THAT THE FINDINGS AND/OR CONCLUSIONS SET OUT IN THE TECHNICAL REVIEW ARE DEFECTIVE OR OTHERWISE INCORRECT.



# Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## 13208

ROUTED TO: T. S. HOOK

TOWNSHIP/

RANGE-SECTION: 29S/15W-25

APPLICATION ACCEPTED? ☐ yes ☐ no

CONDITIONS ATTACHED? ☐ yes ☒ no

REMARKS OR FURTHER INSTRUCTIONS:

---

---

---

Reviewer: D. Woodcock



TO: Water Rights Section

MAY 6, 1993

FROM: Groundwater/Hydrology Section D. Woodcock

Reviewer's Name

SUBJECT: Application G- 13208

1. PER THE Basin rules, one or more of the proposed POA's is/is not within        feet/mile of a surface water source (        ) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
- a. ☒ will, or have the potential for substantial interference with the nearest surface water
- b. ☐ will not source, namely UNNAMED DRAINAGE; or
- c. ☐ will, if properly conditioned, adequately protect the surface water from interference:
- i. ☐ The permit should contain condition #(s)       ;
- ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;
- iii. ☐ The permit should be conditioned as indicated in item 4 below; or
- d. ☐ will, with well reconstruction, adequately protect the surface water from substantial interference.
3. BASED UPON available data, I have determined that groundwater for the proposed use
- a. ☒ will, or likely be available in the amounts requested without injury to prior rights and/or
- b. ☐ will not within the capacity of the resource; or
- c. ☐ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
- i. ☐ The permit should contain condition #(s)       ;
- ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;
- iii. ☐ The permit should be conditioned as indicated in item 4 below.
4. a. ☐ THE PERMIT should allow groundwater production from no deeper than        ft. below land surface;
- b. ☐ The permit should allow groundwater production from no shallower than        ft. below land surface;
- c. ☐ The permit should allow groundwater production only from the        groundwater reservoir between approximately        ft. and        ft. below land surface;
- d. ☐ Well reconstruction is necessary to accomplish one or more of the above conditions.
- e. ☐ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: WELLS (SUMPS) ARE WITHIN 1/4 MILE OF A SURFACE WATER SOURCE AND ARE ASSUMED TO HAVE THE POTENTIAL TO INTERFERE. HOWEVER, THE DRAINAGE IS EPHEMERAL AND INTERFERENCE MAY NOT BE A PROBLEM. THE NEXT NEAREST SURFACE WATER SOURCE IS LOST LAKE @ 3000 FT AWAY.



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

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

RECOMMENDATION:

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

**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.  
\_\_\_\_\_, 1993.

(Signature)

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

\_\_\_\_\_, 1993.

(Signature)

(WRFORM8\91)



# TECHNICAL REVIEW CHECKLIST

Application: #G-13208

Review Date: 06/15/03  
1-4-94

- S indicates information was completed or adequately addressed.  
U indicates information is needed, or incomplete, or inadequately addressed  
N/A indicates Not Applicable

## SUMMARY

U Completeness: Legal Description, Flow numbers  
S Land Use  
S (Potential Interference) GW Interference (if potential interference with surface water, see results of water availability analysis)  
U Conflicts: Possible conflict w/ Permit # G-9684, under the same applicant name. There is already a supplemental permit as well (G9684). Ar6-10112  
BU Water Availability  
There are no IWR's applicable. 80% H<sub>2</sub>O AVAIL FEB. ONLY

S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

n/a No oath is required because application was filed before June 5, 1992.

\$ Application fees:

|                                        |               |
|----------------------------------------|---------------|
| Examination fee:                       | \$200         |
| Recording fee:                         | \$250 136     |
| TOTAL REQUIRED                         | \$450 336     |
| TOTAL SUBMITTED                        | \$450         |
| AMOUNT DUE prior to issuance of permit | \$ <u>0</u>   |
| AMOUNT OVERPAID                        |               |
| refund due applicant                   | \$ <u>114</u> |

IRE  
10-100  
18 36  
136

17  
448  
4  
1282

S Proposed dates of beginning and completion of construction, and complete application of water.

S A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3).

n/a A CWRE map is not required for applications filed before November 9, 1987.



21

A written copy of the legal description of the property on which the water is to be used.

n/a

A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.

n/a

No statement of ownership was required for applications filed before August, 1990.

-

The report from watermaster has been received.

5

The proposed use is not restricted or prohibited by statute.

5

The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.

5

<sup>IRRIGATION</sup>  
Agricultural (cranberry) use(s) is/are classified uses(s) under the South Coast Basin Program, OAR 690 - 517-001. (8)

21

The application, map and supporting data are complete and free of defects. ~~Stated flows are contradictory - misplaced decimal point.~~

Land Use Compatibility:

As expressed by the Planning Department of Coos County

n/a

The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section \_\_\_\_\_).

n/a

The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.

5

The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

5

A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.

5

The report from groundwater section has been received.

For reservoir applications:

n/a

Plans, specifications and supporting information for the dam and impoundment area.



# WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date 5/6/93

FROM: Douglas Woodcock

SUBJECT: Groundwater Application G- 13208

Applicant(s) seek 1795 gpm ( 4 cfs) from 2 sumps wells in the  
basin  
sub basin  
sub basin.

Pertinent 7 1/2 - minute quads BANDON

Sump #1  
Well WRD # T 29 S R 16 W S 25 QQ 35 NW County COOS  
Legal Description  
Well is 500 ft from UNNAMED DRAINAGE (river/stream)  
Well is        ft from        (river/stream)  
Well elevation 60 ft. River/stream elevation 38 ft.  
Well elevation - river/stream elevation 20  
Well depth        SWL        on         
Sealed to        SUMP Depth first water found         
Cased to (UNKNOWN) Perforations/screens         
Lined to        Perforations/screens         
Well tests and types         
Confined or unconfined? UNCONFINED Direct hydraulic connection? YES  
Potential to cause substantial interference? YES

Sump #2  
Well WRD # T 29 S R 15 W S 25 QQ 35 NW County COOS  
Legal Description  
Well is 200 ft from UNNAMED DRAINAGE (river/stream)  
Well is 2 ft from        (river/stream)  
Well elevation 45 ft. River/stream elevation 38 ft.  
Well elevation - river/stream elevation 7  
Well depth        SWL        on         
Sealed to        SUMP Depth first water found         
Cased to (UNKNOWN) Perforations/screens         
Lined to        Perforations/screens         
Well tests and types         
Confined or unconfined? UNCONFINED Direct hydraulic connection? YES  
Potential to cause substantial interference? YES

Conditioned water rights in area:         
Other nearby water rights of record: 6-13208, 10112, 1176 (IMMEDIATE AREA)  
Density of nearby wells:       

Comments: SUMPS ARE IN HYDRAULIC CONNECTION W/ UNNAMED DRAINAGE, BUT THE DRAINAGE IS LIKELY EPHEMERAL AND INTERFERENCE MAY NOT BE AN ISSUE.

References used: BANDON QUAD



Application No. 6-13208

RECEIVED

# Land Use Information Form: Permits, Licenses, Water Uses In Addition to Classified Uses

WATER RESOURCES DEPT.

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 request for water use. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Dave H. Brooks  
 Address: Route 1 Box 906  
 City: Bandon State: OR Zip: 97411  
 Phone: 503/347-9296 WRD Application No.: \_\_\_\_\_

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use may substitute existing and proposed service area boundaries for the tax lot information requested below.

| Tax Lot or Local I.D.# | Plan Designation/Zoning (e.g. Rural Residential/RR-5) | Check All That Apply |                |            |
|------------------------|-------------------------------------------------------|----------------------|----------------|------------|
|                        |                                                       | Water Diverted       | Water Conveyed | Water Used |
| 12416.03               | T39, R15, S25, 1001 "EFV-10"                          |                      | X              | X          |
| 12416.01               | T39, R15, S25, 1002 "EFV-10"                          |                      | X              | X          |
|                        |                                                       |                      |                |            |
|                        |                                                       |                      |                |            |

The following section must be completed by all local planning departments responsible for the property(ies) listed above. Please ask the Department for extra forms, as needed.

## For Local Government Use Only

Local government planning officials are to complete the remainder of this form and return it to the applicant or the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_. Go to section b) on reverse side.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

| Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Please check the box that applies: |                |                              |
|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------|----------------|------------------------------|
|                                                                                                   |                                                                                | Already Obtained                   | Already Denied | Being Pursued Satisfactorily |
|                                                                                                   |                                                                                |                                    |                |                              |
|                                                                                                   |                                                                                |                                    |                |                              |
|                                                                                                   |                                                                                |                                    |                |                              |
|                                                                                                   |                                                                                |                                    |                |                              |
|                                                                                                   |                                                                                |                                    |                |                              |
|                                                                                                   |                                                                                |                                    |                |                              |

(over)

WRD Applicant Name: Terre L Woody

## Receipt for Request for Land Use Information

This section should be completed by a local government official and returned to the applicant upon request by the applicant for land use information.

City or County: Coos

Staff Contact: Planning Technician Phone: 386-3421, X210

Signature: Sheila Wilson Date of Information Request: 12-3-92



DEC - 7 1992

(For Local Use Continued)

b) Please provide printed name and written signature.

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

Phone: \_\_\_\_\_

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

**Additional Comments:**

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



# Description of Water Use

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

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DEC - 7 1992

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

WATER RESOURCES DEPT.  
SALEM, OREGON

Applicant Name: Dave H. Brooks  
Address: Route 1, Box 906  
Bandon, Oregon 97411  
Phone: (503) 347-9296

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- ☒ Irrigation (crop type, golf course, nursery or greenhouse): Cranberry Use
- ☐ Livestock (type of livestock, feedlot, slaughterhouse):
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision):
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.):
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.):
- ☐ Institutional (i.e., school, library, etc.):
- ☐ Mining (aggregate, metal, open pit, placer, etc.):
- ☐ Recreation (park, campsite, pond, etc.):
- ☐ Fish and Wildlife (pond, hatchery, etc.):
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities):
- ☐ Other (Name and list key characteristics):

| Indicate sources for the proposed water use below:                  | Indicate the estimated quantity of water the use will require.        |
|---------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Surface Water<br>Name sources:<br><br><br> | 4.00 Cubic feet per second.<br>17.95 Gallons per minute.<br>Acre-Feet |
| <input type="checkbox"/> Reservoir or pond                          |                                                                       |
| <input checked="" type="checkbox"/> Ground Water                    |                                                                       |



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WATER RESOURCES DEPT.  
SALEM, OREGON

APPLICATION MAP

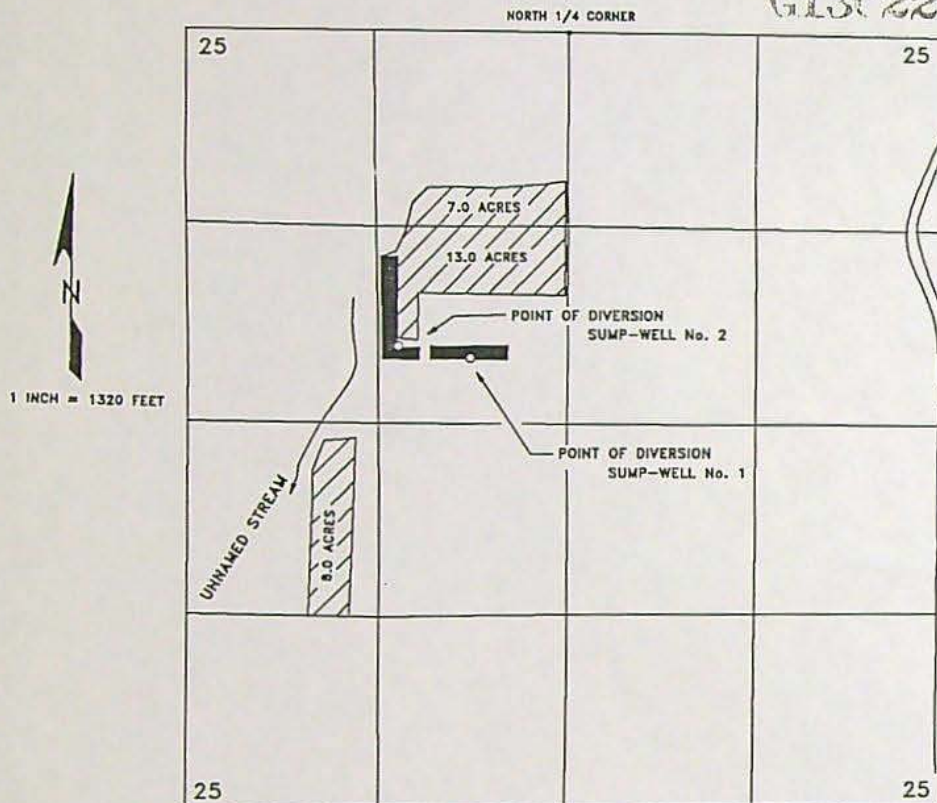
IN THE NAME OF DAVE H. BROOKS

SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

Application No. 6-13208

Permit No. 613022

G13022



THE POINTS OF DIVERSION ARE TO BE LOCATED:

| SUMPWELL | SOUTH     | WEST      | ¼ ¼  | SECTION |
|----------|-----------|-----------|------|---------|
| No. 1:   | 2140 FEET | 680 FEET  | SENW | 25      |
| No. 2:   | 2060 FEET | 1180 FEET | SENW | 25      |

BOTH FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 29 SOUTH,  
RANGE 15 WEST, W.M., COOS COUNTY.

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





Dave Brooks  
DBA Brookhill Farms of Oregon

T29S R15W  
Portion of  
Sec 25

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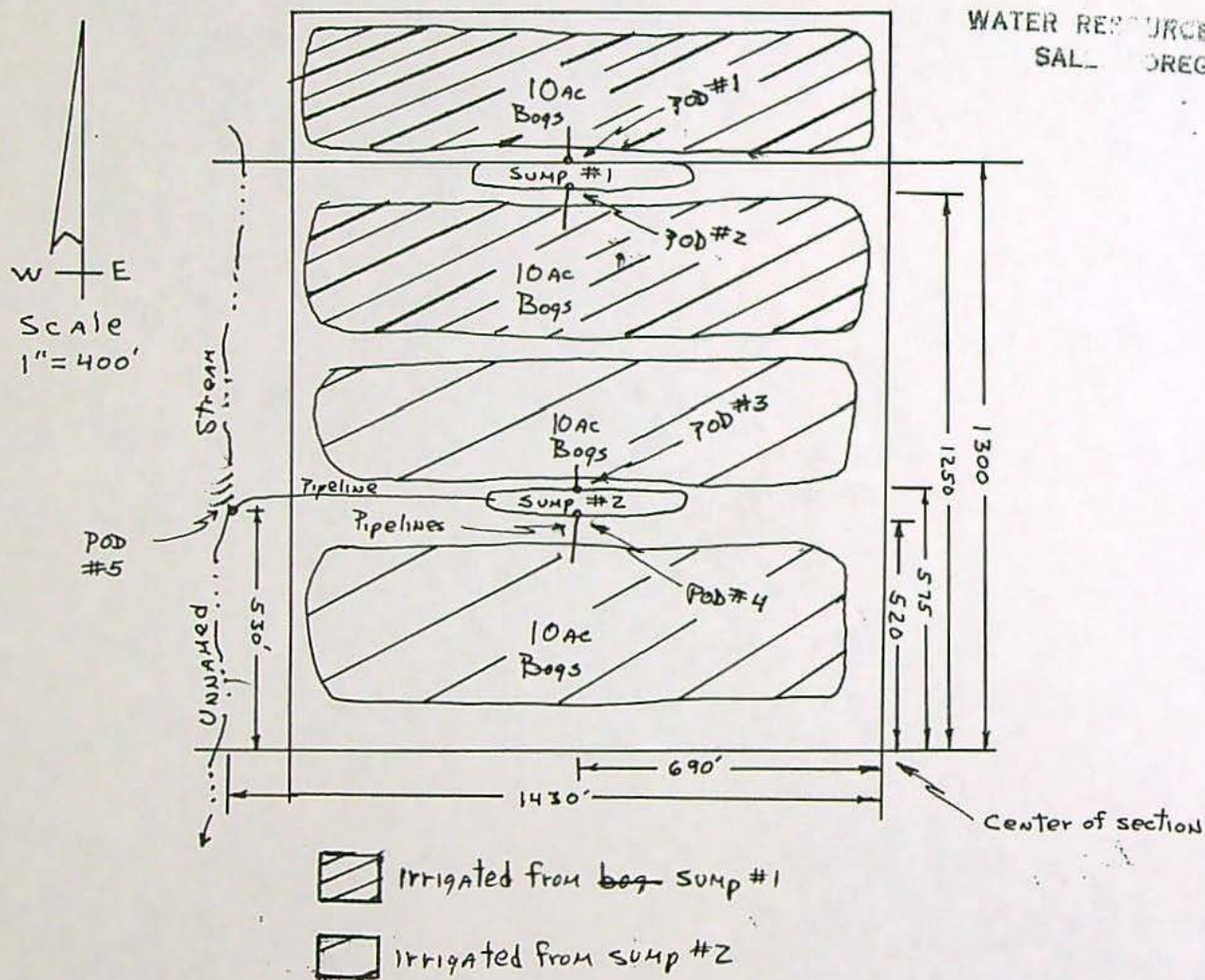
JAN 21 1981

WATER RESOURCES DEPT  
SALEM, OREGON

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APR 5 1982

WATER RESOURCES DEPT  
SALEM, OREGON



Application No. G 10112-61176  
Permit No. G 9684

46674

THIS MAP PREPARED BY: J. P. Drolet, Coquille Field Office  
FROM INFORMATION FURNISHED BY THE  
APPLICANT.





## STATE OF OREGON

COOS COUNTY

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-10112 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Dave H. Brooks, Brookhill Farms of Oregon of Route 1, Box 906, Bandon, Oregon 97411, phone 347-9296, for the use of the waters of two sumps, being 3.0 cubic feet per second from each sump, for the PURPOSE of irrigation, temperature control, and flood harvesting, being 0.5 cfs from each sump for irrigation, 3.0 cfs from each sump for temperature control, and 1.0 cfs from each sump for flood harvesting; that the PRIORITY OF THE RIGHT dates from April 15, 1982, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 6.0 cfs measured at the point of diversion from the sumps, or their equivalent in case of rotation with other water users.

The sumps are to be LOCATED: Diversion 1 (Sump 1) - 1,300 feet North and 690 feet West; Diversion 2 (Sump 1) - 1,250 feet North and 690 feet West; Diversion 3 (Sump 2) - 575 feet North and 690 feet West; Diversion 4 (Sump 2) - 520 feet North and 690 feet West, all from the Interior Quarter Corner of Section 25, being within the SE 1/4 NW 1/4 of Section 25, Township 29 South, Range 15 West, WM, in the County of Coos.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

|                   |                   |            |        |        |                                                                                                                          |
|-------------------|-------------------|------------|--------|--------|--------------------------------------------------------------------------------------------------------------------------|
| Township 29 South | Range 15 West, WM | Section 25 | NE 1/4 | NW 1/4 | 10.0 acres irrigation, temperature control, and flood harvesting from Sump 1 (POD 1)                                     |
|                   |                   |            | SE 1/4 | NW 1/4 | 10.0 acres irrigation, temperature control, and flood harvesting from Sump 1 (POD 2), Sump 2 (POD 3), and Sump 2 (POD 4) |

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second of its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, for cranberries. If for the irrigation of any other crop, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The permittee shall record and submit annually to the Water Resources Department all pertinent data pertaining to use of water for temperature control (frost protection) on forms furnished.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the wells at all times.

The permittee shall install and maintain weirs, meters, or other suitable measuring devices, and shall keep a complete record of the amount of ground water withdrawn.

Actual construction work shall begin on or before June 22, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983.

APPLICATION G-10112

PERMIT G 9684



Complete application of the water to the proposed use shall be made on or before October 1, 1984.

WITNESS my hand this 22nd day of June, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION G-10112

PERMIT G 9684





## STATE OF OREGON

COOS COUNTY

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 61176 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Dave H. Brooks, dba Brookhill Farms of Oregon of Route 1, Box 906, Bandon, Oregon 97411, phone 347-9296, for the use of the waters of an unnamed stream, a tributary of Laurel Lake, for the PURPOSE of supplemental irrigation, supplemental temperature control and supplemental flood harvesting, being 1.0 cubic foot of water per second for supplemental irrigation, 6.0 cfs for supplemental temperature control and 2.0 cfs for supplemental flood harvesting; that the PRIORITY OF THE RIGHT dates from April 5, 1982, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 6.0 cfs measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINT OF DIVERSION is to be LOCATED: 530 feet North and 1,430 feet West from the Center Quarter Corner of Section 25, being within the SW 1/4 NW 1/4 of Section 25, Township 29 South, Range 15 West, WM, in the County of Coos.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

|                   |                   |            |        |        |                                                                                                        |
|-------------------|-------------------|------------|--------|--------|--------------------------------------------------------------------------------------------------------|
| Township 29 South | Range 15 West, WM | Section 25 | NE 1/4 | NW 1/4 | 10.0 acres supplemental irrigation, supplemental temperature control and supplemental flood harvesting |
|                   |                   |            | SE 1/4 | NW 1/4 | 30.0 acres supplemental irrigation, supplemental temperature control and supplemental flood harvesting |

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second of its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, for cranberries. If for the irrigation of any other crop, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and is subject to such reasonable rotation system as may be ordered by the proper state officer. The permittee shall record and submit annually to the Water Resources Department all pertinent data pertaining to use of water for temperature control on forms furnished.



Actual construction work shall begin on or before June 28, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

WITNESS my hand this 28th day of June, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION 61176

PERMIT 46674

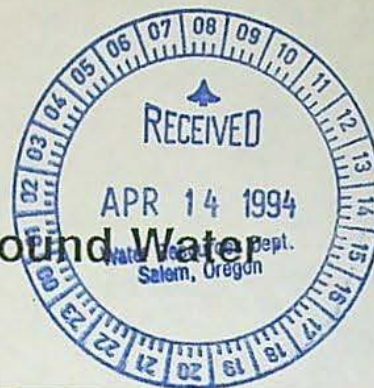


Application No.

G13208

State of Oregon  
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water



Applicant(s) Dave H. Brooks  
(Please print or type - use dark ink)

Mailing Address: Route 1 Box 906  
Bandon Oregon 97411 503/347-9296  
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.):  
four sump wells

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: See supplemental sheet

Elevation difference between streambed and development: \_\_\_\_\_

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: \_\_\_\_\_ Depth in feet: \_\_\_\_\_

Type and size of well casing: \_\_\_\_\_ No. of feet: \_\_\_\_\_

Estimated depth to water: \_\_\_\_\_

Type of access port or measuring device: \_\_\_\_\_

Wells to be drilled by: \_\_\_\_\_

Address: \_\_\_\_\_

If the water well is flowing artesian, describe your water control and conservation works: \_\_\_\_\_

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 6.30 cubic feet per second, OR 2828 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: being 1.575 cfs from each sump well



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WATER RESOURCES DEPT.  
SALEM, OREGON

3. INTENDED USE(s) OF WATER: Cranberry Use

If for more than one use, give the quantity of water from each source for each use; \_\_\_\_\_

If for DOMESTIC use, state the number of households to be supplied; \_\_\_\_\_

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.) \_\_\_\_\_

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; \_\_\_\_\_

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation \_\_\_\_\_

Other (describe) Cranberry use: 42.0

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

Electric motors with pumps at each sump well with plastic pipe to the places  
of use.

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin October 1, 1992

Proposed date construction work will be completed October 1, 1995

Proposed date water use will be completed October 1, 1999

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.



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WATER RESOURCES DEPT.  
SALEM, OREGON

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

☒ Applicant ☐ CWRE ☐ Other (Identify in REMARKS section)

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

☒ Applicant ☐ CWRE ☐ Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS: Sump wells #1 and #2 are to provide a primary source for 26.0 acres and a supplemental source for 16.0 acres. Sump wells #3 and #4 are to provide a supplemental source for 26.0 acres.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Co-Applicant, if any

\_\_\_\_\_  
Date



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WATER RESOURCES DEPT.  
SALEM, OREGON

SUPPLEMENTAL SHEET

APPLICATION FOR A PERMIT TO APPROPRIATE GROUND WATER

IN THE NAME OF DAVE H. BROOKS

|              | DISTANCE TO<br>STREAM | ELEVATION<br>DIFFERENCE | LENGTH | WIDTH | DEPTH | NAME OF STREAM                          |
|--------------|-----------------------|-------------------------|--------|-------|-------|-----------------------------------------|
| SUMP WELL #1 | 2200'                 | 2'                      | 300'   | 60'   | 20'   | UN-NAMED STREAM, TRIBUTARY TO LOST LAKE |
| SUMP WELL #2 | 1400'                 | 3'                      | 350'   | 60'   | 20'   | UN-NAMED STREAM, TRIBUTARY TO LOST LAKE |
| SUMP WELL #3 | 1700'                 | 5'                      | 200'   | 70'   | 20'   | UN-NAMED STREAM, TRIBUTARY TO LOST LAKE |
| SUMP WELL #4 | 1900'                 | 17'                     | 550'   | 80'   | 20'   | UN-NAMED STREAM, TRIBUTARY TO LOST LAKE |



Application No. \_\_\_\_\_

G-13208



State of Oregon

WATER RESOURCES DEPARTMENT

Water Resources Department  
Salem, Oregon

## Application for a Permit to Appropriate Ground Water

Applicant(s) \_\_\_\_\_ Dave H. Brooks

(Please print or type - use dark ink)

Mailing Address: \_\_\_\_\_ Route 1, Box 906

\_\_\_\_\_ Bandon

\_\_\_\_\_ Oregon

\_\_\_\_\_ 97411

\_\_\_\_\_ (503) 347-9296

City

State

Zip

Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): \_\_\_\_\_

Two Sump Wells

If development is less than one mile from a natural stream, give the following: (See Remarks)

Distance from development to stream: No. 1: 200' No. 2: 500'

Elevation difference between streambed and development: No. 1: 17' No. 2: 5'

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

See Remarks

Diameter of well: \_\_\_\_\_ Depth in feet: \_\_\_\_\_

Type and size of well casing: \_\_\_\_\_ No. of feet: \_\_\_\_\_

Estimated depth to water: \_\_\_\_\_

Type of access port or measuring device: \_\_\_\_\_

Wells to be drilled by: \_\_\_\_\_

Address: \_\_\_\_\_

If the water well is flowing artesian, describe your water control and conservation works: \_\_\_\_\_

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 4.00 cubic feet per second, OR 17.95 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: Being 2.00 cfs from each Sump Well



3. **INTENDED USE(s) OF WATER:** Cranberry Use

*If for more than one use, give the quantity of water from each source for each use;* \_\_\_\_\_

*If for DOMESTIC use, state the number of households to be supplied;* \_\_\_\_\_

*If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)*

*If for MINING use, state the nature (gold, silver, etc.) of the mines to be served;* \_\_\_\_\_

*If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;*

*Irrigation*

*Other (describe)* Cranberry Use: 28.0 Acres

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** *Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).*

Electric motors with pumps at each sump well with plastic pipe to the  
places of use.

5. **PROJECT SCHEDULE:** *(List month and year)*

*Proposed date construction work will begin* October 1, 1992

*Proposed date construction work will be completed* October 1, 1995

*Proposed date water use will be completed* October 1, 1999

**NOTE:** A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.



6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

X Applicant          CWRE          Other (Identify in REMARKS section)

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

X Applicant          CWRE          Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS:

| Sump Well | Length | Width | Depth |
|-----------|--------|-------|-------|
| No. 1     | 550'   | 80'   | 20'   |
| No. 2     | 650'   | 80'   | 20'   |

Note: The unnamed stream close to the sump wells is a small stream within the local dune area. The sumps are over one quarter mile from a unnamed stream, tributary to Lost Lake.

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

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Dave H. Brook  
Signature of Applicant

12/3/92  
Date

\_\_\_\_\_  
Signature of Co-Applicant, if any

\_\_\_\_\_  
Date



-----  
FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

\_\_\_\_\_

\_\_\_\_\_

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Water Resources Director

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Salem,  
Oregon, on the 7th day of December, 19 92, at 8:00 o'clock, A M.

APPLICATION NO: G 13208



## INTEROFFICE MEMORANDUM

SUBJECT: REQUEST FOR REFUND CHECK

APPLICATION REJECTED

APPLICATION WITHDRAWN

EXCESS FEES COLLECTED FOR APPLICATION

FILE CLOSED

PROTEST FILING FEE

OTHER:

PLEASE INCLUDE THE FOLLOWING MAILING ADDRESS ON THE CHECK:

OK Dwight L. 6.20.97



Application G-13208

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # G-13208

WATERMASTER # 19: John Drolet

REGIONAL MANAGER: Al Cook

ODF&W - Coos County: YES

CWRE (if agent): John Youngquist

DEQ: N/A

OTHER STATE AGENCY IF NECESSARY: BLM

DIVISION 33 LIST: N/A COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;  
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER; KEN STAHR

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

Ron Yockim  
P.O. Box 218  
Roseburg, OR 97470

WW - FO

CASEWORKER : BW



RECEIVED

OCT - 9 1995

WATER RESOURCES DEPT.

At 3:37 P.M. SALEM, OREGON

SCHEDULE A

Amount \$ 95,000.00

Date June 27, 1980

INSURED

DAVE H. BROOKS and JAMES J. HILL  
and

LOWELL E. MEYER

The estate or interest referred to herein is, at the date hereof, vested in

DAVE H. BROOKS and JAMES J. HILL,  
as tenants in common,  
(Parcel I and undivided 1/2 interest in Parcel III)

and  
LOWELL E. MEYER, → Dave Brooks & James Hill have  
as an estate in fee simple, purchased interest here  
(Parcel II and undivided 1/2 interest in Parcel III)

The land referred to in this policy is described as

PARCEL I:

The South 1/2 of the Northwest quarter of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, EXCEPTING THEREFROM the South 60 feet of the above parcel.

ALSO: Beginning at the Southeast corner of the Northeast quarter of the Northwest quarter of Section 25, Township 29 South, Range 15 West of Willamette Meridian, Coos County, Oregon; thence 1320 feet West; thence 330 feet North; thence 1320 feet East; thence 330 feet South to the point of beginning.

PARCEL II:

The Northwest quarter of the Southwest quarter of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.

PARCEL III:

The South 60 feet of the North one-half of Section 25, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon.



Basin:

Water Availability By Month for Exceedance Level 80  
For Water Availability Subbasin 200000000000000000  
And Its Associated Nested Subbasins

16:27

01/04/1994

| Item # | W.A. Subbasin      | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Sto |
|--------|--------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 1      | 200000000000000000 | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES |

\* NO WITH 15 70915

(NSW RIVER IS DOWNSTREAM)



Basin:

Limiting Water Availability Subbasins  
 For Water Availability Subbasin 200000000000000000  
 Water Availability By Month for Exceedance Level 80  
 16:27 01/04/1994

| Month | Limiting Subbasin  | Water Available? | Net Water Available | 15 70915 |     |
|-------|--------------------|------------------|---------------------|----------|-----|
| 1     | 200000000000000000 | YES              | 60.0                | 11-8-70  | 0   |
| 2     | 200000000000000000 | YES              | 71.3                | 70       | 1.3 |
| 3     | 200000000000000000 | YES              | 65.1                | 70       | 0   |
| 4     | 200000000000000000 | YES              | 39.7                | 70       | 0   |
| 5     | 200000000000000000 | YES              | 21.2                | 70       | 0   |
| 6     | 200000000000000000 | YES              | 12.5                | 40       | 0   |
| 7     | 200000000000000000 | YES              | 9.2                 | 27       | 0   |
| 8     | 200000000000000000 | YES              | 7.7                 | 27       | 0   |
| 9     | 200000000000000000 | YES              | 7.9                 | 27       | 0   |
| 10    | 200000000000000000 | YES              | 7.0                 | 27       | 0   |
| 11    | 200000000000000000 | YES              | 19.6                | 70       | 0   |
| 12    | 200000000000000000 | YES              | 52.2                | 70       | 0   |
| Stor  | 200000000000000000 | YES              | 32200.0             |          |     |



Basin:

Detailed Report for Water Availability Subbasin 200000000000000000  
Water Availability By Month for Exceedance Level 80  
16:27 01/04/1994

| MO   | Gross<br>Water<br>Avail | Consumptive<br>Use |        | Storage<br>Rights |        | Net<br>Min<br>Flow | Instream<br>Water Rights |        | Net<br>Water<br>Avail |
|------|-------------------------|--------------------|--------|-------------------|--------|--------------------|--------------------------|--------|-----------------------|
|      |                         | Applic             | Permit | Applic            | Permit |                    | Applic                   | Permit |                       |
| 1    | 60                      | 0                  | 0      | 0                 | 0      | 60                 | 0                        | 0      | 60                    |
| 2    | 71                      | 0                  | 0      | 0                 | 0      | 71                 | 0                        | 0      | 71                    |
| 3    | 65                      | 0                  | 0      | 0                 | 0      | 65                 | 0                        | 0      | 65                    |
| 4    | 40                      | 0                  | 0      | 0                 | 0      | 40                 | 0                        | 0      | 40                    |
| 5    | 21                      | 0                  | 0      | 0                 | 0      | 21                 | 0                        | 0      | 21                    |
| 6    | 13                      | 0                  | 0      | 0                 | 0      | 13                 | 0                        | 0      | 13                    |
| 7    | 9                       | 0                  | 0      | 0                 | 0      | 9                  | 0                        | 0      | 9                     |
| 8    | 8                       | 0                  | 0      | 0                 | 0      | 8                  | 0                        | 0      | 8                     |
| 9    | 8                       | 0                  | 0      | 0                 | 0      | 8                  | 0                        | 0      | 8                     |
| 10   | 7                       | 0                  | 0      | 0                 | 0      | 7                  | 0                        | 0      | 7                     |
| 11   | 20                      | 0                  | 0      | 0                 | 0      | 20                 | 0                        | 0      | 20                    |
| 12   | 52                      | 0                  | 0      | 0                 | 0      | 52                 | 0                        | 0      | 52                    |
| Stor | 32200                   | 0                  | 0      | 0                 | 0      | 32200              | 0                        | 0      | 32200                 |



## PROPOSED PERMIT CONDITIONS

Application: G-13208

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: YEAR ROUND FOR AGRICULTURAL USE AND MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION PURPOSES.
3. Rate of use: 4 CFS
4. Water use development requirements:
  - A. Begin construction by (one year from issuance of permit).
  - B. Complete construction by October 1, 1996.
  - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
  - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.



7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
10. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
11. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
12. The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.



# WaterWatch

O F O R E G O N

December 18, 1992

Water Resources Department  
3850 Portland Rd. N. E.  
Salem, OR 97310

RE: Application for Permit #G13208, Dave Brooks  
Fourmile Cr. Basin, Coos Co., Cranberry Op.

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions and concerns:

Is there unappropriated water available for this proposed use? How will the Department determine water availability for this proposed use? What will be the cumulative effect of this proposed use, in combination with other, already existing uses of the aquifer?

Is the groundwater source in question in hydraulic connection with surrounding surface waters? If so, what is the amount of surface water depletion and what effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation and a health aquatic system? We oppose any application which in any way reduces surface water flows needed for the public uses that are served by any instream water right.

Given the importance of this groundwater resource, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources in Oregon for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5)

Will this proposed use be compatible with Goal 5 elements in the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR 690-410-060(1) Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical analysis of this application.

Sincerely,

Jim Myron

bc:



RECEIVED

APR 28 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

April 27, 1994

Oregon Water Resources Department  
158 12th Street, NE  
Salem, Oregon 97310

Attention: Ed Gabriel, Water Rights Specialist

Subject: File No. G - 13208

Dear Mr. Gabriel:

On April 11, 1994, I submitted an objection to the Technical Review issued for application G - 13208. If the Water Resources Department cannot issue a year around permit for cranberry use on the described sources, I would like to begin Alternate Dispute Resolution May 18 or 19, 1994.

I have an Ocean Spray contract to establish new cranberry fields within a specific period of time. Work on the new fields must begin immediately if I am to fulfill the Ocean Spray contract requirements. Before proceeding with field construction, I need to know the status of my ability to obtain water for cranberry use. If the water supply issue cannot be resolved in a timely fashion, it will pose considerable hardship on my farming operations.

If Alternate Dispute Resolution is necessary, please advise if the above suggested dates are satisfactory.

Yours truly,



Dave Brooks  
Route 1, Box 906  
Bandon, Oregon 97411



MARCH 4, 1994

DAVE H. BROOKS  
RT 1, BOX 906  
BANDON, OR 97411

Reference: File G-13208

Hello:

Under separate cover I have enclosed our report of technical review. Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

Please send the following:

permit fees in the amount of \$36,

a legal description of the property where you plan to use water (you may copy this from your deed, title insurance policy, or sales contract);

You have a conflicting water right situation on the property involved in the application. This problem must be resolved before a permit could be issued.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,

STEVE BROWN  
Manager  
Water Rights Division

SB\ts  
cc: GOSSON, CWRE





Date: December 23, 1993

OREGON WATER RESOURCES DEPARTMENT  
SATISFACTORY REPORT OF TECHNICAL REVIEW  
FOR AN INSTREAM WATER RIGHT APPLICATION

OBJECTIONS TO THE PROPOSED INSTREAM WATER RIGHT TECHNICAL REVIEW REPORT, AS DESCRIBED BELOW, MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD NE, SALEM, OREGON 97310, ON OR BEFORE 5 PM: March 4, 1994.

1. APPLICATION FILE NUMBER -IS 73200

2. APPLICATION INFORMATION

Application name/address/phone:

Oregon Department of Fish and Wildlife  
P.O. Box 59  
Portland, Oregon 97207 503/229-5400

Date application received for filing and/or tentative date of priority: 1/29/1993

Source: FOURMILE CR tributary to NEW R

County: CURRY

Proposed use: The public use this instream water right is based on is providing required stream flows for winter steelhead and cutthroat trout.

The amount of water (in cubic feet per second) requested by month:

|                   | JAN  | FEB  | MAR  | APR  | MAY  | JUN  | JUL  | AUG  | SEP  | OCT  | NOV  | DEC  |
|-------------------|------|------|------|------|------|------|------|------|------|------|------|------|
| 1st $\frac{1}{2}$ | 50.0 | 50.0 | 50.0 | 50.0 | 50.0 | 30.0 | 20.0 | 20.0 | 20.0 | 20.0 | 50.0 | 50.0 |
| 2nd $\frac{1}{2}$ | 50.0 | 50.0 | 50.0 | 50.0 | 50.0 | 30.0 | 20.0 | 20.0 | 20.0 | 50.0 | 50.0 | 50.0 |

To be maintained in:

FOURMILE CREEK FROM NORTH FORK FOURMILE CREEK (NE1/4, SECTION 11, TOWNSHIP 30S, RANGE 14W WM); TO SOUTH FORK FOURMILE CREEK (SE1/4, SECTION 6, TOWNSHIP 30S, RANGE 14W WM)



### 3. TECHNICAL REVIEW

The application is complete and free of defects.

The proposed use is not restricted or prohibited by statute.

The following supporting data has been submitted by the applicant:

- (a) Fish and Wildlife Resources of the South Coast Basin, Oregon, and Their Water Requirements (Revised); April 1972.
- (b) Determining Minimum Flow Requirements for Fish, ODFW Report January 20, 1984.
- (c) Developing and Application of Spawning Velocity and Depth Criteria for Oregon Salmonids, Alan K. Smith, Transactions of the American Fisheries Society, April 1973.
- (d) Determining Stream Flows for Fish Life, Oregon State Game Commission Report, March 1972.

The source of water is not withdrawn from appropriation by order of the State Engineer or legislatively withdrawn by ORS 538.

An assessment with respect to conditions previously imposed on other instream water rights granted for the same source has been completed.

An assessment with respect to other Commission administrative rules, including but not limited to the applicable basin program has been completed.

An evaluation of the information received from the local government(s) regarding the compatibility of the proposed instream water use with land use plans and regulations has been completed.

The level of instream flow requested is based on the methods of determining instream flow needs that have been approved administrative rule of the agency submitting this application.

The evaluation of the estimated average natural flow available from the proposed source during the time(s) and in the amounts requested in the application is described below. The recommended flows take into consideration planned uses and reasonably anticipated future demands for water from the source for agricultural and other uses as required by the standards for public interest review:

|                   | JAN  | FEB  | MAR  | APR  | MAY  | JUN  | JUL  | AUG  | SEP  | OCT  | NOV  | DEC      |
|-------------------|------|------|------|------|------|------|------|------|------|------|------|----------|
| 1st $\frac{1}{2}$ | 50.0 | 50.0 | 50.0 | 50.0 | 50.0 | 30.0 | 20.0 | 20.0 | 20.0 | 20.0 | 50.0 | 50.0     |
| 2nd $\frac{1}{2}$ | 50.0 | 50.0 | 50.0 | 50.0 | 50.0 | 30.0 | 20.0 | 20.0 | 20.0 | 50.0 | 50.0 | 50.0     |
| FLOW              | 75.3 | 83.2 | 70.9 | 36.8 | 16.3 | 15.2 | 10.7 | 7.02 | 4.95 | 5.82 | 31.3 | 82.2 AVE |



#### 4. REPORT CONCLUSIONS

The proposed water use, as conditioned, passed this technical review. The information contained in the application along with the supporting data submitted by the applicant indicate that the flow levels set out in this report are necessary to protect the public use.

The supporting data states that the recommended flows are necessary to meet the biological requirements for the passage, spawning, egg incubation and larval development and rearing of salmonids. Consideration of habitat type, stream depth and water velocity were considered by the applicant in development of the flow levels. (See *Determining Minimum Flow Requirements for Fish*, ODFW Report January 20, 1984.) The recommended flow volumes are necessary to ensure appropriate levels of dissolved oxygen, turbidity, pH and temperature.

The minimum flow requirements for adult fish only ensure that fish have physical freedom to move in the stream. Several times greater flow requirements are necessary to stimulate and maintain upstream migration of anadromous fish, including migratory freshwater trout. (See 1984 Report.) Although flows listed by the applicant in early reports indicated that the minimum flows for some streams seemed adequate for present fish populations, subsequent review of these flow recommendations caused the applicant to modify the original listing. (See *Fish and Wildlife Resources of the South Coast Basin, Oregon, and Their Water Requirements (Revised)*; April 1972.)

Minimum stream flow recommendations developed from the 1969 survey are intended to provide enough suitable environment during appropriate seasons to perpetuate minimum desirable fish populations. Optimum flows set out in the 1972 report would more nearly maximize production. The applicant has stated that enhancement of production would require further evaluation. (See 1972 Report.)

#### 5. PROPOSED CERTIFICATE CONDITIONS

[The following proposed conditions will apply to water use and will appear on the face of the certificate.]

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

|     | JAN | FEB | MAR | APR | MAY  | JUN  | JUL | AUG | SEP | OCT  | NOV  |
|-----|-----|-----|-----|-----|------|------|-----|-----|-----|------|------|
| DEC | 30  | 30  | 30  | 30  | 16.3 | 15.2 | 4.0 | 4.0 | 4.0 | 5.82 | 31.3 |
| 40  |     |     |     |     |      |      |     |     |     |      |      |

2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river



described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.

3. This instream right shall not have priority over human or livestock consumption.
4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.



MIN

30

30

30

30

30

20

4

4

4

4/40

40

40 ODFW



Minimum Stream Flows / Instream Water Rights

Stream Code: 1715600010      Cert#: 0      Application: IS 13200  
Stream Name: FOURMILE CR > NEW R  
Priority : 1/29/1993      Upstream Mile:      Downstream Mile:  
Condition Code: 0  
Purpose: For ANADROMOUS AND RESTOENT FISH REARING

To be maintained

FOURMILE CREEK FROM NORTH FORK FOURMILE CREEK (NE1/4, SECTION  
11, TOWNSHIP 30S, RANGE 14W WM); TO SOUTH FORK FOURMILE CREEK  
(SE1/4, SECTION 6, TOWNSHIP 30S, RANGE 14W WM)

|                    |                    |                    |                    |
|--------------------|--------------------|--------------------|--------------------|
| Oct<br>20.0 / 50.0 | Nov<br>50.0 / 50.0 | Dec<br>50.0 / 50.0 | Jan<br>50.0 / 50.0 |
| Feb<br>50.0 / 50.0 | Mar<br>50.0 / 50.0 | Apr<br>50.0 / 50.0 | May<br>50.0 / 50.0 |
| Jun<br>30.0 / 30.0 | Jul<br>20.0 / 20.0 | Aug<br>20.0 / 20.0 | Sep<br>20.0 / 20.0 |

Comments:



RECEIVED

JAN 06 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical is completed a report of the technical review of these applications will be delivered to you.

Application #s 6-13208, R-73022, R73021, 73023  
SWR 113

Send to:

Don Yochim

P.O. Box 218

Roseburg, OR 97470

Please include specific comments or concerns. Use additional sheets if necessary.

Return to:

Oregon Water Resources Department  
3850 Portland Road N.E.  
Salem, Oregon 97310

This Comment corresponds to the DEC/16/1992 Public Notice.



PFO CHECKLIST

Application #: \_\_\_\_\_

Basin: \_\_\_\_\_

WAB: \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ 1/4 1/4 \_\_\_\_\_

- ☒ A1. Public Interest Screen Criteria
- ☒ 1. Is the file complete by the Completeness Checklist?
- ☒ 2. Fees or other shortcomings (items needed before a permit and/or FO can be issued)
- ☒ 3. Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
- ☒ 4. A groundwater review has been evaluated for substantial interference with surface water (convert old gw conditions to the 7 series and add to the PFO, if necessary)
- ☒ a. Is second groundwater review necessary? (objection)
- ☒ b. Is HB 1033 review complete?
- ☐ 5. Is the source withdrawn or limited? - State Engineer, Legislative (ORS 538), etc.
- ☐ 6. Is the Proposed Use located in or above a Scenic Waterway?
- ☐ 7. Is the proposed use located in a TMDL Basin? (Tualatin, Yamhill, Pudding)
- ☒ 8. Is the use allowed or limited by the Basin Program?
- ☐ 9. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POD)
- ☒ 10. <sup>New Live ADP</sup> Water Availability Data has been verified (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
- ☒ 11. Rate <sup>See permit for cranking specs</sup> \_\_\_\_\_ Duty \_\_\_\_\_ Irrigation Season \_\_\_\_\_
- ☒ 12. Period of Allowed Use Year Round
- ☐ 13. Is use from a B.O.R. project and if so, is a signed contract in the file?
- ☒ 14. Division 33 has been addressed - if applicable (Above Bonn after July 17, 1992 & Below Bonn after April 8, 1994 or June 3, 1994)
- ☒ 15. Have conflicts been identified, verified and/or addressed?
- ☒ 16. Is the use Small ( $\leq 0.1$ cfs,  $\leq 9.2$ AF), Medium ( $> 0.1$  or  $< 1.5$ cfs,  $> 9.2$  or  $< 100$ AF) or Large ( $\geq 1.5$  cfs,  $\geq 100$  AF)?
- ☒ 17. Check TR/IR for permit conditions not included in the Draft Permit attached to the PFO
- ☒ 18. Fill out Accuracy Checklist
- ☒ 19. Spell Check
- ☒ 20. Documents used in determination are attached and highlighted
- ☒ 21. Fill out PFO CC List (a.k.a. the Check-Off Sheet) - don't forget to check for other property owners.
- ☒ a. Does Ken Stahr need to be on the CC list (Rate, Duty and Period of Allowed Use changes)
- ☒ 22. Final PFO report hard copy check (format, margins, etc.)
- ☒ 23. Final PFO has been saved to m:\t\pfo\done\week#\application #

Name: Bernadette Date: 10/11/96 BW

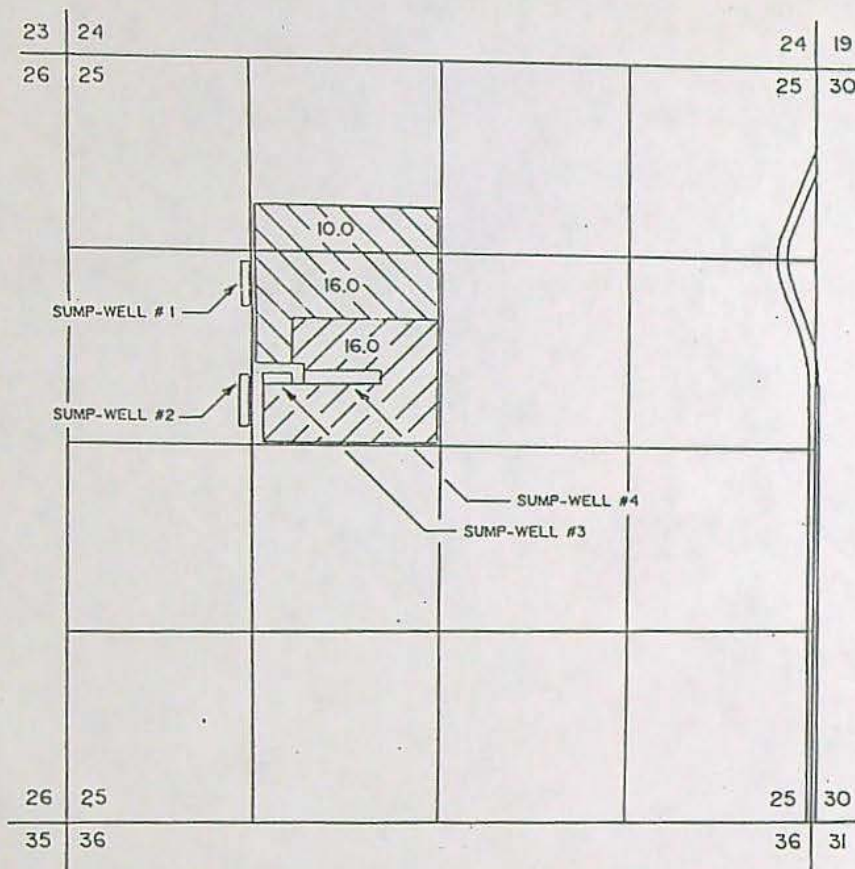


APPLICATION MAP  
IN THE NAME OF DAVE H. BROOKS  
SECTION 25, T29S, R15W, W.M.

**RECEIVED**

APR 14 1994

WATER RESOURCES DEPT.  
SALEM, OREGON



PRIMARY FROM SUMP-WELLS #1 AND #2, SUPPLEMENTAL FROM SUMP-WELLS #3 AND #4.



SUPPLEMENTAL FROM SUMP-WELLS #1 AND #2.

NOTE: SUMP-WELLS #3 AND #4 DEVELOPED UNDER PERMIT G-9684.

*Superseded*



SUMP WELLS #1 AND #2 ARE TO BE LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 25. SUMP WELLS #3 AND #4 ARE LOCATED IN THE SE 1/4 OF THE NW 1/4, ALL IN SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M., COOS COUNTY.

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



APPLICATION MAP

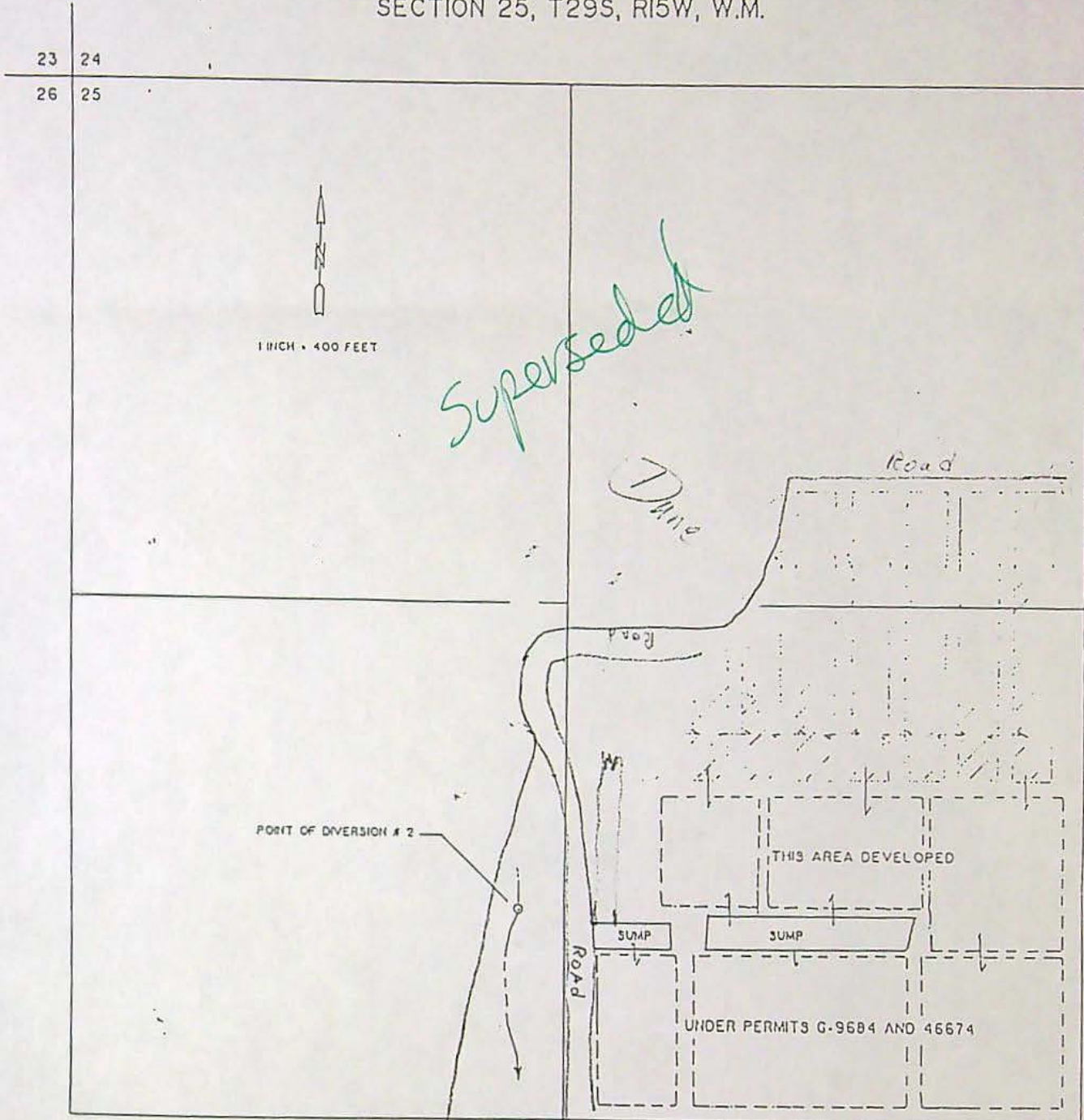
IN THE NAME OF DAVE H. BROOKS  
dba BROOKHILL FARMS

SECTION 25, T29S, R15W, W.M.

RECEIVED

APR 14 1994

WATER RESOURCES DEPT.  
SALEM, OREGON



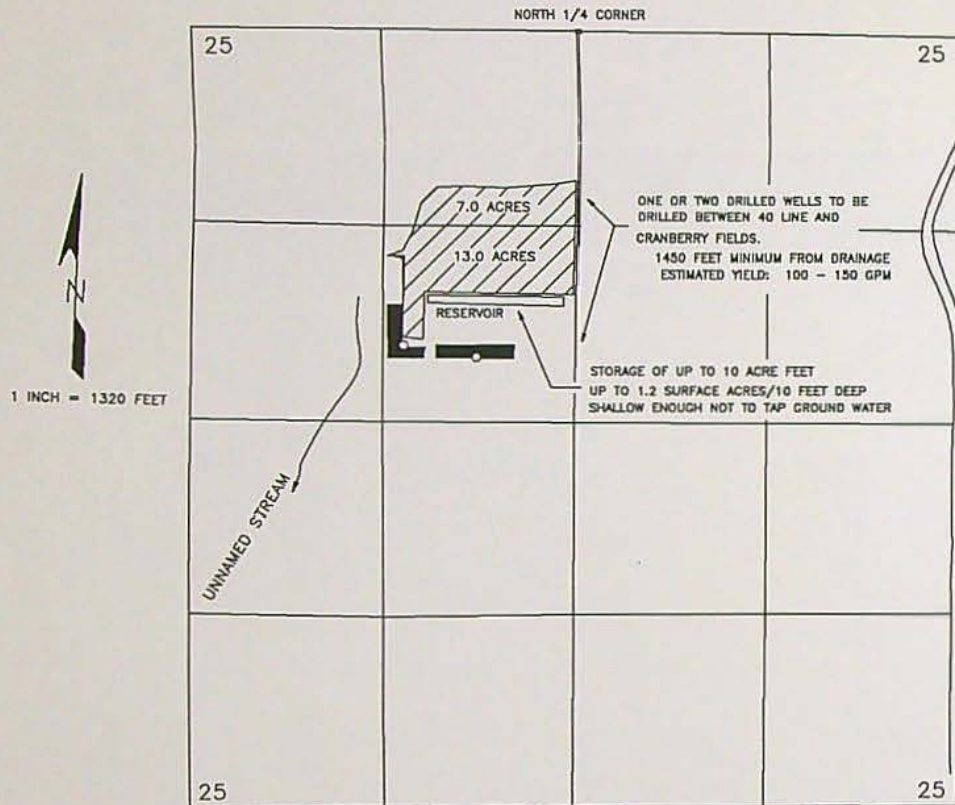
Property Draining  
Along Base of Dune  
Base of Dune



RECEIVED

JUL 13 1994

WATER  
SALEM, OREGON



Superseded  
See Map  
DATED  
12/7/92



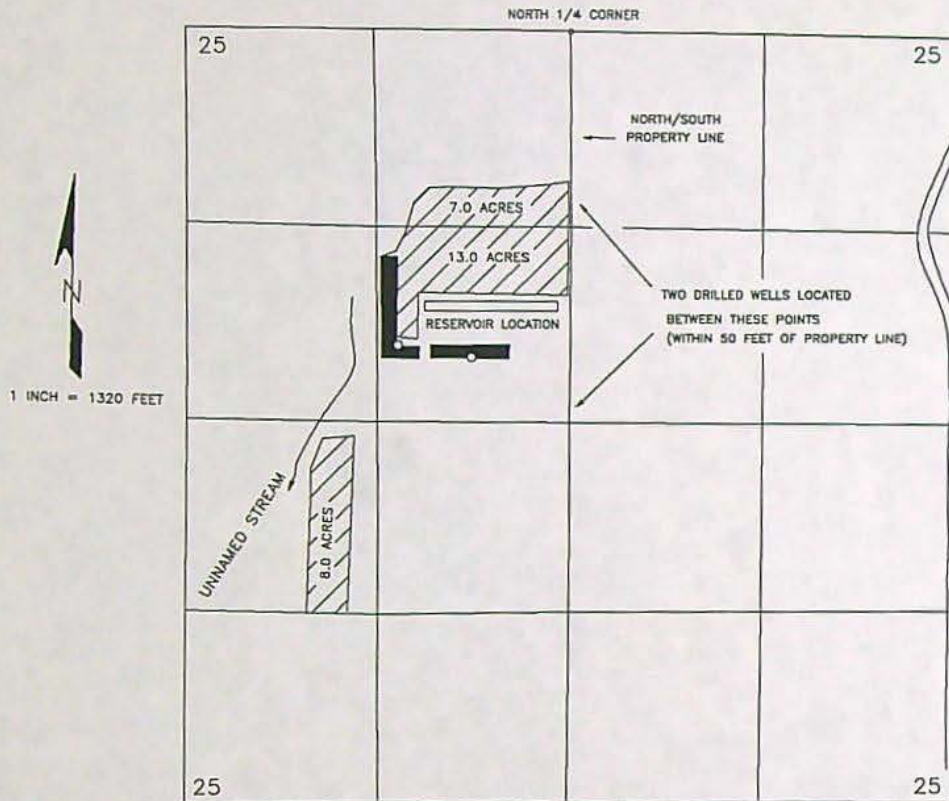
DAVE BROOKS MODIFIED APPLICATION

NEW RIVER ADR PROPOSAL

RECEIVED

SEP 10 1996

WATER RESOURCES DEPT.  
SALEM, OREGON



For  
Reference  
only  
Not A  
MAP

See map  
dated  
12/7/02

THE DRAWING ABOVE SHOWS THE CONCEPT APPROVED AT THE NEW RIVER ADR MEETINGS IN LANGLOIS, OREGON. MR. BROOKS WILL DRILL TWO WELLS CLOSE TO HIS EAST PROPERTY LINE THAT, COMBINED, WILL PUMP LESS THAN 1 CFS. EACH WELL WILL BE AT LEAST ONE QUARTER MILE FROM THE UNNAMED STREAM. THE TWO WELLS WILL PROVIDE WATER FOR UP TO 28 ACRES.

A RESERVOIR (IN SYSTEM STORAGE) WILL BE CONSTRUCTED. THE RESERVOIR WILL NOT EXCEED 10 ACRE FEET.

THIS CONCEPT WAS APPROVED BY WATERWATCH, BLM, AUDUBON AND ODFW.



**M. JOHN YOUNGQUIST**  
WATER RESOURCES CONSULTANT

827 SE MOSHER  
ROSEBURG, OREGON 97470  
PHONE/FAX: (541) 672-5692

PROJECT MANAGEMENT

PERMITS/LICENSING

RESEARCH

PLANNING

September 30, 1996

Bernadette Williams, Water Right Specialist  
Oregon Water Resources Department  
158 12th Street, N.E.  
Salem, Oregon 97310

|                                          |               |            |              |
|------------------------------------------|---------------|------------|--------------|
| Post-It™ brand fax transmittal memo 7671 |               | # of pages | 2            |
| To                                       | Bernadette W. | From       | M. J. Y      |
| Co.                                      | OWRD          | Co.        |              |
| Dept.                                    |               | Phone #    | 541-672-5292 |
| Fax #                                    | 503-578-6269  | Fax #      | 541-412-5292 |

Re: File No. G - 13208  
In the Name of David Brooks

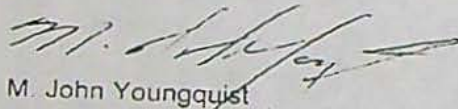
Dear Ms. Williams,

As we discussed in your office, the map I submitted showing the approximate location of the two wells is the correct map to use. That map, if you recall, does not have any supplemental use associated with it. The only use of water from the two wells will be for primary cranberry harvesting.

I apologize for the delay in responding. I hope this clears up the matter. I discussed the two maps with James F. Gosson, CWRE, and we do not understand how the second map corrected the first. I am enclosing a copy of the map for your information.

Please contact me if you have any questions.

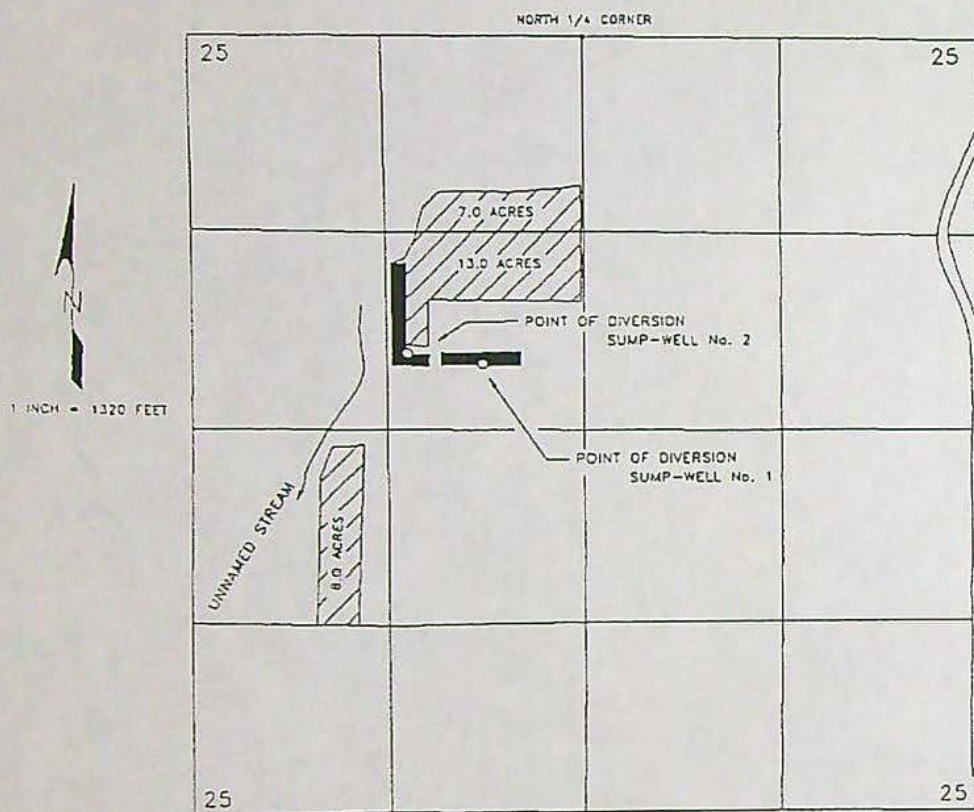
Yours truly,



M. John Youngquist

cc: David Brooks  
Route 1, Box 906  
Bandon, Oregon 97411





Do Not  
USE FOR  
A MAP  
FOR reference  
only  
See map dated  
12/7/92



May 10, 1994

WATER  
RESOURCES  
DEPARTMENT

Dave Brooks  
Route 1, Box 906  
Bandon, OR 97411

Reference: Application Number G13208

Dear Mr. Brooks:

We have received your letter of April 27, 1994, in which you requested to begin Alternative Dispute Resolution (ADR).

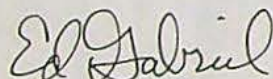
Alternative Dispute Resolution is an option only when there is an objector(s) besides the applicant. You were the only objector to the Report of Technical Review on your application.

The Department's role in ADR is to counsel, direct and facilitate the dispute resolution. It is not actually a party to the ADR, although any agreement reached by the parties in an ADR is subject to Departmental approval.

We would be willing to discuss your application with you at your convenience, either over the phone or here in the Salem office.

If you have any questions, please call.

Sincerely;



Ed Gabriel  
Water Rights Specialist  
Water Rights and Adjudications Division



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



| TOWNSHIP <u>29S</u> RANGE <u>15W</u> W. M. # <u>1</u> SECTION <u>25</u>                                                                                                                                                                                                             |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |                                   |                  |                       |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----------------------------------|------------------|-----------------------|-------|
| NE                                                                                                                                                                                                                                                                                  |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | APPLICATION<br>NUMBER             | PERMIT<br>NUMBER | CERTIFICATE<br>NUMBER |       |
| NE                                                                                                                                                                                                                                                                                  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |                                   |                  |                       |       |
| TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT                                                                                                                                                                                                                            |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |                                   |                  |                       |       |
| <div style="display: flex; justify-content: space-between;"> <span>7<sup>1</sup></span> <span>1<sup>0</sup><br/>STK<br/>2</span> <span>0<sup>3</sup></span> <span>10<sup>5</sup></span> <span>20<sup>5</sup></span> <span>50<sup>5</sup></span> <span>250<sup>5</sup></span> </div> |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 20570                             | 16074            | 21883                 |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | <del>26663</del> <del>21017</del> |                  |                       |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 5 <sup>0</sup>                    | 29188            | 23069                 | 26150 |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 13                                |                  |                       |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 17295                             | 35437            | CANCELED              |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 55594                             | 41660            | 50470                 |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 56660                             | 42563            |                       |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 56660                             | 42563            |                       |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 62750                             | 46495            |                       |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6-10112                           | 69684            |                       |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | Supplemental                      | 61176            | 46674                 |       |
|                                                                                                                                                                                                                                                                                     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6-11800                           |                  |                       |       |
| (SEE BACK OF CARD FOR PLAT OF SECTION)                                                                                                                                                                                                                                              |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 56131                             | 41955            | 52647                 |       |

| TOWNSHIP <u>29S</u> RANGE <u>15W</u> W. M. # <u>2</u> SECTION <u>25</u>                                                                                         |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |                       |                  |                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----------------------|------------------|-----------------------|
| NE                                                                                                                                                              |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | APPLICATION<br>NUMBER | PERMIT<br>NUMBER | CERTIFICATE<br>NUMBER |
| NE                                                                                                                                                              | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |                       |                  |                       |
| ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT<br>IF OTHER THAN 40 ACRES                                                                       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |                       |                  |                       |
| <div style="display: flex; justify-content: space-between;"> <span>R3</span> <span>CL</span> <span>63</span> <span>152</span> <span>1<sup>4</sup></span> </div> |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | R-70336               | R-1140           |                       |
|                                                                                                                                                                 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 70337                 | 51267            |                       |
|                                                                                                                                                                 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6-12600               |                  |                       |
|                                                                                                                                                                 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6-12723               | 6-11545          |                       |
|                                                                                                                                                                 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6-13208               | TAX SUPPLEMENTAL | 6-10112 61176         |
|                                                                                                                                                                 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6-13220               |                  |                       |
|                                                                                                                                                                 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | R-73262               |                  |                       |
|                                                                                                                                                                 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 73263                 |                  |                       |

SP\* 35621-690

667  
731  
14100



COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

✓ CC: FILE # G-13208

✓ WATERWATCH

✓ ODF&W

✓ WATERMASTER # 19

✓ REGIONAL MANAGER - SW

✓ CWRE - J. Gosson #54

✓ DEQ

✓ OREGON ASSOCIATION OF NURSERYMEN INC.

KEN STAHR

✓ OTHER ADDRESSES: Ron Yochim P.O. Box 218 Roseburg, Or 97470

✓ Nurserymen

CASEWORKER SHOOK

3-3-94

ORIGINAL TO APPLICANT 2/03/94



# TECHNICAL REVIEW CHECKLIST

Application: # G-13208

Review Date: 06/15/93

1-4-94

- S indicates information was completed or adequately addressed.  
 U indicates information is needed, or incomplete, or inadequately addressed  
 N/A indicates Not Applicable

## SUMMARY

(U)

Completeness: Legal Description, Flow numbers

S

Land Use

S (Potential Interference)

GW Interference (if potential interference with surface water, see results of water availability analysis)

(U)

Conflicts: Possible conflict w/ Permit # G-9684, under the same applicant name. There is already a supplemental permit as well (G-9684).

BU

Water Availability

There is no IWR's applicable. 80% H<sub>2</sub>O AVAIL FEB. ONLY

S

The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

n/a

No oath is required because application was filed before June 5, 1992.

\$

Application fees:

Examination fee: \$200  
 Recording fee: \$250 136  
 TOTAL REQUIRED \$450 336  
 TOTAL SUBMITTED \$450  
 AMOUNT DUE prior to issuance of permit \$ 0  
 AMOUNT OVERPAID  
 refund due applicant \$ 114

IRE  
 10-100  
 18 36  
 136

150

448  
 41  
 1382

S

Proposed dates of beginning and completion of construction, and complete application of water.

S

A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3).

n/a

A CWRE map is not required for applications filed before November 9, 1987.



MARCH 4, 1994

DAVE H. BROOKS  
RT 1, BOX 906  
BANDON, OR 97411

LN  
SAT

Reference: File G-13:

Hello:

Under separate cover I have enclosed our report of technical review. Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

Please send the following:

permit fees in the amount of \$36,

a legal description of the property where you plan to use water (you may copy this from your deed, title insurance policy, or sales contract);

You have a conflicting water right situation on the property involved in the application. This problem must be resolved before a permit could be issued.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,

STEVE BROWN  
Manager  
Water Rights Division

SB\ts  
cc: GOSSON, CWRE





| DATE    | INITIALS  |
|---------|-----------|
| 12-7-92 | <i>Yu</i> |
| _____   | _____     |
| _____   | _____     |
| _____   | _____     |
| _____   | _____     |
| _____   | _____     |
| _____   | _____     |
| _____   | _____     |
| _____   | _____     |
| _____   | _____     |
| _____   | _____     |

MINIMUM REQUIREMENTS TO FILE

Name and mailing address \_\_\_\_\_  
 Source of water \_\_\_\_\_  
 Quantity of water \_\_\_\_\_  
 Location of project \_\_\_\_\_  
 Use of water \_\_\_\_\_  
 Signature of applicant \_\_\_\_\_  
 Allowable use by policy \_\_\_\_\_  
 State Engineer withdrawal \_\_\_\_\_  
 Legislative withdrawal \_\_\_\_\_  
 Land use approved yes pending \_\_\_\_\_

FIELD OPERATIONS

Application date stamped per money receipt date \_\_\_\_\_  
 Stream Indexed \_\_\_\_\_  
 Stream Code \_\_\_\_\_  
 Scenic Waterway \_\_\_\_\_  
 Findings:  
 1) Concluded - Scenic-Reg Ack letter \_\_\_\_\_  
 2) Under Study - Scenic-Ack letter \_\_\_\_\_  
 3) Basin 2 - Willamette-Ack letter \_\_\_\_\_  
 Plat Carded and copy made \_\_\_\_\_ YES NO  
 Conflicts (well \_\_\_\_\_ surface \_\_\_\_\_) \_\_\_\_\_  
 Prior ISWR # \_\_\_\_\_  
 Within Irrigation District \_\_\_\_\_ (name) \_\_\_\_\_  
 Notified \_\_\_\_\_  
 District excerpt received \_\_\_\_\_  
 Entered in Paradox \_\_\_\_\_  
 Prepare six copies of Draft Permit \_\_\_\_\_  
 Send one copy to Data Center \_\_\_\_\_

SUPPORT SERVICES

Stamp contents with application number \_\_\_\_\_  
 Mail/Provide copies of draft permits to DEQ, ODFW, PARKS, AND WATERMASTER \_\_\_\_\_  
 Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file \_\_\_\_\_  
 Place label on file and card \_\_\_\_\_  
 If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section \_\_\_\_\_  
 Notify Irrigation District \_\_\_\_\_

FIELD OPERATIONS

|                                    | YES            | NO    |
|------------------------------------|----------------|-------|
| Ownership Statement                | _____          | _____ |
| Name and address of all owners     | _____          | _____ |
| Other landowners notified          | _____          | _____ |
| Legal Description                  | _____          | _____ |
| Need Commission review             | _____          | _____ |
| Requests greater than 5.0 cfs      | _____          | _____ |
| Dam height greater than 20 feet    | _____          | _____ |
| Storage greater than 100 acre-feet | _____          | _____ |
| Out of Basin diversion             | _____          | _____ |
| Groundwater recharge project       | _____          | _____ |
| Other substantial public interest  | _____          | _____ |
| GW comments received               | resolved _____ | _____ |
| ODFW comments received             | resolved _____ | _____ |
| DEQ comments received              | resolved _____ | _____ |
| Interest Groups                    | _____          | _____ |
| Water availability received        | _____          | _____ |
| Objections received                | resolved _____ | _____ |
| Protest received                   | resolved _____ | _____ |
| Management Codes                   | _____          | _____ |

EXAMINATION FEE: \_\_\_\_\_  
 RECORDING FEE: \_\_\_\_\_

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

TOTAL: \_\_\_\_\_  
 REFUND: \_\_\_\_\_  
 DEFICIENT: \_\_\_\_\_



December 14, 1992

DAVE H BROOKS

RT 1 BOX 906  
BANDON, OR 97411

REFERENCE: File(s) G-13208

We received your application(s) proposing to use water, along with supporting data and fees. Your receipt is enclosed unless you received it earlier. The application has been assigned the above referenced file number and will be reviewed in detail as time allows. If you need to call or write to us, be sure to reference the file number(s) listed above so we may assist you promptly.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 60-day waiting period and after public interest matters are resolved.

Processing of applications which require additional information will be delayed further. If you feel that a delay in the processing of your application will cause a hardship, please advise in writing.

If the application is approved, the use allowed by the permit will be subject to the Water Resources Commission's Basin Program statements, instream flow requirements, and demands of prior rights.

If you have any questions, please contact the Water Right Section at the telephone number referenced below.

cc: CWRE





# WaterWatch

O F O R E G O N

December 18, 1992

Water Resources Department  
3850 Portland Rd. N. E.  
Salem, OR 97310

RE: Application for Permit #G13208, Dave Brooks  
Fourmile Cr. Basin, Coos Co., Cranberry Op.

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions and concerns:

Is there unappropriated water available for this proposed use? How will the Department determine water availability for this proposed use? What will be the cumulative effect of this proposed use, in combination with other, already existing uses of the aquifer?

Is the groundwater source in question in hydraulic connection with surrounding surface waters? If so, what is the amount of surface water depletion and what effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation and a health aquatic system? We oppose any application which in any way reduces surface water flows needed for the public uses that are served by any instream water right.

Given the importance of this groundwater resource, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources in Oregon for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5)

Will this proposed use be compatible with Goal 5 elements in the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR 690-410-060(1) Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical analysis of this application.

Sincerely,

  
Jim Myron

bc:



A98

Application No. **G13208**

Permit No. **G13022**

DAVE H BROOKS  
RT 1 BOX 906  
BANDON, OR

97411

Assigned

Address

Beginning construction **1-31-98**

Completion of construction **10-1-99**

Extended to

Complete application of water **10-1-00**

Extended to