

ASSIGNED

Application No. 61176

Name Dave H. Brooks DBA Brookhill Farms of Oregon

Permit No. 46674

Certificate No. 86448

Stream Index, Page No. 17-4V

By

Address Rt. 1, Box 906 Bandon, OR 97411

Date filed January 21, 1981

Priority April 15, 1982

Action suspended until

Return to applicant

Date of approval JUN 28 1982

CONSTRUCTION

Date for beginning JUN 28 1983

Date for completion OCT 1 1984

Extended to

Date for application of water OCT 1 1985

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

AUG 13 1983

FEES PAID

Date	Amount	Receipt No.
1-21-81	60.00	22453
4-5-82	1.00	30240
8-19-82	9.00	30239
4-8-10	75.00	99637
Cert. Fee		

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
4/8/2010	Ronald D Puhl and Mary Anne Puhl Trustees of the Ronald and Mary Anne Puhl Trust UAD 12-1-95 P O Box 807 Port Orford OR 97465			

REMARKS

CARD FOR A JUN 28 1983



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, Illinois 60614

Reference: Application G-10112, Permit G-9684, Certificate 86449

Application S-61176, Permit S-46674, Certificate 86448

The requested assignments could not be made as these two water rights have been perfected as evidenced by the issuance of Certificates of Water Rights. Under Oregon Water Law, once a water right has been perfected it goes with the land. The landowner owns the water right.

I am returning your requests and checks.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: original requests and checks

cc: files





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

Date Mailed: August 13, 2010

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.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

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

RONALD D PUHL
MARY ANNE PUHL
TRUSTEES OF THE RONALD & MARY ANNE PUHL TRUST UAD 12-1-95
PO BOX 807
PORT ORFORD, OR 97465

confirms the right to use the waters of an UNNAMED STREAM, a tributary of LAUREL LAKE for SUPPLEMENTAL IRRIGATION OF 17.4 ACRES, SUPPLEMENTAL TEMPERATURE CONTROL, AND SUPPLEMENTAL FLOOD HARVESTING.

This right was perfected under Permit S-46674. The date of priority is APRIL 5, 1982. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 6.0 CUBIC FEET PER SECOND (cfs); being 0.435 cfs for supplemental irrigation, 6.0 cfs for supplemental temperature control, and 2.0 cfs for supplemental flood harvesting, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
29 S	15 W	WM	25	SW NW			480 FEET NORTH & 1510 FEET WEST FROM CENTER 1/4 CORNER, SECTION 25

If for irrigation, this appropriation shall be limited to 1/40 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 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. The water user shall record and submit annually to the Water Resources Department all pertinent data pertaining to use of water for temperature control on forms furnished.

A description of the place of use to which this right is appurtenant is as follows:

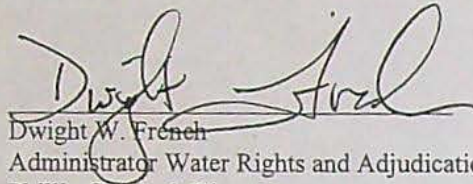
Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	15 W	WM	25	SE NW	17.4

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. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

Issued AUG 13 2010.

A handwritten signature in black ink, appearing to read "Dwight French", is written over the printed name.

Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department

Mailing List for Certificate

Scheduled Mailing Date:

Application: S-61176

Permit: S-46674

Certificate: 86448

Permit/Certificate Holder:

RONALD D PUHL ✓
MARY ANNE PUHL
TRUSTEES OF THE RONALD & MARY ANNE PUHL TRUST
PO BOX 807
PORT ORFORD, OR 97465

Copies Mailed	
by:	<u>Connie Vance</u> (STAFF)
on:	<u>AUG 13 2010</u> (DATE)

Copies of Final Certificate to be sent to:

- ~~1. Watermaster District 19, Mitch E. Lewis, Goos County Courthouse Annex~~
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. file

Other persons to receive copies: (include map):

1. Clay Jordan, CWRE ✓



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

DATE MAILED: MAY 19 2010

NOTICE

Reference: Permit S-46674 Application S-61176

Enclosed is a proposed certificate of water right and a map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon a Claim 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 this proposal. 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
Administrator
Water Rights Division

Mailing List for Certificate

Scheduled Mailing Date:

Application: S-61176

Permit: S-46674

Certificate: *****

Permit/Certificate Holder:

RONALD D PUHL ✓
MARY ANNE PUHL
TRUSTEES OF THE RONALD & MARY ANNE PUHL TRUST
PO BOX 807
PORT ORFORD, OR 97465

Copies Mailed	
by: _____	(STAFF)
on: _____	(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 19, Mitch E. Lewis; Coos County Courthouse Annex ✓
2. Data Center (include copy of map)
3. Water Availability
4. Vault

Other persons to receive copies: (include map):

1. Clay Jordan, CWRE ✓

Gerry Clark

From: Gerry Clark
Sent: Wednesday, May 19, 2010 3:44 PM
To: 'Cape Blanco Cranberries'
Cc: 'john_drolet@hotmail.com'; 'Clay Jordan'
Subject: RE: Puhl
Attachments: 20100519152416410.pdf

Mary,

I think the problem was on my end.

Attached are proposed certificates for permits G-9684 and S-46674. Hard copies were placed in the mail today.

Let me know if you have any additional questions.

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: Cape Blanco Cranberries [mailto:bogron@harborside.com]
Sent: Wednesday, May 19, 2010 3:07 PM
To: Gerry Clark; Cape Blanco Cranberries
Subject: Re: Puhl

Hi Gerry,

The email did not come through with the preliminary Certificates. Can you please try again?

Thank you so much!!

Mary Anne

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-----

5/19/2010

From: "Gerry Clark" <clarkge@wrд.state.or.us>
Sent 5/17/2010 1:45:18 PM
To: "Cape Blanco Cranberries" <bogron@harborside.com>
Subject: FW: Puhl, hard copy in mail

From: Kcjengineer@aol.com [mailto:Kcjengineer@aol.com]
Sent: Friday, May 14, 2010 10:18 AM
To: gerald.e.clark@state.or.us
Subject: Puhl, hard copy in mail

Claim Of Beneficial Use Form Clarification:
Application G-10112, Permit G-9684
Application S-61176, Permit S-46674

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

May 14, 2010

Mr. Clark:

At your request, a clarification of the two COBU submitted forms is as follows.

Under both forms "use" designation is reported as "Cranberry Operations." This designation of Cranberry Operations is to include the permit's irrigation, temperature control and flood harvesting. All the Cranberry Operation water rights are delivered for beneficial use through the same hydraulic system.

Respectfully,

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

cc: Mr. & Ms. Puhl
file: Cranberry Operation term clar.wpd

Gerry Clark

From: Gerry Clark
Sent: Wednesday, May 19, 2010 3:54 PM
To: 'Blegen, Ron'
Cc: Banton, David
Subject: RE: Puhl Trust Water Rights
Attachments: 20100519152416410.pdf

Ron,

I have attached copies of the proposed certificates that were mailed to the Puhl's this afternoon.

As you will see with the proposed certificates, they appear to address the concerns you raised in the questions below.

You asked about the electrical meters being used as meters. For the purpose of determining beneficial use, in this situation, an electrical meter is considered a meter. In the future, the Water master could require that the water user install some other type of meter.

Let me know if you have any questions.

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: Blegen, Ron [mailto:RBlegen@golder.com]
Sent: Tuesday, May 18, 2010 12:18 PM
To: Gerry Clark
Cc: Banton, David
Subject: Puhl Trust Water Rights

Mr. Clark:

Golder Associates Inc. (Golder) has been reviewing water rights held by the Ronald and Mary Anne Puhl Trust on behalf of our client, who is considering purchasing property owned by the Puhl Trust. Our initial review back in February indicated that two of the primary rights associated with the property (Applications G-10112 and S-61176) had not been certificated as the Puhl's had expected. It also appeared that numerous errors had occurred during the permitting stage and during the subsequent attempts by the previous owners to certificate the rights. As you are aware, the Puhl Trust hired Mr. John Drolet, the former district Watermaster, to help them determine where and why the errors occurred. Subsequently, the Puhl's hired two CWRE's to complete final proof surveys for the permits. These were submitted to OWRD, along with the Claims of Beneficial Use (CBU), earlier this month. Based on your May 17, 2010 letter to the Puhl's, you have confirmed receipt of both CBU's and have found them to be in good order.

5/19/2010

I have exchanged several emails with the Puhl's and there are a few items I was hoping to confirm with you:

- One of the possible errors that we discovered is that under Application G-10112 the original owners (Dave Brooks) requested 30 acres within Section 25 SE-NW, but when the permit was issued only 10 acres were (apparently) allowed in that ¼-¼ section, along with an additional 10 acres in the NE-NW ¼-¼ section. Based on the CBU's recently filed, a total of 17.4 acres were developed in the SE-NW. I understand that adjustments in acreage can be made at the time a CBU is filed, but can you confirm that 17.4 acres will be granted under the certificates?
[Mr. Drolet makes a compelling argument that there was no error in the permit after all, just a misinterpretation of an alternative method of presenting the information. At any rate, including the full 17.4 acres under the certificates is critical]
- Priority dates for both certificates will be set to April 5, 1982? (previously the primary right had a priority of April 15, 1982 while the supplemental right had a priority of April 5, 1982)
- Ms. Puhl said that you had approved the use of their electric utility cooperative meters to satisfy the metering requirement for permit G-9684. This makes sense in their situation. Can you confirm your approval?
- My current understanding from talking to Ms. Puhl is that you intend to expedite processing of CBU's and expect to issue certificates within the next few months. Can you confirm this? I understand you can't provide a firm schedule without a more detailed review, but do you have a general sense of the timing?

Thanks in advance for your responses.

Ron

103-92802

Ron Blegen, R.G., L.Hg. | Senior Scientist | **Golder Associates Inc.**
1430 West Broadway Road, Suite 108, Tempe, Arizona, USA 85282
T: +1 (480) 966-0153 | F: +1 (480) 966-0193 | C: +1 480 254-6670 | E: RBlegen@golder.com |
www.golder.com

Work Safe, Home Safe

This email transmission is confidential and may contain proprietary information for the exclusive use of the intended recipient. Any use, distribution or copying of this transmission, other than by the intended recipient, is strictly prohibited. If you are not the intended recipient, please notify the sender and delete all copies. Electronic media is susceptible to unauthorized modification, deterioration, and incompatibility. Accordingly, the electronic media version of any work product may not be relied upon.

Golder, Golder Associates and the GA globe design are trademarks of Golder Associates Corporation.

Please consider the environment before printing this email.

Gerry Clark

From: Cape Blanco Cranberries [bogron@harborside.com]
Sent: Monday, May 17, 2010 11:43 AM
To: Gerry Clark; Cape Blanco Cranberries
Cc: john_drolet@hotmail.com; Clay Jordan
Subject: Re: G9684, S-46674

Dear Gerry,

Thank you very much for your prompt handling of these Claims. We truly appreciate your excellent work getting these old rights to certificate as quickly as possible.

Sincerely,

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: "Gerry Clark" <clarkge@wrд.state.or.us>
Sent: 5/17/2010 1:18:25 PM
To: "Cape Blanco Cranberries" <bogron@harborside.com>
Cc: "john_drolet@hotmail.com" <john_drolet@hotmail.com>, "Clay Jordan" <kcjengineer@aol.com>
Subject: RE: G9684, S-46674

Mary,

I have attached a letter for your records concerning the submittal of the Claim of Beneficial Use.

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.wrд.state.or.us

From: Cape Blanco Cranberries [mailto:bogron@harborside.com]
Sent: Thursday, May 13, 2010 1:53 PM
To: Gerry Clark; Cape Blanco Cranberries

5/17/2010

Cc: john_drolet@hotmail.com
Subject: Re: G9684, S-46674

Hello Gerry,

I wanted to check in with you to be sure you received the Claims of Beneficial Use for Permits G-9684 and S-46674. I am trying not to be a pest but I am just anxious about these permits, as you are well aware.

If you have received them, do you have an idea when you may be to a point to write us a letter that we can hopefully use to show our buyers that the certificates should be forthcoming? I realize you may not be able to say for certain if the certificates will be issued at this point but something positive would be very helpful. Also if you can do as you did before and send me a scanned copy via email the day you write the letter, that would be fantastic. Then I can forward it on to our buyer and his water rights consultant for their review.

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: "Gerry Clark" <clarkge@wrд.state.or.us>
Sent 5/11/2010 11:02:37 AM
To: "Cape Blanco Cranberries" <bogron@harborside.com>
Cc: "john_drolet@hotmail.com" <john_drolet@hotmail.com>
Subject: RE: Mailed-G9684, S-46674

Mary,

Regarding the fees, everything is fine. No fee is required for submittal of Claims for permits with priority dates prior to July 10, 1987. The Priority date of the two permits in question are in 1981.

I will let people know that I am expecting the Claims.

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.wrд.state.or.us

5/17/2010

From: Cape Blanco Cranberries [mailto:bogron@harborside.com]
Sent: Tuesday, May 11, 2010 8:43 AM
To: Gerry Clark
Cc: john_drolet@hotmail.com; bogron
Subject: Re: Mailed-G9684, S-46674

Good morning Gerry,

I wanted to alert you that Clay Jordan mailed you the signed and stamped Claims of Beneficial Use and their corresponding maps yesterday. He went to Farm Credit Services in Roseburg and had Lisa sign them as FCS's representative, per your request. Hopefully you will receive the Claims today.

I awakened to the realization that we did not include any payment for the filing fees for these two permits. Perhaps either Clay, Norm or John Drolet already discussed this with you. Perhaps you might waive any filing fees for these two Claims as they are from the time when completing the Claims was the responsibility of the WRD.

My concern this morning is two-fold. I am worried that whoever opens the mail received by WRD each day might reject them for non-payment of the normal filing fees and send them back without you even seeing them. Secondly, if we do indeed have to pay filing fees for these, how can I get the money to you so that you can accept the submissions?

As you know time is critical so if we can avoid more time without the final Claims in your possession, the better.

I look forward to your reply.

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
www.capeblancocranberries.com

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

From: <Kcjengineer@aol.com>
Sent 5/10/2010 5:59:59 PM
To: bogron@harborside.com
Subject: Mailed

Hi.
Went out in today's mail via main Post Office. Has Lisa's signature. Copy in mail to you also.

clay

5/17/2010

Gerry Clark

From: Kcjengineer@aol.com
Sent: Friday, May 14, 2010 10:18 AM
To: gerald.e.clark@state.or.us
Subject: Puhl, hard copy in mail

Claim Of Beneficial Use Form Clarification:
Application G-10112, Permit G-9684
Application S-61176, Permit S-46674

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

May 14, 2010

Mr. Clark:

At your request, a clarification of the two COBU submitted forms is as follows.

Under both forms "use" designation is reported as "Cranberry Operations." This designation of Cranberry Operations is to include the permit's irrigation, temperature control and flood harvesting. All the Cranberry Operation water rights are delivered for beneficial use through the same hydraulic system.

Respectfully,

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

cc: Mr. & Ms. Puhl
file: Cranberry Operation term clar.wpd

5/17/2010

Jordan Engineering

Structural & Civil

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

RECEIVED

MAY 17 2010

WATER RESOURCES DEPT
SALEM, OREGON

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

Claim Of Beneficial Use Form Clarification:

Application G-10112, Permit G-9684

Application S-61176, Permit S-46674

May 14, 2010

Mr. Clark:

At your request, a clarification of the two COBU submitted forms is as follows.

Under both forms "use" designation is reported as "Cranberry Operations." This designation of Cranberry Operations is to include the permit's irrigation, temperature control and flood harvesting. All the Cranberry Operation water rights are delivered for beneficial use through the same hydraulic system.

Respectfully,



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

cc: Mr. & Ms. Puhl

file: Cranberry Operation term clar.wpd



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~~ ^{South} 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.

78637

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.

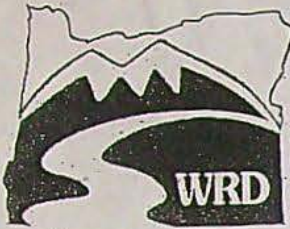
/s/ JAMES E. SEXSON
WATER RESOURCES DIRECTOR

APPLICATION 61176

PERMIT 46674

Completion Checklist for CWRE Claims of Beneficial Use

Application # 5-61176
 Permit # 46679
 Transfer # 0
 Date May 13, 2010
 Reviewer MC



Date Received May 11, 2010
 CWRE Name Jordan
 Claim Logged _____
 File Marked _____
 Oversized Map # 0
 Read the file and attach a copy of the permit or transfer final order. _____

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- ☒ Source illustrated if surface water (OAR 690-014-0170(3))
- ☒ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- ☒ Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- ☒ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- ☒ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- ☒ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- ☒ On form or format provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ Tax lot information (OAR 690-014)
- ☒ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- ☒ Source(s) of water (OAR 690-014-0100)
- ☒ Point of diversion/appropriation location (OAR 690-014-0100)
- ☒ Use, period of use, and rate for use (OAR 690-014-0100)
- ☒ Place of use location (OAR 690-014-0100)
- ☒ Type of use (OAR 690-014-0100) *Temp & Flood Harvest?*
- ☒ Extent of use (OAR 690-014-0100)
- ☒ Rate and Duty (OAR 690-014-0100)
- ☒ Diversion rate for each use (OAR 690-014-0100)
- ☒ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- ☒ System capacity (OAR 690-014-0100)
 - ☒ Calculated capacity of system (required)
 - ☐ Measured amount of use (optional)
- ☒ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - ☒ Time limits
 - ☒ Initial water level measurements
 - ☒ Annual static water level measurements
 - ☒ Measurement, recording, and reporting
 - ☒ Meter/measuring device
 - ☒ Water use reporting
 - ☒ Fish screening and/or by-pass
 - ☒ Pump test (ground water)
 - ☒ Other conditions
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee or transfer holder (OAR 690-014-0100)

Need claim for

DEF = deficient
 N/A = Not Applicable

Certificate Issuance Processing Checklist

Map and COBU reviewed
Conflict check (include copy of plat card printout)
Check for ownership

Any Conflicts?

checked WRIS
on line

No

Assigned 4/10/10

Staff Recommendations:

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

Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows:

Proof to the Satisfaction has not been established for the following reasons:

Proposed Actions:

Send letter requesting the following items/information:

Send letter recommending extension to cure deficiencies:

Can certificate be processed further?

Yes

If "Yes":

Proposed
Final

Certificate #

Mailing list:

Proposed:

Final:

**CLAIM OF
BENEFICIAL USE
for Permits claiming more
than 0.1 cfs and All Transfers**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

A fee of \$150 must accompany this form to be accepted for permits with a priority date of July 9, 1987, or later. (ORS 536.050(1))

A separate form shall be completed for each permit.

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

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: http://www.wrd.state.or.us/OWRD/WR/cwre_info.shtml#.

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

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

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

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

SECTION 1

GENERAL INFORMATION

RECEIVED

MAY 11 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

1. File Information

APPLICATION # (G, R, S or T) S-61176	PERMIT # (IF APPLICABLE) S-46674	PERMIT AMENDMENT # (IF APPLICABLE) NA
--	--	---

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Ronald D. & Mary Anne Puhl Trustees of the Ronald and Mary Anne Puhl Trust UAD 12-1-95		PHONE No. (541) 332-1345	ADDITIONAL CONTACT No.
ADDRESS P.O. Box 807			
CITY Port Orford	STATE OR	ZIP 97465	E-MAIL bogron@harborside.com

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by the permit or transfer holder of record.**

Clee

3. Is the Property Owner the permit or transfer holder of record?

Yes

If "YES" the remainder of this item may be deleted.

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

PERMIT OR TRANSFER HOLDER OF RECORD		
Same as 2 above		
ADDRESS		
CITY	STATE	ZIP

Are there additional permit or transfer holders of record?

NO

If "NO" the following box may be deleted.

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD		
NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: April 15, 2010

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Kay Boren	April 15, 2010	Farm manager

6. County: Coos

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

**Mark "NA" if there are no owners of property not included in this claim

OWNER OF RECORD		
NA		
ADDRESS		
CITY	STATE	ZIP

RECEIVED
MAY 11 2010
WATER RESOURCES DEPT
SALEM, OREGON

Are there additional Owners of Record?

NO

If "NO" the following box may be deleted.

SECTION 2

SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

Clear

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
P-3	NA	

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
P-3	Unnamed Stream	Laurel Lake

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
P-3	Cranberry Operations	Cranberries	Year round except irrigation during irrigation season	6 cfs
Total Quantity of Water Used				6 cfs

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion or appropriation to the place of use:

Water is pumped from the unnamed stream at diversion-3 using a 7.5 hp centrifugal pump and discharged into sump S-2 via a 4 inch pipeline. Sump S-2 is used as a bulge in the system. Water is delivered to bogs using 2 turbine pumps at diversion P-1. Water from the pumps is discharged into a common distribution line with one line flowing north to 3 bogs and one south of sump S-2 to 3 bogs. Water is applied with rainbird or equivalent sprinklers with 1/8 inch nozzles. There are an average of about 30 sprinklers per acre. Sprinkler grid uses 1 1/2 inch PVC piping.

RECEIVED

MAY 11 2010

WATER RESOURCES DEPT
SALEM, OREGON

Cle

SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

NO

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

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

NA

RECEIVED

MAY 11 2010

NO

WATER RESOURCES DEPT
SALEM, OREGON

B. Place of Use

1. Is the right for municipal use?

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	Q-Q	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
29S	15W	WM	25	SE/NW			Cranberry operations		17.4
Total Acres Irrigated									17.4

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Paco -at stream	unknown	B2MRP3260 .75	Centrifugal	2.5 inch	3 inch
#1 Universal in holding pond	10MSZ4-T432	Unit WNK 191	Turbine	8 inch	6 inch
#2 Jacuzzi in holding pond	L8C/T-622-8x8x	1C8822525	Turbine	8 inch	8 inch

3. Motor Information

MANUFACTURER	HORSEPOWER
US Electric	7.5 (in stream)
#1 US Electric	30 (holding pond)
#2 US Electric	60 (holding pond)

Cley

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
7.5 (stream)	0	3.5 ft	3 ft	7.63 CFS
#1 30 (pond)	60	0	5.5 ave.	1.34 CFS
#2 60 (pond)	60	0	5.5 ave.	2.68 CFS

5. Provide pump calculations:

Pump in stream: $Q = \frac{(HP)(\text{coefficient})}{\text{Total head}} = \frac{(7.5)(6.61)}{(0+3+3.5)} = 7.63 \text{ CFS}$

Auxiliary pumps in pond: Pump #1 $Q = \frac{(HP)(\text{coefficient})}{\text{Total head}} = \frac{(30)(7.04)}{(152.4 + 5.5)} = 1.34 \text{ CFS}$

Pump #2 $Q = \frac{(HP)(\text{coefficient})}{\text{Total head}} = \frac{(60)(7.04)}{(152.4 + 5.5)} = 2.68 \text{ CFS}$

RECEIVED

MAY 11 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4 inch (stream to pond)	530 ft	PVC	200 ft above -rest buried
10 inch*	100*	PVC	Buried
6 inch*	1600*	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1.5 inch	17,200*	PVC	Buried

Clay

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
1/8 inch	55+	3.4+	522*	522	3.95 CFS +

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

12. Additional notes or comments related to the system:

* Mainline from pond estimated based on drawing from previous owner. Laterals estimated based on average number of sprinklers per acre.

Both auxiliary pumps deliver water into a common piping system

RECEIVED

MAY 11 2010

NO

**WATER RESOURCES DEPT
SALEM, OREGON**

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

If "NO", items 2 through 8 relating to this section may be deleted.

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir)

YES

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

NO

Bulge in System / Reservoir

YES

Complete appropriate table(s) below, unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
NA		

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
Sump S-2	No dam - excavation	5

F. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

NO

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

G. Gravity Flow Canal or Ditch

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

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

NO

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

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: This section should only be completed if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

SECTION 3 CONDITIONS

RECEIVED

MAY 11 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

Please pay special attention to this section. All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

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

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	6/28/1982		
BEGIN CONSTRUCTION (A)	6/28/1983	Prior to 6/28/1983	Began Construction of bogs before application submitted
COMPLETE CONSTRUCTION (B)	10/1/1984	9/6/1983	Submitted Form B, Notice of completion of construction
COMPLETE APPLICATION OF WATER (C)	10/1/1985	9/6/1983	Submitted Form C, Notice of complete application of water to beneficial use.

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

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

NO

If "NO", you may delete item 3 in this section.

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? NO

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? NO

If "NO", items 5b through 5e relating to this section may be deleted.

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? NO

If "NO", items 6b through 6d relating to this section may be deleted.

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? NO

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

RECEIVED

MAY 11 2010

8. Recording and reporting conditions

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

If "NO", item 8b relating to this section may be deleted.

WATER RESOURCES DEPT
SALEM, OREGON

b. Have the reports been submitted? YES

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
Paper (use of water for temperature control)	unknown

If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? NO

If "NO", items 9b through 9e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? NO

If "NO", items 10b and 10c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order

- a. Were there special well construction standards? NO
- b. Was submittal of a ground water monitoring plan required? NO
- c. Was the water user required to restore the riparian area if it was disturbed? NO
- d. Was a fishway required? NO
- e. Was submittal of a letter from an engineer required prior to storage of water? NO
- f. Was submittal of a water management and conservation plan required? NO
- g. Other conditions? NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

NA

SECTION 4 VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

Permit was for issued for 40 acres while only 17.4 acres were developed.

RECEIVED

MAY 11 2010

SECTION 5 ATTACHMENTS

WATER RESOURCES DEPT
SALEM, OREGON

If you are attaching any documents to this report, provide a list:

ATTACHMENT NAME	DESCRIPTION
none	

SECTION 6

CLAIM SUMMARY

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
P-3	6 cfs	7.63 cfs	NA	Cranberry operations	40	17.4

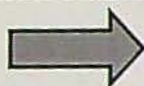
SECTION 7

CLAIM OF BENEFICIAL USE MAP

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

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

2005 FSA aerial photo with Coos County GIS tax lot overlay. Field verification using TruPulse 200 laser range finder.



Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ NA Locations of fish screens, fish by-pass devices, meters and measuring devices in relationship to point of diversion or appropriation.
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")

RECEIVED

MAY 11 2010

WATER RESOURCES DEPT
SALEM, OREGON

- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

RECEIVED

MAY 11 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

PERMIT G-9684
PERMIT S-46674

This map is not intended to provide legal dimensions or locations of property ownership lines

Base map from Coos County
GIS over 2005 FSA aerial photo
for assumed best fit



MAY 11 2010

~~WATER RESOURCES DEPT~~
~~SALEM, OREGON~~

TL-1000

NW/NW

Return
Ditch 7

NE/NW

G-13022
4.9 acres
Not a part of
this claim

G-13022
8.9 acres
Not a part of

SE/NW

SW/NW

NORTH

Scale
1 inch = 400 feet

P-3
pump

Unnamed

S-1

P-2
meter

P-1 pumps

17.40

X P-2
RUM

17.40

二

+ S-2

17.40

Center
Section

POINTS OF DIVERSION/APPROPRIATION (All from the Center of Section 25)

* Coos-Curry Electric Power Meters

P-1, SE/NW, 475 ft. N & 855 ft. West (Sump S-2) delivers water to bogs from Sump S-1, Sump S-2 and Unnamed Stream

P-2, SE/NW, 450 ft. N & 1190 ft. West (Sump S-1) delivers water to Sump S-2 for distribution to bogs from pumps at P-1

P-3, SW/NW, 480 ft. N & 1510 ft. West (Unnamed Stream) delivers water to Sump S-2 for distribution to bogs from pumps at P-1

Permit G-9684 - Primary Cranberry Operations, Sumps S-1 & S-2 (17.4 ac.)
Permit S-46674 - Supplemental Cranberry Operations, Unnamed Stream (17.4 ac.)

Mapped from field
inspection April 15, 2010

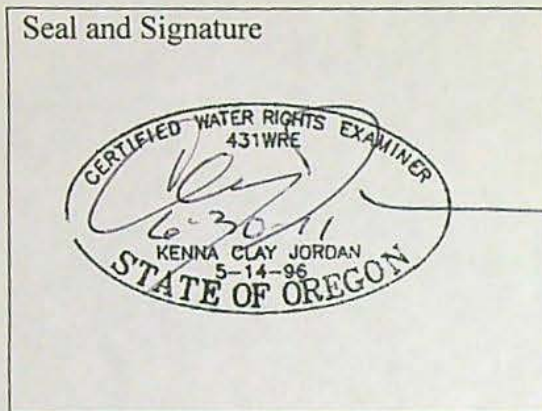
JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97471
(541) 673-1931

Revised
5/6/2010 n.e.d.

SECTION 8 SIGNATURES

CWRE Statement, Seal and Signature

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



CWRE NAME Kenna Clay Jordan		PHONE NO. (541) 673-1931		ADDITIONAL CONTACT NO.	
ADDRESS 460 Jordan Lane					
CITY Roseburg	STATE OR	ZIP 97471	CITY Roseburg		

Permit or Transfer Holder's of Record Signature or Acknowledgement

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

SIGNATURE	PRINT OR TYPE NAME	DATE
	Ronald D Puhl, Trustee	May 7, 2010
	Mary Anne Puhl, Trustee	May 7, 2010

RECEIVED
 MAY 11 2010
 WATER RESOURCES DEPT
 SALEM, OREGON

Gerry Clark

From: Cape Blanco Cranberries [bogron@harborside.com]
Sent: Thursday, May 06, 2010 4:20 PM
To: Gerry Clark; Cape Blanco Cranberries; john drolet
Subject: Re: Puhl's permits, G-9684 and S-46674
Attachments: COBU_Form_G-9684.doc; COBU_Form_S-46674.doc; COBU Puhl-map[1].pdf

Dear Gerry,

Thank you so much for the phone call. I appreciate your time.

Attached please find the final versions of the Claims of Beneficial Use for Permits G-9684 and S-46674. Also attached is the map for both claims.

Please review these to see if they meet the necessary criteria for getting us certificates for the two permits. As I mentioned our date for hopefully resolving these issues is May 17th.

After your review, please either email me or give me a call regarding John Drolet and I coming to see you in Salem. We were hopeful that a meeting could answer any questions that may come up regarding these Claims. If that can be done by telephone that would be fine but John and I are both available to come meet with you and to hopefully make certain that we have completed all necessary work to get certificates for these permits. We have already arranged with Clay Jordan that he would be available by phone, should we come meet with you, to answer any questions you may have about his survey or the data on the forms and map.

Ron and I thank you for all the work you have already done to help us move forward on finishing up the rights on these bogs. Hearing that these Claims will be put in the line that will be looked at more quickly is much appreciated.

Please let me know if you have any other questions or concerns and if you believe a meeting would be beneficial.

I look forward to your reply.

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
Cell: 541-253-6600
www.capeblancocranberries.com

Dave Brooks
DBA Brookhill Farms of Oregon

T29S R15W
Portion of
Sec 25

RECEIVED

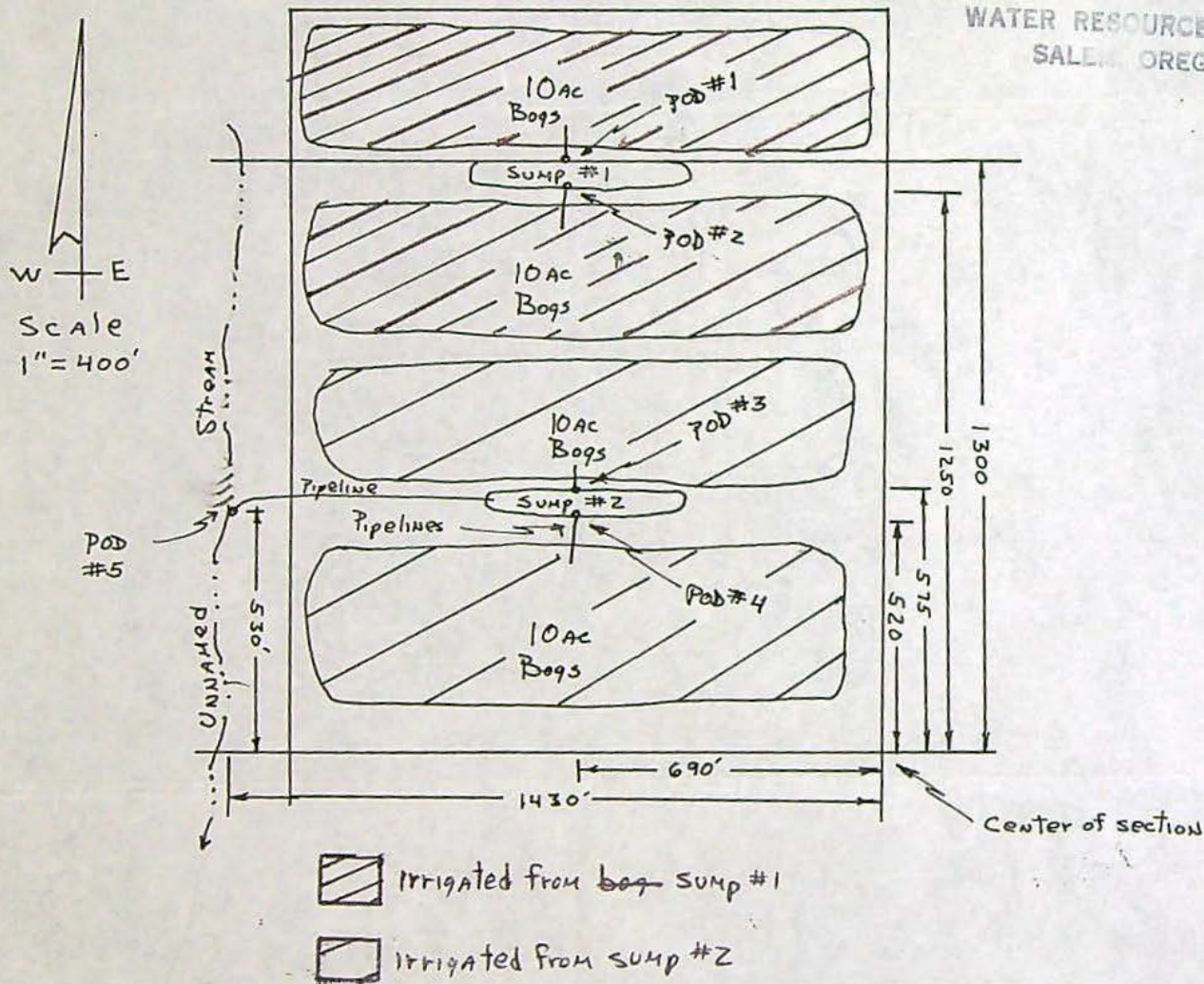
JAN 21 1981

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

APR 5 1982

WATER RESOURCES DEPT
SALEM, OREGON



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

46674

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

Gerry Clark

From: Gerry Clark
Sent: Monday, April 19, 2010 1:26 PM
To: Clay Jordan
Subject: Puhl - Applications G-10112 and S-61176

Clay,

I looked in both of the above referenced files and identified timely submitted temperature control reports.

Let me know if you have any additional questions.

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

Gerry Clark

From: John Drolet [john_drolet@hotmail.com]
Sent: Wednesday, April 14, 2010 3:03 PM
To: Gerry Clark
Subject: RE: Puhl Permits (P#'s G-9684 and S-46674)

Gerry,

Again, thank you so much for the attached letter. It will considerably relieve the Puhl's level of stress.

The letter well covers both areas of concern; acreage and priority date. There is little doubt in my mind that the issues will be reconciled to everyone's satisfaction.

Clay Jordan and I will meet in Coquille early tomorrow morning before he is scheduled to arrive at the Puhl farm to do the final proof. During that early morning meeting, I will acquaint Clay with the particulars and provide him with a copy of your letter.

And no, our meeting at your office scheduled for tomorrow will not be necessary.

Best Regards,

John

From: clarkge@wrд.state.or.us
To: john_drolet@hotmail.com
Date: Wed, 14 Apr 2010 19:02:43 +0000
Subject: RE: Puhl Permits (P#'s G-9684 and S-46674)

John,

I have attached the letter we discussed yesterday afternoon.

Please let me know if you have any concerns. In addition, please let me know the status of the meeting scheduled for Thursday.

I plan to mail a copy of the letter to the Puhls.

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: John Drolet [mailto:john_drolet@hotmail.com]
Sent: Friday, April 09, 2010 9:21 AM

4/14/2010

To: Gerry Clark
Subject: Puhl Permits (P#'s G-9684 and S-46674)

Gerry,

Thanks for taking the time to chat with me yesterday regarding the above two permits and the desirability for the Puhl's and I to meet with you in Salem next week. As you indicated, meeting early in the week may not allow you adequate time to review the files so you and I tentatively set a meeting date for later in the week.

Thursday @ 10:00 AM would work for the Puhl's if that fits your schedule. Please let me know.

This morning I contacted Clay Jordan and will be sending him copies of the applications, maps, permits, various dated color aerial photos, and other pertinent information. He has committed to performing the final proof including the claim of beneficial use and any other data required by the Department that would allow these two permits to eventually go to certificate.

If there is a "bottom line" to that packet that you now have regarding the Puhl's two permits it is this; they would be happy if the Department would acknowledge that, A.) P# G-9684 is indeed a permit for the full 40 acres applied for, and B.) the scribner's error regarding the priority date will be corrected at the time of certification.

As for acreage, the application, application map, permit duty, the secondary permit as issued, and other supporting documentation, I believe, will allow you to make that determination.

As for the scribner's error, attachment # 3, Wayne Overcash's May 11, 1982 letter (paragraph 1, sentence 2) pretty well indicates a priority date of April 5, 1982 for both permits. And that is indeed what appears on the secondary. The priority date on the primary of April 15, 1982--is just one digit off from the correct date--a true scribner's error.

Gerry, if it would be within your ability to draft a simple one paragraph letter saying that G-9684 is for 40 acres and the priority date for that permit should be April 5, 1982, I do not believe that it would not be necessary for the Puhl's and I to make the trip to Salem next week.

As you might expect, since recently discovering these permit inconsistencies recently, the anxiety resulting from the uncertainty regarding these two permits is actually causing them to lose sleep over this issue.

As always, please get in touch (541) 396-5355 if I can provide additional information.

Thanks again.

John

BTW, the Puhl's address is: Ron and Mary Anne Puhl, P.O. Box 1365, Port Orford, 97465.

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. [Get busy.](#)

The New Busy is not the old busy. Search, chat and e-mail from your inbox. [Get started.](#)



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

April 14, 2010

John Drolet
59971 Fairview Rd
Coquille, OR 97423

RE: Application File G-10112, Permit G-9684

Dear Mr. Drolet,

Here is a summary of our discussion from yesterday.

It is not uncommon for Claims of Beneficial Use to identify acreages that are differently distributed between quarter quarters than what was allowed by the permit. In general, the Department has flexibility to make positive determinations in those cases, especially if what was developed is within the original ownership footprint. The Claim should identify any variations from what was allowed by the permit.

The issue that you raised in your correspondence regarding the priority date should also be addressed in the Claim.

Please feel free to have the CWRE contact me directly regarding any additional questions.

If you have any additional questions, please feel free to contact me at 503-986-0811.

Sincerely,

Gerry Clark
Water Rights Specialist
Certificate Section

CC: file
Ronald & Mary Puhl

John P. Drolet
59971 Fairview Road
Coquille, OR 97423

Tim Wallin
Water Rights Program Manager
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

April 7, 2010

ref: P# G-9684
P# S-46674

Subject: PUHL TRUST PROPERTY WATER RIGHTS

1. Permit G-9684 Was Issued by OWRD for the Full 40 Acres
2. Final Proof to Certificate--Process Interrupted at OWRD
3. Proposed Solution

Dear Mr. Wallin:

By way of introduction, I served the south Oregon coast beginning in 1974 in the capacity of deputy watermaster and later as district watermaster until my retirement in 2000. I have recently been engaged by Ron and Mary Anne Puhl for the purpose of reviewing water rights for their Riley Farm/Hoffer Lane cranberry bogs south of Bandon. I have concentrated on the two water use permits referenced above. My sources for documentation have been OWRD's files, local watermaster files, and the Puhl's files.

In 2004, Ron and Mary Anne Puhl purchased from Dave and Jeanette Brooks property containing cranberry bogs. In so doing, they assumed that the old 1983 permits had long ago gone to the certificate stage. However subsequent investigation in light of a pending property sale revealed that the permits had never been certified.

After talking with OWRD's local representative, watermaster Mitch Lewis, I believe the Puhl's are proposing a straight-forward solution that eliminates some uncertainty regarding permit wording for P# G-9684 and thus enables both above referenced 1983 permits to be final proofed and certified as water rights.

Because of the pending property sale, the Puhl's hope that these permits may be certified as quickly as possible.

1. Permit G-9684 Issued for 40 Acres:

Some confusion evidently exists regarding the acreage allowed for P# G-9684. It might be helpful to understand that specific uncertainty if provided some background regarding the situation that OWRD and its then Applications/Permit Section was experiencing at the time that this permit was issued.

For a number of reasons, OWRD at that time found itself with an embarrassing backlog of applications on its hands and an inadequate number of trained staff allocated to process those applications. The backlog had risen to such an alarming level as to incur legislative interest. Not only was OWRD hearing from the applicants and others who were directly affected and who had an interest in the expeditious procession of applications and permits, but the department was beginning to receive an undesirable amount of legislative scrutiny.

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

OWRD staff from other sections were recruited, trained, and temporarily assigned to the Application/Permit Section headed by Mr. Ralph Jackson. That is the background that warranted Mr. Jackson's letter of assurance to applicants^{B2} that their submissions would be processed as expeditiously as possible.

It was at this time that Dave Brooks submitted his application^{B1} for 40 acres of irrigation, temperature control, and flood harvesting (issued as P# G-9684) from two groundwater sumps. A near duplicate application from a surface water source (issued as P# S-46674) also for 40 acres was submitted concurrently. Brooks' groundwater application was returned by OWRD because of the use of ditto marks on that application, but the corrected application was eventually returned by Brooks and accepted by OWRD. The applications then being in the proper order, OWRD acknowledged receipt of the applications and assigned them new priority dates^{B3}. (Please see notes in Schedule B, items^{B3, B4 & B5} regarding priority dates for these primary and supplemental permits.)

Although submitted together as complementary applications (i.e., primary and supplemental), the applications were processed separately with P# G-9684 being issued on June 22, 1982^{B4} and P# S-46674 being issued June 28, 1982^{B5}.

Both the application and the accompanying application map for P# G-9684 could not have been more clear that the acreage applied for was 40 acres. This was a groundwater application from 2 planned sumps for 10 acres anticipated to be developed within the NE NW of Sec 25 and 30 acres anticipated to be developed within the SE NW of the same section. Again, the supplemental permit was complementary regarding use and acreage and used the same application map--10 acres in the NE NW and 30 acres in the SE NW. When issued, this supplemental permit, P# S-46674 was allowed the full 40 acres applied for.

For P# G-9684, the OWRD staffer who processed this application and drafted the permit used an alternate method of showing acreage within that section of the permit reserved for PLACE OF USE. This alternate method saved both time (remember legislative scrutiny) and space. To have used any other method would have required one half of one page of the permit format then in use to describe the number of acres within the permit's PLACE OF USE. In the PLACE OF USE for P# G-9684 it is abundantly clear that 10 acres are allowed specifically from Sump 1/POD 2 in the SE NW. Perhaps less clear but no less compelling are the two additional 10 acre tracts allowed for each of the subsequent two Sump/POD combinations listed under the SE NW--for a total of 30 acres within the SE NW. This conclusion is intuitive in examining the primary and supplemental applications, their accompanying maps, and reading the POU section of the permit. So the correct 30 acres allowed within the SE NW is not an issue of an error within the permit, but simply an alternate time and space saving method used at that time in describing that 30 acres.

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

Possibly the most compelling evidence that P# G-9684 was issued by OWRD for the full 40 acres applied for may be found in the DUTY allowed by OWRD for that permit. That duty is for a full 40 acres, not for 20 acres.

This is the simplest and most correct explanation, particularly when the duty amounts are taken into account.

2. Final Proof to Certificate--Process Interrupted at OWRD

The record clearly shows that the permittee, Dave Brooks, was extremely conscientious in meeting all his obligations regarding these two permits. Corrections to the application form were made when requested. Completion of Construction and Beneficial Use forms B and C were submitted as required^{B6}.

Repeatedly, Brooks asked that OWRD fulfill its obligations to perform the final proof surveys. Several of those requests are documented^{B8 & B9} as following-up enquiries to Bruce Estes' (Supervisor, Survey/Certificates Section) letter to Brooks dated October 31, 1983^{B7}. Indeed, it is within Estes' letter that Brooks should have taken the most comfort. Estes' letter of acknowledgement for OWRD's receipt of the B and C Forms indicates that 1.) OWRD will perform a final proof survey at a later date, and 2.) "In the meantime, the permit which you hold will be a matter of record so long as you continue to use water."

When Brooks enquired regarding the status of the final proof in June of 1991^{B8}, he was told that although the Roseburg final proof crew had completed the survey, their map had yet to be drafted^{B8}. And in 1992 after Brooks had engaged CWRE Gosson to make enquiries, Gosson reported back^{B9} that the final proofing was not on the regional office's "OWRD list" of final proof maps to be drafted. "What to do..^{B8}", indeed.

Apparently no further action has been taken by OWRD on either of these permits since that time.

In talking with Mitch Lewis, I was given to understand that OWRD has recently taken a new approach to pre-1987 permits and that as time permits, Bruce Sund has succeeded in performing the required field inspections.

3. PROPOSED SOLUTION

The Puhl's intent is to help provide a final resolution to the above concerns. The Puhl's can engage a CWRE with cranberry bog experience in order to redo the surveys done by OWRD in 1989, and to provide OWRD with final proof surveys for both P# G-9684 and P# S-46674. Or, if Bruce Sund continues to be available for field inspections, we request that he be assigned to perform the task. The goal is to allow these permits to finally be certified as water rights as quickly as possible due to the pending sale of the property in question.

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

It is critical to note that although the rates and duties of water allowed under the permits, as drafted, allow for generous amounts of water to be used, the Puhl's intend to claim little more than one third of what is allowed. The reason for this is that the bogs under these 40 acre permits were developed for only 15.51 acres. However, because the 15.51 acres are developed within the SE NW Sec 25, it is imperative that OWRD acknowledge the 30 acres permitted within the SE NW and cooperate with certification for the full 15.51 acres put to beneficial use under the terms of the permit.

To the benefit of OWRD, upon final proofing and certificate issuance, OWRD will then more accurately be able to calibrate its ground water and surface water models for the area reflecting a lesser quantity of water being withdrawn from the aquifer and the watershed than what is currently shown.

This solution should benefit all parties and it is hoped by the Puhl's that OWRD will be a willing partner in finally clearing these inchoate rights from its records.

At your earliest convenience, the Puhl's and I would like to travel to Salem in order to meet with you at your office for the purpose of discussing these permits and agreeing to a solution that would allow these two permits to be certified as water rights.

Sincerely,



John P. Drolet

JPD/dt

CF: Ronald and Mary Anne Puhl Trust
OWRD, Salem file# G-10112, P# G-9684
file# S-61176, P# S-46674
Watermaster Dist. XIX

atch: Exhibit A
Exhibit B (w/atch)

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT A

1. 1981, Jan 21 Application first submitted by Dave Brooks
2. 1981, Jan 26 OWRD, Ralph Jackson letter to Brooks--"we are temporarily behind"
3. 1982, May 11 OWRD, Wayne Overcash letter to Brooks--new priority date
4. 1982, Jun 22 OWRD issues P# G-9684
5. 1982, Jun 28 OWRD issues P# S-46674
6. 1983, Sep 6 Forms B and C submitted by Brooks for both permits
7. 1983, Oct 31 OWRD, Bruce Estes letter to Brooks acknowledges "complete application"
8. 1991, Jun 10 OWRD survey card
9. 1992, May 10 CWRE Gosson letter to Brooks re: OWRD's final proof survey
10. undated accurate rendering of specific acreage developed
11. 1987, Aug color aerial photo showing bogs #1 to #6 as developed
12. 2007 color aerial photo showing acreage developed

RECEIVED
APR 08 2010
WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT B
SUMMARY OF EXHIBIT A ITEMS

1. 1981, Jan 21 Surface water application submitted by Dave Brooks for:
 - a. two sumps (groundwater)
 - b. 10 ac of irrigation, temp control, flood harvest in NE NW Sec 25
 30 ac of irrigation, temp control, flood harvest in SE NW Sec 25
2. 1981, Jan 26 Letter from Ralph Jackson, Supervisor, Application/Permit Section of OWRD to Brooks indicating that:
 - a. Brooks' application had been received, and quite importantly
 - b. "Because of the many applications which have been filed in recent months, we are temporarily behind in our processing."
3. 1982, May 11 Letter from Wayne Overcash to Brooks acknowledging Brooks' return of the corrected applications; primary (file # G-10112) and the supplemental application from the unnamed stream (file # S-61176). Both applications were assigned the new priority date of April 5, 1982. Overcash describes corrected applications having a total of 40 acres each and that the corrected applications "appear to be in satisfactory form".
4. 1982, Jun 22 OWRD issues primary P# G-9684
 - a. PURPOSE is listed as irrigation, temperature control, and flood harvesting
 - b. RATE and DUTY--the specific rates and duty allowed are for 40 acres
 - c. PRIORITY DATE--April 15, 1982 (in error, see May 11, 1982 letter)
 - d. PLACE OF USE
 - in the NE NW 10 acres
 - in the SE NW 10 acres from each of 3 POD's thus totaling 30 acres
5. 1982, Jun 28 OWRD issues supplemental P# S-46674
 - a. PURPOSE is listed as supplemental irrigation, supplemental temperature control and supplemental flood harvest.
 - b. RATE and DUTY--the specific rates and duties allowed for 40 acres
 - c. PRIORITY DATE--April 5, 1982 (correct, but conflicts w/primary right's date)
 - d. PLACE OF USE
 - in the NE NW 10 acres
 - in the SE NW 30 acres
6. 1983, Sep 6 Form B and Form C (completion of construction and beneficial use forms) submitted by Brooks for both primary and supplemental rights. Received by OWRD on Sep 14, 1983. Form B and C dates required by both permits were October 1, 1983 and October 1, 1984 respectively.

RECEIVED

APR 08 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

7. 1983, Oct 31 Bruce Estes, Supervisor of Survey/Certificates Section acknowledges receipt of Forms B and C. He indicates that a final proof survey will be made at a later date and that, "In the meantime, the permit which you hold will be a matter of record so long as you continue to use the water." In effect, OWRD is saying that the permit holder has fulfilled his obligations and it is now the obligation of OWRD to perform the final proof survey and to certify the permit as a certificate to the extent that beneficial use has been made under the terms of the permit.

8. 1991, Jun 10 a. OWRD "SURVEY CARD"
"shows 89 by Schmorde--not drafted
Medford does not
have--what to do.
Brooks called
last week
6-10-91 Dave
Field Form Not here--"

b. The significance of these hand written notes are indicative of the stresses OWRD found itself dealing with regarding permits awaiting survey and certification. This SURVEY CARD would indicate that OWRD notes showed that Roseburg survey crew chief, Mike Schmorde had surveyed the Brooks bogs in 1989, but that no follow-through had been performed in reducing his survey to a final proof map. The then regional survey crew located in Medford indicated that they did not have Schmorde's survey, leading to the comments, "what to do". The survey card also indicates that Brooks had called the week prior to 6-10-91 and that the "Field Form" was not in Salem at that time. These notes were compiled by Dave (?), an OWRD staff member.


c. Again, as with Bruce Estes 1983 letter (above), this is an indication that in good faith, the permittee, Brooks, had fulfilled his obligation, and that he was awaiting certification of the permit as a water right by OWRD, which was its obligation.

9. 1992, May 10 CWRE Gosson's letter to Brooks indicating that Gosson has made enquiries of OWRD's Suzie James, regional survey crew leader in Medford, and that she indicated that the Brooks final proof was not on her OWRD assigned list of final proof maps to be drafted. Still another indication that OWRD was not making progress in their obligation at certification

10. undated For reference, "Riley Cranberry Farms" acreage under cultivation showing 28.71 acres. This is an accurate rendering of specific acreage developed.

11. 1987, Aug For reference, color aerial photo shows bogs 1-6 fully developed.

12. 2007 For reference, a color aerial photo showing bogs 1-12.

JPD/7 Apr 10/ 

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

Application No. 2-10112

Permit No. _____

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

JAN 21 1981

Application for a Permit to Appropriate Ground Water

WATER RESOURCES DE
SALEM, OREGONI, Dave H. Brooks - Brookhill Farms of Oregon

(Name of Applicant)

of Rt 1- Box 906

(Mailing Address)

(503)

Bandon

(City)

State of Oregon97141

(Zip Code)

Phone No. 347-9296

do hereby

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

1. The development will consist of Two sumps

(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 80' X 800' and an estimated depth of 20 feet.2. The well or other source is to be located See R.M.s. ft. and ft.from the corner of

(Public Land Survey Corner)

(If there is more than one well, each must be described)

being within the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ ofSec. 25 Tp. 29 R. 15, W. M., in the county of Cook

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
T 29S	R 15W	25	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Flood Harvest, Temp control (POD #1) 10AC Cranberry Irr.
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	" Sump #1 (POD #2)
"	"	"	"	" Sump #2 (POD #3)
"	"	"	"	" Sump #4 (POD #4)
T 29S	R 15W	25	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sump #1 POD #1 10AC Cranberry Irrigation, Temp Control*, Flood Harvest
T 29S	R 15W	25	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sump #1 POD #2 10AC Cranberry Irrigation, Temp Control, Flood Harvest
T 29S	R 15W	25	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sump #2 POD #3 10AC Cranberry Irrigation, Temp Control, Flood Harvest
T 29S	R 15W	25	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sump #2 POD #4 10AC Cranberry Irrigation, Temp Control, Flood Harvest

4. It is estimated that N/A feet of the well will require _____ casing.

(Kind)

5. Depth to water table is estimated 8 Well drilled by N/A

(Feet)

* "Temperature Control" when used in reference to raising cranberries has traditionally meant use of water for both heat control AND frost protection.

ITEM#Z Remarks:
POD#1 1800'N 690'W FM interior 1/4 cor. sec 25 } Sump #1
POD#2 1250'N " " }
POD#3 575'N " " } Sump #2
POD#4 520'N " " }
~~POD#5~~

COPY

THIS APPLICATION PREPARED BY:

J.P. Dredet, Coquille Field Office

FROM INFORMATION FURNISHED BY
THE APPLICANT.

Paul H. Dredet
Signature of Applicant

~~This is to certify that I have examined the foregoing application, together with the accompanying maps~~
and data, and return the same for..... correction and completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with
corrections on or before..... March 15....., 19..... 82.....

WITNESS my hand this..... 14th..... day of..... December....., 19..... 81.....

James E. Sexson..... Water Resources Director

By.....

Wayne J. Overcash
Wayne J. Overcash

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

..... 21..... day of..... January....., 19..... 81....., at..... 11:00..... o'clock
..... A..... M.

Application No..... 10 112.....

Permit No.....

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

6. The amount of water which the applicant intends to apply to beneficial use is 30.22 cubic feet

per second or 16.22 gallons per minute.

(Sump #1, 0.5 cfs Sump #2, 0.5 cfs)

(Sump #1, 10 cfs Sump #2, 10 cfs)

7. The use to which the water is to be applied is IRR=1.0 cfs Temp control= 20.0 cfs

Flood harvest= 9.22 cfs (Sump #1, 4.61 cfs Sump #2, 4.61 cfs)

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

N/A

9. If the location of the ^{SUMP} well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

15' distance and 15' elevation

10.

DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system. ^{MANLINE for pump to laterals} ^{Sprinkler}

10" to 4" at manifolds on Bogs

2 pumps, 1, 30 HP and 1, 60HP

Other pumps have been purchased for the continued development of the system and it is anticipated that the total quantity of water to be used will approach the quantity of water applied for

11. Construction work will begin on or before Has begun

12. Construction work will be completed on or before 11-20-82

13. The water will be completely applied to the proposed use on or before 11-20-83

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right. N/A

RECEIVED

APR 08 2010

Application No.

G-10112

Permit No.

**WATER RESOURCES DEPT
SALEM, OREGON**

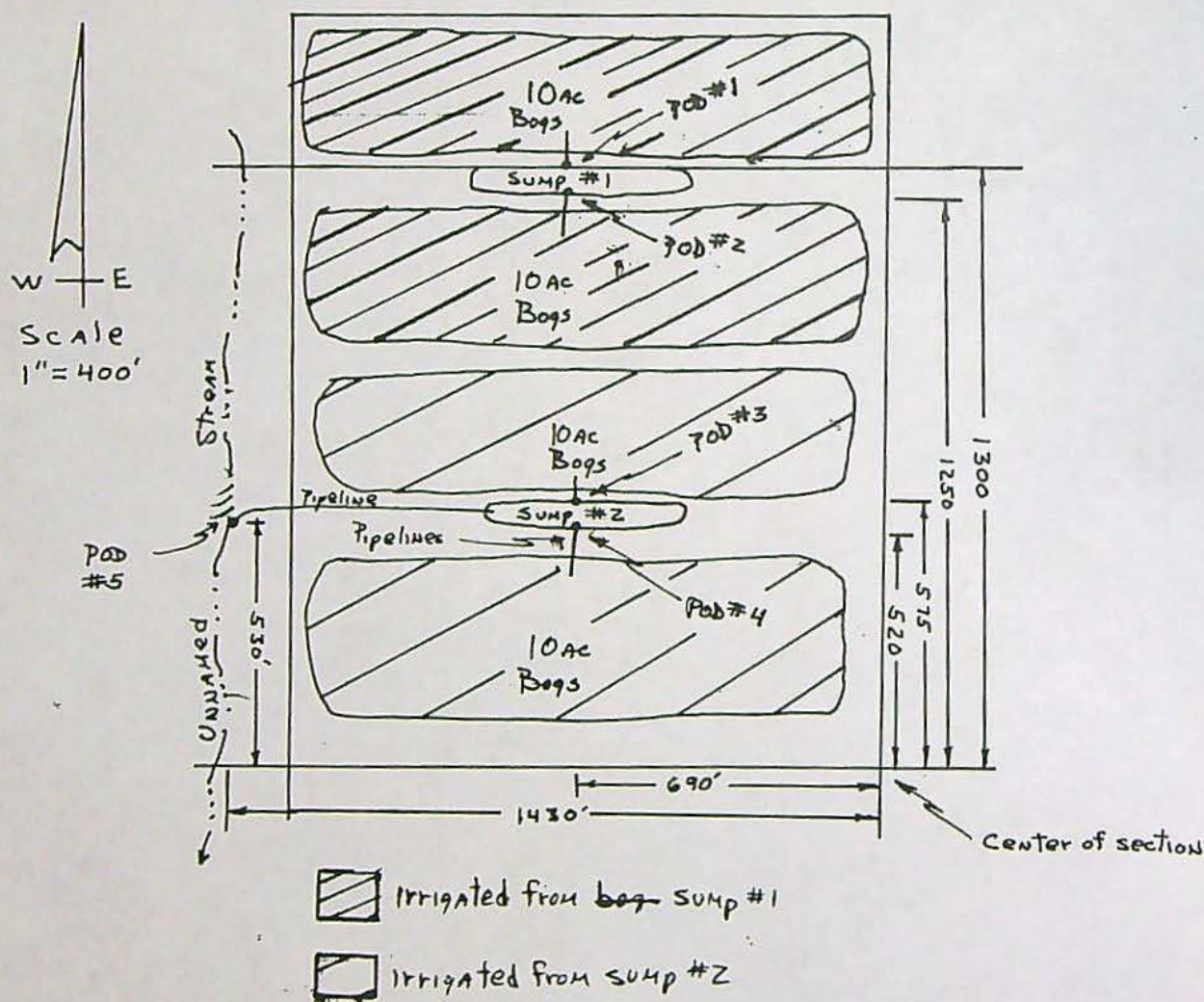
COPY

RECEIVED

JAN 21 1981

WATER RESOURCES DEPT
SALEM, OREGON

T29S R15W
Portion of
Sec 25



Application No. G 10112
Permit No. RECD

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

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



2

Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or
1-800-452-7813

January 26, 1981

Dave H. Brooks
Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

REFERENCE: File G-10112

Ground water Application

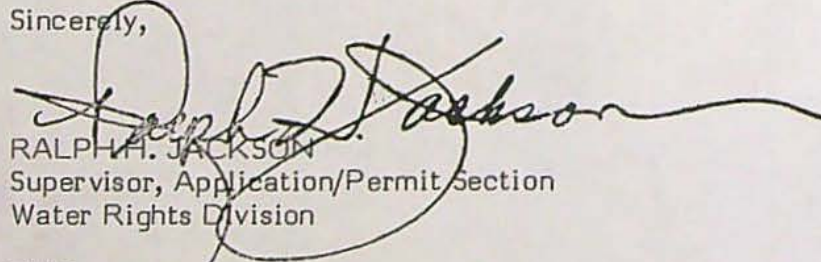
We have received your application for use of water for irrigation, temperature control and flood harvesting, along with the supporting data and fees. Our Receipt 22452 is enclosed. Your application has been filed and assigned number G-10112.

Because of the many applications which have been filed in recent months, we are temporarily behind in our processing. Your application will be examined in detail as soon as possible. We will contact you if we need any additional information. If a permit is required to satisfy the conditions of a loan or land sale or if other emergency conditions exist, please let us know and we will attempt to process your application in the shortest possible time.

The permit approving your application will be issued without further correspondence if no additional information is required. The proposed appropriation will be subject to existing minimum flows and demands of prior rights during periods of low water.

Thank you for your patience.

Sincerely,


RALPH H. JACKSON
Supervisor, Application/Permit Section
Water Rights Division

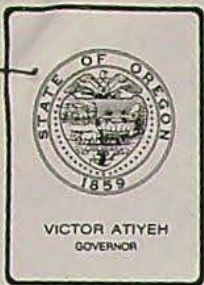
RHJ:wpc
enclosure
0427A
3689A

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

3



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or
1-800-452-7813
(message line)

May 11, 1982

Dave H. Brooks
Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

REFERENCE: Files 61176 & G-10112

This is to acknowledge return of your Applications G-10112 and 61176 along with the supporting map. The applications have been reinstated and given a new priority date of April 5, 1982, being the date they were received. Our Receipts 30239 and 30240 covering fees of \$60 credited to these two applications are enclosed.

Application G-10112 now describes the proposed use of 0.5 cubic foot of water per second for irrigation, 10.0 cfs for temperature control and 4.61 cfs for flood harvesting of 20.0 acres, and 0.5 cfs for irrigation, 10.0 cfs for temperature control and 4.61 cfs for flood harvesting on another 20.0 acres.

The duty of water that may be allowed for temperature control amounts to 0.15 cfs per acre and the duty of water that may be allowed for flood harvesting amounts to 0.05 cfs per acre. Therefore, unless you can justify greater amounts, the permit approving your application will allow 0.5 cfs from each source (sump) for irrigation, 3.0 cfs from each sump for temperature control, and 1.0 cfs from each sump for flood harvesting.

Both applications appear to be in satisfactory form. However, we will hold action toward issuance of permits for thirty days to allow you time to comment on the amounts of water to be allowed.

Sincerely,

Wayne J. Overcash
Senior Water Rights Examiner

WJO:tw
cc: John Drolet, Assistant Watermaster

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON



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 wells, 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

RECORDED, See Misc. Rec., Vol. 8 Page 287

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

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

RECEIVED

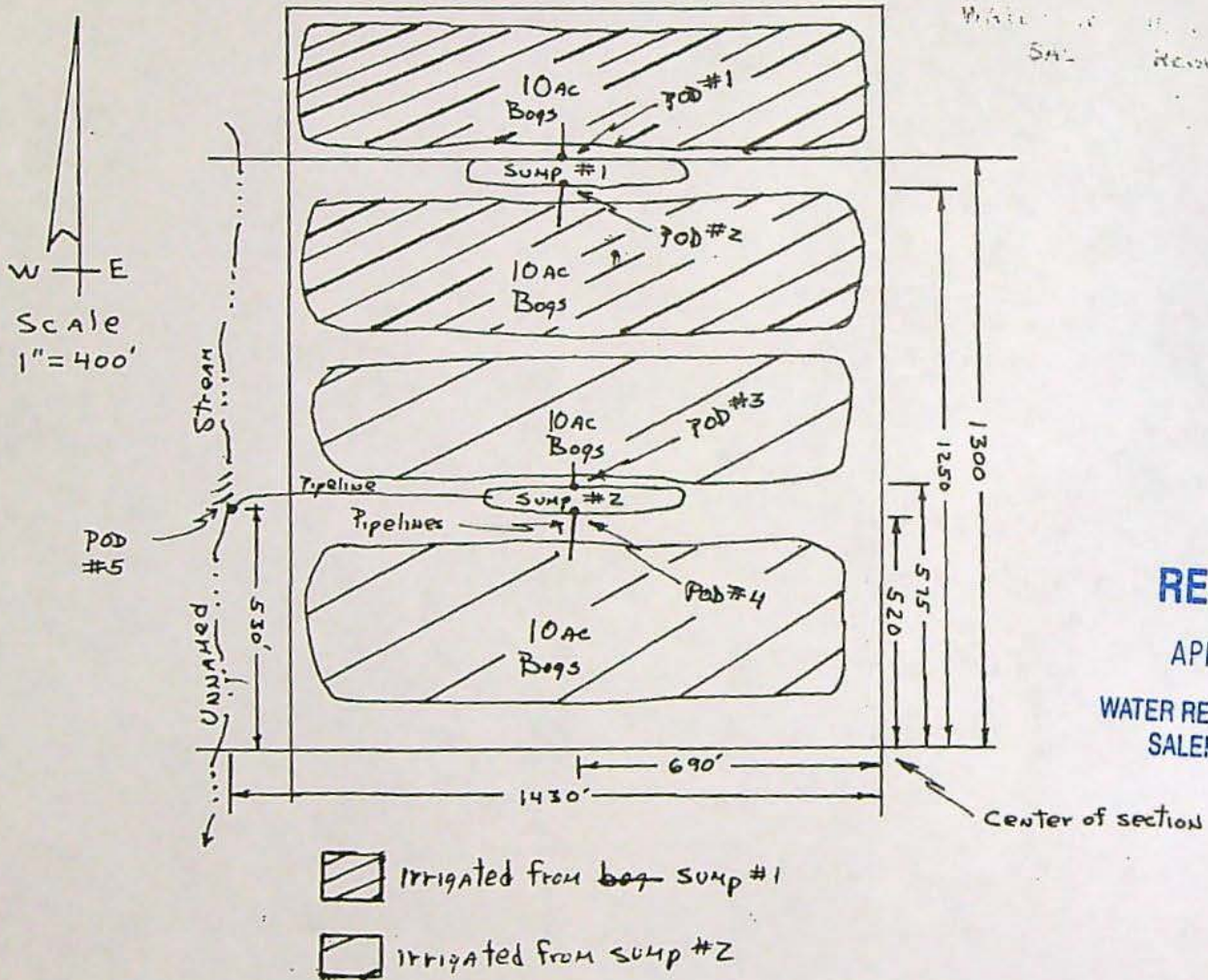
APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

hills farms of Oregon

T29S R15W
Portion of
Sec 25

WATER RESOURCES DEPT
SALEM, OREGON



RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

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

46674

MAP PREPARED BY: J.P. Drole, Coquille Field Office
FOR THE: OREGON DEPT. OF AGRICULTURE
BY THE: ADJUTANT.

Abstract of Permit

46614
4-5-8
5

S-44674

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, one Brookhill Farms of Oregon at 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.

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

PERMIT S-46674

Fourmile Creek & Misc

Basin 17, Vol. 3

APPLICATION 61176

Actual construction work shall begin on or before June 26, 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.

WATER RESOURCES DIRECTOR

APPLICATION 61176

PERMIT 46674

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

61176

Dave Brooks
DBA: Brookhill Farms of Oregon

RECEIVED

JAN 21 1981

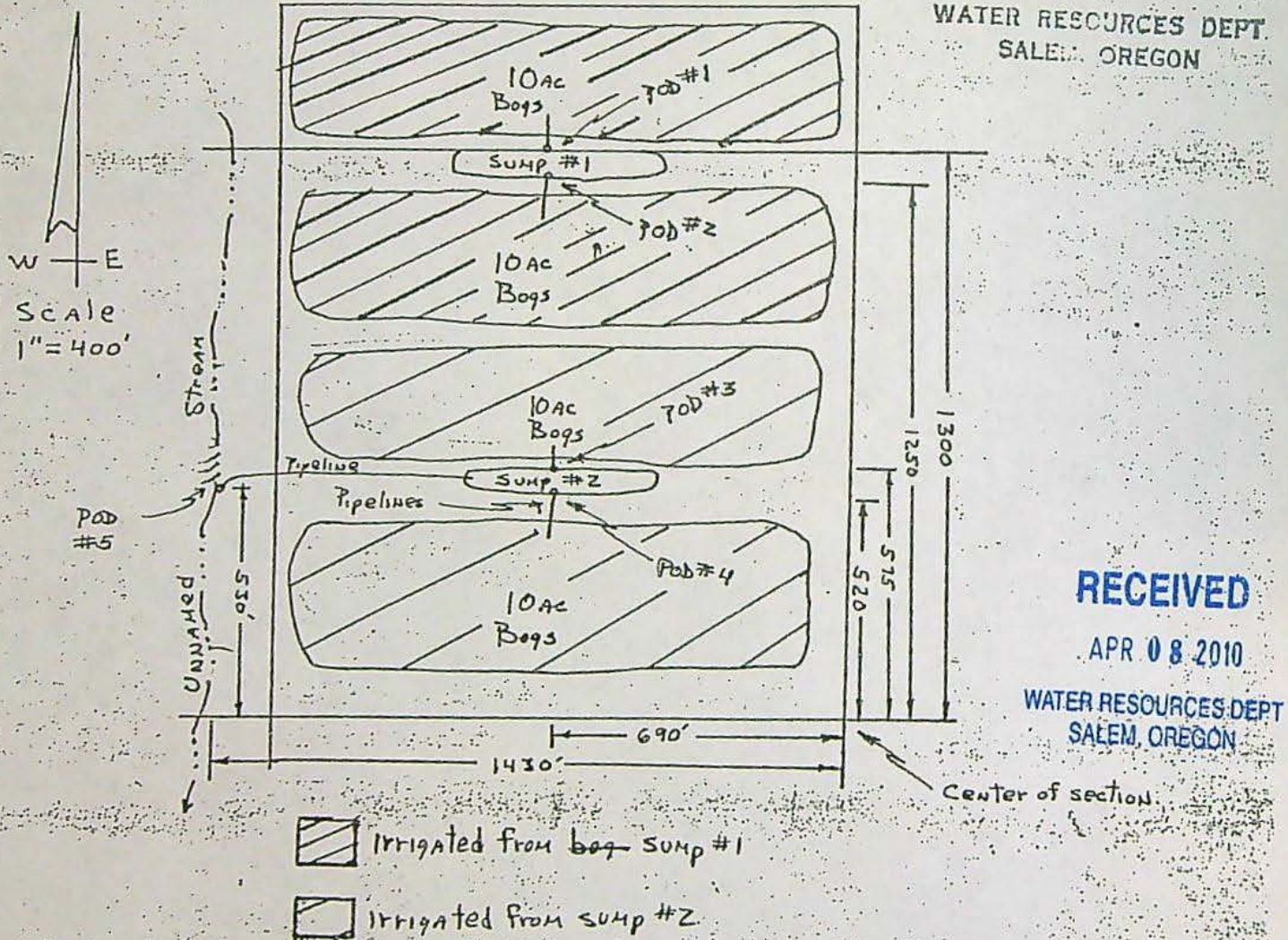
WATER RESOURCES DEPT
SALEM, OREGON

T29S R15W
Portion of
Sec 25

RECEIVED

APR 5 1982

WATER RESOURCES DEPT
SALEM, OREGON



RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

Application No. G 10112-611
Permit No. G 9684
46671

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

6

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 610112461176

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Dave Brooks Brookhill farms of Or., the holder of Permit No. G-9684
46674

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the _____ day of _____, 19____.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 6 day of Sept., 1983

Dave Brooks
(Signature of Applicant)

(Address)

Form B (690-9-77)

Application No. 610112461176

NOTICE OF COMPLETION OF CONSTRUCTION

I, Dave Brooks Brookhill farms of Or., the holder of Permit No. G-9684
46674

to appropriate the public waters of the state of Oregon, completed the construction of the works described herein on the _____ day of _____, 1983

Remarks: Temp #1 will not be completed at this time
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-

Temp #1 & System is completed.
ent, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 6 day of Sept., 1983

Dave Brooks
(Signature of Applicant)

(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

Form 3811, Dec. 1980

SENDER: Complete return address.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered —C

☐ Show to whom, date, and address of delivery.. —C

2. ☐ RESTRICTED DELIVERY

(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

Water Resources Dept

4. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED

☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER

P463

184 430

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized agent

W. B. L.

5. DATE OF DELIVERY

SEP 14 1983

POSTMARK

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

7



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508 or
1-800-452-7813

October 31, 1983

Dave H. Brooks
Brookhill Farms of Oregon
Rt. 1, Box 906
Bandon, OR 97411

G-9684
P-9684

REFERENCE: Files G-10112 and 61176

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permits G-9684 and 46674.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date.

After this survey, proof may be made and certificate issued covering the actual use of water as found by our Water Rights Examiner. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the proof.

In the meantime, the permit which you hold will be a matter of record so long as you continue to use the water.

Sincerely,

BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

690-10-128
6163A

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

8

Survey card
shows 89 by Schwardt - Not Dr. St. 1/2
Medford does not
have - what to do.

Brooks called
last week

6-10-91 Dave ←

• Field Form Not here -

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

9

JAMES F. GOSSON Consulting Engineer

580 South State Street
Sutherlin, Oregon 97479

CIVIL ENGINEER
LAND SURVEYOR
WATER RIGHTS EXAMINER

(503) 459-2243

May 10, 1992

Dave Brooks
Route 1 Box 906
Bandon, Oregon 97411

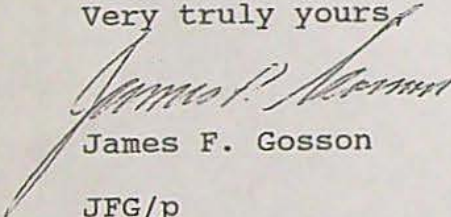
Re: Permit 46674

Dear Dave,

As a result of our recent discussion, I have checked with Susan James, the head of the Final Proof Survey team in Medford. The permit is not on her list of surveys to complete at this time.

Give me a call if you have any questions.

Very truly yours,


James F. Gosson

JFG/p

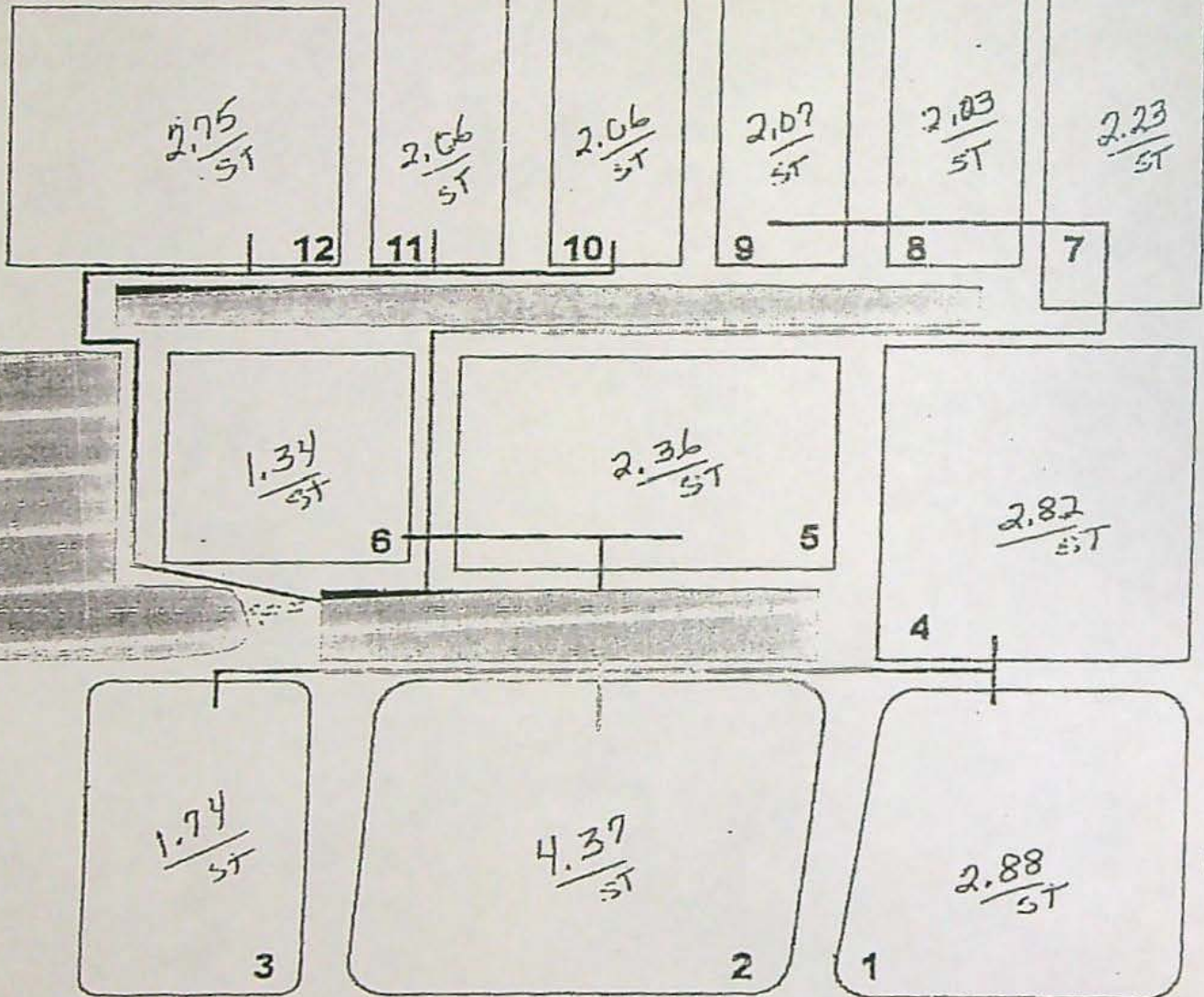
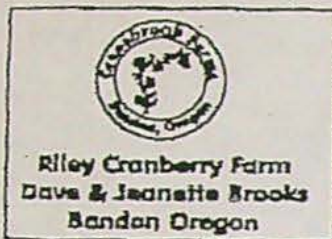
RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

10

Sec. 25 T. 29 S. R. 15 W. W. M.



28.71 Acres in production

11.18.03

RECEIVED

APR 08 2010

WATER RESOURCES DEPT
SALEM, OREGON

OK



mm 201

OSC FOR 5-1



RECEIVED

APR 08 2011

WATER RESOURCES DEPT.
SALEM, OREGON



31

photo = Aug 87



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **99637**

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

INVOICE # _____

RECEIVED FROM: Dave H. + Jeanette D. Brooks
BY: _____

APPLICATION	<u>5-61176</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 2079 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 75.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY) _____	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) <u>Assignment</u>	\$ <u>75.00</u>
TC-162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

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

RECEIPT: **99637**

DATED: 4-8-10 BY: 2R



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, Brookhill Farms of Oregon, Dave H Brooks

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

PO Box 535

Union

WA 98592

360-898-6444

(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/OR Certificate of Registration:

Application # S-61176 ; Permit # S-46674 ; Transfer # n/a

-OR-

License # n/a ; GR Statement # n/a ; GR Certificate of Registration # n/a

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

Ronald D. Puhl and Mary Anne Puhl, Trustees of the Ronald and Mary Anne Puhl Trust UAD 12-1-95

(Name of New Owner)

PO Box 807

Port Orford

OR 97465

541-253-6600

(Mailing Address)

(City)

(State)

(Zip)

(Phone #)

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 5th day of April, 2010.

Applicant/Permit Holder Brookhill Farms of Oregon

Applicant/Permit Holder Dave H Brooks

DAVE H. BROOKS

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 # 99637
- 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.

CR #2079
4-5-2010

Last updated: August 21, 2009

Request for Assignment

WR RECEIVED

APR 08 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

April 9, 2010

David H. and Jeanette D. Brooks
P.O. Box 535
Union, Washington 98592

Reference: Application S-61176, Permit S-46674

The assignment from Brookhill Farms of Oregon to Ronald D. Puhl and Mary Anne Puhl, Trustees of the Ronald and Mary Anne Puhl Trust 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 99637 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

Enclosure: Receipt 99637

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

Application No. 61176

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

Application for Permit to Appropriate Surface Water

JAN 21 1981

WATER RESOURCES DEPT

SALEM, OREGON

I, DAVE H. Brooks-DBA - Brookhill farms of Oregon

(Name of Applicant)

of Rt 1 - Box 906

(Mailing Address)

(503)

Bandon

(City)

State of Oregon97411

(Zip Code)

Phone No. 347-9296

do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is AN UNNAMED stream, a tributary of Laurel Lake, trib Fourmile Cr2. The point of diversion is to be located 530 ft. N and 1430 ft. W

(N. or S.)

(E. or W.)

from the Interior 1/4 corner of Sec 25

(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the SW 1/4 of the NW 1/4 ofSec. 25 Tp. 29S R. 15W, W. M., in the county of Coos

(N. or S.)

(E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
29S	15W	25	NE 1/4 NW 1/4	10AC Irr. Temp Supp. Irr., Supp. Temp Control, Supp. Flood Har
"	"	"	SE 1/4 NW 1/4	30AC Supp Irr., Supp. Temp Control, Supp. Flood Harvest
* "temperature control" when used in reference to raising cranberries has traditionally meant use of water for both heat control AND for frost protection.				

20.00
13.00 Irrig 40 ac
25.00 Temp Control 6 cfs
12.00 Flood Harv. 2 cfs
70.00

4. The amount of water which the applicant intends to apply to beneficial use is 30.22
cubic feet per second.....
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Supp Irr = 1.0 cfs, Supp. Temp. control =
20.0 cfs, Supp. flood harvest = 9.22 cfs.

6.

DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

10" to 4" at manifolds on bogs }
2 pumps - 1, 30 HP and 1, 60 HP. } other pumps have been purchased
for the continued development of the system and it is ex-
ticipated that the total quantity of water to be used will
approach the quantity of water applied for

If for domestic use state number of families to be supplied N/A

7. Construction work will begin on or before 11-20-81

8. Construction work will be completed on or before 11-20-82

9. The water will be completely applied to the proposed use on or before 11-20-83

Application No. 6 1176

Permit No.

Remarks:.....

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

X Dave H. Brooks
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for..... correction and completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before March 15 19 82.....

WITNESS my hand this 14th day of December 19 81.....

James E. Sexson Water Resources Director

By Wayne J. Overcash
Wayne J. Overcash

RECEIVED

APR 5 1982

WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

..... 21 day of January 19 81 at 11:00 o'clock
A.M.

Application No. 61176

Permit No.

Application No. 61176

Permit No.

Pc

Permit to Appropriate the Public Waters of the State of Oregon

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

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from

6.0
on unnamed
stream

The use to which this water is to be applied is supplemental irrigation, supplemental temperature control, and supplemental flood harvesting, being 1.0 cfs for supplemental irrigation, 6.0 cfs supplemental temperature control, and 2.0 cfs for supplemental flood harvesting

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated.....

double
duty
consumption

Signs
limb
Temperature
control
close

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is

Actual construction work shall begin on or before..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of....., 19.....

April 15, 1982

REX A

Remarks:.....

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

X Dave H. Brooks
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for..... correction and completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before March 15 , 19 82

WITNESS my hand this 14th day of December , 19 81

James E. Sexson Water Resources Director

By Wayne J. Overcash

RECEIVED

APR 5 1982

WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

..... 21 day of January , 19 81 , at 11:00 o'clock
A.M.

Application No.....

61176

Permit No.....

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 <i>UNAVAILABLE NO CHECK OUT CARD</i>	G9684	Northwest Farm Credit Services, David Brooks Trustee: Puhl Trust	
✓ G11800 <i>→</i>	G12852	Northwest Farm Credit Services, David Brooks	<i>Canceled.</i> <i>DESTROYED?</i>
✓ G13208	G13022	Northwest Farm Credit Services, David Brooks Trustee: Puhl Trust	<i>or</i> <i>ARCHIVED?</i>
✓ 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

RECEIVED 6/1/76

FORM TO
REPORT WATER ACTUALLY USED JUL 16 1985
FOR ORCHARD FROST PROTECTION RESOURCES DEPT
SALEM, OREGON

(use separate sheet for each field sprinkler system combination)

Name of user Dave Brooks - Brookhill Farms of O. Permit No. 46674

Field Description: T. 29 S R. 15 W Sec. 25 $\frac{1}{4}$ NE $\frac{1}{4}$ NW Acres 20

Description of Sprinkler System:

2 Pump motor 60 HP Type turbine Pump size (60) 8" Type discharge
30 10"

Operating pressure 60 psi and 55 psi Main line dia. (in) 10"
at pump at av. head

Length (ft) 1600' Lateral dia. (in) 2" Length (ft) 21,000'

Nozzel sizes (in) 1/8" Total no. heads 550 Nozzel mfr. No. Rainbird

Additional Data: Is water measured by meter? Is there a significant elevation change between pump and field?

no - no

Date 1985 Mo. Day Yr.	Turned On		Turned Off		Hours Run	Rate of Flow GPM	Total Acre Feet	Acres Covered
	Air Temp	Time	Air Temp	Time				
Feb. 16, 17, 18, 19, 20, 21, 23, 25, 26, 27, 28	Below 40°	varies	15 min on 15 min off		total hours approx. remaining 126 PM			20
March 2nd - 11th, 13, 14, 18, 19, 20, 21, 22, 24					(2 hours)			
April 4, 9, 12, 19, 20, 22, 23, 24, 25, 30								
May 4, 7, 8, 11, 12, 13, 15, 29								
June 13 th on	Irrigation - 1 hour every other day.							
July -	"		"		"	"		

Use back of sheet for sketches and comments if needed.

July 7, 1985
Date

Dave Brooks
Signed



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

May 20, 1987

Dave H. Brooks
DBA Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

REFERENCE: File 61176

Under the terms of your Permit 46674, you were to record and submit annually, all pertinent data regarding use of water for temperature control to the Water Resources Department.

To date, this information has not been received. A form for reporting is enclosed.

Sincerely,

RALPH H. JACKSON, Supervisor
Application/Permit Section

RHJ:tcb

Enclosure

0024E

1987

WATER RESOURCES DEPARTMENT
REPORT FORM FOR WATER
USED FOR TEMPERATURE CONTROL

RECEIVED

61176

JUN 26 1987

(use separate sheet for each field sprinkler system combination)

Name of user Dave Brooks/DBA Brookhill Farms of Or. Permit No. 76674Field Description: T. 295 R. 15W Sec. 25 $\frac{1}{4}$ NE $\frac{1}{4}$ NW Acres 20
295 15W 25 SE NW 20

Description of Sprinkler System:

Pump motor 30 HP 60 HP Type turbine Pump size 6" discharge 8" Type turbineOperating pressure 50 psi and 48 psi Main line dia. (in) 10"-4"
at pump at av. head @ MAN. folds
ON BagsLength (ft) underground Lateral dia. (in) 3" to 3/4" Length (ft) -Nozzel sizes (in) 1/8" Total no. heads 460 Nozzel mfr. No. RAINbirdAdditional Data: Is water measured by meter? no Is there a significant elevation
change between pump and field? 15' elevation - 15' distance

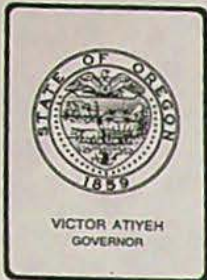
Date Mo. Day Yr.	Turned On		Turned Off		Hours Run	Rate of Flow GPM	Total Acre Feet	Acres Covered
	Air Temp	Time	Air Temp	Time				
<u>MARCH 1, 87</u>	<u>Below 38°</u>		<u>Above 38°</u>		<u>varies with weather</u>			
<u>JUNE 15, 87</u>	<u>Above 80°</u>		<u>Below 80°</u>		<u>"</u>	<u>30.25</u>		<u>20 Acres covered</u>
<u>OCT 86</u>	<u>Flooded for harvest</u>				<u>1 flood only</u>			

Use back of sheet for sketches and comments if needed.

6-1-87

Date

Janette Brooks
Signed



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8508

June 27, 1986

Dave H. Brooks DBA
Brookhill Farms of Oregon
Rt. 1, Box 906
Bandon, OR 97411

REFERENCE: File Number 61176

Dear Mr. Brooks:

Thank you for submitting information regarding your use of water for temperature control under Permit Number 46674.

Enclosed is a form for reporting your use of water during the next year.

Please submit the enclosed form prior to June 1, 1987.

Sincerely,

STEPHEN C. BROWN
Senior Water Rights Examiner

SCB/jw

Enclosure

REVISED

JUN 24 1986

6-10112
61176

STATE ENGINEER FORM TO
REPORT WATER ACTUALLY USED
FOR ORCHARD FROST PROTECTION
WATER RESOURCES DEPT
SALEM, OREGON

(use separate sheet for each field sprinkler system combination)

Name of user Dave Brooks, DBA Brookhill Farms of OR

Permit No. 6-9684

Field Description: T. 295 R. 15W Sec. 25 $\frac{1}{4}$ NE $\frac{1}{4}$ NW Acres 20
" " " " " " " "

Description of Sprinkler System:

Pump motor 5 HP Type cent. Pump size 3" discharge Type —

Operating pressure 10 psi and 10 psi Main line dia. (in) 4"
at pump at av. head

Length (ft) 530' Lateral dia. (in) 4" Length (ft) 530'

Nozzel sizes (in) none Total no. heads — Nozzel mfr. No. —

Additional Data: Is water measured by meter? no Is there a significant elevation change between pump and field? 15'

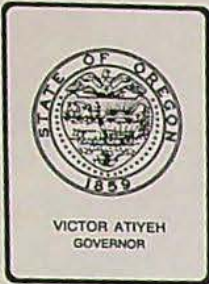
Date Mo. Day Yr.	Turned On		Turned Off		Hours Run	Rate of Flow GPM	Total Acre Feet	Acres Covered
	Air Temp	Time	Air Temp	Time				
June 85	used for supplying swamp only					100	—	—
Oct ¹⁰ 85								

Use back of sheet for sketches and comments if needed.

6-1-86

Date

Janette Brooks
Signed



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8508

June 4, 1986

Dave H. Brooks
Brookhill Farms of Oregon
Rt. 1, Box 906
Bandon, OR 97411

REFERENCE: File Number 61176

Dear Mr. Brooks:

Under the terms of your Permit 46674, you were to record and submit annually, all pertinent data regarding use of water for temperature control to the Water Resources Department.

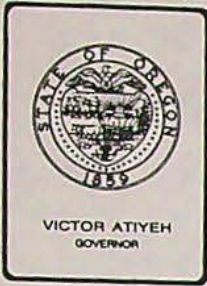
To date, this information has not been received. A form for reporting is enclosed.

Sincerely,

STEPHEN C. BROWN
Senior Water Rights Examiner

SCB/jw

Enclosure



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

July 18, 1985

Dave H. Brooks
Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

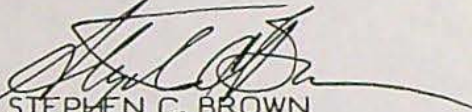
REFERENCE: Files G-10112 and 61176

Thank you for submitting information regarding your use of water for temperature control under Permits G-9684 and 46674.

Enclosed is a form for reporting your use of water during the next year.

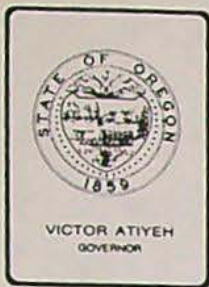
Please submit the enclosed form prior to June 1, 1986.

Sincerely,


STEPHEN C. BROWN
Senior Water Rights Examiner

SCB:wpc

3060C



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

June 10, 1985

Dave H. Brooks
DBA Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

Under the terms of your Permit 46674 , you were to record and submit annually, all pertinent data regarding use of water for temperature control to the Water Resources Department.

To date, this information has not been received. A form for reporting in enclosed.

Sincerely,

STEPHEN C. BROWN
Senior Water Rights Examiner

SCB:wpc
2870C

WATER RESOURCES DEPARTMENT
FORM TO
REPORT WATER ACTUALLY USED
FOR ORCHARD FROST PROTECTION

61176
RECEIVED

JUL 31 1984

WATER RESOURCES DEPT
OREGON

(use separate sheet for each field sprinkler system combination)

Name of user DAVE BROOKS - Brookhill Farms of Or. Permit No. 46674

Field Description: T. 295 R. 15W Sec. 25 $\frac{1}{4}$ NE $\frac{1}{4}$ NW Acres 20

Description of Sprinkler System:

2 Pump^{motor} 60 HP Type turbine Pump size (60) 8" discharge Type (30) 6"

Operating pressure 60 psi at pump and 55 psi at av. head Main line dia. (in) 10"

Length (ft) 1600' Lateral dia. (in) 2" Length (ft) 21,000'

Nozzel sizes (in) 1/2" Total no. heads 550 Nozzel mfr. No. RANBIRD

Additional Data: Is water measured by meter? Is there a significant elevation change between pump and field?

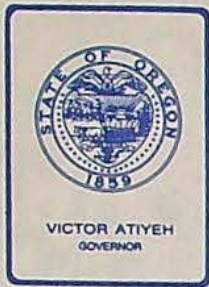
NO - NO

Date Mo. Day Yr.	Turned On		Turned Off		Hours Run	Rate of Flow GPM	Total Acre Feet	Acres Covered
	Air Temp	Time	Air Temp	Time				
<u>FEB 3, 4, 1984</u>	<u>36-38°</u>	<u>(15 min on - 15 min off)</u>			<u>to the time approx 2 hours</u>	<u>126 PM</u>	<u>-</u>	<u>20</u>
<u>March 6, 7, 8, 11</u>	<u>Below 38°</u>		<u>"</u>		<u>"</u>	<u>"</u>		<u>"</u>
<u>16, 17, 22, 24</u>	<u>38°</u>		<u>"</u>		<u>"</u>	<u>"</u>		
<u>27, 29, 30, 31</u>	<u>"</u>		<u>"</u>		<u>"</u>			
<u>April</u>								
<u>May 6, 7, 30, 31</u>	<u>below 38°</u>		<u>"</u>		<u>"</u>			
<u>June</u>	<u>Irrigation every other day for 1 hour</u>				<u>1 hour</u>			
<u>July</u>					<u>"</u>			

Use back of sheet for sketches and comments if needed.

July 27, 84
Date

Dave Brooks
Signed



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

June 4, 1984

Dave H. Brooks
DBA Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

Under the terms of your Permits 46674 and G-9684, you were to record and submit annually, all pertinent data regarding use of water for temperature control to the Water Resources Department.

To date, this information has not been received. A form for reporting in enclosed.

Sincerely,

STEPHEN C. BROWN
Senior Water Rights Examiner

SCB:wpc
2870C
2871C

WATER RESOURCES DEPARTMENT
REPORT FORM FOR WATER
USED FOR TEMPERATURE CONTROL

Riley Boef

61176

(use separate sheet for each field sprinkler system combination)

Name of user Dave Brooks Brookhill Farms of Or. Permit No. 446674

Field Description: T. 29S R. 15W Sec. 25 $\frac{1}{4}$ NE $\frac{1}{4}$ NW Acres 20

RECEIVED

SEP 14 1983

Description of Sprinkler System:

2 Pump Motor ⁶⁰/₃₀ HP Type Turbin Pump size ^{(60) 8" discharge}/_{(30) 6"} Type WATER RESOURCES DEPT.
SALEM, OREGON

Operating pressure 60 psi and 55 psi Main line dia. (in) 10"
at pump at av. head

Length (ft) 1600' Lateral dia. (in) 2" Length (ft) 2100'

Nozzel sizes (in) 1/8" Total no. heads 550 Nozzel mfr. No. Rainbird

Additional Data: Is water measured by meter? Is there a significant elevation change between pump and field?

No - No

Date Mo. Day Yr.	Turned On		Turned Off		Hours Run	Rate of Flow GPM	Total Acre Feet	Acres Covered
	Air Temp	Time	Air Temp	Time				
March 26, 27, 83	below 38°				2 hours	12 GPM		20
April 3, 4, 6, 8,	}				"	"		"
11, 12, 13,					"	"		"
14, 15 & 24					"	"		"
May - none					"	"		"
June 13, 83								

Use back of sheet for sketches and comments if needed.

9-6-83

Date

Dave Brooks

Signed

1983

WATER RESOURCES DEPT!
SALEM, OREGON

WATER RESOURCES DEPT!
SALEM, OREGON

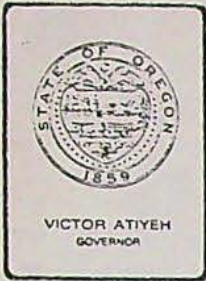
YOUR PERMIT REQUIRES AN ANNUAL REPORT OF ALL USE OF WATER FOR IRRIGATION WHICH OCCURS DURING THE PERIOD OF OCTOBER 1 THROUGH MARCH 31 OF EACH YEAR (OUTSIDE OF THE NORMAL IRRIGATION SEASON). PROOF OF BENEFICIAL USE WILL NOT BE MADE FOR IRRIGATION DURING THIS PERIOD OF TIME (OCTOBER 1 THROUGH MARCH 31) UNLESS ANNUAL REPORTS ARE SUBMITTED TO THE WATER RESOURCES DIRECTOR ON OR BEFORE APRIL 30 OF EACH YEAR.

THE ATTACHED FORM MUST BE COMPLETED AND SUBMITTED TO THE WATER RESOURCES
DIRECTOR AT 555 13TH ST. NE SALEM, OREGON 97310

NAME DAVE H. BROOKS
DBA Brookhill Farms of
Oregon PERMIT NO. 46674

REPORT OF WATER USE FOR IRRIGATION OUTSIDE OF THE NORMAL IRRIGATION SEASON.

[illegible]



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

June 2, 1983

PHONE 378-8508
1-800-452-7813
(message line)

Dave H. Brooks DBA
Brookhill Farms of Oregon
Rt. 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

Under the terms of your Permit Number 46674, you were to record and submit annually, all pertinent data regarding use of water for temperature control to the Water Resources Department.

To date, this information has not been received. A form for reporting is enclosed.

Sincerely,

Thomas E. Shook
Senior Water Rights Examiner

TES/jw

Enclosure

July 19, 1982

Dave H. Brooks
DBA Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

61176

46674

378-3066 or
1-800-452-7813
(message line)

May 11, 1982

Dave H. Brooks
Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

REFERENCE: Files 61176 & G-10112

This is to acknowledge return of your Applications G-10112 and 61176 along with the supporting map. The applications have been reinstated and given a new priority date of April 5, 1982, being the date they were received. Our Receipts 30239 and 30240 covering fees of \$60 credited to these two applications are enclosed.

Application G-10112 now describes the proposed use of 0.5 cubic foot of water per second for irrigation, 10.0 cfs for temperature control and 4.61 cfs for flood harvesting of 20.0 acres, and 0.5 cfs for irrigation, 10.0 cfs for temperature control and 4.61 cfs for flood harvesting on another 20.0 acres.

The duty of water that may be allowed for temperature control amounts to 0.15 cfs per acre and the duty of water that may be allowed for flood harvesting amounts to 0.05 cfs per acre. Therefore, unless you can justify greater amounts, the permit approving your application will allow 0.5 cfs from each source (sump) for irrigation, 3.0 cfs from each sump for temperature control, and 1.0 cfs from each sump for flood harvesting.

Both applications appear to be in satisfactory form. However, we will hold action toward issuance of permits for thirty days to allow you time to comment on the amounts of water to be allowed.

Sincerely,

Wayne J. Overcash
Senior Water Rights Examiner

WJO:tw
cc: John Drolet, Assistant Watermaster

378-3066 or
1-800-452-7813
(message line)

March 16, 1982

Dave H. Brooks
Brookhill Farms, of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

REFERENCE: Files G-10112 & 61176

The Applications G-10112 and 61176 which were returned to you have not been received. They were endorsed so that in order to retain their priority dates, they must have been received in this office on or before March 15, 1982.

The applications have lost their priority, but may be reinstated and given new priority dates as of the date they are again received.

Sincerely,

Wayne J. Overcash
Senior Water Rights Examiner

WJO:tw



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066
or
1-800-452-7813
(message line)

December 14, 1981

Dave H. Brooks
DBA Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

REFERENCE: Files G-10112 and 61176

Your Application G-10112 describing the proposed use of 30.22 cubic feet per second of water from two sumps, being 1.0 cfs for irrigation, 20.0 cfs for temperature control, and 9.22 cfs for flood harvesting has been reviewed.

Also, your Application 61176 describing the proposed use of 30.22 cfs of water from an unnamed stream, being 1.0 cfs for supplemental irrigation, 20.0 cfs for supplemental temperature control, and 9.22 cfs for supplemental flood harvesting on 40 acres, together with the map supporting both applications, has been reviewed.

I apologize for the long delay in responding to you about the applications. We will need additional information on the ground water application and clarification on the amounts of water to be appropriated before the applications can be considered for approval.

For clarification, it will be necessary for you to complete Item 3 of Application G-10112 by merely indicating the acreage to be supplied water from each sump without using ditto marks.

Item 7 of Application G-10112 must be further completed, by noting the amount of water to be appropriated from each sump for each use. You should review the amounts presently requested. According to the information you have supplied in Item 10, the capacity of your system is 2,000 gallons of water per minute. The amount of 20 cfs you presently noted for temperature control equals about 9,000 gallons of water per minute and the amount of 9.22 cfs requested for flood harvesting equals a little over 4,000 gpm. Therefore, Item 7 should request an amount of water that you can beneficially use through your systems or system that you may install in the next few years. The amount of water requested in your surface water Application 61176 should also be reviewed.

COPY

Dave H. Brooks
December 14, 1981
page two

The penciled information you have supplied in the items of the ground water application and of the surface water application, if correct, should be redone in ink or typed.

If separate areas will be supplied from each sump as indicated in Item 3 of your ground water application, this should also be clearly indicated and illustrated on your supporting map.

If the temperature control will be for both heat and frost protection, this must be noted in the applications.

I am returning Applications G-10112 and 61176 along with the map for correction and completion. The applications are endorsed so that in order to retain their priority date they must be received in this office on or before March 15, 1982.

Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

WJO:wpc
enclosures
8397A



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or
1-800-452-7813

January 26, 1981

Dave H. Brooks
Brookhill Farms of Oregon
Route 1, Box 906
Bandon, OR 97411

Dear Mr. Brooks:

REFERENCE: File 61176

We have received your application for use of water for supplemental irrigation, supplemental temperature control, supplemental flood harvesting, along with the supporting data and fees. Our Receipt 22453 is enclosed. Your application has been filed and assigned number 61176.

Because of the many applications which have been filed in recent months, we are temporarily behind in our processing. Your application will be examined in detail as soon as possible. We will contact you if we need any additional information. If a permit is required to satisfy the conditions of a loan or land sale or if other emergency conditions exist, please let us know and we will attempt to process your application in the shortest possible time.

The permit approving your application will be issued without further correspondence if no additional information is required. The proposed appropriation will be subject to existing minimum flows and demands of prior rights during periods of low water.

Thank you for your patience.

Sincerely,

RALPH H. JACKSON
Supervisor, Application/Permit Section
Water Rights Division

RHJ:wpc
enclosure
0427A
3689A

COPY

STATE OF OREGON

INTEROFFICE MEMO

TO File No. 61176

DATE 4-17-81

FROM Don Buell

SUBJECT Call from Lincoln Pearson, Dept. of Fish and Wildlife.

They are concerned with the source and quantity of water involved in this application. We should check with them before issuing a permit.

Don

SCHEDULE A

Amount \$ 95,000.00

Date June 27, 1980

At 3:37 P.M.

INSURED

DAVE H. BROOKS and JAMES J. HILL

and

LOWELL E. MEYER

RECEIVED

JAN 21 1981

WATER RESOURCES DEPT
SALEM, OREGON

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,

as an estate in fee simple,

(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.

Application No. G-10112
Permit No. 46674



STATE OF OREGON

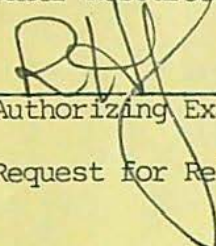
INTEROFFICE MEMO

TO: Water Resources Bookkeeper

DATE:

6/25/82

FROM:


Authorizing Examiner

SUBJECT:

Request for Refund Check

mailed
8-20-82
gh

Please refund \$ 40⁰⁰ to Davett. Brooks - Brookhill Farms of Oregon
file no. G-10112, receipt no. 30239. These funds are refunded
due to:

- ☐ Application rejected
☐ Application withdrawn
☒ Excess fees collected for application
☐ File closed
☐ Other: _____

January 21, 1981

R
Application No.

61176

Permit No.

46674

Name Dave H. Brooks DBA Brookhill Farms of Oregon

Address Rt. 1, Box 906 Bandon, OR 97411

Assigned

Address

Beginning construction

JUN 28 1983

Completion of construction

OCT

1 1984

Extended to

OCT

1 1985

Complete application of water

Extended to