

& C RANCH  
10 HOLLAND LOOP ROAD  
IVE JUNCTION, OR 97523

Stream Index, Page No. \_\_\_\_\_

Date Certificate issued \_\_\_\_\_

REMARKS





STATE OF OREGON  
COUNTY OF Josephine

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

C & C RANCH  
5710 HOLLAND LOOP ROAD  
CAVE JUNCTION, OR 97523

confirms the right to store the waters of  
RUNOFF IN MOSER DITCH, A TRIBUTARY OF SUCKER CREEK IN THREE  
RESERVOIRS  
for IRRIGATION.

The right to store and use these waters was perfected under Reservoir Application R-77141.  
The date of priority is January 1, 1993. The amount of water entitled to be stored and  
used each year under this right is not more than 2.066 ACRE-FEET, BEING  
0.816 AF IN RES 1, 0.602 AF IN RES 2, 0.648 AF IN RES 3

Located as follows:

SE 1/4 NE 1/4 SECTION 31, TOWNSHIP 39 SOUTH, RANGE 7 WEST WM.  
SE 1/4 NE 1/4 SECTION 31, TOWNSHIP 39 SOUTH, RANGE 7 WEST WM.  
SE 1/4 NE 1/4 SECTION 31, TOWNSHIP 39 SOUTH, RANGE 7 WEST WM.

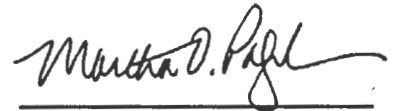
ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife (ODFW). If the subject pond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

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

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

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

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



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 70918



N&W  
NW

Assisted by



T291

1/11

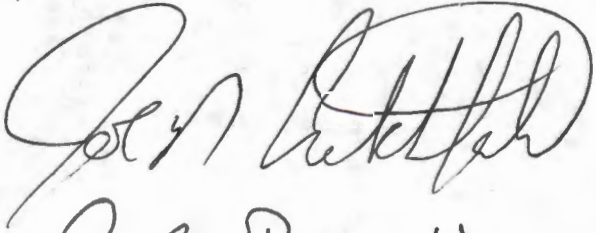


# of Acres IRRIGATED is 110.

ALL PASTURES AND FIELDS ARE WATERED AT ONE POINT DURING IRRIGATION SEASON.

THE WATER WE RECEIVE FROM SUCKER CREEK IS USED DIRECTLY FOR IRRIGATION.

IF YOU HAVE ANY  
QUESTIONS  
PLEASE CALL

  
C+C RANCH

REC'D

JAN 29 1996

WATER RESOURCES DIV.  
SALEM, OREGON

January 16, 1996

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WATER  
RESOURCES  
DEPARTMENT

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Dear Applicant,

The 1995 Legislature passed House Bill 2376, a law which requires the Department to issue water right certificates on reservoirs applied for under House Bill 2153 (1993 Ponds Bill).

**Our staff is preparing to issue your certificate(s). However, we need a map showing the location of the use, such as the house or area irrigated, and an indication as to the number of acres irrigated.**

In order to expedite the processing of your certificate(s), we request that you submit the additional information listed above by **January 31, 1996**. A copy of your original application map is enclosed.

Should you have any questions please feel free to call the Water Rights Information Group at 1-800-624-3199, extension 499.

Sincerely,



Gerry Clark  
Completeness Team



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



February 9, 1995

C & C RANCH  
5710 HOLLAND LOOP ROAD  
CAVE JUNCTION, OR 97523

REFERENCE: File # R-77141;

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

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

After an application has been accepted for filing, public notification of the application is made, followed by a mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. In general, the Department works through Oregon's 18 river basins on a rotating schedule, processing applications in the order in which they have been received.

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

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



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

REFERENCE: File(s) - R-77141

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

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

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

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

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

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, the demands of prior right holders and other conditions to conform the water use to particular standards.

Please contact the Water Rights Information Group (WRIG) if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,



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

cc: CWRE



Application File # 12-77111

Application File # 12-77141

OAR 690-11-020

**DATE STAMP**

INITIAL

Name and mailing address of applicant

Source of water

Quantity of water

Map showing location of POD & POU

## Use of water

### Names and addresses of legal owners

**Signature of applicant**

## Oath

### Application date stamped per money receipt date

Land use approved ✓ pending       

If reservoir < 5 AF \$ 50, if > 5 AF \$         

HB 2153/HB 2107 APPLICATION -- SEE REVERSE

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

DATA CENTER

## Stream Code

Entered into WRIS

## SUPPORT SERVICES

Stamp contents with application number

Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file

Place label on file and calender card

## APPLICATION SECTION

Stream Indexed      Basin #\_\_\_\_\_

Plat Carded and copy made	<u>YES</u>	<u>NO</u>
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If dam is over 10 feet or storage exceeds 9.2

AC-FT, route file to Dam Safety Section

## TR CASEWORKER

TR Checklist complete

YES NO

Within Irrigation District

District Notified

District excerpt received

TR Mailed DATE \_\_\_\_\_

Public Interest Checklist complete \_\_\_\_

## Management Codes

REMARKS:

MINIMUM APPLICATION REQUIREMENTS TO FILE:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



#B2153

Application No. 2-77141**RECEIVED**

JAN - 4 1995

State of Oregon  
WATER RESOURCES DEPARTMENTWATER RESOURCES DEPT.  
SALEM, OREGON**Application for a Permit to <sup>for existing</sup> Construct a Reservoir**Applicant(s) C & C Ranch

(Please print or type - use dark ink)

Mailing Address: 5710 Holland Loop Road  
Cave Junction OR 97523 503 592-3443  
City State Zip Daytime Phone No.I (We) make application for a permit to ~~construct~~ for existing reservoir and store the following described waters of the State of Oregon:

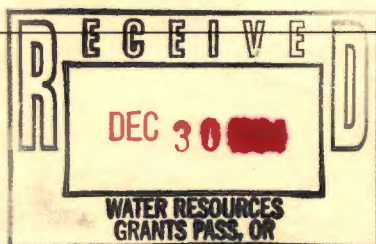
1. **SOURCE OF WATER** for the proposed use: IRRIGATION,  
a tributary of SUCKER CREEK by way of Moser Ditch.  
If not in channel of a stream, state how it is to be filled: \_\_\_\_\_

2. **THE DAM:** The maximum height of the structure will be 4 ft feet above stream bed or ground surface at the centerline. for Pond 2 + 3  
The dam will be (check one) 2+3 earthfill, \_\_\_\_\_ concrete, \_\_\_\_\_ flashboard, X other.  
If "other" give description: POND 1 All Existing Sides ARE  
GROUND LEVEL

Give the location, description, and dimensions of the outlet conduit: POND 1 12"  
STEEL PIPE ON EAST SIDE. POND 2 12" VALVE ON OUTLET  
CONDUIT W/ 8" OVERFLOW. POND 3 14" OUT LET CONDUIT  
IN CENTER OF DAM

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. **THE USE(s)** of the impounded water will be: IRRIGATION ON all Ponds



2.066e  
(1) .816 (2) .602 (3) .648

4. **THE AMOUNT OF WATER** to be stored is: 1.03 acre-feet.  
The area submerged by the reservoir, when filled, will be (1) .408 (2) .301 (3) .324 acres,  
and the maximum depth of water will be 5 feet.

5. **SPILLWAY DESCRIPTION** (location and dimensions). State whether over or around the dam. none

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

Proposed date construction work will begin Ponds are existing  
Proposed date construction work will be completed \_\_\_\_\_  
Proposed date water use will be completed \_\_\_\_\_

**NOTE:** Prior to issuance of a permit, it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. The legal description may be copied from your deed, title insurance policy, or land sales contract.

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

\_\_\_\_\_ Applicant \_\_\_\_\_ CWRE \_\_\_\_\_ Other (Identify in REMARKS section)

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

\_\_\_\_\_ Applicant \_\_\_\_\_ CWRE \_\_\_\_\_ Other (Identify in REMARKS section)



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

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Everett L. Crutcher  
Signature  
Jonnie Mae Crutcher  
Signature

12-27-94  
Date  
12/27/1994  
Date

-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

\_\_\_\_\_

\_\_\_\_\_

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

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

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Wm #14, Oregon, on the 30th day of Dec, 19 94, at \_\_\_\_\_ o'clock, \_\_\_\_ M.

APPLICATION NO: 277141



29056

NAME C & C Ranch		SHIP TO	
ADDRESS		ADDRESS	
CITY, STATE, ZIP		CITY, STATE, ZIP	
ORDER NUMBER R 77141	TERMS	DATE 1. 4. 95	
WHEN SHIP	HOW SHIP	SALESMAN	

[illegible]

BUYER:

**KEEP THIS SLIP FOR REFERENCE**



**RECEIVED**

JAN - 4 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

**Oregon**

WATER  
RESOURCES  
DEPARTMENT

**NOTE TO LOCAL GOVERNMENTS**

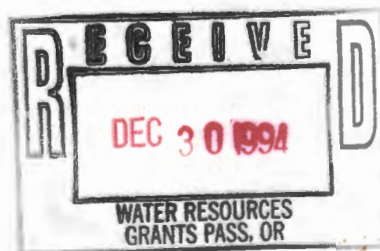
**Application No** R-77141  
**Permit No.**

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

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

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

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



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

## Description of Water Use

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

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

Applicant Name: C + C RANCH  
 Address: 5710 HOLLAND LOOP Rd  
CAVE JUNCTION, OR  
97523  
 Phone: 1-503-592-3443

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

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

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input checked="" type="checkbox"/> Surface Water Name sources: <u>SUCKER CREEK</u>  <input type="checkbox"/> Reservoir or pond  <input type="checkbox"/> Ground Water	<u>1.26</u> Cubic feet per second.  _____ Gallons per minute.  _____ Acre-Feet



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

**RECEIVED**

JAN 4 1995  
WATER RESOURCES DEPT  
SALEM, OREGON

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

Applicant's Name: C & C Ranch  
Address: 5710 Holland Loop Road  
City: Cave Junction State: OR Zip: 97523 Day Phone: 503 592-3443

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

39-7-31

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING Rural Residential/RR-5)	(e.g.	WATER DIVERTED	WATER CONVEYED	WATER USE
100	Agricultural	(EF)			

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

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

**For Local Government Use Only**

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

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

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.  
Cite applicable ordinance section(s); 64.010. Go to section b) on reverse side.

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

Receipt for Request for Land Use Information

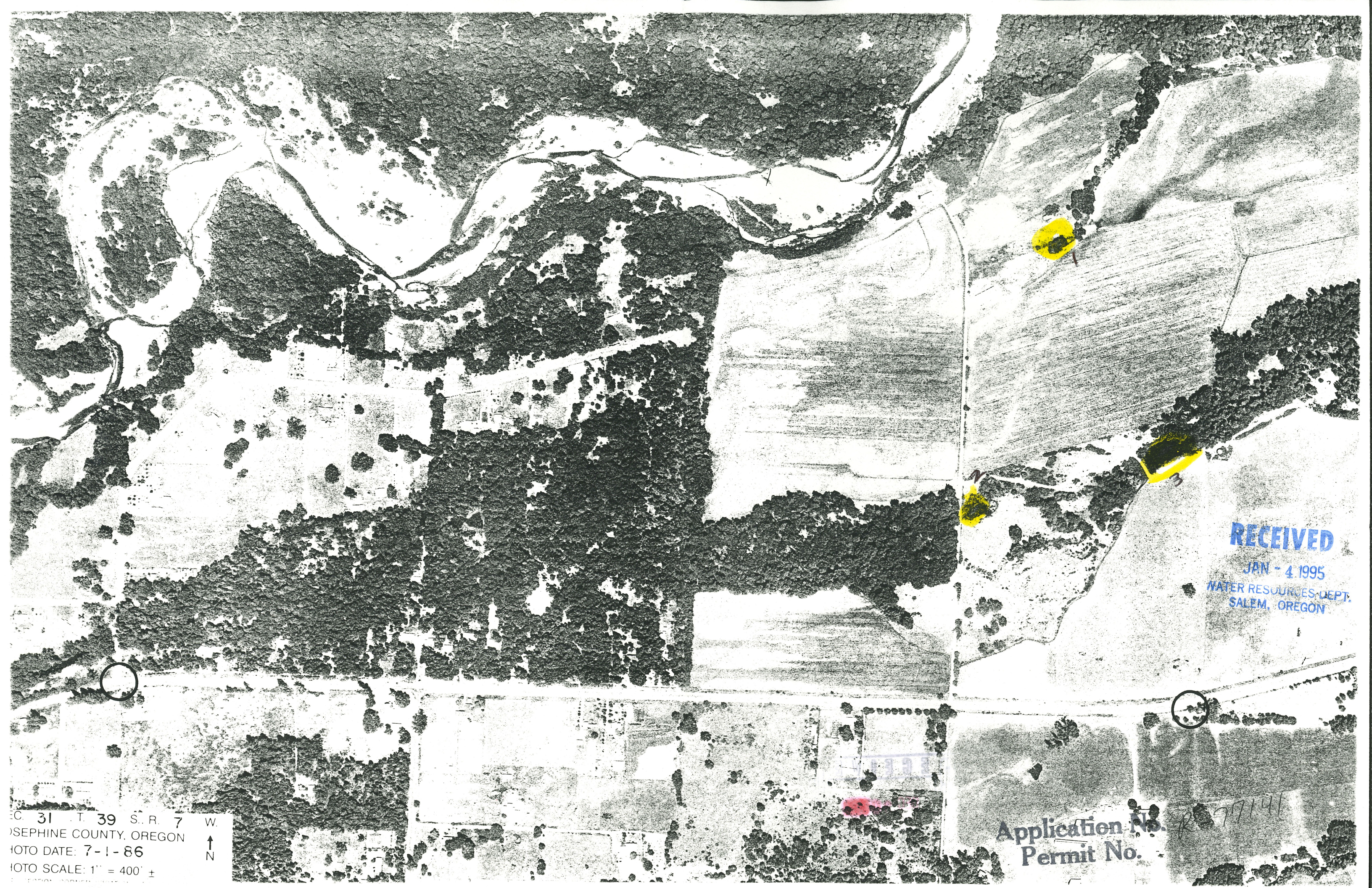
WRD Applicant Name: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: \_\_\_\_\_  
Staff Contact: \_\_\_\_\_ Phone: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date of Information Request: \_\_\_\_\_







RECEIVED  
JAN - 4 1995  
WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. *R 77141*  
Permit No.

EC. 31 T. 39 S. R. 7 W.  
JOSEPHINE COUNTY, OREGON  
PHOTO DATE: 7-1-86  
PHOTO SCALE: 1" = 400' ±  
N  
↑



C4C Ranch  
5710 Holland Sp.  
CT

## 2153 MINIMUM APPLICATION REQUIREMENTS

HB 2153 NOTICES: (ORS 537.141(d))

RECEIVED

JAN - 4 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

1. Notice of Exempt Reservoir Form, including:
  - Source of water
  - max height of dam
  - max depth of reservoir
  - max volume of reservoir
2. Map showing the location of the reservoir and the Township, Range and Section.
3. Evidence that the reservoir existed prior to January 1, 1993; examples of evidence include:
  - notarized affidavit by landowner or other knowledgeable person
  - construction receipts
  - dated aerial photo

HB 2153 APPLICATIONS FOR PERMITS: (ORS 537.400(d))

- 1✓ Completed application for a Permit to Construct a Reservoir, with "HB 2153" written at the top
2. Fee: \$ 50<sup>00</sup>  
Amount
- 3✓ Map showing the location of the reservoir and township range, and section
- 4✓ Evidence that the reservoir was constructed prior to 1993. (see above)
- 5✓ Land use information form completed by a county planning official (city official if inside city limits)

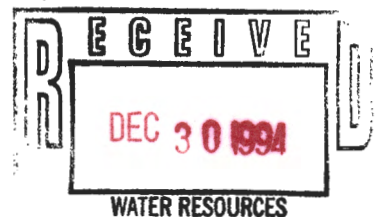
I Lindalee Julander (name)                      (title) certify that the above listed minimum information was submitted to me at the District # 14 Watermaster office on 12/30/94 (date).

Lindalee Julander signature 12/30/94 date

Note to applicant: Enclose this form in the mail with your materials. It must be postmarked on or before January 3, 1995. The Water Resources Department assumes no liability for the safe transfer of your materials to our Salem office via U.S. mail service.

Mail to: Applications, O.W.R.D., 158 12th Street NE, Salem OR 97310

Application No. R-77141  
Permit No.



Application No. K-77141  
Permit No. ....

C & C RANCH  
Name .. 5710 HOLLAND LOOP ROAD .....  
Address CAVE JUNCTION, OR 97523 .....  
Assigned .....  
Address .....  
Beginning construction .....  
Completion of construction .....  
Extended to .....  
Complete application of water .....  
Extended to .....