

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



Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

(503) 986-0900

www.oregon.gov/OWRD

**A fee of \$345 must accompany this form for permits
with priority dates of July 9, 1987, or later.**

Enter the date the priority date of the permit:

1/20/1994

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:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

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

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

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

If you have questions regarding the completion of this form, please call 503-986-0900.

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

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

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SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION # R-73855	PERMIT # (IF APPLICABLE) R-12894	PERMIT AMENDMENT # (IF APPLICABLE)
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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Jack, Sheri or Barbara Fugate; Fugate Farms		PHONE NO. 541-808-1216	ADDITIONAL CONTACT NO.
ADDRESS 48500 Highway 101, P.O.Box 426			
CITY Bandon	STATE OR	ZIP 97411	E-MAIL

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

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

PERMIT HOLDER OF RECORD Same		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

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4. Date of Site Inspection:

2-26-21, 10-7-23, 3-27-25

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Jack and Len Fugate	2-26-21	Owner and Manager
Len Fugate	10-7-23	Manger
Brandon Fugate	3-27-25	Family

6. County

Coos

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

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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SECTION 2**SIGNATURES**CWRE Statement, Seal and Signature

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

Seal and Signature



CWRE NAME William L. Flatz		PHONE NO. 503-939-8381	ADDITIONAL CONTACT NO.
ADDRESS 1228 Goldeneye Court			
CITY Las Cruces	STATE NM	ZIP 88007	E-MAIL billflatz@gmail.com

Permit Holder's of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	JACK FUGATE	owner	10-2-25

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SECTION 3**CLAIM DESCRIPTION****1. Reservoir source and, if from surface water, the tributary:**

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Reservoir-2	Unnamed stream #2, runoff	Two mile creek, Pacific Ocean
Reservoir-6	Runoff, Two mile creek	Two mile creek, Pacific Ocean

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

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
Reservoir-2	Cranberry operations	Dec. 1 – March 31	9.0
Reservoir-6	Cranberry operations	Dec. 1 – March 31	17.3
Total Quantity of Water Stored			26.3

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

Fugate Farms from Google Earth, a well-organized cranberry operation.



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This Claim of Beneficial Use addresses only the reservoirs #2 and #6 which have been constructed and used. Because these reservoirs are only a part of the Fugate Farm cranberry operation the following is a quick explanation of the entire operation.

Reservoirs #1, 2 and 6 were constructed and fill with winter runoff. The winter water levels in the reservoirs are lowered using the flash board systems to prevent over-filling the ponds during winter months or during heavy rains. If freeze protection is needed the POD on Two Mile Creek is used to provide the freeze protection water when needed.

All three reservoirs more than fill each winter. In the case of heavy rains the rain and runoff water from all the cranberry bogs can be re-routed through a series of culverts, valves and ditches around the reservoirs to prevent overfilling the reservoirs.

Reservoir 1 fills from winter runoff and can have water pumped from the Two Mile Creek POD. Reservoir 1 can pump cranberry operations water to the 4 bogs to the east of the pond. Reservoir 1 can pump water up to reservoir 6. Reservoir 1 can reclaim water used from most of the cranberry bogs.

Reservoir 2 fills only from runoff and rain, it is not connected to the existing POD on Two Mile Creek. Reservoir 2 can store water and pump water up to reservoir 6. Reservoir 2 can reclaim water used from most of the cranberry bogs.

Reservoir 6 fills from winter runoff and can have water pumped from the Two Mile Creek POD. Reclaimed water can be pumped from both reservoir 1 and reservoir 2. Reservoir 6 provides water for cranberry operations to all cranberry bogs.

POD on Two Mile Creek was certified in 1999 for certificate 88120 by CWRE James F. Gosson. The system was in operation at the time and was observed to deliver 875 gpm to reservoir 6. The ODFW approved the fish screen in the same time frame. That ODFW paperwork can not be found now. Because the POD is already certified OWRD should have the ODFW fish screen approval. Attached is a letter from ODFW approving the fish screen in 2025.



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Reservoir 2 with walkway out to flash-board stand pipe and staff gage.



Reservoir 2, submersible pump plumbing alongside pump shed.



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Reservoir 2, pipe outlet and meter in reservoir 6.

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Reservoir 6 facing east, pump house on each side of the reservoir.



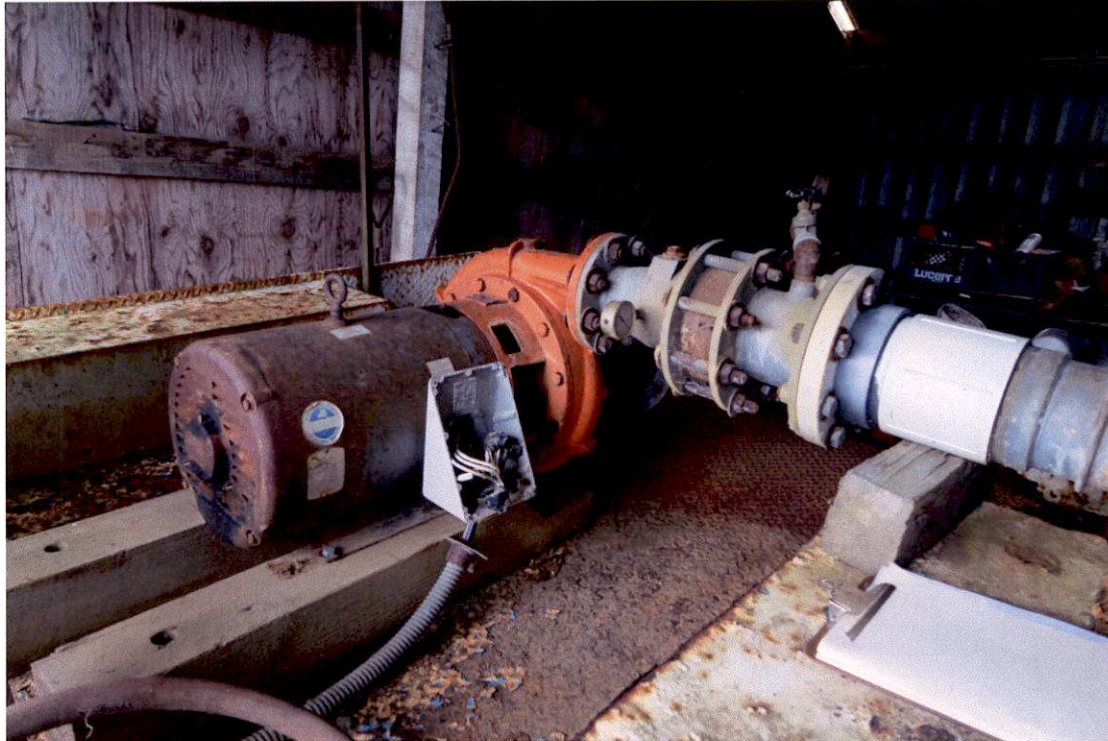
Reservoir 6, flashboard access for outlet pipe on northwest side of reservoir.

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25 hp centrifugal pump on trailer in the shop, portable to pump from Two Mile Creek.



Active fish screen at the Two Mile Creek POD.

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Two Mile Creek POD location, pipe standing up is to protect meter from high water.
Electrical meter is visible on left side.



McCrometer totalizing meter at bottom of pipe. Pipe protects meter from high water and silt.

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

4. Variations:

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

YES

NO

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

This permit allowed the development of 5 reservoirs, reservoirs #2, 4, 5, 6, and 7.

Fugate Farms sold part of their farm to Bandon Biota in the early 2000's. The Bandon Biota property was permitted for reservoirs #4, 5 and 7. This Claim of Beneficial use does not address the Bandon Biota property.

Fugate Farms has developed the reservoirs # 2 and 6.

Reservoir #2 was permitted for 5.0 acre feet. The calculated volume of the reservoir is 9.0 acre feet. Reservoir #6 was permitted for 9.0 acre feet. The calculated volume of the reservoir is 17.3 acre feet.

Note: Fugate Farms permitted the following storage on the property they kept and are farming:

Application #	Permit #	Notes	Permitted Vol	Calculated Vol
R-73854	R-12893	Res #1	9.2 af	8.4 af
R-73855	R-12894	Res #2	5.0 af	9.0 af
		Res #6	9.0 af	17.3 af
R-73856	R-12895	Res #3	48.0 af	0.0 af

Total Storage Permitted on Fugate Farm = 71.2 af

Total Storage Developed on Fugate Farm = 34.7 af

Note: Reservoir 3 above was not constructed.

Reservoirs #4, 5 and 7 in Permit R-12894 are no longer on the Fugate Farm. The property was sold to Bandon Biota, LLC. This claim does not address the Bandon Biota property.

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Reservoir 2	5.0	9.0
Reservoir 6	9.0	17.3

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SECTION 4**SYSTEM DESCRIPTION**

Are there multiple reservoirs?

YES**NO**

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

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

Reservoir #2**A. Reservoir Location**

1. Is the reservoir on-channel?

YES**NO**

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

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
29S	15W	W.M.	24	NW/NE			25'S and 1785'W. from NW corn. Sec 24

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

B. Diversion and Delivery System Information

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

1. Is a pump used?

YES**NO**

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)

3. 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)

4. Provide pump calculations:

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5. 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)

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

6. Additional notes or comments related to the system:**C. Gravity Flow Pipe**

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

1. Does the system involve a gravity flow pipe?

YES

NO

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

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)

3. Provide calculations:**4. If an actual measurement was taken, provide the following:**

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

D. Gravity Flow Canal or Ditch

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

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

YES

NO

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

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2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)

3. Provide calculations:**4. If an actual measurement was taken, provide the following:**

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

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

YES

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

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

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

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
17.8 ft	7.74 ft	1.16 ac	8.98 ac-ft

4. Provide reservoir volume calculations:

See attachments for volume calculations.

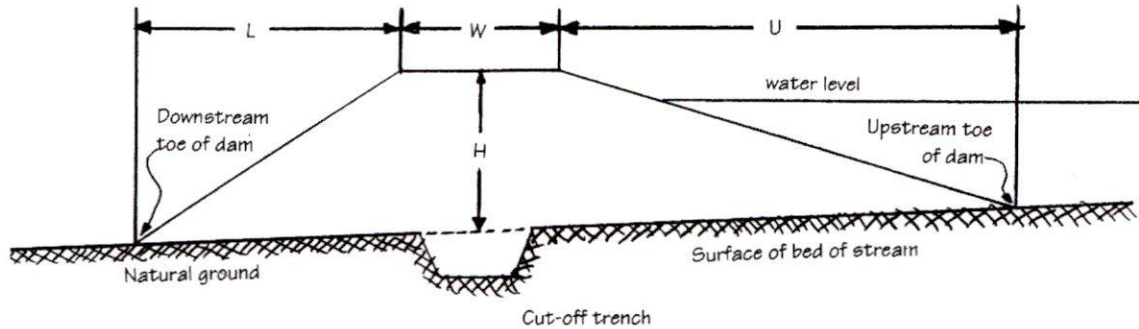
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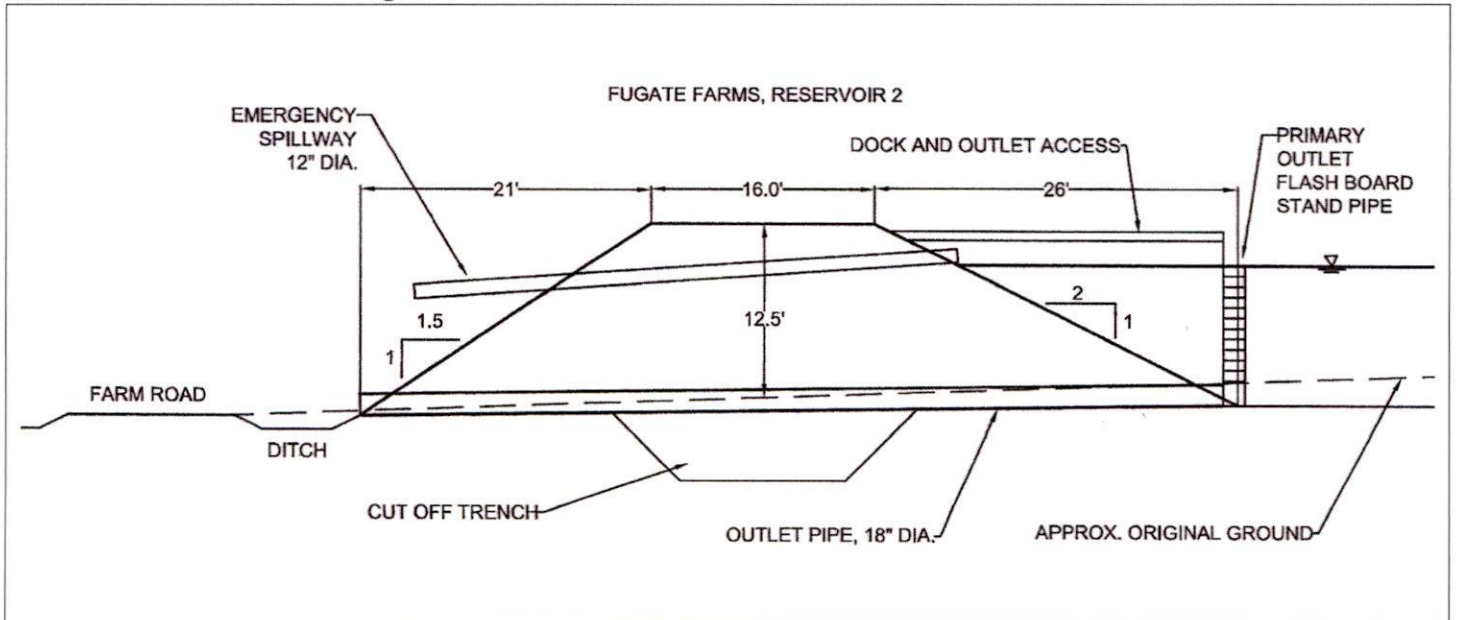
5. Provide the following information concerning the physical characteristics of the dam:

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE
16'	12.5'	21'	26'	Full	1.5 to 1	2 to 1

Example Dam Profile *This box may be deleted from the form*



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



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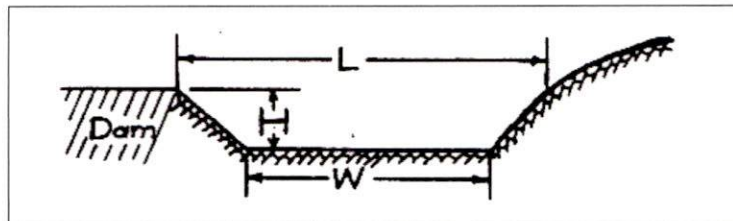
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7. Describe the outlet works (size and type of the outlet conduit and location):

The primary outlet is a wooden flashboard stand pipe connecting to an 18" diameter outlet pipe. The pond water level can be adjusted by removing or adding flash boards. The emergency spillway is a steep 12" diameter plastic pipe that runs through the south end of the embankment and directs any water onto native ground. This cranberry farm has two additional methods of controlling heavy rains. First the owners can close the outlet pipes in the cranberry bogs, allowing the temporary detention of over 50 acre feet of rain water. Second, if the rain event is too much for the detention capacity the owners have the ability to redirect the runoff around all reservoirs through a ditch system.

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

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
12" DIA	12" DIA	12" DIA



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Are there multiple reservoirs?

YES **NO**

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

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

Reservoir #6

A. Reservoir Location

1. Is the reservoir on-channel?

YES **NO**

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

TWP	RNG	MER	SEC	QQ	GLot	DLC	MEASURED DISTANCES
29S	15W	W.M.	13	SE/SE			Excavated reservoir #6 approx. center. 1230'N. and 784' W. from NW corn. Sec 24
29S	15W	W.M.	24	NE/NE			POD, Two Mile Creek, portable pump 1285'S and 1020'W from NW corn. Sec 24

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

B. Diversion and Delivery System Information

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

1. Is a pump used?

YES **NO**

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
Berkeley	B 4 JPBH	M3557	Centrifugal

3. 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)
25	14.5	8	20	2.55

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4. Provide pump calculations:

NOTE: 1999 Claim of Beneficial Use for T-7309 resulting in Certificate 88120 by CWRE James F. Gosson, the portable pumping system was in use and the rate of 875 gpm was specified to reservoir #6. The portable pumping system was not in use when we were on site for this Claim. We are using the OWRD rate-calc pump equation to calculate the theoretical pumping rate to reservoir #6.

Pump Capacity Calculation Sheet

using Department designed formula:

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

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 25
 Efficiency = 6.61
 Lift = 48
 PSI = 14.5

Results Calculated

$(hp)(\text{efficiency}) =$ 165.25
 Head based on psi = 36.8
 Total dynamic head = 84.8
 (head + lift)

Pump Capacity = 1.95 cubic feet per second
 Pump Capacity = 874 gallons per minute

5. 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)
N/A			

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

6. Additional notes or comments related to the system:

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C. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

YES

NO*If "NO", items 2 through 4 relating to this section may be deleted.***2. Complete the table:**

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)

3. Provide calculations:**4. If an actual measurement was taken, provide the following:**

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

D. Gravity Flow Canal or Ditch

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

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

YES

NO*If "NO", items 2 through 4 relating to this section may be deleted.***2. Complete the table:**

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)

3. Provide calculations:

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4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

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

YES

NO

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted.

If "NO", skip items 2; answer items 3 through 8.

2. Complete the table:

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

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

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
11.2 ft	6.45 ft	2.57 ac	17.33 ac-ft

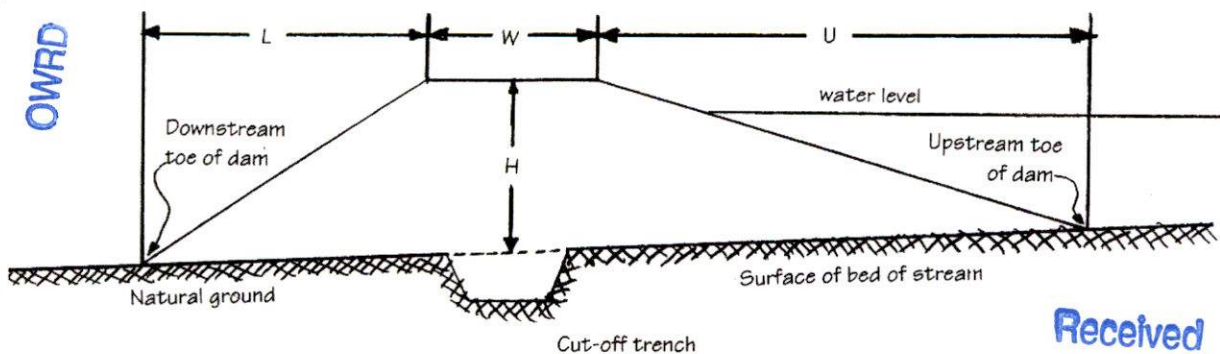
4. Provide reservoir volume calculations:

See attachments for volume calculations.

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

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE
Excavated,	No dam					

Example Dam Profile This box may be deleted from the form



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

Note: Reservoir is excavated, there is no dam. The site was used to excavate the sand needed to construct the surrounding cranberry bogs. The estimated sand needed was less than the farm actually required, therefore the pond volume was larger than the estimate for the permit.

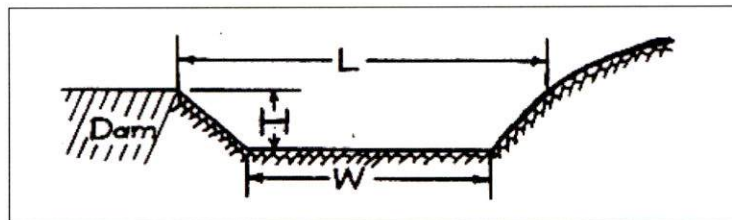
7. Describe the outlet works (size and type of the outlet conduit and location):

An outlet pipe was installed in the northwest corner of the pond. It runs underground to a buried flash board stand pipe. The flash boards when in maintain the pond level. When required the flash boards can be removed to lower the water level, or drain most of the pond.

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

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
N/A		

NOTE: there is no typical emergency spillway. This reservoir was excavated with no dam containing the reservoir. If the pond did overtop it would drain into the surrounding cranberry bogs and the owners could drain the area to the west using the system of ditches, culverts and gate valves. This reservoir has never overflowed.



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SECTION 5 CONDITIONS

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

1. Time Limits:

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

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	8-15-2000		
BEGIN CONSTRUCTION (A)	8-15-2001	5-5-2010, final condition met.	Construction was complete when permit was issued, time required to complete conditions.
COMPLETE CONSTRUCTION (B)	10-1-2004	5-5-2010, final condition met.	Construction was complete when permit was issued, time required to complete conditions.
COMPLETE APPLICATION OF WATER (C)	10-1-2004 10-1-2012 EOT	5-5-2011, one year of use since final condition met.	One year of use after final condition was completed.

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

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

YES NO

3. Measurement Conditions:

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

YES NO

If "NO", items b through f 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.

b. Has a meter been installed?

YES NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Two Mile Crk	McCrometer	Illegible	Working	Unable to read	Before June 1999

If a meter has been installed, items d through f relating to this section may be deleted.

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d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? **YES NO**

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **YES NO**

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

b. Have the reports been submitted? **YES NO**

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

5. Outlet Pipe

a. Is the water user required to install a minimum 8" outlet pipe/conduit? **YES NO**

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

b. Has the outlet pipe been installed? **YES NO**

If "YES", items c relating to this section may be deleted.

c. Does the water user have other means to evacuate the reservoir? **YES NO**

DESCRIBE HOW THE WATER USER PLANS TO EVACUATE THE RESERVOIR	HAS THIS PLAN BEEN APPROVED BY THE DEPARTMENT?	BY WHOM?
Water can be pumped to bogs	No	Owners

6. Fish Screening

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

If "NO", items b through e 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.

b. Has the fish screening been installed? **YES NO**

c. When was the fish screening installed?

DATE	BY WHOM
Before June 1999	Fugate Fams

Note: The owners could not find a copy of the old fish screen approval. See in Attachments a 2025 letter from ODFW approving the fish screen. This POD is already certified by OWRD and has a date of priority date of 10-22-1946.

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** and the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

Has the self-certification form previously been submitted to the Department? **NA YES NO**

- If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx> (search for ODFW Small Pump Screen Self Certification), complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump** or the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **NA YES NO**
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

7. 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?

YES NO

If "NO", items b and c 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.

b. Have by-pass device been installed?

YES NO

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

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DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
No by-pass req'd, pump on creek with active fish screen	1999	owners

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

- a. Was the water user required to restore the riparian area if it was disturbed? YES **NO**
- b. Was a fishway required? YES **NO**
- c. Was submittal of a letter from an engineer required prior to storage of water? YES **NO**
- d. Was submittal of a water management and conservation plan required? YES **NO**
- e. Other conditions? **YES** NO

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

Wiers were required upstream and downstream of the reservoir unless the water master granted a waiver. A 2010 email from the water master, Mitch Lewis, granting the waiver is in the attachments.

Progress reports were required by the EOT in 2011 and 2015, both were submitted. See attachments for OWRD information query printout.

SECTION 6 ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Permit R-12894	A paper copy of the permit for reference.
Extension of time final order	A copy of the EOT final order from 2010.
T-7309 Claim of Beneficial Use	A copy of the COBU report certifying the POD at Two Mile Creek.
Certificate 88120	A copy of the certificate for 12 ac from Two Mile Creek, priority 1946.
Reservoir 2 volume calculations	A spreadsheet copy of the volume calculations by depth.
Reservoir 6 volume calculations	A spreadsheet copy of the volume calculations by depth.
Watermaster email	A copy of an email requesting to waive the weirs requirement.
ODFW fish screen letter.	A copy of ODFW letter approving the fish screen at Two Mile Creek.
Fish Screen data sheet	A copy of the fish screen data kept by the owners.
OWRD query printout.	A copy of the permit query on OWRD web site
Property ownership esri	A copy of parcel ownership from Bandon Biota.
Assignment map	A copy of the assignment map submitted in 2025
Paper COBU map	A paper copy of the COBU map for reference.

SECTION 7**CLAIM OF BENEFICIAL USE MAP**

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

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

The local tax map was downloaded and inserted into an AutoCAD drawing then scaled up to match the labeled dimensions. Property lines, section lined, creeks and roads were located using the tax map. Google air photos were downloaded and inserted into the drawing then scaled to match the tax map. Cranberry bogs, reservoirs, and buildings were located using the air photos.

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
- ☒ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion
- ☒ 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")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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Fugate Farms, Permit R-12894

Claim of Beneficial Use

Attachments

Permit R-12894, paper copy for reference, 4 pages, page 1

Extension Final Order from 2010, 3 pages, page 5

T-7309 Claim of Beneficial Use, 2 pages, page 8

Certificate 88120, 2 pages, page 10

Reservoir 2 volume calculations, 1 pages, page 12

Reservoir 6 volume calculations, 1 pages, page 13

Watermaster email to waive weir requirement, 1 pages, page 14

ODFW Fish Screen Letter, 1 pages, page 15

Fish Screen data sheet, 2 pages, page 16

OWRD query printout, 1 pages, page 18

Copy of parcel ownership from Bandon Biota, 1 pages, page 19

Copy of assignment map, 1 pages, page 20

Paper copy of COBU map for reference, 1 pages, page 21

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STATE OF OREGON

COUNTY OF COOS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACK, SHERI OR BARBARA FUGATE
RT 1 BOX 965
BANDON, OREGON 97411

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

APPLICATION FILE NUMBER: R-73855

SOURCE OF WATER: THREE UNNAMED STREAMS (#2, 4, 5) AND FIELD RUNOFF, TRIBUTARIES OF TWO MILE CREEK, AND TWO MILE CREEK, A TRIBUTARY OF THE PACIFIC OCEAN

STORAGE FACILITIES: RESERVOIRS #2, #4, #5, #6, & #7

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-73857, PERMIT 53694 FOR CRANBERRY OPERATIONS

VOLUME: 32.0 ACRE-FEET (AF) TOTAL EACH YEAR, BEING 5.0 AF IN RESERVOIR #2, 5.0 AF IN RESERVOIR #4, 4.0 AF IN RESERVOIR #5, 9.0 AF IN RESERVOIR #6, AND 9.0 AF IN RESERVOIR #7

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD DECEMBER 1 THROUGH MARCH 31

DATE OF PRIORITY: JANUARY 20, 1994

THE AREAS TO BE SUBMERGED BY THE RESERVOIRS ARE LOCATED WITHIN:

NE 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 13

Application R-73855 Water Resources Department

PERMIT R-12894

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NW 1/4 NE 1/4
SW 1/4 NE 1/4
SECTION 24
TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

DAMS ARE TO BE LOCATED AS FOLLOWS: NE 1/4 SE 1/4, SW 1/4 SE 1/4, SECTION 13; NW 1/4 NE 1/4, SW 1/4 NE 1/4, SECTION 24, T29S, R15W, W.M.; RESERVOIR #2 - 137 FEET NORTH & 3680 FEET EAST, RESERVOIR #4 - 1170 FEET SOUTH & 3150 FEET EAST, RESERVOIR #5 - 1150 FEET SOUTH & 3520 FEET EAST, RESERVOIR #6 - 1810 FEET NORTH & 4600 FEET EAST, RESERVOIR #7 - 2220 FEET SOUTH & 3370 FEET EAST, ALL FROM THE SW CORNER OF SECTION 13

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs must be

Application R-73855 Water Resources Department

PERMIT R-12894

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NW 1/4 NE 1/4
SW 1/4 NE 1/4
SECTION 24
TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

DAMS ARE TO BE LOCATED AS FOLLOWS: NE 1/4 SE 1/4, SW 1/4 SE 1/4, SECTION 13; NW 1/4 NE 1/4, SW 1/4 NE 1/4, SECTION 24, T29S, R15W, W.M.; RESERVOIR #2 - 137 FEET NORTH & 3680 FEET EAST, RESERVOIR #4 - 1170 FEET SOUTH & 3150 FEET EAST, RESERVOIR #5 - 1150 FEET SOUTH & 3520 FEET EAST, RESERVOIR #6 - 1810 FEET NORTH & 4600 FEET EAST, RESERVOIR #7 - 2220 FEET SOUTH & 3370 FEET EAST, ALL FROM THE SW CORNER OF SECTION 13

Measurement, recording and reporting conditions:

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

Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E, I or M. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs must be

Application R-73855 Water Resources Department

PERMIT R-12894

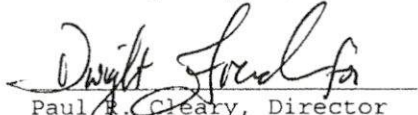
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The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the water to the use shall be made on or before October 1, 2004.

Dated August 15, 2000


Paul J. Cleary, Director
Water Resources Department

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

Application R-73855 Water Resources Department
Basin 17 Volume 3 Twomile Creek & Misc

PERMIT R-12894
District 19

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Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-73855

Final Order
Extension of Time for Permit Number R-12894

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request 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 file 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.

Application History

Permit R-12894 was issued by the Department on August 15, 2000. The permit called for complete application of water to beneficial use by October 1, 2004. On May 30, 2008 Jack and Barbara Fugate submitted to the Department an Application for Extension of Time for Permit R-12894. In accordance with OAR 690-315-0050(2), on May 25, 2010 the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use to October 1, 2015. The protest period closed October 26, 2010 in accordance with OAR 690-315-0060(1). No protest was filed.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2011 and 2015. Forms will be enclosed with your Final Order.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project

and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

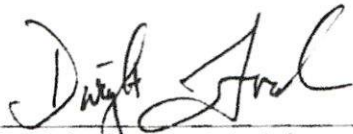
(b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application R-73855, Permit R-12894, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use is extended to October 1, 2012.

DATED: November 16, 2010



Dwight French, Administrator of
Water Rights and Adjudications

for

Phillip C. Ward, Director

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- If you have any questions about statements contained in this document, please contact Jerry Gainey at (503) 986-0812.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

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WATER RESOURCES DEPT.
SALEM, OREGON

CLAIM OF BENEFICIAL USE AND SITE REPORT
IN THE NAME OF FUGATE FARMS

TRANSFER T-7309

PERMIT 17313

SECTIONS 13 AND 24, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

GENERAL INFORMATION

The methods used to determine the information contained in this document are as follows:

1. Examination of Special Order, Volume 50 Page 845,
2. Examination of Assessor Map 29-15-24,
3. Examination of U.S.G.S. Quadrangle Map (Bandon),
4. On-site survey, 17 June, 1999,
5. Interview with Lynn Fugate, 17 June, 1999.

SOURCE

Twomile Creek, a tributary of Pacific Ocean.

POINT OF DIVERSION

Portable pumping, SE1/4 SW1/4, SW1/4 SE1/4, Section 13,; NE1/4 NE1/4, NW1/4 NE1/4, Section 24; T29S, R15W, W.M., Coos County.

USE

Cranberry Irrigation.

PLACE OF USE

NE1/4 SE1/4 Section 13, T29S, R15W; 12.0 Acres.

DIVERSION WORKS AND DELIVERY SYSTEM

A trailer-mounted electric motor and centrifugal pump diverts and delivers water to the place of use via an 8" X 3300' PVC mainline, through an elevation range of 48 feet.

Motor:

Baldor

25 HP

Cat.#: JPK25S1T

Frame: 234jp

Ser.#: 96030

Pump:

Berkeley Centrifugal

Model #: B4JPBH

Ser. #" M3557

Impeller: 10.75" Diameter

Intake: 5"

Discharge: 4"

METER

8-inch McCrometer totalizing meter

Ser.#: illegible

CAPACITY OF THE DELIVERY SYSTEM

By observation of the meter, the system was delivering approximately 875 gallons/minute.

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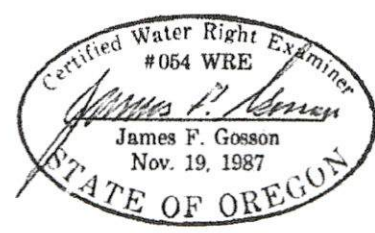
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WATER RESOURCES DEPT.
SA 509 OREGON

CLAIM OF BENEFICIAL USE - FUGATE - PERMIT 17313 - TRANSFER 7309

CERTIFICATION

The Final Proof Survey and inspection of the use as found to be completed under the terms and conditions of Transfer 7309, Permit 17313, were completed by James F. Gosson, Certified Water Right Examiner #54, on 17 June, 1999, and the facts contained in this report and accompanying Final Proof Map are correct to the best of my knowledge.



I, a representative of Fugate Farms, agree to the findings of James F. Gosson, Certified Water Right Examiner #54, and do submit this site report and map as Claim of Beneficial Use of the water as provided under the terms and conditions of Transfer 7309, Permit 17313.

Barbara L. Fugate
Signature

8-10-99
Date

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STATE OF OREGON
COUNTY OF COOS
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

FUGATE FARMS LLC
PO BOX 1245
BANDON OR 97411

confirms the right to use the waters of TWOMILE CREEK, tributary to PACIFIC OCEAN for IRRIGATION of 12.0 ACRES.

This right was perfected under Permit S-17313. The date of priority is OCTOBER 22, 1946. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.15 CUBIC FOOT PER SECOND, 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	Measured Distances
29 S	15 W	WM	13	SE SW	PORTABLE PUMPING
29 S	15 W	WM	13	SW SE	PORTABLE PUMPING
29 S	15 W	WM	24	NE NE	PORTABLE PUMPING
29 S	15 W	WM	24	NW NE	PORTABLE PUMPING

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH 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.

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	15 W	WM	13	NE SE	12.0

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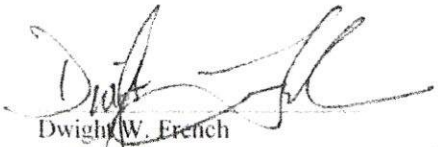
This certificate is issued to confirm a CHANGE IN PLACE OF USE approved by an order of the Water Resources Director entered DECEMBER 23, 1996, at Special Order Volume 50, Page 845, approving Transfer Application 7309, and together with Certificate 73636, supercedes Certificate 22935, State record of Water Right Certificates.

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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

Issued JUL 10 2013


Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director

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Fugate Reservoir #2 Storage Calculations, 6-20-25

DEPTH FT	AREA SF	VOL. CFT	CUM.VOL. CF	CUM VOL AF
0	50,523			
		49,334	391,244	8.98
1	48,144			
		47,004	341,910	7.85
2	45,863			
		44,627	294,907	6.77
3	43,391			
		42,010	250,280	5.75
4	40,629			
		39,219	208,270	4.78
5	37,809			
		36,068	169,051	3.88
6	34,326			
		32,305	132,983	3.05
7	30,284			
		28,263	100,678	2.31
8	26,242			
		24,204	72,415	1.66
9	22,166			
		19,874	48,211	1.11
10	17,581			
		11,945	28,338	0.65
11	6,308			
		5,218	16,393	0.38
12	4,127			
		3,494	11,176	0.26
13	2,861			
		2,604	7,682	0.18
14	2,346			
		2,096	5,078	0.12
15	1,845			
		1,618	2,983	0.07
16	1,390			
		1,030	1,365	0.03
17	670			
		335	335	0.01
18	0			

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Fugate Reservoir #6 Storage Calculations

DEPTH FT	AREA SF	VOL. CFT	CUM.VOL. CF	CUM VOL AF
0	111,862			
		109,005	754,924	17.33
1	106,147			
		103,264	645,920	14.83
2	100,380			
		97,506	542,656	12.46
3	94,632			
		91,738	445,150	10.22
4	88,843			
		86,087	353,413	8.11
5	83,331			
		80,550	267,326	6.14
6	77,769			
		75,060	186,776	4.29
7	72,350			
		65,987	111,716	2.56
8	59,623			
		35,400	45,730	1.05
9	11,176			
		7,508	10,330	0.24
10	3,839			
		2,371	2,823	0.06
11	903			
		452	452	0.01
12	0			

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Subj: FW: Permits R-12893, 12894 and 12895 Permit conditions
Date: 5/5/2010 10:28:33 AM Pacific Standard Time
From: sundbr@wrд.state.or.us
To: KCJEngineer@aol.com

Fugate Fawns
COPY =

Clay,

This is the email we discussed that was forwarded to Salem.

Take care, Bruce

From: Mitch Lewis
Sent: Wednesday, May 05, 2010 9:39 AM
To: Bruce Sund
Subject: Permits R-12893, 12894 and 12895 Permit conditions

Good morning!

As we discussed, and after having visited the site of these permits, I would like to add the following recommendations to the files.

This will apply to Reservoirs 1, 2, 3 and 6. Reservoirs 4, 5 and 7, even though part of these permits, are now under separate ownership and will be dealt with at a later time.

Permit conditions call for metering the stored volume in each reservoir, as well as metering the amount released from each reservoir. I would like those conditions included in the final certificates.

Further permit conditions require the installation of weirs, in channel, both above and below each reservoir. I would like to see that condition waived. Several factors lead to this waiver request. There are no water rights below these permits. The land in the surrounding area is flat and marshy, which causes the inflow of additional water into the channel that cannot be measured by the installation of in-channel weirs. Also, during much of the capture period, access to the stream channel is limited due to high water and tidal influence.

I made a site visit on the afternoon of May 4, 2010.

Mitchell E. Lewis
Oregon Water Resources Department
Watermaster District 19

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Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 East Gregory Rd.

Central Point, OR 97502

Phone: 541-826-8774

Fax: 541-826-8776

www.odfw.com



August 28, 2025

Len Fugate
48504 Hwy 101
Bandon, OR 97411

Dear Len,

Regarding OWRD permit R-12894, ODFW has determined the fish screen (Clemons CW600) at the point-of-diversion (43.050552, -124.419173) meets current fish protection criteria, and fish bypass devices are not necessary. This approval is contingent on the following: current conditions remain unchanged, screens are installed so effective screen area is submerged during operation, the screen is regularly inspected and maintained to ensure it remains in working order (including debris removal), and the screen is annually inspected when it is not in use. Thank you.

Sincerely,

Josh Kelsey
Screens and Passage Coordinator
Fish Screening and Passage Program
(541) 857-2424

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Our mission is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.

Received Clearwater Self-Cleaning Suction Screen
OCT 20 2025

OWRD STANDARD FLANGED CONNECTIONS
RING LOCK AVAILABLE

INCOMING WATER SUPPLY
FOR SELF CLEANING JETS

TO SUCTION INTAKE PIPE

SCREEN BOLTS
ON FOR EASY
INTERNAL ACCESS

30 mesh
Screen

ROTATING BARS WITH JETS
CONTINUALLY BLASTING
DEBRIS FROM SCREEN

HEAVY STAINLESS STEEL
10, 18, OR 30 MESH
COVERING

HEAVY STEEL CONSTRUCTION
GALVANIZED OR EPOXY COATED

HEAVY BEARING
FOR LONG LIFE
Optional Sealed Bearing

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**Field Tested, Dependable
Protection for Pumps
and Water Systems**

MADE IN THE U.S.A.

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	Flow		Screen	Total		Flange	Return	Min. Operate.		Flow
	M3/Hour		Length	Length	Diameter	Size	Inlet	Pressure	Weight	M3/Hour
Model	12/18M	24M	MM	MM	MM	MM	MM	Bars	KG	Used T. Operate
CW100	45	37	228	495	305	78	13	2.8	14	2.7
CW200	14	51	275	835	406	102	38	2.8	27	4.5
CW350	125	91	381	732	458	152	38	2.8	29	4.5
CW400	175	120	406	826	609	203	38	2.8	47	4.5
CW800	216	160	457	876	609	254	38	2.8	53	10.0
CW1400	307	218	584	1003	609	254	38	2.8	58	6.4
CW1600	352	247	660	1080	609	305	38	2.8	60	6.4
CW1700	409	268	711	1130	660	305	38	2.8	68	6.4
CW2000	477	336	813	1230	660	356	38	2.8	73	8.2
CW2400	591	409	889	1134	762	406	38	2.8	102	8.2
CW3000	682	488	1016	1461	762	406	38	2.8	105	10.0
CW3500	795	552	1016	1511	915	457	38	2.8	127	10.0
CW4000	906	628	1016	1813	1067	457	38	2.8	160	10.0



Sales Corporation

Clearwater Self-Cleaning Suction Screen Operates In Any Position



If you irrigate, you know how important it is to keep equipment running smoothly and water flowing freely. Whether you are pumping water from a stream, canal, river, irrigation ditch, pit or sump, or a golf course pond, you need the water to be free of trash and debris that could block water flow and damage the pump or clog water distribution equipment. Call factory for advice in waste treatment and manure lagoon usage.

entering, plugging lines and causing costly maintenance repairs. The pump discharge return line drives two spray bars that continually rotate jet water at the screen and blast debris away from the screen at 40 to 65 PSI Operating Range with a Standard Bearing and 40 to 100 PSI with the Sealed Bearing.

The Clearwater™ screen does operate in any position and has no exterior moving parts that can break down or need repair. It can be installed at any attitude without the operation being affected and is uncollapsible and corrosion resistant. It also has a standard flanged connection and other connections are available upon request. The Y-Strainer or Mini Filter - 18 mesh minimum is mandatory requirement - provides easy access for cleaning and prevents the supply line to the screen and the spray nozzle from clogging. Mesh sizes available in stock are: 4, 8, 12, 18, and 24 mesh.

The suction screen is attached to the end of the pump in the water source. All water pulled in must go through the screen before entering the intake pipe. The screen stops trash and debris from

Let Clearwater clear your water for worry-free irrigating!

SPECIFICATIONS

	Flow FWS GPM	Fish Screen Max GPM	Screen Length	Total Length	Diameter	Flange Size	Return Inlet	Operate Pressure	Weight Lbs	GPM Used To Operate
Model	12.15in	2488	For APC Sec							
CW100	200	160	18"	19.5"	12"	3"	1.5"	40-60	30	12
CW200	400	320	18"	20"	16"	6"	1.5"	40-65	58	20
CW300	600	480	18"	28.8"	16"	6"	1.5"	40-65	82	30
CW600	750	524	24"	32.5"	24"	8"	1.5"	40-65	120	30
CW800	950	700	18"	34.5"	24"	10"	1.5"	40-65	116	20
CW1000	1350	810	24"	39.2"	24"	12"	1.5"	40-65	123	28
CW1400	1580	1078	24"	42.5"	24"	12"	1.5"	40-65	134	28
CW1700	1800	1250	24"	44.5"	26"	12"	1.5"	40-65	148	28
CW2000	2100	1450	18"	48.5"	28"	14"	1.5"	40-65	160	36
CW2400	2600	1800	24"	52.5"	30"	16"	1.5"	40-65	223	36
CW3000	3000	2078	34"	67.5"	30"	16"	1.5"	40-65	236	44
CW3500	3500	2425	42"	59.5"	36"	18"	1.5"	40-65	263	44
CW4000	4000	2785	31.5"	63"	42"	18"	1.5"	40-65	358	44

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Contact Information

Click to follow link

Click to follow link

▼ Contact information

OWNER:

▶ JACK FUGATE
PO BOX 426
BANDON, OR 97411

OWNER:

▶ SHERI FUGATE
PO BOX 426
BANDON, OR 97411

OWNER:

▶ BARBARA FUGATE
PO BOX 426
BANDON, OR 97411

▶ Application: R 73855

▼ Permit: R 12894 [document](#)

▶ Signature: 8/15/2000

Process Step	Date Completed	Result	Comp
Completion Date [C Date]	10/1/2004		
Extension Application Received	5/30/2008		ANN F
Extension Comment Period Ends	6/10/2008		ANN F
Extension PFO 315 Issued	5/25/2010	Propose to Approve	SCOT
Extension PFO Protest Period Ends	7/9/2010		SCOT
Extension FO Issued	11/16/2010	Approved	JERRY
Extension Checkpoint 320 Received	9/19/2011		JERRY
Extension Checkpoint 315 Public Notice	9/27/2011		JERRY
Extension Checkpoint 320 Received	9/21/2015		JERRY
▶ Extension Checkpoint 320 Public Notice	9/29/2015		MACH
Extended Completion Date [Extension C Date]	10/1/2015		JERRY
60 Day Letter Mailed	10/30/2020		JOHN
60 Day Letter Deadline	1/8/2021		JOHN
60 Day Hold Action Deadline	5/31/2021		GERA
Extension Application Received	8/5/2021		JEFFR
Extension Comment Period Ends	9/30/2021		JEFFR
Extension PFO 315 Issued	11/30/2021	Propose to Deny	JEFFR
Extension PFO Protest Period Ends	1/14/2022	Propose to Deny	JEFFR
Extension FO Issued	1/28/2022	Denied	JEFFR
60 Day Letter Mailed	8/23/2024		CODI

▶ [View right with Web Mapping](#)▶ [View Places of Use from Water Rights in the Same Area](#)

Water Right Information: View to the right

Status: Non-Cancelled

County: Coos

Basin: South Coast

File Folder Location: Salem

Watermaster District: 15

Water Right Information: View to the right

Water Right Information: View to the right

▶ [POD 1 - UNNAMED STREAM > TWOMILE CREEK](#)▶ [POD 2 - UNNAMED STREAM > TWOMILE CREEK](#)▶ [POD 3 - UNNAMED STREAM > TWOMILE CREEK](#)▶ [POD 4 - RUNOFF > TWOMILE CREEK](#)▶ [POD 5 - RUNOFF > TWOMILE CREEK](#)

Water Right Information

Click to follow link

▶ Use - STORAGE

(Primary); Priority Date: 1/20/1994

Water Right Information: View to the right

No genealogy records available for this water right, try the family link below instead.

[View Water Rights in same Family](#)[Report Errors with Water Right Data](#)Received
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BB - Bandon Biota Parcels
F - Fugate Parcels

January 2021 Data Set (PARCEL ALIGNMENT WITH PHOTO MAY NOT BE EXACT)



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**FLATZ
ENGINEERING**

Phone: 503-939-8381
email: billflatz@gmail.com
1228 Goldeneye Court
Las Cruces, NM 88007

Submittal

TO: **Water Resources Department**
725 Summer Street NE, Ste. A
Salem, OR 97301-1271

SUBJECT: Claim of Beneficial Use Submittal for;
Fugate portion of Application R-73855, Permit R-12894.

August 30, 2025

Dear Sir or Madam:

Please find enclosed:

1. Claim of Beneficial Use form filled out and signed.
2. Claim of Beneficial Use Mylar Map as required.
3. Claim of Beneficial Use Attachment Packet.
4. A check for \$345 for required fee

Please call if there are any questions regarding the information submitted.

Sincerely,
Bill Flatz, PE, CWRE

Flatz Engineering
1228 Goldeneye Court
Las Cruces, NM 88007

Cell: 503-939-8381
Email: billflatz@gmail.com

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