

Application No. R-81899 HB2374

Permit No. R 14055

Certificate No. _____

Stream Index, Page No. _____

FILE#: R 81899
QUAIL MEADOW FARMS INC.; FOSTER, WAYNE
PO BOX 114
LANGLOIS, OR 97450

FEES PAID		
Date	Amount	Receipt No.
1-23-97	40 ⁰⁰	9647

RECEIVED

JAN 23 1997

WATER RESOURCES DEPT.
SALEM, OREGON

FEES REFUNDED		
Date	Amount	Check No.

Date filed _____

Priority _____

Action suspended until C08

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning _____

Date for completion 10-1-08

Extended to _____

Date for application of water _____

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued _____

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

REMARKS
 See file R-81900, P-21857, P-82247, 6-137314 32,
 R-73460, & S-73459
 See 85618
 Div 33 Review Requested 2/9/97 MM

Secondary
14055

Jerry G.

Issue permit w/
condition about

prod IF there is
no secondary. 85618?

OR see me ^{Drf} if problems

Water Right Information Query Results

Contact Information	Documents View all scanned documents																								
▼ Current contact information OWNER: ▷ QUAIL MEADOW FARMS INC. PO BOX 114 LANGLOIS, OR 97450	▼ Application: R 81899 ▷ Received: 1/23/1997 <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th colspan="4" style="text-align: center;">Application Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Application Filed</td> <td>1/23/1997</td> <td></td> <td>JERRYGAINEY</td> </tr> <tr> <td>Caseworker Assigned</td> <td>1/23/1997</td> <td></td> <td>JERRYGAINEY</td> </tr> <tr> <td>Permit Issued</td> <td>10/21/1997</td> <td>Issued</td> <td>JERRYGAINEY</td> </tr> <tr> <td>Final Order</td> <td>9/15/2004</td> <td>Propose to Issue</td> <td>JERRYGAINEY</td> </tr> </tbody> </table> ▼ Permit: R 14055 document , paper map ▷ Signature: 9/15/2004 ▷ View right with Web Mapping ▷ View Places of Use from Water Rights in the Same Area	Application Workflow				Action	Date	Result	Completed By	Application Filed	1/23/1997		JERRYGAINEY	Caseworker Assigned	1/23/1997		JERRYGAINEY	Permit Issued	10/21/1997	Issued	JERRYGAINEY	Final Order	9/15/2004	Propose to Issue	JERRYGAINEY
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Final Order	9/15/2004	Propose to Issue	JERRYGAINEY																						
Water Right Information																									
Status: Non-Cancelled County: Coos Authority: HB2376 File Folder Location: Salem																									

Point(s) of Diversion																																												
▼ POD 1 - UNNAMED STREAM > NEW RIVER ▼ Description ▷ T-R-S-QQ: 30.00S-15.00W-11-SW SE ▷ Location Description: 300 FEET NORTH & 800 FEET EAST FROM S1/4 CORNER, SECTION 11 ▼ POD Rate <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>4.0</td> <td>4.0</td> </tr> </tbody> </table> ▼ STORAGE (Primary) <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>Priority Date</th> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> <th>Rate/Acre</th> <th>Duty</th> <th>Start Date</th> <th>End Date</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>1/23/1997</td> <td></td> <td></td> <td>4.0</td> <td>4.0</td> <td></td> <td></td> <td>1/1</td> <td>4/30</td> <td></td> </tr> <tr> <td>1/23/1997</td> <td></td> <td></td> <td>4.0</td> <td>4.0</td> <td></td> <td></td> <td>12/1</td> <td>12/31</td> <td></td> </tr> </tbody> </table> ▼ Reservoir ▼ WATER 1 RESERVOIR ▼ Dam Location ▷ 300 FEET NORTH & 800 FEET EAST FROM S1/4 CORNER, SECTION 11 <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>Volume (af)</th> <th>Dam Height (ft)</th> <th>Submerged Acres</th> </tr> </thead> <tbody> <tr> <td>4.0</td> <td>6.0</td> <td></td> </tr> </tbody> </table>	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)			4.0	4.0	Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks	1/23/1997			4.0	4.0			1/1	4/30		1/23/1997			4.0	4.0			12/1	12/31		Volume (af)	Dam Height (ft)	Submerged Acres	4.0	6.0	
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Place(s) of Use Add TRS grouping

▼ Use - STORAGE (Primary); Priority Date: 1/23/1997
--

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks
▷ 30.00S-15.00W-11	SW SE					NC			
Sum of Acres: 0.0									
Water Right Genealogy									
<input type="checkbox"/> App:R 81899 <input checked="" type="checkbox"/> Permit:R 14055 *									

[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-81899

Superseding Final Order

Hearing and Appeal Rights

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

Application History

On JANUARY 23, 1997, QUAIL MEADOW FARMS INC. submitted an application to the Department for a water use permit. Pursuant to 537.409, the Department provided public notice of the application in the Department's weekly public notice. A 60 day comment period followed.

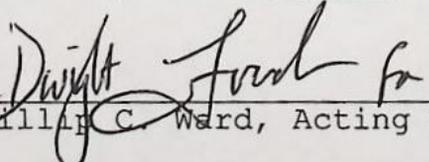
On October 21, 1997, a Final Order was issued approving the application contingent on submittal of a secondary application for the requested out of reservoir uses, cranberry use. On May 27, 2003, the Department received a secondary application, S-85618, for the use of water stored under application R-81899. A proposed final order was issued for application S-85618 on October 7, 2003 and a protest was received.

The Department has determined that a permit can be issued for application R-81899. However, prior to issuance of a certificate for application R-81899, the permittee must obtain approval of the secondary application, S-85618, or a suitable replacement.

Order

Application R-81899 therefore is approved as proposed by the Proposed Final Order, and Permit R-14055 is issued as limited by the conditions proposed by this Superseding Final Order.

DATED September 15, 2004


Phillip C. Ward, Acting Director

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the likely the best person to answer your questions. You can reach me at 503-986-0812.

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

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

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

STATE OF OREGON

COUNTY OF COOS

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

QUAIL MEADOW FARMS INC.
PO BOX 114
LANGLOIS, OREGON 97450

(541) 348-2351

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

APPLICATION FILE NUMBER: R-81899

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF NEW RIVER

STORAGE FACILITY: WATER 1 RESERVOIR

PURPOSE OR USE OF THE STORED WATER: *meter or staff gage or both?* E APPROPRIATED UNDER APPLICATION S-85618

MAXIMUM STORAGE VOLUME: 4.0 ACRE-FT

WATER MAY BE STORED FOR STORAGE THROUGH DECEMBER 1, 1997

DATE OF PERMIT ISSUANCE: 23, 1997

THE MAXIMUM WATER LEVEL SHALL NOT EXCEED 6.00 FEET.

DAM LOCATION: SECTION 11, R15W, W.M.; 300 FEET NORTH & 800 FEET WEST OF SECTION 11

THE AREA TO BE SURVEYED BY THE PERMITTEE IS DESCRIBED AS FOLLOWS:

SW 1/4, SECTION 11, TOWNSHIP 30 SOUTH, RANGE 15 WEST, MERIDIAN 15 WEST.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.
- B. The permittee shall keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the

STATE OF OREGON

COUNTY OF COOS

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

QUAIL MEADOW FARMS INC.
PO BOX 114
LANGLOIS, OREGON 97450

(541) 348-2351

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

APPLICATION FILE NUMBER: R-81899

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF NEW RIVER

STORAGE FACILITY: WATER 1 RESERVOIR

PURPOSE OR USE OF THE STORED WATER: CRANBERRY USE, TO BE APPROPRIATED UNDER APPLICATION S-85618

MAXIMUM STORAGE VOLUME: 4.0 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JANUARY 23, 1997

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 6.00 FEET.

DAM LOCATION: SW 1/4 SE 1/4, SECTION 11, T30S, R15W, W.M.; 300 FEET NORTH & 800 FEET EAST OF THE S 1/4 CORNER, SECTION 11

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 SE 1/4
SECTION 11
TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.
- B. The permittee shall keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the

Department at its request. The permittee may be required to report annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

The permittee shall pass all live flow outside the storage season described above.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator before beginning construction of any in-channel obstruction.

This permit does not provide for the appropriation of water for any out of reservoir uses, the maintenance of the water level or maintaining a suitable fresh water condition. If any water is used for out of reservoir uses, or any live flow is appropriated to maintain either the water level or a suitable freshwater condition, a secondary water right is required.

A certificate shall not be issued for this right until a permit has been issued for application S-85618 or a suitable replacement.

STANDARD CONDITIONS

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

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

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

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

This permit does not authorize the permit holder to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the permit holder.

The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2008.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.

The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir stores 9.2 or more acre-feet of water.

If no secondary permit exists and the reservoir stores less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:

- (a) the dimensions of the reservoir;
- (b) the maximum capacity of the reservoir in acre-feet; and
- (c) a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued September 15, 2004


Phillip C. Ward, Acting Director
Water Resources Department

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

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

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

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

QUAIL MEADOW FARMS

SCALE 1"=200'

PUMP #1 5 HP Electric R81900

AUG 16, 2003

PUMP #2 25 HP Electric R81899

SW 1/4 of SE 1/4, SEC 11 T 30S R 15W 16Ac Bogs

Corners Found @

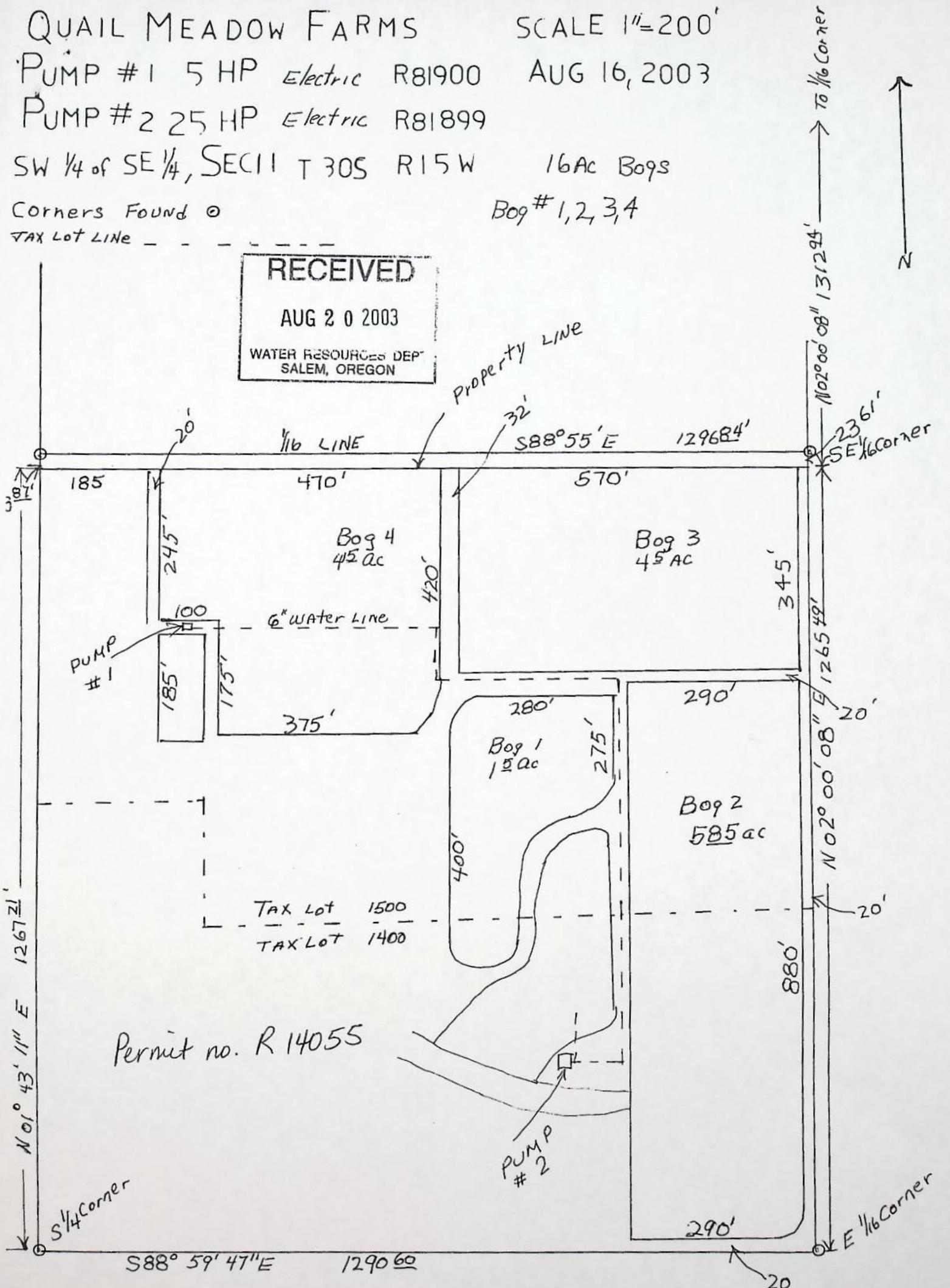
Bog # 1, 2, 3, 4

TAX LOT LINE

RECEIVED

AUG 20 2003

WATER RESOURCES DEP.
SALEM, OREGON



TAX LOT 1500
TAX LOT 1400

Permit no. R 14055

PUMP #2

PUMP #1

6" WATER LINE

PROPERTY LINE

1/16 LINE

TO 1/16 CORNER
 131294'
 110200' 08"
 126549'
 N 02° 00' 08" E
 126549'
 20'
 20'
 20'



2361' SE 1/16 CORNER

185

470'

570'

Bog 4
4.5 ac

Bog 3
4.5 ac

Bog 1
1.5 ac

Bog 2
5.85 ac

387'

245'

185'
175'

375'

420'

345'

20'

880'

290'

S88° 59' 47" E 129060

20

N 01° 43' 11" E 126721'
 S 1/4 CORNER

S 1/4 CORNER

E 1/16 CORNER

Mailing List for S-FO Copies

Application #R-81899

FO Date : September 8, 2004

Original mailed to:

Applicant:QUAIL MEADOW FARMS INC.; FOSTER, WAYNE, PO BOX 114, LANGLOIS, OREGON 97450

For FO w/ Permit - FO and Map Copies sent to

1. WRD - File # R-81899
2. WRD - Water Availability: Ken Stahr

Copies Mailed	
By: <u>CS</u>	(SUPPORT STAFF)
on: <u>9-16-04</u>	(DATE)

For FO w/ Permit - FO and Map Copies sent to (Remember to reduce copy margins):

3. WRD - Data Center
4. WRD - Mitch Lewis - Watermaster # 19
5. WRD - Regional Manager: SWR
6. WRD - Dave Jarrett

Copies sent to Other Interested Persons (*CWRE, Agent, Commenter, etc.*)

7. _____
8. _____
9. _____

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

QUAIL MEADOW FARMS

SCALE 1"=200'

PUMP #1 5 HP Electric R81900

AUG 16, 2003

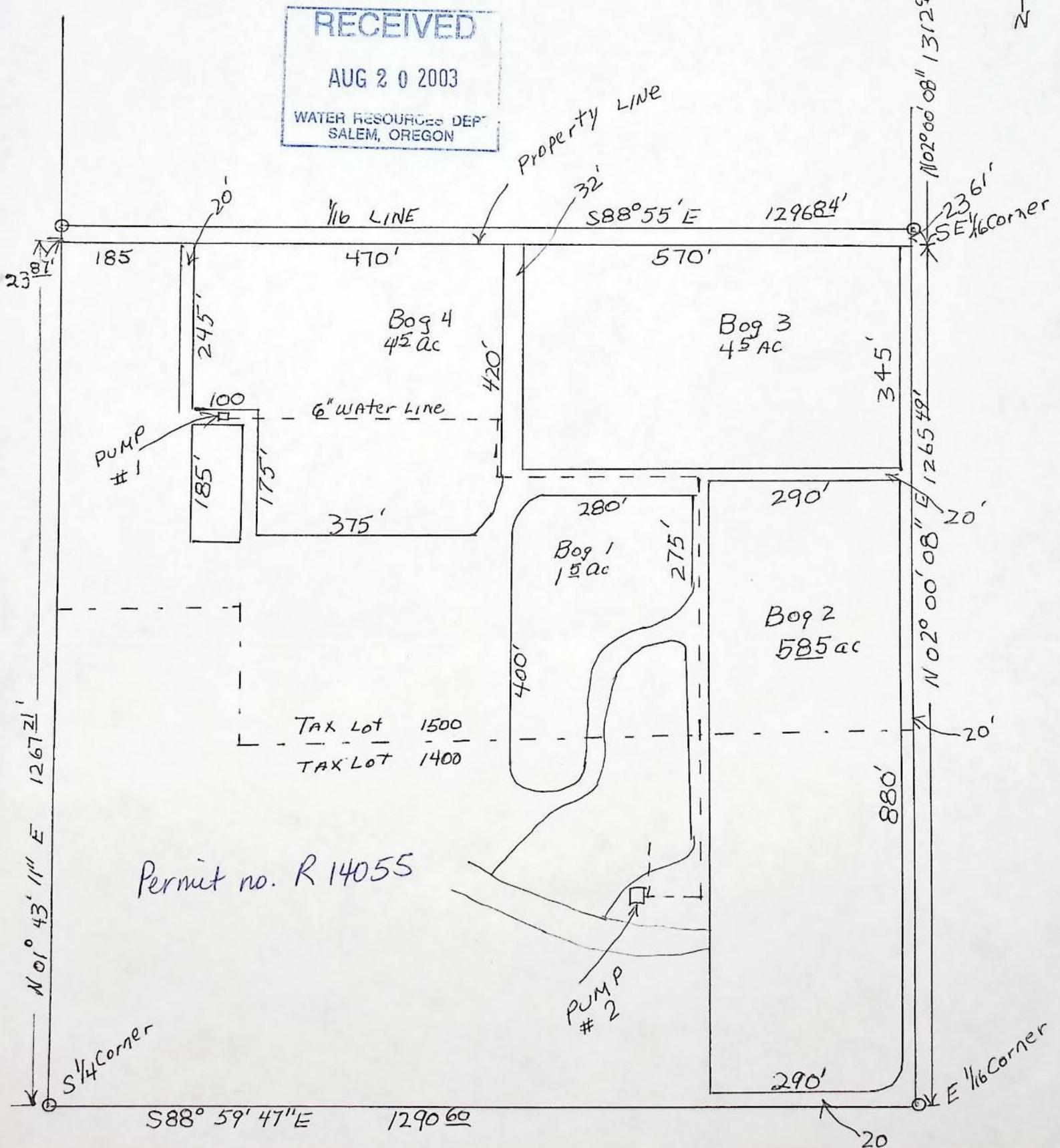
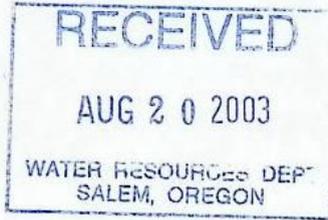
PUMP #2 25 HP Electric R81899

SW 1/4 of SE 1/4, SEC 11 T 30S R 15 W 16 Ac Bogs

Corners Found @

Bog # 1, 2, 3, 4

TAX LOT LINE - - - - -





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 30, 2003

Karl G. Anuta
Sokol & Anuta, P.C.
Strowbridge Building
735 SW First Avenue
Portland, Oregon

RE: Wayne Foster, Applications S-85618, R-81999 and R-81900

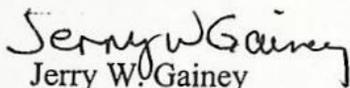
Dear Mr. Anuta:

I'm in receipt of your letter of September 15, 2003, regarding the above applications. The Water Resources Department "Department" has not received any new applications within the past 60 days from Wayne Foster. However, the Department is in the process of issuing a proposed final order for application S-85618. To receive a copy of the proposed final order for S-85618, you must submit \$10.00 referencing the application number, please make check payable to the Oregon Water Resources Department.

In regards to you being notified of any new applications submitted by Wayne Foster, you may review the Department's weekly public notice at <http://www.wrd.state.or.us>.

If you have any questions, please contact me at (503) 986-0812.

Sincerely,



Jerry W. Gainey
Water Right Application Caseworker

cc: Files

W Foster
POB 114
LANglois Or 97450



Water Resources Department
Commerce Building
158 12th Street NE
SALEM, Or 97301-4172

97301+4172



SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

R-81899 & R-81900
 WAYNE FOSTER
 QUAIL MEADOWS FARMS INC
 PO BOX 114
 LANGLOIS, OR 97450

2. Article Number
 (Transfer from service label)

7002 2410 0004 9157 7146

PS Form 3811, August 2001

Domestic Return Receipt

w/R

102595-02-M-1035

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Ullmer**Instw*

- Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

4-8-03

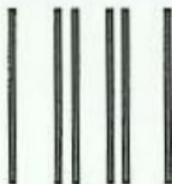
D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



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

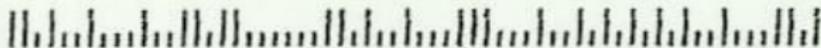
• Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPT.
SALEM, OREGON

APR 09 2003

RECEIVED

Oregon Water Resources Dept
158 12th Street NE
Salem, Oregon 97301-4172





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

CERTIFIED MAIL
Return Receipt Requested

March 28, 2003

Wayne Foster
Quail Meadows Farms Inc.
PO Box 114
Langlois, Oregon 97450

RE: Applications R-81899 and R-81900

Dear Mr. Foster:

On October 27, 1997, the Department issued Final Orders for applications R-81899 and R-81900. The Final Orders identified the issuance of a permit was contingent upon approval of a secondary surface water application for use of the stored water. As of the date of this letter, the Department has not yet received a secondary surface water application to use the stored water.

Please submit this information by **May 27, 2003**. If we do not receive the information requested by this date or a request for additional time out, we will reject the above referenced application consistent with ORS 537.153. If your application is rejected, the priority date associated with your application will be lost.

*5-85618 rec'd
5-27-03*

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 378-8455 extension 458.

Sincerely,

Jerry W. Gainey
Jerry W. Gainey

Water Rights Processing Technician

enclosures

cc: Lloyd Van Gordon, Watermaster District #19
Files

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-81899

Final Order

Application History

On JANUARY 23, 1997, QUAIL MEADOW FARMS INC. submitted an application to the Department for a water use permit. Pursuant to 537.409, the Department provided public notice of the application in the Department's weekly public notice. A 60 day comment period followed.

The Department has received comments from Oregon Department of Fish and Wildlife related to the possible issuance of the attached draft permit. No substantial issues were raised in those comments.

Water is available for the proposed use as described in the attached draft permit.

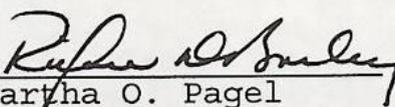
The use, as described on the attached draft permit, will not injure any existing water rights and does not pose potential detrimental impacts to existing fishery resources.

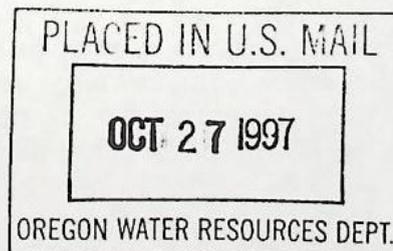
Therefore, the proposed use would not impair or be detrimental to the public interest. However, before this application may be considered further, the applicant must submit an application to use the stored water for cranberry use.

Order

Upon approval of a secondary surface water application for use of the stored water, Application R-81899 shall be approved pursuant to ORS 537.409. The use of water shall be subject to the limits and conditions contained in the attached draft permit.

DATED October 21, 1997


Martha O. Pagel
Director



Appeal Rights

No changes have been made to the findings of the Proposed Final Order and no protests were filed during the protest period following the Proposed Final Order, therefore, there is no opportunity for appeal or judicial review of this final order. (690-310-160(5)).

STATE OF OREGON

COUNTY OF COOS

DRAFT PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

QUAIL MEADOW FARMS INC.; WAYNE FOSTER
PO BOX 114
LANGLOIS, OREGON 97450

(541)348-2351

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

APPLICATION FILE NUMBER: R-81899

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF NEW RIVER

STORAGE FACILITY: WATER 1 RESERVOIR

PURPOSE OR USE OF THE STORED WATER: CRANBERRY USE

MAXIMUM STORAGE VOLUME: 4.0 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1
THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JANUARY 23, 1997

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 6.00 FEET.

DAM LOCATION: SW 1/4 SE 1/4, SECTION 11, T30S, R15W, W.M.; 300 FEET
NORTH & 800 FEET EAST OF THE S 1/4 CORNER, SECTION 11

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 SE 1/4
SECTION 11
TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. The permittee shall keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The permittee may be required to report annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

STANDARD CONDITIONS

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

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

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

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

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 stored water to the use shall be made on or before October 1, 2001.

{DATE}

DRAFT

Martha O. Pagel, Director
Water Resources Department

Mailing List for FO Copies

Application #R-81899

FO Date : October 17, 1997

Original mailed to:

Applicant:QUAIL MEADOW FARMS INC.; FOSTER, WAYNE, PO BOX 114, LANGLOIS, OREGON 97450

Copies sent to:

1. WRD - File # R-81899
2. WRD - Water Availability: Ken Stahr

Copies Mailed
By: <u>CM</u>
(SUPPORT STAFF)
on: <u>10/21/97</u>
(DATE)

FO, Map, and Fact Sheet Copies sent to:

3. WRD - JOHN DROLET, Watermaster # DISTRICT 19
4. WRD - AL COOK - SOUTHWEST REGION, (Do not send to Bob Main)
5. ODFW District Biologist: (COOS County)

Copies sent to Other Interested Persons (*CWRE, Agent, Commenter, etc.*)

6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____
2. _____
3. _____

Mailing List for FO Copies

Application #R-81899

FO Date : October 2, 1997

Original mailed to:

Applicant:QUAIL MEADOW FARMS INC.; FOSTER, WAYNE, PO BOX 114, LANGLOIS, OREGON 97450

Copies sent to:

1. WRD - File # R-81899
2. WRD - Water Availability: Ken Stahr

Copies Mailed
By: _____
(SUPPORT STAFF)
on: _____

(DATE)

FO, Map, and Fact Sheet Copies sent to:

3. WRD - JOHN DROLET, Watermaster # DISTRICT 19
4. WRD - AL COOK - SOUTHWEST REGION, (Do not send to Bob Main)
5. ODFW District Biologist: (COOS County)

Copies sent to Other Interested Persons (*CWRE, Agent, Commenter, etc.*)

6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____
2. _____
3. _____

CASEWORKER : DLB

M:\GROUPS\WR\FO\expedite\R81899.wpd

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number R-81899

Final Order

Application History

On JANUARY 23, 1997, QUAIL MEADOW FARMS INC. submitted an application to the Department for a water use permit. Pursuant to 537.409, the Department provided public notice of the application in the Department's weekly public notice. A 60 day comment period followed.

The Department has received comments from Oregon Department of Fish and Wildlife related to the possible issuance of the attached draft permit. No substantial issues were raised in those comments.

Water is available for the proposed use as described in the attached draft permit.

The use, as described on the attached draft permit, will not injure any existing water rights and does not pose potential detrimental impacts to existing fishery resources.

Therefore, the proposed use would not impair or be detrimental to the public interest. However, before this application may be considered further, the applicant must submit an application to use the stored water for cranberry use.

Order

Upon approval of a secondary surface water application for use of the stored water, Application R-81899 shall be approved pursuant to ORS 537.409. The use of water shall be subject to the limits and conditions contained in the attached draft permit.

DATED October , 1997

Martha O. Pagel
Director

Appeal Rights

No changes have been made to the findings of the Proposed Final Order and no protests were filed during the protest period following the Proposed Final Order, therefore, there is no opportunity for appeal or judicial review of this final order. (690-310-160(5)).

STATE OF OREGON

COUNTY OF COOS

DRAFT PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

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THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

SW 1/4 SE 1/4
SECTION 11
TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

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

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

STANDARD CONDITIONS

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

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

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

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

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 stored water to the use shall be made on or before October 1, 2001.

{DATE}

DRAFT

Martha O. Pagel, Director
Water Resources Department

ORS 537.409 ALTERNATE RESERVOIR CHECKLIST

FILE # R01899

REVIEW DATE: 10/2/97
~~7/10/97~~

INITIALS : db

In preparing the FO & PERMIT, you should check the following:

1. Y / N Were comments or protests received? If so, **from whom and when?**
ODFW 9/24/97
2. Y / N Is the file lacking the SOURCE, QUANTITY or a MAP?
3. Y / N Has fishery impact worksheet been completed? (per Div 33)
4. Y / N Is water use prohibited for one or more months of the normal use period?
5. If # 4 = "Y", is short season due to WA CLASSIFICATION or DIV 33?
6. Y / N Have interagency team members been notified? (per Div 33)
7. Verify payment of recording fees (*circle the appropriate option*)
 - (1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO
 - (2) Issue FO w/o permit if fees are lacking
8. Y / N Is further processing possible? If not state reason: _____
9. Notify applicant of additional information or fees required prior to permit issuance. (SEND CERTIFIED LETTER & use standard wording from M:\...\FO\TOOLS if possible)
10. Assign permit numbers to files with complete application, fees, and no other issues.

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

Secondary

Respond to COMMENTS	<i>ODFW Requests</i>
<i>No conditions Req'd</i>	<i>12-4</i>
	<i>per mm</i>

Modify FO as needed to:

Initials: db

11. Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
12. Include or exclude permit conditions and management codes
13. Correctly describe POD & POU location (verify from map).
15w

Once FO document is completed:

14. Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 96 & delete duplicates
106
15. Print final draft of document and submit to senior staff for review
16. Y / N Review completed

Fishery Impacts Worksheet
 FOR ORS 537.409 ALTERNATE RESERVOIR APPLICATIONS

Application _____

Date _____

1. This application was filed after July 17, 1992, and the POD is upstream from Bonneville Dam in the Columbia/Snake Basin in the areas listed below :

YES. Circle basin #, then go to #2

NO. Go to #3.

- (4) Hood Basin;
- (5) Deschutes Basin;
- (6) John Day Basin;
- (7) Umatilla Basin;
- (8) Grande Ronde Basin;
- (9) Powder Basin;
- (10) Malheur Basin;
- (11) Owyhee Basin;
- (19) Mainstem Columbia River Above Bonneville;
- (20) Mainstem Snake River.

2. The applicant has provided information required by 690-33-120 (2) to show:

(A) The proposed use does not involve appropriation of direct streamflow during the time period of April 15 to September 30. Go to 3a.

(B) The proposed use is exempt as provided in OAR 690-33-140 and as identified below (circle the appropriate answer, then go to 3a):

- (1) Domestic water use;
- (2) Projects that provide net benefits for native resident and native anadromous fish recovery. For example, these projects may include, but are not limited to, livestock watering away from water courses which results in improved riparian areas;
- (3) Emergency use necessary for public health and safety;
- (4) Existing water uses covered under House Bill 2153 (Oregon Legislature 1993); or
- (5) Multipurpose storage projects or other projects with measurable public benefits.

(C) No information provided. Condition to allow exempt uses only or restrict use to allowable season shown below. Go to 3a.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Division 33	YES	YES	YES	NO	NO	NO	NO	NO	NO	YES	YES	YES
Water Available?	YES	YES	YES	--	--	--	--	--	--	YES	YES	YES
Season	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

WAB# _____

3. This application was filed after June 3, 1994 and based on information provided by ODFW, U.S. Fish and Wildlife Service, the National Marine Fisheries Service or the appropriate Indian tribes, and shown on the Division 33 map, the POD for this proposed use is within the following geographic areas :

a. Y / N Waterways of the state where sensitive fish species are located.

b. Y / N Waterways of the state, outside the Columbia Basin, where threatened or endangered fish species are located.

c. Y / N OTHER

4. , If #3a or #3b = Y, statewide rules, OAR 690-33-310 through 690-33-340, apply to this application. If both #3a and #3b = "N", GO TO #8.

5. NO Notify the applicant that based on a preliminary determination, the proposed use may affect the habitat of sensitive, threatened or endangered fish species and the application may be conditioned or denied. (Use macro B63 to generate letter)

6. Alert senior staff of the need to :
Notify the interagency review team that an application has been received in an area that may affect the habitat of sensitive, threatened or endangered fish species. (use m:\t\fo\tools\div33.mmo)

7. Convene the interagency review team, as needed, to review applications which the Department determines may affect sensitive, threatened or endangered fish species.

8. Continue with review of the following:

- (1) Fees
- (2) Land Use
- (3) Map
- (4) water availability (see 3 or 9)
- (5) fishery impacts (see above)
- (6) injury to existing rights
- (7) public comments
- (8) scenic waterway restrictions
- (9) basin program restrictions
- (10) other rule restrictions
- (11) conflicts with existing rights
- (12) statutory or other withdrawals

9. For Applications not subject to Item 2 above (Old Division 33)

Water Available? yes YES

Season Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Basin # 17 WAB# 5

Pond Location 30 15 u

Quail Meadow FARMS INC

POB 114

LANGLOIS Dr 97450

Township 30S

RANGE 15W

Section 11

RECEIVED

DEC 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. R-81899
Permit No.

scale 1" = 200'

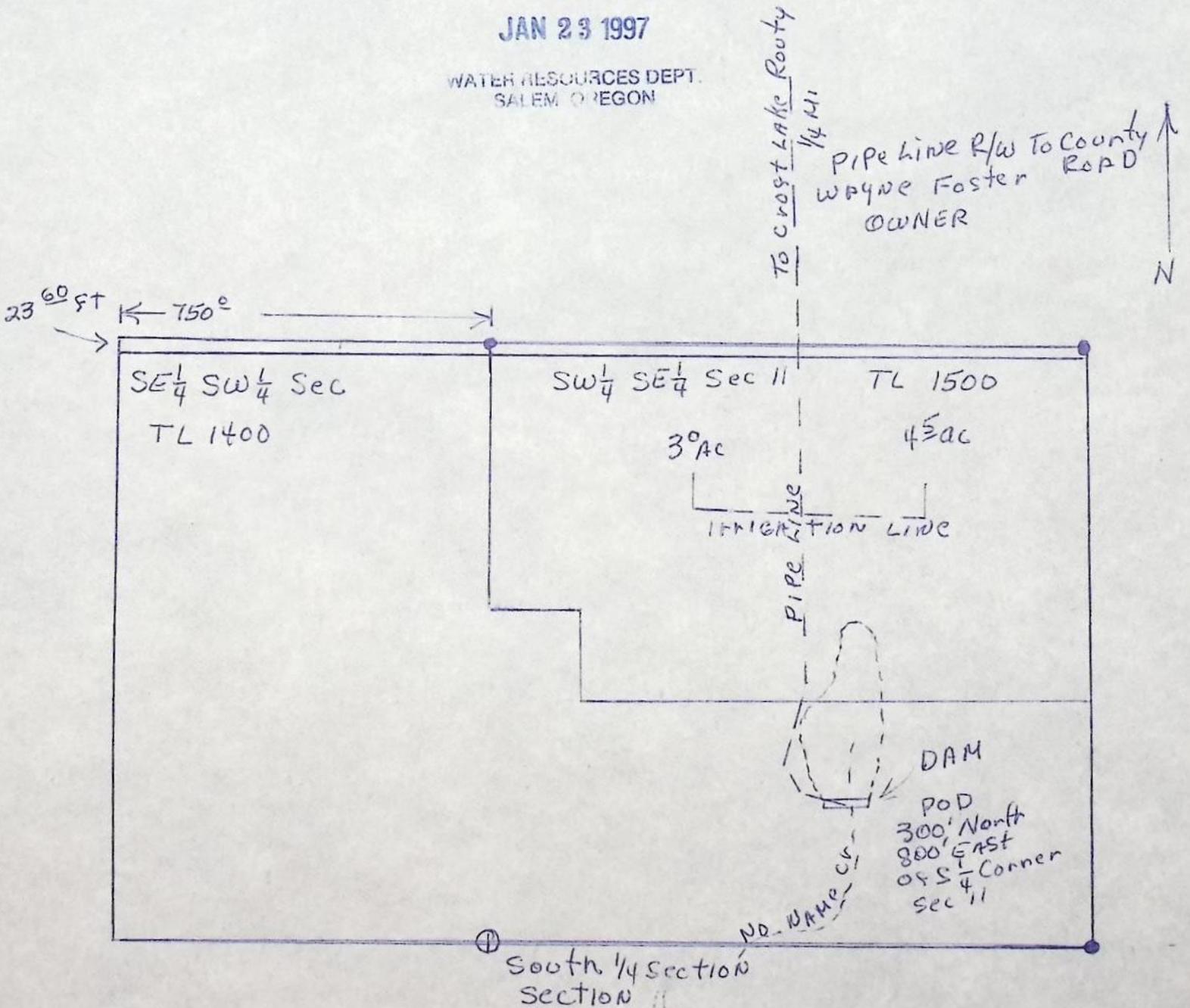
⊕ 1/4 section Corner

• 1/16 section Corner

RECEIVED

JAN 23 1997

WATER RESOURCES DEPT.
SALEM, OREGON



Water Available for storage DEC to April
7/15/07 mm

Oregon Water Resources Department Application for a Permit to Store Water

Expedited Review Process

For reservoirs that:

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

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DEC - 4 1996



Landowner: QUAIL Meadow FARMS INC

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

DEC 23 1996

Authorized Agent: ~~Wayne Foster~~, WAYNE

Address: POB 114

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 23 1997

LANGLOIS OR 97450

Phone: 541 348 2351

FAX: _____ E-Mail Address: _____

WATER RESOURCES DEPT.
SALEM, OREGON

A. County of use: COOS B. River basin (see reverse): South Coast

C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
30S	15W	11	SW ¹ / ₄ SE ¹ / ₄	1400

D. Name, if any, of reservoir: Water I

E. Source of water: No Name Cr which flows into New River

F. Water is would be used for (see reverse) C. RANBERRY, CRANBERRY PROCESSING AND RELATED USES

G. Maximum height of dam: 6 feet.

H. Quantity of water stored in reservoir at maximum capacity: (4) Four acre-feet (see reverse).

BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:

Answered each question on this form as completely as possible?

Attached a legible map which includes township, section, range, quarter-quarter and tax lot identification?

Included a check payable to the Oregon Water Resources Department for \$10 per acre-foot up to a maximum of \$100?

By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Wayne Foster
(Signature of Landowner/Agent)

Wayne Foster President
(Printed name and title)

11/7/96
(Date)

<u>R-81899</u> Application #	For Department Use Permit #	<u>1-23-97</u> Tentative Priority Date	10-95
---------------------------------	--------------------------------	---	-------

Oregon's major river basins:

- | | | |
|---------------|-----------------|--------------|
| 1-North Coast | 8-Grande Ronde | 15-Rogue |
| 2-Willamette | 9-Powder | 16. Umpqua |
| 3-Sandy | 10-Malheur | 17-S. Coast |
| 4-Hood | 11-Owyhee | 18-Mid Coast |
| 5-Deschutes | 12-Malheur L. | 19-Columbia |
| 6-John Day | 13-Goose/Summer | 20-Snake |
| 7-Umatilla | 14-Klamath | |



One acre-foot is the volume of water that would cover one acre with one foot of water. To find out how much water your pond stores, multiply the surface area by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. To be eligible to apply under the expedited review process (HB 2376, 1995), your pond must store less than 400,752 cubic feet (43,560 X 9.2).

What do you use water for?

Agriculture, Land Management

General Agriculture	Cranberry
Irrigation	Nursery Operations
Stockwater	Temperature Control
Aquatic Life	Forest & Range Management
Other: (Specify)	

Industrial/Commercial Uses

Industrial	Commercial
Fire Protection	Mining
Power Development	Other: (Specify)

Drinking Water Supply

Human Consumption	Domestic
Domestic Expanded	Other: (Specify)

Community Water Supply

Municipal	Quasi-Municipal
Group Domestic	Storm Water Management
Other: (Specify)	

Environmental Benefits

Pollution Abatement	Recreation
Wetland Enhancement	Wildlife
Other: (Specify)	

SECTION 11 T.30S. R.15W. W.M.
COOS COUNTY

Added to file by
map 7/5/97

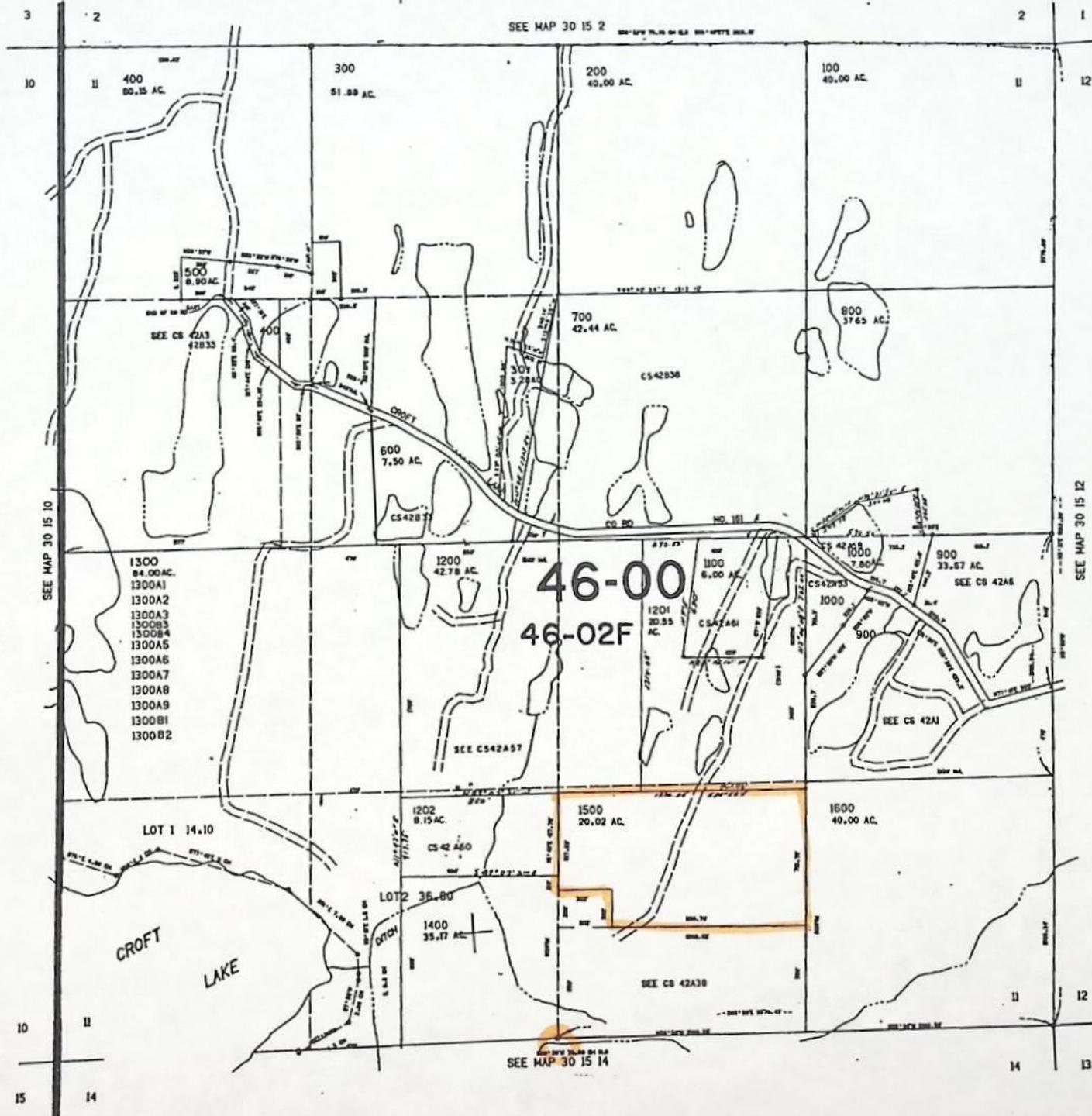
30 15 11

CANCELLED
300A1
801
1300A4

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

1"=400'

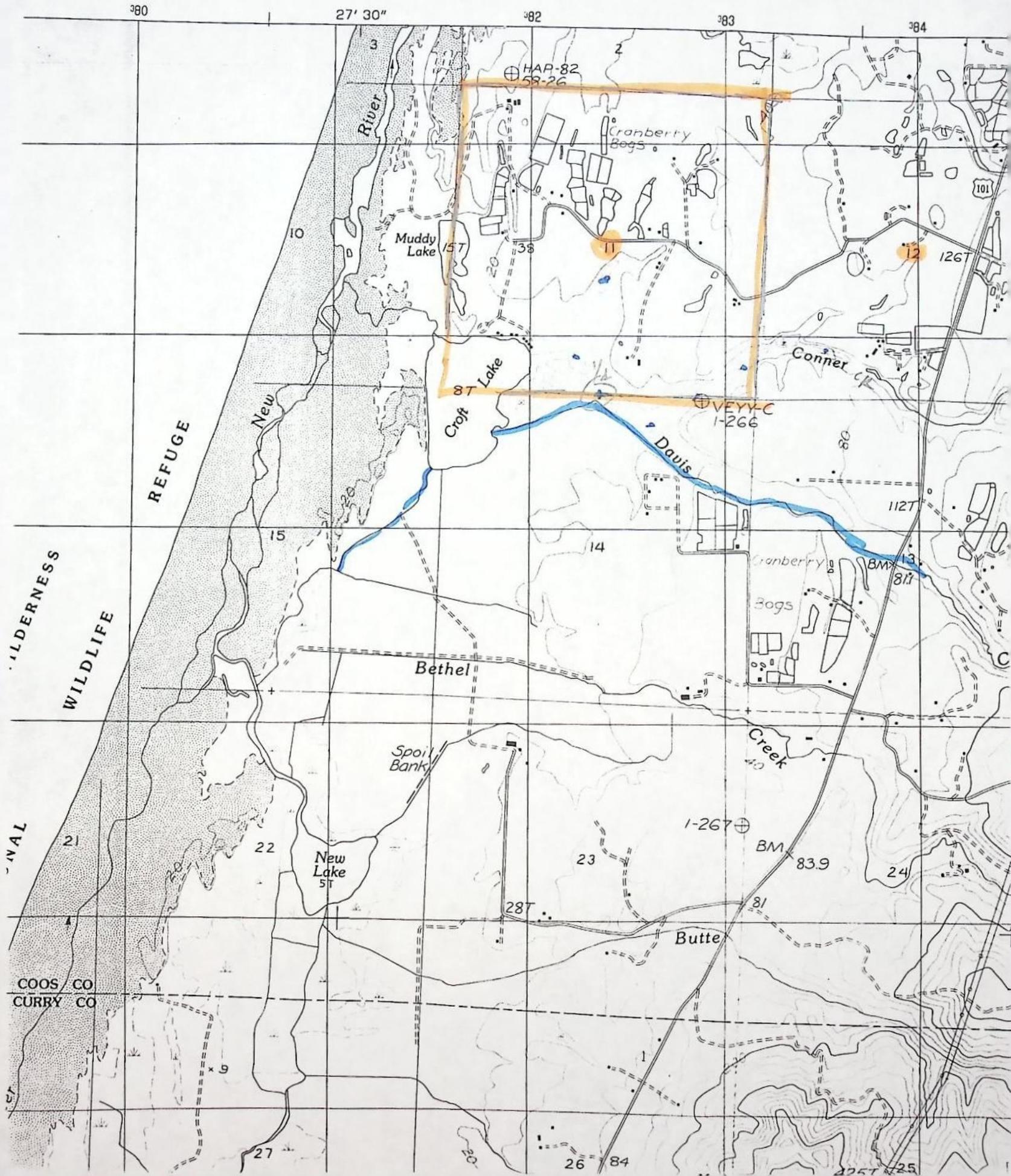
SCALE 1:9600.



46-00
46-02F

RECEIVED
JUN 29 1992
DEPT. OF REVENUE STATE OF OREGON
ASSESSMENT & APPRAISAL DIV.

RIOR added to file by MM 7/15/92



R-81899\$@\$

\$@\$

QUAIL MEADOW FARMS INC.; FOSTER, WAYNES@\$

PO BOX 114\$@\$

LANGLOISS@\$

OREGON\$@\$

97450 \$@\$

(541)348-2351\$@\$

COOS\$@\$

January 23, 1997\$@\$

WATER 1 RESERVOIR AND STORE THE WATERS OF AN UNNAMED STREAM,
A TRIBUTARY OF NEW RIVER\$@\$

CRANBERRY USE.\$@\$

4.0 ACRE-FEET\$@\$

17\$@\$

South Coast\$@\$

a 50\$@\$

Volume 3 BASIN 17 MISC\$@\$

District 19\$@\$

WATER 1 RESERVOIR

6.00

\$@\$

\$@\$

SWSE, SECTION 11, T30S, R15W, W.M.;

300 FEET NORTH & 800 FEET EAST OF S1/4 CORNER, SECTION 11

\$@\$

%%SWSE

@@SECTION 11

**TOWNSHIP 30 SOUTH, RANGE 15 WEST, W.M.

\$#\$

STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMORANDUM

July 10
~~February 5, 1997~~

TO: MIKE
CC: ~~Dought~~ files
FROM: D Baer

SUBJECT: ORS 537.409 Expedited reservoir applications subject to Division 33 statewide rules;

Files R- 81900 + R- 81899 R- 81916

(Target completion dates - July 22nd of Aug 6th, 1997

Division 33 Statewide rules OAR 690-33-310 through 690-33-340, apply to these applications because they lie within a geographic area of the state where sensitive, threatened or endangered fish species are located (per McCord's map).

Before processing of these applications can be completed, OAR 690-33-330(1) requires us to:

(a) Notify the applicant that based on a preliminary determination, the proposed use may affect the habitat of sensitive, threatened or endangered fish species and the application may be conditioned or denied.

(b) Notify the interagency review team that an application has been received in an area that may affect the habitat of sensitive, threatened or endangered fish species.

(c) Convene the interagency review team, as needed, to review applications which the Department determines may affect sensitive, threatened or endangered fish species.

I have ^{NOT} sent the notice required in "a" above. MIKE, please address items "b" & "c" above.

Please return the applications to me for further processing once Div. 33 requirements are met. Thanks

January 31, 1997

Oregon

QUAIL MEADOW FARMS INC.; FOSTER, WAYNE
PO BOX 114
LANGLOIS, OR 97450

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # R-81899,R-81900;

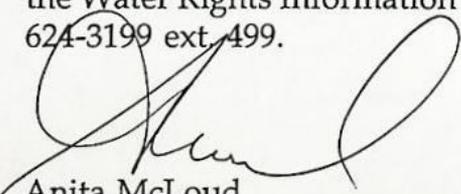
This is to let you know we have received your water use permit application, supporting documentation and fees. A receipt is enclosed, unless you were previously issued one. Your application has been assigned the number listed above.

Under the expedited review process for qualifying small ponds, the department is required to issue a final order approving or denying the permit, or grant a permit with conditions within 180 days of receiving an application.

If a permit is approved, the use allowed will be subject to existing Basin Program Rules, the demands of prior right holders and other limitations as needed to protect the resource. It may also be subject to new criteria or restrictions deemed necessary by the Oregon Water Resources Commission (a citizen body which oversees the agency's activities) to respond to water and other natural resource issues.

The filing of an application does not allow you to use water. By law, an applicant may not legally store, divert or use water until the Department issues a final order approving a water right permit. Please bear in mind that the issuance of a permit is not guaranteed; therefore, the Department advises against investments in storage or delivery systems until you receive a permit.

If you have questions about your application, please write to us at the address below or call the Water Rights Information Group at (503)378-8455 ext. 499, or toll free in Oregon at 1-800-624-3199 ext. 499.


Anita McLoud
Water Rights Specialist
Water Rights Division



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

R-81899



Oregon Water Resources Department Land Use Information Form

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

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: QUAIL MEADOW FARMS INC

Address: POB 25

City: LANGLOIS State: OR Zip: 97450 Day Phone: 348 2351

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
1500	Cranberry & Related Uses EFUF	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
1400	Cranberry & Related Uses EFUF	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
130-15-11 14:13643.02		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. F (Municipal Use)
COOS COUNTY

RECEIVED

JAN 23 1997

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Cranberry & Related uses

Signature: _____

Date: _____

Staff contact: _____

Phone: _____

City or County: _____

Name of water right applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

Application No. R-81899
Permit No.

Oregon

WATER
RESOURCES
DEPARTMENT

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may chose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to the applicant.

RECEIVED

JAN 23 1997

NOTE TO LOCAL GOVERNMENTS

WATER RESOURCES DEPT.
SALEM, OREGON

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan.

Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use 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 the Department. If you have any questions concerning this form, please contact WRD's Land Use Coordinator at (503) 378-3739, ext. 241.



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



R-81899

Oregon Water Resources Department Land Use Information Form

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

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: QUAIL MEADOW FARMS INC

Address: POB 25

City: LANGLOIS State: OR Zip: 97450 Day Phone: 348 2351

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
1500	Cranberry & Related Uses EFUF	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
1406	Cranberry & Related Uses EFUF	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
T30-15-1 174,13643.02		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. F (Municipal Use)
COOS County

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JAN 23 1997

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Cranberry & Related uses

Briefly describe: Temp control, Irrigation Harvest Processing

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water No Name Cr
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:

Total of 7 CFS GPM Acre-Feet
Two Ponds

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____ . Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Theda L. Kerns Date: 1-7-97
 Title: Planner Coos County Phone: (541) 396-3121 ext 210
 Signature: Theda L Kerns

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Receipt for Request for Land Use Information

Name of water right applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: _____ Date: _____

QUAIL Meadow FARMS Inc

POB 114

LANGLOIS Or 97450

TOWNSHIP 30S RANGE 14W

SECTIONS 11-12

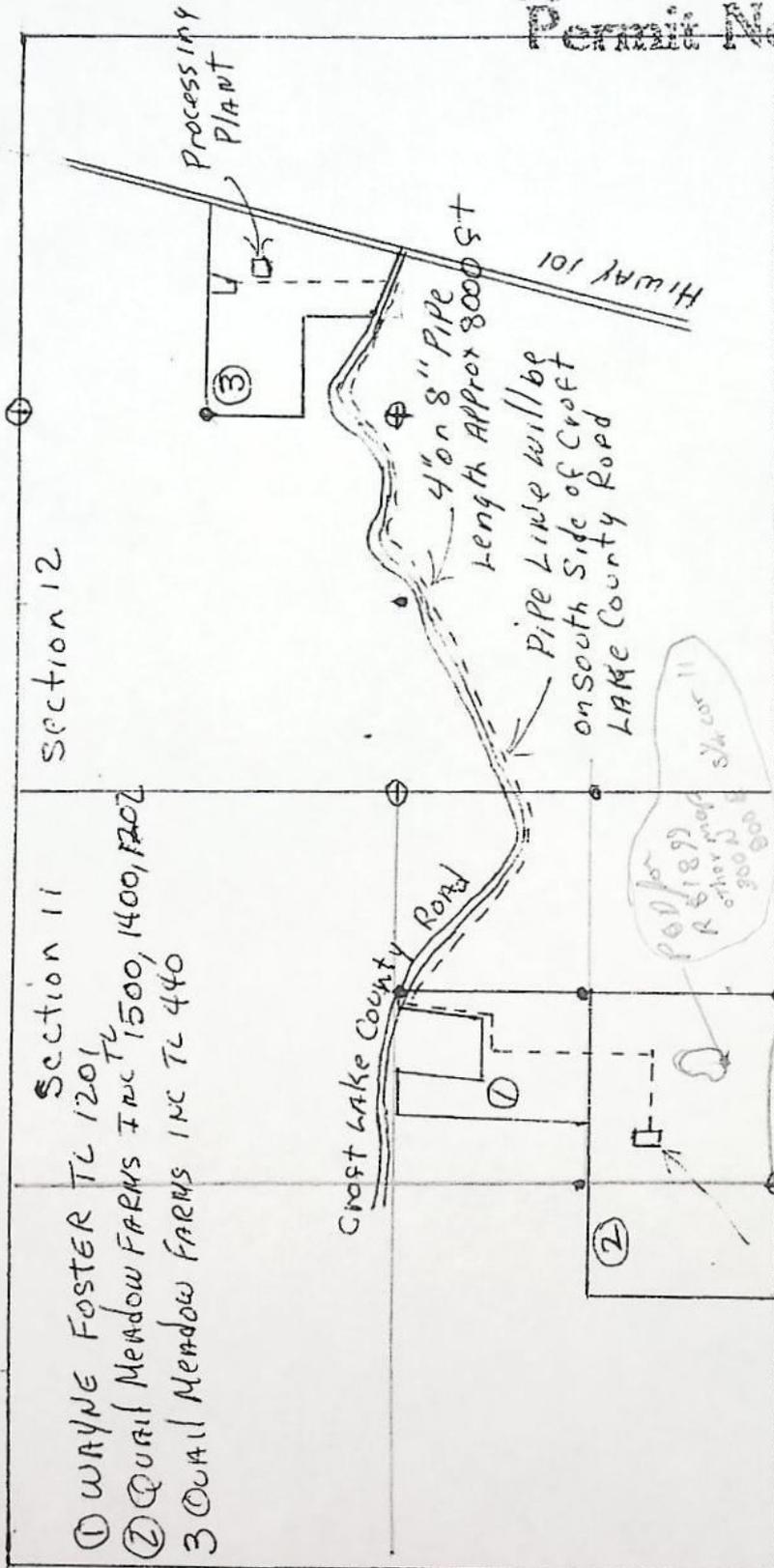
RECEIVED

DEC 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. R-81899

Permit No. FOR REFERENCE ONLY



Scale 1" = 1/4 mile

- ⊕ 1/4 Section Corners
- 1/16 Section Corner

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WATER RESOURCES DEPT.
SALEM, OREGON

John Drobot My Phone

Two ponds are in headwaters & do not support fish.

John wants stuff gages & area capacity curves in both ponds

Work Copy
MM 2/15/97
9/19/97
MM

QUAIL MEADOW FARMS Inc
 POB 114
 LANGLOIS Or 97450
 Township 30S RANGE 14W
 Sections 11-12

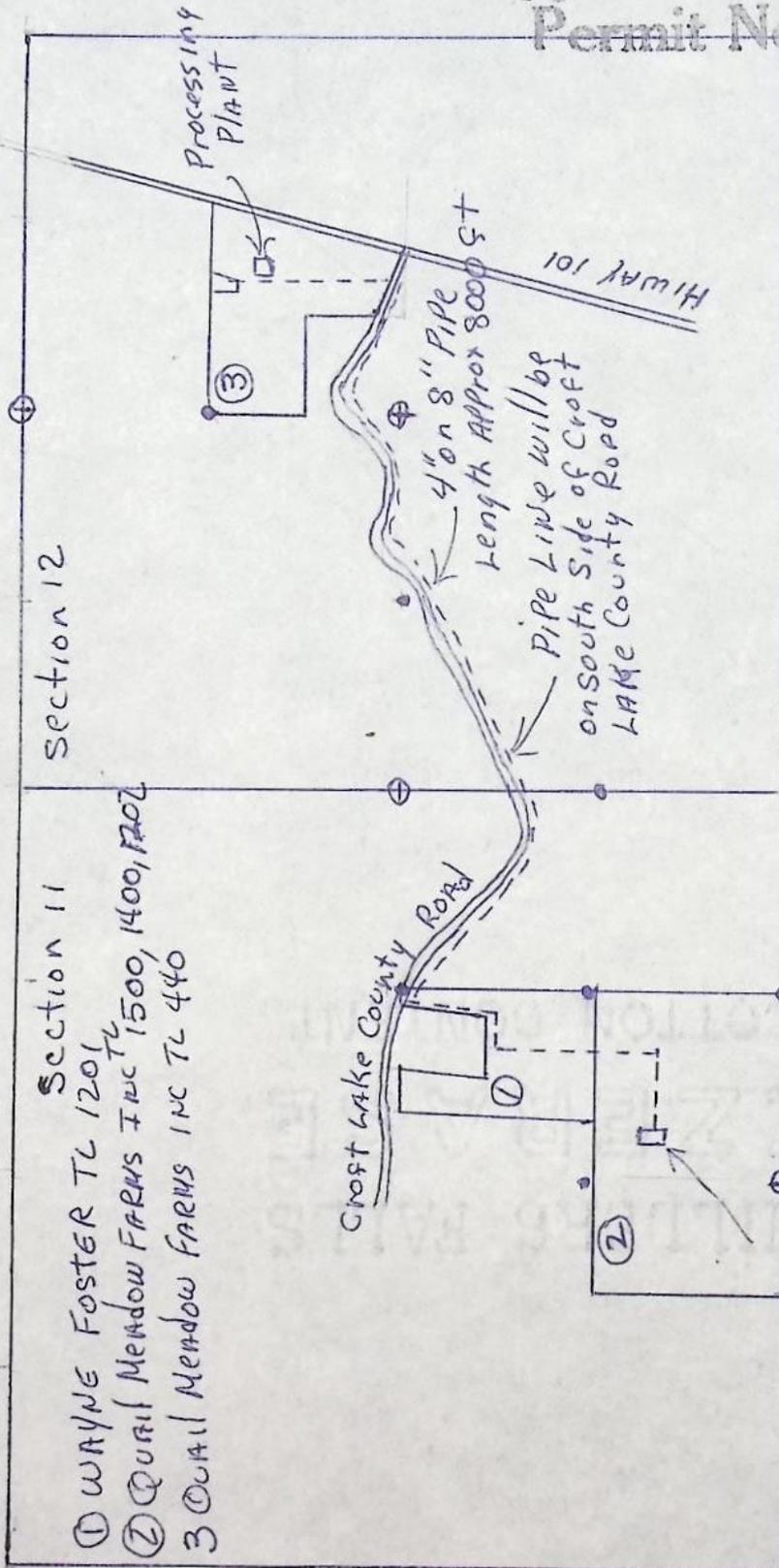
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 SALEM, OREGON

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WATER RESOURCES DEPT.
 SALEM, OREGON

Section 11
 1 WAYNE FOSTER TL 1201
 2 QUAIL MEADOW FARMS INC TL 1500, 1400, 1702
 3 QUAIL MEADOW FARMS INC TL 440

POD 700' North
 300' East
 1/4 Sec Corner
 Sec 11

R-81899



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1400	Cranberry & Related Uses EFUF	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
T30-15-11 13673.00, 13643.92	F (Municipal-Use)	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. COOS County

RECEIVED
JAN 23 1997

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Cranberry & Related Uses

Briefly describe: Temp Control, Irrigation HARVEST Processing

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water NO NAME CR
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:

TOTAL OF 7 CFS GPM Acre-Feet
TWO POUNDS

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

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		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
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Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

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 Staff contact: _____
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R-81899



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130-15-11 74:13643.02		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. F (Mispel-Use) COOS County

RECEIVED
JAN 23 1997

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Beneficial Use(s): Cranberry & Related uses

Signature: _____
Date: _____
Staff contact: _____
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Name of water right applicant: _____

Application No. R-81879
Permit No.

Oregon

WATER
RESOURCES
DEPARTMENT

NOTE TO APPLICANTS

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Salem, OR 97310-0210
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FAX (503) 378-8130

Application No. R-81899
Permit No.

Oregon

WATER
RESOURCES
DEPARTMENT

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FAX (503) 378-8130

PRE-IR APPLICATION PROCESSING OUTLINE

Application File # R-81899

MINIMUM REQUIREMENTS TO FILE
OAR 690-310-040

<u>DATE</u>	<u>INITIAL</u>	
<u>1/23/97</u>	<u>[Signature]</u>	<u>SURFACE AND GROUNDWATER APPLICATIONS</u>
_____	_____	Name and mailing address of applicant
_____	_____	Source of water
_____	_____	Quantity of water
_____	_____	Map meeting requirements of OAR 690-310-050
_____	_____	Nature of proposed use
_____	_____	Names and addresses of legal owners
_____	_____	Easement/authorization statement
_____	_____	Legal description of POD/POU
_____	_____	Description of works and conveyance
_____	_____	Information on waste/measurement, etc
_____	_____	Land use approved <u>yes</u> pending _____
_____	_____	Signature/title of applicant
_____	_____	Oath
_____	_____	Estimated capacity of pump
_____	_____	Primary permit or certificate number (if application is for supplemental)
_____	_____	Form M <u>N/A</u> I _____ R _____
_____	_____	Examination fee

_____	_____	<u>ADDITIONAL FOR GROUNDWATER APPLICATIONS</u>
_____	_____	Copy of well log (for existing wells)
_____	_____	Groundwater development
_____	_____	Well Characteristics
_____	_____	Rate of flow if no pumping required

<u>1-23-97</u>	<u>[Signature]</u>	<u>ADDITIONAL FOR RESERVOIR APPLICATIONS</u>
_____	_____	HB 2376 exam fee \$10 per acre-foot
_____	_____	CWRE map for dam >10ft AND storage >9.2 AF
_____	_____	Acknowledgement post card to applicant

<u>2/28/97</u>	<u>[Signature]</u>	<u>SUPPORT SERVICES</u>
_____	_____	Stamp contents with application number
_____	_____	Place label on file and calendar card
_____	_____	Route to Initial Review

WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

Date: September 9, 1997

To: John Drolet, Reece Bender, Russell Harding, Ves Garner
From: Michael Mattick
Subject: Division 33 Review of R-81899, an 2376 expedited reservoir

This is an "old" application that is a little confusing as the littler reservoir appears on a regular reservoir application. Please give me your thoughts on both reservoirs. If you can move this to the top of your review pile, I would appreciate it. Thanks MM

Check Foster.

R 81899

4.0 Acres

Check stragdeles for
New River &

This is condition
New River

should ~~we~~
be consistent

The same

Bogs, Losh-

Ranches, etc.

See New River
Reservoir group signed 1/97

Check Foster.

R 81899

4.0 Acres

Check straggles for
New River &

Staff gage condition

Conditioned The same
as Seaview Bogs, Losh-
Baugh, Knapp Ranches, etc.

See New River
Reservoir group signed 1/97

WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

TO DO

Date: September 9, 1997

To: John Drolet, ~~John Bender~~, Russell Harding, Ves Garner
From: Michael Mattick *MM*
Subject: Division 33 Review of R-81899, an 2376 expedited reservoir

This is an "old" application that is a little confusing as the littler reservoir appears on a regular reservoir application. Please give me your thoughts on both reservoirs. If you can move this to the top of your review pile, I would appreciate it. Thanks MM

Michael:

I am not sure of the status of this application. It was originally sent to Reese. The reservoir site is not located on a fish-bearing stream so passage and screening is not required. The reservoir site is within Davis Cr. sub-basin so who are an issue. If storage is limited to December-April there should be no substantial impact.

Todd Confer JC

Post/It	Dam	# of pages
Fax Note	9/29	1
To	Michael Mattick	
Fax#	503-378-6203	
From	Todd Confer	
Phone#		

WATER AVAILABILITY TABLE

Basin: SOUTH COAST
 Water Availability Subb: *From 818 99*
 Time: 11:46

Exceedance Level: 50
 0 (and Nested Subbasins)
 Date: 07/15/1997

Item #	W.A. Subbasin	Jan	Tul	Aug	Sep	Oct	Nov	Dec	Sto
1	5000000000000000	YES Y	YES						
2	5008000000000000	YES Y.	NO	NO	NO	NO	NO	YES	YES

STREAM NAMES

Basin: SOUTH COAST
 Water Availability Subbasin: 5008000000000000
 Time: 11:46

(and Nested Subbasins)
 Date: 07/15/1997

WAB #	Stream Name	Tributary to
5000000000000000	NEW R @ mouth	PACIFIC OCEAN
5008000000000000	DAVIS CR @ mouth	CROFT L

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 5008000000000000

Basin: SOUTH COAST
 Exceedance Level: 50
 Time: 11:46

Date: 07/15/1997

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	5008000000000000	DAVIS CR @ mouth	YES	4.7
2	5008000000000000	DAVIS CR @ mouth	YES	7.0
3	5008000000000000	DAVIS CR @ mouth	YES	5.2
4	5008000000000000	DAVIS CR @ mouth	YES	0.9
5	5008000000000000	DAVIS CR @ mouth	NO	-3.8
6	5008000000000000	DAVIS CR @ mouth	NO	-4.0
7	5008000000000000	DAVIS CR @ mouth	NO	-5.0
8	5008000000000000	DAVIS CR @ mouth	NO	-5.4
9	5008000000000000	DAVIS CR @ mouth	NO	-5.4
10	5008000000000000	DAVIS CR @ mouth	NO	-4.9
11	5008000000000000	DAVIS CR @ mouth	NO	-0.1
12	5008000000000000	DAVIS CR @ mouth	YES	4.5
Stor	5008000000000000	DAVIS CR @ mouth	YES	1330.0

WATER AVAILABILITY TABLE

Basin: SOUTH COAST Exceedance Level: 50
 Water Availability Subbasin: 5008000000000000 (and Nested Subbasins)
 Time: 11:46 Date: 07/15/1997

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	5000000000000000	YES												
2	5008000000000000	YES	YES	YES	YES	NO	YES	YES						

STREAM NAMES

Basin: SOUTH COAST
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9	5008000000000000	DAVIS CR @ mouth	NO	-5.4
10	5008000000000000	DAVIS CR @ mouth	NO	-4.9
11	5008000000000000	DAVIS CR @ mouth	NO	-0.1
12	5008000000000000	DAVIS CR @ mouth	YES	4.5
Stor	5008000000000000	DAVIS CR @ mouth	YES	1330.0

DETAILED REPORT ON WATER AVAILABILITY

Basin: SOUTH COAST

Stream: NEW R @ mouth

Water Availability Subbasin: 5000000000000000

ID Number: 31730602

Exceedance Level: 50

Time: 11:46

Date: 07/15/1997

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	623.00	1.00	622.00	10.50	611.00	0.00	611.00
2	725.00	2.00	723.00	11.30	712.00	0.00	712.00
3	642.00	0.00	642.00	10.60	631.00	0.00	631.00
4	356.00	1.00	355.00	6.69	348.00	0.00	348.00
5	118.00	3.00	115.00	5.55	109.00	0.00	109.00
6	99.00	8.70	90.30	2.01	88.30	0.00	88.30
7	56.90	13.80	43.10	2.37	40.70	0.00	40.70
8	34.90	11.30	23.60	2.17	21.40	0.00	21.40
9	21.30	4.90	16.40	2.81	13.60	0.00	13.60
10	32.20	0.70	31.50	2.50	29.00	0.00	29.00
11	308.00	1.00	307.00	6.07	301.00	0.00	301.00
12	660.00	1.00	659.00	10.50	649.00	0.00	649.00
Stor	220000	2900	217000	4380	213000	0	213000

DETAILED REPORT OF ISWRs

Basin: SOUTH COAST

Stream: NEW R @ mouth

Water Availability Subbasin: 5000000000000000

Time: 11:46

Date: 07/15/1997

APP # :	0	0	0	0	0	0	RESULTANT
STATUS:							
1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0
11	0.0	0.0	0.0	0.0	0.0	0.0	0.0
12	0.0	0.0	0.0	0.0	0.0	0.0	0.0

DETAILED REPORT ON WATER AVAILABILITY

Basin: SOUTH COAST

Stream: DAVIS CR @ mouth

Water Availability Subbasin: 5008000000000000

ID Number: 12655

Exceedance Level: 50

Time: 11:46

Date: 07/15/1997

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	14.30	5.42	8.88	4.20	4.68	0.00	4.68
2	16.90	5.50	11.40	4.44	6.96	0.00	6.96
3	14.60	5.14	9.46	4.24	5.22	0.00	5.22
4	7.22	5.17	2.05	1.17	0.88	0.00	0.88
5	2.11	5.32	-3.21	0.60	-3.81	0.00	-3.81
6	2.31	5.66	-3.35	0.61	-3.96	0.00	-3.96
7	1.62	5.97	-4.35	0.61	-4.96	0.00	-4.96
8	1.07	5.82	-4.75	0.61	-5.36	0.00	-5.36
9	0.67	5.43	-4.76	0.60	-5.36	0.00	-5.36
10	0.87	5.17	-4.30	0.60	-4.90	0.00	-4.90
11	6.20	5.26	0.94	1.09	-0.15	0.00	-0.15
12	14.10	5.41	8.69	4.19	4.50	0.00	4.50
Stor	4910	3910	2480	1370	1330	0	1330

DETAILED REPORT OF ISWRs

Basin: SOUTH COAST

Stream: DAVIS CR @ mouth

Water Availability Subbasin: 5008000000000000

Time: 11:46

Date: 07/15/1997

APP # :	0	0	0	0	0	0	RESULTANT
STATUS:	-----ISWRs-----						
1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0
11	0.0	0.0	0.0	0.0	0.0	0.0	0.0
12	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FILE#: R 81899

QUAIL MEADOW FARMS INC.; FOSTER, WAYNE
PO BOX 114
LANGLOIS, OR 97450

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