

FILE#: S 81454

JACKSON FARMS INC.  
RT 2 BOX 466  
BANDON, OR 97411

C2024

Date filed \_\_\_\_\_

Priority \_\_\_\_\_

Action suspended until C-02

Approval of R-73957

Return to applicant \_\_\_\_\_

Date of approval 8/21/98

**CONSTRUCTION**

Date for beginning 8/21/99

Date for completion \_\_\_\_\_

Extended to 10/1/2024

Date for application of water 10/1/02

Extended to \_\_\_\_\_

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_

**FINAL PROOF**

Blank mailed \_\_\_\_\_

Proof received \_\_\_\_\_

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

Application No. 81454

Permit No. 53455

Certificate No. \_\_\_\_\_

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

**FEE PAID**

Date	Amount	Receipt No.
8-21-98	400 <sup>00</sup>	5653
2-7-2022	780.00	137427
4-7-26	180.00	147172
	Cert. Fee	

**FEE REFUNDED**

Date	Amount	Check No.
6-27-97	100.00	003838

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page
4-21-2026 <i>certial</i>	AgWest Farm Credit FLCA	2222 NW Kline St., Roseburg, OR 97471		

**REMARKS**

See R-73957

53455

Cancellation Review

Date 4/18/2014 File# S-81454

1. C Date 10/1/2002
2. Certified Letter Date 2/14/2014
3. Return Receipt Rcvd. 2/27/2014
4. Return Receipt Signed By agent
5. Other Communication: none

Recommend Cancellation  or  
Hold Action until     /    /    

*How: [Signature] 4/22/14*

DIV. 33

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **147172**

INVOICE # \_\_\_\_\_

RECEIVED FROM: A West  
 BY: F. ...

APPLICATION	<u>...</u>
PERMIT	
TRANSFER	

CASH:  CHECK: # 1013 938 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,260.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$  
 OTHER: (IDENTIFY) \$  
 0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

MISCELLANEOUS 46.111

0407 COPY & TAPE FEES \$  
 0410 RESEARCH FEES \$  
 0408 MISC REVENUE: (IDENTIFY) \$  
 TC162 DEPOSIT LIAB. (IDENTIFY) \$  
 0240 EXTENSION OF TIME \$

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$

OTHER (IDENTIFY) Assignment

**SPECIAL INSTRUCTIONS:** \$ 180.00 for each file below:

G-10279  
 G-10883  
 G-12797 5-81454  
 S-61588 R-88578  
 S-64854

TREASURY OTHER / RDX

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

RECEIPT: **147172** DATED: 4-17-26 BY: ...

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone 503 986-0900  
Fax 503 986-0904  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

April 21, 2026

AgWest Farm Credit  
2222 NW Kline Street  
Roseburg, OR 97471

Reference: Application G-10279, Permit G-9685  
Reference: Application G-10883, Permit G-10017  
Reference: Application G-12797, Permit G-13007  
Reference: Application S-61588, Permit S-46616  
Reference: Application S-64854, Permit S-47370  
Reference: Application S-81454, Permit S-53455  
Reference: Application R-88578, Permit R-15538

Regarding Application G-10279, Permit G-9685, Application G-10883, Permit G-10017, Application G-12797, Permit G-13007, Application S-61588, Permit S-46616, Application S-64854, Permit S-47370, and Application S-81454, Permit S-53455 the assignment from Jackson Farms, Inc. to Jackson Farms, Inc. and AgWest Farm Credit, FLCA has been recorded in the records of the Water Resources Department.

The Departments records will now show Jackson Farms, Inc. and AgWest Farm Credit, FLCA as the permit holders of record.

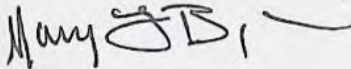
Regarding Application R-88578, Permit R-15538, the assignment from Jackson Farms to Jackson Farms, Inc., and AgWest Farm Credit, FLCA has been recorded in the records of the Water Resources Department.

The Departments records will now show Jackson Farms, Inc. and AgWest Farm Credit, FLCA as the permit holders of record.

Our records have been changed accordingly and the original requests are enclosed. Receipt number 147172 covering the recording fees is also enclosed.

A permit is not a perfected water right and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permits to be familiar with the conditions and timelines contained in the permits.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary F. Bjork". The signature is stylized and includes a horizontal flourish at the end.

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Original Requests and Receipt #147172

cc: Jackson Farms, Inc. – 89086 Cranberry Bog Lane, Bandon, OR 97411  
Data Center, OWRD (cover letter & requests)  
File

# Request for Assignment

Received  
APR 17 2026  
OWRD



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

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

I, Jackson Farms Inc.  
(Name of Current Holder of Record)  
Route 2 Box 466 Bandon, OR 97411 541-404-5258  
(Mailing Address) (City) (State) (Zip) (Phone #)  
jacksonrickfarms@gmail.com  
(Email Address)

- hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (Example, sold all the land authorized under the right)
- hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)
- hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (Example, adding an additional person)

Application # S-81454 ; Permit # S-53455 ; Transfer Order # \_\_\_\_\_ ;  
Limited License # \_\_\_\_\_ ; Groundwater Statement # \_\_\_\_\_ ;

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

Jackson Farms Inc. and AgWest Farm Credit, FLCA  
(Name of New Owner) Route 2 Box 466 Bandon, OR 97411 541-404-5258  
2222 NW Kline Street Roseburg, OR 97471 541-464-6700  
(Mailing Address) (City) (State) (Zip) (Phone #)  
jacksonrickfarms@gmail.com  
(Email Address)

**Note:** If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

RPB I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 13 day of April, 2026.  
(Day) (Month) (Year)

Signature of Current Holder of Record Richard W. Jackson

Failure to provide any of the required information will result in the return of your application.

Assign - Approve  
WJB 4-22-2026

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 147172

For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$180.

Mailing List for Extension FO Copies

FO Date: October 21, 2022

Copies Mailed

Application: S-81454  
Permit: S-53455

By: KMWF  
On: 10/21/2022

Original mailed to permit holder

Jackson Farms Inc.  
89086 Cranberry Bog Ln.  
Bandon, OR 97411

Copies sent to:

1. WRD - App. File S-81454/ Permit S-53455
2. Other permit holders of record besides applicant
3. WRD – Keith Mills, Dam Safety (*for standard reservoir permits only*)
4. WRD - Kelly Starnes, Permit Amendments (*if necessary*)
5. Agent or CWRE representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

6. None

Receiving notification via e-mail FO available in WRIS for review  
(DONE BY EXTENSION SPECIALIST)

7. WRD - Watermaster District 15, Susan Douthit

CASEWORKER: JDP

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time )  
for Permit S-53455, Water Right Application S-81454 ) FINAL ORDER  
in the name of Jackson Farms Inc. )

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**Permit Information**

Application:	S-81454
Permit:	S-53455
Basin:	South Coast / Watermaster District 15
Date of Priority:	August 21, 1996
Source of Water:	Jackson Reservoir, constructed under Permit R-11389, and enlarged under Permit R-12519 tributary of Coquille River
Purpose or Use:	cranberry operations on 17.0 Acres
Maximum Volume:	45.0 acre-feet (AF)

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**This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.**

**Appeal Rights**

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

**Application History**

Permit S-53455 was issued by the Department on August 21, 1998. The permit specified complete application of water to beneficial use by, October 1, 2002. On February 7, 2022, Jackson Farms Inc. submitted an Application for Extension of Time for Permit S-53455. In accordance with OAR 690-315-0050(2), on August 23, 2022, the Department issued a Proposed Final Order proposing to extend the time to apply water to full beneficial use from October 1, 2002, to October 1, 2024. The protest period closed October 7, 2022, in accordance with OAR 690-315-0060(1). No protest was filed.

## FINDINGS OF FACT

The Department adopts and incorporates by reference the findings in the Proposed Final Order dated August 23, 2022.

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 no additional conditions.

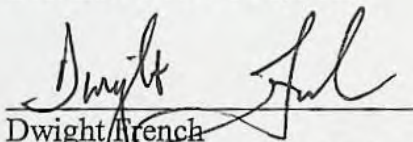
## CONCLUSION OF LAW

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 S-81454, Permit S-53455, therefore, is approved. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2002, to October 1, 2024.

DATED: October 21, 2022



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

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- If you have any questions about statements contained in this document, please contact Permit Extension Specialist at (503)979-3213.
  - 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
-

Mailing List for Extension PFO Copies

PFO Date: August 23, 2022

Copies Mailed

Application: S-81454  
Permit: S-53455

By: TM  
On: 8/23/2022

Original mailed to Applicant:

Jackson Farms Inc.  
89086 Cranberry Bog Ln.  
Bandon, OR 97411

Copies sent to:

1. WRD - App. File S-81454/ Permit S-53455
2. Agents or CWRE's representing the Permit Holder
3. Other permit holders of record besides applicant

Fee paid as specified under ORS 536.050 to receive copy:

4. None

Receiving via e-mail (10 AM Tuesday of signature date)  
(DONE BY EXTENSION SPECIALIST)

5. WRD - Watermaster District 15, Susan Douthit

CASEWORKER: JDP

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time ) PROPOSED  
for Permit S-53455, Water Right Application S-81454 ) FINAL  
in the name of Jackson Farms Inc. ) ORDER

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**Permit Information**

Application:	S-81454
Permit:	S-53455
Basin:	South Coast / Watermaster District 15
Date of Priority:	August 21, 1996
Source of Water:	Jackson Reservoir, constructed under Permit R-11389, and enlarged under Permit R-12519 tributary of Coquille River
Purpose or Use:	cranberry operations on 17.0 Acres
Maximum Volume:	45.0 acre-feet (AF)

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*Please read this Proposed Final Order in its entirety.*

*In summary, the Department proposes to:*

- Grant an extension of time to apply water to full beneficial use from October 1, 2002, to October 1, 2024.<sup>1</sup>

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

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<sup>1</sup> Pursuant to ORS 537.230(5), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use.

### ACRONYM QUICK REFERENCE

Application – Application for Extension of Time  
Department – Oregon Water Resources Department  
ODFW – Oregon Department of Fish and Wildlife  
PFO – Proposed Final Order  
FOF – Finding of Fact  
AF - acre-feet

### AUTHORITY

Generally, see **ORS 537.230** and **OAR Chapter 690 Division 315**.

**ORS 537.230(2)** provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under **ORS 539.010(5)** and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

**ORS 539.010(5)** instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefor; and the income or use that may be required to provide fair and reasonable returns upon the investment.

**OAR 690-315-0040** provides that in order to approve an application for an extension of time to complete construction or apply water to full beneficial use, the Department shall make the findings in **OAR 690-315-0040(1)** including a finding that there is “good cause” to approve the extension. **OAR 690-315-0040(2)-(4)** contains the factors that the Department must consider to make findings that support a “good cause” determination.

### **FINDINGS OF FACT**

1. On August 21, 1998 Permit S-53455 was issued by the Department. The permit authorizes the use of up to 45.0 AF of water from Jackson Reservoir, constructed under Permit R-11389, and enlarged under Permit R-12519 tributary of Coquille River, for cranberry operations on 17.0 acres. The permit specified actual construction was to begin by August 21, 1998 and complete application of water was to be made on or before October 1, 2002.
2. On February 18, 2018, Permit R-12519, was canceled for failure to make proof of the appropriation.
3. On April 30, 2018, the permit holder submitted an Application for a Permit to Store Water in a Reservoir in an effort to reauthorize the storage of water in Jackson Reservoir. This application was assigned Application File R-88578.

4. On February 7, 2022, Jackson Farms Inc., submitted an “Application for Extension of Time” (Application) to the Department, requesting the time to apply water to full beneficial use under the terms and conditions of Permit S-53455 be extended from October 1, 2002, to October 1, 2024. This is the first permit extension requested for Permit S-53455.
5. On March 1, 2022, notification of the Application for Permit S-53455 was published in the Department’s Public Notice. No public comments were received.

**Review Criteria [OAR 690-315-0040]**

*In order to approve an Application for an Extension of Time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).*

**Complete Extension of Time Application [OAR 690-315-0040(1)(a)]**

6. On February 7, 2022, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

**Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]**

7. Construction of the water system and reservoir began prior to permit issuance.

Based on Findings of Fact (FOF) 7, the Department has determined the permit holder began construction prior to October 1, 2002.

**Good Cause [OAR 690-315-0040(1)(d)]**

*The Department must find that there is “good cause” to approve the extension. In making a “good cause” finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).*

**Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]**

*In order to make a finding of “good cause” to approve the extension, the Department shall consider whether the applicant has demonstrated “reasonable diligence” in previous performance under the permit. OAR 690-315-0040(2)(a). In determining “reasonable diligence”, the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b) The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.*

**continued on following page**

**Amount of Construction [OAR 690-315-0040(3)(a)]**

*The amount of construction completed within the time allowed in the permit or previous extension.<sup>2</sup>*

8. Construction of the water system and reservoir began prior to permit issuance.
9. During the original development time frame under Permit S-53455, a pump was installed.

The Application provides evidence that progress of physical work, enough to qualify as the minimum necessary, has been made towards completion of the water system for the Department to find good cause and reasonable diligence towards complete application of water to a beneficial use.

**Compliance with Conditions [OAR 690-315-0040(3)(c)]**

*The water right permit holder's conformance with the permit or previous extension conditions.*

10. The Department has considered the permit holder's compliance with conditions, including mitigation requirements, and did not identify any concerns.

Based on FOF 10, the Department has determined that the permit holder has demonstrated compliance with permit conditions as required by Permit S-53455.

**Beneficial Use of Water [OAR 690-315-0040(3)(b)]**

*The amount of beneficial use made of the water during the permit time limits or previous extension time limits.*

11. A maximum volume of 45.0 AF of water has been diverted from the Jackson Reservoir, tributary of Coquille River for nursery use on 17.0 acres.

Based on FOF 11, the Department has determined that beneficial use of water has been demonstrated under Permit S-53455.

**Financial Investments to appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]**

12. The permit holder has invested approximately \$251,000, which is the total projected cost for complete development of this project.

Based on FOF 12, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

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<sup>2</sup> "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A)and(B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

**Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]**

The Application provides evidence that work has been accomplished towards completion of the water system; the permit holder has demonstrated compliance with permit conditions; a financial investment has been made, and; beneficial use of water has been demonstrated. The Department has determined the applicant has demonstrated reasonable diligence in previous performance under Permit S-53455.

**The Market and Present Demands for Water [OAR 690-315-0040(4)(a-f)]**

*The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:*

- *(a) The amount of water available to satisfy other affected water rights and scenic waterway flows;*
- *(b) Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d);*
- *(c) The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife;*
- *(d) Economic investment in the project to date;*
- *(e) Other economic interests dependent on completion of the project; and*
- *(f) Other factors relevant to the determination of the market and present demands for water and power.*

**OAR 690-315-0040(4)(a)**

**The amount of water available to satisfy other affected water rights and scenic waterway flows.**

13. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit S-53455; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted.
14. Current Water Availability Analysis has determined that no water is available from Jackson Reservoir, enlarged under R-12519.
15. Current Water Availability Analysis has determined that 45.0 AF of water is available from Jackson Reservoir, constructed under R-15538.

**continued on following page**

**OAR 690-315-0040(4)(b)**

Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

16. The point of diversion is located on Jackson Reservoir, tributary of Coquille River, and is not located within a Withdrawn Area.
17. Jackson Reservoir, is not located within or above a/the state or federal scenic waterway.
18. The point of diversion is not in a location listed by the Department of Environmental Quality as a water quality limited stream.

**OAR 690-315-0040(4)(c)**

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

19. Coquille River is located within an area ranked “highest” for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

**OAR 690-315-0040(4)(d)**

Economic interests dependent on completion of the project.

20. An approximate total of \$251,000 has been invested in the project.

**OAR 690-315-0040(4)(e)**

Other economic interests dependent on completion of the project.

21. Northwest Farm Credit Services holds an economic interest in the underlying property where the use of water under the permit is authorized.

**OAR 690-315-0040(4)(f)**

Other factors relevant to the determination of the market and present demand for water and power.

22. No other factors relevant to the determination of the market and present demand for water and power have been identified.

**Fair Return Upon Investment [OAR 690-315-0040(2)(f)]**

23. The use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

**Other Governmental Requirements [OAR 690-315-0042(2)(g)]**

24. Delay in the development of this project that was caused by other governmental requirements have not been identified.

**Unforeseen Events [OAR 690-315-0040(2)(h)]**

25. Permit R-12519 was canceled on February 2, 2018, resulting in the loss of authorization to store the 45.0 AF of water which is the source of this permit.

**Denial of an Extension Would Result in Undue Hardship [OAR 690-315-0040(2)(i)]**

26. A denial of the extension would result in undue hardship, because development of the water system and use of the water has been completed. An extension of time is necessary to allow for the permit holder to demonstrate use of water from Jackson Reservoir, enlarged under Permit R-15338.

**Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]**

27. The Application provides evidence of good faith of the appropriator under Permit S-53455.

Based on FOF 7, 8, 9, 10, 11, 12, and 20, the Department has determined that the applicant has shown good faith and reasonable diligence.

**Duration of Extension [OAR 690-315-0040(1)(c)]**

*Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.*

28. As of February 7, 2022, work on the water system is complete. An extension of time is necessary to allow for the permit holder to demonstrate compliance with conditions of Permit R-15538, and utilize water from Jackson Reservoir stored under Permit R-15538.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2024, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit S-53455 is both reasonable and necessary.

**Good Cause [OAR 690-315-0040(1)(d)]**

*The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).*

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which

the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

### CONCLUSIONS OF LAW


1. The Applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The Applicant complied with construction timeline requirements to begin actual construction as required by ORS 537.230, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 7, through 27, completion of construction and full application of water to beneficial use can be accomplished by October 1, 2024<sup>3</sup>, as required by OAR 690-315-0040(1)(c).
4. The Applicant can complete the project within the time period requested for the extension on the project.
5. The Applicant has demonstrated good cause for the extension.

### PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to apply water to beneficial use under Permit S-53455 from October 1, 2002, to October 1, 2024.

DATED: August 23, 2022

  
Dwight French, Administrator  
Water Right Services Division

*If you have any questions,  
please check the information  
box on the last page for the  
appropriate names and  
phone numbers.*

<sup>3</sup>Pursuant to ORS 537.230(5), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

### Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 7, 2022**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
  - a. The name, address and telephone number of the petitioner;
  - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
  - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
  - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
  - e. Any citation of legal authority supporting the petitioner, if known;
  - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
  - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
  - a. Issue a final order on the extension request; or
  - b. Schedule a contested case hearing if a protest has been submitted, and:
    - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
    - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

**NOTICE TO ACTIVE DUTY SERVICEMEMBERS:** Active duty Servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.



**STATE OF OREGON**  
**WATER RESOURCES DEPARTMENT**

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

RECEIPT # **137427**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Jackson Farms Inc.  
 BY: \_\_\_\_\_

APPLICATION	5-81454
PERMIT	
TRANSFER	

CASH:  CHECK:#  7278 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 780.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$  
 \_\_\_\_\_ OTHER: (IDENTIFY) \_\_\_\_\_ \$  
 0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS** 46110

0407 COPY & TAPE FEES \$  
 0410 RESEARCH FEES \$  
 0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_ \$  
 TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$  
 0240 EXTENSION OF TIME \$ 780.00

**WATER RIGHTS:**

EXAM FEE		RECORD FEE
\$	0202	\$
\$	0204	\$
\$		

0201 SURFACE WATER  
 0203 GROUND WATER  
 0205 TRANSFER

**WELL CONSTRUCTION**

EXAM FEE		LICENSE FEE
\$	0219	\$
	0220	\$

0218 WELL DRILL CONSTRUCTOR  
 LANDOWNER'S PERMIT

\_\_\_\_\_ OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD# \_\_\_\_\_  
 0210 MONITORING WELLS \$ \_\_\_\_\_ CARD# \_\_\_\_\_  
 \_\_\_\_\_ OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **137427**

DATED: 2-7-2002 BY: Mindy Cochran

Application: S-81454

Permit: S-53455

Public Notice Route Slip ... New Application Extension of Time  
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

Applicant/Permit

Holder(s)

Jackson Farms LLC

89086 Cranberry Bog Ln.

Bandon OR 97411

Proposed Completion Date: 10-1-2023

WRIG...Money Received on: 2-7-2022

Extension Specialist ...

Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

Tonya Miller...

Recent Assignment (Check WRIS for Update)

Publish on Public Notice (initial 30-day comment): Date of notice 3/1/2022

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or  No: Return file to Extension Specialist after PN \_\_\_\_\_

NOTES:

**PIERCEALL Jeffrey D \* WRD**

---

**From:** Rick Jackson <jacksonrickfarms@gmail.com>  
**Sent:** Friday, February 11, 2022 9:51 AM  
**To:** PIERCEALL Jeffrey D \* WRD  
**Subject:** Re: Application for extension of Time Permit S-53455

Thank you  
Yes please put in October 1 2023  
Rick Jackson

Sent from my iPhone

On Feb 11, 2022, at 9:29 AM, PIERCEALL Jeffrey D \* WRD <Jeffrey.D.PIERCEALL@water.oregon.gov> wrote:

Rick,

I have received the Application for Extension of Time for the above permit. On review, I noticed that the request is incomplete as it does not identify a date the permit is to be extended. From what I am able to gather on this permit, the extension is needed due to an issue with the original permit for the source reservoir being canceled, and the need to complete processing Application R-88578 for a replacement permit.

I spoke with Elizabeth Graham, and she has put Application R-88578 at the top of her list to complete next week, which should result in the final determination to be issued in 3-4 weeks (peer review, data entry, and managers signature).

With this in mind, and the timeframe the reservoir permit, if issued, would allow for storage of the permitted water, a request on the Extension of time for Permit S-53455 should be at minimum to October 1, 2023. This would allow for a full season of storage under the new permit (Nov. 1 through July 31), and for the use of the water from the reservoir under Permit S-53454.

With your permission, I will complete the requested date on the Application to October 1, 2023.

Jeffrey D. Pierceall  
Extension Specialist  
Oregon Water Resources Department  
503-979-3213  
Jeffrey.D.Pierceall@oregon.gov  
<image001.png>

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TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT  
A separate extension application must be submitted for each permit as per  
OAR 690-315-0020(2).

1. JACKSON FARMS INC.  
NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

89086 Cranberry Bog Ln Bandon OR 97411  
ADDRESS CITY STATE ZIP

541-294-0442 jacksonrickfarms@gmail.com  
PHONE E-MAIL ADDRESS

the permit holder of: Application Number S - 81454  
Permit Number S - 53455  
[OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and  
water put to full beneficial use, which time now expires on Month: 10 Day: 1 Year: 2022 be  
extended to October 1, 2023 [OAR 690-315-0020(3)(i)]

*RP 2-11-22 see email*

I am the permit holder, and may apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.

Rick W. Jackson 2/3/22  
Signature Date

Rick W. Jackson President  
Printed Name Title

The agent below is authorized to represent the applicant in all matters relating to THIS application. \_\_\_\_\_  
Permit Holder Initials

\_\_\_\_\_  
Authorized Agent (Print Agent Name) Agent contact

- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

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**Reference Materials Needed to Complete this Application:**

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

**Questions to complete this application for an Extension of Time**

Please see the instruction sheet to help you answer these items.

1. **Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

**For Groundwater Permits**

**Has construction of the point of appropriation (well) authorized under this permit begun?**

Date construction began Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_

**Details of construction and attach documentation:**

**For Surface/Reservoir Permit**

Has construction of the water system begun?  Yes  No

Date construction began Month: 10 Day: 1 Year: 1998

**Details of construction and attach documentation:** Installed Pump

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2<sup>nd</sup> column are contained within it. Using the extra row labeled "other" to specify any other additional conditions included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1<sup>st</sup> column check the box for each condition (row) identified as relevant. In the 3<sup>rd</sup> column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4<sup>th</sup> column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

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CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	10-1-1998
<input type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Well ID tag assigned and installed:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Surface Water or Reservoir</b>			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use *chronological order*. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops is *not* considered work in the development of the water system. *Work accomplished under other water rights may not be considered work under this permit.*)

**CHART-B**

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
1998	Reg Construction complete	
1998	completed DAM Construction	\$250,000
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
Aug 21 1998	Date the permit was signed - find date above signature on last page of permit.	
Oct 1998	pump installed & piping	\$1000
Oct. 1 2002	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost for Chart-B		\$251,000

\* If exact cost is not known, you must provide your best estimate.

4. If this is not your 1st Application for Extension of Time request, fill out CHART-C below in addition to CHART-B above. Use *chronological order*.

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
	N/A	
	"Extended To" date for complete application of water resulting from the most recent Final Order on Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		

\* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: \$256,000  
(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit made to date.

*TIP:* Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

**6. For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):**

*TIP:* Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = \_\_\_\_\_ cfs (cubic feet per second) or,

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute) or,

Maximum volume of stored water used to date = 45 AF or,

Maximum volume stored annually to date = N/A AF

**7. For Ground Water Permit Extensions (e.g. G-XXXX):**

*TIP:* Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

**CHART-D**

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well -- under <u>this permit</u> only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>		<u>N/A</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
Total instantaneous rate from all wells utilized under this permit								

8. Has a Permit Amendment Application been filed? Yes  No   
If yes, identify Transfer No. T-\_\_\_\_\_

[OAR 690-315-0020(3)(e)(C)]

9. **For Irrigation and Nursery Use Permits Extensions**

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date:

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
2002 -	17				
2022					

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA)# \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

(POD/POA) # \_\_\_\_\_ Acres \_\_\_\_\_

[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
	N/A	
Year:	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		0

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: 0  
(The total cost from CHART-E)

[OAR 690-315-0020(3)(j)]

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: (List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)

Waiting on R88578

[OAR 690-315-0020(3)(k)]

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. (Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.) Re R88578

[OAR 690-315-0020(3)(l)]

14a. Will a denial of the extension result in undue hardship? (Describe the hardship and the effects.) Yes would not meet farm mortgage, if I could not irrigate cranberries

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? (Explain in detail, consider other potential sources of water, and describe their feasibility)

NO

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[OAR 690-315-0020(3)(h)]

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? (Explain in detail, including how much time did this delay the project; list dates.) NO

[OAR 690-315-0020(3)(h)]

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. (Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events. Delays caused by business decisions are not considered unforeseen events) \_\_\_\_\_

Water Rights Examiner failed to get final proof Survey for R-88578

[OAR 690-315-0020(3)(h)]

17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. (Provide supporting information for the reason(s) that best fits your circumstances.)  
\_\_\_\_\_

[OAR 690-315-0020(3)(m)(n)]

18. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.

— Extention in application to store water R-88578

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[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? (Explain in detail) *yes*

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (Who will be effected and how?)

— NW CREDIT Services holds mortgage in which I would not be able to meet.

**Attach permit, and documentation to the application**

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**Oregon**  
Kate Brown, Governor

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

February 23, 2022

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: S-81454 (Permit S-53455)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: [www.wrd.state.or.us](http://www.wrd.state.or.us).

OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL**

*La*  
**Oregon**

**Water Resources Department**  
Water Right Services Division  
725 Summer St NE Ste A  
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED



7019 0140 0000 7349 7480

S-81454  
JACKSON FARMS INC.  
RT 2 BOX 466  
BANDON OR 97411



**US POSTAGE** BY FITNEY BOWES



ZIP 97301 \$ **007.33<sup>0</sup>**  
02 4W  
0000361800 DEC 01 2021

**RECEIVED**

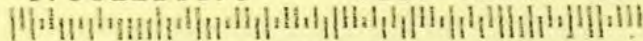
**DEC 08 2021**

**OWRD**

WIXIE 971 DE 1 0012/07/21

RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD

BC: 97301126673 \*8229-01990-01-44



IA

97301>1266

9741189999

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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:

S-81454  
 JACKSON FARMS INC.  
 RT 2 BOX 466  
 BANDON OR 97411



9590 9402 6293 0274 3171 92

## 2. Article Number (Transfer from service label)

7019 0140 0000 7349 7480

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

- Agent  
 Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

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

## 3. Service Type

- Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

**NOTE: For water rights information and useful forms, please see our web site at**

**[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)**

Certified mail number 7019 0140 0000 7349 7480

Return receipt requested

December 1, 2021

JACKSON FARMS INC.  
RT 2 BOX 466  
BANDON, OR 97411

Reference: Application S-81454, Permit S-53455

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2002.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2002. The fee for submitting a claim of beneficial use is \$230.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$780.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (February 9, 2022) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$610.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, please contact me at [Codi.N.Holmes@oregon.gov](mailto:Codi.N.Holmes@oregon.gov), the address above or by telephone at 503-979-3184. Due to Covid-19, email may be the best way to reach me.

Sincerely,

*for* Codi Holmes  
Certificate Specialist

Enclosures (1)

cc: File

OWRD Watermaster District 15



## **Self-Certification Form (for qualifying Alternate Review reservoirs only)**

Certain qualifying reservoir permits allow the permit holder to self-certify their reservoir permit. For a reservoir permit to qualify for this process, the reservoir must meet each of the following criteria:

- 1) The permit was issued under the authority of ORS 537.409; and
- 2) No secondary permit exists for the use of water stored in the reservoir; and
- 3) The developed capacity of the reservoir is less than 9.2 acre-feet; and
- 4) The water was stored by the date required in the permit

Additional information and links to the forms are available at:

[www.oregon.gov/owrd/programs/WaterRights/Cert/Pages/default.aspx](http://www.oregon.gov/owrd/programs/WaterRights/Cert/Pages/default.aspx)

- To locate the Claim form, follow the above link, click on "Forms", and next on "Claims of Beneficial Use for Reservoirs (storing less than 9.2 acre-feet permitted under ORS 537.409)
- For questions related to Self Certification of a qualifying reservoir, please call the staff member identified on the letter you received.

## **Find a Certified Water Right Examiners (CWRE)**

CWREs are engineers, surveyors, and registered geologists who have passed a certification to perform water right related functions including the preparation of Claims of Beneficial Use (COBU). The COBU is both a report that describes the extent to which the use authorized under the permit has been developed and a map that identifies where the use and point of diversion or well is located. In addition, the COBU describes how conditions have been timely complied with.

Additional information and links to the forms are available at:

[www.oregon.gov/owrd/programs/WaterRights/Cert/Pages/default.aspx](http://www.oregon.gov/owrd/programs/WaterRights/Cert/Pages/default.aspx)

- To locate a CWRE, follow the above link and click on "Find a CWRE"
- For questions related to locating a CWRE, contact the Department at 503-986-0900, and then select 2 for Customer Service Staff

## **Reimbursement Authority Program For Certificates**

Reimbursement Authority is a program that provides the Department the ability to enter into a voluntary agreement with an applicant for expedited the processing of the Claim of Beneficial Use. Under such an agreement, the applicant pays the cost for expedited services not otherwise available.

Additional information and links to the forms are available at:

<https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/Certificate.aspx>

For questions related to expediting the review of your Claim of Beneficial Use through the Reimbursement Authority Program, contact Kerry Kavanagh by phone at 503-979-3208 or by email at [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)



## RESOURCE SHEET

Please visit our Department's website at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) to locate the following information and forms:

### **Voluntary Cancellation of a Permit**

Whenever the owner of a permit wishes to cancel a permit due to inability to develop the permit or the permit is no longer usable for any reason, the owner may cancel the permit by submitting a form to authorize the cancellation of a permit.

Additional information and links to the forms are available at:

[www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/CancelPermit.aspx](http://www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/CancelPermit.aspx)

- For questions related to Voluntary Cancellation of a Permit, contact Mary Bjork by phone at 503-979-9895 or by email at [Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov)

### **Application for Permit Extension of Time**

An Extension of Time is a process in which the Department can approve additional time for a permit holder to perfect the beneficial use of water as authorized by the permit. An Extension of Time may be approved if the permit holder has demonstrated reasonable diligence in developing the beneficial use of water as authorized under the permit and the Department can find good cause to do so. Each Application is reviewed on a case-by-case basis. An Extension of Time may provide the ability for a permit holder to extend their completion of construction date (B-date) and complete application of water date (C-date).

Additional information and links to the forms are available at:

[www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Extension.aspx](http://www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Extension.aspx)

- For questions related to Extensions of Time, contact Jeffrey Pierceall by phone at 503-979-3213 or by email at [Jeffrey.D.Pierceall@oregon.gov](mailto:Jeffrey.D.Pierceall@oregon.gov)

### **Assignments**

An Assignment is a formal process to change the name of the holder of an application, permit, limited license, transfer, permit amendment or groundwater registration claim (i.e., non-perfected, non-certificated rights). This process is similar to changing the name on the title of a car. An Assignment ensures that the Department knows who the water right record belongs to and who will be responsible for finalizing the right.

Additional information and links to the forms are available at:

[www.oregon.gov/owrd/programs/WaterRights/Permits/Assignment/Pages/default.aspx](http://www.oregon.gov/owrd/programs/WaterRights/Permits/Assignment/Pages/default.aspx)

- For questions related to Assignments, contact Mary Bjork by phone at 503-979-9895 or by email at [Mary.F.Bjork@oregon.gov](mailto:Mary.F.Bjork@oregon.gov)



# Oregon

Kate Brown, Governor

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North Mall Office Building

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Certified mail number 7019 0140 0000 7349 7480

Return receipt requested

December 1, 2021

JACKSON FARMS INC.  
RT 2 BOX 466  
BANDON, OR 97411

Reference: Application S-81454, Permit S-53455

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In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2002. The fee for submitting a claim of beneficial use is \$230.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

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Should you have any questions, please contact me at [Codi.N.Holmes@oregon.gov](mailto:Codi.N.Holmes@oregon.gov), the address above or by telephone at 503-979-3184. Due to Covid-19, email may be the best way to reach me.

Sincerely,

*for* Codi Holmes  
Certificate Specialist

Enclosures (1)

cc: File

OWRD Watermaster District 15





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Phone: 503-986-0900

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[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

December 1, 2021

JAMES D AND KATHERINE L JACKSON  
89087 CRANBERRY BOG LN  
BANDON OR 97411-8371

Reference: Application: S-81454      Permit: S-53455

Dear Property Owner,

You have been identified as the owner of lands covered in part or in whole by the above referenced permit.

Please see the enclosed 'Resource Sheet' to access the assignment form if you wish to continue using this water.

Should you have any questions, please contact me at [Codi.N.Holmes@oregon.gov](mailto:Codi.N.Holmes@oregon.gov), the address above or by telephone at 503-979-3184. Due to Covid-19, email may be the best way to reach me.

Sincerely,

*for* Codi Holmes  
Certificate Specialist

cc file  
Watermaster #15





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Ste A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

December 1, 2021

JACKSON FAMILY TRUST  
JACKSON FARMS INC  
89086 CRANBERRY BOG LN  
BANDON OR 97411-8371

Reference: Application: S-81454      Permit: S-53455

Dear Property Owner,

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Sincerely,

for Codi Holmes  
Certificate Specialist

cc file  
Watermaster #15



U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (*check box, add fee as appropriate*)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

7019 0140 0000 7349 7480

# Mailing List for 60-Day Letter

**Application:** S-81454

**Permit:** S-53455

**Permit Holder(s):**

JACKSON FARMS INC.  
RT 2 BOX 466  
BANDON OR 97411

<b>Copies Mailed</b>	
by:	<u>Ja</u> (STAFF)
on:	<u>12-1-21</u> (DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES -UPDATED ADDRESS**

**Copies of Cancellation Order to be sent to Permit Holder(s) and following:**

1. Watermaster District #15
2. File

**Other persons to receive copies:**

1. JAMES D AND KATHERINE L JACKSON  
89087 CRANBERRY BOG LN  
BANDON OR 97411-8371
2. JACKSON FAMILY TRUST  
JACKSON FARMS INC  
89086 CRANBERRY BOG LN  
BANDON OR 97411-8371

COMPLETENESS PROJECT

Page 1

60 Day Letter

PERMIT STATUS REVIEW BY: Codi Holmes DATE: June 2021 FILE # S81454

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: update WRIS if appropriate

Extension pending Yes/No

Assignment is pending Yes/No

Cancellation has been requested Yes/No

Claim of Beneficial Use received Yes/No Date information received

Dept. has already sent a certified 60-Day Compliance letter (date, Cert mail #)

Was 60 days notice allowed? Y N If No, How Much Time?
Was mail deliverable as addressed? Y N date
If mail returned, online/www check? Y N date successful? Y N
Re-send Cert. Letter? Y N date
Send cancellation order Y N

2. IF NONE OF THE ABOVE APPLY

Send certified "C" date notice packet to permit holder.
"C" DATE OCT. 1 2002 BASIN NUMBER WM # 15
CWRE or AGENT Yes/No

3. AOI Yes NO X If Yes, name(s) of AOI

4. Current Landowner(s) and Mailing Address

If new owner: NO: updated address (& trustee)

County of Place of Use COOS Tax Lot(s) 28514W 21 2901
28514W 28 500

Attach copy of email from County Assessor or Printout from Assessor's Site

Contacts regarding 60 Day Letter:

Hold Action Request from Permit/Landowner - Date of Request Requesting Parties Name

Hold Action Until (Date)

No more than 60 days beyond original deadline to submit an extension, assignment, or Alt Res CBU

Hold Action Request from CWRE - Date of Request CWRE Name

Hold Action Until (Date)

No more than 6 months beyond original deadline to submit a CBU

# COMPLETENESS PROJECT

Page 2

## Final Cancellation Review

PERMIT STATUS REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_

1. C Date \_\_\_/\_\_\_/\_\_\_\_\_
  2. Certified Letter Date \_\_\_/\_\_\_/\_\_\_\_\_
  3. Return Receipt Rcvd. \_\_\_/\_\_\_/\_\_\_\_\_
  4. Return Receipt Signed By \_\_\_\_\_
  5. Other Communication: \_\_\_/\_\_\_/\_\_\_\_\_
- 

Recommend Cancellation  or

Hold Action until \_\_\_/\_\_\_/\_\_\_\_\_

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

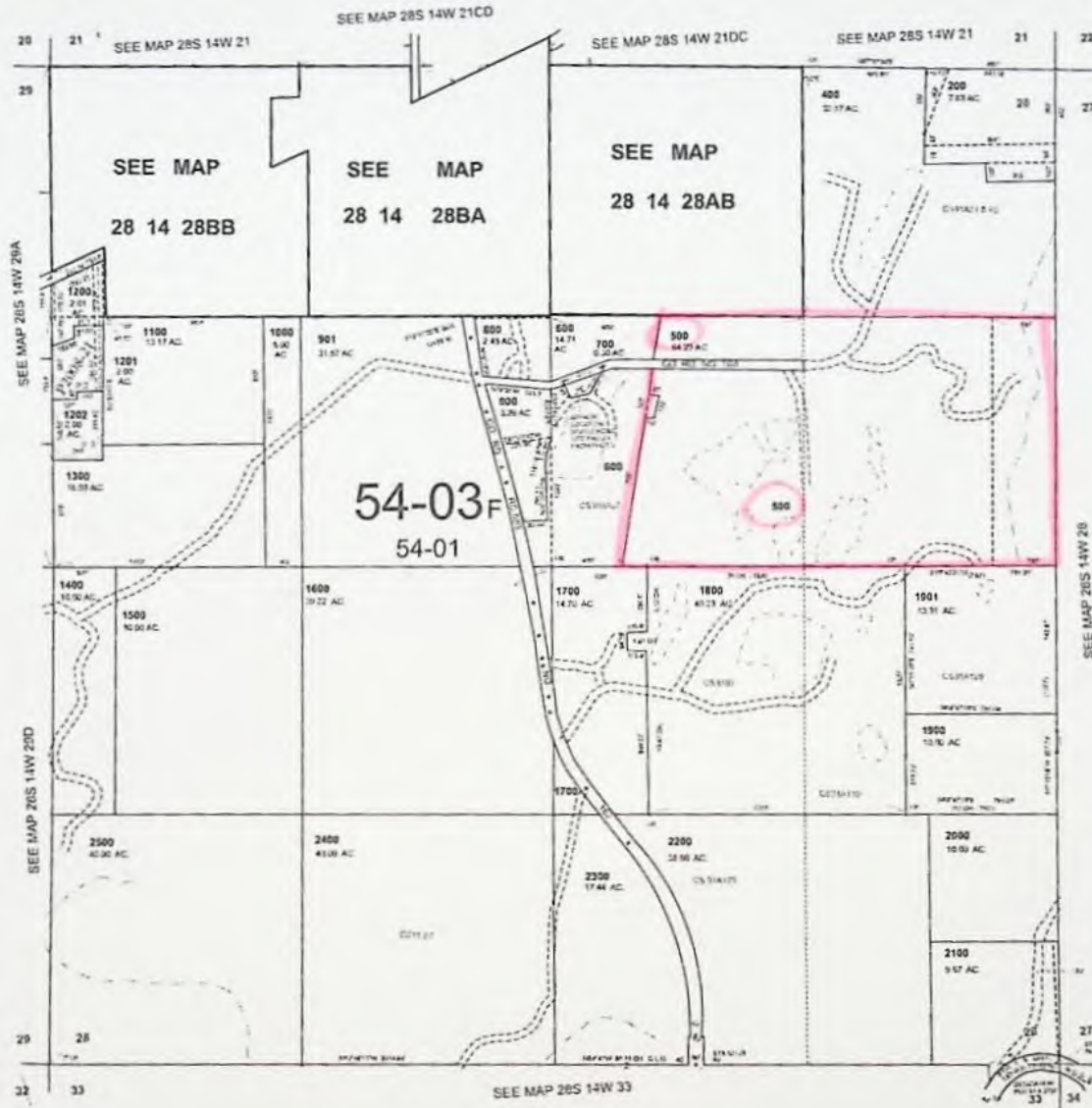
SECTION 28 T28S R14W W.M.  
COOS COUNTY

1" = 400'

28S 14W 28  
& INDEX

CANCELLED NO.

- 100
- 300
- 501
- 906
- 601



07-28-2015  
28S 14W 28  
& INDEX

SECTION 21 T28S R14W W.M.  
COOS COUNTY

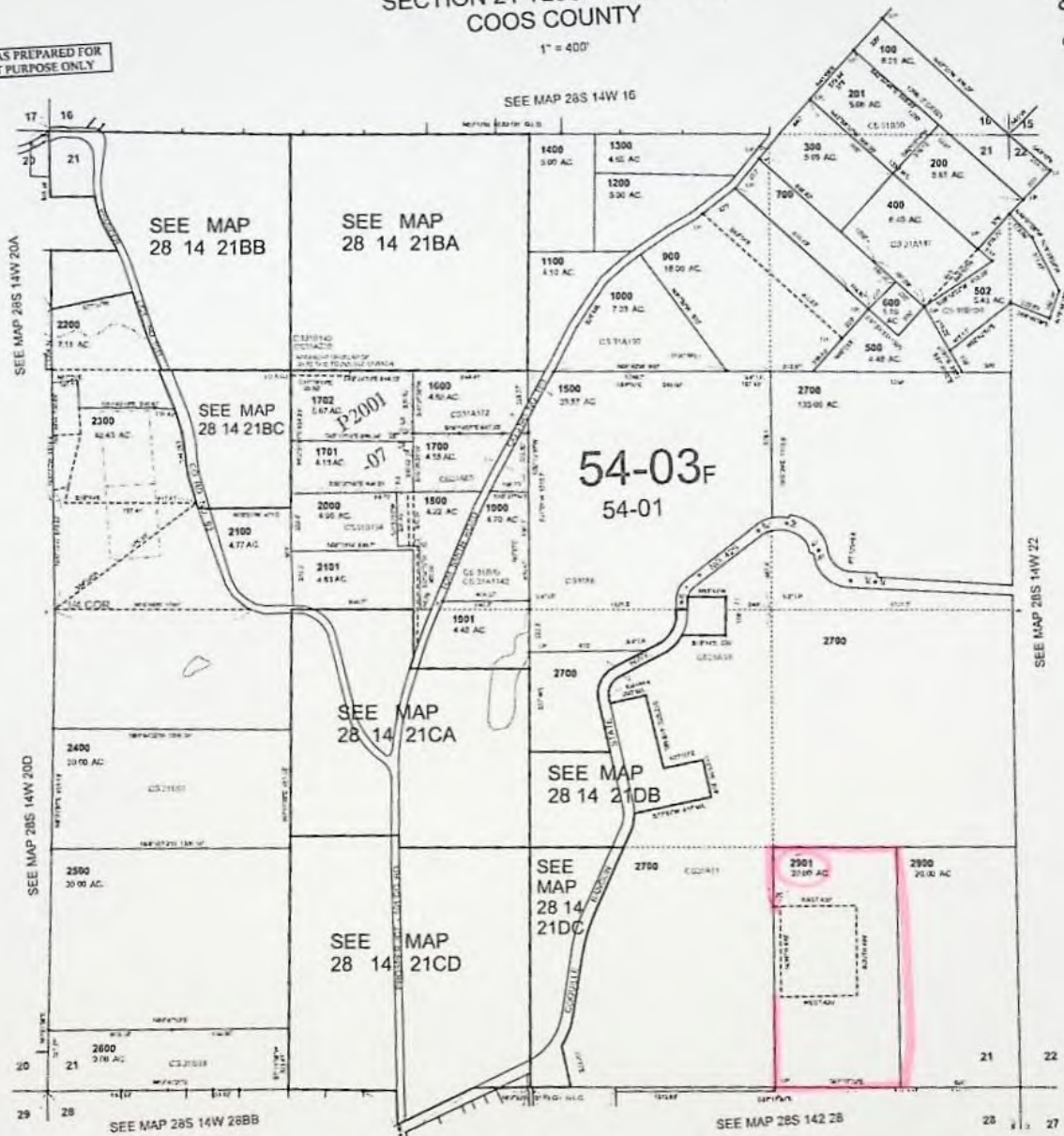
1" = 400'

28S 14W 21  
& INDEX

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

CANCELLED NO.

2800  
800  
501  
503  
2201  
2002  
1802



02-18-2015  
28S 14W 21  
& INDEX

# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021  
NOT OFFICIAL VALUE

June 28, 2021 12:50:47 pm

Account # 972101	Tax Status ASSESSABLE
Map # 28S14210002901	Acct Status ACTIVE
Code - Tax # 5403-972101	Subtype NORMAL
Legal Descr See Record	
Mailing Name JACKSON, JAMES D & KATHERINE L	Deed Reference # 2016-10991
Agent	Sales Date/Price 12-13-2016 / \$125,000.00
In Care Of	Appraiser
Mailing Address 89087 CRANBERRY BOG LN BANDON, OR 97411-8371	
Prop Class 641 MA SA NH Unit	
RMV Class 601 06 27 RRL 17554-1	

Situs Address(s)	Situs City
ID# 20 89087 CRANBERRY BOG LN	BANDON

Code Area		RMV	MAV	Value Summary		MSAV	RMV Exception	CPR %
				AV	SAV			
5403	Land	48,781					Land	100
	Impr.	372,780					Impr.	0
<b>Code Area Total</b>		<b>421,561</b>	<b>330,550</b>	<b>346,297</b>	<b>20,879</b>	<b>15,747</b>	<b>28,000</b>	
<b>Grand Total</b>		<b>421,561</b>	<b>330,550</b>	<b>346,297</b>	<b>20,879</b>	<b>15,747</b>	<b>28,000</b>	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Land Class	LUC	Trended RMV
						TD%	LS	Size			
5403	20	<input type="checkbox"/>		F	Designated Forest Land	100	A	12.00	C	006*	9,621
5403	50	<input checked="" type="checkbox"/>		F	Forest Site	100	A	1.00	AVF	006*	7,160
5403	30	<input type="checkbox"/>		F	Market	100	A	7.00	MV	003	28,000
5403					SITE AMENTIES	100					4,000
<b>Grand Total</b>								<b>20.00</b>			<b>48,781</b>

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
5403	1	1997	143	Two story-Class 4	100		3,247		372,780	
<b>Grand Total</b>							<b>3,247</b>		<b>372,780</b>	

Code Area	Type	Exemptions/Special Assessments/Potential Liability					
5403		<b>SPECIAL ASSESSMENT:</b>					
		■ FARM LAND ADD'L TAX(ZN'D&UNZN)	Amount	810.14	Acres	0	Year 2021
		<b>NOTATION(S):</b>					
		■ FARM/FOREST POT'L ADD'L TAX LIABILITY					
		FARM/FORST					
		■ FOREST HOMESITE					
		■ DECLASS OF SA LAND & COLLECT ADDED 2021					
		5/24/21 DQ 7.00 acres NEFU & Collect \$810.14 - 3 yrs no income reported. Property class to 641. MJS					
5403		<b>NOTATION(S):</b>					
		■ TAX NOTATION ADD TAX PENDING					
		<b>FIRE PATROL:</b>					
		■ FIRE PATROL SURCHARGE	Amount	47.50		Year	2021
		■ FIRE PATROL TIMBER	Amount	32.03	Acres	19	Year 2021

# COOS County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

NOT OFFICIAL VALUE

June 28, 2021 12:51:33 pm

Account #	980800	Tax Status	ASSESSABLE
Map #	28S14280000500	Acct Status	ACTIVE
Code - Tax #	5403-980800	Subtype	NORMAL
Legal Descr	See Record		
Mailing Name	JACKSON FAMILY TRUST; ETAL	Deed Reference #	See Record
Agent	JACKSON FARMS, INC.	Sales Date/Price	See Record
In Care Of		Appraiser	
Mailing Address	89086 CRANBERRY BOG LN BANDON, OR 97411-8371		
Prop Class	572	MA SA NH Unit	
RMV Class	500	06 27 RRL	17718-1

Situs Address(s)	Situs City
ID# 89086 CRANBERRY BOG LN	BANDON
ID# 10 89052 CRANBERRY BOG LN	BANDON

Code Area		RMV	MAV	Value Summary		MSAV	RMV Exception	CPR %
				AV	SAV			
5403	Land	70,551					Land	0
	Impr.	420,640					Impr.	0
<b>Code Area Total</b>		<b>491,191</b>	<b>336,050</b>	<b>400,828</b>	<b>73,735</b>	<b>64,778</b>		<b>0</b>
<b>Grand Total</b>		<b>491,191</b>	<b>336,050</b>	<b>400,828</b>	<b>73,735</b>	<b>64,778</b>		<b>0</b>

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
5403	50	<input checked="" type="checkbox"/>		EFU	Farm Site	100	A	1.00	AV	006*	7,160
5403	70	<input checked="" type="checkbox"/>		EFU	Farm Site	100	A	1.00	AVM	006*	7,160
5403	90	<input checked="" type="checkbox"/>		EFU	Farm Use Zoned	100	A	4.93	BOGL	006*	8,519
5403	40	<input type="checkbox"/>		EFU	Farm Use Zoned	100	A	14.68	BOGL	006*	25,367
5403	30	<input type="checkbox"/>		EFU	Farm Use Zoned	100	A	9.81	DIKE	006*	11,624
5403					SITE AMENTIES	100					4,000
5403					SITE AMENTIES	100					4,000
5403	10	<input type="checkbox"/>		EFU	Small Tract Forest land	100	A	22.63	STF-E	006*	2,050
5403	20	<input type="checkbox"/>		EFU	Small Tract Forest land	100	A	10.24	STF-F	006*	671
<b>Grand Total</b>								<b>64.29</b>			<b>70,551</b>

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%				
5403	4	1986	341	HAY COVER	100		2,080		9,920
5403	3	1986	303	General Purpose Building	100		2,652		24,240
5403	1	1994	462	MH REAL DOUBLE CLASS 6	100		1,188	R - 224463	58,920
5403	1	1948	138	One story with attic-Class 3	100		1,916		193,750
5403	2	1999	143	Two story-Class 4	100		1,536		192,730
<b>Grand Total</b>							<b>9,372</b>		<b>479,560</b>

Code Area	Type	Exemptions/Special Assessments/Potential Liability					
NOTATION(S):							
■ FARM/FOREST POT'L ADD'L TAX LIABILITY FARM/FORST							
■ FARM HOMESITE							
5403							
FIRE PATROL:							
■ FIRE PATROL TIMBER							
		Amount	89.83	Acres	53.29	Year	2021
■ FIRE PATROL SURCHARGE							
		Amount	47.50			Year	2021

MS Account(s): 5403-R-224463

\*\*\* The Real MS value is not included in the total of the real account

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACKSON FARMS, INC.  
ROUTE 2 BOX 466  
BANDON, OREGON 97411

PHONE: (541)347-3294

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

APPLICATION FILE NUMBER: S-81454

SOURCE OF WATER: JACKSON RESERVOIR, CONSTRUCTED UNDER PERMIT R-11389,  
AND ENLARGED UNDER PERMIT R-12519 TRIBUTARIES OF THE COQUILLE RIVER

PURPOSE OR USE: CRANBERRY OPERATIONS ON 17.0 ACRES

RATE OF ALLOWED USE: 45.0 ACRE-FEET PER YEAR FROM STORED WATER ONLY

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 21, 1996

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 28, T28S, R14W,  
W.M.; 1140 FEET SOUTH & 112 FEET WEST FROM NE CORNER, SECTION 28

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 SE 1/4 12.5 ACRES  
SECTION 21  
NE 1/4 NE 1/4 1.2 ACRES  
SE 1/4 NE 1/4 3.3 ACRES  
SECTION 28  
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

## Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

**STANDARD CONDITIONS**

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

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.



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 18, 2018

Jackson Farms  
Rick Jackson  
Route 2 Box 466  
Bandon OR 97411

*Hold action  
June 1, 2018  
JC*

RE: Application R-73957, Permit R-12519  
Application S-81454, Permit S-53455

Mr. Jackson,

The Department is returning the Claims of Beneficial Use that you recently submitted for the above referenced permits. The Claims are being returned for the following reasons:

1. Permit R-12519 was cancelled by order of the Department on February 2, 2018 (copy attached). The order was placed in the mail on February 5, 2018. The deadline for the submittal of a request for reconsideration of the cancellation was April 6, 2018. The Department received the Claim on April 9, 2018; three days after the close of the 60 day time window. Because of this, the permit is of no further force or effect. Currently, you are not authorized to store water in this reservoir. If you intend to continue with storing water in the reservoir, you will need to apply for a new water right. I have enclosed an application form for your use.
2. The Claim for permit S-53455 is also being returned at this time because the source of water for this permit was the water stored in the reservoir developed under the cancelled permit discussed above. Without an authorized source of water, the Department cannot proceed with a review of the Claim.

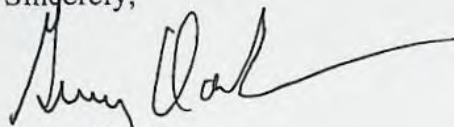
At this point you have limited options:

1. Submit a new application to store water in the reservoir. If this application is approved, submit a request for an extension of time for permit S-53455. The extension will allow you to make use of the water stored under the new reservoir permit.
2. Voluntarily cancel Permit S-53455.
3. Take no action. If no action is taken, the Department will move to cancel Permit S-53455 because there is not an authorized source of water for use under the permit.

Please let the Department know by June 1, 2018, how you intend to proceed. Following this date, the Department may begin the process to cancel permit S-53455.

Feel free to contact me with any questions that you may have at 503-986-0811.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerry Clark", with a long horizontal flourish extending to the right.

Gerry Clark  
Program Analyst  
Certificate Section

cc: Raymond Brown, CWRE

## SAUTER Jerry K

---

**From:** Ray Brown <canchief@yahoo.com>  
**Sent:** Thursday, April 24, 2014 11:09 AM  
**To:** Jerry Sauter  
**Subject:** Jackson Farms R12519

Jerry,

Just a update for you on the Jackson Farms Dam.

I was at the Dam site on April 23,2014 along with Dave Driscoll. We looked at what was needed to finish the project out.

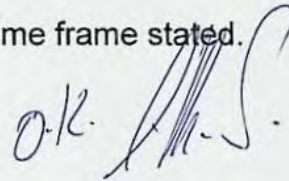
Dave will be putting together his report.

I plan to get to my work within the next few weeks.

While there, Rick Jackson handed me a letter from you Dated Feb. 14, 2014 on the Permit S-53455, Application S-81454.

I plan to work on both, when I visit the Jackson, within the time frame stated.

Thank you for your help,  
Raymond Brown

Handwritten signature of Raymond Brown, consisting of the initials "R.B." followed by a stylized signature.

81454

RANGEWORK BUREAU

CRACK -

WILL DO - INCREAS KERO TANG.

541.680.8950

**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:

S-81454

Jackson Farms Inc.  
89086 Cranberry Bog Ln.  
Bandon, OR 97411

2. Article Number

(Transfer from service label)

7012 2210 0002 6662 0397 WR

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Rick Jackson*

- 
- Agent
- 
- 
- Addressee

B. Received by (Printed Name)

*Rick Jackson*

C. Date of Delivery

*2-24-14*

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

3. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail                   |
| <input type="checkbox"/> Registered     | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail   | <input type="checkbox"/> C.O.D.                         |

4. Restricted Delivery? (Extra Fee)

 Yes

UNITED STATES POSTAL SERVICE  
EUGENE OR 974

24 FEB 2014 PM 2 L

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

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

Oregon Water Resources Department  
Attention: Bethanie Williamson  
725 Summer St. NE, Suite A  
Salem, OR 97301

RECEIVED

FEB 27 2014

OWRD



# Oregon

John A. Kitzhaber, MD, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St. NE, Suite A  
Salem, OR 97301  
Phone 503-986-0900  
FAX 503-986-0904  
www.wrd.state.or.us

*NOTE: For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)*

February 14, 2014

Certified mail number *7012 2210 0002 6662 0397*  
Return receipt requested

Jackson Farms Inc.  
89086 Cranberry Bog Ln.  
Bandon, OR 97411

Reference: Application S-81454, Permit S-53455

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2002.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2002. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 15, 2014) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, you may contact me at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-81454  
OWRD Watermaster District 19

*4/15/2014  
RAYMOND KNOWLTON - CWRE  
WILL DO WORK - NEED PROBLEMS  
JAT GOT JOB TODAY  
541-680-8950  
How Attorney  
4/15/2014*



# Oregon

Water Resources Department  
North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301-1266

**CERTIFIED MAIL™**



7012 2210 0002 6661 8196



02 1R  
0006555120 NOV 25 2013  
MAILED FROM ZIP CODE 97301  
**\$ 06.11<sup>0</sup>**

ADDRESS SERVICE REQUESTED

2873  
N WSA  
RT 4

S-81454

Jackson Farms Inc.  
RT 2 Box 466  
Bandon, OR 97411

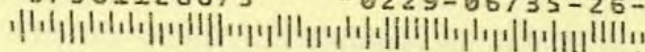
1st  
2nd  
Return

NIXIE 970 DE 1009 0011/29/13

RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD

BC: 97301126673 \*0229-06735-26-01

9741139999 9730101266



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**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.

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S-81454

Jackson Farms Inc.  
RT 2 Box 466  
Bandon, OR 97411

2. Article Number

(Transfer from service label)

7012 2210 0002 6661 8196 WR

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

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



# Oregon

John A. Kitzhaber, MD, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St. NE, Suite A  
Salem, OR 97301  
Phone 503-986-0900  
FAX 503-986-0904  
www.wrd.state.or.us

**NOTE: For water rights information and useful forms, please see our web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)**

November 25, 2013

Certified mail number **7012 2210 0002 6661 8196**  
Return receipt requested

Jackson Farms Inc.  
RT 2 Box 466  
Bandon, OR 97411

Reference: Application S-81454, Permit S-53455

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2002.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2002. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

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**If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (January 24, 2014) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.**

Should you have any questions, you may contact me at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-81454  
OWRD Watermaster District 19

RECEIVED BY OWRD

DEC 02 2013

SALEM, OR



## RESOURCE SHEET

Please visit our Departments website at [www.wrd.state.or.us](http://www.wrd.state.or.us) to locate the forms you will need.

### Voluntary Cancellation

- Click on "Forms" (Column to the left)
- Under Index click on "Cancellation and Diminishment of Water Right Forms"
- Click on "Affidavit for Voluntarily Cancellation of a Water Right Permit" (3<sup>rd</sup> item on the list)

### Extension of Time Applications

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on either the "Application for Water Right Extension of Time" or "Application for Water Right Extension of Time for Quasi-Municipal & Municipal Water Use Permit" (1<sup>st</sup> & 2<sup>nd</sup> items on the list)

### Assignment

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"
- Click on either "Request for Assignment" or "Request for Assignment in the Absence of Permit Holder" (11<sup>th</sup> & 12<sup>th</sup> items on the list)

### Self Certification Form

- Click on "Forms" (Column to the left)
- Under Index click on "Other Forms"

Click on "Claim of Beneficial Use (for qualifying alternate review reservoirs only)" (7<sup>th</sup> item on the list)

### Certified Water Rights Examiner (CWRE)

From the Departments home page:

- Click on "Water Rights" (Column to the left)
- Click on "Learning About and Applying for Water Rights" (1<sup>st</sup> item on list)
- Click on "Certified Water Right Examiners Query" (5<sup>th</sup> paragraph)

If you have any questions please call the Customer Service Group at 503-986-0801.

RECEIVED BY OWRC

DEC 02 2013

SALEM, OR



# Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department  
North Mall Office Building  
725 Summer St. NE, Suite A  
Salem, OR 97301  
Phone 503-986-0900  
FAX 503-986-0904  
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Bandon, OR 97411

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Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosures (1)

cc: File S-81454  
OWRD Watermaster District 19



PERMIT STATUS REVIEW BY FW DATE 8-16-13 FILE # 5-81454

1. Per Dwight French, **do not** send "C" DATE NOTICE PACKET if : update appropriate db

NO Extension pending \_\_\_\_\_

NO Assignment is pending \_\_\_\_\_

NO Cancellation has been requested \_\_\_\_\_

NO Dept. has already sent a certified 60-Day Compliance letter (date \_\_\_\_\_, # \_\_\_\_\_)

Was **60 days notice** allowed? Y N If No, How Much Time ? \_\_\_\_\_

Was mail deliverable as addressed? Y N date \_\_\_\_\_

If mail returned, online/www check ? Y N date \_\_\_\_\_ successful ? Y N

Re-send Cert. Letter ? Y N date \_\_\_\_\_

Send cancellation order Y N

no Claim of beneficial use and final proof map (COBU) have been received by Department  
Date information received \_\_\_\_\_

2. IF NONE OF THE ABOVE APPLY

yes Send **certified** "C" date notice packet to permit holder.  
"C" DATE 10-1-2002 BASIN NUMBER 17 WM # 19

CWRE or AGENT NONE

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACKSON FARMS, INC.  
ROUTE 2 BOX 466  
BANDON, OREGON 97411

PHONE: (541)347-3294

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

APPLICATION FILE NUMBER: S-81454

SOURCE OF WATER: JACKSON RESERVOIR, CONSTRUCTED UNDER PERMIT R-11389,  
AND ENLARGED UNDER PERMIT R-12519 TRIBUTARIES OF THE COQUILLE RIVER

PURPOSE OR USE: CRANBERRY OPERATIONS ON 17.0 ACRES

RATE OF ALLOWED USE: 45.0 ACRE-FEET PER YEAR FROM STORED WATER ONLY

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 21, 1996

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 28, T28S, R14W,  
W.M.; 1140 FEET SOUTH & 112 FEET WEST FROM NE CORNER, SECTION 28

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 SE 1/4 12.5 ACRES

SECTION 21

NE 1/4 NE 1/4 1.2 ACRES

SE 1/4 NE 1/4 3.3 ACRES

SECTION 28

TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

**STANDARD CONDITIONS**

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

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.

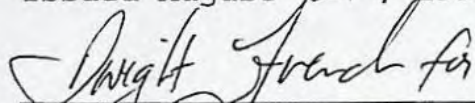
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 of permit issuance. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued August 21, 1998



Martha O. Pagel, Director  
Water Resources Department

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACKSON FARMS, INC.  
ROUTE 2 BOX 466  
BANDON, OREGON 97411

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W.M.; 1140 FEET SOUTH & 112 FEET WEST FROM NE CORNER, SECTION 28

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 SE 1/4 12.5 ACRES  
SECTION 21  
NE 1/4 NE 1/4 1.2 ACRES  
SE 1/4 NE 1/4 3.3 ACRES  
SECTION 28  
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

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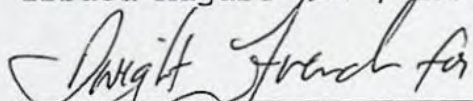
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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Issued August 21, 1998



Martha O. Pagel, Director  
Water Resources Department

July 1, 1997

JACKSON FARMS INC  
RT 2 BOX 466  
BANDON OR 97411

REFERENCE: File 81454

Enclosed is our \$100 refund in excess fees collected on the above water right application.

Sincerely,

Douglas Baer  
Water Rights Specialist

DB:jh

enclosure



---

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

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMORANDUM

TO: MARIE LICARI, FISCAL  
CC: FILE  
FROM: Douglas Baer

SUBJECT: REQUEST FOR REFUND CHECK

PLEASE REFUND \$ 100<sup>00</sup> TO Applicant Jackson Farmer  
FILE # 81454, RECEIPT # 5653. THESE FUNDS ARE  
REFUNDED DUE TO :

\_\_\_\_\_ APPLICATION REJECTED  
\_\_\_\_\_ APPLICATION WITHDRAWN  
X \_\_\_\_\_ EXCESS FEES COLLECTED FOR APPLICATION  
\_\_\_\_\_ FILE CLOSED  
\_\_\_\_\_ PROTEST FILING FEE  
\_\_\_\_\_ OTHER: \_\_\_\_\_ *0263*

JUN 25 1997



Application S-81454

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # S-81454

WATERMASTER # 19

REGIONAL MANAGER: SW - AL COOK

ODF&W - Coos County:

CWRE (if agent):

DEQ

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;  
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

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PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

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CASEWORKER : LKS

Oregon Water Resources Department  
Water Rights Division

File Copy

This ORDER Requests  
\$100 For Permit Fee. The  
Applicant is actually entitled  
to a \$100 Refund.

Water Rights Application  
Number S-81454

The applicant was  
advised of this by  
phone this date.  
DBAER 6/23/97

Final Order

Application History

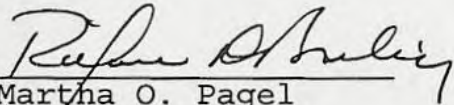
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Order

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DATED May 28, 1997



for Martha O. Pagel  
Director

JUN 19 1997

Appeal Rights

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

STATE OF OREGON

COUNTY OF COOS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

JACKSON FARMS, INC.  
ROUTE 2 BOX 466  
BANDON, OREGON 97411

PHONE: (541) 347-3294

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

APPLICATION FILE NUMBER: S-81454

SOURCE OF WATER: JACKSON RESERVOIR, CONSTRUCTED UNDER PERMIT R-11389,  
AND TO BE ENLARGED UNDER APPLICATION R-73957, PERMIT R-\_\_\_\_\_, A  
TRIBUTARY OF THE COQUILLE RIVER

PURPOSE OR USE: IRRIGATION AND AGRICULTURAL USE (FOR CRANBERRY  
OPERATIONS) ON 17.0 ACRES

RATE OF ALLOWED USE: 45.0 ACRE-FEET PER YEAR FROM STORED WATER ONLY

PERIOD OF USE: YEAR ROUND FOR AGRICULTURAL USE AND MARCH 1 THROUGH  
OCTOBER 31 FOR IRRIGATION USE, BOTH FROM STORED WATER ONLY

DATE OF PRIORITY: AUGUST 21, 1996

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 28, T 28 S, R 14 W,  
W.M.; 1140 FEET SOUTH & 112 FEET WEST FROM NE CORNER, SECTION 28

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SE 1/4 SE 1/4 12.5 ACRES  
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TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

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**STANDARD CONDITIONS**

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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. Complete application of the water to the use shall be made on or before October 1, 2001.

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

DRAFT - THIS IS **NOT** A PERMIT

Martha O. Pagel, Director  
Water Resources Department

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-81454

Final Order

*Application History*

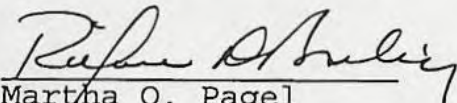
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Director

JUN 19 1997

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COUNTY OF COOS

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PHONE: (541) 347-3294

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TRIBUTARY OF THE COQUILLE RIVER

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Water Resources Department

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-81454

**Final Order**

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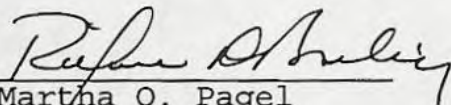
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Director

JUN 19 1997

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Martha O. Pagel, Director  
Water Resources Department

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-81454

**Final Order**

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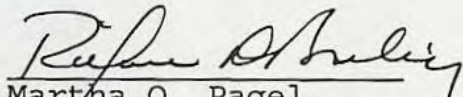
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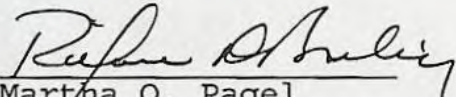
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Actual construction work shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2001.

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

DRAFT - THIS IS **NOT** A PERMIT

Martha O. Pagel, Director  
Water Resources Department

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-81454

**Final Order**

*Application History*

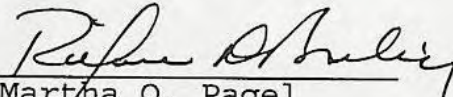
On August 21, 1996, JACKSON FARMS INC submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 25, 1997. The protest period closed April 11, 1997, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

**Order**

Upon approval of Application R-73957 and payment of outstanding permit recording fees in the amount of \$ 100.00, Application S-81454 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

DATED May 28, 1997

  
for Martha O. Pagel  
Director

JUN 19 1997

*Appeal Rights*

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

STATE OF OREGON

COUNTY OF COOS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

JACKSON FARMS, INC.  
ROUTE 2 BOX 466  
BANDON, OREGON 97411

PHONE: (541) 347-3294

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

APPLICATION FILE NUMBER: S-81454

SOURCE OF WATER: JACKSON RESERVOIR, CONSTRUCTED UNDER PERMIT R-11389, AND TO BE ENLARGED UNDER APPLICATION R-73957, PERMIT R-\_\_\_\_\_, A TRIBUTARY OF THE COQUILLE RIVER

PURPOSE OR USE: IRRIGATION AND AGRICULTURAL USE (FOR CRANBERRY OPERATIONS) ON 17.0 ACRES

RATE OF ALLOWED USE: 45.0 ACRE-FEET PER YEAR FROM STORED WATER ONLY

PERIOD OF USE: YEAR ROUND FOR AGRICULTURAL USE AND MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION USE, BOTH FROM STORED WATER ONLY

DATE OF PRIORITY: AUGUST 21, 1996

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 28, T 28 S, R 14 W, W.M.; 1140 FEET SOUTH & 112 FEET WEST FROM NE CORNER, SECTION 28

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 SE 1/4 12.5 ACRES  
SECTION 21  
NE 1/4 NE 1/4 1.2 ACRES  
SE 1/4 NE 1/4 3.3 ACRES  
SECTION 28  
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

## Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- 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.
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In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

**STANDARD CONDITIONS**

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

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.

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

DRAFT - THIS IS NOT A PERMIT

\_\_\_\_\_  
Martha O. Pagel, Director  
Water Resources Department

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number S-81454

**Final Order**

*Application History*

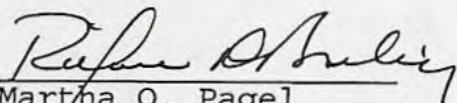
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Issued \_\_\_\_\_, 199\_

DRAFT - THIS IS **NOT** A PERMIT

Martha O. Pagel, Director  
Water Resources Department

# FO CHECKLIST

FILE # 01454

REVIEW DATE: 5 / 13 / 97

WEEK # 33

PFO TO FO CONVERSION

INITIALS: DB

In preparing the FO, you should check the following:

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

*\$100 Fee for Crankmy use from storage only - per special direction from Dwight, 1/27/96*

FO Type: (circle types)    DENIAL    FO w/o PERMIT    FO & PERMIT    FOMOD

COMMENTS:  
*ISSUE w/ 12-73957*

Modify FO as needed to:

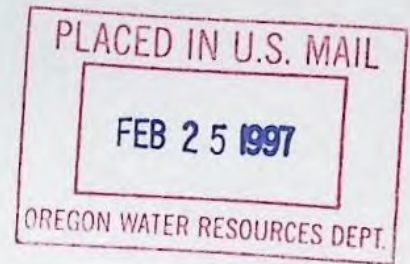
Initials DB

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

Once FO document is completed:

16.  Save WordPerfect document in M:\T\FO\WEEK 8A & delete duplicates
17.  Print final draft of document and submit to team leader for review
18. Y  / N  Team leader review completed

Oregon Water Resources Department  
Water Rights Division



Water Rights Application  
Number S-81454

### Proposed Final Order

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

#### *Application History*

On August 21, 1996, JACKSON FARMS, INC. submitted an application to the Department for the following water use permit:

- Amount of Water: 45.0 ACRE-FEET OF STORED WATER ONLY
- Use of Water: CRANBERRY OPERATIONS ON 17.0 ACRES
- Source of Water: JACKSON RESERVOIR, A TRIBUTARY OF COQUILLE RIVER
- Area of Proposed Use: Coos County within SECTION 21 AND SECTION 28, TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.
- Water Delivery System: Water will be pumped from the reservoir via an electric motor pump to in-system storage. Water will then be pumped via electric motor pump to the place of use.

On SEPTEMBER 11, 1996, the Department mailed the applicant notice of its Initial Review, determining that the appropriation of 45.0 acre-feet of stored water only from Jackson Reservoir, constructed under permit R-11389 and proposed enlargement under application R-73957, for Cranberry Operations may be allowed year round, being March 1 through October 31 for Irrigation of 17.0 acres and year round for Agricultural Use on 17.0 acres. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On OCTOBER 1, 1996, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available

- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any comments received

*Findings of Fact*

The South Coast Basin Program allows the following uses: CRANBERRY OPERATIONS ON 17.0 ACRES.

Senior water rights exist on JACKSON RESERVOIR, A TRIBUTARY OF THE COQUILLE RIVER, or on downstream waters.

JACKSON RESERVOIR, A TRIBUTARY OF THE COQUILLE RIVER, is not within or above a State Scenic Waterway.

Appropriation of stored water only for Cranberry Operations on 17.0 acres is allowed YEAR ROUND FOR AGRICULTURAL USE AND MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION USE.

The Department finds that no more than 45.0 ACRE-FEET would be necessary for the proposed use. The amount of water requested, 45.0 ACRE-FEET OF STORED WATER, is allowable.

In accordance with OAR 690-33-330, an interagency team reviewed this proposed use for potential adverse impacts on sensitive, threatened and endangered fish populations. This team consisted of representatives from the Oregon Departments of Water Resources (WRD), Environmental Quality, Fish and Wildlife (DFW), and Agriculture. WRD and DFW representatives included both technical and field staff.

The interagency team did not recommend that any additional conditions of use be imposed on this application.

*Conclusions of Law*

Under the provisions of ORS 537.153, the Department must presume that a proposed use will not impair or be detrimental to the public interest if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

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

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

Water is available for the proposed use.

The proposed use will not injure other water rights.

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

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

For these reasons, the required presumption has been established.

Once the required presumption has been established, under the provisions of ORS 537.153(2) it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use will impair or be detrimental to the public interest as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
  - (A) The specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected; and
  - (B) Specifically how the identified public interest would be impaired or detrimentally affected.

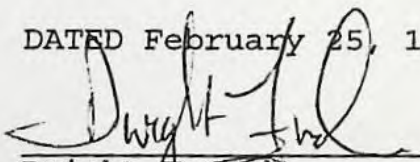
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use will impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use will not impair or be detrimental to the public interest as provided in ORS 537.170.

#### Recommendation

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

DATED February 25, 1997



Dwight French  
Water Rights Section Manager

#### Protest Rights

Under the provisions of ORS 537.153(6) or 537.621(7), you have the right to submit a protest against this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;

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

Your protest must be received in the Water Resources Department no later than **APRIL 11, 1997**.

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

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

DRAFT

This is not a permit!!!

DRAFT

STATE OF OREGON

COUNTY OF COOS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

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Application S-81454 Water Resources Department  
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PERMIT DRAFT

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NE 1/4 NE 1/4 1.2 ACRES  
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Application S-81454 Water Resources Department

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

DRAFT - THIS IS NOT A PERMIT

Water Resources Department  
Director

Application S-81454

Basin 17  
LKS

Volume 2 Bear Creek & Misc.  
MGMT.CODE

District 19



ODFW Division 33 Application Review Sheet

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species OAR 690-33-310 through 340

Date: 1/6/97

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

Application # S-81454 Name: JACKSON FARMS INC.

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened or endangered fish species? [690-33-330(1)]

No / Yes Species? \_\_\_\_\_ Status **S T E**

What life stage is at risk: **Spawning; Incubation; Rearing; Juvenile; Adult?**

2) Will the proposed use result in a loss in the essential habitat of threatened or endangered species or a net loss in the habitat of sensitive species? **No / Yes**

A) Standard of "net loss" applies to sensitive species statewide [690-33-330(2)(a)]

B) Standard of "loss" of applies to T or E species outside the Columbia Basin [690-33-330(2)(b)]

3) Can conditions be applied to mitigate the impact to the essential habitat of STE species?

**No / Yes** [690-33-330(3)] If so, which? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4) If conditions cannot be identified to offset impacts to the essential habitat of STE fish species, would the proposed use harm the species? [690-33-330(4)] **No / Yes** If yes, explain \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WRD Contact: \_\_\_\_\_ Title: \_\_\_\_\_

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

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ODFW Recommendation:**

       Approval with fishery conditions See #3 Above

Approval without fishery conditions

       Denial

**ODFW Representative(s)**

Name: Reem E Baraka

Date: 1/6/97

Name: \_\_\_\_\_

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

Bear Creek Trib. - Cog.

DEQ Division 33 Application Review Sheet  
Recommendations for Water Right Applications that may affect the Habitat of  
Sensitive, Threatened or Endangered Fish Species OAR 690-33-310 through 340

Date: 1/6/97 Suspense Date: \_\_\_\_\_

Application # S-81067 <sup>81454</sup> Name: Johnston Jackson

ODFW / WRD Findings and Recommendations:

1) The proposed use will occur in an area that may affect the essential habitat of sensitive, threatened or endangered fish species? [690-33-330(1)]

Species? NO Status S T E

DEQ Findings:

1) Is the source of the proposed use a water quality limited stream (303 d)? Yes / No

If yes, which parameter(s) caused the stream to be on the list? DO - Fall → Spring  
FC - " " - H<sub>2</sub>O Contact

2) Is there a TMDL established on this stream? NO  
If yes, is the concern limited to a specific season?

3) Are there any other water quality concerns with regard to essential fish habitat on this stream?

4) DEQ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEQ Recommendation: - pending outcome of WP/quantity task force.  
\_\_\_\_ Approval with ODFW/WRD conditions  
\_\_\_\_ Approval with ODFW/WRD conditions and conditions listed in #4 above  
\_\_\_\_ Approval without fishery conditions  
\_\_\_\_ Denial

DEQ Representative(s)

Name: Pamela Blazo Date: 1/6/97

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

WATERMASTER'S Division 33 Review Comment WORK SHEET

14 Day Deadline

APPLICATION NO. 81454 (JACKSON)

- SOURCE of WATER       GROUNDWATER  
                                  SURFACE WATER  
                                  STORAGE

DESCRIPTION of the SOURCE Un'nd Str

*(A spring, a well, a sump, an exempt pond, an unnamed stream, etc.)*

- Is the proposed Diversion located in an area of concern based on the STE essential habitat maps?  
 YES                       NO
- If from Surface Water, does the water at the proposed Diversion Location flow into another water body?  
 YES     NO     SOMETIMES
- If sometimes, describe the time period between \_\_\_\_\_ and \_\_\_\_\_.
- Does the source ever go dry in the area of the proposed diversion?  
 YES                       NO
- To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?  
 YES                       NO

If yes, please explain. this stream trib to Bear Cr Trib Coquille R. Coquille R. has been regulated for min flows

- Is there sufficient flow at the proposed point of diversion to satisfy all existing water rights and provide the quantity of water requested under this application?  
 YES                       NO
- Did you meet with staff from another agency to discuss the application?  
Who ODFW Agency Bender When 01-06-96
- Is mitigation an option?  
 YES     NO  
If so, please describe Storage

J P Brolet  
Name

01-06-96  
Date

WM, Dist 19  
Title

SEPTEMBER 11, 1996

JACKSON FARMS, INC.  
ROUTE 2, BOX 466  
BANDON, OREGON 97411

Reference: File #S-81454

Dear Applicant:

**THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water for CRANBERRY OPERATIONS ON 17.0 ACRES (BEING AGRICULTURAL USE AND IRRIGATION) **is allowed** under OAR 517, the South Coast Basin Program.
4. The appropriation of 45.0 ACRE-FEET of stored water only, legally constructed under application R-73957, for CRANBERRY OPERATIONS ON 17.0 ACRES (BEING AGRICULTURAL USE AND IRRIGATION) **is available** year round.
5. The irrigation season **is limited** to March 1 through October 31 by Department policy.



September 11, 1996

Summary of Initial Determinations

The appropriation of 45.0 acre-feet of stored water only, legally constructed under application R-73957, for Cranberry Operations may be allowed year round, being March 1 through October 31 for Irrigation of 17.0 acres and year round for Agricultural Use on 17.0 acres.

Because of these favorable determinations to your application the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period, will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **SEPTEMBER 15, 1996**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. You may be required to measure the amount of water used and report that use annually.
2. You may be required to install fish screens at the point of diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.

Application #S-81454  
Jackson Farms, Inc.  
Page 3

September 11, 1996

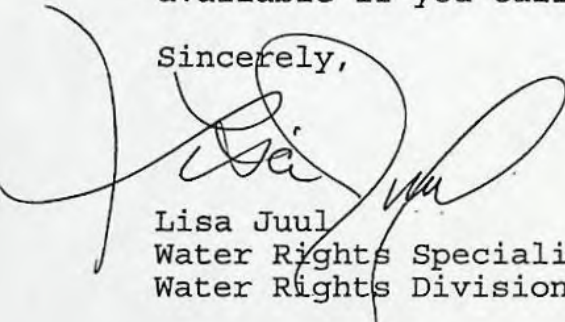
3. The priority date for this application is August 21, 1996.

**WARNING:** This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 267 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Lisa Juul  
Water Rights Specialist  
Water Rights Division

cc: Regional Manager, Watermaster, Water Availability  
Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

IR CHECKLIST

Application #: S-81454 Vol Subbasin

Basin: 17 South Coast WAB: 160300 POU-WAB 160300

Township 28 South Range 14 west Section 21 1/4 1/4 POU- SESE

1. Completeness checklist verified. (Y) N or No Checklist 28 - POD-NENE & POU-NENE & SENE

2. Indicators that the process should not continue (ie - protest, items missing, letter to file indicating hold, or other) Y (N)

3. Groundwater review A B C D
a. Is the well located in a groundwater limited area? Y/N

4. SWW Y (N) Triage Y (N) conditions/restrictions Y/N Yes in Triage Area

5. Basin Program limitations (Y) N OAR 690-517-001 (8)

6. Withdrawn? Y (N) season allowed

7. Basin Maps have been checked. (Y) N The River Mile is South of mile 5 of Cosville R.

8. Water Availability (50% < July 17, 1992 \*\* 80% [50% storage] > July 17, 1992) NA Stored Water Only

9. Rate/Duty/Season 1/80 & 2 1/2; AG - Year Round & IR - Mar. 1 - Oct. 31

10. Use Cranberry Operations Period of Allowed Use AG - Year Round & IR - Mar. 1 - Oct. 31

11. Priority Date(s) August 21, 1996

12. B.O.R. project Y/N contract #

13. TMDL Basin? Y (N) (Tualatin, Yamhill, Pudding) DIVISION 36 Y (N) Map dated 6-25-96
Abv Bonn > July 17, 92 //// Blw Bonn > April 18, 94 or June 3, 94

14. Conflicts Y/N No Conflict - Unable to check G-12797 for Conflict

15. Conditions? (BOR, GW, other) Y/N 3D

16. Land use approval (OK'd) needs approval county notified NA

17. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 15 (19) (SWR))

18. Letter will be (Good) Limited Bad Bad w/IRshort because

Requested 45.0 AF of stored water
Stored Water from Reservoir originally constructed under Permit R-11389 & enlarged under Application R-73957

Name: [Signature]

Date: 9-9-96

OREGON WATER RESOURCES DEPARTMENT  
ADMINISTRATIVE RULES  
CHAPTER 690  
DIVISION 517  
SOUTH COAST BASIN PROGRAM

**Classifications**

**690-517-001**

- (1) Ground water resources in sections or the portions of Sections 13, 14, 22, 23, 26, 27, 32, 33 and 34 of Township 23 South, Range 13 West; 2, 3, 4, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, 27, 28, 29, 31, 32, 33 and 34 of Township 24 South, Range 13 West; and 3, 4, 5 and 6 of Township 25 South, Range 13 West, bounded on the north by Tenmile Creek, on the west by the Pacific Ocean, on the south by Coos Bay and on the east by Highway 101 are hereby classified for single or group domestic, livestock, irrigation of lawns and noncommercial gardens not exceeding one-half acre in area and any single industrial or commercial use not exceeding 5,000 gallons per day.
- (2) The waters of the following lakes are classified only for domestic, livestock, municipal, irrigation of lawns and noncommercial gardens not exceeding one-half acre in area and in-lake use for recreation, fish life and wildlife. The Director of the Water Resources Department may place specific limits on municipal appropriations from the lakes or require outlet control structures to protect recreation, fish life and wildlife uses:
  - (a) Bradley Lake
  - (b) Eel Lake
  - (c) Garrison Lake
- (3) All other natural lakes are classified only for domestic and livestock uses, irrigation of lawns and noncommercial gardens not exceeding one-half acre in area and in-lake use for recreation, fish life and wildlife.
- (4) Waters of the following streams and all tributaries are classified only for domestic and livestock uses, irrigation of lawns and noncommercial gardens not exceeding one-half acre in area, fire control and instream use for recreation, fish life and wildlife.
  - (a) Glenn Creek (tributary to the East Fork Millicoma River)
  - (b) Brush Creek
- (5) The waters of the Middle Fork of the Coquille River and tributaries upstream from the confluence with Holmes Creek are classified only for domestic, livestock and irrigation of lawns and noncommercial gardens not exceeding one-half acre in area and instream use for recreation, fish life and wildlife during the period from July 1 to September 30 of every year. Water stored between October 1 and June 30 may be used at any time for purposes specified in section (8).
- (6) The waters of the West Fork Millicoma River and tributaries above Stall Falls are classified for municipal, domestic and livestock uses, irrigation of lawns and noncommercial gardens not exceeding one-half acre in area and instream use for recreation, fish life and wildlife.

(7) The waters of Pony Creek above lower Pony Creek Dam and Ferry and Geiger Creeks above the Ferry Creek - Geiger Creek confluence are classified for municipal use.

(8) All other surface and ground water resources are hereby classified for domestic, livestock, municipal, industrial, fire control, irrigation, agricultural use, mining, power development, recreation, wildlife and fish life uses.

(9) Applications for the use of water for any purposes contrary to classifications specified in the basin program shall not be accepted or granted except as provided by law. The Director shall notify the Board and other interested individuals or agencies of the intent to accept an application for use in conflict with the adopted program in accordance with ORS 536.380 if the proposed use will not have a significant impact on any other water use as provided in sections (1) through (8) of OAR 690-517-001 and in 690-517-002 through 690-517-003.

(10) The planning, construction and operation of any structures or works for the utilization of water in accordance with the aforementioned classifications are to conform with the applicable provisions of ORS 536.310, including but not restricted to the recommendation of the multiple-purpose concept.

### **Reservations**

690-517-002

Water in the amounts specified is reserved in the following streams for municipal use:

- (1) Chetco River - three cfs, downstream from the confluence with the North Fork Chetco River
- (2) Winchuck River - one cfs, downstream from the confluence with Bear Creek

### **Minimum Perennial Streamflows**

690-517-003

(1) For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, no appropriations of water except for domestic or livestock uses and irrigation of noncommercial gardens not exceeding one-half acre in area shall be allowed for the waters of the streams and tributaries listed in Table 1 when flows are below the specified levels.

(2) The Water Policy Review Board requests the opportunity to review applications for an allowed beneficial use that has traditionally been identified as nonconsumptive or take-and-put, such as fish hatcheries, hydroelectric facilities, municipal or water process industries that could potentially impact, in an adverse way, the Board's minimum flow regime or the public interest. The Water Policy Review Board intends to continue to protect, in its entirety, that portion of the stream system on which any minimum streamflow has been established. Permitting procedures and water use regulation should reflect that objective as far as possible under the law. The Board solicits the advice or complaints of any party who is aware that the objectives are not being met.

(3) Minimum flows established in the Water Resource Program for the South Coast Basin dated May 22, 1964 (Table 3), shall remain in full force and effect except as follows:

- (a) The minimum perennial streamflow for the Elk River above U.S. Highway 101 crossing (45 cfs) is rescinded.

✓ NCR

TOWNSHIP 28 S RANGE 14 W W. M. CARD # 1 SECTION 21

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																			
																	18377	14019	21715
																	18569	14128	14674
																	22131	17431	CANCELLED
																	33464	26440	28802
																	R-45458	R-5402	51062
																	45246	34059	51063
																	Supplemental G-45299	G-4266	50965
																	Supplemental 45246	34059	51063
																	P-99	V.18.P.15	50469
																	61859	44463	
																	63975	47417	?

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 28 S RANGE 14 W W. M. CARD # 2 SECTION 21

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IF OTHER THAN 40 ACRES																			
																	6-11617	entered	in error
																	R-69508		
																	69509		
																	Suppl 6-11761		
																	71132		

TOWNSHIP 285 RANGE 14W W. M. Card #1 SECTION 28

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
											.5			.5		14396	10424	11236	
(Reservoir - City of Bandon)																501	R-28	9755	
																15945	11784	11910	✓NCR
																18869	14128	14674	
																21494	16927	15680	
																21771	17127	26396	
																26728	21022	26419	
																31597	24923	28648	✓NCR
																33390	26385	32271	✓NCR
																35211	27495	32276	✓NCR
																36965	27556	36267	✓NCR
																37054	27648	35719	

TOWNSHIP 285 RANGE 14W W. M. Card #2 SECTION 28

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																			
			15													68993	49899		
																40266	29957	35819	
																6-3594	6-3158	35718	
																42646	31852	35723	✓NCR
																6-3652	4-3431	36266	✓NCR
																55708	4727		
																56743	40487	55653	
																61588	46616		✓NCR
																61588	46616		✓NCR
																6-10279	6-9685		✓NCR
																64854	47370		✓NCR
																6-10883	6-16017		✓NCR
																6-11414	6-10520	65981	
																68993	49899		

T.C. = Temperature Control F.H. = Flood Harvesting

TOWNSHIP 285 RANGE 14W W. M. CARD #3 SECTION 28

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IF OTHER THAN 40 ACRES																		
Don't L46																68994	49900	
				RES												R-69506	R-11389	
FLOOD 2E				FLOOD 2E												540PU 69507	51201	
FLOOD 2E				FLOOD 3E				FLOOD 095								6-11759	6-11311	
												10/14/11 11E 5E				G-11867	E-11254	2
				00D 0E				00D 0E								69964	50806	
				BOM 6-6												70111	51021	67376
								CR12 2E								G-12181		
												21 8E				G-12187	6-11315	68746
20				5E				5E								G-12787		
71				5E				8E								R-12787		
RES																R-73957		
				RES														

Originally constructed Reservoir

NCR

GCW

Imp

enlargement of Apple

R-69506,  
Permit R-11389  
(90.0 additional AF, being 45AF for Cranberry & 45 AF for Aesthetics)

SP\*35621-690



Application S-81454

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # S-81454

WATERMASTER # 19

REGIONAL MANAGER: SW - AL COOK

ODF&W - Coos County:

CWRE (if agent):

DEQ

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;  
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

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PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

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CASEWORKER : LKS



August 30, 1996

JACKSON FARMS INC.  
RT 2 BOX 466  
BANDON, OR 97411

REFERENCE: File(s) S-81454

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

As you may know, we have a backlog of several thousand applications. Senate Bill 674, passed in the 1995 Legislature, gives the Department staffing and administrative tools to work through that backlog. The bill also sets up an expedited application review process for both pending and new applications. We have until October 31, 1996, to complete work on applications filed through June 30, 1995.

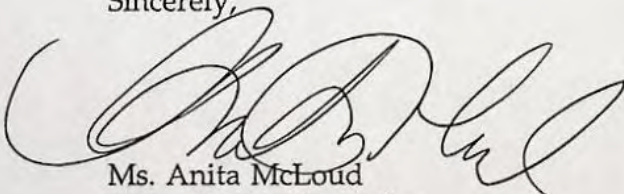
**This application, and all applications filed between July 1, 1995, and October 31, 1996, must be processed by April 29, 1997. By that date, the Department must have reached a decision on your request or have scheduled a contested case hearing to settle any unresolved dispute related to your application.**

If a permit is approved, the use allowed will be subject to existing Basin Program Rules, instream flow requirements, 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 resource issues, including current and future Endangered Species Act fish listings.

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, write to us at 158 12th St. NE, Salem, OR 97310 or call the Water Rights Information Group--Ext. 499 at 503-378-8455 or toll-free 800-624-3199. Please refer to your application file number in your inquiry.

Sincerely,



Ms. 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

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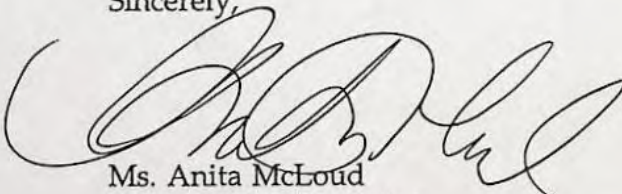
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Sincerely,



Ms. 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

FOR OFFICE USE ONLY

*Do not send out*

Application File Number: #S-81454

Applicant: JACKSON FARMS, INC.

County: COOS

Priority Date: AUGUST 21, 1996

Source: JACKSON RESERVOIR

Use: CRANBERRY OPERATIONS

Quantity: 45.0 ACRE-FEET

Basin Name & Number: SOUTH COAST BASIN, #17

Point of Diversion Location: NE 1/4 NE 1/4, SECTION 28, T 28S, R 14 W, W.M.

Place of Use: SE 1/4 SE 1/4, SECTION 21; NE 1/4 NE 1/4 AND SE 1/4 NE 1/4,  
SECTION 28, T 28S, R 14W, W.M.

FOR OFFICE USE ONLY

**SAUTER Jerry K**

---

**From:** Ray Brown <canchief@yahoo.com>  
**Sent:** Wednesday, September 24, 2014 2:25 PM  
**To:** Jerry Sauter  
**Subject:** JACKSON S-81454

Jerry,

Were you able to locate a application map for Application Number S-81454, that show the 17.0 acres for cranberry operations. In the name of Jackson Farms, Inc.

Still trying to clean this one up along with their reservoir. .

Thanks,  
Raymond

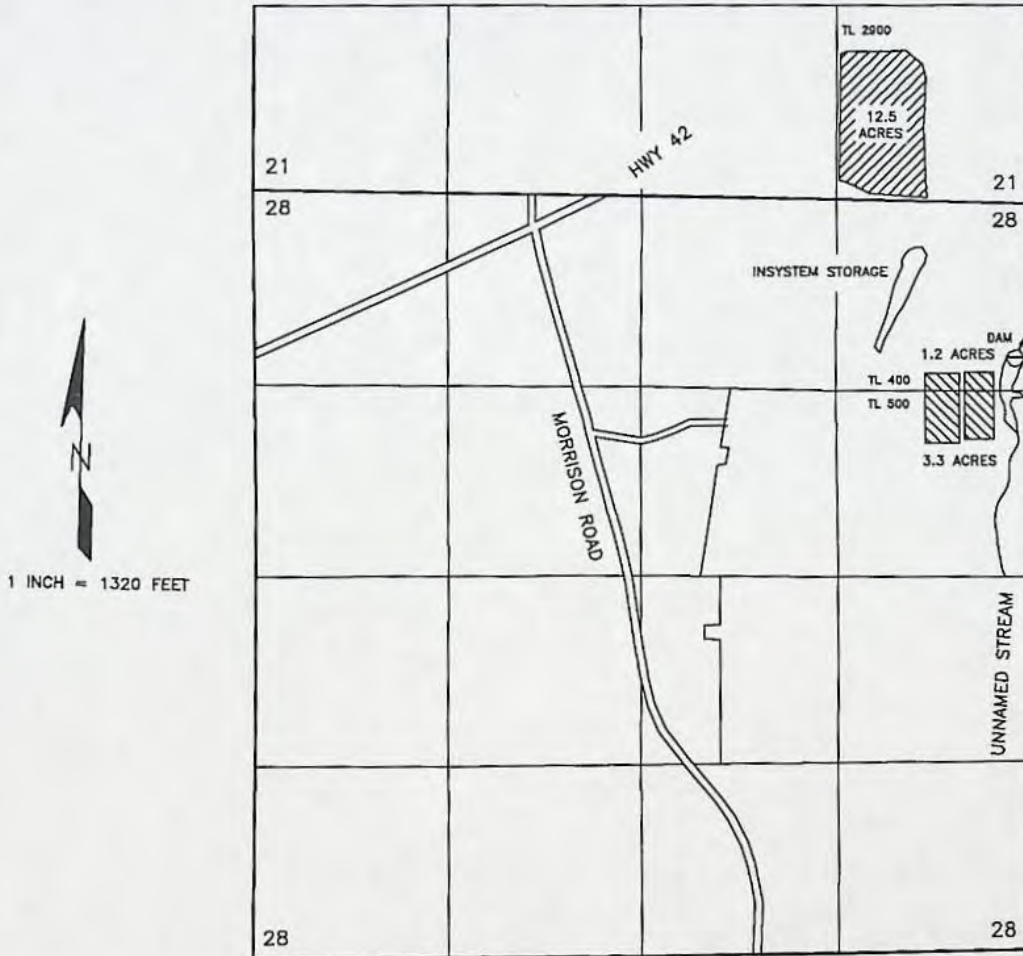
APPLICATION MAP

IN THE NAME OF JACKSON FARMS, Inc.

SECTIONS 21 & 28, T 28 S, R 14 W, W.M.

**RECEIVED**

AUG 21 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON



THE POINT OF DIVERSION IS LOCATED 1,40 FEET SOUTH AND 112 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 28, AND WITHIN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SECTION 28, TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M., COOS COUNTY.

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

81454  
Permit #: 53455

## NOTE TO LOCAL GOVERNMENTS

WATER  
RESOURCES  
DEPARTMENT

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

WRD will not accept applications which are not accompanied by this completed Land Use Information Form or the signed and dated receipt stub detached from the bottom of the Land Use Information Form.

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

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

**RECEIVED**

AUG 21 1996

WATER RESOURCES DEPT.  
SALEM, OREGON



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

DESCRIPTION OF WATER USE

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

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

Applicant Name: Jackson Farms, Inc.  
 Address: Route 2, Box 466  
Bandon, Oregon 97411  
 Phone: (541) 347-3294

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

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

Indicate sources for the proposed water use below:

Surface water  
 Name sources:  
 \_\_\_\_\_  
 \_\_\_\_\_

Reservoir or pond

Groundwater

Indicate the estimated quantity of water the use will require.

\_\_\_\_\_ Cubic feet per second

\_\_\_\_\_ Gallons per minute

45 Acre-Feet

**RECEIVED**

AUG 21 1996

WATER RESOURCES DEPT.  
 SALEM, OREGON

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

81454

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

Applicant's Name: Jackson Farms, Inc. / James W. + Jenni L. Jackson, Trustees of Jackson Family Trust  
 Address: Route 2, Box 466  
 City: Bandon State: Oregon Zip: 97411 Day Phone: (541) 347-3294

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

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
T28S/R14W/ Sec. 28 TL 400 & 500 Sec. 21 TL 2901	Forest-T28-14-21 TL 2901- T28-14-28 TL 400/500	X	X	X
		X	X	X

9809.00  
9809.90  
9721.01  
9808.00  
9809.00

EFU - reservoir on TL 400 + 500  
 Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

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

For Local Government Use Only

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

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

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); \_\_\_\_\_ . Go to section b) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table on the reverse of this form. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

Receipt for Request for Land Use Information

WRD Applicant Name: Jackson Farms, Inc.; James W. + Jenni L. Jackson  
Trustee of Jackson Family Trust

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

City or County: Coos County  
 Staff Contact: Thea L. Kerns, Planner Phone: (541) 396-3121  
 Signature: Thea L. Kerns Date of Information Request: 8/20/96

RECEIVED

AUG 21 1996  
 WATER RESOURCES DEPT.  
 SALEM, OREGON



81454

UNIT 11

**THE FIDELITY INSURANCE**

6-61-198

**LEGAL DESCRIPTION**

1. A parcel of land situated in the NW 1/4 of the NE 1/4 of Section 28, Township 28 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows: Beginning at the Southeast corner of the NW 1/4 of the NE 1/4; thence North 87° 54' 58" West along the South line of said NW 1/4 of the NE 1/4 136.95 feet; thence North 10° 38' 45" East 166.00 feet; thence North 285.52 feet; thence East 542.55 feet, more or less, to the East boundary line of said NW 1/4 of the NE 1/4; thence South 00° 41' 38" West 664 feet to the point of beginning.

2. The NE 1/4 of the NE 1/4 of Section 28, Township 28 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

3. That portion in the extreme Northeast corner as conveyed to John Haga by deed recorded April 5, 1905, in Book 41, Page 77, Deed Records of Coos County, Oregon, and that portion conveyed to Haude Haga in the Northeast corner by deed recorded December 11, 1911, in Book 70, Page 321, Deed Records of Coos County, Oregon.

4. That portion lying in public roads.

5. EXCISE: The parcel conveyed to Graydon Haga and Beatrice Faye Haga, husband and wife, by instrument recorded August 29, 1960, in Book 280, Page 395, Deed Records of Coos County, Oregon.

6. A strip of land 26 feet wide on the North end of the NW 1/4 of the NE 1/4 of Section 28, Township 28 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

7. The West 450 feet thereof.

8. The S 1/2 of the NE 1/4 of Section 28, Township 28 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

9. AND EXCISE: the property conveyed to John H. Conrad and Gladys H. Conrad, in Book 117, Page 27, Deed Records of Coos County Oregon, described as follows: Beginning at the Southeast corner of the NE 1/4 of said Section 28, thence North 1320 feet; thence East 100 feet; thence in a Southwesterly direction to a point 400 feet East of the Southeast corner of beginning; thence West to the place of beginning.

10. AND EXCISE: A tract of land adjoining the East boundary line of the above described parcel of land and described as follows: Beginning at a point on the said boundary line which is 775 feet Northerly of the Southeast corner of the above described tract; thence East 50 feet; thence North 125 feet; thence West 50 feet; thence South 125 feet to the place of beginning. -----

**RECEIVED**  
AUG 21 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **5653**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: Jackson Farms, Inc  
BY: \_\_\_\_\_

APPLICATION	81454
PERMIT	
TRANSFER	

CASH:  CHECK: #  96-455 OTHER: (IDENTIFY)

TOTAL REC'D \$ 400.<sup>00</sup>

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS

PUBLICATIONS / MAPS

OTHER: (IDENTIFY)

OTHER: (IDENTIFY)

81454

\$
\$
\$
\$

**REDUCTION OF EXPENSE**

CASH ACCT.

PCA AND OBJECT CLASS

VOUCHER #

\$

**0427 WRD OPERATING ACCT**

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY)

TC165 DEPOSIT LIAB. (IDENTIFY)

\$
\$
\$
\$

WATER RIGHTS:

0201 SURFACE WATER PCA66111

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE
\$ 200. <sup>00</sup>
\$
\$
EXAM FEE
\$

0202

0204

0206

0219

0220

RECORD FEE
\$ 200. <sup>00</sup>
\$
\$
LICENSE FEE
\$
\$

**0437 WELL CONST. START FEE**

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY)

\$
\$

CARD #
CARD #

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS

\$

**0467 HYDRO ACTIVITY**

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

HRDRO APPLICATION


\$
\$
\$

RECEIPT # **5653**

DATED: 8-21-96 BY: Joye Gross

## COMPLETENESS DETERMINATION CHECKLIST

Application #	Review Date	Reviewer Initials
- 81454	8/21/96	JK

COMPLETED

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

- 1. Examination fees.
- 2. Name and address of the applicant, and title if applicable.
- 3. Source of water.
- 4. Use of water.
- 5. Amount of water.
- 6. Location & description of delivery system.
- 7. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
- 8. A statement declaring the existence of written authorization or easement permitting access to lands involved, but not owned by the applicant.
- 9. Proposed dates of beginning and completion of construction, and complete application of water.
- 10. If for municipal use, the present population to be served and expected future water requirements.
- 11. If for mining use, the type of mines and methods of supplying & utilizing the water.
- 12. If for a reservoir:
  - The height of the dam and the storage capacity.
  - The area submerged and the maximum depth.
  - The construction method (earthfill, concrete, flashboard, etc.).
  - A description of the outlet conduit and spillway.
- 13. If for groundwater, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
- 14. If the application was made under HB 2107:
  - Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
  - A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
  - The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
- 15. An oath that the application information is true and correct.
- 16. The signature of the applicant(s).
- 17. A satisfactory map of the proposed POD & POU.
- 18. A Land Use Information Form or receipt signed by appropriate planning official.
- 19. INFORMATIONAL SHEET 310 (K)

81454

LEGAL DESCRIPTION

Approximately 20 acres in Section 21, Township 28 South, Range 14 West of the Willamette Meridian, Tax Lot 2900, more specifically described as:

The West Half of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 28 South, Range 14 West of the Willamette Meridian.

Seller shall have the right to cross the above property and Buyer's adjacent property on a road or roads designated by the Buyer for the purpose of gaining access to Seller's remaining lands at times when the primary access from Seller's lands to Highway 42 is impassible because of flooding.

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AUG 21 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON



RECEIVED

AUG 21 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. 81454

State of Oregon  
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Surface Water

Applicant(s) JACKSON FARMS, INC.

Mailing Address: ROUTE 2, BOX 466  
(Please print or type - use dark ink)

BANDON OREGON 97411 (541) 347-3294  
City State Zip Daytime Phone No.

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

1. SOURCE OF WATER for the proposed use: JACKSON RESERVOIR  
a tributary of COQUILLE RIVER

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: \_\_\_\_\_ cubic feet per second, OR \_\_\_\_\_ gallons per minute. If water is to be used from more than one source, give the quantity of water from each: 45 ACRE FEET OF STORAGE (SEE REMARKS)

3. INTENDED USE(S) OF WATER: CRANBERRY OPERATIONS

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

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

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

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

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

Irrigation \_\_\_\_\_  
Other (describe) CRANBERRY OPERATIONS 17.0 ACRES





FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

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

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

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

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

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 21<sup>ST</sup> day of August, 1994, at 8 o'clock, A M.

APPLICATION NO: 81454

PERMIT NO: \_\_\_\_\_

Application R-73957 IS PROPOSING  
TO ENLARGE THIS PERMIT

STATE OF OREGON

COUNTY OF COOS

PERMIT TO CONSTRUCT A RESERVOIR AND TO  
STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

JAMES W. JACKSON  
ROUTE 2, BOX 466  
BANDON, OREGON 97411

503-347-3294

to construct STREAM CHANNEL RESERVOIR and to store the waters of  
STREAM #3, tributary of BEAR CREEK, to be appropriated under  
Application 69507, Permit 51272, for CRANBERRY OPERATIONS.

This permit is issued approving Reservoir Application R-69506. The  
date of priority is NOVEMBER 27, 1987. The amount of water  
entitled to be stored each year is not more than 9.2 ACRE-FEET.

The dam will be located as follows:

SE 1/4 NE 1/4, SECTION 28, T 28 S, R 14 W, W.M.

The area submerged by the reservoir, when full, will be 0.5 acre  
and the maximum depth of water will be 7.0 feet.

The area to be submerged by the reservoir is located within:

SE 1/4 NE 1/4  
SECTION 28  
TOWNSHIP 28 SOUTH, RANGE 14 WEST, W.M.

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

Actual construction work shall begin on or before July 29, 1992,  
and shall be completed on or before October 1, 1993. The reservoir  
shall be filled and complete application of the stored water to the  
use shall be made on or before October 1, 1994.

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.

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

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

Issued this date, JULY 29, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

Application R-69506 Water Resources Department PERMIT R-11389  
Basin 17 Volume District 15  
R-69506.SB

FILE#: S 81454

JACKSON FARMS INC.  
RT 2 BOX 466  
BANDON, OR 97411

FILE#: S 81454

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BANDON, OR 97411

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