

Form C (690-9-77)

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

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

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

Application No. 73766

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Charles W. Shaw, the holder of Permit No. 51583
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 31 day of MARCH, 1995.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 31 day of MARCH, 1995.

Charles W. Shaw
(Signature of Applicant)

96420 ALDER RD. RD. BROOKINGS, OR.
(Address) 97415

IMPORTANT MESSAGE

FOR <u>2MON x 499</u>	DATE <u>4-20</u>	TIME <u>1010</u>	☒ A.M. ☐ P.M.
M. <u>MICHELLE</u>	<u>KEEGAN</u>		
OF <u>SPRING</u>	☒ PHONED		
PHONE ☐ FAX <u>707-226-9304</u>	☐ RETURNED YOUR CALL		
MESSAGE <u>A# 73766</u>	☒ PLEASE CALL		
<u>3320 CAMBRIDGE CRT.</u>	☐ WILL CALL AGAIN		
<u>NEEDS PERMIT MAILED</u>	☐ CAME TO SEE YOU		
<u>NABA, CA 94558</u>	☐ WANTS TO SEE YOU		
SIGNED _____			

TOPS FORM 4006

ATTENTION FILE: S-73766

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

Charles W. Shaw 10/19/94
Applicant Signature Date

Co-Applicant (if any) Date

RECEIVED

OCT 25 1994



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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **107065**

3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

RECEIVED FROM: Charles W. Shaw
BY: _____

APPLICATION	77466
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 11-14 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 375.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

COST CENTER AND OBJECT CLASS

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
_____	LANDOWNER'S PERMIT		842.024	\$
_____	OTHER (IDENTIFY)			

EXAM FEE
\$ <u>200.00</u>
EXAM FEE
\$

RECORD FEE
\$ <u>175.00</u>
LICENSE FEE
\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011	POWER LICENSE FEE(FW/WRD)	\$
842.115	HYDRO LICENSE FEE(FW/WRD)	\$

HYDRO APPLICATION

\$

RECEIPT # **107065**

DATED: 11-16-93

BY: [Signature]

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

SECTION 14

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																		
																DOM 30 39291	29260	
																54947	41312	CANCELLED
																54948	43619	CANCELLED
																57922	43730	65807
																59211	44537	65212
																60058	45722	65845
																60478	45749	
																60887	46196	CANCELLED
																64049	47066	67286 66265
																64327	47316	66142
																60887	46196	65512
																73766		

H.J. NEWHOUSE

LAND SURVEYOR • OR 402 • CA 3605

POST OFFICE BOX 360
WEDDERBURN, OREGON 97491
TELEPHONE (503) 247-6923

Sept 5, 1995

Oregon Water Resources Dept.
Commerce Bldg.
158 12th St. NE
Salem, Oregon 97310

Claim of Beneficial Use for:

Charles W. Shaw
96420 Alder Ridge Rd.
Brookings, Oregon 97415

Application # 73766
Permit # 51583

RECEIVED
SEP 12 1995
WATER RESOURCES DEPT.
SALEM, OREGON

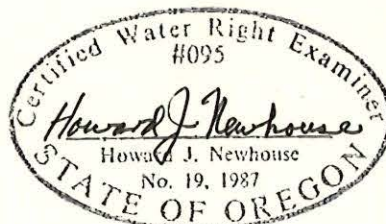
On Aug. 29, 1995 an onsite examination was made of the Shaw water system. It is in full use as outlined in the application as of Sept. 1, 1993. The system consists of a 4 ft. diameter concrete tile 10 ft. deep in a spring.

In the wet season the spring forms a channel and flows off the property. A 3/4 H.P. electric submersible pump sends water through a one inch PVC pipe to a 66 gal. pressure tank located at the house. The system was constructed by Del Weast, Brookings, Oregon, contractor.

The system now has a filter and purification system. The number of gallons delivered at the house is 4 gal/min. The final proof survey and inspection of the use is complete under the terms and conditions of permit number 51583. The facts contained in this report and accompanying final proof map are correct to the best of my knowledge.

I, Charles W. Shaw agree to the findings of the CWRE and do submit this site report as my Claim of Beneficial Use of the water as provided under the terms and conditions of my permit number 51583.

Charles W. Shaw



73766

14:54 04/12/1994

[illegible]

Basin: South Coast

Limiting Water Availability Subbasins
 For Water Availability Subbasin 6900000000000000
 Water Availability By Month for Exceedance Level 80
 15:00 04/12/1994

Month	Limiting Subbasin	Water Available?	Net Water Available
1	6900000000000000	YES	7.8
2	6900000000000000	YES	10.3
3	6900000000000000	YES	9.2
4	6900000000000000	YES	4.5
5	6900000000000000	YES	2.0
6	6900000000000000	YES	1.1
7	6900000000000000	YES	.8
8	6900000000000000	YES	.6
9	6900000000000000	YES	.5
10	6900000000000000	YES	.5
11	6900000000000000	YES	1.8
12	6900000000000000	YES	7.2
Stor	6900000000000000	YES	6640.0

Basin: South Coast

Detailed Report for Water Availability Subbasin 6900000000000000
 Water Availability By Month for Exceedance Level 80
 14:54 04/12/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	7.89	.04	7.85	.00	7.85	.00	7.85
2	10.30	.00	10.30	.00	10.30	.00	10.30
3	9.28	.04	9.24	.00	9.24	.00	9.24
4	4.50	.04	4.46	.00	4.46	.00	4.46
5	2.01	.06	1.95	.00	1.95	.00	1.95
6	1.17	.09	1.08	.00	1.08	.00	1.08
7	.89	.13	.76	.00	.76	.00	.76
8	.72	.11	.61	.00	.61	.00	.61
9	.57	.07	.50	.00	.50	.00	.50
10	.54	.04	.50	.00	.50	.00	.50
11	1.84	.04	1.80	.00	1.80	.00	1.80
12	7.23	.04	7.19	.00	7.19	.00	7.19
Stor	6680	42	6640	0	6640	0	6640

Basin: South Coast

Detailed Report for Water Availability Subbasin 6900000000000000
 Consumptive Use and Storage After 1/1/93 By Month
 14:49 04/12/1994

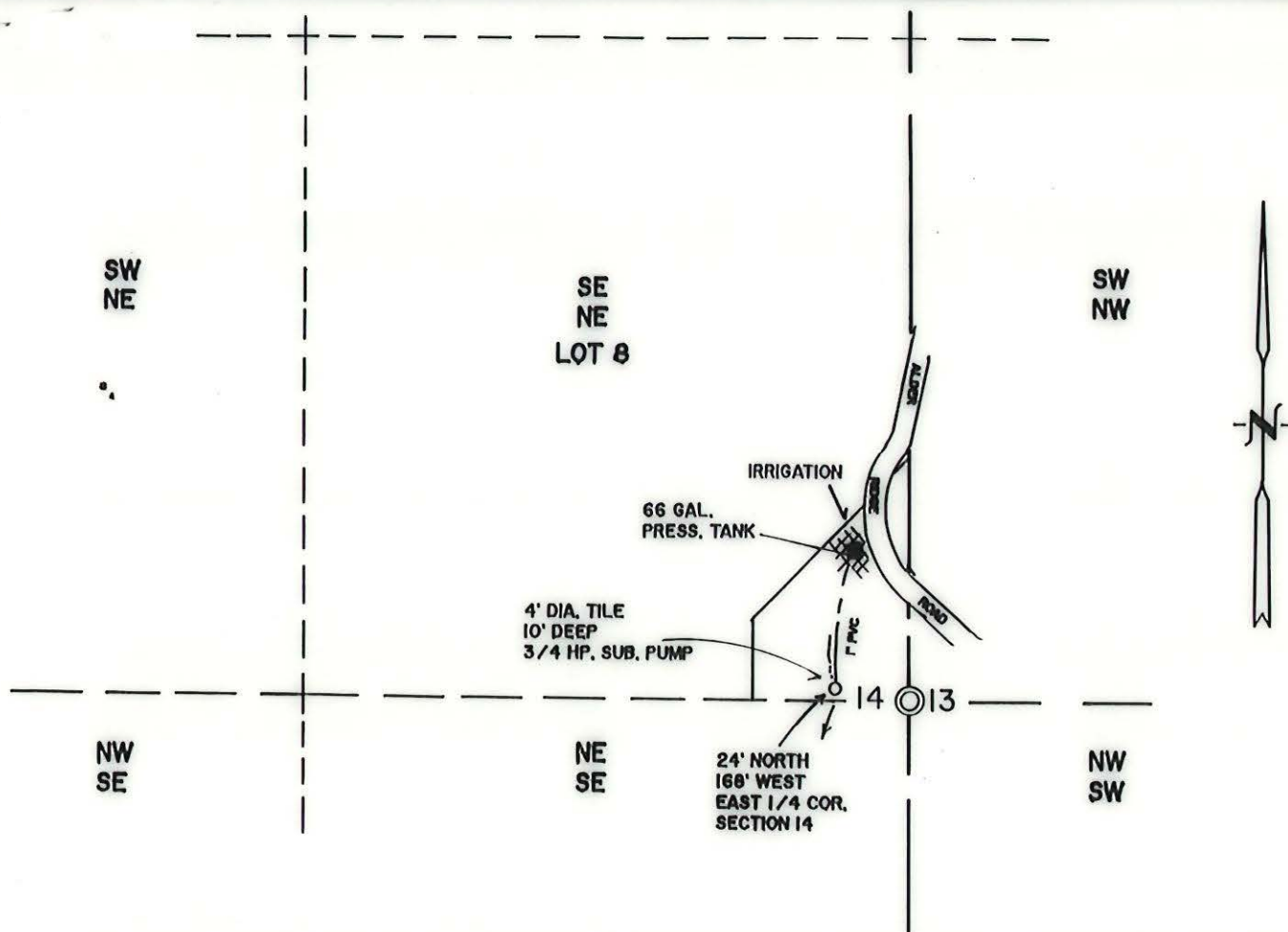
Month	Consumptive Use			Storage		
	Apps.	Permits	Certs.	Apps.	Permits	Certs.
1	.00	.00	.00	.00	.00	.00
2	.00	.00	.00	.00	.00	.00
3	.00	.00	.00	.00	.00	.00
4	.00	.00	.00	.00	.00	.00
5	.00	.00	.00	.00	.00	.00
6	.00	.00	.00	.00	.00	.00
7	.00	.00	.00	.00	.00	.00
8	.00	.00	.00	.00	.00	.00
9	.00	.00	.00	.00	.00	.00
10	.00	.00	.00	.00	.00	.00
11	.00	.00	.00	.00	.00	.00
12	.00	.00	.00	.00	.00	.00

```

Detailed Report for the ISWRs
In Water Availability Subbasin 6900000000000000
14:49                                04/12/1994

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



THE PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE PROPOSED WATER RIGHT AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

RECEIVED

SEP 12 1995

WATER RESOURCES DEPT.
SALEM, OREGON

T 40 S, R 14 W, W.M.

SECTION 14

FINAL PROOF SURVEY

UNDER

APPLICATION # 73766

PERMIT # 51583

IN THE NAME OF

CHARLES W. SHAW

SURVEYED AUGUST 1995, BY H.J. NEWHOUSE

SCALE 1" = 400'



September 14, 1995

CHARLES W. SHAW
96420 ALDER RIDGE RD
BROOKINGS, OR 97415

REFERENCE: File 73766

This will acknowledge that your claim of beneficial use and map in the name of CHARLES W. SHAW were received on SEPTEMBER 12, 1995. These will be reviewed in the future to insure they are complete and correct.

Please contact me if you have any questions.

Sincerely,

Don Knauer JCB

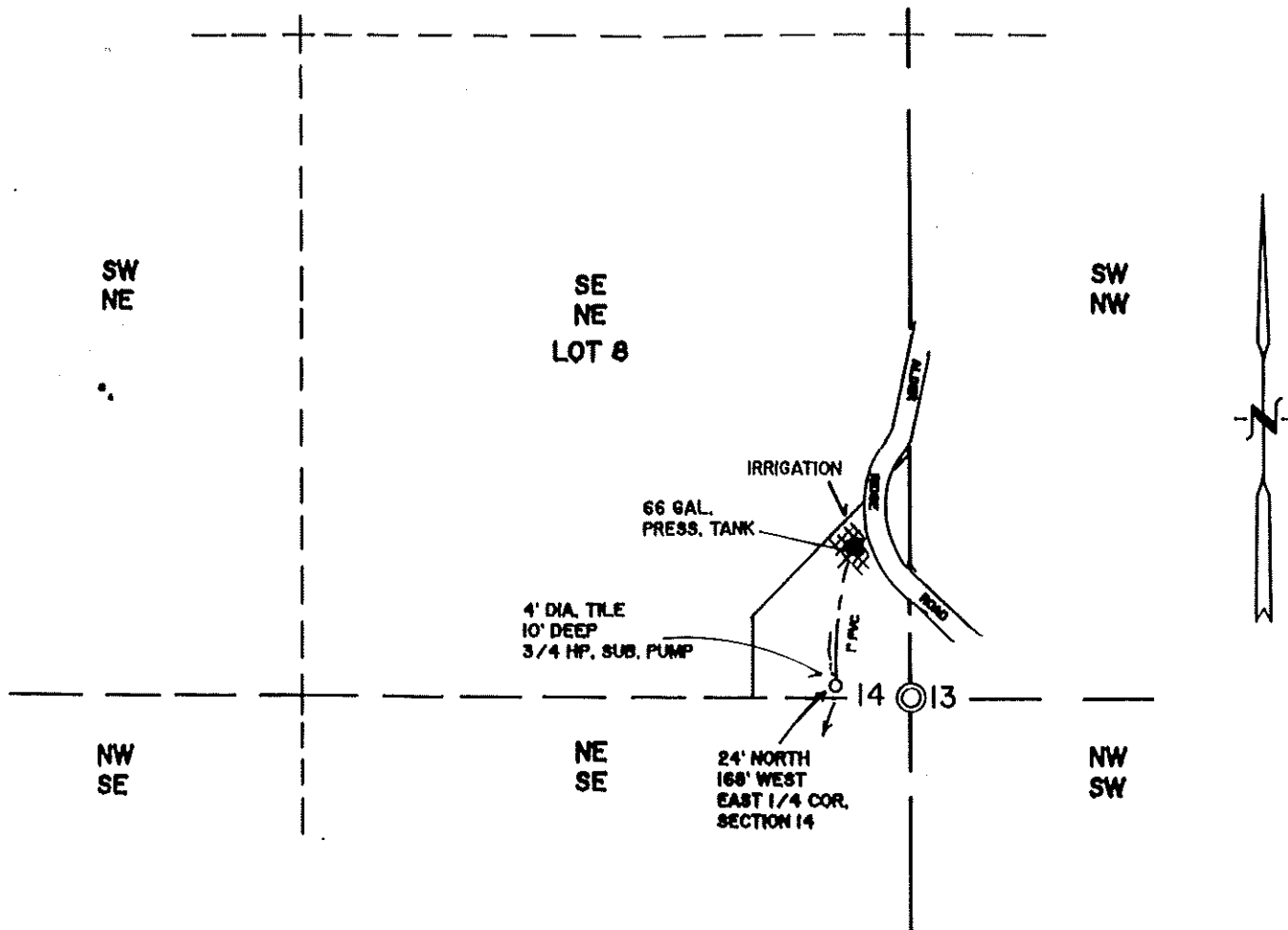
DON KNAUER
Program Representative

DEK:tcb

cc: HOWARD J. NEWHOUSE, CWRE



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



THE PREPARATION OF THIS MAP WAS FOR THE
PURPOSE OF IDENTIFYING THE LOCATION OF THE
PROPOSED WATER RIGHT AND HAS NO INTENT TO
PROVIDE DIMENSIONS OR LOCATION OF PROPERTY
LINES.

RECEIVED

SEP 18 1995
WATER RESOURCES DIVISION
SALEM, OREGON

T 40 S, R 14 W, W.M.
SECTION 14

FINAL PROOF SURVEY

UNDER

APPLICATION # 73766

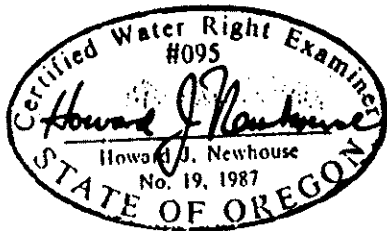
PERMIT # 51583

IN THE NAME OF

CHARLES W. SHAW

SURVEYED AUGUST 1995, BY H.J. NEWHOUSE

SCALE 1" = 400'



April 10, 1995

WATER
RESOURCES
DEPARTMENT

CHARLES W SHAW
96420 ALDER RIDGE RD
BROOKINGS OR 97415

REFERENCE: File 73766

We have received your notice that complete application of water has been made under Permit 51583.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before April 5, 1996. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739.

Sincerely,

DALLAS S. MILLER
Water Rights Division

DSM:jh

enclosure



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

April 13, 1994

CHARLES W. SHAW
96420 ALDER RIDGE RD
BROOKINGS, OR 97415

Reference: File 73766

Under separate cover I have enclosed our report of technical review. Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information.

Before we can process your application further, you will need to submit an oath:

"I certify that the information provided in application 73766 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge".

This requirement was created by an amendment of our administrative rules and applies to all applications filed after June 5, 1992.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



THOMAS E. SHOOK
WATER RIGHT SPECIALIST

cc: NEWHOUSE, CWRE



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

April 16, 1994

RECEIVED

APR 20 1994

**WATER RESOURCES DEPT.
SALEM, OREGON**

Water Resources Dept.,
Commerce Building
158 12th St. NE.,
Salem Or. 97310-0210

Reference: File 73766

Per your letter (copy attached) H/W is a signed oath per your request;

I certify that the information provided in application 73766 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.



Charles W. Shaw
96420 Alder Rdg. Rd..
Brookings, Or. 97415

RECEIVED

APR 20 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

WATER
RESOURCES
DEPARTMENT

April 13, 1994

CHARLES W. SHAW
96420 ALDER RIDGE RD
BROOKINGS, OR 97415

Reference: File 73766

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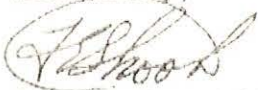
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Sincerely,



THOMAS E. SHOOK
WATER RIGHT SPECIALIST

cc: NEWHOUSE, CWRE



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

April 13, 1994

CHARLES W. SHAW
96420 ALDER RIDGE RD
BROOKINGS, OR 97415

Reference: File 73766

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



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

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before JUNE 24, 1994, or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,

A handwritten signature in dark ink, appearing to read "T. E. Shook", written over a circular stamp or seal.

THOMAS E. SHOOK
WATER RIGHT SPECIALIST

Enclosures

Report Date: April 13, 1994

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: JUNE 24, 1994,

1. APPLICATION FILE NUMBER - 73766

2. MINIMUM APPLICATION INFORMATION

CHARLES W. SHAW
96420 ALDER RIDGE RD
BROOKINGS, OR 97415
CURRY COUNTY 503-469-1049

Date application received for filing and/or tentative date
of priority: 11/16/93

SOURCE: A SPRING TRIBUTARY TO: LONE RANCH CREEK

Purpose and/or use: DOMESTIC USE PLUS 1/2 ACRE NONCOMMERCIAL
IRRIGATION

Flow: 0.01 CUBIC FOOT PER SECOND (CFS)

Point of Diversion Location:
T 40 S, R 14 W, W.M.; SECTION 14, SENE

Place of use:
SENE
SECTION 14
T 40 S, R 14 W, W.M.

SURFACE WATER AVAILABILITY

Water is likely available in excess of needs for all existing rights 80% of the time during each monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

There are no existing water rights appurtenant to the lands described in the application.

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 0.01 CFS is likely available for 12 months. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: 73766

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: YEAR ROUND
3. Rate of use: 0.01 CFS
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement recording and reporting conditions:
 - A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. 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.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

PUBLIC INTEREST REVIEW

The proposed water use described in Application #S-73766 has been evaluated according to the public interest standards set out in ORS 537.170 and OAR 690-11-195.

The Report of Technical Review for Application # S-73766 proposes allocation of 0.01 CFS from A SPRING tributary to LONE RANCH CREEK for the purpose(s) of DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD. The Technical Review Report limits the proposed use to YEAR ROUND USE.

The proposed use described in Application #S-73766 is not within a category required to be submitted to the Commission.

The Director of the Water Resources Department has evaluated the Application for the proposed water use and made the following public interest determination.

TECHNICAL REVIEW

Water use Application #S-73766 received a Satisfactory Report of Technical Review.

The Technical Review revealed that the proposed water use:

- a)-is not prohibited by statute or scenic waterway criteria;
- b)-is a classified use under the applicable basin program or an application for the use has been filed under ORS 536.295 and OAR 690 Division 82;
- c)-is consistent with conditions previously imposed by the Commission on appropriations from the same source;
- d)-will not conflict with (an) existing water right(s);
- e)-is supported by an available source of water.

**PUBLIC INTEREST REVIEW
CHECKLIST**

The Director of the Water Resources Department has evaluated the proposed water use, as described in Application #S-73766, in light of current and planned uses and reasonably anticipated future demands for water from the water source as established in the record.

The evaluation has recognized known beneficial uses of water, including but not limited to the categories described in OAR 690-11-195(3)(a)-(d).

The Director has reviewed the elements of the proposed water use and has based the public interest determination on evidence in the record which included the following:

I. Existing claims to water from the same source.

- ✓ There are no conflicts with existing claims to water from the same source as is documented in the Report of Technical Review.

II. Land use matters.

- ✓ The local government where the proposed water use is located has acknowledged receipt of the Land Use Information Form and has filed no objections to the proposed appropriation.
- ✓ Public notice of the proposed water use was sent to all local governments which have requested such notice and none of those local governments have filed objections to the proposed water use.
- ✓ There is nothing in the record to indicate the proposed water use is incompatible with Statewide Planning Goals or local comprehensive plans.
- ✓ If local government approval has not been granted, there is nothing in the record to indicate conditions cannot be placed on the proposed water use to require local land use approval prior to initiation of the use.
- ✓ An applicant for municipal water use has submitted information showing the proposed water use is compatible with comprehensive plan policies concerning urban services, urban growth boundaries, and Public Facilities Plans.

III. Identified environmental concerns.

- ✓ The proposed water use does not appropriate water from any water body listed to receive Total Maximum Daily Loads and therefore, the water body has not been defined as water quality limited according to Section 303(d)(1) of the federal Clean Water Act according to the information supplied by the Oregon Department of Environmental Quality.

IV. The character and extent of other natural resources which are present in the water source basin.

- ✓ The Oregon Department of Fish and Wildlife (ODFW) has been notified of the proposed water use and has made no objections regarding fish and other aquatic and wildlife species and populations.
- ✓ There are no listed threatened or endangered species in the water source according to the information supplied by the Oregon Department of Fish and Wildlife.

V. Riparian characteristics.

- ✓ There is nothing in the record to indicate the proposed use is likely to be detrimental to the riparian characteristics of the water source. This riparian review is not applicable to groundwater sources.

VI. Recreational use and potential of the water source and its basin area.

- ✓ There is nothing in the record to indicate a conflict with known or reasonably anticipated recreational use.

VII. Agricultural potential of the area.

- ✓ There is nothing in the record to indicate the proposed water use will conflict with known or reasonably anticipated agricultural practices.

VIII. Designated historic, cultural, or natural resource protection areas.

- ✓ There is nothing in the record to indicate any conflict with any known or reasonably anticipated historic, cultural, or natural resource designations.

IX. Identified health or safety requirements.

- ✓ There nothing in the record to indicate any identified health and safety requirements.

**PUBLIC INTEREST REVIEW
FINDINGS AND CONCLUSIONS**

This public interest determination has considered the following standards as set out in ORS 537.170(5):

- a) The conservation of the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.
- b) The maximum economic development of the waters involved.
- c) The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.
- d) The amount of waters available for appropriation for beneficial use.
- e) The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.
- f) All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.
- g) The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.525.

The Director of the Water Resources Department, pursuant to OAR 690-11-185(4), has considered the facts set forth in the Application and its supporting data, the Director's Report of Technical Review and any objections which met the requirements of OAR 690-11-170(1).

The Director of the Water Resources Department has evaluated the proposed water use with respect to the information in the record of the Department and has made the following public interest determination.

The Director has determined that the proposed water use described in Application #S-73766:

_____ WILL IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director hereby proposes rejection of the application and shall schedule a contested case hearing.

✓ WILL NOT IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director shall issue a water use permit with appropriate conditions.


A. Reed Marbut, Administrator
Water Rights/Adjudication Division

Dated : JAN 11 1995

TECHNICAL REVIEW CHECKLIST

1. Application: 737662. Review Date: 4-12-94

S indicates information was completed or adequately addressed.

U indicates information is needed, or incomplete, or inadequately addressed

N/A indicates Not Applicable

SUMMARY

S Land UseNA/yes/no Substantial SW interference
(if yes, see results of surface
water availability analysis)S ConflictsS Water Availability (6900)
(Water Availability Sub-basin)S The application, map and supporting
data are complete and free of defects.

OATH

3. DS The applicant has certified that the information
provided in the application is an accurate
representation of the proposed use and is true and
correct to the best of their knowledge.4. N/A No oath is required because application was filed
before June 5, 1992.5. S Application fees:

Examination fee:	\$ <u>200</u>
Recording fee:	\$ <u>125</u>
TOTAL REQUIRED	\$ <u>325</u>
TOTAL SUBMITTED	\$ <u>325</u>

AMOUNT DUE prior to
issuance of permit \$ _____AMOUNT OVERPAID
refund due applicant \$ _____6. S Proposed dates of beginning and completion of
construction, and complete application of water.7. S A satisfactory map of the proposed place of water use
prepared by a certified water right examiner, unless
exempt under OAR 690-14-150(3). (A CWRE map is not
required for applications filed before November 9,
1987.)

8. S A written copy of the legal description of the property on which the water is to be used.
9. N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
10. N/A No statement of ownership was required for applications filed before August, 1990.
11. S The proposed use is not restricted or prohibited by statute.
12. S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
13. S Dom Exp use(s) is/are classified uses(s) under the SOUTH COAST Basin Program, OAR 690 - 517.001(8)

Land Use Compatibility:

14. As expressed by the Planning Department of CURRY COUNTY
15. S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 3.081).
16. N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
17. N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For reservoir applications:

18. N/A Plans, specifications and supporting information for the dam and impoundment area.

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

✓ CC: FILE # 73766

✓ WATERWATCH

✓ ODF&W

✓ WATERMASTER # 19

✓ REGIONAL MANAGER - SW

✓ CWRE - H.J. NEWHOUSE 095

✓ DEQ

✓ OREGON ASSOCIATION OF NURSERYMEN INC.

✓ KEN STAHR

OTHER ADDRESSES:

CASEWORKER SHOOK

ORIGINAL TO APPLICANT 2/03/94

Application No. 15166



State of Oregon

WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Surface Water

Applicant(s) Charles W. Shaw

(Please print or type - use dark ink)

Mailing Address: 96420 Alder Ridge Rd. ^{(Please print or}

Brookings
City

Ore.

97415₂

1.69 - 1.019
Daytime

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: Spring,
a tributary of Lone Ranch Creek.
2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 0.01 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:

3. **INTENDED USE(s) OF WATER:** domestic plus 1/2 acre non-commercial
irrigation.

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; one

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)

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

The system consists of a 4 ft. diameter concrete tile
10 ft. deep in a spring. In the wet season the spring

forms a channel and flows off the property. A 3/4 H.P. electric
submersible pump sends water through a one inch PVC pipe to a

66 gal. pressure tank located at the house. The system is
newly constructed by Del Weast, Brookings, Oregon, contractor.

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

Proposed date construction work will begin Sept. 1, 1993

Proposed date construction work will be completed now complete

Proposed date water use will be completed Nov. 1, 1993

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

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

 Applicant ☒ CWRE Other (Identify in REMARKS section)

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

 Applicant ☒ CWRE Other (Identify in REMARKS section)

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

REMARKS:

NOTE: The permit, when issued, is for the beneficial use of water without waste. 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. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.


Signature of Applicant

Date 11/12/93

Signature of Co-Applicant, if any

Date _____

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 16 day of November, 1993, at 8 o'clock, A M.

APPLICATION NO: 73766

PERMIT NO: _____

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

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.

RECEIVED

NOV 16 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Applicant's Name: Charles W. Shaw
Address: 96420 Alder Ridge Rd.
City: Brookings State: Or Zip: 97415 Day Phone: 469-1049

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.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
40-14-14A				
TL 2000	RURAL RESIDENTIAL (RR-5)	✓	✓	✓

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 city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

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): 3.081. Go to section b) on reverse side.
CURRY COUNTY ZONING ORD.

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

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information .

WRD Applicant Name: _____

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

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: DIANNE L. SNOW

Title: PLANNER

Date: 11/4/93

Phone: 247-7011

Signature: Dianne L. Giv

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the paper.

[illegible]

MINIMUM REQUIREMENTS TO FILE

Name and mailing address
Source of water
Quantity of water
Location of project
Use of water
Signature of applicant
Allowable use by policy
State Engineer withdrawal
Legislative withdrawal
Land use approved 4 pending

FIELD OPERATIONS

11/24/03 OLB

Application date stamped per money receipt date
Stream Indexed BASINFS
Stream Code _____
Scenic Waterway _____

Findings:

- 1) Concluded - Scenic-Reg Ack letter
- 2) Under Study - Scenic-Ack letter
- 3) Basin 2 - Willamette-Ack letter

11/24/93

Plat Carded and copy made YES NO
 Conflicts (well _____ surface _____) _____
 Prior ISWR # _____
 Within Irrigation District _____ (name)

Notified

District excerpt received

Entered in Paradox

Prepare six copies of Draft Permit

Send one copy to Data Center

SUPPORT SERVICES

$\frac{11}{11} \frac{22}{22} \frac{93}{93}$
 $\frac{11}{11} \frac{23}{23} \frac{93}{93}$

Stamp contents with application number
Mail/Provide copies of draft permits to DEQ, ODFW,
PARKS, AND WATERMASTER
Mail ack letter (provided by Data Center) with
receipt to applicant, cc to CWRE and file
Place label on file and card
If dam is over 10 feet or storage exceeds 9.2 AC-FT,
route file to Dam Safety Section
Notify Irrigation District

FIELD OPERATIONS

[illegible]

	<u>YES</u>	<u>NO</u>
Ownership Statement	_____	_____
Name and address of all owners	_____	_____
Other landowners notified	_____	_____
Legal Description	_____	_____
Need Commission review	_____	_____
_____ Requests greater than 5.0 cfs	_____	_____
_____ Dam height greater than 20 feet	_____	_____
_____ Storage greater than 100 acre-feet	_____	_____
_____ out of Basin diversion	_____	_____
_____ Groundwater recharge project	_____	_____
_____ Other substantial public interest	_____	_____
GW comments received _____ resolved _____	_____	_____
ODFW comments received _____ resolved _____	_____	_____
DEQ comments received _____ resolved _____	_____	_____
Interest Groups _____	_____	_____
Water availability received _____	_____	_____
Objections received _____ resolved _____	_____	_____
Protest received _____ resolved _____	_____	_____
Management Codes	_____	_____

EXAMINATION FEE: _____
RECORDING FEE: _____

REMARKS: _____

TOTAL: _____
REFUND: _____
DEFICIENT: _____

Application No. 73766

Permit No.

Planning Official Initials: _____

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: Charles W. Shaw
Address: 96420 Alder Ridge Rd
Brookings, Oregon 97415
Phone: 469-1049

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**WATER RESOURCES DEPT.
SALEM, OREGON**

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 (# units, single or multi-family, # lots if partition or subdivision): One house
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- ☐ Institutional (i.e., school, library, etc.): _____
- ☐ Mining (aggregate, metal, open pit, placer, etc.): _____
- ☐ Recreation (park, campsite, pond, etc.): _____
- ☐ Fish and Wildlife (pond, hatchery, etc.): _____
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- ☐ Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: <u>Spring</u> <u>Tributary to Lone Ranch</u> <u>Cr.</u>	<u>0.01</u> Cubic feet per second. ____ Gallons per minute. ____ Acre-Feet
☐ Reservoir or pond	
☐ Ground Water	

Oregon

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OCT 25 1994

WATER RESOURCES DEPT.
SALEM, OREGON

WATER
RESOURCES
DEPARTMENT

October 14, 1994

CHARLES W SHAW

96420 ALDER RIDGE RD
BROOKINGS OR 97415

RE: Reference File S-73766

Dear Water Rights Applicant:

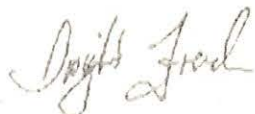
During our review of your application we have found that your file does not include a statement verifying that the information contained in the application is true and accurate, as required by OAR 690-11-020(i).

We are not able to continue processing your application until we receive a verifying statement.

Please sign the verifying statement at the bottom of this letter and return the bottom portion of this letter in the enclosed self-addressed envelope. We will continue processing your application when we receive the signed statement. However, in order to maintain your priority date, you must return the signed statement within 60 days.

If you have questions, feel free to call our Water Rights Information Group (WRIG) at 1 (800) 624-3199.

Sincerely,



Dwight French, Manager
Water Right Section

- - - - - C - U - T - H - E - R - E - - - - -

ATTENTION FILE: S-73766

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

 10/19/94

Applicant Signature Date Co-Applicant (if any) Date



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

April 13, 1994

FYI!

CHARLES W. SHAW
96420 ALDER RIDGE RD
BROOKINGS, OR 97415

Reference: File 73766

Under separate cover I have enclosed our report of technical review. Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information.

Before we can process your application further, you will need to submit an oath:

"I certify that the information provided in application 73766 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge".

This requirement was created by an amendment of our administrative rules and applies to all applications filed after June 5, 1992.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



THOMAS E. SHOOK
WATER RIGHT SPECIALIST

cc: NEWHOUSE, CWRE

RECEIVED

OCT 25 1994

WATER RESOURCES DIVISION
SALEM, OREGON



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

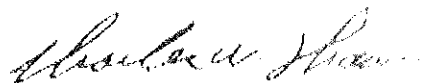
April 16, 1974

Water Resources Dept.,
Commerce Building
1500 12th St. NE.,
Salem Or. 97310-0210

Reference: File 73766

Per your letter (~~copy attached~~) H/W is a signed oath per your request;

I certify that the information provided in application 73766 is an accurate representation of the proposed water ~~use~~ and is true and correct to the best of my knowledge.



Charles W. Shaw
96420 Alder Rdg. Rd.,
Brookings, Or. 97415

Ocean Title and Escrow
Order Number: 88-0083
September 14, 1988

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NOV 16 1993

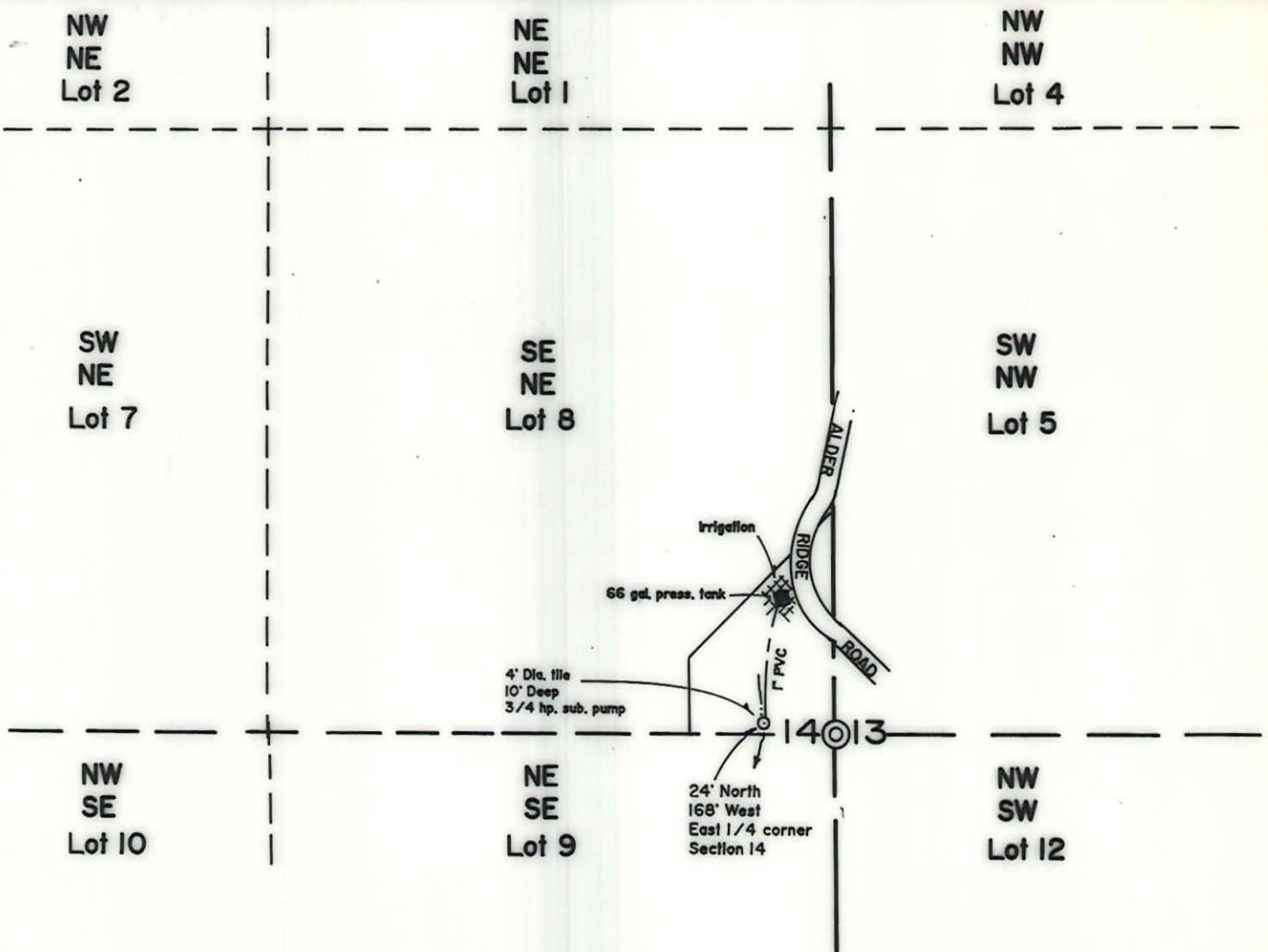
**WATER RESOURCES DEPT.
SALEM, OREGON**

DESCRIPTION SHEET

Beginning at the East Quarter corner of Section 14, Township 40 South, Range 14 West of the Willamette Meridian, Curry County, Oregon; thence North 88°34' West, along the South line of Government Lot 8 in said Section 14, a distance of 336.86 feet; thence North 00°43' East 190.0 feet; thence North 46°11' East 468.57 feet to the East line of said Section 14; thence South 0°20' West, along said line, 522.86 feet to the point of beginning. EXCEPT that portion lying within Alder Ridge Road, as described in Volume 66, Page 49, Curry County Book of Records.

17-3 40-14-14A TL 2000 UID #147688

Application No. 73766
Permit No.



The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property lines.

WATER FILING APPLICATION MAP for CHARLES W. SHAW

Located in Government Lot 8,
Section 14, T 40 S, R 14 W, W.M.,
Curry County, Oregon

Scale - 1" = 400' October, 1993



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WATER RESOURCES DEPT.
SALEM, OREGON

H.J. Newhouse - Land Surveying
P.O. Box 360
Wedderburn, Oregon 97491
(503) 247-6923
C.W.R.E. # 95

Application No. 73766
Permit No. 51583

Charles W. Shaw
96420 Alder Ridge Road
Brookings, Oregon 97415