

RECEIVED

JUN 23 2003

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

for Quasi-Municipal and Municipal Water Use Permits

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, NESTKA BEACH WATER DIST; OPHIR WATER DIST. ALAN WAGONER
NAME OF ENTITY NAME OF CONTACT
 * NEW → PO BOX 39, OPHIR, OR 97464-0039
32892 Nestka Rd. Gold Beach OR 97444 (541) 247-2614
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. 614016, Permit No. 613613,
 do hereby request that the time in which to:

- complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, _____, be extended to October 1, _____,

and/or the time in which to:

- accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2003, be extended to October 1, (2008) 2015 * SEE LETTER

2002

NOTE:

Permit extensions for Quasi-Municipal and Municipal permits are evaluated under OAR Chapter 690, Division 315. Except under limited circumstances, upon issuance of an order approving an extension, you will be required to submit within 3 years a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. Diversion of water beyond the maximum rate currently diverted under the permit shall only be authorized upon approval of your WMCP. The rules may be viewed at: "www.wrd.state.or.us/law/oar1999.shtml"

Attached are instructions to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules require this information to be considered by the Water Resources Department when reviewing a Quasi-Municipal or Municipal water use permit extension application. For each permit, a separate extension application must be submitted. All items must be addressed or the application may be returned. Please feel free to provide the Department with any additional information or evidence that will aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

Page 1 of 3

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

In order for the Department to evaluate your extension of time request for a Quasi-Municipal or Municipal water use permit, please provide the following:

1. The appropriate fee, as specified under ORS 536.050.
2. For Quasi-Municipal water use permits, evidence of the actions taken to begin actual construction on the project, if required under the applicable statute.
3. Evidence of actions taken to develop the right within the permitted time period and/or time period of the previous extension.
4. Evidence of compliance with conditions contained in the permit and any previous extension(s). If any of the conditions have not been satisfied, please explain the reason(s) why.
5. Evidence of the maximum rate of water diverted to date, if any, for Quasi-Municipal or Municipal purposes.
6. An estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.
7. A description of the financial expenditures made toward completion of the water development.
8. An estimate of the cost necessary to complete the water development.
9. A summary of any events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements, if any, relating to the project that have significantly delayed completion of construction or perfection of the right.
10. An estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights and contracts held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.

Extension requests for greater than 50 years must include documentation that the demand projection is consistent with the amount and types of lands and uses proposed to be served by the permit holder.

Page 2 of 3

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUN 23 2003

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUN 23 2003

WATER RESOURCES DEPT.
SALEM, OREGON

11. A summary of the plan and schedule to complete construction and/or perfect the water right.
12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.
13. Any other information you wish the Department to consider while evaluating the extension of time application.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I certify that the information I have provided in this application is true and correct to the best of my knowledge.

Allen Wagner
Signature

6-20-03
Date

MAIL COMPLETED APPLICATION and STATUTORY FEE (under ORS 536.050) TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
158 - 12th STREET NE
SALEM, OREGON 97301-4172

revised: December 12, 2002

Page 3 of 3

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUN 23 2003

WATER RESOURCES DEPT.
SALEM, OREGON

1. Fee, as specified under ORS 536.050

Enclosed

2. Evidence of actions taken to begin actual construction on the project

Permit G-13613 was acquired to supplement the maximum rate allowed at an existing well site associated with Certificate 37549 (.2 cfs).

With the exception of anticipated growth expansions and upgrades, the storage and distribution system is in place and operational.

- ✓ In 2001 the District replaced the 20 HP submersible pump with a 30 HP submersible pump to increase well production capacity and total dynamic head.

3. Evidence of actions taken to develop the right within the permitted time period

- ✓ The Dyer Partnership, Engineers and Planner, Inc. completed a water system master plan, in December 2000.

The District has initiated an improved flow-monitoring program, which has included:

- ✓ In June 2001, the District modified the master meter at the well by installing flow-straightening vanes to improve meter accuracy.
- ✓ In 2001/2002, meters were installed on all un-metered customers
- ✓ In 2002, the District adopted a 12-year meter replacement program to maintain quality service monitoring.

The District has an approved a water management and water conservation plan. 2/25/03

- ? ✓ A Water Resource Investigation and Source Water Supply Study was completed in April 2003.

4. Evidence of compliance with conditions (time sensitive) contained in the permit.

"Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point."

- ✓ A totalizing flow meter is in place at the diversion point, within the well house.

"Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department."

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Pump test was performed when the well was constructed in 1967. Data from the pump test is included on the well log.

"Actual construction of the well shall begin by June 8, 1999."

Original well constructed in 1967
Well pump replaced (increased capacity) 2001

"Complete application of water to the use shall be made on or before October 1, 2002."

Application of water to the use occurred immediately upon receipt of Permit.
Application to full extent has not yet occurred.

"Within one year after complete application of the 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)."

N/A

5. Evidence of maximum rate of water diverted to date.

To date the maximum amount of water diverted has been .54 cfs, (see attached well log).

6. Estimate of population served.

The 2000 Water Master Plan projected a 2003 population equivalent of 1,565 associated with 652 Equivalent Dwelling Units. Those figures were based upon a 3% growth rate (see attached). As of May 2003, the District has 557 service connections consisting of the following:

User	No. of Accounts	Use (gpd) per account	No. of EDUs
SF Residential	458	136	458
Commercial	32	384	90
Inactive	67	N/A	N/A
TOTALS	557		548

Using the same methodology as the Master Plan, the equivalent population served is estimated at 1265.

7. Financial expenditures made toward completion of water development.

	TASK	ESTIMATED COST
2000	Water Master Plan	\$20,000
2001	Well pump replacement	\$15,000
2001-2002	Meter installation/replacement	\$20,000
2003	Water Resource Investigation	\$17,500

total 72,500

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUN 23 2003

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUN 23 2003

WATER RESOURCES DEPT.
SALEM, OREGON

8. An estimate of the cost necessary to complete development.

TASK	ESTIMATED COST
Update Master Plan and CIP based upon Water Resource Investigation	\$15,000
Renovation of existing well site for well head protection and capacity improvements	\$190,000
Source Treatment	\$625,000
Transmission line replacement (capacity increase)	\$870,951

see #11 for dates
 1,773,451
 total
 for both

9. Summary of events that delayed completion of the water development or application of water to full beneficial use.

Three specific events have delay completion of the water development or application of water to full beneficial use:

1. Population and service growth losses have occurred (school closure) reducing water demands to a level which has not required application to full beneficial use within the specific time frame outlined in the permit, and:
2. Problems have been identified with the existing well site as explained in the attached draft Water Resource Investigation report. Because it is projected that District growth will exceed the current water right limit some time shortly after the year 2005, other water rights need to be obtained and developed, in conjunction with existing water rights, to service future growth. In order for the District to address growth in an efficient and economic manner, a more specific development plan is needed in addition to the current Master Plan.
3. Water conservation measures have reduced water usage through reducing losses and improving system efficiencies.

The District is progressing with addressing growth issues through:

- Contracting with a consulting firm to prepare a Master Plan update
- Applying to the Department of Agriculture, Rural Utilities Services for project funding/financing
- Submitting application for additional surface and groundwater rights

10. Estimated demand projection and date by which the water is anticipated to put to full beneficial use.

It is anticipated growth demand along with performing the tasks outlined above and performing construction of identified improvements could take up to five years. Full beneficial use of the water is likely to occur by October 2008.

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

11. Summary of plan and schedule to perfect the water right.

TASK	ESTIMATED COMPLETION DATE
Master Plan Update	September 2003
Acquire Federal Funding/Financing for Proposed Improvements	January 2004
New Water Source Development	May 2004
Engineering Design with Plans and Specifications for improvement projects	June 2004
Bid and contract for projects	July 2004
Construction of improvements	January 2005
Population/Service growth to full use	October 2007
Submit a claim of beneficial use, which includes a map and report, prepared by a CWRE.	October 2008

RECEIVED

JUN 23 2003

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

12. Justification for the time requested to complete the project and/or apply the water to full beneficial use.

No additional service growth losses or additional significant conservation efficiencies are anticipated in the future. Using current water use and equivalent population figures, population growth (at the rate projected by the Water Master Plan) indicates application of water to full beneficial use in five years. Servicing that population is predicated on the planning, financing and installation of the necessary improvements outlined in the response to Item #11.

13. Other information.

N/A

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

CURR 660217

RECEIVED WATER WELL REPORT

JUN 20 1967 STATE OF OREGON

G-3788

State Well No. 36/146-9

State Permit No.

(1) OWNER:

Name Nesika Beach Water District
Address Gold Beach
Oregon

(2) LOCATION OF WELL:

County Curry Driller's well number
1/4 Section 10 T. 36 S. R. 14 W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Rehabilitation ☐ Abandon ☐
In abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☒ Irrigation ☐ Test Well ☐ Other ☐
(5) TYPE OF WELL: Rotary ☐ Driven ☐ Cable ☒ Jetted ☐ Dug ☐ Bored ☐

(6) CASING INSTALLED:

10" Diam. from 0 ft. to 24 ft. Gage 273
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:

Well screen installed? ☒ Yes ☐ No

Manufacturer's Name Johnson
Stainless Model No.
8" Slot size 80 Set from 24 ft. to 29 ft.
Diam. 8 Slot size 125 Set from 29 ft. to 32 ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Cement
Depth of seal 18 ft. Was a packer used?
Diameter of well bore to bottom of seal 16 in.
Were any loose strata cemented off? ☐ Yes ☐ No Depth
Was a drive shoe used? ☒ Yes ☐ No
Was well gravel packed? ☐ Yes ☐ No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? ☐ Yes ☐ No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 9'-6" ft. below land surface Date 4/14/67
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Carter's
Yield: 560 gal./min. with 1 ft. drawdown after 24

Baller test gal./min. with ft. drawdown after

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☐

(12) WELL LOG: Diameter of well below casing 8"

Depth drilled 43 ft. Depth of completed well 43

Formation: Describe by color, character, size of material and structure, show thickness of aquifers and the kind and nature of the material in stratum penetrated, with at least one entry for each change of form

MATERIAL	FROM	TO
Fine Sand	0	12
Sand, Heavy with Silt	12	1
Coarse Sand, Gravel (1" dia)	14	24
Gravel, Sand, Cobbles (3" Dia.)	24	40
Gravel - Cobbles (4" Dia.)	40	4

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT

SALEM, OREGON

RECEIVED

RECEIVED

JUN 23 2003

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

Work started March 8 1967 Completed March 31, 1967
Date well drilling machine moved off of well March 31, 1967

(13) PUMP:

Manufacturer's Name Layne Bowler
Type: Submersible H.P. 20

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report true to the best of my knowledge and belief.

NAME CARTER'S DRILLING & PUMP SERVICE
(Person, firm or corporation) (Type or print)
Address 325 S 2nd St. Springfield, Oregon 97132

Drilling Machine Operator's License No. 148

[Signed] (Water Well Contractor)

Contractor's License No. 126 Date 5/12/

Nesika Beach-Ophir Water District

32892 Nesika Road
Gold Beach, Oregon 97444
Phone (541) 247-2614 Fax (541) 247-9684
E-mail nbwd@harborside.com

July 10, 2003

WATER RESOURCES DEPARTMENT

Attn: Lisa J. Juul
COMMERCE BUILDING
158 12TH STREET NE
SALEM, OR 97301-4172

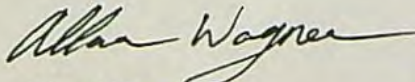
RE. Extension file# G-14016 (Permit# G-13613)

Dear Lisa:

Enclosed you will find the additional information requested next to the last page.

Please feel free to call me if you need anything. Phone (541-247-2614)
Fax (541-247-9684)

Sincerely,



Allan Wagner
Nesika Beach-Ophir Water District Manager

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JUL 11 2003

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

CERTIFIED MAIL
Return Receipt Requested

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

December 27, 2004

Nesika Beach Water District
and Ophir Water District
ATTN: Alan Wagoner
32892 Nesika Road
Gold Beach OR 97444

REFERENCE: Pending Application for Extension of Time
Water Right Application #G-14016 (Permit #G-13613)

Dear Quasi-Municipal Water Right Permit Holder:

The Department is currently evaluating your request for an extension of time on the above referenced quasi-municipal water use permit. We have determined that your extension application does not provide sufficient detail necessary to fully evaluate your request. The information and materials that need clarification are listed below and must be submitted before evaluation can continue.

NOTE: *If you make reference to other documents, reports and/or plans, you must provide copies with your responses and make specific references to the pages, tables and/or charts.*

Copies of your pending application received June 23, 2003, and your original permit are enclosed for reference.

Question #5 - OAR 690-315-0070(3)(f): Document evidence of the maximum instantaneous rate of water diverted to the date of this application, if any, for beneficial Quasi-Municipal or Municipal purposes.

Your response to this question in your extension application refers 0.54 cfs of water diverted per the attached well log. Permit #G-13613 authorizes use of 0.5 cfs. **Please clarify the actual amount of water used for quasi-municipal purposes rather than the capacity of the well**

RECEIVED

AUG 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

✓ and pump. Of the 0.5 cfs allowed under this permit, how much was used by October 1, 2002? What (if any) quantity was used since that date? If the full amount of authorized water was used by October 1, 2002, and all conditions of the permit were met, an extension of time may not be necessary for Permit #G-13613.

missy
attachment
1 -
pump bgs
from 2002

Identify the maximum *instantaneous* rate of water diverted by the date of this application for the beneficial use authorized under the permit and state the maximum rate of water use allowed under your permit. The maximum instantaneous rate should be indicated by using the unit specified in the water use permit, such as cubic feet per second, gallons per minute, or acre-feet. Do not provide daily, monthly or annual water use totals.

Documentary evidence substantiating the maximum instantaneous rate of water diversion may include, but is not limited to: meter records; business records; and/or a sworn affidavit. *The maximum instantaneous rate should be based upon at least a continuous 4-hour period of beneficial water use.*

Question #6 - OAR 690-315-0070(3)(g): *Provide an estimate of the population served under this permit and a description of the methodology(ies) used to make this estimate.*

✓ Your response to this question in your extension application refers to an attachment which was not provided. **Please submit a copy of the attachment to which you referred.** We note that Section 2.2 of your Master Plan provides information on historic and projected population.

Question #9 - OAR 690-315-0070(3)(j): *List and describe all events that delayed completion of the water development or application of water to full beneficial use, including other governmental requirements (if any), relating to the project that have significantly delayed completion of construction or perfection of the right.*

35//
need

Your response to this question in your extension application refers to an "attached draft Water Resource Investigation report" that was not provided. **Please submit a copy of the attachment to which you referred.**

Question #10 - OAR 690-315-0070(3)(k): *Provide an estimated demand projection and a description of the methodology(ies) used for the subject water right permit, considering the other water rights and contracts held by the municipal or quasi-municipal water use permit holder, and a date by which the water development is anticipated to be completed and water put to full beneficial use.*

Prepare a qualitative analysis indicating the date by which you anticipate to fully develop the water right permit being extended (i.e., the date requested in your extension

RECEIVED

AUG 15 2007
WATER RESOURCES DEPT
SALEM, OREGON

application). In developing your estimated demand projections for the permit being extended, you should describe the following:

- 1) Current Peak Water Demands - **Please provide this information.**
Describe the current demands for water. Indicate annual average, peak season, and peak day water demand figures.
- 2) Projected Population - This information was provided sufficiently in Section 2.2 of your Water System Master Plan.
- 3) Potential Growth - This information was provided sufficiently in Section 2.3 of your Water System Master Plan and your responses to questions #11-12.
- 4) Inventory of Water Rights Held - **Please provide this information which is not clearly stated in your extension application. See enclosed Attachment "A" to assist you in providing a list of all water rights held by Nesika Beach Water District and Ophir Water District.**

List all water rights held. The Department's website (www.wrd.state.or.us) may be a helpful source for compiling this information.

Indicate which water rights are used to meet current water demands.

Additionally, describe the manner in which the subject permit, other water rights and/or any water supply contracts you may hold are utilized to meet these present water needs. Identify any water rights not currently utilized, or used only in a limited capacity, and explain the reason(s) why. Describe any factors affecting use of the water rights, such as: system redundancy; emergency back-up water supply; climate patterns resulting in seasonal unavailability or high turbidity issues; reliability or quality of existing water supplies; and/or agreements to supply water to other entities.

Describe how the subject permit, other water rights and/or any water supply contracts you may hold are planned or expected to be used to meet anticipated future water needs.

Please submit this information to the Department by **March 28, 2005**. If you cannot provide the requested information by this deadline, you must notify the Department in writing, explaining the reason(s) why, and indicate a date certain by which you anticipate the requested information can be supplied.

If the Department has not received the requested information by **March 28, 2005**, and has not received written notification explaining why the deadline for submittal cannot be met, the

RECEIVED

AUG 15 2007

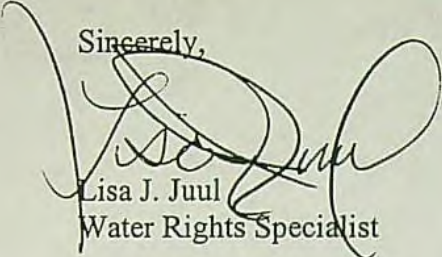
WATER RESOURCES DEPT
SALEM, OREGON

did not provide
Attach A -
discussion is
missing
water rights
email from
Kim French
7/20/07
providing
inventory in format
(not in tabular form)

Department **will** return your "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" as incomplete and refund all fees paid toward the extension of time request.

If you have any questions concerning your extension request or completion of the required materials, please contact me at (503) 986-0808. Thank you for your cooperation and attention to this matter.

Sincerely,



Lisa J. Juul
Water Rights Specialist

Enclosures: Copy of pending Application for Extension of Time received June 23, 2003
Copy of Permit #G-13613
Sample copy of "Attachment A"

cc: Appl #G-14016 (Permit #G-13613)
Mitch Lewis, Watermaster District #19

S:\groups\wr\extensions\Municipal\muni_ext_add'l info letters\g14016_Nesika Beach-Ophir WD.wpd

RECEIVED
AUG 15 2007
WATER RESOURCES DEPT
SALEM, OREGON

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:

G-14016
NESIKA BEACH WATER DISTRICT
And OPHIR WATER DISTRICT
ATTN: ALAN WAGONER
32892 NESIKA RD
GOLD BEACH OR 974444

2. Article Number

(Transfer from service label)

7004 1160 0000 3333 3383

PS Form 3811, February 2004

Domestic Return Receipt

WR

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Alan Wagoner

☐ Agent☐ Addressee

B. Received by (Printed Name)

Alan Wagoner

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf 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**RECEIVED**

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

NESIKA BEACH - OPHIR WATER DISTRICT

32892 Nesika Road
Gold Beach OR 97444Phone (541)-247-2614
Fax (541)-247-9684

Fax Transmittal

To: Tom Hoshall 541-469-5329
Fax #: 541-469-0768
From: Allan Wagner
Subject: H2O Rights
Date: 4-28-06
Pages: 9 (including this cover sheet)
Comments:

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

Tom, this is all I could find in my
files that may be applicable.

Thanks Allan

ANN, S, CWRE 2727, WOULD LIKE YOU TO REVIEW THE
FILE'S CC. COPY OF LETTER REGARDING TO LISA JUL'S
DEC. 27, 2004 LETTER.

WE HOPE TO GET THIS FILING CURRENT IN
ORDER TO FILE A POA TRANSFER AND A
FINAL PROOF. S. IS ALSO WORKING WITH JERRY
SALTER ON A NEW LIMITED LICENSE TO PROVIDE
THE TIME NEEDED TO COMPLETE TRANSFER AND
PROOF. THANKS FOR YOUR HELP
Tom

RECEIVED

MAY 03 2006

WATER RESOURCES DEPT
SALEM, OREGON

01/05/2005 14:03 5412669495

SHN ENGR

PAGE 02



CONSULTING ENGINEERS & GEOLOGISTS, INC.
 365 N. 4th Street - Coos Bay, OR 97420-2219 • Tel 541/266-9800 • Fax 541/266-9400 • info@shn-coosbay.com

Reference: 002601.000

January 5, 2005

Ms. Lisa J. Jul
 Water Resources Department
 North Mall Office Building
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271

**SUBJECT: PENDING APPLICATION FOR EXTENSION OF TIME
 WATER RIGHTS APPLICATION #G-14016 (PERMIT #G-137613)**

Dear Lisa:

On behalf of the Nesika Beach / Ophir Water District (NBOWD) SHN is responding to your letter of December 27, 2004 regarding the application for an extension of time to accomplish beneficial use of water to the full extent under the terms of permit G-137613. In your letter you asked for additional information on several of the responses in the original submission. The required information follows including attachments as referenced in the text of the responses.

Question 5. Document evidence of the maximum instantaneous rate of water diverted to the date of this application, for beneficial Quasi Municipal or Municipal purposes

The withdrawal rate from the existing well is limited to 254 gpm (0.57 cfs) by the capacity of the well pumps. Of this withdrawal rate 0.2 cfs is withdrawn under permit G 3571 and the remaining 0.37 cfs is withdrawn under permit G-13613. Instantaneous withdrawal rate from the well before October 2002 did not exceed 246 gpm. Verification of the instantaneous pumping rate is provided in the pump logs for 2002 included as Attachment 1. All of the water withdrawn was used for quasi-municipal purposes.

The maximum pumping rate since that time was 254 gpm in April 2004 following installation of new well pumps.

6. Provide an estimate of the population served under this permit and a description of the methodology used to make this estimate.

Section 2.2 of the Nesika Beach / Ophir Water District Water Master Plan which was referenced in the original submission is included as Attachment 2. In addition, the answer to this question has been amended to include the most recent population estimates as summarized in the following table.

2-5

before Oct 2002: $246 \text{ gpm} \times \frac{\text{cfs}}{448.8 \text{ gpm}} = 0.548 - 0.2 \text{ under permit G 3571} = 0.348 \text{ under permit 13613}$

T:\2002\002601 Nesika-Ophir\1b\NBOWD-WRD Ext App Add.doc

Page 1 of 5

after Oct 2002: $254 \text{ gpm} \times \frac{\text{cfs}}{448.8 \text{ gpm}} = 0.566 - 0.2 = 0.366$

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGONmissing
from my
copy of
file?

RECEIVED

MAY 03 2006

WATER RESOURCES DEPT
SALEM, OREGON

Estimate of Population Served 2003/2004						
	2003	2004	2003		2004	
	Active Accounts		EDUs	Equ. Pop ¹	EDUs	Equ. Pop ¹
SF Residential	465	465	458		465	
Commercial	32	32	90		90	
Totals	490	497	548	1315	555	1332
1. Based on 2.4 persons / EDU Curry County Comprehensive Plan, WMP Section 2.2						

9. List and describe all events that delayed completion of the water development or application of water to full beneficial use.

A copy of the sections in the Water Source Investigation (SHN, May 2003) referenced in the extension application regarding problems that have been identified with the existing well site is included as Attachment 3.

In addition to the three events listed in the original extension application, full development of the water right allowed under this permit requires the completion of a replacement well at the Rogue River site. Currently, the withdrawal rate from the existing well is limited by the capacity of the well pumps to approximately 0.56 cfs (250 gpm). Full development of permit #G-13614 requires a pumping capacity of 0.7 cfs, with 0.2 cfs withdrawn under permit G-3571 and the remaining 0.5 cfs under G-13614.

Drilling of a replacement well is scheduled for completion in 2005. Following completion of drilling, Permit #G-13614 will need to be amended to reflect the new location before a claim of beneficial use showing complete application of water to the proposed use can be submitted. The extension will need to be of sufficient duration for the amendment to be processed.

10. Estimated demand projection and date by which the water is anticipated to put to full beneficial use.

The NBOWD obtains its water from a well on the Rogue River that currently serves as the sole source of water for the NBOWD. The District has water rights for a total of 0.7 (including the allowable use of 0.5 cfs under permit G-13613) but the capacity of the existing well is limited to 0.56 cfs. Current expansion plans for the District's supply, schedule replacement of the well in year 2005 and upgrading pumping capacity to the full 0.7 cfs beneficial use by year 2006.

Current Peak Water Demands

Current peak water demands are based upon the per capita demands developed in Section 5 of the Water Master Plan, included as attachment 4. Average day demand (ADD) is equivalent to an annual average, maximum month demand (MMD) is the seasonal peak demand and maximum day demand (MDD) is a daily maximum. The required withdrawal rate is based upon delivering the MDD in 24-hour periods. Current demands are presented in the following table based on the actual number of active accounts in 2003, and 2004.

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAY 03 2006

WATER RESOURCES DEPT
SALEM, OREGON

01/05/2005 14:03

5412559496

SHN ENGR

PAGE 04

Current Demand							
			ADD	MMD	MDD	Instantaneous Withdrawal	
			gpcd	gpcd	gpcd	Total	G-13613
			109	167	271	cfs	cfs
Year	EDU	Pop.	gpcd	gpcd	gpcd		
2003	948	1,315	143,357	219,638	358,619	0.55	0.35
2004	555	1,332	145,188	222,444	360,972	0.56	0.36

Population Projections

Population projections are based upon a 3% growth over the 20-year planning period as summarized in the following table. It is estimated that the District will serve 1078 EDUs in 2020.

Population Projections		
Year	EDU	Population
2000	597	1,433
2005	692	1,661
2010	802	1,926
2020	1078	2,588

→ 360,972 gpcd x 1 cfs
 646,272 gpcd = 0.556 cfs
 ↓
 0.56 cfs

The current service population is less than that predicted for the year 2005 because the growth rate over the last five years has been less than 3%, the District has limited new connections due to water supply concerns and there are also a large number of inactive accounts that are not included in the estimate of current users. Although growth rates and the number of active accounts may be highly variable in the short term, an average growth rate of 3% over the 20-year planning period has been selected by the District Board as the basis for projecting water demands.

Inventory of Water Rights

The NBOWD currently has a certificated water right for 0.2 cfs under permit G-3571, in addition to the 0.5 cfs allowed by permit G-13613. Both permits allow for withdrawal from the same well, located on the north bank of the Rogue River at approximately River Mile 5.

Nesika Beach / Ophir Water District Existing Water Rights and Permits							
Application / Permit Number	Certificate Number	Source	Use	Priority Date	Authorized Amount of Water	Max Amt Beneficial Use	Limitations
G3788/G3571	37549	Rogue R. Well	Group Domestic		0.2 cfs	0.2 cfs	None
		Rogue R. Well	Quasi/Municipal		0.5 cfs	0.5 cfs	Well Capacity

1 Well location: Township 36 S Range 14 W Section 9 SE5E

missy:
 permit
 553985

permit
 G-15728

needs to discuss
 LL

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
 SALEM, OREGON

RECEIVED

MAY 03 2006

WATER RESOURCES DEPT
 SALEM, OREGON

The priority date of the certificated permit precedes that of permit G-13613 and it is assumed that the 0.2 cfs allowed under the first permit will be used prior to utilizing the 0.5 cfs. Projected demands are shown in the table above. This increase in growth rate after 2005 reflects the pent-up demand caused by an existing moratorium on connections. The moratorium will no longer be necessary following construction of the replacement well because the replacement well will provide an immediate increase in available water supply.

Projected Demands							
Year	EDU	gpcd Pop.	ADD 109 gpd	MMD 167 gpd	MDD 271 gpd	Instantaneous Rate ¹	
						Total cfs	G-13613 cfs
2003	548	1,315	143,357	219,638	356,419	0.61	0.41
2004	555	1,332	145,188	222,444	360,972	0.62	0.42
2005	578	1,388	151,329	231,853	376,241	0.65	0.45
2006	603	1,447	157,731	241,661	392,156	0.67	0.47
2007	628	1,508	164,403	251,883	408,744	0.70	0.50
2010	712	1,708	186,160	285,218	462,839	0.80	0.60
2020	1077	2,585	281,718	431,623	700,418	1.20	1.00
2050	1452	3,484	379,713	581,762	944,058	1.62	1.42
1. The instantaneous rate is estimated as the required pumping rate to deliver MDD in 24 hrs assuming pump at 90% capacity 2. Demand for water used under permit G-13613 is equal instantaneous rate over 24 hours minus the 0.2 cfs allowed by G-3571. 3. Assuming an overall growth rate from 2000-2020 of 3% the growth rate from 2005 to 2020 is estimated to be 4.7%							

Beneficial use to the full extent of the permit is defined as a minimum 4-hour period of beneficial water use at the permitted rate. The replacement well to be constructed in 2005 will have a capacity of 0.7 cfs, equal to combined amount of water allowed under permits G-3571 and G-13613. At 0.7 cfs the new well pump will need to pump 8 hours to produce the estimated average day demand of 151,329 gallons and since the maximum instantaneous rate will be supplied for a period greater than 4 hours, the District will be able to claim full development of permit G-13613 once the new well is completed.

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAY 03 2006

WATER RESOURCES DEPT
SALEM, OREGON

01/05/2005 14:03 5412669496

SHN ENGR

PAGE 06

It is our understanding that prior to perfecting the water right it will be necessary to obtain an amendment to the permit specifying the exact location of the replacement well. Allowing additional time for the processing of the permit amendment and preparing the claim of beneficial use, full development of the water right for permit G-13613 is likely to occur by October 2006.

Best regards,

SHN CONSULTING ENGINEERS & GEOLOGISTS, INC.

Steven K. Donovan, P.E.

Project Manager

cc: Allan Wagner - Nesika Beach-Ophir Water District

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

SHN

RECEIVED

MAY 03 2006

WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

DEAR EXTENSION APPLICANT

The Water Rights Section has received your application for an extension of time for **PERMIT # 6-13613 FILE # 6-14016**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension. A 45 day protest period begins upon issuance of the Proposed Final Order. After the protest period, a Final Order is issued.

If you have questions, please phone our Water Rights Information Group at (503) 378-8455, extension 201. For general information, our Department Internet home page is accessible at www.wrd.state.or.us.

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM OREGON

RECEIVED

MAY 03 2006

WATER RESOURCES DEPT
SALEM, OREGON

UNKNOWN DATE?

BEFORE OR AFTER EXTENSION
RESPONSE TO LETTER 1/5/05

Section

5

Water Use and Projected Demands

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM OREGON

Water Use and Projected Demands

Section

5

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM OREGON

5.1 Description and Definitions

Water demand is the quantity of water delivered to the system over a period of time to meet the needs of consumers and to supply the needs of fire fighting and system flushing. Additionally, virtually all systems have a small amount of leakage that can not be economically removed and total demand usually includes some leakage. Demand varies seasonally with the lowest usage in winter months and the highest usage during summer months. Variations in demand also occur with respect to time of day (diurnal) with higher usage occurring during the morning breakfast and early evening periods and lowest usage during nighttime hours.

The objective of this section is to determine the current water demand characteristics and to project future demand requirements that will establish system component adequacy and sizing needs. Water demand is described in the following terms:

Average Annual Demand (AAD) - The total volume of water delivered to the system in a full year expressed in gallons per year. When demand fluctuates up and down over several years, an average is used.

Average Daily Demand (ADD) - The total volume of water delivered to the system over a year divided by 365 days. The average use in a single day expressed in gallons per day.

Maximum Monthly Demand (MMD) - The gallons per day average during the month with the highest water demand. The highest monthly usage typically occurs during a summer month.

Peak Weekly Demand (PWD) - The greatest 7-day average demand that occurs in a year. Expressed in gallons per day.

Maximum Day Demand (MDD) - The largest volume of water delivered to the system in a single day expressed in gallons per day. The water supply, treatment plant and transmission lines should be designed to handle the maximum day demand.

Peak Hourly Demand (PHD) - The maximum volume of water delivered to the system in a single hour expressed in gallons per day. Distribution systems should be designed to adequately handle the peak hourly demand. During this peak usage, storage reservoirs supply the demand in excess of the maximum day demand.

Demands described above, expressed in gallons per day (gpd), can be divided by the population served to come up with a demand per person or a per capita demand which is expressed in gallons per capita per day (gpcd). Per capita demands can be multiplied by future population projections to determine future water demands.

5.2 Current Water Demand

Water Sold

Water sales records provide a means to calculate the amount of unaccounted water by comparing water sold with water produced. Water sales are not used to calculate actual demand since the system must provide additional water used for flushing, fire fighting, leakage, and other unaccounted water use. Water sales records also allow calculation of EDUs when various types of users (commercial, industrial, etc.) are present in the system.

Water sales records for the 19-month period from December 1997 to July of 1999 were used to determine consumption values. Based on the summation of all the individual meters in the system, monthly consumption ranged from 2,079,100 gallons in March 1999 to 5,463,800 gallons in July 1998. The average monthly consumption for this period was 3,163,276 gallons, or an average of 104,055 gpd. During this period, an average of 521 accounts consumed water. All but five of the accounts are residential. The five non-residential accounts are the Ophir School, the Hwy 101 State Rest Area in Ophir, The Rogue River RV Park, the Honeybear RV Park, and the Nesika Beach RV Park. The largest water user is the State Rest Area with an average use of 3,907 gpd. The Rogue River RV Park follows with an average use of 3,656 gpd.

Equivalent Dwelling Unit Calculations

The 1998 water sales records were used to calculate the number of Equivalent Dwelling Units (EDU) in the District's service area. In 1998, there were a total of 520 accounts consuming a total of 39,598,847 gallons of water, or an average of 108,490 gpd. Of these accounts, 515 were residential accounts and 5 were non-residential multi-use accounts. The 515 single-family residential accounts used an average of 94,374 gpd, or 183 gpd per account. This base water use also serves to establish the number of residential EDU's and to calculate the number of EDUs for the non-residential accounts.

Table 5.2.1 - EDU Calculations

User	No. of Accounts	Use (gpd) per Account	No. of EDUs
SF Residential	515	183.25	515
Nesika Beach RV Park	1	1,790	10
Rogue River RV Park	1	3,656	20
State Rest Area	1	3,907	21
HoneyBear RV Park	1	1,973	11
Ophir School	1	2,790	15
Totals	520		592

The 5 non-residential accounts have an average water consumption equal to 77 residential accounts, or 77 EDUs. This gives a total of 592 EDUs in 1998. Using an average household population of 2.4 people per household based on the Curry County Comprehensive Plan gives an equivalent population of 1,421 people in 1998 (The equivalent EDUs per camp site in the RV parks varies widely (0.17 to 0.91) but averaged 0.47 EDUs per RV camp site).

On a per capita basis, consumption averaged 76 gallons per person per day (gpcd). This consumption is considered relatively low. A residential consumption of 90 to 95 gpcd is not uncommon for similar sized communities. The fact that Nesika Beach does not have a public sewer system may be one of the primary reasons for the lower consumption.

RECEIVED

AUG 15 2007

In 1999, four additional residential accounts were added to the District giving a total of 596 EDUs and an equivalent population of 1,430.

Water Pumped from Well

Water demand values for a community are based on actual water production requirements rather than water sales records. In Nesika Beach, all water required in the service area comes from the well and is measured by a master meter. The volume of water produced from the well is measured with a 6-inch master meter at the well control building.

Water demand recorded on the Oregon Water Resources Department, Annual Water Use - Monthly Quantities Form was used for the years 1993 to 1998 to determine the demand values in this Master Plan. Annual demand has risen from 42,660,600 gallons in 1993 up to 55,683,000 gallons in 1998. Usage is higher during the summer months of July, August, and September with the highest monthly usage occurring most often in August. The highest monthly usage of 7,382,900 gallons was recorded in August of 1996.

Table 5.2.2 - Annual, Average Daily and Maximum Monthly Water Demand - Measured

Year	Annual Demand	ADD (gpd)	ADD (gpcd)	MMD (gpd)	MMD (gpcd)	MMD/ADD
1996	53,434,600 gal.	145,996	117	238,158 (Aug)	190	1.63
1997	55,195,900 gal.	151,222	113	228,161 (Aug)	171	1.51
1998	55,683,000 gal.	152,556	107	226,419 (July)	159	1.48
Average	54,771,167 gal.	149,925	112	230,913	173	1.54

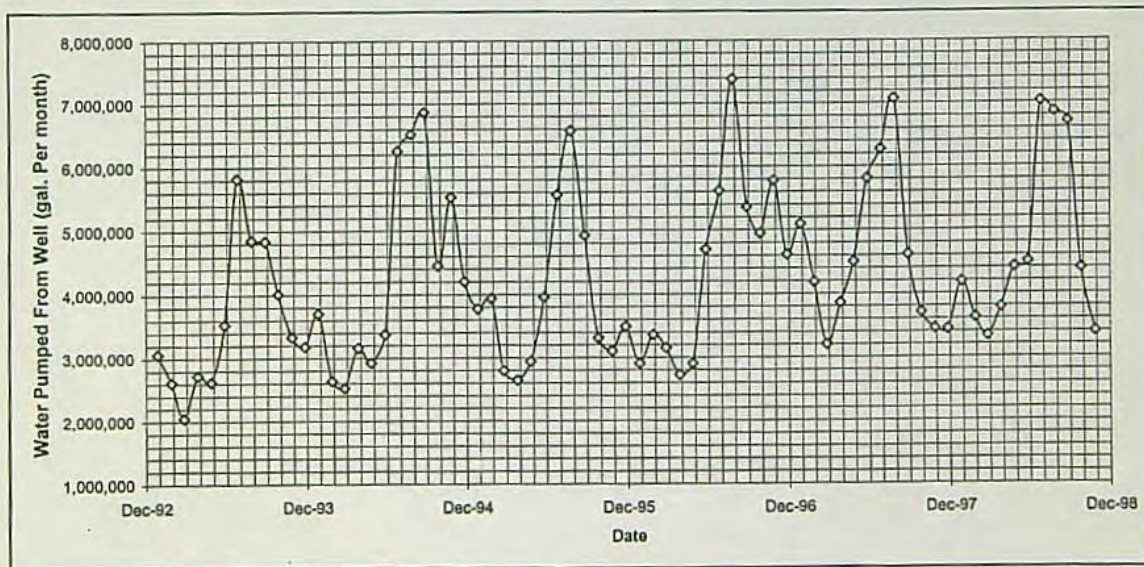


Figure 5.2.1 - Water Pumped from Well

Demand per EDU was approximately 258 gpd/EDU in 1998 as compared to 256 gpd/EDU in 1997, and 261 gpd/EDU in 1996. A value of 260 gpd/EDU was selected to determine the current year 2000 ADD. With a total of 597 EDUs in the year 2000, the estimated current ADD is 155,960 gpd. The peaking factor for the MMD (MMD/ADD) has averaged 1.54 giving the current MMD of 238,800 gpd.

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

Maximum daily demands (MDD) and Peak Hourly Demands (PHD) are not recorded at the master meter and must be estimated. The MDD is often approximated at 2.5 times the ADD. When values for the ADD, MMD, MDD and PHD are plotted versus the probability that each value will be exceeded on a log-log chart, a fairly straight trend line results. Plotting the measured ADD and MMD, and using a logarithmic trend line to project the MDD and PHD gives peaking factors of 2.50 for MDD/ADD and 3.4 for PHD/ADD. The predicted MDD and PHD values are 388,050 gpd and 530,000 gpd, respectively.

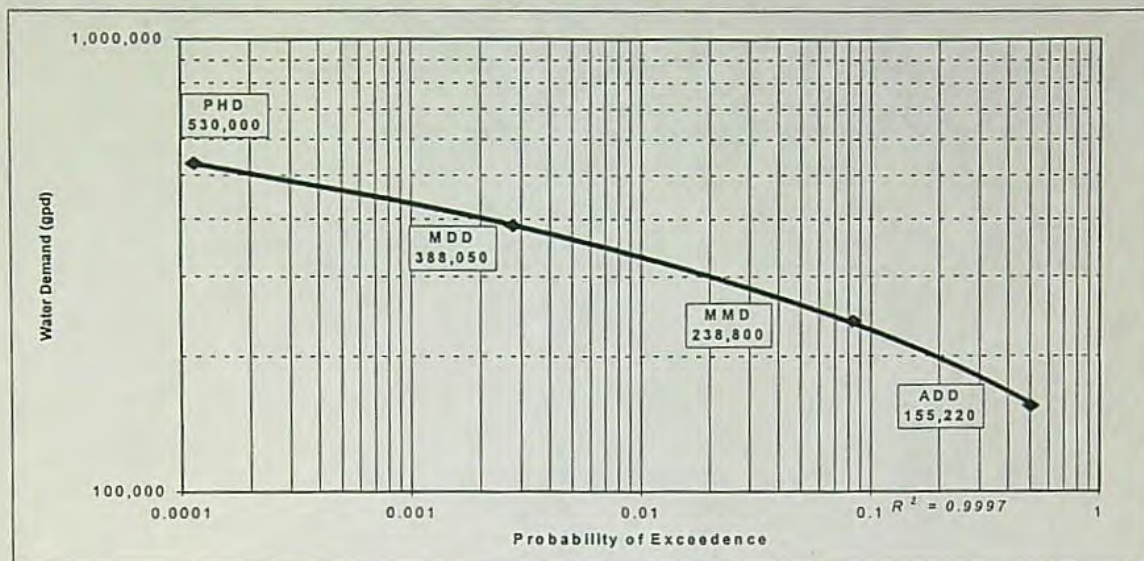


Figure 5.2.2 - Current Water Demand Values

Table 5.2.3 - Water Demands - Year 2000 Values

Demand	Current Value (gpd)	Current Value (gpcd)	Current Value (gpd/EDU)
ADD	155,220	109	260
MMD	238,800	167	400
MDD	388,050	271	650
PHD	530,000	371	888

Unaccounted Water

The difference between the quantity of water pumped from the well and the quantity of water sold is unaccounted water. The difference can be attributed to system leaks, inaccuracies in customer meters, unmetered services, and other unmetered use such as fire flows and system flushing. A graphical representation of this difference is shown in Figure 5.2.3 for the period of December 1997 through June 1999. During this period, unaccounted water averaged 1,316,671 gallons per month or 43,288 gpd. Approximately 60,000 gallons per month of the total are used for flushing purposes.

RECEIVED
AUG 15 2007
WATER RESOURCES DEPT
SALEM OREGON

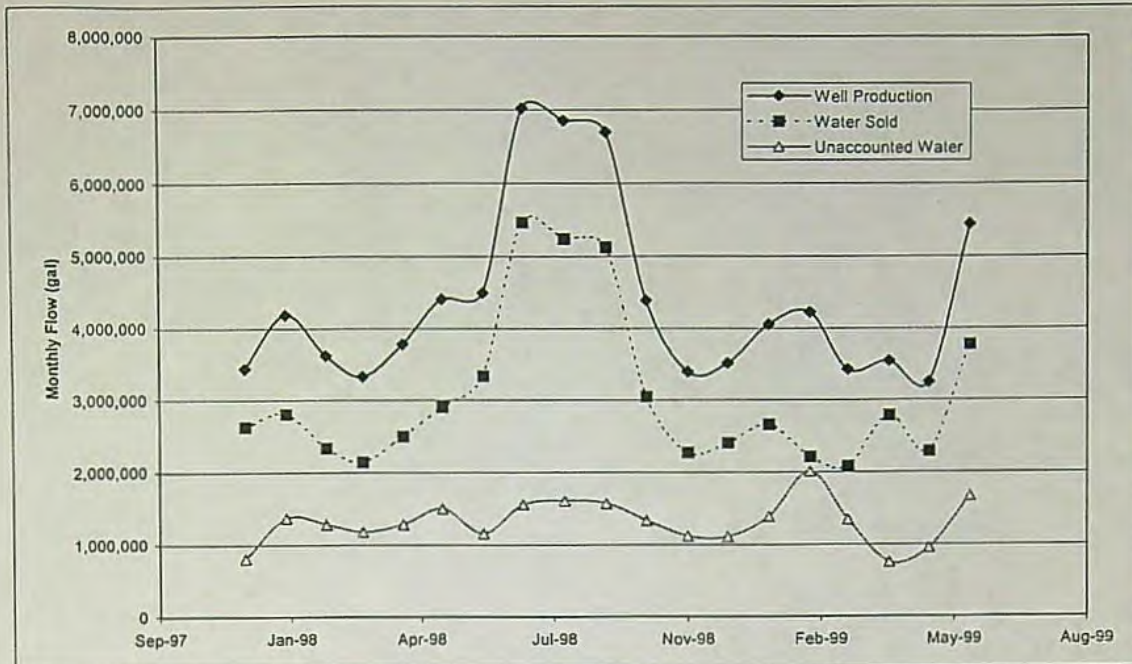


Figure 5.2.3 - Water Produced, Sold and Unaccounted For

As observed in Figure 5.2.4, Unaccounted water has averaged approximately 31% of the total volume produced. OAR 690-086-0140, 2dA defining plan elements and standards for water management and conservation plans includes "A system-wide leak repair program or line replacement to reduce system leakage to 15%, and if the reduction of system leakage to 15% is found to be feasible and appropriate, to reduce system leakage to 10%".

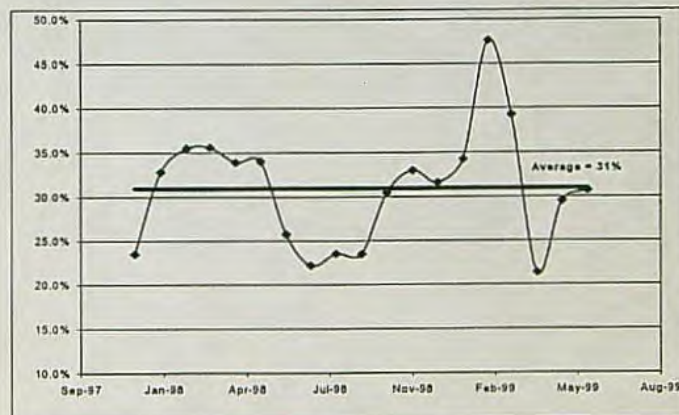


Figure 5.2.4 - Percent Unaccounted Water

No leakage studies have been performed for the District at this time. It is not known how much of the 31% unaccounted water can be attributed to leakage, inaccurate meters, and other sources. The 60,000 gallons per month used for flushing purposes equals approximately 4.6% of the total unaccounted water, or an average of 1.5% of the water pumped from the well. This leaves 29.5% of the total water pumped from the well that is unaccounted for due to reasons other than flushing.

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

5.3 Projected Water Demand

Water demands are projected into the future using the past records of water produced and water sold along with projected population estimates. The goal of projecting future water demand is not to build larger facilities to accommodate excessive water consumption, but rather to evaluate the capability of existing improvements and to size new facilities for reasonable demand rates. Water demand projections should be based on acceptable water loss quantities, reasonable conservation measures, and the communities expected water use characteristics. There is a degree of uncertainty associated with future water demand projections for any community. Uncertainties in projections exist because of the estimates used to define the community's current water use and the built-in assumptions made with respect to anticipated growth in a community. The impact of water conservation measures on a community's future water consumption is also difficult to predict.

The per capita water use for Oregon is documented by the U.S. Department of the Interior in the 1995 U.S. Geological Survey - Circular 1200. According to the study, the average per capita water use for Oregon is 235 gallons per capita day (gpcd) including domestic, commercial, industrial, and public use and loss. Of the total 235 gpcd, 53% or 124 gpcd is domestic use, 14% or 33 gpcd is commercial, 17% or 40 gpcd is industrial, and 16% or 38 gpcd is public use and loss. An interagency team made up of personnel from the DEQ, Oregon Economic and Community Development Department (OECD), the Health Division (OHD), the Water Resources Department (WRD), the USDA-Rural Utilities Service, Rural Community Assistance Corporation, and the Department of Land Conservation and Development has developed target design numbers based on the USGS study and their experience with Oregon communities. The team has adopted a maximum ADD of 235 gpcd, a MDD of 588 gpcd (2.5 times the ADD), and a PHD of 1,175 gpcd (5 times the ADD) for communities with significant commercial and industrial users.

The area served by the Nesika Beach Water District does not have industrial users or significant commercial users, therefore the average daily usage in the District should be less than 235 gpcd. The State average use for such communities is 124 gpcd excluding public use and loss, and 162 gpcd including public use and loss. The measured ADD in Nesika Beach is 109 gpcd, including public use and loss; much lower than the State average. Since the per capita demand is currently low, it will not be further reduced to reflect a lower percentage of unaccounted water in the future. This conservative assumption will allow higher per capita usage in the future (such as would happen if a sewer system was installed or if improved water quality increased water consumption practices), even while leakage is reduced over time with pipe replacements. The projected ADD that will be used is 109 gpcd.

The water demand values shown in Table 5.2.2 are used as a base for demand projections. The District has selected an average annual growth rate of 3% per year for the 20-year planning period. Beyond 20-years, a 1% average annual growth rate was used to estimate the 50-year projected demands.

Table 5.3.1 - Projected Water Demands

Year	Population	EDUs	Annual Demand (mg)	ADD (gpd)	MMD (gpd)	MDD (gpd)	PHD (gpd)
2000	1433	597	56.66	155,220	238,800	388,050	530,000
2005	1661	692	65.68	179,940	276,835	449,855	614,500
2010	1926	802	76.14	208,600	320,930	521,510	712,175
2015	2232	930	88.27	241,830	372,040	604,570	825,840
2020	2588	1078	102.33	280,345	431,300	700,860	957,265
2050	3488	1453	137.92	377,860	581,325	944,655	1,290,265

85% to WR

WR =

452,422 gpd

in '06 WR = 1,749,600

$$\frac{449,855}{1,749,600} = 0.0256 \text{ cfs}$$

$$308,050 \text{ gal/day} \times \frac{1 \text{ cfs}}{1,440,000 \text{ gal/day}} = 0.214 \text{ cfs}$$

$$\frac{700,860}{1,749,600} = 0.401$$

Page 1 of 13

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant an extension of time to apply water to full beneficial use from October 1, 2002 to October 1, 2015.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

District – Nesika Beach Water District and Ophir Water District

ODFW – Oregon Department of Fish and Wildlife

PFO – Proposed Final Order

WMCP – Water Management and Conservation Plan

Units of Measure

cfs – cubic feet per second

gpm – gallons per minute

mgd – million gallons per day

RECEIVED

AUG 15 2007

**WATER RESOURCES DEPT
SALEM OREGON**

AUTHORITY

Generally, see **ORS 537.690** and **OAR Chapter 690 Division 315**.

ORS 537.630(2) provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, shall order and allow an extension of time, for the completion of the well or other means of developing and securing the ground water or for complete application of water to beneficial use. 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) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute 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 therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0080 provides in pertinent part that the Department shall make findings to determine if an extension of time for municipal and/or quasi-municipal water use permit holders may be approved to complete construction and/or apply water to full beneficial use.

OAR 690-315-0090(3) authorizes the Department, under specific circumstances, to condition an extension of time for municipal and/or quasi-municipal water use permit holders to provide that

diversion of water beyond the maximum rate diverted under the permit or previous extension(s) shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

FINDINGS OF FACT

Background

1. Permit G-13613 was granted by the Department on March 22, 1999. The permit authorizes the use of up to 0.5 cfs of water from one well within the Rogue River Basin, for quasi-municipal use. It specified that complete application of water was to be made on or before October 1, 2002.
2. On August 19, 1999, the Department approved Special Order Volume 53, page 1156, that required the District to submit a WMCP by August 19, 2001.
3. No prior extensions have been granted for the permit. This is the first extension of time request for Permit G-13613.
4. Due to an ongoing permit extension rulemaking, the Department placed all pending Applications for Extension of Time for municipal and quasi-municipal permits on hold and did not require municipal and quasi-municipal water use permit holders to submit Applications for Extension of Time until the new rules were adopted.
5. Municipal and quasi-municipal water use permit extension rules OAR 690-315-0070 through 690-315-0100 became effective on November 1, 2002, were amended, filed with the Secretary of State, and became effective on November 22, 2005.
6. The permit holder, Nesika Beach Water District and Ophir Water District (District), submitted an "Application for Extension of Time" to the Department on June 23, 2003 requesting the time in which to apply water to full beneficial use under the terms of Permit G-13613 be extended from October 1, 2002 to October 1, 2008.
7. Notification of the District's Application for Extension of Time for Permit G-13613 was published in the Department's Public Notice dated July 1, 2003. No public comments were received regarding the extension application.
8. On May 3, 2006, the District submitted additional information to supplement their Application for Extension of Time.
9. On April 6, 2007, the District submitted a request that time in which to apply water to full beneficial use under the terms of Permit G-13613 be extended from October 1, 2002 to October 1, 2015.

RECEIVED
AUG 15 2007
WATER RESOURCES DEPT
SALEM, OREGON

10. On July 20, 2007, the District provided additional information pertaining to all water rights held by the District and how those water rights are currently used by the District.

Review Criteria for Municipal and Quasi-Municipal Water Use Permits [OAR 690-315-0080(1)]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0080. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴

Complete Extension of Time Application [OAR 690-315-0080(1)(a)]

11. By July 20, 2007, the Department received a complete Application for Extension of Time and the fee required by ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0080(1)(b)]

12. Actual construction of the well began March 8, 1967, which was within the time specified in the permit.

Duration of Extension [OAR 690-315-0080(1)(c)(d)]

Under OAR 690-315-0080(1)(c),(d), in order to approve an extension of time for municipal and quasi-municipal water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

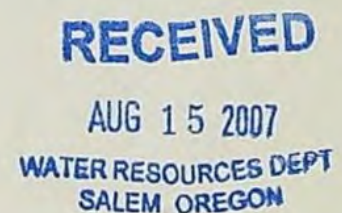
13. The remaining work to be accomplished under Permit G-13613 consists of (1) applying for a permit amendment to change the permitted point of appropriation to a new well, (2) installing transmission pipelines from the new well to the system, (3) source treatment, (4) transmission line replacement, and (5) completing construction of the water system and applying water to full beneficial use.
14. As of June 23, 2003, the permit holder has appropriated 0.366 cfs of the 0.5 cfs of water allowed under Permit G-13613 for quasi-municipal purposes.
15. In addition to the 0.5 cfs of water allowed under Permit G-13613, the District holds the following rights:
- Certificate 37549 for 0.20 cfs of water from one well (the same well as that included in Permit G-13613) within the Rogue River Basin;
 - Permit S-53985 for 1.0 cfs of water from Greggs Creek, tributary of the Pacific Ocean; and

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 537.010(5) applies to surface water and ground water permits.



- Permit G-15728 for 1.0 cfs from a well in Greggs Creek Basin.

The District's certificate and permit water rights total 1.70 cfs of ground water and 1.0 cfs of surface water.

16. The District currently utilizes a peak day demand total of 0.56 cfs of water, being 0.2 cfs from the well under Permit G-3571 and 0.36 cfs from the same well under Permit G-13613 to meet its present demand for water. The District holds Permit G-1527 and S-53985 for redundancy purposes. The District has not yet made use of 0.14 cfs of water under Permit G-13613.
17. Based on a growth rate of 3.0 percent per year, the District projects their population of 1,433 in the year 2000 would grow to 2,588 by the year 2020. As the population increases, the demand for water is expected to rise.
18. The District currently utilizes a peak day demand total of 0.56 cfs of water within its own service boundary. This demand is currently met by water that is made available under Permit G-3571 and Permit G-13613.
19. The District's projected peak day demand is 1.085 cfs of water by the year 2020.
20. Full development of Permit G-13613 is needed for the following reasons. Currently, the withdrawal rate from the well is limited by the capacity of the well pumps to approximately 0.56 cfs (the current peak day demand). In order to meet future projected peak day demands, and to completely develop this water right, a replacement well will need to be drilled by the District, and the water right will need to be amended to include withdrawal of water from the replacement well.
21. The District's request for an extension of time until October 1, 2015, to complete construction of the water system and to apply water to full beneficial use under the terms of Permit G-13613 is both reasonable and necessary, considering findings in this PFO, including:
 - the amount of development left to occur;
 - the District's projected annual growth rate and associated projected demands for water;
 - the need for redundancy and emergency water supply needs of the District; and
 - the reliability of the other water rights held by the District.

RECEIVED

AUG 15 2007

**WATER RESOURCES DEPT
SALEM OREGON**

Good Cause [OAR 690-315-0080(1)(e) and (3)(a-g) and (4)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0080(3).

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0080(3)(a),(c) and (4)]

Reasonable diligence and good faith of the appropriator must be demonstrated during the permit period or prior extension period as a part of evaluating good cause in determining whether or not to grant an extension. In

determining the reasonable diligence and good faith of a municipal or quasi-municipal water use permit holder, the Department shall consider activities associated with the development of the right including, but not limited to, the items set forth under OAR 690-315-0080(4) and shall evaluate how well the applicant met the conditions of the permit or conditions of a prior extension period.

22. Prior to the issuance of Permit G-13613 on March 22, 1999, the District constructed the well.
23. During the original development time frame, the following work was completed by the District:
 - a Water System Master Plan and a Water Management and Conservation plan were completed;
 - water meter accuracy was improved;
 - water meters were installed for all un-metered customers;
 - the well pump was replaced to increase production and total dynamic head;
 - a twelve year meter replacement program was adopted.
24. Since October 1, 2002, the District has accomplished the following:
 - the Water Management and Conservation Plan was approved by the Department;
 - a Water Investigation and Source Water Supply Study was completed.
25. As of July 11, 2003, the permit holder has invested \$72,500, which is 4 percent of the total projected cost for complete development of this project. The District anticipates an additional \$1,700,951 is needed for the completion of this project.
26. Since the issuance of Permit G-13613 on March 22, 1999, approximately 0.36 cfs of the 0.50 cfs allowed has been appropriated from the well for beneficial quasi-municipal purposes under the terms of this permit.
27. The Department has considered the District's compliance with conditions, and did not identify any concerns.

Financial Investment and Cost to Appropriate and Apply Water to a Beneficial Purpose
[OAR 690-315-0080(3)(b)]

28. As of July 11, 2003, the District has invested an approximate total of \$72,500 into the project for the following:
 - a Water System Master Plan was completed;
 - water meters were installed for all un-metered customers;
 - the well pump was replaced to increase production and total dynamic head;
 - a Water Resource Investigation was conducted.

RECEIVED
AUG 15 2007
WATER RESOURCES DEPT
SALEM, OREGON

The District anticipates an additional \$1,700,951 is needed for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0080(3)(d) and (5)(a-f)]

For municipal or quasi-municipal water use permits issued after November 2, 1998, in making a determination of good cause pursuant to 690-315-0080(3)(d), the Department shall also consider, but is not limited to, the factors in 690-315-0080(5)(a-f).

29. The amount of water available to satisfy other affected water rights and scenic waterway flows; 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); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0080(5)(a-c)].
- a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-13613; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. Permit G-13613 is not located within a limited or critical ground water area. The point of appropriation for Permit G-13613 is located within the Rogue River Basin. Rogue River is located within or above a state scenic waterway but not a federal scenic waterway. It is located within an area ranked low 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. Rogue River is not listed by the Department of Environmental Quality as a water quality limited stream.
30. Economic investment in the project to date [OAR 690-315-0080(5)(d)].
- a. As of July 11, 2003, the permit holder has invested 4 percent of the total projected cost for complete development of this project. An approximate total of \$72,500 has been invested into the project, for the following:
- a Water System Master Plan was completed;
 - water meters were installed for all un-metered customers;
 - the well pump was replaced to increase production and total dynamic head;
 - a Water Resource Investigation was conducted.

The District anticipates an additional \$1,700,951 is needed for the completion of this project.

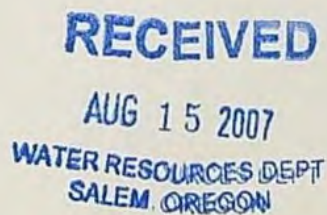
31. Other economic interests dependent on completion of the project [OAR 690-315-0080(5)(e)].
- a. None have been identified.
32. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0080(5)(f)].
- a. As described in Findings 14 through 20, above, the District has indicated, and the Department finds, that the District must rely on full development of its current ground water rights within the Rogue River Basin.
- b. The District projects a population increase, on average, of 3.0 percent per year over the next thirteen years.
- c. Given the current water supply situation of the District, as well as current and expected demands, there is a market and present demand for the water to be supplied under Permit G-13613.
33. OAR 690-315-0090(3) requires the Department to place a condition on this extension of time to provide the diversion of water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan (WMCP) under OAR Chapter 690, Division 86. A "Development Limitation" condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this requirement.

Fair Return Upon Investment [OAR 690-315-0080(3)(e)]

34. The District employs generally accepted utility rate-making practices in fixing rates to capture current operating expenses, maintain the system, make debt payments, and create reserves sufficient to repay current users for their investment in the system and provide funds for future improvements. Use and income from the permitted water development project would result in reasonable returns upon the investment made in the project to date.

Other Governmental Requirements [OAR 690-315-0080(3)(f)]

35. Delays caused by any other governmental requirements in the development of this project have not been identified.



Events which Delayed Development under the Permit [OAR 690-315-0080(3)(g)]

36. Delay of development under Permit G-13613 was due, in part, to the size and scope of the quasi-municipal water system, which was designed to be phased in over a period of years; population and service growth losses, including a school closure, which reduced water demands to a level that did not require application to full beneficial use of the permit; problems with the current well that impacted well production; and the successful implementation of water conservation measures, including reducing system losses and increasing system efficiencies.

CONCLUSIONS OF LAW

1. The District is entitled to apply for an extension of time to completely apply water to the full beneficial use pursuant to ORS 537.630(2).
2. The District has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0080(1)(a).
3. The District demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0080(1)(b).
4. The time requested to apply water to full beneficial use is reasonable, as required by OAR 690-315-0080(1)(c).
5. Completion of full application of water to beneficial use can be completed by October 1, 2015⁵ pursuant to OAR 690-315-0080(1)(d).
6. 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 the fair return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the water right permit holder had no control, and the Department has determined that the District has shown good cause for an extension of time to complete construction of the water system and to apply the water to full beneficial use pursuant to OAR 690-315-0080(1)(e).
7. As required by OAR 690-315-0090(3) and as described in Finding 33, above, and specified under Item 1 of the "Conditions" section of this PFO, the diversion of water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

⁵ Pursuant to ORS 537.630(4), 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 the claim of beneficial use.

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 the water to beneficial use under Permit G-13613 from October 1, 2002 to October 1, 2015.

Subject to the following conditions:

CONDITIONS

1. **Development Limitations**

Diversion of any water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving an updated WMCP under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension of time application. Use of water under Permit G-13613 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 that is on file with the Department.

The deadline established in this PFO for submittal of a WMCP shall not relieve a permit holder of any existing or future requirement for submittal of a WMCP at an earlier date as established through other orders of the Department. A WMCP submitted to meet the requirements of this order may also meet the WMCP submittal requirements of other Department orders.

DATED: *****, 2007

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

Dwight French
Administrator
Water Rights and Adjudications Division

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may protest and request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than ***, 2007 being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing 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 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 protest fee required under ORS 536.050, if petitioner is other than the water right permit holder.
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 request for contested case hearing 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.

If you have any questions about statements contained in this document, please contact Ann L. Reece at 503-986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Mike Reynolds at 503-986-0820.

If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.

Address any correspondence to: Water Rights and Adjudications Division
725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266

RECEIVED

AUG 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Mailing List for Extension PFO Copies

PFO Date: *****, 2007

Permit G-13613

Application G-14016

Original mailed to Applicant:

Nesika Beach Water District and Ophir Water District
Attn: Alan Wagner
PO Box 39
Ophir, Oregon 97464-0039

Copies Mailed

By:

(SUPPORT STAFF)

on:

(DATE)

Copies sent to:

1. WRD - Appl. File G- 14016 / Permit G-13613
2. WRD - Watermaster District 19 – Mitch Lewis, Coquille
3. WRD – Bill Fujii
4. DEQ - Western Region - John Blanchard
5. ODFW – District Biologist, Lower Rogue, Todd Confer, Gold Beach

Fee paid as specified under ORS 536.050 to receive copy:

5. None

Receiving via e-mail (10 AM Tuesday of signature date)

6. Static Water Level Decline Levels Triggered (or close to triggering) ☐ YES ☐ NO

If YES..... send an e-mail to the watermaster identifying the extent of static water

Proposed Final Order: Permit G-13613

Page 12 of 13

RECEIVED

AUG 15 2007

**WATER RESOURCES DEPT
SALEM OREGON**

level decline.

7. PFO: WRD – Watermaster District 16 – Mike McCord, Salem
Done by _____ *Date* _____
8. Notification only: WRD – Salem Opeifa and Gerry Clark (if Reimbursement Authority)
Done by _____ *Date* _____

CASEWORKER: ALR
Document1

RECEIVED

AUG 15 2007

**WATER RESOURCES DEPT
SALEM OREGON**

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14016

Final Order
Extension of Time for Permit Number G-13613

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either 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

On June 23, 2003, Nesika Beach Water District and Ophir Water District submitted an application to the Department for an extension of time for permit number G-13613. The Department issued permit number G-13613 on March 22, 1999. The permit called for complete application of water to the full beneficial use by October 1, 2002. In accordance with OAR 690-315-0050(2), on PFO DATE, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2015. The protest period closed PROTEST DATE, in accordance with OAR 690-315-0060(1). No protest was filed.

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

Diversion of any water beyond 0.366 cfs under Permit G-13613 shall only be authorized upon issuance of a final order approving an updated WMCP under OAR Chapter 690, Division 86. The required WMCP shall be submitted to the Department within 3 years of an approved extension of time application. Use of water under Permit G-13613 must be consistent with this and subsequent WMCP's approved under OAR Chapter 690, Division 86 that is on file with the Department.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0080(3).

Order

The extension of time for Application Number G-14016, Permit Number G-13613, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2015.

DATED: *****, 2007

Phillip C. Ward, Director

If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.

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.

NOTE: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

Mailing List for Extension FO Copies

Application #G-14016
Permit #G-13613

FO Date: *****, 2007

Original mailed to permit holder:

Nesika Beach Water District and Ophir Water District
PO Box 39
Ophir, Oregon 97464-0039
Attn: Alan Wagner

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

For Extension FO's - Copies sent to:

1. WRD - Appl. File #G-14016 / Permit #G-13613
2. WRD - Watermaster District: # 19, Mitch Lewis
3. WRD - SW Regional Manager: ***, Regional Manager
4. ODFW - Biologist District: # 0, Lower Rogue, Todd Confer
5. DEQ - Regional Office: Western Region, John Blanchard
6. WRD - Sarah Henderson, Technical Services
- 7.
8. WRD - Support Staff, Salem

Other interested parties:

None

CASEWORKER: KF

RECEIVED

AUG 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

W R & A D J
Oregon

Water Resources Department
725 Summer Street NE Suite A
Salem, OR 97301

ADDRESS SERVICE REQUESTED

G-14016
NESIKA BEACH - OPHIR WATER DIST
ATTN: ALLAN WAGNER, DIST MANAGER
32892 NESIKA RD
GOLD-BEACH OR 97444



RECEIVED

APR 16 2007

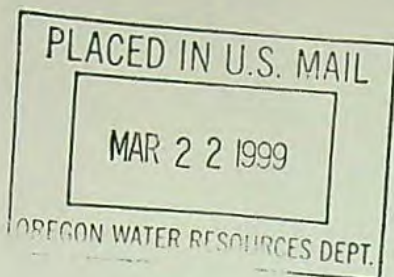
WATER RESOURCES DEPT 07
NESI892* 974442013 1209 13 06 07
FORWARD TIME EXP RTN SALMONSON
:NESIKA-OPHIR WATER DISTRICT
PO BOX 39
OPHIR OR 97464-0039

RETURN TO SENDER

9744419507 ROD1
57301/1266



Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number G-14016

Superseding Final Order

Application History

On March 29, 1995, NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 10, 1998. The protest period closed March 27, 1998, and no protest was filed. On June 8, 1998 a Final Order was issued approving the use contingent upon submittal of \$50.00.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to clarify the conditions requiring meters. The Final Order issued on June 8, 1998, contained two conditions that require meters to be installed that would be more clear if combined as follows:

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. The permittee shall 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

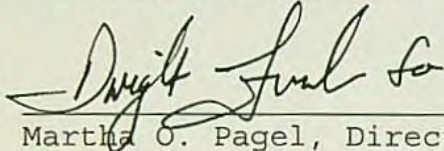
the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Order

Upon payment of outstanding permit recording fees, Application G-14016 shall be approved as modified above and as conditioned in the attached draft permit.

Permit recording fees are required in the amount of \$ 50.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14016.

DATED March 27, 1999



Martha O. Pagel, Director

Hearing and Appeal Rights

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

This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document he is most likely the best person to answer your questions. You can reach him toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **22785**

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

INVOICE # _____

RECEIVED FROM: Nesika Beach Water
BY: District

APPLICATION	G14016
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 96-7630 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 50.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

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)

\$

(New) TC165 DEPOSIT LIAB. (IDENTIFY)

\$

(Existing) TC168

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$ 50.00

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

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 # **22785**

DATED: 7-13-50

BY: M. Muecke

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

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF REQUIREMENT TO)
SUBMIT A WATER MANAGEMENT AND) ORDER
CONSERVATION PLAN)

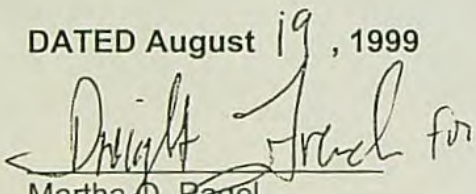
History

On January 5, 1996, the Department received application G-14016 from NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT for a water use permit. On March 22, 1999, permit G-13613 was issued. The permit included the following condition regarding a Water Management and Conservation Plan:

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

Consistent with the permit condition above the Department has determined that a plan is now required. Therefore, it is **ORDERED** that the permittee shall submit a Water Management and Conservation Plan, consistent with OAR Chapter 690, Division 86, within **2 years** of the date of this order, unless the Director approves an extension of this timeline.

DATED August 19, 1999


Martha O. Pagel
Director

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.

File # G-14016 RECEIVED

MAR 20 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon Water Resources Department
Quasi-Municipal/Municipal Water Use Permit Development Questionnaire

Permit Holder: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT
Permit #G13613 Application File #G14016

Please indicate which of the following applies to the above referenced Quasi-Municipal or Municipal water use permit by checking the appropriate box:

1. The Permit is Ready for Final Proof and...

- ☐ a Claim of Beneficial Use and Final Proof Survey map will be prepared and submitted by a Certified Water Rights Examiner;

- OR -

- ☐ the Water Resources Department (WRD) has been notified that development of the permit is complete, and the permit holder is waiting for WRD to conduct the final proof survey.

2. Development of the Permit is Not Complete and...

- ☒ the permit holder will submit a permit extension of time application to WRD no later than 90 days from the date of this letter (April 6, 2003).

3. The Permit is Not Needed and Wish to Authorize Cancellation...

- ☐ the permit holder has determined that this permit is no longer needed and/or has chosen not to pursue development of the permit, and wishes to authorize its cancellation.


Signature of Authorized Personnel

3-19-03
Date

Please return completed form by April 6, 2003 to:
Water Resources Department
Attention: Lisa Juul
158 - 12th Street NE
Salem OR 97301-4172



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 6, 2003

NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT
32892 NESIKA RD
GOLD BEACH OR 97444

REFERENCE: Permit #G13613 (App File #G14016) and the Adoption of New Administrative Rules for Municipal and Quasi-Municipal Water Use Permit Extensions

Dear Municipal and/or Quasi-Municipal Water Use Permit Holder:

The Water Resources Commission has adopted new administrative rules that govern the processing of Municipal and Quasi-Municipal permit extension requests. The new rules are contained in the Oregon Administrative Rules Chapter 690, Division 315 (OAR 690-315-0070 through 690-315-0100). If you wish to view a copy of the new Chapter 690, Division 315 Extension Rules, you may access the document from the Department's web page at:

http://www.wrd.state.or.us/cgi-bin/notices.pl?new_oars

The new rules implement many changes to the extension process for municipal and quasi-municipal permit holders. One of the most significant changes is that an extension is linked to the requirement to develop a Water Management and Conservation Plan under OAR Chapter 690, Division 86.

In preparation for implementing the new extension rules, the Department has reviewed its records and determined that the authorized date for completion of development for your water use permit has passed and that neither a permit extension of time application, nor a claim of beneficial use and final proof survey map, have been received.

As a result of this review, your water use permit falls into one of the three following categories:

1. Development is Not Complete

If development of your water use permit is not finished, you must submit an application for extension of time to complete construction of the water system and/or complete beneficial use of water to the full extent of the permit. You may access the "Application for Extension of Time for Quasi-Municipal and Municipal Water Use Permits" on the Department's website at:

<http://www.wrd.state.or.us/publication/forms/index.shtml>

January 6, 2003
page two

2. Development is Complete and Final Proof Must be Submitted

If your water use permit was issued after July 9, 1987, and development of the permit is complete, you are required by law (ORS 537.230 and/or 537.630) to hire a certified water rights examiner to prepare and submit a claim of beneficial use and final proof survey map.

3. Development is Complete and Waiting for WRD to Conduct Final Proof Survey

If you applied for or received a permit **on or before July 9, 1987**, and development of the permit is complete, you must notify the Department that the work has been completed and choose to either: (a) hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; **or** (b) continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and the commission issues a water right certificate under ORS 537.250 or 537.625.

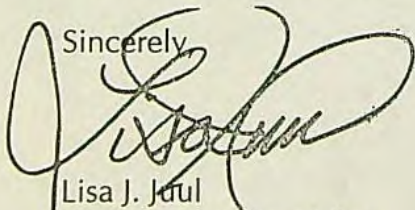
4. Permit is Not Needed and Wish to Authorize Cancellation

If you have determined that this permit is no longer needed and/or you have chosen not to pursue development of the permit, you may choose to authorize its cancellation. If you are interested in this option, please contact Jerry Sauter of our Department at extension 274 for the appropriate cancellation form.

Once you have determined which development category applies to your water use permit, please complete the enclosed "Quasi-Municipal/Municipal Water Use Permit Development Questionnaire" form and return it to my attention at the Water Resources Department by April 6, 2003.

If you would like the new rules or extension application forms sent to you by mail, or if have any questions, please feel free to contact me by telephone at 503-378-8455, extension 272.

Sincerely,



Lisa J. Juul
Water Rights Specialist
Water Rights Section

enclosure

cc: App File #G14016 (Permit #G13613)

Oregon Water Resources Department
Quasi-Municipal/Municipal Water Use Permit Development Questionnaire

Permit Holder: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT
Permit #G13613 Application File #G14016

Please indicate which of the following applies to the above referenced Quasi-Municipal or Municipal water use permit by checking the appropriate box:

1. The Permit is Ready for Final Proof and...

- ☐ a Claim of Beneficial Use and Final Proof Survey map will be prepared and submitted by a Certified Water Rights Examiner;

- OR -

- ☐ the Water Resources Department (WRD) has been notified that development of the permit is complete, and the permit holder is waiting for WRD to conduct the final proof survey.

2. Development of the Permit is Not Complete and...

- ☐ the permit holder will submit a permit extension of time application to **WRD no later than 90 days from the date of this letter (April 6, 2003).**

3. The Permit is Not Needed and Wish to Authorize Cancellation...

- ☐ the permit holder has determined that this permit is no longer needed and/or has chosen not to pursue development of the permit, and wishes to authorize its cancellation.

Signature of Authorized Personnel

Date

Please return completed form by April 6, 2003 to:
Water Resources Department
Attention: Lisa Juul
158 - 12th Street NE
Salem OR 97301-4172



THE DYER PARTNERSHIP
ENGINEERS & PLANNERS, INC.

December 26, 2000

Mr. Bob Rice
Water Resources Department
158 12th Street NE
Salem, OR 97310

RE: Nesika Beach Water District
Water System Master Plan
Project No. 9505.01

RECEIVED

DEC 29 2000

WATER RESOURCES DEPT.
SALEM, OREGON

Dear Mr. Rice:

Enclosed please find a copy of the Nesika Beach Water District's Water System Master Plan. Inclusive to this document is a Water Management Plan outlining conservation and curtailment measures for the District. The Dyer Partnership is pleased to submit the District's Plan on their behalf for your review, comments, and approval.

As you noted in your August 23, 2000 letter, the District was ordered by the Oregon Water Resources Department (OWRD) to complete a Management and Conservation Plan prior to August 19, 2001. The District has prioritized the completion of this Management Plan and included a Water System Master Plan to satisfy the Oregon Health Department requirements, too. The submission of this plan demonstrates the District's commitment to satisfying both agencies' requirements and to planning and providing for the highest possible service level for the users of the water system.

Since the completion of the draft plan in early June, the District has been actively pursuing the reformation of the Ophir Water District and the Nesika Beach Water Districts into a new district, the "Ophir-Nesika Beach Water District". It now appears that the issue may be on the spring ballot for voter approval. This is an important step in the life of the water system and should be recognized by the Water Resources Department as consistent with OAR 690 Division 86 goals.

As you will discover in your review of the Plan, the District requires additional water rights in excess of the current permit and water right allocations. We anticipate your review will assist us outline the necessary steps to establish the long-term legal right to appropriate water for public consumption needs. Once you have reviewed the Plan, we would like to schedule a meeting to review your comments and discuss water rights issues. Should you have any questions during your review, feel free to give me a call.

Best Regards,

THE DYER PARTNERSHIP,
ENGINEERS & PLANNERS, INC.

Steven K. Donovan, PE

Cc: Mike Meszaros, R.S.
Mr. Wilbur Moore
Mr. Jim Coffey, Attorney

Encl.

Appl # G-14016
Permit G-13613

Nesika Beach + Ophir W D

To: Mike Meszaros <MeszarosM@co.curry.or.us>

Subject: Re: FW: Conservation plan

Cc: Lloyd.C.VANGORDON@wrd.state.or.us, Alan.J.COOK@wrd.state.or.us

Mike,

Thanks for the information. As we discussed, the District needs to get an approved Water Management and Conservation Plan into the Department ASAP to comply with permit conditions. I appreciate the effort that the District has put into the draft plan to date, and look forward to getting a revised plan. Please let me know if I can be of additional assistance to you.

--Bob

At 10:07 AM 8/8/01 -0700, you wrote:

> -----Original Message-----

> From: Mike Meszaros

> Sent: Wednesday, August 08, 2001 10:06 AM

> To: Bob Rice (E-mail)

> Subject: Conservation plan

>

> Bob, Just a quick note regarding our phone conversation this morning

> concerning the Conservation Plan for Mesika Beach - Ophir Water

> districts.. Our district has fallen behind the eight ball on this issue in

> that we basically turned it over to the "authoring" agency, Dyer

> Partnership, to address the deficiencies. That agency has had a shake up

> and the engineer that was working with us, Steve Donovan, has left and we

> are not sure who is working on this for us. There are several issues that

> we needed to address such as adoption of curtailment plans, fee

> structures, and other policies that we have not done yet. Obviously we are

> not going to meet the deadline of August 19th. We do not intend to ignore

> the issue, it's more of a matter of formulating a strategy of how to

> complete the plan given the obstructions we face.

>

> I will definitely be in touch with you on this matter.

>

> Waterfully,

>

> Mike Meszaros

> Nesika Beach Water District

Bob Rice

Field Services Division

Oregon Water Resources Department

158 12th ST NE, Salem OR 97301-4172

(503) 378-8455 x 238 or (800) 624-3199 x 238

FAX: (503) 378-8130

Water Resources Dept.

homepage/website address - <http://www.wrd.state.or.us>

8/19/99

Janet,

Russ said "let Janet do her magic" regarding this order.

Please send copies to:

Ivan Gall ✓ (SW Reg.)

John Drolet ✓

Al Cook ✓

Bob Rice ✓

WRs file ✓

Special order file ✓

Nesika Beach Water District ✓

32892 Nesika Road

Gold Beach, OR 97444

and

Ophir Water District ✓

PO Box 124

Ophir, OR 97464

Many thanks!!

--Bob R. x 238

Jh 8/23/99

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14016

Final Order

Application History

On March 29, 1995, NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 10, 1998. The protest period closed March 27, 1998, and no protest was filed.

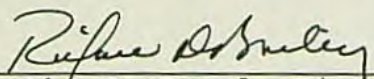
The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe point of diversion and the place of use.

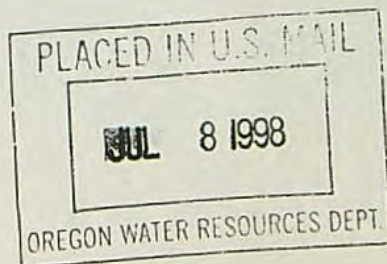
Order

Upon payment of outstanding permit recording fees, Application G-14016 shall be approved as modified above and as conditioned in the attached draft permit.

Permit recording fees are required in the amount of \$ 50.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14016.

DATED June 8, 1998


Martha O. Pagel, Director



Hearing and Appeal Rights

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

This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document he is most likely the best person to answer your questions. You can reach him toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.

STATE OF OREGON

COUNTY OF CURRY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

NESIKA BEACH WATER DISTRICT AND OPHIR WATER DISTRICT
32892 NESIKA RD
GOLD BEACH, OREGON 97444

(503) 247-2614

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

APPLICATION FILE NUMBER: G-14016

SOURCE OF WATER: A WELL IN ROGUE RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

MAXIMUM RATE: 0.5 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 5, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 9, T36S, R14W, W.M.;
512 FEET NORTH & 2538 FEET EAST FROM S1/4 CORNER, SECTION 9

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SW 1/4
SE 1/4 SW 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 8

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SECTION 17

NE 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 19

NW 1/4 NW 1/4
 SW 1/4 NW 1/4
 NW 1/4 SW 1/4
 SW 1/4 SW 1/4
 SECTION 20

NE 1/4 NE 1/4
 NW 1/4 NE 1/4
 SW 1/4 NE 1/4
 SE 1/4 NW 1/4
 NE 1/4 SW 1/4
 SE 1/4 SW 1/4
 NW 1/4 SE 1/4
 SW 1/4 SE 1/4
 SECTION 30

SW 1/4 NE 1/4
 NE 1/4 NW 1/4
 NW 1/4 NW 1/4
 SW 1/4 NW 1/4
 SE 1/4 NW 1/4
 NE 1/4 SW 1/4
 NW 1/4 SW 1/4
 SE 1/4 SW 1/4
 SECTION 31

TOWNSHIP 35 SOUTH, RANGE 14 WEST, W.M.

SE 1/4 NE 1/4
 NE 1/4 SE 1/4
 SE 1/4 SE 1/4
 SECTION 36

TOWNSHIP 35 SOUTH, RANGE 15 WEST, W.M.

NE 1/4 SW 1/4
 SW 1/4 SW 1/4
 NW 1/4 SE 1/4
 SECTION 5

NW 1/4 NW 1/4
 SW 1/4 NW 1/4
 NW 1/4 SW 1/4
 SW 1/4 SW 1/4
 SE 1/4 SE 1/4
 SECTION 6

NW 1/4 NW 1/4
 SECTION 7

NE 1/4 NE 1/4
 NW 1/4 NE 1/4
 SW 1/4 NE 1/4
 SE 1/4 NE 1/4

NE 1/4 NW 1/4
 NW 1/4 NW 1/4
 SE 1/4 NW 1/4
 NE 1/4 SW 1/4
 SE 1/4 SW 1/4
 NE 1/4 SE 1/4
 NW 1/4 SE 1/4
 SW 1/4 SE 1/4
 SE 1/4 SE 1/4

SECTION 8

SW 1/4 NW 1/4
 SE 1/4 NW 1/4
 NE 1/4 SW 1/4
 NW 1/4 SW 1/4
 SW 1/4 SW 1/4
 SE 1/4 SW 1/4
 NE 1/4 SE 1/4
 NW 1/4 SE 1/4
 SW 1/4 SE 1/4
 SE 1/4 SE 1/4

SECTION 9

NE 1/4 NW 1/4
 SECTION 16

NW 1/4 NE 1/4
 SW 1/4 NE 1/4
 NW 1/4 SE 1/4

SECTION 17

TOWNSHIP 36 SOUTH, RANGE 14 WEST, W.M.

NE 1/4 NE 1/4
 NW 1/4 NE 1/4
 SW 1/4 NE 1/4
 SE 1/4 NE 1/4
 NE 1/4 SE 1/4
 NW 1/4 SE 1/4
 SW 1/4 SE 1/4
 SE 1/4 SE 1/4

SECTION 12

TOWNSHIP 36 SOUTH, RANGE 15 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.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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 shall be limited when it interferes with any prior surface or ground water rights.

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 of the well shall begin by June 8, 1999. 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 _____, 199_

DRAFT - THIS IS NOT A PERMIT

Martha O. Pagel, Director
Water Resources Department

Mailing List for PFO Copies

Application #G-14016

PFO Date February 10, 1998

Original mailed to:

Applicant: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT, 32892 NESIKA RD, GOLD BEACH, OREGON 97444

Copies sent to:

1. WRD - File # G-14016
2. WRD - Water Availability: Ken Stahr

PFO, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 19
4. WRD - SW Regional Manager :
5. ODFW District Biologist: (CURRY County)

F.O.
LKS
7-8-98

Copies Mailed	
By: <u>CW</u>	(SUPPORT STAFF)
on: <u>2/10/98</u>	(DATE)

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

6. CWRE, BRYAN FLAVIN, 32053 SQUAW VALLEY RD, GOLD BEACH, OR 97444

7. DEQ-HEADQUARTERS, ~~DEB STURDEVANT~~ TOM ROSETTA

8. DEPT AGRICULTURE

9. _____

10. _____

11. _____

12. _____

13. _____

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

1. _____

2. _____

3. _____

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-14016

Final Order

Application History

On March 29, 1995, NESIKA BEACH WATER DISTRICT and OPHIR WATER DISTRICT submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 10, 1998. The protest period closed March 27, 1998, and no protest was filed.

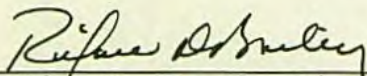
The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe point of diversion and the place of use.

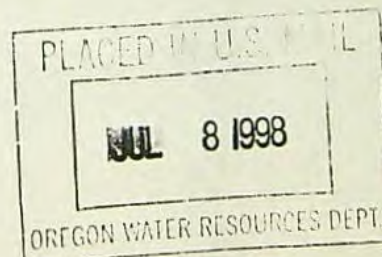
Order

Upon payment of outstanding permit recording fees, Application G-14016 shall be approved as modified above and as conditioned in the attached draft permit.

Permit recording fees are required in the amount of \$ 50.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-14016.

DATED June 8, 1998


Martha O. Pagel, Director



RECEIVED
JUL 13 1998
WATER RESOURCES DEPT.
SALEM, OREGON

Hearing and Appeal Rights

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

Nesika Beach Water District

32892 NESIKA ROAD
GOLD BEACH, OREGON 97444



State of Oregon
Water Resources Department
158 12th St NE
Salem OR 97310-0210

97310-0705



FO CHECKLIST

FILE # C 14016

REVIEW DATE: 5/14/98

PFO WEEK # 132

PFO TO FO CONVERSION

INITIALS: RWK

In preparing to create 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** commentators (regardless of comment date), **affected landowners**, and **those who paid the \$10 fee.** *NOTICE PUBLISHED*
3. Y/N/NA Have affected landowners been notified?
4. Y/N Is the file lacking a signed oath of accuracy for the application?
5. Y/N/NA 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. 50 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

200 EXAM
 100 REC
 300
 PD 250
 50

OWS
 50
9. Y/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:\...\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)

FO Type: (circle types)

DENIAL

FO w/o PERMIT

FO & PERMIT

FOMOD

COMMENTS:

MGMT CODES:

7B

RIX POD & POU

Once created, modify FO as needed to:

Initials _____

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:\GROUPS\WR\FO\WEEK 139 & 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 G-14016

Proposed Final Order

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

Application History

On March 29, 1995, NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT submitted an application to the Department for the following water use permit:

- Amount of Water: 0.5 CUBIC FOOT PER SECOND
- Use of Water: QUASI-MUNICIPAL
- Source of Water: A WELL IN ROGUE RIVER BASIN
- Area of Proposed Use: CURRY County within

NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SW 1/4
SE 1/4 SW 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4

SECTION 8

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4

SECTION 17

NE 1/4 NE 1/4
NE 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 19

NW 1/4 NW 1/4
SW 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4

SECTION 20
NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4

SECTION 30
TOWNSHIP 35 SOUTH, RANGE 14 WEST

NE 1/4 SW 1/4
SW 1/4 SW 1/4
NW 1/4 SE 1/4

SECTION 5
NW 1/4 NW 1/4
SW 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4

SECTION 6
NW 1/4 NW 1/4

SECTION 7
NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 NW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4

SECTION 8
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4

SECTION 9
TOWNSHIP 36 SOUTH, RANGE 14 WEST, W.M.

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 12
TOWNSHIP 36 SOUTH, RANGE 15 WEST, W.M.

On 11/11/97, the Department mailed the applicant notice of its Initial Review, determining that THE USE OF 0.5 CUBIC FOOT PER SECOND FROM A WELL IN THE ROGUE RIVER BASIN FOR QUASI-MUNICIPAL USE IS ALLOWABLE YEAR-ROUND. The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 11/25/97, 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
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The South Coast Basin Program allows the following uses: QUASI-MUNICIPAL

Senior water rights exist on A WELL IN ROGUE RIVER BASIN or on downstream waters.

A WELL IN ROGUE RIVER BASIN is not within or above a State Scenic Waterway.

An assessment of water availability has been completed. This assessment compared a calculation of natural streamflow minus the consumption portion of all relevant rights of record. A copy of this assessment is in the file. This assessment determined that water is available for further appropriation (at an 80 percent exceedance probability) for the period YEAR ROUND

The Department finds that no more than 0.5 CFS would be necessary for the proposed use. The amount of water requested, 0.5 CUBIC FOOT PER SECOND, is allowable.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely ROGUE RIVER.

The Groundwater Section finds that there is NOT a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Information obtained from the Department of Environmental Quality (DEQ) indicates that the source of water identified in the application is "Water Quality Limited." This designation indicates that water quality concerns exist. DEQ was provided with an opportunity to review this proposed use to determine if any additional conditions or restrictions are needed to protect the water quality.

DEQ did not make any recommendations for additional conditions or restrictions to be imposed on the proposed use for this application.

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 recommended that additional limitations or conditions of use be imposed on this application as follows:

Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

THE DEPARTMENT HAS DETERMINED A WATER MANAGEMENT AND CONSERVATION PLAN MAY BE REQUIRED FOR THIS APPLICATION UNDER OAR 690 DIVISION 86.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health 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.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, 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 would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

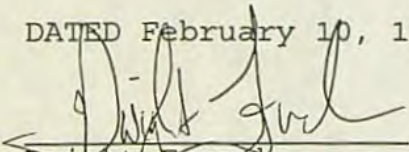
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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 would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

Recommendation

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

DATED February 10, 1998


Dwight French
Water Rights Section Manager

Protest Rights

Under the provisions of 537.621(7), you have the right to protest 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 a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.

- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Your protest must be received in the Water Resources Department no later than March 27, 1998.

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.

DM- WEEK 129

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF CURRY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

X NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT
32892 NESIKA RD
GOLD BEACH, OREGON 97444

(X503) 247-2614

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

APPLICATION FILE NUMBER: G-14016

SOURCE OF WATER: A WELL IN ROGUE RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

MAXIMUM RATE: 0.5 CFS *CUBIC FOOT / SEC*

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 5, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 9, ³⁶~~T35S~~, R14W, W.M.;
512 FEET NORTH & 2538 FEET EAST FROM ^{5/4}SW CORNER, SECTION 9

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2 1/2 acre-feet for each acre irrigated during the irrigation season of each year.

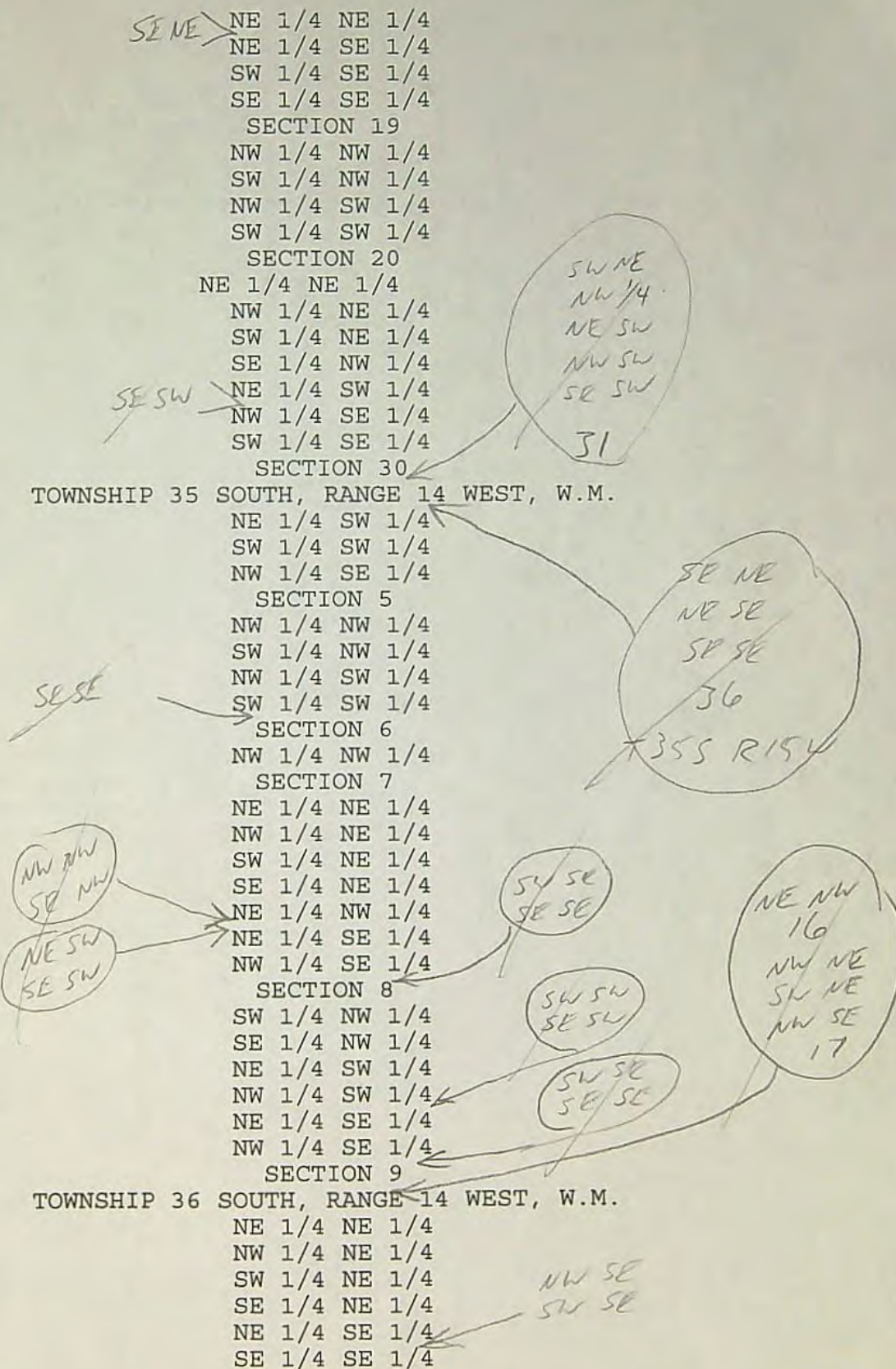
THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SW 1/4
SE 1/4 SW 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4

SECTION 8

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4

SECTION 17



SECTION 12
TOWNSHIP 36 SOUTH, RANGE 15 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.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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 shall be limited when it interferes with any prior surface or ground water rights.

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 of the well shall begin within one year from permit issuance. Complete application of the 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 _____, 199_

DRAFT - THIS IS NOT A PERMIT

Water Resources Department
Director

Application G-14016
Basin *115*
DM- WEEK 129

Water Resources Department
Volume *3* EUCRE CR & MISC
MGMT.CODE

1 RIVER & MISC

PERMIT DRAFT
District *15*



Oregon Water Resources Department

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instruction booklet when completing your application. Thank you.

1. Applicant Information

A. Individuals

(If more than one person is applying, please attach a sheet providing the information below for each person applying.)

Name: _____
Last First MI

Mailing address: _____
City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: NESIKA BEACH WATER DISTRICT

Name and title of person applying: LEON LYNCH

Mailing address of organization: 32892 NESIKA ROAD
(OPHIR) GOLD BEACH OR 97444
City State Zip

Phone: 541-247-2614 SAME
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

For Department Use

App. No. 614016 Permit No. _____ Date _____

2. Location and Source

The Department cannot process your application without accurate information showing the source of water and location of water use. You must attach a map to this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See page 3 in the instruction booklet for detailed map specifications. In addition, please provide the following information:

A. County

In what county is the use proposed? CURRY

In what county is the appropriation point proposed? CURRY

B. River Basin

(See instruction booklet pg.3 for list):

ROGUE

C. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

☐ Yes (Skip to section 3 "Groundwater Development.")

☒ No Please check the appropriate box below, and on a separate sheet of paper list the names and addresses of all affected landowners.**

☒ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

**If more than 25 landowners are involved, a list is not required. See page 4 in the instruction booklet for more details.

3. Groundwater Development

A. Number of wells: 1 B. Name of nearest surface water body ROGUE RIVER

C. Distance from well(s) to nearest stream or lake: 1) WITHIN FLOODWAY

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) N/A

2) _____ 3) _____ 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

1. Wells will be constructed by: _____

Address: _____

Completion date: _____

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Estimated depth to water	Est. depth to water-bearing stratum	Type of access port or measuring device	Total well depth
1	12"	STEEL 12"	45						

F. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

N/A

4. Water Use

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

(see list of beneficial uses in the instruction booklet):

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal**, attach Form M
- If your proposed use is **commercial/industrial** or **quasi-municipal**, attach Form Q

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, and for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or Aquifer	Type of Use	Total Annual Amount	Production Rate of the Well in gpm

C. Season of Use

Indicate the time of year you propose to use the water (for seasonal uses like irrigation give dates when water use would begin and end):

YEAR ROUND

D. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used:

N/A

5. Water Management

A. Diversion

What equipment will you use to pump water from your well(s)?

- ☒ Pump (give horsepower and pump type) 30 hp submersible
- ☐ Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- ☐ Ditch, canal (give average width and depth):
Width _____ Depth _____
Is the ditch or canal to be lined? ☐ Yes ☐ No
- ☒ Pipe (give diameter and total length)
Diameter(s) 8", 6", 4", 2" Length approx. 15 miles
- ☐ Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Irrigation or land application method (check all that apply):

- | | | |
|--|--|---|
| ☐ Flood | ☐ High-pressure sprinkler | ☐ Low pressure sprinkler |
| ☐ Drip | ☐ Water cannons | ☐ Center pivot system |
| ☐ Hand lines | ☐ Wheel lines | |
| ☐ Siphon tubes or gated pipe with furrows | | |
| ☐ Other, describe _____ | | |

Distribution method

- ☒ In-line storage (tank or pond) ☒ Direct pipe from source ☐ Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

6. Project Schedule

Proposed date construction will begin _____

Proposed date construction will be completed _____

Proposed date beneficial water use will begin _____

7. Remarks

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Signature

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use is compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge:

Albert J. Lopez
Signature of Applicant

9-3-97
Date

Signature of Co-applicant

Date

Before submitting this application, have you:

- Answered every question?
- Included a Land Use Information Form or receipt stub signed by a local official?
- Attached a legible map that meets all the necessary criteria?
- Included a check made out to WRD for at least the amount of the application fee?

32892 NESIKA ROAD
GOLD BEACH, OREGON 97444

Public Notices

NOTICE OF..... WATER USE REQUEST

Regarding application: G-14016

The Oregon Water Resources Department is evaluating the request by Nesika Beach Water District use 0.50 cubic feet per second of the waters of a well for Quasi-municipal purposes. The proposed source of water is located within Curry County, Township 36S, Range 14W, Section 9. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130(3) requires notice to all affected landowners. ORS 537.130(4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at 1 (800) 624-3199 ext. 499. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97310-0210.

Publish: January 14, 21 and 28,
1998.

Affidavit of Publication

STATE OF OREGON } ss.
COUNTY OF CURTIS }

I, Debbie Smith, being first duly sworn, depose and say that I am the Manager of the Curry County Press, a newspaper of general circulation, as defined by sections 1-509, 1-510, Oregon Code; published at Gold Beach in the said county and state; that the Notice of Water Use Request

_____, a printed copy of which is hereto annexed was published in the entire issue of said newspaper for Three (3) successive and consecutive weeks, the following issues: January 14, 21 and 28, 1996.

Subscribed and sworn before me this 28th day of Jan, 1998.



Mollie R. Walsh
Notary Public Of Oregon

Public Notice

NOTICE OF WATER USE REQUEST

Regarding application: G-14016

The Oregon Water Resources Department is evaluating the request by Nesika Beach Water District use 0.50 cubic feet per second of the waters of a well for Quasi-municipal purposes. The proposed source of water is located within Curry County, Township 36S, Range 14W, Section 9. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130(3) requires notice to all affected landowners. ORS 537.130(4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at 1 (800) 624-3199 ext. 499. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97310-0210.

Publish: January 14, 21 and 28, 1998.

Nesika Beach Water District

32892 NESIKA ROAD

GOLD BEACH, OREGON 97444



RECEIVED

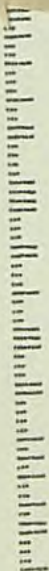
JAN 30 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Angel
ces Department

NE

10-0210



Nesika Beach Water District

32892 NESIKA ROAD
GOLD BEACH, OREGON 97444



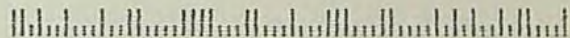
RECEIVED

JAN 3 0 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Attn: Cory Engel
Water Resources Department
158 12th St NE
Salem OR 97310-0210

37310+0700



Public Notice

NOTICE OF WATER USE REQUEST

Regarding application: G-14016

The Oregon Water Resources Department is evaluating the request by Nesika Beach Water District use 0.50 cubic feet per second of the waters of a well for Quasi-municipal purposes. The proposed source of water is located within Curry County, Township 36S, Range 14W, Section 9. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130(3) requires notice to all affected landowners. ORS 537.130(4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at 1 (800) 624-3199 ext. 499. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97310-0210.

Publish: January 14, 21 and 28, 1998.

Public Notice

NOTICE OF WATER USE REQUEST

Regarding application: G-14016

The Oregon Water Resources Department is evaluating the request by Nesika Beach Water District use 0.50 cubic feet per second of the waters of a well for Quasi-municipal purposes. The proposed source of water is located within Curry County, Township 36S, Range 14W, Section 9. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130(3) requires notice to all affected landowners. ORS 537.130(4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at 1 (800) 624-3199 ext. 499. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97310-0210.

Publish: January 14, 21 and 28, 1998.

Public Notice

NOTICE OF WATER USE REQUEST

Regarding application: G-14016

The Oregon Water Resources Department is evaluating the request by Nesika Beach Water District use 0.50 cubic feet per second of the waters of a well for Quasi-municipal purposes. The proposed source of water is located within Curry County, Township 36S, Range 14W, Section 9. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130(3) requires notice to all affected landowners. ORS 537.130(4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at 1 (800) 624-3199 ext. 499. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97310-0210.

Publish: January 14, 21 and 28, 1998.



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

November 11, 1997

NESIKA BEACH WATER DISTRICT
OPIHIR WATER DISTRICT
32892 NESIKA RD
GOLD BEACH, OREGON 97444

Reference: File G-14016

Dear Applicant:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN ROGUE RIVER BASIN for QUASI-MUNICIPAL is **allowable** under OAR 690-515-007, the Lower Rogue Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will have the potential for substantial interference with the nearest surface water source, namely Rogue River. Therefore limitations to the surface water source must be applied to this application also.
4. Water in the amount of 0.5 CUBIC FOOT PER SECOND for QUASI-MUNICIPAL is **available** year-round.
5. The Department has determined a Water Management and Conservation Plan may be required for this application under OAR 690 Division 86.

6. ORS 537.130 (3) requires notice to all affected landowners. ORS 537.130 (4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

Summary of Initial Determinations

The use of 0.5 CUBIC FOOT PER SECOND from A WELL IN THE ROGUE RIVER BASIN for QUASI-MUNICIPAL is allowable year-round.

Because of these favorable determinations, 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.

NOTE: The Notice of Water Use Request below satisfies the language requirements of ORS 537.130(3).

NOTICE OF WATER USE REQUEST

Regarding application: G-14016

The Oregon Water Resources Department is evaluating the request by Nesika Beach Water District to use 0.50 cubic feet per second of the waters of a well for Quasi-municipal purposes. The proposed source of water is located within Curry County, Township 36S, Range 14W, Section 9. This process is to determine if the request is in compliance with state water laws and regulations. Public participation and comment is encouraged.

ORS 537.130 (3) requires notice to all affected landowners. ORS 537.130 (4) allows this notice to be made through publication in a local newspaper if there are more than 25 landowners involved.

For further information contact the Water Resources Department Water Rights Information Group at 1 (800) 624-3199 ext. 499. Written information requests may be addressed to the Oregon Water Resources Department at 158 12th Street NE, Salem, Oregon 97310-0210.

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 **Tuesday, November 25, 1997**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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

1. 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
 - 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.
2. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
3. You will be required to comply with state and federal water quality standards.
4. The priority date for this application is March 29, 1995.

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.

Information obtained from the Department of Environmental Quality (DEQ) indicates that the source of water identified in your application is "Water Quality Limited". That means that there are water quality concerns. DEQ will be looking at information from your application to see if additional conditions or restrictions are needed to protect the water quality situation. One possible outcome is that the Water Resources Department will propose in the proposed final order that your application be denied. You are encouraged to contact Deb Sturdevandt, (503) 229-6691 at DEQ to discuss the specifics of your application. Often, this information exchange can allow the water use to occur and at the same time keep the water quality situation from worsening.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455 extension 499. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call.

Sincerely,



Anita M. McLoud
Water Rights Specialist

cc: Regional Manager, Watermaster District 19, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-14016
wab 17-01000000
pou 17-01000000
gw A

Division 33 Application Review Sheet for Use by ODFW Staff
Recommendations for Water Right Applications that may affect the Habitat of
Sensitive, Threatened or Endangered Fish Species OAR 690-33-310 through 340
Date: 11/11/97 14 Day Deadline: _____

Application # G-14016 Name: Nesika Ranch Water District

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? Coho Status S T E

If Yes, continue, if NO go to Public Interest Review Sheet  (BACK PAGE)

What stage or value is at risk: Spawning; Incubation; Rearing; Passage; Habitat Value

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)] Yes or no, which conditions are recommended? (Try to select those from the menu) 657 - Totalizing Flow Meter, Water Management & Conservation Plan

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:

X Approval with fishery conditions See #3 Above

___ Approval without fishery conditions

___ Denial

ODFW Representative(s)

Name: _____ Date: _____

Name: David Cufes Date: 12/10/97 (M:\div.33\odfw chk lst i modified.6-25...

Fish District: Lower Rogue/South Coast

WAB # _____

Application # 6-14016Applicant Name Nesika Beach

Date: March 26, 1996

AREA

☐ Source Watershed☐ Senior instream water right application to junior out-of-stream application☐ No water availability information

INFORMATION/CONDITIONS

1. Are there water quality concerns related to salmon/steelhead/trout? Y (N)Should the application be denied? Y NShould the application be restricted? Y N

Jan	Feb	Mar	Apr	May	Jun 1-15	June 16-30	Jul	Aug	Sep 1-15	Sep 16-30	Oct	Nov	Dec

2. Are there adequate flows to protect salmon/steelhead/trout? Y (N)Should the application be denied? Y NShould the application be restricted? Y N☒ Based on water availability

Jan	Feb	Mar	Apr	May	Jun 1-15	June 16-30	Jul	Aug	Sep 1-15	Sep 16-30	Oct	Nov	Dec

3. Domestic

Should domestic use be conditioned to human consumption? Y N ☐ Based on water availability

4. Fish Screening and Passage

- ___ A. Requires fish screening and passage, with ODFW certification (applications > 0.5 cfs).
___ B. Requires fish screening and passage, without ODFW certification (applications < 0.5 cfs).
___ C. No dam or obstruction without a fishway.

5. Miscellaneous

- ___ A. Reservoir Filling _____
___ B. Water Quality Permits _____
___ C. Return Flow _____
___ D. Time Limited Water Right _____
___ E. Other _____

6. Measurement and Reporting

- ___ A. Small diversions (<0.1 cfs or <9.2 ac/ft. may/may)
___ B. Medium diversions (0.1 cfs or >9.2 and <1.5 cfs or <100 ac/ft. shall/may)
___ C. Large diversions (1.5 cfs or >100 ac/ft. shall/shall)

FINDINGS

☐ Permit is proposed for denial prior to interagency team review for fishery concerns.☐ Deny permit due to fishery concerns, except for

- ___ A. Domestic (which may be limited to human consumption, see above)
___ B. Livestock
___ C. Unless water is from storage

☐ Do not condition further due to fishery concerns.☒ Condition permit due to fishery concerns listed above.

PFO CHECKLIST

Application #: _____

Basin: 15 - ROGUE

WAB: ~~010000~~ 010000

County Curry

Township 36S

Range 14W

Section 9

1/4 1/4

- ☒ 1. Is the file complete by the Minimum Requirements Checklist? Y/N Need MAP well location
- ☒ 2. Shortcomings (items needed before a permit and/or FO can be issued) Y/N MAP well loc.
- ☒ 3. Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
- ☒ 4. Groundwater Review A B C D River/Stream Name Rogue R. Conditions TB
 - ☒ a. Groundwater Availability A B C
 - ☒ b. Is second groundwater review necessary? (comments) Y/N (N)
 - ☒ c. Is HB 1033 review complete? Y/N (N)
- ☒ 5. If source is groundwater, is the well located in a groundwater limited area? (If applicable, include map with POF) Y/N (N)
- ☒ 6. Is use from a B.O.R. project? Y/N (N) Contract in file? Y/N (N) Contract # _____
- ☒ 7. Is the use allowed by the Basin Program? Y/N (N) Limited? Y/N (N) C90 515 007 (1)
- ☒ 8. Water Availability Data OK / REDONE / NA (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
- ☒ 9. Is the source withdrawn or limited by statute or Department withdrawal order? Y/N (N)
- ☒ 10. Is the Proposed Use located in or above a Scenic Waterway? Y/N (N) Below ROGUE
Scenic WLL
- ☒ 11. Division 33: Above Bonn (after July 17, 1992) Y/N/NA
Below Bonn (after April 8, 1994; June 3, 1994) Y/N/NA
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y/N/NA (N)
- ☒ 12. Does the IR identify the Proposed Source as being on the DEQ 303d List? Y/N (N) If so, any comments received? Y/N
Does the IR identify the Proposed Use as being in a Dept of Ag. Water Quality Management Plan Area? Y/N
- ☒ 13. Have conflicts been identified, verified and/or addressed? Y/N N/C
- ☒ 14. Rate _____ Duty _____ Irrigation Season _____
- ☒ 15. Period of Allowed Use YEAR ROUND ALL YEAR
- ☒ 16. Allowed Rate of Use 0.5 cfs
- ☒ 17. Is the use **Small** (≤ 0.1 cfs, ≤ 9.2 AF) **Medium** (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or **Large** (≥ 1.5 cfs, ≥ 100 AF)?
- ☒ 18. Conditions TB, TJ MED M&R'S - FUJI
Management Plan
- ☒ 19. IR Public Notice Date 11-25-97
- ☒ 21. Final Report Checklist
 - ☒ Documents used in determination are attached to this checklist and highlighted
 - ☒ Fill out PFO CC List (don't forget to check for other property owners)
 - ☒ a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y/N
 - ☒ b. Check to make sure that the Watermaster Dist. listed on the CC list and the draft permit is correct
 - ☒ Spell Check
 - ☒ Check for Accuracy
 - ☒ Final PFO report hard copy check (format, margins, etc.)
 - ☒ Final PFO has been saved to m:\groups\wr\pfo\done\week#\application #

Name: Dallas Miller

Date: 1 5 97

IR CHECKLIST

Application #: 5 14016

Basin: 15 ROXOE - 50 - COAST Lower Rogue

WAB: 010000 POU-WAB

County DEW Township 36S Range 14W Section 9 1/4 1/4 POD SESE

1. Complete by Minimum Requirements checklist. Y / N Items still required: _____
2. Indicators that the process should not continue (ie - items missing, letter to file indicating hold, or other) Y / N
3. Groundwater review A B C D River/Stream Name Rogue R. Conditions 7B
Water Availability A B C
a. Is the well located in a groundwater limited area? Y / N Name _____
4. Within or Above a Scenic Waterway Y / N conditions/restrictions Y / N 7J
5. Allowed under Basin Program Y/N Limitations? Y / N 190-515-007
6. Withdrawn? Y / N season allowed _____
7. Basin Maps have been checked Y / N
8. Water Availability (50% < July 17, 1992 ** 80% [90% storage] > July 17, 1992) NA ok add back SWW from 1993 below -> lobster ok
9. Use QUASI-MIN Period of Allowed Use 1990-90
10. For Irrigation: Rate _____ Duty _____ Season _____
11. Allowable Rate of Use: 0.50 cfs
12. Priority Date(s) 3-29-95
13. B.O.R. project Y / N contract # _____
14. Subject to Division 33 (Above Bonn after July 17, 1992; Below Bonn after April 8, 1994 or June 3, 1994; or Statewide in shaded areas on t=T, E, & S Map - After June 3, 1994) Y / N / NA
15. Conflicts Y / N QUASI-MIN - NO
16. Conditions? (BOR, GW, other) Y / N Refer to Bill Fyfe Memo.
17. Land use approval OK'd needs approval county notified NA
18. Watermaster Dist: (1 2 16 18 - NWR) (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 15 19 - SWR)
19. Letter will be Good Limited Bad Bad w/IRshort because _____

CC: (WRE BRYAN FLAVIN)

Name: [Signature] Date: 10-22-97

save to m:\groups\wr\ir\done\year\month\app#.w51

Don't count
Swifens
↳ lobster.

To: Bob Rice, John Drolett Al Cook, Anita McCloud
From: Bill Fujii <William.H.FUJII@wrд.state.or.us>
Subject: Nesika Beach Water District G 14016
Cc: Charlotte Haynes, Patrick Lee
Bcc:
Attached:

I have reviewed the Nesicka Beach Water District application, because of the small size, unclear rate of growth and the unknown potential impacts to fish habitat of this application it is not clear that a Division 86 water management and conservation plan should be required. After consultation with the Region Manager, we have determined that the applicant should be advised that there "may" be a requirement for a Water Management and Conservation Plan under OAR 690 Division 86.

This is especially important because of the Department's on going role in the Salmon Recovery Plan. If at the time of the development of the PFO any of the State Agencies or Region Staff request such a plan - RMD would not object.

I have printed a copy of this "E-mail" for the file.

(b) (A) To support aquatic life and minimize pollution, in accordance with Section 3, Chapter 796, Oregon Laws 1983, no appropriations of water shall be made or granted by any state agency or public corporation of the state, for the waters of the following Illinois River tributaries listed in Table 5, Section B when flows are below the specified levels. This limitation shall not apply to:

(i) Domestic and livestock use. Domestic use does not include irrigation of lawns and gardens.

(ii) Water legally stored or released from storage subject to provisions of Section A 5.

(B) Attainment of the specified flow levels during some portion of the year will require development of water storage or implementation of other measures to augment flows.

(4) Water Quality

Rights to use of water for industrial, power development, or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with recreational, fish life, or other beneficial uses of water.

(5) Existing Rights

This program does not modify, set aside or alter any existing right to use water or the priority of such use established under existing laws.

690-515-007 Lower Rogue Basin

(1) Classifications

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Lower Rogue River Basin and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, agricultural use, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the Lower Rogue River Basin are hereby so classified with the following exceptions:

(A) The maximum economic development of this state, the attainment of the highest and best use of the waters within the Rogue River Scenic Waterway from the confluence with Applegate River near river mile 95 to Lobster Creek Bridge near river mile 11 and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, and irrigation of one-half acre noncommercial garden, and instream use for recreation, wildlife and fish life uses and the aforementioned waters of the Rogue River Scenic Waterway are hereby so classified.

(B) Those waters on which further development is restricted by ORS 538.270 and 542.210.

(C) To protect, maintain and perpetuate anadromous fish habitat and propagation within the Lower Rogue Basin, the waters of the following stream reaches of tributaries to the Rogue River shall not be diverted, interrupted or appropriated for hydropower development purposes:

(i) Lobster Creek from the confluence of the North and South Forks of Lobster Creek, downstream to the mouth.

(ii) North Fork Lobster Creek from the intersection with the east line of Section 15, Township 34 South, Range 13 West, Willamette Meridian, downstream to the mouth.

(iii) South Fork Lobster Creek from the intersection with the east line of Section 30, Township 34 South, Range 12 West, Willamette Meridian, downstream to the mouth.

(iv) Shasta Costa Creek from the intersection with the east line of Section 35, Township 34 South, Range 11 West, Willamette Meridian, downstream to the mouth.

(v) Foster Creek from the intersection with the west line of Section 12, Township 34 South, Range 12 West, Willamette Meridian, downstream to the mouth.

(vi) Quosatana Creek from the intersection with the projected south line of Section 23, Township 36 South, Range 13 West, Willamette Meridian, downstream to the mouth.

(vii) Jim Hunt Creek from the intersection with the south line of Section 14, Township 36 South, Range 14 West, Willamette Meridian, downstream to the mouth.

(viii) Mule Creek from the intersection with the east line of Section 26, Township 32 South, Range 10 West, Willamette Meridian, downstream to the mouth.

(b) Applications for the use of the waters of the Lower Rogue River Basin shall not be accepted by any state agency for any other purpose than those specified in Section A and the granting of applications for such other purposes is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated, coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications, are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

DETAILED REPORT ON WATER AVAILABILITY

Basin: ROGUE

Stream: ROGUE R @ mouth

Water Availability Subbasin: 0100000000000000

ID Number:

266

Exceedance Level: 80

Time: 14:57

Date: 10/22/1997

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Net Min. Flow 1/1/93	CU + Stor After 1/1/93	Net Min. Flow Now	Instream Water Rights	Net Water Available
1	6870.00	617.00	6250.00	1.17	6250.00	3500.00	2750.00
2	10300.00	1850.00	8450.00	1.83	8450.00	3500.00	4950.00
3	9300.00	1410.00	7890.00	1.35	7890.00	3500.00	4390.00
4	7670.00	989.00	6680.00	7.87	6670.00	3500.00	3170.00
5	6060.00	223.00	5840.00	6.99	5830.00	3000.00	2830.00
6	3420.00	422.00	3000.00	4.34	2996.00	2700.00	296.00
7	2080.00	504.00	1580.00	5.05	1575.00	2000.00	-425.00
8	1650.00	453.00	1200.00	4.02	1196.00	2400.00	-1204.00
9	1580.00	370.00	1210.00	2.61	1207.00	2400.00	-1193.00
10	1920.00	117.00	1800.00	0.71	1799.00	1600.00	199.00
11	2740.00	159.00	2580.00	0.23	2580.00	3500.00	-920.00
12	5750.00	255.00	5490.00	0.65	5490.00	3500.00	1990.00
Stor	5690000	511000	5180000	2200	5180000	2100000	3180000

DETAILED REPORT OF ISWRs

Basin: ROGUE

Stream: ROGUE R @ mouth

Water Availability Subbasin: 0100000000000000

Time: 14:57

Date: 10/22/1997

ISWRs							
APP # :	-91503D	266A	0	0	0	0	RESULTANT
STATUS:	Scenic WW	Cert.					
1	3500.00	935.00	0.00	0.00	0.00	0.00	3500.00X
2	3500.00	935.00	0.00	0.00	0.00	0.00	3500.00X
3	3500.00	935.00	0.00	0.00	0.00	0.00	3500.00X
4	3500.00	935.00	0.00	0.00	0.00	0.00	3500.00X
5	3000.00	935.00	0.00	0.00	0.00	0.00	3000.00X
6	2700.00	935.00	0.00	0.00	0.00	0.00	2700.00X
7	2000.00	935.00	0.00	0.00	0.00	0.00	2000.00X
8	2400.00	935.00	0.00	0.00	0.00	0.00	2400.00X
9	2400.00	935.00	0.00	0.00	0.00	0.00	2400.00X
10	1600.00	935.00	0.00	0.00	0.00	0.00	1600.00X
11	3500.00	935.00	0.00	0.00	0.00	0.00	3500.00X
12	3500.00	935.00	0.00	0.00	0.00	0.00	3500.00X

Add
Back
7 Webster

Do not consider SWW
This below Scenic WW

And there is W.A. above the 935 cfs ISWR

DSM

WATER AVAILABILITY TABLE

Basin: ROGUE

Exceedance Level: 80

Water Availability Subbasin: 0100000000000000 (and Nested Subbasins)

Time: 14:57

Date: 10/22/1997

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	NO	NO	NO	YES	NO	YES	YES

STREAM NAMES

Basin: ROGUE

Water Availability Subbasin: 0100000000000000 (and Nested Subbasins)

Time: 14:57

Date: 10/22/1997

WAB #	Stream Name	Tributary to
0100000000000000	ROGUE R @ mouth	PACIFIC OCEAN

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0100000000000000

Basin: ROGUE

Exceedance Level: 80

Time: 14:57

Date: 10/22/1997

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	0100000000000000	ROGUE R @ mouth	YES	2750.0
2	0100000000000000	ROGUE R @ mouth	YES	4950.0
3	0100000000000000	ROGUE R @ mouth	YES	4390.0
4	0100000000000000	ROGUE R @ mouth	YES	3170.0
5	0100000000000000	ROGUE R @ mouth	YES	2830.0
6	0100000000000000	ROGUE R @ mouth	YES	296.0
7	0100000000000000	ROGUE R @ mouth	NO	-425.0
8	0100000000000000	ROGUE R @ mouth	NO	-1204.0
9	0100000000000000	ROGUE R @ mouth	NO	-1193.0
10	0100000000000000	ROGUE R @ mouth	YES	199.0
11	0100000000000000	ROGUE R @ mouth	NO	-920.0
12	0100000000000000	ROGUE R @ mouth	YES	1990.0
Stor	0100000000000000	ROGUE R @ mouth	YES	3180000.0

New App #	Acres	Use	Prim/Supp	Existing App #	PERMIT	CEV #	Status	Use	Acres	Prim/Supp
G 14015	0.00	OM	P							
35.00S14.00W 8		NESW	Conflicts:	S 39691	S 29482	35855	V	IR	3.000	P
G 14015	0.00	OM	P							
35.00S14.00W 8		NWSE	Conflicts:	S 39691	S 29482	35855	V	IR	17.400	P
G 14015	0.00	OM	P							
35.00S14.00W 8		SENE	Conflicts:	S 39691	S 29482	35855	V	IR	2.200	P
				S 39765	S 29535	35533	V	IR	19.700	P
G 14015	0.00	OM	P							
35.00S14.00W 8		SESW	Conflicts:	S 29259	S 23078	25452	V	IR	0.300	P
G 14015	0.00	OM	P							
35.00S14.00W 8		SWNE	Conflicts:	S 39691	S 29482	35855	V	IR	4.000	P
G 14015	0.00	OM	P							
35.00S14.00W17		NENW	Conflicts:	S 29259	S 23078	25452	V	IR	0.400	P
G 14015	0.00	OM	P							
35.00S14.00W17		NWNW	Conflicts:	S 29259	S 23078	25452	V	IR	0.100	P
G 14015	0.00	OM	P							
35.00S14.00W17		NWSW	Conflicts:	R 75943	R 101746	73743	V	PW	0.000	P
				S 57753	S 43500	55029	V	IR	3.000	P
G 14015	0.00	OM	P							
35.00S14.00W17		SWSW	Conflicts:	S 59812	S 44650	55035	V	IR	7.000	P
G 14015	0.00	OM	P							
35.00S14.00W19		NESW	Conflicts:	S 59558	S 50230	57290	V	IR	3.000	P
G 14015	0.00	OM	P							
35.00S14.00W20		NWNW	Conflicts:	S 49855	S 35058	42387	V	IR	0.000	P
G 14015	0.00	OM	P							
35.00S14.00W20		SWNW	Conflicts:	S 48065	S 35058	42387	V	IR	0.000	P
G 14015	0.00	OM	P							
35.00S14.00W30		SWNE	Conflicts:	S 55482	S 41805	54009	V	IR	0.000	P
G 14015	0.00	OM	P							
35.00S14.00W 5		SWSW	Conflicts:	S 55274	S 47903	55213	V	IR	0.000	P
G 14015	0.00	OM	P							

35.00514.00W 8	NeNW	Conflicts:	S	54500	S	47479	55431	C	OM	0.000	P
Q	14016	0 00	OM	P							
35.00514.00W 9	NeSW	Conflicts:	S	50754	S	52534	0	Y	IR	0.500	P
Q	14016	0 00	OM	P							
36.00515.00W12	SASB	Conflicts:	S	50345	S	45597	0	C	AN	0.000	P

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-14016

Applicant: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT

County: CURRY

Watermaster: District 19

Priority Date: March 29, 1995

Source: A WELL IN ROGUE RIVER BASIN

Use: QUASI-MUNICIPAL

Quantity: 0.5 CUBIC FOOT PER SECOND

Basin Name & Number: South Coast, #17

Stream Index Reference: Volume 3 EUCHRE CR & MISC

Point of Diversion Location: SESE, SECTION 9, T35S, R14W, W.M.; 512 FEET NORTH
& 2538 FEET EAST FROM SW CORNER, SECTION 9

Place of Use: %%NWNE %%SWNE %%SENE %%NESW %%SESW %%NWSE
%%SWSE @@SECTION 8 %%NENW %%NWNW %%SWNW %%SENW
%%NWSW %%SWSW @@SECTION 17 %%NENE %%NESE %%SWSE %%SESE
@@SECTION 19 %%NWNW %%SWNW %%NWSW %%SWSW @@SECTION 20
%%NENE %%NWNE %%SWNE %%SENE %%NESW %%NWSE %%SWSE
@@SECTION 30 35 S 35 SOUTH, RANGE 14 WEST, W.M. %%NESW %%SWSW

%%NWSE @@SECTION 5 %%NWNW %%SWNW %%NWSW %%SWSW
@@SECTION 6 %%NWNW @@SECTION 7 %%NENE %%NWNE %%SWNE
%%SENE %%NENW %%NESE %%NWSE @@SECTION 8 %%SWNW %%SENW
%%NESW %%NWSW %%NESE %%NWSE @@SECTION 9 35 S 36 SOUTH, RANGE
14 WEST, W.M. %%NENE %%NWNE %%SWNE %%SENE %%NESE %%SESE
@@SECTION 12 35 S 36 SOUTH, RANGE 15 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Tuesday, November 25, 1997

PUBLIC NOTICE DATE: Tuesday, December 2, 1997

30 DAY COMMENT DEADLINE DATE: Thursday, January 1, 1998

Minimum Flows / Instream Water Rights

in the County of CURR
A right to use the waters of ROGUE R > PACIFIC OCEAN
in basin 15
for the purpose of SUPPORTING AQUATIC LIFE AND MINIMIZING POLLUTION

for flows IN ROGUE RIVER AND ITS TRIBUTARIES ABOVE ITS MOUTH (SEC. 30,
T 36S, R 15W, WM).

The date of priority is 2/24/1966

Oct 1 935.0 cfs

Conditions:

This instream water right shall not affect domestic or livestock
uses or waters legally stored or legally released from storage

This instream water right shall not affect rights to appropriate
water from the main stem Rogue River, for the irrigation of one
acre or less, with priority dates earlier than June 19, 1984.

The flows listed above include flows established by earlier
dated instream water rights

Comments: EPD

Basin ROGUE R MISC
Certificate: 59848

Vol 1A Dist 19
Application: MF 266

	MIN FLOW	MINUS	ISWR	+ SWW	- ISWR	NET
1)	6250	-	3500	3500	935	2750
2)	8450		3500	3500	935	4450
3)	7890		3500	3500	935	4390
4)	6670		3500	3500	935	3170
5)	5830		3000	3000	935	2830
6)	2996		2700	2700	935	296
7)	1575		2000	2000	935	-425
8)	1196		2400	2400	935	-1204
9)	1207		2400	2400	935	-1193
10)	1799		1600	1600	935	199
11)	2580		3500	3500	935	-920
12)	5490		3500	3500	935	1990

			<u>NET</u>
2750	+ 3500	= (6250 - 935)	5315
4450	+ 3500	(8450 - 935)	7515
4390	+ 3500	(7890 - 935)	6955
3170	+ 3500	(6670 - 935)	5735
2830	+ 3000	(5830 - 935)	4895
296	+ 2700	(2996 - 935)	2061
-425	+ 2000	(1575 - 935)	640
-1204	+ 2400	(1196 - 935)	261
-1193	+ 2400	(1207 - 935)	272
199	+ 1600	(1799 - 935)	864
-920	+ 3500	(2580 - 935)	1645
1990	+ 3500	(5490 - 935)	4555

Mailing List for IR Copies

Application #G-14016

IR Date: November 11, 1997

Original mailed to:

Applicant: NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT, 32892 NESIKA RD, GOLD BEACH, OREGON 97444

Copies sent to:

1. WRD - File # G-14016
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 19
4. WRD - Regional Manager (not Bob Main):SWR
5. ODFW District Biologist: (CURRY County)TODD CONFER
6. DEQ (Portland): Deb Sturdevandt

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

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

ID# AMM

COPYMTR

Copies Mailed	
By: <u>Coke</u>	(SUPPORT STAFF)
on: <u>11/7/97</u>	(DATE)

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGONApplication No. G-14016State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Groundwater

Applicant(s) Nesika Beach Water Dist / Ophir Water Dist

(Please print or type - use dark ink)

Mailing Address: 32892 Nesika RoadGold Beach
CityOregon
State97444
Zip247-2614
Daytime Phone No.

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

1. THE DEVELOPMENT (number of wells, tile lines, infiltration galleries, etc.):
one infiltration gallery within the floodway of
the Rogue River

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: _____

Elevation difference between streambed and development: _____

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: 12"/8' stainless screen Depth in feet: 45'Type and size of well casing: 12" steel No. of feet: _____Estimated depth to water: 32'-35'Type of access port or measuring device: bolted flange

Wells to be drilled by: _____

Address: _____

If the water well is flowing artesian, describe your water control and conservation works: _____

N/A

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: 0.5 cubic feet per second, OR _____ gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: _____

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON3. INTENDED USE(s) OF WATER: Quasi-Municipal

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.)

626 current services / projected growth is expected to double next 10 years / see "exhibit A" for current and projected service areas.

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).

see "exhibit B"

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin _____

Proposed date construction work will be completed _____

Proposed date water use will be completed _____

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.

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

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? no. 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.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS: application is for Quasi-Municipal use

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:

Signature

Date

Signature

Date

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

Signature of Co-Applicant, if any

Date

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

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 _____ Oregon, on the _____ day of _____, 19____, at _____ o'clock, _____ M.

APPLICATION NO: _____



Application No. 6-14016
Permit No.
Oregon Water Resources Department

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

FORM M

FOR MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).
An acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: NESIKA BEACH WATER DISTRICT

Name and size of area to be served: _____
(in square miles)

Present population of service area: 620 SERVICE HOOKUPS (1980±)
(Cite source and year.)

Projected population in 20 years: 4000
(For example: "20,595 Based upon 1995 Portland State University projections." Contact county planning staff, if needed.)

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:
<u>4/18/1967</u>	<u>ROGUE RIVER</u>	<u>0.20 CFS</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Water Use

Average yearly demand: 48,000,000 AFY Year: 1995-96

Per-capita daily consumption (in gallons): 110
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 6-1 to 9-30 Total peak season demand: 23,000,000 Acre-feet
gals.

Peak season per-capita consumption: 19,150 gals.
(Divide total peak season demand by population)

Annual amount of water:

produced: 48,000,000
(diverted or pumped)

delivered: 48,000,000

Is your system fully metered? ☒ Yes ☐ No

Describe your rate structure: \$15.00 per mo. for 21000 gals. then \$1.30 per thousand.
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

Request for Water

A. Discuss the reason(s) for your request for additional water

(e.g. loss of current supply, peak demand, growth, or other): growth

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) 2050

C. Briefly discuss operation of water system and the most constraining component of the system:

D. Percentage of water use by type:

Residential: 100%

Commercial: _____

Public Authority: _____

Agricultural: _____

Unaccounted for use: _____

Industrial: _____

Other(specify use): _____

E. List cost to implement proposed request.

Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

F. How and by how much will your proposed water use efficiency programs increase efficiency?

(Express as a percentage of per-capita consumption.)

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

7/15/1997

*** OREGON WATER RESOURCES DEPARTMENT ***

Select by application G 14016

Name:	County	: CURRY	Application: G	14016
NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT	Status	: NON-CANCELLED	Permit	: 0
32892 NESIKA RD	Certificate type:		Certificate:	0
GOLD BEACH, OR 97444	Certificate date:	3/29/1995	Supercedes certificate:	

Related documents: APP-G3788, PERMIT-G3571, CERT 37549

Remarks :

Sources : A WELL IN ROGUE RIVER BASIN

Purposes: QUASI-MUNICIPAL.

Rates : 0.5 CUBIC FOOT PER SECOND

Priority:

Application No. G-14016
Permit No.

Source	Use	P/S	Priority	Quantity	Location	LOT/DLC	Status
A WELL > ROGUE R	QM	P	3/29/1995	0.5000CFS	35 S 14 W 9 SESE		V

Legal description: 512 FEET NORTH & 2538 FEET EAST FROM SW CORNER, SECTION 9

Points of appropriations:	Use	P/S	Location	DLC/LOT	Acres	Status
=====						
	QM	P	35 S 14 W 8 NWNE			V
	QM	P	35 S 14 W 8 SWNE			V
	QM	P	35 S 14 W 8 SENE			V
	QM	P	35 S 14 W 8 NESW			V
	QM	P	35 S 14 W 8 SESW			V
	QM	P	35 S 14 W 8 NWSE			V
	QM	P	35 S 14 W 8 SWSE			V
	QM	P	35 S 14 W 17 NENW			V
	QM	P	35 S 14 W 17 NWNW			V
	QM	P	35 S 14 W 17 SWNW			V
	QM	P	35 S 14 W 17 SENW			V
	QM	P	35 S 14 W 17 NWSW			V
	QM	P	35 S 14 W 17 SWSW			V
	QM	P	35 S 14 W 19 NENE			V
	QM	P	35 S 14 W 19 NESE			V
	QM	P	35 S 14 W 19 SWSE			V
	QM	P	35 S 14 W 19 SESE			V

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Use	P/S	Location	DLC/LOT	Acres	Status	
QM	P	35 S 14 W 20 NWNW			V	
QM	P	35 S 14 W 20 SWNW			V	
QM	P	35 S 14 W 20 NWSW			V	
QM	P	35 S 14 W 20 SWSW			V	
QM	P	35 S 14 W 30 NENE			V	
QM	P	35 S 14 W 30 NWNE			V	
QM	P	35 S 14 W 30 SWNE			V	
QM	P	35 S 14 W 30 SENW			V	
QM	P	35 S 14 W 30 NESW			V	
QM	P	35 S 14 W 30 NWSE			V	
QM	P	35 S 14 W 30 SWSE			V	
QM	P	36 S 14 W 5 NESW			V	
QM	P	36 S 14 W 5 SWSW			V	
V Continuing: G 14016						
Points of appropriations:	Use	P/S	Location	DLC/LOT	Acres	Status
=====						
	QM	P	36 S 14 W 5 NWSE			V
	QM	P	36 S 14 W 6 NWNW			V
	QM	P	36 S 14 W 6 SWNW			V
	QM	P	36 S 14 W 6 NWSW			V
	QM	P	36 S 14 W 6 SWSW			V
	QM	P	36 S 14 W 7 NWNW			V
	QM	P	36 S 14 W 8 NENE			V
	QM	P	36 S 14 W 8 NWNE			V
	QM	P	36 S 14 W 8 SWNE			V
	QM	P	36 S 14 W 8 SENE			V
	QM	P	36 S 14 W 8 NENW			V
	QM	P	36 S 14 W 8 NESE			V
	QM	P	36 S 14 W 8 NWSE			V
	QM	P	36 S 14 W 9 SWNW			V
	QM	P	36 S 14 W 9 SENW			V
	QM	P	36 S 14 W 9 NESW			V
	QM	P	36 S 14 W 9 NWSW			V
	QM	P	36 S 14 W 9 NESE			V
	QM	P	36 S 14 W 9 NWSE			V
	QM	P	36 S 15 W 12 NENE			V
	QM	P	36 S 15 W 12 NWNE			V
	QM	P	36 S 15 W 12 SWNE			V
	QM	P	36 S 15 W 12 SENE			V
	QM	P	36 S 15 W 12 NESE			V
	QM	P	36 S 15 W 12 SESE			V

Application No. G14014
Permit No.

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Nesika Beach Water District

Nesika Beach Water District is a "Community water system" located north of the City of Gold Beach. The District obtains water in the Rogue River drainage basin and services connections north of the Rogue River. Portions of the system are also located in the Nesika Beach area and north along Highway 101 toward Ophir.

Water for Nesika Beach is obtained from a well that is 40 feet deep and located on the north bank of the Rogue River approximately 400 feet upstream from Squaw Creek. The well head is located in a gravel bar on the Rogue River. The pump house is approximately 200 feet away from the well, next to the county roadway. A 30 HP turbine pump with a pump rate of 245 gpm is used to convey water from the well and into the distribution line. There are approximately 15 miles of waterline in the Nesika Beach system, water line sizes range from 8 inch to 2 inch. Water storage facilities consist of three storage tanks; there is a 32,000 gallon tank located in the Indian Hills region, a 200,000 gallon tank in the Ophir area, and another 200,000 gallon tank in the vicinity of Nesika Beach. Water usage is monitored by a master meter at the well.

Nesika Beach Water District has a total of 637 connections; currently, 449 of these connections are active and 188 are dormant or in-active. Nesika Beach W.D. recognizes four commercial or multi-use accounts; these are: Nesika Beach Rest Area, Honey Bear RV Park (65 spaces), Nesika Beach RV Park (30 spaces), and Rogue River RV Park (unknown number of spaces). The resident population in Nesika Beach W. D. has been estimated at between 1,000 and 1,200 people. Based on master meter readings provided by District personnel, current and predicted water usage are as follows:

	1996 Estimate	2016 Predicted
Average day demand (gpd)	131,454	180,572
Max. Month Demand (gpd)	211,175	290,079
Maximum Day Demand (gpd)	328,750	451,585
Annual Growth in Usage		1.60%

Water rights consist of 0.2 cfs from a well described as a tributary to the Rogue River.

The District is aware of the need for additional water rights. A water purchase agreement with the City of Gold Beach should be considered in lieu of additional water rights.

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

NESIKA BEACH WATER DISTRICT

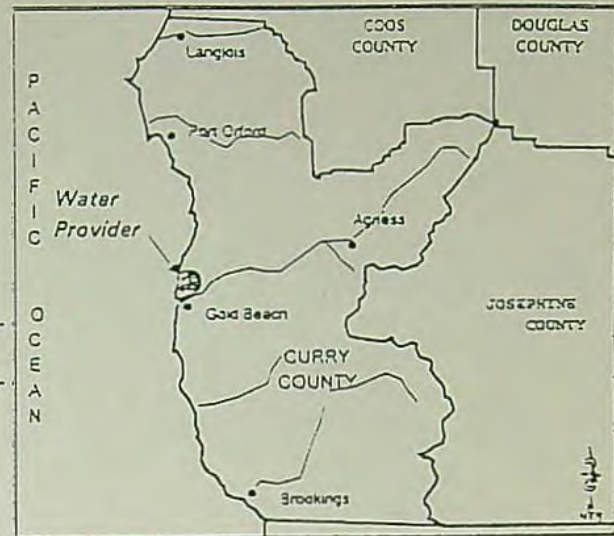
PROVIDER:

Nesika Beach Water District
District Manager
32892 Nesika Road
Gold Beach, OR 97444
(541) 247-2614
Mr. Leon Lynch

BASIN

Rogue River

LOCATION MAP



TYPE OF SYSTEM:

Small Community

POPULATION DATA:

	1996	2006	2016
Population	1,073	1,263	1,481
Res. EDUs	449	526	617
Ave. Household	2.40	2.40	2.40
Total EDUs	544	638	747
Equivalent Population	1,306	1,531	1,794
Population Growth Rate*	1.60%		

*Source

County Comp. Plan

WATER DEMANDS:

	1996	2006	2016
Average Day Demand, gpd	131,454	154,068	180,572
Per Capita	101		
Max. Month Demand, gpd	211,175	247,502	290,079
Per Capita	162		
Max Day Demand, gpd	328,750	385,303	451,585
Per Capita	252		

SOURCE(S):

	WRD ID #	Priority	Rate, cfs
Well	37549	c 4/18/67	0.20

NESIKA BEACH WATER DISTRICT

— MOO, cfs
— CURRENT WATER RIGHT



Total Water Right in Current Use

0.20

INSTREAM WATER RIGHTS, (cfs)

Name	July	Aug.	Sept.
Rogue River	735.00	735.00	735.00

Certificate No.

Priority Date 5/22/59 2/24/66

DESCRIPTION OF SOURCE(S):

Name	Type	WRD - Use	Owner Use	Township-	Range-	Section	Comments
Well	Water Well	DO	CM	36 S	14 W	9 SESE	less than demands

Remarks:

Source is less than current demands.
Well head inaccessible during flooding.
Provider does not distinguish commercial accounts from residential accounts
Back-up power for supply may not be available
Could purchase water from City of Gold Beach as alternate or augmented supply source

9-29-96
by number

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. C-14016
Permit No.

1010	Merz, John	32500 Highway 101
1020	Anderson, Darlene	32502 Highway 101
1030	Fickes, Miles	32504 Highway 101
1040	& Rec. Division, Oregon Parks	Geisel Monument
1042	Figueredo, J.	Nesika Rd. (Woodland Subdivision)
1043	Koenig, Johan	32699 Nesika Rd.
1050	Freid, Victor	32696 Nesika Road
1060	Archambault, Alcyon	32762 Nesika Road
1062	Githens, M.R.	Nesika Road
1064	Brayer, Herbert	
1066	Cooper, Robert	
1070	Williams, Karen	94461 Gun Club Road
1075	Boge, Joyce & Ann	94455 Gun Club Road
1080	Tilbury, David	94435 Gun Club Road
1081	Tilbury, David	
1082	Flatebo, Torlieve	????
1083	Carpenter, Dorothy	32800 Kilgore Road
1088	Huth, Clinton	
1089	Huth, Clinton	
1090	Huth, Clinton	94442 B Street
1100	Escover, Manuel	94449 B Street
1110	Blackwell, William	94460 B Street
1120	Tanguay, Laurie	94461 B Street
1130	Marino, James	94470 B Street
1140	Marks, Edwin	94469 B Street
1150	Brewster, Robert	94472 A Street
1155	Howard, Mike	94494 Shadow Lane
1156	Terry, J.D.	94523 Shadow Lane
1157	Freeman, Dugie	94534 Shadow Lane
1160	Donnel, H.R.	94531 Shadow Lane
1170	Krieger, Tyson	94541 Shadow Lane
1180	Dishner, W.A.	94553 Shadow Lane
1190	Fox, Fleet	94561 Shadow Lane
1200		94568 Shadow Lane
1205	Waits, Larry	94577 Shadow Lane
1210	Fowler, Lois	94578 Shadow Lane
1220	Aldridge, Thomas	94590 Shadow Lane
1230	Johnson, Alice	94592 Shadow Lane
1240	Sherman, Bill	
1250	Shawgo, Mrs. Edna	94483 A Street
1260	Wirsing, Robert	94470 A Street
1270	Nelson, Mike	94471 A Street
1280	Slagle, Pattie	94460 A Street
1290	Briggs, Ted R.	94455 A Street
1300	Bambridge, Shirley	94451 A Street
1305	Tilbury, David	
1310	Carpenter, Glenn	94439 A Street
1320	Tilbury, David	94430 A st
1330	O'Brien, Hilda	94429 A Street
1340	Vanina, Rose	94423 A Street
1350		94422 A Street
1360	Hoenie, David	32864 Nesika Road
1370	Read, Jean	North side Rocha access
1380	Short, Kermit	32858 Nesika Road
1390	Nix, Maxine	gas station
1392	High, Heather	32865 Nesika Rd.
1400	Curtis, Willard	94474 Williams St.
1410	Merz, Paul	94454 Willaims St.
1420	Hempt, Frederick	32890 Surfside Dr.

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

1430 Hollis, Betty	32900 Surfside Drive
1440 Blackwell, Martin	32901 Surfside Dr.
1450 Corbin, David	32899 Surfside Dr.
1460 Moore, Tommy	32903 Andy St.
1470 Engdahl, Norris	32922 Andy St.
1480 Scott, Juli	32915 Andy St.
1490 Kruse, Laurie	32937 Andy St.
1500 Hail, David	32930 Andy St.
1510 Body Shop, Barton's	32918 Nesika Rd.
1520 Kistemaker, Marie	Chandler Rd.
1525 Logsdon, George	Chandler Rd.
1530 Davies, Jean	RV Park-Chandler Rd.
1540 Wilks, Gerald	94531 Chandler Rd.
1550 Repp, Van	94548 Chandler Rd.
1560 Foster, Jodie	94539 Chandler Rd.
1570 Johnson, Merland	94552 Chandler Rd.
1580 Steak, Charles	94558 Chandler Rd.
1590 Barrow, Katherine	94566 Chandler Rd.
1600 Flowers, Joyce	94572 Chandler Rd.
1610 Turner, William	94549 Chandler Rd.
1620 Starkweather, Paul	94561 Chandler Rd.
1630 Adams, Ben	94569 Chandler Rd.
1640 Reaser, Rose	94576 Chandler Road
1650 Couture, Jeanette	94582 Chandler Rd.
1660 Beyerlin, Robert	94575 Chandler Rd.
1662 Sevey, John	
1664 Collins, Larry	
1670 Jones, G. & M.	32956 Nesika Rd.
1675 Carter, Lee	
1680 Lumpkins, Elsie	32980 Nesika Rd.
1690 Holland, Ralph	32990 Nesika Rd.
1700 Lumpkins, Dempsey	32990 Nesika Rd.
1710 Franks, Bill	33004-22 Nesika Rd.
1715 Glucklich, Ariel	
1720 Arsenault, Ann	Nesika Rd.
1730 Arsenault, Ann G.	33032-44 Nesika Rd.
1740 Sherman Shop	33023 Nesika Rd.
1750 Freid, Victor	33041 Nesika Rd.
1755 Deffebach, Beverly	
1760 Research, Quater	33066 Nesika Rd.
1770 Nelson, Grant	33085 Nesika Road
1780 Raymond, Mark	33113 Nesika Rd.
1790 Sorensen, Shirley	33170 Nesika Rd.
1792 Chase, Rose Mary	331?? Nesika Rd.
1794 Foster, Sharron	old abandoned 101
1800 Vreedendorgh, Ray	33310 Nesika Rd.
1810 Pilgrim, Don	33134 Nesika Rd.
1812 Pilgrim, Don	33132 Nesika Rd.
1814 Dawson, Roy	33136 Nesika Road
1820 Murphy, Gail	33130 Nesika Rd.
1830 Appolonari, Dante	Nesika Rd.
1840 Hurd, Barry	33120 Nesika Rd.
1850 Ginsberg, Kenneth	33112 Nesika Rd.
1860 Heller, Brian	33080 Nesika road
1870 Morris, Robert	94501 Hayden Rd1
1880 Wood, Delores	94500 Hayden Rd.
1885 Darling, Thomas	Hayden Rd.
1886 Newman, Rand	
1890 Palosky, Kenneth	behind N.B.Center near Halyden Rd.

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

1895	Metz, Carolyn	94542	Hayden Rd.
2010	Case, Charles	33055	Nesika Rd.
2020	Heyne, Allen	94589	Grange Rd.
2030	Smith, Carol	94613	Grange Rd.
2040	Knowlton, Elsie	94619	Grange Rd.
2045	Kruse, George	94608	Grange Road
2047	Watkins, Lynn	94625	Grange Road
2050	Vasquez, Lillian	94635	Grange Road
2060	Waits, Joe	94634	Grange Rd.
2070	Vasquez, Lillian	94639	Grange Rd.
2080	McGrath, Nancy	94646	Grange Rd.
2090	Andrews, Mary	94657	Grange Rd.
2095	Ashcraft, Myron	94657	Grange Road
2100	Hanks, Ronald	94670	Grange Rd.
2110	Moore, Jean	94684	Grange Rd.
2120	Sizemore, Gary	94697	Grange Rd.
2130	Colby, Darlene	94677	Grange Rd.
2140	Fendrich, Jerry	33377	Ophir Rd.
2145	Osborne, George	33327	Ophir Rd.
2150	Sampo, Jeff	33303	Ophir Rd.
2160	Hooker, Herbert	33300	Ophir Rd.
2165	Wadlington, E. F.	33278	Ophir Rd.
2170	Ward, James	33277	Ophir Rd.
2180	Bryer, Robert		on access to Ward
2190	Hall, Don	33280	Ophir Rd.
2200	Meszaros, Ria & Mike	33261	Ophir Rd.
2210	Gurney, M. S.	33260	Ophir Road
2220		33241	Ophir Rd.
2230	Meadows, Rory	33205	Ophir Rd.
2240	Goeres, Betty J.	33201	Ophir Rd.
2245	Pierson, Fred		
2250	Sherman, Frank	94733	Hardtack Rd.
2255	Young, Alan		
2257	Smith, Daniel		
2260	Curtin, Bruce	94761	Hardtack Rd.
2270	Sherman, Daniel	94757	Hardtack Rd.
2280	Carter, Donald	33050	Hillside Acres
2290	Bradley, Ronald	94800	Adams Rd.
2300	Brooks, Lois	94787	Adams Rd.
2310	Wilson, Richard	94786	Adams Rd.
2315	Dumat, Peter		
2320	Voshall, Jeff	94761	Adams Rd.
2330	Geninatti, Felix	94747	Adams Rd.
2340	Taubner, Chuck	94746	Adams Rd.
2342	Brooks, David		
2345	Lowell, Delos	Adams Rd.	
2350	Nickell, Kathy	94705	Adams Rd.
2360	Shaffar, Clifford	94706	Adams Rd.
2370	Hutton, Dorothy	94701	Adams Rd.
2380	Community Church, Ocean View	33055	Hillside Acres
2390	Hooker, Terrell	33055	Hillside Acres
2400	Covey, Pamela	33038	Hillside Acres
2405	Mitchell, Charles	33023	Hillside Acres
2410	Smithers, Duane	33021	Hillside Acres
2420	Holzinger, Fred	33019	Hillside Acres
2425	Belzae, Gordon		
2430	Nelson, Linda	32999	Hillside Acres
2440	Taylor, Debra	32964	Hillside Acres
2442	Sauer, B.T.	32962	Hillside Acres

2450 Rucker, Lewis
 2460 Johnson, Kay
 2470 Chanaud, Christopher
 2480 Shane, Roberta
 2485 Ricketts, G.
 2490 Jones, Frank
 2500 Stephens, Richard
 2510 Hoefer, William
 2520 Hochstetler, George
 2530 Dorn, Elaine
 2540 Hobron, Cleo
 2550 Wells, Ruth
 2560 Cogan, Stanley
 2565 Palmer-Hogan, Maureen
 2568 Smothers, Ron
 2570 Ingram, Rod
 2580 Wood, Larry
 2590 Pierson, Ervin
 2600 Barrett, James
 2610 Ronayne, W.P.
 2615 Trueblood, Eldon
 2620 Cox, Wallace
 2625 Stahl, Dean
 2630 Shufelt, Robert
 2640 Vorster, Christopher
 2650 Lamb, Linda
 2660 Kelly, Mrs. C.E.
 2670 Halcomb, Connie
 4000 Thomas, Jerry
 4010 St. Marie, Dale
 4020 Younce, Jon
 4030 Leonhart, Joseph
 4032 Preston, James
 4035 Senke, Hank
 4040 Cramer, Shirley
 4050 Ferrara II, Nicolas
 4060 Snider, Stone
 4070 Kee, Charles
 4080 Sollid, John
 4090 Cox, Robert
 4100 Burke, Bradford
 4110 Pettingill, Michael
 4115 Lukas, Ron
 4117 Stanley, Toby
 4120 Paul, Clayton
 4130 Rouse, Charles
 4140 McGrath, Douglas
 4150 Sutters, Mel
 4160 Halcumb, Kiki
 4170 Rammel, Bob
 4180 Downer, Hugh
 4190 Schoppert, Thomas
 4200 Duncan, Mary
 4205 Long, Donald
 4210 Gale, Lauren
 4215 Walen, Bob
 4220 Amos, Everet
 4230 Brock, Steve
 4240 Faas, Leonard

32953 Hillside Acres
 32950 Hillside Acres
 32954 Hillside Acres
 32952 Hillside Acres
 2929 Hillside Acres Rd.
 32916 Hillside Acres
 94660 Raccoon Lane
 94662 Raccoon Lane
 94664 Raccoon Lane
 94671 Raccoon Lane
 94680 Raccoon Lane
 94679 Raccoon Lane
 Raccoon Lane
 94690 Raccoon Lane
 Hillside Acres Road
 32890 Hillside Acres
 32881 Hillside Acres
 32850 Hillside Acres
 32825 Hillside Acres
 32847 Hillside Acres

 32845 Hillside Acres

 32843 Hillside Acres
 32830 Hillside Acres
 32810 Hillside Acres
 32821 Hillside Acres
 32809 Hillside Acres
 31744 Rumley Hill
 31771 Rumley Hill
 31810 Rumley Hill
 31835 Rumley Hill

 31747 Rumley Hill Rd.
 95774 Timber Hill
 95802 Timber Hill
 95800 Timber Hill
 95782 Timber Hill
 95772 Timber Hill
 95773 Timber Hill
 95810 North Bank Rogue
 95808 North Bank Rogue
 ????? North Bank Rogue
 31721 Pedro Gulch
 31721 Pedro Gulch
 31737 Pedro Gulch
 31713 Pedro Gulch
 31695 Pedro Gulch

 95755 North Bank Rogue
 95748 Quail Mountain
 95737 North Bank Rogue
 95718 North Bank Rogue
 95706 N. Bank Rogue
 95702 North Bank Rogue
 95668 North Bank Rogue
 95664 North Bank Rogue
 95660 N. Bank Rogue
 95650 North Bank Rogue

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

4250 Johnson, Frank	North Bank Rogue
4260 Duvall, C. L.	95620 North Bank Rogue
4265 Mickelson, Richard	Carolyn Lane
4270 Baum, Mel	31690 Carolyn Lane
4275 Keusink, Christopher	31672 Quail Mountain Rd.
4280 Storer, Walter	Quail Mountain
4285 Santee, Gordon	95855 Quail Mountain Rd.
4290 Combs, Garrett	95822 Quail Mountain
4295 Waltz, James	Quail Mountain Rd
4300 Sloan, Owen	95789 Quail Mountain
4310 Carrasco, Valentine	Quail Mountain
4320 Giottonini, Dale	95714 Quail Mountain
4325 Conover, Curtis	95676 Quail Mountain Rd.
4330 Wade, Dennis	95689 Quail Mountain
4332 Johnston, James	
4335 Carey, Jim	31603 Peach Lane
4340 Mallar, Kenneth	95594 N. Bank Rogue
4350 Anderson, Dennis	North Bank Rogue
4360 Vernon, Janet	31641 Peach Lane
4370 Flynn, Don	31675 Peach Lane
4380 Clarno, David	95575 North Bank Rogue
4381 Thomas, Tracy	
4382 Rudder, Farelene	
4385 Androsko, Steve	
4390 Petersen, Erick	95533 North Bank Rogue
4392 Zuber, Bruce	
4400 Webb, Steven	95531 North Bank Rogue
4410 Turner, James Lee	95497 North Bank Rogue
4420 Delzer, Jacob	95499 North Bank Rogue
4430 Warr, Wilford	95511 North Bank Rogue
4440 Schmitt, Mrs. Louis	95495 North Bank Rogue
4450 Wilcox, Chas H.	95465
4460 Wierzba, Joseph	North Bank Rogue
4470 Jorgenson, Elaine	95468 North Bank Rogue
4480 Barke, Barbara	95411 N. Bank Rogue
4500 Barron, Rebecca	95403 North Bank Rogue
4510 Rogers, F.E.	95321 North Bank Rogue
4520 Fendrich, Stanley	95319 North Bank Rogue
4530 Gray, Graydon	95259 North Bank Rogue
4531 Killeen, John	
4533 Roberts, Errol	
4535 Stuart, William	Indian Hills
4540 Andreson, Wilbur	Lot E Indian Hills
4542 Johnson, James R.	none
4545 Paul, Robert	Lot F Indian Hills
4546 Scardami, Donald	
4550 Aspinwall, Peter	Indian Hills
4551 Bowman Jr., Berwyn	97136 N Bank Rogue
4555 Killian, Jerry	95269 North Bank Rogue
4557 Simmons, Peter	Indian Hills
4558 Subdivision, Indian Hills	Master Meter
4559 Richmond, William	Indian Hills
4560 Richmond, Ralph	95261 North Bank Rogue
4570 Jordan, Donna	95224 North Bank Rogue
4580 Park, Rogue River	95194 North Bank Rogue
4590 Hintz, James	94965 North Bank Rogue
4600 Kunz, Ray	95008 North Bank Rogue
4610 Bowen, Alfred	95142 North Bank Rogue
4620 Riikula, Arvo	95144 Marchmont Rd.

RECEIVED

SEP - 8 1997

WATER RESOURCE
SALEM, OREGON

4630 Clark, Graham
4640 Descutner, Clyde
4650 Lister, Nora
4660 Stewart, James
4670 Moore, Ralph
4680 Moxley, Bill
4690 Sheehan, Thomas
4695 Sorber, D.F.
4700 Sorber, James
4710 Nourse, Gary
4715 Johnson, Jim
4718 Moya, Gilbert
4720 Pierce, K.F.
4730 Jenson, W. Donald
4740 Demaris, Donald
4750 Jacobs, Gerald
4760 Schroeder, Walter
4762 Jakacky, Tony
4763 Jakacky, Tony
4764 Jakacky, Tony
4765 Byrd, Phoebe
4770 Bryson, John
4800 Eisner, Lee
4810 Cushing, Susan
4815 Lee, Danny & Pandi
4820 Morsing, Milt
4830 Wade, Walter
4840 Wade, Mozelle
4850 Linck, Donald
4855 Adams, Scott
4900 Giles, Homer
4910 Van Dyke, Richard
4920 Adams, Jack
4930 Adams, Iris
4940 Hensley, Glenn
4945 Engdahl, Jerry
4950 Welch, Larry
4955 Pappas, Anthony
4956 Piper, Billy
4958 Jackson-Merritt, Julie
4960 Power Admin., Bonneville
4970 Johnson, Sue
4980 Eide, Gloria
4985 Greene, Robert
4990 Thomas, William
4992 Knottingham, Frank
4995 Carlson, Andrew
5045 Nash, Lawrence V.
5055 Sallar, Herbert
5060 Smith, Meredith
5065 Ganger, Lowell
5070 Jameson, Al
5075 Bliven, Melvin
5080 Harward, Carl
5085 Craske, Duane
5090 Robinson, Michael
5095 Kammer, Larry
5000 Harper, John
5005 Pacana, Richard

95140 Marchmont Rd.
95175 Marchmont Rd.
95015 North Bank Rogue
95020 North Bank Rogue
95027 North Bank Rogue
95033 North Bank Rogue
95085 North Bank Rogue
95093 North Bank Rogue
95095 North Bank Rogue
95117 N.Bank Rogue
95119 North Bank Rogue

95130 North Bank Rogue
95131 North Bank Rogue
95155 North Bank Rogue
95165 North Bank Rogue
North Bank Rogue across from RR Park
corner of R.R.Heights & N.Bank Rogue
95104 Rogue River Heights

95521 North Bank Rogue
31752 Edson Creek
31780 Edson Creek Rd.
31784 Edson Creek Rd.
Edson Creek Rd.
31811 Edson Creek Road
31869 Edson Creek Rd.
31870 Edson Creek Rd.
31907 Edson Creek Rd.
31909 Edson Cr.Rd.
31905 Edson Creek Rd.
31903 Edson Creek Rd.
32011 Edson Creek Rd.
32101 Edson Creek Rd.
32193 Edson Creek Rd.

32375 Edson Creek Rd.
32381 Edson Creek Rd.

Dump-Edson Creek Rd.
32366 Old Coast Rd.
32334 Old Coast Rd.

32267 Highway 101

31770 Chantrelle Lane
31780 Chantrelle Lane old # 11

old # 13

31850 Chantrelle Lane
31866 Chantrelle Lane

N. CHANTRELLE LANE
N. CHANTRELLE LANE

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

6010	Schmierer, Alan	
6015	Krause, Joseph	
6019	Brousseau, Paul	
6020	Gockel, William	32102 N. Chantrelle Lane
6025	Mayhan, Kenneth	
6029	Manuele, Kenneth	
6033	Moore, Larry	
8010	Conlee, Venita	33397 Ophir Rd.
8015	Arvidson, George	
8017	Augustson, Revana L.	
8018	Augustson, Revana L.	
8019	Hue, Elizabeth	
8020	Belisle, Erma	33562 Ophir Rd.
8030	Walker, Oval	33574 Ophir Rd.
8032	Sonderman, Ronald	33584 Ophir Rd.
8040	London, Jean	33575 Ophir Rd.
8050	English, Lois	33595 Ophir Rd.
8060	Lynch, Albert	33606 Ophir Rd.
8070	Simington, Jack	Ophir Rd.
8080	Morton, William	33620 Ophir Rd.
8090	Morton, William	33630 Ophir Rd.
8095	Timmons, Melvin	
8100	Overstreet, Martha	33616 Ophir Rd.
8101	Augustson, Revana L.	
8102	Augustson, Revana L.	
8103	Augustson, Revana L.	
8104	Augustson, Revana L.	
8105	Augustson, Revana L.	
8106	Augustson, Revana L.	
8110	McLean, George	Ophir Rd.
8115	Wicklender, Grant	Inside fence at S. driveway 33670
8120	McLean, George	Ophir Rd.
8130	Crawford, Forrest	33678 Ophir Rd.
8135	Damas, Henry	
8140	Burch, Henry	33683 Ophir Rd.
8142	Flannery, Russ	33707 Ophir Rd.
8144	Purdy, Douglas	Ophir Rd.
8145	Augustson, Revana	Ophir Road
8146	Kellogg, Kenneth	
8147	, D.E.A.	
8148	, D.E.A.	
8156	Welch, Howard	
8157	Lewis, John	Ophir Rd.
8158	Warburton, John	
8159	Weaver, Mildred	
8160	Beach, Linda	33875 Miller Lane
8161	Lustig, Henry	lot 3 miller lane
8170	Haick, Bob	33877 Miller Lane
8172	VanCamp, James	
8180	Dowden, Loren	33901 Miller Lane
8190	Oliver, B.G.	33917 Miller Lane
8192	Sharp, Steve	Miller Lane
8194	Nettgen, Karl	
8200	Huth, Bill	34012 Ophir Rd.
8210	Huth, Bill	34010 Ophir Rd.
8220	Sparks, R.P.	Greggs Creek Rd.
8255	Furlong, Virginia	
8290	Roberts, Russell	
8295	Kleinschmit, Joe	95169 Gregg's Creek Rd.

8296	Meredith, Earl	
8298	Turnow, Jeff	
8299	Furlong, Virginia	
8300	Wilson, Dan	95171 Greggs Creek Rd. ????
8400	Knight Sr., Roger	34030 Ophir Rd.
8401	Hawkins, Tim	
8402	Hawkins, Thomas	
8403	Theige, Darrell	34035 Ophir Rd.
8405	Collum, Pat	
8407		
8415	Miller, George	Ophir Rd.
8420	Beck, Edward	34094 Ophir Rd.
8430	Dawson, Dustin	34098 Ophir Rd.
8440	Rooth, Judy	34100 Ophir Rd.
8445	Hoy, Scott	
8450	of Transportation, Oregon Dept.	by Honeybear access to beach
8460	Schafer, Robert	Ophir Rd. Honey Bear beach access
8462	Newman, Warren	
8470	Saks, Gerry	
8475	Andrews, Mary	34161 Ophir Rd.
8477	Freeman, Dugie	
8480	Hanks, Abe	34237 Ophir Rd.
8490	Freeman, Dugie	34250 Ophir Rd.
8500	Sizemore, Russell	34271 Ophir Rd.
8505	Olsen, M. R.	
8510	Waller, Sam	34373 Ophir Rd.
8515	Kvaternik, Joseph	
8516	Canady, Joe	
8517	Kopec, Michael	Welsh Drive
8519	Kvaternik, Joseph	
8520	Welsh, John	34443 Ophir Rd.
8530	Colahan, Clanton	34464 Ophir Rd.
8540	Sthen, Don	34477 Ophir Rd.
8550	Hamilton, R. D.	34493 Ophir Rd.
8560	Wimmer, Ruth	34511 Ophir Rd.
8568	Vedder, Paul	
8569	Wilson, Dale	95161 Horizon Dr.
8570	Hertzog, Allen	95162 Horizon Dr.
8571	Hertzog, Alan	
8572	Younce, Jon	
8573	Simpson, Dorothy	
8575	Tice, George	
8576	Bedzyk, William	34518 Mutts Way
8577	Muney, Lyford	34491 Mutts Way
8578	Ransford, Robert	34495 Mutts Way
8579	Von Kuster, Paula C.	
8580	Davenport, Kay	Horizon Dr.
8581	Partridge, Don	
8582	Schelter, Lawrence	
8583	Meadows, Michael	
8585	Johnson, Lawrence	
8587	McLaws, Michael	
8588	Purdy, Richard	
8589	Kaften, Warren	
8591	Timm, Richard	
8592	Davis, Norman	
8593	Thomas, Jo Ann	Ophir Rd. Surf Hills Lot # 400
8595		
8596	Stollger, Ewald	34583 Humbug Lane

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

3597	Gray, Richard	
3610	Moore, Gary	34601 Ophir Rd.
3620	Campbell, Rex	34606 Ophir Road
3622	Heim, Joe	
3630	Rocha, Cruz	34686 Ophir Rd.
3632	Clifton, Harold	
3634	King, Hattie May	
3635	King, Tim	34706 Ophir Rd.
3636	Clifton, Harold	
3639	Dunham, Vern	
3640	Gillespie, John	
3652	Rocha, Cruz	Ophir Rd.
3653	Rocha, Cruz	
3655	Salsbury, John	
3657	Morton, William	
3660	Flower, Joe	34745 Ophir Rd.
3665	Mansavage, Gary	
3670	Will, Gary	34821 Ophir Rd.
3680	Young, Stevin	34823 Ophir Rd.
3685	Hersh, Thomas	
3690	Wells, Ike	34869 Ophir Rd.
3700	Moore, Wilbur	Ophir Rd.
3710	Hunt, Allyson	34902 Ophir Rd.
3720	Moore, Wilbur	34990 Squaw Valley Rd.
3730	Prue, Bobbie	34944 Ophir Rd.
3736	Cronberger, William	
3738	Haynes, Robert	
3740	Buffington, Gloria	95005 Euchre Creek Rd.
3745	Buffington, Charles	
3750	Scott, Maude	35127 Ophir Rd.
3760	Ryan, C.E.	35125 Ophir Rd.
3770	School, Ophir	35095 Ophir Rd.
3780	Puntenney M.D., Dr. Mary	Junc. Coy Creek & Ophir Roads
3785	Herlong, Hal	Coy Creek Rd.
3790	Huang, Al	35418 Highway 101
3795	Holcomb, Michael	
3800	Smith, Geri	35416 Highway 101
2180X	Cox, John	Off Ophir Rd. on access to A/C 435 Ward
4230X	Bland, Cheryl	95660 N. Bank Rogue



Application No. 6140/6
Permit No.

1995

Oregon Water Resources Department
October 1995 through September 1996
Annual Water Use - Monthly Quantities Form

USER-ID 1486

1996



RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Facility					
POD-ID	12887				
October - 1995	3,311,800				
November - 1995	3,105,000				
December - 1995	3,489,200				
January - 1996	2,903,600				
February - 1996	3,355,500				
March - 1996	3,150,600				
April - 1996	1,723,300				
May - 1996	2,900,100				
June - 1996	4,698,500				
July - 1996	5,619,100				
August - 1996	7,382,900				
September - 1996	5,359,500				
TOTAL * G	47,999,100				

* describe the units of measure as G (gallons), CF (cubic feet) or AF (acre-feet); method of measuring the water used; and if for irrigation, describe the number of acres irrigated.

I certify this information is true and accurate to the best of my knowledge.

Signature

manager
Title

Hesika Beach Water Dist.
Reporting Entity

Nov. 12, 1996
Date

Application No. G14016

~~Permit No.~~ Oregon Water Resources Department

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Monthly Quantities Form

Reporting Entity Nesika Beach Water District

User-Id: 1486
(If applicable)

Contact Name Leon Lynch

Address 32892 Nesika Rd.

Water Year 1995

City, State, Zip Gold Beach OR 97444

POD-ID: 12887

(enter the Permit Number if there is no POD-ID)

Type of Use: Domestic

<u>Month</u>	<u>Volume diverted or in storage</u> <u>Units (circle one): Gallons Cubic Feet. Acre-feet</u>
October	<u>4,449,400</u>
November	<u>5,530,000</u>
December	<u>4,205,000</u>
January	<u>3,770,400</u>
February	<u>3,936,900</u>
March	<u>2,794,400</u>
April	<u>2,643,100</u>
May	<u>2,943,400</u>
June	<u>3,956,400</u>
July	<u>5,562,600</u>
August	<u>6,574,000</u>
September	<u>4,925,700</u>

Number of acres irrigated (if applicable): none

Method of measuring flow (please describe clearly):

These are actual figures taken from our master meter at the pump house. A total of 51,291,300 gals. was pumped in this period.

Application No. G14016
Permit No. _____
Oregon Water Resources Department

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Monthly Quantities Form

Reporting Entity Nesika Beach Water District

User-Id: 1486
(if applicable)

Contact Name Leon Lynch

Address 32892 Nesika Rd.

Water Year 1994

City, State, Zip Gold Beach OR 97444

POD-ID: 12887
(enter the Permit Number if there is no POD-ID)

Type of Use: Domestic

<u>Month</u>	<u>Volume diverted or in storage</u> <u>Units (circle one): <u>Gallons</u> Cubic Feet. Acre-feet</u>
October 1993	<u>4,014,200</u>
November	<u>3,334,700</u>
December	<u>3,182,000</u>
January 1994	<u>3,706,200</u>
February	<u>2,635,500</u>
March	<u>2,526,500</u>
April	<u>3,162,100</u>
May	<u>2,918,700</u>
June	<u>3,372,000</u>
July	<u>6,254,700</u>
August	<u>6,518,200</u>
September	<u>6,868,400</u>

Number of acres irrigated (if applicable): none

Method of measuring flow (please describe clearly):

These are actual figures taken from our master meter at the pump house. A total of 48,493,200 gals. was pumped in this period.

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Monthly Quantities Form

Reporting Entity Nesika Beach Water District User-Id: 1486
Contact Name Leon Lynch Water Year 1993
Address 32892 Nesika Beach Rd.
City, State, Zip Gold Beach OR 97444

POD-ID: 12887

Type of Use: Domestic

<u>Month</u>	<u>Volume diverted or in storage</u> <u>Units (circle one): Gallons, Cubic Feet, Acre-feet</u>
October 1992	<u>3,898,600</u>
November	<u>2,800,900</u>
December	<u>3,171,300</u>
January	<u>3,066,100</u>
February	<u>2,615,800</u>
March	<u>2,047,800</u>
April	<u>2,726,000</u>
MAY	<u>2,621,200</u>
June	<u>3,532,300</u>
July	<u>5,827,300</u>
August	<u>4,854,200</u>
September	<u>4,839,000</u>

Number of acres irrigated (if applicable): none

Method of measuring flow (please describe clearly):

These are actual figures taken from our master meter at the pump house. a total of 42,000,500 gals . of water was used in this period.

We have 406 active accounts in our system.

SEP - 8 1997

1991 Curry Co.
Instrument 91 6645

WATER RESOURCES DEPT.
SALEM, OREGON

INDEX

EASEMENT FOR SITING OF WATER RESERVOIR, WATER TRANSMISSION LINES,
UTILITIES, INGRESS AND EGRESS

THIS AGREEMENT made and entered into this 27th day of November, 1991, by and between JO ANN HAICK, An Individual, hereinafter referred to as "OWNER" and OPHIR WATER DISTRICT, a special municipal district organized under the laws of the State of Oregon, hereinafter referred to as "WATER DISTRICT".

OWNER is the legal owner of certain real property lying within government lot thirteen (13) of section twenty (20), Township thirty-five (35), South, Range Fourteen (14), West of the Willamette Meridian, Curry County, Oregon.

WATER DISTRICT is the owner and operator of a municipal water system which includes water reservoirs and transmission lines which provide water service to the area in the vicinity of OWNER'S property.

WATER DISTRICT wishes to erect, construct and maintain a water reservoir on OWNER'S property and also erect, construct and maintain access roadway and water transmission and utility lines within said roadway and tank site on OWNER'S property. Tank site description and roadway description are contained herein as drafted by H.J. NEWHOUSE, Registered Land Surveyor, dated August, 1990.

For the consideration of mutual covenants and promises outlined herein, the parties agree as follows:

1) OWNER grants to WATER DISTRICT a continuing easement for the purposes of construction, operation and maintenance of a water reservoir, water transmission line, appropriate utility service lines and an ingress and egress access road over and across OWNER'S property as described herein. Part of the consideration for the granting of this easement is OWNER'S acknowledgment that the addition of WATER DISTRICT'S improvements described herein on OWNER'S property potentially enhance the value of OWNER'S property.

2) As consideration for the agreements contained herein, WATER DISTRICT agrees to operate and maintain said water reservoir, transmission lines, utility lines and access road within the confines of the specific legal descriptions outlined herein. The tank site legal description is set out in Exhibit "A" and the access road and utility line description is set out in Exhibit "B", both attached hereto and by reference incorporated herein.

3) OWNER does hereby grant, convey and transfer to WATER DISTRICT a perpetual easement for the purposes herein over their real property more particularly described and set out attached

1 - EASEMENT

Application No. G-14016
Permit No.

of RECORDS

WATER RESOURCES DEPT
SALEM, OREGON

2 - EASEMENT

OWNERSHIP/EASEMENT FORM

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

1. Do you own all property related to this application?

YES / NO
(circle your answer)If you answered "NO," please
legal owners of all property
do not own.2. If you answered "NO" to
authorization or an easement permit
own?YES / NO / NOT APPLICABLE
(circle your answer)I understand that if I do not own all property associated with this
application, I may be required to submit a copy of my written
authorization or easement for access before a permit can be issued.SIGNATURE: Albert L. SpahrTITLE: ManagerDATE: 9-3-97Application No G14016
Permit No.

What is
this for?
Application
says permit
to cross
copy of ease.
in file
DSM

OWNERSHIP/EASEMENT FORM

RECEIVED

SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

1. Do you own all property related to this application?

YES / NO
(circle your answer)

If you answered "NO," please submit the names and addresses of the legal owners of all property related to this application that you do not own.

2. If you answered "NO" to question #1 above, do you have written authorization or an easement permitting access to the lands you do not own?

YES / NO / NOT APPLICABLE (I answered "YES" to #1.)
(circle your answer)

I understand that if I do not own all property associated with this application, I may be required to submit a copy of my written authorization or easement for access before a permit can be issued.

SIGNATURE: Albert J. LysterTITLE: ManagerDATE: 9-3-97

Application No G14016
Permit No.

July 15, 1997

Brian Flavin, CWRE
32053 Squaw Valley Road
Gold Beach, OR 97444

RE: Application File #G-14016

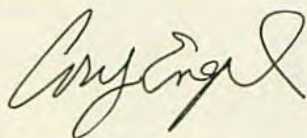
Dear Mr. Flavin,

In response to your telephone call, please find enclosed:

- ◆ A photocopy of Nesika Beach/Ophir Water District's unsigned application;
- ◆ A blank *new* groundwater application;
- ◆ A blank Form M;
- ◆ A blank authorization/easement form;
- ◆ A photocopy of Laura Snedaker's May 20, 1997 letter;
- ◆ A printout of our Water Right Information System record for this application.

At your earliest convenience, please provide the information requested in Laura Snedaker's letter. If you have any questions, or if I may be of further assistance, please feel free to call me at 1-800-624-3199, extension 457.

Sincerely,



Mr. Cory C. Engel
Water Right Processing Technician



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

July 7, 1997

ATTN: Leon
Nesika Beach Water District
Ophir Water District
32892 Nesika Road
Gold Beach OR 97444

RE: Application file number G-14016

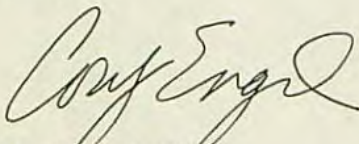
Dear Leon,

As noted in Laura Snedaker's letter of May 20, 1997, the Department is attempting to re-create your application file so that processing of your application may resume as soon as possible. During our telephone conversation on June 12, you indicated that you had referred the matter to Brian Flavin, CWRE, to gather the materials necessary to complete your application file.

As yet, we have not received the requested materials from you or Mr. Flavin. So that we may process your application as quickly as possible, we request that you submit the information at your earliest convenience. If you suspect that it may yet be some time longer before you will be able to provide the information, you might consider requesting that the Department place an administrative hold on the application until our file is made complete; then, as soon as all materials are available to us, processing will resume. (An administrative hold will simplify our paperwork a bit by removing the application from our "to-do" lists until we are able to process it.)

Again, we apologize for the inconvenience this has caused, and would like to do accommodate you in whatever way we can. If I can be of assistance, please feel free to call me at 1-800-624-3199, extension 457.

Sincerely,



Mr. Cory C. Engel
Water Right Processing Technician

cc: general correspondence file



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

Received: from bacon.wrd.state.or.us (bacon.wrd.state.or.us [204.94.11.146]) by
klamath.wrd.state.or.us (8.7.5/8.7.3) with SMTP id OAA22530; Fri, 13 Jun 1997
14:58:15 -0700 (PDT)
Date: Fri, 13 Jun 1997 14:58:15 -0700 (PDT)
Message-Id: <1.5.4.16.19970613150757.460f0572@mailhub.wrd.state.or.us>
X-Sender: engelcc@mailhub.wrd.state.or.us
X-Mailer: Windows Eudora Light Version 1.5.4 (16)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
To: Dwight.W.FRENCH@wrđ.state.or.us, Laura.K.SNEDAKER@wrđ.state.or.us
From: "Cory C. Engel" <Cory.C.ENGEL@wrđ.state.or.us>
Subject: Nesika beach
Cc: Cory.C.ENGEL@wrđ.state.or.us
X-UIDL: dc705f1b9cdc2886961a57d6c01a9edf

I spoke with Leon at Nesika Beach by telephone today. He informed me that he
has referred the matter of the missing file to Brian Flavin, their CWRE. He
has not heard anything from Flavin yet, but will be in touch with him next
week.

The applicant hopes the CWRE will have complete copies of everything sent.
If the CWRE does not, I'll work with him to get it all straightened out next
week. Hopefully we can get the GW review done so that the IR can be mailed
no later than 6/27. (Maybe even 6/20, but that's a long shot.)

~~~~~  
\\ Cory C. Engel Cory.C.ENGEL@wrđ.state.or.us /  
/ Initial Reviewer http://www.wrd.state.or.us /  
\\ Oregon Water Resources Dept. ftp://ftp.wrd.state.or.us /  
/ 503-378-8455, extension 457 FAX: 503-378-6203 \\  
~~~~~

Application No 674016
Permit No.

Dwight W French, 09:11 AM 6/16/97 , Re: Nesika beach

Received: from putnam.wrd.state.or.us (putnam.wrd.state.or.us [204.94.11.188]) by
klamath.wrd.state.or.us (8.7.5/8.7.3) with SMTP id JAA26157 for
<Cory.C.ENGEL@wrд.state.or.us>; Mon, 16 Jun 1997 09:11:22 -0700 (PDT)
Date: Mon, 16 Jun 1997 09:11:22 -0700 (PDT)
Message-Id: <1.5.4.16.19970616101912.2def2bb6@mailhub.wrd.state.or.us>
X-Sender: frenchdw@mailhub.wrd.state.or.us
X-Mailer: Windows Eudora Light Version 1.5.4 (16)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
To: "Cory C. Engel" <Cory.C.ENGEL@wrд.state.or.us>
From: Dwight W French <Dwight.W.FRENCH@wrд.state.or.us>
Subject: Re: Nesika beach
X-UIDL: 8f04d891ce70e4ff97635a2f95b66ff0

Thanks Cory, stay on it.
Dwight

At 02:58 PM 6/13/97 -0700, you wrote:

>I spoke with Leon at Nesika Beach by telephone today. He informed me that he
>has referred the matter of the missing file to Brian Flavin, their CWRE. He
>has not heard anything from Flavin yet, but will be in touch with him next
>week.

>

>The applicant hopes the CWRE will have complete copies of everything sent.
>If the CWRE does not, I'll work with him to get it all straightened out next
>week. Hopefully we can get the GW review done so that the IR can be mailed
>no later than 6/27. (Maybe even 6/20, but that's a long shot.)

>

> ~~~~~
> \ Cory C. Engel Cory.C.ENGEL@wrд.state.or.us /
> / Initial Reviewer http://www.wrd.state.or.us \
> \ Oregon Water Resources Dept. ftp://ftp.wrd.state.or.us /
> / 503-378-8455, extension 457 FAX: 503-378-6203 \
> ~~~~~

>

>

>

Dwight French
Water Rights Section Manager
Oregon Water Resources Department
158 12th ST NE, Salem Oregon 97310
1 800 624-3199 ext. 268 or 503 378-8455 x268
FAX: 503 378-6203

May 20, 1997

Nesika Beach Water District
Ophir Water District
32892 Nesika Road
Gold Beach, Oregon 97444

Reference File Number: G-14016

Dear Applicant:

On March 29, 1995, you submitted an application to appropriate groundwater for Quasi-Municipal Use to the Department. Unfortunately, the Department is unable to locate your application file for review. The Department would like to move forward with your application. In order to move forward, Department personnel are trying to recreate your application file. To aid in the recreation of your application for groundwater use, the Department requests that you please submit the following information:

- ▶ A signed copy of your application for water use. If you do not have a copy of your original application, please sign and return the enclosed unsigned copy of your application obtained from the Curry County Planning Department.
- ▶ A Form M, the supplemental form for municipal and quasi-municipal water use applications, also needs to be filled out and returned to the Department. This form is enclosed.
- ▶ A copy of your application map. If you did not maintain a copy of your map, please prepare a map using the enclosed list of requirements for application maps. The enclosed copy of your application indicates that you have a Certified Water Rights Examiner, CWRE, acting as an agent. The CWRE may have a copy of your application map.
- ▶ A copy of the well log, for the requested well, if available.
- ▶ Also, please fill out and return the enclosed authorization/easement form.



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

CURRY COUNTY DEPARTMENT OF PUBLIC SERVICES

94235 MOORE STREET
PO BOX 746
GOLD BEACH, OREGON 97444

Charles E. Nordstrom
Director

MAKING ARCH ON THE CURRY COAST

Phone (541) 247-7011
FAX (541) 247-4579

FAX TRANSMITTAL

To:

Laura - Water Resources Dept

Fax Number:

1 (503) 378-6203

FROM:

Loren Woolley
Curry County Planning

Subject:

Nesilla Beach Water

Date:

5-16-97

Pages,

(8), including this cover sheet

Original to Follow In Mail

Yes

No

☒

Comments:

Hope this
helps

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.

Applicant's Name: NESIKA BEACH / OPHIR WATER DIST
Address: 32892 NESIKA ROAD
City: GOLD BEACH State: OR Zip: 97444 Day Phone: 247-2614

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
SE 1/4		X	X	X
"EXHIBIT A"				

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

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

Application No. C74014

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): _____ Go to section b) on reverse side.
to serve existing water District area
- ☐ 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.)

[illegible]

Application No. G14016

Permit No.

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: LARA E. WOOLLEYTitle: SENIOR PLANNERSignature: L. WoolleyDate: 3-23-95Phone: (503) 247-7011 x285

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:

Planning clearance is for water service within existing water district boundary. Individual proposed uses will be evaluated at the time of approval of land use.

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: NESIKA BEACH / OPHIR WATER DIST
 Address: 32892 NESIKA ROAD
GOLD BEACH, OR 97444
 Phone: 503-247-2614

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): _____
- ☒ 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): QUASI-MUNICIPAL USES

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____ _____ _____	<u>0.5</u> Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
☐ Reservoir or pond	
☒ Ground Water	

Application No.

C514016

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Groundwater

Applicant(s) Nesika Beach Water Dist / Ophir Water Dist

(Please print or type - use dark ink)

Mailing Address: 32892 Nesika RoadGold Beach
CityOregon
State97444
Zip247-2614
Daytime Phone No.

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

1. THE DEVELOPMENT (number of wells, tile lines, infiltration galleries, etc.):
one infiltration gallery within the floodway of
the Rogue River

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: _____

Elevation difference between streambed and development: _____

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: 12"/8' stainless screen Depth in feet: 45'Type and size of well casing: 12" steel

No. of feet: _____

Estimated depth to water: 32'-35'Type of access port or measuring device: bolted flange

Wells to be drilled by: _____

Address: _____

If the water well is flowing artesian, describe your water control and conservation works: _____

N/A

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: 0.5 cubic feet per second, OR _____ gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: _____

3. INTENDED USE(s) OF WATER: Quasi-Municipal

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.)

626 current services / projected growth is expected to
double next 10 years / see "exhibit A" for current and projected
service areas.

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):

see "exhibit B"

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin _____

Proposed date construction work will be completed _____

Proposed date water use will be completed _____

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? no. 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.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS: application is for Quasi-Municipal use

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:

Signature

Date

Signature

Date

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. If 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

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 Oregon, on the day of 19, at o'clock, M.

APPLICATION NO:

614016

=====

CURRY

G 14016 Application, Stream A WELL IN ROGUE RIVER BASIN
Permit

Applicant NESIKA BEACH WATER DISTRICT; OPHIR WATER DISTRICT
of 32892 NESIKA RD GOLD BEACH, OR 97444

Point of diversion...

SE 1/4 SE 1/4, Section 9, T 35 S, R 14 W, WM;

Proposed use... QUASI-MUNICIPAL.

Amount... 0.5 CUBIC FOOT PER SECOND

Received on... 3/29/1995 At: 8:00 AM

Returned to the applicant for correction completion_____

Endorsed so that to retain its priority it must be returned to the office
of the Water Resources Department on or before_____

Approved_____ total amount of water granted_____

=====

WATER FILING APPLICATION for NESIKA BEACH WATER DISTRICT & OPHIR WATER DISTRICT

LOCATED in T 35 S, R 14 W and T 36 S, R 14 W, W.M.
CURRY COUNTY, OREGON

SCALE RECEIVED FEBRUARY 1995

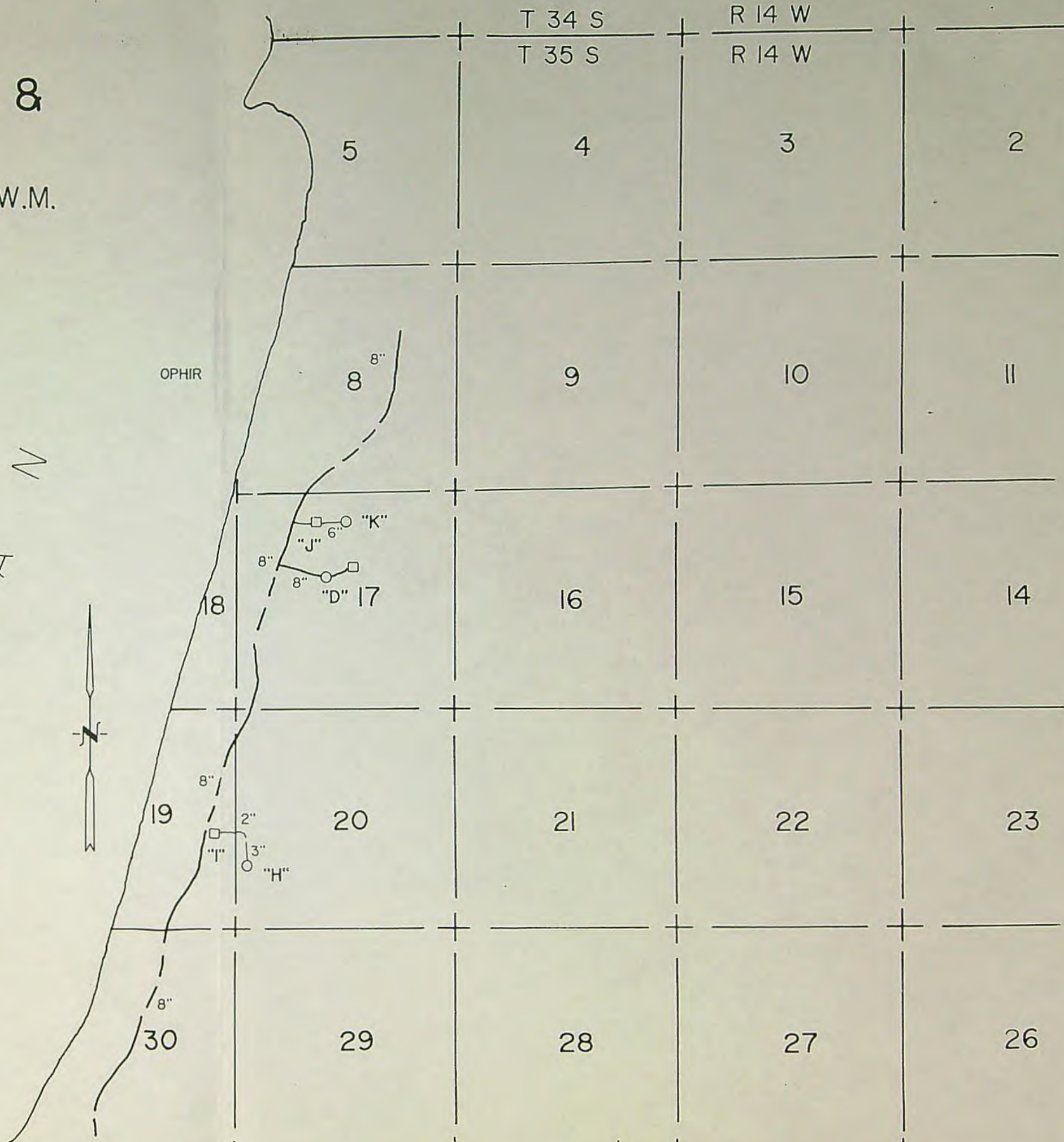
SEP - 8 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 6-14016
Permit No. G13613

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.

- "A" EXISTING 32,000 gal.
STEEL TANK
- "B" PROPOSED 32,000 gal.
STEEL TANK
- "C" EXISTING 200,000 gal.
STEEL TANK
- "D" EXISTING 200,000 gal.
STEEL TANK
- "E" EXISTING CONSTANT
PRESSURE PUMP STATION
- "F" PROPOSED DUPLEX
BOOSTER PUMP STATION
- "G" EXISTING BOOSTER
PUMP STATION
- "H" EXISTING 1,500 gal.
CONCRETE TANK
- "I" EXISTING BOOSTER
PUMP STATION
- "J" EXISTING BOOSTER
PUMP STATION
- "K" EXISTING 18,000 gal.
STEEL TANK



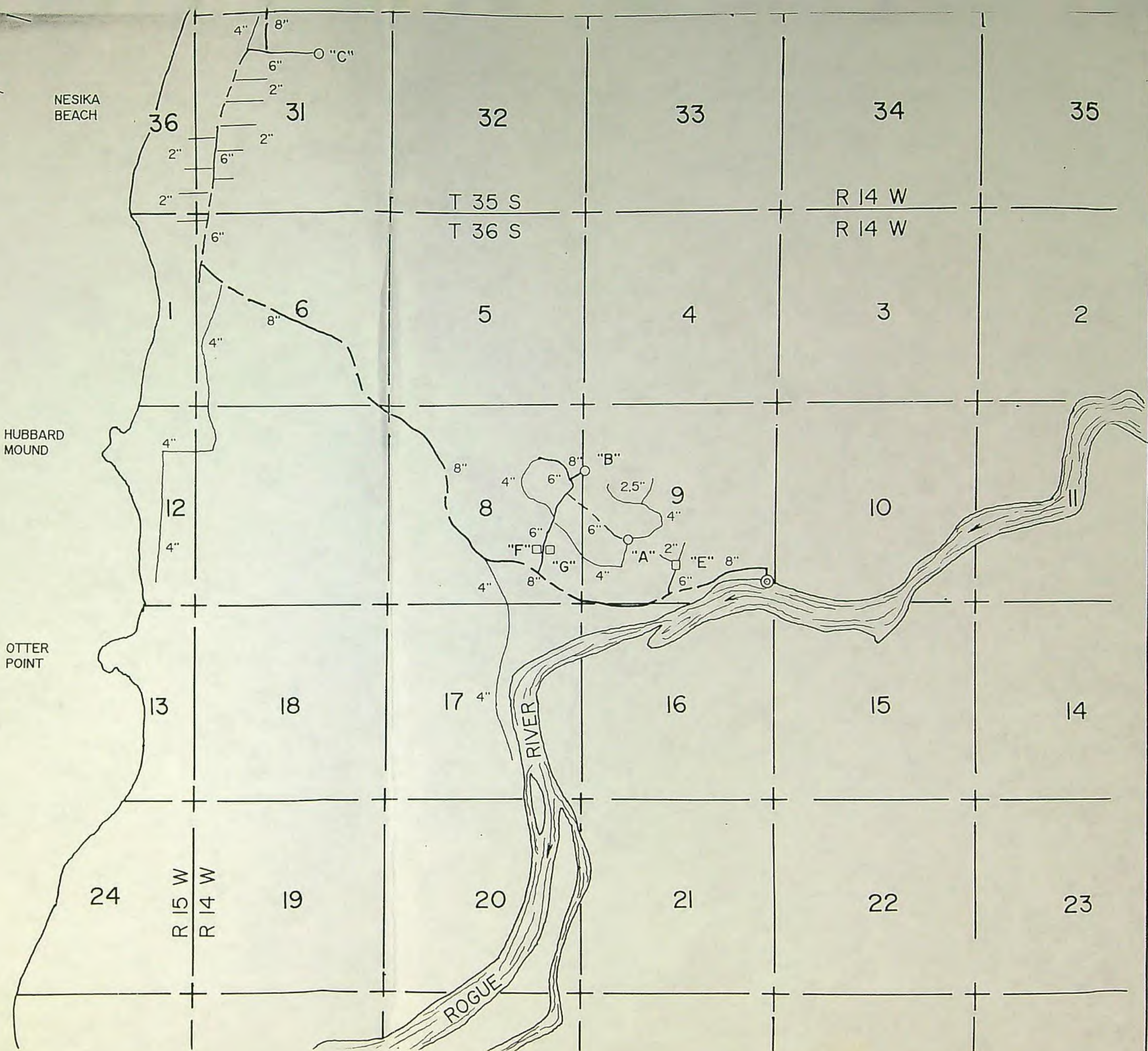
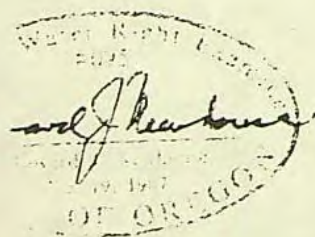
Page 2
4

NESIKA
BEACH

HUBBARD
MOUND

OTTER
POINT

NOTE:
ALL PIPELINES ARE LOCATED WITHIN ROAD WAYS,
EXCEPT THAT PORTION OF THE 4" LINE LOCATED IN
SECTION 12, T36S, R15W.



Application No. 6-14016

Permit No. _____

Name Nesika Beach Water Dist.

Address 32892 Nesika Rd, Gold Beach, OK
97444

Assigned _____

Address _____

Beginning construction _____

Completion of construction _____

Extended to _____

Complete application of water _____

Extended to _____

NUMBER

05775

Check 250⁰⁰ NO Cash

G14016

 Surface Application

 Reservoir Application

☒ Ground Water Application

 Transfer Application 0

 Power Claim 250

 Hydroelectric Examination

 Hydroelectric License

 Copying

 Assignment

 Extension of Time

 Other

 P-6

 Quadrangle

 Basin

 Protect

 Constructors Examination

 Constructors License

 Adjudication

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **131321**

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

INVOICE # _____

RECEIVED FROM: Desika Beach
BY: Water Dist.

APPLICATION	G14016
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 24-12 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 250.00

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

COST CENTER AND OBJECT CLASS

CASH ACCT.

VOUCHER #

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	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$

OTHER (IDENTIFY)

EXAM FEE

\$	842.002	\$
\$	842.004	\$
\$	842.006	\$

RECORD FEE

EXAM FEE

\$	842.023	\$
	842.024	\$

LICENSE FEE

06-00-0 WELL CONST. START FEE

842.013	WELL CONST START FEE	\$	CARD #	
	MONITORING WELLS	\$	CARD #	
	OTHER (IDENTIFY)			

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

LIC NUMBER

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

RECEIPT #

131321

DATED:

1-5-96

BY:

Flo Lissner

no file when received

**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 # **117567**

INVOICE # _____

RECEIVED FROM: SHN Consulting Engineers & Geologists Inc.
BY: _____

APPLICATION	G-14016
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 104054 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ **175.00**

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

0407 COPY & TAPE FEES 46111 \$ _____
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	\$ _____

0200 OTHER (IDENTIFY) COBV \$175.00

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 _____

**RECEIVED
OVER THE COUNTER**

RECEIPT: **117567** DATED: 10-1-15 BY: [Signature]

C02

G-14016

G 13613

Nesika Beach Water district
and Ophir Water District

A. 6/8/99

C 10/1/02

6-11-98

Purge

Application No. G-14419

Permit No. _____

Name _____

Address _____

Assigned _____

Address _____

Beginning construction _____

Completion of construction _____

Extended to _____

Complete application of water _____

Extended to _____