

R-8

SP*70900-119

Res. off-channel. OK 12/12/83 CLH

OCT 14 1983

WATER RESOURCES DEPT.
SALEM, OREGON

JAN 12 1984

WATER RESOURCES DEPT.
SALEM, OREGON

CURRY COUNTY

1" = ~~100'~~ 800'

SEE MAP 31 15 3

Application No.

Permit No.

R-67918

67919

R 953
48298

$\times$ red K is dimension

point to take water from a.
to fill ponds
will use portable gas pumps

where  is marked, to irrigate
South end of fields,

* marker spot started from
to describe starting point

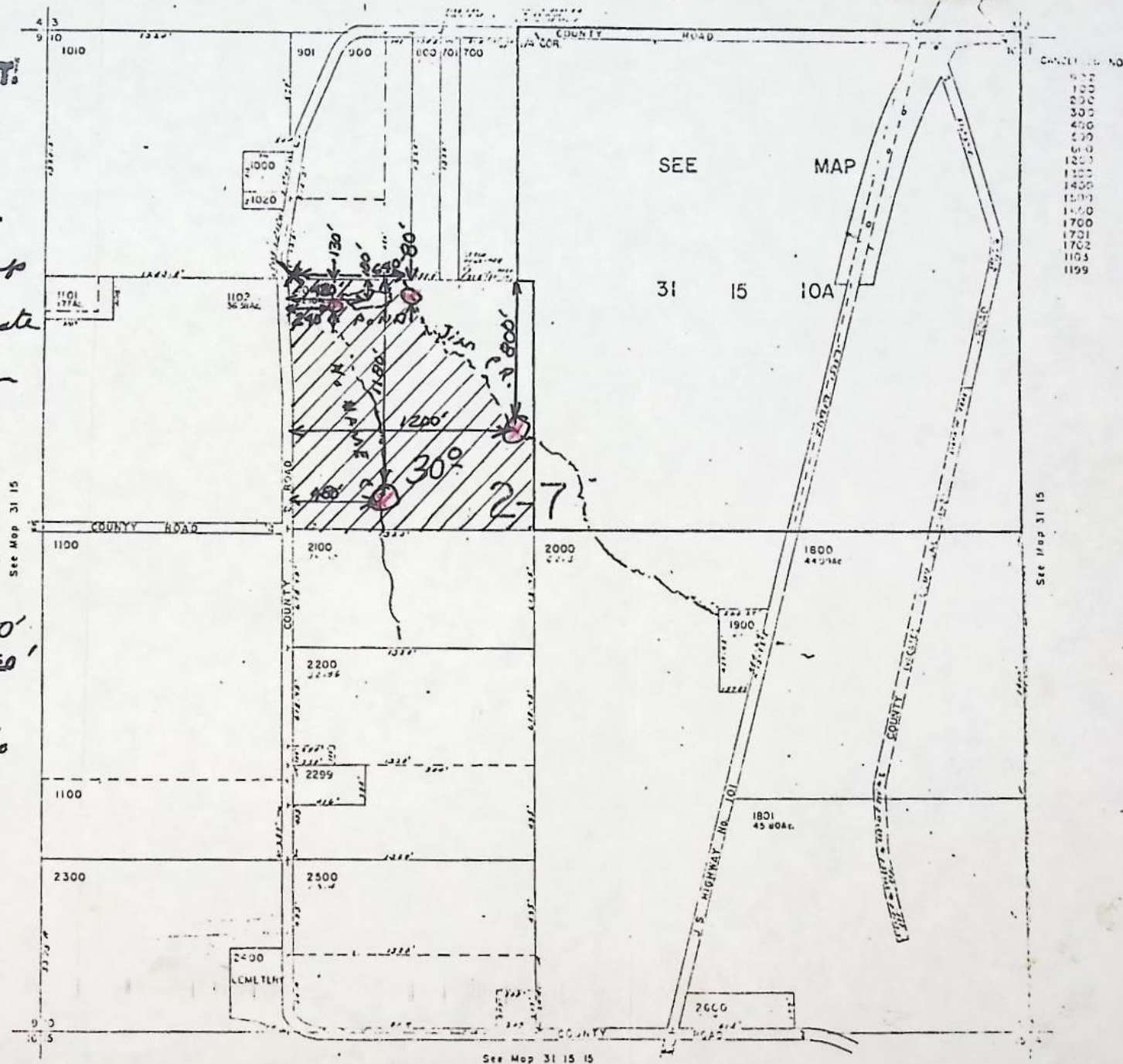
for diversion point for
pond filling, N.W. corner

of the S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Sec

Tw. 31 - R. 15

Tw. 31 - 11.15 240'
East to no name Creek ~~240~~
South ~~130~~

E 640' from starting point to
Jim Creek ~~500'~~ ~~500'~~ South
~~500'~~ ~~500'~~ 80' South



31 15 10

R67918

RECEIVED

JUL 15 1998
WATER RESOURCES DEPT.
SALEM, OREGON

Dear Sirs;

1. Some situations need to be brought to your attention. Some background information is in order.

Exhibit "1"

The property bordered in green is ours-23 acres, the majority of which is wetlands. The west side of this parcel is farmed organically. We use a highly efficient drip irrigation system for this farm operation.

2. The property bordered in red belongs to the neighbors. It contains 40 acres and is to be put into cranberry bogs. This parcel used to be mostly timber as well as wetlands. A previous owner clear cut most of the timber (3-4 years ago or so).

3. The area within the meandering black line is wetlands according to the Curry county wetland map-a partial copy of which is included here. Refer to exhibit "2". The wetland area was drawn in on the arial photograph using an enlargement of this county map. A survey was done on the wetland area for purposes of delineation during our "discussions" on the logging operation and it was determined that hydrophilic soils are in fact predominant (at least within the 40 acres). No argument on the part that is within my 23 acres.

4. Exhibit "3"

Point "C" used to be a small non-fish bearing stream which eventually flows into Floras creek-New river. New River has been designated an area of critical environmental concern by the BLM. This little creek was dug out, and dammed up using some structure with wet concrete being poured into the proximity of the creek outlet if not directly into the water. Concrete was supplied by Western Builders Supply Inc. redimix truck. Water flows into this hole (dug by the landowner) from accross highway 101. Water is then pumped out to irrigate the new cranberry bogs built adjacent. The landowner has told other neighbors that he has the water rights (newly acquired) to this little creek, freely admits damming it up and intends to use this for his bogs. There is no where near enough storage there to irrigate the number of acres of cranberries without using live flow all summer. Water flows in-doesn't flow out to Floras creek-New river.

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Back to Exhibit "1"

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SALEM, OREGON

Point "A" That is a reservoir containing .25 acre-ft of water (water right certificate copy Exhibit "4"). This bog operation intends to enlarge this reservoir for their bogs to "store winter flow". I have 3 problems with that. 1. That area is right on my property line. I believe it would drain the beaver pond back into that sump to be dug (underground drainage) and would result in the loss of that ecosystem. 2. The pesticide residues from that cranberry operation will contaminate my organic operation thereby putting me out of business. 3. This is a wetland area and needs to be preserved.

Exhibit "3" point "C" That situation if allowed to continue, results in the use of live flow, decreasing the amount of water reaching Floras creek-New river. Not even addressing water quality issues like temperature increase with vegetation loss.

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Copies;

U.S. Army Corps of Engineers
Oregon Division of State Lands
Oregon Dept. of Water Resources
Waterwatch of Oregon

JUL 15 1998
WATER RESOURCES DEPT.
SALEM, OREGON

10-14-83
R-9534

STATE OF OREGON
COUNTY OF CURRY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARRY STRAIN
47721 FLORAS LAKE LOOP
LANGLOIS, OREGON 97450

confirms the right to store the waters of JIM CREEK, a tributary of FLORAS CREEK, in A UNNAMED RESERVOIR, appropriated under Permit 48298, for the purpose of IRRIGATION AND STOCK WATER.

The right to store these waters has been perfected under Reservoir Permit R-9534. The date of priority is OCTOBER 14, 1983. The amount of water entitled to be stored each year under such right is not more than 0.25 ACRE-FOOT, BEING 0.225 AC-FT FOR IRRIGATION AND 0.025 AC-FT FOR STOCK WATER.

The reservoir is located as follows:

SE 1/4 NW 1/4
SECTION 10
TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

DIVERSION: 1280 FEET NORTH AND 1900 FEET EAST FROM THE W 1/4 CORNER OF SECTION 10.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed
APRIL 16, 1991.

William H. Young
William H. Young

Recorded in State Record of Water Right Certificates numbered 65605.
R-67918.DM

EX 18.T "4"

17-3 Floras Cr. Misc

Exh 1

N1

Exhibit "1"

green border

"B"

Black outline

Red border

"A"



Exhibit
3

N ↑

Red
Butter →

"C"





Michael Murphy
47815 Floras Lake Loop
Langlois, OR 97450-9713

CERTIFIED

P 624 766 093

MAIL



RETURN RECEIPT
REQUESTED

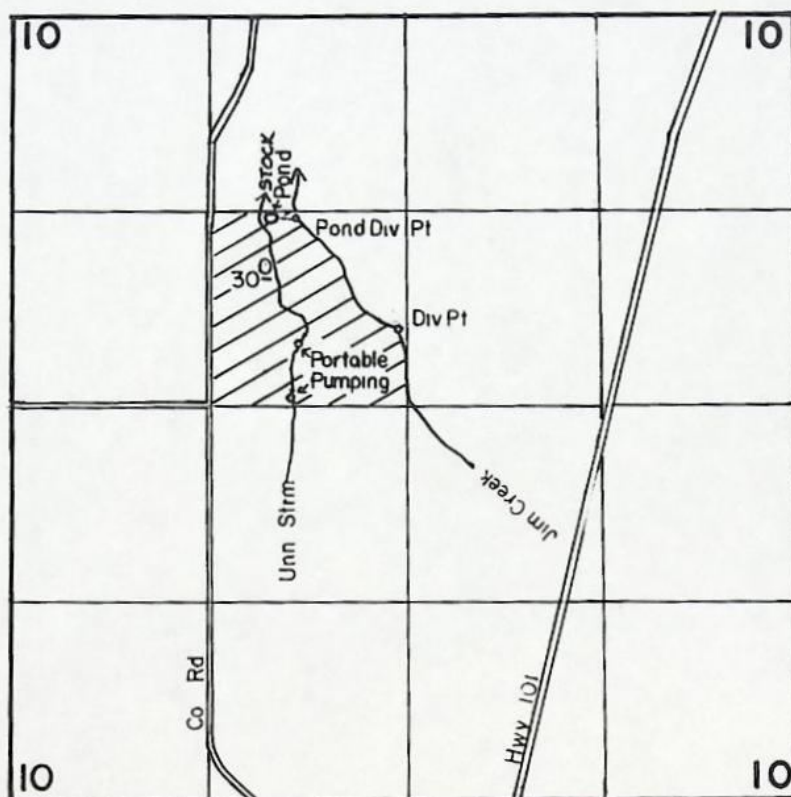
Oregon WATER Resources Dept.
Commerce Building
158 12TH STREET NE
Salem, Oregon 97310-0210

FIVED

15 1998

RECEIVED DEPT.
LEM, OREGON

T.31S.,R15W., W. M.



Pond Loc 1280' N & 1750' E, Pond Div Pt Loc 1280' N & 1900' E, Jim Cr Div Pt Loc 510' N & 2600' E, N Portable Pumping Div Pt Loc 420' N & 1920' E, S Portable Pumping Div Pt Loc 70' N & 1850' E, All From The W 1/4 Corner Of Section 10

SCALE: 1"=1320'

FINAL PROOF SURVEY **UNDER**

R-67918

R-9534

Application No. 67919... Permit No. 48298.....

IN NAME OF

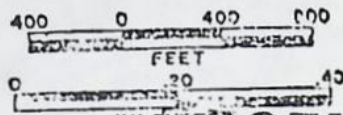
HARRY STRAIN

Surveyed AUG. 1, 1989, by B.S. JAMES

APP. NO. / CERT	GOV'T LOT	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW
PERMIT NO. / NO.	DLC																
R 67915 65605 V																	
R 9534																	
R 83468 0 V																	
R 12472																	
R 83467 0 V																	
R 12473																	
S 20815 20368 V																	
S 16203																	
T 3930 68427 V																	
S 37171																	
S 51990 55211 V																	
S 39094																	
S 58206 63257 V																	
S 43206																	
S 57235 68426 V																	
S 44510																	
S 62409 68083 V																	
S 46091																	
S 67919 65606 V																	
S 48250																	
S 66027 63311 V																	
S 48334																	
S 71379 72309 V																	
S 51306																	
S 75032 0 V																	
S 52996																	
S 83469 0 V																	
S 53384																	

Applications, permits & Certs
7/21/95

SL 1:9600



RECEIVED

JAN 12 1984

WATER RESOURCES DEPT.
SALEM, OREGON

ction 10 T.15S. R.15W. W.M.

CURRY COUNTY

1" = 400' 800'

R-67918

Application No. 67919

Permit No. R 9534 48298

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OCT 14 1983

WATER RESOURCES DEPT.
SALEM, OREGON

X red X is diversion

point to take water from a.
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where Q is marked to irrigate
south end of fields.

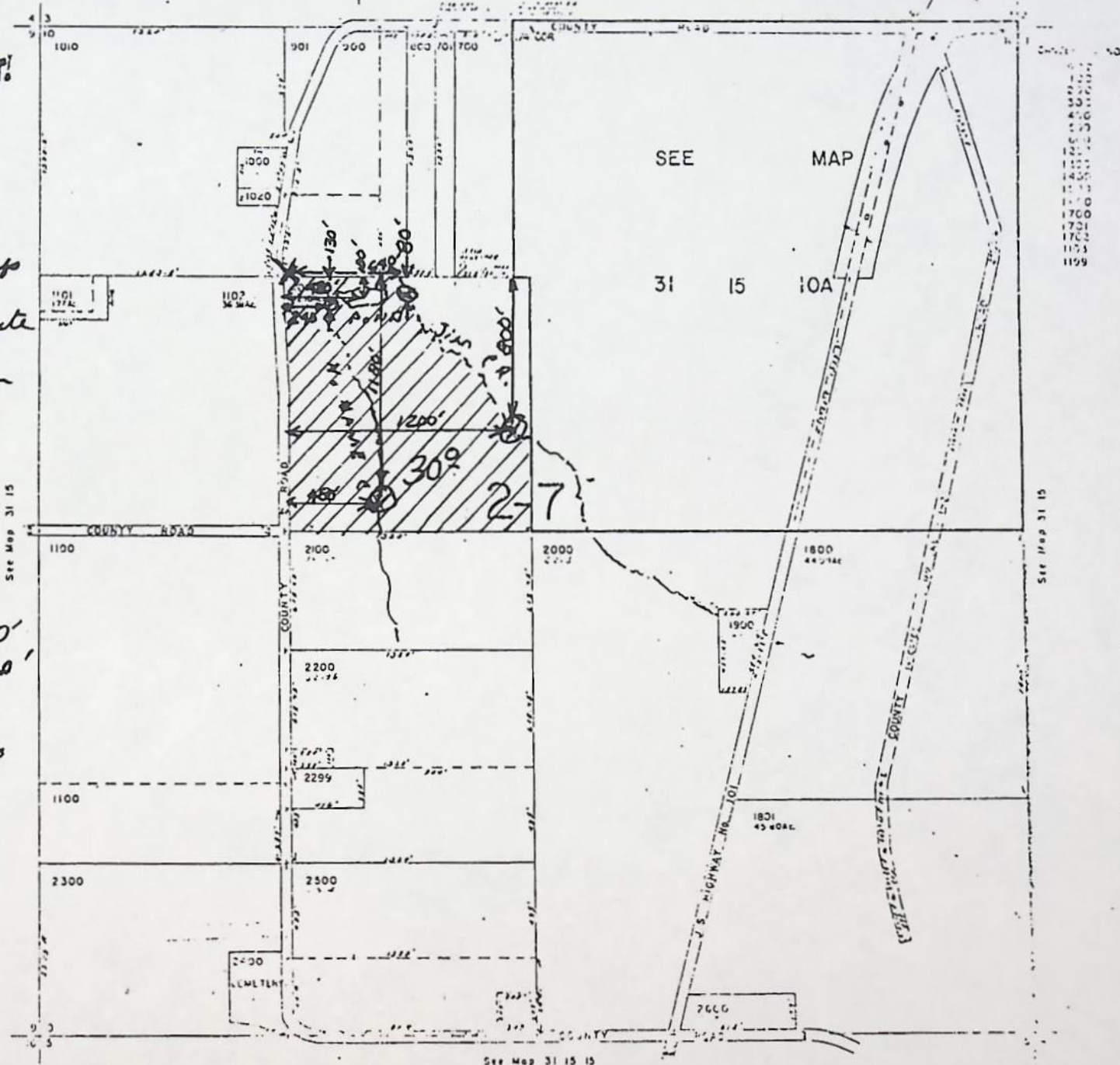
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Tw. 31 - R. 15

East to no name Creek 240'
South 130'

East from starting point to
Jim Creek 640' North
at 80' South



31 15 10

4/8/89 90-10-PR-a

Abstract of Permit

This is to certify that I have examined APPLICATION R-67918 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Harry Strain of 47721 Floras Lake Loop, Langlois, Oregon 97450, phone 348-2489, for the construction of a reservoir and storage of water from ~~an unnamed stream and Jim Creek~~, a tributary of Floras Creek to be appropriated under Application 67919, Permit 48298 for irrigation/stockwater,

The dam will be LOCATED in the: SE 1/4 NW 1/4 of Section 10, Township 31 South, Range 15 West, WM, in the County of Curry.

The maximum height will be n/a feet above the stream bed or ground surface at the centerline. The top width will be n/a, slope of upstream face n/a, slope of downstream face n/a, and height of dam above water line when full n/a

The area submerged by the reservoir, when full, will be 0.1 acre, and the maximum depth of water will be 9.0 feet

* (0.225 af for irrigation and 0.025 af for stock)

The location and dimension of the spillway is: None.

The location and dimension of the outlet conduit will be: 18 inch metal culvert.

The structure out of the channel.

The reservoir will be a dug pond.

The right hereunder shall be limited to the storage of 0.25 acre-foot, being 0.25 af from ~~unnamed stream (0.225 af for irrigation and 0.025 af for stock) and 0.25 af from Jim Creek *~~
The PRIORITY DATE of this permit is October 14, 1983.

Actual construction work shall begin on or before March 16, 1985, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 85.

Witness my hand this 16th day of March, 19 84.

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. 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 that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

R 9534

APPLICATION R-67918

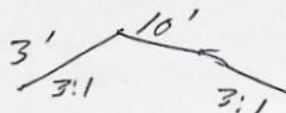
PERMIT

4/15-180-732
8-1-89 B5J

INFO: SAME OWNER : ADDRESS AS APPLIED, PHONE 348-2489.

SOURCE: JIM CREEK

RES. INFO: EXCAVATED POND NO STRUCTURE. OUT-OF-CHANNEL.
NO WEAKNESSES.

DAM 2-SECTION:  ON NO NAME STREAM BANK.
LENGTH: 40'

SP/RY: NONE

OUTLET: 18" C.M.P.

RES: S.A: (per photo)

MAX DEPTH: 9'

FACTOR: 0.4

AC.FT: 0.4

T/E: 41015-180-73L

B. De J. Jones F.I. 8-1-89.

1X 9X .1 = 0.36 AF
0.4 AF

OCT 14 1983

WATER RESOURCES DEPT.
SALEM, OREGON

JAN 12 1984

WATER RESOURCES DEPT.
SALEM, OREGON

CURRY COUNTY

1° = 100' 800

SEE MAP 31 15 3

Permit No. 48298

R-67918

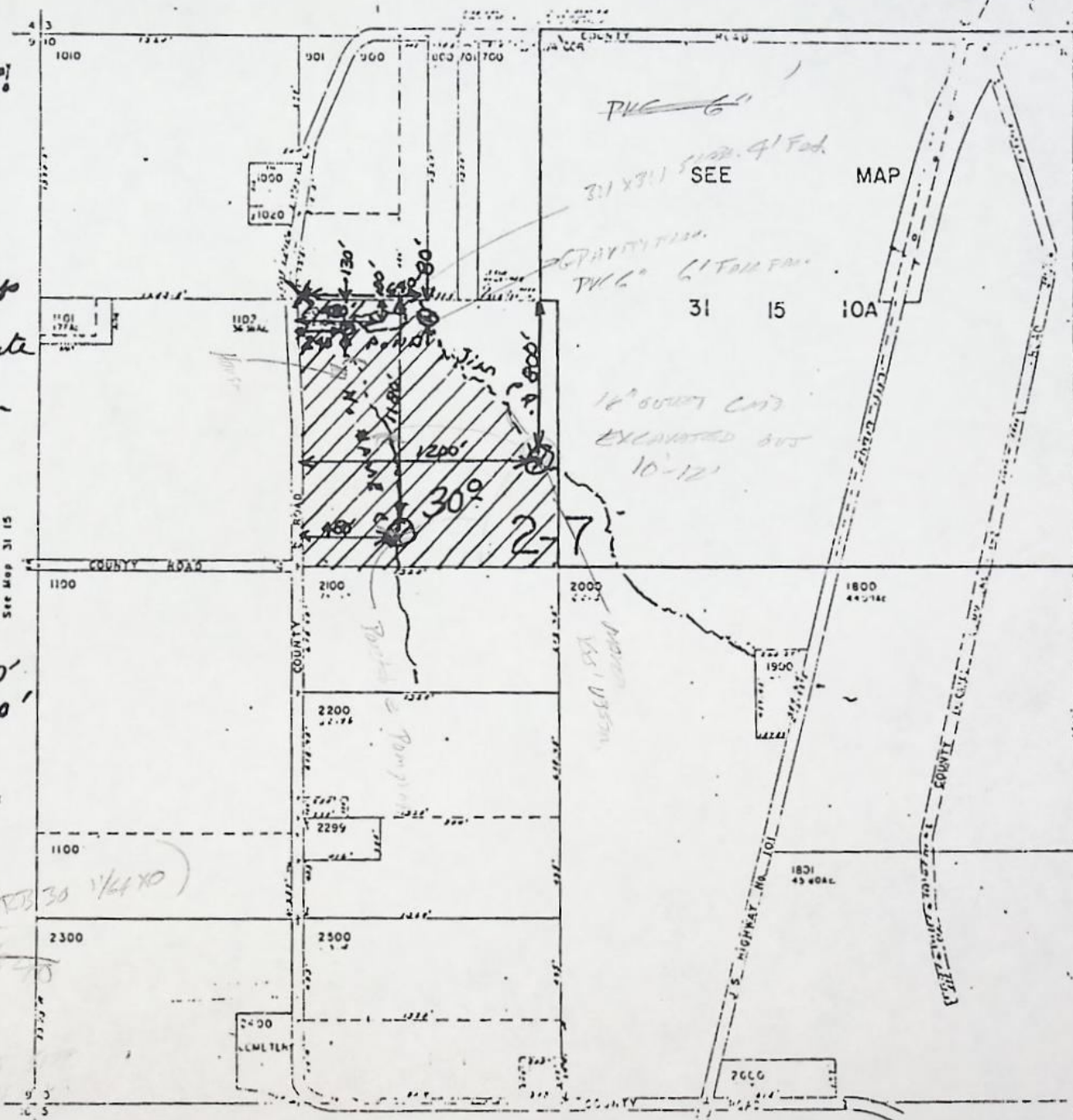
67919

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48298

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East to no name creek ~~240'~~ 240'
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East ~~640'~~ 640'
from starting point to
Jim Creek ~~540'~~ 540' South
~~540'~~ 80' South

max 10 (EB 30 1/4 x 10)



Stack; RR's
6' Deep
20' x 20' x 20'
See Map 31 15

31 15 11

April 2. 1984

Harry Strain
47721 Floras Lake Loop
Langlois, OR 97450

R-67918 & 67919

R9534 & 48298

A refund check in the amount of \$20.00 will
be forwarded to you as soon as our bookkeeper
can prepare it.

378-3066

January 23, 1984

Harry Strain
47721 Floras Lake Loop
Langlois, OR 97450

Dear Mr. Strain:

REFERENCE: Files R-67918 and 67919

Thank you for returning Applications R-67918 and 67919 and the accompanying map.

Both applications are now in satisfactory form and will be considered for issuance of permits within 60 days.

Sincerely,

CHRIS L. HUGHES
Senior Water Rights Examiner

CLH:wpc

0056/S
0226C

December 16, 1983

Harry Strain
47721 Floras Lake Loop
Langlois, OR 97450

Dear Mr. Strain:

REFERENCE: Files R-67918 and 67919

Your Applications R-67918 and 67919 describing the proposed use of 0.5 acre-foot and 0.385 cubic foot per second of water from Jim Creek, an unnamed stream, and a reservoir for irrigation of 30.0 acres and stock water; together with the map and photo, have been reviewed. Enclosed is Receipt 39400 for fees.

There are some additions and corrections which are needed before your applications can be considered for issuance of permits.

The total amount of water to be stored, as listed in Item 8 of Application R-67918, must be broken down to the amount of water to be stored from each source, then to the amount of water from each source for each use in Item 7 of Application R-67918.

Since your map has been reduced, the scale is no longer 1 inch = 400 feet, but 1 inch = 800 feet. Please state the correct scale of the map on the map.

The diversion points, as shown on the map, measure: Jim Creek - 80 feet South and 640 feet East, and 800 feet South and 1200 feet East; Unnamed Stream - 130 feet South and 240 feet East, and 1180 feet South and 480 feet East, all from the Northwest Corner of the SE 1/4 NW 1/4 of Section 10. Please amend Item 2 of Application 67919 to correctly locate the diversion points.

Please state the location of the center of your reservoir in Item 2 of Application 67919. From the map, the reservoir measures 100 feet South and 420 feet East from the same corner as listed. Please complete Item 2 of Application 67919.

Please state the locations of all diversion points and the center of the reservoir on the map.

Please outline, crosshachure, and label the 30.0 acres to be irrigated on your map. Please show the location of the stock watering facilities on the map, if other than the reservoir.

Harry Strain
December 16, 1983
page 2

Please add stock water as a use in the proper quarter-quarter section in Item 3 of Application 67919.

The total amount of water to be appropriated, as listed in Item 4 of Application 67919, must be broken down to the amount of water to be appropriated from each source, then from each source for each use in Item 5 of Application 67919.

Please state the number of head you plan to have and whether they will be drinking directly from the reservoir in Item 6 of Application 67919.

A legal description of the property where the water is to be used is needed to verify the place of use. This can be copied from your deed, title insurance policy, or sales contract.

I am returning both applications and the map for correction and completion. The applications are endorsed and in order to retain their priority date, they must be received in this office on or before February 16, 1984.

Sincerely,

CHRIS L. HUGHES
Senior Water Rights Examiner

CLH:wpc
enclosures
9744B



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

October 28, 1983

Harry Strain
47721 Floras Lake Loop
Langlois, OR 97450

REFERENCE: Files R-67918 and 67919

We have received your applications for use of water for irrigation and stock water along with the supporting data and fees. Our Receipts 39399 and 39400 are enclosed. Your applications have been filed and assigned numbers R-67918 and 67919.

Applications which are received in proper form for a permit, including maps, supporting data and fees, will be considered for approval shortly after the mandatory 30-day waiting period. Applications which are defective, conflict with existing rights or require additional information will be reviewed in detail and will be returned for completion or correction within 45 days.

If your applications are approved, the projects described in the applications will be subject to the Water Policy Review Board's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

Sincerely,

RALPH H. JACKSON, Supervisor
Application/Permit Section

RHJ:wpc

enclosures
0003/X
8986B

STATE OF OREGON
COUNTY OF CURRY
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARRY STRAIN
47721 FLORAS LAKE LOOP
LANGLOIS, OREGON 97450

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R-67918 DM



Michael Murphy
47815 Floras Lake Loop
Langlois, OR 97450-9713

CERTIFIED

P 624 766 093

MAIL



RETURN RECEIPT
REQUESTED

Oregon WATER Resources Dept.
Commerce Building
158 12TH Street NE
Salem, Oregon 97310-0210

R 67918

RECEIVED

15 1998

SOURCES DEPT.
1, OREGON

see files

R 67918

67919

John #19 went
out there & talked
to parties

Dear Sirs;

1. Some situations no background information

Exhibit "1"

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4. Exhibit "3"

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SALEM, OREGON

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Waterwatch of Oregon

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WATER RESOURCES DEPT.
SALEM, OREGON

10-14-83

R-9534

#14

Exhibit "4"

STATE OF OREGON
COUNTY OF CURRY
CERTIFICATE OF WATER RIGHT

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47721 FLORAS LAKE LOOP
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17-3 Floras Cr. Misc

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WITNESS the signature of the Water Resources Director, affixed APRIL 16, 1991.

William H. Young
William H. Young

Recorded in State Record of Water Right Certificates numbered 65605.

R-67918.DM

Exhibit "2"

$$2'' = 1 \mu_1 \bar{c}$$

NEW YORK

JUL 15 1998

WATER RESOURCES DEPT.
SALEM, OREGON

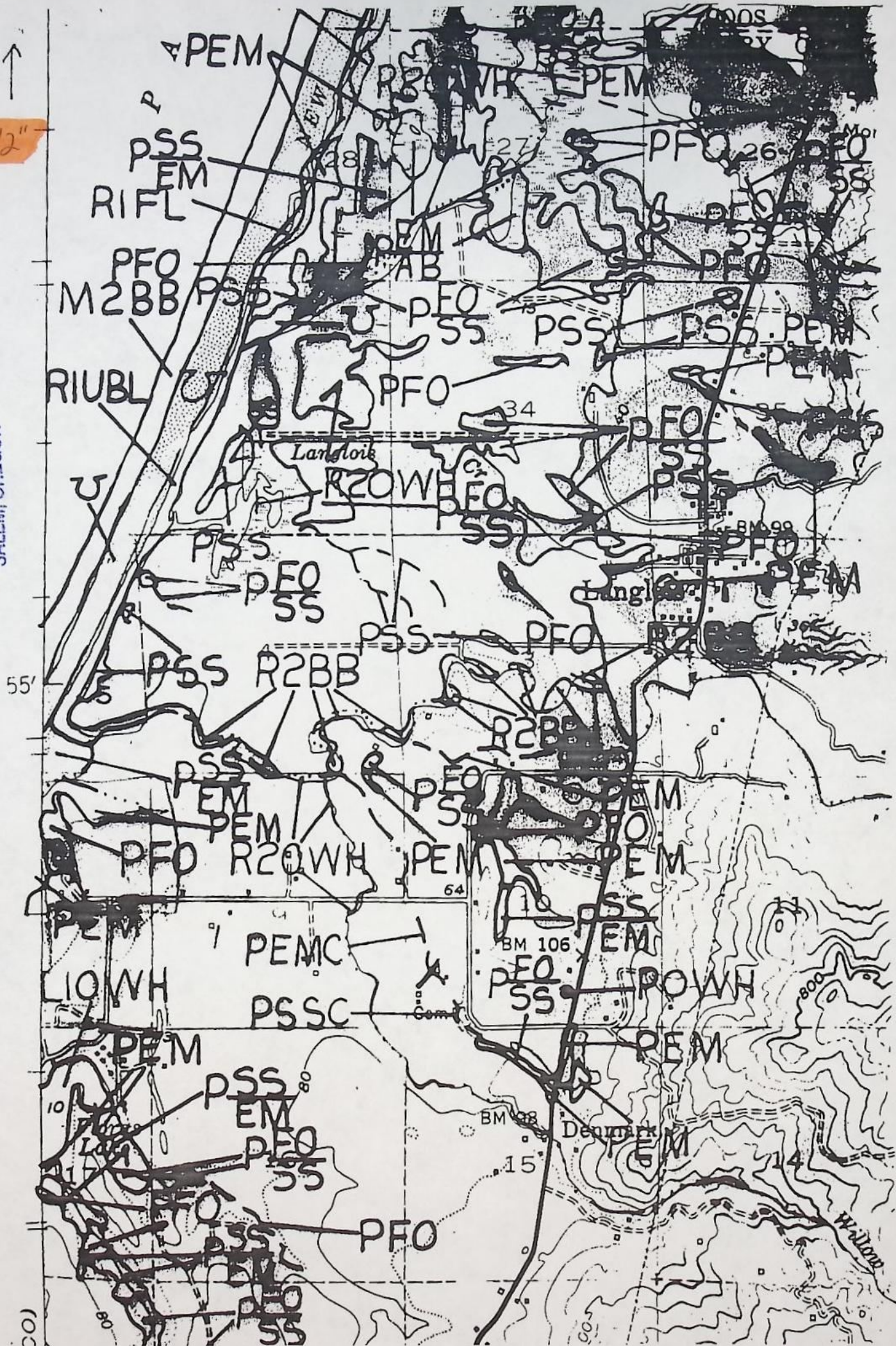


Exhibit "1"

N7



RECEIVED

JUL 15 1998

WATER RESOURCES DEPT.
SALEM, OREGON

17-97

BLM

12

10-97-03D

1-6-195

N↑

Exhibit "3"

"C4"



RECEIVED

JUL 15 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. R-67918

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

RECEIVED

OCT 14 1983

WATER RESOURCES DEPT.
SALEM, OREGON

I, Harry Strain (Name of Applicant)
of 47721 Flores Lake Dr. (Mailing Address), Langlois (City)
State of Oregon, 97450 (Zip Code), Phone No. 348-2489
do hereby make application for a permit to construct the 50' X 100' X 9' deep reservoir
and to store the unappropriated waters of the State of Oregon, subject to existing rights.

1. The name of the stream from which the reservoir is to be filled is Jim Creek + No Name Cr.
tributary to Flores Cr.

2. If not in channel of a stream, state how it is to be filled. 4" plastic pipe

3. The dam will be located in the SE $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Section 10,
Township 31 S, Range 15 W, W. M.

4. The maximum height will be level feet above stream bed or ground surface at the
centerline. The top width will be feet, slope of upstream face
slope of downstream face, and height of dam above water line when full
..... feet.

5. The dam will be (check one) earthfill, concrete, flashboard, X other.
If "other", give description: dug out pond in swamp.

6. Give the location, description, and dimensions of the outlet conduit: 18" metal culvert

(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

Application No. R-67918

Permit No. 0.45 acre ft

0.05 acre ft

7. The impounded water will be used for Irrigation & Stock water

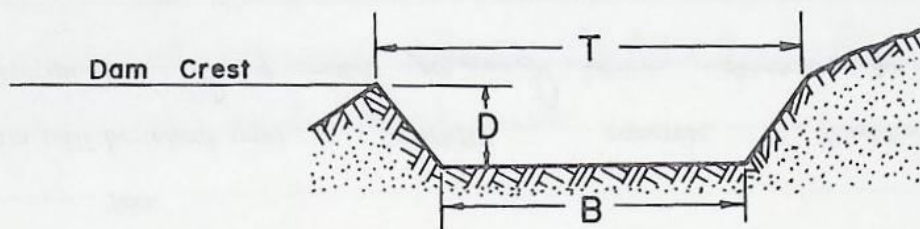
Irrigation: 0.225 acre ft. from unnamed stream
0.225 acre ft. from Jim Creek

Stock water: 0.025 acre ft. unnamed stream
0.025 acre ft. Jim Creek

8. The amount of water to be stored is 1/2 acre ft. being 0.25 acre ft. from unn. str.
0.25 acre ft. from Jim Creek

9. The area submerged by the reservoir, when full, will be 1/8 acre acres,
and the maximum depth of water will be 9 ft. feet.

10. Give the location and dimensions of the spillway 18" pipe
(State whether over or around dam)



The bottom width of the spillway, B, will be feet.

The top width of the spillway, T, will be feet.

The distance between the crest of the dam and the crest of the spillway, D, will be feet.
(Must be at least 2 1/2 feet)

If any other type of spillway describe and give dimensions:

18" metal lined road culvert which lets water
return to no name cr. This has worked a.s.
for past 2 years.

11. Construction work will begin on or before complete

12. Construction work will be completed and the reservoir filled by Oct. 1, 1981

Remarks: 1/4 acre ft. water from unnamed stream and
1/4 acre ft. water from Jim Creek will be stored in
reservoir for 1/2 acre ft. total.

RECEIVED
OCT 7 1981

RECEIVED

JAN 12 1984

WATER RESOURCES DEPT.
SALEM, OREGON

Harry Strain
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before February 16, 1984

WITNESS my hand this 16th day of December, 1983

William H. Young Water Resources Director

By Chris L. Hughes
Chris L. Hughes

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

14th day of October, 1983, at 8:00 o'clock A.M.

Application No. R-62918

Permit No.

76
JCR

Application No. R-67918

Permit No. _____

**Permit to Construct a Reservoir
and Store for Beneficial Use the Public Waters
of the State of Oregon**

This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions. The right herein granted is limited to the construction ofres.

*and storage of water fr. an unn. str. and Jim Cr
to be approp under App 67919, Per _____
for irrigation and stock water*

*The right hereunder shall be limited to the storage of 0.5 acre feet.
being 0.25 ac ft fr. unn. str (0.225 ac ft for irr and 0.025 ac ft for stock)
and 0.25 ac ft fr. Jim Cr (0.225 ac ft for irr and 0.025 ac ft for stock)*

The priority date of this permit is Oct 14, 1923

*Actual construction work shall begin on or before and
shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1,
19.....*

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

Water Resources Director

Res.
comp.