

G-14722

FILE#: G 14722

SEA WINDS FARMS INC.; ANDERSSON, KNUTE  
PO BOX 242  
SIXES, OR 97476

Application No. G14722  
Permit No. G13598  
Certificate No. \_\_\_\_\_

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

**FEES PAID**

Date	Amount	Receipt No.
4-6-98	\$ 400.00	20191
2/5/99	\$175.00	27612

Cert. Fee \_\_\_\_\_

**FEES REFUNDED**

Date	Amount	Check No.

Date filed \_\_\_\_\_  
Priority \_\_\_\_\_  
Action suspended until C-03 ~~PPD~~  
Return to applicant \_\_\_\_\_  
Date of approval \_\_\_\_\_

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**CONSTRUCTION**

Date for beginning 1-29-00  
Date for completion \_\_\_\_\_  
Extended to \_\_\_\_\_  
Date for application of water 10-1-03  
Extended to \_\_\_\_\_

**REMARKS**

No Pump test as of 9/24/08

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_  
Form "B" filed \_\_\_\_\_  
Form "C" filed \_\_\_\_\_

**FINAL PROOF**

Blank mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Date certificate issued \_\_\_\_\_

**Herb Mosgar**

---

**From:** Norm Daft [normthewaterguy@charter.net]  
**Sent:** Tuesday, August 25, 2009 11:26 AM  
**To:** Herbert L MOSGAR  
**Subject:** Sea Wind Farms - COBU's

Herb,

The owners of Sea Wind Farms would like me to review the COBU's completed for permits for which no certificates have been issued.

The permits are:

S-52989 (app S-70170)

G-13598 (app G-14722)

R-12095 (app R-73733)

S-52993 (app S-73734)

In addition, the WEB information shows that a claim has not been done for T-7215. Could you check your files to see if a claim has been done?

What I need is a copy of the claim report and map(s).

If these can be sent as an e-mail attachment, that would be good.

Otherwise, my address is: Norm Daft, 245 Glenoak Lane, Grants Pass, OR 97526.

Please let me know if there is a fee.

Thanks.

Norm

541 761-1057

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**WATER RESOURCES DEPT  
 SALEM, OREGON**

**CLAIM OF BENEFICIAL USE**

The completion of this form is required by OAR 690-014-010(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every numbered item must have a response. If any requested information does not apply to the Claim, insert "n/a." Do not delete any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent. A separate form shall be completed for each permit or transfer final order.

**I. General Information**

1. Application number: G - 14722
2. Permit number: G - 13598
3. County: Curry County
4. Tax Lot Information:

Tax map number	Tax lot number
31 - 14 index	2901

5. Date of Site Inspection: October 7, 2004
6. Person(s) interviewed and description of their association with the project:

Name	Date	Association with the project
Knute Andersson	10/7/04'	Farm Manager - Operator

7. Permittee / Transferee of record (this may not be the current property owner)

a. Individuals

	Individual 1	Individual 2
Name	n/a	

b. Businesses/Organizations

Name	Sea Wind farms, Inc.
Contact Person and Title	Knute Andersson, Manager
Mailing Address	P. O. Box 242
City/State/Zip	Sixes, Oregon 97476

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**WATER RESOURCES DEPT  
SALEM, OREGON**

8. Property owner (current owner information)

c. Individuals

Name	n/a	
------	-----	--

d. Businesses/Organizations

Name	Sea Wind Farms, Inc.
Contact Person and Title	Knute Andersson, Manager
M a i l i n g Address	P. O. Box 242
City/State/Zip	Sixes, Oregon 97476
Phone	(541) 348 - 9937
Fax	(541) 348 - 2546
e-mail	n/a

If the current property owner is not the permittee or transfer holder of record, it is recommended that an assignment be filed with the Department.

9. If any property described in the permit or transfer final order is not included in this report, identify the owner of record for that property (ORS 537.230(3)):

\*\*Mark "NA" if there are no owners of property not included in this claim

Phone #	N/A
---------	-----

**II. Points of Diversion/Appropriation and Place of Use**

For each point of diversion or appropriation, provide the following information. If the claim is for more than one point of diversion/appropriation, copy and complete this section for each point of diversion or appropriation.

1. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for a l l w o r k performed on the well (if applicable)	Well tag # (if applicable)
Well - Point of Appropriation	L 34003	n/a

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, and deepenings)

2. Point of diversion/appropriation sources and tributary:

Source	Tributary to
Well	Mill Creek Subbasin - Floras Lake

3. Point of diversion/appropriation location:

(DLC, Government Lot, ¼ ¼, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
SE ¼ NE¼, Section 30, Township 31 South, Range 15 West, W.M.	2595 feet south & 645 feet west from the northeast corner of Section 30

4. Use(s), period of use, and rate for each use:

Uses	When water is used	Rate for use
Cranberry Operations	Year around	0.267 cfs

**Total Quantity of Water 0.267 cfs**

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SALEM, OREGON**

5. Place of use for the point of diversion or appropriation:

DL C	Gov Lot	¼ ¼	Sec	Twn.	Rng.	Use	Primary acres	Supplemental acres
		NE¼NE¼	30	31 south	15 west	CO		12.6
		SE¼NE¼				CO		22.7
		NW¼NW¼	29	31 south	15 west	CO		3.0
		SW¼NW¼				CO		7.6

**Total Acres Irrigated 45.9 acres**

**Groundwater Source Information (Well and Sump)**

\*\*If the appropriation is not from ground water (well or sump), this section, items 1-4, can be deleted.

1. Describe the access port or other means to measure the water level in the well in the box below:

Port in the Sanitary Seal

2. If well logs are not available, provide as much of the following information as possible:

Casing Diameter	Casing Depth	Total Depth	Completion Date of Original Well	Completion Dates of Alterations	Well drilled for	Well drilled by
See	Well	Log				

In addition to the information requested in item "2" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

n/a

\*\*If the appropriation is not from a sump, the following section, items 3-4, can be deleted.

**Reservoir Data**

\*\*If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-6, can be deleted.

**Gravity flow pipe** (The Department typically uses the Hazen-William's formula for a gravity flow pipe system)

\*\*If this claim does not rely on a gravity flow pipe to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

**Gravity flow canal or ditch** (The Department typically uses Manning's formula for canals and ditches)

\*\*If this claim does not rely on a gravity flow pipe to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

**System Information:**

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

## 1. Pump information

Brand	Model	Serial Number	Type	Intake size	Discharge size	Impeller
?	?	?	Submersible	6"	2"	?
Cornell	3B-25-4	35G-37	Centrifugal	4"	3"	11¼"

If a performance curve is available, attach to the claim

**SEE ATTACHED SHEET FOR SUBMERSIBLE PUMP INFORMATION**

## 2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
?	?	1 Hp	?	230V (single phase)
Baldor	JPM2531T	25 Hp		460 V

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SALEM, OREGON**

## 3. Meter information (if required in permit or transfer final order)

Make	Serial #	Condition	Current meter reading	Notes
Aquamaster - 900	22179	Good	16009 AF	on Well - pump operating

## 4. Measurement device description

Device description	Condition	Notes
n/a		

## 5. Measured pump capacity (using meter if meter was present and system was operating)

Initial meter reading	Ending meter reading	Duration of time observed	Total pump output
			31.5 gpm

## 6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output
1 Hp	26 psi	33'	- 12'	0.0711 cfs
25 Hp	45 psi	8'	6'	

7. Provide pump calculations in the box below:

$Q = \frac{(1)(7.04)}{33 + 66} = 0.0711 \text{ cfs}$	One horsepower submersible
$Q = \frac{(25)(6.61)}{8+6+114} = 1.29 \text{ cfs}$	Twenty five horsepower pump

8. Mainline information

Mainline size	Length	Type of pipe	Comments
2"	100'	PolyVinal	Well to reservoir
12'	±600'	PVC	2nd Pump to fields
8"	±600'	PVC	
6"	±1500'	PVC	
4"	±2000'	PVC	

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SALEM, OREGON

9. Handline information

Handline size	Length	Type of pipe	Comments
1½"	±1000'	PVC	in fields
1¼"	±2000'	PVC	

10. Sprinkler information      Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
Rainbird	14VH	5/32"	40-50	2.27 gpm	1540	477 gpm (at any time)
Dan Revolver				2.6 gpm	364	500 gpm (at any time)

Refer to the chart of sprinkler output at various pressures for most nozzle sizes.

11. **Additional notes or comments related to the system:**

<p>Water is pumped from the well to the reservoir. It is then "repumped" to the fields by the 25 Hp pump.</p> <p>The operator attempts to keep the output at 30 - 35 gpm to maintain a consistent level in the well.</p>
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### III. CONDITIONS

Please pay special attention to this section. All conditions contained in the permit or transfer final order shall be addressed. Reports that do not address all performance related conditions will be returned.

#### 1. Time Limits:

a. Permits or transfer Final Orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or transfer final order:

	Date	Explanation
Begin construction	3/99'	all fields construction - well location investigations stated
Complete construction	8/08/01'	well altered (original drilling in January, 2000)
Complete application of water	10/1/02'	water used for all uses

#### 2. Initial Water Level Measurements:

\*\*If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

- a. Was the water user required to submit an initial static water level measurement? YES
- b. What month was the initial measurement to be taken in? April or September
- c. Did the water user make the initial static water level measurement in the month required? YES
- d. If "YES", was the measurement submitted to the Department? YES
- e. If the initial measurement not been submitted, provide that measurement now if available:

Date of measurement	Who made measurement	Method	Measurement
n/a			

#### 3. Annual Static Water Level Measurements:

\*\*If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

- a. Was the water user required to submit annual static water level measurements? YES
- b. In the box below, provide the month in which the static water level was to be made:

April or September

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**WATER RESOURCES DEPT  
SALEM, OREGON**

- c. Did the water user make the static water level measurements in the month required? YES
- d. If "YES", were those measurements submitted to the Department? YES
- e. If the annual measurements were not submitted, provide the measurements now in the box below:



Year	Month	Measurement made by	Measurement

**4. Measurement, recording, and reporting conditions:**

a. Does the permit or transfer final order require the installation of a meter or approved measuring device?  
 YES                   \*\*If "NO", items b through g relating to this section can be deleted.

b. Has a meter been installed?       YES

c. Provide the date the meter was installed:

September, 2001
-----------------

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?       NA

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

Name	Title	Approximate date
n/a		

f. Is the water user required to report the water use to the Department?                   NO

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g. Have the reports been submitted?       NO

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If the reports have not been submitted, attach a copy of the reports if available.

**WATER RESOURCES DEPT  
 SALEM, OREGON**

**5. Fish Screening and/or By-pass Devices**

a. Are any points of diversion required to be screened and/or have a by-pass device to prevent fish from entering the point of diversion?       NA

\*\*If "NO", items b through i relating to this section can be deleted

**6. Pump Test** (typically required for ground water uses prior to issuance of a certificate, but not a requirement of permit development)

a. Has a pump test been submitted and approved by the Department?                   NO

b. If no, is the pump test attached to this Claim?       NO

**7. Other Permit Conditions** (examples: special well construct standards, water conservation plans, no obstructions to fish without a fishway, etc.; number as appropriate.)

1. The operator has submitted a ground water monitoring plan to the department, however, a response has not occurred as of this date.
2. The operator has submitted ground water measurements to the department on a regular basis.
3. Compliance with the Clean Water Act: no complaints have been filed with DEQ on Sea Wind Farms, Inc.
4. The applicant knows that a pump test is required before a certificate can be issued.

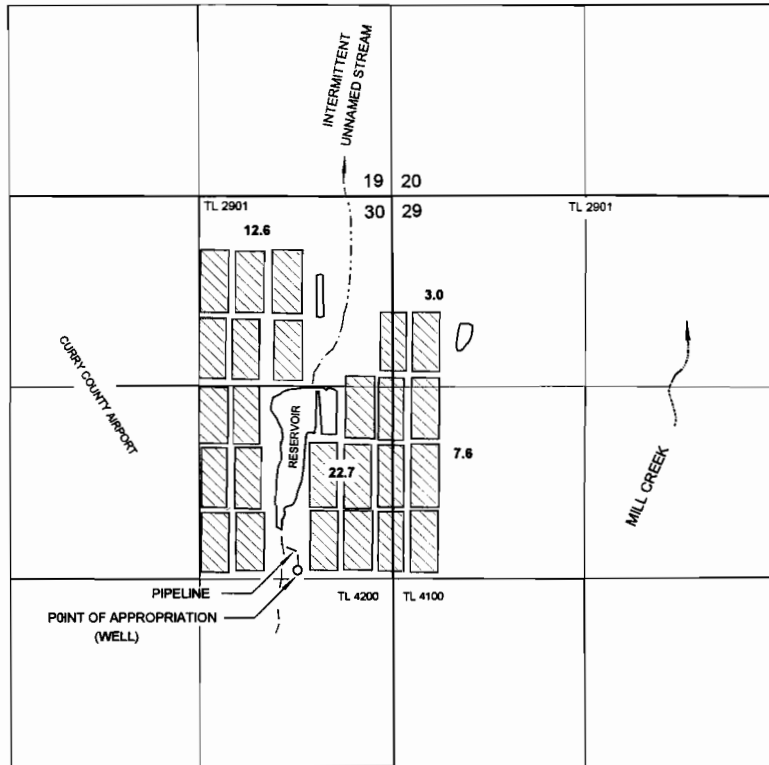


# FINAL PROOF SURVEY MAP IN THE NAME OF SEA WIND FARMS, INC.

APPLICATION G - 14722

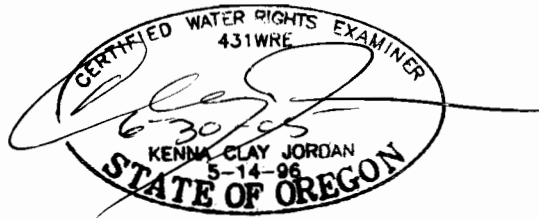
PERMIT G - 13598

SECTIONS 29 & 30, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.



~~CONFIDENTIAL~~  
NOV 24 2004  
~~CONFIDENTIAL~~

THE WELL IS LOCATED 2595 FEET SOUTH AND 645 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 30; BEING WITHIN THE SE $\frac{1}{4}$  NE $\frac{1}{4}$  OF SECTION 30, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; CURRY COUNTY.



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

GROUND WATER MONITORING & REPORTING PLAN  
for  
SEA WIND FARMS, INC.

RECEIVED

SEP 09 2002

WATER RESOURCES DEPT.  
SALEM, OREGON

I. Purpose of Monitoring Plan:

The purpose of this plan is to fulfill the permit condition requirements as described on **Application G-14722, Permit G-13598**. This plan covers one drilled well to be monitored, monitoring techniques and proposed reporting schedule.

II. Well to be Monitored:

CURR  
50609

Well	POD ID	User ID	Location
Airport Well			2550 feet south and 620 feet west from the NE corner of Section 30; being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30; Township 31 South, Range 15 West, W.M.; Curry County.

III. Monitoring Schedule:

A Static water level measurement for the well will be taken the first week in April and the first week in September each year. The "base line" static water level will be the level measured at the time of drilling which was -13.90 feet on August 8, 2001.

IV. Method of Measurements:

The well will be measured in the following manner:

1. The applicant will use a M-Scope provided by the Oregon Cranberry Farmer's Alliance.
2. The well will not be pumped for a minimum of 24 hours before the measurement is taken.
3. Measurements will be taken by reading the M-Scope tape and engineer's tape to the nearest 0.01 of a foot.

IV. Reporting:

Measurements will be sent to the Oregon Water Resources Department's Ground Water/Hydrology Division within 30 days of the measurement. The report will be submitted on a form provided by or approved by the Department.

V. Personnel:

Measurements will be taken by Knute Andersson, Manager or Heather Barton. Ms. Barton was employed by Lloyd Van Gordon, Watermaster, as a stream walker and is familiar with the equipment.

VI. Duration:

This monitoring plan will begin in the fall of 2002 and continue until the Department no longer requires the information.



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

December 15, 2008

SEA WINDS FARMS INC; ANDERSSON KNUTE  
PO BOX 242  
SIXES OR 97476

Subject: Water Right Permit Number G- 13598

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at [http://arcweb.sos.state.or.us/rules/OARS\\_600/OAR\\_690/690\\_217.html](http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html) or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

Diana Durbin  
Water Rights Certificate Staff

C: Permit File



**690-217-0050**

**Qualifications for Conducting Pump Tests**

Only pump tests conducted by the well owner, a full-time employee of the well owner who routinely works with and is familiar with wells and pumps, or a qualified individual authorized by the well owner shall be accepted by the Director. Individuals in the following groups will be considered qualified and authorized provided they have significant experience conducting pump tests:

- (1) Oregon licensed water well constructors.
- (2) Oregon registered professional geologists or certified engineering geologists.
- (3) Certified water rights examiners.
- (4) Oregon registered professional engineers.
- (5) Individuals whose primary occupation involves, wholly or in significant part, pump installation, service or testing.

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KNUTE ANDERSSON  
SEA WINDS FARMS INC.  
P.O. BOX 242  
SIXES, OREGON 97476

PHONE: (541) 348-9937

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

APPLICATION FILE NUMBER: G-14722

SOURCE OF WATER: A WELL IN MILL CREEK BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 46.3 ACRES

MAXIMUM RATE: 0.267 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 31, 1998

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 30, T31S, R15W,  
W.M.; 2550 FEET SOUTH & 620 FEET WEST FROM NE CORNER, SECTION 30

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NW 1/4 2.7 ACRES  
SW 1/4 NW 1/4 7.9 ACRES  
SECTION 29  
NE 1/4 NE 1/4 12.9 ACRES  
SE 1/4 NE 1/4 22.8 ACRES  
SECTION 30  
TOWNSHIP 31 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

Application G-14722 Water Resources Department

PERMIT G-13598

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.

Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

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.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.



## 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 January 29, 2000. Complete application of water to the use shall be made on or before October 1, 2003. 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 February 23, 1999

  
Martha G. Pagel, Director  
Water Resources Department

Application G-14722  
Basin 17  
LKS

Water Resources Department  
Volume 3 FLORAS L & MISC  
MGMT.CODES 7AG 7AR 7BG 7BR

PERMIT G-13598  
District 19

Oregon Water Resources Department  
**PUMP TEST FORM COVER SHEET**

**Well Owner:**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 County: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Original owner (from well log): \_\_\_\_\_

**Well Location:**

Township: \_\_\_\_\_ (N/S) Range: \_\_\_\_\_ (E/W)  
 Section: \_\_\_\_\_ 1/4: \_\_\_\_\_ 1/16: \_\_\_\_\_ 1/64: \_\_\_\_\_  
 Well depth: \_\_\_\_\_ Date drilled: \_\_\_\_\_  
 Owners well no. (if any): \_\_\_\_\_  
 POD ID: \_\_\_\_\_

**Water Right Information:**

Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_  
 Is this well listed on more than one water right?  Yes If yes, list additional water rights below:  
 Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_  
 Application: \_\_\_\_\_ Permit: \_\_\_\_\_ Certificate: \_\_\_\_\_

**Pump Test:**

Test Conducted by: \_\_\_\_\_ Well Owner?  Yes  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_ Date of Test: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Daytime phone: \_\_\_\_\_

Method of discharge measurement (see our brochure for acceptable methods): \_\_\_\_\_  
 Method of water-level measurement (pick one or enter other method used): \_\_\_\_\_  
 Length of air line (if used): \_\_\_\_\_  
 Pump type (pick one or enter other method used): \_\_\_\_\_  
 Was the pump test conducted during normal use of the well?  Yes Note: \_\_\_\_\_  
 Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test?  Yes Note: \_\_\_\_\_  
 If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: \_\_\_\_\_

Is there a lake, stream or other surface water body within 1/4 mile of the tested well?  Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: \_\_\_\_\_ ft Approx. elevation difference: \_\_\_\_\_ ft  
 Well elevation is \_\_\_\_\_ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) \_\_\_\_\_  
 Measuring point distance \_\_\_\_\_ land surface \_\_\_\_\_ feet.

**Static water level measurements:** (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Discharge measurements:** (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Time pump turned on: Date \_\_\_\_\_ Time \_\_\_\_\_  
 Time pump turned off: Date \_\_\_\_\_ Time \_\_\_\_\_  
 Total pumping time: \_\_\_\_\_ hours \_\_\_\_\_ minutes

**Note:** Well must be idle for at least 16 hours prior to the test.  
 Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us> OWRD 2/9/2000

Required Signature: \_\_\_\_\_



# Completion Checklist for CWRE Claims of Beneficial Use

Application # G-14722  
 Permit # G-13598  
 Transfer # \_\_\_\_\_  
 Date 26 Nov 04  
 Reviewer SB



Date Received	<u>11-29-04</u>
CWRE #	<u>431</u>
Claim Logged	<u>—</u>
File Marked	<u>—</u>
Oversized Map #	_____

## Map Review:

- Map on polyester film
- Application & permit #; or transfer #
- Disclaimer
- North arrow
- CWRE stamp and signature
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map)
- Township, range, section, and tax lot numbers
- Source illustrated if surface water
- Point(s) of diversion or appropriation (illustrated)
- Point(s) of diversion or appropriation (coordinates)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot)
- Checked to legal description

## Report Review:

- On form or format provided by the Department
- Application & permit #; or transfer #
- County
- Tax lot information
- Date of survey
- Person interviewed
- Ownership information
- Source(s) of water
- Point of diversion/appropriation location
- Use, period of use, and rate for use
- Place of use location
- Type of use
- Extent of use
- Rate and Duty
- Diversion rate for each use
- Description of conveyances system (from POD to POU)
- Diversion works description (pump make, serial model, capacity, and description)
- System capacity
  - Calculated capacity of system
  - OR
  - Measured amount of use
- Permit conditions
  - Time limits
  - Initial water level measurements
  - Annual static water level measurements
  - Measurement, recording, and reporting
    - Meter/measuring device
    - Water use reporting
  - Fish screening and/or by-pass
  - Pump test (ground water)

*GW Mont Plan -*  
*Clean Water Act -*  
*ADRTA -*

Other conditions

\_\_\_\_\_

\_\_\_\_\_ CWRE stamp and signature

\_\_\_\_\_ Signature(s) of permittee or transfer holder

### Certificate Issuance Processing Checklist

\_\_\_\_\_ Map and COBU reviewed

\_\_\_\_\_ Conflict check (include copy of plat card printout)

\_\_\_\_\_ Check current ownership

Any Conflicts? \_\_\_\_\_

### Staff Recommendations:

\_\_\_\_\_ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

\_\_\_\_\_ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: \_\_\_\_\_

\_\_\_\_\_ Proof to the Satisfaction has not been established for the following reasons: \_\_\_\_\_

### Proposed Actions:

Send letter requesting the following items/information: \_\_\_\_\_

Send letter recommending extension to cure deficiencies: \_\_\_\_\_

Can certificate be processed further?

\_\_\_\_\_ Yes

If "Yes":

\_\_\_\_\_ Proposed

\_\_\_\_\_ Final

Certificate # \_\_\_\_\_

Mailing list:

Proposed:

Final:

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)

WATER RESOURCES DEPT.  
SALEM, OREGON

WELL I.D. # 34003  
START CARD # 123835

Instructions for completing this report are on the last page of this form.

CURR 50609 FEB - 2 2000

31-15-30

(1) OWNER: Well Number 697  
Name Sea Wind Farms Inc. (KATE ANDERSSON)  
Address PO BOX 242  
City SIXES State OR Zip 97476

(9) LOCATION OF WELL by legal description:  
County Curry Latitude Longitude  
Township 31 N or S Range 15 E or W. W.M.  
Section 30 SE 1/4 NE 1/4  
Tax Lot 2901 Lot Block Subdivision  
Street Address of Well (or nearest address) 46532 Highway 101 S  
Langlais

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(10) STATIC WATER LEVEL:  
9' ft. below land surface. Date 1/27/00  
Artesian pressure lb. per square inch. Date

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other

(11) WATER BEARING ZONES:

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

Depth at which water was first found 9'

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 48' ft.  
Explosives used  Yes  No Type Amount

From	To	Estimated Flow Rate	SWL
<u>9</u>	<u>4</u>	<u>+/- 100</u>	<u>9'</u>

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
<u>10"</u>	<u>0 20</u>	<u>Bentonite</u>	<u>0 20</u>	<u>12.5K</u>	
<u>6"</u>	<u>20 48</u>				

(12) WELL LOG: Ground Elevation +/- 300'

How was seal placed: Method  A  B  C  D  E  
 Other Toured from surface  
Backfill placed from ft. to ft. Material  
Gravel placed from ft. to ft. Size of gravel

Material	From	To	SWL
<u>Sand</u>	<u>0</u>	<u>16</u>	<u>9'</u>
<u>Peat w/ wood</u>	<u>16</u>	<u>18</u>	
<u>Sand Fine-med Brown</u>	<u>18</u>	<u>20</u>	
<u>Wood w/ clay + Peat</u>	<u>20</u>	<u>24</u>	
<u>Sand Fine-med Gray</u>	<u>24</u>	<u>31</u>	
<u>Sand Fine-CRS w/ Fine</u>	<u>31</u>	<u>32</u>	
<u>Gravel Gray</u>	<u>32</u>	<u>35</u>	
<u>Gravel Fine-CRS w/</u>	<u>32</u>	<u>35</u>	
<u>Gravel Fine-CRS Gray</u>	<u>35</u>	<u>41</u>	
<u>Gravel/CRS-Fine w/ Shell</u>	<u>35</u>	<u>41</u>	
<u>Sandstone Green, Gray</u>	<u>41</u>	<u>42</u>	
<u>+ Black</u>			
<u>Sandy Clay Green Gray</u>	<u>42</u>	<u>43</u>	
<u>Sandy Clay Gray</u>	<u>43</u>	<u>48</u>	

(6) CASING/LINER:  
Diameter From To Gauge Steel Plastic Welded Threaded  
Casing: 6" + 20 160      
8" + 3 250      
Protective casing  
Liner:

(7) PERFORATIONS/SCREENS:  
 Perforations Method N/A  
 Screens Type Material  
From To Slot size Number Diameter Tele/pipe size Casing Liner

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing  
Yield gal/min Drawdown Drill stem at Time  
10 2 20 1 hr.

Date started 1/27/00 Completed 1/27/00

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Temperature of water 52° Depth Artesian Flow Found  
Was a water analysis done?  Yes  No  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other  
Depth of strata: NOV 24 2004

Signed Borden Well + septic Co Inc WWC Number Date

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Jim Macke Jr. Mowe WWC Number 1493 Date 1/27/00

RECEIVED CURR 50773

AUG 16 2001

Curr

31-15-30

STATE OF OREGON WATER SUPPLY WELL REPORT

WATER RESOURCES DEPT. SALEM, OREGON

WELL I.D. # L-34003 START CARD # 135993

Instructions for completing this report are on the last page of this form.

(1) OWNER: Seawind Farms Inc Well Number 789 Name Knutte Anderson Address PO Box 242 City Sixes State OR Zip 97476

(2) TYPE OF WORK: [ ] New Well [ ] Deepening [X] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD: [ ] Rotary Air [X] Rotary Mud [ ] Cable [ ] Auger [ ] Other

(4) PROPOSED USE: [ ] Domestic [ ] Community [ ] Industrial [X] Irrigation [ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [ ] Yes [X] No Depth of Completed Well 521' ft. Explosives used [ ] Yes [X] No Type Amount TOC

Table with columns: HOLE, SEAL, Diameter, From, To, Material, From, To, Sacks or pounds. Includes entries for Bentonite and 17 5x.

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [X] Other Poured From Surface Backfill placed from 18 ft. to 52 ft. Material Gravel placed from 18 ft. to 52 ft. Size of gravel 6/9

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Includes entries for 8" and 10" casings.

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner. Includes entry for 31 to 41 ft.

(8) WELL TESTS: Minimum testing time is 1 hour. Table with columns: Yield gal/min, Drawdown, Drill stem at, Time. Includes entries for 41 and 37 yield.

Temperature of water 52° Depth Artesian Flow Found Was a water analysis done? [X] Yes By whom BWTs Did any strata contain water not suitable for intended use? [ ] Too little [ ] Salty [ ] Muddy [ ] Odor [ ] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County Curry Latitude Longitude Township 31 N or (S) Range 15 E or (W) WM. Section 30 SE 1/4 NE 1/4 Tax Lot 2901 Lot Block Subdivision Street Address of Well (or nearest address) 46532 Hwy 101 Langlois

(10) STATIC WATER LEVEL: 13'9" ft. below land surface. Date 8/1/01 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 13'9"

Table with columns: From, To, Estimated Flow Rate, SWL. Includes entry for 13'9 to 41 ft with flow rate of 1-2.52.

(12) WELL LOG: Ground Elevation +1-300'

Table with columns: Material, From, To, SWL. Lists various soil layers like Sand Fine Brown, Peat w/wood, Sand Fine-med brown, etc.

Date started 8/1/01 Completed 8/08/01

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

Signed Chris Keesey WWC Number 1759 Date

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above.

Signed [Signature] WWC Number 1493 Date 8/13/01

RECEIVED

ORIGINAL - WATER RESOURCES DEPT. SALEM, OREGON NOV 24 2004 FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

WATER RESOURCES DEPT SALEM, OREGON

Airport well

31 1 30

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)

WELL I.D. # L34003

START CARD # 135443

Instructions for completing this report are on the last page of this form.

(1) OWNER: SEALED FARMS INC. Well Number 784  
Name Knutte Anderson  
Address PO Box 242  
City Sixes State OR Zip 97176

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 52' 1"  
Explosives used  Yes  No Type TOC Amount TOC

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
12 1/4	0 52	Bentonite	0 18	17	5X

How was seal placed: Method  A  B  C  D  E  
 Other Poured from surface  
Backfill placed from 18 ft. to 52 ft. Material 6/9  
Gravel placed from 18 ft. to 52 ft. Size of gravel 6/9

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8"	+11"	31'	160#	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(12" Pipe)	41'	52'	160#	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: (Protective Casing)	10"	+14'	4"	280	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

Perforations Method Attached to Casing  
 Screens Type Johnson-wire Material SS

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
31	41	10/25		8"	Pipe	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Pump  Bailer  Air  Flowing  Artesian

Yield gal/min	Drawdown	Drill stem at	Time
41	17 1/4	41	1 hr.
37	17 1/8	41	2 hrs

Temperature of water 52° Depth Artesian Flow Found  
Was a water analysis done?  Yes By whom BWTS  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  **RECEIVED**  
Depth of strata:

(9) LOCATION OF WELL by legal description:  
County Clatsop Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 31 N or S/Range 15 E or W, WM.  
Section 30 30 1/4 15 1/4  
Tax Lot 2901 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 46532 1st/101  
Langlois

(10) STATIC WATER LEVEL:  
13' 9" ft. below land surface. Date 8/1/01  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 13' 9"

From	To	Estimated Flow Rate	SWL
13' 9"	41	1-52	
Specific Cup 2.17 gal/ft of DD			

(12) WELL LOG:  
Ground Elevation -1-300'

Material	From	To	SWL
Sand Fine Brown	0	16	
Peat w/wood	16	18	
Sand Fine-med brown	18	20	
Wood w/clay + Peat	20	24	
Sand Fine-med Gray	24	31	
Sand Fine CRS w/Fine	31	32	
Gravel Gray			
Gravel Fine CRS w/Sand	32	35	
Fine-CRS Gray			
Gravel CRS-Fine w/shell	35	41	
Sandstone Green Gray	41	42	
+ Black			
Sandy Clay Green Gray	42	43	
Sand Silty Gray	43	52	

Well Previously Drilled 1/29/00.  
SC # 123829.  
Casing pulled and new seal installed

Date started 8/1/01 Completed 8/10/01

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed Chris Keesey WWC Number 1759 Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed John Mack Sr. Mowc WWC Number 1493 Date 8/13/01



CURR 50609

FEB - 2 2000

31-15-30

STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765)

WATER RESOURCES DEPT. SALEM, OREGON

WELL I.D. # L 34003 START CARD # 123835

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number 697 Name Sea Wind Farms Inc. (Knutte Andersson) Address PO BOX 242 City SIXES State OR Zip 97476

(2) TYPE OF WORK: [X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD: [ ] Rotary Air [X] Rotary Mud [ ] Cable [ ] Auger [ ] Other

(4) PROPOSED USE: [ ] Domestic [ ] Community [ ] Industrial [X] Irrigation [ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [ ] Yes [X] No Depth of Completed Well 48' ft. Explosives used [ ] Yes [X] No Type Amount

Table with columns: HOLE, SEAL, Diameter, From, To, Material, From, To, Sacks or pounds. Includes entries for Bentonite and 125K sacks.

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [X] Other Paired from surface Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Includes entries for 6" and 8" casings.

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Material, Tele/pipe size, Casing, Liner.

(8) WELL TESTS: Minimum testing time is 1 hour. [X] Pump [ ] Bailer [ ] Air [ ] Flowing Artesian. Yield gal/min 10, Drawdown 2, Drill stem at 20, Time 1 hr. Temperature of water 52° Depth Artesian Flow Found

(9) LOCATION OF WELL by legal description: County Curry Latitude Longitude Township 31 N or S Range 15 E or W.W.M. Section 30 SE 1/4 NE 1/4 Tax Lot 2901 Lot Block Subdivision Street Address of Well (or nearest address) 46532 Highway 101 S Bengalis

(10) STATIC WATER LEVEL: 9' ft. below land surface. Date 1/27/00 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 9'

Table with columns: From, To, Estimated Flow Rate, SWL. Includes entry for 9' to 4' depth with flow rate of +/- 100 and SWL of 9'.

(12) WELL LOG: Ground Elevation +/- 300'

Table with columns: Material, From, To, SWL. Includes entries for Sand, Peat w/ wood, Sand Fine-med Brown, Wood w/ clay + Peat, Sand Fine-med Gray, Sand Fine-CRS w/ Fine, Gravel Gray, Gravel Fine-CRS w/, Sand Fine-CRS Gray, Gravel/CRS-Fine w/ shell, Sandstone Green, Gray, + Black, Sandy Clay Green Gray, Sandy Clay Gray.

Date started 1/27/00 Completed 1/27/00 (unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Borden Well & Septic Co Inc Date WWC Number

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Jon Mark A. Mewe Date 1/27/00 WWC Number 1493

WATER RESOURCES DEPT SALEM, OREGON

RECEIVED

NOV 24 2004



INVOICE

280 JEFFERSON STREET  
EUGENE, OR 97402

*pd. # 7260  
10.15.01  
\$918.63*

541-342-1203

REMIT TO: CENTURY RAIN AID  
PO BOX 31001-0485  
PASADENA, CA 91110-0485

OUR ORDER NO.	INVOICE DATE	INVOICE NO.	PAGE
269875	10/03/01	605932	1

SOLD TO:

000339-S-003-001-000339

SEAWIND FARMS  
46532 HWY 101S  
P. O. BOX 242  
SIXES OR 97476-0242

SHIPPED TO

SEAWIND FARMS  
46532 HWY 101S  
P. O. BOX 242  
SIXES OR 97476



CUSTOMER CODE	SALES MAN	SHIPPED VIA	DATE SHIPPED	TERMS	CUSTOMER ORDER NO.
63169		OUR TRUCK	10/03/01	NET 10TH PROX	PUMP

PRODUCT CODE	DESCRIPTION	INVOICE QUANTITY	B/O QUANTITY	UNIT	PRICE	AMOUNT
217-812	1HP 230V 1PH CONTROL BOX	1	0	EA	37.772	37.77
OP4E02H-03	1 H.P S.S SUB PUMP	1	0	EA	429.000	429.00
66X2	6" X 2" WELL SEAL	1	0	EA	25.714	25.71
TORQUEARRESTER	TORQUE ARRESTER FOR PUMP	1	0	EA	10.714	10.71

*Well pump  
P.A. part  
3055*

**RECEIVED**  
NOV 24 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

ACCEPTANCE OF THIS MERCHANDISE YOU AGREE TO PAY A 1.5% PER MONTH LATE FEE (18.0% PER ANNUM) OR THE HIGHEST RATE ALLOWED BY LAW. LATE CHARGES BEGIN ON THE DAY FOLLOWING THE DUE DATE. THESE GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS 6, 7, AND 12 OF THE FAIR LABOR STANDARDS ACT AS AMENDED. RETURNS MUST HAVE OUR PRIOR CONSENT. ORIGINAL INVOICE NO. WITH DATE MUST BE FURNISHED. RESTOCKING, RECONDITIONING AND FREIGHT CHARGES ARE APPLICABLE ON RETURNS.

503.19	0.00	0.00	0.00	0.00		<b>TOTAL INVOICE</b>
<b>LINE TOTAL</b>	<b>OTHER CHARGES</b>	<b>DELIVERY CHARGE</b>	<b>TAXABLE AMOUNT</b>	<b>SALES TAX</b>	<b>GST</b>	503.19
						DATE DUE
						11/10/01

To place an order or for a free catalog, call us

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KNUTE ANDERSSON  
SEA WINDS FARMS INC.  
P.O. BOX 242  
SIXES, OREGON 97476

PHONE: (541) 348-9937

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

APPLICATION FILE NUMBER: G-14722

SOURCE OF WATER: A WELL IN MILL CREEK BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 46.3 ACRES

MAXIMUM RATE: 0.267 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 31, 1998

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 30, T31S, R15W,  
W.M.; 2550 FEET SOUTH & 620 FEET WEST FROM NE CORNER, SECTION 30

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NW 1/4 2.7 ACRES  
SW 1/4 NW 1/4 7.9 ACRES  
SECTION 29  
NE 1/4 NE 1/4 12.9 ACRES  
SE 1/4 NE 1/4 22.8 ACRES  
SECTION 30

TOWNSHIP 31 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

Application G-14722 Water Resources Department

PERMIT G-13598

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.

Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

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.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

## 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 January 29, 2000. Complete application of water to the use shall be made on or before October 1, 2003. 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 February 23, 1999



Martha C. Pagel, Director  
Water Resources Department

Application G-14722  
Basin 17  
LKS

Water Resources Department  
Volume 3 FLORAS L & MISC  
MGMT.CODES 7AG 7AR 7BG 7BR

PERMIT G-13598  
District 19

# Mailing List for Permit Copies

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Application# G-14722

Mailing List Print Date February 12, 1999

**Original mailed to(when permit issued, include copy of permit map):**

Applicant: Sea Wind Farms Inc., Knute Anderson, PO Box 242, Sixes, Oregon 97476

Copies Mailed By: <u>HW</u> (SUPPORT STAFF) on: <u>2/23/99</u> (DATE)
---

**For Permit only - Permit Copies sent to (Remember to reduce copy margins):**

1. WRD - File # G-14722
2. WRD - Ken Stahr
3. WRD - Data Center
4. WRD - NWR (Gloria)
5. WRD - Watermaster District #: 19 (w/copy of permit map)
6. WRD - Regional Manager: SWR (w/copy of permit map)

**COPIES TO Other Interested Persons**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

CASEWORKER: LKS

**John Youngquist, Re: Application G-14722, Permit G-13598**

---

To: "John Youngquist" <mjywater@wizzards.net>  
From: Steve Brown <Stephen.C.BROWN@wrd.state.or.us>  
Subject: Re: Application G-14722, Permit G-13598  
Cc: Gerald.E.CLARK@wrd.state.or.us  
Bcc:  
Attached:

Dear Mr. Jounquist:

I received your request for additional time to complete and submit a claim of beneficial use and site report (Report) for the above referenced permit. The permit holder is granted additional time to submit the Report.

The Report should be submitted to the Department on or before December 1, 2004, or within such time as may be approved by the Department.

Thank you for advising us of the delay in meeting the requirements.

Sincerely,

Steve Brown  
Certificates

At 02:53 PM 9/22/04 -0700, you wrote:

Dear Mr. Brown:

I just was contacted to complete the final proof survey for the above mentioned application. I don't believe Clay and I can get it done by October 1st. Could we have a 30 day extension to get the Claim of Beneficial Use and Final Proof Survey Map to Salem?

Any assistance you could provide would be appreciated.

John Youngquist

TO: Water Rights Section

APRIL 23, 1998

FROM: Groundwater/Hydrology Section D. Woodcock

Reviewer's Name

SUBJECT: Application G- 14722

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE ~~\_\_\_\_\_~~ Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source ( \_\_\_\_\_ ) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a. \_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest
  - b. \_\_\_ will not \_\_\_\_\_ surface water source, namely UNNAMED CR (MILL?) or
  - c.  will if properly conditioned, adequately protect the surface water from interference:
    - i.  The permit should contain condition #(s) 7B, 7A (MODIFIED)
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
  - d. \_\_\_ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
  - a. \_\_\_ will, or \_\_\_\_\_ likely be available in the amounts requested without injury to prior rights
  - b. \_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i. \_\_\_ The permit should contain condition #(s) \_\_\_\_\_;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
4.
  - a. \_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b. \_\_\_ The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c. \_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d. \_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e. \_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

ATTACHED

REMARKS: CONDITION W/ 7B & A MODIFIED 7A (REPLACE  
25 FT DECLINE W/ 10 FT MAX).

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(Well Construction Considerations on Reverse Side)

G-14722



WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:  
a. \_\_\_ review of the well log;  
b. \_\_\_ field inspection by \_\_\_\_\_;  
c. \_\_\_ report of CWRE \_\_\_\_\_;  
d. \_\_\_ other: (specify) \_\_\_\_\_
6. THE WELL construction deficiency:  
a. \_\_\_ constitutes a health threat under Division 200 rules;  
b. \_\_\_ commingles water from more than one groundwater reservoir;  
c. \_\_\_ permits the loss of artesian head;  
d. \_\_\_ permits the de-watering of one or more groundwater reservoirs;  
e. \_\_\_ other: (specify) \_\_\_\_\_
7. THE WELL construction deficiency is described as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. THE WELL a. \_\_\_ was, or constructed according to the standards in effect at the time of  
b. \_\_\_ was not original construction or most recent modification.  
c. \_\_\_ I don't know if it met standards at the time of construction.

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RECOMMENDATION:

- A. \_\_\_ I recommend including the following condition in the permit:  
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."  
B. \_\_\_ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.  
C. \_\_\_ REFER this review to Enforcement Section for concurrence.

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THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit  
\_\_\_\_\_, 199\_\_.  
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, 199\_\_.  
(Signature)



## 7A NON-SEASONAL USE CONDITION

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

REFERENCE  
w/ 10 ft

### Comment (Internal use only)

This is a resource protection condition for non-seasonal uses such as municipal or industrial. The plan submitted by the water user will likely be reviewed by the hydrogeologist that recommended the condition. The condition does not require the water level data to be submitted. The approved plan should specify data requirements. The plan should have a clause in it that allows the changes to be made at a later date. This would allow the plan to be adjusted to changing conditions. One of the criteria for excessive decline is 50 feet of water level decline. The last sentence of the condition indicates that a maximum of 50 feet of decline would be allowed under current rules.

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Ground Water/Hydrology Date 4-23-98  
 FROM: Doug Woodcock  
 SUBJECT: Groundwater Application G- 14722 CAPE BLANCO

Applicant(s) seek 120 gpm ( \_\_\_\_\_ cfs) from ONE wells in the S. COAST basin  
 Applicants Name: SEA WINDS FARMS FLORAS CR sub basin  
 Proposed Use: CRANI OPPS \_\_\_\_\_ sub basin

Well \_\_\_\_\_ WRD# DRILLED <sup>NOT</sup> T 313 R 15 S 30 QQ SENE County CURRY  
 Legal Description 2580' S + 625(7)' W. OF NE COR SEC 30  
 Well is 1860 ft from MILL(?) CR (river/stream)  
 Well is 2200 ft from UNNAMED TRIB FLORAS L. (river/stream)  
 Well Elevation ~ 183 ft River/Stream elevation -140 ft.  
 Well Elevation - River/Stream elevation \_\_\_\_\_ ft.  
 Well depth PROPOSED 60 ft SWL \_\_\_\_\_ ft on \_\_\_\_\_  
 Sealed to \_\_\_\_\_ ft Depth first water found \_\_\_\_\_ ft  
 Cased to \_\_\_\_\_ ft Perforations/screens \_\_\_\_\_ ft  
 Lined to \_\_\_\_\_ ft Perforations/screens \_\_\_\_\_ ft  
 Well test and types \_\_\_\_\_  
 (Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO  
 Potential to cause substantial interference? UNLIKELY

Well \_\_\_\_\_ WRD# \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ S \_\_\_\_\_ QQ \_\_\_\_\_ County \_\_\_\_\_  
 Legal Description \_\_\_\_\_  
 Well is \_\_\_\_\_ ft from \_\_\_\_\_ (river/stream)  
 Well is \_\_\_\_\_ ft from \_\_\_\_\_ (river/stream)  
 Well Elevation \_\_\_\_\_ ft River/Stream elevation \_\_\_\_\_ ft.  
 Well Elevation - River/Stream elevation \_\_\_\_\_ ft.  
 Well depth \_\_\_\_\_ ft SWL \_\_\_\_\_ ft on \_\_\_\_\_  
 Sealed to \_\_\_\_\_ ft Depth first water found \_\_\_\_\_ ft  
 Cased to \_\_\_\_\_ ft Perforations/screens \_\_\_\_\_ ft  
 Lined to \_\_\_\_\_ ft Perforations/screens \_\_\_\_\_ ft  
 Well test and types \_\_\_\_\_  
 (Confined/Semi-confined/Unconfined) Direct hydraulic connection? YES / NO  
 Potential to cause substantial interference? \_\_\_\_\_

Comments: PROPOSED WELL TO DEVELOP WATER FROM MARINE TERRACE SANDS + GRAVELS. GW IS GENERALLY UNCONFINED, BECOMING MORE CONFINED AT DEPTH DUE TO THE PRESENCE OF CLAYS. GW FLOW LIKELY TO BE N → NW. CRANBERRY OPERATIONS TEND TO RECYCLE WATER (BOG LOSSES), THUS A JENKINS ANALYSIS WILL OVERESTIMATE INTERFERENCE. STILL, THAT ANALYSIS SHOWED NO SHORT-TERM PFSI.

References Used: GOLDER ASSOC. 1994, ROBISON 1973 HYDROLOGY OF DUNES AREA COOS BAY

- K FROM GOLDER ASSOC. REPORT = 26 ft/DAY
- STREAMS NOT FULLY PENETRATING
- Q NOT STEADY
- 1306 LEAKAGE = RECHARGE

**Stream Depletion Analysis:**

Written by Karl C. Wozniak (OWRD) 7/1/91; last modified 1/11/95.  
 References: Theis (1941), Jenkins (1968), Jenkins (1970), Walton (1984), and Wilson and Linderfelt (1991).  
 See bottom of worksheet for detailed references and model assumptions.

- y = Coordinate axis perpendicular to stream
- x = Coordinate axis parallel to stream
- 0,0 = Coordinate of Stream at Perpendicular to Well

**Model calculates:**

1. Transient Stream Depletion (Theis, 1941; Jenkins, 1970)
2. Steady-State induced infiltration (Wilson & Linderfelt, 1991)
3. Head distribution along a line perpendicular to stream at a distance y from well at a specified time

**Input Data:**

Variable	Name	Minimum	"Best"	Maximum	Unit
Well Owner or Well Number	Well		Sea Winds		
X Coord. for X-Section (Head Distribution)	x		0		[ft]
Perpendicular Distance From Well to Stream	a		1,860		[ft]
Net Steady Pumping Rate	Q		120		[gpm]
Hydraulic Conductivity	K	50	150	250	[gpd/ft*ft]
Aquifer Thickness	b	40	40	40	[ft]
Well Depth	d		80		[ft]
Storativity	S		0.10000		
Effective porosity	n		0.20000		
Hydr. Grad. Perpend. to Stream (must be > 0)	i	0.00095	0.00095	0.00095	
Time Since Pumping Started	time		30.00		[days]

**Run Stream Depletion**

**Quit Stream Depletion**

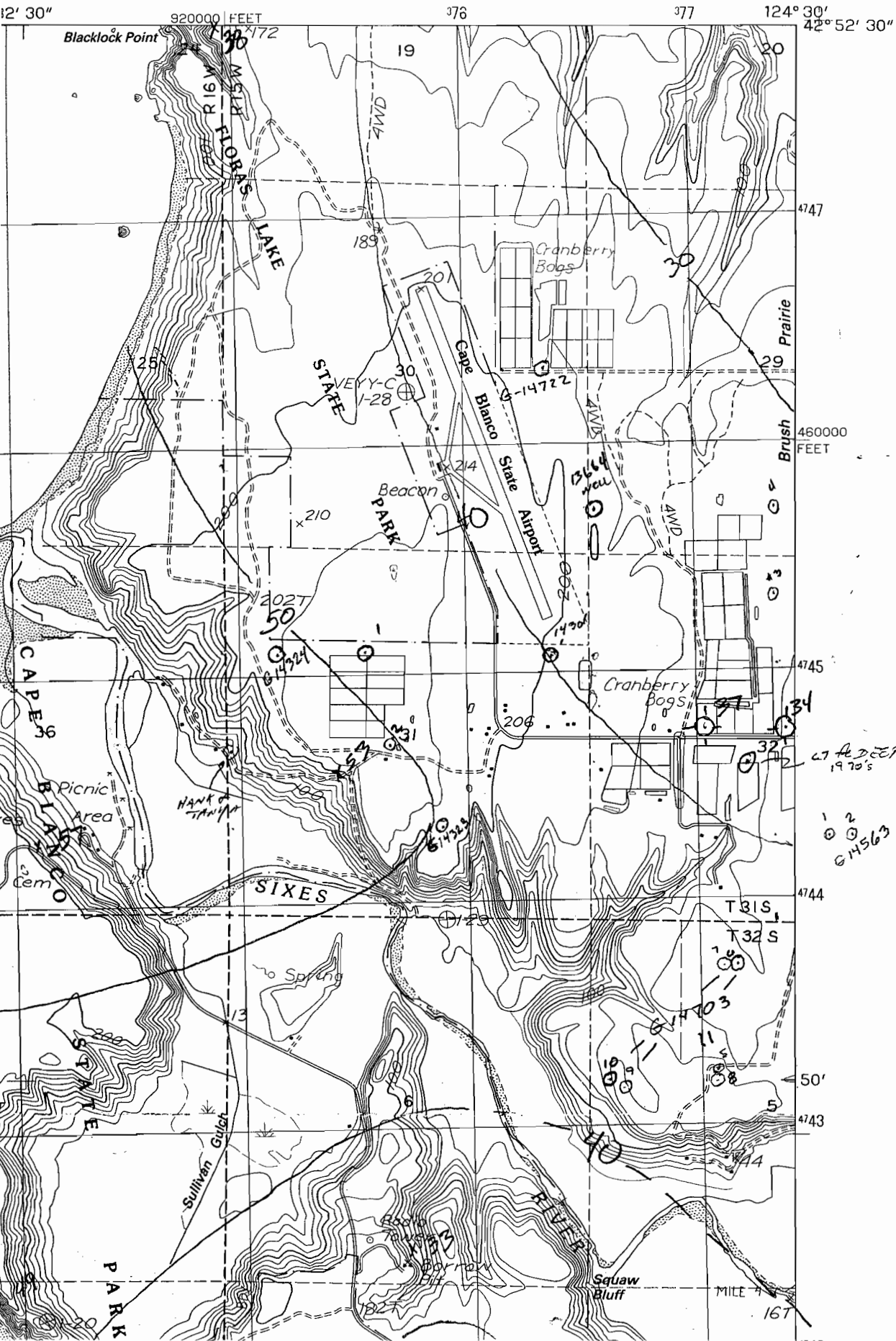
**Output Data:**

General Output:	Run Stream Depletion	Quit Stream Depletion
Transmissivity	T	2,000
Hydraulic Conductivity	K	50
		7
Average linear velocity	ALV	2.34E-05
		0.03
		11.56
Ambient Flux at River per Foot	dQ	0.0013
		0.0039
		0.0066
		10,000
		250
		33
		1.17E-04
		0.16
		57.80
		0.0066

**Transient Stream Depletion Output:**

k	SDTr_k	10.7824	3.5941	2.1565
Transient Stream Depletion (Theis/Jenkins)	SDTr	0%	1%	4%
Transient Induced Infiltration (Theis/Jenkins)	IITr			









CAPE BLANCO QUADRANGLE  
 OREGON - CURRY CO.  
 7.5 MINUTE SERIES (TOPOGRAPHIC)

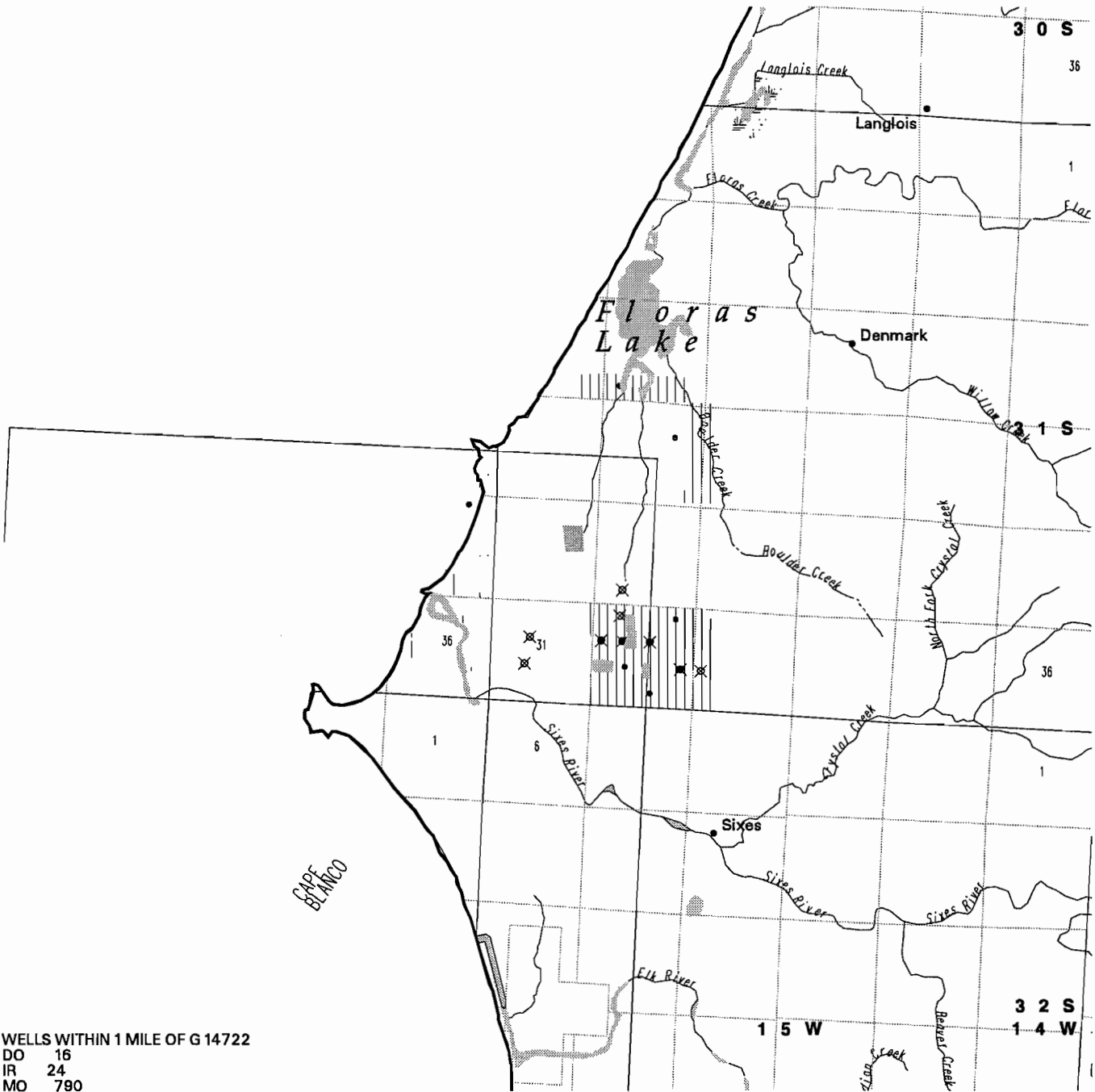


*W*

FROM KELSEY

# Wells in the vicinity of application G 14722

- |   |   |   |   |
|---|---|---|---|
|  Application well(s) in this 1/4-1/4 section   |  Well(s) identified in this 1/4-1/4 section from OWRD's well log database within 1 mi. radius of application well(s) |  Conditioned, permitted well(s) in this 1/4-1/4 section within 5 mi. radius of application well(s) |  Critical GW Area  |
|  Well(s) identified in this section from OWRD's well log database within 1 mi. radius of application well(s) |  Permitted well(s) in this 1/4-1/4 section within 1 mi. radius of application well(s)                                |  OWRD Observation well and well-id within 5 mi. radius of application well(s)                      |  Regulated GW Area |



WELLS WITHIN 1 MILE OF G 14722

DO 16  
 IR 24  
 MO 790

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 14722

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G 10867	G 10027	31.00S15.00W29SESW	CR	100.0000	G
2	G 10867	G 10027	31.00S15.00W32NENW	CR	100.0000	G
3	G 14141	G 12928	31.00S15.00W31SESW	AG	0.8600	C
3	G 14141	G 12928	31.00S15.00W31SESW	IC	0.8600	C
4	G 12658	G 12195	31.00S15.00W32SWNW	CR	1.0000	C
4	G 12658	G 12195	31.00S15.00W32SWNW	CR	2.7500	C
4	GR 3377	GR 3121	31.00S15.00W32SWNW	CI	400.0000	G
5	G 10867	G 10027	31.00S15.00W32SESW	CR	80.0000	G
6	G 10009	G 9136	31.00S15.00W32SWNE	CI	0.6300	C
6	G 10009	G 9136	31.00S15.00W32SWNE	CR	1.8800	C
6	G 10009	G 9136	31.00S15.00W32SWNE	IR	0.3100	C
6	G 10009	G 9136	31.00S15.00W32SWNE	TC	1.8800	C
6	G 13697	G 12643	31.00S15.00W32SWNE	CR	0.5600	C
7	G 14141	G 12928	31.00S15.00W31NESW	AG	0.4000	C
7	G 14141	G 12928	31.00S15.00W31NESW	IS	0.4000	C
8	G 12290	G 11295	31.00S15.00W32NESE	CR	0.1900	C
9	G 12290	G 11295	31.00S15.00W33NWSW	CR	0.1900	C

\*\*\*\*\*

NO CONDITIONED WELLS WITHIN 1 MILE OF APPLICATION G 14722

\*\*\*\*\*

APPLICATION G 14722 FALLS WITHIN THESE QUAD(S)

CAPE BLANCO

\*\*\*\*\*



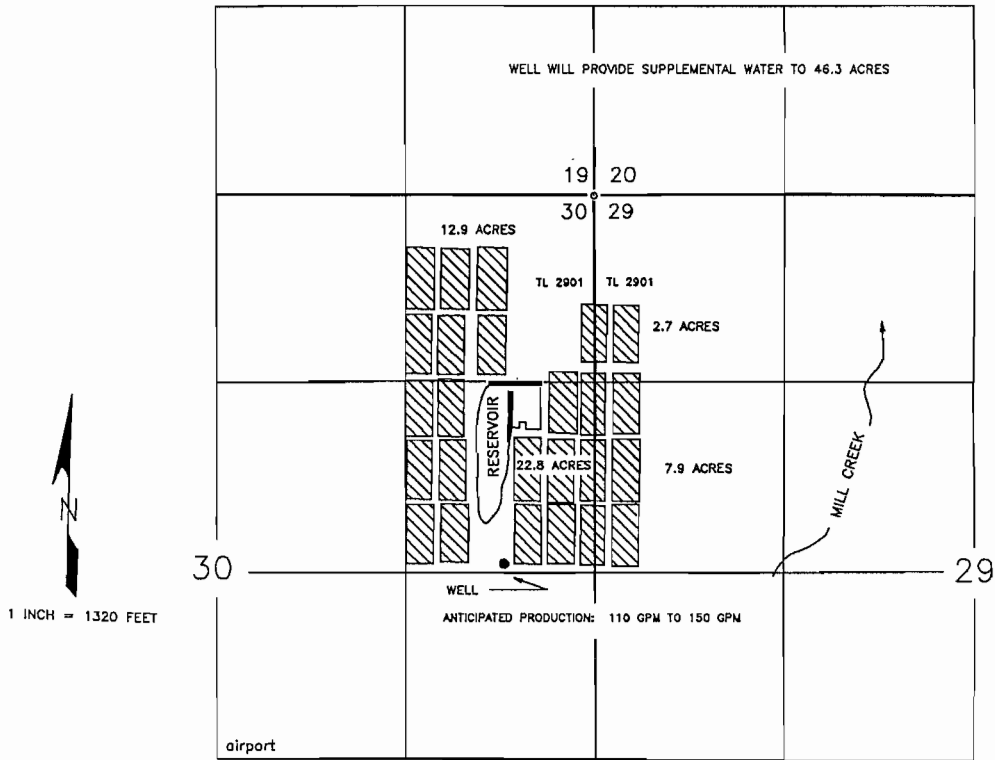
6-14722

APPLICATION MAP

permit # G-3598

IN THE NAME OF SEA WIND FARMS, INC.

SECTIONS 29 & 30, T 31 S, R 15 W, W.M.



THE WELL IS TO BE LOCATED 2,550 FEET SOUTH AND 620 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 30, BEING WITHIN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SECTION 30, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M., IN CURRY COUNTY.

RECEIVED

APR 28 1998

WATER RESOURCES DEPT  
SALEM, OREGON

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

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-14722

**Final Order**

*Application History*

On March 31, 1998, KNUTE ANDERSSON, for SEA WINDS FARMS INC., submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on September 1, 1998. The protest period closed October 16, 1998, and no protest was filed.

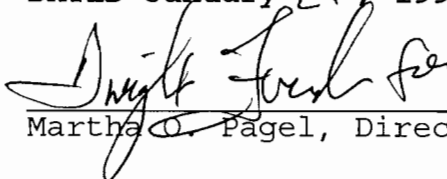
The proposed use would not impair or be detrimental to the public interest.

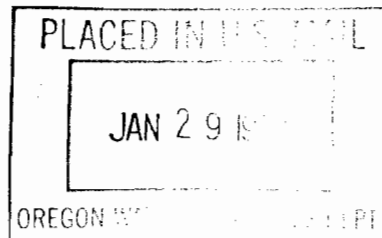
**Order**

Upon payment of outstanding permit recording fees, Application G-14722 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$175.00. 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-14722.

DATED January 29, 1999

  
Martha O. Pagel, Director



*Appeal Rights*

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

*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

KNUTE ANDERSSON  
SEA WINDS FARMS INC.  
PO BOX 242  
SIXES, OREGON 97476

(541) 348-9937

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

APPLICATION FILE NUMBER: G-14722

SOURCE OF WATER: A WELL IN MILL CREEK BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 46.3 ACRES

MAXIMUM RATE: 0.267 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 31, 1998

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 30, T31S, R15W,  
W.M.; 2550 FEET SOUTH & 620 FEET WEST FROM NE CORNER, SECTION 30

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NW 1/4 2.7 ACRES  
SW 1/4 NW 1/4 7.9 ACRES  
SECTION 29  
NE 1/4 NE 1/4 12.9 ACRES  
SE 1/4 NE 1/4 22.8 ACRES  
SECTION 30

TOWNSHIP 31 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

Application G-14722 Water Resources Department

PERMIT DRAFT

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.

Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

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.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

## 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 January 29, 1999. Complete application of water to the use shall be made on or before October 1, 2003. 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

Application G-14722      Water Resources Department  
Basin 17                      Volume 3 FLORAS L & MISC  
RWK- WEEK 162              MGMT.CODES 7AG 7AR 7BG 7BR

PERMIT DRAFT  
District 19

# Mailing List for FO Copies

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Application #G-14722 Mailing List Print Date January 7, 1999

Original mailed to (when permit issued, include copy of permit map):

Applicant: KNUTE ANDERSSON, SEA WINDS FARMS INC., PO BOX 242, SIXES, OREGON 97476

For FO w/Draft Permit - Copies sent to:

1. WRD - File # G-14722

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

2. WRD - Watermaster District #: 19
3. WRD - Regional Manager: SWR

"\$10 LETTER" (Interested Persons who have not protested or paid for copies)

1. WaterWatch

CASEWORKER: RWK

Copies Mailed
By: <u>HW</u>
(SUPPORT STAFF)
on: <u>1/29/99</u>
(DATE)

# FO CHECKLIST

FILE # C 14722

REVIEW DATE: 10/27/98

PFO WEEK # 162

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**? WW 10/13
2.  On the PFO CC list, verify names and addresses of **ALL** commentors (regardless of comment date), **affected landowners**, and **those who paid the \$10 fee**.
3.  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.  OWES 175 Verify payment of recording fees (*circle the appropriate option*)
 

(1) Issue FO w/permit if fees are paid -- Prepare refund request for excess fees, <b>including standing fees if no protest is filed and no modifications are being made to the PFO</b>	250 BASE	OWES 175
	150 10FS	
(2) Issue FO w/o permit if fees are lacking	175	
	575	
	400	
	175	
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: <u>OCT 13 WW</u>				MGMT CODES: <u>7B, 7A(mod)</u>

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 173 & 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-14722

**Proposed Final Order**

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

*Application History*

On March 31, 1998, KNUTE ANDERSSON, for SEA WINDS FARMS INC., submitted an application to the Department for the following water use permit:

- Amount of Water: 120.0 GALLONS PER MINUTE (0.267 CFS)
- Use of Water: CRANBERRY USE ON 46.3 ACRES
- Source of Water: A WELL IN MILL CREEK BASIN
- Area of Proposed Use: CURRY County within SECTION 29, SECTION 30, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

On 6/5/98, the Department mailed the applicant notice of its Initial Review, determining that "The use of 0.30 CUBIC FOOT PER SECOND (120.0 GALLONS PER MINUTE) from A WELL IN MILL CREEK BASIN for SUPPLEMENTAL CRANBERRY USE on 46.3 ACRES is allowable year-round." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 6/23/98, 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: CRANBERRY USE.

A WELL IN MILL CREEK BASIN is not within or above a State Scenic Waterway.

An assessment of water availability has been completed by the Department's groundwater section. A copy of this assessment is in the file. This assessment determined that water is available for further appropriation year round.

The Department finds that the amount of water requested, 0.267 CFS, is allowable.

The proposed well is not within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.

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.

*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 other rules of the Water Resources Commission not otherwise described above.

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.

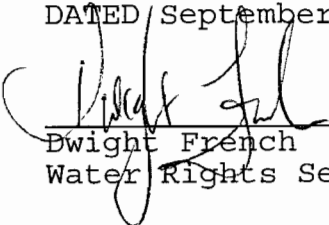
In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

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.

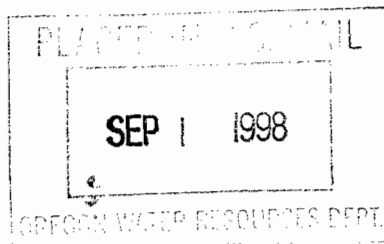
Recommendation

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

DATED September 1, 1998

  
Dwight French  
Water Rights Section Manager

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



### *Protest Rights and Standing*

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.

### *Requests for Standing*

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **October 16, 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.

*This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me 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.*

RWK- WEEK 162

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

KNUTE ANDERSSON  
SEA WINDS FARMS INC.  
PO BOX 242  
SIXES, OREGON 97476

(541) 348-9937

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

APPLICATION FILE NUMBER: G-14722

SOURCE OF WATER: A WELL IN MILL CREEK BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 46.3 ACRES

MAXIMUM RATE: 0.267 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 31, 1998

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SECTION 30, T31S, R15W,  
W.M.; 2550 FEET SOUTH & 620 FEET WEST FROM NE CORNER, SECTION 30

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NW 1/4 2.7 ACRES  
SW 1/4 NW 1/4 7.9 ACRES  
SECTION 29  
NE 1/4 NE 1/4 12.9 ACRES  
SE 1/4 NE 1/4 22.8 ACRES  
SECTION 30

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Application G-14722 Water Resources Department

PERMIT DRAFT

## 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.

Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

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.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as

defined in Commission rules, to occur within the aquifer as a result of use under this permit.

#### 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 issuance of the final order approving the use. 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-14722  
Basin 17  
RWK- WEEK 162

Water Resources Department  
Volume 3 FLORAS L & MISC  
MGMT.CODE 7AG 7AR 7BG 7BR

PERMIT DRAFT  
District 19



RECEIVED

MAR 31 1998

Oregon Water Resources Department

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: Sea Winds Farms, Inc.

Name and title of person applying: Knute Andersson, Manager

Mailing address of organization: P.O. Box 242

Sixes Oregon 97476  
City State Zip

Phone: (541) 348-9937  
Day Evening

\*Fax: (541) 348-2546 \*E-Mail address: KWA@HARBORSIDE.COM

\*Optional information

For Department Use

App. No. G-14722 Permit No. \_\_\_\_\_ Date 4-6-98



**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):

Basin 17 - South Coast

**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: One B. Name of nearest surface water body Mill Creek

C. Distance from well(s) to nearest stream or lake: 1) 1,860'

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) 85-90'

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: Bandon Well Drilling/Bandon, Oregon

Address: \_\_\_\_\_

Completion date: 10/1/99

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	6"	Steel	60'	20'	40'	40'	40'	Port in Seal	60'

**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):

Supplemental cranberry operations

- 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
1	Terrace Sand/gravel	Suppl. Cranberry Use	50 AF	120 gpm. est.
		Note: Application is for up to 120 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 Around

### D. Acreage

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

46.3 acres

## 5. Water Management

### **A. Diversion**

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

- Pump (give horsepower and pump type ) 5-7½ hp electric
- 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) 2-4" Length 100' (to reservoir)
- 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):

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Flood                        | <input checked="" type="checkbox"/> High-pressure sprinkler | <input type="checkbox"/> Low pressure sprinkler |
| <input type="checkbox"/> Drip                                    | <input type="checkbox"/> Water cannons                      | <input type="checkbox"/> Center pivot system    |
| <input type="checkbox"/> Hand lines                              | <input type="checkbox"/> Wheel lines                        |   |
| <input type="checkbox"/> Siphon tubes or gated pipe with furrows |   |   |
| <input type="checkbox"/> 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.

Sea Wind Farms has agreed to adhere to the cranberry industry BMP's. In  
addition all water will be "recycled" to minimize need for additional raw  
supply.

## 6. Project Schedule

Proposed date construction will begin 10/1/98

Proposed date construction will be completed 10/1/98

Proposed date beneficial water use will begin 10/1/2000

## 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.*

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## 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:

*Kenneth Anderson (Farm Manager)*  
Signature of Applicant

*MARCH 16, 1998*  
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?

Last revision: October 31, 1996

# Water Watch

R I V E R S N E E D W A T E R

Delivered Via FAX and Regular Mail

October 13, 1998

Water Rights Section  
Water Resources Department  
158 12th Street NE  
Salem, OR 97310

**RE: Comments, Application G-14722, Seawind Farms, Floras Creek Subbasin,  
New River Basin, South Coast**

Dear Water Rights Section:

In 1994 WaterWatch filed objections to over 70 pending applications in the New River Basin. In late 1995, the Water Resources Department initiated an alternative dispute resolution process in an attempt to resolve issues raised as to the individual and cumulative impacts of the proposed uses on the resources and declining fish populations in the New River system. The New River Alternative Dispute Resolution Team was formed consisting of representatives from the Water Resources Department (WRD), Oregon Department of Fish and Wildlife (ODFW), Department of Environmental Quality (DEQ), Bureau of Land Management (BLM), Cranberry Farmers Alliance, Bandon Cranberry Water Control District, WaterWatch, Croft Lake Association, the Audubon Society and individual applicants. The process was long and arduous, involving many meetings down in the South Coast. After nearly a year of intense negotiations, a precedent-setting agreement was reached. This innovative agreement allowed the pending applications to be issued, but only if a number of resource protective conditions of use were attached to the permits. Seawind Farms was a party to the agreement. They got a number of water rights, including two for the lands in question, through this process.

The whole idea behind the ADR process was to figure out a way to protect the New River ecosystem while at the same time allowing the pending applicants to go forward. We made our position clear that once the ADR was over, if any additional applications were submitted that we would raise serious concerns about the capacity of the resource to support a new use. The system is already seriously degraded. Any additional withdrawals will further exasperate the problem. Given this, WaterWatch has a number of concerns with Seawind Farm's application.

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## The Proposed Use

Seawind Farms has requested 120 gpm of groundwater for supplemental cranberry use on 46.3 acres of land in Mill Creek subbasin of the New River Basin. The initial review stated that this use was supplemental cranberry use.<sup>1</sup> The PFO and the draft permit lists the proposed use as "cranberry use" rather than the requested "supplemental cranberry use."

## The New River Resource

Mill Creek is part of the New River system. It is a tributary to Floras Lake which flows into the New River. The New River is a unique estuarine and freshwater ecosystem that supports a wide mix of wildlife, fisheries, botanical, and cultural resources found in association with few other coastal rivers in the Pacific Northwest. Approximately 200 species of wildlife use the New River area for some parts of their life cycle. Nine species of wildlife that use the area are designated as either threatened or endangered on the federal Endangered Species Act (ESA). Moreover, coho salmon are listed as threatened under the federal ESA and steelhead have been proposed for listing. One plant species has been listed as endangered on the federal list and a number of others are listed on the state list. A number of prehistoric cultural sites have been found along the banks of this drainage as well.

The importance of the New River watershed has been recognized by the Bureau of Land Management (BLM) through designation of a portion of the watershed as an Area of Critical Environmental Concern (ACEC). The ACEC includes approximately 1,000 acres of land bordering the New River.

Surface and groundwater withdrawals are reducing stream levels in the New River watershed. This is particularly evident in the summer/fall period when rainfall is lowest and water diversion is highest. Moreover, the entire system suffers from water quality problems.

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<sup>1</sup> The applicant lists S-73734 and R-73733 as the primary rights to which this right would be supplemental. These rights are not wholly primary rights. The final order for S-73734 states that the purpose of use is primary cranberry operations on 16 acres and supplemental cranberry operations on 30.2 acres. Moreover, the final order for R-73733 states that the purpose of use is to store water for supplemental cranberry use. A supplemental right is limited to making up for any deficiency in supply from an already existing primary right. *See OAR 690-300-010(52)*. A supplemental water right is used in conjunction with a primary water right. *Id.*

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## Concerns with the Proposed Use

1. The applicant has not shown a need for the water. To grant a water right for which need is not shown violates the state's mandate that water rights be granted for beneficial use without waste.

The applicant, Seawind Farms, has numerous water rights in the New River Basin. It has at least two water rights appurtenant to the lands outlined in this permit (permit 52993 (app. S-73734) and permit R-12095 (app. R-73733)). Seawind Farms received these rights as part of the New River Agreement whereby applicants agreed to, among other things, limit both the amount of water received and the season of use.

Despite the fact that the applicant agreed to certain seasonal limitations and certain amounts specific to the lands in question, Seawind Farms is now back asking for more water. However, there is nothing in the file documenting an actual need for the water. Moreover, applicant cannot point to a historical lack of water from their primary source since they have had their water rights for only a year now.

In discussions with Department staff, staff indicated that it is WRD's practice to grant "cranberry" water rights up to the established rate and duty for this basin, without regard to the specific rate and/or duty set in the primary permit. This is bad policy. It does not consider actual need and as a result tends to allow for inefficient water use. Given the overappropriation of the basin, the increasing listings of fish under the ESA and the serious water quality concerns in the New River Basin, it would seem prudent to actually analyze need as opposed to simply allowing cranberry use up to the general rate and duty for the basin.

Moreover, to actually analyze the need is consistent with the requirements of the law. Beneficial use without waste in the "basis, measure and extent of the right" to appropriate surface and groundwater in Oregon. ORS 540.610(1), ORS 537.525(3). The Department cannot issue a water right for which the user cannot make beneficial use within a reasonable time period. In this case, this means that the Department cannot issue a water right for a use that the applicant has not shown a need for. Again, the applicant already has water rights covering the said lands. The applicant agreed to the amounts and the seasonal limitations, thus the applicant implicitly agreed that they could make beneficial use with the amounts granted (if they could not make beneficial use with the amounts already granted the Department was in error in granting these prior rights. *See Final Order on Contested Case Hearing for WaterWatch v. Schneider, June 12, 1998*). Without a showing a need for more water, the Department would not be granting a water right for beneficial use without waste.

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worry

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2. The Department's analysis of the interconnectedness of the groundwater and surface water was inadequate to ensure that there is no potential for substantial interference with surface waters.

The Department has a duty to determine whether a proposed groundwater withdrawal has the potential for substantial interference with surface water supplies. OAR 690-09-040. The Division 9 rules establish the method for determining whether proposed appropriations of groundwater have the potential to cause substantial interference with the surface water. If the potential for substantial interference exists the Department must control these uses by the same methods used for surface waters.

<sup>WHERE</sup>  
The PFO acknowledges a hydraulic connection. When a hydraulic connection exists, the Department has a duty to determine if the potential for substantial interference exists. For proposed uses that tap groundwater that is determined to be connected to a surface water source, the Division 9 rules assume that if this use is within 1/4 mile of a surface water source it will have the potential to cause substantial interference. OAR 690-09-040(4)(a). This rule does not direct the Department to assume that if a proposed use is greater than 1/4 mile from the nearest surface water source to find that the proposed use will not have the potential to cause substantial interference. There is nothing in statute or in rule that allow the Department to ignore the effects of groundwater pumping on surface waters just because the well is greater than 1/4 mile from the surface water source.

To the contrary, for those proposed uses that are beyond the 1/4 mile radius, the rules direct that:

Any wells, other than those covered in section (4) of this rule, that produce water from an aquifer that is determined to be hydraulically connected to the surface water source may be determined by the Department to have the potential to cause substantial interference with the surface water source. In making his determination, the Department shall consider at least the following factors:

- a) The potential for a reduction in streamflow or surface water supply; or
- b) The potential to impair or detrimentally affect the public interest as expressed an applicable closure on surface water appropriation, minimum perennial streamflow, or instream water right with a senior priority date; or
- c) The percentage of the groundwater appropriation that was, or would have become, surface water; or
- d) Whether the potential for a cumulative adverse impact on streamflow or surface water supply.

OAR 690-09-040(5).

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4

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? IS THE  
DIV 9  
REVIEW

The groundwater requested for appropriation has been determined to be hydraulically connected to Mill Creek. Thus, the Division 9 rules apply. Given that the applicant's proposed well is 500 feet further than 1/4 mile of Mill Creek, section 5 rather than section 4 applies.

The Department failed to do this analysis. Rather, it appears that they assumed that because the point of appropriation in the application was not within 1/4 mile of the creek, there was no potential for substantial interference. The statute and rules don't so limit the analysis. The Department was in error for failing to go to the next step, as mandated by rule.

Had the Department done this analysis, its conclusion may well have been that the proposed use would have the potential to cause substantial interference. Warranting this conclusion under the Division 9 rules includes the potential cumulative effects that this application will have on the resource in light of the many other permits in this area. As the Department is well aware, the cumulative impacts of the many many individual water rights in the New River Basin is of concern. The cumulative effects of the many withdrawals (groundwater and surface water) was one of the underlying premises of the New River Basin Alternative Dispute Resolution process. This withdrawals' contribution to the cumulative impacts on the basin should have should have triggered further review by the Department. And given the interconnectedness of this entire system, and the potential for interference, the Department should have analyzed surface water resources per OAR 690-09-050(2).

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3. The Department failed to condition the use to ensure against interference with surface waters.

The state's groundwater management policy states that "interference between groundwater uses and competing groundwater and surface water uses shall be prevented and/or controlled to protect the water resource and existing rights." (emphasis added) OAR 690-410-010(1). This mandate is not limited to cases where the potential for substantial interference is found.

The conditions of use attached to this permit do nothing to protect the surface water resource from interference. Rather, the conditions of use are geared at regulating interference with surface water rights. This does nothing to protect the "surface water" as required by the state's groundwater management policy. At a minimum, this permit, if it goes forward, should be conditioned so that the season of use is limited to those months where surface water is available and that regulation of the use will occur if groundwater pumping is determined to interfere with the surface water resource (as opposed to simply surface water rights).

4. The use of groundwater may impair surface water flow needed for fish, water quality and other instream needs.

Fish species throughout the basin are declining. Mill Creek supports cutthroat. Moreover, its flows contribute to Floras Lake and the New River, both of which support federally listed coho. The coho's decline is attributed, in part, to inadequate instream flows. Juvenile coho spend a year in their stream of origin, thus adequate flows are necessary yearround to ensure coho survival. Specifically, flows are needed for migration, spawning, egg

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5

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incubation, fry emergence and juvenile rearing. ODFW's position has been that any use that affects surface water in the New River Basin be limited to the months of November through April (assuming water is available) so as not to interfere with months critical to fish survival.

Moreover, both Floras Lake and the New River are listed as water quality limited. Cranberry use has had a devastating effect to the water quality of the basin. To reduce streamflows in an already depleted system, will further add to water quality problems. Any further diminishment of streamflow will reduce the diluting effects of the river. Cranberry growers in the basin have acknowledged the widespread water quality problems. To this end, cranberry growers have agreed to adhere to Best Management Practices (BMPs) for the subbasin. However, disagreement in the drafting of the BMPs has precluded any real protection to the resource.<sup>2</sup>

As noted above, the current conditions of use do not protect against interference with the surface water resource. Given this, to issue a groundwater right that will further reduce the flows necessary for fish and/or pollution abatement by any amount, will impair the public interest in seeing that fishery and water quality needs are met.

**5. The Department should not issue any new water rights in the New River Basin until the Best Management Practices are developed for the New River Basin.**

Under the New River Agreement, all users must adhere to Best Management Practices that were to be developed for the New River Basin. The deadline for development of these BMPs was August 31, 1998. Agreement has not yet been reached on these BMPs and will probably have to go to an arbitrator. This, obviously, will take some time.

In the meantime, there are a large number of water right permits that are not meeting their condition of use that says that they must abide by the New River BMPs. Given the impact of cranberry use on water quality, no new uses should be approved until the BMPs are developed.

**6. The Department should not issue any new water rights in the New River Basin until the water study for the area is completed.**

During the New River Alternative Dispute Resolution process, cranberry growers, in a partnership with the federal Bureau of Reclamation committed to completing a study of the water resources of the New River Basin. It was our understanding that this was to include both surface water and hydraulically connected groundwater.

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<sup>2</sup> Note, though the growers agreed to adhere to BMPs as developed by participants of the New River ADR, agreement has not yet been reached on the BMPs and thus the ability of this condition to protect water quality is non-existent.

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The purpose of this study was to provide documentation on the state of the resource in this fragile basin. This information will be invaluable to growers, conservationists and interested agencies (including the Water Resources Department, Oregon Department of Fish and Wildlife and the Bureau of Land Management, which oversees the ACEC). The Department should have this information before it before it issues any more new water rights.

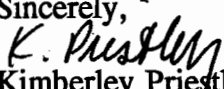
### Conclusion

We urge the Water Resources Department to deny this water right application. The New River Basin is a very fragile ecosystem that is already under tremendous development pressure. Any new use will further desecrate the resource and jeopardize the imperiled species it supports, including federally threatened coho. To allow such a thing is contrary to the many commitments made by the state in its Oregon Plan to work towards fish recovery.

Moreover, the Department shouldn't grant water rights unless a clear need is shown. As noted, the applicant already has a number of water rights in the basin and has not shown that his existing rights are inadequate. The Department should be promoting efficiency and conservation rather than simply issuing every water right request that comes in the door.

This said, if the Department decides to issue the right anyway, it should at the very least condition the season of use so that no water can be appropriated in the summer and fall months and that the water use will be regulated if it is found to interfere with surface waters (not just surface water rights).

Please let us know of your decision.

Sincerely,  
  
Kimberley Priestley  
Assistant Director

c: Louise Solliday, Governor's Office

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**PFO CHECKLIST**

Application #: E 14722

County Curry Basin: S Coast 17  
Township 31S Range 15W Section 30 1/4 1/4 SE NE

- 1. Complete by Minimum Requirements Checklist? Y / N
- 2. Shortcomings (items needed before a permit and/or FO can be issued) Y / N
- 3. Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold,...)
- 4. Groundwater Review **A B C D** River/Stream Name UNN CRK  
  - a. Groundwater Availability **A B C**
  - b. Is second groundwater review necessary? (comments) Y / **N**
  - c. Is the well located in a GWLA or CA? (If applicable, include map with POD) Y / **N**
- 5. Is use from BOR / Doug Co. project? Y / **N** Contract in file? Y / N Contract # \_\_\_\_\_
- 6. Is the use allowed by the Basin Program? Y / N Limited? Y / N \_\_\_\_\_
- 7. Water Availability Data **OK / REDONE / NA** (80% live flow & 50% storage) \_\_\_\_\_
- 8. Is the source withdrawn or limited by statute or Department order? Y / **N**
- 9. Is the Proposed Use located in or above a SWW? Y / **N**
- 10. Division 33: Y / N / **NA** Above Bonn (after July 17, 1992) Y / N  
Below Bonn (after April 8, 1994; June 3, 1994) Y / N  
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N
- 11. IR identifies as on DEQ 303d List? Y / N / **NA** Comments received? Y / N
- 12. Have conflicts been addressed? Y / N / **NA**
- 13. Duty CRAW MARCO <sup>(20)</sup> Irrigation Season \_\_\_\_\_
- 14. Period of Allowed Use YR RND
- 15. Allowed Rate 0.267 (120 GPM)

summary:

- 16. **Small** ( $\leq 0.1$  cfs,  $\leq 9.2$  AF), **Medium** ( $> 0.1$  or  $< 1.5$  cfs,  $> 9.2$  or  $< 100$  AF) OR **Large** ( $\geq 1.5$  cfs,  $\geq 100$  AF)  
**municipal**  $\leq 0.1$  cfs requires the **Large** condition
- 17. Conditions 7B, 7A (MODIFIED TO 10 FT [2X])  
New River Basin? Y / N / **NA** (conditions found in M:\groups\wr\pfo\work\findings & other lang)
- 18. IR Date 6/5/98 Public Notice Date 6/23/98 Comment Rec'd \_\_\_\_\_

TODD CONFER

- 19. Final Report Checklist
  - Fill out PFO CC List (don't forget to check for other property owners)
  - Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y / **N**
  - Final PFO has been saved to m:\groups\wr\pfo\work\week#\application #

Name: RWK Date: 8/27/98

IR CHECKLIST

Application #: G 14722

Basin: Go. Coast.

WAB: \_\_\_\_\_ POU-WAB \_\_\_\_\_

County Wray Township 31 S Range 15 W Section 29/30 1/4 1/4

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 \_\_\_\_\_ Conditions 7B, 7A (modified 7A to 15' decline)  
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

5. Allowed under Basin Program Y / N Limitations? Y / N 690-517-001 (8)

6. Withdrawn? Y / N Season allowed Y/R - supp cr.

7. Basin Maps have been checked. Y / N unnamed 7 flow cr.

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

9. Use IS/CRAN. Period of Allowed Use 1/2

10. For Irrigation: Rate 1/40 Duty \_\_\_\_\_ Season \_\_\_\_\_

11. Allowable Rate of Use: 46.3/40 = 1.2 cfs request 120 gpm (0.30 cfs)

12. Priority Date(s) 4-6-98

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, E, & S Map - After June 3, 1994) Y / N / NA

15. Conflicts Y / N

16. Conditions? (BOR, GW, other) Y / N modified 7A

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 \_\_\_\_\_

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

**Classifications**

690-517-001

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

*Adopted May 22, 1964. Amended May 20, 1977; January 12, 1979; April 1, 1980; May 8, 1981 and September 25, 1984.*



- (7) The waters of Pony Creek above lower Pony Creek Dam and Ferry and Geiger Creeks above the Ferry Creek - Geiger Creek confluence are classified for municipal use.
- (8) All other surface and ground water resources are hereby classified for domestic, livestock, municipal, industrial, fire control, irrigation, agricultural use, mining, power development, recreation, wildlife and fish life uses.
- (9) Applications for the use of water for any purposes contrary to classifications specified in the basin program shall not be accepted or granted except as provided by law. The Director shall notify the Board and other interested individuals or agencies of the intent to accept an application for use in conflict with the adopted program in accordance with ORS 536.380 if the proposed use will not have a significant impact on any other water use as provided in sections (1) through (8) of OAR 690-517-001 and in 690-517-002 through 690-517-003.
- (10) The planning, construction and operation of any structures or works for the utilization of water in accordance with the aforementioned classifications are to conform with the applicable provisions of ORS 536.310, including but not restricted to the recommendation of the multiple-purpose concept.

### **Reservations**

690-517-002

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

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

### **Minimum Perennial Streamflows**

690-517-003

- (1) For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, no appropriations of water except for domestic or livestock uses and irrigation of noncommercial gardens not exceeding one-half acre in area shall be allowed for the waters of the streams and tributaries listed in Table 1 when flows are below the specified levels.
- (2) The Water Policy Review Board requests the opportunity to review applications for an allowed beneficial use that has traditionally been identified as nonconsumptive or take-and-put, such as fish hatcheries, hydroelectric facilities, municipal or water process industries that could potentially impact, in an adverse way, the Board's minimum flow regime or the public interest. The Water Policy Review Board intends to continue to protect, in its entirety, that portion of the stream system on which any minimum streamflow has been established. Permitting procedures and water use regulation should reflect that objective as far as possible under the law. The Board solicits the advice or complaints of any party who is aware that the objectives are not being met.
- (3) Minimum flows established in the Water Resource Program for the South Coast Basin dated May 22, 1964 (Table 3), shall remain in full force and effect except as follows:
  - (a) The minimum perennial streamflow for the Elk River above U.S. Highway 101 crossing (45 cfs) is rescinded.

C.W.R.G.'s map Location  
is inaccurate when  
compared to actual  
information.

not entered yet R.C. KOP



TO: Water Rights Section APRIL 23, 1998  
 FROM: Groundwater/Hydrology Section D. Woodcock  
 SUBJECT: Application G- 14722 Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE \_\_\_\_\_ Basin rules, one or more of the proposed POA's is/is not within \_\_\_\_\_ feet/mile of a surface water source ( \_\_\_\_\_ ) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
  - a. \_\_\_ will, or \_\_\_\_\_ have the potential for substantial interference with the nearest
  - b. \_\_\_ will not \_\_\_\_\_ surface water source, namely UNNAMED CR (MILL?) or
  - c.  will if properly conditioned, adequately protect the surface water from interference:
    - i.  The permit should contain condition #(s) 7B, 7A (MODIFIED)
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
  - d. \_\_\_ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
  - a. \_\_\_ will, or \_\_\_\_\_ likely be available in the amounts requested without injury to prior rights
  - b. \_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i. \_\_\_ The permit should contain condition #(s) \_\_\_\_\_;
    - ii. \_\_\_ The permit should contain special condition(s) as indicated in "Remarks" below;
    - iii. \_\_\_ The permit should be conditioned as indicated in item 4 below; or
4.
  - a. \_\_\_ THE PERMIT should allow groundwater production from no deeper than \_\_\_\_\_ ft. below land surface;
  - b. \_\_\_ The permit should allow groundwater production from no shallower than \_\_\_\_\_ ft. below land surface;
  - c. \_\_\_ The permit should allow groundwater production only from the \_\_\_\_\_ groundwater reservoir between approximately \_\_\_\_\_ ft. and \_\_\_\_\_ ft. below land surface;
  - d. \_\_\_ Well reconstruction is necessary to accomplish one or more of the above conditions.
  - e. \_\_\_ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

ATTACHED

REMARKS: CONDITION W/ 7B & A MODIFIED 7A (REPLACE 25 ft DECLINE W/ 10 ft MAX).

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(Well Construction Considerations on Reverse Side)

## 7A NON-SEASONAL USE CONDITION

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

### Comment (Internal use only)

This is a resource protection condition for non-seasonal uses such as municipal or industrial. The plan submitted by the water user will likely be reviewed by the hydrogeologist that recommended the condition. The condition does not require the water level data to be submitted. The approved plan should specify data requirements. The plan should have a clause in it that allows the changes to be made at a later date. This would allow the plan to be adjusted to changing conditions. One of the criteria for excessive decline is 50 feet of water level decline. The last sentence of the condition indicates that a maximum of 50 feet of decline would be allowed under current rules.

New App #	Acres	Use	Prim/Supp	Existing APP #	PERMIT	CERT #	Status	Use	Acres	Prim/Supp
G 14722	2.70	CR	S							
G 31.00S15.00W29		NWNW		( S 73734	S 52993	0	V	CR	2.700	P
G 14722	7.90	CR	S							
G 31.00S15.00W29		SWNW		R 73733	R 12095	0	V	CR	0.000	S
				<del>S 73734</del>	S 52993	0	V	CR	2.200	S
				<del>S 61901</del>	S 46800	67223	V	CR	5.600	P
				<del>S 73734</del>	S 52993	0	V	CR	5.600	P
G 14722	12.90	CR	S							
G 31.00S15.00W30		NENE		R 73733	R 12095	0	V	CR	0.000	S
				<del>S 61901</del>	S 46800	67223	V	CR	4.000	P
				<del>S 73734</del>	S 52993	0	V	CR	4.000	S
				<del>S 73734</del>	S 52993	0	V	CR	8.900	P
G 14722	22.80	CR	S							
G 31.00S15.00W30		SENE		R 73733	R 12095	0	V	CR	0.000	S
				<del>S 73734</del>	S 52993	0	V	CR	2.200	P
				<del>S 61901</del>	S 46800	67223	V	CR	20.600	P
				<del>S 73734</del>	S 52993	0	V	CR	20.600	S

Water-Watch of Oregon • 213 Southwest Ash Street, Suite 208 • Portland, OR 97204  
Phone (503) 295-4039 Fax (503) 295-2791 Email watrwtch@teleport.com

Facsimile Transmittal Cover Sheet

To: Water RB Section

Date: Oct 13, 1998

Fax Number: \_\_\_\_\_

From: K. Priestley

Total Pages (including this page): 8

If there are any problems receiving this transmission, please contact WaterWatch immediately at (503) 295-4039.

Re: Comments -

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO THE ABOVE. THANK YOU.

# WaterWatch



Delivered Via FAX and Regular Mail

October 13, 1998

Water Rights Section  
Water Resources Department  
158 12th Street NE  
Salem, OR 97310

**RE: Comments, Application G-14722, Seawind Farms, Floras Creek Subbasin,  
New River Basin, South Coast**

Dear Water Rights Section:

In 1994 WaterWatch filed objections to over 70 pending applications in the New River Basin. In late 1995, the Water Resources Department initiated an alternative dispute resolution process in an attempt to resolve issues raised as to the individual and cumulative impacts of the proposed uses on the resources and declining fish populations in the New River system. The New River Alternative Dispute Resolution Team was formed consisting of representatives from the Water Resources Department (WRD), Oregon Department of Fish and Wildlife (ODFW), Department of Environmental Quality (DEQ), Bureau of Land Management (BLM), Cranberry Farmers Alliance, Bandon Cranberry Water Control District, WaterWatch, Croft Lake Association, the Audubon Society and individual applicants. The process was long and arduous, involving many meetings down in the South Coast. After nearly a year of intense negotiations, a precedent-setting agreement was reached. This innovative agreement allowed the pending applications to be issued, but only if a number of resource protective conditions of use were attached to the permits. Seawind Farms was a party to the agreement. They got a number of water rights, including two for the lands in question, through this process.

The whole idea behind the ADR process was to figure out a way to protect the New River ecosystem while at the same time allowing the pending applicants to go forward. We made our position clear that once the ADR was over, if any additional applications were submitted that we would raise serious concerns about the capacity of the resource to support a new use. The system is already seriously degraded. Any additional withdrawals will further exasperate the problem. Given this, WaterWatch has a number of concerns with Seawind Farm's application.



## The Proposed Use

Seawind Farms has requested 120 gpm of groundwater for supplemental cranberry use on 46.3 acres of land in Mill Creek subbasin of the New River Basin. The initial review stated that this use was supplemental cranberry use.<sup>1</sup> The PFO and the draft permit lists the proposed use as "cranberry use" rather than the requested "supplemental cranberry use."

## The New River Resource

Mill Creek is part of the New River system. It is a tributary to Floras Lake which flows into the New River. The New River is a unique estuarine and freshwater ecosystem that supports a wide mix of wildlife, fisheries, botanical, and cultural resources found in association with few other coastal rivers in the Pacific Northwest. Approximately 200 species of wildlife use the New River area for some parts of their life cycle. Nine species of wildlife that use the area are designated as either threatened or endangered on the federal Endangered Species Act (ESA). Moreover, coho salmon are listed as threatened under the federal ESA and steelhead have been proposed for listing. One plant species has been listed as endangered on the federal list and a number of others are listed on the state list. A number of prehistoric cultural sites have been found along the banks of this drainage as well.

The importance of the New River watershed has been recognized by the Bureau of Land Management (BLM) through designation of a portion of the watershed as an Area of Critical Environmental Concern (ACEC). The ACEC includes approximately 1,000 acres of land bordering the New River.

Surface and groundwater withdrawals are reducing stream levels in the New River watershed. This is particularly evident in the summer/fall period when rainfall is lowest and water diversion is highest. Moreover, the entire system suffers from water quality problems.

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<sup>1</sup> The applicant lists S-73734 and R-73733 as the primary rights to which this right would be supplemental. These rights are not wholly primary rights. The final order for S-73734 states that the purpose of use is primary cranberry operations on 16 acres and supplemental cranberry operations on 30.2 acres. Moreover, the final order for R-73733 states that the purpose of use is to store water for supplemental cranberry use. A supplemental right is limited to making up for any deficiency in supply from an already existing primary right. See OAR 690-300-010(S2). A supplemental water right is used in conjunction with a primary water right. *Id.*

## Concerns with the Proposed Use

1. The applicant has not shown a need for the water. To grant a water right for which need is not shown violates the state's mandate that water rights be granted for beneficial use without waste.

The applicant, Seawind Farms, has numerous water rights in the New River Basin. It has at least two water rights appurtenant to the lands outlined in this permit (permit 52993 (app. S-73734) and permit R-12095 (app. R-73733)). Seawind Farms received these rights as part of the New River Agreement whereby applicants agreed to, among other things, limit both the amount of water received and the season of use.

Despite the fact that the applicant agreed to certain seasonal limitations and certain amounts specific to the lands in question, Seawind Farms is now back asking for more water. However, there is nothing in the file documenting an actual need for the water. Moreover, applicant cannot point to a historical lack of water from their primary source since they have had their water rights for only a year now.

In discussions with Department staff, staff indicated that it is WRD's practice to grant "cranberry" water rights up to the established rate and duty for this basin, without regard to the specific rate and/or duty set in the primary permit. This is bad policy. It does not consider actual need and as a result tends to allow for inefficient water use. Given the overappropriation of the basin, the increasing listings of fish under the ESA and the serious water quality concerns in the New River Basin, it would seem prudent to actually analyze need as opposed to simply allowing cranberry use up to the general rate and duty for the basin.

Moreover, to actually analyze the need is consistent with the requirements of the law. Beneficial use without waste in the "basis, measure and extent of the right" to appropriate surface and groundwater in Oregon. ORS 540.610(1), ORS 537.525(3). The Department cannot issue a water right for which the user cannot make beneficial use within a reasonable time period. In this case, this means that the Department cannot issue a water right for a use that the applicant has not shown a need for. Again, the applicant already has water rights covering the said lands. The applicant agreed to the amounts and the seasonal limitations, thus the applicant implicitly agreed that they could make beneficial use with the amounts granted (if they could not make beneficial use with the amounts already granted the Department was in error in granting these prior rights. See *Final Order on Contested Case Hearing for WaterWatch v. Schneider, June 12, 1998*). Without a showing a need for more water, the Department would not be granting a water right for beneficial use without waste.

2. The Department's analysis of the interconnectedness of the groundwater and surface water was inadequate to ensure that there is no potential for substantial interference with surface waters.

The Department has a duty to determine whether a proposed groundwater withdrawal has the potential for substantial interference with surface water supplies. OAR 690-09-040. The Division 9 rules establish the method for determining whether proposed appropriations of groundwater have the potential to cause substantial interference with the surface water. If the potential for substantial interference exists the Department must control these uses by the same methods used for surface waters.

The PFO acknowledges a hydraulic connection. When a hydraulic connection exists, the Department has a duty to determine if the potential for substantial interference exists. For proposed uses that tap groundwater that is determined to be connected to a surface water source, the Division 9 rules assume that if this use is within 1/4 mile of a surface water source it will have the potential to cause substantial interference. OAR 690-09-040(4)(a). This rule does not direct the Department to assume that if a proposed use is greater than 1/4 mile from the nearest surface water source to find that the proposed use will not have the potential to cause substantial interference. There is nothing in statute or in rule that allow the Department to ignore the effects of groundwater pumping on surface waters just because the well is greater than 1/4 mile from the surface water source.

To the contrary, for those proposed uses that are beyond the 1/4 mile radius, the rules direct that:

Any wells, other than those covered in section (4) of this rule, that produce water from an aquifer that is determined to be hydraulically connected to the surface water source may be determined by the Department to have the potential to cause substantial interference with the surface water source. In making his determination, the Department shall consider at least the following factors:

- a) The potential for a reduction in streamflow or surface water supply; or
- b) The potential to impair or detrimentally affect the public interest as expressed an applicable closure on surface water appropriation, minimum perennial streamflow, or instream water right with a senior priority date; or
- c) The percentage of the groundwater appropriation that was, or would have become, surface water; or
- d) Whether the potential for a cumulative adverse impact on streamflow or surface water supply.

OAR 690-09-040(5).

The groundwater requested for appropriation has been determined to be hydraulically connected to Mill Creek. Thus, the Division 9 rules apply. Given that the applicant's proposed well is 500 feet further than 1/4 mile of Mill Creek, section 5 rather than section 4 applies.

The Department failed to do this analysis. Rather, it appears that they assumed that because the point of appropriation in the application was not within 1/4 mile of the creek, there was no potential for substantial interference. The statute and rules don't so limit the analysis. The Department was in error for failing to go to the next step, as mandated by rule.

Had the Department done this analysis, its conclusion may well have been that the proposed use would have the potential to cause substantial interference. Warranting this conclusion under the Division 9 rules includes the potential cumulative effects that this application will have on the resource in light of the many other permits in this area. As the Department is well aware, the cumulative impacts of the many many individual water rights in the New River Basin is of concern. The cumulative effects of the many withdrawals (groundwater and surface water) was one of the underlying premises of the New River Basin Alternative Dispute Resolution process. This withdrawals' contribution to the cumulative impacts on the basin should have should have triggered further review by the Department. And given the interconnectedness of this entire system, and the potential for interference, the Department should have analyzed surface water resources per OAR 690-09-050(2).

### 3. The Department failed to condition the use to ensure against interference with surface waters.

The state's groundwater management policy states that "interference between groundwater uses and competing groundwater and surface water uses shall be prevented and/or controlled to protect the water resource and existing rights." (emphasis added) OAR 690-410-010(1). This mandate is not limited to cases where the potential for substantial interference is found.

The conditions of use attached to this permit do nothing to protect the surface water resource from interference. Rather, the conditions of use are geared at regulating interference with surface water rights. This does nothing to protect the "surface water" as required by the state's groundwater management policy. At a minimum, this permit, if it goes forward, should be conditioned so that the season of use is limited to those months where surface water is available and that regulation of the use will occur if groundwater pumping is determined to interfere with the surface water resource (as opposed to simply surface water rights).

### 4. The use of groundwater may impair surface water flow needed for fish, water quality and other instream needs.

Fish species throughout the basin are declining. Mill Creek supports cutthroat. Moreover, its flows contribute to Floras Lake and the New River, both of which support federally listed coho. The coho's decline is attributed, in part, to inadequate instream flows. Juvenile coho spend a year in their stream of origin, thus adequate flows are necessary yearround to ensure coho survival. Specifically, flows are needed for migration, spawning, egg

incubation, fry emergence and juvenile rearing. ODFW's position has been that any use that affects surface water in the New River Basin be limited to the months of November through April (assuming water is available) so as not to interfere with months critical to fish survival.

Moreover, both Floras Lake and the New River are listed as water quality limited. Cranberry use has had a devastating effect to the water quality of the basin. To reduce streamflows in an already depleted system, will further add to water quality problems. Any further diminishment of streamflow will reduce the diluting effects of the river. Cranberry growers in the basin have acknowledged the widespread water quality problems. To this end, cranberry growers have agreed to adhere to Best Management Practices (BMPs) for the subbasin. However, disagreement in the drafting of the BMPs has precluded any real protection to the resource.<sup>2</sup>

As noted above, the current conditions of use do not protect against interference with the surface water resource. Given this, to issue a groundwater right that will further reduce the flows necessary for fish and/or pollution abatement by any amount, will impair the public interest in seeing that fishery and water quality needs are met.

5. The Department should not issue any new water rights in the New River Basin until the Best Management Practices are developed for the New River Basin.

Under the New River Agreement, all users must adhere to Best Management Practices that were to be developed for the New River Basin. The deadline for development of these BMPs was August 31, 1998. Agreement has not yet been reached on these BMPs and will probably have to go to an arbitrator. This, obviously, will take some time.

In the meantime, there are a large number of water right permits that are not meeting their condition of use that says that they must abide by the New River BMPs. Given the impact of cranberry use on water quality, no new uses should be approved until the BMPs are developed.

6. The Department should not issue any new water rights in the New River Basin until the water study for the area is completed.

During the New River Alternative Dispute Resolution process, cranberry growers, in a partnership with the federal Bureau of Reclamation committed to completing a study of the water resources of the New River Basin. It was our understanding that this was to include both surface water and hydraulically connected groundwater.

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<sup>2</sup> Note, though the growers agreed to adhere to BMPs as developed by participants of the New River ADR, agreement has not yet been reached on the BMPs and thus the ability of this condition to protect water quality is non-existent.

The purpose of this study was to provide documentation on the state of the resource in this fragile basin. This information will be invaluable to growers, conservationists and interested agencies (including the Water Resources Department, Oregon Department of Fish and Wildlife and the Bureau of Land Management, which oversees the ACEC). The Department should have this information before it before it issues any more new water rights.

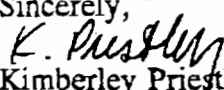
## Conclusion

We urge the Water Resources Department to deny this water right application. The New River Basin is a very fragile ecosystem that is already under tremendous development pressure. Any new use will further desecrate the resource and jeopardize the imperiled species it supports, including federally threatened coho. To allow such a thing is contrary to the many commitments made by the state in its Oregon Plan to work towards fish recovery.

Moreover, the Department shouldn't grant water rights unless a clear need is shown. As noted, the applicant already has a number of water rights in the basin and has not shown that his existing rights are inadequate. The Department should be promoting efficiency and conservation rather than simply issuing every water right request that comes in the door.

This said, if the Department decides to issue the right anyway, it should at the very least condition the season of use so that no water can be appropriated in the summer and fall months and that the water use will be regulated if it is found to interfere with surface waters (not just surface water rights).

Please let us know of your decision.

Sincerely,  
  
Kimberley Priestley  
Assistant Director

c: Louise Solliday, Governor's Office

**INTEROFFICE MEMORANDUM**

Water Rights Section

TO: Fred Lissner

FROM: Dwight French, x268

*DWF*

10/27, 1998

RE: GW File number G- 14722

Please have someone on your staff review the COMMENT attached.

Doug W of your staff appears to be the most recent GW person to look at this file.

Please route to Fuss when finished.

Thanks.

**Water Resources Department  
Interoffice Memo**

**Date:** 1/5/98  
**To:** Water Rights Section  
**From:** Doug Woodcock, Groundwater/Hydrology Section  
**Subject:** Response to Objection to Application File G-14722

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An objection was received after the technical review was completed for this application. This re-review addresses only that portion of the objection that pertains to the Groundwater/Hydrology Section's component of the technical review.

The objection contains no new data for evaluation by the Groundwater/Hydrology Section. Therefore the objection does not support any changes to the original finding in the technical review.





# 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

June 5, 1998

SEA WINDS FARMS INC.;  
KNUTE ANDERSSON  
PO BOX 242  
SIXES, OREGON 97476

Reference: File G-14722

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 MILL CREEK BASIN for SUPPLEMENTAL CRANBERRY USE on 46.3 ACRES is **allowable** under OAR 690-517-001(8), the South Coast Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. The Department has also determined, based upon available data, that the use of groundwater in the amount of 0.30 CUBIC FOOT PER SECOND (120.0 GALLONS PER MINUTE) for 46.3 ACRES if properly conditioned, will not injure existing rights or the groundwater resource.
5. The proposed use is within the New River drainage and is subject to conditions of the

New River Alternative Dispute Resolution Team Agreement findings on file with the Department.

### **Summary of Initial Determinations**

**The use of 0.30 CUBIC FOOT PER SECOND (120.0 GALLONS PER MINUTE) from A WELL IN MILL CREEK BASIN for SUPPLEMENTAL CRANBERRY USE on 46.3 ACRES 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.

#### **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 **Friday, June 19, 1998**. 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.
  - 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.

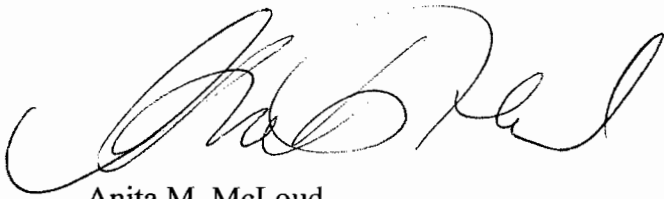
2. Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement of file with the Department.
3. If substantial interference with a 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.
4. The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 10-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.
5. The priority date for this application is March 31, 1998.

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,

A handwritten signature in black ink, appearing to read 'Anita M. McLoud', written in a cursive style.

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-14722  
wab 17-  
pou 17-  
gw c

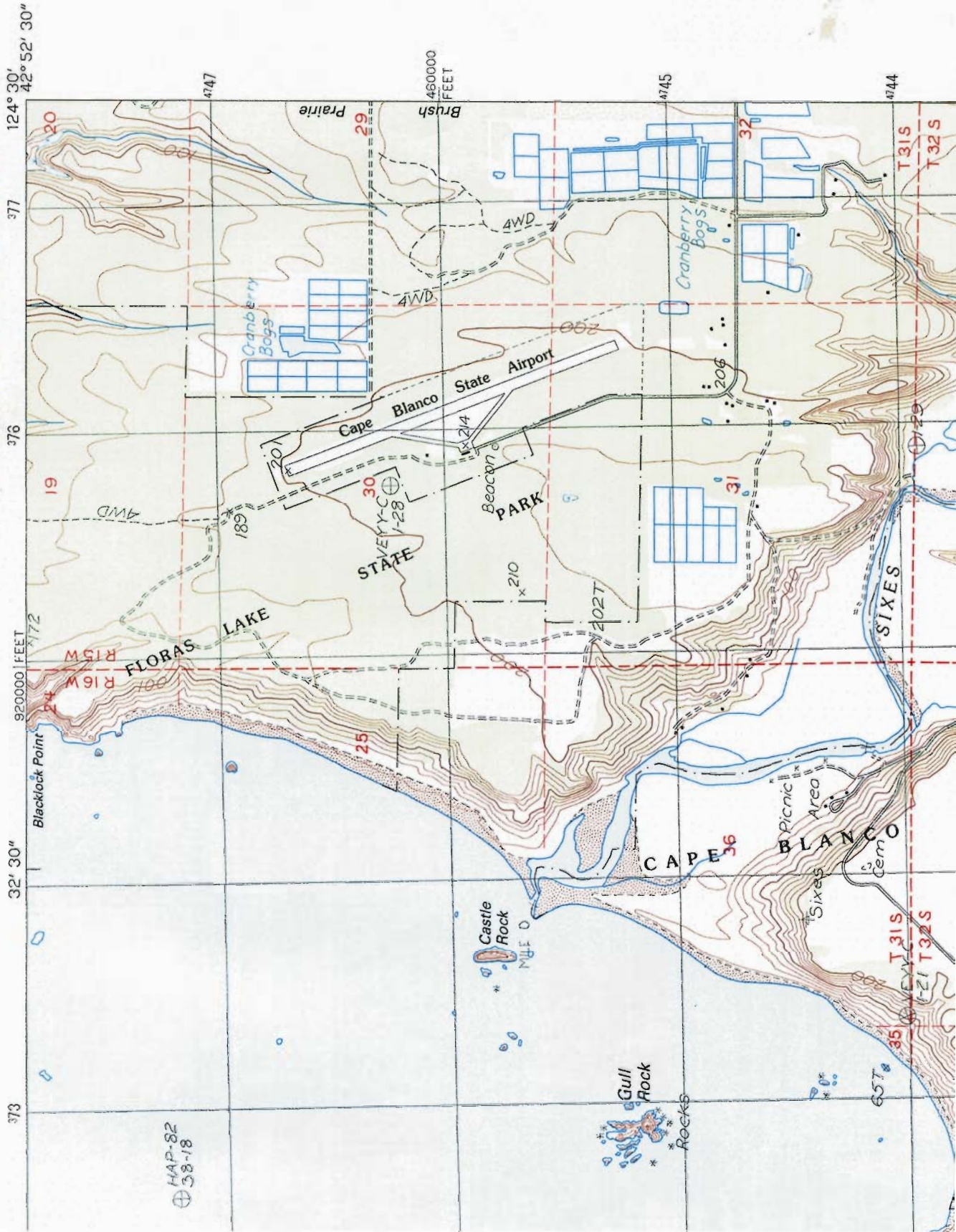
RECEIVED

MAR 31 1998

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. G14722  
Permit No. 11

CAPE BLANCO QUADRANGLE  
OREGON - CURRY CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC)





**Oregon Water Resources Department  
Land Use Information Form**

**RECEIVED**

MAR 31 1998

WATER RESOURCES DEPT.  
SALEM, OREGON

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

**To Be Completed By Applicant**

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

**A. Applicant**

Name: Sea Wind Farms, Inc.

Address: P.O. Box 242

City: Sixes State: Or. Zip: 97476 Day Phone: (541) 348-9937

**B. Land and Location**

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

T.31S., R.15W., Sec. 29 & 30

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
TL 2901	AGRICULTURE	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

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

**C. Description of Water Use**

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

Beneficial Use(s): Supplemental Cranberry Operations

Briefly describe: Water to be used for supplemental frost control, irrigation and flood harvest of cranberries.

*Application No. 614722*  
*Permit No.*

**D. Source**

Indicate the source for the proposed water use:

Reservoir/Pond  Ground Water  Surface Water \_\_\_\_\_ (source)

**E. Quantity**

Indicate the estimated quantity of water the use will require.

120  CFS  GPM  Acre-Feet

**Receipt for Request for Land Use Information**

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

**For Local Government Use Only**

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

**A. Allowed Use**

Check the appropriate box below and provide requested information.


- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.061 (1) CCZO. Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

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

**B. Approval**

Please provide printed name and written signature.

Name: CHARLES E NORDSTROM Date: 3/13/98  
 Title: PLANNING DIRECTOR Phone: (541) 247-7011 X 285  
 Signature: 

**C. Additional Comments**

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

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

**Receipt for Request for Land Use Information**

Name of water right applicant: \_\_\_\_\_

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

City or County: \_\_\_\_\_

Staff contact: \_\_\_\_\_ Phone: \_\_\_\_\_

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



Oregon Water Resources Department

RECEIVED

MAR 31 1998

FORM I

FOR IRRIGATION WATER USE

WATER RESOURCES DEPT.  
SALEM, OREGON

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary  Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: \_\_\_\_\_ Acres

Secondary: 46.3 Acres

List the permit or certificate number of the primary water right: no. S-73734 & R73733

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. Cranberries  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
- 2. \_\_\_\_\_  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
- 3. \_\_\_\_\_  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)
- 4. \_\_\_\_\_  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

50.00 acre-feet

(1 acre-foot equals 12 inches of water spread over one acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours  Daily during nighttime hours
- Two or three times weekly during daytime  Two or three times weekly during nighttime
- Weekly, during daytime hours  Weekly, during nighttime hours
- Other, explain: Flood Harvest

App. No. G14722  
Permit No.



1991 Curry Co. Instrument 91 02465

**RECEIVED**

MAR 31 1998

UNTIL A CHANGE IS REQUESTED,  
SEND ALL TAX STATEMENTS TO:

WATER RESOURCES DEPT.  
SALEM, OREGON

AFTER RECORDING, RETURN TO:

Jonathon L. Goodling  
Miller, Nash, Wiener, Hager  
& Carlsen  
3500 U.S. Bancorp Tower  
111 S.W. Fifth Avenue  
Portland, Oregon 97204-3699

SeaWinds Farms, Inc.  
Suite 211  
1260 Shoppers Row  
Campbell River, B.C.  
Canada V9W 2C8  
Attention: Pat Martin

**STATUTORY SPECIAL WARRANTY DEED**

PACIFICORP CREDIT, INC., an Oregon corporation, Grantor, conveys and specially warrants to SEAWINDS FARMS, INC., an Oregon corporation, that certain real property located in Curry County, Oregon and more particularly described on Exhibit A attached hereto, free of encumbrances created or suffered by Grantor, except those set forth on Exhibit B attached hereto.

The true consideration for this conveyance is \$2,757,800.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

DATED this 9<sup>th</sup> day of May, 1991.

GRANTOR:

PACIFICORP CREDIT, INC., an Oregon corporation

By: W.E. Peressini  
William E. Peressini,  
Senior Vice President

Permit No. G 14722

**RECEIVED**

MAR 31 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

EXHIBIT "A"

PARCEL I:

The North half (N $\frac{1}{2}$ ) and the North half (N $\frac{1}{2}$ ) of the South half (S $\frac{1}{2}$ ) of Section Twenty (20); The North half (N $\frac{1}{2}$ ) and the North half (N $\frac{1}{2}$ ) of the South half (S $\frac{1}{2}$ ) of Section Twenty-one (21), and the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Nineteen (19), all in Township Thirty-one (31) South, Range Fifteen (15) West, Willamette Meridian, Curry County, Oregon.

Map No. 31-15, Tax Lot 2900 (47768)

Map No. 31-15, Tax Lot 2900 (164717)

PARCEL II:

The South half (S $\frac{1}{2}$ ) of the South half (S $\frac{1}{2}$ ) of Section Twenty (20); The South half (S $\frac{1}{2}$ ) of the South half (S $\frac{1}{2}$ ) of Section Twenty-one (21); The North half (N $\frac{1}{2}$ ) of Section Twenty-eight (28); The North half (N $\frac{1}{2}$ ) of Section Twenty-nine (29), and the East half (E $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty (30), all in Township Thirty-one (31) South, Range Fifteen (15) West, Willamette Meridian, Curry County, Oregon.

Map No. 31-15, Tax Lot 2901 (48497)

Map No. 31-15, Tax Lot 2901 (164701)

PARCEL III:

The North 200 feet of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) lying West of the West boundary of U. S. Highway 101 in Section Twenty-two (22), Township Thirty-one (31) South, Range Fifteen (15) West, Willamette Meridian, Curry County, Oregon,

SAVE AND EXCEPT therefrom the most Southerly 150 feet thereof.

Map No. 31-15-22, Tax Lot 902 (56529)

(continued)

RECEIVED

MAR 31 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

PARCEL IV:

Commencing at Section Corner common to Sections Twenty-one (21), Twenty-two (22), Twenty-seven (27) and Twenty-eight (28), Township Thirty-one (31) South, Range Fifteen (15) West, Willamette Meridian, said Section Corner being the Southwest Corner of Section Twenty-two (22) above described, from this point of beginning run 500 feet North on Section line between Sections Twenty-one (21) and Twenty-two (22) to the point of beginning of the tract of land herein conveyed. From this point of beginning run North on said Section line 556 feet to a point;

thence due East to West boundary line of U. S. Highway 101;

thence Southeasterly following Westerly boundary of said highway to a point due East of the point of beginning;

thence due West to point of beginning all in Curry County, Oregon.

Map No. 31-15-22, Tax Lot 1100 (57980)

APPLICATION MAP

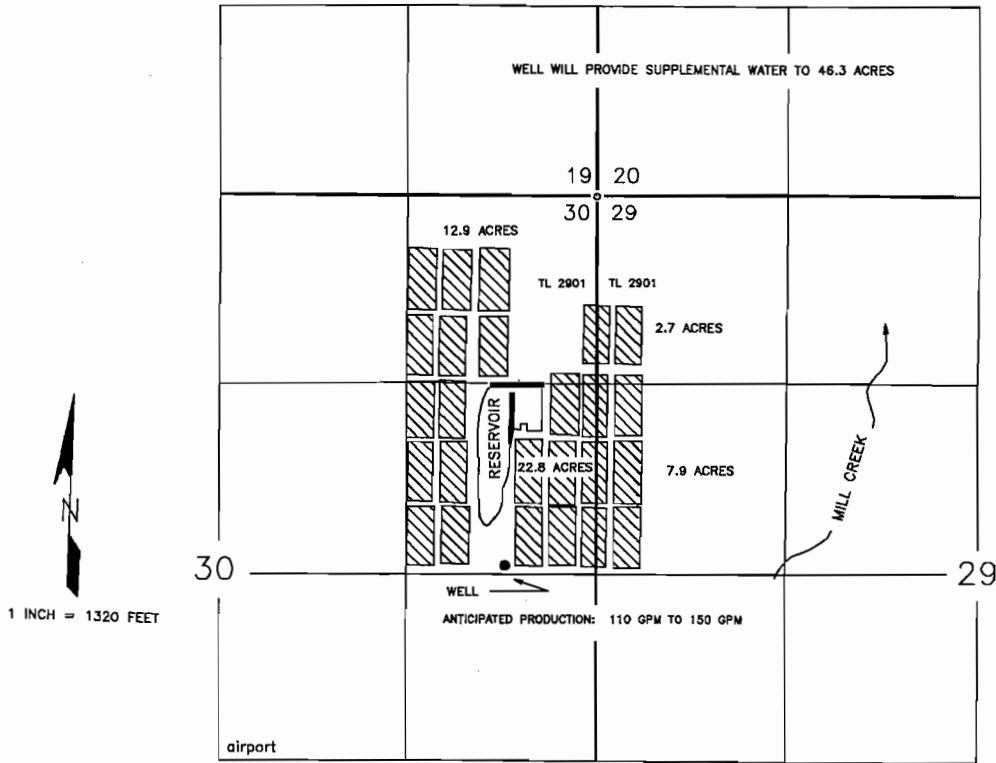
RECEIVED

IN THE NAME OF SEA WIND FARMS, INC.

MAR 31 1998

SECTIONS 29 & 30, T 31 S, R 15 W, W.M.

WATER RESOURCES DEPT.  
SALEM, OREGON



Application No. G 14722  
Permit No.

THE WELL IS TO BE LOCATED 2,580 FEET SOUTH AND 1,225 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 30, BEING WITHIN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SECTION 30, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M., IN CURRY COUNTY.

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

STATE OF OREGON  
COUNTY OF CURRY  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SEAWIND FARMS INC.  
580 S. STATE STREET  
SUTHERLIN, OR 97479

confirms the right to use the waters of ONE UNNAMED STREAM AND MILL CREEK, tributaries of FLORAS LAKE, for IRRIGATION OF 30.2 ACRES, FLOOD HARVESTING AND TEMPERATURE CONTROL OF CRANBERRIES.

This right was perfected under Permit 46800. The date of priority is JULY 15, 1981. This right is limited to 4.5 CUBIC FEET PER SECOND, BEING 0.76 CFS FOR IRRIGATION, 1.5 CFS FOR FLOOD HARVESTING, AND 4.5 CFS FOR TEMPERATURE CONTROL FROM THE UNNAMED STREAM WITH ANY DEFICIENCY TO BE MADE UP FROM MILL CREEK or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 NE 1/4, SECTION 30 AND NE 1/4 NW 1/4, SECTION 29, T 31 S, R 15 W, W.M.; UNNAMED STREAM - 1650 FEET SOUTH AND 420 FEET WEST; MILL CREEK - 1230 FEET SOUTH AND 1940 FEET EAST; BOTH FROM THE NORTHEAST CORNER OF SECTION 30.

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

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

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 NW 1/4     5.6 ACRES  
SECTION 29

NE 1/4 NE 1/4     4.0 ACRES  
SE 1/4 NE 1/4     20.6 ACRES  
SECTION 30

TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MARCH 20, 1992.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 67223.  
61901.LMJ

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **20191**

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

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

RECEIVED FROM: <u>Seawind Farms, Inc.</u>	APPLICATION: <u>G14722</u>
BY: _____	PERMIT: _____
	TRANSFER: _____

CASH:  CHECK: #  96-955 OTHER: (IDENTIFY)

TOTAL REC'D \$ 400.00

**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**

PCA 66111

<b>MISCELLANEOUS</b>		
0407 COPY & TAPE FEES	\$	
0410 RESEARCH FEES	\$	
0408 MISC REVENUE: (IDENTIFY) _____	\$	
(New) TC165 DEPOSIT LIAB. (IDENTIFY) _____	\$	

<b>WATER RIGHTS:</b>	<b>EXAM FEE</b>		<b>RECORD FEE</b>
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$ <u>400.00</u>	0204	\$
0205 TRANSFER	\$	0206	\$
<b>WELL CONSTRUCTION</b>	<b>EXAM FEE</b>		<b>LICENSE FEE</b>
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 # **20191** DATED: 4-6-98 BY: D. Bushnell

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

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **27612**

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

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

RECEIVED FROM: <u>Seward Farms</u>	APPLICATION: <u>374722</u>
BY: <u>TAC</u>	PERMIT: _____
	TRANSFER: _____

CASH:  CHECK: # 96455 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

**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**

*CA 6611*

MISCELLANEOUS			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY) _____		\$
(New) TC165	DEPOSIT LIAB. (IDENTIFY) _____		\$
(Existing) TC168	<b>WATER RIGHTS:</b>	<b>EXAM FEE</b>	<b>RECORD FEE</b>
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$ <u>-0-</u>	0204 \$ <u>175.00</u>
0205	TRANSFER	\$	0206 \$
	<b>WELL CONSTRUCTION</b>	<b>EXAM FEE</b>	<b>LICENSE FEE</b>
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 # **27612** DATED: 2-5-99 BY: CAK

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

# 027612 MONEY SLIP

WATER RESOURCES DEPARTMENT

MONEY SLIP #

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

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

RECEIVED FROM: \_\_\_\_\_  
BY: \_\_\_\_\_

APPLICATION	G-4722
PERMIT	
TRANSFER	

CASH:  CHECK: #  OTHER: (IDENTIFY)

TOTAL RECD \$ 175.00

**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: PUB.NOTICE, PFO, ASSIGN _____	\$
(New) TC165	DEPOSIT LIAB. CUST.ACC. _____	\$

**WATER RIGHTS:**

0201	SURFACE WATER ,RES, ALT	EXAMPLE FEE	0202	RECORD FEE
0203	GROUND WATER	\$	0204	\$ 175-
0205	TRANSFER	\$	0206	\$
	<b>WELL CONSTRUCTION</b>	EXAMPLE FEE		<b>LICENSE FEE</b>
0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER **PROTEST FEE EXTENSION**

SPECIAL INSTRUCTIONS:

*Routed to:  
Final order team*

**0467 HYDRO ACTIVITY** LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)		\$
0231	HYDRO LICENSE FEE (FWWRD)		\$
	HRDRO APPLICATION		\$



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **20191**

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

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

RECEIVED FROM: <u>Seawind Farms, Inc.</u>	APPLICATION <u>G14722</u>
BY: _____	PERMIT _____
	TRANSFER _____

CASH:  CHECK: # X 96-755 OTHER: (IDENTIFY)

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

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY) _____	\$
OTHER: (IDENTIFY) _____	\$

**REDUCTION OF EXPENSE**

PCA AND OBJECT CLASS \_\_\_\_\_ CASH ACCT. \_\_\_\_\_

VOUCHER # \_\_\_\_\_ \$ \_\_\_\_\_

**0427 WRD OPERATING ACCT**

PCA 66111

<b>MISCELLANEOUS</b>		
0407 COPY & TAPE FEES	\$	
0410 RESEARCH FEES	\$	
0408 MISC REVENUE: (IDENTIFY) _____	\$	
(New) TC165 DEPOSIT LIAB. (IDENTIFY) _____	\$	

<b>WATER RIGHTS:</b>	<b>EXAM FEE</b>		<b>RECORD FEE</b>
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$ <u>400.<sup>00</sup></u>	0204	\$
0205 TRANSFER	\$	0206	\$
<b>WELL CONSTRUCTION</b>	<b>EXAM FEE</b>		<b>LICENSE FEE</b>
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**

	<b>LIC NUMBER</b>	
0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **20191**

DATED: 4-6-18 BY: P. B. MULL

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