

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

R-83356
 BANDON CRANBERRY WATER CONTROL
 RON KASPER
 555 HWY 101
 BANDON OR 97411

A. Signature Agent
 Addressee
 X *[Handwritten Signature]*

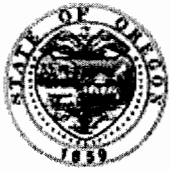
B. Received by (Printed Name) *M. Kasper* C. Date of Delivery *12-12-02*

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

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number:
 (Transfer from service label) *7012 2210 0000 1304 5411 WR*



Oregon

John A. Kitzhaber, MD, Governor

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

CERTIFIED MAIL
Return Receipt Requested

BANDON CRANBERRY WATER CONTROL DISTRICT
RON KASPER
555 HWY 101
BANDON, OR 97411

December 11, 2012

Reference: File R-83356

Dear Mr. Kasper:

The Department determined additional information is necessary in order to continue processing the application and issue a Proposed Final Order.

Please provide the items listed below by **Wednesday, February 15, 2013**, or the Department will likely proceed with a Proposed Final Order recommending denial of the application.

- The application map indicates the reservoir will be located entirely on tax lots 1200, 1300, 1400, and 1500. According to the Coos County Assessor website, the affected land owners (defined as owners of property that will be inundated by the reservoir) are: Brant and Kimberly Bauge, Paul and Marlene Bauge, Gant Family Farms, and Elizabeth French. Please confirm that there are no new affected landowners, or provide the names and addresses of any other affected landowners.
- Please indicate if you have written authorization or an easement permitting access to lands not owned by you, and provide a copy of the authorization or easement. If you do not have authorization or easement to cross lands or inundate lands not owned by you, please provide an explanation of the steps you have taken to date to secure authorization/easement with the affected landowners. Please also provide your plan to secure authorization/easement with the affected landowners.
- Please provide documentation that demonstrates the proposed use complies with the local acknowledged comprehensive land-use plan, or that you are actively pursuing approval from the Coos County Planning Department, or that an approved land-use decision has been obtained, and that either no administrative appeals were received, or all such appeals have concluded. The Land Use Information Form has been provided for your convenience.

Note that if you are actively pursuing approval, prior to permit issuance, if one is issued, the Department must receive the documentation of the approved land-use decision, and documentation that either no administrative appeals were received, or all such appeals have concluded.

- According to the Department's records, it appears there are permits and certificates with authorized points of diversion that are in the area proposed to be inundated by Johnson Creek Reservoir. If the reservoir is constructed, these permits and certificates will presumably lose access to their authorized points of diversion. Please indicate how you plan to address this.

Note the rights that appear to be impacted are: Permits R-11466, S-45731, S-51486; Certificates 36502, 36503, 86710, 86711, 86712. Copies have been provided for your convenience.

- The application materials have dated, limited specifications and supporting information for the dam. In addition, the materials have proposed five different dam sites. In order for the Department's Dam Safety Engineer to effectively evaluate the proposal, the Department requires current preliminary plans, specifications and supporting information for the dam and impoundment area including dam height, width, crest width and surface area (the current application materials indicate both 70 feet and 90 feet for the dam height).

Please contact me at jeana.m.eastman@state.or.us or 503-986-0859 with questions.

Sincerely,



Jeana Eastman
Water Right Application Caseworker

cc: WM #19
Brant A & Kimberly S Bauge, PO Box 736, Bandon OR 97411
Paul E & Marlene D Bauge, PO Box 943, Bandon OR 97411
Gant Family Farms, PO Box 765, Bandon OR 97411
Elizabeth French, PO Box 155, Bandon OR 97411
The Freshwater Trust, 65 SW Yamhill St, Suite 200, Portland OR 97204
Kimberley Priestley, WaterWatch of Oregon, 213 Ash St, Ste 208, Portland OR 97204
Steve Gant, PO Box 1587, Bandon OR 97411
Jeff Haga, PO Box 1881, Bandon OR 97411
Northwest Environmental Defense Center, Mark Riskedahl, Executive Director,
10015 SW Terwilliger Blvd, Portland OR 97219
Greg Apke, ODFW Fish Passage Program Coordinator
3406 NE Cherry Ave. NE, Salem, OR 97303

enclosures to applicant: permits/certificates/maps
LUIF