

**Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266**

CLAIM OF BENEFICIAL USE

The completion of this form is required by OAR 690-014-0100(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. File Information

Application Number (G, R, S or T)	Permit Number (if applicable)
R-73752	R-11770

2. Property owner (current owner information)

a. Individuals

Name	DANIEL E. DAVIS	
Mailing Address	PO BOX 1741	
City/State/Zip	BANDON, OR 97411	
Phone #	541-347-2713	
Fax #	N/A	
e-mail address	N/A	

b. Businesses/Organizations

Name	N/A
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone	
Fax	
e-mail	

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. The COBU must be signed by the permit/transfer holder of record.

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

c. Individuals

	Individual 1	Individual 2
Name	DANIEL DAVIS	
Mailing Address	PO BOX 1741	
City/State/Zip	BANDON, OR 97411	

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d. Businesses/Organizations

Name	N/A
Contact Person and Title	
Mailing Address	
City/State/Zip	

4. Date of Site Inspection: 8-9-06

5. Person(s) interviewed and description of their association with the project:

Name	Date	Association with the project
MR. DANIEL E. DAVIS	8-9-06	OWNER/PERMITTEE

6. County:

7. Tax Lot Information:

Tax map number	Tax lot number
29S14W6 101	101

8. If any property described in the place of use of the permit or transfer final order is excluded from 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

Name	N/A
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone #	

Name	N/A
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone #	

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. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

From the POD-1 as located on the Final Proof Survey Map a 3 HP pump with short hose to the meter. Then a short section of pipe to the 2" PVC. The 800'± of 2" PVC pipe free flows into the reservoir. The reservoir is for storage and live flow of water to be appropriated under Application S-73753, Permit 52138, for cranberry operations.

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

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
POINT OF DIVERSION (POD-1)	N/A	N/A

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

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
North Fork Johnson Creek (Rosay Creek)	Johnson Creek

4. Point of diversion/appropriation location:

(DLC, Government Lot, 1/4 1/4, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
SE1/4 NE1/4 S6,T29S,R14W,W.M., T/L 200 in the County of Coos.	1259' south 1297' west from NE corner of Section 6, Township 29S, Range 14W, W.M. Coos County.

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Storage of water	n/a	year round	11.3 acre-feet with refills during Dec. 1 through March 31.

Total Quantity of Water 40 acre-feet

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

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
n/a	n/a	NE NE	6	29	14	storage	n/a	n/a

Total Acres Irrigated n/a

Groundwater Source Information (Well and Sump) N/A

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 1-7, can be deleted.

1. If the reservoir required the submittal of as-built plans and specifications, complete the table below:

Have the documents been submitted? yes or no	When were the documents submitted	Have they been approved by the Department
N/A EXCAVATED RESERVOIR	N/A	N/A

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2. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table below.

Maximum depth	Average depth	Surface area (in acres)	Volume in acre feet
20'	20'	0.6665	11.3

3. Provide reservoir volume calculations in the box below:

Reservoir sides 45°±		
29033 ft² top	24,618.5 ft² avg.	11.3 Acre-Feet times multiple fills during Dec. 1 through March 31 equals 40 Acre-Feet total.
+ 20204 ft² bottom	÷ 43560	
49237	0.565 AC	
÷ 2	+ 20'	
24,618.5 ft² avg.	11.3 Acre-Feet	

4. Provide the following information concerning the physical characteristics of the dam:

Crest width (W)	Dam height at centerline (H)	Distance from downstream top of dam to downstream toe (L)	Distance from upstream top of dam to upstream toe (U)	Water level at inspection	Downstream slope	Upstream slope
N/A	N/A	N/A	N/A	N/A	N/A	N/A

5. In the box below, provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

Example Dam Profile **This box can be deleted from the
N/A Excavated reservoir

6. Describe the outlet works (size and type of the outlet conduit and location) in the box below:

1- 12"Ø ADS culvert and 1- 8"Ø pvc conduit about 4' down from top rim at the south end, each with an optional stand pipe for total full.
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7. Describe the emergency spillway (dimensions and location) in the box below:

Spillway location	Bottom width (W)	Top width (L)	Spillway depth (H)
n/a			

Spillway cross section at the spillway crest n/a

Storage tank data: N/A

Gravity flow pipe : N/A

Gravity flow canal or ditch : N/A

System Information:

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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 (centrifugal, turbine or submersible)	Intake size	Discharge size
Berkely	C2MPS	G190398	centrifugal	2.5"	2"

2. Motor information

Brand	Serial Number	Horsepower	Max RPM	Voltage
Marathon	MB259220-022798	3	3450	230

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

Make	Serial #	Condition (working or not)	Current meter reading	Notes
SENSUS	66668548	working (reported)	413,700 gal.	non-pumping season

4. Measurement device description

Device description	Condition (working or not)	Notes
Staff Gage	Reading 6' (not full)	Porcelain on steel, 0-10', 0= 8' from bottom

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
System was not operating			

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
3	0	0	27'	0.734 CFS

7. Provide pump calculations in the box below:

$\frac{3(6.61)}{27} = 0.734 \text{ CFS}$	$0.734 (1.9835) = 1.4559 \text{ Acre-Foot/Day}$ $1.4559 (28 \text{ days}) = 40 \text{ Acre-Foot}$
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8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground
2"	800'±	PVC	Buried

9. Lateral or handline information

Lateral or handline size	Length	Type of pipe	Buried or above ground
n/a			

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10. Sprinkler information Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
n/a						

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

$$Q_{\text{sprinklers}} = \frac{(\text{max \# heads})(\text{gpm/head})}{448.8 \text{ gpm/cfs}} = \text{cfs}$$

11. Additional notes or comments related to the system:

1. There is a staff gage as required in the reservoir measuring full to reportedly dead pool. Porcelain on steel.
2. The regulating device pursuant to ORS 540-310 is the mechanical pulling of the pump and/or disconnecting the power.

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:

	Dates from permit or transfer final order	Date accomplished	Description of actions taken by water user to comply with the time limits As reported, current owner worked with previous owner.
Begin construction	June 12, 1997	1993	Cleared site with equipment
Complete construction	Oct. 1, 1998	Spring 1995	Reservoir, bogs & pumping system completed
Complete application of water	Oct. 1, 1999	Summer 1995	Applied water on all 6 bogs with cranberry starts

2. Initial Water Level Measurements: N/A

a. Was the water user required to submit an initial static water level measurement? NA

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? NA

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 a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

**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:

Reportedly in 1995, new replacement meter at time of COBU inspection.

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

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

g. Have the reports been submitted? N/A

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

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? NO, not required on this permit. (see permit 52138)

If fish screening and/or by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

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

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

Date	By whom
1995	Owner

d. Is the total diversion rate of all rights at the point of diversion less than 0.5 cfs? NO

e. If the total diversion rate is less than 0.5 cfs, has the water user self certified the fish screen. NA

f. Has a self certification form been previously submitted to the Department? NA

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- g. If not, is the self certification form attached to this Claim? N/A
- h. If the total diversion rate is greater than 0.5 cfs, has ODFW approved the screening? YES
- i. Has the water user previously submitted a letter from ODFW approving the screening? NO
- j. If not, is the approval letter attached to the Claim? YES (not required, see permit 52138)
- k. Has the by-pass device been installed? N/A

l. Describe the by-pass device:

When installed	By whom	Approved by ODFW	Description
N/A			

6. **Pump Test** (Required for ground permits prior to issuance of a certificate, but not a requirement of permit development)

- a. Did the permit require the submittal of a pump test? NA
- b. Has the pump test been previously submitted to the Department? N/A
- c. Has the pump test been approved by the Department? N/A
- d. If no, is the pump test attached to this Claim? N/A

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

IV. Variations, Attachments, Conclusions, Map and Signatures

Variations

Include a description of variations from the permit or transfer final order

<p>1. permit location of the POD-1 has moved down stream of continuous ownership on both sides of the stream to a different ¼ ¼ of same ownership.</p> <p>2. Center of reservoir is 875'± south and 680'± west from NE corner of Section 6, Township 29S, Range 14W, W.M. Coos County.</p>
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Attachments

If you are attaching any documents to this report, provide a list below:

Attachment name	Description
Final Proof Survey Map	Map in name of Daniel E. Davis, Permit R-11770
Fish Screening	ODFW letter of approval

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Permit and Transfer Final Order Rates and System Rates Comparisons:

POD or POA name or #	Maximum rate allowed by permit or transfer final order	Calculated theoretical rate of water based on system	Actual amount of water measured (if measured)	Developed use	# of acres allowed by permit or transfer final order	# of acres developed
POD-1	N/A	.734 CFS	N/A non-pumping season	Storage	40 Acre-Feet	11.3

Claim of Beneficial Use Map

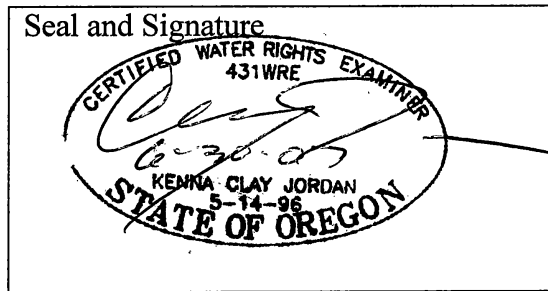
The Claim of Beneficial Use Map must be submitted with this Claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320', 1" = 400', or the original full-size scale of the county assessor map for the location.

In the following box, provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Survey method used is site visit with a TruPulse 200 range finder, aerial photos 29S14W6 101, county tax assessors maps and private surveys by Prahar surveying MF#94-02-0684. Site survey date: 8-9-06

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



Permit or Transfer Holders Signature or Acknowledgement

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

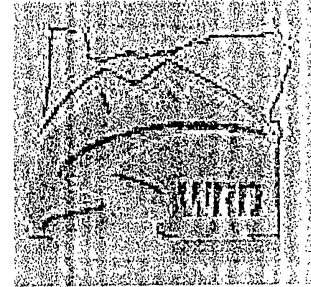
Daniel E Davis Daniel E Davis 11/27/06
 Signature Print or type name Date

 Signature Print or type name Date

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OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

Applicant
Name: Dan Davis Water Right Number 52138 R-11770 Water Right Amount (cfs) 0.2

Address: P.O. Box 1741, Bandon, OR 97411 Phone (541) 347-2713

Diversion
Stream: NF Johnson Cr. Tributary to: Pacific Ocean

Address (if different than applicants): 54470 Rosa Rd, Bandon, OR 97411

Diversion Type: pump Location: T295, R14W, Sec. 6

GPS Coordinates: 43.09419 - 124.40045 SATS: 4

Pump Information

Brand: Berkeley Horsepower: 3 Intake Size: 3"

Screen Information

Type: passive Installed by: owner Date Installed: 11-2-06

Date of Inspection: 11-16-06 Inspected by: Bob Kilbane Agency: ODFW

Comments: _____

Screen meets current state criteria for fish protection.

Screen does not meet current state criteria for fish protection.

Another screen inspection should be done before water use begins.

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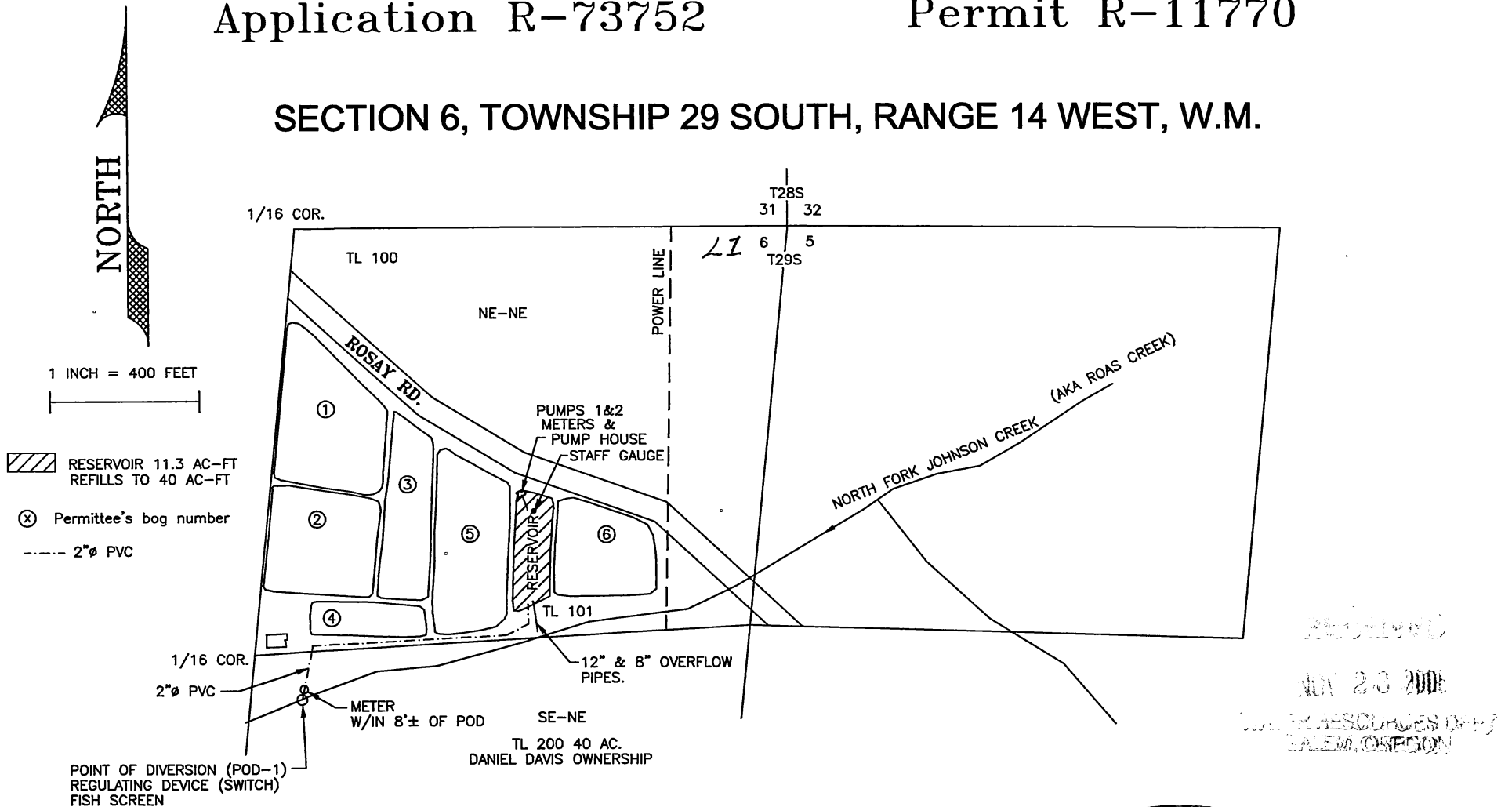
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FINAL PROOF SURVEY MAP IN THE NAME OF DANIEL E. DAVIS

Application R-73752

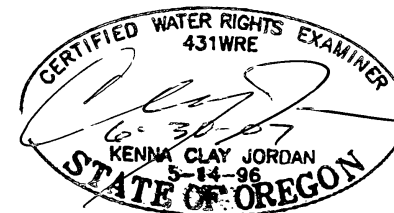
Permit R-11770

SECTION 6, TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.



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CREEK: POD-1 THE POINT OF DIVERSION IS LOCATED 1259 SOUTH AND 1297 WEST FROM THE NORTHEAST CORNER OF SECTION 6; BEING WITHIN THE SE 1/4 NE 1/4 OF SECTION 6, TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M. COOS 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.

Added gov lot # in NENE, sec 6. MB/WRD 7-11-15