

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

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Applicant

NAME <i>Erik J Diehl</i>		PHONE (HM) <i>cell</i>	
PHONE (WK) <i>cell</i>	CELL <i>(406) 579-4212</i>		FAX
ADDRESS <i>PO Box 207</i>			
CITY <i>Gallatin Gateway</i>	STATE <i>MT</i>	ZIP <i>59730</i>	E-MAIL * <i>ed406@hotmail.com</i>

Organization

NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

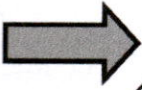
AGENT / BUSINESS NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive 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 cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

 I (we) affirm that the information contained in this application is true and accurate

Erik Diehl
Applicant Signature

Erik Diehl
Print Name and Title if applicable

8/22/22
Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- ☐ YES, there are no encumbrances.
- ☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☐ NO, I have a recorded easement or written authorization permitting access.
- ☒ NO, I do not currently have written authorization or easement permitting access. *in process, see attachments*
- ☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. (*Attach additional sheets if necessary*).

BLM 1300 Airport Ln, Coos Bay, OR 97459

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. ~~Any property crossed by the proposed ditch, canal or other work~~, and 3. Any property on which the water is to be used as depicted on the map. *QQ SWSW*

QQ NWNW

POD - T:23 R:09W S:19 Lot:01500 | Use - T:23 R:09W S:30 Lot:0300

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: <i>spring</i>	Tributary to: <i>none - spring spreads out and ends in no channel</i>
TRSQQ of POD: <i>T:23 R:09W S:19 Lot:01500 QQ SWSW</i>	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- ☐ Yes. ☐ No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- ☐ By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

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Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

☐ Yes ☒ No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

☐ Yes ☐ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

☐ Yes ☒ No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
spring	domestic use expanded	Jan 1 - Dec 31	2 ☐ cfs ☒ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: _____ Acres Supplemental: _____ Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): _____

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

- If the use is **municipal or quasi-municipal**, attach Form M
- If the use is **domestic**, indicate the number of households: 2
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your source?

☐ Pump (give horsepower and type): _____

☒ Other means (describe): gravity

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

see attached

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

see attached

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

see attached

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- ☐ Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions: not applicable

- ☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: no bank clearing or excavation will affect spring

- ☒ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: none - no equipment

- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe planned actions: Best management practices will be used to prevent erosion and runoff, no waste or chemicals used

- ☐ List other federal and state permits or contracts to be obtained, if a water right permit is granted.

none

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: upon issuance of permit
b) Date construction will be completed: one week after permit issued
c) Date beneficial water use will begin: upon completion

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SECTION 9: WITHIN A DISTRICT

- ☐ Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

see attached

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Source of Water
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Resource Protection
- ☒ SECTION 8: Project Schedule
- ☒ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: \$ 2110.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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For Department Use: App. Number: _____

Land Use Information

702 Carlson Rd is
the property address.
My mailing address is:
Erik Diehl
PO Box 207
Gallatin Gateway MT 59730



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

Applicant

NAME Erik Diehl		PHONE (HM) cell	
PHONE (WK) cell	CELL (406) 579-4212	FAX	
ADDRESS 702 Carlson Rd			
CITY Reedsport	STATE OR	ZIP 97467	E-MAIL* ed406@hotmail.com

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
23	09W	19	SWSW	01500	TR	☒ Diverted	☒ Conveyed	☐ Used	
23	09W	30	NW/NW	0300	FF FG	☐ Diverted	☐ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Douglas County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Groundwater Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Groundwater ☒ Surface Water (name) **unnamed spring, no creek**

Estimated quantity of water needed: **2** ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for **2** household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe: **a house and a cabin, and irrigate ~ 1/2 acre lawn for fire safety & household garden**

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.3.050 & 3.5.050.

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470

R63264 + R FG + FF

NAME <u>Kelly N. White</u>		TITLE: <u>Planner</u>
SIGNATURE <u>Kelly N. White</u>	PHONE: <u>541-440-4289</u>	DATE: <u>11-3-22</u>
GOVERNMENT ENTITY <u>Douglas County Planning</u>		<u>WS220152</u>

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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1036 SE Douglas Avenue | Room 106 - Justice Building | Douglas County Courthouse | Roseburg, Oregon 97470
Planning Services | (541) 440-4289 On-Site Services | (541) 440-6183 Code Enforcement | (541) 440-4289

RECEIPT

Property Information	
Branson, Osceola 702 CARLSON RD REEDSPORT, OR 97467, R63264	Receipt Number: 192 Receipt Date: 11/03/2022 Accepted By: Larissa Dawson

Item	Amount
Land Use Compatibility Statement - #220152	\$165.00
Total	\$165.00

Date	Paid By	Payment Type	Amount
11/03/2022	ERIK J DIEHL	Check	\$165.00
		Total Paid	\$165.00

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Western Title & Escrow Company WTo155485 - Memo

Douglas County Official Records
Patricia K. Hitt, County Clerk

2018-006442

04/11/2018 02:58:00 PM

CON-MEMO Cnt=1 Str=13 CLENGELS
\$15.00 \$11.00 \$10.00 \$20.00

\$56.00

DOUGLAS COUNTY CLERK



CERTIFICATE PAGE

**DO NOT REMOVE THIS PAGE FROM
ORIGINAL DOCUMENT**

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

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After Recording Return to:

Western Title & Escrow Company
2365 NW Kline Street, Suite 101
Roseburg, OR 97471

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SELLER

OSCEOLA BRANSON
702 CARLSON ROAD
REEDSPORT, OREGON 97467

BUYER

ERIK DIEHL
PO BOX 207
GALLATIN GATEWAY, MONTANA 59730

After recording return to, and until requested
otherwise send all tax statements to:
ERIK DIEHL
PO BOX 207
GALLATIN GATEWAY, MONTANA 59730

MEMORANDUM OF LAND SALE CONTRACT

On March ¹⁶~~19~~, 2018, OSCEOLA BRANSON, as seller, AND ERIK DIEHL, as buyer, made and entered into a certain REAL ESTATE CONTRACT OF SALE, wherein the seller agreed to sell to the buyer, and the buyer agreed to purchase from the seller, the fee simple title in and to the following described real estate in Douglas County, State of Oregon:

The Northwest quarter of the Northwest quarter (or Lot One) of Section 30, township 23 South, Range 9 West of the Willamette Meridian, in the County of Douglas, state of Oregon.

Excepting the following: Beginning at a point 9 chains East of the Northwest corner of said Section 30, from said point run thence South 3.50 chains; thence South 60 degrees East 6.95 chains; thence North 55 degrees East 6.10 chains; thence North 3.50 chains; thence West along the North line of said Section 30 a distance of 11 chains to the Place of Beginning.

The true and actual consideration paid for this transfer as set forth in the contract is \$230,000, payable \$100,000 down on the signing of the contract and the balance payable in monthly installments of not less than \$1200 each. All deferred payments shall bear interest at the rate of 2% per annum from June 1, 2018 until paid.

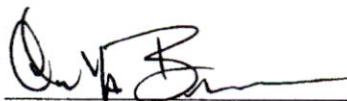
"THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

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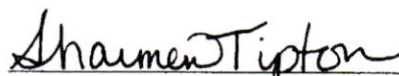
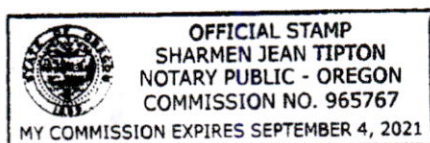
The seller executed this instrument on March 19, 2018.



Osceola Branson, Seller

STATE OF OREGON)
County of Douglas)

This record was acknowledge before me by Osceola Branson as her voluntary act and deed on March 19, 2018



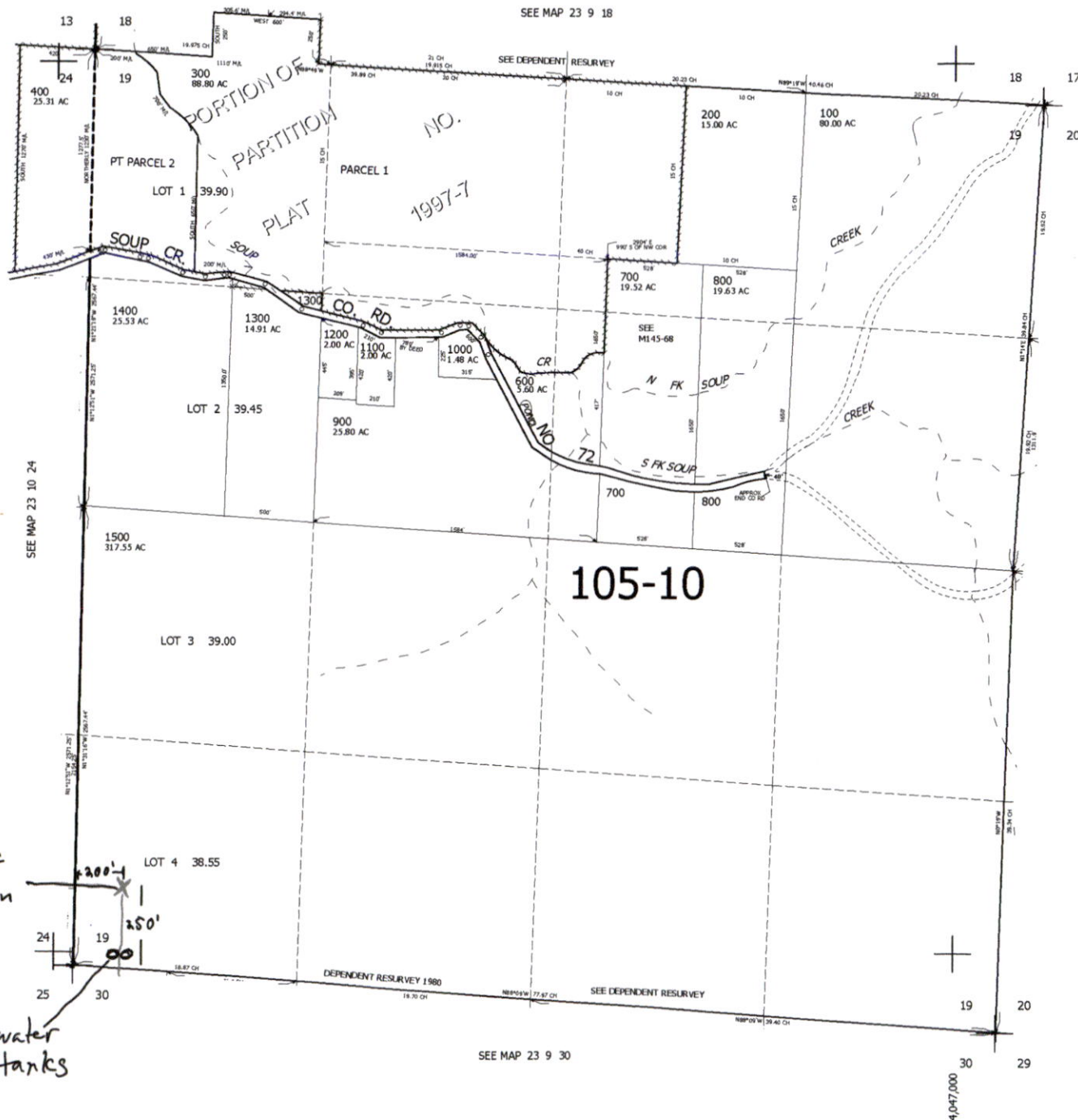
Notary Public for Oregon
My commission expires 9-4-21

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SEC.19 T.23S. R.9W. W.M. *QQ SWSW*
DOUGLAS COUNTY
1" = 400'

REVISED ON
6-18-98

23 9 19



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Point of
Diversion

water
tanks

23 9 19

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SEC.30 T.23S. R.9W. W.M.
DOUGLAS COUNTY

QQ. NWNW

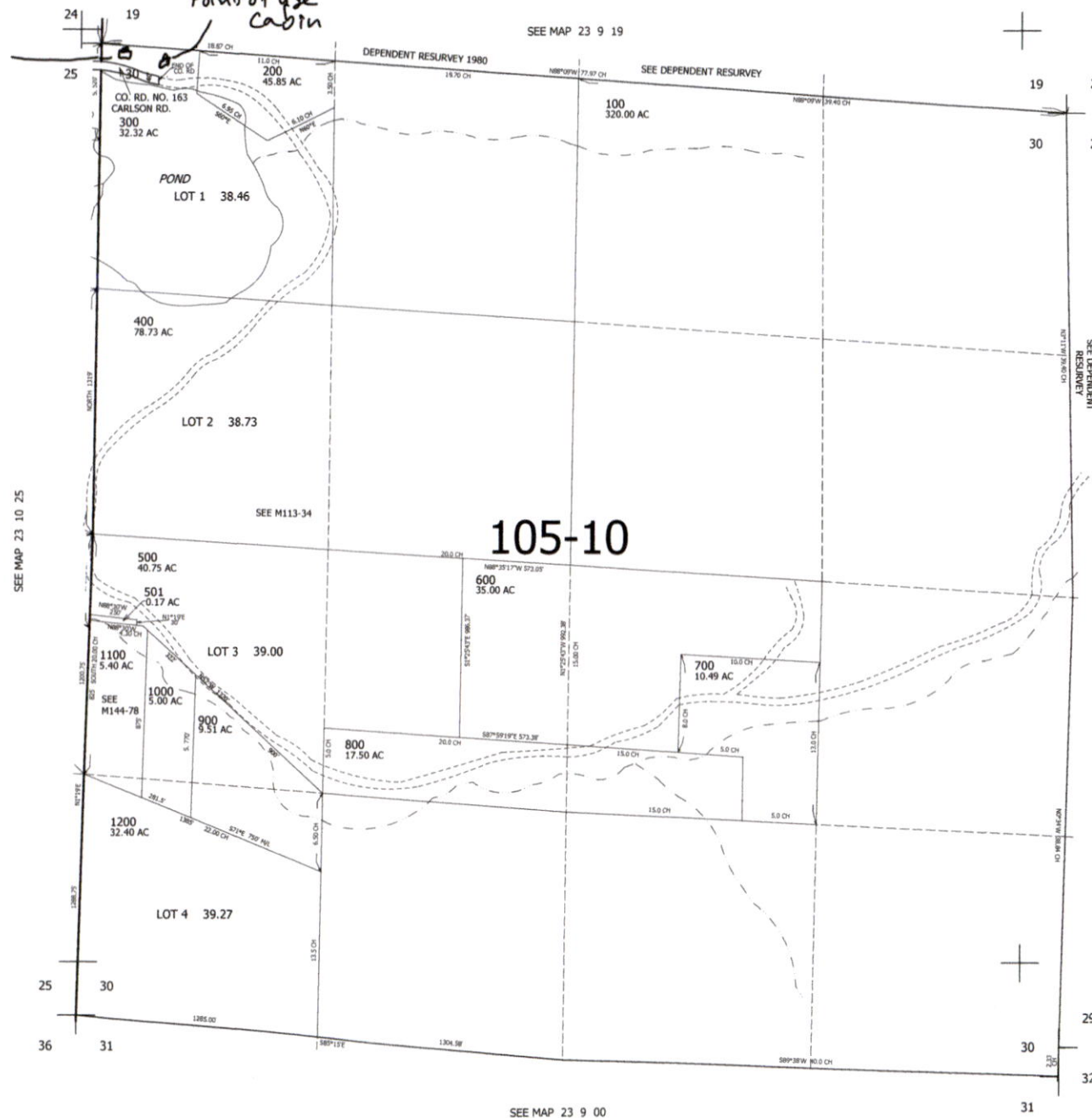
REVISED ON
12-15-08

23 9 30

1" = 400'

Point of
use
Home

Point of use
cabin



CANCELLED NOS
502

SEE MAP 23 9 00

697,000

SEE MAP 23 9 00

4,047,000

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23 9 30

Additional Information

Background about property:

The house on the property at 702 Carlson Rd was built in 1918, and has always used water for domestic use from a spring just up the hill on BLM ground. The reason I am pursuing a water right is so that I can get on the right side of the BLM, as well as to secure a loan to build a new house because the old one is in really bad shape. The development of the spring in its current state is fairly crude, consisting of a funnel with mesh over the opening, shoved into a 1" water pipe and laid down at the source of the spring and covered with rocks. The pipe then runs down the hill into an old spring box which has a lid that is ajar and letting in slugs and bugs, i.e. contaminants. From the spring box the pipe goes to 2 water tanks which provide domestic water to the home and cabin on the property. While the system does function, it needs to be improved upon, not to mention made legal. Sections of pipe have been abandoned and/or replaced, sometimes buried and sometimes on the ground, and bears have constantly been biting holes in the pipe where it is exposed.

The spring itself starts right at the base of a 20' cliff near the top of the hill. There is somewhat of a channel for the spring as it flows downhill since the pipe doesn't come close to collecting all the water. As the channel gets further downhill towards the southern end of the BLM property, the channel ends, and the water basically just fans out and soaks into the ground. So, there are no fish and the spring doesn't feed into any other streams or water bodies.

I have been in contact with Heidi Honner with the BLM in Coos Bay, who has done a site visit where I showed her the location of the spring and explained to her my plans. I am in the process of getting a right of way/easement from the BLM, but in order for her to move forward with that process I need to get my application in to the Water Master. I was told that Mrs. Honner has been in touch with Susan Douthit at the Water Master office so they both are aware of the situation.

Section 5: Water Use

I intend to use the water for Domestic use expanded purposes. I have measured the flow coming from the pipe into the storage tank using a simple one gallon jug and a stopwatch. I timed how long it took to fill the jug and it was close to 30 seconds, so I used 2 gallons per minute as the flow currently coming out of the pipe. I plan on using the same 1" pipe so I estimate that 2 gpm would come from the new system.

Section 6: Water Management

A: Diversion and Conveyance

The whole system will be gravity fed as the spring is directly uphill from the house, so no pumps needed.

Here is a fairly basic plan of development for the spring.

1. Where the spring originates and where there is currently a collection pipe:

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I plan on using a spring dam from Carolina Water Tanks.

The dam is a thick, flexible piece of plastic with 2-1" holes in it to connect water pipes. It can be cut to fit the area where water is collected. To install this, I would use my hands and a shovel to dig out about a foot of rock and gravel to get just below where the water runs out from the rocks.

Then you install the dam in sort of a U shape just downhill of where the water seeps out. It is held in place by rocks and soil. There are two pieces of 1" pvc pipe (holes drilled in them) inside of the U that collect water. One is for an overflow/backwash and the other is the outlet to the spring box or collection tank. Once the pipes and dam are in place, I will carry buckets of gravel up the hill and fill the entire dam with gravel (estimated 5-6 buckets worth). Once it is full of gravel, a piece of thick plastic pond liner or equivalent covers the gravel. Then, rocks are placed on top of the plastic so the only thing visible would be the overflow and outlet pipes.

The existing water pipes I would like to remove, as some of them are buried very shallow in some places and exposed in others. Bears seem to be attracted to the sound and like to bite holes in the exposed areas of pipe. I could remove all of this by hand. If the BLM prefers, I could leave it in place so as not to disturb the area.

I would then run new 1" water pipe from the collection dam to the existing spring box. I would like to bury this pipe just outside of the stream channel, just to the west of the existing lines, by digging down 6-12" with a shovel, in order to protect it against bears and any other damage.

2. Spring box/sediment trap

There is an existing spring box between the collection point and the storage tanks, about 30 gallon capacity. The spring box is used to collect sediment and keep it from going to the

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storage tank. The lid on the box had been left ajar and the box now has slugs, bugs and other organic debris contaminating it. It appears that this was set in concrete so if I can't use it as is I would most likely just leave it there. I would either like to a) clean it and use it, and replace the existing pipe leading into and out of it, or b) install a new spring box right next to it. These boxes are fairly small 2'W x 2'L X 3'H. From the spring box, I would run new 1" water pipe, buried in a shallow, hand dug trench just west of the existing water pipes, to the storage tank.

3. Storage Tank(s)

There are currently 2 storage tanks on BLM property. These tanks are old and settling and need to be replaced with similar size. The spring and channel disappear by this point, as there is no defined channel. The water just spreads out and soaks into the ground.

I would like to install 2 new 1500 gallon tanks in the same place. I would be able to drain the old tanks and drag them down the hill with my little tractor. With a shovel I would flatten the area where the tanks sat, put down a layer of cinder blocks for a foundation, and then place new tanks where the old ones were. In order to set the new tanks I would probably use my small farm tractor to lift and move them into place. The tanks are about 30-40 feet inside of BLM property from the boundary of my property, but no tree removal or excavation would be needed to get there. These new tanks would be connected in series with outlets running to the dwelling(s).

So to sum it up, I wouldn't use any equipment to dig. Just my hands and a shovel. A small tractor to move the tanks. I would like to replace and bury the new water line about 4-5'

from the existing ones, 6-12" deep. I would like to remove all the old line just to clean up the area, but if BLM prefers I leave it there then that is okay too.

It would only be 1 water line, from dam to spring box to storage tank.

B: Application Method:

water pipe going to house.

C: Conservation

-waste prevention: best management practices used to prevent leaks in system

-Measure water diverted: 5 gallon bucket or 1 gallon jug and a stopwatch, measured from outlet pipe into tank

-Prevent Damage to Public Resources:

There will be no damage to the waterbody. Pipe will be buried out of the stream channel until the channel disappears and spreads out before reaching the tanks

Section 8: Project schedule

I know this process will take some time considering I need both a water right issued and an easement/ROW from the BLM. Once both of these are obtained, the construction will take less than a week. Once that's done, I would be able to get a construction loan to start building a house. Once that's

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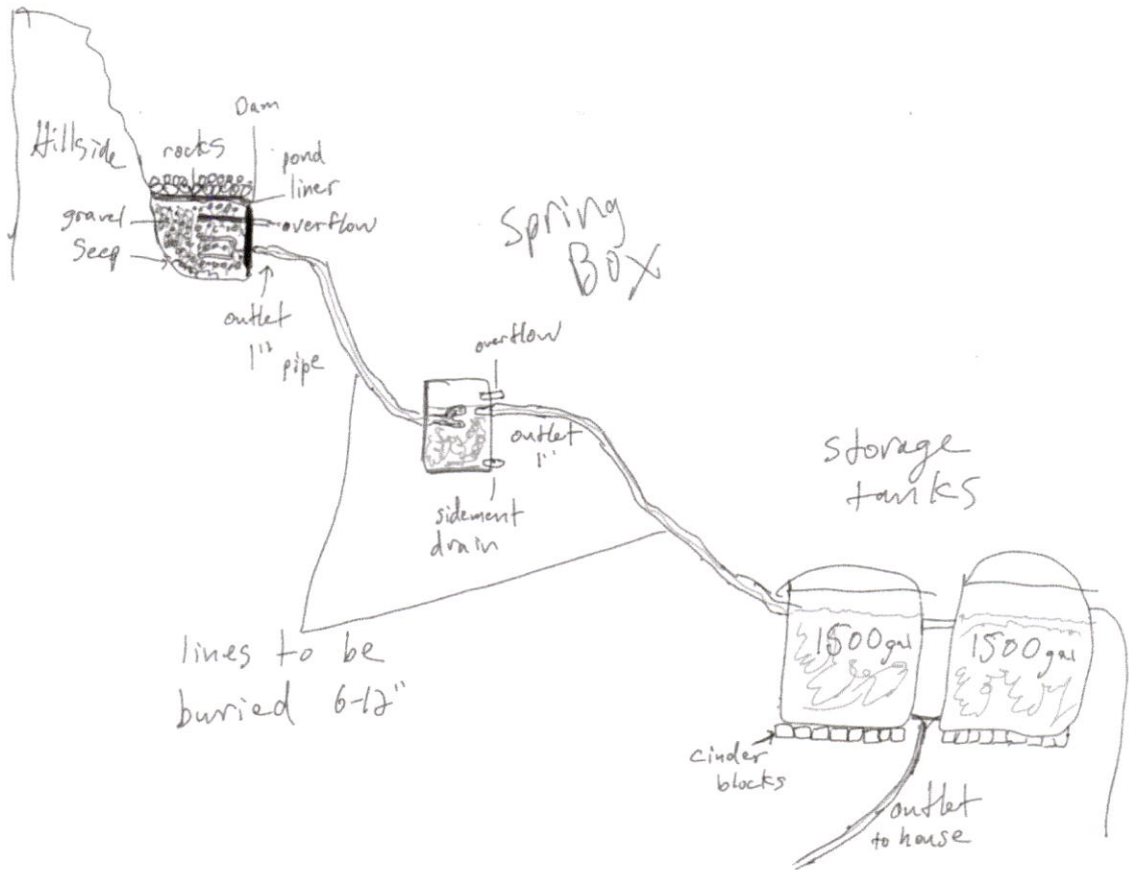
done, I could activate the system and start using the water.
However I'm not sure how long this process will take.

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Spring Collection Dam



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