





STATE OF OREGON

COUNTY OF COOS

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUSAN MC AULIFFE  
P.O. BOX 456  
FORT KLAMATH, OREGON 97626

SALLY LYONS FITZGERALD  
P.O. BOX 7  
PLUSH, OREGON 97639

WESTERN BANK, TRUSTEE  
P.O. BOX 1225  
COOS BAY, OREGON 97420-0317

confirms the right to use the waters of UNNAMED STREAMS 3, 4, AND 5, AND NO. 1 RESERVOIR CONSTRUCTED UNDER PERMIT R-10827, a tributary of ISTHMUS SLOUGH, for DOMESTIC USE FOR FIVE FAMILIES, LIVESTOCK WATER, AND IRRIGATION OF 1.0 ACRE.

This right was perfected under Permit 50009. The date of priority is MARCH 23, 1987. This right is limited to 0.035 CUBIC FOOT PER SECOND, BEING 0.01 CFS FROM STREAM 3 (DIVERSION 1) FOR DOMESTIC USE; 0.005 CFS FROM STREAM 3 (DIVERSION 1) FOR LIVESTOCK WATER AT BARNS 1 AND 3; 0.01 CFS FROM STREAM 4 (DIVERSION 2) FOR IRRIGATION OF 0.1 ACRE; 0.01 CFS FROM STREAM 5 AND RESERVOIR 1 (DIVERSION 3) FOR IRRIGATION OF 0.9 ACRE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

LOT 12 (SE 1/4 SE 1/4) SECTION 23; SE 1/4 SE 1/4, SECTION 23 AND NW 1/4 SW 1/4 SECTION 24, BOTH AS PROJECTED WITHIN DLC 37, ALL IN T 26 S, R 13 W, W.M.; DIVERSION 1 - 1500 FEET NORTH AND 600 FEET EAST; DIVERSION 2 - 1220 FEET WEST; DIVERSION 3 - 880 FEET NORTH AND 150 FEET WEST, ALL FROM SOUTHWEST CORNER OF SECTION 24.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre (or its equivalent) and 2.5 acre-feet 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:

NE 1/4 SE 1/4		HOUSES 3 AND 7
NW 1/4 SE 1/4	STOCK WATER	
SE 1/4 SE 1/4	0.9 ACRE STOCK WATER	HOUSE 5
ALL AS PROJECTED WITHIN DLC 37		
LOT 12 (SE 1/4 SE 1/4)	0.1 ACRE	HOUSE 6
SECTION 23		
SW 1/4 SW 1/4		HOUSE 4
AS PROJECTED WITHIN DLC 37		
SECTION 24		
TOWNSHIP 26 SOUTH, RANGE 13 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.

Send a copy to  
each name  
listed.

Done  
JCB

STATE OF OREGON  
COUNTY OF COOS  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUSAN MC AULIFFE  
P.O. BOX 456  
FORT KLAMATH, OREGON 97626

SALLY LYONS FITZGERALD  
P.O. BOX 7  
PLUSH, OREGON 97639

WESTERN BANK, TRUSTEE  
P.O. BOX 1225  
COOS BAY, OREGON 97420-0317

confirms the right to use the waters of UNNAMED STREAMS 3, 4, AND 5, AND NO. 1 RESERVOIR CONSTRUCTED UNDER PERMIT R-10827, a tributary of ISTHMUS SLOUGH, for DOMESTIC USE FOR FIVE FAMILIES, LIVESTOCK WATER, AND IRRIGATION OF 1.0 ACRE.

This right was perfected under Permit 50009. The date of priority is MARCH 23, 1987. This right is limited to 0.035 CUBIC FOOT PER SECOND, BEING 0.01 CFS FROM STREAM 3 (DIVERSION 1) FOR DOMESTIC USE; 0.005 CFS FROM STREAM 3 (DIVERSION 1) FOR LIVESTOCK WATER AT BARNs 1 AND 3; 0.01 CFS FROM STREAM 4 (DIVERSION 2) FOR IRRIGATION OF 0.1 ACRE; 0.01 CFS FROM STREAM 5 AND RESERVOIR 1 (DIVERSION 3) FOR IRRIGATION OF 0.9 ACRE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

LOT 12 (SE 1/4 SE 1/4) SECTION 23; SE 1/4 SE 1/4, SECTION 23 AND NW 1/4 SW 1/4 SECTION 24, BOTH AS PROJECTED WITHIN DLC 37, ALL IN T 26 S, R 13 W, W.M.; DIVERSION 1 - 1500 FEET NORTH AND 600 FEET EAST; DIVERSION 2 - 1220 FEET WEST; DIVERSION 3 - 880 FEET NORTH AND 150 FEET WEST, ALL FROM SOUTHWEST CORNER OF SECTION 24.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre (or its equivalent) and 2.5 acre-feet 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:

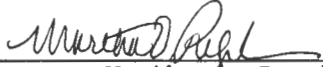
NE 1/4 SE 1/4		HOUSES 3 AND 7
NW 1/4 SE 1/4	STOCK WATER	
SE 1/4 SE 1/4	0.9 ACRE STOCK WATER	HOUSE 5
LOT 12 (SE 1/4 SE 1/4)	ALL AS PROJECTED WITHIN DLC 37	HOUSE 6
	SECTION 23	
SW 1/4 SW 1/4		HOUSE 4
	AS PROJECTED WITHIN DLC 37	
	SECTION 24	
	TOWNSHIP 26 SOUTH, RANGE 13 WEST, W.M.	

SEE NEXT PAGE

Copy of Cert &  
map sent to each  
Name listed.  
2/24/93 JCB

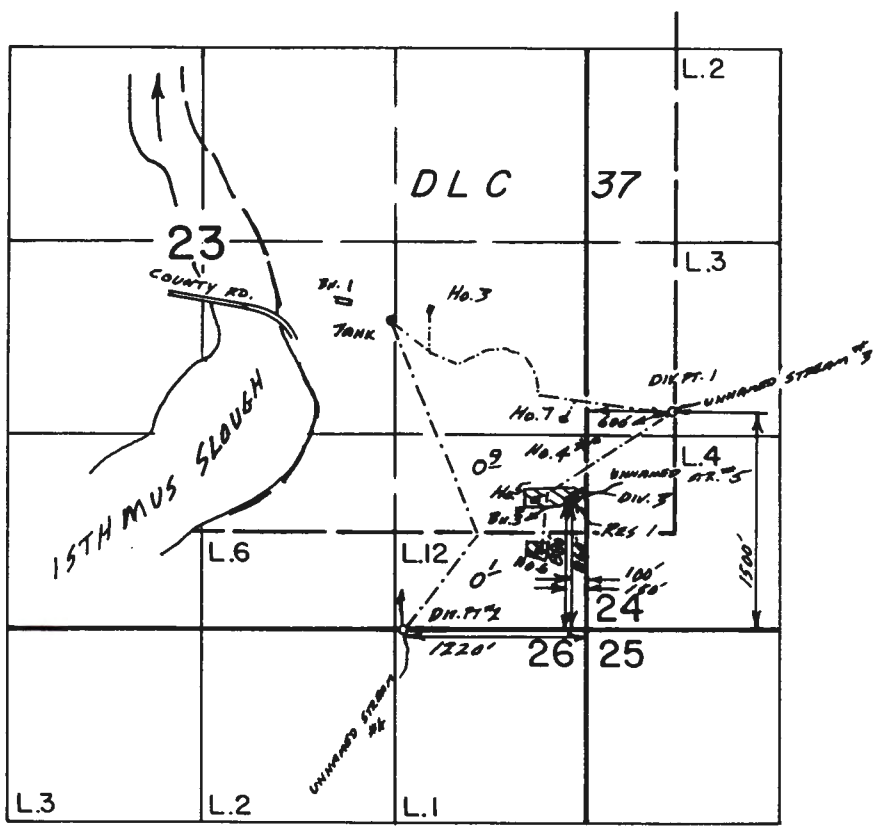
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 16, 1993.



Martha O. Pagel

T. 26S., R. 13W., W. M.



Scale : 1" = 1320'

**FINAL PROOF SURVEY**  
UNDER

R-69035                      R-10827  
Application No. ~~69036~~ Permit No. ~~50009~~...  
IN NAME OF

..... SUSAN ..... McAULIFFE, ETAL

Surveyed Sept. 20, 1988, by J. KAUPPILA.  
Sept. 17, 1990, by B. BISHOP

9/17

COOS

8/4/87

# Abstract of Permit (2)

Kaysilla 9/19/88

9/17/80  
bub

9/17/80

This is to certify that I have examined APPLICATION R-69035 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Susan McAuliffe of P.O. Box 456, Fort Klamath, Oregon 97626, phone 381-2294; Sally Lyons Fitzgerald of P.O. Box 7, Plush, Oregon 97639, phone 947-4349; Western Bank, Trustee of P.O. Box 1225, Coos Bay, Oregon 97420, phone 269-5171, for the construction of ~~two~~ <sup>(ONE)</sup> reservoirs, being Reservoir #1 and storage of water from \*

The dam will be LOCATED in the: ~~Both~~ dams being within SE 1/4 SE 1/4, Section 23, Township 26 South, Range 13 West, WM, in the County of Coos.

The maximum height will be \*\* feet above the stream bed or ground surface at the centerline. The top width will be \*\*\* slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full 3.0 feet.

The area submerged by the reservoir, when full, will be \*\*\*\* <sup>.25</sup>, and the maximum depth of water will be \*\*\*\*\* <sup>8'</sup>.

\* ~~unnamed stream 5 and Reservoir #2 and storage of water from unnamed stream to be appropriated under Application 69036, Permit 50009, for irrigation. OF~~

- \*\* Dam #1 - 8.0 feet; Dam #2 - 6.0 feet
- \*\*\* Dam #1 and Dam #2 at 8.0 feet
- \*\*\*\* Reservoir #1 - .25 acre; Reservoir #2 - .20 acre
- \*\*\*\*\* Reservoir #1 ~~8.0~~ feet; Reservoir #2 ~~6.0~~ feet
- \*\*\*\*\* excess water is otherwise available.

09/1/88

The dimensions of the spillways are: The bottom width of the spillways will be 2.0 feet. The top width of the spillways will be 4.5 feet. The distance between the crest of the dams and the crest of the spillways will be 2.5 feet.

The dams are in the channels.

The dams will be earthfill construction.

$$\begin{array}{r} .25 \\ \times 7 \\ \hline 1.75 \\ \times 0.4 \\ \hline 0.7 \\ \hline 0.8 \approx 0.73 \end{array}$$

The right hereunder shall be limited to the storage of ~~1.04 acre feet, being 0.73 af in Reservoir #1 and 0.31 af in Reservoir #2~~, annually during the nonirrigation season or when \*\*\*\*\*  
The PRIORITY DATE of this permit is March 23, 1987.

Actual construction work shall begin on or before July 24, 1988, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 ~~89~~.

Witness my hand this 24th day of July, 19 87.

\_\_\_\_\_  
WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

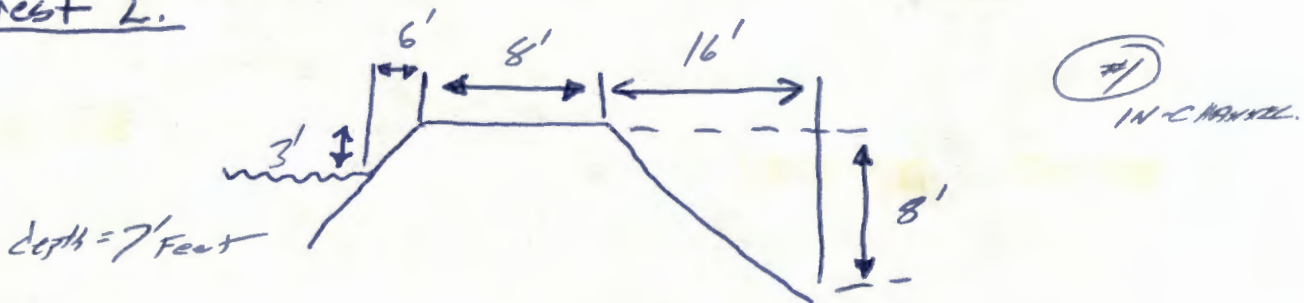
APPLICATION R-69035

PERMIT R10827  
11/11/80-1924

Information: Met with Dale J. Hill, CAROLAN J. McHUIFFE and Fitzgerald. He explained the water system and use.

## Reservoir number 1 (POD number 3)

### Crest L.



Spillway: 24" Cmp near left end of structure.

Emergency spillway: none

### Note:

Pipelng Around down stream end of the 24" Cmp.  
At the time of the survey there was a 12' deep gap in  
the down stream face of the DAM.  
Eroded area is 10' wide by 12' deep. Water is flowing around outside of cmp.

## Reservoir number 2

Reservoir number 2 was constructed but is not  
storing water at this time. Mr Hill said that he has  
never seen water being stored in this reservoir. he did not  
even know that it was a reservoir. The structure and  
pool area are covered with grass.

<sup>#2</sup>  
Note: ~~AB~~ From measuring the  
eroded area we determined that the  
structure was greater than 10' high.  
J. P. Drolet was notified of this and  
the piping problems.

James R. Kauppeler  
Engineering Technician I  
Sept. 20, 1988

9/17/90 RAN PTS TO Div. Pt. #1 @ 1" = 1320'  
TIED TO PHOTO 41011-180-192R

Brian W. Busby F.I.

1140  
690-10-PS1-a  
COOS  
8/4/87  
**Abstract of Permit**

This is to certify that I have examined APPLICATION 69036 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

*12*  
*Stampila 9/20/88*  
This permit is issued to Susan McAuliffe of P.O. Box 456, Fort Klamath, Oregon 97626, phone 381-2294; Sally Lyons Fitzgerald of P.O. Box 7, Plush, Oregon 97639, phone 947-4349; Western Bank, Trustee of P.O. Box 1225, Coos Bay, Oregon 97420, \* for the PURPOSE of Domestic use for five families, livestock water, and irrigation of 34.6 acres, being 0.01 cubic foot per second from unnamed stream 3 (POD #1) for domestic use for five families; 0.005 cfs from unnamed stream 3\*\* that the PRIORITY OF THE RIGHT dates from March 23, 1987 from Streams 3, 4, and the X/ reservoir, and April 21, 1987 from Streams 5 and 6,

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.455 cubic foot per second.

*SW 1/4*  
*1220'*  
The POINT OF DIVERSION is to be LOCATED: POD #1 - 1035 feet South and 450 feet East from West quarter of Section 24, being within NW 1/4 SW 1/4, Section 24; POD #2 - 0 feet North and 1200 feet West from Southeast corner of Section 23, being within SE 1/4 SE 1/4, Section 23; POD #3, Stream #5 and Reservoir #1 - 900 feet North and 100\*\*\*

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

\* phone 269-5171, for the use of the waters of ~~four~~ <sup>ONE</sup> streams and ~~two~~ reservoirs to be constructed under under Application R-69035, Permit R-10827,

*0.18*  
*0.13*  
*0.13*  
*0.01*  
\*\* (POD #1) for livestock water at barns 1, 2 and 3; 0.18 cfs from unnamed stream 4 (POD #2) for irrigation of 14.6 acres; 0.13 cfs from unnamed stream 5 and Reservoir 1 (POD #3) for irrigation of 10.0 acres; and 0.13 cfs from unnamed stream 6 and Reservoir 2 (POD #4) for irrigation of 10.0 acres

*ALL*  
\*\*\* feet West from Southeast corner Section 23, being within SE 1/4 SE 1/4, Section 23; POD #4, Stream #6 and Reservoir #2 - 150 feet North and 150 feet West from Southeast corner of Section 23, being within SE 1/4 SE 1/4, Section 23, all being within Township 26 South, Range 13 West, WM, in the County of Coos.

SEE NEXT PAGE

Actual construction work shall begin on or before July 24, 1988 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 89 .

Complete application of the water to the proposed use shall be made on or before October 1, 19 90 .

Witness my hand this 24th day of July , 19 87 .

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Township 26 South, Range 13 West, WM

ALL  
 W/INDLC 37  
 Section 23 ~~Lot 5~~ (NE1/4 SE1/4) dwelling #3 ✓  
~~Lot 5~~ (NE1/4 SE1/4) dwelling #7 ✓  
~~Lot 12~~ (SE1/4 SE1/4) dwelling #5 ✓  
 Lot 12 (SE1/4 SE1/4) dwelling #6 ✓  
 Section 24 NW1/4 SW1/4 dwelling #4 ✓

LIVESTOCK

W/INDLC 37 WATERING AT BARN  
 Section 23 ~~Lot 4~~ (NW1/4 SE1/4) POD #1  
~~Lot 12~~ (SE1/4 SE1/4) POD #2 and #3

IRRIGATION POD #2

~~Lot 5~~ (NE1/4 SE1/4) 2.5 acres  
~~Lot 4~~ (NW1/4 SE1/4) 12.1 acres  
 Lot 12 (SE1/4 SE1/4) 6.2 ACRES

IRRIGATION POD #3

~~Lot 12~~ (SE1/4 SE1/4) 10.0 acres  
~~Lot 12~~ (SE1/4 SE1/4) 10.0 acres  
 SE 4 SE 4 (W/INDLC 37) 6.9 ACRES

The AMOUNT OF WATER used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

77 8 14125

RECEIVED

Application No. R-69035, 69036 & 69037  
Permit No. R-10827, 50009 & 50008

MAR 23 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

CORRECTION DEED

THIS CORRECTION DEED made and executed by JANE S. LYONS, as Grantor and SUSAN McAULIFFE, SALLY LYONS and J. STEWART LYONS, as Grantees,

W I T N E S S E T H :

WHEREAS, on December 23, 1976 Grantor made, executed and delivered unto Grantees a Deed of Conveyance covering certain real property situated in Coos County, Oregon which Deed was recorded on December 23, 1976 as instrument no. 18443 in the Coos County, Oregon Deed Records; and

WHEREAS, it has now been determined by the Grantor and Grantees hereto that the property description set forth in the aforesaid Deed dated December 23, 1976 did not accurately describe the real property that the parties intended to be conveyed thereby; and

WHEREAS, the Grantor and Grantees now desire to reform and correct the said Deed dated December 23, 1976 as hereinafter set forth:

DEED OF CONVEYANCE

JANE S. LYONS, surviving widow of James A. Lyons, deceased, Grantor, conveys to SUSAN McAULIFFE (an undivided one-third interest), SALLY LYONS (an undivided one-third interest), and J. STEWART LYONS (an undivided one-third interest), as tenants in common, all that real property situated in Coos County, State of Oregon, and more particularly described as follows:

Beginning at the quarter corner on the West boundary of Section 13, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence South along the West boundary of said Section 13 a distance of 1895.5 feet, more or less, to the North boundary of Curtis Noble Donation Land Claim No. 37; thence West along the North boundary of said Donation Land Claim to the high water line of Isthmus Slough at the Northwest corner of said Donation Land Claim; thence Southerly along the said high water line of Isthmus Slough to the Southwest corner of said Donation Land Claim; thence East along said South boundary of said Donation Land Claim to the East boundary of Mud Slough; thence South along the East boundary of Mud Slough to the North boundary of the SE 1/4 of NE 1/4 of Section 26, Township 26 South, Range 13 West of the Willamette Meridian; thence West to the Northwest corner of said quarter quarter; thence South along the

77 8 14125

RECEIVED

Application No. R-69035, 69036 & 69037

MAR 23 1987

Permit No. R-10827, 50009 & 50008

WATER RESOURCES DEPT.  
SALEM, OREGON

West boundary of said quarter quarter to a point 132 feet North of the Southwest corner of said quarter quarter; thence East on a line parallel to and 132 feet North of the South boundary of said quarter quarter to the East boundary of said Section 26; thence North along the section line to the Northeast corner of said Section 26; thence North 52° East 203 feet; thence East 190 feet; thence North 45° East 116 feet to a point on the Westerly line of the Coos City-Sumner County Road; thence Northwesterly along said Road boundary to the intersection of the West boundary of the Ross Slough County Road; thence Northerly along the said Westerly boundary of said Ross Slough County Road to the intersection of the East line of Lot 2 of Section 24, Township 26 South, Range 13 West of the Willamette Meridian; thence Northerly along the East line of Lots 2 and 1 of said Section 24 to the Northeast corner of Lot 1 of said Section 24; thence North along the East boundary of Lot 1 and the NW 1/4 of SW 1/4 of Section 13, Township 26, South, Range 13 West of the Willamette Meridian, Coos County to the South boundary of the property conveyed to Harold L. Thurman in deed recorded October 17, 1960 in Book 281, Page 386, Deed Records of Coos County; thence West to Thurman's Southwest corner; thence North 330 feet to Thurman's Northwest corner; thence East 264 feet, more or less, to the West boundary of the property conveyed to Orville G. Reiber in deed recorded December 9, 1970 bearing Microfilm Reel No. 70-12-54211, Records of Coos County; thence North along Reiber's West boundary to the quarter section line running East and West through said Section 13; thence West 924 feet along the quarter section line to the point of beginning.

ALSO: The tidelands of Mud Slough fronting and abutting Lots 1 and 2 of Section 26, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon and upon Lots 6 and 12 of Section 23, Township 26, South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

ALSO: A parcel of land situated in the NW 1/4 of SW 1/4 of Section 24, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, described as follows: Beginning at a point on the West line of the Spalding property at a junction with the Southeast corner of the Muench property described in deed recorded in Book 229, Page 705, Deed Records of Coos County, said point being 905.49 feet South and 352.59 feet East of the quarter corner common to Sections 23 and 24 of said Township and Range; thence South 1° 34' West 264.08 feet along the West line of Spalding property; thence South 88° 26' East 250.0 feet; thence North 1° 34' East 264.08 feet; thence North 88° 26' West 250.00 feet

Pump: Paco DDC 1½" x 1½"  
motor Baldor 5 hp electric

Note: Mr Hill said that most of the irrigation had not been done due to a lack of water, at this time two of the domestics are not occupied. They are for sale

James R. Kauppila  
Engineering technician I  
Sept 20, 1988

Note #2

The only irrigation under this permit was around the domestic #5. The pasture lands were never irrigated (per Mr. Hill).

9/17/90

RE RAN PTS TO DIR. A. #1 @ 1" = 1320  
TIED TO PHOTO 41011-180-192R.

Dijani W. Bestop  
F.I.

RECEIVED

MAR 23 1987

WATER RESOURCES DEPT  
SALEM, OREGON

77 8 14131

Application No. R-69035, 69036 & 69037

Permit No. R-10827, 50009 & 50008

to the point of beginning, said parcel is a portion of the NW 1/4 of SE 1/4 of said Section 23.

EXCEPT the following: Beginning at the Section corners common to Sections 23, 24, 25 and 26 of Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence North 75° 40' West 645.9 feet; thence South 3° 15' West 140 feet; thence South 3° 48' West 276 feet; thence North 86° 18' East 74.6 feet; thence North 87° 07' East 281 feet; thence South 73° 36' East 311.5 feet to a point on the Section line between Sections 25 and 26; thence North along the section line 324.6 feet to the place of beginning.

GOLF COURSE

EXCEPT that portion of land described as follows: Beginning at a 5/8 inch iron rod located North 48° 33' 34" East 1230.09 feet from the U. S. Meander corner on the Westerly bank of Mud Slough on the Section line between Sections 23 and 26, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence North 54° 31' 26" West 107.57 feet; thence North 38° 11' 19" West 201.84 feet; thence North 43° 31' 05" East 129.61 feet; thence North 62° 00' 01" East 167.72 feet; thence North 80° 43' 15" East 262.86 feet, more or less, to the Southwesterly line of the Coos Bay-Sumner County Road; thence Southeasterly along the Southwesterly line of said County Road (South 55° 46' 07" East) 473.18 feet, more or less, to an iron rod; thence South 73° 50' 50" West 326.92 feet, more or less, to an iron rod; thence South 70° 11' 23" West 214.48 feet; thence South 87° 43' 05" West 159.90 feet to the point of beginning, said parcel is located in the SE 1/4 of Section 23 and the SW 1/4 of Section 24.

PRIVATE

EXCEPT the following described property: Beginning at a 5/8 inch re-enforcing rod on the Southerly right of way line of the Coos City to Sumner County Road of which a portion of it runs through the Curtis C. Noble Donation Land Claim No. 37 in Section 23, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, from said point of beginning, the quarter section corner between Sections 23 and 24 of said Township and Range bears North 46° 15' 10" East 1465.27 feet; thence South 07° 38' East 239.90 feet; thence North 83° 51' East 242.14 feet; thence North 08° 13' 30" East 251.01 feet; thence North 80° 17' 36" West 177.28 feet; thence South 63° 34' 13" West 149.38 feet to the place of beginning.

MATTHEWS ±

ALSO EXCEPT any portion embraced in the County Roads.

This conveyance is made as a gift and without consideration.

Dated: April 29, 1977.

*Jane S. Lyons*  
Jane S. Lyons

GRANTOR

Information: met with Mr. Dale J. Hill caretaker for McAdiliffe & Fitzgerald. He explained the water system and use.

Sources:

- (Domestic uses) Unnamed stream number 3 (via POD #1) ✓  
A trib of Isthmus Slough.
- (Stock use) Unnamed stream number ~~4~~<sup>3</sup> (via POD #~~1~~<sup>1</sup>) ✓  
A trib of Isthmus Slough.
- (Irrigation use) Unnamed stream number 5 (Reservoir number 1, POD number 3) ✓
- Unnamed stream 6 ~~is~~ not used (Reservoir number 2 not used)
- Unnamed stream number 4 (POD #2) was not used under this permit.

Diversion: This permit.

- Diversion point number 1: gravity flow from unnamed stream number 3 via 14' x 28' x 4' deep stream box
- Diversion point number 2: Direct draft from channel of Unnamed stream number 4 using submers. pump
- Diversion point number 3: gravity flow from Reservoir number 1 to ~~the~~ pump via 2" steel pipe. Reservoir is in stream number 5.

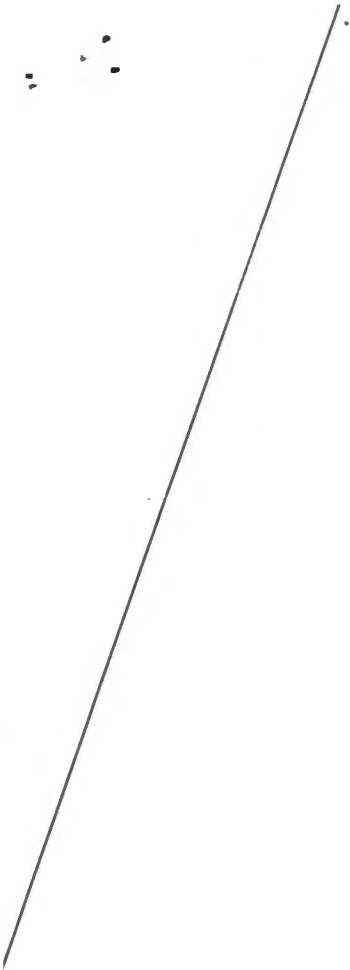
Pipe: entire system uses Buried pipe of unknown size

Use: Domestic use for 5 families from Diversion point number 1  
 Stock use at Barn from Diversion point number 2  
 Irrigation of small lawn & shrubs around swimming pool & house from Diversion point number 3

Lift: Diversion point number 1 (- 100' [gravity flow [quad]])  
 Diversion point number 2 (+ 20' [from quad])  
 Diversion point number 3 (+ 20' [from quad])

Tie: 41011-180-192 R & P.T.S.

(Continued on page 2)



T. 26S, R. 12W., N. 11

Sec 24

NW 1/4 SW 1/4

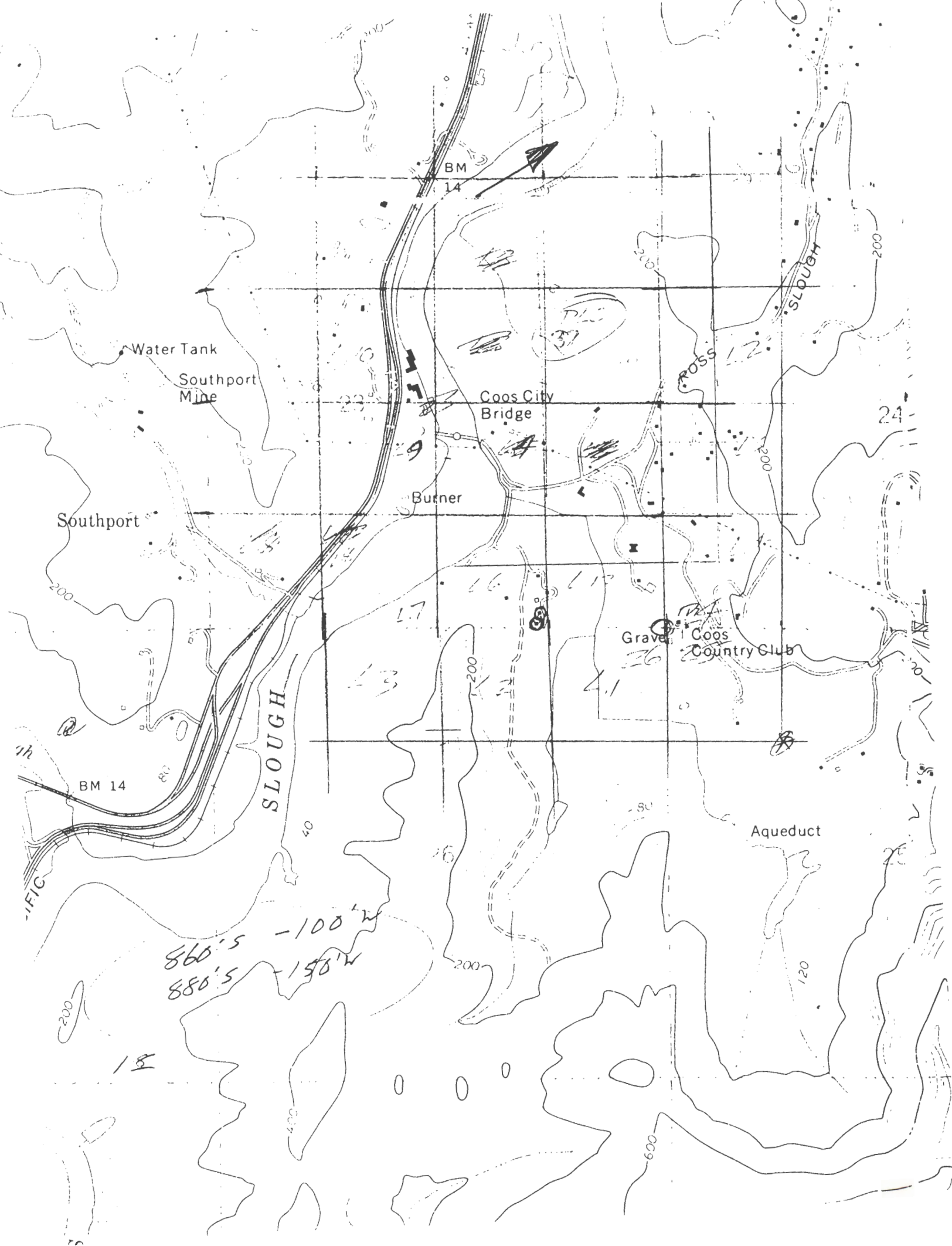
TOWNSHIP 26S. RANGE 13W. W. M. SECTION 23

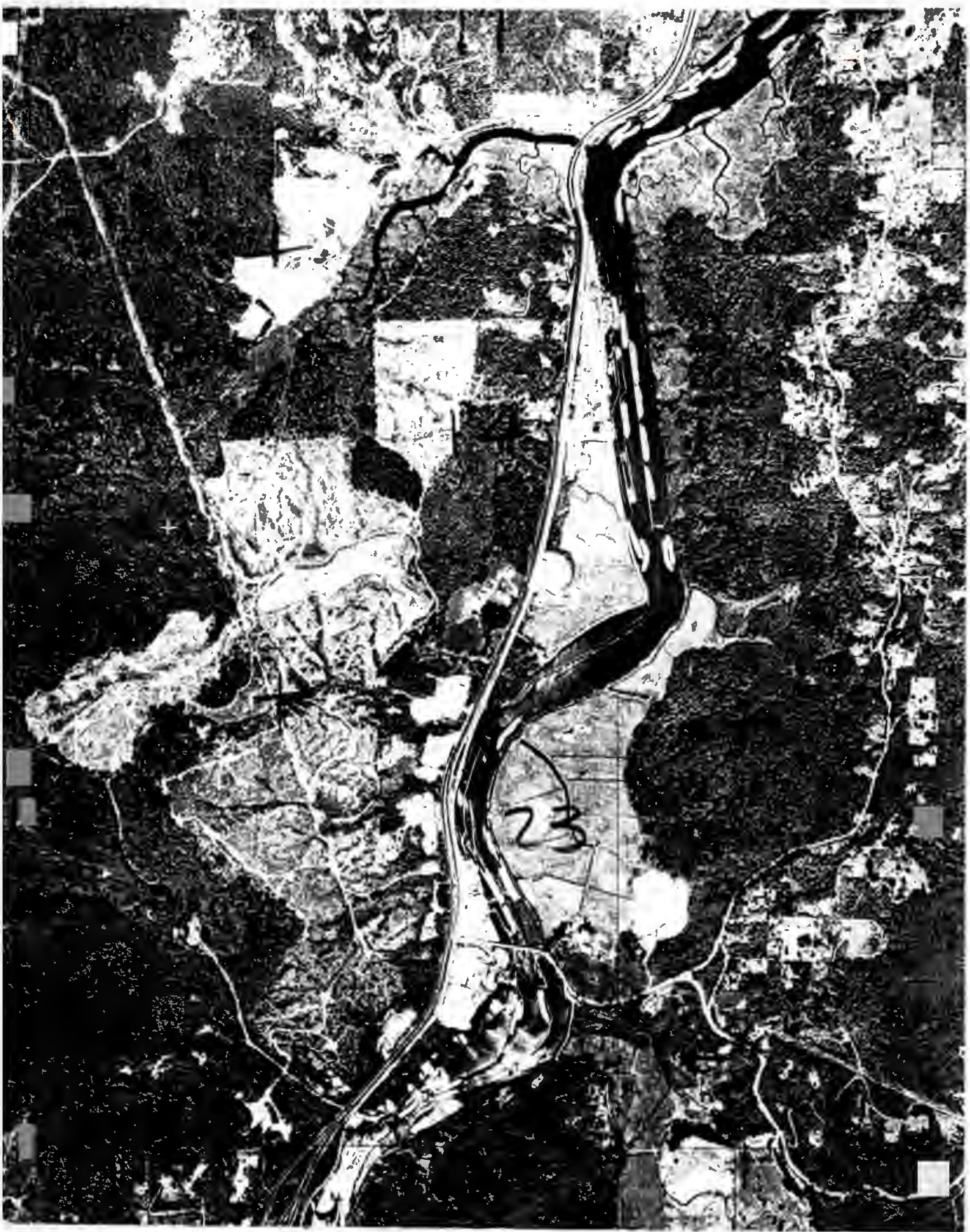
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER		
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																				
																DOM 7-1	13245	9491	Cancel	
																	20067	15630	20344	
																	23612	18619	21682	
																	27315	21477	30061	
																	27996	22035	21502	
																	29704	23386	29085	
																	6907	4373	Cancel	
																	(3) DOM 1/2 DOM	56221	42822	62716
																	63237	47095		
																	RES DOM	69037	50008	
																	RES DOM	1267035	R10827	
																	2.5 Stock DOM	69036	50009	

HOM  
RECORDED

NCR  
r/del  
Gry

<del>17-1</del>	<del>Isthmus Inlet</del>	<del>1-28-30</del>	<del>0.10 cfs.</del>	<del>Cocoos Seed Inc.</del>
17-1	Isthmus Inlet	10-25-43	0.003 cfs.	Paul Wolf
17-1	Isthmus Inlet	2-9-49	0.10 cfs.	Al Peirce
17-1	Isthmus Inlet	6-11-52	0.55 cfs.	Janes S. Lyons
17-1	Isthmus Inlet	1-15-53	0.20 cfs.	Al Peirce Lbr. Co.
17-1	Isthmus Inlet	1-25-55	0.01 cfs.	R.A. Albertus
<del>17-1</del>	<del>Isthmus Inlet</del>	<del>11-28-19</del>	<del>0.35 cfs.</del>	<del>Nellie Ross</del>
17-1	<i>Isthmus Inlet</i>	<i>5-27-78</i>	<i>0.02 cfs</i>	<i>Skatte Jerrick</i>
17-1	<i>Pony Cr. + Misc</i>	<i>02-02-82</i>	<i>465 AF</i>	<i>CB/NB H<sub>2</sub>O Bd</i>
17-1	<i>Isthmus Inlet + Misc</i>	<i>03-23-87</i>	<i>0.04 cfs</i>	<i>BARBARA LYONS</i>
17-1	<i>Isthmus Inlet + Misc</i>	<i>03-23-87</i>	<i>1.04 cfs</i>	<i>Western Bank/11-2-1977/11-2-1977</i>
17-1	<i>Isthmus Inlet</i>	<i>03-23-87</i>	<i>0.455 cfs</i>	
		<i>04-24-87</i>		





STATE OF OREGON

COUNTY OF COOS

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUSAN MC AULIFFE  
P.O. BOX 456  
FORT KLAMATH, OREGON 97626

confirms the right to use the waters of UNNAMED STREAM NO. 3, UNNAMED STREAM NO. 4, AND NO. 1 RESERVOIR, a tributary of ISTHMUS SLOUGH, for DOMESTIC USE FOR FIVE FAMILIES, LIVESTOCK WATER, AND IRRIGATION OF 1.0 ACRE.

This right was perfected under Permit 50009. The date of priority is MARCH 23, 1987. This right is limited to 0.025 CUBIC FOOT PER SECOND, BEING 0.01 CFS FROM STREAM 3 (DIVERSION 1) FOR DOMESTIC USE; 0.005 CFS FROM STREAM 3 (DIVERSION 1) FOR LIVESTOCK WATER AT BARN 1 AND 3; 0.01 CFS FROM STREAM 4 (DIVERSION 2) FOR IRRIGATION OF 0.1 ACRE; 0.01 CFS FROM STREAM 5 AND RESERVOIR 1 (DIVERSION 3) FOR IRRIGATION OF 0.9 ACRE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 12 (SE 1/4 SE 1/4) SECTION 23, SE 1/4 SE 1/4 SECTION 23 AND NW 1/4 SW 1/4 SECTION 24, BOTH AS PROJECTED WITHIN DLC 37, ALL IN T 26 S, R 13 W, W.M.; DIVERSION 1 - 1500 FEET NORTH AND 600 FEET EAST; DIVERSION 2 - 1220 FEET WEST; DIVERSION 3 - 880 FEET NORTH AND 150 FEET WEST, ALL FROM SOUTHWEST CORNER OF SECTION 24.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ~~ONE~~ <sup>1/80</sup> of one cubic foot per second (or its equivalent) and <sup>2.5</sup> acre-feet for each acre irrigated during the irrigation season of each year. *Per Acre*

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:

NE 1/4 SE 1/4		HOUSES 3 & 7
NW 1/4 SE 1/4	STOCK WATER	
SE 1/4 SE 1/4	0.9 ACRE <i>Stock water</i>	HOUSE 5
ALL AS PROJECTED WITHIN DLC 37		
LOT 12 (SE 1/4 SE 1/4)	0.1 ACRE	HOUSE 6
	SECTION 23	
<del>NW 1/4 SW 1/4</del>		HOUSE 4
<i>as projected within DLC 37</i> SECTION 24		
TOWNSHIP 26 SOUTH, RANGE 13 WEST, W.M.		

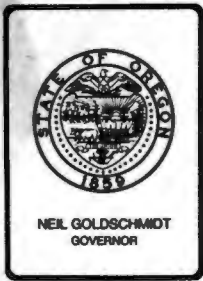
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

69036.LMS

*Das*  
*3/92*

check to see if this is  
a pre. C<sup>" "</sup> for the digestion  
or was no ~~for~~ extended

J. D. 3/10/92



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

July 31, 1987  
William C. Plese  
Western Bank, Trustee  
PO Box 1225  
Coos Bay, OR 97420-0317  
REFERENCE: Files R-69035 and 69036

ENCLOSED: Permits R-10827 and 50009

### PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Your permit has been recorded in this office, but you should hold the original permit as evidence of your water right. If the land is sold, an assignment to the new owner must be recorded in this office. Assignment blanks will be furnished upon request.

The permit fixes time limits for beginning of construction, completion of construction and complete application of water to beneficial use. The law requires that you begin actual construction within one year from the date of issuance of the permit or your right will be lost. The Water Resources Director is authorized to extend the time for completion of construction and for complete application of water upon proper showing, but has no authority to extend the time limit for beginning of construction.

Forms A, B and C may be attached for submitting (A) Notice of Beginning of Construction, (B) Notice of Completion of Construction and (C) Notice of Complete Application of Water. If your application has stated that construction has already been started, or that construction work is completed, or that complete application of water has been made, only the required forms will be attached.

If your project will require only a portable pumping plant and pipelines, the acquisition of such equipment will be considered construction.

When complete application of water has been made, Form C should be submitted as the first step in proof of appropriation. When proof satisfactory to the Water Resources Director has been made, the right will be confirmed by issuance of a certificate. The certificate will limit the right to the extent that water has been applied to beneficial use in accordance with the terms of the permit.

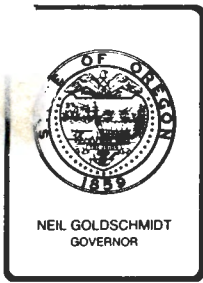
The late summer flow in nearly all streams is required to satisfy existing rights. Your permit grants a right to use water only when there is a surplus in the source involved over and above that required to satisfy prior rights.

Sincerely,

*William H. Young*  
WILLIAM H. YOUNG  
Director

WHY:wpc  
enclosures  
0032B/2

cc: Susan McAuliffe  
Sally Lyons Fitzgerald



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

May 19, 1986

William C. Plese  
Western Bank, Trustee  
PO Box 1225  
Coos Bay, OR 97420

Dear Mr. Plese:

REFERENCE: Files R-69035, 69036 and 69037

It appears that our receipt 51937 sent to you recently along with a copy of my letter dated May 13, 1987, to Tom Hoshull was inadvertently assumed to be an invoice resulting in your bank's check 025291 in the amount of \$25.00.

Since we do not need this additional \$25.00, your bank's check 025291 is enclosed.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO:tcb

Enclosures

May 13, 1987

Tom Hoshull  
Stuntzner Engineering & Forestry  
PO Box 118  
Coos Bay, OR 97420

Dear Mr. Hoshull:

**REFERENCE:** Files 69036, R-69035 and 69037

This is to acknowledge the amended Application 69036 you re-submitted for Susan McAuliffe, Sally Lyons Fitzgerald, and Western Bank, Trustee. The application now describes the proposed use of 0.465 cubic foot of water per second from four streams and two reservoirs, being 0.02 cfs from stream 3 (POD No. 1) for domestic use for five families, 0.005 cfs from unnamed stream 3 (POD No. 1) for livestock watering at barns 1, 2, and 3; 0.18 cfs from unnamed stream 4 (POD No. 2) for irrigation of 14.6 acres; 0.13 cfs from unnamed stream 5 and reservoir 1 (POD No. 3) for irrigation of 10.0 acres; and 0.13 cfs from unnamed stream 6 and reservoir 2 (POB No. 4) for irrigation of 10.0 acres.

The use of water from streams 5 and 6 added to the application have received a date of priority of April 24, 1987, being the date the amended application was received.

Our Receipt No. 51937 covering the additional fees of \$25 submitted is being sent to William C. Plese, along with a copy of this letter.

We also received the print of the supporting map on film.

Application 69036, together with Applications R-69035 and 69037 are now in satisfactory form and will be placed with the group to be considered for approval.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO:wpc

cc: William C. Plese  
Susan McAuliffe  
Sally Lyons Fitzgerald  
Barbara A. Lyons

9936D

## Stuntzner Engineering &amp; Forestry

RECEIVED

705 SOUTH 4th - P. O. BOX 118  
COOS BAY, OREGON 97420  
TELEPHONE 267-2872

APR 24 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

TO WAYNE OVERCASH

AT WATER RESOURCES DEPARTMENT

SUBJECT WATER RIGHTS APPL. 69036

DATE 4/23/87

DEAR MR. OVERCASH

ENCLOSED YOU'LL FIND THE RETURNED APPLICATION 69036 AND MYLAR PRINT. BOTH HAVE BEEN AMENDED PER YOUR COMMENTS, MAILED 4/10/87. I HAD BILL PLEASE INITIAL THE AMENDED SIGNATURE.

ALSO, ENCLOSED IS THE ADDITIONAL \$25<sup>00</sup> FEE TO INCLUDE DWELLING #7, TOGETHER WITH THE RECORDED DEED TO THE LAURICA PROPERTY.

IF ADDITIONAL INFORMATION IS REQUIRED - PLEASE CALL OR RETURN APPLICATION AND WE'LL GET IT DONE.

THANK YOU

Tom Hoshall

STUNTZNER ENG.

DATE 4/23/87

SIGNED

Thomas H. Hoshall

April 10, 1987

William C. Plese  
Vice President and Sr. Trust Officer  
Western Bank, Trust Department  
PO Box 1225  
Coos Bay, OR 97420

Dear Mr. Plese:

REFERENCE: Files R-69035, 69036, and 69037

The Application R-69035 you submitted for Susan McAuliffe, Sally Lyons Fitzgerald, and Western Bank Trustee describing the proposed construction of Reservoir 1 and storage of 0.73 acre-foot of water therein from unnamed stream No. 5 and construction of Reservoir 2 and storage of 0.31 acre-foot therein from unnamed stream No. 6, both for Irrigation, has been reviewed.

Also, the Application 69036 you submitted for Susan McAuliffe, Sally Lyons Fitzgerald, and Western Bank Trustee describing the proposed use of 0.02 cubic foot per second from POD No. 1 via unnamed stream No. 3 for domestic supplies for four families, 0.005 cfs from POD No. 1 via unnamed stream No. 3 for livestock use, 0.18 cfs from POD No. 2 which is unnamed stream No. 4 for the irrigation of 14.6 acres, 0.73 acre-foot of water from POD No. 3 (Reservoir 1) fed by unnamed stream No. 5 for the irrigation of 10.0 acres, and .31 acre-foot of water from POD No. 4 (Reservoir 2) fed by unnamed stream No. 5 for the irrigation of 10.0 acres has been reviewed.

The Application 69037 in the name of Barbara A. Lyons describing the proposed use of 0.01 cfs from POD No. 1 on the unnamed stream No. 3 for domestic supplies for two families and use of 0.032 cfs from POD No. 2 on unnamed stream No. 4 for the irrigation of 2.55 acres which was received with the aforementioned two applications has also been reviewed.

This is to also acknowledge the four regular prints and print on film of the map to support the three applications. The legal descriptions to support the Application 69037 and the legal description to support the Applications R-69035 and 69036 were also received.

As mentioned in our telephone discussion last week, it will be necessary to make certain amendments to the Application 69036 before it can be considered for approval.

If there will be water available in the unnamed streams numbered 5 and 6 during the irrigation season, these two streams may be included as sources of water in Items 1 and 4 of the application along with stating an amount of water to be appropriated in a rate of flow instead of acre-feet.

William C. Plese  
April 10, 1987  
Page 2

Item 2 will need to be further completed by locating each point of diversion within the proper section.

According to the map supporting the applications, Barns 2 and 3 would be located within the SE 1/4 SE 1/4, Lot 12 instead of the NW 1/4 SE 1/4, Lot 4 presently noted in Item 3. Also, if the use at the barns will only be for livestock watering, this will need to be clearly indicated.

I have made some omissions, additions, and corrections in red on copies of the first two pages of Application 69036. If you agree with these amendments, the original application may be amended in the same manner.

The supporting map shows water to be piped to two buildings in the south half of Lot 5 of Section 23. However, there does not appear to be any mention of any proposed use of water at these two building sites on the application. If you will advise us of the intentions regarding these two building sites, we will be able to advise you further as to any requirements for filing.

I am returning the Application 69036 and the print of the supporting map on the film for correction and completion. If you should have any questions, please call or write and advise me of a telephone number and time that you may be reached. Action on the Reservoir Application R-69035 and the Application 69037 in the name of Barbara L. Lyons will be held pending receipt of the Application 69036.

The Application 69036 is endorsed so that in order to retain its priority date it must be received in this office on or before June 9, 1987.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO/wpc

enclosures

cc Susan McAuliffe  
Sally Lyons Fitzgerald  
Barbara A. Lyons

9541D

April 1, 1987

Susan McAuliffe  
PO Box 456  
Fort Klamath, OR 97626

REFERENCE: Files R-69035 and 69036

We have received an application in the names of Susan McAuliffe, Sally Lyons Fitzgerald and Western Bank, Trustee for use of water for storage and domestic use for four families and irrigation of 34.6 acres along with the supporting data and fees. Our Receipts 51734 and 51735 are enclosed. The applications have been filed and assigned numbers R-69035 and 69036.

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

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

Sincerely,

RALPH H. JACKSON, Supervisor  
Application/Permit Section

RHJ:wpc

enclosures

cc: Sally Lyons Fitzgerald  
Western Bank, Trustee

0003/X  
9420D



# WESTERN BANK

212 S. FIFTH STREET  
P.O. BOX 1225  
COOS BAY, OREGON 97420

**RUST NO.**

21-01-5402-01-5

21-00-5402-01-7

**DATE**

3/17/87

024846

**DESCRIPTION:**

TO: Water Resources Dept.-State of Oregon  
Water rights Triple S Properties

**AMOUNT**

\*\*\$925.00\*\*

**Application No.**  
**Permit No.**

R-69035, 69036 & 69037

77 8 14125

RECEIVED

Application No. R-69035, 69036 & 69037  
Permit No. R-10827, 50009 & 50008

MAR 23 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

CORRECTION DEED

THIS CORRECTION DEED made and executed by JANE S. LYONS, as Grantor and SUSAN McAULIFFE, SALLY LYONS and J. STEWART LYONS, as Grantees,

W I T N E S S E T H :

WHEREAS, on December 23, 1976 Grantor made, executed and delivered unto Grantees a Deed of Conveyance covering certain real property situated in Coos County, Oregon which Deed was recorded on December 23, 1976 as instrument no. 18443 in the Coos County, Oregon Deed Records; and

WHEREAS, it has now been determined by the Grantor and Grantees hereto that the property description set forth in the aforesaid Deed dated December 23, 1976 did not accurately describe the real property that the parties intended to be conveyed thereby; and

WHEREAS, the Grantor and Grantees now desire to reform and correct the said Deed dated December 23, 1976 as hereinafter set forth:

DEED OF CONVEYANCE

JANE S. LYONS, surviving widow of James A. Lyons, deceased, Grantor, conveys to SUSAN McAULIFFE (an undivided one-third interest), SALLY LYONS (an undivided one-third interest), and J. STEWART LYONS (an undivided one-third interest), as tenants in common, all that real property situated in Coos County, State of Oregon, and more particularly described as follows:

Beginning at the quarter corner on the West boundary of Section 13, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence South along the West boundary of said Section 13 a distance of 1895.5 feet, more or less, to the North boundary of Curtis Noble Donation Land Claim No. 37; thence West along the North boundary of said Donation Land Claim to the high water line of Isthmus Slough at the Northwest corner of said Donation Land Claim; thence Southerly along the said high water line of Isthmus Slough to the Southwest corner of said Donation Land Claim; thence East along said South boundary of said Donation Land Claim to the East boundary of Mud Slough; thence South along the East boundary of Mud Slough to the North boundary of the SE 1/4 of NE 1/4 of Section 26, Township 26 South, Range 13 West of the Willamette Meridian; thence West to the Northwest corner of said quarter quarter; thence South along the

**RECEIVED**

MAR 23 1987

WATER RESOURCES DEPT.  
HELM, OREGON

77 8 14125

Application No. R-69035, 69036 &amp; 69037

Permit No. R-10827, 50009 &amp; 50008

West boundary of said quarter quarter to a point 132 feet North of the Southwest corner of said quarter quarter; thence East on a line parallel to and 132 feet North of the South boundary of said quarter quarter to the East boundary of said Section 26; thence North along the section line to the Northeast corner of said Section 26; thence North 52° East 203 feet; thence East 190 feet; thence North 45° East 116 feet to a point on the Westerly line of the Coos City-Sumner County Road; thence Northwesterly along said Road boundary to the intersection of the West boundary of the Ross Slough County Road; thence Northerly along the said Westerly boundary of said Ross Slough County Road to the intersection of the East line of Lot 2 of Section 24, Township 26 South, Range 13 West of the Willamette Meridian; thence Northerly along the East line of Lots 2 and 1 of said Section 24 to the Northeast corner of Lot 1 of said Section 24, thence North along the East boundary of Lot 1 and the NW 1/4 of SW 1/4 of Section 13, Township 26, South, Range 13 West of the Willamette Meridian, Coos County to the South boundary of the property conveyed to Harold L. Thurman in deed recorded October 17, 1960 in Book 281, Page 386, Deed Records of Coos County; thence West to Thurman's Southwest corner; thence North 330 feet to Thurman's Northwest corner; thence East 264 feet, more or less, to the West boundary of the property conveyed to Orville G. Reiber in deed recorded December 9, 1970 bearing Microfilm Reel No. 70-12-54211, Records of Coos County; thence North along Reiber's West boundary to the quarter section line running East and West through said Section 13; thence West 924 feet along the quarter section line to the point of beginning.

ALSO: The tidelands of Mud Slough fronting and abutting Lots 1 and 2 of Section 26, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon and upon Lots 6 and 12 of Section 23, Township 26, South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

ALSO: A parcel of land situated in the NW 1/4 of SW 1/4 of Section 24, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, described as follows: Beginning at a point on the West line of the Spalding property at a junction with the Southeast corner of the Muench property described in deed recorded in Book 229, Page 705, Deed Records of Coos County, said point being 905.49 feet South and 352.59 feet East of the quarter corner common to Sections 23 and 24 of said Township and Range; thence South 1° 34' West 264.08 feet along the West line of Spalding property; thence South 88° 26' East 250.0 feet; thence North 1° 34' East 264.08 feet; thence North 88° 26' West 250.00 feet

RECEIVED

MAR 23 1987

Application No. **77 8 14131**  
*R-69035, 69036 & 69037*  
Permit No. *R-10827, 50009 & 50008*

WATER RESOURCES DEPT  
SALEM, OREGON

to the point of beginning, said parcel is a portion of the NW 1/4 of SE 1/4 of said Section 23.

EXCEPT the following: Beginning at the Section corners common to Sections 23, 24, 25 and 26 of Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence North 75° 40' West 645.9 feet; thence South 3° 15' West 140 feet; thence South 3° 48' West 276 feet; thence North 86° 18' East 74.6 feet; thence North 87° 07' East 281 feet; thence South 73° 36' East 311.5 feet to a point on the Section line between Sections 25 and 26; thence North along the section line 324.6 feet to the place of beginning.

*GOLF COURSE*

EXCEPT that portion of land described as follows: Beginning at a 5/8 inch iron rod located North 48° 33' 34" East 1230.09 feet from the U. S. Meander corner on the Westerly bank of Mud Slough on the Section line between Sections 23 and 26, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon; thence North 54° 31' 26" West 107.57 feet; thence North 38° 11' 19" West 201.84 feet; thence North 43° 31' 05" East 129.61 feet; thence North 62° 00' 01" East 167.72 feet; thence North 80° 43' 15" East 262.86 feet, more or less, to the Southwesterly line of the Coos Bay-Summer County Road; thence Southeasterly along the Southwesterly line of said County Road (South 55° 46' 07" East) 473.18 feet, more or less, to an iron rod; thence South 73° 50' 50" West 326.92 feet, more or less, to an iron rod; thence South 70° 11' 23" West 214.48 feet; thence South 87° 43' 05" West 159.90 feet to the point of beginning, said parcel is located in the SE 1/4 of Section 23 and the SW 1/4 of Section 24.

*PRIVATE*

EXCEPT the following described property: Beginning at a 5/8 inch re-enforcing rod on the Southerly right of way line of the Coos City to Summer County Road of which a portion of it runs through the Curtis C. Noble Donation Land Claim No. 37 in Section 23, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, from said point of beginning, the quarter section corner between Sections 23 and 24 of said Township and Range bears North 46° 15' 10" East 1465.27 feet; thence South 07° 38' East 239.90 feet; thence North 83° 51' East 242.14 feet; thence North 08° 13' 30" East 251.01 feet; thence North 80° 17' 36" West 177.28 feet; thence South 63° 34' 13" West 149.38 feet to the place of beginning.

*MATTIENS ±*

ALSO EXCEPT any portion embraced in the County Roads.

This conveyance is made as a gift and without consideration.

Dated: April 29, 1977.

*Jane S. Lyons*  
Jane S. Lyons

GRANTOR



**RECEIVED**

APR 24 1987

**WATER RESOURCES DEPT.  
SALEM, OREGON**

STATE OF OREGON WATER RESOURCES DEPARTMENT

MAR 23 1987

Application for Permit to Appropriate Surface Water

WATER RESOURCES DEP  
SALEM, OREGON

WE, (undivided 1/3 interest owners) Susan McAuliffe, P.O. Box 456, Fort Klamath, OR 97626, Ph. 381-2294; Sally Lyons Fitzgerald, P.O. Box 7, Plush, OR 97639, Ph. 947-4349; Western Bank, Trustee, P.O. Box 1225, Coos Bay, OR 97420, Ph. 269-5171

State of Oregon, Phone No. See Above do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is (P.O.D. #1) unnamed stream #3; (P.O.D. #2) unnamed stream #4; (P.O.D. #3) reservoir #1 AND unnamed stream #5; (P.O.D. #4) reservoir #2 AND unnamed stream #6, a tributary of Isthmus Slough

2. The point of diversion is to be located ... ft. and ... ft.

from the ... corner of ...

P.O.D. #1 is 1,035 ft. South, 450 ft. East from W 1/4 of Sec. 24, within NW 1/4 of SW 1/4 OF SEC. 24

P.O.D. #2 is 0 ft. North, 1,200 ft. West from SE corner of Sec. 23, within SE 1/4 of SE 1/4 OF SEC. 23

P.O.D. #3 (Res. #1) is 900 ft. North, 100 ft. West of SE corner Sec. 23, within SE 1/4 of SE 1/4

P.O.D. #4 (Res. #2) is 150 ft. North, 150 ft. West of SE corner Sec. 23, within SE 1/4 of SE 1/4

ALL IN Tp. 26S R. 13W, W. M., in the county of Coos

3. Location of area to be irrigated, or place of use if other than irrigation.

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Includes handwritten notes like 'WATERING AT Livestock Barn #1' and 'WATERING AT'.

0766 8914 help!

346 200.00 ex 100.00 Dom 100.00 Dom 100.00 sth 100.00 Irrig 10 50.00 25

4. The amount of water which the applicant intends to apply to beneficial use is P.O.D. #1 @ 0.02 cfs (domestic)  
cubic feet per second P.O.D. #2 @ 0.18 cfs (irrigation); P.O.D. #1 @ 0.005 cfs (livestock)  
(If water is to be used from more than one source, give quantity from each)  
P.O.D. #3 (Reservoir #1) 0.13 cfs ; P.O.D. #4 (reservoir #2) 0.13 cfs  
STREAM #5 STREAM #6

5. The use to which the water is to be applied is domestic use by dwellings 3,4,5 & 6 from P.O.D. #1  
LIVESTOCK WATERING AT BARN 1,2,3 FROM P.O.D. #1;  
improved pasture land irrigation of 14.6 ac. from P.O.D. #2; irrigation of 10 ac. from  
P.O.D. #3 (Res. #1); irrigation of 10 ac. from P.O.D. #4 (Res. #2)  
STREAM #5 STREAM #6

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

P.O.D. #1 is a wood and earthen spring box fed by unnamed stream #1 and #2 which gravity feeds to a wooden storage reservoir with protective wooden structure located on unnamed stream #3 which gravity feeds to; Dwelling #3 via 1,600 ft. of 2 in. buried galvanized pipe to valve box, then 400 ft. of 3/4 in. poly pipe to dwelling; Dwelling #4 via 450 ft. of 3/4 in. poly pipe which then serves Dwelling #5's pump house and pressure tank via an additional 450 ft. of poly pipe which then continues to serve Dwelling #6's pump house via an additional 650 ft. of 3/4 in. poly pipe.

P.O.D. #2; The current system is a 1 h.p. submergible pump which is suspended upstream of a secondary mud slough tidegate. This irrigation supply is delivered via 2,300 ft. of 2 1/2 in. buried galvanized pipe to a concrete storage tank located near Barn #1 in Govt. Lot 4, Sec. 23. Future irrigation systems will distribute this supply over the 14.6 ac. of upland pasture.

P.O.D. #3 is an existing earthen dam with 2" cast iron gravity outfall. The outfall supplies a 1 h.p. pump which distributes irrigation to the resident orchard and landscaped grounds.

P.O.D. #4 is an existing earthen dam with 3/4 h.p. shallow well pump and foot valve; 3/4 in poly pipe distributes irrigation water to an 8 ac. pasture and 2 ac. of resident grounds with garden.

If for domestic use state number of families to be supplied ..... 5

- 7. Construction work will begin on or before..... Construction has begun.....
- 8. Construction work will be completed on or before..... (2 yrs. from submittal)
- 9. The water will be completely applied to the proposed use on or before..... (3 yrs. from submittal)

Remarks:.....  
.....  
.....  
.....  
.....  
.....  
.....

*William C. Pease*  
Vice President & Sr. Trust Officer  
WESTERN BANK, TRUST DEPARTMENT  
POST OFFICE BOX 1225  
COOS BAY, OREGON 97428

\* *Susan J. McMillan*  
Signature of Applicant  
\* *Sally Lyons Fitzgerald*  
AMENDED 4/22/87  
TMA *[initials]*

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

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before ... June 9....., 19 87.....

WITNESS my hand this ..... 10th..... day of..... April....., 19 87.....

William H. Young,..... Water Resources Director

By *[Signature]*  
WAYNE J. OVERCASH

RECEIVED

APR 24 1987  
WATER RESOURCES DEPT.  
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the ..... 23<sup>rd</sup>..... day of ..... March....., 19 87....., at ..... 8:00..... o'clock  
..... A.M.

Application No. .... 69036.....

Permit No. ....

Application No. 69036

Permit No. ....

✓ PC  
NCR

### Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.455 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from four streams and two reservoirs to be constructed under Application R. 69035 Permit

The use to which this water is to be applied is for domestic supplies for five families, livestock watering, and irrigation of 34.6 acres, being 0.01 cfs from unnamed stream 3 (POD#1) for domestic

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated 2 1/2

use for five families; 0.005 cfs from unnamed stream 3 (POD#1) for livestock watering at barns 1, 2, & 3; 0.18 cfs from unnamed stream 4 (POD#2) for irrigation of 14.6 acres; 0.13 cfs from unnamed stream 5 and Reservoir 1 (POD#3) for irrigation of 10.0 acres; and 0.13 cfs from unnamed stream 6 and Reservoir 2 (POD#4) for irrigation of 10.0 acres

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is March 23, 1987 from Streams 3 & 4 and 2 reservoirs  
April 24, 1987 from Streams 5 & 6

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

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

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

26-14-24

83 5 06167

TAX ACCOUNT NO. 5353.07

T26S R14W WM

Sec 24: Baap in the Curtis C. Noble Donation Land Claim No. 37  
in Sec 24, T26S R13W WM, Coos Co, OR, which bears S 23 deg 02'15" E  
972.62' of the 1/2 sec cor betw Secs 23 and 24 of sd Tshp and Rng;  
th S 41 deg 19' W 652.20' to N r/w 11 Co. Rd. No. 57;  
th NWly alg sd N r/w 11 Co. Rd. 57 to intersection with Ely r/w 11  
Ross Slough Market Rd. No. 18;  
th NEly alg sd Ely r/w 11 Mkt. Rd. No. 18 t.a.p. that is W 525.40'  
from POB  
th E 525.40' to POB

WATER RESOURCES DEPT.  
SALEM, OREGON

APR 24 1987

RECEIVED

Plan No. R10827  
 P 69035, 69036 & 69037  
 50009 50008

LYONS ESTATE WATER RIGHTS APPLICATION SKETCH MAP  
 ALL LANDS PER DEED REF 77-B-14128 & 75-3-111890  
 DEED RECORDS COOS COUNTY, OREGON



Stutzner Engineering & Forestry  
 TELEPHONE 267-2972  
 705 SO. 4TH P.O. BOX 116, COOS BAY, OREGON 97420

14 13  
 23 24



- IRRIGATION PER P.O.D.#2 - NORTH 1/4 & WEST 1/4 SECTION 23 FROM SE CORNER SEC 23
  - IRRIGATION PER P.O.D.#3 - NORTH 1/4 & WEST 1/4 SECTION 24 FROM SE CORNER SEC 24
  - NO USE PER P.O.D.#4 - NORTH 1/4 & WEST 1/4 SECTION 24 FROM SE CORNER SEC 24
  - IRRIGATION PER P.O.D.#2 - NORTH 1/4 & WEST 1/4 SECTION 23 FROM SE CORNER SEC 23
- APPEARS NOT DONE.
- HOUSE DESCRIBED IN REPORT FOR P.O.D.#1 OR IRRIGATION ASSUMED NO USE WHEN DRAFTING MAP.

SECTION 23 AND 24, TOWNSHIP 26 SOUTH, RANGE 13 WEST, W.M.  
 COOS COUNTY, OREGON  
 SCALE 1" = 400'

Plan No. R10827  
 P 69035, 69036 & 69037  
 50009 50008

LYONS ESTATE WATER RIGHTS APPLICATION SKETCH MAP  
 ALL LANDS PER DEED REF 77-B-14128 & 75-3-111890  
 DEED RECORDS COOS COUNTY, OREGON



Stutzner Engineering & Forestry  
 TELEPHONE 267-2972  
 705 SO. 4TH P.O. BOX 116, COOS BAY, OREGON 97420

14 13  
 23 24



- IRRIGATION PER P.O.D.#2 - NORTH 1/4 & WEST 1/4 SECTION 23 FROM SE CORNER SEC 23
- IRRIGATION PER P.O.D.#3 - NORTH 1/4 & WEST 1/4 SECTION 24 FROM SE CORNER SEC 24
- IRRIGATION PER P.O.D.#4 - NORTH 1/4 & WEST 1/4 SECTION 24 FROM SE CORNER SEC 24
- IRRIGATION PER P.O.D.#2 - NORTH 1/4 & WEST 1/4 SECTION 23 FROM SE CORNER SEC 23

SECTION 23 AND 24, TOWNSHIP 26 SOUTH, RANGE 13 WEST, W.M.  
 COOS COUNTY, OREGON  
 SCALE 1" = 400'