

NOTICE OF BEGINNING OF CONSTRUCTION

I, Jack & Randi Darger, the holder of Permit No. 41896

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the day of 1978

Remarks: Digging Pond with backhoe to place pump suction pipe

authorized by our permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of March, 1978

Jack A. Darger (Signature of Applicant)

Box 1159 Brookings Oregon 97415 (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

SP*35567-690

NOTICE OF BEGINNING OF CONSTRUCTION

I, Jack A. Darger, the holder of Permit No. 41896

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 15th day of Feb., 1978

Remarks: we have dug half of the pond with a backhoe, purchased a 2 1/2 horsepower universal 3 stage pump, built an 18" Tee riser for extending the culvert and purchased some pipe

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of April, 1978

Jack A. Darger (Signature of Applicant)

Box 1159 Brookings Ore. 97415 (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

SP*35567-690

NOTICE OF COMPLETION OF CONSTRUCTION

I, Jack A. Darger, the holder of Permit No. 41896

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 15th day of June, 1979

Remarks: If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of Sept., 1979

Jack A. Darger (Signature of Applicant)

Box 1159 Brookings, Oregon (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of Sept., 1979

Jack A. Darger (Signature of Applicant)

Box 1159 Brookings, Oregon (Address)

STATE OF OREGON

COUNTY OF CURRY

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACK AND RANDI DARGER
97821 NORTH BANK ROAD
BROOKINGS, OREGON 97415

confirms the right to use the waters of NO NAME CREEK, a tributary of THE CHETCO RIVER, for IRRIGATING 2.0 ACRES.

This right was perfected under Permit 41896. The date of priority is MAY 5, 1977. This right is limited to 0.025 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 32, T 40 S, R 13 W, W.M.; 667.6 FEET NORTH AND 775.5 FEET EAST FROM THE SOUTH QUARTER CORNER OF SECTION 32.

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 (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:

SW 1/4 SE 1/4 2.0 ACRES
SECTION 32
TOWNSHIP 40 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.

STATE OF OREGON

COUNTY OF CURRY

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACK AND RANDI DARGER
97821 NORTH BANK ROAD
BROOKINGS, OREGON 97415

confirms the right to use the waters of NO NAME CREEK, a tributary of THE CHETCO RIVER, for IRRIGATING 2.0 ACRES.

This right was perfected under Permit 41896. The date of priority is MAY 5, 1977. This right is limited to 0.025 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 32, T 40 S, R 13 W, W.M.; 667.6 FEET NORTH AND 775.5 FEET EAST FROM THE SOUTH QUARTER CORNER OF SECTION 32.

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 (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:

SW 1/4 SE 1/4 2.0 ACRES
SECTION 32
TOWNSHIP 40 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.

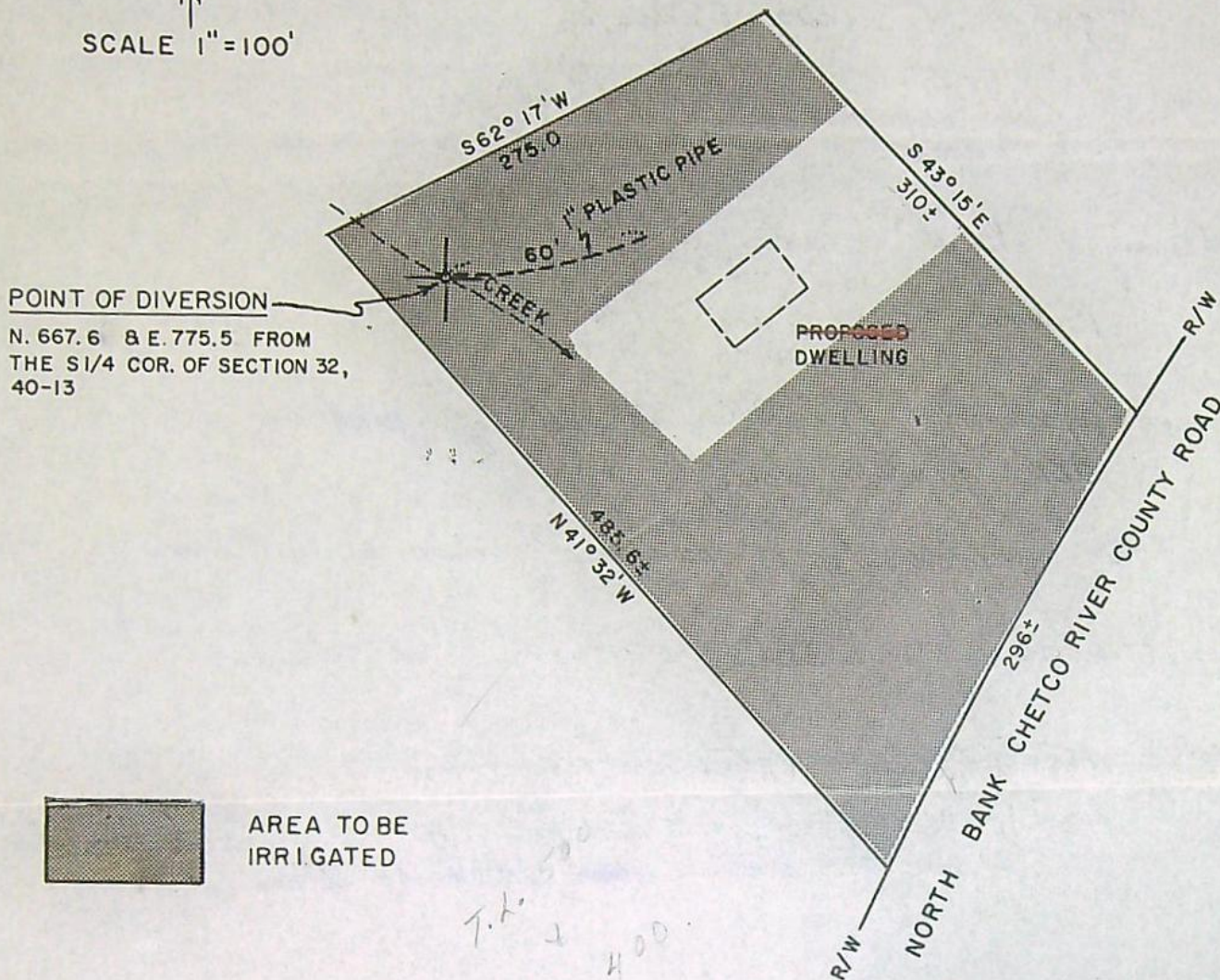
55847.LMS

Du. D.
3/92

FINAL PROOF SURVEY



SCALE 1" = 100'



Application No. 55847
 Permit No. 41896

MAP OF AREA
 FOR
 MR. & MRS. JOHN DARGER
 LOCATED WITHIN THE
 SW 1/4 OF THE SE 1/4 OF SECTION 32,
 T. 40 S., R. 13 W., W.M.,
 CURRY COUNTY, OREGON

RECEIVED

MAY - 5 1977

WATER RESOURCES DEPT
SALEM, OREGON

25 APRIL 1977

MPH

INFO: Jack Darger's son indicates POD and area irrigated. Jack Darger later verified information

SOURCE: unim. stream

DIV PT: from small pool formed by damming culvert under driveway

USE: irrigation of lawn & garden

LIFT: -15' average

PUMP: Peabody 1/2 HP motor @ 3450 RPM

Barnes CDD pump 1 1/4" x 1"

PIPE: underground 1" PVC to all of yard
200' garden hose

HEADS: 2-3 garden type sprinklers max @ 1 time


PHOTO: ~~405 13W SW~~ VERIFIED. INSPECTION

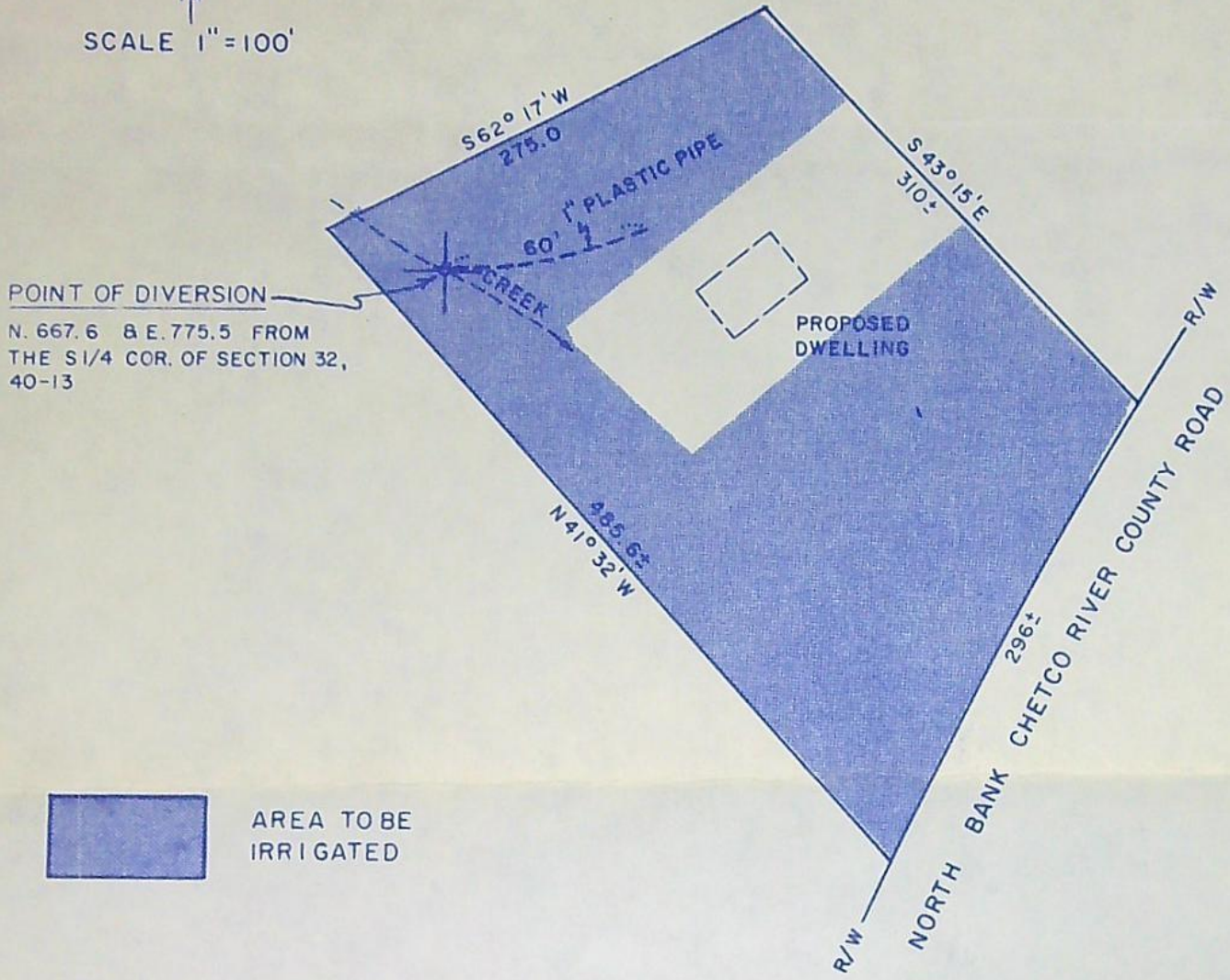
REMARKS: ~~most of area between house and~~
~~culvert is not irrigated. area between~~
~~culvert and house is not irrigated.~~

Lynn Cashion
WRE
4/8/85

Brian Jones FE
SW REGION 11/6/91

VERIFIED USEAGE. ALL EXISTED AS
APPL. MAP SHOWS. PHOTO SHOWS AREA BETWEEN
HOUSE: ROAD NOT CLEARED PHOTO IS OF 1978 YEAR.
TODAY ALL IRRIGATION OF LAWN, GARDEN & FRUIT TREES
IS AS PERMIT MAP SHOWS


 SCALE 1" = 100'



POINT OF DIVERSION
 N. 667.6 & E. 775.5 FROM
 THE S1/4 COR. OF SECTION 32,
 40-13


 AREA TO BE
 IRRIGATED


Application No. 55847
 Permit No. 41896

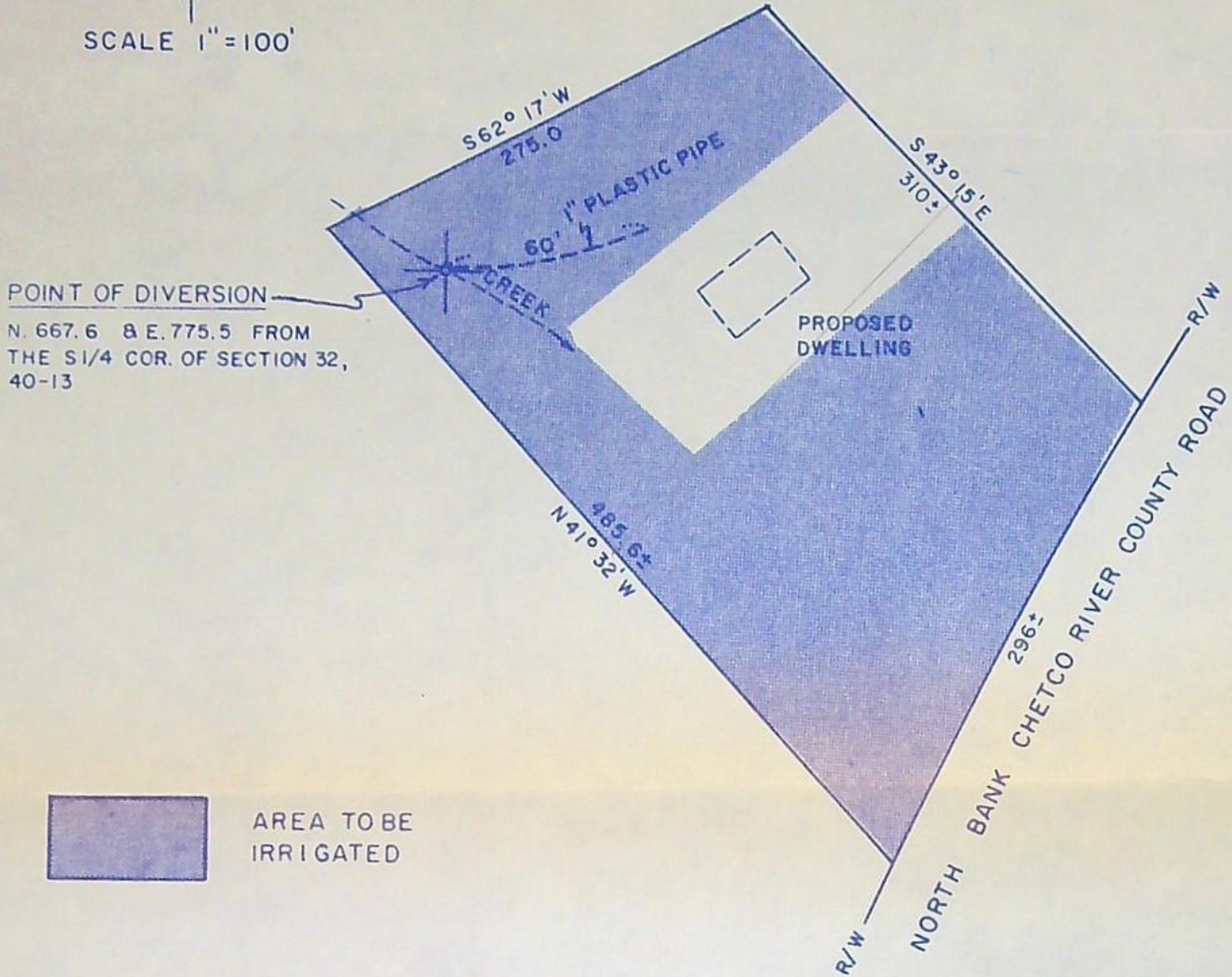
MAP OF AREA
 FOR
 MR. & MRS. JOHN DARGER
 LOCATED WITHIN THE
 SW 1/4 OF THE SE 1/4 OF SECTION 32,
 T. 40 S., R. 13 W., W.M.,
 CURRY COUNTY, OREGON


RECEIVED
 MAY - 5 1977
 WATER RESOURCES DEPT
 SALEM, OREGON

25 APRIL 1977

MPH


 SCALE 1" = 100'



 AREA TO BE IRRIGATED

Application No. 55847
Permit No. 41896

MAP OF AREA
 FOR
 MR. & MRS. JOHN DARGER
 LOCATED WITHIN THE
 SW 1/4 OF THE SE 1/4 OF SECTION 32,
 T. 40 S., R. 13 W., W.M.,
 CURRY COUNTY, OREGON

25 APRIL 1977

MPH

RECEIVED
 MAY - 5 1977
 WATER RESOURCES DEPT
 SALEM, OREGON

That certain tract of land lying in the southwest quarter of the southeast quarter of Section 32, Township 40 South, Range 13 West, Willamette Meridian, Curry County, Oregon, described as follows:

Commencing at a point described as 930.3 feet north and 497.3 feet east of the quarter section corner of the south side of said Section 32; thence south 41°32' east 320.0 feet to an iron pipe which is the TRUE POINT OF BEGINNING of the following described tract; thence north 62°17' east 275.0 feet; thence south 43°15' east 150 feet; thence southwesterly in a straight line to a point which lies south 41°32' east 242.8 feet from the true point of beginning; thence north 41°32' west 242.8 feet to the TRUE POINT OF BEGINNING.

AND

That certain tract of land lying in the southwest quarter of the southeast quarter of Section 32, Township 40 South, Range 13 West, Willamette Meridian in Curry County, Oregon, described as follows:

COMMENCING at a point described as 930.3 feet north and 497.3 feet east of the quarter section corner on the south side of said section 32; thence south 41°32' east 320.0 feet to an iron pipe; thence north 62°17' east 275.0 feet; thence south 43°15' east 150.0 feet to the TRUE POINT OF BEGINNING: thence southwesterly to a point which lies south 41°32' east a distance of 562.8 feet from the initial point of this description; thence south 41°32' east a distance of 242.8 feet more or less to an iron pipe driven on the approximate northwesterly boundary of the county road; thence northeasterly following the approximate northwesterly boundary of the county road to a point that bears south 43°15' east from the true point of beginning of this description; thence north 43°15' west to the true point of beginning.

Application No. 55847
Permit No.

Paul A. Rommel, Jr.
P.A.R.

RECEIVED
MAY - 5 1977
WATER RESOURCES DEPT
SALEM, OREGON

INDEXED IN DEEDS

State of Oregon }
County of Curry } ss.

I hereby certify that the within instrument was filed for record JAN. 4, 1977 at 11:55 o'clock A M. and recorded in Book of Records Vol. 49 Page 111-112
BERNARD MATHER, County Clerk
Jeanne S. Proger Deputy
Fee Rec'd. 6.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Paul A. Rosendahl, Jr. hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by John A. Darger and Randi G. Darger, husband & wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Curry and State of Oregon, described as follows, to-wit:

See Exhibit "A"

RECEIVED

MAY - 5 1977

WATER RESOURCES DEPT SALEM, OREGON

Application No, 55847 Permit No.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

Except those of record.

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 30,000.00

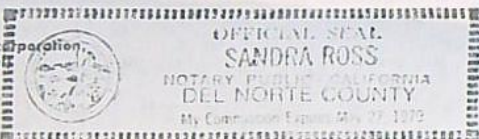
However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols (H), if not applicable, should be deleted. See GRS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 13 day of December, 1976; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Paul A. Rosendahl, Jr.

(If executed by a corporation, affix corporate seal)



STATE OF CALIFORNIA, County of Del Norte, December 13, 1976

STATE OF OREGON, County of ...) ss. 19...

Personally appeared the above named PAUL A. ROSENDAHL, Jr.

Personally appeared ... and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of ...

and acknowledged the foregoing instrument to be their voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Sandra Ross, Notary Public for Oregon, My commission expires:

Before me: (OFFICIAL SEAL) Notary Public for Oregon, My commission expires:

Paul A. Rosendahl, Jr. P.O. Box 594 Crescent City, CA 95531 GRANTOR'S NAME AND ADDRESS John A. & Randi G. Darger Rt. 1 Box 165 Brookings, OR 97415 GRANTEE'S NAME AND ADDRESS

STATE OF OREGON, County of ... I certify that the within instrument was received for record on the day of ... 19... at ... o'clock M., and recorded in book ... on page ... or as file/reel number ... Record of Deeds of said county. Witness my hand and seal of County affixed.

After recording return to: NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address. John A. & Randi G. Darger Rt. 1 Box 165

Recording Officer By Deputy

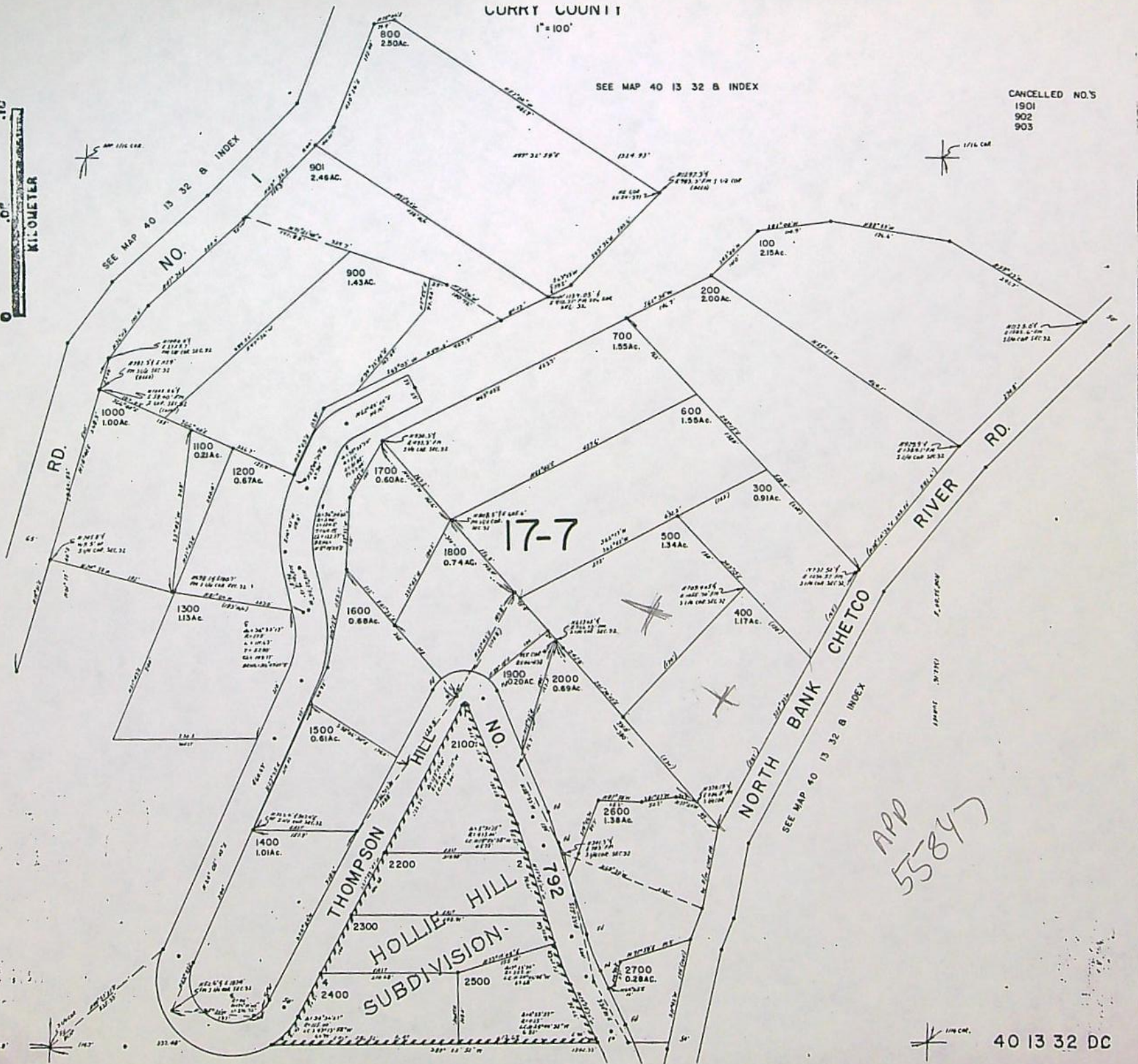
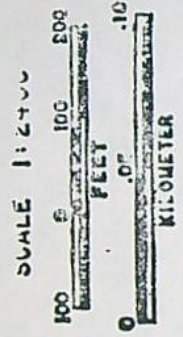
01710 5710 209

CURRY COUNTY

1"=100'

SEE MAP 40 13 32 B INDEX

CANCELLED NO.'S
1901
902
903



11/79
PHOTO: 905-13W-SN 4
4/8/85 LCC
RE-INSPECT
11/6/91 BSJ

55847

RECEIVED

Permit No. 41896

MAY - 5 1977

WATER RESOURCES DEPT. APPLICATION FOR PERMIT
SALEM, OREGON

To Appropriate the Public Waters of the State of Oregon

I ✓ We, Jack and Randi Darger 97821 N. B. Rd
of Rt. 1, Box 165 Box 459 1958 Brookings
(Mailing address) (City)
State of Oregon 97415, do hereby make application for a permit to appropriate the
(Zip Code)

following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is no name creek
(Name of stream)
the Chetco River
a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 0.025
cubic feet per second
(If water is to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is irrigation of pasture and garden
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 667.6 ft. N and 775.5 ft. E from the South $\frac{1}{4}$
corner of Section 32
(N. or S.) (E. or W.) (Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
being within the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 32, Tp. 40S
(Give smallest legal subdivision) (N. or S.)
R. 13W, W. M., in the county of Curry
(E. or W.)

5. The 1" plastic, movable pipeline to be 60 to 100 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 32, Tp. 40S
(Smallest legal subdivision) (N. or S.)
R. 13W, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam _____ feet, length on top _____ feet, length at bottom _____ feet; material to be used and character of construction _____
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate concrete and wood slats set around the inlet of an eighteen (18) inch driveway culvert.
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 3/4 Horse electric 220 volt Jacuzzi 3 stage pump; head lifted will be 5.5 feet; intake (suction) 1 1/2 inch and discharge will be 1 inch.
(Size and type of pump) (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310

Chetco River Muse
Basin 15, Vol. 7

NER
12/1/79

10121

Municipal or Domestic Supply—

41896

10. (a) To supply the city of
..... County, having a present population of
(Name of)
and an estimated population of in 19.....

(b) If for domestic use state number of families to be supplied none

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$ 450.00
- 12. Construction work will begin on or before August 15, 1977
- 13. Construction work will be completed on or before January 15, 1978
- 14. The water will be completely applied to the proposed use on or before July 15, 1978

x^t *Paul A. Singer*
(Signature of applicant)
 x^t *Randi B. Dreyer*

Remarks: this water supply is to irrigate a garden and grass pasture
 for keeping a horse and cow; the applicant has connected to the City
 of Brookings water system for domestic, household use.

STATE OF OREGON, }
 County of Marion, } ss.

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

In order to retain its priority, this application must be returned to the State Engineer, with
 corrections on or before, 19.....

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

STATE ENGINEER

By ASSISTANT

PERMIT

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS 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 exceed0.025..... 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 unnamed creek.

The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

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 May 5, 1977

Actual construction work shall begin on or before October 12, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1979

Complete application of the water to the proposed use shall be made on or before October 1, 1980

WITNESS my hand this 12th day of October, 1977

James E. Benson
Water Resources Director

Application No. 55847
Permit No. 41896

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 5 day of May, 1977 at 11 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of
Permits on page

STATE ENGINEER

Drainage Basin No. 15 page 2-0
Fees

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																		
																7364	4674	4953
																5114	R-372	1407
																5705	R-408	2071
																16858	12618	Cancel
																G-2165	G-2094	Cancel
																37380	27932	Cancel
																44592	33420	Cancel
																R-41870	R-4720	56860
																41805	31293	
																5-5869	G-5601	
																50235	38076	54459
																55018	41875	51504
																55847	41896	
								X	X	X	X	X	X			41871	31224	46861

PRACKET BAIN

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																		
																X	58045	43837
																	R-41870	R-4720
																	61844	45601
																Moni	G-9502	G 9438

WCR

Sp. Or. Vol. 37, p 86

378-8508

55847

April 3, 1978

Jack and Randi Darger
Box 1159
Brookings, Oregon 97415

Dear Mr. & Mrs. Darger:

We have received your notice of beginning of construction.

To maintain your permit number 41896, a substantial beginning of construction of facilities to use water is required. Acquisition of a pump and irrigation pipe for a sprinkler irrigation system or construction of ditches and diversion works for a flood irrigation system would be a beginning of construction. Your notice is not clear as to what has been done toward constructing an irrigation system. I am enclosing another form A for your use in describing what work has been done.

Please remember that the time limit to begin construction for your permit is October 12, 1978, and describe work done before this date.

Sincerely,

Larry Toll
Water Rights Engineer

LT:slk
Enclosure

378 3066

November 14, 1977

Ref.: 55847

Jack and Randi Darger
Route 1, Box 165
Brookings, OR 97415

Dear Mr. & Mrs. Darger:

We are enclosing check No. 1761 for \$5.00 covering excess
fees paid with your application No. 55847.

Sincerely

Trevor Jones

1 encl.

TJ:VP

October 26, 1977

Jack & Randi Darger
Route 1, Box 165
Brookings, OR 97415

55847

41896