

See File 330

RECEIVED

JAN 03 1986

WATER RESOURCES DEPT
SALEM OREGON

Form A (690-9-77)

Application No. 67359

NOTICE OF BEGINNING OF CONSTRUCTION

JOHN HANNAH

the holder of Permit No. 48292

to appropriate the public waters of the state of Oregon, began the actual construction of the works described herein on the 1 day of MAY, 19 84

Remarks: INSTALLED TWO PRECAST CONCRETE HOLDING

TANKS (1500 GALLONS EACH) WITH VALVES AND PIPING
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment required for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as

authorized by your permit.

J. Hannah
(Signature of Applicant)

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of DEC, 19 85
2171 JACKIE AUG, ROSEBURG
(Address)

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

SP*35567-690

97470

ok
BWH

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF AMENDING THE)
ORDER OF CANCELLATION OF CERTAIN)
PERMITS TO APPROPRIATE WATER UNDER)
THE PROVISIONS OF ORS 537.260)

O R D E R

On December 31, 1987 the Special Order entered at volume 41, page 656 canceled certain permits because the time within which the appropriations should have been perfected expired. The owners of such permits failed or refused within the period of three months thereafter to submit proof of the completion of such appropriations as required by ORS 537.260. Notices were addressed to each of the owners of said permits by certified mail in accordance with the provisions of ORS 537.260 and ORS 174.160. The owners of such permits failed or refused to submit proof of the completion of the appropriations under the terms and conditions of their respective permits, although the sixty-day time limit allowed in such notices has elapsed.

On January 20, 1988 each party having a permit being canceled by the above referenced Special Order was notified by postal card that their respective permits were canceled.

An order of the Director is final after 60 days has passed from the date the order was entered. If the Director is petitioned within said 60 day period, all or a portion of said order may be reconsidered. The order may be amended if a request to reconsider is timely filed.

On February 9, 1988 a request to reconsider was received from John Hannah, the owner of Permit 48292. The request was timely and showed cause why the permit should not have been canceled. The permit allowed the use of water for irrigation and domestic use. Mr. Hannah has submitted information that indicates the domestic use was completed within the terms of the permit. The irrigation allowed by the permit is still in question.

On February 11, 1988 a request to reconsider was received from Bonnie Hilliard owner of Permit G-10255. The request was timely and showed cause why the permit should not have been canceled. The permit allowed the use of water for irrigation. Ms. Hilliard has submitted information that indicates that the use as proposed was completed within the terms of the permit.

The Special Order entered December 31, 1987 at volume 41, page 656 should be amended to delete the following permits from said order:

NAME	APPLICATION NO.	PERMIT NO.
Bonnie Hilliard	G-11121	G-10255
John Hannah	67359	48292

NOW, THEREFORE, it hereby is ORDERED that said order be amended to delete reference to said permits. The said permits shall be considered as being restored to the status they enjoyed immediately prior to entry of the order on December 31, 1987.

Date at Salem Oregon this 31st day of March, 1988

William H. Young

WILLIAM H. YOUNG
Director

RECEIVED

Wt Young
Borden

FEB 9 1988

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Bill Young
Water Resources Division
3850 Portland Rd. NE
Salem, Or 97310

Dear Mr. Young,

I received notice of cancellation on application #67359, permit #48292. I would like to make you aware that we have been using the domestic part of the permit for over 4 years, and we have installed part of the pipe for the irrigation.

In 1983, when I purchased this property, I lived in Wash. State. As water was only available from the South Umpqua River, no city water, I made application from Washington, to appropriate South Umpqua River Water. I corresponded with your department and payed all fees. I had intended to have well water for domestic use. Upon moving here and drilling a \$2,000 dry well, I made application for further irrigation and domestic use.

There have been several phases of construction on the water system. The first included a 1 1/2 Hp 220 volt submersible Gould pump, installed in 60' of 6" Sch 40 PVC pipe as a casing. It also included 200' of 2" PVC; 2500' of 1 1/2" PVC; 600' of 1" PVC; valves; a pump house with automatic chlorinator, a pressure tank, a double filtration system; and a 1500 gal storage tank. All of this was at least 95% completed by Sept. of 1983.

The second phase included another 600' of 1 1/4" PVC; 1400' of 1" PVC and a second 1500 gal. storage tank. By use of valves and a seperate diversion point on the South Umpqua River, both systems can be isolated from each other. This is because of problems in pumping in winter months, screens on pumps getting plugged etc. The second phase is not yet completed, but, what is in was in in Oct. of 1986.

As you can probably see we already have in excess of \$5,000 in materials alone into a fairly extensive water system.

I understand there was a problem of time, although domestic use has always been established as it is the only source of water on this property. We moved here in July of 1983 and have always used it in our home.

It appears that no consideration is made for people like myself. My wife and I have done all the work on this system. As time and money permitted we have done this; we have also had to bring in electricity, telephone, put in septic, fences, roads, build shelters for livestock, and done the everyday work of running a farm, which does not yet earn us a living.

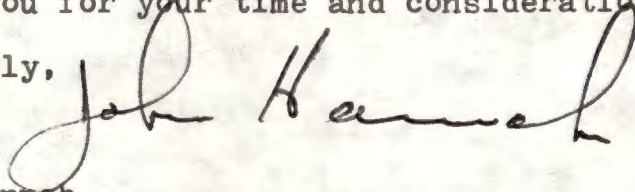
We are trying to make this a profitable enterprise. We have always tried to get the proper permits. Unfortunately, neither of us is good at following through on paper work. Things get set aside and then forgotten.

I do want to repeat that everything that was done was done under permits and that we still want to extend our actual use. When time and money permits, we want to extend our system.

Please take note of application # 64848, permit #47636. This is our other permit. On both of these we were lacking follow through on paper work, in both permits we only returned form A. In one case your office cancelled the permit, in the other it sent it to the Roseburg office to have it surveyed. It appears that if both were handled the same and returned to the Roseburg office the problem would now be solved. The surveyor at that time saw all the system for both permits, including the domestic use. We also, at that time thought everything was alright, as the entire system had been seen.

Thank you for your time and consideration.

Sincerely,



John Hannah
P.O. Box 111
Winston, Or. 97496

2171 Jackie Ave.
Roseburg, Or. 97470

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery.

3. Article Addressed to:
John Hannah
2171 Jackie Avenue
Roseburg, OR 97470

4. Article Number
56945

Type of Service:
 Registered Insured
 Certified COD
 Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X *Leslie Smith*

7. Date of Delivery
2 - SEP 1987

8. Addressee's Address (ONLY if requested and fee paid)
2171 SW JACKIE AVE
ROSEBURG, OR 97470-9998

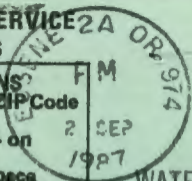
17250 CAR 107

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



WATER RESOURCES DEPT.
3850 PORTLAND ROAD N.E.
SALEM, OREGON 97310

PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8508

AUG 24 1987

John Hannah
2171 Jackie Ave.
Roseburg, OR 97470

REFERENCE: File 67359

According to the terms of your Permit 48292, complete application of water was to have been made by October 1, 1986.

Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of December 8, 1986.

Ors 537.360 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit"

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is recieved within 60 days from the date of this letter, the permit may be canceled without further notice.

If you are no longer interested in the project described by the permit, we would appreciate being advised. If the property involved has been sold and any part of the project was completed, you should assign the permit to the new owner. An assignment form will be furnished upon request.

If additional information is needed, please contact Ves Garner, Manager, Survey/Certificate Section.

1497B

CERTIFIED - RETURN RECEIPT REQUESTED

January 13, 1986

John Hannah
2171 Jackie Avenue
Roseburg, OR 97470

Dear Mr. Hannah:

REFERENCE: File 67359

Your Notice of Beginning of Construction (Form "A") under the terms of your Permit 4292 has again been received. The date indicated on the form is within the time limits specified in the permit.

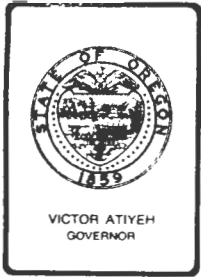
The permit further requires that a Completion of Construction be made on or before October 1, 1985. Form "B" should be submitted indicating the date construction was completed. If construction was not completed on or before October 1, 1985, and you wish to maintain the permit, an application should be submitted requesting additional time. The form for that purpose will be supplied upon request.

Sincerely,

RALPH H. JACKSON
Supervisor
Application/Permit Section

RHJwpc

2058D



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

December 4, 1985

John Hannah
2171 Jackie Avenue
Roseburg, OR 97470

Dear Mr. Hannah:

REFERENCE: File 67359

Your notice of Beginning of Construction (Form A) under the terms of your Permit 48292 has been received.

By law, a substantial beginning of construction must be made within one year after issuance of the permit. The time limit for the beginning of construction under your permit was March 16, 1985.

If actual beginning occurred prior to this date, the Notice of Beginning of Construction should so state. Otherwise, the terms of the permit have not been met and the permit is subject to cancellation.

If the Beginning of Construction actually occurred prior to March 16, 1985 rather than May 1, 1985 as noted on your "Form A", please so inform us.

If the information you provide indicates a beginning of construction was made within the specified time limits and the permit is therefore valid, we will send an application form for an extension of the time limits for completion of construction.

Sincerely,

RALPH H. JACKSON, Supervisor
Application/Permit Section

RHJ:tcb

Enclosures

ON APPLICATION # 48792

I HAVE NOT COMPLETED

THE SYSTEM YET, BUT

I'M STILL WORKING ON IT

WILL I HAVE AN EXTENSION
OF TIME

Thank You

John Hancock

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DEC 2 1985

**WATER RESOURCES DEPT
SALEM, OREGON**

March 28, 1984

John Hannah
2171 Jackie Avenue
Roseburg, OR 97470

67359

48292

378-3066

February 1, 1984

John Hannah
2171 Jackle Aveue
Roseburg, OR 97470

Dear Mr. Hannah:

REFERENCE: File 67359

This is to acknowledge your amended Application 67359 along with the three maps. The application now describes the proposed use of 0.585 cubic foot per second of water from the South Umpqua River, being 0.58 cfs for the irrigation of 45.0 acres and 0.005 cfs for domestic supplies for one family.

The application is 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
0417C



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

November 17, 1983

John Hannah
2171 Jackie Avenue
Roseburg, OR 97470

Dear Mr. Hannah:

REFERENCE: File 67359

Your application for a permit to appropriate 0.585 cubic foot of water per second from the South Umpqua River, being 0.58 cubic foot per second for the irrigation of 46.4 acres and 0.005 cubic foot per second for domestic supplies for one family has been filed and for reference Numbered 67359. The three prints of your supporting map and fees in the amount of \$116.40 were also received. Our Receipt 38715 is enclosed.

It will be necessary for you to further complete Item 2 on your application by noting the location of the point of diversion with respect to the proper quarter-quarter, section, township, range, and county.

You will also need to amend Item 3 to list the acreage to be irrigated without using plus or minus figures. The maximum acreage you intend to irrigate in each quarter-quarter section should be determined and noted on the map and in Item 3.

Part of the acreage illustrated on your supporting maps is presently covered by an existing water right. This existing right evidenced by the Certificate 29358 was issued to M. Dale Bennett and provided for the use of water from the South Umpqua River with a date of priority of April 24, 1959, for the irrigation of the acreage as illustrated on the enclosed related final proof survey map. If the portion of the existing right has been intentionally abandoned or forfeited through nonuse for five successive years, it will be necessary for you to provide for clearing it from our records before your application can be considered for approval of the irrigation of the same lands. However, if the existing right is still valid and you wish to retain it, but pump from the point illustrated on your map, you will need to delete that portion covered by the earlier right from your application and submit another application to provide for changing the point of diversion under the existing right. The proper application form or affidavit of abandonment can be furnished upon request.

John Hannah
November 17, 1983
page two

Due to proposed minimum streamflows and policy effecting use of water in your area, we may not be able to issue a permit or the permit approving your application may have severe limitations if your application is not received on or before January 16, 1984.

I am returning your application and the three maps for correction and completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before January 16, 1984.

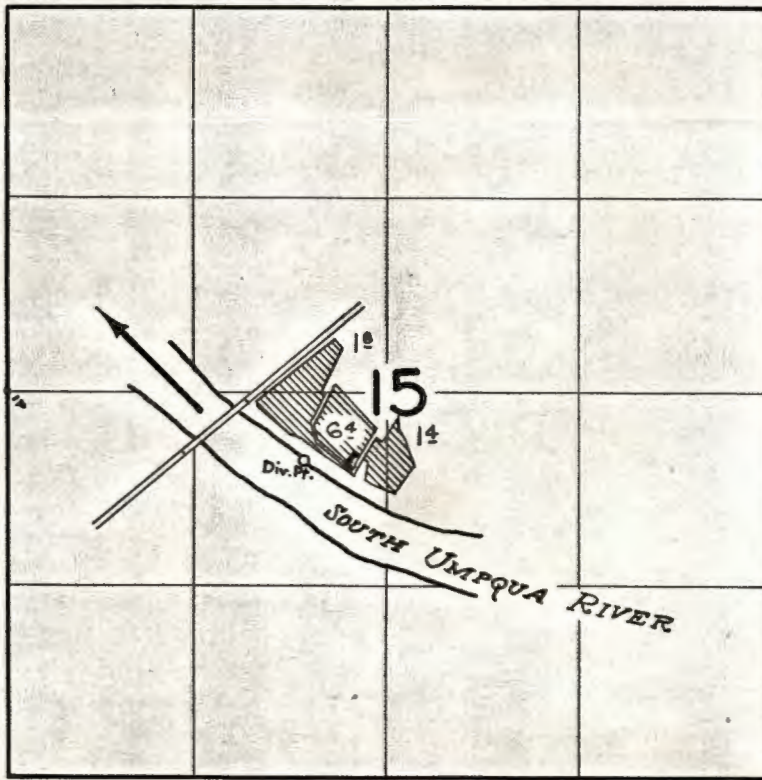
Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

WJC:wpc
enclosures

9271B

T.28 S. R. 6 W. W.M.



FINAL PROOF SURVEY
UNDER

RECEIVED

JAN 10 1984
WATER RESOURCES DEPT
SALEM, OREGON

Application No. 33058... Permit No. 26146....
IN NAME OF

M. DALE BENNETT

Surveyed July 18, 1961., by *L. Jackson*

Application No. 67359

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT RECEIVED

Application for Permit to Appropriate Surface Water OCT 6 1983

WATER RESOURCES DEPT SALEM, OREGON

I, John Hannah (Name of Applicant)

of 2171 Jackie Ave. Roseburg (Mailing Address) (City)

State of Or. 97470 Phone No. 679-4412 (Zip Code) 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 South Umpqua River, a tributary of Umpqua River

2. The point of diversion is to be located 1150 ft. S and 1500 ft. W from the N.E. corner of S.E. 1/4 of Sec 15 R. 6W T28S one only (Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the NW 1/4 of the SE 1/4 of Sec. 15 Tp. 28S. R. 6W., W. M., in the county of DOUGLAS

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. Rows include 28S 6W 15 N.E. 1/4 S.E. 1/4 (16.6 Acre irrg.), 28S 6W 15 N.W. 1/4 S.E. 1/4 (28.4 Acre irrg.), and 28S 6W 15 S.E. 1/4 S.E. 1/4 (Domestic).

1206c

Handwritten calculations: 40.00 cr, 20.00 1st 10, 35.00 next 35, 20.00 dom, 115.00

4. The amount of water which the applicant intends to apply to beneficial use is58 IRRG.....
cubic feet per second......005 Domestic
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied isIrrg. and Domestic.....

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.

Water will be pumped directly out of the river through a 8" screened steel casing anchored to rock formation in about 5' of water at low water mark.

A 3 H.P., 1 1/2" discharge, Sears Submersible well pump capable of pumping 24.6 gal./min. at 260 Ft. will be installed in casing.

A 2 inch P.V.C. Cl. 200 discharge line will conduct water 600' to a 1280 cubic ft. storage tank at an elevation aprox. 250' above river. From that point water will gravity flow to most areas.

If for domestic use state number of families to be supplied 1 family

7. Construction work will begin on or before..... 10/1/84

8. Construction work will be completed on or before..... 10/1/85

9. The water will be completely applied to the proposed use on or before..... 10/1/86

Application No. 67359

Permit No.

Remarks:.....It is our intention to live on this property with the.....
idea of creating an income.

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.

John H. ...
Signature of Applicant

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 ... January 17,, 19... 84.....

WITNESS my hand this ... 17th, ... day of ... November, 19... 83.....

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

By *Wayne J. Overcash*
Wayne J. Overcash

RECEIVED
JAN 10 1984
WATER RESOURCES DEPT.
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the
... 6th ... day of ... October, 19... 83, at 11:15 o'clock
... A.M.

Application No. ... 67359

Permit No.

Application No. 67359

Permit No.

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 0.565 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 South Umpqua River

The use to which this water is to be applied is irrigation & domestic being 0.56 cfs for irrigation and 0.005 cfs 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

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 October 6, 1983

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

RAH A

Form A (690-9-77)

Application No. 67359

NOTICE OF BEGINNING OF CONSTRUCTION

I, John Hartman, the holder of Permit No. 67359

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 1 day of 11/17, 1985

Remarks: INSTALL TWO PRE-CAST CONCRETE
PIPE TRUNKS (1500 GALLONS EACH) WITH
WELDED WELD PIPING
The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 20 day of Oct, 1985

RECEIVED

(Signature of Applicant)

2171 Jackie Ave.
(Address)

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

JAN 03 1986

ROSEBURG, 97470

**WATER RESOURCES DEPT
SALEM, OREGON**

RECEIVED
DEC 2 1985
WATER RESOURCES DEPT
SALEM, OREGON