

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME DANA OSMAN		PHONE (HM) 541-247-4477	
PHONE (WK)	CELL 541-425-0451	FAX	
ADDRESS 25473 CAPE VIEW LOOP			
CITY GOLD BEACH	STATE OR	ZIP 97444	E-MAIL DANA@DANAOSMAN.COM

### Organization Information

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

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

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

Note: Attach multiple copies as needed

\* = WORKED WITH MITCH LEWIS ON THIS, SO HE IS FAMILIAR WITH THE SITE IF ANY QUESTIONS ARISE.

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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

  
Applicant Signature

DANA OSMAN  
Print Name and title if applicable

6-15-2011  
Date

Applicant Signature

Print Name and title if applicable

Date

App. No. <u>S-87737</u>	For Department Use Permit No. _____	Date _____
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**SECTION 2: PROPERTY OWNERSHIP**

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

Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances.

No

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

\_\_\_\_\_

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: unnamed stream

Tributary to: pacific ocean

Source 2: \_\_\_\_\_

Tributary to: \_\_\_\_\_

Source 3: \_\_\_\_\_

Tributary to: \_\_\_\_\_

Source 4: \_\_\_\_\_

Tributary to: \_\_\_\_\_

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

**B. Applications to Use Stored Water**

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

Yes.

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

*NO RESERVOIR INVOLVED*

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

*S-07737*

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

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

**SECTION 4: WATER USE**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):  
*(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)*

SOURCE	USE	PERIOD OF USE	AMOUNT
unnamed stream	irrigation, domestic, fire protection	year round	.10 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
	FOR TAX LOTS 703 AND 1000		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

**For irrigation use only:**

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

Primary: 4.5 Acres                      Supplemental: \_\_\_\_\_ Acres

List the Permit or Certificate number of the underlying primary water right(s): none

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 11.25

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

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**SECTION 5: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

Pump (give horsepower and type): to be determined

Other means (describe): \_\_\_\_\_

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

gravity feed or sump with pump at POD to supply storage tank

**B. Application Method**

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

drip and sprinklers for irrigation

**C. Conservation**

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

This water is required for the irrigation, domestic use and fire protection we seek. Irrigation will be without waste with care given to time of watering and maintaining a leak proof system and if necessary a flow restricter can be installed if quantity of use comes into question.

**SECTION 6: RESOURCE PROTECTION**

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

Diversion will be screened to prevent uptake of fish and other aquatic life.  
Describe planned actions: \_\_\_\_\_

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
Describe planned actions: \_\_\_\_\_

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.  
Describe: \_\_\_\_\_

Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe: \_\_\_\_\_

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**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: June 2011

Date construction will be completed: uncertain on entire system

Date beneficial water use will begin: June 2011

**SECTION 8: REMARKS**

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

The source is a small isolated runoff from a hillside which is not connected directly to any other body of water after it leaves our land, and is not used by any other parties. ODFW Gold beach office, has been contacted and it appears there are no initial concerns regarding aquatic life.

Part of our irrigation use will be for approx. 1 acre of land which is an ODOT ROW for which our lot 703 holds a permit to landscape and maintain the land. This is our front yard.

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# For Local Government Use Only

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

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): CC20 Section 3.081
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

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Name: Jeni Meyer Title: Planner  
 Signature: Jeni Meyer Phone: 541-247-3200 Date: 6/20/11  
 Government Entity: Curry County

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

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# Land Use Information Form



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

Applicant: DANA OSMAN  
First Last

Mailing Address: 25473 CAPE VIEW LOOP

GOLD BEACH OR 97444 Daytime Phone: 541-247-4477  
City State Zip

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
38	14	7	NE/SW	1000	RR 10	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential
38	14	7	NE/SW	703	RR 10	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Residential
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

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## B. Description of Proposed Use

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

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Regulation Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) UNNAMED STREAM

Estimated quantity of water needed: 10  cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for 2 household(s)  
 Municipal     Quasi-Municipal     Instream     Other FIRE PROTECTION

Briefly describe:

This is a supplemental source to provide water for our 2 adjacent properties, lots 703 & 1000.

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

See bottom of Page 3. →

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38-14-7 tax lot 1000

Exhibit A

Beginning at a point which is located 1746 feet North and 319 feet West of the Quarter (1/4) Section Corner common to Sections Seven (7) and Eighteen (18), Township Thirty-eight (38) South, Range Fourteen (14) West, Willamette Meridian and being situated within the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section Seven (7), and on the East boundary of the Oregon Coast Highway right of way;

Thence following the East boundary line of said highway North approximately 27° 30' West a distance of 186 feet;

Thence North 62° 30' East 264 feet;

Thence South 27° 30' East 186 feet;

Thence South 62° 30' West 264 feet to the Point of Beginning, all in Curry County, Oregon.

ALSO beginning at a point which is located 1746 feet North and 319 feet West of the Quarter (1/4) Section Corner common to Sections Seven (7) and Eighteen (18), Township Thirty-eight (38) South, Range Fourteen (14) West, Willamette Meridian, Curry County, Oregon, and being situated within the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section Seven (7) and on the East boundary of the Oregon Coast Highway right of way;

Thence following the East boundary of the said highway South approximately 27° 30' East 50 feet;

Thence North 62° 30' East 50 feet;

Thence North 27° 30' West 50 feet to the Southerly boundary of the tract owned by W.A. Raymond, Sr.;

Thence South 62° 30' West 50 feet to the place of beginning.

EXCEPTIONS:

- 2008-2009 taxes, a lien in an amount to be determined, but not yet payable.
- Rights of the public in and to any portion lying within the limits of public roadways, if any, and/or right of private parties over any portion lying within existing roadways or driveways not disclosed by the public records.
- An easement created by instrument, including the terms and provisions thereof,  
Dated : January 19, 1928  
Recorded : January 20, 1928 Cont. Bk: 1 Page: 152  
In Favor of : Coos Curry Telephone Company
- An easement created by instrument, including the terms and provisions thereof,  
Dated : January 13, 1950  
Recorded : January 13, 1950 DV: 34 Page: 506  
In Favor of : Virgil E. Hull and Esther M. Hull
- An easement created by instrument, including the terms and provisions thereof;  
Dated : May 22, 2000  
Recorded : May 22, 2000 99CV0137  
In Favor of : Brian Hirsch, et al

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38-14-7 TAX LOT 703

OTE 90-0433

EXHIBIT "A"

PARCEL I:

That certain tract of land lying in the South half of Section 7, Township 38 South, Range 14 West, Willamette Meridian, Curry County, Oregon, described as follows: Beginning at a point "E" 1118.3 feet South and 62.3 feet East of the Interior Quarter Section Corner of the said Section 7; thence North 39° 40' West 260.6 feet; thence North 30° 02' West 65.5 feet; thence North 4° 47' East 43.8 feet; thence Northeasterly 80.0 feet, more or less, to the Southeast corner of that certain tract of land, more particularly described in Volume 43, Page 293, Curry County Deed Records; thence South 62° 30' West 214.0 feet; thence South 27° 30' East 50.0 feet; thence Southeasterly following the Easterly boundary of the Oregon Coast Highway to a point that bears South 71° 30' West from the point of beginning; thence North 71° 30' East 180.0 feet, more or less, to the point of beginning.

PARCEL II:

That certain tract of land lying in the South half of Section 7, Township 38 South, Range 14 West, Willamette Meridian, Curry County, Oregon, described as follows: Beginning at a point "E" 1118.3 feet South and 62.3 feet East of the Interior Quarter Section Corner of the said Section 7; thence South 29° 27' East 99.4 feet; thence South 2° 46' East 52.3 feet; thence South 32° 04' West 68.7 feet; thence South 49° 20' West 100.2 feet; thence South 77° 03' West 66.3 feet; thence North 31° 51' West 117.2 feet; thence South 75° 41' West 10.0 feet, more or less, to the Easterly boundary of the Oregon Coast Highway; thence Northerly, Easterly and Northerly following the Easterly right-of-way of said highway to a point that bears South 71° 30' West from the point of beginning; thence North 71° 30' East 180.0 feet, more or less, to the point of beginning.

16-1 38-14-7 TL 703 UID 155331

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