

# 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 MARVIN AND JANET HUSEN		PHONE (HM)	
PHONE (WK)	CELL 541-430-6778	FAX	
ADDRESS P.O. BOX 2395			
CITY WINSTON	STATE OR	ZIP 97496	E-MAIL *

### Organization Information

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

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

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

Note: Attach multiple copies as needed

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

RECEIVED BY OWR


MAY 15 2017

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I 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 have not provided my social security number in any of the materials submitted to the Department.


SALEM, OR

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

  
Applicant Signature

MARVIN K. HUSEN  
Print Name and title if applicable

5-02-2017  
Date

  
Applicant Signature

Janet E. Husen  
Print Name and title if applicable

5/2/17  
Date

App. No. <u>5-88410</u>	For Department Use Permit No. _____	Date _____
-------------------------	--	------------

**SECTION 2: PROPERTY OWNERSHIP**

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

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*).

\_\_\_\_\_

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

**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: Ben Irving Reservoir

Tributary to: Berry Creek

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**

RECEIVED BY OWRD

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

MAY 15 2017

Yes.

SALEM, OR

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.)

**Permit 8444**

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.

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
Ben Irving Reservoir	3 Domestic Expanded	Year round	6.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" 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
			<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: \_\_\_\_\_ Acres                      Supplemental: \_\_\_\_\_ Acres

List the Permit or Certificate number of the underlying primary water right(s): \_\_\_\_\_

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 3 Domestic Expanded
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

\_\_\_\_\_

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

5-88410

## SECTION 5: WATER MANAGEMENT

### A. Diversion and Conveyance

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

Pump (give horsepower and type): All three pumps will be 1.0 HP

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

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

Water will be pumped from Olalla Creek to 3 residences for domestic use and up to 0.50 acre lawn/garden each.

### B. Application Method

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

Water will be pumped using 1.0 HP pumps on all three diversions and piped through 1 1/4 inch pipes to household plumbing systems and lawn/garden irrigation sprinklers.

### C. Conservation

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

Water is needed for domestic use at each property. Best residential management will be used minimize water use and prevent run off/erosion.

## 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: ODFW approved fish screen will be installed on pump intakes prior to diversion of water.

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

Describe planned actions: None planned.

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

Describe: None planned.

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

Describe: Will use best residential management practices to prevent erosion and run-off.

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

5-88410

**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: October 31, 2017

Date construction will be completed: October 31, 2018

Date beneficial water use will begin: October 31, 2019

**SECTION 8: WITHIN A DISTRICT**

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

Irrigation District Name	Address	
City	State	Zip

**SECTION 9: REMARKS**

Use this space to clarify any information you have provided in the application.

\_\_\_\_\_

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

S-88410

# 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: Marvin and Janet Husen  
First Last

Mailing Address: P.O. Box 2395

Winston OR 97496 Daytime Phone: 541-430-6778  
City State Zip

WS17-0327

## 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:
T.29S.	7W.	8	SESW	2600		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
T.29S.	7W.	8	SESW	2700		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
T.29S.	7W.	8	SESW	2702		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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:

Douglas County

**RECEIVED BY OWRD**  
MAY 15 2017

## B. Description of Proposed Use

SALEM, OR

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 Registration Modification  
 Limited Water Use License     Allocation of Conserved Water     Exchange of Water

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) Ben Irving Reservoir

Estimated quantity of water needed: 6.0 AF     cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for 3 household(s)  
 Municipal     Quasi-Municipal     Instream     Other \_\_\_\_\_

Briefly describe:

Water is needed on three tax lots for domestic use plus up to 0.50 acre lawn and garden each.

**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.

# For Local Government Use Only

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

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

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.0.050

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<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.

R 70175  
R 70154  
R 70140

WS17-0377  
**RECEIVED BY OWRD**

MAY 15 2017

SALEM, OR

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

Name: THOMAS MCINTOSH Title: PLANNER  
 Signature: [Signature] Phone: 541-440-4289 Date: 5-8-17  
 Government Entity: DOUGLAS 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.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_



# Douglas County

## Planning and Sanitation Pre-Application Worksheet

### OTHER ACTION

Worksheet Number <b>WS17-0327</b>	Applicant <b>MARVIN HUSEN PO BOX 2395 WINSTON, OR 97496 (541) 430-6778</b>	Owner <b>MARVIN K &amp; JANET E HUSEN TR DATED 3/3/2016 PO BOX 2395 WINSTON, OR 97496</b>
--------------------------------------	---	--

### SITE INFORMATION

Site Address <b>268 DEER HAVEN LN WINSTON, OR 97496</b>	MTL <b>29-07W-08-02600</b>	Property ID Number (Primary) <b>R70175</b>	Size (Acres) <b>11.01</b>
Improvement <b>LUCS FOR OWD</b>	Proposed Use <b>Land Use Compatibility Statement</b>		
Existing Structures (Number and Type) <b>NA</b>	Distance of Building Site from River, Creek, or Stream Bank <b>&gt; 50 FT RECEIVED BY OWRD</b>		
Directions <b>NA</b>	<b>MAY 15 2017</b>		
<b>SALEM, OR</b>			

As, for, or on behalf of, all property owners:  
**APPLICANT SIGNATURE:** *Marvin Husen* **DATE:** 05-05-2017

### PLANNING DEPARTMENT INFORMATION

Zoning <b>5R</b>	Overlays <b>FP</b>		
<b>SETBACKS (Rural Residential - 5 Acre)</b>			
Front Property Line of Right of Way <b>30 Feet</b>	Rear Line <b>10 Feet</b>	Side Line <b>10 Feet</b>	Exterior Side Line <b>NA</b>
Sign Code <b>NO SIGN PROPOSED - N/A</b>	Special Setback <b>NA</b>	Riparian Setback <b>50 FEET</b>	
Parking Spaces Required <b>NA</b>	Building Height <b>45 Feet</b>	Flood Plain <b>Yes</b>	Floor Height Above Ground <b>NOT APPLICABLE</b>
Conditions of Approval <b>LUCS FOR OREGON DEPARTMENT OF WATER RESOURCES FOR STORING WATER FOR DOMESTIC PURPOSES; MUST MEET ZONE; SETBACK REQUIREMENTS; NO STRUCTURAL DEVELOPMENTS AUTHORIZED.</b>			

Sanitation <b>N/A</b>	Sanitary District	Water <b>N/A</b>	Access Permit Required? <b>NO</b>
Report Codes <b>NONSTRUCTURAL N/A N/A PRIVATE ACCESS</b>			
Refer To			
<b>Approved By:</b> <b>TJM</b>	<b>Date:</b> <b>5/5/2017</b>	<b>Receipt #:</b> <b>P26627</b>	<b>Amount:</b> <b>\$ 165.00</b>
		<b>Expiration Date:</b> <b>5/5/2018</b>	

### SANITATION INFORMATION

SE#	STP#	Existing System	System:    Approved ___ Denied ___
Remarks			
By:		Date:	CSC Date:

**5-88410**





## DOUGLAS COUNTY CLERK



# CERTIFICATE PAGE

DO NOT REMOVE THIS PAGE FROM ORIGINAL  
DOCUMENT

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

5-88410

BLS

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



J. Elene Husen  
 P.O. Box 2395  
 Winston, OR 97496  
Grantor's Name and Address

Janet E. Husen, Trustee of the Janet  
 Elene Husen Trust dated March 3, 2016  
 P.O. Box 2395 Winston, OR 97496  
Grantee's Name and Address

After recording, return to (Name and Address):  
 Janet E. Husen, Trustee  
 P.O. Box 2395  
 Winston, OR 97496

Until requested otherwise, send all tax statements to (Name and Address):  
 Janet E. Husen, Trustee  
 P.O. Box 2395  
 Winston, OR 97496

SPACE RESERVED FOR RECORDER'S USE

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that J. Elene Husen

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Janet E. Husen, Trustee of the Janet Elene Husen Trust dated March 3, 2016, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Douglas County, State of Oregon, described as follows (legal description of property):

Beginning at a brass-capped iron pipe at the 1/4 corner common to Sections 8 and 17 of Township 29 South, Range 7 West of the Willamette Meridian; thence N81°44'00"E, 10.16 feet to a 5/8" iron rod; thence N2°01'47"E, 379.90 feet to a point in the center of Olalla Creek; thence upstream along the center of Olalla Creek the following courses: N50°18'21"W, 96.55 feet to a point; thence N32°28'16"W, 117.54 feet to a point; thence N21°52'44"W, 184.93 feet to a point; thence N29°08'16"W, 62.63 feet to a point; thence N5°35'20"W, 42.96 feet to a point; thence N4°43'28"E, 56.39 feet to a point; thence N8°27'36"E, 61.03 feet to a point; thence leaving Olalla Creek S68°29'35"W, 54.58 feet to a 5/8" iron rod; thence N7°28'02"W, 365.96 feet to a 5/8" iron rod; thence N18°20'20"W, 190.39 feet to a 1/2" iron rod; thence S89°22'20"E, 151.96 feet to a 5/8" iron rod on the Westerly Right-of-Way line of Olalla County Road No. 38; thence along said Right-of-Way line along the arc of a 5,759.58-foot radius curve to the left (the long chord of which bears

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

(continued on back)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ Estate Planning. However, the actual consideration consists of or includes other property or value given or promised which is  part of the  the whole (indicate which) consideration. (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, grantor has executed this instrument on August 1, 2016; any signature on behalf of a business or other entity is made with the authority of that entity.

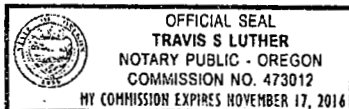


J. Elene Husen RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

STATE OF OREGON, County of Douglas ss.  
 This instrument was acknowledged before me on August 1, 2016  
 by Janet Elene Husen  
 This instrument was acknowledged before me on \_\_\_\_\_  
 by \_\_\_\_\_  
 as \_\_\_\_\_  
 of \_\_\_\_\_



Travis S. Luther  
 Notary Public for Oregon  
 My commission expires November 17, 2016

5-88410

S21°25'27"E, 242.76 feet) 242.78 feet to a 5/8" iron rod; thence leaving said Right-of-Way line N89°22'03"W, 140.30 feet to a point in the center of Olalla Creek; thence downstream along the center of Olalla Creek the following courses: S7°02'41"W, 93.03 feet to a point; thence S1°37'03"E, 60.13 feet to a point; thence S5°34'58"W, 33.48 feet to a point; thence leaving Olalla Creek S76°45'56"E, 25.00 feet to a 5/8" iron rod; thence S19°38'44"W, 45.20 feet to a 5/8" iron rod; thence S70°21'16"E, 93.30 feet to a 5/8" iron rod; thence S3°26'58"E, 118.84 feet to a 5/8" iron rod; thence N86°10'19"E, 42.53 feet to a 5/8" iron rod; thence along the arc of a 17.50-foot radius curve to the left (the long chord of which bears N41°23'12"E, 24.66 feet) 27.36 feet to a 5/8" iron rod; thence N3°23'54"W, 101.06 feet to a 5/8" iron rod; thence N10°57'42"W, 99.58 feet to a 5/8" iron rod; thence along the arc of an 82.50-foot radius curve to the right (the long chord of which bears N20°29'29"E, 86.10 feet) 90.58 feet to a 5/8" iron rod; thence N51°56'40"E, 18.99 feet to a 5/8" iron rod on the Westerly Right-of-Way line of Olalla Creek County Road No. 38; thence along said Right-of-Way line along the arc of a 5,759.58-foot radius curve to the left (the long chord of which bears S23°27'15"E, 12.92 feet) 12.92 feet to a point; thence along said Right-of-Way line S23°31'06"E, 73.86 feet to a 5/8" iron rod on the North-South centerline of Section 8; thence S2°01'47"W along said North-South centerline, 622.64 feet to a 5/8" iron rod on the centerline of vacated County Road No. 38; thence along said vacated road centerline the following courses: S50°11'07"E, 305.51 feet to a 5/8" iron rod; thence along the arc of a 90-foot radius curve to the right (the long chord of which bears S31°30'16"E, 57.65 feet) 58.69 feet to a 5/8" iron rod; thence S12°49'26"E, 59.13 feet to a 5/8" iron rod; thence along the arc of a 90-foot radius curve to the right (the long chord of which bears S5°25'29"W, 56.36 feet) 57.33 feet to a 5/8" iron rod; thence S28°40'23"W, 112.65 feet to a 5/8" iron rod; thence S30°34'20"W, 210.76 feet to a 5/8" iron rod; thence leaving said vacated road centerline N59°25'40"W, 9.11 feet to a 5/8" iron rod; thence N34°27'19"W, 226.80 feet to the Point of Beginning, and containing 6.28 acres more or less.

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

S-88410

Douglas County Official Records  
Patricia K. Hitt, County Clerk

2016-012171



\$56.00

00420950201600121710030031

08/01/2016 11:19:07 AM

DEED-BS Cnt=1 Stn=36 ANDREW  
\$15.00 \$11.00 \$20.00 \$10.00

## DOUGLAS COUNTY CLERK



# CERTIFICATE PAGE

DO NOT REMOVE THIS PAGE FROM ORIGINAL  
DOCUMENT

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

S-88410

BLS

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Marvin K. and Janet Elene Husen  
PO Box 2395  
Winston, OR 97496  
 Grantor's Name and Address

Marvin K. Husen and Janet E. Husen, Trustees  
P.O. Box 2395  
Winston, OR 97496  
 Grantee's Name and Address

After recording, return to (Name and Address):  
Marvin K. & Janet E. Husen, Trustees  
P.O. Box 2395  
Winston, OR 97496

Until requested otherwise, send all tax statements to (Name and Address):  
Marvin K. and Janet E. Husen, Trustees  
P.O. Box 2395  
Winston, OR 97496

SPACE RESERVED FOR RECORDER'S USE

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Marvin K. Husen and Janet Elene Husen

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Marvin K. Husen and Janet E. Husen, Trustees of the Marvin K. and Janet E. Husen Trust dated March 3, 2016, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Douglas County, State of Oregon, described as follows (legal description of property):

**Beginning at a 5/8" iron rod on the Westerly Right-of-Way line of Olalla County Road No. 38, from which a brass-capped iron pipe at the 1/4 corner common to Sections 8 and 17 of Township 29 South, Range 7 West of the Willamette Meridian bears S1°14'02"E, 1223.79 feet; thence along said Westerly Right-of-Way line along the arc of a 5759.58 foot radius curve to the left (the long chord of which bears S23°00'39"E, 76.21 feet) 76.21 feet to a 5/8" iron rod; thence leaving said Right-of-Way S51°56'40"W, 18.99 feet to a 5/8" iron rod; thence along the arc of an 82.50-foot radius curve to the left (the long chord of which bears S20°29'29"W, 86.10 feet) 90.58 feet to a 5/8" iron rod; thence S10°57'42"E, 99.58 feet to a 5/8" iron rod; thence S3°23'54"E, 101.06 feet to a 5/8" iron rod; thence along the arc of a 17.50-foot radius curve to the right (the long chord of which**

(Continued on back)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$Estate Planning. However, the actual consideration consists of or includes other property or value given or promised which is  part of the  the whole (indicate which) consideration. (The sentence between the symbols ®, if not applicable, should be deleted. See ORS 93.030.)

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, grantor has executed this instrument on August 1, 2016; any signature on behalf of a business or other entity is made with the authority of that entity.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

*Marvin K. Husen*  
*Janet Elene Husen*

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

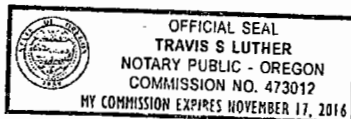
STATE OF OREGON, County of Douglas ss.

This instrument was acknowledged before me on August 1, 2016  
by Marvin Keith Husen

This instrument was acknowledged before me on August 1, 2016  
by Janet Elene Husen

as  
of

*Travis S. Luther*  
Notary Public for Oregon  
My commission expires November 17, 2016



S-88410

bears S41°23'12"W, 24.66 feet) 27.36 feet to a 5/8" iron rod; thence S86°10'19"W, 42.53 feet to a 5/8" iron rod; thence N3°26'58"W, 118.84 feet to a 5/8" iron rod; thence N70°21'16"W, 93.30 feet to a 5/8" iron rod; thence N19°38'44"E, 45.20 feet to a 5/8" iron rod; thence N76°45'56"W, 25.00 feet to a point in the center of Olalla Creek; thence upstream along the center of Olalla Creek the following courses: N5°34'58"E, 33.48 feet to a point; thence N1°37'03"W, 60.13 feet to a point; thence N7°02'41"E, 93.03 feet to a point; thence leaving said Olalla Creek S89°22'03"E, 140.30 feet to the Point of Beginning, and containing 1.01 acres more or less.

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

S-88410

Douglas County Official Records  
Patricia K. Hitt, County Clerk

2016-012172



\$51.00

00420951201600121720020021

08/01/2016 11:22:34 AM

DEED-BS Cnt=1 Stn=36 ANDREW  
\$10.00 \$11.00 \$20.00 \$10.00

## DOUGLAS COUNTY CLERK



# CERTIFICATE PAGE

DO NOT REMOVE THIS PAGE FROM ORIGINAL  
DOCUMENT

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

S-88410

BLS

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Marvin K. Husen and Janet Elene Husen  
P.O. Box 2395  
Winston, OR 97496  
 Grantor's Name and Address

Marvin K. Husen and Janet E. Husen, Trustees  
P.O. Box 2395  
Winston, OR 97496  
 Grantee's Name and Address

After recording, return to (Name and Address):  
Marvin K. & Janet E. Husen, Trustees  
P.O. Box 2395  
Winston, OR 97496

Until requested otherwise, send all tax statements to (Name and Address):  
Marvin K. & Janet E. Husen, Trustees  
P.O. Box 2395  
Winston, OR 97496

SPACE RESERVED FOR RECORDER'S USE

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Marvin K. Husen and Janet Elene Husen

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Marvin K. Husen and Janet E. Husen, Trustees of the Marvin K. and Janet E. Husen Trust dated March 3, 2016, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Douglas County, State of Oregon, described as follows (legal description of property):

Beginning at a brass-capped iron pipe at the 1/4 corner common to Sections 8 and 17 of Township 29 South, Range 7 West of the Willamette Meridian; thence N88°43'50"W, 612.18 feet to a 5/8" iron rod; thence N4°02'54"E, 776.73 feet to a point; thence N68°29'35"E, 379.78 feet to a point in the center of Olalla Creek; thence downstream along the center of Olalla Creek the following courses: S8°27'36"W, 61.03 feet to a point; thence S4°43'28"W, 56.39 feet to a point; thence S5°35'20"E, 42.96 feet to a point; thence S29°08'16"E, 62.63 feet to point; thence S21°52'44"E, 184.93 feet to a point; thence S32°28'16"E, 117.54 feet to a point; thence S50°18'21"E, 96.55 feet to a point; thence leaving Olalla Creek S2°01'47"W, 379.90 feet to a 5/8" iron rod; thence S81°44'00"W, 10.16 feet to the Point of Beginning and containing 10.04 acres, more or less.

Together with the easement for ingress and egress as granted in Book 634, Page 827, Recorder's No. 77-8790, as modified in Book 1135, Page 729, Recorder's No. 91-6709, records of Douglas County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ Estate Planning. However, the actual consideration consists of or includes other property or value given or promised which is  part of the  the whole (indicate which) consideration. (The sentence between the symbols  $\oplus$ , if not applicable, should be deleted. See ORS 93.030.)

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, grantor has executed this instrument on August 1, 2016; any signature on behalf of a business or other entity is made with the authority of that entity.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL. TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

*Marvin K. Husen*  
*Janet Elene Husen*

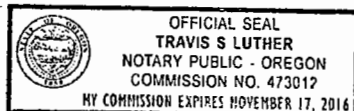
STATE OF OREGON, County of Douglas ss.

This instrument was acknowledged before me on August 1, 2016, by Marvin Keith Husen

This instrument was acknowledged before me on August 1, 2016, by Janet Elene Husen

as \_\_\_\_\_ of \_\_\_\_\_

Travis S. Luther  
Notary Public for Oregon  
My commission expires November 17, 2016



PUBLISHER'S NOTE: If using this form to convey real property subject to ORS 92.027, include the required reference.

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

S-88410



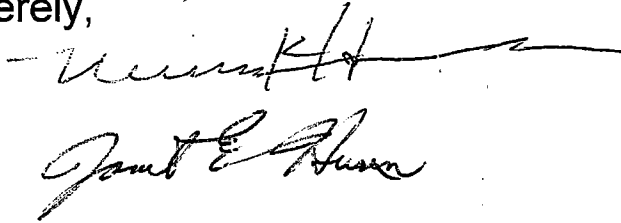
May 2, 2017

Evan Barnes, District Manager  
Lookingglass Olalla Water Control District  
P.O. Box 1579  
Roseburg, OR 97471

To Whom It May Concern:

We hereby intend to file an application with the Oregon State Water Resources Department to use 6.0 acre feet of stored water from Ben Irving Reservoir.

Sincerely,

Handwritten signature of Marvin and Janet Husen, consisting of two lines of cursive script.


Marvin and Janet Husen

RECEIVED BY OWRD

MAY 15 2017

SALEM, OR

S-88410



**Oregon Water Resources Department**  
**Permit to Appropriate Only Stored Water – Expedited Secondary**

[Main](#)    [Help](#)  
[Return](#)    [Contact Us](#)

Today's Date: Friday, May 19, 2017

Base Application Fee.		\$450.00
Acre feet of Stored Water to be diverted.	6	\$180.00
Permit Recording Fee. ***		\$450.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<a href="#">Recalculate</a>	
Estimated cost of Permit Application		\$1,080.00

OWRD Fee Schedule

Fee Calculator Version: B20130709

✓

