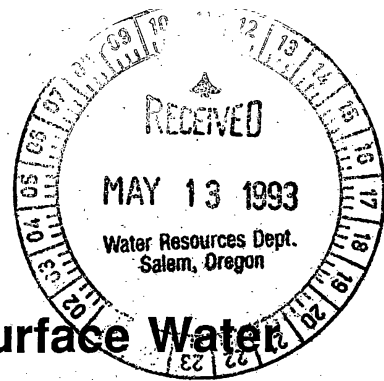


Application No. 73398



State of Oregon  
WATER RESOURCES DEPARTMENT

**Application for a Permit to Appropriate Surface Water**

Applicant(s) J. GRANT DUNN & DANIEL J. DUNN  
*(Please print or type - use dark ink)*

Mailing Address: P. O. Box 623  
Reedsport, Oregon 97467 271-5815  
City State Zip Daytime Phone No.

*X*(We) make application for a permit to appropriate the following described waters of the State of Oregon:

1. **SOURCE OF WATER for the proposed use:** 4 Springs,  
a tributary of North Fork Smith River, a trib. of Smith River

2. **TOTAL AMOUNT OF WATER to be applied to beneficial use:** 0.035 cubic feet per second, OR 16 gallons per minute. If water is to be used from more than one source, give the quantity of water from each: Spring #1 = 0.02 CFS, Domestic (expanded); Springs No. 2, 3, 4 are 0.005 CFS each, each for stockwater.

3. **INTENDED USE(s) OF WATER:** Domestic (expanded) and stockwater.

If for more than one use, give the quantity of water from each source for each use; \_\_\_\_\_  
Please see No. 2 above.

If for DOMESTIC use, state the number of households to be supplied; Two

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

N/A

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; N/A

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation (Domestic, expanded = 1.0 acre)

Other (describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

Spring No. 1 System:

The water is collected at the improved spring by gravity into a 1,000 gallon holding tank and is distributed by gravity through 1½ inch and 1 inch ABS pipes to the two residences. ~~At each residence there is a filter and chlorination system with a small pump and pressure tank.~~ JJD

Springs No. 2, 3, 4:

Water will be collected from each improved spring and distributed through a 1½ inch ABS pipe to a stock tank fitted with a mechanical float control.

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin October 31, 1993.

Proposed date construction work will be completed October 31, 1994.

Proposed date water use will be completed October 31, 1995.

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

(See attached copy of deed for description.)

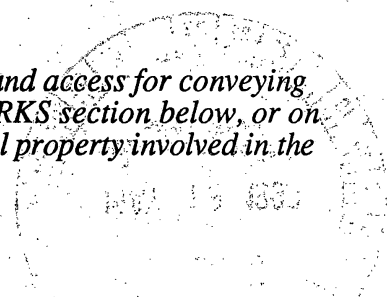
6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

       Applicant      XXX CWRE             Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

       Applicant      XXX CWRE             Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? YES. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.




**REMARKS:** Enclosed are:

1. Maps (4)
2. Land Use Info. Form
3. Deed for Description
4. Spring Info. Sheets
5. Check, \$395.00

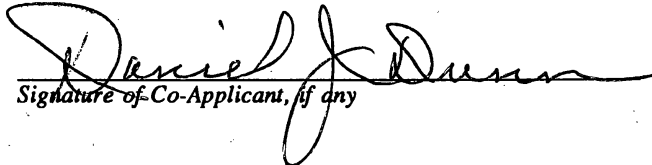
The C.W.R.E. is Bruce Shaner. Please send a copy of Permit to him when it is issued.

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

**NOTE:** The permit, when issued, is for the beneficial use of water without waste. 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 the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

  
Signature of Applicant

Date 4-9-93

  
Signature of Co-Applicant, if any

Date 4-9-93

-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

\_\_\_\_\_

\_\_\_\_\_

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

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

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 13 day of May, 1993, at 11 o'clock, A M.

APPLICATION NO: 73398

PERMIT NO: 51554

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of nil, JOSEPH GRANT DUNN, Grantor, conveys unto JOSEPH GRANT DUNN and STEVE ANN DUNN, husband and wife, Grantees, as tenants by the entirety, all of the Grantor's rights, title and interest in and to that certain real property described in Exhibit "A" attached hereto and by reference incorporated herein.

THIS INSTRUMENT WILL 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 APPROVED USES.

Until a change is requested, all tax statements shall be sent to the following address:

Daniel Jackson Dunn
Helen J. Dunn
Joseph Grant Dunn
Steve Ann Dunn
P. O. Box 623
Reedsport, Oregon 97467

DATED this 9 day of November, 1992.

Handwritten signature of Joseph Grant Dunn
Joseph Grant Dunn

STATE OF OREGON )
) ss.
County of Douglas )

On this 9th day of November, 1992, before me, the undersigned a Notary Public in and for said County and State, personally appeared the above-named JOSEPH GRANT DUNN, and acknowledged the foregoing instrument to be his voluntary act and deed, and that the foregoing recital of consideration is true as he verily believes.

Handwritten signature of David R. Anderson
NOTARY PUBLIC FOR OREGON
My Commission Expires: 1-11-93

After recording send to:
David R. Anderson
Attorney at Law
P. O. Box 238
Reedsport, Oregon 97467

Application No. 73398
Permit No. 51554

RECORDED

MAY 13 1993

BOOK 1206 PAGE 952

STATE OF OREGON  
SALEM, OREGON

**EXHIBIT A**

**In Township 20 South, Range 10 West, Willamette Meridian,  
Douglas County, Oregon.**

**In Section 17:  
Southwest Quarter of the Northeast Quarter  
Northwest Quarter  
Southwest Quarter; and  
West Half of the Southeast Quarter**

**In Section 18:  
East Half of the Southeast Quarter  
Southeast Quarter of the Northeast Quarter  
All that part of the Northeast Quarter lying between  
the North Fork of Smith river and the North Fork of the  
County Road.**

**In Section 20:  
North 210 feet of the Northwest Quarter of the  
Northeast Quarter and the North 210 feet of the  
Northeast Quarter of the Northwest quarter lying east  
of the County Road.**

STATE OF OREGON )  
COUNTY OF DOUGLAS ) SS.  
I, GAY FIELDS, COUNTY CLERK AND RECORDER  
OF CONVEYANCES, DO HEREBY CERTIFY THAT  
THIS INSTRUMENT WAS RECORDED

1992 NOV 10 AM 8:46

GAY FIELDS  
DOUGLAS COUNTY CLERK  
IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY Carleen [Signature]  
DEPUTY

30  
35

**Application No. 73398**  
**Permit No. 51554**  
**Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses**

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: J. Grant Dunn & Daniel J. Dunn  
 Address: P.O. Box 623  
 City: Reedsport State: OR Zip: 97467 Day Phone: 27-5815

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
<u>T.L. 200, Sec. 17</u>	<u>PG + FP + TR</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
<u>E.T.L. 300, Sec. 18</u>	<u>TR</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
<u>T205, R10W</u>				

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 MAY 13 1993  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. Douglas County  
 The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

**For Local Government Use Only**

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed this land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): ARTICLES 1, 2, 3 & 5. Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)**

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily





### Description of Water Use

**Note to Applicant:** This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

**Note to Local Planning Officials:** Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: J. Grant Dunn & Daniel J. Dunn  
 Address: P.O. Box 623  
Reedsport, Oregon 97467  
 Phone: 271-5815

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MAY 13 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): \_\_\_\_\_
- Livestock (type of livestock, feedlot, slaughterhouse): Grazing - 3 Stock Tanks
- Residential (# units, single or multi-family, # lots if partition or subdivision): Two each, expanded Domestic; includes 1.0 Acre Lawn & Garden Irrigation.
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): \_\_\_\_\_
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): \_\_\_\_\_
- Institutional (i.e., school, library, etc.): \_\_\_\_\_
- Mining (aggregate, metal, open pit, placer, etc.): \_\_\_\_\_
- Recreation (park, campsite, pond, etc.): \_\_\_\_\_
- Fish and Wildlife (pond, hatchery, etc.): \_\_\_\_\_
- Hydropower (dam, reservoir, power generating or transmitting facilities): \_\_\_\_\_
- Other (Name and list key characteristics): \_\_\_\_\_

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input checked="" type="checkbox"/> Surface Water Name sources: <u>4 Springs on the North Fork Smith River</u>	<u>0.035</u> Cubic feet per second. <u>or 16</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input type="checkbox"/> Ground Water	

Application No. 73398  
Permit No. 51554

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MAY 13 1993

Application No. WATER RESOURCES DEPT.  
SALEM, OREGON  
(DUNN)

DESCRIPTION OF SPRING No. 1

1. Is spring on property of applicant? Yes
2. If not, give name and address of legal owner. N/A
3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? N/A
4. If you do not have such consent, do you expect to secure right of way through condemnation? N/A
5. What is the maximum flow from spring? 40 GPM  
(Gallons per minute or cubic feet per second)
- What is the minimum flow? 10 GPM
- Is flow measured or estimated? Measured
6. Does the stream flowing from spring form a well defined natural channel? Yes
7. Does the water flow off the lands on which it first arises? Yes
8. Give the name of the stream or other body of water into which water from the spring flows. N. Fork Smith River
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing. N/A
10. Remarks NONE

Bruce A. Shaver, CWRE

Signature of Applicant

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MAY 13 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. \_\_\_\_\_

DESCRIPTION OF SPRING No. 2

(DUNN)

1. Is spring on property of applicant? Yes
2. If not, give name and address of legal owner. N/A
3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? N/A
4. If you do not have such consent, do you expect to secure right of way through condemnation? N/A
5. What is the maximum flow from spring? 20 GPM  
(Gallons per minute or  
cubic feet per second)  
What is the minimum flow? 5 GPM  
Is flow measured or estimated? Measured
6. Does the stream flowing from spring form a well defined natural channel? Yes
7. Does the water flow off the lands on which it first arises? Yes
8. Give the name of the stream or other body of water into which water from the spring flows. N. Fork Smith River
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing.  
N/A
10. Remarks None

Bruce A. Shaver, C.W.R.E.  
Signature of Applicant

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MAY 13 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. \_\_\_\_\_

DESCRIPTION OF SPRING No. 3 (OVNN)

1. Is spring on property of applicant? YES
2. If not, give name and address of legal owner. N/A
3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? N/A
4. If you do not have such consent, do you expect to secure right of way through condemnation? N/A
5. What is the maximum flow from spring? 6 GPM  
(Gallons per minute or  
cubic feet per second)
- What is the minimum flow? 3 GPM
- Is flow measured or estimated? Measured.
6. Does the stream flowing from spring form a well defined natural channel? Yes
7. Does the water flow off the lands on which it first arises? Yes
8. Give the name of the stream or other body of water into which water from the spring flows. N. Fork Smith River
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing.  
N/A
10. Remarks None.

Bruce A. Shaner, CWRE  
Signature of Applicant

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WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. (DHNN)

DESCRIPTION OF SPRING No. 4

1. Is spring on property of applicant? YES
2. If not, give name and address of legal owner. N/A
3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? N/A
4. If you do not have such consent, do you expect to secure right of way through condemnation? N/A
5. What is the maximum flow from spring? 50 GPM  
(Gallons per minute or cubic feet per second)
- What is the minimum flow? 10 GPM
- Is flow measured or estimated? Measured
6. Does the stream flowing from spring form a well defined natural channel? Yes.
7. Does the water flow off the lands on which it first arises? Yes.
8. Give the name of the stream or other body of water into which water from the spring flows. N. Fork Smith River
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing. N/A
10. Remarks None

Bruce A. Shaver, CWRE  
Signature of Applicant