



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

August 8, 2002

J. Grant and Daniel J. Dunn
P.O. Box 623
Reedsport, OR 97467

Reference: Application S-73398, Permit S-51554

Dear Misters Dunn:

I have examined the Claim of Beneficial Use report submitted for the above referenced file in the process of determining whether a certificate can be issued for the water right.

Permit 51554 contains the following condition:

"Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order."

The report lacks any information to determine if the above referenced condition has been complied with. A certificate cannot be issued unless the above condition is satisfied.

Please send this office documentation indicating that you have installed a meter or other measuring device which is acceptable to your District Watermaster, and have made beneficial use of the water subsequent to installation of the measuring device. Documentation should include the type of device (make and serial number if applicable) and the date it was installed. If the device is other than a meter, please provide a signed letter from the watermaster indicating that the device is acceptable. Use without compliance with permit conditions is an illegal use.

If you need time to install a measuring device you may apply for an extension for the time needed, by submitting an "Application for Extension of Time" form (downloadable from <http://www.wrd.state.or.us/>), or by contacting the Water Resources Department and asking to speak to Lisa Juul, ext. 272, extension specialist.

If you have further questions you may call me at (503) 378-8455, ext. 248.

Sincerely,

Dorothy Pedersen
Water Right Specialist

cc: Bruce Shaner, CWRE
David Williams, District 15 Watermaster



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

September 22, 1998

J GRANT & DANIEL DUNN
PO BOX 623
REEDSPORT OR 97467

REFERENCE: File 73398

This letter is in regard to your water use Permit. As we pointed out to you in our previous letter, your claim of beneficial use must be received in this office by **October 1, 1998**.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported...as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before **October 1, 1998**, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Watermaster
CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

October 22, 1997

J GRANT & DANIEL DUNN
PO BOX 623
REEDSPORT OR 97467

REFERENCE: File 73398

The date for the complete application of water to a beneficial use for your water use Permit was October 1, 1997. To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits. Forms will be furnished upon request.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before **October 1, 1998**. A list of certified water right examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

If you have any questions, please contact me at extension 272, at 503-378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS S. MILLER
Water Rights Specialist

DSM:jh

enclosure

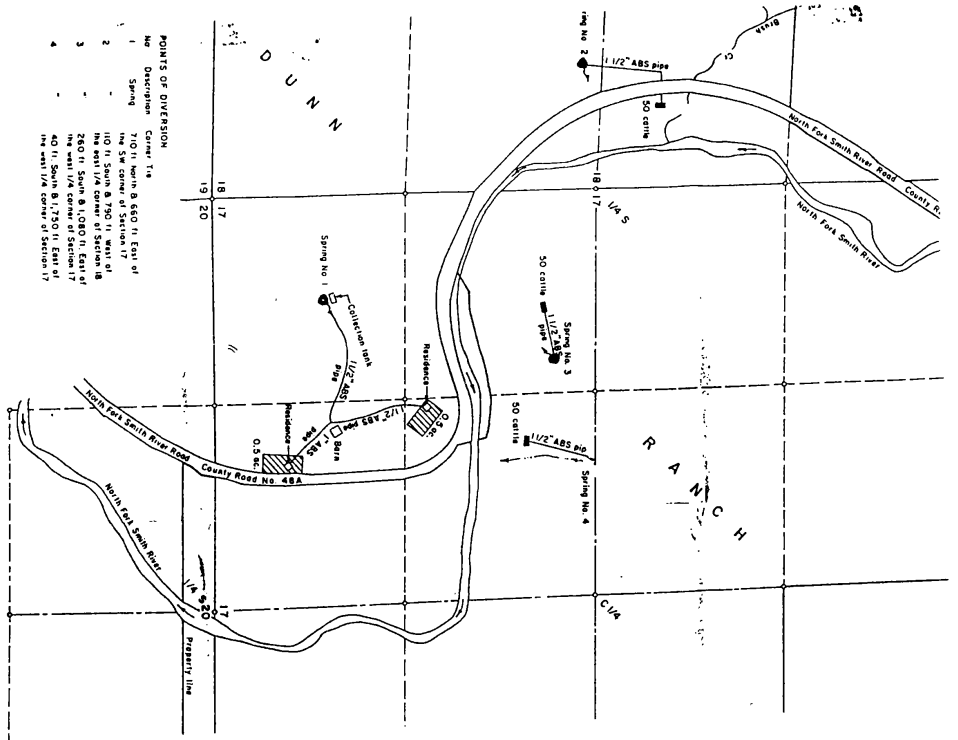
cc: Watermaster
CWRE

spring
 notch watering trough

LEGEND

POINTS OF DIVERSION

No.	Description	Corner 1st
1	Spring	1/20 th corner of Section 17
2	Spring	1/40 th corner of Section 17
3	Spring	1/40 th corner of Section 18
4	Spring	1/40 th corner of Section 17



Copy

H

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

J. GRANT AND DANIEL J. DUNN
PO BOX 623
REEDSPORT, OREGON 97467

503-271-5815

to use the waters of FOUR SPRINGS, tributaries of NORTH FORK SMITH RIVER, for DOMESTIC EXPANDED FOR TWO FAMILIES AND STOCKWATER.

This permit is issued approving Application S-73398. The date of priority is MAY 13, 1993. The use is limited to not more than 0.035 CUBIC FOOT PER SECOND (CFS); BEING 0.02 CFS FROM SPRING 1 FOR DOMESTIC USE AND 0.005 CFS FROM EACH OF SPRINGS 2, 3 AND 4 FOR STOCK WATER, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversions are located as follows:

SPRING 1 - SW 1/4 SW 1/4, SECTION 17, TOWNSHIP 20 SOUTH, RANGE 10 WEST, W.M., 710 FEET NORTH AND 660 FEET EAST FROM SW CORNER OF SECTION 17;

SPRING 2 - NE 1/4 SE 1/4, SECTION 18, TOWNSHIP 20 SOUTH, RANGE 10 WEST, W.M.; 110 FEET SOUTH AND 790 FEET WEST FROM EAST 1/4 CORNER OF SECTION 18;

SPRING 3 - NW 1/4 SW 1/4, SECTION 17, TOWNSHIP 20 SOUTH, RANGE 10 WEST, W.M., 260 FEET SOUTH AND 1080 FEET EAST FROM WEST 1/4 CORNER OF SECTION 17;

SPRING 4 - NE 1/4 SW 1/4, SECTION 17, TOWNSHIP 20 SOUTH, RANGE 10 WEST, W.M., 40 FEET SOUTH AND 1750 FEET EAST FROM WEST 1/4 CORNER OF SECTION 17.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

NE 1/4 SW 1/4	STOCK
NW 1/4 SW 1/4	STOCK
SE 1/4 SW 1/4	DOMESTIC
SECTION 17	

SE 1/4 NE 1/4	STOCK
SECTION 18	
TOWNSHIP 20, RANGE 10 WEST, W.M.	

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Actual construction work shall begin on or before DECEMBER 7, 1995 and shall be completed on or before October 1, 1996. Complete application of the water to the use shall be made on or before October 1, 1997.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

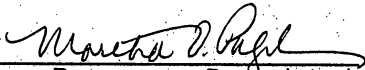
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date December 6, 1994.



Water Resources Department
Martha O. Pagel
Director

PUBLIC INTEREST REVIEW

The proposed water use described in Application #S-73398 has been evaluated according to the public interest standards set out in ORS 537.170 and OAR 690-11-195.

The Application requested the use of 0.035 CFS from 4 SPRINGS tributary to the NORTH FORK OF SMITH RIVER for the purpose(s) of DOMESTIC USE EXPANDED FOR TWO HOUSEHOLDS AND STOCKWATER USE. The Technical Review Report limits the proposed use to 0.02 CFS FROM SPRING 1 DURING THE PERIOD 8/1 TO 10/31, BEING 0.01 CFS FOR EACH DOMESTIC USE EXPANDED, THE REMAINDER OF THE YEAR BEING LIMITED TO HUMAN CONSUMPTION ONLY; AND 0.005 CFS YEAR ROUND FROM SPRINGS 2,3 AND 4 FOR STOCKWATER.

The proposed use described in Application #S-73398 is not within a category required to be submitted to the Commission.

The Director of the Water Resources Department has evaluated the Application for the proposed water use and made the following public interest determination.

TECHNICAL REVIEW

Water use Application #S-73398 received a Satisfactory Report of Technical Review.

The Technical Review revealed that the proposed water use:

- a)-is not prohibited by statute or scenic waterway criteria;
- b)-is a classified use under the applicable basin program or an application for the use has been filed under ORS 536.295 and OAR 690 Division 82;
- c)-is consistent with conditions previously imposed by the Commission on appropriations from the same source;
- d)-will not conflict with (an) existing water right(s);
- e)-is supported by an available source of water.

**PUBLIC INTEREST REVIEW
CHECKLIST**

The Director of the Water Resources Department has evaluated the proposed water use, as described in Application #S-73398, in light of current and planned uses and reasonably anticipated future demands for water from the water source as established in the record.

The evaluation has recognized known beneficial uses of water, including but not limited to the categories described in OAR 690-11-195(3)(a)-(d).

The Director has reviewed the elements of the proposed water use and has based the public interest determination on evidence in the record which included the following:

I. Existing claims to water from the same source.

✓ There are no conflicts with existing claims to water from the same source as is documented in the Report of Technical Review.

II. Land use matters.

✓ The local government where the proposed water use is located has acknowledged receipt of the Land Use Information Form and has filed no objections to the proposed appropriation.

✓ Public notice of the proposed water use was sent to all local governments which have requested such notice and none of those local governments have filed objections to the proposed water use.

✓ There is nothing in the record to indicate the proposed water use is incompatible with Statewide Planning Goals or local comprehensive plans.

✓ If local government approval has not been granted, there is nothing in the record to indicate conditions cannot be placed on the proposed water use to require local land use approval prior to initiation of the use.

✓ An applicant for municipal water use has submitted information showing the proposed water use is compatible with comprehensive plan policies concerning urban services, urban growth boundaries, and Public Facilities Plans.

III. Identified environmental concerns.

✓ The proposed water use does not appropriate water from any water body listed to receive Total Maximum Daily Loads and therefore, the water body has not been defined as water quality limited according to Section 303(d)(1) of the federal Clean Water Act according to the information supplied by the Oregon Department of Environmental Quality.

IV. The character and extent of other natural resources which are present in the water source basin.

✓ The Oregon Department of Fish and Wildlife (ODFW) has been notified of the proposed water use and has made no objections regarding fish and other aquatic and wildlife species and populations.

✓ There are no listed threatened or endangered species in the water source according to the information supplied by the Oregon Department of Fish and Wildlife.

V. Riparian characteristics.

✓ There is nothing in the record to indicate the proposed use is likely to be detrimental to the riparian characteristics of the water source. This riparian review is not applicable to groundwater sources.

VI. Recreational use and potential of the water source and

its basin area.



There is nothing in the record to indicate a conflict with known or reasonably anticipated recreational use.

VII. Agricultural potential of the area.



There is nothing in the record to indicate the proposed water use will conflict with known or reasonably anticipated agricultural practices.

VIII. Designated historic, cultural, or natural resource protection areas.



There is nothing in the record to indicate any conflict with any known or reasonably anticipated historic, cultural, or natural resource designations.

IX. Identified health or safety requirements.



There nothing in the record to indicate any identified health and safety requirements.

**PUBLIC INTEREST REVIEW
FINDINGS AND CONCLUSIONS**

This public interest determination has considered the following standards as set out in ORS 537.170(5):

- a) The conservation of the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.
- b) The maximum economic development of the waters involved.
- c) The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.
- d) The amount of waters available for appropriation for beneficial use.
- e) The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.
- f) All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.
- g) The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.525.

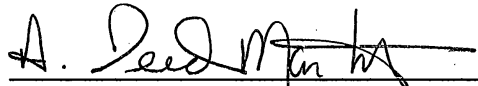
The Director of the Water Resources Department, pursuant to OAR 690-11-185(4), has considered the facts set forth in the Application and its supporting data, the Director's Report of Technical Review and any objections which met the requirements of OAR 690-11-170(1).

The Director of the Water Resources Department has evaluated the proposed water use with respect to the information in the record of the Department and has made the following public interest determination.

The Director has determined that the proposed water use described in Application #S-73398:

 WILL IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director hereby proposes rejection of the application and shall schedule a contested case hearing.

WILL NOT IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director shall issue a water use permit with appropriate conditions.



A. Reed Marbut, Administrator
Water Rights/Adjudication Division

Dated : 11/30/94

RECEIVED

JAN 11 1994

WATER RESOURCES DEPT.
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

January 4, 1994

Water Rights Section
Water Resources Department
3850 Portland Rd., NE
Salem, OR 97310

RE: Water Right Application #73398; Report of Technical
Review

Because there are no fish in the area of the subject appro-
priation(s), no fish screening or passage facilities are to
be required.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Mirati, Jr.".

Albert H. Mirati, Jr.
Water Right Review Coordinator

c. WaterWatch of Oregon (public information request)
Loomis, Roseburg

FILE: 73398.TEC



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-5400
TDD (503) 229-5459

October 27, 1993

J. GRANT DUNN & DANIEL J. DUNN
P.O. BOX 623
REEDSPORT, OR 97467

Reference: File 73398

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

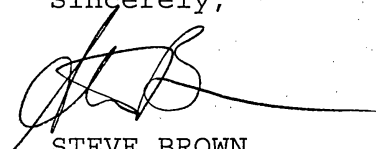
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before January 7, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

Enclosures

sd/SB

Report Date: October 27, 1993

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: January 7, 1994.

1. APPLICATION FILE NUMBER S - 73398
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

J. GRANT DUNN & DANIEL J. DUNN
P.O. BOX 623
REEDSPORT, OR 97467

Date application received for filing and/or tentative date of priority: MAY 13, 1993

SOURCE: 4 SPRINGS

TRIBUTARY TO: NORTH FORK SMITH RIVER

Purpose and/or use: DOMESTIC EXPANDED FOR TWO FAMILIES AND STOCKWATER

Flow: 0.035 CFS, SPRING 1 - 0.02 CFS DOMESTIC EXPANDED FOR TWO FAMILIES; SPRINGS 2,3,4 - 0.005 EACH FOR STOCKWATER

Point of Diversion Location:

SPRING 1 - 710 FEET NORTH AND 660 FEET EAST FROM SW CORNER OF SECTION 17

SPRING 2 - 110 FEET SOUTH AND 790 FEET WEST FROM EAST 1/4 CORNER OF SECTION 18

SPRING 3 - 260 FEET SOUTH AND 1080 FEET EAST FROM WEST 1/4 CORNER OF SECTION 17

SPRING 4 - 40 FEET SOUTH AND 1750 FEET EAST FROM WEST 1/4 CORNER OF SECTION 17

Place of use: NE 1/4 SW 1/4

STOCK USE

NW 1/4 SW 1/4
DOMESTIC AND STOCK USE

SE 1/4 SW 1/4
DOMESTIC
SECTION 17

SE 1/4 NE 1/4
STOCK USE
SECTION 18

TOWNSHIP 20 RANGE 10 WEST, W.M.

SURFACE WATER AVAILABILITY

Water is likely available in excess of needs for all existing rights 50% of the time during each monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

CONFLICTS WITH OTHER WATER RIGHTS:

There **are no** existing rights from this point of diversion.

There **are no** existing water rights appurtenant to the lands described in the application.

REPORT CONCLUSIONS:

Water in the amount of 0.035 CFS is likely available for 9 months of the 12 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: S 73398

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: YEAR ROUND; USE LIMITED TO HUMAN AND LIVESTOCK CONSUMPTION AND THE IRRIGATION OF UP TO 1/2 ACRE NONCOMMERCIAL GARDEN FROM AUGUST 1 TO OCTOBER 31
3. Rate of use: 0.01 FOR EACH DOMESTIC EXPANDED FROM SPRING 1; 0.005 FOR STOCKWATER FROM SPRINGS 2,3,4
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement recording and reporting conditions:
 - A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the

place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # 73398

WATERWATCH ✓

ODF&W ✓

WATERMASTER # 15

REGIONAL MANAGER - SM Reason

CMRE - BRUCE A. SHAWER # 118

OTHER ADDRESSES:

Kon Stahl

CASEWORKER BJJ

TECHNICAL REVIEW CHECKLIST

FORM-71393

- (1) Application: 72398
 (2) Review Date: 10-13-93, SD

S Indicates information was completed or adequately addressed.
 U Indicates information is needed, or incomplete, or inadequately addressed
 N/A Indicates Not Applicable

SUMMARY	
<u>S</u>	Completeness
<u>S</u>	Land Use
<u>N/A</u>	GW Interference (if potential interference with surface water, see results of water availability analysis)
<u>S</u>	Conflicts
<u>S</u>	Water Availability

(3) S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

(4) N/A No oath is required because application was filed before June 5, 1992.

(5) S Application fees:

Examination fee:	\$ 200.00	
Recording fee:	\$ 125.00	200.00
TOTAL REQUIRED	\$ 325.00	125.00 Don.
TOTAL SUBMITTED	\$ 395.00	10.00 STR
AMOUNT DUE prior to issuance of permit	\$	
AMOUNT OVERPAID	\$	335.00
refund due applicant	\$ 60.00	

REFUND

(6) S Proposed dates of beginning and completion of construction, and complete application of water.

- (7) S MAP: Prepared by a CWRE
 Exempt under OAR 690-11-150(3)
 A map or drawing included (non-CWRE)
 No map or drawing in file

(8) NA A CWRE map is not required for applications filed before November 9, 1987.

(9) S A written copy of the legal description of the property on which the water is to be used.

(10) S A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.

(11) S The proposed use is not restricted or prohibited by statute.

(12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.

(13) S DOMESTIC EXPANSION use(s) is/are classified uses(s) under the UNIFORM Basin Program, OAR 690 - 516-006(1)

(14) S The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

(15) As expressed by the Planning Department of DOUGLASS CO

(16) S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section ART. 23.5).

(17) NA The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.

(18) NA The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

(20) NA A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.

(21) NA The report from groundwater section has been received.

For reservoir applications:

(22) NA Plans, specifications and supporting information for the dam and impoundment area.

0105742400000000	8.20	9.60	3.40	-6.27	-6.97	-3.83	-1.81	-44.50	-35.20	-103.00	-11.80	5.50	893.00
0105742500000000	150.00	166.00	138.00	81.00	32.00	10.40	-1.66	-44.50	-35.20	-103.00	-11.20	158.00	3670.00
0105742510000000	70.00	73.00	53.40	25.70	8.60	1.40	-3.41	-44.50	-35.20	-103.00	-11.10	153.00	15300.00
0105742520000000	56.10	69.00	62.30	32.50	16.60	8.50	-1.66	-44.50	-35.20	-103.00	-10.10	63.00	14400.00
0105742600000000	1030.00	1040.00	1080.00	634.00	227.00	71.00	5.90	-44.50	-35.20	-103.00	98.00	847.00	244000.00
0105742610000000	255.00	319.00	285.00	129.00	35.70	14.90	5.90	-44.50	-35.20	-103.00	40.00	259.00	69300.00
0105742620000000	50.80	43.10	57.00	11.10	-6.10	-5.11	-5.2	-44.50	-35.20	-103.00	-27.40	31.40	92900.00
0105742630000000	393.00	364.00	429.00	290.00	111.00	28.60	1.80	-44.50	-35.20	-103.00	18.00	303.00	90200.00
0105742631000000	11.90	9.50	14.90	4.20	-1.77	-1.60	-1.47	-44.50	-35.20	-103.00	-14.30	12.70	3850.00
0105742632000000	23.50	19.80	26.70	2.00	-5.10	-1.21	-3.31	-44.50	-35.20	-103.00	-18.50	12.70	3850.00
0105742633000000	208.00	219.00	237.00	172.00	65.00	26.80	1.80	-44.50	-35.20	-103.00	-18.80	174.00	50200.00
0105742633100000	7.90	5.60	12.40	2.40	-4.30	-3.7	-1.18	-44.50	-35.20	-103.00	-9.12	7.10	2386.00
0105742633200000	13.30	11.20	17.10	8.80	-4.78	-1.46	-3.6	-44.50	-35.20	-103.00	-18.20	174.00	50200.00
0105742633300000	1.30	-1.20	4.70	3.0	-2.24	-1.35	-1.70	-44.50	-35.20	-103.00	-10.00	3.10	2386.00
0105742700000000	1630.00	1770.00	1550.00	1350.00	910.00	267.00	29.00	-44.50	-35.20	-103.00	929.00	1520.00	401000.00
0105742710000000	41.20	30.80	26.00	-1.50	-60	-7.8	-1.62	-44.50	-35.20	-103.00	-18.50	33.40	9770.00
0105742720000000	1.90	-1.50	-1.70	-8.21	-6.43	-3.86	-3.68	-44.50	-35.20	-103.00	-12.40	29.90	5684.00
0105742730000000	37.20	27.10	21.60	-4.20	-6.70	-2.43	-2.96	-44.50	-35.20	-103.00	-17.90	14.20	2820.00
0105742740000000	18.10	12.40	10.20	-4.20	-6.40	-5.07	-3.31	-44.50	-35.20	-103.00	-30.70	90.00	265000.00
0105742750000000	105.00	109.00	123.00	75.00	24.00	4.0	-86	-44.50	-35.20	-103.00	229.00	1120.00	73800.00
0105742760000000	1160.00	1270.00	1120.00	1020.00	754.00	358.00	29.00	-44.50	-35.20	-103.00	14.00	277.00	285000.00
0105742761000000	287.00	327.00	327.00	309.00	274.00	81.00	15.50	-44.50	-35.20	-103.00	1.20	81.00	18500.00
0105742762000000	82.00	88.00	73.00	53.10	29.30	3.30	-51	-44.50	-35.20	-103.00	8.30	164.00	25500.00
0105742763000000	105.00	113.00	95.00	78.00	54.70	10.40	1.35	-44.50	-35.20	-103.00	6.30	49.70	11200.00
0105742764000000	41.90	48.30	41.30	38.70	33.50	9.80	2.33	-44.50	-35.20	-103.00	6.30	49.70	11200.00

WaterWatch

O F O R E G O N

RECEIVED

JUN 14 1993

WATER RESOURCES DEPT.
SALEM, OREGON

June 12, 1993

Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

RE: Application for Permit #73398, J. Grant Dunn
N. Fk. Smith R. Basin, Douglas Co., Dom & Stock

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions, and concerns:

Is there unappropriated water available for this proposed use? Does the Department have adequate data to accurately determine the 80% exceedence level?

What effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation, and a healthy aquatic system?

This water source may suffer from water quality problems. Has the Department consulted with the Department of Environmental Quality to determine the effect this proposed withdrawal will have on water quality?

If this water source provides habitat to native fish during any phase of their life cycle, we request that the Department include conditions requiring the installation and maintenance of fish screening and bypass devices prior to any diversion of water.

Given the importance of surface water sources, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5).

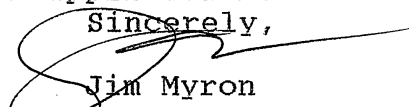
Will this proposed use be compatible with Goal 5 elements of the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR690-410-060(1). Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. OAR 690-410-060(2)(a). What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical review of this application.

Sincerely,


Jim Myron

bc:

WaterWatch of Oregon, Inc. 921 S.W. Morrison. Suite 438 Portland, Oregon 97205 (503) 295-4039

DATE INITIALS

MINIMUM REQUIREMENTS TO FILE

5.14.93

KC

Name and mailing address
Source of water
Quantity of water
Location of project
Use of water
Signature of applicant
Allowable use by policy
State Engineer withdrawal
Legislative withdrawal
Land use approved yes pending

FIELD OPERATIONS

Application date stamped per money receipt date

27 May 93

DLD

Stream Indexed Basin 16
Stream Code

Scenic Waterway

Findings:

- 1) Concluded - Scenic-Reg Ack letter
2) Under Study - Scenic-Ack letter
3) Basin 2 - Willamette-Ack letter

Plot Carded and copy made YES NO

5/24/93

DLB

Conflicts (well surface)

Prior ISWR #

Within Irrigation District (name)

Notified

District excerpt received

Entered in Paradox

Prepare six copies of Draft Permit

Send one copy to Data Center

SUPPORT SERVICES

Stamp contents with application number
Mail/Provide copies of draft permits to DEQ, ODFW, PARKS, AND WATERMASTER

5/25/93

CAK

Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file

Place label on file and card

If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section

Notify Irrigation District

FIELD OPERATIONS

YES NO

Ownership Statement

Name and address of all owners

Other landowners notified

Legal Description

Need Commission review

Requests greater than 5.0 cfs

Dam height greater than 20 feet

Storage greater than 100 acre-feet

Out of Basin diversion

Groundwater recharge project

Other substantial public interest

GW comments received resolved

ODFW comments received resolved

DEQ comments received resolved

Interest Groups

Water availability received

Objections received resolved

Protest received resolved

Management Codes

EXAMINATION FEE:

RECORDING FEE:

REMARKS:

TOTAL:

REFUND:

DEFICIENT:

May 25, 1993

J GRANT DUNN
DUNN, DANIEL J
PO BOX 623
REEDSPORT, OR 97467

REFERENCE: File(s) S-73398

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Even though your application has been received, filed and assigned an application reference number, no authorization has been granted to develop your water use. The filing of an application does not create a water right. Water may not be used without a water right permit.

After an application has been accepted for filing, public notification of the application is made, followed by the mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. Applications are processed in the order in which they are received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo a specialized analysis called a technical review and a public interest review. There is no way to determine at this time whether your particular proposed water use will be recommended for a permit.



REFERENCE: File(s) - S-73398

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review. In most cases no objections are received and the application processing can proceed without further conflict resolution, protest, or hearing.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, and the demands of prior right holders, and other conditions to conform the water use to particular standards.

Please contact the Water Rights Section of the Water Resources Department if you have any questions. You may write to us at 3850 Portland Road, Northeast, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,

Laurie Beth English
Water Rights Program Analyst

cc:CWRE

STATE OF OREGON
WATER RESOURCES DEPARTMENT

3850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-8455/378-8130 (FAX)

FROM: North Fork Ranch

APPLICATION	93398
PERMIT	
TRANSFER	

CASH: CHECK: # 96-104 OTHER: (IDENTIFY)

TOTAL REC'D \$ 315.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS		\$
831.087	PUBLICATIONS/MAPS		\$
830.650	PARKING FEES Name/month		\$
	OTHER: (IDENTIFY)		\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
COST CENTER AND OBJECT CLASS	VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:			
840.001	COPY FEES		\$
850.200	RESEARCH FEES		\$
880.109	MISC REVENUE: (IDENTIFY)		\$
520.000	OTHER (P-6): (IDENTIFY)		\$
WATER RIGHTS:			
842.001	SURFACE WATER	EXAM FEE \$ <u>200.00</u>	842.002 RECORD FEE \$ <u>195.00</u>
842.003	GROUND WATER	\$	842.004 \$
842.005	TRANSFER	\$	842.006 \$
WELL CONSTRUCTION:			
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE \$	842.023 \$
842.016	WELL DRILL OPERATOR	\$	842.019 \$
	LANDOWNER'S PERMIT		842.024 \$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #
	MONITORING WELLS	\$	CARD #

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE(FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
	HYDRO APPLICATION		\$

RECEIPT # **99927** DATED: 5-14-93 BY: [Signature]
 Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

NUMBER 90237

Check 35⁰⁰ NO _____ Cash _____

- Surface Application 200 exam
- Reservoir Application 195 recording
- Ground Water Application
- Transfer Application
- Power Claim
- Hydroelectric Examination
- Hydroelectric License
- Copying
- Assignment
- Extension of Time
- Other
- P-6
- Quadrangle
- Basin
- Protest
- Constructors Examination
- Constructors License
- Adjudication

T. O'Neil

PHONE: (503) 672-4074

FAX: (503) 673-7135

Application No. 73398

Permit No. 51554

Shaner Engineering, Inc.

OFFICE: 433 S.E. MAIN

RECEIVED

MAY 13 1993

CIVIL ENGINEERING IN THE NORTHWEST

MAIL: P.O. BOX 1430 • ROSEBURG, OREGON 97470

WATER RESOURCES DEPT.
SALEM, OREGON

May 11, 1993

Oregon Water Resources Dept.
3850 Portland Road, N.E.
Salem, Oregon 97310

re: Application for
Permit to Appropriate
Surface Water, Dunn

Dear Sirs:

Enclosed please find an Application for a Permit
to Appropriate Surface Water for J. Grant Dunn and Daniel J.
Dunn. Also enclosed are necessary maps, documents and a
check for \$395.00.

Yours truly,

Bruce A Shaner
Bruce A. Shaner,
Certified Water Rights
Examiner

Encl: As above

cc: Grant Dunn

CERTIFIED RETURN RECEIPT