

Application No. 68239

Permit No. \_\_\_\_\_

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DEC 19 1984

JAN 11 1985

DEC 4 1984

WATER RESOURCES DEPT  
SALEM, OREGON

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STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

I, T. Kenneth Smith - Raleigh P. Wirth  
(Name of Applicant)  
of Hc 52 Box 318  
(Mailing Address) Coos Bay  
(City)  
State of OREGON 97420 Phone No. 267-6155  
(Zip Code) do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is ~~UNNAMED~~ UNNAMED Creek  
a tributary of Coos River

2. The point of diversion is to be located 180' ft. ~~125'~~ and 178 ft. E  
(E. or W.)  
from the SE corner of SW 1/4 of Sec 31 - TP 25 - R 11  
(Public Land Survey Corner)

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

being within the NW 1/4 of the NE 1/4 of  
Sec. 6 Tp. 26 S R. 11 W, W. M., in the county of Coos  
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
<u>25 S</u>	<u>11 W</u>	<u>31</u>	<u>SE 1/4 of the SW 1/4</u>	<u>DOMESTIC</u>

7380C

200.00 27  
100.00 1 dam  
50.00 2 dam  
350.00

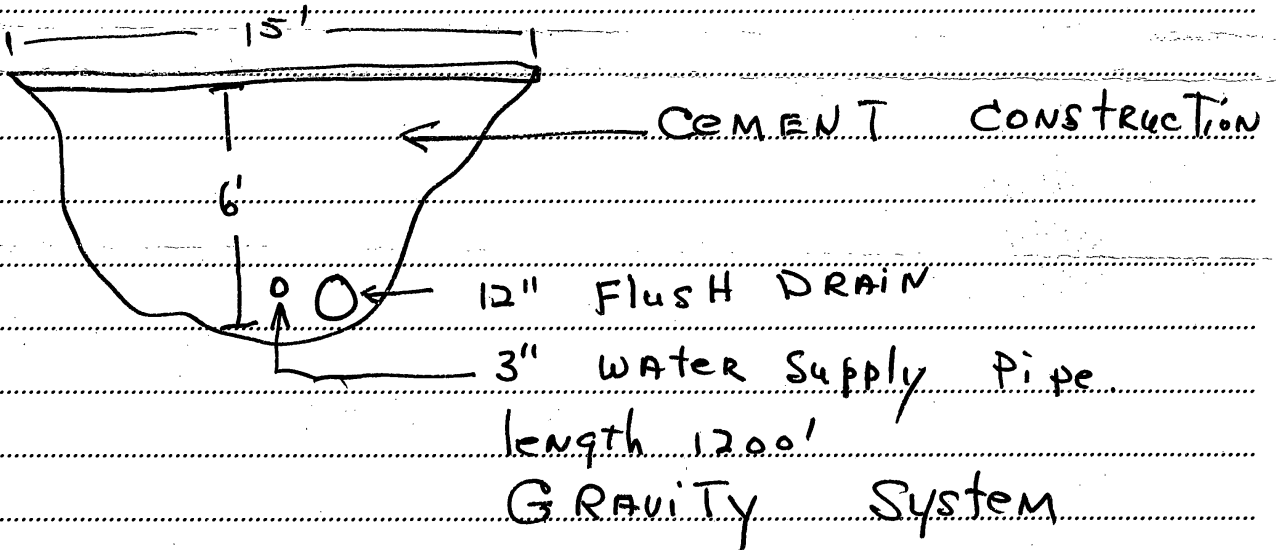
4. The amount of water which the applicant intends to apply to beneficial use is 1/80<sup>th</sup> C.F.S.

cubic feet per second.....  
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is DOMESTIC

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.



If for domestic use state number of families to be supplied 3

7. Construction work will begin on or before.....

8. Construction work will be completed on or before.....

9. The water will be completely applied to the proposed use on or before.....

See remarks

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Remarks: THIS System has been used FOR 54 years - IN 1958 the DAM WAS rebuilt with cement. and the supply line replaced AND ENLARGED - THIS system is NOW being used and NO changes ARE planned -

T. P. Kenneth Smith  
Signature of Applicant  
Ralph P. Wirth

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion.

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before March 7, April 5, 1985.

WITNESS my hand this 6th day of January, February, 1985.  
William H. Young, Water Resources Director

By Wayne J. Overcash  
WAYNE J. OVERCASH

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JAN 11 1985

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FEB 13 1985

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This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 19th day of December, 1984, at 8:00 o'clock A.M.

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PC  
NCR

### Permit to Appropriate the Public Waters of the State of Oregon

*This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:*

*The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.01 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from unnamed creek*

*The use to which this water is to be applied is domestic <sup>(3)</sup>*

*If for irrigation, this appropriation shall be limited to ..... of one cubic foot per second or its equivalent for each acre irrigated.....*

*and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.*

*The priority date of this permit is December 19, 1985*

*Actual construction work shall begin on or before..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....*

*Complete application of the water to the proposed use shall be made on or before October 1, 19.....*

*WITNESS my hand this ..... day of....., 19.....*

PC  
NCR

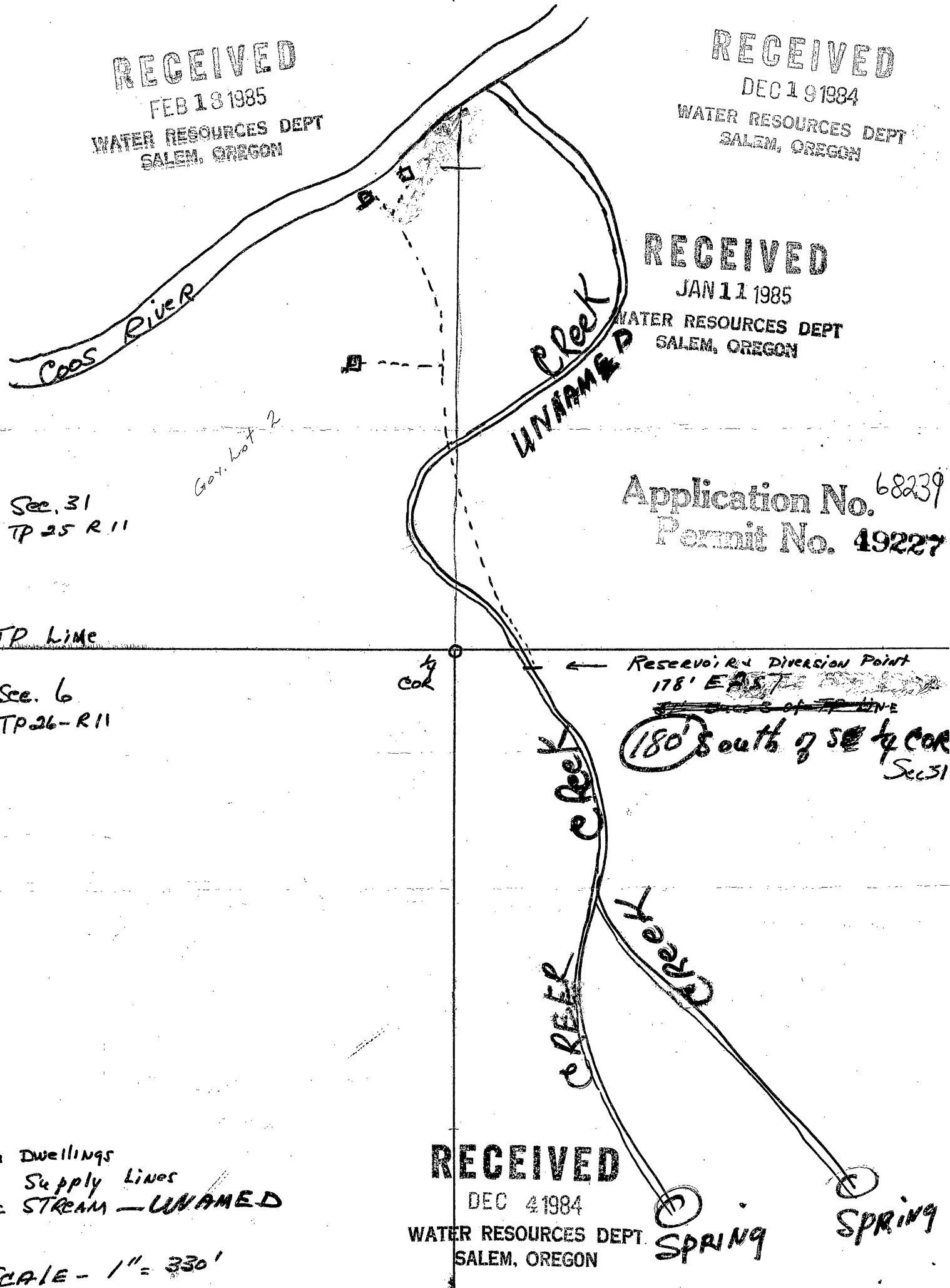


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Sec. 31  
TP 25 R 11

Gov. Lot 2

TP Line

Sec. 6  
TP 26 - R 11

1/4  
COR

Reservoir & Diversion Point  
178' EAST  
of TP LINE

180' South of SE 1/4 COR  
Sec 31

- Dwellings
- Supply Lines
- == STREAM - UNNAMED

SCALE - 1" = 330'

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SALEM, OREGON

SPRING

SPRING

*Smith & Wirth*

318 South Coos River, Coos Bay, Oregon 97420  
Phone 267-6155 or 267-7475

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

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that THOMAS F. SMITH and FLORENCE A. SMITH, husband and wife, and THOMAS K. SMITH and BETTY LEE SMITH, husband and wife, hereinafter called grantors, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto RALEIGH P. WIRTH and TERRI LEE WIRTH, his wife, hereinafter called grantees, as tenants by the entirety, the heirs of the survivor and their assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Coos, State of Oregon, described as follows, to-wit:

PARCEL I: Beginning at a point located North 33° 54' 06" West a distance of 785.61 feet from the Southeast corner of the Southwest quarter of Section 31, Township 25 South, Range 11 West, W.M., Coos County, Oregon; said point being on the Westerly boundary of Stian-Smith County Road; thence, North 77° 41' 49" West a distance of 158.20 feet; thence, South 13° 40' 11" West a distance of 699.89 feet, more or less, to a point on the South line of said section; thence, along said section line South 89° 32' 00" East a distance of 161.00 feet, more or less, to a point on the Westerly right-of-way line of Stian-Smith County Road; thence, Northeasterly along said right-of-way line to the point of beginning.

*Quarte  
Coos*

Containing 2.48 acres, more or less, and being a portion of the Southwest quarter of Section 31, Township 25 South, Range 11 West, W.M., Coos County, Oregon.

Basis of bearing being the South line of Section 31, Township 25 South, Range 11 West, W.M., Coos County, Oregon being as per the recorded survey by J. E. LaFlamme, Number 16-B-2.

PARCEL II: The North half of the Northeast quarter of Northwest quarter of Section 6, Township 26 South, Range 11 West, Willamette Meridian, Coos County, Oregon.

TO HAVE AND TO HOLD the above premises unto said grantees, as tenants by the entirety, their heirs and assigns forever.

The true and actual consideration paid for this transfer is \$ NONE.

STATE OF OREGON )  
 ) ( ss. \_\_\_\_\_  
 County of Coos )

BEFORE ME this 24 day of January, 1977, personally appeared the above named THOMAS K. SMITH and FLORENCE A. SMITH, and THOMAS K. SMITH and BETTY LEE SMITH, and acknowledged the foregoing instrument to be their voluntary act and deed.

[S E A L]

\_\_\_\_\_  
 NOTARY PUBLIC for Oregon  
 My Commission expires: \_\_\_\_\_

BARGAIN & SALE DEED

*Rec. 77-4-06016*      *Jan 20, 1977*

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

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that THOMAS F. SMITH and FLORENCE A. SMITH, his wife, hereinafter called grantors, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto THOMAS K. SMITH and BETTY LEE SMITH, his wife, hereinafter called grantees, as tenants by the entirety, the heirs of the survivor and their assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Coos, State of Oregon, described as follows, to-wit:

A parcel of land situated in Section 31, Township 25 South, Range 11 West, Willamette Meridian, Coos County, Oregon, described as follows:

Beginning at a cedar stake marked CS on the left bank of Coos River, 14.28 chains North and 11.38 chains East of the corner of Townships 25 and 26 South of Range 11 and 12 West of the Willamette Meridian, and running thence South  $46\frac{1}{4}^\circ$  East 18.13 chains to a cedar post marked CS, thence North  $43\text{-}3\frac{1}{4}^\circ$  East 2.07 chains to a cedar post marked CS, thence South  $46\text{-}1\frac{1}{4}^\circ$  East 20.25 chains to the quarter section line, thence North 31.00 chains to the Southwest corner of Lot 3 of Section 31, Township 25 South, Range 11 West of the Willamette Meridian, thence East 17.37 chains, thence North 7.10 chains to left bank of Coos River, thence down said left bank to the place of beginning, containing 60 acres of land, more or less.

EXCEPTING THEREFROM the following:

Beginning at a point located North  $24^\circ 09' 26''$  West a distance of 1618.30 feet from the Southeast corner of the Southwest quarter of Section 31, Township 25 South, Range 11 West, W.M., Coos County, Oregon; said point being on the Southerly bank of the South Fork Coos River; thence, South  $28^\circ 11' 00''$  East a distance of 183.00 feet; thence, South  $52^\circ 53' 02''$  West a distance of 35.25 feet; thence South  $36^\circ 13' 39''$  East a distance of 214.69 feet to a point on the Westerly right of way line of Stian-Smith County Road; thence, along said right of way South  $52^\circ 53' 02''$  West a distance of 20.00 feet, more or less; thence, North  $36^\circ 13' 39''$  West a distance of 214.69 feet; thence, South  $52^\circ 53' 02''$  West a distance of 143.53 feet; thence, North  $46^\circ 28' 18''$  West a distance of 251.94 feet, more or less, to a point on the Southerly bank of the South Fork Coos River, thence, Northeasterly along said bank to the point of beginning. Containing 1.24 acres, more or less, and being a portion of the Southwest quarter of Section 31, Township 25 South, Range 11 West, W.M., Coos County, Oregon. Basis of bearing being South  $29^\circ 21' 00''$  West as per the recorded survey by Lonnie Van Elsberg, Number 9-A-25.

BARGAIN & SALE DEED (1)

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Beginning at a point located North 33° 54' 06" West a distance of 785.61 feet from the Southeast corner of the Southwest quarter of Section 31, Township 25 South, Range 11 West, W.M., Coos County, Oregon; said point being on the Westerly boundary of Stian-Smith County Road; thence, North 77° 41' 49" West a distance of 158.20 feet; thence, South 13° 40' 11" West a distance of 699.89 feet, more or less, to a point on the South line of said section; thence, along said section line South 89° 32' 00" East a distance of 161.00 feet, more or less, to a point on the Westerly right of way line to Stian-Smith County Road; thence, Northeasterly along said right of way line to the point of beginning. Containing 2.48 acres, more or less, and being a portion of the Southwest quarter of Section 31, Township 25 South, Range 11 West, W.M., Coos County, Oregon. Basis of bearing being the South line of Section 31, Township 25 South, Range 11 West, W.M., Coos County, Oregon being as per the recorded survey by J. E. La Flamme, Number 16-B-2.

TO HAVE AND TO HOLD the above premises unto said grantees, as tenants by the entirety, their heirs and assigns forever.

The true and actual consideration paid for this transfer is \$ NONE.

STATE OF OREGON        )  
                                  ( ss.  
County of Coos         )

BEFORE ME this 31st day of December, 1976, personally appeared the above named THOMAS F. SMITH and FLORENCE A. SMITH, and acknowledged the foregoing instrument to be their voluntary act and deed.

[S E A L]

\_\_\_\_\_  
NOTARY PUBLIC for Oregon  
My Commission expires: \_\_\_\_\_

BARGAIN & SALE DEED (2)

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