

Application No. 71112

RECEIVED

JAN - 7 1991

State of Oregon
WATER RESOURCES DEPARTMENT
Application for a Permit to Appropriate Surface Water
WATER RESOURCES DEPT.
OREGON

Applicant(s) Sisters of Mercy
(Please print or type - use dark ink)

Mailing Address: 1860 Fisher Road
Roseburg OR 97470 (503) 673-5044
City State Zip Daytime Phone No.

I (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: North Umpqua River
a tributary of Umpqua River

2. TOTAL AMOUNT OF WATER to be applied to beneficial use; 0.005 cubic feet per second, OR _____ gallons per minute. If water is to be used from more than one source, give the quantity of water from each; _____

3. INTENDED USE(S) OF WATER: Irrigation of lawn or garden not to exceed 0.5 acres

If for more than one use, give the quantity of water from each source for each use: N/A

If for DOMESTIC use, state the number of households to be supplied; N/A

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 Not to exceed 0.5 acres
Other(describe) _____

Handwritten initials/signature

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** *Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, sizes and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other). An existing system since 1974. The water is taken from the North Umpqua River with a Red Jacket Pump, Model 100 RSP, Serial No 20785, 1-1/2" intake and 1-1/4" discharge, and transmitted through 1-1/4" plastic pipe main distribution line. From the main line, five separate 3/4" lines are used with Rainbird garden sprinklers to apply the water to the lawn and garden. There are six garden sprinklers used each capable of discharging 5 GPM. The pump is driven by a directly connected Red Jackets motor, Model C48L2DB11A10, Serial No. 7D85, 1 hp, 115,230 volts, 12.4/6.2 amps, single phase, 3450 RPM, capacity 60 GPM.*

5. **PROJECT SCHEDULE:** *(List month and year)*
 Proposed date construction work will begin Existing
 Proposed date construction work will be completed Existing
 Proposed date water use will be completed Existing

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a completed 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.

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 X 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 X 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 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: The pump and distribution system has been in constant use since 1974 and therefore is not subject to the requirements of the Division of State Lands for an access permit.

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 acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Jacqueline Taylor

Signature of Applicant

12-31-90

Date

Signature of Co-Applicant, if any

Date

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 7th day of January, 19 91, at 8 o'clock, 9 M.

APPLICATION NO: 71112 PERMIT NO: 51188

Application No. 71112

Permit No. 51188

Land Use Information Form: Permits, 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 request for water use. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

RECEIVED

Applicant's Name: SISTERS OF MERCY
Address: 1860 FISHER ROAD
City: ROSEBURG State: OR Zip: 97470
Phone: (503) 673-5044 WRD Application No.:

JAN - 7 1991

WATER RESOURCES DEPT. SALEM, OREGON

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 may substitute existing and proposed service area boundaries for the tax lot information requested below.

Table with 3 columns: Tax Lot or Local I.D.#, Plan Designation/Zoning (e.g. Rural Residential/RR-5), and Check All That Apply (Water Diverted, Water Conveyed, Water Used). Row 1: 7476.01, RC2 / RR, X, X, X.

The following section must be completed by all local planning departments responsible for the property(ies) listed above. Please ask the Department for extra forms, as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form and return it to the applicant or the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

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

[X] 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): 3. 9. 000. 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.)

Table with 3 columns: Type of Land Use Approvals Needed, Cite Most Significant, Applicable Plan Policies & Ordinance Section References, and Please check the box that applies: (Already Obtained, Already Denied, Being Pursued Satisfactorily).

(over)

WRD Applicant Name: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: Lisa Hawley
Title: Planning Tech.

Date: 12/31/90
Phone: 440-4289

Signature: Lisa Hawley

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

Continuations or Additional Comments:

Lined area for providing additional comments or continuations.

Application No. 7112
Permit No. 51188

Planning Official Initials: lar

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: SISTERS OF MERCY
Address: 1860 FISHER RD
ROSEBURG, OR 97470
Phone: (503) 673-5044

RECEIVED

JAN - 7 1991

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

WATER RESOURCES DEPT.
SALEM, OREGON

- Irrigation (crop type, golf course, nursery or greenhouse): _____
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): LAWN OR GARDEN NOT TO EXCEED 0.5 ACRES
- 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>NORTH UMPQUA RIVER</u>	<u>0.005</u> Cubic feet per second. ____ Gallons per minute. ____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input type="checkbox"/> Ground Water	

APPLICATION PROCESSING OUTLINE

Basin: _____
 Sub-basin: _____
 Fees paid: Examination fee: _____
 Recording fees: _____
 Total: _____

Application No. 71112
 Permit No. 51188

RATE AND DUTY _____ for irrigation

1. Check for minimum information (OAR 690-11-020)

yes	no	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name and mailing address of the applicant.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Source of the water.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Quantity of water to be appropriated.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Location of point of diversion to 1/4 1/4 Section.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nature and place of use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name and mailing address of all legal owners of the properties involved.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Signature of the applicant
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Examination fees.

If minimum information not supplied, excepting legal owner information, then return to applicant with letter explaining deficiencies.

yes	no	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water Resources Commission classification limits or restrictions -- If yes, note: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	State Engineer's withdrawals -- If yes, note: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legislative withdrawals -- If yes, note: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	If policy statement is unclear check with Resources Management Division.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Scenic Waterway: _____ ___ on ___ up-stream ___ w/in 1/4 mile ___ Notify Parks and Recreation Department
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Out-of-basin diversion
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Need to route to Geology Section due to:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ well within one mile of a stream
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ well within restricted surface water area
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ wells with request for greater than 5 cfs
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ well is for heating &/or cooling
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ well constructed by land owner
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ well is artesian
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ artificial ground water recharge project
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ ground water area under study
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Within Irrigation District: _____ ___ Notify ___ Need excerpt from District
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legal description of property
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ownership statement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other parties to Notify: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water Resources Commission review if:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ Request for greater than 5 cfs
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ Dam height greater than 10 feet
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ Storage of more than 9.2 acre-feet
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ Out-of-basin diversion
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ within or above a scenic waterway
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ conditional uses under basin program
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ requests for larger rate or duty than allowed
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ ground water recharge project
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ other substantial public interest issues
<input checked="" type="checkbox"/>	<input type="checkbox"/>	___ requests for review by an agency or person
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Watermaster consent form sent with copy of <i>draft permit</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	application and sep.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Watermaster comments received _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydrographic section comments requested _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydrographic section comments received _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	O.D.F.W. sent copy of application and sep. (except groundwater) requesting comment _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	O.D.F.W. comments received _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Report from D.E.G. received _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Publish application information in weekly public notice.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Notify other owners of development
<input checked="" type="checkbox"/>	<input type="checkbox"/>	PROTESTED
<input checked="" type="checkbox"/>	<input type="checkbox"/>	filed _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	resolved _____

1-1-74

77-20150

WARRANTY DEED

BOOK 653 PAGE 90



KNOW ALL MEN BY THESE PRESENTS, That John Clayton Adams and Charleen Adams, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Sisters of Mercy, Province of Omaha, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Douglas and State of Oregon, described as follows, to-wit:

Application No. 71112
Permit No. 51188

See exhibit "A" attached.

RECEIVED

JAN - 7 1977

WATER RESOURCES DEPT.
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 55,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 14 day of Oct, 1977; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

John Clayton Adams
JOHN CLAYTON ADAMS
Charleen Adams
CHARLEEN ADAMS

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,)
County of Douglas) ss.
14 Oct 1977

STATE OF OREGON, County of) ss.
19

Personally appeared _____ and

who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____

Personally appeared the above named John Clayton Adams and Charleen Adams, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

_____ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL SEAL) Notary Public for Oregon
My commission expires: 1-5-81

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

STATE OF OREGON,)
County of) ss.

I certify that the within instrument was received for record on the _____ day of _____, 19_____, at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file/reel number _____, Record of Deeds of said county. Witness my hand and seal of County affixed.

SPACE RESERVED FOR RECORDER'S USE

Recording Officer
By _____ Deputy

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

DOUGLAS COUNTY TITLE COMPANY
629 S. E. MAIN ST.
ROSEBURG, OREGON

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

Disten
Rt 2 Box 664
Roseburg Ore
NAME, ADDRESS, ZIP

Exhibit "A"

That portion of property recorded in County Clerk's deed records in Volume 105, page 281, which is in the extreme northwest corner of said property between the east bank of the North Umpqua River and the Chester Fisher County Road, and is situated in the Northeast quarter of Section 27, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, said portion being more particularly described as follows: Beginning at the Northwest corner of said recorded property at a point which is North 00° 11' West 3067.0 feet, and South 89° 22' West 2940.3 feet, from the Southeast corner of the James McKinney Donation Land Claim No. 47, said Township and Range, thence running South 32° 46' West 71.5 feet to a square headed one inch bolt on the east bank of said river, thence South 63° 15' East 187 feet, to a one inch pipe, on the Westerly right of way line of said road, thence North 33° 07' East 175.0 feet; along said road line, to a steel auto axle on the north line of said recorded property, thence westerly along the north line of said recorded property to the place of beginning.

Application No. 71112
Permit No. 51188

RECEIVED
JAN - 7 1991
WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON)
COUNTY OF DOUGLAS) ss.

I, DORIS L. WADSWORTH, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY.

1977 OCT 17 PM 3 46

DOUGLAS COUNTY CLERK
BY Mary E. Seal
DEPUTY
No. 77-20150 FEE 6.00

DOUGLAS COUNTY OFFICIAL RECORDS