

Application No. 61271

Permit No. 45604

Certificate No. 56668

Stream Index, Page No. 16-28K

**FEES PAID**

Date	Amount	Receipt #
2-23-81	35.00	2291
Cert. Fee		
<b>FEES REFUNDED</b>		
Date	Amount	Check #

Name Albert, Raelene Debermardi, & Gary Kennaday

By \_\_\_\_\_

Address 22473 N. Umpqua Hwy.

Glide, Oregon

Date filed February 23, 1981

Priority February 23, 1981

Action suspended until Jan 1-12-96-5

Return to applicant \_\_\_\_\_

Date of approval APR 15 1981

**CONSTRUCTION**

Date for beginning APR 15 1982

Date for completion OCT 1 - 1983

Extended to \_\_\_\_\_

Date for application of water OCT 1 - 1984

Extended to \_\_\_\_\_

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_

Form "B" filed \_\_\_\_\_

Form "C" filed Completed

**FINAL PROOF**

Rank mailed NOV 12 1987

Proof received \_\_\_\_\_

Date certificate issued JAN 26 1988

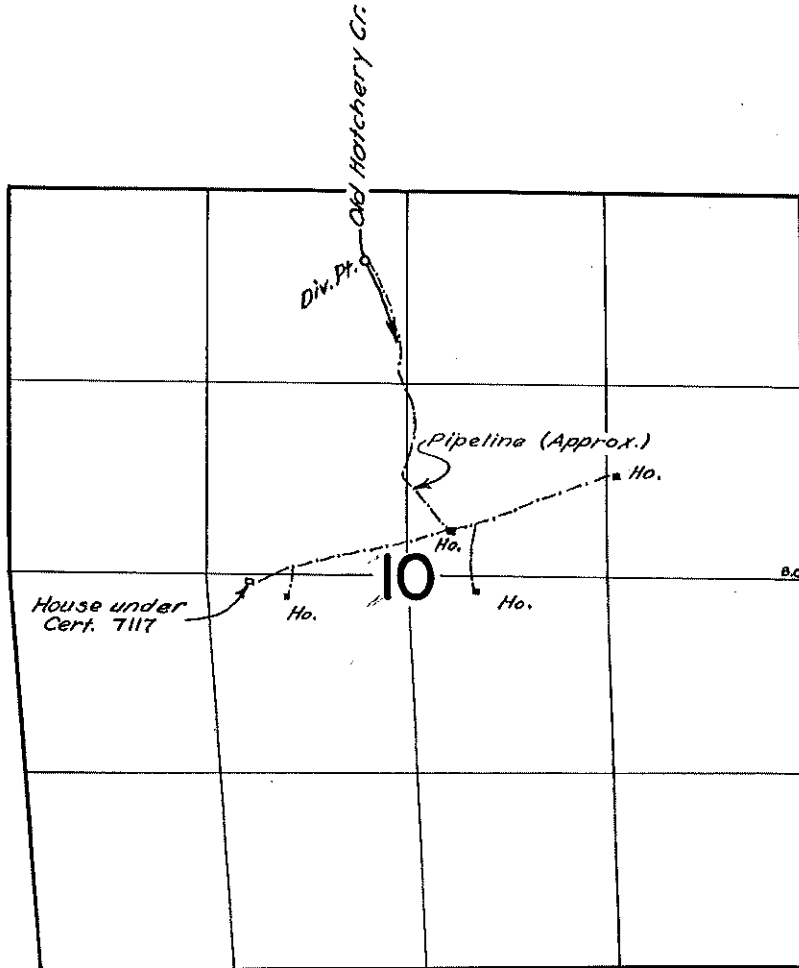
**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**REMARKS**

See 10018 § 37875

T.26S.R.3W.W.M.



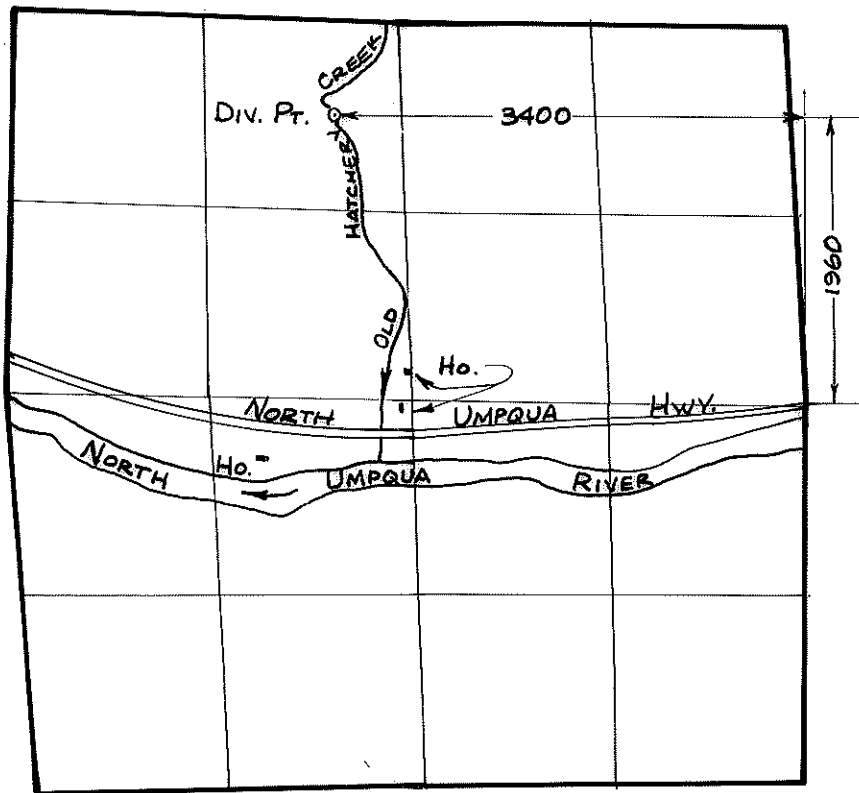
**FINAL PROOF SURVEY**  
UNDER

Application No. 37878... Permit No. 28286...  
IN NAME OF  
Albert De Bernardi - Dick De Bernardi  
Don De Bernardi - Lincoln Kennady..

Surveyed June 8, 1963, by T. Lauer.....

# T. 26 S., R. 3 W., W.M.

## SECTION 10



SCALE: 4" = 1 MILE

### FINAL PROOF SURVEY UNDER

Application No. 61271 Permit No. 45604  
IN NAME OF

ALBERT DEBERNARDI, RAELENE DEBERNARDI, GARY KENNADAY

Surveyed SEPT. 5, 1985, by J.M.SCHMORDE.

RECEIVED

FEB 23 1981

WATER RESOURCES DEPT  
SALEM, OREGON

Book 3 Page 116

PARTITIONER

Name Raelene DeBernardi  
Address 21123 N. Umpqua Hwy  
Glide, Oregon  
Phone 496 3304

MLL

LEGAL OWNER OF RECORD

Same as above

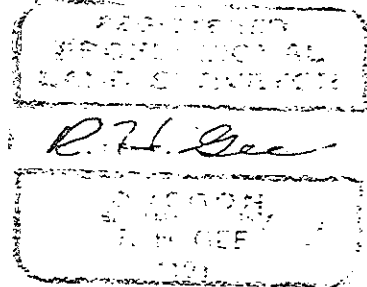
TOTAL NUMBER OF LOTS 2

WATER: WELLS

SEWER: SEPTIC TANKS

MAP PREPARED BY

Name R. H. Gee  
Address Rt. 2, Box 975  
Roseburg, Oregon  
Phone 672 2727



LEGAL DESCRIPTION

Lot 1 - Gary Joe Kennaday  
Beginning at point from which the North one quarter section corner of Section 10, T. 26 S., R. 3 W., W. M. bears N 1°31'45" W 2231.93 feet; thence S 2°23'44" E 100.47 feet; thence S 0°31'08" W 245.01 feet; thence West 298.51 feet; thence N 1°17'07" W 289.85 feet; thence N 1°23'27" W 100.10 feet; thence S 81°43'16" E 308.68 feet to the place of beginning, all lying in Section 10, T. 26 S., R. 3 W., W. M., Douglas County, Oregon.

Lot 2 - Raelene DeBernardi  
Beginning at a point from which the North one quarter section corner of Section 10, T. 26 S., R. 3 W., W. M. bears N 1°29' W 2377.33 feet; thence S 0°31'08" W 194.43 feet to the north right of way line of County Road No. 4; thence S 86°48'34" W 292.47 feet along the north right of way line of County Road No. 4; thence N 1°17'07" W 210.75 feet; thence East 298.51 feet to the place of beginning, all lying in Section 10, T. 26 S., R. 3 W., W. M., Douglas County, Oregon.

Roadway Easement  
Beginning at a point from which the North one quarter section corner of Section 10, T. 26 S., R. 3 W., W. M. bears N 1°34' W 2332.40 feet; thence S 81°41'13" E 50.47 feet; thence S 0°31'08" W 429.71 feet to the north right of way line of County Road No. 4; thence S 87°13'20" W 50.04 feet along the north right of way line of County Road No. 4; thence N 0°31'08" E 439.44 feet to the place of beginning, all lying in Section 10, T. 26 S., R. 3 W., W. M., Douglas County, 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 NOV 23 AM 11 58

DORIS L. WADSWORTH  
DOUGLAS COUNTY CLERK

BY Mary J. Seal

Application No. 61271  
Permit No.

Application No. 61271

Permit No. 45604

M67-46

J. W. M.  
E. 2. 1977  
7 = 50'

STELLA

R Set

Handwritten notes and signatures: Gary, Raelene

Handwritten notes: Cubic, 10/17, 11/22-77

3/116

RECORDED

FEB 23 1997

WATER RESOURCES DEPT

836992

VOL 302 PAGE 890

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That HORACE DEBERNARDI and VIVIAN DEBERNARDI, husband and wife, Grantors, in consideration of One Dollar and other good and valuable consideration to them paid by ALBERT DEBERNARDI and CLARICE DEBERNARDI, husband and wife, Grantees, the receipt and sufficiency thereof being hereby acknowledged, do hereby grant, bargain, sell, and convey unto the said Grantees, their heirs and assigns, all of the right, title, claim, and interest of the Grantors in and to the following described real property with the tenements, hereditaments, and appurtenances situated in the County of Douglas and State of Oregon, bounded and described as follows:

BEGINNING at a point which bears 460.78 feet South and 1640.47 feet East from the 1/4 corner between Sections 9 and 10, Township 26 South, Range 3 West, W. M., which point is a 1/2" iron pipe; thence North 4° 33' East 203.42 feet to a 1/2" iron pipe, which point is on the South boundary of County Road No. 4 right-of-way; thence South 83° 09' 50" East 179.96 feet along the South boundary of County Road No. 4 right-of-way to a 3/4" iron rod; thence South 3° 21' 30" West 167.15 feet to a 3/4" iron rod; thence South 3° 21' 30" West 210.00 feet to the centerline of the North Umpqua River; thence South 86° 45' West 191.20 feet along the centerline of the North Umpqua River; thence North 4° 33' East 208.00 feet to the point of beginning, all situated in Section 10, Township 26 South, Range 3 West, W. M., Douglas County, Oregon, containing 1.67 acres more or less.

SUBJECT, however, to a perpetual pipe line easement for the purpose of constructing, laying, maintaining, and repairing a water pipeline, said easement being a strip of land 4 feet in width, the centerline of which follows the route of the existing pipe line now situated upon the above described premises, commencing at a point on the East line of the real property, hereinabove described, where said presently situated pipe line intersects the same and which point is approximately twenty feet South of the Northeast corner of the above described real property; thence extending in a Southwesterly direction along the route of the present pipe line to its intersection with the West line of the above described real property, said pipe line, however, shall be laid not less than 18 inches below the surface of the ground and the Grantees, their heirs and assigns, shall have the use of the surface of said easements subject only to the right of repair, replacement, and maintenance of said pipe line as aforesaid.

Application No. 61271  
Permit No.

Application No. 61271

Permit No. 45604

200

RECEIVED

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

NOV 25 1987

Application for Permit to Appropriate Surface Water

FEB 23 1981

WATER RESOURCES DEPT., SALEM, OREGON

WATER RESOURCES DEPT., SALEM, OREGON

Albert DeBernardi, Raelene DeBernardi, Gary Kennaday  
(Name of Applicant)

of 22473 N. Umpqua Hwy, Glide  
(Mailing Address) (City)

State of OR, 97443 Phone No. 496-3451  
(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 Old Hatchery Cr.

..... a tributary of N. Umpqua R.  
1960 3400

2. The point of diversion is to be located 2150 ft. N and 3020 ft. W  
(N. or S.) (E. or W.)

from the E 1/4 corner of Sec. 10  
(Public Land Survey Corner)

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

..... being within the NE 1/4 of the NW 1/4 of  
Sec. 10 Tp. 26 S R. 3 W, W. M., in the county of Douglas  
(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
26S	3W	10	SE 1/4 NW 1/4	Dom. for 1 family incl. 1/2 ac. irrig.
26S	3W	10	NE 1/4 SW 1/4	Dom. for 2 families incl. 1/2 ac. irrig. each.

495-375-100  
pds 9/5/85

NA

Application No. 61271

Permit No. 45604

### 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 0.02 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 Old Hatchery Creek, TRIBUTARY OF N. UMPQUA RIVER

The use to which this water is to be applied is domestic use for three families including irrigation of not to exceed 1/2 acre lawn and non-commercial garden each.

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 February 23, 1981

Actual construction work shall begin on or before April 15, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.83

Complete application of the water to the proposed use shall be made on or before October 1, 19.84

WITNESS my hand this 15th day of April, 19 81

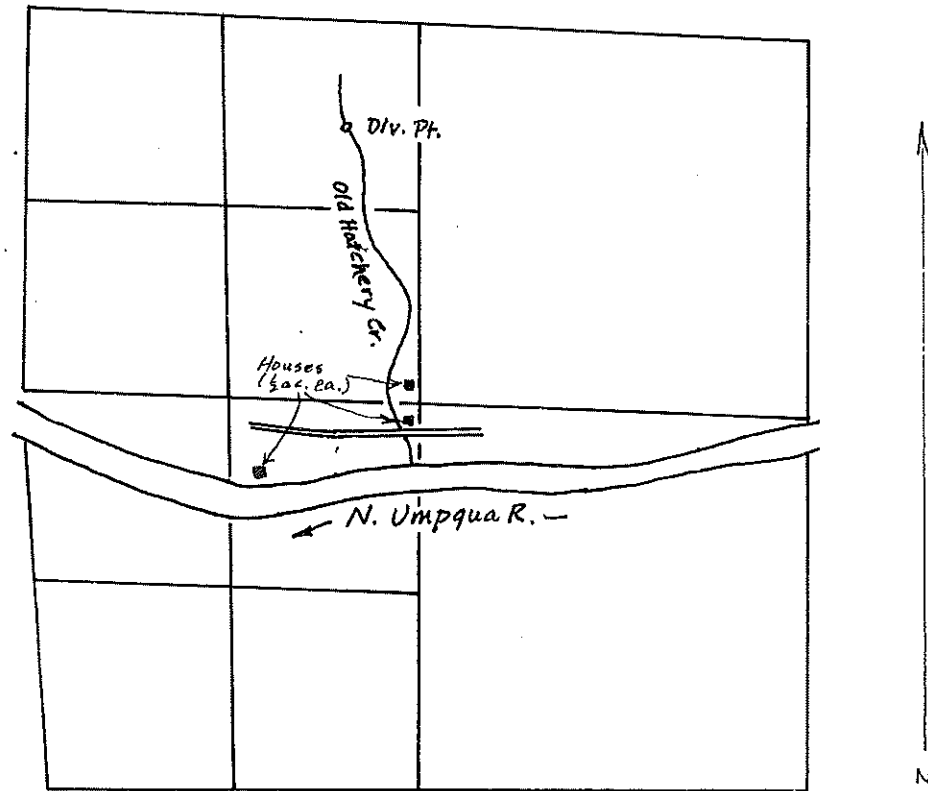
*[Signature]*  
Water Resources Director

old 5

RECEIVED

NOV 25 1987

WATER RESOURCES DEPT.  
SALEM, OREGON



Section 10, T. 26 S. R. 3 W. W.M.

Scale: 4" = 1 mile

DIV. PT.: 2150' N. and 3020' W. from  
the E  $\frac{1}{4}$  Cor. Sec. 10.

RECEIVED

FEB 23 1981

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. 61271  
Permit No. 45604



INFO: I am in contact with  
Jim Kammich and I met with Albert DeBorja, who  
owns the property and POA Kennedy who showed us  
the property. I have found that the  
the Div. of Civil Engineering, the  
Department of Public Works and the  
Department of Public Works.

USES: DOMESTIC FOR 3 FAMILIES INCLUDING IRRIGATION OF  
LAWNS AND GARDENS FOR EACH.  
MATERIAL: (GRAVEL) TO BE USED FOR IRRIGATION  
PURPOSES ON THE PROPERTY.

LOCATION: IN HARTFORD CITY ON 10 LITTLETON ROAD  
NEARBY THE EXISTING MAIN DRAINAGE  
THE ADJACENT LAWN ROAD NOW OWNED BY  
THE PROPERTY.

PIPE: 1/4" DIA. 1/4" THICK X 15' HIGH, DEPTH 2-4' MAX  
WITH 1/4" DIA. SPURWAY ON LEFT SIDE  
1/4" DIA. X 1/4" DIA. MAX IS 1/4" DIA.  
PIPE 1/4" DIA.

PIPE: 20 FT. 4 INCH SUELL PIPE REDUCED TO 3000 FT 2 INCH  
BLACK PLASTIC PIPE

RESIDENCE (1) 2 HOSE BIBBS, 100 FT. GARDEN HOSE, 2 NELSON SPINNING SPRINKLERS  
RESIDENCE (2) 2" HOSE BIBBS, 150 FT. GARDEN HOSE, 1 NELSON SPINNING SPRINKLER  
RESIDENCE (3) 1 HOSE BIBB, 50 FT. GARDEN HOSE, 1 NELSON SPINNING SPRINKLER  
MAX SPRINKLERS (2)  
UNDERGROUND HEAD - (FROM ROAD) 120 FT.

TEL: 781-41012-3456  
MATERIALS: 3000 FT., 2 INCH PVC, h=120'

Mike Silmonds  
WIRE 9/5/85

$$Q = \left( \frac{1.49}{.01} \times 0.01091 \times 120^{1.49} \right)^{1/2}$$
$$= 0.058 \text{ CFS}$$



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

September 23, 2004

Maurice E. Farr, CWRE  
395 NE Kirby Ave  
Roseburg, OR 97470-5456

Reference: Application No. 84933, Permit No. 53819 - Jerry K. and Nancy D. Arnold

Dear Mr. Larson:

The Department received a Claim of Beneficial Use and Site Report (Report) describing the use of water under the order approving the transfer on August 25, 2004.

The Report was not provided using a form or format provided by the Department as required by our Administrative Rules effective July 1, 2004.

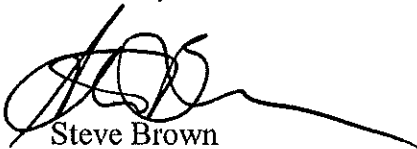
Enclosed is a form for your use in the preparation of a claim. Your Report submitted is being returned for completion. The corrected and completed form should be returned to the Department within 90 days or within such additional time as may be approved by request, in writing, to this office.

The map in support of the claim should illustrate the location of the dwelling.

Our records indicate a water right of record as evidenced by Certificate of Water Right No. 56668, appurtenant to the same property. Prior to the further processing of Permit No. 53819, the Department would like to determine if the existing right is for the same dwelling and if the right is being used.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have. My telephone number is 503.986.0809.

Sincerely,



Steve Brown  
Certificates

c: Jerry K. and Nancy D. Arnold  
CWRE file

enclosures

STATE OF OREGON  
COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that

ALBERT DEBERMARDI  
RAELENE DEBERMARDI & GARY KENNADAY  
of 22473 N. UMPQUA HWY.      GLIDE      OR      97443  
has a right to the use of the waters of OLD HATCHERY CREEK  
a tributary of N. UMPQUA RIVER      for the purpose of  
DOMESTIC USE FOR THREE FAMILIES INCLUDING THE IRRIGATION OF  
LAWN AND GARDEN NOT TO EXCEED 1/2 ACRE FOR EACH FAMILY.

The right has been perfected under Permit 45604. The  
date of priority is FEBRUARY 23, 1981. The right is limited to  
not more than 0.020 CUBIC FOOT PER SECOND or its equivalent in  
case of rotation, measured at the point of diversion from the  
source. The point of diversion is located in the

NE 1/4 NW 1/4, Section 10, T 26 S, R 03 W, WM;  
1960 FEET NORTH & 3400 FEET WEST FROM E1/4 CORNER SECTION 10

The right shall conform to such reasonable rotation system  
as may be ordered by the proper state officer.  
A description of the place of use under the right, and to  
which such right is appurtenant, is as follows:

	1/4 1/4	SECTION	TOWNSHIP	RANGE,	WM
DOMESTIC	SE NW	10	26 S	03 W	
DOMESTIC	NE SW	10	26 S	03 W	

The right to the use of the water for the above purpose is  
restricted to beneficial use on the lands or place of use described.  
The right is subject to minimum flows established by the Water  
Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director,  
affixed this date, JANUARY 26, 1988.

/S/ WILLIAM H. YOUNG

-----  
Water Resources Director

Recorded in State Record of Water Right Certificates number 56668  
61271  
BASIN      VOL      DIST 0

RECEIVED

FEB 16 1988

WATER RESOURCES DIVISION  
SALEM, OREGON

Feb. 11, 1988

file: 61271

To Water Resources Department:

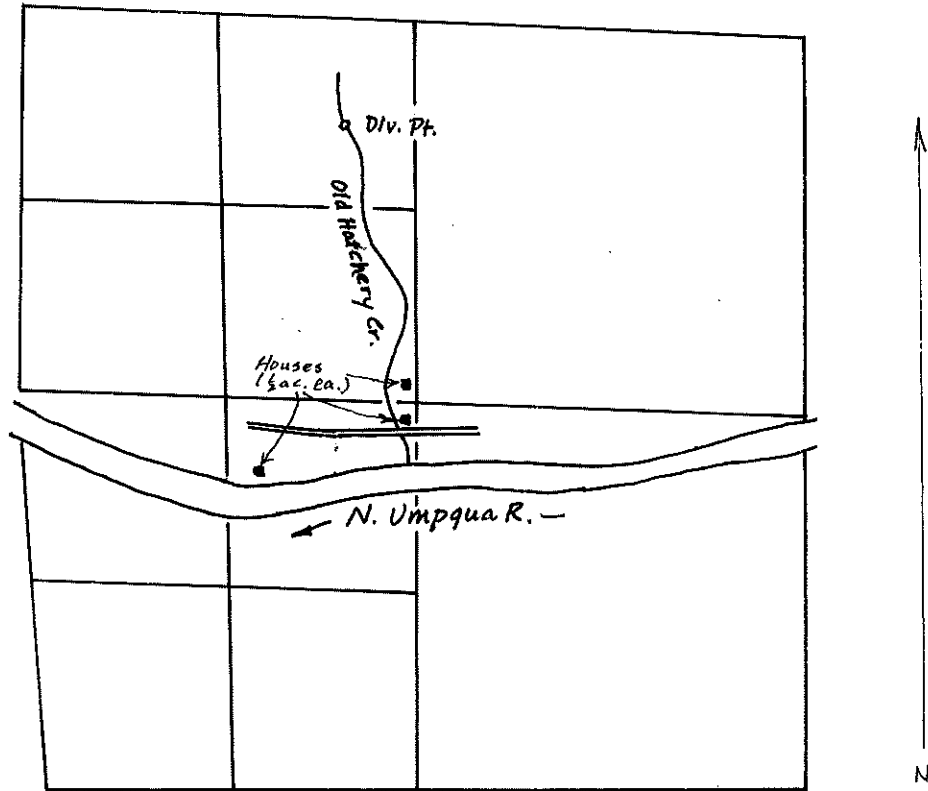
Mr. Albert DeBernardi received a letter mailed from you 1/26/88 which states: "This certificate confirms the water right established under the term of permit S 45604." Unfortunately, the Certificate of Water Right accompanying the letter was for Mr. Mark Mitchell of Curry County. We are returning Mr. Mitchell's Water Right, and hope that our Water Right will be sent to us.

sincerely -  
Gary Joe Kennaday



TOWNSHIP 26 S RANGE 3 W W. M. Card No. 3 SECTION 10

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT.																		
IF OTHER THAN 40 ACRES																		
							1/2 ac									61461	45662	
Res																61658	48389	
S <sup>o</sup>		20 <sup>s</sup>														61659	46585	
						0 <sup>14</sup>										65277	47678	
						0 <sup>34</sup>				0 <sup>40</sup>						65484	47964	
			③ Don													68254	49243	



Section 10, T. 26 S., R. 3 W., W.M.

Scale: 4" = 1 mile

Div. Pt.: 2150' N. and 3020' W. from  
the E $\frac{1}{4}$  cor. Sec. 10.

RECEIVED

FEB 23 1981

WATER RESOURCES DEPT  
SALEM, OREGON

Application No. 61271  
Permit No. 45604

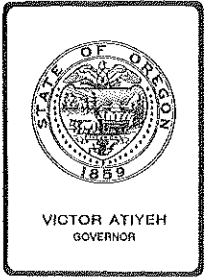
April 20, 1981

Albert & Raelene DeBernardi and  
Gary Kennaday  
22473 North Umpqua Highway  
Glide, Oregon 97443

61271

45604.





*Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or  
1-800-452-7813

April 2, 1981

Albert and Raelene DeBarnardi  
and Gary Kennaday  
22473 North Umpqua Highway  
Glide, OR 97443

REFERENCE: File 61271

Your Application 61271 to appropriate water, has been examined and is satisfactory for issuance of a permit.

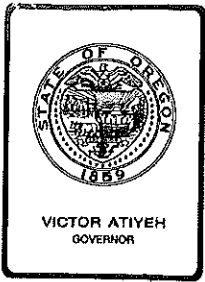
Permits will be issued for use of water from North Umpqua River its tributaries. However, water may not be available during dry periods. The water may be needed to satisfy existing rights or minimum flow standards.

Sincerely,

RALPH H. JACKSON, Supervisor  
Application/Permit Section

RHJwpc  
0470A  
4472A

COPY



*Water Resources Department*  
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or  
1-800-452-7813

February 27, 1981

Albert and Raelene DeBernardi and  
Gary Kennaday  
22473 North Umpqua Highway  
Glide, OR 97443

REFERENCE: File 61271

We have received your application for use of water for domestic use for three families, including irrigation along with the supporting data and fees. Our Receipt 22911 is enclosed. Your application has been filed and assigned number 61271.

Because of the many applications which have been filed in recent months, we are temporarily behind in our processing. Your application will be examined in detail as soon as possible. We will contact you if we need any additional information. If a permit is required to satisfy the conditions of a loan or land sale or if other emergency conditions exist, please let us know and we will attempt to process your application in the shortest possible time.

The permit approving your application will be issued without further correspondence if no additional information is required. The proposed appropriation will be subject to existing minimum flows and demands of prior rights during periods of low water.

Thank you for your patience.

Sincerely,

RALPH H. JACKSON  
Supervisor, Application/Permit Section  
Water Rights Division

RHJ:wpc  
enclosure  
0427A  
4055A

COPY

46574

NUMBER \_\_\_\_\_

Check 35.<sup>00</sup> MO Cash \_\_\_\_\_

- Surface Application
- Reservoir Application
- Ground Water Application
- Transfer Application
- Power Claim
- Hydroelectric Examination
- Hydroelectric License
- Copying
- Assignment
- Extension of Time
- Other
- P-6
- Quadrangle
- Basin
- Protest
- Contractors Examination
- Contractors License
- Operators Examination
- Operators License

FINAL PROOF CHECK LIST

FILES

- Plat Cards
- Conflicts?
- Comparisons

DRAFTING

- GLO's (Layout, Lots, DLC's)
- Quads
- Legal Description
- Section Breakdown
- Diversion Point Dimensions
- Acreages
- Township, Range, Section
- Physical Features
- Survey ID Info

FIELD FORM

- Name, Address, County
- Source
- Tributary
- Use
- Priority Date
- POD
- Time Limits, Survey Reg?
- POU
- Q-Calculations
- Rate/Duty

ASSOCIATED RIGHTS

- Total Q from Div. Point
- Primary Source Used

Reviewer DM Date 5-20-87

Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_