

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



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
503-986-0900  
www.oregon.gov/OWRD

**SECTION 1: APPLICANT INFORMATION AND SIGNATURE**

**Applicant**

|                                |  |                      |              |                                          |  |
|--------------------------------|--|----------------------|--------------|------------------------------------------|--|
| NAME<br>David and Janet Vonada |  |                      | PHONE (HM)   |                                          |  |
| PHONE (WK)<br>503-869-8688     |  | CELL<br>503-291-5226 |              | FAX                                      |  |
| ADDRESS<br>200 EAST Warren Way |  |                      |              |                                          |  |
| CITY<br>Cannon Beach           |  | STATE<br>Or          | ZIP<br>97145 | E-MAIL *<br>david@tolovanaarchitects.com |  |

**Organization**

|            |       |     |          |  |      |
|------------|-------|-----|----------|--|------|
| NAME<br>-- |       |     | PHONE    |  | FAX  |
| ADDRESS    |       |     |          |  | CELL |
| CITY       | STATE | ZIP | E-MAIL * |  |      |

**Agent** – The agent is authorized to represent the applicant in all matters relating to this application.

|                             |       |     |          |  |      |
|-----------------------------|-------|-----|----------|--|------|
| AGENT / BUSINESS NAME<br>-- |       |     | PHONE    |  | FAX  |
| ADDRESS                     |       |     |          |  | CELL |
| CITY                        | STATE | ZIP | E-MAIL * |  |      |

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

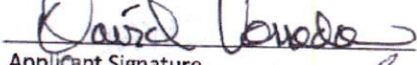
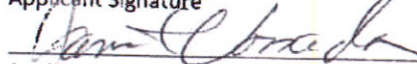
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

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I (we) affirm that the information contained in this application is true and accurate

|                                                                                                            |                                                    |                   |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-------------------|
| <br>Applicant Signature | David Vonada<br>Print Name and Title if applicable | 7-06-2022<br>Date |
| <br>Applicant Signature | Janet Vonada<br>Print Name and Title if applicable | 7-06-2022<br>Date |

For Department Use: App. Number: \_\_\_\_\_

## SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- ☒ YES, there are no encumbrances.  
☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.  
☐ NO, I have a recorded easement or written authorization permitting access.  
☐ NO, I do not currently have written authorization or easement permitting access.  
☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).  
☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Affected Landowners:** List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

**Legal Description:** You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

DN - 10W - 32CB - 2005

## SECTION 3: SOURCE OF WATER

### A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

|                                 |                                    |
|---------------------------------|------------------------------------|
| Source 1: <b>Unnamed Stream</b> | Tributary to: <b>Pacific Ocean</b> |
| TRSQQ of POD:                   |                                    |
| Source 2:                       | Tributary to:                      |
| TRSQQ of POD:                   |                                    |

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

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## B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- ☐ Yes. ☐ No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- ☐ By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

## SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:  
[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqg\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/)

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

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### Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

- ☐ Yes ☒ No

If **yes**, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

**Lower Columbia - OAR 690-033-0220 thru -0230**

Is the POD located in an area where the Lower Columbia rules apply?

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

☐ Yes ☐ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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**Statewide - OAR 690-033-0330 thru -0340**

Is the POD located in an area where the Statewide rules apply?

☐ Yes ☒ No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

For Department Use: App. Number: \_\_\_\_\_

## SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):  
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

| SOURCE         | USE      | PERIOD OF USE      | AMOUNT                                                                                           |
|----------------|----------|--------------------|--------------------------------------------------------------------------------------------------|
| unnamed stream | domestic | .005cfs year round | <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
|                |          |                    | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af            |
|                |          |                    | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af            |
|                |          |                    | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af            |

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary:    Acres

Supplemental:    Acres

Nursery Use:    Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season:   

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

## SECTION 6: WATER MANAGEMENT

### A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- ☒ Pump (give horsepower and type): **1 HP / SUMP**  
☐ Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **1" DIA. PVC PIPE TO DWELLING**

**Meter** to be provided as required.

### B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

**-**

### C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

**Meter** to be provided as required.

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## SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- ☒ Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions:

- ☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

**Note:** If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

- ☒ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation:

- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe planned actions:

- ☐ List other federal and state permits or contracts to be obtained, if a water right permit is granted.

## SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: Current  
b) Date construction will be completed: Current  
c) Date beneficial water use will begin: Current

## SECTION 9: WITHIN A DISTRICT

- ☐ Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

|                          |         |     |
|--------------------------|---------|-----|
| Irrigation District Name | Address |     |
| City                     | State   | Zip |

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## SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

This application is for the re-approval of a previous permit granted in 2006 and cancelled in 2018. (#S-54155) However, we NEVER received the notice of cancellation or we would have sought to remedy at that time.

For Department Use: App. Number: \_\_\_\_\_

- David Venada

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## Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

### Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☐ SECTION 1: Applicant Information and Signature
- ☐ SECTION 2: Property Ownership
- ☐ SECTION 3: Source of Water
- ☐ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☐ SECTION 5: Water Use
- ☐ SECTION 6: Water Management
- ☐ SECTION 7: Resource Protection
- ☐ SECTION 8: Project Schedule
- ☐ SECTION 9: Within a District
- ☐ SECTION 10: Remarks

### Include the following additional items:

- ☐ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☐ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☐ Fees - Amount enclosed: \$ \_\_\_\_\_  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- ☐ Map that includes the following items:

- ☐ Permanent quality and drawn in ink
- ☐ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☐ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☐ Reference corner on map
- ☐ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
- ☐ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☐ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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## Attachment 2: Land Use Information Form

# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
503-986-0900  
www.oregon.gov/OWRD

## Applicant

|                                |                      |              |                                         |
|--------------------------------|----------------------|--------------|-----------------------------------------|
| NAME<br>David and Janet Vonada |                      | PHONE (HM)   |                                         |
| PHONE (WK)<br>503-869-8688     | CELL<br>503-291-5226 | FAX          |                                         |
| ADDRESS<br>200 East Warren Way |                      |              |                                         |
| CITY<br>Cannon Beach           | STATE<br>Or          | ZIP<br>97145 | E-MAIL*<br>david@tolovanaarchitects.com |

*LOT 2005 MAP FN-10W-3200*

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

| Township | Range | Section | X X | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be:                                                                                      | Proposed Land Use: |
|----------|-------|---------|-----|-----------|-------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------|
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used |                    |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used |                    |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used |                    |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used |                    |

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

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## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water    ☐ Water Right Transfer    ☐ Permit Amendment or Groundwater Registration Modification  
☐ Limited Water Use License    ☐ Allocation of Conserved Water    ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond    ☐ Groundwater    ☒ Surface Water (name) Umatilla

Estimated quantity of water needed: \_\_\_\_\_ ☐ cubic feet per second    ☐ gallons per minute    ☐ acre-feet

Intended use of water: ☐ Irrigation    ☐ Commercial    ☐ Industrial    ☒ Domestic for 1 household(s)  
☐ Municipal    ☐ Quasi-Municipal    ☐ Instream    ☐ Other \_\_\_\_\_

Briefly describe:

## Domestic water consumption for 1 residence

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

| Type of Land Use Approval Needed<br>(e.g., plan amendments, rezones,<br>conditional-use permits, etc.) | Cite Most Significant, Applicable Plan<br>Policies & Ordinance Section References | Land Use Approval:                                                   |                                                                                                 |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Development Permit                                                                                     |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input checked="" type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued            |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued            |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued            |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued            |

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

Previously acquired necessary permits

|                                            |                          |
|--------------------------------------------|--------------------------|
| NAME<br><b>DAVID COOK</b>                  | TITLE:<br><b>Planner</b> |
| SIGNATURE<br><i>David Cook</i>             | DATE:<br><b>7/6/22</b>   |
| PHONE:<br><b>503 325 8611</b>              |                          |
| GOVERNMENT ENTITY<br><b>Clatsop County</b> |                          |

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

### Receipt for Request for Land Use Information

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_

Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_

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# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
503-986-0900  
www.oregon.gov/DWRD

## Applicant

|                                |                      |              |                                         |
|--------------------------------|----------------------|--------------|-----------------------------------------|
| NAME<br>David and Janet Vonada |                      | PHONE (HM)   |                                         |
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| ADDRESS<br>200 East Warren Way |                      |              |                                         |
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LOT 2005 WRAP FN-10W-3200

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

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|----------|-------|---------|-----|-----------|-------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------|
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used |                    |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used |                    |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used |                    |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used |                    |

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

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☐ Limited Water Use License    ☐ Allocation of Conserved Water    ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond    ☐ Groundwater    ☒ Surface Water (name) Unwanna

Estimated quantity of water needed: \_\_\_\_\_ ☐ cubic feet per second    ☐ gallons per minute    ☐ acre-feet

Intended use of water: ☐ Irrigation    ☐ Commercial    ☐ Industrial    ☒ Domestic for 1 household(s)  
☐ Municipal    ☐ Quasi-Municipal    ☐ Instream    ☐ Other \_\_\_\_\_

Briefly describe:

**Domestic water consumption for 1 residence**

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**Please check the appropriate box below and provide the requested information**

- ☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                        |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |

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

|  |
|--|
|  |
|--|

|                   |        |        |
|-------------------|--------|--------|
| NAME              |        | TITLE: |
| SIGNATURE         | PHONE: | DATE:  |
| GOVERNMENT ENTITY |        |        |

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_



3-20-00  
1-1-00  
RECEIVED

**TICOR TITLE INSURANCE**

09913391

99 NOV 12 PM 4:07

**STATUTORY WARRANTY DEED**

CLATSOP COUNTY CLERK

\$45 -

CANNON BEACH RURAL FIRE PROTECTION DISTRICT Grantor, conveys and warrants to MICHAEL L. FRAILEY AND RITA M. FRAILEY, HUSBAND AND WIFE Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in CLATSOP County, Oregon, to wit:

SEE "LEGAL DESCRIPTION" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.0930. The said property is free from encumbrances except SEE DEED EXEPTIONS ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

The true consideration for this conveyance is \$20,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 9 day of NOV. 19 99

CANNON BEACH RURAL FIRE PROTECTION DIST.

ALFRED A. AYA, PRESIDENT

State of Oregon, County of \_\_\_\_\_

The foregoing instrument was acknowledged before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
by \_\_\_\_\_

State of Oregon, County of CLATSOP

The foregoing instrument was acknowledged before me  
this 9 day of NOV., 1999  
by ALFRED A. AYA President

and \_\_\_\_\_ Secretary  
of Cannon Beach Rural Fire Protection Dist.  
a \_\_\_\_\_  
corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires: \_\_\_\_\_



OFFICIAL SEAL  
**S DIANE PIKE**  
NOTARY PUBLIC-OREGON  
COMMISSION NO. 861371  
MY COMMISSION EXPIRES FEB. 12, 2001

Notary Public for Oregon

My commission expires: \_\_\_\_\_

**WARRANTY DEED**

This Space Reserved for Recorder's Use

GRANTOR: CANNON BEACH RURAL FIRE  
PROTECTION DIST.

GRANTEE: MICHAEL L. FRAILEY  
Until a change is requested, all tax statements shall be  
sent to the following address:  
MICHAEL L. FRAILEY  
P.O. BOX 126  
TOLOVANA PARK, OR 97145

Escrow No. 4-85141 Title No. 4-85141

After recording return to:  
MICHAEL L. FRAILEY  
P.O. BOX 126

TOLOVANA PARK, OR 97145

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JUL 06 2004

**OWRD****RECEIVED**

AUG 26 2004

WATER RESOURCES DEPT  
SALEM, OREGON

B1030P462

RECORDED BY TICOR  
TITLE INS. CO. 4

**TICOR TITLE INSURANCE**

81030P463

(Tax Acct No. 1002 51032CB 00302 ID# 63385A1)  
VACANT LAND/OREGON COAST HIGHWAY

1. The premises herein described are within and subject to the statutory powers, including the power of assessment of Sunset Empire Parks and Recreation District.
2. Rights of the public in and to that portion lying within U.S. Highway 101.

3. Access Restrictions, including the terms and provisions thereof, contained in Deed,

From: Margaret D. Sroufe

To: State of Oregon, by and through its State Highway Commission

Dated: October 5, 1970

Recorded: February 8, 1971

Book: 343

Page: 967

Records of CLATSOP County, Oregon.

4. Road Maintenance Agreement, including the terms and provisions thereof,  
Between: Cannon Beach Rural Fire Protection District

And: Michael H. Sroufe

Dated: April 11, 1985

Recorded: April 11, 1985

Book: 635

Page: 192

Records of CLATSOP County, Oregon.

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WATER RESOURCES DEPT  
SALEM, OREGON



B1030P464

## EXHIBIT 'A'

## LEGAL DESCRIPTION

Beginning at the Southeast corner of the Northwest one-quarter of the Southwest one-quarter of Section 32, Township 5 North, Range 10 West of the Willamette Meridian, Clatsop County, Oregon;  
thence Northerly along the East line of the Northwest one-quarter of the Southwest one-quarter of said Section 32 a distance of 840 feet, more or less, to a line which is 250 feet South of, as measured perpendicularly to, the South line of Warren Way as described in Dedication Deed recorded in Book 139, page 152, Deed Records, Clatsop County, Oregon;

thence Westerly along said line which is 250 feet South of, as measured perpendicularly to, the South line of said Warren Way to the East line of Parcel No. 3 described in Deed from Emma H. Warren to the State of Oregon, by and through its State Highway Commission, recorded in Book 175, page 277, Deed Records, Clatsop County, Oregon, which point is the true point of beginning marked by a 5/8" rebar with 1" plastic cap;

thence South 4° 28' 38" West along the East line of said Parcel No. 3, 210.00 feet;

thence South 89° 34' 49" East parallel with the South line of said Warren Way 210.00 feet;

thence North 4° 28' 38" East parallel with the East line of said Parcel No. 3, 210.00 feet to a point which is 250 feet South of, as measured perpendicularly to, the South line of said Warren Way;

thence North 89° 34' 49" West along said line which is 250 feet South of, as measured perpendicularly to, the South line of said Warren Way 210.00 feet to the point of beginning.

TOGETHER WITH a non-exclusive easement for ingress and egress 50.00 feet in width, which is described as follows:

Beginning at the Southeast corner of the above described parcel;

thence South 10° 41' 52" East 152.82 feet to the Northeast corner of that tract described in Book 218, page 497, Deed Records, Clatsop County, Oregon;

thence South 4° 28' 38" West along the East line of said tract described in Book 218, page 497, Deed Records, Clatsop County, Oregon, 100.29 feet;

thence South 85° 31' 32" East 50.00 feet;

thence North 4° 28' 38" East 106.95 feet;

thence North 10° 41' 52" West 152.82 feet;

thence North 4° 28' 38" East 43.34 feet;

thence North 85° 31' 22" West 50.00 feet to the East line of the above described parcel;

thence South 4° 28' 38" West along the East line of said aforementioned parcel 50.00 feet to the point of beginning.

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JUL 06 2002

OWRD

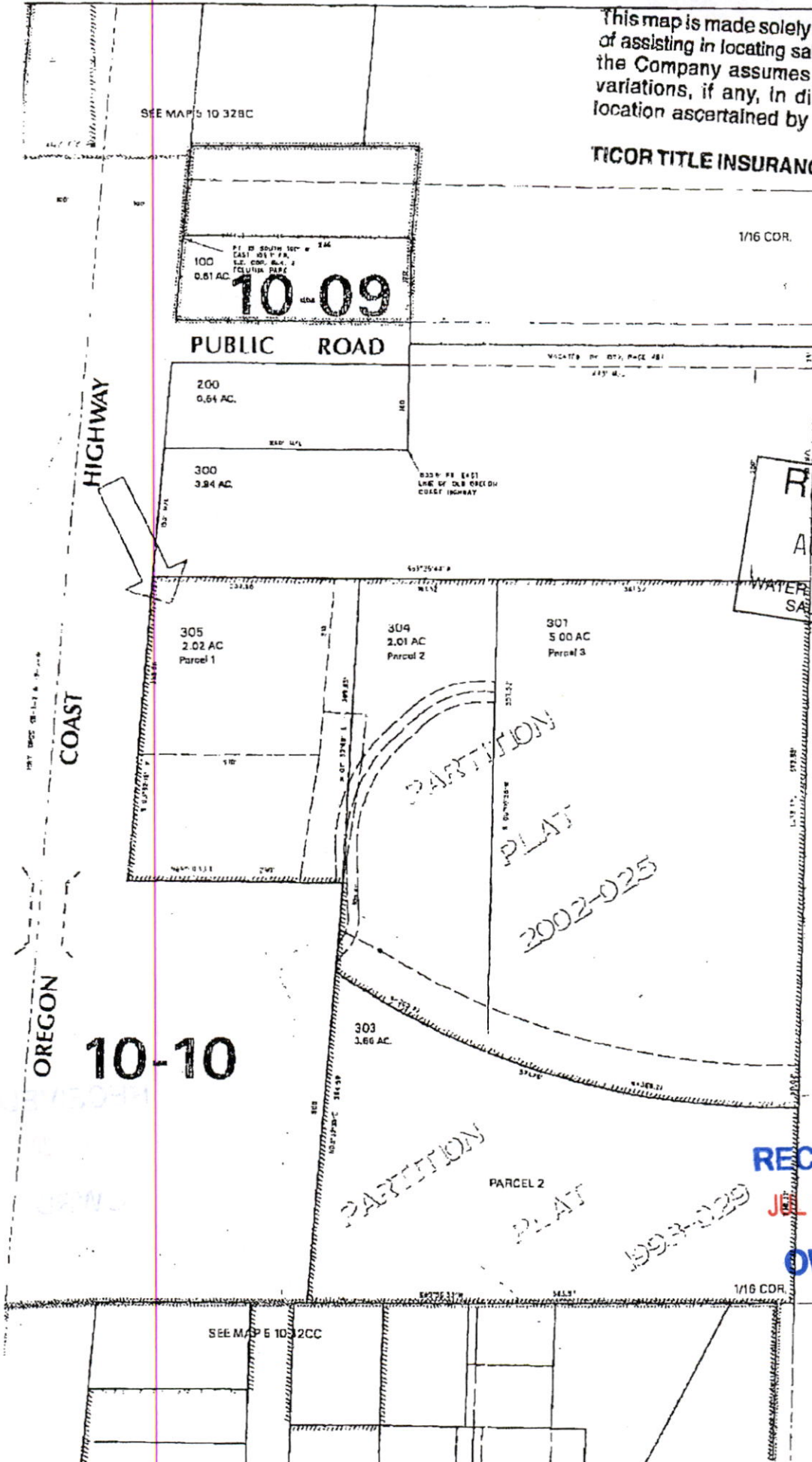
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AUG 26 2004

WATER RESOURCES DEPT  
SALEM, OREGON

This map is made solely for the purpose of assisting in locating sale premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

TICOR TITLE INSURANCE COMPANY



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SALEM, OREGON

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