STATE OF OREGON WATER RESOURCES DEPARTMENT ADJUDICATION SECTION

TO: Reed Marbut DATE: May 29, 1992

FROM: Don Knauer

SUBJECT: Indorsement of SWR-48

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made a inspection of the property identified in the claim and I have reviewed the WRD records. Based on my review and inspection I suggest the following information be included on the " Notice of Proposed Order " under ORS 539.240 (8):

NAME: Gerald Kamph PO Box 68 ADDRESS:

Langlois OR 97450

SOURCE: New River, Bono ditch, Bono Lake, and New Lake all

tributaries to the Pacific Ocean.

USE: Stockwater.

PRIORITY DATE: 1850

AMOUNT OF WATER FOR EACH CLAIMED USE:

0.0225 CFS for stockwater.

DIVERSION POINT: Stock Direct

PLACE OF USE:

New River

Stock Direct NE% NE% Stock Direct NW1 NE1 Stock Direct SW1 NE1 Stock Direct SE1/2 SW1/2 Stock Direct NW4 SE4 Stock Direct SW1 SE1 Section 28, Stock Direct NE% NW%

Section 33,

Township 30 S., Range 15 W., W.M.

Bono Ditch

Stock Direct SW4 NE4 Stock Direct NE% SW% Stock Direct NW4 SW4 Stock Direct SW¼ SW¼
Section 27,
Stock Direct SE¼ SE¼
Section 28,
Stock Direct NE¼ NE¼
Stock Direct NW¼ NE¼
Stock Direct NE¼ NW¼
Section 33,
Township 30 S., Range 15 W., W.M.

Bono Lake

Stock Direct NE¼ SW¼

Section 27,

Township 30 S., Range 15 W., W.M.

New Lake

Stock Direct SW NE NE Section 27,
Township 30 S., Range 15 W., W.M.

PERIOD OF USE:

Stock Direct use allowed all year.

FILE C:\WP51\SWR\CLAIMANTS\SWR-0048.0IM

INTEROFFICE MEMORANDUM

Oregon Water Resources Department Adjudication Section

TO: SWR #48

FROM: Don Knauer

DATE: March 10, 1992

SUBJECT: FIELD INSPECTION

On March 4, 1992 Dwight French and I made a field inspection and talked to Gerald Kamph about his water use. We found that the information on the form and the map appears to be correct and accurate.

DEC. 13, 1991

RE: #SWR-48

WATER RESOURCES DEPT 3850 PORTLAND ROAD NE SALEM, OR 97310

Dear Don,

Please find the requested mylar enclosed. The changes mentioned are complete. Thank you for your time.

CARY MORTON
PRAHAR SURVEYING
1045 BALTIMORE
BANDON, OR 97411
(503)347-9517



December 11, 1991

WATER

RESOURCES

DEPARTMENT

John P. Prahar Prahar Surveying 1045 Baltimore Bandon OR 97411

re: surface water registration - Gerald Kamph (#SWR-48)

Dear Mr. Prahar,

I am returning three of the copies of the map you submitted for Mr. Kamph's surface water registration. I am sending some map information which shows we need "ink on permanent quality paper". In the future I would prefer a single map on plastic film such as mylar but any medium which will be a permanent record will be accepted. I would suggest you add a "disclaimer" to your future maps for registration statements.

The map for SWR-48 shows Mr. Kamph's zip code as 97415 the form shows his zip code as 97450. Would you please let me know which one is correct? I can make the change without returning them to you.

I am also returning the "land use form" you sent with the claim. This form is not required for a registration statement. I have kept a copy in the file simply for reference.

If you have any questions or comments please give me a call.

Sincerely,

Don Knauer

Adjudication Specialist

enc

A:SWR-0048.002

Mazcu4, 1992

FIRM INSPECTION FURNITHOUSE CIVELES



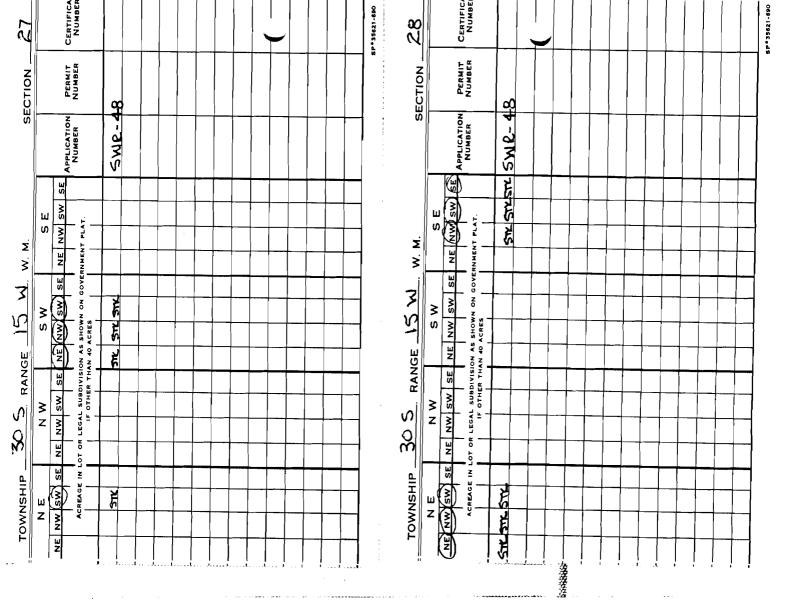


SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 81580	
CHECK ENCLOSURES <u>OWF</u>	BASIN # 17 SOUTH COAST
CHECK BASIN MAP <u>OWF</u>	SOUTH COAST
UNADJUDICATED AREA ? O.K.	
SURFACE WATER REGISTRATION NUMBER <u>SWR-48</u>	
ACKNOWLEDGEMENT LETTER DWF	
ENTER ON STREAM INDEX DWF Prem. Das	nt h
CHECK QUADRANGLE MAP	nt h
CHECK GLO PLATS	Not, Pal A
FORM REVIEW	
source and trib diversion point location conveyances (pipes, ditch, etc.) place of use scale township, range, section north arrow CWRE stamp disclaimer date survey was performed P.O.B. of survey BCIP dimensions and capacity of diversio "beneficial use" type title "permanent-quality" paper	n system
EXISTING WATER RIGHT RECORD CHECK	
ENTER ON PLAT CARDS	
A:SWRCHECK	

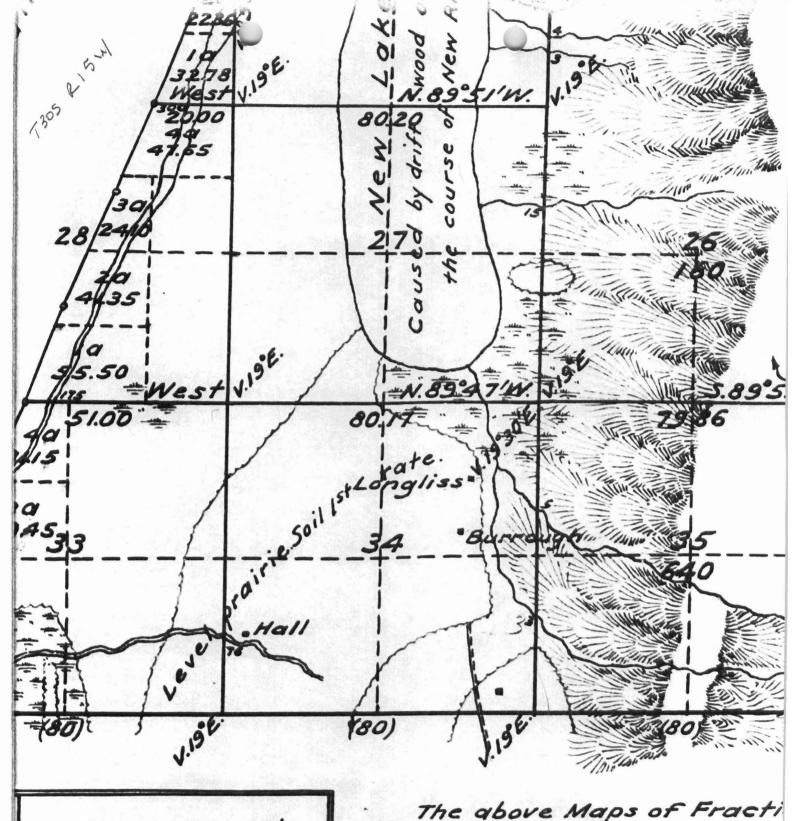
10-15-91



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As ob today (12.6.91) there are no plat cards for see. 27,28,33434



When surveyed

December 7th, 1857

December 7th, 1857

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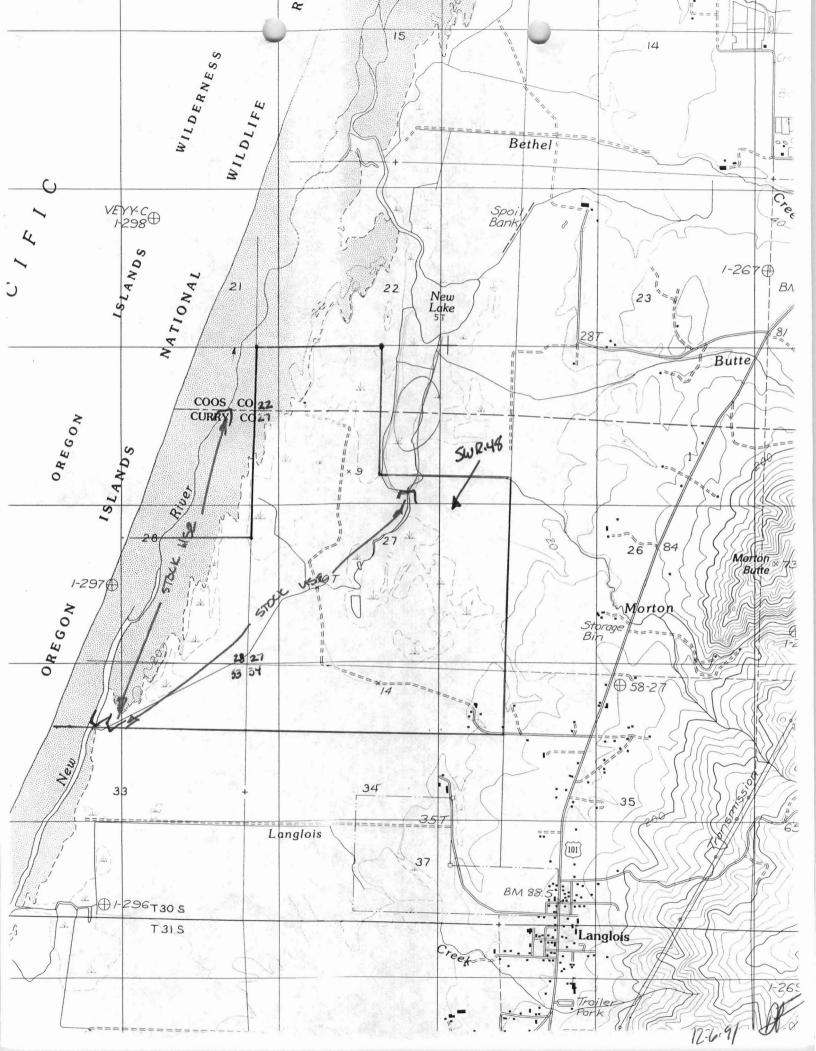
Comm. Jan. 31, 1879

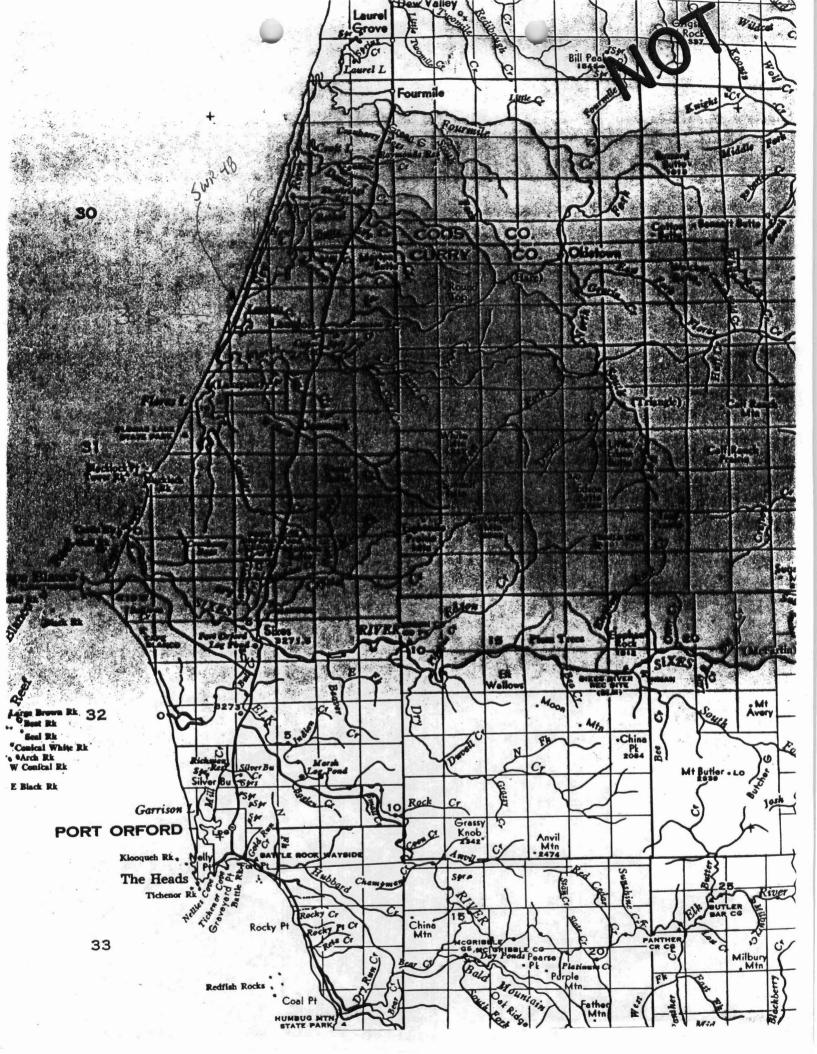
Comp. Feb. 3d, 1879

The above Maps of Fraction of Range No. 15 West, of the Volume of Oregon, is strictly conformations survey thereof on file in this examined and approved.

Surveyor General's Office, Salem, December 7th, 1857.

(5)







WATER
RESOURCES
DEPARTMENT

December 5, 1991

Gerald Kamph P.O. Box 68 Langlois, OR 97450

RE: Surface Water Registration

Dear Mr. Kamph:

This will acknowledge that your Surface Water Registration Statement in the name of Gerald Kamph has been received by our office. The fees in the amount of \$ 200.00 have been received and our receipt # 81580 is enclosed. Your registration statement has been numbered SWR-48.

Our office will review your form and map in the near future. If necessary we will schedule a meeting with you that will include a site inspection. If there are problems with your form we are usually able to take care of them during our visit. We will be able to answer any questions you might have about the adjudication process at that time.

Please feel free to contact this office if you have any questions.

Sincerely,

Dwight French

Adjudication Section

enc

A: ACKLTR SW 2-0048,001



STATE OF OREGON

RECEIPT # 81580 WATER RESOURCES DEPARTMENT
3850 POR 1D ROAD NE
SALEM, OR 97310

378-3739/378-8130 (FAX)

EIVED FROM	N: ACMINA KOM		APPLICATION	
	1 \		PERMIT	
			TRANSFER	
d: CF	HECK: # OTHER: (IDENTIFY)			
	<u> XP34-12</u> [TOTAL REC'D	500 E
<u>01-00-0</u>	WRD MISC CASH ACCT			
842.010	ADJUDICATIONS			800
831.087	PUBLICATIONS/MAPS			\$
830.650	PARKING FEES Name/month			\$
	OTHER: (IDENTIFY)			\$
02-00-0	FEDERAL FUNDS			
02 00 0	OTHER: (IDENTIFY)	1		\$
	(IDEITITE)			
03-00-0	WRD OPERATING ACCT			
	MISCELLANEOUS:	_		
840.001	COPY FEES			\$
880.109	MISC REVENUE: (IDENTIFY)			\$
520.000	OTHER (P-6): (IDENTIFY)			\$
	WATER RIGHTS:	EXAM FEE		RECORD F
842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$
	WELL CONSTRUCTION	EXAM FEE		LICENSE F
842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
842.016	WELL DRILL OPERATOR	\$	842.019	\$
	LANDOWNER'S PERMIT		842.024	\$
	WELL CONST START FEE	т		
06-00-0 842.013	WELL CONST START FEE WELL CONST START FEE		CARD #	Ι
042.010	MONITORING WELLS	\$	CARD #	
45-00-0	LOTTERY PROCEEDS		CARD #	L
864.000	LOTTERY PROCEEDS	1		\$
69001	SUSPENSE ACTIVITY	LIC NUMBER		
842.115	POWER LICENSE FEE(FW)	<u></u>		\$
842.115	HYDRO LICENSE FEE(FW)			\$
832.009	HYDRO EXAM FEE(GF)			\$

RECEIPT # 8 1 3 8 U

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Brown Copy-Fiscal

WARRANTY DEED

THIS INDENTURE WITNESSETH, That John B. Bono and Rose M. Bono, husband and wife, of Langlois, Oregon, for the consideration of the sum of Two hundred Dollars, to them paid have bargained and sold and by these presents do bargain, sell and convey unto E. M. Kamph and Melita L. Kamph, husband and wife, of Smith River, California, the following described premises, to-wit:

Sixteen (16) acres of land in the Northwest quarter (NW_4) of Section thirty-five (35), Township thirty (30) South, Range 15 West of the Willamette Meridian in Curry County, State of Oregon, and being that identical parcel described in Deed recorded in Book 18, Record of Deeds of Curry County, Oregon, at page 639 thereof;

TO HAVE AND TO HODD the said premises, with their appurtenances unto the said E. M. Kamph and Melita L. Kamph, their Heirs and Assigns

And the said John B.Bono and Rose M. Bono, do hereby covenant to and with the said E. M. Kamph and Melita L. Kamph, their heirs and assigns that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 25th., day of April. 1944.

Done in Presence of:

John B. Bono

Seal)

Harry A. Slack

Rose M. Bono

(Seal)

STATE OF OREGON:)

) ss.

COUNTY OF COOS:

On this 25th day of April, 1944, personally came before me, a Notary Public in and for said County and State, the within named John B. Bono and Rose M. Bono, his wife, to me personally known to be the identical person described in and who executed the within instrument and who each personally acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named. Witness my hand and official seal this 25th. day of April, 1944.

(Notary Seal)

Harry A. Slack
Notary Public for Oregon

My Commission Expires May 11, 1946.

Filed and recorded May 8, 1944. Oleta A. Walker, Clerk.

State of Oregon

SS.

County of Curry

I, Oleta A. Walker, County Clerk and Clerk of the County Court of the County and State aforesaid, do hereby certify that the foregoing copy of Warranty Deed, John B. Bono, et ux., to E. M. Kamph et ux., has been by me compared with the original, and that it is a correct transcript therefrom, and of the whole of such original Warranty Deed as the same appears on record in volume 28 of deeds, page 274 at my office and in my custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed

the seal of said Court this 29th day of October, 1948.

Clerk.

THIS INDENTURE WITNESSETH, That John B. Bono and Rose M. Bono, husband and wife, Joseph Bono, unmarried, and Charles B. Bono, unmarried for the consideration of the sum of Ten Dollars, to them paid, have bargained and sold and by these presents do bargain, sell and convey unto E. M. Kamph and Melita L. Kamph, husband and wife, of Smith River, California, the following described premises, towit:

Lot numbered one (1) and the East half (E_{2}) of the Southeast quarter (SE_{4}) of Section twenty-eight (28); the North half (N_{2}) of the North half (N_{2}) of the North half (N_{2}) of Section thirty-three (33); and also the North half (N_{2}) of Section thirty-four (34), all in (Township thirty (30) South) Range Fifteen (15) (West of the) Willamette Meridian in) curry County, State of Oregon; also the Southwest quarter (SW_{4}); the Northwest quarter (SW_{4}); the Southwest quarter (SW_{4}); and the Southeast quarter (SE_{4}); all in Section twenty-seven (27), Township thirty (30) South, Range fifteen (15) West of the Willamette Meridian in Curry County, State of Oregon.

DOCUMENTARY STAMPS AFFIXED AND CANCELLED (\$42.00)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said E. M. Kamph and Melita L. Kamph, their heirs and assigns forever.

And the said John B. Bono and Rose M. Bono, Joseph Bono, and Charles B. Bono do hereby covenant to and with the said E. M. Kamph and Melita L. Kamph, their heirs and assigns that they are the owner in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 25th day of April, 1944.

John B. Bono (SEAL)

Rose M. Bono (SEAL)

Joseph Bono (SEAL)

Charles B. Bono (SEAL)

STATE OF OREGON,) Charles B. Bono (SEAL)

County of Umatilla.)

This is to certify that on this 1st day of May, A.D. 1944 before me, the undersigned, a notary public in and for the county and state aforesaid, personally appeared the above named Joseph Bono and Charles B. Bono, to me known to be the identical individuals described in and who executed the within and foregoing instrument and who each acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein expressed.

In witness whereof I have hereunto set my hand and affixed my notarial seal, the day and year first in this, my certificate,

written.

NOTARY SEAL

G. H. Bishop

Notary Public for Oregon

My Commission expires Feb. 15, 1946.

STATE OF OREGON,)
SS.
County of Coos.)

On this 25th day of April 1944, personally came before me, a Notary Public in and for said County and State, the within named John B. Bono and Rose M. Bono his wife, to me personally known to be the identical persons described in and who executed the within instrument and who each personally arknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

WITNESS my hand and official seal this 25th. day of April 1944.

Notary Seal.

Harry A. Slack
Notary Public for Oregon
My Commission expires May 11, 1946.

Filed and recorded Nov. 8, 1945. Oleta A. Walker--County Clerk.

STATE OF OREGON,)

SS.

County of Curry.)

I, Öleta A. Walker, County Clerk and Clerk of the County Court of the County and State aforesaid, do hereby certify that the foregoing copy of Warranty Deed From John B. Bono, et als, to E. M. Kamph, et ux has been by me compared with the original, and that it is a correct transcript therefrom, and of the whole of such original Warranty Deed as the same appears recorded in volume 30, pages 94-5 of deeds, at my office and in my custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the

seal of said Court, this 29th day of Oct.,1948.

Clerk

THIS INDENTURE WITNESSETH, That Joseph Bono unmarried, for the consideration of the sum of ten (\$10.00) dollars, to him paid has bargained and sold and by these presents does bargain and sell and convey unto E M Kamph and Melita L Kamph, husband and wife the following described premises, to-wit:

Lots three and four of section thirty three in township thirty south of range fifteen west of the willamette Meridian in Curry County Oregon containing eighty and sixty hundredths acres.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said E M Kamph and Melita L Kamph hushand and wife their heirs and assigns forever.

And the said Joseph Bono does hereby covenant to and with the said E M Kamph and Melita L Kamph, their heirs and assigns that he is the owner in fee simple of said premises; that they are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31st day of March 1947.

Joseph Bono

(seal)

55¢ documentary stamps cancelled 4/3/47

STATE OF OREGON,

:SS

County of Umatilla

On this 31st day of March, 1947, personally came before me a Notary Public in and for said county and state the within named Joseph Bono to me personally known to be the identical person described in and who executed the within instruments and who

The Southwest quarter $(SW_{4}^{\frac{1}{2}})$ of the Northeast quarter $(NE_{4}^{\frac{1}{2}})$; the Northwest quarter $(SW_{4}^{\frac{1}{2}})$; the Southwest quarter $(SW_{4}^{\frac{1}{2}})$ and the Southeast quarter $(SE_{4}^{\frac{1}{2}})$; all in Section twenty-seven (27); Lot numbered one (1) and the East half $E_{2}^{\frac{1}{2}}$) of the Southeast quarter $(SE_{4}^{\frac{1}{2}})$ of Section twenty-eight (28); lots three and four; the North half $N_{2}^{\frac{1}{2}}$) of the Northeast quarter $(NE_{4}^{\frac{1}{2}})$ of Section thirty-three (33); the North half $(N_{2}^{\frac{1}{2}})$ of the North half $(N_{2}^{\frac{1}{2}})$ of Section thirty-four (34); sixteen (16) acres of land in the Northwest quarter $(NW_{4}^{\frac{1}{2}})$ of Section thirty-five (35); all of the above in Township thirty (30) South, Range fifteen (15) West of the Willamette Meridian in Curry County, State of Oregon,

Note to Applicant: This sheet will provide local planning staff with a pasic description of your proposed water uses, Applicant Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning i cilices complete your land use information form duickly

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the iano use information form. If needed, please make a separate copy for your records.

Applicant Name: Gerald Kamph

Address: **P.O. Box 68**

Langlois, DR 97415

Phone: (503)348-2250

	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
	Irrigation (crop type, golf course, nursery or greenhouse);
X	Livestock (type of livestock, feedio:, slaughterhouse): Cattle
	Residential (# units, single or multi-family, # lots if partition or suppliesion):
	Commercial (i.e., retail, office, restaurant, gas station, notel, 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 (oam, reservoir, power generating or transmitting facilities): Other (Name and list key characteristics):

indicate sources for the proposed water use pelow:	indicate the estimated quantity of water the use will require.
Surface Water Name sources: Bono Ditch New River Bono Lake New Lake Reservoir or pond	Cubic teet per second Galions per minute Acre-Feet
Ground Water	

Water Resources Department, 3850 Portland Rd. NE, Saiem, OR 97310

Pnone: 378-3671

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Version: 8/30/90

Land Use Info nat (1) Form: Water Right Transfers, 1/2 e of Conserved Water, Exchanges

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: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) you are applying for a water right transfer involving: a) a change in the place of use with no structural changes, and b) irrigation uses located in irrigation districts or exclusive farm use zones.

Applicant's N	Vame: . Gerald Kamph	
Address:	P.O.Box 68	
City:	Langlois	State: 0rZip: _97415
Phone:	(503)348-2250	WRD Application No.:

Please provide information as requested below for <u>all tax lots</u> 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.

		Ch	eck All That Ap	poly
Tax Lot or Local	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Water Diverted	Water Conveyed	Water - Used
TL 700,708 L			人	
709,710,705 L	FFII	X	Χ	_X
707.704.711				
718 719 720		×		

The following section must be completed by <u>all</u> local planning departments responsible for the property(les) 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 for inclusion in the application.

- a) Check the appropriate box below and provide requested information.
 - 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): ZONING DED. SEET. 3.DT1. Go to section b) on reverse side.

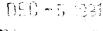
Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

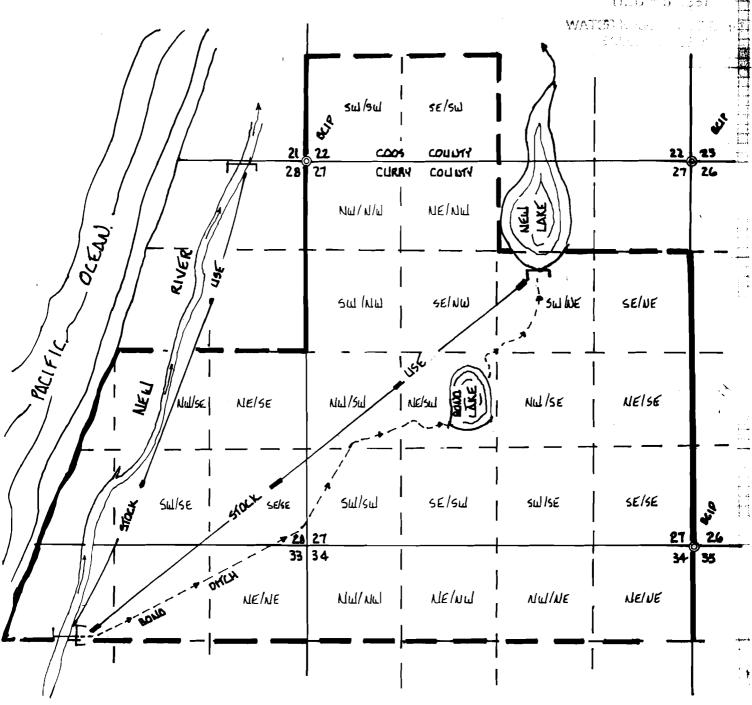
Type of Land Use Approvals Needed	Cite Most Significant,	Please check the box that applies:					
(a.g.: plan amendments, rezones, conditional use permits, etc.)	Applicable Plan Policies & Ordinance Section References	Aiready Obtained	Already Denied	Being Pursued Satisfactorily			
				٠			
			1				

DEC -5 8891 b) Please provide printed name and written signature. Date: DEC. 3, 1991 CHAPLES E. NOROSTROM Name: Phone: 247-7011 x 285 PLANNING DIRECTOR Title: Signature: 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:**

TOWNSHIP SOUTH, RANGE 15-NEST,

COOS AND CURRY COUNTIES, OR





MAP TO ACCOMPANY A SURFACE WATER REGISTRATION STATEMENT PRE-1909

PREPARED FOR: GERALD KAMPH

P.O. Box 68 Langlois, OR.. 97415

PREPARED BY: Prahar Surveying

1045 Baltimore Bandon, OR 97411 (503)347-9517

LEGEND: — ownership lines

areas of rivers-ditches for stock watering/described in the remarks section of application

DATE:

DEC. 2, 1991

SCALE:

1"==1320'



