

July 27, 1994

FRANCIS WHITE  
93358 ELK RIVER RD  
PORT ORFORD OR 97465

re: SWR-49

Dear Ms. White,

I spoke with Mary Cory the other day who asked that I write you a letter to explain your situation with your claim to a pre-1909 vested water right. Let me briefly describe your situation.

You have met all of the statutory requirements in filing your claim to a pre-1909 vested water right. You have the legal right to use the water as described in your claim. As an adjudication of the water rights in your area begins, you will be notified by certified mail. There is nothing in your file that would indicate any problems or questions about your water right.

Again, you have the legal right to continue to use the water as described in your claim. If you have any questions, please give me a call. The toll free number is 1-800-624-3199.

Sincerely,



Don Knauer  
Adjudication Specialist

j:\w\slc\0\swr-0049.005



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Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
ADJUDICATION SECTION

TO: Reed Marbut  
FROM: Don Knauer

DATE: May 29, 1992

SUBJECT: Indorsement of SWR-49

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made an 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: Frances White  
ADDRESS: 93358 Elk River Rd.  
Port Orford OR 97465

SOURCE: Unnamed Spring a tributary of Elk River.

USE: Domestic use for one family

PRIORITY DATE: June 1907

AMOUNT OF WATER FOR EACH CLAIMED USE:

0.01 CFS for domestic use.

DIVERSION POINT:

SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 28, T. 32 S., R. 15 W., W.M.

PLACE OF USE:

Domestic NE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 28,  
Township 32 S., Range 15 W., W.M.

PERIOD OF USE:

Domestic use allowed all year.

FILE C:\WP51\SWR\CLAIMANTS\SWR-0049.0IM

INTERDEPARTMENT MEMO

TO: Watermaster District # 19  
FROM: Adjudication Section  
RE: Surface Water Registration

SEP 21 1992  
John Ortolano

Enclosed is a copy of a Registration Statement and accompanying map that has been filed in your district. It has been numbered SWR # 49. - Frances White

We are gathering information about this claim to a pre-1909 water use and would like you to assist us by filing out the checklist below and including any comments that you think might be of significance.

(Yes or No)

- 1. Do you know anything about this water use?     N
- 2. Have there been any distribution problems relating to this claim?     N
- 3. Do you have reason to believe that the claimed priority date is not accurate?     N
- 4. Does the quantity of water claimed look unreasonable for the uses named?     Y
- 5. Does the place of use look to be accurately depicted by the CWRE map enclosed?     Y
- 6. Do you know if there has been a period of more than a five years of non-use?     N
- 7. Should someone in our section contact you concerning this claim?     N

*[Signature]*  
WM # 19  
09-21-92

If you answered yes to any of the above questions, please explain below on an additional sheet of paper.

Attach any memo's or correspondence that deal with this water use and return to the Adjudication Section at the address below.

Thank you for your assistance.

Sincerely,  
*[Signature]*  
Adjudication Section

Enclosures

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 82013 CHECK ENCLOSURES DWF

CHECK BASIN MAP DWF UNADJUDICATED AREA ? YES

SURFACE WATER REGISTRATION NUMBER # 49

PRELIMINARY DATA BASE ENTRY h

ACKNOWLEDGEMENT LETTER DEK/DWF ENTER ON STREAM INDEX Logville Misc. h

PUBLIC NOTICE PUBLICATION h WATERMASTER CHECKLIST h

CHECK QUADRANGLE MAP DWF CHECK GLO PLATS DWF

FORM REVIEW

- blanks filled in
- signed
- date received stamped

SOUTH COAST  
BASIN 17

MAP REVIEW

- source and trib NO 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
- dimensions and capacity of diversion system
- "beneficial use" type title
- "permanent-quality" paper

WATER RIGHT RECORD CHECK dek ENTER ON PLAT CARDS \_\_\_\_\_

FIELD INSPECTION dek FINAL FILE REVIEW dek

FINAL DATA BASE ENTRY \_\_\_\_\_

A: SWRCHECK

12-24-91

FIELD INSPECTION - MARCH 4, 1992 dek

March 24, 1992

Frances White  
93358 Elk River Rd.  
Port Orford OR 97465

re: SWR-49

Dear Ms. White,

This letter is to confirm the information I gave to you in our telephone conversation today. We talked about the map prepared by John Prahar which you submitted with your registration statement in December 1991. After reviewing the map, I returned it and my suggestions to Mr. Prahar's office. I was told by his office that they are no longer working for you.

Considering I made a visit to your property and I have reviewed all of the information available, I will accept the map as originally submitted. I do not want you to have to go to the added expense of hiring another certified water right examiner to get the mapping requirements completed.

Our office will complete the final review of your claim in the near future. You will be informed of any decisions following that review.

Sincerely,



Don Knauer  
Adjudication Specialist

(C:\WIS\C\SWR-0049.004)



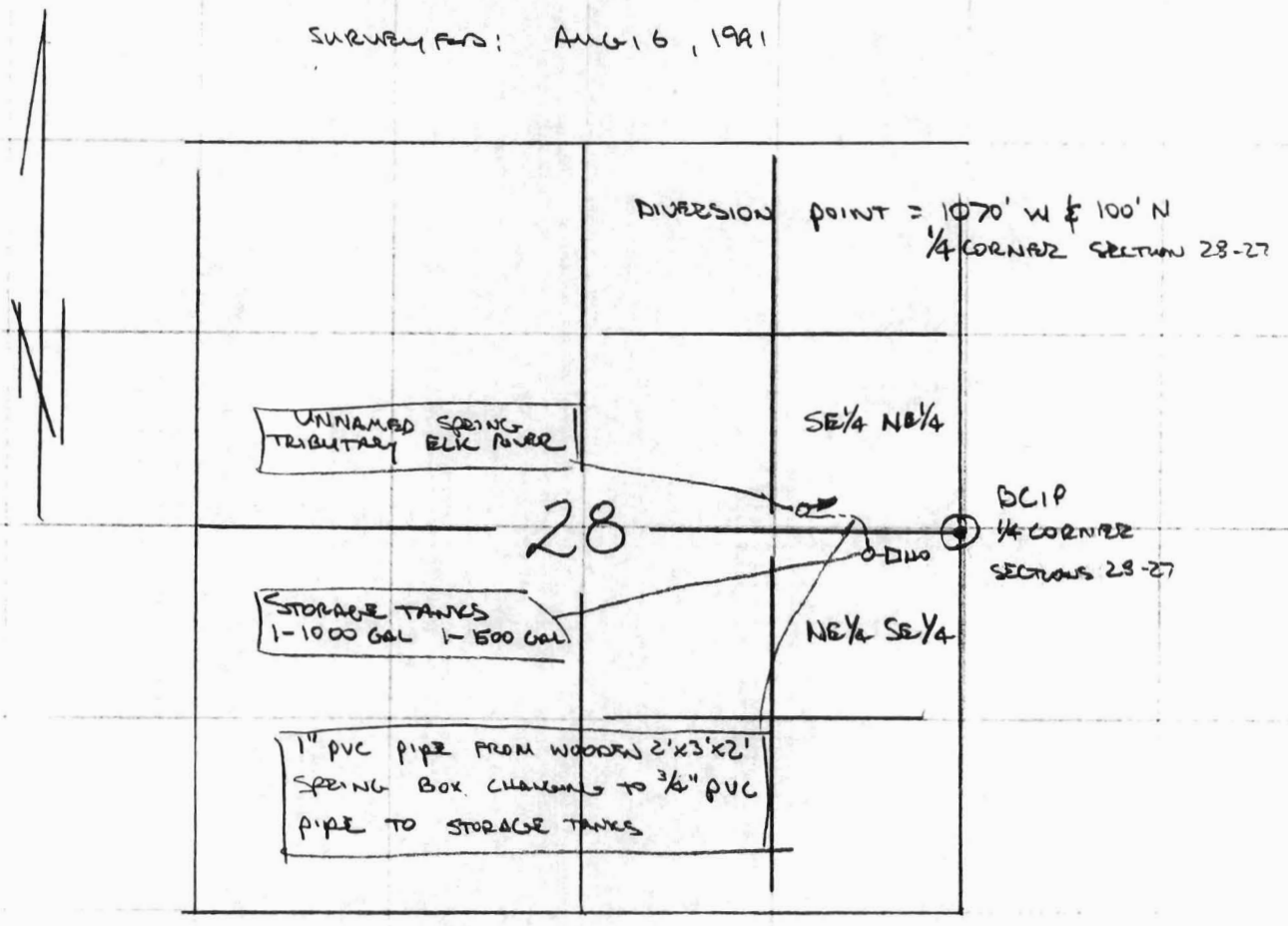
KARRY - HERE'S A SKETCH YOU COULD USE AS AN EXAMPLE FOR THE MAP WE TALKED ABOUT  
Don Knauber

T 32 S R 15 W1 W. M.

SURVEY FOR CLAIM TO PRE-1909

VESTED WATER RIGHT

SURVEY FOR: AUG 16, 1981



SCALE 4" = 1 MILE

PREPARED FOR:

LOUIE STARR

PREPARED BY:

DISCLAIMER: - - - - -

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # \_\_\_\_\_ CHECK ENCLOSURES \_\_\_\_\_  
CHECK BASIN MAP \_\_\_\_\_ UNADJUDICATED AREA ? \_\_\_\_\_  
SURFACE WATER REGISTRATION NUMBER \_\_\_\_\_  
PRELIMINARY DATA BASE ENTRY \_\_\_\_\_  
ACKNOWLEDGEMENT LETTER \_\_\_\_\_ ENTER ON STREAM INDEX \_\_\_\_\_  
PUBLIC NOTICE PUBLICATION \_\_\_\_\_ WATERMASTER CHECKLIST \_\_\_\_\_  
CHECK QUADRANGLE MAP \_\_\_\_\_ CHECK GLO PLATS \_\_\_\_\_

FORM REVIEW

\_\_\_\_\_ blanks filled in  
\_\_\_\_\_ signed  
\_\_\_\_\_ date received stamped

MAP 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  
✓ dimensions and capacity of diversion system  
✓ "beneficial use" type title  
\_\_\_\_\_ "permanent-quality" paper

WATER RIGHT RECORD CHECK \_\_\_\_\_ ENTER ON PLAT CARDS \_\_\_\_\_  
FIELD INSPECTION \_\_\_\_\_ FINAL FILE REVIEW \_\_\_\_\_  
FINAL DATA BASE ENTRY \_\_\_\_\_

A: SWRCHECK

12-24-91



W O  
Co. South  
Cage 107-7423

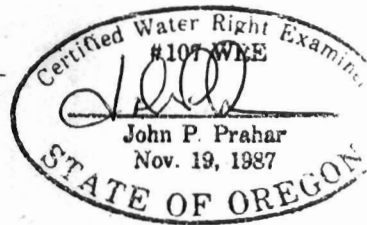
# John P. Prahar

## LAND PLANNING AND SURVEYING

Fern Park Building, Suite 1 • 1045 Baltimore Ave. • Bandon, Oregon 97411 • (503) 347-9517

EXHIBIT: Mr. Drolit - Here is the map showing the location of the spring Frances uses for domestic - We want to make sure there is not already a water right claimed on it  
Thanks - Please let me know

TOWNSHIP 32 SOUTH, RANGE 15 WEST



Mary Corey  
P.O. Box 229  
Seaside, OR 97136

Prepared For: Francis White  
93358 Elk River Road  
Port Orford, OR 97465

Prepared By: Prahar Surveying  
1045 Baltimore #1  
Bandon, OR 97411  
(503)347-9517

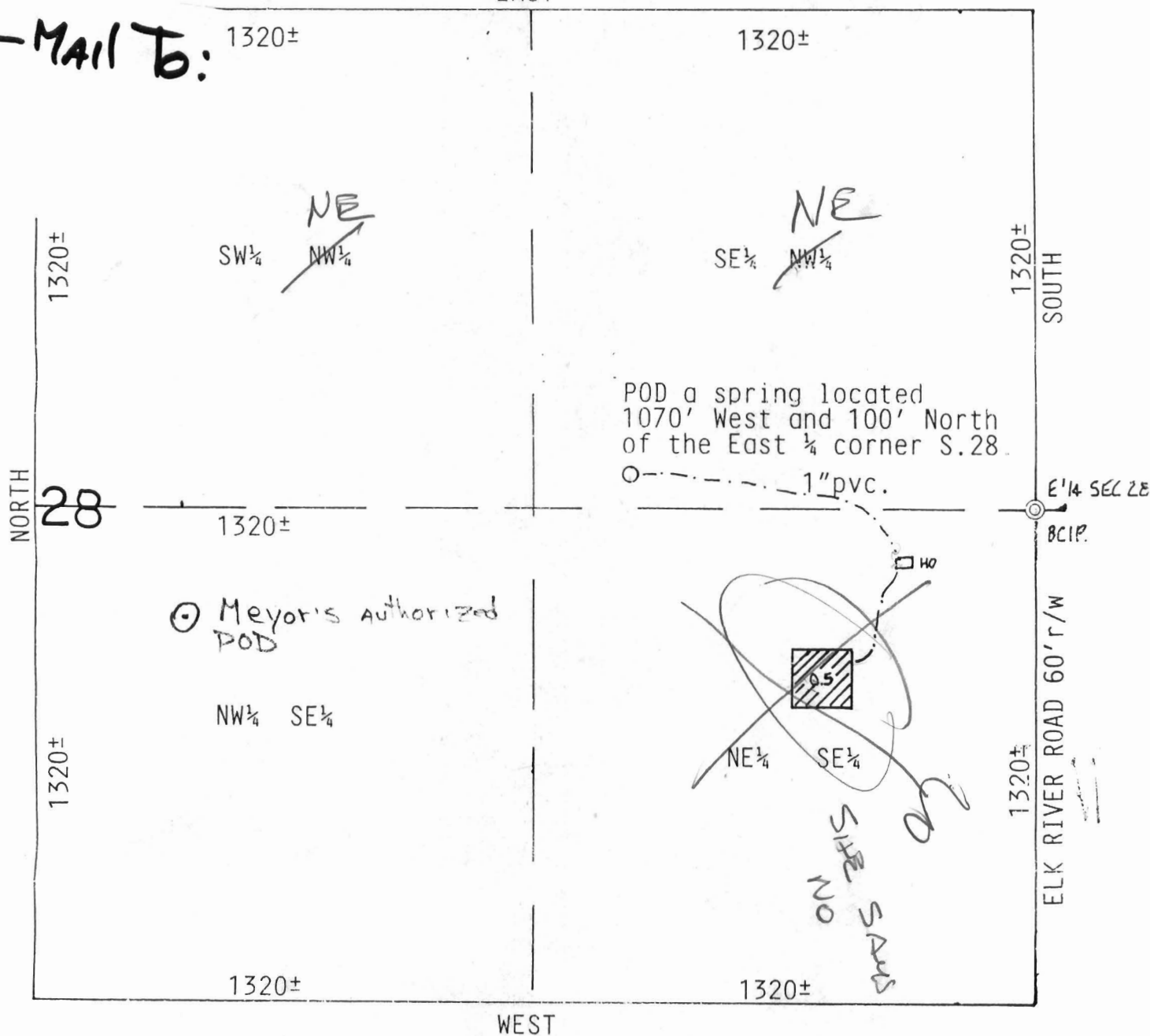
DATE: AUG. 16, 1991



1" = 400'

EAST

Mail to:



DISCLAIMER: This map was prepared for the sole purpose of locating a water right and is not to be used for the purpose of ownership lines.



*INTEROFFICE MEMORANDUM*

*Oregon Water Resources Department  
Adjudication Section*

*TO: SWR 49*

*FROM: Don Knauer*

*DATE: March 10, 1992*

*SUBJECT: FIELD INSPECTION*

*On March 4, 1992 Dwight French and I met with Frances White. She explained her water use to us. I suggested she fill out a new form, which she did and I then notarized her signature. I told her I would contact the surveyor, John Prahar, and get the map in an acceptable form.*

REGISTRATION STATEMENT CLAIMING A RIGHT  
TO APPROPRIATE SURFACE WATER

Registrant: Frances White

Mailing address: 93358 ELK RIVER RD.

PORT ORFORD OR 97465 503-332-4824  
City or town State Zip Phone

1. Sources of water Spring TRIB ELK RIVER  
Tributary to goes to a ditch by the road during rainy season

2. Purpose(s) for which water is used domestic to include upto 1/2 acre of lawn  
and non-commercial garden.  
(irrigation, power, mining, domestic, stock, etc.)

3. Amount of water used for beneficial purpose 0.01  
(cubic feet per second)

4. Date of the initiation of such water right June 1907  
If the right to be claimed is described by permit, give the permit no. \_\_\_\_\_, certificate no. \_\_\_\_\_, and name it is in \_\_\_\_\_

5. Describe the appropriate water diversion and distribution system for both the original distribution system and any enlargements:

n/a

A) ~~DITCH~~:  
Material \_\_\_\_\_  
(dirt, concrete, etc.)  
Top width \_\_\_\_\_ Bottom width \_\_\_\_\_ Depth \_\_\_\_\_  
Grade or fall per 1000 feet \_\_\_\_\_ Capacity \_\_\_\_\_  
(cubic feet per second)

B) PIPELINE:  
Size at intake 1 1/2" Size and distance at changes 3/4" 30' + then 800'  
Total fall between intake and place of use 15 Capacity 25 gal. per minute  
(feet) (cubic feet per second)

C) PUMP: Gravity Flow  
 Make \_\_\_\_\_ Type \_\_\_\_\_  
 No. \_\_\_\_\_ Intake size \_\_\_\_\_ Discharge size \_\_\_\_\_  
 Suction head \_\_\_\_\_ Discharge head \_\_\_\_\_  
 Rating: G.P.M. \_\_\_\_\_ R.P.M. \_\_\_\_\_ Pressure \_\_\_\_\_

D) MOTOR: n/a  
 Type \_\_\_\_\_ Make \_\_\_\_\_  
 H.P. Rating \_\_\_\_\_ R.P.M. \_\_\_\_\_

E) CONNECTION: n/a  
 Direct connected unit: \_\_\_\_\_  
 If belt driven: Size of drive pulley \_\_\_\_\_ Driven pulley \_\_\_\_\_

n/a F) DISTRIBUTION SYSTEM: (Irr. System)  
 Main line: Size \_\_\_\_\_ Length \_\_\_\_\_ Kind of pipe \_\_\_\_\_  
 Lateral lines: Size \_\_\_\_\_ Length \_\_\_\_\_ Kind of pipe \_\_\_\_\_  
 Size \_\_\_\_\_ Length \_\_\_\_\_ Kind of pipe \_\_\_\_\_

n/a G) SPRINKLER HEADS: (Irr. System)  
 Make \_\_\_\_\_ Size of nozzles \_\_\_\_\_  
 Number of heads used \_\_\_\_\_ Capacity of each \_\_\_\_\_ G.P.M.  
 Operating pressure \_\_\_\_\_ lbs.

6. Area of land which your distribution system, as originally constructed, was intended to irrigate:  
5 acres

7. Location of the area irrigated, or place of use if other than for irrigation:.

County of Curry

Township	Range	Section	1/4, 1/4 Section	No. of acres Irrigated
<u>32S</u>	<u>15 W&amp;M</u>	<u>28</u>	<u>NE 1/4 SE 1/4</u>	<u>n/a</u>

TOTAL \_\_\_\_\_

8. Location of the point of diversion:

SE 1/4 NW 1/4, Section 28, T 32 N(S) R 15 E(W)

9. If the water use is for power, please state:

n/a

A) Gross Head \_\_\_\_\_ feet

B) Developed THP \_\_\_\_\_

C) Describe the type of water wheel or turbine and generator used: \_\_\_\_\_

D) If there is a water power claim, please state the filing number: \_\_\_\_\_

E) Is water returned to original source? \_\_\_\_\_ If so, where: \_\_\_\_\_  
\_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, Section \_\_\_\_\_, T \_\_\_\_\_ N/S, R \_\_\_\_\_ E/W.

10. When does the irrigation season begin and end, and if water is used for other purposes, during what months is it used? YEAR ROUND

11. Remarks: 2 STORAGE TANKS = 1000 & 1500 GALLONS  
ONE HOUSE (SPRING TO TANKS TO  
HOUSE)

SPRING BOX 2'x3'x2' WOODEN BOX  
1" PIPE FROM BOX THEN TO 3/4" PLASTIC PIPE  
PLASTIC RUNS TO TANKS

CERTIFIED WATER RIGHTS EXAMINER

This registration statement must be accompanied by a map prepared by a ~~Registered Professional Engineer~~ engineer.

State of Oregon )  
County of CURRY ) ss.

I, FRANCES WHITE, being first duly sworn, do hereby certify that I have read the Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

Frances White  
Signature of Registrant

Subscribed and sworn to before me this 4th day of DECEMBER, 19 91

Esther M. Winters  
Notary Public

(SEAL)

My commission expires: JANUARY 6, 1994

### CERTIFICATE OF REGISTRATION

State of Oregon )  
County of MAZON ) ss.

This is to certify that the foregoing Registration Statement was received in the office of the Water Resources Director on the 18 day of DECEMBER, 19 91, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and has been duly recorded in the office in Book No. \_\_\_\_\_ of Registration Statements on page no. \_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Director

By: \_\_\_\_\_  
Deputy

Fees paid: Irrigation: \_\_\_\_\_ acres, \$ \_\_\_\_\_

Power: \_\_\_\_\_ H.P., \$ \_\_\_\_\_

Other Uses: DOMESTIC, \$ 325-

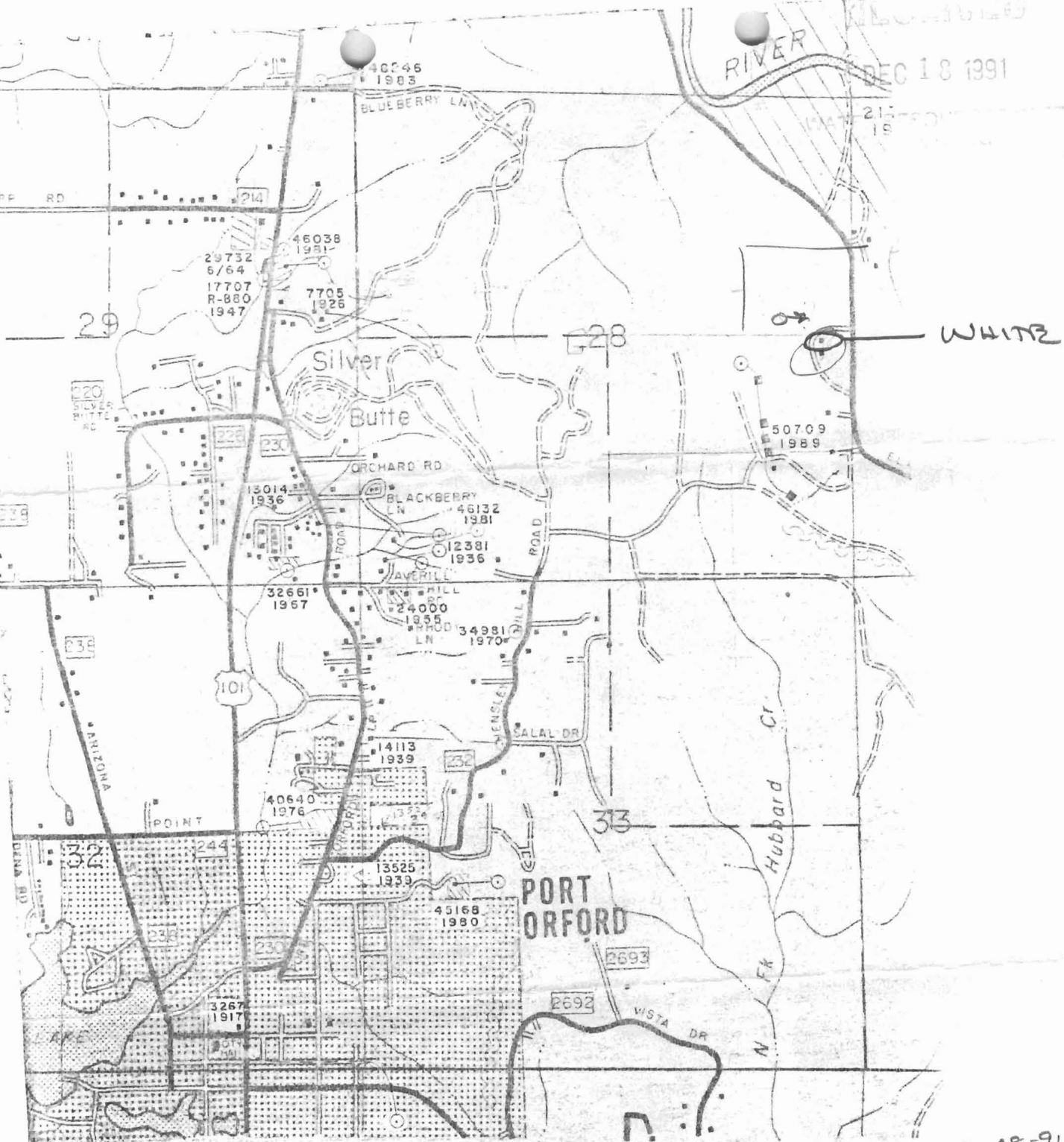
Receipt Number: 82013; REFUND # A88682 TOTAL \$ \$ 200-

Received: Dec 18, 19 91

David E. Turner  
Water Resources Department

RECEIVED

DEC 18 1991



11-08-91

MARY,  
 The only water right diversion point  
 in that area is Mayer's which is  
 located in a different 1/4 1/4 section  
 J.P. Drolet

0.000

January 9, 1991<sup>2</sup>

Frances White  
93358 Elk River Rd.  
Port Orford OR 97465

re: Surface Water Registration 49

Dear Ms. White,

I am sending a refund check in the amount of \$ 125.00 as you over paid the fees required for a claim to a pre-1909 water right. I am also returning the form and map as there are necessary corrections to both.

The map shows the NW  $\frac{1}{4}$  above the SE  $\frac{1}{4}$  which is an error. You have used this incorrect information to answer questions #7 and #8 on the form. I am sending a copy of my checklist with the other items required on the map.

On the form you submitted, question #1, I need to know what surface water source the spring is tributary to. Question #2 should be answered with the information about the pre-1909 water use. Question #7 shows the location of place of use. This must correspond to the information on the map. Also, you need to locate the domestic use and the 0.5 acre of irrigation. Question #8 will need to correspond to the map once it is corrected.

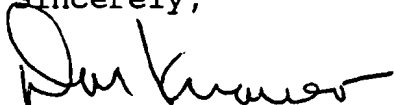


I am sending the new form being used to file claims. Once your map has been corrected you may find the new form easier to use. However, we will accept the form you submitted with the necessary corrections.

I suggest you contact your Water Right Examiner as soon as possible to get your map corrected and then make the corrections to the form.

If I can be of any help, please give me a call.

Sincerely,



Don Knauer  
Adjudication Specialist

enc

cc: John Drolet  
John P. Prahar

A:SWR-0049.002



ORIGINAL

ACTION CODE

STATE WARRANT NO. INDICATES CLAIM ALLOWED BY EXECUTIVE DEPARTMENT

AGENCY VOUCHER NO. 69000

001314

AGENCY VOUCHER NO.

B

01-00-0

125.00

01-02-92

DATE

A69000

VENDOR NUMBER

PAYEE AND ADDRESS

WHITE, FRANCIS

AUDITED BY

WATER RESOURCES  
3850 PORTLAND RD NE  
SALEM OR 97310

TOTAL

\$125.00

PAYMENT OF: INVOICE 000000000 REFERENCE 001314 125.00  
NET PAID ..... \$125.00

MESSAGE: REFUND OVERPAYMENT OF ADJUDICATION #SWR-49

ACCOUNT CODING: AGY 69000 BCH E13 INV 0000000000 TC 40 TD 920102 REF 001314  
DESCRIPTION PCD PROJECT FUND BI COST CENTER ACCOUNT AMOUNT  
WHITE, FRANCIS 032200 413 3 03 22 00 15 899900 125.00



STATE OF OREGON

INTEROFFICE MEMO

TO: DAVE NELSON, FISCAL

DATE:

DEC 19, 1991

FROM:

Donald E. Knauer  
Authorized Examiner

SUBJECT:

Request for Refund Check

Please refund \$ 125- to FRANCIS WHITE  
file no. SWR-49, receipt no. 82013. These funds are  
refunded due to:

- \_\_\_\_\_ Application rejected
- \_\_\_\_\_ Application withdrawn
- \_\_\_\_\_ Excess fees collected for application
- \_\_\_\_\_ File closed
- X other: SEE BELOW

December 19, 1991

Francis White  
93358 Elk River Rd  
Port Orford OR 97465

RE: Surface Water Registration

Dear Ms White,

This will acknowledge that your Surface Water Registration Statement in the name of Frances White has been received by our office. Your claim has been numbered SWR-49. I am enclosing our receipt # 82013 in the amount of \$ 325.00. The domestic use you have claimed on the form requires fees of \$ 200.00. In the future I will send a check refunding \$ 125.00.

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,

Don Knauer  
Adjudications Section

December 19, 1991

Francis White  
93358 Elk River Rd  
Port Orford OR 97465

RE: Surface Water Registration

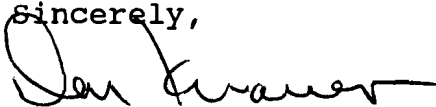
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Sincerely,

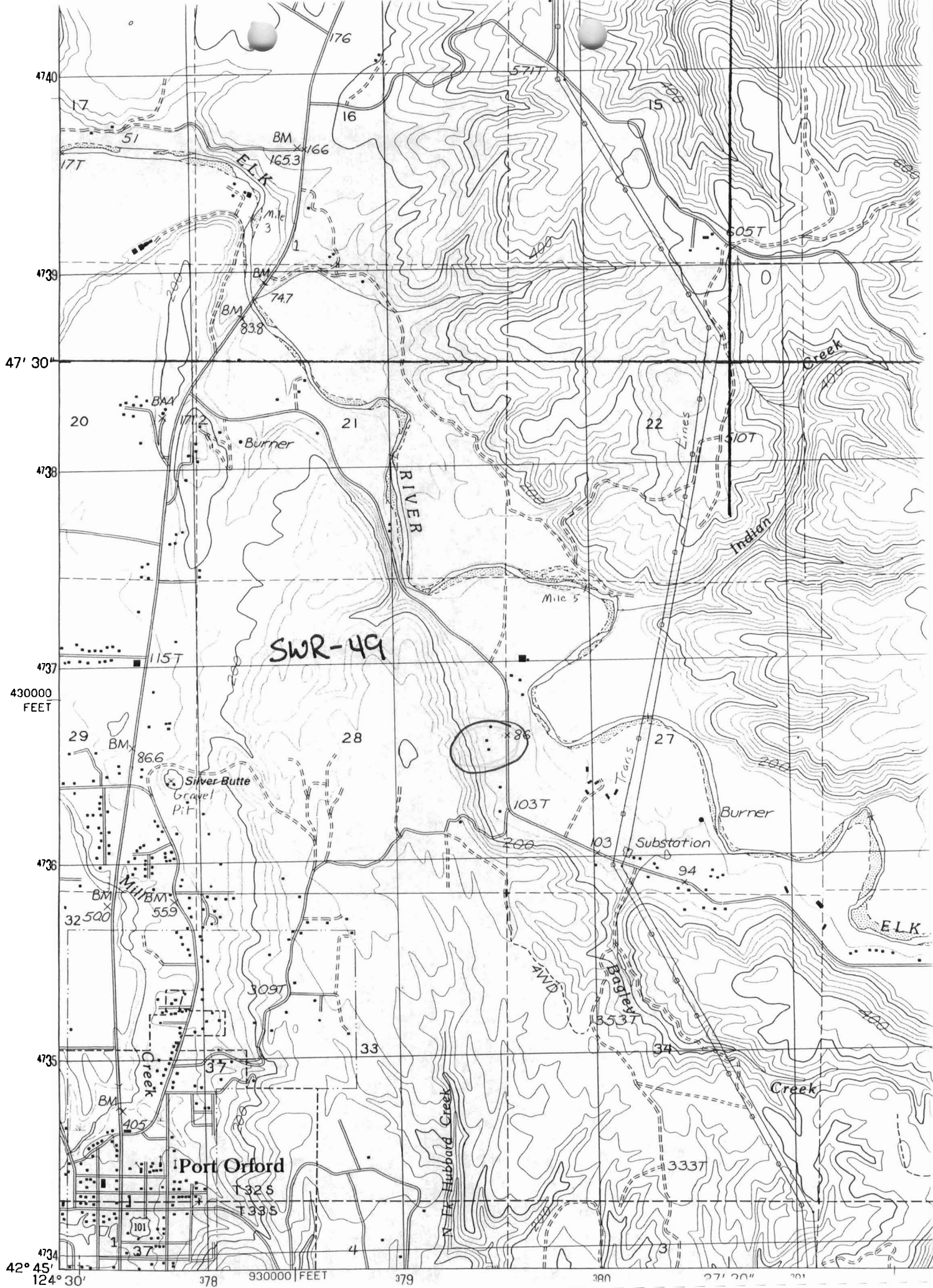


Don Knauer  
Adjudications Section

enc

A:SWR-0049.001





TOWNSHIP 32S, RANGE 15W, W. M.

SECTION 28

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			
								*								11210	7705	8888
										x						16596	12381	11775
										Dom						16731	13014	12287
										x						29179	18285	CANCELLED
										Stick						27898	21975	CANCELLED
										Dom						52416	39426	CANCELLED
										Dom						54133	40524	CANCELLED
										18 <sup>2</sup> 13 <sup>8</sup>						58676	44707	CANCELLED
																38908	212210	CANCELLED
										Dom						74551	(1-28129)	
										Dom						67743	46132	63650
										Dom						69443	50709	
										Dom						71532		

15 8

Part  
008  
426





42° 40'

P a c i f i c

- N W Black
- Long Brown Rk.
- Square White Rk.
- Flat Rk.
- Flat Black Rk.
- Steamboat Rk.
- Fox Rk.
- Reer
- Large Brown Rk.
- Best Rk.
- Seal Rk.
- Conical White Rk.
- Arch Rk.
- W Conical Rk.
- S E Black Rk.

PORT ORFORD

HUMBOLDT MTH. STATE PARK

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**  
 RECEIPT # **82013** 3850 PORTLAND ROAD NE  
 SALEM, OR 97310  
 378-3739/378-8130 (FAX)

RECEIVED FROM: Frances White APPLICATION  
 BY: \_\_\_\_\_ PERMIT  
 TRANSFER

CASH:  CHECK: # 2412 OTHER: (IDENTIFY)  TOTAL REC'D \$ 325.00

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ <u>325.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
	OTHER: (IDENTIFY)	\$

02-00-0 FEDERAL FUNDS	
OTHER: (IDENTIFY)	\$

03-00-0 WRD OPERATING ACCT		
MISCELLANEOUS:		
840.001	COPY FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$
WATER RIGHTS:		
842.001	SURFACE WATER	EXAM FEE \$
842.003	GROUND WATER	EXAM FEE \$
842.005	TRANSFER	EXAM FEE \$
WELL CONSTRUCTION		
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE \$
842.016	WELL DRILL OPERATOR	EXAM FEE \$
	LANDOWNER'S PERMIT	EXAM FEE \$
		RECORD FEE
		LICENSE FEE

06-00-0 WELL CONST START FEE		
842.013	WELL CONST START FEE	\$
	MONITORING WELLS	\$
		CARD #
		CARD #

45-00-0 LOTTERY PROCEEDS		
864.000	LOTTERY PROCEEDS	\$

69001 SUSPENSE ACTIVITY		LIC NUMBER
842.115	POWER LICENSE FEE(FW)	\$
842.115	HYDRO LICENSE FEE(FW)	\$
832.009	HYDRO EXAM FEE(GF)	\$

RECEIPT # **82013** DATED: 12-18-91 BY: Vjs  
 Distribution—White Copy-Customer, Yellow Copy-Fiscal, Brown Copy-Fiscal