

REGISTRATION STATEMENT CLAIM OF BENEFICIAL USE

Sheet 1 of 2

File# SWR-84

RECEIVED

INFORMATION: Marion L. or Ninetta West
1458 Kirkendahl Road
Camas Valley, OR 97416
Ph (503) 445-2029

MAR 4 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Located SW1/4SE1/4, 0.5 Ac, Section 8, T29S, R8W, WM.

On August 17, 1992, I made a survey of the above listed property and viewed the water system installed and in use. I used an assessor map and an aerial photo during the course of preparing this final proof survey and site map.

SOURCE: Water is taken from Jim Blue Creek, tributary to the Middle Fork Coquille River, and the Coquille River.

DIVERSION POINT: The diversion point is a natural depression in the south side of the creek.

MOTOR: Model C48Z2EC11, 3450 RPM, 115/230 volts, 12.4/6.2 amps, 3/4 hp.

PUMP: Sta-Rite, Model ALD-30, 1" diameter discharge line, 5.0 GPM.

PIPE: The water distribution main line is 1" PVC from the point of diversion to the lawn and garden areas. The lawn and garden areas are irrigated with hoses attached to standpipes and feeding lawn sprinklers.

USE(S): Water is used for irrigation.

HEAD: Elevation difference between the point of diversion and the highest point on the lawn was estimated to be ten feet.

CALCULATIONS:	Irrigation		
	0.5 ac @ 1/80 cfs/ac	0.006 cfs	2.7 GPM
	pump capacity	0.011 cfs	5.0 GPM
	3 sprinklers @ 3 GPM	0.020 cfs	9.0 GPM

POINT OF BEGINNING: Assessor's maps and aerial photos were used to draw the accompanying map.

SEND THIS TO
SALEM

REMARKS: None.

RECEIVED

Sheet 2 of 2

MAR 4 1994

WATER RESOURCES DEPT
SALEM, OREGON

The final proof survey and inspection of the use as found to be completed under terms and conditions of File# SWR-84 was completed by me on August 17, 1992, and the facts contained in this report and accompanying vested water right map are correct to the best of my knowledge.



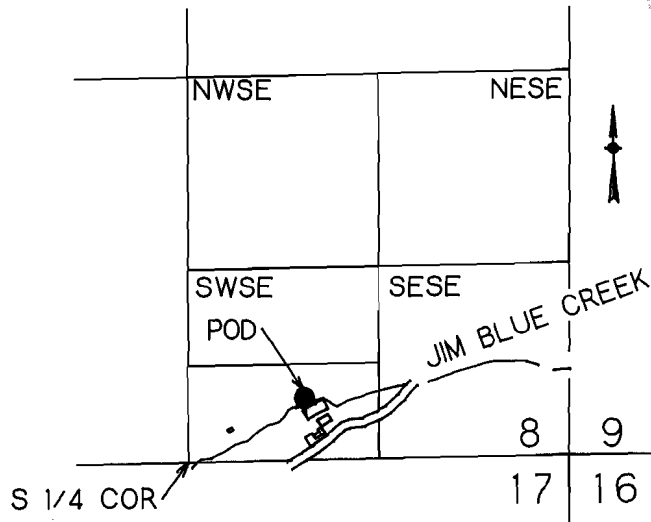
I, Marion L. West, agree to the findings of the CWRE and do submit this site report and map as my Registration Statement Claim of Beneficial Use of the water provided under the terms and conditions of my File# SWR-84.

Marion L. West

Marion L. West

T29S, R8W, WM

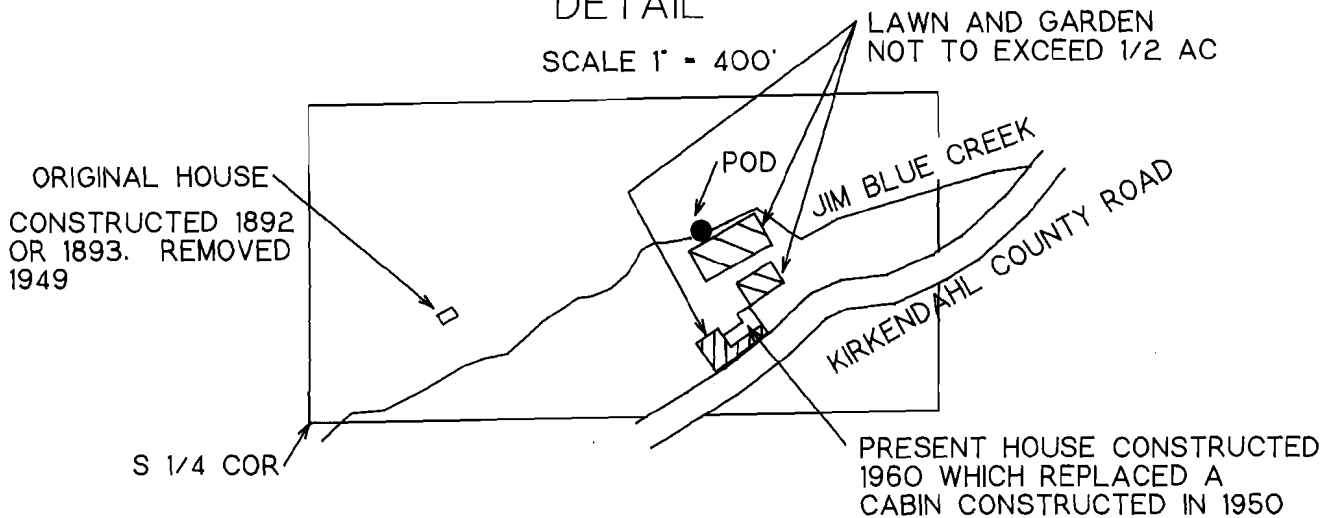
SCALE 1" = 1320'



POD IS 400 FT N AND 820 FT E FROM S 1/4 COR SEC 8

DETAIL

SCALE 1" = 400'



VESTED WATER RIGHT MAP

PRE-1909 CLAIM OF BENEFICIAL USE

THIS IS A LOCATION MAP FOR A VESTED WATER RIGHT BY MARION L OR NINETTA E WEST. THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE VESTED WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



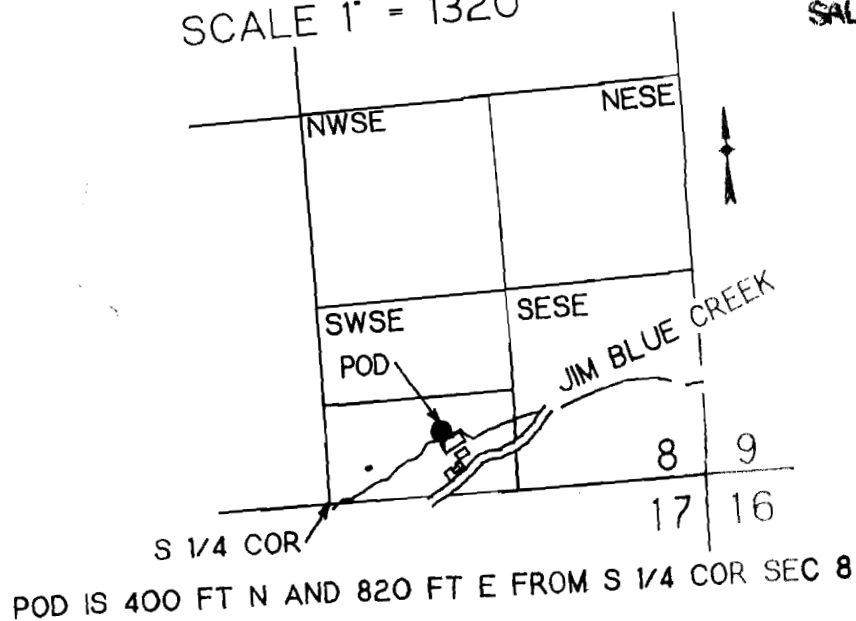
RECEIVED

NOV 24 1987

WATER RESOURCES DEPT.
SALEM, OREGON

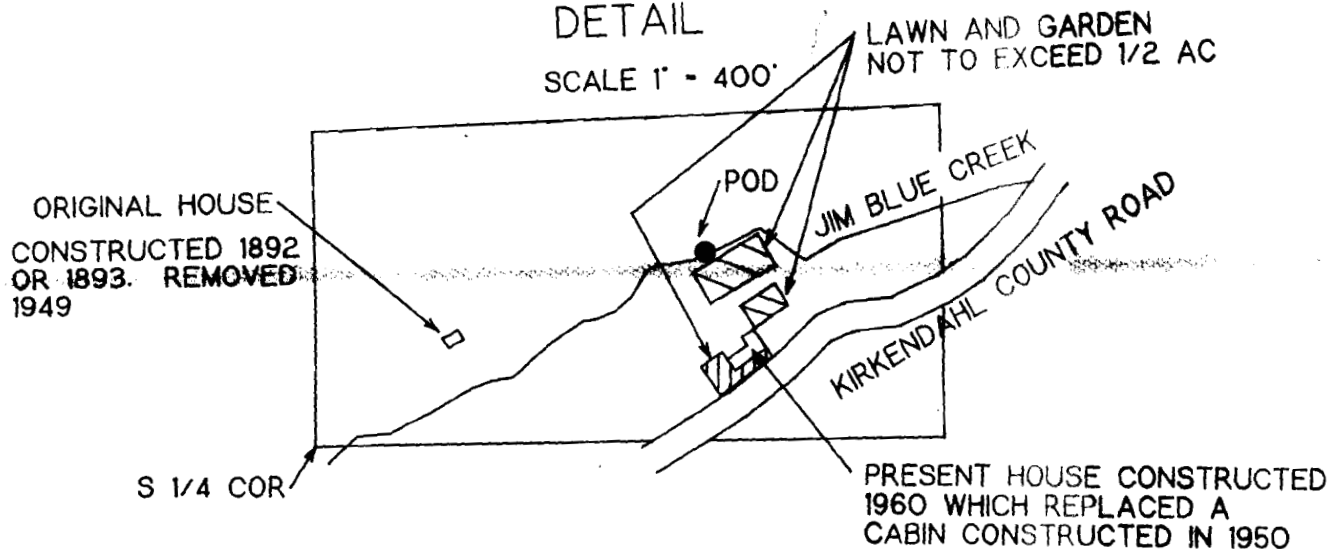
T29S, R8W, WM

SCALE 1" = 1320'



DETAIL

SCALE 1" = 400'



VESTED WATER RIGHT MAP

PRE-1909 CLAIM OF BENEFICIAL USE

THIS IS A LOCATION MAP FOR A VESTED WATER RIGHT BY MARION L OR NINETTA E WEST. THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE VESTED WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



RECEIVED

AUG 24 1992

On August 10, 1892 under the Homestead Laws this property was purchased by Benjamin S. Baker as evidenced by final Certificate No. 3068 that said land was patented to Benjamin S. Baker on April 3, 1893 and recorded in Vol. 6 page 340 of the records of the General Land Office at Washington D. C.

This property, the South East quarter of Section 8, Township 29, South of Range 8 West, has been sold many times through the following years.

On October 7, 1896, E. K. Cluster bought this property. His daughter, Elaine "Cluster" Thrush told us that she had lived on this property when she was a child in the farm house, and they raised big gardens and stored vegetables in the dugout cellar that was made in the hill side behind the house.

Also we met a eledarly man in 1950 that every one called Uncle Dick. We never heard his last name as he was just Uncle Dick to every one. He said he lived on this property as a boy, and how his mother stored their vegetables, etc., for winter, and how she made brooms out of willow twigs to sweep the farm house.

He also said how the wagons and stage coach's came through this property on their way to and from Roseburg, Ore. to the coast. There was a blacksmith shop here to shoe horse's and repair wagons.

On January 20, 1902, E. K. Cluster sold this property to A. Barber. On April 13, 1907, Arthur Barber sold it to William and Jennie Porter. The Porter's sold to W. B. and Viola Tippins on October 17, 1936.

People by the name of Earl Parrott (now deceased) told use they raised big potato's on this property along the creek back in the Forties.

There is still daffidols, an old fashion Rambler rose and apple tree growing around the old homestead house area.

There was no wells on this property when we bought this property in December 1949. So the people that lived on this property from 1892 on, had to use water from this creek for there household use, gardens and livestock.

Up until the 1960's this was a year round creek until the timber was logged off above us.

When we moved here we cleaned up the old homestead building's and burnt them, and built a new house across the creek. We now have 20 acre's and we have used creek water for over forty years to water about a half acre of garden and yard.

We have a well that we use for the house and livestock, but it is not enough water to use for the garden and yard.

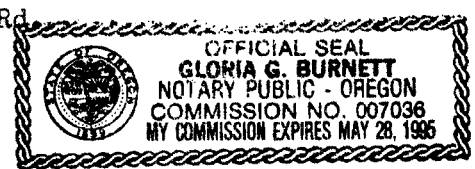
x Ninetta E. West
Ninetta E. West

State of Oregon
County of Douglas

Subscribed and sworn to before me
this 20th day of AUGUST, 19 92,
by NINETTA E. WEST

Gloria G. Burnett
Notary Public
My Commission Expires 5-28-95

1458 Kirkendahl Rd.
Camas Valley
Oregon 97416





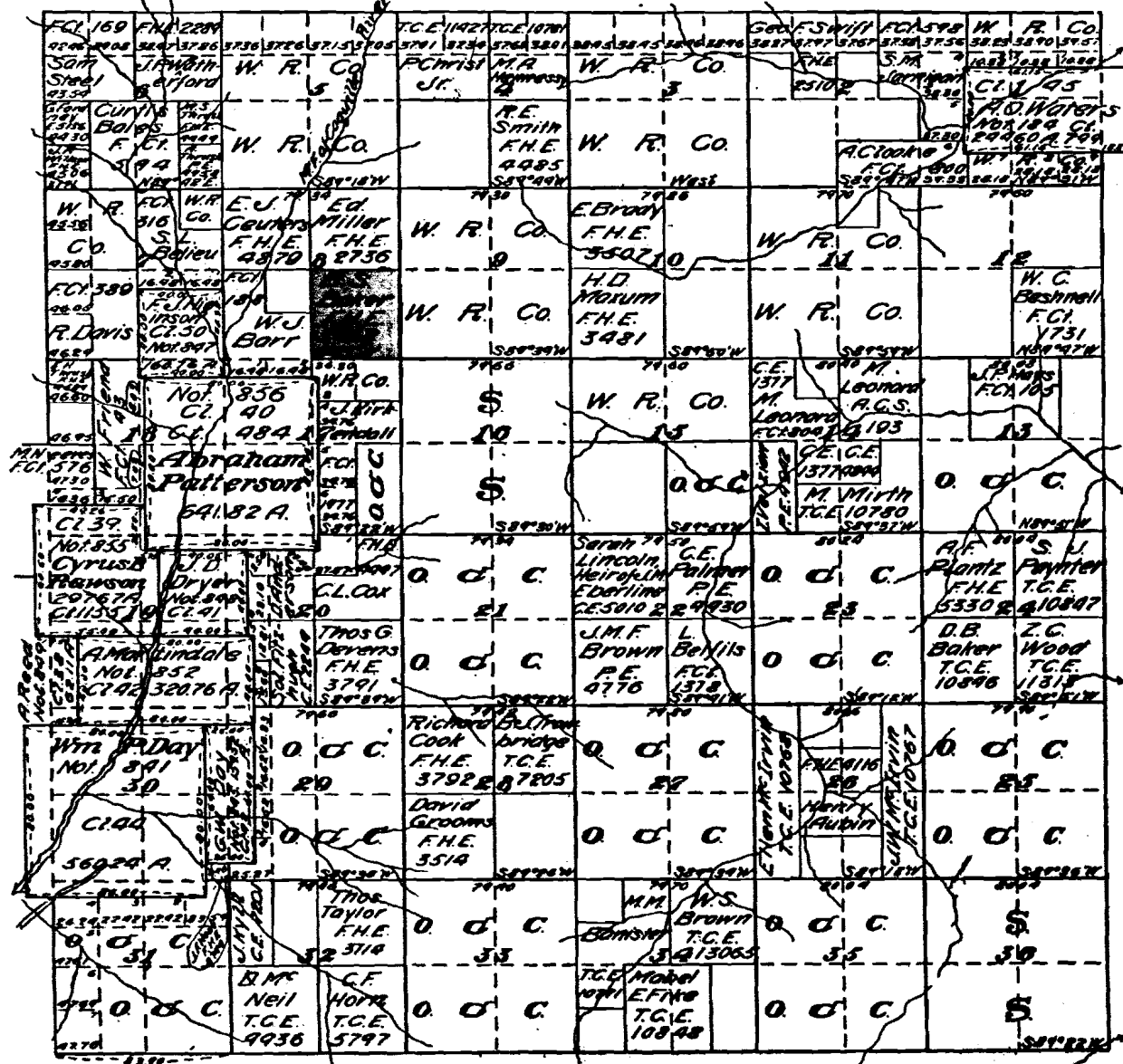
No. 1805

RECORDED
SALEM, OREGON

To the following premises, situated in Douglas County, Oregon, and more particularly described as follows:

The South east quarter (SE¹) of Section No Eight (8) in Township No Twenty nine (29) South of Range No Eight (8) West of the Willamette Meridian in Oregon, containing One Hundred and sixty (160) acres, more or less, according to the Official Survey thereof.

Township No. 29 South, Range No. 8 West, of the Willamette Meridian.



Prepared by Frank E. Alley, Abstractor and Land Attorney, Roseburg, Or.

FRANK E. ALLEY
ABSTRACTOR OF RECORDS
ROSEBURG, OREGON

STATE OF OREGON)
COUNTY OF DOUGLAS) SS.

I, Frank E Alley of Roseburg Oregon do hereby certify that I have examined the records of the District Land Office at Roseburg Oregon, to ascertain the status of the land described in the foregoing caption.

Dated at Roseburg Oregon this 16th day of May A D 1907.

Henry Burmeister and Emma
Burmeister, his wife,

Grantor

To

E K Cluster.

Grantee

No.

Character of Instrument,
Warranty Deed.

Dated Oct 7" 1896

Recorded Nov 4" 1896

In Book 35 of Deeds, page 54

Consideration, \$1250.00

Signatures are Sealed

Witnessed by Chas H Fisher.

H W Miller.

Acknowledged on October 7" 1896 , before H W Miller N.P.Ore.
(Seal Affixed)

Granting words, Bargain sell and convey.

Covenant, Usual.

Description and Remarks:

The following described premises towit: The South East quarter
of Section No Eight (8) Township Twenty nine (29) South range eight
(8) West of Willamette Meridian containing one hundred sixty
(160) acres in Douglas County Oregon.

E K Cluster (widower)

To
A Barber.

Grantor

Grantee

No.

Character of Instrument,
Warranty Deed.

Dated Jan'y 20" 1902

Recorded Jan'y 31" 1902

In Book 44 of Deeds, page 304.

Consideration, \$400.00

Signatures are Sealed

Witnessed by John C DeGroot.
S Pope.

Acknowledged on January 20" 1902, before Wm M Porter N.P.Ore.
(Seal Affixed)

Granting words, Bargain sell and convey.

Covenant, Usual (except a supposed Judgment once filed against
Henry Burmiest a former owner of the land.
Description and Remarks:

The following described premises towit: The South East quarter
of Section No eight (8) Township twenty nine (29) South Range eight
(8) West of Willamette Meridian and containing one hundred and
sixty (160) acres in Douglas County Oregon.

Arthur Barber, a single man.) Recorder's No. 8991
 Grantor) Character of Instrument
 To) Warranty Deed.
) Dated April 13, 1907
) Recorded May 27, 1907
 William M. Porter and Jennie) In Book 57 of Deeds page 181.
 F. Porter, husband and wife.) Consideration \$675.00
) Signature sealed.
 Grantee.) Witnessed by two.

Acknowledged April 13, 1907, before L. Tyndale Gough, Justice of the Peace - Madera County, California. Appeared Arthur Barber.

On April 16, 1907, W R Curtin, County Clerk of the County of Madera, State of California, and ex-officio Clerk of the Superior Court of said county (which is a court of record), certifies as to official character of L Tyndale Gough, Justice of the Peace.

Granting words: Bargain, sell and convey.

Covenant: Usual.

Description and Remarks:

The following described premises, towit:

The Southeast quarter (SE₁) of Section eight (8) of Township twenty^{nine}/S. of Range eight (29-8) West of the Willamette Meridian, containing 160 acres, more or less, in Camas Valley, Douglas County, State of Oregon, together with all and singular, hereditaments and appurtenances therewith belonging or in anywise appertaining.

Jennie F. Porter and William	)	Recorder's No. 597
M. Porter, wife and husband,	)	Character of Instrument:
	)	Warranty Deed
Grantors,	)	Dated October 17, 1936,
	)	Recorded October 30, 1936,
To	)	In Book 98 of Deeds, page 28
	)	Consideration \$10.00 and other
W. B. Tippins and Viola Tippins,	)	Signatures are sealed
husband and wife,	)	No witnesses
	)	\$1.00 I R Stamps affixed and
Grantees.	)	cancelled

Acknowledged on October 17, 1936, before Frank I. Kinney, Notary Public for Oregon (Seal) My Commission expires Dec 12th 1938.
 Appeared Jennie F. Porter

Acknowledged on October 23, 1936, before Leon E. McClintock, Notary Public for Oregon (Seal) My Commission expires June 12, 1940.
 Appeared William M. Porter

Granting words: Grant, bargain, sell and convey

Covenant: Usual.

DESCRIPTION AND REMARKS:

All the following bounded and described real property, situated in the County of Douglas and State of Oregon:

The Southeast quarter (SE $\frac{1}{4}$) of Section eight (8) in Township twenty-nine (29) South, Range eight (8) West of the Willamette Meridian.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all our estate, right, title and interest in and to the same, including dower and claim of dower.

NN

2001-07126

STATE OF OREGON

1 ss

BOOK 1749 PAGE 911



ELLEN ELAINE STEFFEY AND GARRY ROSS

COUNTY OF DOUGLAS

STATE OF OREGON,

} ss.

SPURLOCK AS CO-TRUSTEES OF THE

NINETTA ELLEN WEST TRUST

Grantor's Name and Address

ELLEN ELAINE STEFFEY & GARY ROSS SPURLOCK

22020 SW JOHNSON

HILLSBORO, OREGON 97123

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

ELLEN ELAINE STEFFEY

22020 SW JOHNSON

HILLSBORO, OREGON 97123

Until requested otherwise, send all tax statements to (Name, Address, Zip):

ELLEN ELAINE STEFFEY

22020 SW JOHNSON

HILLSBORO, OREGON 97123

STATE OF OREGON
COUNTY OF DOUGLAS
DOYLE SHAVER JR., COUNTY CLERK AND
RECORDER OF CONVEYANCES, DO HEREBY CERTIFY
THAT THIS INSTRUMENT WAS RECORDED

01 MAR 29 AM 11:40
DOYLE SHAVER JR.
DOUGLAS COUNTY CLERK

SPACE RESERVED

FOR

RECORDER'S USE

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

certify that the within instrument was
received for recording on _____
_____ clock _____ M., and recorded in
_____ book/reel/volume No. _____ on page _____
and/or as fee file/instrument/microfilm/reception
No. _____ records of this County.

DEPUTY

TITLE

, Deputy.

BARGAIN AND SALE DEED - STATUTORY FORM

(INDIVIDUAL GRANTOR)

ELLEN ELAINE STEFFEY AND GARRY ROSS SPURLOCK, AS CO-TRUSTEES OF THE NINETTA ELLEN WEST
TRUST _____, Grantor.

conveys to ELLEN ELAINE STEFFEY AN UNDIVIDED $\frac{1}{2}$ INTEREST AND TO GARRY ROSS SPURLOCK
AN UNDIVIDED $\frac{1}{2}$ INTEREST AS TENANTS IN COMMON _____, Grantee,
the following real property situated in DOUGLAS County, Oregon, to-wit:

THE SOUTH ONE-HALF(S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER OF THE SOUTHEAST
QUARTER OF SECTION EIGHT (8), TOWNSHIP TWENTY-NINE (29) SOUTH,
RANGE EIGHT (8) WEST, WILLAMETTE MERIDIAN, IN OREGON, CONTAINING
TWENTY (20) ACRES, MORE OR LESS.

RECEIVED

AUG 27 2001

WATER RESOURCES DEPT.
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

TRANSFER FROM TRUST TO BENEFICIARIES

DATED _____

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGU-
LATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPRO-
PRIATE 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 30.930.

Ellen E. Steffey
CO-TRUSTEE OF THE NINETTA ELLEN WEST TRUST
Garry Ross Spurlock
CO-TRUSTEE OF THE NINETTA ELLEN WEST TRUST

STATE OF OREGON, County of MULTNOMAH) ss.

This instrument was acknowledged before me on _____

by ELLEN ELAINE STEFFEY AND GARRY ROSS SPURLOCK



OFFICIAL SEAL
BRUCE W. TOWSLEY
NOTARY PUBLIC - OREGON
COMMISSION NO. 304852
MY COMMISSION EXPIRES OCT. 14, 2001

Notary Public for Oregon

My commission expires

10/14/01

2001-07126

8-20-01

Gerry Clark -

RE: Surface Water Reg. # SWR-84

We spoke on the phone this morning,
and as I explained my mother, Ninette
West is deceased.

I am sending you a copy of the
deed, showing my brother and myself
as owners of property at
1458 Kirkendale Rd, CANAS VALLEY, OR.
97416.

His name and address is:

Garry Spurlock
2379 MIST DR.
VERNONIA, OR. 97064

RECEIVED

AUG 27 2001

WATER RESOURCES DEPT.
SALEM, OREGON

My name & address is: Ellen E. Steffey
1458 Kirkendale Rd
CANAS VALLEY, OR 97416

We would appreciate any assistance you
can provide us in this matter.

Sincerely,

Ellen E. Steffey

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME South Coast # 17 UNADJUDICATED AREA ? OK DWF
RECEIPT # 91018 S W R NUMBER 84
CHECK ENCLOSURES DWF PRELIMINARY DATA BASE ENTRY DWF
ACKNOWLEDGEMENT LETTER DWF ENTER ON STREAM INDEX See 10-6-92
CHECK QUADRANGLE MAP See CHECK GLO PLATS See
WATERMASTER CHECKLIST See 10-6-92 PUBLIC NOTICE PUBLICATION See 10-5-92

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 8/92
☒ P.O.B. of survey
☒ dimensions and capacity of diversion system
☒ "beneficial use" type title
☒ "permanent-quality" paper

#3 WATER RIGHT RECORD CHECK 10/10/92 FIELD INSPECTION _____

FINAL FILE REVIEW _____ FINAL DATA BASE ENTRY _____

ENTER ON PLAT CARDS _____

March 28, 1994

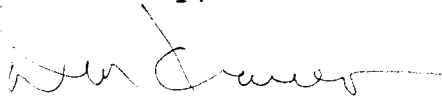
MAURICE E FARR
1960 SW BURDETTE DR
ROSEBURG OR 97470

RE: SWR-84

Dear Mr Farr,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of MARION OR NINETTA WEST you returned with corrections and completions. I have added the map to the file. Thank you for your attention to this matter. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

m:\WAS\CHSWR-0084.003

J:\W\SWR\C\C\SWR-0084.003



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

June 4, 1993

MAURICE E. FARR
1960 SW BURDETTE DRIVE
ROSEBURG OR 97470

RE: File# SWR-84

DEAR MAURICE E. FARR,

The Water Resources Department (WRD) received a little over 500 surface water registration statements in December, 1992. All of the files have been set up and receipts for the fees have been sent. The next step is to insure the maps received in support of the claims are acceptable based on Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR).

I am returning the map you prepared for Marion L. or Ninetta West. You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

✓ conveyance

ORS 539.120 "...the location of and each ditch, canal, pipeline or other means of conveying the water..."

✓ diversion point size

OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems."

✓ 1/10 acre

OAR 690-28-025-(4)-(d) "The number of acres irrigated in each quarter quarter shall be shown to the nearest tenth of an acre."

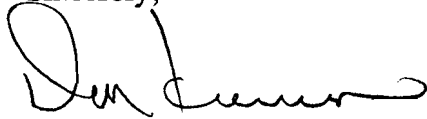


I am enclosing a copy of the checklist and claim to beneficial use report information used by the adjudication section. You may find it useful in preparing the required map and information. Many Certified Water Right Examiners have seen these and are using them.

You must return the map before the claim can be processed. If you cannot have the map to the WRD within 60 days, please inform me as to when it can be expected. Please mark all correspondence with the file number.

As always, if you have any questions, please give me a call.

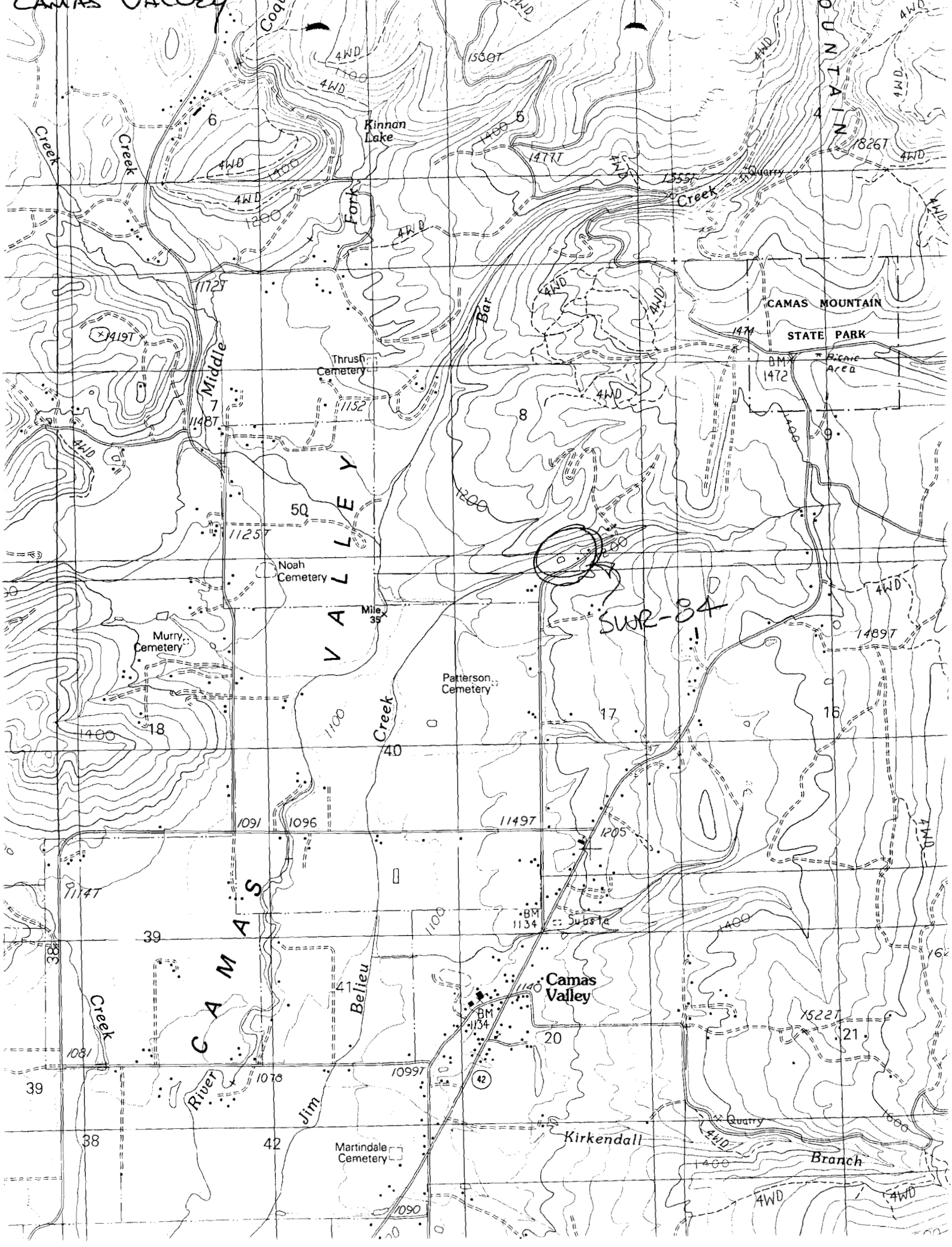
Sincerely,

A handwritten signature in black ink, appearing to read "Don Knauer", with a large, stylized initial "D".

Don Knauer
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\SWR-084.00M



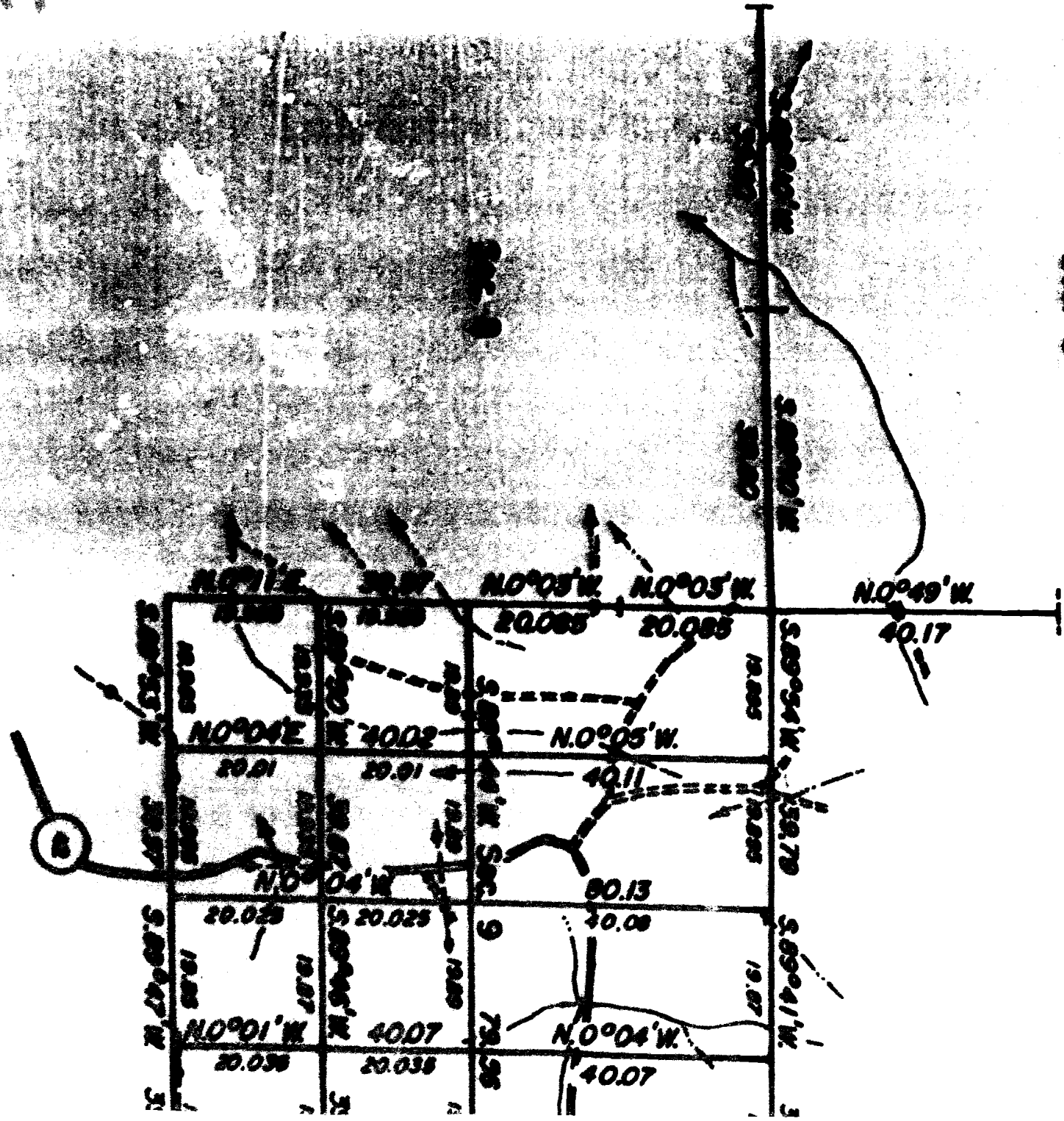
APPROVED C-16-1983

Sec. 17

Sec. 5

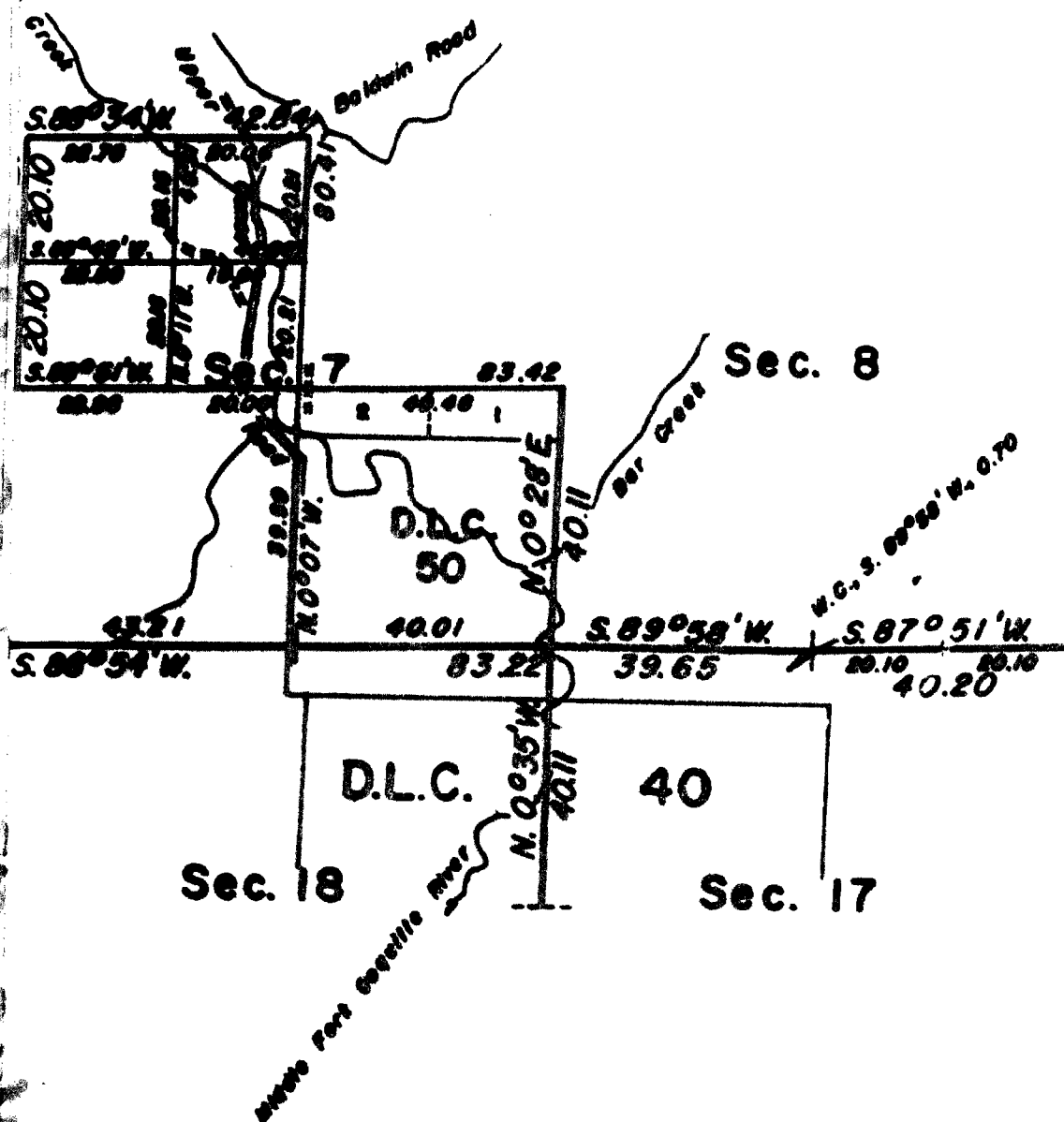
Sec. 16

Sec. 4



Sec. 6

Sec. 5



Sec. 9

Sec. 16

Patented

1.89°18'N. 40.01

W. Newland

Claim No. 4

8W. 84.64

8720'E. 4127

2.50 | 14.51

11
5.31

12
3653

Seq 7
385.05

14
15.88

13
43.17

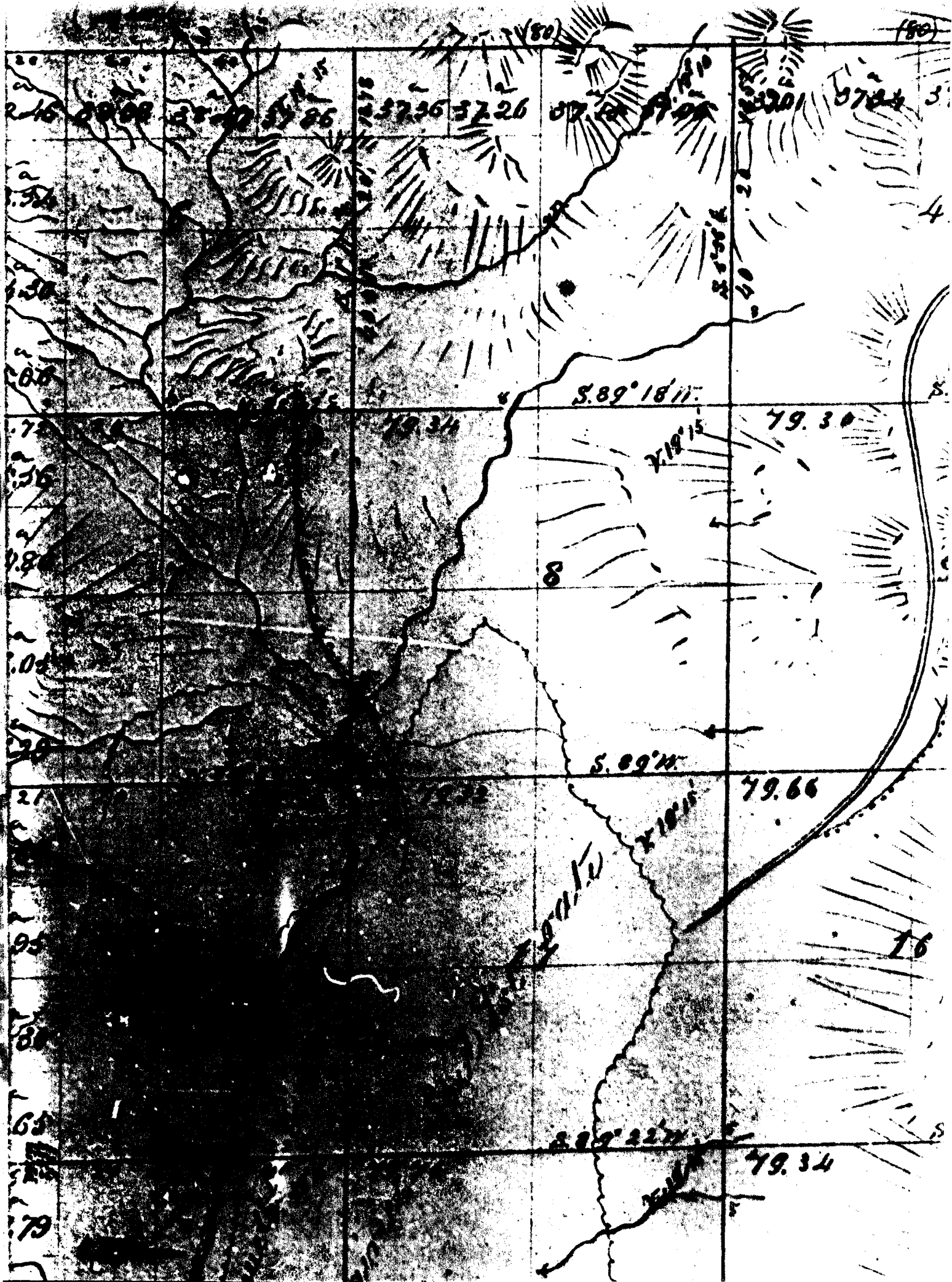
Patented

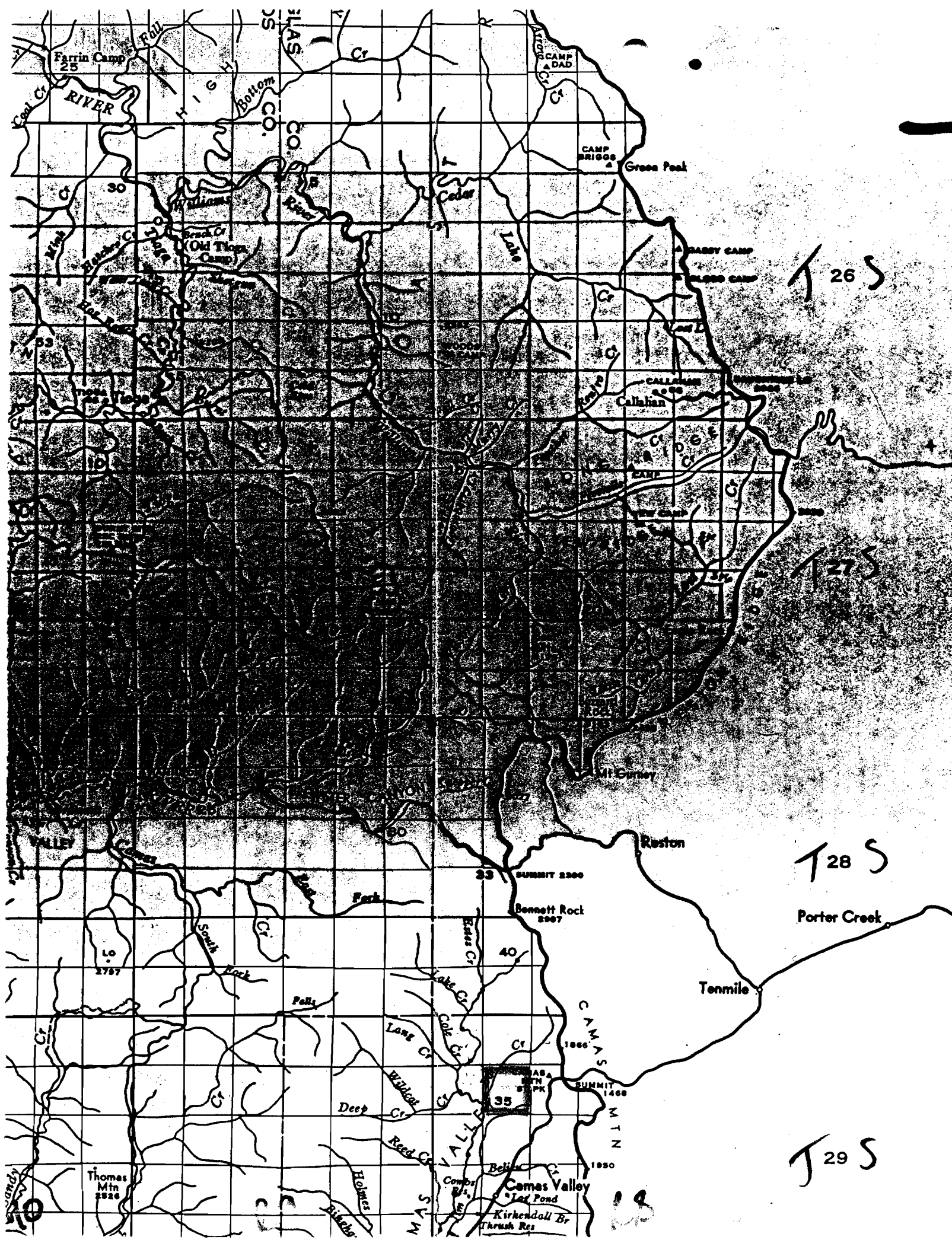
$N. 89^{\circ} 18' W.$

Dani Wells Claim N° 39

549°39'E. 60.00

Wells House





Don

INTERDEPARTMENT MEMO

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

Enclosed is a copy of a Registration Statement and accompanying map that has been filed in your district. It has been numbered SWR #84.

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

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,


Adjudication Section

Enclosures

August 28, 1992

Marion L. or Ninetta West
1458 Kirkendahl Road
Camas Valley OR 97416

RE: Surface Water Registration

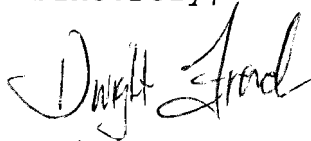
Dear Marion L. or Ninetta West,

This will acknowledge that your Surface Water Registration Statement in the name of Marion L. or Ninetta West has been received by our office. The fees in the amount of \$30.00 have been received and our receipt # 91018 is enclosed. It has been numbered SWR-84.

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.



STATE OF OREGON
WATER RESOURCES DEPARTMENT
RECEIPT # 91018 3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

RECEIVED FROM: Marion L. or Ninetta West APPLICATION
BY: _____ PERMIT
TRANSFER

CASH: ☐ CHECK: # X 24-12 OTHER: (IDENTIFY) ☐ TOTAL REC'D \$ 30.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>30.00</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	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	EXAM FEE	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
842.016	WELL DRILL OPERATOR	\$	842.019	\$
	LANDOWNER'S PERMIT	\$	842.024	\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

		LIC NUMBER	
842.011	POWER LICENSE FEE(FW/WRD)		\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
	HYDRO APPLICATION		\$

RECEIPT # 91018

DATED: 8-25-92

BY: K. Acheson

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

Copy-Fiscal