

RECEIVED

JUL 16 1993

WATER RESOURCES DEPT
SALEM, OREGON

29773 Gimpl Hill Road
Eugene, OR 97402

July 15, 1993

Mr. Don Knauer
Adjudication Specialist
Water Rights Division
Oregon Water Resources Department
3850 Portland Road North East
Salem, OR 97310

Dear Mr. Knauer:

This letter is in regards to SWR-69.

We are recently in receipt of a copy of a FAX that was mailed to you from Stephen H. Ford, Inc., land surveying and water rights examiners.

The FAX stated the type and size of the diversion structure on the spring for which we have applied for a pre-1909 vested water right claim.

If there is any further information that you may need to expedite this application, we are most agreeable to help. We can be reach at 503-686-5566, or at the above address.

Thank you for your assistance.

Sincerely,

Susan L. Hamlin

Susan L. Hamlin

RECEIVED

JUN 14 1993

Certified W.B.E.

STEPHEN H. FORD, INC.

Land Surveying • Construction Supervision • Water Rights Examinations

WATER RESOURCES DEPT.
SALEM, OREGON

Refer to Job No. _____

TRANSMITTAL LETTER

TO WATER RESOURCES DEPT. FROM PAULA L. NORNESS WRE

ATTN DON KNAUER, ADJUDICA. SPEC. DATE JUNE 11, 1993
RE SWR-69 YOUR NO. _____

WE ARE SENDING YOU

ATTACHED UNDER SEPARATE COVER VIA _____
 Prints Descriptions Letter

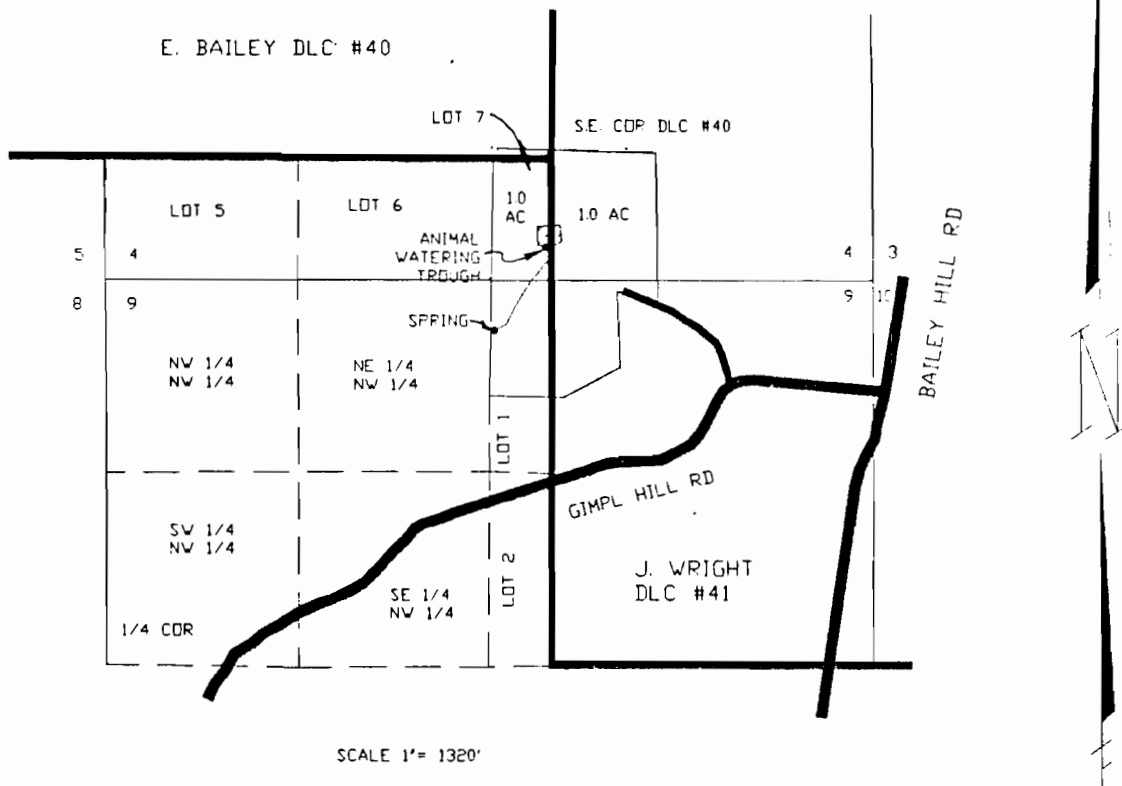
Quantity	Description
1	MYLAR OF REVISED PRE-1909 VESTED W.R. CLAIM MAP

IF MATERIAL RECEIVED IS NOT AS LISTED, PLEASE NOTIFY US AT ONCE

REMARKS Thanks for your assistance. Hope this does it.

COPY TO Client & file

TOWNSHIP 18 SOUTH, RANGE 4 WEST, W. M.



SURFACE WATER REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM MAP

SPRING LOCATION:
1150' SOUTH & 390' WEST
OF THE S.E. CORNER OF
E. BAILEY DLC #40

FOR
FRED & SUSAN HAMLIN
29773 GIMPLE HILL ROAD
EUGENE, OR 97402

BY
STEPHEN H. FORD INC.
1120 BAILEY HILL RD #5
EUGENE, OR 97402
PH (503) 344-1852

NOTE:
THIS MAP WAS PREPARED FOR THE
PURPOSE OF IDENTIFYING THE
LOCATION OF THE WATER RIGHT ONLY.
IT IS NOT INTENDED TO PROVIDE
DIMENSIONS OR LOCATION OF PROPERTY
OWNERSHIP.

JOB NO. 1590.10



RECEIVED

SEP 28 1992

WATER RESOURCES DEPT
SALEM, OREGON

29773 Gimpl Hill Road
Eugene, OR 97402

September 25, 1992

Mr. Don Knauer
Adjudication Specialist
Water Rights Division
Oregon Water Resources Department
3850 Portland Road North East
Salem, OR 97310

RE: Surface Water Registration Statement number SWR-69.

Dear Mr. Knauer:

Thank you so much for your visit to our property on July 23, 1992, to inspect the spring water use.

Since that time I have been carefully gathering documents to substantiate the valid water use for that claim, and per your suggestion they are being sent to you for review. These are documents that prove both ownership of the land, and that the spring has historically been the primary source of water. In fact it was the only source of water used until after 1980. It was after that year when the water from the well that was dug in 1977 was piped into the kitchen.

The documents are numbered consecutively as follows:

- ✓Exhibit 1: Warranty deed from Frank Bailey to Perry McCollum, dated August 16, 1901.
- ✓Exhibit 2: Petition of Probate of Will of Perry McCollum to Lane County Court dated August 31, 1928, in which said property is willed to Daniel S. McCollum.
- ✓Exhibit 3: Order admitting will to probate, dated September 10, 1928.
- ✓Exhibit 4: Copy of Inventory and Appraisal of the Perry McCollum estate, dated January 30, 1929.

- ✓Exhibit 5: Copy of Water Well Contractor's Certificate showing date of drilling as August 19, 1977.
- ✓Exhibit 6: Partial inventory of Dan McCollum estate showing said property, dated 1979.
- ✓Exhibit 7: Deed between Pearl Greiner McCollum and Cone Lumber Company showing transfer of ownership, dated November 15, 1980.
- ✓Exhibit 8: Deed between Cone Lumber Company and Mr. Edwin E. Cone, dated December 26, 1986.
- ✓Exhibit 9: Copy of deed between Mr. Edwin E. Cone and Fred and Susan Hamlin showing transfer of ownership, dated 1991.
- ✓Exhibit 10: Death notice of Pearl Greiner McCollum, dated October 19, 1991, at the age of 98.
- ✓Exhibit 11: Signed statement from Mrs Rita Greiner, Pearl Greiner McCollum's sister-in-law, stating continual use of spring water for both domestic and agricultural use since approximately 1901.
- ✓Exhibit 12: Signed statement from Mrs. Beryl Pohll and Mr. Lester D. Pohll, who are adjoining neighbors on the south, stating their substantiation of spring water use.

Once again your assistance and cooperation on this request is certainly appreciated. If there is further information you may need, please advise us. Also, please advise us as to the time frame necessary for you to complete the review.

Sincerely yours,

Susan L. Hamlin
Susan L. Hamlin

#1
Opine

From Frank Bailey, unmarried to Perry McCollum

WARRANTY DEED.

This Indenture Witnesseth, that Frank Bailey, unmarried

twelve hundred ^{dollars, for and in consideration of the sum of} DOLLARS.
to me paid, do hereby bargain, sell and convey unto Perry McCollum, the following described premises, to-wit:

Commencing at a point on the east line of the Ezekial Bailey donation land claim No. 304 in tp 18 s r 4 w 23.28 chains south of the northeast corner thereof, thence south 14.14 chains thence west parallel with the north line of said donation land claim, 56.57 chains to west line thereof, thence north 14.14 chains and thence east 56.57 chains to the place of beginning, containing 80 acres of land being the north half of the south half of said donation land claim, situated in Lane County, State of Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Perry McCollum, his heirs and assigns forever.

And the said Frank Bailey does hereby covenant to and with the said Perry McCollum his

heirs and assigns, that he is the owner in fee simple of said premises; and that they are free from all incumbrances

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 16th day of August, A.D., 1901

Done in the presence of
Geo. B. Dorris
L. T. Harris

Frank Bailey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF OREGON, County of Lane, On this, the 16 day of August, A.D., 1901, personally came before me, a notary public in and for said County, the within named Frank Bailey, unmarried

and wife, to me personally known to be the identical persons described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

~~Notary Public~~
Notary Public

12
IN THE COUNTY COURT OF THE STATE OF OREGON
IN AND FOR LANE COUNTY.

In the Matter of the Estate

of PETITION FOR PROBATE OF WILL.

Perry McCollum, Deceased.

Comes now Daniel S. McCollum, and respectfully shows the Court and States, that his father, Perry McCollum, died testate in the State Hospital for the insane at Salem, Oregon, at the age of seventy-two years on or about the 16th day of July, 1928, being at the time and for many years prior thereto a resident of Lane County, Oregon, possessed of personal property of the probable value of \$600.00 and real property of the probable value of \$3000.00, the rental value of which does not exceed the sum of \$100.00 per annum.

That on the 25th day of February, 1924, while he was of sound and disposing mind and memory, acting of his own free will and volition, said deceased made and executed his last will and testament in words as follows, to-wit:

"TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, That I, Perry McCollum, a widower, sixty-eight years old, of Eugene, Oregon, being of sound and disposing mind and memory, realizing the uncertainty of this mortal life and wishing to make proper disposition of my earthly possessions, do hereby make, publish and declare this my last will and testament as follows, to-wit:

I,

I hereby direct that all debts and just claims against me or my estate, including the expenses of my last sickness, death, funeral and the burial of my body, be paid in full as soon as can consistently be done after my decease, without sacrifice.

II,

Unto my son, Charlie H. McCollum, I give and bequeath the sum of One Hundred Dollars, Lawful money of the United States, to be paid to him upon the final settlement of my estate.

III,

All the rest, residue and remainder of my property, of any and every kind and wherever situated, including everything of value owned by me at the time of my decease, or in which I have any interest, I give, devise and bequeath unto my son

sole executor of this my last will and testament and reposing full faith and confidence in his integrity and ability, I direct that no bond, undertaking or written financial obligation shall be required of him as such executor.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Eugene, Oregon, this 25th day of February, 1924.

Done in the presence of

R. H. Blewett

Perry McCollum (Seal)"

A. E. Wheeler

That deceased was a widower at the time of his death, and his only heirs at law, legal representatives, and persons named in said last will and testament are, Charlie H. McCollum and this Petitioner, Daniel S. McCollum, sons of deceased, both more than twenty-one years old, and both residing in Lane County, Oregon.

Wherefore petitioner prays that said last will and testament be proved, admitted to probate, recorded as such last will and testament in the record of wills, and that the nomination therein of this petitioner, as executor thereof, be by the Court approved, confirmed, and that letters testamentary issue to him as such executor upon his filing herein his oath of office, said last will and testament providing that no bond or undertaking shall be required of him as such executor.

Daniel S. McCollum

State of Oregon,

SS.

LANE COUNTY.

I, Daniel S. McCollum, being first duly sworn on oath say, that I am the Petitioner described and who signed the foregoing petition; that I have read said petition or heard it read so know the contents thereof and that the allegations therein contained are true, as I verily believe.

Daniel S. McCollum

Sworn to before me and subscribed in my presence by the said

Daniel S. McCollum, this 31st day of August, 1928.

My Notarial Commission
expires May 27th, 1931.

A. E. Wheeler
Notary Public for Oregon.

Exhibit #3 -

IN THE COUNTY COURT OF THE STATE OF OREGON, IN
AND FOR LANE COUNTY.

In the Matter of the Estate

of ORDER ADMITTING WILL TO PROBATE.

Perry McCollum, Deceased.

Now this matter coming on for hearing upon the Petition of Daniel S. McCollum for the proof and admission to probate of the instrument filed herein, purporting to be the last will and testament of Perry McCollum, deceased, copy of which is set out in said petition, which petition is duly verified and taken as confessed; and it appearing therefrom that the said Perry McCollum died on the 16th day of July, 1928, in Marion County, Oregon, at the age of seventy-two years, being at the time a resident of Lane County, Oregon; owning real property of the probable value of \$3000.00; and leaving personal property of the probable value of \$600.00.

That the only heirs at law, legal representatives, legatees and persons interested in the estate of said deceased are as follows, namely:

Charlie H. McCollum, a son, more than twenty-one years old, residing at Eugene, Oregon.

Daniel S. McCollum, a son, more than twenty-one years old, residing at Eugene, Oregon.

And now the Court having examined said instrument presented as the last will and testament of deceased, and the affidavits and testimony of R. H. Blewett, and A. E. Wheeler, subscribing witnesses thereto, finds: That both said witnesses were well acquainted with deceased during his lifetime; that at his request and dictation the witness A. E. Wheeler, wrote said instrument, that on the 25th day of February, 1924, at Eugene, Oregon, in the presence of R. H. Blewett, and A. E. Wheeler, affiants, Perry McCollum wrote and subscribed his own name thereon, as maker thereof, that he then and there declared said instrument to be his last will and testament; that he was at the time of sound and disposing mind and memory and not under the influence

of any other person; from all of which it appears to the Court that said instrument was and is the last will and testament of said Perry McCollum, deceased. It further appearing from said instrument and from said petition that Petitioner, Daniel S. McCollum, is nominated thereby and appointed executor thereof and that he is a resident of Lane County, Oregon, more than twenty-one years old, a suitable person to execute such last will and testament and that E. F. Blanton, Frank Marshall, and Joe Watson are residents of said City of Eugene, and men of good judgment, so suitable and proper persons to appraise said property:

Wherefore it is now hereby found, adjudged and decreed that said instrument, copy of which is set out in the petition for probate, is the last will and testament of Perry McCollum, deceased; that it be and is admitted to probate as such and recorded in the record of wills; that the nomination therein of Daniel S. McCollum as executor thereof is approved and confirmed and that letters testamentary issued to him as such, he having filed herein his oath of office as such executor, as by law required.

It is further ordered that E. F. Blanton, Frank Marshall, and Joe Watson be and they hereby are appointed appraisers of the property belonging to the estate of deceased.

Done in open Court this 10th day of September, 1928.

C. P. Barnard
County Judge.

Exhibit #4

In the matter of the Estate of

Perry Mc Collum,

Deceased

INVENTORY AND APPRAISEMENT

Moneys belonging to the said deceased which have come to the hands of the

None \$

One promissory note of J.F. Bailey and H. E. Ware given Jany. 18th, 1924, \$30, due six months after date, interest at 8% per annum; \$30.00

One promissor note of D. S. Mc Collum and C. H. Mc Collum, given Jany. 17th, 1924, for \$135, with interest at 8% per annum; one half paid, 67.50
Interest accrued thereon, 14.40

One promissory note of E. F. Blanton and M.A. Blanton, given December 9th, 1924, \$200 with interest at 8% per annum, payable annually; interest paid to December 9th, 1925, 200.00
Interest accrued on same, 25.64

Two cows, 90.00
Three hogs, 40.00
Twenty sheep, 120.00
One old binder, 10.00
One hay rake, 10.00
One old mower, 10.00
One sulky plow, 5.00
One harrow, 10.00
Two shovels, two hoes and garden rake, 3.00
One 3 h.p. gas. engine and feed chopper 50.00
Blacksmith tools, 2.50
Household goods and furniture, 22.00
Total personal property \$710.04

R E A L P R O P E R T Y .

Beginning at the Southeast corner of the Donation land claim No. 40, Notification No. 2256, in section Four in Township Eighteen South, Range Four West of Willamette meridian; and running thence West along the South line of said claim 6.31 chains, thence South 24.78 chains, thence East 8.10 chains, thence North 59°45' East 6.16 chains, thence South 84° 34' East 11.40 chains, thence north 45.72 chains, thence West 18.45 chains to the East line of said donation land claim No. 40, thence North 5.32 chains to the Northeast corner of the South half of said claim, thence West on said line 19.34 chains, thence South 28.82 chains to the South line of said claim and thence East 13.03 chains, more or less, to the place of beginning; containing 154.7 acres, more or less; excepting the right of way over and across the same, sold and conveyed to Isaac Blanton and George Bolar; \$3000.00
Total value of all property, 3710.04

Amount Carried forward

We, the undersigned, duly appointed appraisers of the estate of Perry Mc Collum,
deceased hereby certify that the property mentioned in the fore-
going inventory, has been exhibited to us, and that we appraise the same at the sums set opposite each
item in said inventory set down, and amounting in all to the sum of THREE THOUSAND, SEVEN
HUNDRED, TEN and 4/100 Dollars, (\$3710.04)

Dated January 30th, 1929.

E. A. Robertson
Frank G. Marshall
Joe Watson

Exhibit #6

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LANE

IN THE MATTER OF THE ESTATE)
OF)
DANIEL S. McCOLLUM,)
Deceased)

Probate no. 24104

INVENTORY

4

FILED

ATO'CLOCK.....M

JAN 18 1979

Michael L. Terry, Court Administrator
Circuit Court for Lane County Oregon

BY Marta J. Jones **CLERK**

I hereby certify that the following is a complete inventory of all the property of the estate that has come into my possession or knowledge, with my estimate of the respective true cash values of the property as of the date of death of the decedent:

REAL PROPERTY:

1. Residence and 34 acres located at 29773 Gimple Hill Road, Eugene, Lane County, Oregon, described as:

Beginning at the Southeast corner of the Ezechial Bailey donation Land Claim No. 40, Township 18 South, Range 4 West, Willamette Meridian, Lane County, Oregon; and run thence South 89° 58' 42" West, 356.46 feet to a point; thence North 0° 01' 18" West, 60.0 feet to a point; thence South 89° 58' 42" West, parallel with the South line of said Bailey Donation Land Claim No. 40, 889.65 feet to the East line of Rathbone Road; thence South 0° 16' 47" West, 60.0 feet to the South line of said Bailey Donation Land Claim No. 40; thence North 89° 58' 42" East, along said South line, 839.65 feet to a point; thence South 1635.48 feet, more or less, to the Southwest corner of County Survey No. 1171; thence South 89° 52' East, along the North line of that tract of land conveyed to Jacob Wilbert Jacobsen, et ux, by deed recorded October 5, 1954, Reception No. 39739, Lane County Oregon Deed Records, 527.80 feet to a point; thence North 29° 44' East, 8.90 feet to a point, thence North 60° East, 419.4 feet, more or less, to the Southwest corner of POHLL'S SUBDIVISION, as platted and recorded in Book 47 Page 2, Lane County Oregon Plat Records, thence North 2° 22' 20" West along the West line

CALKINS & CALKINS
ATTORNEYS AT LAW
1163 OLIVE STREET (P.O. BOX 329)
EUGENE, OREGON 97401
TELEPHONE: 345-0371

of said POHLL'S SUBDIVISION and the Northerly extension thereof 1429.87 feet, more or less, to a point North 89° 58' 42" East of the point of beginning; thence South 89° 58' 42" East of the point of beginning; thence South 89° 58' 42" East of the point of beginning; thence South 89° 58' 42" West, 447.42 feet to the point of beginning, in Lane County, Oregon.

Appraised value - - - - - \$204,000.00

JUN 3 1986

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8620686

WARRANTY DEED

PEARL G. MCCOLLUM, Grantor, conveys and warrants to CONE LUMBER COMPANY, Grantee, the following described real property free of encumbrances, except as set forth herein, to-wit:

5629A081 06/03/86 REC 8.00

Beginning at the Southeast corner of the Ezekiel Bailey Donation Land Claim No. 40, Township 18 South, Range 4 West of the Willamette Meridian, from which a Lane County... thence South 89°58'42" West 356.46 feet along the South line of said Claim No. 40 to a point marked by an iron pin; thence North 0°01'18" West 60.00 feet to a point marked by an iron pin; thence South 89°58'42" West 889.65 feet along a line parallel with and 60.00 feet northerly from the South line of said Claim No. 40 to an iron pin set on the East line of that tract of land described in that instrument filed on Reel No. 2540, Reception No. 81324, Lane County Oregon Deed Records; thence South 0°16'47" West 60.00 feet along the East line of said tract of land to the Southeast corner thereof marked by an iron pin set on the South line of said Claim No. 40; thence North 89°58'42" East 821 feet along the South line of said Claim No. 40 to a point marked by an iron pin; thence South 0°37'27" East 1651.21 feet to an iron pin set in a survey on file at the Lane County Surveyor's Office under File No. 14502 to mark the Southwest corner of a survey on file at the Lane County Surveyor's Office under File No. 1171; thence South 89°59'03" East 527.84 feet along the North line of said Survey No. 14502 to an iron pin in the centerline of the vacated portion of County Road No. 441; thence North 29°17'41" East 8.92 feet continuing along said North line of Survey No. 14502 and along said centerline to an iron pin; thence North 60°06'13" East 143.28 feet continuing along said North line of Survey No. 14502 and along said centerline to an iron pipe; thence North 59°57'54" East 287.17 feet continuing along said centerline to an iron pin marking the Southwest corner of POHLL'S SUBDIVISION, as platted and recorded in Book 8, Lane County Oregon Plat Records; thence North 2°22'08" West 1429.87 feet along the West line of said POHLL'S SUBDIVISION, and the Northerly extension thereof to an iron pin set on the Easterly extension of the South line of said Claim No. 40; thence South 89°58'42" West 447.42 feet to the point of beginning, in Lane County, Oregon;

ALSO: An EASEMENT and RIGHT OF WAY for road and travel purposes over the following described tract: A strip of land 60 feet in width lying adjacent to and West of the following described line: Beginning at a point 1502.28 feet South 0°11' East from a point which is 1217.7 feet East of the Southeast corner of the Ezekiel Bailey Donation Land Claim No. 40, Township 18 South, Range 4 West of the Willamette Meridian, said beginning point being in the center of County Road No. 441, 1121.0 feet North 89°34' West from the intersection of the centerline of said County Road with the centerline of County Road No. 227; from said beginning point run North 84°34' West along the center of County Road No. 441, 22.66 feet; thence leaving said County Road and run Northwesterly along the Easterly right of way line of a certain private road as follows: thence North 5°04' West 81.74 feet; thence along the arc of a 413.78 foot radius curve left (the long chord of which bears 20°05' 1/2" West 214.0 feet) a distance of 217.01 feet; thence North 35°07' West 8 feet;

ALSO: An EASEMENT and RIGHT OF WAY for road and travel purposes over the following described tract: A tract of land 60.00 feet wide lying northerly of and adjacent to the following described line: Beginning at the Northwest corner of POHLL'S SUBDIVISION, as platted and recorded in Book 47, Page 8, Lane County Oregon Plat Records; thence South 78°1'30" East 163.20 feet along the North line thereof to a point; thence continuing along

1 - Warranty Deed

JUN 3 1986

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said northerly line and the arc of a curve to the right having a radius of 370.00 feet to a point which bears South 68°15'08" East 127.72 feet from the last described point; thence South 58°18'47" East 207.52 feet continuing along said line to a point; thence continuing along said line and the arc of a curve to the right having a radius of 270.00 feet to a point which bears South 46°34'07" East 109.91 feet from the last described point; thence South 34°49'27" East 26.86 feet continuing along said line to the ending point in Lane County, Oregon;

ALSO: An EASEMENT and RIGHT OF WAY for road and travel purposes over and across a strip of land 50 feet in width lying adjacent to and North of the Southerly boundary of POHLL'S SUBDIVISION, as platted and recorded in Book 47, Page 8, Lane County Oregon Plat Records, in Lane County, Oregon.

The said property is free from all encumbrances except easements and rights of way of record.

The true consideration for this conveyance is

\$272,000.00.

Until a change is requested, mail all tax statements

to: CONE LUMBER COMPANY GOSHEN, OR 97401

DATED this 15th day of November, 1980.

Pearl G. McCollum Pearl G. McCollum

STATE OF OREGON) County of Lane) ss

On this 15th day of December, 1980, personally appeared the above PEARL G. MCCOLLUM, and acknowledged the foregoing to be her free act and deed.

Before me:

Robert W. Robertson Notary Public for Oregon

My Commission expires: 2-16-82



2 - Warranty Deed

Prohibit

Exhibit # 8
34-
10-

8653411

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, CONE INVESTMENT CO. (formerly Cone Lumber Company), a partnership whose sole members are JUNE E. CONE as Trustee for Barbara Jean Sherman; R. R. CONE; DOUGLAS E. CONE; and GREGORY P. CONE, does hereby grant, bargain, sell and convey unto EDWIN E. CONE the real property, with tenements, hereditaments, and appurtenances, described on the attached sheets consisting of 5 pages, each marked "Exhibit A" and by reference incorporated herein.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true consideration for this deed is distribution of partnership assets. 9767A001 12/30/86 REC 34.00
0000340

Dated this 25 day of December, 1986. 9767A001 12/30/86PFND 10.00
0000340

CONE INVESTMENT CO.
(formerly Cone Lumber Company)

By *June E. Cone, Trustee*
June E. Cone, Trustee
for Barbara Jean Sherman

By *R.R. Cone*
R. R. Cone

By *Douglas E. Cone*
Douglas E. Cone

By *Gregory Paul Cone*
Gregory Paul Cone

After recording, return to BRYSON & BRYSON, Attorneys, 1565 Oak Street, Eugene, OR 97401

Until a change is requested, mail all tax statements to EDWIN E. CONE, 2130 Olive Street, Eugene, OR 97403

STATE OF OREGON,)
) ss.
County of Lane.)

On this 26 day of December, 1986, personally appeared
the above named JUNE E. CONE as Trustee for Barbara Jean Sherman,
R. B. CONE, DOUGLAS E. CONE and GREGORY P. CONE, and acknowledged
the foregoing instrument to be their voluntary act and deed,
before me:



Richard Bryson
Notary Public for Oregon

My Commission expires: Dec. 1, 1986

Beginning at the Southeast corner of the Ezekiel Bailey Donation Land Claim No. 40, Township 18 South, Range 4 West of the Willamette Meridian, from which a Lane County brass cap monument, intending to monument said Southeast corner bears East 0.16 feet; thence South 89° 58' 42" West 356.46 feet along the South line of said Claim No. 40 to a point marked by an iron pin; thence North 0° 01' 18" West 60.00 feet to a point marked by an iron pin; thence South 89° 58' 42" West 889.65 feet along a line parallel with and 60.00 feet Northerly from the South line of said Claim No. 40 to an iron pin set on the East line of that tract of land described in that instrument filed on Reel No. 254D, Reception No. 81324, Lane County Oregon Deed Records; thence South 0° 16' 47" West 60.00 feet along the East line of said tract of land to the Southeast corner thereof marked by an iron pin set on the South line of said Claim No. 40; thence North 89° 58' 42" East 829.97 feet along the South line of said Claim No. 40 to a point marked by an iron pin; thence South 0° 37' 22" East 1651.21 feet to an iron pin set in a survey on file at the Lane County Surveyor's Office under File No. 14502 to mark the Southwest corner of a survey on file at the Lane County Surveyor's Office under File No. 1171; thence South 89° 59' 03" East 527.84 feet along the North line of said Survey No. 14502 to an iron pin in the centerline of the vacated portion of County Road No. 441; thence North 29° 17' 41" East 8.92 feet continuing along said North line of Survey No. 14502 and along said centerline to an iron pin; thence North 60° 06' 13" East 143.28 feet continuing along said North line of Survey No. 14502 and along said centerline to an iron pipe; thence North 59° 57' 54" East 287.17 feet continuing along said centerline to an iron pin marking the Southwest corner of POHLL'S SUBDIVISION, as platted and recorded in Book 47, Page 8, Lane County Oregon Plat Records; thence North 2° 22' 08" West 1429.87 feet along the West line of said POHLL'S SUBDIVISION, and the Northerly extension thereof to an iron pin set on the Easterly extension of the South line of said Claim No. 40; thence South 89° 58' 42" West 447.42 feet to the point of beginning, in Lane County, Oregon;

ALSO: An easement and right of way for road and travel purposes over the following described tract: A strip of land 60 feet in width lying adjacent to and West of the following described line: Beginning at a point 1502.28 feet South 0° 11' East from a point which is 1217.7 feet East of the Southeast corner of the Ezekiel Bailey Donation Land Claim No. 40, Township 18 South, Range 4 West of the Willamette Meridian, said beginning point being in the center of County Road No. 441, 1121.0 feet North 89° 34' West from the intersection of the centerline of said County Road with the centerline of County Road No. 227; from said beginning point run North 84° 34' West along the center of County Road No. 441, 22.68 feet; thence leaving said County Road and run Northwesterly along the Easterly right of way line of a certain private road as follows: thence North 5° 04' West 81.74 feet; thence along the arc of a 413.78 foot radius curve left (the long chord of which bears North 20° 05 1/2' West 214.0 feet) a distance of 217.01 feet; thence North 35° 07' West 88.58 feet;

-continued-

11-13117

02-10007

Property description - continued

ALSO: An easement and right of way for road and travel purposes over the following described tract: A tract of land 60.00 feet wide lying Northerly of and adjacent to the following described line: Beginning at the Northwest corner of POHLL'S SUBDIVISION, as platted and recorded in Book 47, Page 8, Lane County Oregon Plat Records; thence South 78° 11' 30" East 163.20 feet along the North line thereof to a point; thence continuing along said Northerly line and the arc of a curve to the right having a radius of 370.00 feet to a point which bears South 68° 15' 08" East 127.72 feet from the last described point; thence South 58° 18' 47" East 207.52 feet continuing along said line to a point; thence continuing along said line and the arc of a curve to the right having a radius of 270.00 feet to a point which bears South 46° 34' 07" East 109.91 feet from the last described point; thence South 34° 49' 27" East 26.86 feet continuing along said line to the ending point in Lane County, Oregon;

ALSO: An easement and right of way for road and travel purposes over and across a strip of land 50 feet in width lying adjacent to and North of the Southerly boundary of POHLL'S SUBDIVISION, as platted and recorded in Book 47, Page 8, Lane County Oregon Plat Records, in Lane County, Oregon.

8653411

State of Oregon,
County of Lane--ss.

I, the County Clerk, in and for the said County, do hereby certify that the within instrument was recorded for record at

20 DEC 26 11:50

Book 1437R

Lane County OFFICIAL RECORD,
Lane County Clerk

By: *Am*

Exhibit #9 -

EDWIN E. CONE,

, Grantor,

conveys and warrants to

FRED E. HAMLIN, EXCHANGOR and SUSAN L. HAMLIN, EXCHANGOR, husband and wife

, Grantee,

the following described real property situated in LANE County, OR free of encumbrances except as specifically set forth herein, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

This conveyance is subject to and excepts: RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS, COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND EASEMENTS OF RECORD.

The true consideration for this conveyance is \$ OTHER CONSIDERATION OR VALUE

"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."

Dated: 05/17/91

EDWIN E. CONE,

WESTERN PIONEER TITLE CO. of Lane County

STATE OF OREGON)
County of LANE) ss.

This instrument was acknowledged before me on EDWIN E. CONE, by

Notary Public for Oregon

My commission expires:

Until a change is requested, all tax statements shall be sent to the following address:

Handwritten initials and date: 5/24/91

EXHIBIT "A"

Beginning at the Southeast corner of the Ezekial Bailey Donation Land Claim No. 40, Township 18 South, Range 4 West of the Willamette Meridian, from which a Lane County brass cap monument, intending to monument said Southeast corner bears East 0.16 feet; thence South 89° 58' 42" West 356.46 feet along the South line of said Claim No. 40 to a point marked by an iron pin; thence North 0° 01' 18" West 60.00 feet to a point marked by an iron pin; thence South 89° 58' 42" West 889.65 feet along a line parallel with and 60.00 feet Northerly from the South line of said Claim No. 40 to an iron pin set on the East line of that tract of land described in that instrument filed on Reel No. 254D, Reception No. 81324, Lane County Oregon Deed Records; thence South 0° 16' 47" West 60.00 feet along the East line of said tract of land to the Southeast corner thereof marked by an iron pin set on the South line of said Claim No. 40; thence North 89° 58' 42" East 829.97 feet along the South line of said Claim No. 40 to a point marked by an iron pin; thence South 0° 37' 22" East 1651.21 feet to an iron pin set in a survey on file at the Lane County Surveyor's Office under File No. 14502 to mark the Southwest corner of a survey on file at the Lane County Surveyor's Office under File No. 1171; thence South 89° 59' 03" East 527.84 feet along the North line of said Survey No. 14502 to an iron pin in the centerline of the vacated portion of County Road No. 441; thence North 29° 17' 41" East 8.92 feet continuing along said North line of Survey No. 14502 and along said centerline to an iron pin; thence North 60° 06' 13" East 143.28 feet continuing along said North line of Survey No. 14502 and along said centerline to an iron pipe; thence North 59° 57' 54" East 287.17 feet continuing along said centerline to an iron pin marking the Southwest corner of POHLL'S SUBDIVISION, as platted and recorded in Book 47, Page 8, Lane County Oregon Plat Records; thence North 2° 22' 08" West 1429.87 feet along the West line of said POHLL'S SUBDIVISION, and the Northerly extension thereof to an iron pin set on the Easterly extension of the South line of said Claim No. 40; thence South 89° 58' 42" West 447.42 feet to the point of beginning, in Lane County, Oregon.

* TOGETHER WITH THE FOLLOWING EASEMENTS APPURTENANT FOR ROAD AND TRAVEL PURPOSES AS DISCLOSED IN DEED FROM PEARL G. McCOLLUM TO CONE LUMBER COMPANY RECORDED June 3, 1986, RECEPTION No. 86-20686, OFFICIAL RECORDS OF LANE COUNTY, OREGON, DESCRIBED AS FOLLOWS:

ALSO: An easement and right of way for road and travel purposes over the following described tract: A strip of land 60 feet in width lying adjacent to and West of the following described line:

Beginning at a point 1502.28 feet South 0° 11' East from a point which is 1217.7 feet East of the Southeast corner of the Ezekiel Bailey Donation Land Claim No. 40, Township 18 South, Range 4 West of the Willamette Meridian, said beginning point being in the center of County Road No. 441, 1121.0 feet North 89° 34' West from the intersection of the centerline of said County Road with the centerline of County Road No. 227; from said beginning point run North 84° 34' West along the center of County Road No. 441, 22.68 feet; thence leaving said County Road and run Northwesterly along the Easterly right of way line of a certain private road as follows: thence North 5° 04' West 81.74 feet; thence along the arc of a 413.78 foot radius curve left (the long chord of which bears North 20° 05' 1/2" West 214.0 feet), a distance of 217.01 feet; thence North 35° 07' West 88.58 feet, in Lane County, Oregon.

ALSO: An easement and right of way for road and travel purposes over the following described tract: A tract of land 60.00 feet wide lying Northerly of and adjacent to the following described line:

Beginning at the Northwest corner of POHLL'S SUBDIVISION, as platted and recorded in Book 47, Page 8, Lane County Oregon Plat Records; thence South 78° 11' 30" East 163.20 feet along the North line thereof to a point; thence continuing along said Northerly line and the arc of a curve to the right having a radius of 370.00 feet to a point which bears South 68° 15' 08" East 127.72 feet from the last described point; thence South 58° 18' 47" East 207.52 feet continuing along said line to a point; thence continuing along said line and the arc of a curve to the right having a radius of 270.00 feet to a point which bears South 46° 34' 07" East 109.91 feet from the last described point; thence South 34° 49' 27" East 26.86 feet continuing along said line to the ending point in Lane County, Oregon.

ALSO: An easement and right of way for road and travel purposes over and across a strip of land 50 feet in width lying adjacent to and North of the Southerly boundary of POHLL'S SUBDIVISION, as platted and recorded in Book 47, Page 8, Lane County Oregon Plat Records, in Lane County, Oregon.

7/24/2

Exhibit #10

Death Notices 115

MC COLLUM — Pearl Greiner McCollum of Eugene died October 19, 1991 at the age of 98. She was born July 12, 1893 in Correctionville, Iowa. She was a lifetime member of the Four Oaks Grange and Pamona Grange, and held all offices in the granges; she was a member of Ellen Hawkins Club. She is survived by her sister, Helen Doyle of Bend; her sister-in-law, Rita Greiner of Eugene. She was preceded in death by her husband Dan. Memorial services will be Wednesday, October 23rd at 2 p.m. in MUSGROVE FAMILY MORTUARY. Those who wish may contribute in her memory to the Oregon Cancer Society or the Eugene Mission in care of the Chapel.

Exhibit # 11

*Rita Hand delivered letter
to me on July 11, 1992
Susan Hamlin*

April 13, 1992

To Whom It May Concern:

This is a statement to substantiate the continued use of the spring water at 29773 Gimpl Hill Road, Eugene, OR 97402, from the late 1800's-early 1900's to the present time. The source of water used during these years was a natural spring located on the property.

My brother-in-law, Mr. Dan McCollum, was born on the property during the year 1903. His father was Perry McCollum, and his mother's name was Francis McCollum.

Perry McCollum purchased the land prior to 1903. He farmed the land raising livestock and hay. At his death the land was given to his son, Dan McCollum, who continued to make a living with dairy cattle, a fruit orchard, and hay until his death in 1979.

In fear that his wife, Pearl Greiner McCollum, would not be able to care for the spring and keep it clean, a well was drilled in 1977. It was not a very satisfactory well because there was not much water. Since the spring water was plumbed into and around the house and barn, it continued to be a substantial source of water even after the well was drilled.

Dan's wife, Pearl, continued to live on the property until 1982, when she sold it to Mr. Edwin Cone. The property was then rented and the tenants continued to use both the spring water and well water.

In 1991, the property was sold by Mr. Cone to Fred and Susan Hamlin, who, shortly after purchasing, re-plumbed the entire house with dual piping from both the spring water and the well water plumbed into the kitchen and both bathrooms. The pipes running from the spring to the barn and the property are still in place for use.

In conclusion, to the best of my knowledge, the spring water on this property has been in continual use for both domestic and agricultural use since approximately 1901.

Signed,

Rita Greiner

Rita Greiner
3110 W. 18th
Eugene, OR 97405

*P.S. Rita said on 7/14/92 that Pearl had
never had the well water in use in the
house, they only used the spring. SJH*

29773 Gimpl Hill Road
Eugene, OR 97402

July 8, 1992

Mrs. Rita Greiner
3110 W. 18th
Eugene, OR 97405

Dear Rita:

Hopefully, you are enjoying our beautiful summer weather this year. Fred and I both feel like we are on vacation when we are at the farm, even though there is constant work to be done. We thoroughly love the property and are so thankful to be able to live there!

That is why we are so intent on completing the pre 1909 water rights registration with the State. The people at the Water Resources Department recommended that we ask anyone familiar with the property to substantiate in writing their knowledge of the water use.

After you looked up the information for me, I jotted down some notes and then drafted the inclosed letter. Can you please read it over and determine whether or not it is correct. If I have misrepresented your knowledge, please correct any part of it. Perhaps you would feel more at ease putting the information in your own words. I have enclosed an envelope for you to return the letter or any information that you can. If at all possible, would you also enclose a copy of Dan's Funeral notice since it stated much of the information you read to me.

At any rate, we would be very much appreciative of your help with this. I am beginning to feel like I am pestering you on and off for support, and only hope that you can understand the importance of completing the needed information.

We would love to have you over to visit any time that is convenient for you! Please call me at 686-5566 if you have any questions.

Once again, a sincere "thank you" for your help!

Fondly,

Susan Hamlin

Exhibit #12

July 8, 1992

To Whom It May Concern:

This is a statement to substantiate the continued use of the spring water at 29773 Gimpl Hill Road, Eugene, OR 97402, from the late 1800's-early 1900's to the present time. The source of water used during these years was a natural spring located on the property.

I have been a close neighbor of the Dan and Pearl McCollum property since 19~~65~~⁶⁵. I own property that borders on their farm.

Perry McCollum purchased the land prior to 1903. He farmed the land raising livestock and hay. At his death the land was given to his son, Dan McCollum, who continued to make a living with dairy cattle, a fruit orchard, and hay until his death in 1979.

In fear that his wife, Pearl Greiner McCollum, would not be able to care for the spring and keep it clean, a well was drilled in 1977. It was not a very satisfactory well because there was not much water. Since the spring water was plumbed into and around the house and barn, it continued to be and still is a substantial source of water even after the well was drilled.

Dan's wife, Pearl, continued to live on the property until 1982, when she sold it to Mr. Edwin Cone. The property was then rented and the tenants continued to use both the spring water and well water. The tenants also kept horses on the property.

Also during the years between 1982 and 1991 part of the property was fenced for grazing sheep every spring.

In 1991, the property was sold by Mr. Cone to Fred and Susan Hamlin, who, shortly after purchasing, re-plumbed the entire house with dual piping from both the spring water and the well water plumbed into the kitchen and both bathrooms. The pipes running from the spring to the barn and the property are still in place for use.

In conclusion, to the best of my knowledge, the spring water on this property has been in continual use for both domestic and agricultural use since approximately 1901.

Signed,

Ms. Beryl D. Pohll

Ms. Beryl Pohll
29719 Gimpl Way
Eugene, OR 97402

Lester D. Pohll

RECEIVED

July 8, 1992

JUL 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

To Whom It May Concern:

This is a statement to substantiate the continued use of the spring water at 29773 Gimpl Hill Road, Eugene, OR 97402, from the late 1800's-early 1900's to the present time. The source of water used during these years was a natural spring located on the property.

I have been a close neighbor of the Dan and Pearl McCollum property since 1965. I own property that borders on their farm.

Perry McCollum purchased the land prior to 1903. He farmed the land raising livestock and hay. At his death the land was given to his son, Dan McCollum, who continued to make a living with dairy cattle, a fruit orchard, and hay until his death in 1979.

In fear that his wife, Pearl Greiner McCollum, would not be able to care for the spring and keep it clean, a well was drilled in 1977. It was not a very satisfactory well because there was not much water. Since the spring water was plumbed into and around the house and barn, it continued to be and still is a substantial source of water even after the well was drilled.

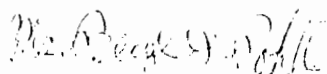
Dan's wife, Pearl, continued to live on the property until 1982, when she sold it to Mr. Edwin Cone. The property was then rented and the tenants continued to use both the spring water and well water. The tenants also kept horses on the property.

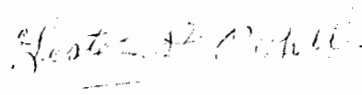
Also during the years between 1982 and 1991 part of the property was fenced for grazing sheep every spring.

In 1991, the property was sold by Mr. Cone to Fred and Susan Hamlin, who, shortly after purchasing, re-plumbed the entire house with dual piping from both the spring water and the well water plumbed into the kitchen and both bathrooms. The pipes running from the spring to the barn and the property are still in place for use.

In conclusion, to the best of my knowledge, the spring water on this property has been in continual use for both domestic and agricultural use since approximately 1901.

Signed,


Ms. Beryl Pohl
29719 Gimpl Way
Eugene, OR 97402



RECEIVED

JUL 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

April 13, 1992

To Whom It May Concern:

This is a statement to substantiate the continued use of the spring water at 29773 Gimpl Hill Road, Eugene, OR 97402, from the late 1800's-early 1900's to the present time. The source of water used during these years was a natural spring located on the property.

My brother-in-law, Mr. Dan McCollum, was born on the property during the year 1903. His father was Perry McCollum, and his mother's name was Francis McCollum.

Perry McCollum purchased the land prior to 1903. He farmed the land raising livestock and hay. At his death the land was given to his son, Dan McCollum, who continued to make a living with dairy cattle, a fruit orchard, and hay until his death in 1979.

In fear that his wife, Pearl Greiner McCollum, would not be able to care for the spring and keep it clean, a well was drilled in 1977. It was not a very satisfactory well because there was not much water. Since the spring water was plumbed into and around the house and barn, it continued to be a substantial source of water even after the well was drilled.

Dan's wife, Pearl, continued to live on the property until 1982, when she sold it to Mr. Edwin Cone. The property was then rented and the tenants continued to use both the spring water and well water.

In 1991, the property was sold by Mr. Cone to Fred and Susan Hamlin, who, shortly after purchasing, re-plumbed the entire house with dual piping from both the spring water and the well water plumbed into the kitchen and both bathrooms. The pipes running from the spring to the barn and the property are still in place for use.

In conclusion, to the best of my knowledge, the spring water on this property has been in continual use for both domestic and agricultural use since approximately 1901.

Signed,



Rita Greiner
3110 W. 18th
Eugene, OR 97405

P.S. Rita said on 7/14/92 that Pearl had never had the well water in use in the house, they only used the spring. SJH

Exhibit #13

9-28-92

To whom it may concern:

We bought our property west of McCullum's in April of 1940. At that time Dan was getting water from the spring on the property map, very close to our north-south line. It was a hole in the ground with the overflow running down toward north-east. Shortly after we moved here, he cemented a well around the spring, put a roof over it, and installed an over-flow pipe.

About 1977 we had a dry summer and Dan had a well drilled. He said his father had never had need for more than the spring, except in the summer of 1875.

The well water did not taste good, so they continued to use the spring.

Gladys S. Rathbone
87200 Rathbone Rd.

RECEIVED

OCT 16 1992

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
OCT 16 1992
WATER RESOURCES DEPT.
SALEM, OREGON

29773 Gimpl Hill Road
Eugene, OR 97402

October 14, 1992

Mr. Don Knauer
Adjudication Specialist
Water Rights Division
Oregon Water Resources Department
3850 Portland Road North East
Salem, OR 97310

RE: Surface Water Registration Statement number SWR-69.

Dear Mr. Knauer:

I am in receipt of your letter dated September 29, 1992. Thank you for your prompt response.

One additional piece of information for the pre-1901 water right claim on our property has been given to me. It is a letter from a bordering neighbor on the west who has lived there since 1940. Her letter definitely substantiates the use of the spring. It is labeled as exhibit number 13.

Once again your assistance and cooperation on this request is certainly appreciated. If there is further information you may need, please advise us.

Sincerely yours,

Susan L. Hamlin

Susan L. Hamlin

RECEIVED

JUL 10 1992

WATER RESOURCES DEPT.
SALEM, OREGON

29773 Gimpl Hill Road
Eugene, OR 97402

July 8, 1992

Mr. Don Knauer
Adjudication Specialist
Water Rights Division
Oregon Water Resources Department
3850 Portland Road North East
Salem, OR 97310

Dear Mr. Knauer:

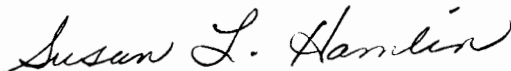
This letter is in response to your letter dated April 21, 1992, concerning Surface Water Registration Number SWR-69.

This letter is a formal request for expediting the permit application that we have submitted to the Water Resources Department for approval of our pre 1909 vested water right claim.

Realizing that your office is extremely busy, we are in appreciation of the attention you can give to this matter as soon as possible so that it can be recorded.

Thank you for your assistance.

Sincerely,



Susan L. Hamlin

July 10, 1995

Fred and Susan Hamlin
29773 Gimpl Hill Road
Eugene, OR 97402

WATER
RESOURCES
DEPARTMENT

RE: SWR 69

Dear Mr. and Mrs. Hamlin:

This letter will confirm our July 10, 1995, telephone discussion concerning the status of the above-referenced Surface Water Registration.

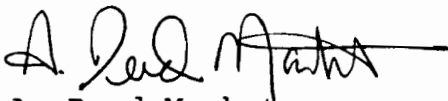
SWR 69 was received by the Department on April 15, 1992, is complete and in proper form. You need take no further action on this file at this time. We do not envision any additional documentation will be needed for entry of SWR 69 into the adjudication process. If, at some time in the future, additional or supplemental information or data is need, we will allow ample time for your response.

For your convenience I have enclosed copies of your Registration Statement, our July 19, 1993 letter to you and our checklist. In addition, you will find a marked copy of the Oregon law concerning the legal status of registrations.

You asked if the status of the Registration is affected by a sale of the property. The answer is, no -- sale does not affect the Registration so long as the water continues to be used as described in the Registration. The water always remains with the property no matter who is the owner; however, it is important to have an up-to-date record of the actual owner in our file at all times. If you sell or otherwise convey your property, you should send us a letter with the name and address of the new owner for the record.

I hope this letter answers your questions. If I can be of further assistance, please advise.

Sincerely,


A. Reed Marbut
Adjudications



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

July 19, 1993

SUSAN L HAMLIN
29773 GIMPL HILL ROAD
EUGENE OR 97402

re: SWR-69

Dear Mrs Hamlin,

This will acknowledge your letter of July 15, 1993 in which you refer to a FAX by Stephen H Ford, Inc. There were a couple of items in regards to the map that needed attention by the CWRE, Paula L. Norness. Ms Norness made the necessary completions and corrects in a prompt and satisfactory manner. Your file and the information in it is in satisfactory form. There is nothing else you must do at this time. You will be notified of any adjudication proceedings by certified mail.

If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\0\SWR-0069.008



SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 85576 CHECK ENCLOSURES see

CHECK BASIN MAP BASIN 2A, Upper Willamette UNADJUDICATED AREA ? yes

SURFACE WATER REGISTRATION NUMBER 69

PRELIMINARY DATA BASE ENTRY Dwf

ACKNOWLEDGEMENT LETTER see ENTER ON STREAM INDEX h

PUBLIC NOTICE PUBLICATION h WATERMASTER CHECKLIST h-02

CHECK QUADRANGLE MAP h Eug. W. CHECK GLO PLATS h

FORM REVIEW

- blanks filled in
 - signed
 - date received stamped
- FEEs Correct ?

MAP REVIEW

OK

- source and trib NO
- diversion point location
- conveyances (pipes, ditch, etc.)
- place of use DOM. NOT SHOWN
- 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

SEE MY FIELD INSPECTION see

WATER RIGHT RECORD CHECK _____ ENTER ON PLAT CARDS _____

FIELD INSPECTION _____ FINAL FILE REVIEW _____

FINAL DATA BASE ENTRY _____

A:SWRCHECK

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

TO: Reed Marbut
FROM: Don Knauer

DATE:

SUBJECT: Indorsement of SWR-69

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: Fred E. & Susan L. Hamlin
ADDRESS: 29773 Gimpl Hill Road
Eugene OR 97402

SOURCE: a tributary of .

USE:

PRIORITY DATE:

AMOUNT OF WATER FOR EACH CLAIMED USE:

DIVERSION POINT(s):

PLACE OF USE:

PERIOD OF USE:

C:\WP51\CLAIMANT\SWR-0069.0IM

June 15, 1993

WATER
RESOURCES
DEPARTMENT

PAULA NORNESS
1120 BAILEY HILL ROAD, NO 5
EUGENE OR 97402-3048

RE: SWR-69

Dear Ms Norness,

This will acknowledge the receipt of the map to support the pre-1909 vested water right claim by Fred & Susan Hamlin. I appreciate your attention to this matter, the map satisfies the requirements. I will add the map to the file.

Sincerely,



Don Knauer
Adjudication Specialist

J:\W\SI\C\0\SWR-0069.007



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX 378-8130

May 24, 1993

PAULA L NORNESS
1120 BAILEY HILL RD #5
EUGENE OR 97402

RE:SWR-69

Dear Ms Norness,

I am trying to complete review of various claims to pre-1909 vested water right claims. I am sending a copy of my letter to you dated July 27, 1992. I need the map as requested at that time in order to complete the processing of the claim for FRED & SUSAN HAMLIN. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WISIC\10\SWR-0069.006



September 29, 1992

WATER
RESOURCES
DEPARTMENT

Susan Hamlin
29773 Gimpl Hill Road
Eugene OR 97402

re: SWR-69

Dear Mrs. Hamlin,

I received the packet of information you have gathered to be added to your file. The 12 exhibits have been put in your file and I am hopeful that this winter I will be able to complete my review of the claim and make my recommendation to the Director.

Sincerely,



Don Knauer
Adjudication Specialist

C:\W\S\C\SWR-0069.005



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

July 27, 1992

WATER
RESOURCES
DEPARTMENT

Paula L. Norness, CWRE
1120 Bailey Hill Rd #5
Eugene OR 97402

re: SWR-69 Hamlin

Dear Ms Norness,

I recently inspected the use under SWR-69. There are a couple of things I need to have you change or add to the map you prepared for the claim. I have shown them in red on a copy of the map. A reminder that the map must be on linen or plastic film. If you have any questions please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

enc
copy: Fred and Susan Hamlin

C:\W\SIC\SWR-0069.004



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMORANDUM

*Oregon Water Resources Department
Adjudication Section*

TO: SWR-69 FILE

FROM: Don Knauer

DATE: July 27, 1992

SUBJECT: FIELD INSPECTION

On July 23, 1992 I met with Mr and Mrs Hamlin on this property and they told me about their water use and showed me the system. They said the spring has been in use since at least 1901. In 1977 a well was drilled to supplement the spring supply. Recently the Hamlin's replumbed the house so that either source can be used seperately in the house.

There is a concrete spring box approximately 6' x 8' x 5½' deep with a ¾" abs pipe running to the house. There is about 3' of water in the spring box at this time. There is not a pump used on the spring water system, it is a gravity system with about 80' elevation difference (measured from quad) from the spring to the house.

There are two uses of the spring water, 1) domestic to include lawn and garden and to include stockwater and 2) irrigation.

July 17, 1992

WATER
RESOURCES
DEPARTMENT

Susan L. Hamlin
29773 Gimpl Hill Road
Eugene OR 97402

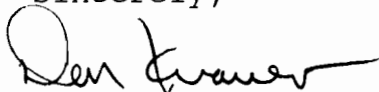
re:SWR-69

Dear Mrs. Hamlin,

I am planning a trip through your area on thursday, July 23, 1992. I would like to stop and make a routine inspection of your water use under your claim to a pre-1909 water right. I will be near your property in the early afternoon, around 1:00 or 2:00 pm. It would be very helpful but not required that you, or someone who knows the system, be available to point it out to me.

I left a message on your recorder today. If you get a chance, please call me the first part of the week.

Sincerely,



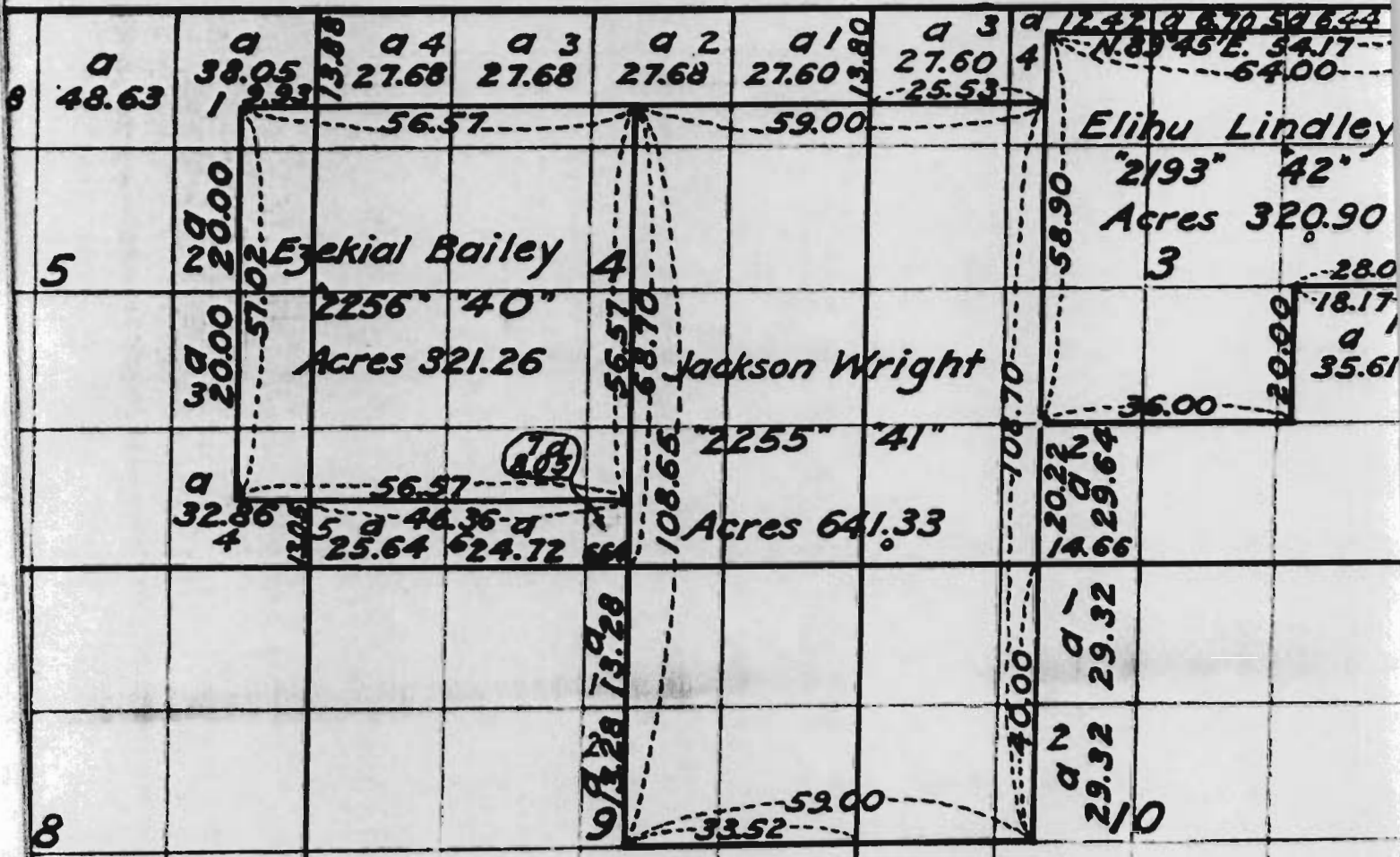
Don Knauer
Adjudication Specialist

C:\MS\CS\SWR-0069.002



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

Range No 4 West Willamette



INTERDEPARTMENT MEMO

TO: Watermaster District # 2 *LM*
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 #69. *Fred E + Susan L. Hamlin*

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? NO
2. Have there been any distribution problems relating to this claim? No
3. Do you have reason to believe that the claimed priority date is not accurate? No
4. Does the quantity of water claimed look unreasonable for the uses named? No
5. Does the place of use look to be accurately depicted by the CWRE map enclosed? Yes
6. Do you know if there has been a period of more than a five years of non-use? No
7. Should someone in our section contact you concerning this claim? No

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,

Pauline Castle
Adjudication Section

Enclosures

WATER RESOURCES DEPARTMENT
3850 PORTLAND ROAD NE
SALEM, OR. 97310

PHONE: 378-3066
DATE: 4/29/1992

The following applications for water-use authorizations (water rights) were filed in the office of the Water Resources Director during the week of APR/17/1992 to APR/23/1992. By law, all water within the state belongs to the public (ORS 537.110). With very limited exceptions, a permit from this department is required to use, divert or store the surface and ground waters of the state (ORS 537.130). Permits may be issued only for beneficial use without waste. When a water use is developed within the terms of a permit, a certificate of water right is issued.

Persons, agencies or other interested parties are invited to provide comments on the following list of applications. Comments should address whether the proposed use:

1. Would adversely affect existing rights.
2. Is wasteful, uneconomic, impractical, or unreasonable.
3. Would impede orderly economic development of the water for multiple purposes.
4. Is compatible with local comprehensive land-use plans.
5. Would otherwise have a significant adverse effect on the public interest.

Comments on these applications should be directed to the Water Rights Section of the Department at the above address, and must be received within 60 days from the date of this notice (within 14 days for Limited License requests).

GROUND WATER

BAKER

G 12886 IDAHO POWER CO.; ATTN: ROBERT GRIFFIN
PO BOX 70 BOISE, ID 83707
TWO WELLS IN PINE CREEK BASIN
for FISH PROPAGATION.
130.0 GALLONS PER MINUTE BEING 130.0 GPM FROM EITHER WELL
SE 1/4 NW 1/4 Section 9 T 7 S R 48 E WM.
SE 1/4 NW 1/4 Section 9 T 7 S R 48 E WM.

Clackamas

SWR # 65

Maryanne Hill
 P.O. Box 27
 Government Camp, OR 97208
 GOVERNMENT CAMP CREEK TRIBUTARY TO SANDY RIVER AND
 COLUMBIA RIVER FOR DOMESTIC AND MUNICIPAL. 4.5
 CFS. CLAIMED PRIORITY DATE: SEPTEMBER 4, 1908.
 T3S, 8 1/2E, SECTIONS 13, 14, 23 & 24

Douglas

SWR # 66

Ray W. John
 P.O. Box 647
 Winchester, OR 97495
 NORTH UMPQUA RIVER TRIBUTARY TO UMPQUA RIVER FOR
 IRRIGATION AND DOMESTIC. 0.03 CFS. CLAIMED
 PRIORITY DATE: JULY 15, 1902.
 T26S, R5W, SECTION 19

Douglas

SWR # 67

Roberta L. Stumbo, c/o Colorcraft Paint
 721 SE Stephens Street
 Roseburg, OR 97470
 NORTH UMPQUA RIVER TRIBUTARY TO UMPQUA RIVER FOR
 IRRIGATION. 0.03 CFS, CLAIMED PRIORITY DATE: JULY
 15, 1902.
 T26S, R5W, SECTION 19

Coos

SWR # 68

Tom or Arlene Guerin
 HC 85 Box 26
 Myrtle Point, OR 97458
 SOUTH FORK COQUILLE RIVER AND AN UNNAMED STREAM
 TRIBUTARY TO COQUILLE RIVER FOR
 STOCKWATER. 0.005 CFS. CLAIMED
 PRIORITY DATE: 1863.
 T29S, R12W, SECTION 21

Lane

SWR # 69

Fred E. & Susan L. Hamlin
 29773 Gimpl Hill Road
 Eugene, OR 97402
 UNNAMED SPRING TRIBUTARY TO LONG TOM RIVER TO THE
 WILLAMETTE RIVER FOR DOMESTIC, STOCKWATER AND
 IRRIGATION. .045 CFS. CLAIMED PRIORITY DATE:
 1901
 T18S, R4W, SECTION 4

April 21, 1992

Fred and Susan Hamlin
29773 Gimpl Hill Road
Eugene OR 97402

RE: Surface Water Registration Statement

Dear Mr and Mrs Hamlin,

This will acknowledge that your Surface Water Registration Statement in the name of Fred and Susan Hamlin has been received by our office. The fees in the amount of \$ 230.00 have been received and our receipt # 85576 is enclosed. Your registration statement has been numbered SWR-69.

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
Adjudication Specialist

enc

C:\W\S\C\SWR-0069.001



29773 Gimpl Hill Road
Eugene, OR 97402

April 13, 1992

Mr. Reed Marbut
Oregon Water Resources Department
3850 Portland Road North East
Salem, OR 97310

Dear Mr. Marbut:

Please find enclosed a "Surface Water Registration Statement Pre-1909 Vested Water Right Claim", along with the appropriate fee of \$230.00 as we discussed on the telephone this date. Also, attached are two copies of a map prepared by a certified water right examiner.

If there is any further information needed, we can be reached at the above listed address or at the following telephone numbers: home - 686-5566, or office - 484-2303.

Sincerely,

Susan L. Hamlin

Susan L. Hamlin

RECEIPT # 85576

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

RECEIVED FROM: Fred E. Hamlin
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # X 96-7445 OTHER: (IDENTIFY)

TOTAL REC'D \$ 230.⁰⁰

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>230.⁰⁰</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

02-00-0 FEDERAL FUNDS

_____	OTHER: (IDENTIFY)	\$
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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	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$
WELL CONSTRUCTION		
842.022	WELL DRILL CONSTRUCTOR	\$
842.016	WELL DRILL OPERATOR	\$
	LANDOWNER'S PERMIT	\$

EXAM FEE	
\$	842.002
\$	842.004
\$	842.006
EXAM FEE	
\$	842.023
\$	842.019
	842.024

RECORD FEE	
\$	
\$	
\$	
LICENSE FEE	
\$	
\$	
\$	

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	\$
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07-00-0 HYDRO ACTIVITY

		LIC NUMBER	
842.011	POWER LICENSE FEE(FWWRD)		\$
842.115	HYDRO LICENSE FEE(FWWRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # 85576

DATED: 4-16-92 BY: O Bushnell