

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 94911 CHECK ENCLOSURES See
 CHECK BASIN MAP Unpqua #16 UNADJUDICATED AREA ? YES
 SURFACE WATER REGISTRATION NUMBER 111
 PRELIMINARY DATA BASE ENTRY DWR
 ACKNOWLEDGEMENT LETTER See ENTER ON STREAM INDEX _____
 PUBLIC NOTICE PUBLICATION DWR WATERMASTER CHECKLIST _____
 CHECK QUADRANGLE MAP CAR 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 1/10th acre ENTER ON PLAT CARDS _____

FIELD INSPECTION _____ FINAL FILE REVIEW _____

FINAL DATA BASE ENTRY _____

A:SWRCHECK

12-24-91

March 31, 1994

MAURICE E FARR
1960 SW BURDETTE DR
ROSEBURG OR 97470

RE: SWR-111

Dear Mr Farr,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of LYDIA MACK. 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

cc: Lydia Mack & Elsie Mae Davis

m:\W\SLC\SWR-0111.006

J:\W\SLC\1\SWR-0111.006



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

July 20, 1993

MAURICE FARR
1960 SW BURDETTE DRIVE
ROSEBURG OR 97470

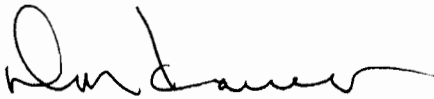
RE: Surface Water Registration Map

Dear MR FARR,

LYDIA MACK/ELSIE MAE DAVIS has indicated to the Oregon Water Resources Department (WRD) that you have been hired to prepare the claim of beneficial use map for their Surface Water Registration Statement. Would you please inform me of your anticipated schedule of map preparation and submission to the WRD.

Please mark all correspondence related to this claim with the file number **SWR-111**.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\1\SWR-0111.002



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

June 10, 1993

LYDIA MACK
12320 STATE HIGHWAY 38
ELKTON OR 97436

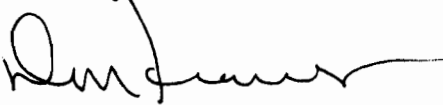
RE: SWR-111

Dear Ms Mack,

I received a letter from you on Jan 5, 1993 in which you indicated you had contacted a Certified Water Right Examiner (CWRE). You have not given me the name of the CWRE which I need for your file and to be able to contact for a map submittal date. Would you please let me know who your CWRE is as soon as possible.

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

Sincerely,



Don Knauer
Adjudication Specialist

CC: ELSIE MAE DAVIS

J:\WISIC\1\SWR-0111.005



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

April 23, 1993

Lydia Mack
12320 State Highway 38
Elkton OR 97436

RE: Amended Claim, SWR-111

Dear Ms. Mack,

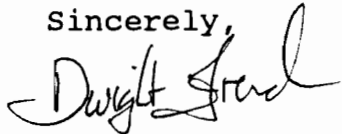
This will acknowledge that your amended Surface Water Registration Statement has been received by our office. The fees in the amount of \$200.00 have been received and our receipt #96028 is enclosed. Your registration statement has been numbered SWR-111.

You have failed to submit a map prepared by a Certified Water Right Examiner (CWRE). ORS 539.240 (2) (d) requires the map be prepared by a CWRE. Within 60 days of this letter you must send a letter to this address indicating you have contracted with a CWRE to prepare your map. You should send your letter to my attention. In your letter you must identify the name of the CWRE who will prepare your registration statement map. We will contact the CWRE to arrange a map submittal deadline.

We will not be able to process your claim until we have received your map.

If you have any questions regarding this process, please do not hesitate to give either myself or Don Knauer a call.

Sincerely,



Dwight French
Adjudication Section

Enclosure

cc: Elsie Mae Davis

J:\wp51\swr\claimant\1\swr-0111.004



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

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

RECEIPT # **96028**

RECEIVED FROM: Cydia Mack
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 24-12 OTHER: (IDENTIFY)

TOTAL REC'D \$ 200.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>200.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
COST CENTER AND OBJECT CLASS	VOUCHER #

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	\$	842.002
842.003	GROUND WATER	\$	842.004
842.005	TRANSFER	\$	842.006
WELL CONSTRUCTION			
842.022	WELL DRILL CONSTRUCTOR	\$	842.023
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	\$
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07-00-0 HYDRO ACTIVITY

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

RECEIPT # **96028** DATED: 1/6/93 BY: C. Engel

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

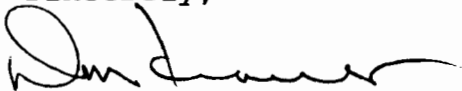
April 19, 1993

ELSIE MAE DAVIS
970 TIBBLING ROAD
SELAH WA 98942

Dear Ms Davis,

This will acknowledge the letter and information which I will add to your mothers file number SWR-111. If you have any questions please give me a call.

Sincerely,



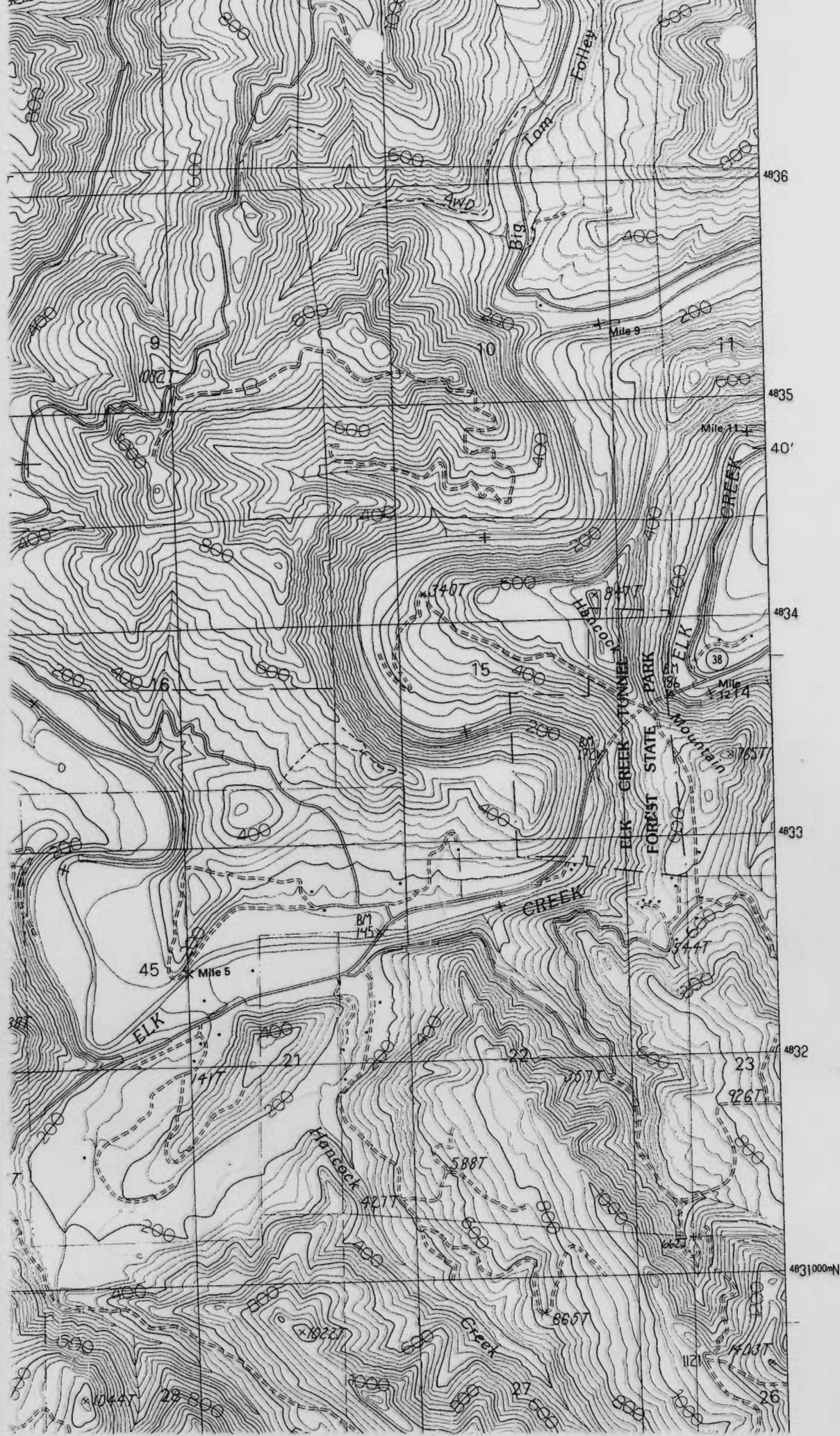
Don Knauer
Adjudication Specialist

cc: LYDIA MAEK

J:\W\S\C\1\SWR-0111.002



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



December 10, 1992

ELSIE MAE DAVIS
970 TIBBLING ROAD
SELAH WA 98942

RE: Surface Water Registration Statement

Dear Ms.Davis,

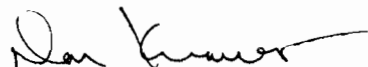
This will acknowledge that your Surface Water Registration Statement in the name of Lydia Mack has been received by our office. The fees in the amount of \$ 30.00 have been received and our receipt # 94911 was written. Your registration statement has been numbered SWR-111.

The map you submitted with your claim is not acceptable. ORS 539.240 (2) (d) requires the map be prepared by a Certified Water Right Examiner (CWRE). We will wait a reasonable period of time for your map. We will be in touch with you periodically, you should keep us informed of any developments concerning the survey and mapping.

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-0111.001



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

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

RECEIPT # **94911**

RECEIVED FROM: <u>Lydia Mack</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER

CASH: CHECK: # 24-12 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ **30.00**

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ 30.00
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		RECORD FEE
842.003	GROUND WATER	\$	842.002	\$
842.005	TRANSFER	\$	842.004	\$
WELL CONSTRUCTION				
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.006	\$
842.016	WELL DRILL OPERATOR	\$	842.023	\$
	LANDOWNER'S PERMIT	\$	842.019	\$
			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 # **94911** DATED: 12/9 BY: C. Engel

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

REGISTRATION STATEMENT CLAIM OF BI

File# SWR-111

*Mr. Knauer -
Whew! Hope this is
finally done!!
Thanks for all
the help from you &
your staff
Elsie Mae
Davis*

INFORMATION: Lydia Mack or Elsie Mae Davis
12320 State Highway 38
Elkton, OR 97436
Ph (503) 584-2241

Located NE1/4SE1/4, 3.8 Acres, Section 21, and NW1/4SW1/4, 0.3 Acres,
Section 22, all in T22S, R7W, WM.

SOURCE: Water is taken from Hancock Creek.

DIVERSION POINT: The intake for the centrifugal pump is located in a natural depression
in Hancock Creek.

MOTOR: AO Smith motor, Model No. C48L2EC11, 1 1/2 hp, 3450 RPM, 17.6/8.8
amps, 115/230 volts, single phase, directly connected to pump.

PUMP: Sears centrifugal pump, Catalog No. 390-26090, 2" diameter inlet, 1 1/2"
diameter discharge, 40 GPM, 30 psi, 20 foot static head.

PIPE: 400 feet of 1 1/2" diameter PVC mainline, laid on top of the ground, with
3 standpipe risers to supply garden hoses.

HEADS: Lydia Mack has three (3) Rainbird garden sprinklers ~~with~~ capable of
discharging 4.5 GPM each at 50 psi. All three (3) sprinklers are operated
at one time.

USE(S): Water is used for irrigating lawn or non-commercial garden.

HEAD: Elevation difference between the pump intake and the highest point on
the garden was estimated to be forty feet.

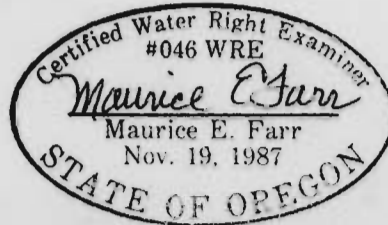
CALCULATIONS:	Pump capacity	0.110 cfs	49.0 GPM
	Sprinklers		
	3 @ 4.5 GPM	0.030 cfs	13.5 GPM
	4.1 acres @ 1/80 cfs/ac	0.051 cfs	23.0 GPM

POINT OF BEGINNING: Assessor's maps and aerial photos were used to prepare the map and
locate the structures and irrigated areas.

REMARKS:

Water from Hancock Creek has been used to irrigate the garden for the use of the residents since prior to 1909. The garden has been located in various areas but is now located as shown on the map. During the early years, ditches were used to divert the water from the creek to the garden areas. However, as time went on, the stream cut the channel deeper and made diverting the water with ditches more difficult and the residents carried water in buckets to the plants in the gardens. The gardens are now irrigated with a centrifugal pump and PVC lines connected to garden sprinklers.

The final proof survey and inspection of the use as found to be completed under terms and conditions of File# SWR-111 was completed by me on January 15, 1994, and the facts contained in this report and accompanying vested water right map are correct to the best of my knowledge.



EXPIRES 12-31-95

I, Lydia Mack, 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-111.

Lydia Mack
By Elsie Mae Davis
Lydia Mack P.O.A

RECEIVED

MAR 15 1994

WATER RESOURCES DEPT.
SALEM, OREGON

SEND
CORRESPONDENCE
TO:
ELSIE MAE DAVIS
970 TIBBLING ROAD
SELAW WA
98942

COPY TO:
LYDIA MACK

7-14-93

Dear Mr. Kramer

Re: Lydia Mack, Water Right
Eikton OK 197436

I called Maurice E. Farr
1960 SW Burdette Drive
Roseburg OK 97470
503-679-6598

He said he would do the CWRE
work as required by you.

Thanks

Sincerely

Elaine Mae Davis
970 Tibbling Rd
Selah WA 98942

RECEIVED

JUL 20 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Donald Kramer
Water Resource Dept
Salem

Dec 31, 1992

RECEIVED

JAN 05 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Enclosed is a \$200 check = fee for
stock water right application

Also enclosed is an amended claim
form with changes highlighted.

~~A~~ A CWRE has been contacted

I'm sorry we neglected listing stock
water - it's really important here.
Thanks for your patience.

Sincerely

Lydia Mack

Lydia Mack

12320 State Hwy 38
Elkhon, OR.

Dec. 19/92

In Whom It May Concern:

On Jan. 1, 1969, we purchased from Leslie and Beatrice Hancock, the ranch that adjoins Lydia Mack, to the East of us. Leslie Hancock was a grandson of Wm. Hancock, who filed D. L. # 45. The Hancock family had lived on this property until it was sold to us.

Leslie Hancock told us that as far back as he could remember; and also hearing his relatives saying, that the Mack Family had irrigated this property from Hancock Creek, for as long as they had lived there.

Dated Dec 29/1992

Ernest J. Alvarado
Anna Mae Alvarado

State Of Oregon
County of Douglas

Personally appeared the above named, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me this 29th day of December, 1992



Linda Dee Higgins
Notary Public or Oregon

My Commission expires Feb 6, 1996

DURABLE POWER OF ATTORNEY

I, LYDIA L. MACK, of Douglas County, Oregon, by these presents do hereby make, constitute and appoint ELSIE MAE DAVIS my true and lawful attorney for me and in my name, place and stead, and for my use and benefit:

1. **SUPPORT.** To make expenditures for my care, maintenance, support and general welfare, and to distribute such sums as are necessary for the care, maintenance, education and support of myself and of members of my immediate family who are or become dependent upon me for support.

2. **REAL PROPERTY.** To lease or let, bargain, sell, release, convey, mortgage or hypothecate lands, tenements and hereditaments, for such price, upon such terms and conditions and with such covenants as my said attorney shall think fit.

3. **SECURITIES.** To buy, sell, transfer or deliver all or any shares of stock or other securities owned by me issued by any corporation or any other security for any price and receive payment therefor and to vote any such stock as my proxy.

4. **PERSONAL PROPERTY.** To buy or sell, grant security interest in or in any way hypothecate or in any and every other way deal in and with goods, wares and merchandise, choses in action, and other property of whatever kind or nature.

5. **EXECUTE DOCUMENTS.** To sign, seal, execute, acknowledge and deliver all deeds, agreements, mortgages, bills, bonds, notes, evidences of debt, security agreements, receipts, releases and satisfactions of mortgages, judgments and other debts payable to me and other instruments in writing of whatever kind and nature which my said attorney in his or her discretion shall deem to be for my best interests.

6. **CHECKS AND NOTES.** To endorse, deliver and/or deposit all checks and drafts, and to sell and negotiate all notes and negotiable instruments payable to my order, to withdraw any monies deposited in my name with any bank or other financial institution and generally to do any business with any bank or banker on my behalf.

7. **COLLECTIONS.** To demand, sue for, recover, collect and receive all such sums of money, debts, rents, dues, accounts, devises, interest, dividends, annuities and demands whatsoever, as are now or shall hereafter become due, owing, payable or belonging to me, to have, use and take all lawful ways and means in my name or otherwise for the recovery thereof, and to compromise, settle and adjust and to execute and deliver acquittances or other sufficient discharges for any of the same.

8. **INVESTMENTS.** To retain any property in the hands of

GIVING AND GRANTING unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully and to all intents and purposes as I might or could do if personally present, with full power of substitution and revocation, said attorney's substitute or substitutes shall lawfully do or cause to be done by virtue of these presents.

In construing this instrument and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of August, 1991.

Lydia L. Mack
LYDIA L. MACK

STATE OF OREGON)
)ss.
County of Douglas)

This Durable Power of Attorney was acknowledged before me on the 14th day of August, 1991 by LYDIA L. MACK.

Norma J. Buech
Notary Public for Oregon
My Commission Expires: 9-19-92

4-17-93

Mr Jon Snauer
3850 Portland Rd NE
Salem, OR 97310

Dear Mr Snauer

Re: SWR-111 Lydia Muck
12320 State Hwy 38
Elkton, OR 97436
97436

Enclosed is another support
exhibit - a little - that should
help verify the pre 1989 water use.

Please add it to my Mom's file

When I have our OR & WA
waters use over

We're hoping to recover from an
illness, get spring work started &
back to the water right project

Thanks for your help.

Sincerely

Edna Mae Davis
970 Adkins Rd
Salem, WA
98942

Elkton, Oregon
February 23, 1993

To whom it may concern:

What is currently the ⁵⁷Alvarado Ranch in Elkton had been in the Hancock family from 1857 when William E. Hancock received 642 acres by Donation Land Claim. At one time Hancocks owned other land, including the Mack Ranch.

I spent most of my growing-up years in the house now occupied by the Alvarados. In those days, kids in the country were pretty much "marooned" at home and pretty much learned the whys and hows of farm life. I learned about ours and surrounding land use by hearing my Uncle Ed and Grandpa Lincoln (both sons of William Hancock) and my own parents (Leslie and Bea Hancock--grandson of William Hancock) talk about farm operation. The creeks were where they got their water for themselves or livestock--however they used it. I remember the Mack "light plant" that pumped water from the creek to their house and yard and made their electricity. And before that their Grandfather Wells had put in a water wheel to help divert water. And everybody's livestock drank from the creeks.

So from the tales I have heard and what I witnessed growing up on the Ranch, I am sure those creeks were a vital part of the survival of settlers, ranchers, land owners from the beginning and they are still important today.

Dorris Hancock Mowry
Dorris Hancock Mowry

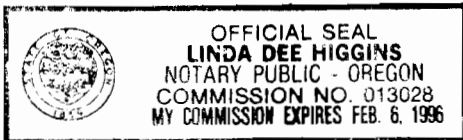
Dated 2, 22 / 93

State of Oregon
County of Douglas

Personally appeared the above named, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me this 22nd day of February 1993.

Linda Dee Higgins
Notary Public of Oregon
My Commission expires Feb 6, 1996



RECEIVED

DEC 09 1992

WATER RESOURCES DEPT.
SALEM, OREGON

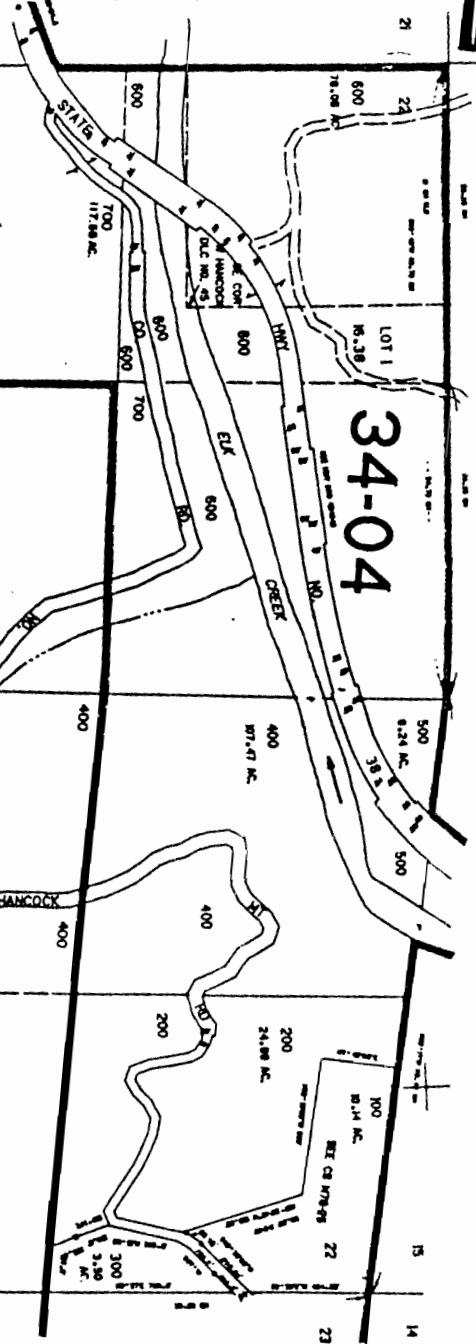
SCALE 1:9600
400 0 400
FEET
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SECTION 22 T.22S. R.7W. WM.
DOUGLAS COUNTY
T-400'

WILLOW TER

34-04

34-02



737,000

44 1 44

21 22 23 24 25 26 27 28

The United States,
Grantor.
to
James Hancock,
Grantee.

#####

#

Kind of instrument,
U. S. Patent Homestead.
Dated, June 3, 1891.
Recorded, March 5, 1895.
Vol. 25, page 158.
Seal of General Land Office
affixed.

RECEIVED

-----Description and Remarks-----DEC 09 1992

WATER RESOURCES DEPT.
SALEM, OREGON

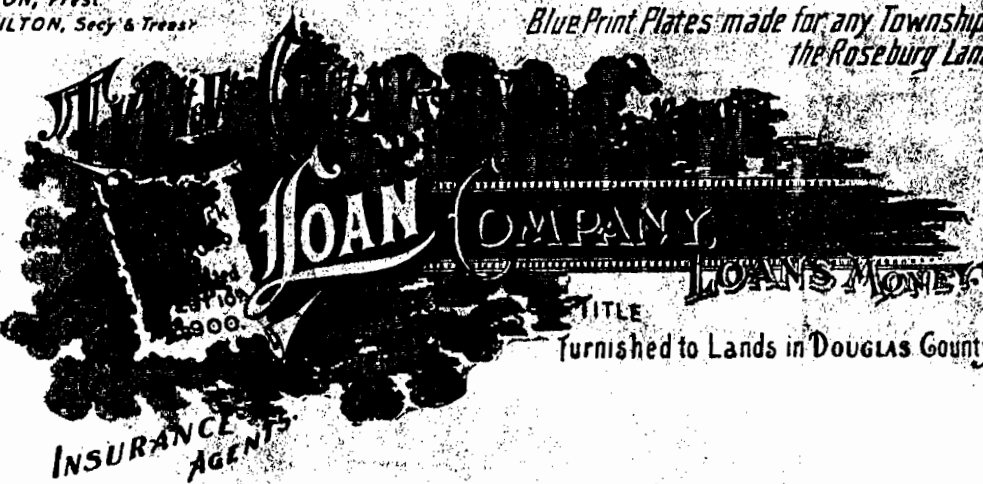
SW¹/₄ of Sec. 22 Tp. 22 S. R. 7 W. of W. M. containing 160
acres pursuant to the Act of Congress approved May 20, 1862
"To secure Homesteads to Actual Settlers on the Public Domain".

-----000-----

2

JAS. D. HAMILTON, Pres.
D. C. HAMILTON, Secy & Treasr.

Blue Print Plates made for any Township in
the Roseburg Land District



TITLE
Furnished to Lands in Douglas County

Roseburg, Oregon, May 27" 1902.

Mr. D. Wells.

Elkton, Oregon.

Dear Sir:

We send you to-day under separate cover Abstract ordered for you by Mr. D. R. Shambrook for the Hancock place in Township 22 S. R. 7 West. This will show the title to the land together with all liens, taxes and judgments which may be against it.

Hoping this will be satisfactory to you, we are,

Very truly yours,

Title Guarantee & Loan Co.

By *J. D. Hamilton*
President.

Bill enclosed.

RECEIVED

DEC 09 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Hancock to Hedden

Washing

1902

3

WARRANTY DEED.

James Hancock and
Rosa Hancock

-TO-

J. M. Hedden

STATE OF OREGON, }
County of ~~Wasco~~ } ss.
Boulder

I certify that the within instrument
was received for record on the *23*
day of *June* A. D. 1902
at *10* o'clock *A.*M., and recorded in
Book *45* on page *91* Record
of Deeds of said County.

Witness my hand and seal of said
County affixed.

O. R. Shambrook
County Clerk.

By *Alfred P. Shambrook*
Deputy.

FROM THE OFFICE OF

RECEIVED

DEC 09 1902

WATER RESOURCES DEPT.
SALEM, OREGON

This Indenture WITNESSETH That *John N. Hedden*

and *Fannie A. Hedden* his wife, for and in consideration of

Eight Hundred \$400- Dollars, to *them* paid, have bargained and

sold, and by these presents do bargain, sell and convey unto *Darius Wells*

the following described premises, to-wit: *The South West quarter of*

Section Twenty Two (22) Lots Five (5) Six (6) Seven (7)

and Eight (8) Section Twenty One (21) Township

Twenty Two (22) South of Range Seven (7) West of

Willamette Meridian, situated in Douglas Co., Or

Together with all and singular, hereditaments and appurtenances therewith belonging or in anywise appertaining.

To Have and to Hold the said premises with their appurtenances unto the said *Darius*

Wells, his heirs and assigns forever

And the said *John N. Hedden and Fannie A. Hedden*

do hereby covenant to and with the said *Darius Wells*

his heirs and assigns, that *They are*

the owners in fee simple of said premises; that they are

free from all incumbrances, and that *They* will warrant and defend the same from a

lawful claims whatsoever.

J Hedden back to D Wells 1906

(4)

In Witness Whereof We have set our hands and seals
this 10 day of March 1906

RECEIVED

Done in presence of

DEC 09 1992

A. E. Gump
S. P. Tenley

J. N. Hedden (SEAL)
Fannie A Hedden (SEAL)

WATER RESOURCES DEPT.
SALZM. OREGON

State of Oregon, } ss.
County of Douglas, }

On this the 10 day of March A. D. 1906, personally came before me a Notary Public in and for said County, the within named John N. Hedden and Fannie A. Hedden his wife to me known to be the identical persons described in and who executed the foregoing conveyance; and acknowledged to me that They executed the same freely and voluntarily, for the uses and purposes therein named.

Witness my hand and official seal this the day and year in the certificate above written.

Skiram Weatherly
Notary Public, for Oregon

Note: I did not
copy first page

2011
WARRANTY DEED

FROM
J Hedden

TO
D Wells

STATE OF OREGON, } SS
County of Douglas

I certify that the within was received and duly recorded by me in Douglas County Records, Vol 56 of Deeds, page 298, this day of March A. D. 1906

J. N. Hedden
County Clerk.

Deputy.

FILED

MA I DAY
J. N. Agee
Skiram Weatherly
BY

This Indenture WITNESSETH That *John N. Hedden*

and *Fannie A. Hedden* his wife, for and in consideration of

Eight Hundred \$400- Dollars, to *them* paid, have bargained and sold, and by these presents do bargain, sell and convey unto *Darius Wells*

the following described premises, to-wit: *The South West quarter of Section Twenty Two (22) Lots Five (5) Six (6) Seven (7) and Eight (8) Section Twenty One (21) Township Twenty Two (22) South of Range Seven (7) West of Willamette Meridian, situated in Douglas Co., Or.*

Together with all and singular, hereditaments and appurtenances therewith belonging or in anywise appertaining.

To Have and to Hold the said premises with their appurtenances unto the said *Darius*

his heirs and assigns forever

D Wells to R Wells 1919

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Know all Men by these Presents, That I, Darius Wells, a bachelor of Elkton, Douglas County, Oregon----- for and in consideration of the sum of Twelve Hundred (\$1,200.00) ----- DOLLARS, to me paid, the receipt whereof is hereby acknowledged, do hereby bargain, sell and convey unto Roy R. Wells, of Elkton, Oregon, ----- the following described premises, to-wit: The South West Quarter of Section Twenty Two and the South West Quarter of the South East Quarter of Section Twenty Two(22); and Lots Five(5), Six(6), Seven(7), and Eight (8) in Section Twenty One(21); all being situate in Township Twenty Two(22) South of Range Seven(7) West of the Willamette Meridian, Douglas County, Oregon.

RECEIVED

DEC 09 1992

WATER RESOURCES DEPT. SALEM, OREGON



together with the tenements, hereditaments and appurtenances thereunto belonging, or in any way appertaining.

TO HAVE AND TO HOLD the said premises unto the said Roy R. Wells, his----- heirs and assigns forever.

And I, the said Darius Wells do hereby covenant to and with the said Roy R. Wells, his----- heirs and assigns that I am the owner in fee simple of said premises; that said premises are free from all incumbrances, and that I will warrant and defend the same from the lawful claims of all persons whomsoever.

In Witness Whereof, I have hereunto set my hand and affixed my seal this 29th day of October 19 19

Signed, sealed and delivered in the presence of

O. P. Coshov }
Share Jurist } Darius Wells (Seal)
} } (Seal)
} } (Seal)
} } (Seal)

STATE OF OREGON, }
COUNTY OF DOUGLAS } ss

On this, the 29th day of October 1919

personally came before me, a Notary Public ----- in and for said County, the within named Darius Wells, a bachelor ----- and ----- his wife ----- to me personally known to be the identical person described in, and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and Notarial Seal this 29th day of October 1919

Charles Jurist
Notary Public for Oregon

My Commission Expires Jan 1, 1921

Warranty Deed

FROM
DARIUS WELLS, a bachelor
TO
Roy R. Wells.
STATE OF OREGON, }
COUNTY OF DOUGLAS, } ss



R Wells to F. L Mack 1931

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KNOW ALL MEN BY THESE PRESENTS, That we, Roy R. Wells and Myrtle A. Wells, ~~my~~ his wife,

in consideration of Ten (\$10.00) ----- Dollars,

to us paid by Francis A. Mack and Lydia Mack, husband and wife,

have bargained and sold, and by these presents do grant, bargain, sell and convey unto said Francis A. Mack and Lydia Mack, husband and wife, their heirs and assigns, all the following bounded and described real property, situated in the County of Douglas and State of Oregon:

The Southwest quarter of Section 22 and the Southwest quarter of the Southeast quarter of Section 22; and Lots 5, 6, 7 and 8 in Section 21; all being situate in Township 22 south of Range 7 west of the Willamette Meridian.

Also, beginning at a quarter post or corner between Sections 21 and 22, Township 22 south of Range 7 west of Willamette Meridian; thence north along the section line to the Elkton and Drain County Road; thence following the meandering of the said County Road in an easterly direction to the Solsig Bridge on said County Road to a point in Solsig Creek to quarter post; thence west 40 chains to the place of beginning, containing 80 acres, more or less.

~~Also an undivided one-half interest in and to the Southwest quarter of the Southeast quarter of Section 22, in Township 22 south of Range 7 West of Willamette Meridian, containing 40 acres.~~

RECORDED

DEC 09 1992

WATER RECORDS DEPT SALEM, OREGON

together with all land singular and 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.

TO HAVE AND HOLD, the above described and granted premises unto the said Francis A. Mack and Lydia Mack, husband and wife, their -----heirs and assigns forever. And we, the grantors above named do covenant to and with Francis A. Mack and Lydia Mack, the above named grantees, their heir and assigns that we are lawfully seized in fee simple of the above granted premises, that the same are free from all incumbrances; except the 1930 taxes, and that we will and our heirs, executors and administrators, shall warrant and forever defend the same, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, except the 1930 taxes.

IN WITNESS WHEREOF, we, the grantors above named, have hereunto set our hands and seals this 21st day of January, 1931.

Signed, Sealed and delivered in the presence of us as

Witnesses:

Mary Langenberg
A. M. ...

Roy R. Wells (Seal)
Myrtle A. Wells (Seal)
(Seal)
(Seal)

whereby it appears that full payment has been made by the said James W. Wells provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto. The South West quarter of the South East quarter of Section twenty-two, Township twenty-two South of Range seven West of Williamsette Meridian, in Oregon, containing forty acres.

according to the OFFICIAL PLAT of the Survey of the said Lands, returned to the GENERAL LAND OFFICE by the SURVEYOR GENERAL, which said Tract has been by the said James Wells

Thomas Knott he, That the United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case provided, have given and granted, and by these presents do give and grant, unto the said James Wells and to his heirs, the said tract above described; To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances thereto belonging; unto the said James Wells and to his heirs and assigns, subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the premises, a right of way thereon for ditches or canals constructed by the authority of the United States.

General Land Office Certificate 1904

In testimony whereof, Woodrow Wilson, PRESIDENT OF THE UNITED STATES

have caused these letters to be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the second day of July, in the year of our Lord one thousand and four, and of the Independence of the United States the one hundred and twenty four

BY THE PRESIDENT: W. Woodrow Wilson

By W. H. H. H. H. Secretary,

Recorded Wilson, Vol. 1, Page 493 Recorder of the Gene

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22-22-7 #700 - RECEIVED 12-9-92

DEC 09 1992

WATER RESOURCES DIVISION
SALEM, OREGON

This property was purchased by Francis Mack's grandfather, Darius Wells in 1906 (originally it had been homesteaded by James Hancock in 1891)

The original house sat very close to the present house, the barn being west upon the knoll. The garden area was near the creek so it could be irrigated. Grand-dad Darius talked of watering in various forms: ditches, flooding, dams, by bucket - he even had a waterwheel for quite a while. There was much more water at that time. Even until 1940⁺ there was enough water so trout could be caught, after times salmon would return to spawn. So with more water, more primitive methods were satisfactory.

After the property was deeded to Darius' son, Roy Wells, in 1919, Francis (Darius' grandson) & Lydia Mack moved onto the place in Nov 1920. We continued irrigation in our garden & yard areas. We bought the property in 1930 and have lived here since. Even during the time we've been here, the creek has changed its course in places. Especially with the creekbed being "cut" deeper by winter water, it was much easier when we put in a small gas pump and after the electricity came thru in 1939, we changed to an electric motor.

by - Lydia Mack

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22-22-7 #700 1259-92

DEC 09 1992

WATERLOO, ONT. L1
BAILEY, ONT. L1

My Mom, Lydia Mack is 92 and it's somewhat difficult for her to walk fast. Also there was an accident that caused quite a hearing loss - therefore it's hard for her to answer a phone quickly and to always hear easily. However, her thinking is SUPER!

If I may be of help, please call me, her daughter. I do have an answering machine (4th ring!) However if there is sufficient time, correspondence is fine - please send copies to Mom. As long as I know a few days ahead. and weather permitting I'm willing to drive down.

I do have a power of attorney which I will send a copy.

I am also hoping to have more support letters that I'll send later. Also I have tried to contact a CWRE.

Thanks for all the considerate help. I was totally amazed at the very pleasant cooperation of the 3 gentlemen I talked with - closeness to the deadline, public confusion nor false interpretations hadn't seemed to take its toll - THANKS!

Elsie Mae Davis, 970 Tibbling Rd, Selah WA
(509) 697-5061 98942

CONTACT Ms.
DAVIS

SEND ACKNOWLEDGEMENT
TO MS. DAVIS & COPY
TO MS. MARR