

February 23, 1994

Water Resources Dept.  
3850 Portland Rd.  
Salem, OR 97310

FEB 24 1994  
WATER RESOURCES DEPT.  
SALEM, OREGON

Attn: Mr. Don Knauer

Re: Surface Water Registration Statement #SWR-103

Dear Mr. Knauer,


The owners of the property for which the above referenced surface water registration has been filed have been diligently trying since 1979 to obtain their rights to use of water from Ten Mile Creek.

Continuous use of this source for irrigation and other purposes beginning prior to Feb. 24, 1909 has been demonstrated with documents and affidavits furnished to your office. Actual usage began prior to 1860.

The most recent correspondence on this matter was from Mrs. Margaret Lawrence to your attention on October 1, 1993. In this letter Mrs. Lawrence notified you that the subject property had been sold to Mr. Matthew J. Haerber, the writer of this correspondence.

In December of 1993, a number of press reports originating from Salem stated that a large number of water rights cases had been adjudicated, and that notices would be sent out by Jan. 1, 1994. I am very interested in obtaining certification of my vested interest to water rights under the subject application, and I am anxious to hear from you regarding the status of this matter.

Thank you for your time.

  
Matthew J. Haerber  
4280 Reston Rd.  
Roseburg, OR 97470

October 1, 1993

Water Resources Dept.  
3850 Portland Rd.  
Salem, OR 97310

RECEIVED

OCT 12 1993

WATER RESOURCES DEPT  
SALEM, OREGON

Attn: Mr. Don Knauer  
Adjudication Specialists

Re: Surface Water Registration Statement-#SWR-103

Dear Mr. Knauer,

In our latest correspondence concerning the referenced SWR case, dated Dec. 9, 1992, you notified me that you had received all necessary information to proceed with adjudication of said case.

The purpose of this letter is to notify you that **I have sold my property**, known as 4280 Reston Rd., Roseburg, Or., and associated **water rights**. Please forward all future correspondence about this matter to the new owner, **Matthew J. Haeber**, at P.O. Box 92, Tenmile, Or. 97481. Mr. Haeber is most anxious to be kept apprised of the situation.

Thank You Kindly,

*Margaret Lawrence*  
Margaret Lawrence

February 23, 1994

Water Resources Dept.  
3850 Portland Rd.  
Salem, OR 97310

RECEIVED  
FEB 25 1994  
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SALEM, OREGON

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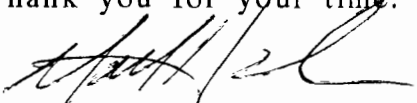
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OCT 13 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

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Salem, OR 97310

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*Margaret Lawrence*  
Margaret Lawrence

T.28S., R.8 W., W.M.

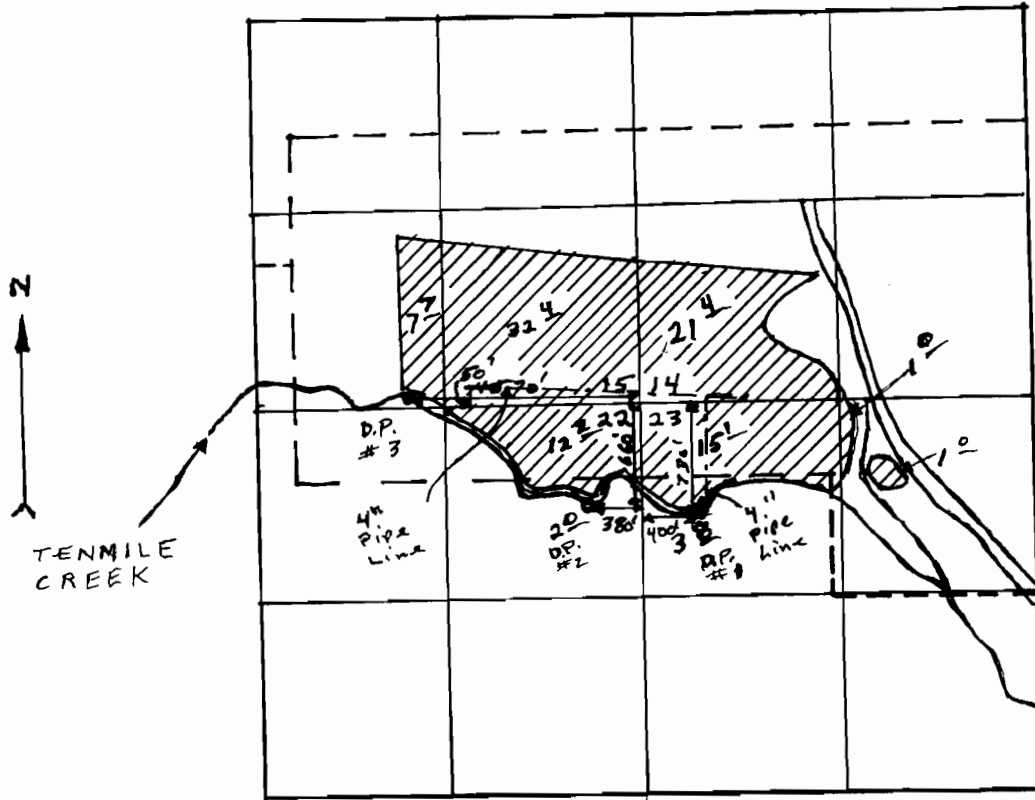
SCALE: 4" = 1 MILE

RECEIVED

04 23 1992

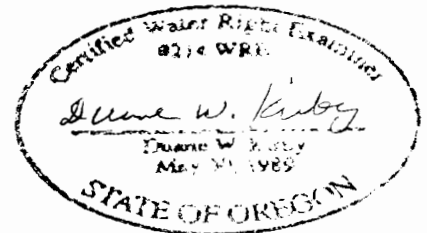
WATER RESOURCES DIV.  
SALEM, OREGON

REGISTRATION STATEMENT MAP



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

UNDER



IN NAME OF

MARGARET LAWRENCE.

Surveyed JUNE 16, 1992, by DUANE KIRBY.

CLAIM OF BENEFICIAL USE AND SITE REPORT

INFORMATION: Margaret Lawrence 679-8966  
4280 Reston Rd  
Roseburg, OR 97470

SOURCE(S): Tenmile creek  
Tributary of south umpgua River

DIVERSION 3 diversion Points  
POINTS:

MOTOR:	<u>No. 1</u>	<u>No. 2</u>
Brand,	Goold	Briggs & Stratton
type,	Electric	gas
HP,	7.5	3
Max. RPM's	3500	

PUMP:	<u>No. 1</u>	<u>No. 2</u>
Brand,	Goold	Teel
type,	centrifugal	centrifugal
intake/discharge dir	2" / 1 1/2"	2" / 2"
size of pulleys.	none	none

PIPE: 2000' of 3" metal laterals  
2400' of 4" metal main line

HEADS: use maximum 28 heads pump No. 1  
rain Bird No 30 single nozzle  
use maximum 11 heads  
rain Bird No 30 single nozzle pump No 2

USE(S): Irrigation

LIFT: 4.5' from water to pump  
40.0' from pump to watered areas

SURVEY TIE: Field tie to NW corner of section 23.  
used county assessor maps 28-8-14, 28-8-15,  
28-8-22, 28-8-23. Also used aerial photo 28-8-15.

SPECIAL  
CONDITIONS:

REMARKS:

FINAL PROOF CALCULATIONS

JUL 20 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Given Data

Duty of water =  $\frac{1}{80}$ th cfs per  
Acres allowed as Irrigated = 96.6

use  
operating pressure?

- No 1 Pump - 7.5 HP electric  
suction lift = 4.5'  
discharge lift = 40.0'  
sprinkler heads = 28 rainbird No 30
- No 2 pump - 3.0 HP Gas  
sprinkler heads = 11 rainbird No 30

1. Assume 40 PSI

Pump No 1

$$Q_{\text{pump}} = \frac{(6.61)(7.5)}{44.5 + 101.6} = 0.3393 \text{ cfs}$$

$$Q_{\text{heads}} = \frac{28 \times 5.4}{449} = 0.3367 \text{ cfs} \quad 0.3367 \text{ cfs}$$

Pump No 2

$$Q_{\text{pump}} = \frac{(6.61)(3.0)}{44.5 + 101.6} = 0.1357 \text{ cfs}$$

$$Q_{\text{heads}} = \frac{11 \times 5.4}{449} = 0.1323 \text{ cfs} \quad \frac{0.1323 \text{ cfs}}{0.4690 \text{ cfs}}$$

the duty of water is  $\frac{1}{80}$ th of one cfs  
per acre. since 96.6 Acres were found to have  
been beneficially irrigated, the maximum Q is:  
 $\frac{96.6}{80} = 1.2075 \text{ cfs}$

since the system appears incapable of delivering  
the full duty amount, the Q allowed on the  
Final water Right certificate will be limited by  
the system in this case 0.4690 cfs

Pump No 2 is also used at diversion  
point No 3

Dwain W. Kibb



RECEIVED

DEC - 2 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

SURFACE WATER REGISTRATION STATEMENT  
PRE-1909 VESTED WATER RIGHT CLAIM

1. Name of Registrant: MARGARET LAWRENCE  
Mailing Address: 4280 RESTON RD  
ROSEBURG OREGON 97770 Telephone No: 679-8966

2. Source of water: TENMILE CREEK  
Tributary to: SOUTH UMPQUA RIVER

3. Purpose(s) for which water is used: IRRIGATION  
(Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)  
If irrigation, total number of acres irrigated: 96.6

4. Priority Date  
a) Date of first use: MAY 10, 1866  
b) Date water use development first initiated: OCTOBER 20, 1864  
c) Name of party who initiated development: ROBERT MARTI JURNERY

5. Amount of water claimed: 0.469, in CFS or GPM  
(Water put to beneficial use)

6. Location of place of use:  
14, 15 Sections, Township 28 N/S Range 8 E/W  
22, 23 Sections, Township 28 N/S Range 8 E/W  
(Attach additional pages if necessary)

7. Usual period of use: APRIL / 01 to october / 01  
month day month day

8. Remarks: Robert Martin Gurney & Elizabeth Anthony  
were my Grand Parents Five Generations back. I  
have lived on this Ranch most of my life.

9. Total fees submitted with claim: 194.00

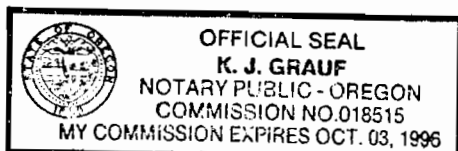
Notarized Statement Signed by Claimant.

STATE OF OREGON )  
County of Douglas ) : ss

I, Margaret Lawrence, having been duly sworn,  
depose and say that I, and being the claimant of the existing surface  
water right described herein, have read the contents of this claim and  
to the best of my knowledge all of the matters stated herein  
are true and correct.

Margaret Lawrence  
Margaret Lawrence  
Signature of Claimant

Signed and attested before me this 1<sup>st</sup> day of December, 1992



K. J. Grauf  
NOTARY PUBLIC for the State of Oregon  
My commission expires: 10-3-96

**THIS FORM MUST BE ACCOMPANIED BY A MAP PREPARED BY A  
CERTIFIED WATER RIGHT EXAMINER (CWRE).**

Certified Water Right Examiner

Name: DUANE W. KIRBY CWRE#: 214

Address: 8087 LOCKINGGLASS RD. ROSEBURG, OR.

Telephone: 679-4692

These are the titles

for R.M. Gurney

- #185 ULYSSIS S. GRANT -- MARCH 1, 1873
- #186 ULYSSIS S. GRANT -- MAY 1, 1869
- #187 ULYSSIS S. GRANT -- OCTOBER 27, 1873
- #355 ANDREW JOHNSON -- AUGUST 7, 1866
- #356 ULYSSIS S. GRANT -- APRIL 10, 1871
- #357 ULYSSIS S. GRANT -- MAY 2, 1870
- #358 ABRAHAM LINCOLN -- OCTOBER 20, 1864
- #359 ABRAHAM LINCOLN -- OCTOBER 20, 1864
- #361 ANDREW JOHNSON -- MAY 10, 1866
- #689 COOS BAY WAGON ROAD COMPANY -- JANUARY 26, 1881

RECEIVED

DEC - 2 1992

WATER RESOURCES DEPT  
SALEM, OREGON

Voltaire Gurney is  
Robert Martin Gurney's Son.

Notice about water rights are  
in the titles.

I, Margaret Lawrence, is the  
5<sup>th</sup> Generation from R.M. Gurney.

## BOSTON HISTROY

Robert Martin Gurney was, as far as known, the first white man to enter the little valley of what is known today as Reston. Mr. Gurney was born August 2, 1818 in Ohio. Later he was bonded out to a minister, but did not stay with him long. He succeeded in making his own way from then on. He married Elizabeth Anthony, cousin of Susan B. Anthony, who was born in Ohio in 1822. Mr. and Mrs. Gurney lived in Dubuque, Ohio, after they were married.

Mr. Gurney started with an emigrant train from Ohio to California at the time many were coming to the West in search of gold. While on the way, he met with an Oregon emigrant train and decided to change his course and come by way of the old Oregon Trail instead of by the California route. Other pioneer families of Douglas County coming to Oregon with this same emigrant party were: The McGuire's of Olalla, Williams of Lookingglass, and McCulloughs of Olalla.

Mr. Gurney was not in search of farming land. He had been interested in timber in the East at one time, and was also in search of timber which brought him to this part of Oregon, arriving here in 1853. It is not known just how long he was on the way. He settled in a little valley near the Coast Range Mountains, (later named Reston) for a period of five years, in order to get a title to the donation claim of 320 acres, which he purchased from the Umpqua Indians. Mr. Gurney is said to have gotten along very well with the Umpquas, who were a peaceful, friendly tribe who harmed no one.

Mr. Gurney constructed a log cabin of eight inch logs notched to fit together. The cabin had one door and a window.

Later Mr. Gurney went to Coos Bay to work in the shipping and lumber business. It was during this time, the Rogue River Indians of Southern Oregon, who were a warlike tribe, went through this vicinity where Mr. Gurney had settled. They burned his log cabin, graineries and other buildings while he was away.

Mr. Gurney named the main creek in this little valley, Cedar Creek, due to the presence of so many of the evergreen trees along the stream. The branch from the North was named Gold Creek. A little gold was picked up in some gravel in this stream near the present Gurney bridge. Bear Creek was the name given the Creek which flowed into Cedar Creek. Mr. Gurney killed a bear here at one time.

The Indians here often said "deep snow", but as long as Mr. Gurney lived in this section the snow was never deep.

Later Mr. Gurney returned to Iowa to bring back his wife and family. The children were: Helen Marr, Voltaire, George, Robert Martin. They came down the Mississippi River to New Orleans, thru the Isthmus of Panama. They continued on to Coos Bay harbor, which was settled by the Coos Indian tribes. Their trip through Panama was very rough due to a quagmire which caused the train to jump up and down. The family upon arriving at Coos Bay walked but over the Old Coos River Trail, which was probably an Indian trail. It lay north of the present Coos Bay Wagon Road.

Mr. Gurney built the house which stands today on the Gurney place in 1872. He had a sawmill and cut a lot of timber and cut his own timber for the house and did work himself. The finishing lumber came from Sugar Pine Mountain and was hauled by oxen team. The doors and windows planed by hand, also flooring and rustic. Upstairs was one large room which was used for dancing and later held Grange a year or two here. The house had ten rooms.

In those days people went to Scottsburg, Oregon and took loads of ham, bacon, wheat, etc. and traded. Some also went to Portland.

Mrs. Gurney said that the grass was knee high to cattle when they first came here, and that she picked wild strawberries in the same patch with bear and neither ran.

Mr. Weekly had the first sawmill and hotel in this section. His donation claim of 320 acres came after Gurneys. Many people also stopped at the Gurney place. The Weekly place was along side of the Gurney place.

Other children born here in the Gurney family were: Mary Rebekah, Solomon Asa, Margaret Melvina, James Walton, and another child died when quite small and was buried at Masonic graveyard.

Mr. Gurney was French and English. He was five feet ten inches in height, very broad shouldered, stout, he was a strong leader and very progressive. Children all over the country liked him and was well liked generally by adults. He was very fond of children. He quit work at fifty years of age, and his boys did the work. He died in 1878 at the age of sixty years.

Anthony (Mrs. Gurney's name) was Irish. Mrs. Gurney was a good mother. And was often called on to care for the sick in the community. She made her own medicinal herbs which she used. She was familiar with many home remedies. Remedies used were cherry bark, sunflower, wild grape root, wild bitter and chittum. Mrs. Gurney also raised many flowers. She brought Iowa plum seed with her as she said the sprouts were good to whip children with. Many people often came to the Gurney home inquiring for "Dr. Gurney." She was often gone for a month at a time caring for the sick. She raised chickens, ducks, geese and a few turkeys. She made a great many quilts, but did no other fancy work. Mrs. Matthews, neighbor, generally quilted her quilts. She had a spinning wheel and the first sewing machine in the country, a Grover and Baker. Mrs. Gurney brought dishes from New Orleans. The Gurney home was furnished with common old chairs and furniture. They cooked on a cast iron stove. The buck stove was the best stove in those days. Mrs. Gurney cooked, canned fruit, made lots of apple butter for people. The family also had a cider mill. The son, James, killed many deer for hides. Often got 100 trout in a day. There were salmon and brook trout. Mooter Grouse were plentiful and there were quite a lot of native pheasants and a few cougar. Chinese pheasants came later. Native Oregon quail and later quail of California came.

Beavers were quite plentiful and often holes were seen in the banks along creeks. Once in awhile otter were seen. The skunks were numerous. Silver gray squirrels were very thick. (They are very rare now as they became diseased). Deer were very plentiful and bothered gardens and orchards badly. They would come into the orchards by the dozen at night and could be seen in the moonlight as they ate apples. One night Volney put apples under a tree and was to shoot, but he went to sleep and the deer got the apples and got off.

The Gurney family had all kinds of fruit--apples, peaches, plums, grapes, cherries, quinces. The quinces very large. "Gurney's Golden" also was grown. Mrs. Gurney did much of the grafting. Wild blackberries, raspberries and elder berries were found in abundance. Mrs. Gurney raised crabapples and made preserves out of them. She made jelly and pies out of elder berries. There were some large patches of elderberries near the Gurney place.

About sixty head of cattle were raised. The big ones were sold to Coos loggers. The Gurney's raised their own oxen teams to plow. When Asa was a little child oxen teams were used for logging. They did not know they could use horses for logging.

No dairying was done only for their own use. They had plenty of butter and cream.

Mrs. Gurney had twenty seven kinds of roses and flowers on front and two sides of house. She had beds eight feet wide and 75 or 80 feet long in garden. Asa helped with the flowers. She irrigated flowers. People came thirty or forty miles with horses to see flowers. Mr. Gurney was the originator of the idea of growing flowers after he quit active work. Some of the flowers in abundance were peonies, snowballs, lilacs, iris, and most all of old fashioned flowers. Mint and peppermint were grown six feet tall. These were used for medicine. There was a large weeping

willow by the spring.

Many homemade things were brought from Iowa. They had a dash churn. Mrs. Gurney made her own candles of tallow. The family had lots of books and all read a great deal.

The children went to school in an old log cabin on the Irwin place before there was a school nearer, walked five miles to Ten Mile where this school was. There was about forty or more pupils. The mail was also obtained from Ten Mile, nearest post office.

In 1878 and 1879 was the first school at the old Beard house. There was three rooms, 20 or more pupils attended. It was named "Sugar Pine Academy" by the children. There was a kitchen on the north side, west end a bedroom out of peeled fir, main room about 16 feet square. The desks were rough. The first teacher was Miss Annie Cooper of Wilbur, daughter of Plinn Cooper of Wilbur. Teacher boarded around and got \$30.00 per month.

Some of the pupils in the early school were Blige Matthews, George Matthews, Mamie Woodin, Arthur Woodin, Frank Woodin, Walter Woodin, Colemans, Weeklys, and Hardmans.

The second Teacher was Mr. Edward E. La Brie of Garden Valley. Wife attended school at Ten Mile, Kate Deal.

The next school house was built near present site off hill. Work was all donated. The first year there was no glass in the windows, a door and stove. There was no floor at first. Log heaps were built and had a fire. The teacher was Fannie Coke, of Coquille, brother of late Judge Coke of Marshfield. The teacher boarded round. Taught three months. If not enough money at end of school to pay teacher, patrons took up subscription. This teacher got three months for 100 dollars.

Daniel O. Clark, a tramp like individual, lived at Ollala and ~~Tamale~~. He taught children singing and notes. He went to houses and gave lessons. He was a famous horse stealer and once hid in cave back of Porters in ten Mile. Was finally sent to the penitentiary. Nobody knew where he came from into the country here.

R. W. Chaney, penmanship instructor, came to Gurney home and gave writing lessons. Solomon Asa was one of the best writers and pupils. James, Maggie and x Asa all took writing lessons.

Rev. M. E. Johnson, of Camas Valley, preached in Sugar Pine Academy. He was a Southerner.

A. A. Matthews organized first Sunday School in old house (not Sugar Pine Academy). Most children attended it.

Two mountain peaks were named from the Gurney family. One was named Mt. Gurney and Mr. Helen after the daughter Helen. Both in Coast Range Mountains.

The first old stage station was at the Wilson place at the foot of the Coast Range Mountains. One winter the snow was 14 feet deep on top of the Coast Range. One of the first mail carriers was James G. Laird.

Passengers sitting on the steps of the old stage station suggested that "Rest" would be a good name for the place. The woman got up a petition. Government called it "Reston".

Mr. Gurney died of measles in 1878. Mrs. Gurney remained on the farm with children a number of years. She died in 1899. The family all grew up and were married except James and Asa who remained on the place until their death, except for four years Asa drove a stage line between Roseburg and Millwood.

July 31, 1876

Weather fine and clear, cool for the season. Wheat mostly ripe. Hauling in wheat today.

August 9, 1876

This morning we had a frost. Squash vines are badly bit. It has this far been a very cold backward season. I suppose it is caused by the gold ring and bond holders combining against the poor-plow holders.\*

Who does all the work and pays all the taxes? It matters not which of the candidates are elected. The thieves are on top. Only poor old Peter Cooper should sound, then he could do nothing.\* At this time the U. S. Senate is pitted against the House, so that it is powerless to do good, if it was so inclined.

Some talk of an over ruling, providing if such is the fact. He has either gone on a mission to some other planet or we have been a very bad nation or he's letting them get a good hold on the wealth of the nation in order that he can make a clear case against them.

Let it be as it will, in a few short years times will change either by the good sound sense of the majors\* or by the uprising of the farmers, artisan, laborer and hoodlums of the entire nation. Some to right real wrong, some to right supposed wrongs, but a majority for plunder. When that day comes, woe to the bond holders and all that have made fortunes by plundering the majors.\*

The conflict will be short but decisive. It is to be hoped that this thing will not come to pass, but it is inevitable unless the present order of things comes to a speedy end for the better. I am getting old, but I shall live to see their change.

I am no prophet but sometimes I see things in the near future quite plain, and if the people should be compelled to pay their debts in gold throughout this nation bankruptcy, anarchy, and general ruin will be the inevitable consequences.

by Robert Martin Gurney

\*\*

This first paragraph I do not understand his meaning.

\*\*

Peter Cooper--1791-1883; American manufacturer and philanthropist; founded the Cooper Union, New York. (Info: Britannica Dictionary-Funk & Wagnalls.--1959). Do not quite understand his meaning of this paragraph either.

\*\* This word is not clear in his original handwriting. "providing" sounds correct. I believe he is talking about President Ulysses Simpson Grant. He was in power.

\*\* In the fourth paragraph he uses a word that looks like majors but I have checked very carefully and still can not figure out the right word in his handwriting.

\*\* Robert Martin Gurney died of measles in 1873. He only lived two years after he wrote the above in his log. It is a record of this lumber mill and produce from his farm.

\*\* Mr. Gurney did predict the future. The time then is almost like it is now. Some of this wording I do not quite understand but I think he gets the point across.

MARGARET LAURENCE  
4250 RESTON ROAD  
ROSEBURG, OR. 97130  
503-619-8966

his great-great-grand-daughter,  
Margaret Laurence--August 16, 1978



United States }  
To }  
Vollaire Gurney }

160 acres - March 1, 1873

Sec. 23  
Sec. 24  
T. 28  
R. 8

The United States of America; To all to whom these presents shall come Greeting, Whereas in pursuance of the act of Congress approved July 2 1862 entitled An act donating Public Lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, there has been deposited in the General Land Office Strip the 128<sup>th</sup> for one quarter section of land in favor of the State of Alabama duly assigned by the proper authority of the said state to Vollaire Gurney with evidence that the same has been located upon the South East quarter of the North East quarter and the North East quarter of the South East quarter of section twenty three and the West half of the South West quarter of section twenty four in Township twenty eight South of Range eight West in the District of Lands subject to sale at Astoria Oregon containing one hundred and sixty acres according to the Official Plat of this Survey of the said land returned to the General Land Office by the Surveyor General, I know know for that there is therefore granted by the United States unto the said Vollaire Gurney as assignee as aforesaid and to his heirs the tract of land above described, To Have and to hold the said tract of Land unto the assignees thereof unto the said Vollaire Gurney as assignee as aforesaid and to his heirs and assigns forever subject to any vested and accrued water rights for mining agricultural, manufacturing or other purposes and rights to ditch and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts and also subject to the rights of the proprietor of a vein or lode to extract and remove the ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law, In testimony whereof I Ulysses S Grant President of the United States of America have caused these letters to be made Public and the Seal of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington the first day of March in the year of our Lord one thousand eight hundred and seventy three and of the Independence of the United States the Twenty Seventh

By the President: U S Grant

By S L Williamson Secretary

C B Reynolds Recorder of the General Land Office

Recorded July 27<sup>th</sup> 1878

J R Sherman Co Clerk

(Inde)  
Records Vol 159 Page 121



United States

158 acres - OCT. 27, 1873

R. M. Gurney } The United States of America, To all to whom  
 these presents shall come greeting; Whereas in pursuance of  
 the Act of Congress approved July 2 1862 entitled An Act donating Public  
 Lands to the several States and Territories which may provide Colleges  
 for the benefit of agriculture and the Mechanic Arts there has been  
 deposited in the General Land Office scrip No 4084 for one quarter  
 section of Land in favor of the State of Florida duly assigned by the  
 proper authority of the said State to <sup>with evidence that the same has been located upon</sup> R. M. Gurney the Lot numbered  
 five of Section ffline the North East quarter of the North West  
 quarter and the West half of the North West quarter of Section  
twenty two in Township twenty eight South of Range eight West  
 in the District of Lands subject to sale at Roseburg Oregon  
 containing one hundred and fifty eight acres and forty one  
hundredths of an acre according to the official Plat of the  
 Survey of the said Land returned to the General Land Office  
 by the Surveyor General, Now know ye That there is therefore granted  
 by the United States unto the said R. M. Gurney as assignee as  
 aforesaid and to his heirs the tract of Land above described  
 To Have and to Hold the said tract of Land with the appurtenances  
 thereof unto the said R. M. Gurney as assignee as aforesaid and to  
 his heirs and assigns forever 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  
 water 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 extract and remove  
 his ore therefrom should the same be found to penetrate or intersect  
 the premises hereby granted as provided by law  
 In Witness Whereof I Ulysses S Grant President of the United States of  
 America 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 Twenty  
 seventh day of October in the year of our Lord one thousand  
 eight hundred and Seventy three and of the Independence  
 of the United States the Ninety eight.

By The President U S Grant

By W. Williamson

L. K. Lippincott Recorder of the General Land Office

(6. out)

Recorded Vol 109 Page 144

Recorded July 2nd 1878

T. R. Sherman Collector

United States } The United States of America  
 To }  
 Robt M Gurney }  
 Certificate No 886 }  
 Whereas Robert M Gurney of Douglas  
 County Oregon has deposited in the General Land Office  
 of the United States a certificate of the Register of the  
 Land Office at Roseburg Oregon it appears that full  
 payment has been made by the said Robert M Gurney  
 according to the 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"  
 for the lot numbered four of section fifteen and  
 the lot numbered five of section twenty three  
 in Township twenty eight South of Range Eight  
 West in the District of lands subject to sale at  
 Roseburg Oregon containing fifty nine acres  
 and seven hundredths of an acre 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 purchased by  
 the said Robert M Gurney "Hoc Tenet" of the  
 United States of America in consideration  
 of the premises and in conformity with the several  
 Acts of Congress in such case made and provided  
 have given and granted and by these presents  
 do give and grant unto the said Robert M Gurney  
 his heirs the said tract above described  
 to have and to hold the same together with all  
 the rights privileges immunities and appurtenances  
 of whatsoever nature thereunto belonging unto the  
 said Robert M Gurney his heirs and assigns  
 forever, In Testimony whereof Andrew Johnson President  
 of the United States of America 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 tenth day of May in the year of our Lord  
 one thousand eight hundred and sixty six and of the Independence  
 of the United States the thirtieth

SEC. 15  
 SEC. 23  
 T. 28  
 R. 8

By the President Andrew Johnson  
 Examined By Eder D Hill Register  
 Witness Recorder of the General Land Office  
 Recorded Vol 2 Page 314  
 Recorded Nov 16 1868  
 J R Sherman Co Clerk

CLAIM OF BENEFICIAL USE AND SITE REPORT

INFORMATION: Margaret Lawrence 679-8966  
 4280 Reston Rd  
 Roseburg, OR 97470

SOURCE(S): Tenmile creek  
 tributary of south umppua River

DIVERSION POINTS: 3 diversion points

MOTOR:

	<u>No. 1</u>	<u>No. 2</u>
Brand,	Gould	Briggs & Stratton
type,	Electric	gas
HP,	7.5	3
Max. RPM's	3500	

PUMP:

	<u>No. 1</u>	<u>No. 2</u>
Brand,	Gould	Teel
type,	centrifugal	centrifugal
intake/discharge dia	2"/1 1/2"	2"/2"
size of pulleys.	none	none

PIPE: 2000' of 3" metal laterals  
2400' of 4" metal main line

HEADS: use maximum 28 heads pump No. 1  
rain Bird No 30 single nozzle  
use maximum 11 heads pump No 2  
rain Bird No 30 single nozzle

USE(S): Irrigation

LIFT: 4.5' from water to pump  
40.0' from pump to watered area

SURVEY TIE: Field tie to NW corner of section 23.  
used county assessor maps 28-8-14, 28-8-15,  
28-8-22, 28-8-23. Also used aerial photo 28-8-15.

SPECIAL  
CONDITIONS:

REMARKS:

FINAL PROOF CALCULATIONS

JUL 20 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Given Data

Duty of water = 1/80th cfs per  
Acres allowed as Irrigated = 96.6

use  
operating pressure?

No 1 Pump - 7.5 HP electric

suction lift = 4.5'

discharge lift = 40.0'

sprinkler heads = 28 rain bird No 30

No 2 pump - 3.0 HP Gas

sprinkler heads = 11 rain bird No 30

1. Assume 40 PSI

Pump  
No 1

$$Q_{\text{pump}} \frac{(6.61)(7.5)}{44.5 + 101.6} = 0.3393 \text{ cfs}$$

$$Q_{\text{heads}} \frac{28 \times 5.4}{449} = 0.3367 \text{ cfs} \quad 0.3367 \text{ cfs}$$

Pump  
No 2

$$Q_{\text{pump}} \frac{(6.61)(3.0)}{44.5 + 101.6} = 0.1357 \text{ cfs}$$

$$Q_{\text{heads}} \frac{11 \times 5.4}{449} = 0.1323 \text{ cfs} \quad \frac{0.1323 \text{ cfs}}{0.4690 \text{ cfs}}$$

the duty of water is 1/80th of one cfs  
per acre. since 96.6 Acres were found to have  
been beneficially irrigated, the maximum Q is:  
 $\frac{96.6}{80} = 1.2075 \text{ cfs}$

since the system appears incapable of delivering  
the full duty amount, the Q allowed on the  
Final water Right certificate will be limited by  
the system in this case 0.4690 cfs

Pump No 2 is also used at diversion  
point No 3

Dwain W. Kins

**RECEIVED**

**JUL 20 1993**

WATER RESOURCES DEPT.  
SALEM, OREGON

WATER  
RESOURCES  
DEPARTMENT

June 8, 1993

DUANE W. KIRBY  
8087 LOOKINGGLASS ROAD  
ROSEBURG OR 97470

RE: File# SWR-103

DEAR DUANE W. KIRBY,

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

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

source & trib	the source should be identified on the map
conveyance	ORS 539.120 "...the location of .... and each ditch, canal, pipeline or other means of conveying the water..."
* diversion point size	OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." There is no information on diversion point #3.

Don Knauer

Here is the corrected map and site Report



\* see Note bottom of page 4  
of the site Report

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

duane w. kirby 7-18-92

The final proof survey and inspection of the use as found to be completed under the terms and conditions of registration statement was completed by me on 6-16-92, and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



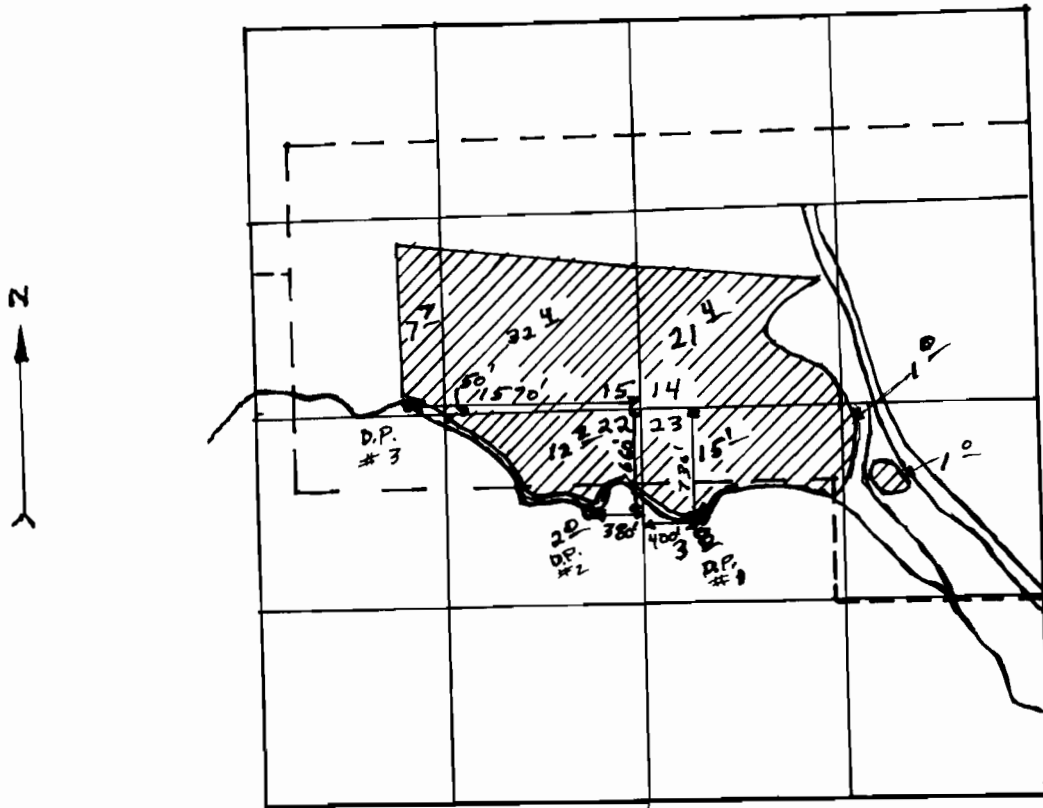
I, ----- agree to the findings of the CWRE and do submit this site report and map as my Claim of Beneficial Use of the water as provided under the terms and conditions of my registration statement

-----

T·28S., R·8 W., W·M.

SCALE: 4" = 1 MILE

REGISTRATION STATEMENT MAP



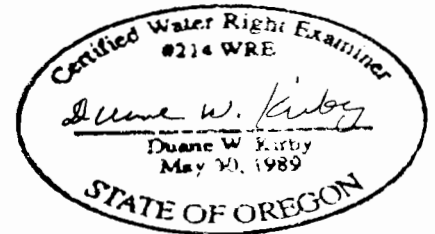
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

UNDER

IN NAME OF

MARGARET LAWRENCE.

Surveyed JUNE 16, 1992, by DUANE KIRBY





~Margaret Lawrence~

FINAL PROOF CALCULATIONS

Given Data

Duty of water =  $\frac{1}{80}$ th cfs per Acre  
Acres allowed as Irrigated = 96.6

Use  
operating pressure?

No 1 Pump - 7.5 HP electric

suction lift = 4.5'

discharge lift = 40.0'

sprinkler heads = 28 rainbird NO 30

No 2 pump - 3.0 HP Gas

sprinkler heads = 11 rainbird NO 30

1. Assume 40 PSI

Pump No 1

$$Q_{\text{pump}} = \frac{(6.61)(7.5)}{44.5 + 101.6} = 0.3393 \text{ cfs}$$

$$Q_{\text{heads}} = \frac{28 \times 5.4}{449} = 0.3367 \text{ cfs} \quad 0.3367 \text{ cfs}$$

Pump No 2

$$Q_{\text{pump}} = \frac{(6.61)(3.0)}{44.5 + 101.6} = 0.1357 \text{ cfs}$$

$$Q_{\text{heads}} = \frac{11 \times 5.4}{449} = 0.1323 \text{ cfs} \quad \frac{0.1323 \text{ cfs}}{0.4690 \text{ cfs}}$$

The duty of water is  $\frac{1}{80}$ th of one cfs  
Per Acre. since 96.6 Acres were found to have  
been beneficially irrigated, the maximum Q is:  
 $\frac{96.6}{80} = 1.2075 \text{ cfs}$

since the system appears incapable of delivering  
the full duty amount, the Q allowed on the  
Final water Right certificate will be limited by  
the system in this case 0.4690 cfs

Doreen W. Kirby

These are the titles

for R.M. Gurney

- #185 ULYSSIS S. GRANT -- MARCH 1, 1873
- #186 ULYSSIS S. GRANT -- MAY 1, 1869
- #187 ULYSSIS S. GRANT -- OCTOBER 27, 1873
- #355 ANDREW JOHNSON -- AUGUST 7, 1866
- #356 ULYSSIS S. GRANT -- APRIL 10, 1871
- #357 ULYSSIS S. GRANT -- MAY 2, 1870
- #358 ABRAHAM LINCOLN -- OCTOBER 20, 1864
- #359 ABRAHAM LINCOLN -- OCTOBER 20, 1864
- #361 ANDREW JOHNSON -- MAY 10, 1866
- #689 COOS BAY WAGON ROAD COMPANY -- JANUARY 26, 1881

RECEIVED

DEC - 2 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

Voltaire Gurney is  
Robert Martin Gurney's Son.

Notice about water rights are  
in the titles.

I, Margaret Lawrence, is the  
5<sup>th</sup> Generation from R.M. Gurney.

United States }  
To }  
Voltaire Gurney }

160 acres - March 1, 1873

Sec. 23  
Sec. 24  
T. 28  
R. 8

The United States of America; To all to whom these presents shall come Greeting, Whereas in pursuance of the act of Congress approved July 2 1862 entitled an act donating Public Lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, there has been deposited in the General Land Office Strip No 1285 - for one quarter section of land in favor of the State of Alabama duly are given by the proper authority of the said state to Voltaire Gurney with evidence that the same has been located upon the South East quarter of the North East quarter and the North East quarter of the South East quarter of section twenty three and the West half of the South West quarter of section twenty four in Township twenty eight South of Range eight West in the District of Lands subject to sale at Astoria Oregon containing one hundred and sixty acres according to the Official Plat of the Survey of the said land returned to the General Land Office by the Surveyor General, I do now know that there is therefore granted by the United States unto the said Voltaire Gurney as assignee as aforesaid and to his heirs the tract of land above described, To Have and to Hold the said tract of land with the appurtenances thereof unto the said Voltaire Gurney as assignee as aforesaid and to his heirs and assigns forever 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 water 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 extract and remove his ore therefrom should the same be found to penetrate or interfere with the premises hereby granted as provided by law, In testimony whereof I Ulysses S Grant President of the United States of America have caused these letters to be made Public and the Seal of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington the first day of March in the year of our Lord one thousand eight hundred and seventy three and of the Independence of the United States the Twenty Seventh

By the President U S Grant

By S L Williamson Secretary

CRB Reynolds Recorder of the General Land Office

Recorded July 27 1878

J R Sherwood Co Clerk

(side)  
Recorded Vol 139 Page 121

United States

158 acres - OCT. 27, 1873

to } *of*  
 R M Gurney } The United States of America, To all to whom  
 their presents shall come greeting; Whereas in pursuance of  
 the act of Congress approved July 2 1862 entitled An Act donating Public  
 Lands to the several States and Territories which may provide Colleges  
 for the benefit of Agriculture and the Mechanic Arts there has been  
 deposited in the General Land Office scrip No 404 for one quarter  
 section of Land in favor of the State of Florida duly assigned by the  
 proper authority of the said State to <sup>with evidence that the same has been located upon</sup> R M Gurney the lot numbered  
 five of Section fifteen the North East quarter of the North West  
 quarter and the West half of the North West quarter of Section  
 twenty two in Township twenty eight South of Range eight West  
 in the District of Lands subject to sale at Roseburg Oregon  
 containing one hundred and fifty eight acres and forty nine  
hundredths of an acre according to the official Plat of the  
 Survey of the said Land returned to the General Land Office  
 by the Surveyor General, Now Know ye That there is therefore granted  
 by the United States unto the said R M Gurney as assignee as  
 aforesaid and to his heirs the tract of Land above described  
 To Have and to Hold the said tract of Land with the appurtenances  
 thereof unto the said R M Gurney as assignee as aforesaid and to  
 his heirs and assigns forever 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  
 water 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 extract and remove  
 his ore therefrom should the same be found to penetrate or intersect  
 the premises hereby granted as provided by law  
 In Witness whereof I Ulysses S Grant President of the United States of  
 America 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 Twenty  
 seventh day of October in the year of our Lord one thousand  
 eight hundred and Seventy-three and of the Independence  
 of the United States the Ninety eighth.

By The President U S Grant

By Ed Williams

L K Diffrient Recorder of the General Land Office

(Cont)

Recorded Vol 109 Page 144

Recorded July 27 1878

D R Sherman Collect

United States } The United States of America

To Robt M Gurney } To all to whom these presents shall come Greeting;

Certificate No 886 } Whereas Robert M Gurney of Douglas County Oregon has deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Roseburg whereby it appears that full payment has been made by the said Robert M Gurney according to the 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" for the lot numbered four of section fifteen and the lot numbered five of section twenty three in Township twenty eight South of Range eight West in the District of lands subject to sale at Roseburg Oregon containing fifty nine acres and seven hundredths of an acre according to the official Plat of the survey of the said lands returned to the General Land Office by the Survey General which said tract has been purchased by the said Robert M Gurney "In full" of the United States of America in consideration of the premises and in conformity with the several Acts of Congress in such case made and provided have given and granted and by these presents do give and grant unto the said Robert M Gurney 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 of whatsoever nature thereunto belonging unto the said Robert M Gurney and to his heirs and assigns forever, In testimony whereof Andrew Johnson President of the United States of America 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 10th day of May in the year of our Lord one thousand eight hundred & sixty six and of the Independence of the United States the thirtieth

SEC. 15  
SEC. 23  
T 28  
R 8

Examined By the President Andrew Johnson  
By Eider D Hill Secy  
Witness Recorder of the General Land Office  
Recorded Vol 2 Page 314  
Recorded Nov 16 1868  
O R Sheridan Co Clerk

## RESTON HISTROY

Robert Martin Gurney was, as far as known, the first white man to enter the little valley of what is known today as Reston. Mr. Gurney was born August 2, 1818 in Ohio. Later he was bonded out to a minister, but did not stay with him long. He succeeded in making his own way from then on. He married Elizabeth Anthony, cousin of Susan B. Anthony, who was born in Ohio in 1822. Mr. and Mrs. Gurney lived in Dubuque, Ohio, after they were married.

Mr. Gurney started with an emigrant train from Ohio to California at the time many were coming to the West in search of gold. While on the way, he met with an Oregon emigrant train and decided to change his course and come by way of the old Oregon Trail instead of by the California route. Other pioneer families of Douglas County coming to Oregon with this same emigrant party were: The McGuire's of Olalla, Williams of Lookingglass, and McCulloughs of Olalla.

Mr. Gurney was not in search of farming land. He had been interested in timber in the East at one time, and was also in search of timber which brought him to this part of Oregon, arriving here in 1853. It is not known just how long he was on the way. He settled in a little valley near the Coast Range Mountains, (later named Reston) for a period of five years, in order to get a title to the donation claim of 320 acres, which he purchased from the Umpqua Indians. Mr. Gurney is said to have gotten along very well with the Umpquas, who were a peaceful, friendly tribe who harmed no one.

Mr. Gurney constructed a log cabin of eight inch logs notched to fit together. The cabin had one door and a window.

Later Mr. Gurney went to Coos Bay to work in the shipping and lumber business. It was during this time, the Rogue River Indians of Southern Oregon, who were a warlike tribe, went through this vicinity where Mr. Gurney had settled. They burned his log cabin, graineries and other buildings while he was away.

Mr. Gurney named the main creek in this little valley, Cedar Creek, due to the presence of so many of the evergreen trees along the stream. The branch from the North was named Gold Creek. A little gold was picked up in some gravel in this stream near the present Gurney bridge. Bear Creek was the name given the Creek which flowed into Cedar Creek. Mr. Gurney killed a bear here at one time.

The Indians here often said "deep snow", but as long as Mr. Gurney lived in this section the snow was never deep.

Later Mr. Gurney returned to Iowa to bring back his wife and family. The children were: Helen Marr, Voltaire, George, Robert Martin. They came down the Mississippi River to New Orleans, thru the Isthmus of Panama. They continued on to Coos Bay harbor, which was settled by the Coos Indian tribes. Their trip through Panama was very rough due to a quagmire which caused the train to jump up and down. The family upon arriving at Coos Bay walked out over the Old Coos River Trail, which was probably an Indian trail. It lay north of the present Coos Bay Wagon Road.

Mr. Gurney built the house which stands today on the Gurney place in 1872. He had a sawmill and cut a lot of timber and cut his own timber for the house and did work himself. The finishing lumber came from Sugar Pine Mountain and was hauled by oxen team. The doors and windows planed by hand, also flooring and rustic. Upstairs was one large room which was used for dancing and later held Grange a year or two here. The house had ten rooms.

In those days people went to Scottsburg, Oregon and took loads of ham, bacon, wheat, etc. and traded. Some also went to Portland.

Mrs. Gurney said that the grass was knee high to cattle when they first came here, and that she picked wild strawberries in the same patch with bear and neigher ran.



Mr. Weekly had the first sawmill and hotel in this section. His donation claim of 320 acres came after Gurneys. Many people also stopped at the Gurney place. The Weekly place was along side of the Gurney place.

Other children born here in the Gurney family were: Mary Rebekah, Solomon Asa, Margaret Melvina, James Walton, and another child died when quite small and was buried at Masonic graveyard.

Mr. Gurney was French and English. He was five feet ten inches in height, very broad shouldered, stout, he was a strong leader and very progressive. Children all over the country liked him and was well liked generally by adults. He was very fond of children. He quit work at fifty years of age, and his boys did the work. He died in 1878 at the age of sixty years.

Anthony (Mrs. Gurney's name) was Irish. Mrs. Gurney was a good mother. And was often called on to care for the sick in the community. She made her own medicinal herbs which she used. She was familiar with many home remedies. Remedies used were cherry bark, sunflower, wild grape root, wild bitter and chittum. Mrs. Gurney also raised many flowers. She brought Iowa plum seed with her as she said the sprouts were good to whip children with. Many people often came to the Gurney home inquiring for "Dr. Gurney." She was often gone for a month at a time caring for the sick. She raised chickens, ducks, geese and a few turkeys. She made a great many quilts, but did no other fancy work. Mrs. Matthews, neighbor, generally quilted her quilts. She had a spinning wheel and the first sewing machine in the country, a Grover and Baker. Mrs. Gurney brought dishes from New Orleans. The Gurney home was furnished with common old chairs and furniture. They cooked on a cast iron stove. The buck stove was the best stove in those days. Mrs. Gurney cooked, canned fruit, made lots of apple butter for people. The family also had a cider mill. The son, James, killed many deer for hides. Often got 100 trout in a day. There were salmon and brook trout. Rooter Grouse were plentiful and there were quite a lot of native pheasants and a few cougar. Chinese pheasants came later. Native Oregon quail and later quail of California came.

Beavers were quite plentiful and often holes were seen in the banks along creeks. Once in awhile otter were seen. The skunks were numerous. Silver gray squirrels were very thick. (They are very rare now as they became diseased). Deer were very plentiful and bothered gardens and orchards badly. They would come into the orchards by the dozen at night and could be seen in the moonlight as they ate apples. One night Volney put apples under a tree and was to shoot, but he went to sleep and the deer got the apples and got off.

The Gurney family had all kinds of fruit--apples, peaches, plums, grapes, cherries, quinces. The quinces very large. "Gurney's Golden" also was grown. Mrs. Gurney did much of the grafting. Wild blackberries, raspberries and elder berries were found in abundance. Mrs. Gurney raised crabapples and made preserves out of them. She made jelly and pies out of elder berries. There were some large patches of elderberries near the Gurney place.

About sixty head of cattle were raised. The big ones were sold to Coos loggers. The Gurney's raised their own oxen teams to plow. When Asa was a little child oxen teams were used for logging. They did not know they could use horses for logging.

No dairying was done only for their own use. They had plenty of butter and cream.

Mrs. Gurney had twenty seven kinds of roses and flowers on front and two sides of house. She had beds eight feet wide and 75 or 80 feet long in garden. Asa helped with the flowers. She irrigated flowers. People came thirty or forty miles with horses to see flowers. Mr. Gurney was the originator of the idea of growing flowers after he quit active work. Some of the flowers in abundance were peonies, snowballs, lilacs, iris, and most all of old fashioned flowers. Mint and peppermint were grown six feet tall. These were used for medicine. There was a large weeping

willow by the spring.

Many homemade things were brought from Iowa. They had a dash churn. Mrs. Gurney made her own candles of tallow. The family had lots of books and all read a great deal.

The children went to school in an old log cabin on the Irwin place before there was a school nearer, walked five miles to Ten Mile where this school was. There was about forty or more pupils. The mail was also obtained from Ten Mile, nearest post office.

In 1878 and 1879 was the first school at the old Beard house. There was three rooms, 20 or more pupils attended. It was named "Sugar Pine Academy" by the children. There was a kitchen on the north side, west end a bedroom out of peeled fir, main room about 16 feet square. The desks were rough. The first teacher was Miss Annie Cooper of Wilbur, daughter of Plinn Cooper of Wilbur. Teacher boarded around and got \$30.00 per month.

Some of the pupils in the early school were Elige Matthews, George Matthews, Mamie Woodin, Arthur Woodin, Frank Woodin, Walter Woodin, Colemans, Weeklys, and Hardmans.

The second Teacher was Mr. Edward E. La Brie of Garden Valley. Wife attended school at Ten Mile, Kate Beal.

The next school house was built near present site off hill. Work was all donated. The first year there was no glass in the windows, a door and stove. There was no floor at first. Log heaps were built and had a fire. The teacher was Fannie Coke, of Coquille, brother of late Judge Coke of Marshfield. The teacher boarded round. Taught three months. If not enough money at end of school to pay teacher, patrons took up subscription. This teacher got three months for 100 dollars.

Daniel O. Clark, a tramp like individual, lived at Ollala and ~~Fattale~~. He taught children singing and notes. He went to houses and gave lessons. He was a famous horse stealer and once hid in cave back of Porters in ten Mile. Was finally sent to the penitentiary. Nobody knew where he came from into the country here.

R. W. Chaney, penmanship instructor, came to Gurney home and gave writing lessons. Solomon Asa was one of the best writers and pupils. James, Maggie and Asa all took writing lessons.

Rev. H. B. Johnson, of Camas Valley, preached in Sugar Pine Academy. He was a Southerner.

A. A. Matthews organized first Sunday School in old house (not Sugar Pine Academy). Most children attended it.

Two mountain peaks were named from the Gurney family. One was named Mt. Gurney and Mr. Helen after the daughter Helen. Both in Coast Range Mountains.

The first old stage station was at the Wilson place at the foot of the Coast Range Mountains. One winter the snow was 14 feet deep on top of the Coast Range. One of the first mail carriers was James G. Laird.

Passengers sitting on the steps of the old stage station suggested that "Rest" would be a good name for the place. The woman got up a petition. Government called it "Reston".

Mr. Gurney died of measles in 1878. Mrs. Gurney remained on the farm with children a number of years. She died in 1899. The family all grew up and were married except James and Asa who remained on the place until their death, except for four years Asa drove a stage line between Roseburg and Millwood.



July 31, 1876

Weather fine and clear, cool for the season. Wheat mostly ripe. Hauling in wheat today.

August 9, 1876

This morning we had a frost. Squash vines are badly bit. It has this for been a very cold backward season. I suppose it is caused by the gold ring and bond holders combining against the poor-plow holders.\*

Who does all the work and pays all the taxes? It matters not which of the candidates are elected. The thieves are on top. Only poor old Peter Cooper should sound, then he could do nothing." At this time the U. S. Senate is pitted against the House, so that it is powerless to do good, if it was so inclined.

Some talk of an over ruling, providing if such is the fact. He has either gone on a mission to some other planet or we have been a very bad nation or he's letting them get a good hold on the wealth of the nation in order that he can take a clear case against them.

Let it be as it will, in a few short years times will change either by the good sound sense of the majors\* or by the uprising of the farmers, artisan, laborer and hoodlums of the entire nation. Some to right real wrong, some to right supposed wrongs, but a majority for plunder. When that day comes, woe to the bond holders and all that have made fortunes by plundering the majors.\*

The conflict will be short but decisive. It is to be hoped that this thing will not come to pass, but it is inevitable unless the present order of things comes to a speedy end for the better. I am getting old, but I shall live to see their change.

I am no prophet but sometimes I see things in the near future quite plain, and if the people should be compelled to pay their debts in gold throughout this nation bankruptcy, anarchy, and general ruin will be the inevitable consequences.

by Robert Martin Gurney

\*\*

This first paragraph I do not understand his meaning.

\*\*

Peter Cooper--1791-1883; American manufacturer and philanthropist; founded the Cooper Union, New York. (Info: Britannica Dictionary-Funk & Wagnalls.--1959). Do not quite understand his meaning of this paragraph either.

\*\* This word is not clear in his original handwriting. "providing" sounds correct. I believe he is talking about President Ulysses Simpson Grant. He was in power.

\*\* In the fourth paragraph he uses a word that looks like major but I have checked very carefully and still can not figure out the right word in his handwriting.

\*\* Robert Martin Gurney died of measles in 1878. He only lived two years after he wrote the above in his log. It is a record of this lumber mill and produce from his farm.

\*\* Mr. Gurney did predict the future. The time then is almost like it is now. Some of this wording I do not quite understand but I think he gets the point across.

MARGARET LAWRENCE  
4280 RESTON ROAD  
ROSEBURG, OR, 97470  
503-679-8966

his great-great grand-daughter,  
Margaret Lawrence---August 16, 1978

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 94702 CHECK ENCLOSURES well  
CHECK BASIN MAP Unyqua #16 UNADJUDICATED AREA ? YES  
SURFACE WATER REGISTRATION NUMBER 103  
PRELIMINARY DATA BASE ENTRY DWF  
ACKNOWLEDGEMENT LETTER Dec ENTER ON STREAM INDEX \_\_\_\_\_  
PUBLIC NOTICE PUBLICATION DWF WATERMASTER CHECKLIST \_\_\_\_\_  
CHECK QUADRANGLE MAP J16 CHECK GLO PLATS \_\_\_\_\_  
*W.P. 163  
R. 192*

FORM REVIEW

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

MAP REVIEW

*6/1* → \_\_\_\_\_ source and trib  
          ✓ \_\_\_\_\_ diversion point location  
*4/3* → \_\_\_\_\_ 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  
*4/12* → \_\_\_\_\_ dimensions and capacity of diversion system  
          ✓ \_\_\_\_\_ "beneficial use" type title  
          ✓ \_\_\_\_\_ "permanent-quality" paper

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

FIELD INSPECTION \_\_\_\_\_ FINAL FILE REVIEW \_\_\_\_\_

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

A:SWRCHECK

August 8, 1994

ED AND EMMA WAGEMAN  
1200 RESTON ROAD  
ROSEBURG OR 97470

Dear Mr and Mrs Wageman,

This will acknowledge your letter of August 2, 1994. I understand your concern and interest in the water use of Tenmile Creek. From what you say, you have water rights for your irrigation and livestock use.

Though you didn't refer to other water users specifically, I have had a number of calls in regards to water use on Tenmile Creek. Margaret Lawrence has made a claim to the use of water of Tenmile Creek with a priority date of May 10, 1866. This claim may have an effect on your water use. I have added your letter to the file # SWR-103 and put a copy with the petition for determination of the water rights on Tenmile Creek signed by a number of other water users.

If you have any questions, please give me a call. The toll free number is 1-800-624-3199.

Sincerely,



Don Knauer  
Adjudication Specialist

j:\w\stcl\1\swr-0103.005



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

RECEIVED

AUG - 1994

Aug 2, 1994

WATER RESOURCES DEPT  
SALEM, OREGON

Don Knauer,

This concerns the water in Tenmile Creek. We bought the ranch in 1965 along with the water permits. We have cattle and sheep. We use the water for irrigated pasture and livestock drinking water. The water is necessary for us to make a living here.

Thank you,  
Ed and Emma Wegeman  
1200 Reston Road.  
Roseburg Or 97470

February 28, 1994

MATTHEW J HAEBER  
4280 RESTON RD  
ROSEBURG OR 97470

RE: SWR-103

Dear Mr Haeber,

In regards to your letter of February 23, 1994 asking about the pre-1909 vested water right claim in the name of MARGARET LAWRENCE, I want you to know that everything has been done that is required to protect the water right on that property. The claim, map and fees have all been received and filed with the Water Resources Department (WRD). As has been the letter from Ms Lawrence notify the WRD of the sale of her property to you. I am sending a copy of the claim and maps for your records.

The actual adjudication of yours and your neighbors water rights has not begun. I can not say when that will begin. It will probably be a number of years before the WRD begins any adjudication. You will be notified by certified mail of anything you must do at that time.

Again, the owner of the property covered by this claim has the legal right to use the water as described by the claim form. If you have any questions, please give me a call. The toll free number is 1-800-624-3199.

Sincerely,



Don Knauer  
Adjudication Specialist

j:\w\slcv\1\swr-0103.004



October 14, 1993

WATER  
RESOURCES  
DEPARTMENT

MARGARET LAWRENCE  
4280 RESTON RD  
ROSEBURG OR 97470

RE: SWR-103

Dear Ms Lawrence,

This will acknowledge the receipt of your letter stating you have sold your property and associated water rights to MATTHEW J HAEBER. I will add your letter to the file.

Sincerely,



Don Knauer  
Adjudication Specialist

CC: MATTHEW J HAEBER  
PO BOX 92  
TENMILE OR 97481

J:\WS\C\1\SWR-0103.003



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

July 20, 1993

DUANE KIRBY  
8087 LOOKINGGLASS ROAD  
ROSEBURG OR 97470

re: SWR-103

Dear Mr Kirby,

This will acknowledge the receipt of the map you returned with the necessary corrections and completions. Thank you for your prompt attention to this matter. I will add the map to the Lawrence file for review in the future.

Sincerely,



Don Knauer  
Adjudication Specialist

J:\W\SC\1\SWR-0103.002



June 8, 1993

DUANE W. KIRBY  
8087 LOOKINGGLASS ROAD  
ROSEBURG OR 97470

RE: File# SWR-103

DEAR DUANE W. KIRBY,

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

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

source & trib	the source should be identified on the map
conveyance	ORS 539.120 "...the location of .... and each ditch, canal, pipeline or other means of conveying the water..."
diversion point size	OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." There is no information on diversion point #3.





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

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

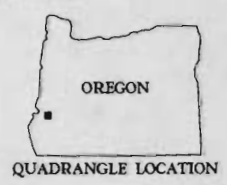
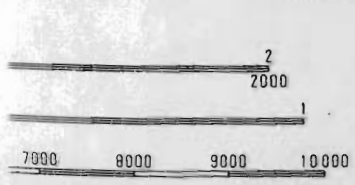
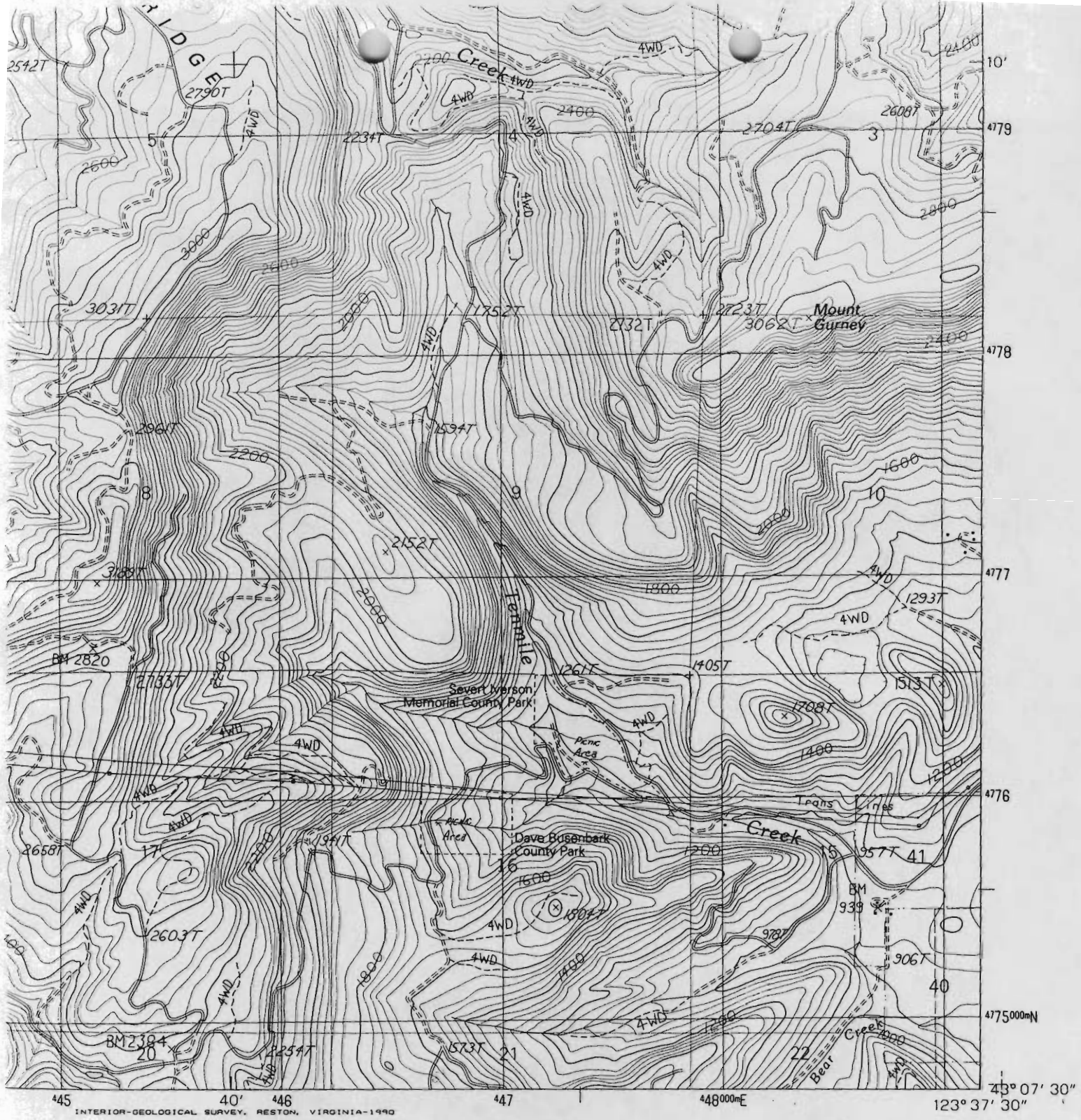
Sincerely,

A handwritten signature in black ink, appearing to read "Don Knauer". The signature is fluid and cursive, with a large initial "D" and a long horizontal stroke at the end.

Don Knauer  
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\1\SWR-0103.00M



**ROAD LEGEND**

- Improved Road . . . . .
- Unimproved Road . . . . .
- Trail . . . . .
- Interstate Route    ◻ U.S. Route    ○ State Route

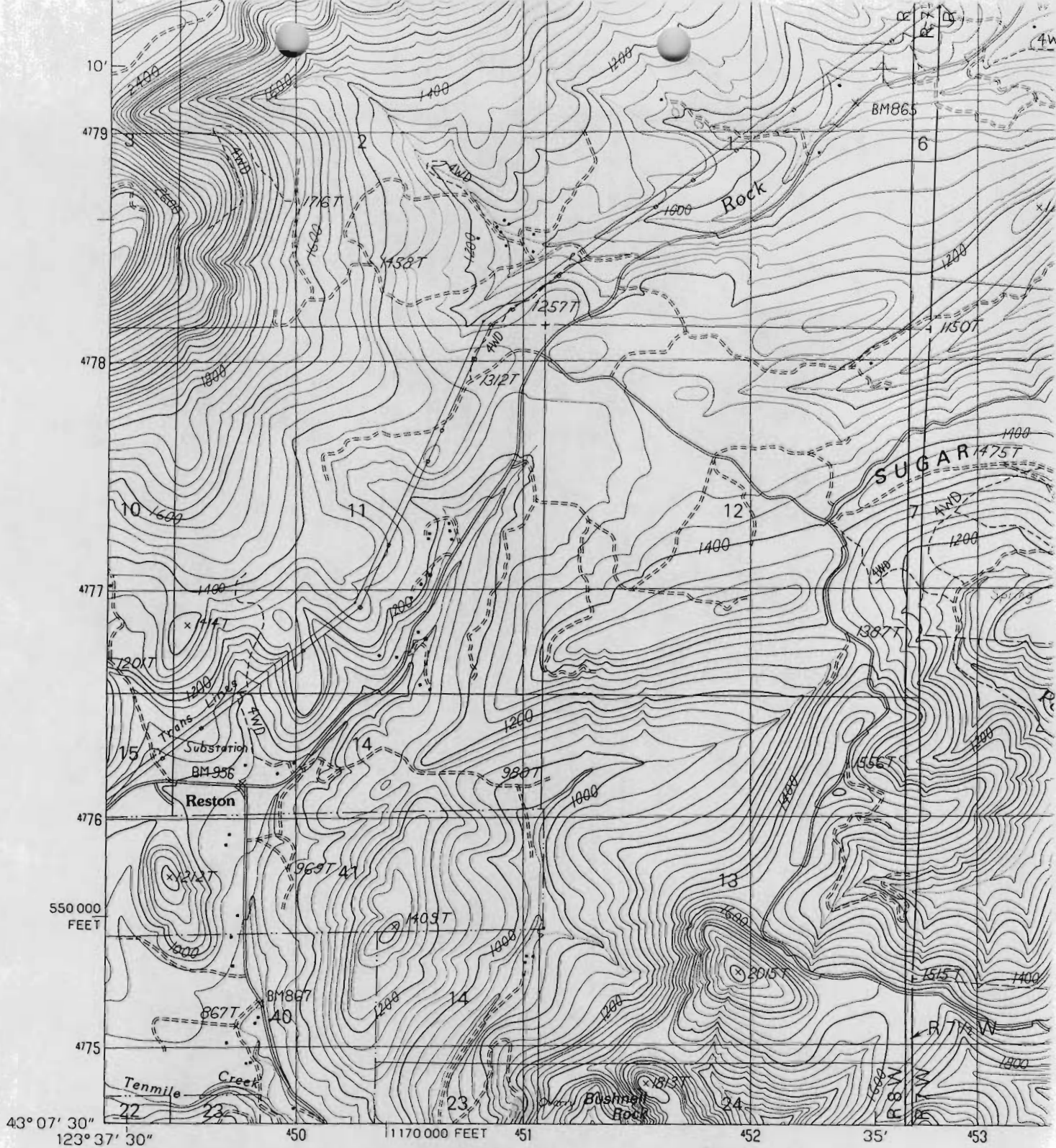
**MOUNT GURNEY, OREGON**  
PROVISIONAL EDITION 1990

1	2	3	1 Tioga
			2 Cedar Creek
			3 Callahan
4		5	4 Sitkum
			5 Reston
			6 Kenyon Mountain
			7 Camas Valley
6	7	8	8 Tenmile

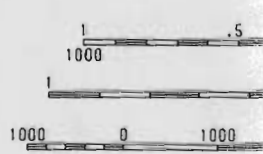
ADJOINING 7.5' QUADRANGLE NAMES

MORADO 80225

43123-B6-TF-024



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY  
 CONTROL BY ..... USGS, NOS/NOAA  
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN ..... 1984  
 FIELD CHECKED ..... 1987 MAP EDITED ..... 1990  
 PROJECTION ..... LAMBERT CONFORMAL CONIC  
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ..... ZONE 10  
 10,000-FOOT STATE GRID TICKS ..... OREGON, SOUTH ZONE  
 UTM GRID DECLINATION ..... 0°23' WEST  
 1990 MAGNETIC NORTH DECLINATION ..... 18' EAST  
 VERTICAL DATUM ..... NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 HORIZONTAL DATUM ..... 1927 NORTH AMERICAN DATUM  
 To place on the predicted North American Datum of 1983,  
 move the projection lines as shown by dashed corner ticks  
 (21 meters north and 97 meters east)  
 There may be private inholdings within the boundaries of any  
 Federal and State Reservations shown on this map  
 No distinction made between houses, barns, and other buildings



**PROVISIONAL MAP**  
 Produced from original  
 manuscript drawings. Informa-  
 tion shown as of date of  
 photography. 1

December 9, 1992

MARGARET LAWRENCE  
4280 RESTON RD  
ROSEBURG OR 97470

RE: Surface Water Registration Statement

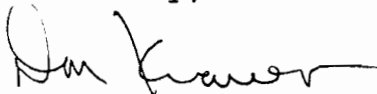
Dear Ms. Lawrence,

This will acknowledge that your Surface Water Registration Statement in the name of Margaret Lawrence has been received by our office. The fees in the amount of \$ 194.00 have been received and our receipt # 94702 is enclosed. Your registration statement has been numbered SWR-103.

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:\WS\C\SWR-0103.001



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **94702**

3850 PORTLAND ROAD NE  
SALEM, OR 97310  
378-8455/378-8130 (FAX)

RECEIVED FROM: Margaret Lawrence  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	

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

TOTAL REC'D \$ 194.00

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$ <u>194.00</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**

<b>MISCELLANEOUS:</b>				
840.001	COPY FEES		\$	
850.200	RESEARCH FEES		\$	
880.109	MISC REVENUE: (IDENTIFY)		\$	
520.000	OTHER (P-6): (IDENTIFY)		\$	
<b>WATER RIGHTS:</b>				
842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$
<b>WELL CONSTRUCTION</b>				
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**

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

RECEIPT # **94702**

DATED: 12/2/92

BY: C. Engel