

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP ~~FILE~~ NAME South Coast # 17 UNADJUDICATED AREA ? Yes
 RECEIPT # 95278 S W R NUMBER 147
 CHECK ENCLOSURES File PRELIMINARY DATA BASE ENTRY DWP
 ACKNOWLEDGEMENT LETTER File ENTER ON STREAM INDEX _____
 CHECK QUADRANGLE MAP File CHECK GLO PLATS _____
 WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION LOG

FORM REVIEW

_____ blanks filled in
 _____ signed
 _____ date received stamped

MAP REVIEW

#2 ✓ source and trib
#3 ✓ diversion point location
#4 ✓ conveyances (pipes, ditch, etc.)
 _____ place of use
 _____ scale
 _____ township, range, section
 _____ north arrow
 _____ CWRE stamp
 _____ disclaimer
#10 ✓ date survey was performed
 _____ P.O.B. of survey
#12 ✓ dimensions and capacity of diversion system
 _____ "beneficial use" type title
 _____ "permanent-quality" paper

WHERE IS #1 ✓ NOT IDENTIFIED ON MAP
 WHAT IS SOURCE
 identify #4 & GLOTS

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

August 26, 1993

WATER
RESOURCES
DEPARTMENT

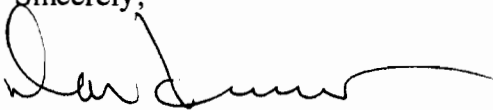
KING A PHELPS
PO BOX 941
YACHETS OR 97498

re: SWR-147

Dear Mr Phelps,

This will acknowledge the receipt of the map you prepared to support the claim to a pre-1909 vested water right in the name of Robert M Bones. The map appears to be in satisfactory form and I will add it to the file. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\1\SWR-0147.003



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

August 3, 1993

WATER
RESOURCES
DEPARTMENT

ROBERT M BONES
HC 84 BOX 13G65
MYRTLE POINT OR 97458

Dear Mr Bones,

This will acknowledge the receipt of the King Phelps letter, map and beneficial use report. I have copies of these documents but I will add yours to the file. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\W\SIC\1\SWR-0147.002



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

July 26, 1993
~~June 24, 1993~~

KING A. PHELPS
PO BOX 941
YACHATS OR 97498

RE: File# SWR-147

DEAR KING A. PHELPS,

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 Robert M. Bones. 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.

✓ diversion point location ORS 539.240 (2) (d) (A) "...in reference to an established corner of the US public lands survey or recorded subdivision..."
You need to identify #1 on the map and show the source of water.

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

place of use (1/4 1/4) ORS 539.240 (2) (d) (B) "The location of place of use by quarter-quarter section..." You must identify the boundaries and name the 1/4 1/4's or government lots.

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



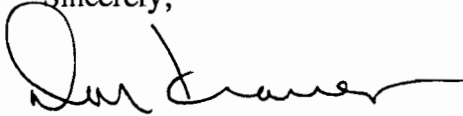
3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

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

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

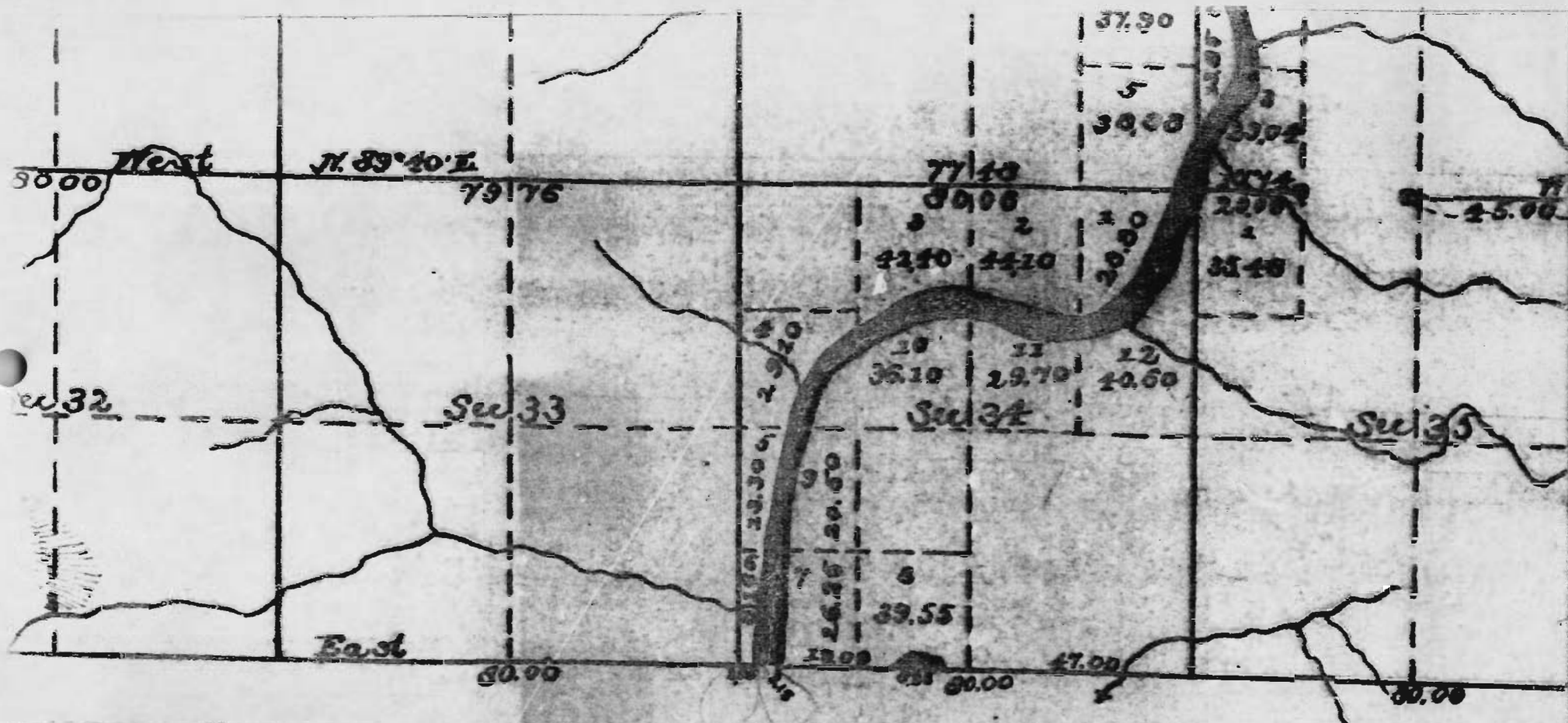
As always, if you have any questions, please give me a call.

Sincerely,

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

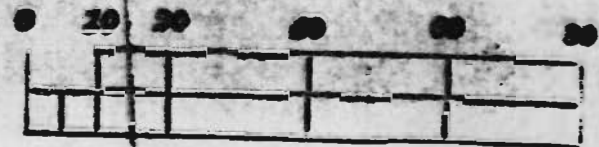
Don Knauer
Adjudication Specialist

Enclosures



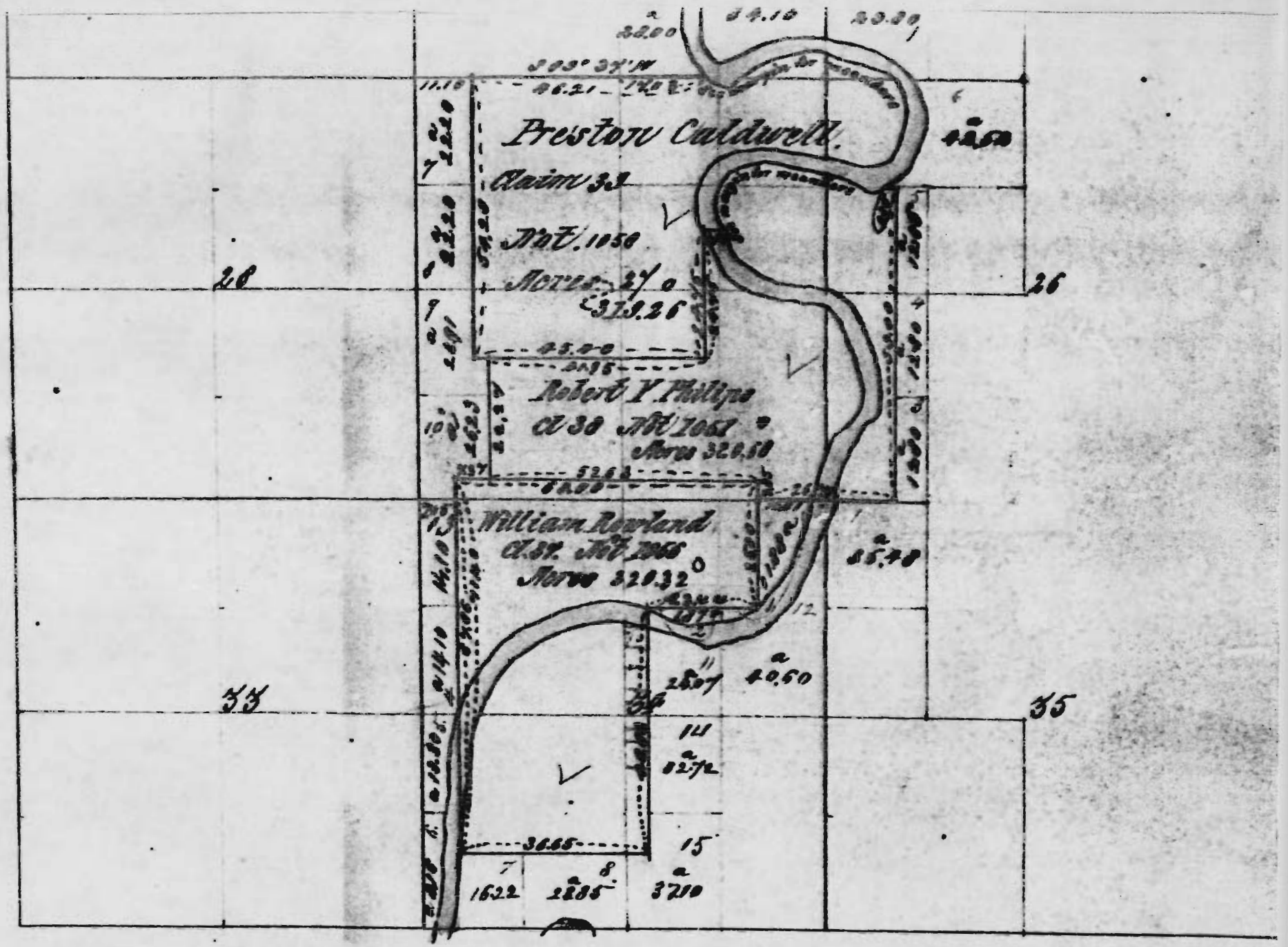
8,765.59 Acres — of New Survey 3,067.49 Acres. Total number of

AMOUNT OF SURVEYS.			WHEN SURVEYED.	MEAN DECLINATION.
Miles.	Chains.	Links.		
7	00	00	Dec. 8 th , 1858.	
28	00	64	Jan. 15 th , 1859.	
26	47	89	do. do. do.	
4	00	00	Aug. 14 to 16, 1878.	
22	29	07	July 11 to 18, 1879.	
4	38	30	March 6 to 8, 1883.	20° 00' E.



Scale, 40 Chains to an Inch.

1864



The above Map of the Survey of Claims, in Township
 No 19 North T. 5th N. R. 10th W.

June 24, 1993

KING A. PHELPS
PO BOX 941
YACHATS OR 97498

RE: File# **SWR-147**

DEAR KING A. PHELPS,

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I am returning the map you prepared for Robert M. Bones. 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.

- | | |
|----------------------------|--|
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You need to identify #1 on the map and show the source of water. |
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| diversion point size | OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." |



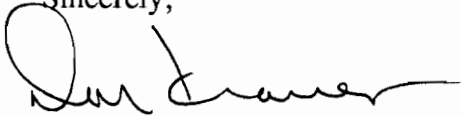
3850 Portland Rd NE
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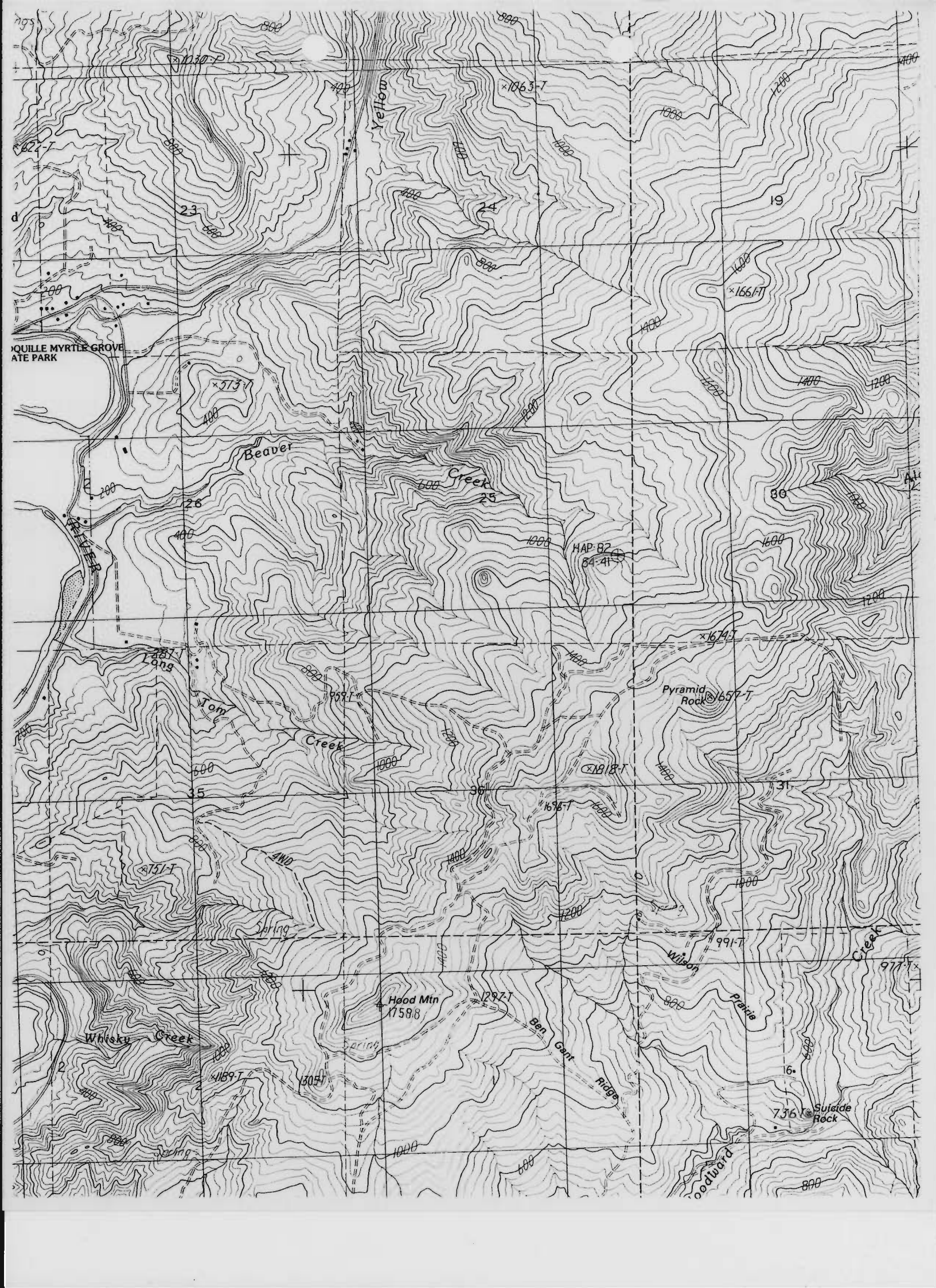
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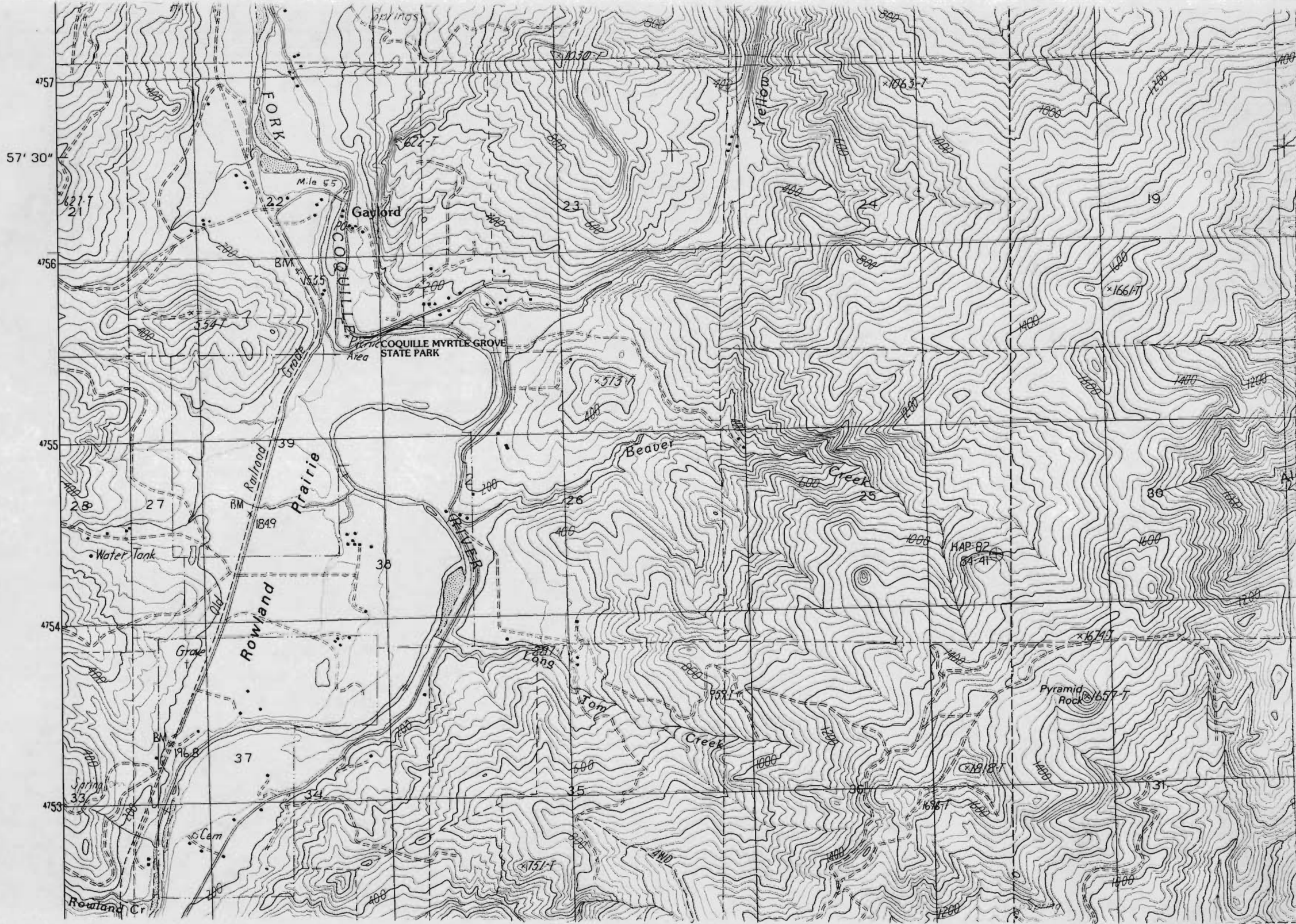
Sincerely,

A handwritten signature in black ink, appearing to read "Don Knauer", with a long horizontal flourish extending to the right.

Don Knauer
Adjudication Specialist

Enclosures





January 19, 1993

ROBERT M BONES
HC 84 BOX 13G65
MYRTLE POINT OR 97458

Dear MR BONES,

This will acknowledge that your Surface Water Registration Statement in the name of ROBERT M BONES has been received by our office. The fees in the amount of \$400.00 have been received and our receipt #95278 is enclosed. Your registration statement has been numbered SWR-147.

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

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0147.001



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 # **95278**

RECEIVED FROM: <u>Robert Bomes</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER

CASH: CHECK: # 96-292 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 400.00

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ <u>400.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month _____	\$
_____	OTHER: (IDENTIFY) _____	\$

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

03-00-0 WRD OPERATING ACCT				
MISCELLANEOUS:				
840.001	COPY FEES			\$
850.200	RESEARCH FEES			\$
880.109	MISC REVENUE: (IDENTIFY) _____			\$
520.000	OTHER (P-6): (IDENTIFY) _____			\$
WATER RIGHTS:				
842.001	SURFACE WATER	EXAM FEE		RECORD FEE
842.003	GROUND WATER	\$	842.002	\$
842.005	TRANSFER	\$	842.004	\$
WELL CONSTRUCTION				
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE		LICENSE FEE
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 # **95278** DATED: 12/21/92 BY: C. Engel

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

RECEIVED

AUG 23 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Dept.

ATTN: Don Krause

Re SWR-147

Dear Sir:

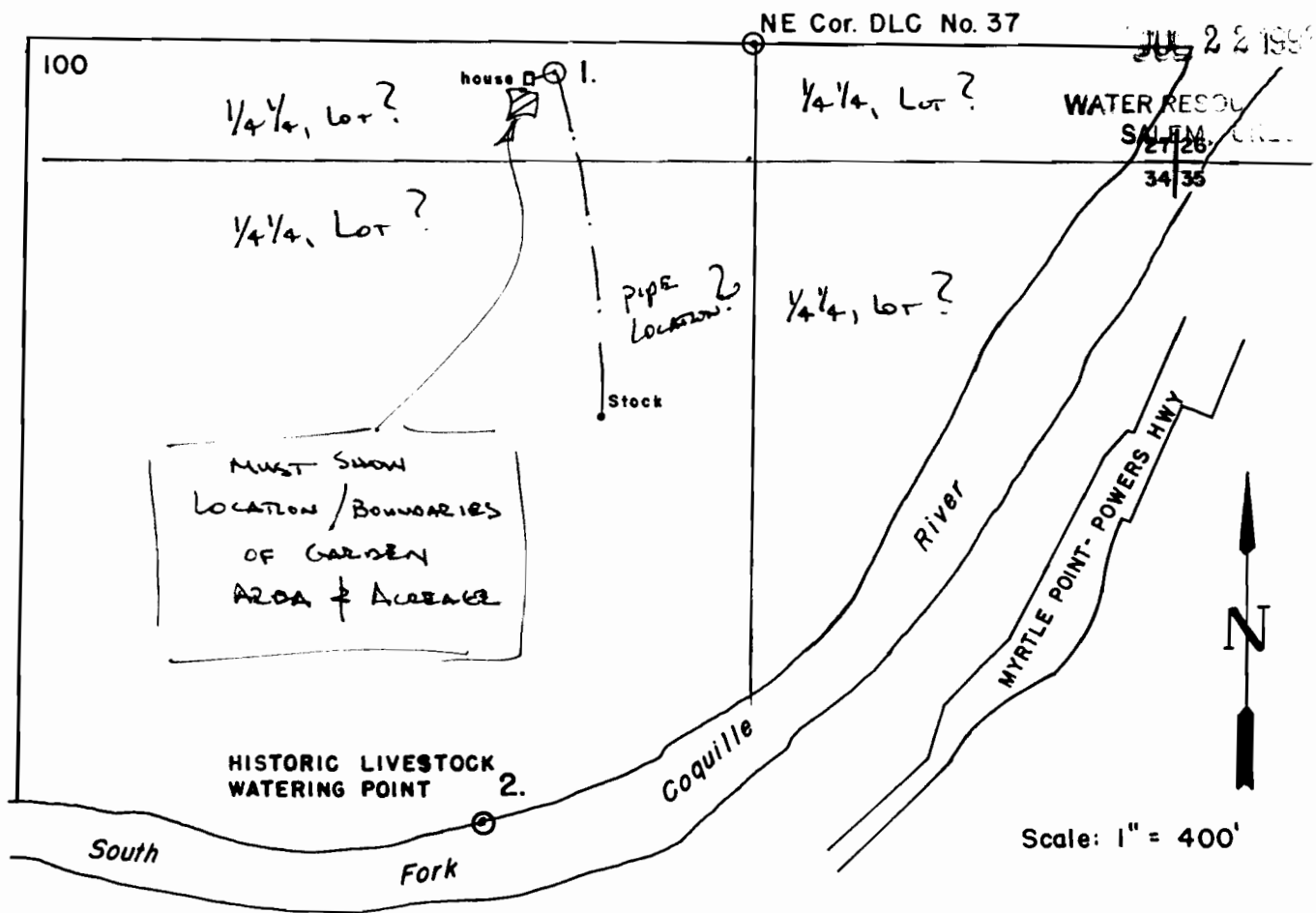
I believe that I finally
have this correct. I apologize for
my previous errors.

Sincerely

By [Signature]

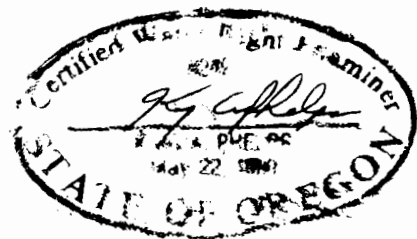
CLAIM OF BENEFICIAL USE MAP
 IN THE NAME OF ROBERT M. BONES
 File No. SWR-147
 SECTION 34, T30S, R12W, W.M.

RECEIVED



Point of diversion 1 is located S82°20'W a distance of 432' from the NE Cor. DLC No. 37.

Point of diversion 2 is located S19°35'E a distance of 1759' from the NE Cor. DLC No. 37.



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.

STATEMENT CLAIM OF BENEFICIAL USE
for
File No. SWR-147

Land Owner: Robert M. Bones
HC 84 Box 13G85
Myrtle Point, Oregon 97458

Telephone (503) 572-2039

RECEIVED

JUL 22 1993

WATER RESOURCES DEPT
SALEM, OREGON

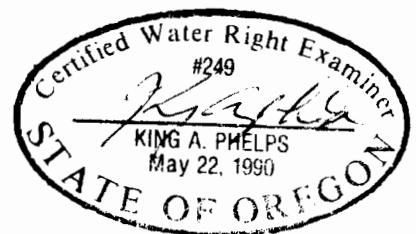
Contact person: Robert M. Bones

Inspection date: 7-3-93

In this Claim for Beneficial Use there are two parts. Part number one is the historic use of the South Fork of the Coquille River as a livestock watering source. This was done and still is done from late spring to late fall by opening a spot in the fence line to let the livestock approach the river. Temporary drift fences are installed out into the river to prevent the cattle from straying up or down the stream.

Part number two is the use of a spring for domestic purposes and garden irrigation. The spring was developed by digging a ten foot deep well approximately four feet in diameter. Originally there was a hand pump installed to lift the water, but this has been replaced with a one half horse power electric pump. This pump delivers water to two homes. One home is within one hundred feet of the spring, the original homestead house site. The other home is approximately nine hundred feet southwest of the spring. Water is used primarily for domestic uses although a garden is irrigated in the spring and early summer and there is some livestock watering at the barn in the winter. The homes are connected to the pump with one inch and three quarter inch plastic pipe. The pump is capable of delivering five gallons per minute to the closest home.

The inspection of the use as found was completed by me on 7-3-93, and the facts contained in this report and accompanying Claim of Beneficial Use Map are correct to the best of my knowledge.



King A. Phelps
Engineering, Surveying, Water Rights Examiner
237 St. Dennis Rd.
North Bend, Oregon 97459

RECEIVED

JUL 22 1993

WATER RESOURCES DEPT.
SALEM, OREGON

July 16, 1993

Water Resources Department
3850 Portland Road NE
Salem, Oregon 97310

Attn: Don Knauer

RE: Claim of Beneficial Use Map for File No. SWR-147

Dear Sir,

Enclosed please find the revised map for Robert M. Bones, SWR-147 and the Registration Statement Claim. Please review this map and statement and let me know if there any changes needed.

Sincerely



King A. Phelps

WRE 249

King A. Phelps
Engineering, Surveying, Water Rights Examiner
237 St. Dennis Rd.
North Bend, Oregon 97459

July 16, 1993

Water Resources Department
3850 Portland Road NE
Salem, Oregon 97310

AUG - 3 1993
WATER RESOURCES DEPT.
SALEM, OREGON

Attn: Don Knauer

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Sincerely

King A. Phelps

WRE 249

RECEIVED

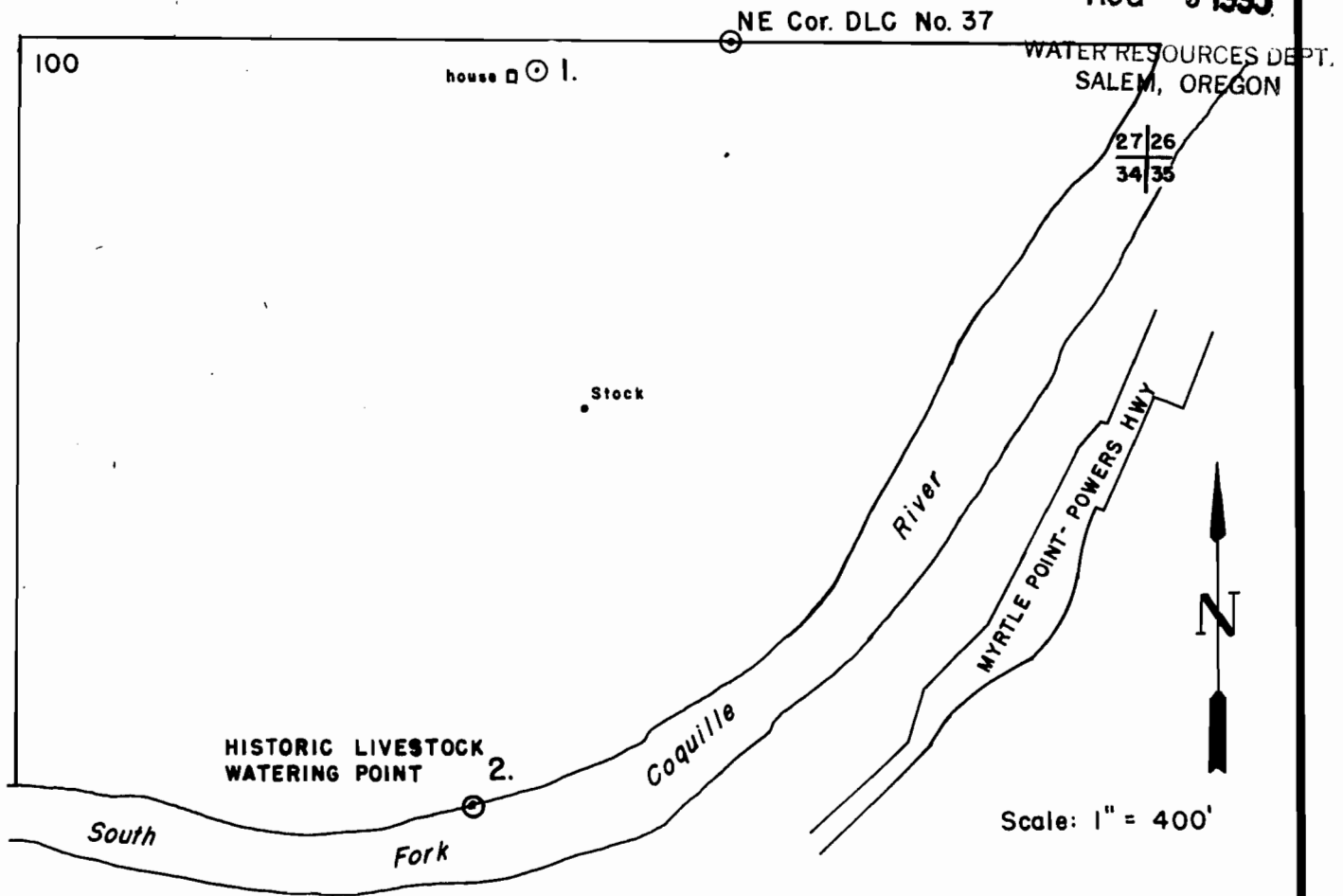
CLAIM OF BENEFICIAL USE MAP
IN THE NAME OF ROBERT M. BONES
File No. SWR-147
SECTION 34, T30S, R12W, W.M.

DEC 18 1992

WATER RESOURCES DEPT.
SALEM, OREGON

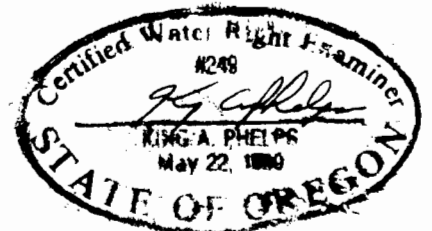
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AUG - 3 1993



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STATEMENT CLAIM OF BENEFICIAL USE
for
File No. SWR-147

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AUG - 3 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Land Owner: Robert M. Bones
HC 84 Box 13G85
Myrtle Point, Oregon 97458

Telephone (503) 572-2039

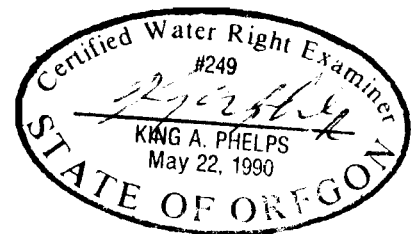
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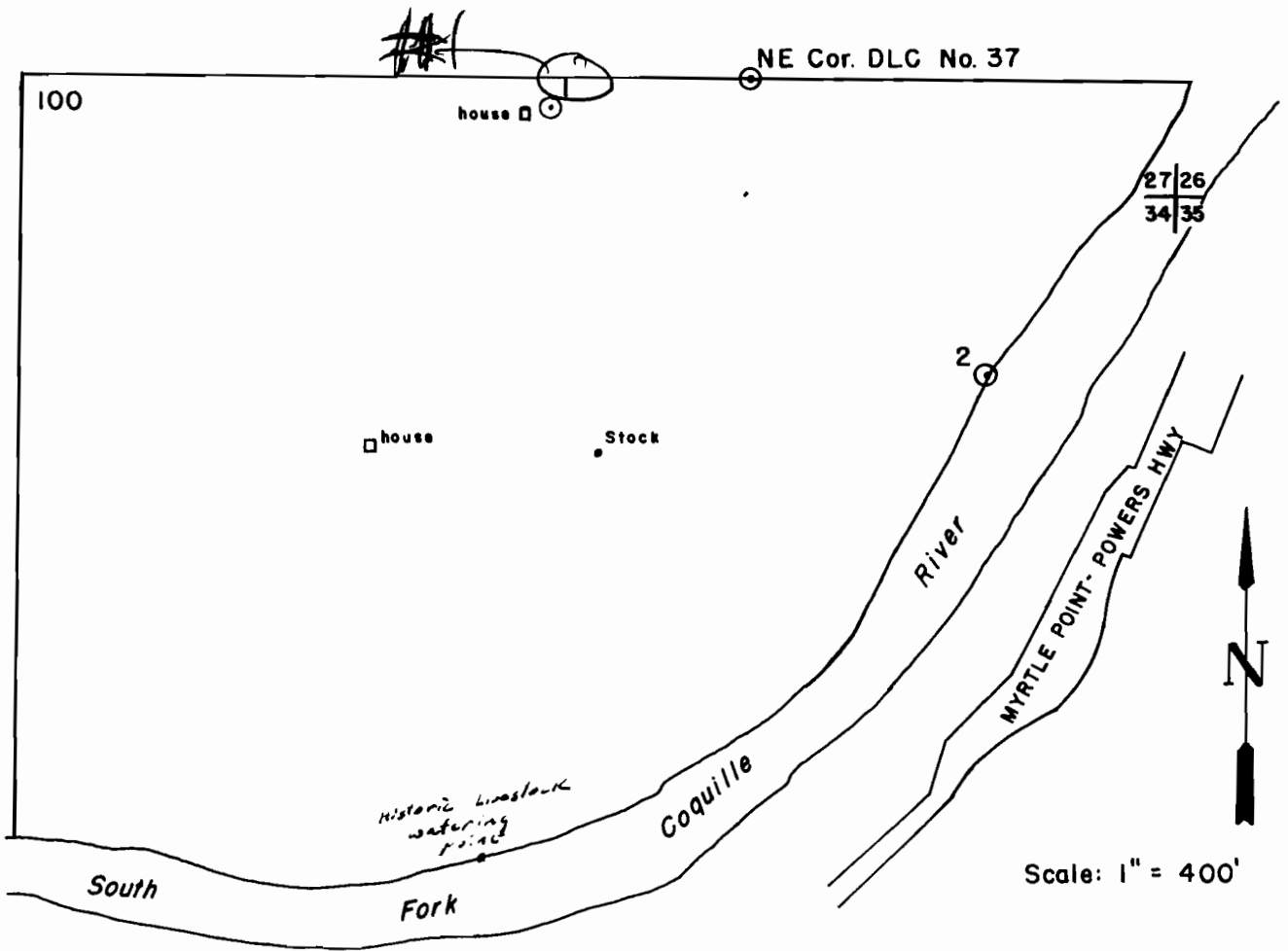
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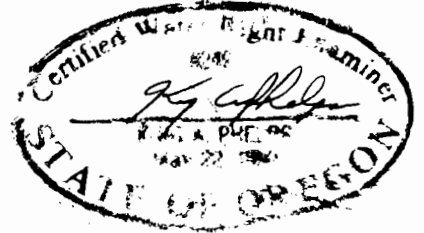
APPLICATION MAP
IN THE NAME OF ROBERT BONES

SECTION 34, T30S, R12W, W.M.



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DEC 18 1992

WATER RESOURCES DEPT.
SALEM, OREGON

All the following described premises situate in Coos
County, Oregon, to-wit:

In Township 30 South of Range 12 West of the
Willamette Meridian:

Section 34: Lot 1, also

Section 27: All that parcel of land on the Robert Y.
Phillips Donation Land Claim commencing at the North-
east corner of William Rowland's Donation Land Claim
above mentioned, and running thence East to the Coquille
River, thence up said stream to the South line

of Section 27, and running thence West to intersect
the East line of William Rowland's Donation Claim;
thence North to the place of beginning;

Section 34: That part of the William Rowland Donation
Land Claim No. 37 described as follows: Beginning at
the Northeast corner of said Donation Land Claim and
running thence West along North line of said claim 23.44
chains; thence South 25 chains; thence East 23.44 chains
to a point due South of the place of beginning; thence
North 25 chains to place of beginning.

FEDERAL LAND BANK OF SPOKANE	
DISTRICT NO. 12	
APPLICATION NO.	54664
APPLICANT	H. D. Barnes Myrtle Point
N. F. L. A. STATE OF Oregon	
TO ABTRACTOR: DO NOT REMOVE THIS SLIP	
DATE FIRST REC'D	RECEIVED FROM
APR 4 1993	See Recd

The Tit

RELIABLE ABTRACTERS

COQUILLE, OREGON

#281



RECEIVED

DEC 18 1992
OREGON FORM

WATER RESOURCES DEPT.
SALEM, OREGON

L-10-28

Federal Farm Loan Amortization Mortgage

KNOW ALL MEN BY THESE PRESENTS, That, on this 18th day of April, 1923, we H. D. Bones and Mary A. Bones,

....., husband and wife, the mortgagors, residing in Coos County, in the State of Oregon, in consideration of \$3000.00 to us paid, do

hereby grant, bargain, sell, convey and warrant to The Federal Land Bank of Spokane, a corporation organized and existing under the Federal Farm Loan Act, approved July 17, 1916, with its principal place of business in the City of Spokane, County of Spokane, State of Washington, hereinafter called the mortgagee, the following described real estate situate in the County of Coos, State of Oregon, to-wit:

Lot One in Section Thirty-four also, all that parcel of land on the Robert Y. Phillips Donation Land Claim commencing at the Northeast Corner of William Rowland's Donation Land Claim, and running thence East to the Coquille River, thence up said stream to the South line of Section Twenty-seven, and running thence West to intersect the East line of William Rowland's Donation Claim; thence North to the place of beginning, in section Twenty-seven, also that part of the William Rowland Donation Land Claim No. 37 described as follows:

Beginning at the Northeast Corner of said Donation Land Claim and running thence West along North line of said Claim 23.44 chains; thence South 25 chains; thence East 23.44 chains to a point due South of the place of beginning, thence North 25 chains to the place of beginning, in Sections Twenty-seven and Thirty-four, all in Township Thirty, South of Range Twelve, West of the Willamette Meridian,

Subject to the rights acquired by deeds recorded in Book 65 of Deeds at page 51 and Book 68 of Deeds at page 57, records of Coos County, Oregon, to which reference is hereby made.

FILED

RECEIVED

DEC 18 1992

WATER RESOURCES DEPT.
SALEM, OREGON

United States
To
William Rowland

Recorded Jan. 29. 1886
on page 444 of Book 14
Record of Deeds of Lewis
County Oregon.

J. J. Lamb
County Clerk.

\$1.00

Chgs to Ch. on Invoice

444

29

December 15, 1992

RECEIVED

DEC 18 1992

WATER RESOURCES DEPT
SALEM, OREGON

Oregon Water Resources Department
3850 Portland Rd., N.E.
Salem, OR 97310

Gentlemen:

I am writing this letter in support of my Surface Water Registration Statement - Pre-1909 Vested Water Right Claim. My parents purchased this property in 1923, and my family has owned and lived on this property since. We have always raised cattle on this ranch, and used water from the Coquille River to water the cattle, irrigate pastures as needed and even drawn water from the river for domestic use. From 1923 to 1954, "McGeorge Gravel" of Marshfield, Oregon, now called Coos Bay, had a contract to use a portion of the ranch to process gravel, and pumped water out of the river to wash the gravel. Our family always maintained a water gap on the river, which gave the cattle direct access to the river for water, and during the years of the Depression, I can remember hauling barrels to the river in a horse drawn wagon, filling them with water, and hauling them back to the house for our domestic use. In 1980, my brother Corbin Bones, was operating the ranch, and some state agency, possibly Fish and Wildlife, told him he could no longer water the cattle directly in the river because of pollution. At that time Corbin fenced off the river, so the cattle could not reach it, and installed a pump to bring water from the river to a watering tank for the cattle and to irrigate. I have been living on the ranch again since 1985, after living out of state for a number of years, and have continued pumping water from the river to water the cattle and for domestic use as needed.

This property was originally developed as a ranch in the 1860s, when a log cabin and log barn were constructed. In 1880, a wood frame house was built to replace the log cabin, and this house still stands on the property, although it is no longer lived in. I did grow up in this house, and my wife and I now live in a mobile home on the property. I have in my possession all the original documents pertaining to the history of this property, including the Donation Land Grant Claim, certificate #149, dated October 20, 1864, granting ownership to William Rowland. I have enclosed a copy of this document, and a copy of the abstract and mortgage when my parents purchased the property. This property has always been an active ranch, and the river has always been used to provide water for the livestock and for domestic use as needed. There is a spring on the property, which is used at times to provide water for domestic use, but it can not be relied on to supply all the needs of the ranch or even the house alone.

I am also including a letter from my neighbor, Jack B. Warner, whose grandparents owned this property prior to my parents purchasing it. Jack advised me that his grandparents also ranched the property, using the river for their water needs. I discussed with Jack the possibility of finding some old-timers who might provide specific information about the use of the river, but Jack reminded me

RECEIVED

DEC 18 1992

that we are the old-timers now. As I previously stated in this letter I do have all the original documents relating the history of this property, showing that it has been continuously occupied since 1864, and has always been a ranch. The river has also been continuously used since 1864 to supply the water needs of the ranch.

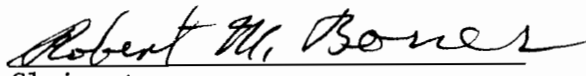
Thank you for your consideration and attention to this most important matter.

Sincerely,


Robert M. Bones
HC84 Box 13G65
Myrtle Point, OR 97458
(503)572-2039

STATE OF OREGON)
) ss.
COUNTY OF COOS)

I, Robert M. Bones, having been duly sworn, depose and say that I have read the contents of this letter, and to the best of my knowledge and belief, all of the matters stated herein are true and correct. I also state I am the claimant in this matter.


Claimant

SUBSCRIBED AND SWORN to before me this 15th day of December, 1992.


NOTARY PUBLIC FOR OREGON
My Commission expires: 12-19-95



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DEC 18 1992

WATER RESOURCES DEPT.
SALEM, OREGON

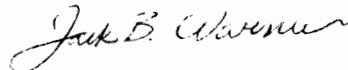
December 15, 1992

Oregon Water Resources Department
3850 Portland Rd. N.E.
Salem, OR 97310

Gentlemen:

I am writing in support of the Surface Water Registration Statement/Pre-1909 Vested Water Right Claim filed by Robert M. Bones. The property Mr. Bones currently owns and occupies was originally part of a larger parcel that was owned by my grandfather. My grandfather had apparently purchased the property from one of the original owners, and to the best of my knowledge, he ran livestock on the property, and like everyone else, the livestock got their water directly out of the Coquille River. My grandfather died in ~~1868~~¹⁸⁷⁰ and his property was divided between my father, uncles and aunts.¹⁸⁷⁰ I was born in Myrtle Point, Oregon, in 1918, and was raised on the property my father had inherited. My father always had livestock, which got their water from the river, and I believe all of the families in the area, including those who had the property Mr. Bones now has, raised livestock, using the river for water, as that was the only thing the land was good for.

Sincerely,



Jack B. Warner
HC84 Box 13G91
Myrtle Point, OR 97458
(503)572-2602

STATE OF OREGON,

County of Coos

SS.

BE IT REMEMBERED, That on this 16th day of December, 1992,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named Jack B. Wayne

known to me to be the identical individual... described in and who executed the within instrument and
acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Lela Gibson

Notary Public for Oregon.

My Commission expires 12-7-95

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WATER RESOURCES DEPT
SALEM, OREGON

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, greeting:

CERTIFICATE

No. 149

Whereas, William Rowland of Goose 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 William Rowland 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 One of

Section Thirty four in Township Thirty south of Range Twelve West in the district of lands subject to sale at Roseburg, Oregon containing Eleven Acres and Eighty eight 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 William Rowland

Now know ye, That 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 William Rowland 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 William Rowland and to his heirs and assigns forever.

In testimony whereof, I, Abraham Lincoln 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 twentieth day of October in the YEAR OF OUR LORD ONE thousand eight hundred and Sixty four and of the Independence of the United States the Eighty ninth
BY THE PRESIDENT:

Abraham Lincoln
By Ed. Driscoll Sec'y.
McGrange Recorder of the General Land Office.

Examined

Receipt for Request for Land Use Information .

WRD Applicant Name: X Robert M. Barnes

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

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City or County: Coss

Staff Contact: Planning Division Phone: 396-3121, x210

Signature: Sheila Wilson Date of Information Request: 12-15-92

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SALEM, OREGON