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JUL - 9 1993

WATER RESOURCES DEPT.
SALEM, OREGON

WATER
RESOURCES
DEPARTMENT

June 9, 1993

DUANE W. KIRBY
8087 LOOKINGGLASS ROAD
ROSEBURG OR 97470

RE: File# SWR-107

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 Timothy F. Shepherd. 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..."

point of beginning OAR 690-28-025-(4)-(b) "The point of beginning..."

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,



Don Knauer
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\SWR-0107.00M

Don Knauer

*Here is the corrected map
D. Kirby*



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

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WATER RESOURCES DEPT
SALEM, OREGON

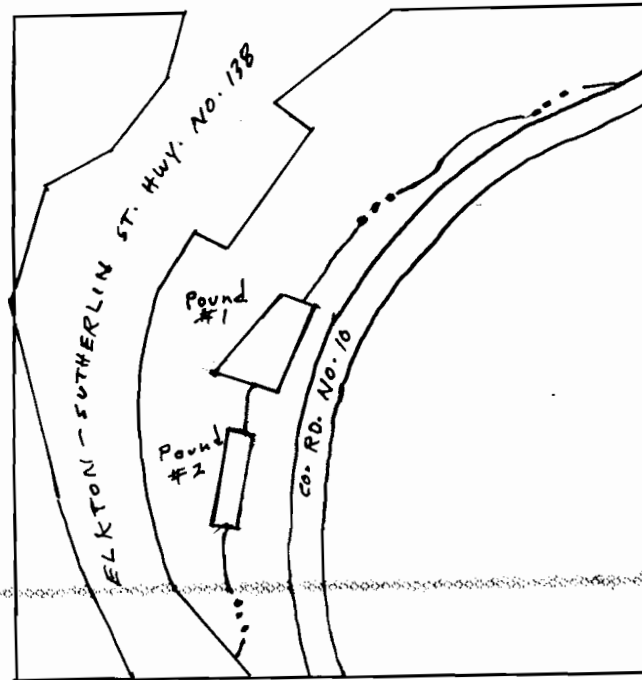
T.23S., R.7W., W.M.

SCALE: 1" = 400'

REGISTRATION STATEMENT MAP

SECTION 20

*Galeem
copy*



NE 1/4 NW 1/4

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

TIM SHEPHERD

Surveyed AUG 30, 1992, by DUANE KIRBY



CLAIM OF BENEFICIAL USE AND SITE REPORT

sheet 1 of 4

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WATER RESOURCES DEPT
SALEM, OREGON

INFORMATION: TIM Shepherd
700 Kellogg Dr.
OAKland, OR. 97462

SOURCE(S): unnamed creek

DIVERSION POINTS: TWO POUNDS For stock watering

MOTOR: None

Brand,

, type,

HP,

Max. RPM's

PUMP: None

Brand,

type,

intake/discharge dir |

size of pulleys.

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PIPE: None

HEADS: None

USE(S): TWO pounds For stock watering

LIFT: none

SURVEY TIE: Field Tie to property corner
and Assessor map 23-7-20-

SPECIAL
CONDITIONS:

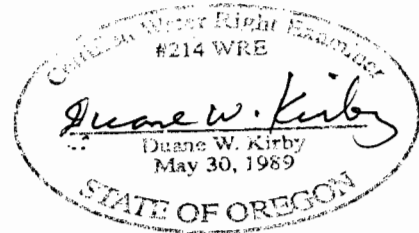
REMARKS:

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SALEM, OREGON

The final proof survey and inspection of the use as found to be completed under the terms and conditions of Registration Statement Map was completed by me on 8-30-92, and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



I, Tim F. Shepherd 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 Map

Tim Shepherd

FINAL PROOF CALCULATIONS

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WATER RESOURCES DEPT
SALEM, OREGONPound # 1

volume = surface area (max depth) factor

volume = $200' \times 110' (7.5') (1.4)$

volume = 66,000 cu.ft.

volume = 1.5152 A.F.

Pound # 2

volume = surface area (max depth) factor

volume = $195' \times 50' (9.5') (1.4)$

volume = 37,050 cu.ft.

volume = 0.8506 A.F.

The Duty of water is for stock watering of 0.005 CFS. The Q allowed on the Final water Right certificate should be 0.005 CFS.

Diane Kirby
8-30-92

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SURVEY DATA SHEET

Dam Name Pound #1 Date 8-30-92 WATER RESOURCES DEPT.
Inspector's Name Dwane W. Kirby County Douglas SALEM, OREGON
Photos?? (Y or N) N

Location T 23 R. 7 Sec 20 Owner Tim Shepherd
Tributary of _____ Address 700 Kellogg Dr. OAKland OR 97462
Reservoir Capacity 1.5152 AF Drainage Area _____

DAM INFORMATION

Dam Type Earth filled Permit # None
Crest Width 9' Height 7.5' Length 200'
Upstream Slope 1:1 Downstream Slope 1:1
width 110' Average

SPILLWAY INFORMATION

Primary Spillway Location 157' Rt
Primary Spillway Depth 1.5 Primary Spillway Size 36"
Emergency Spillway Location 84' Rt
Emergency Spillway X-Section 4' width
Emergency Spillway Depth 1.0'
Outlet Conduit Size 36" metal pipe Outlet Conduit Material Metal

Remarks: Hand dug - well by 2 springs
(Trout Pound)

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SURVEY DATA SHEET

Dam Name Pound #2 Date 8-30-92 WATER RESOURCES DEPT.
Inspector's Name Dwayne W. Kirby County Douglas SALEM, OREGON
Photos?? (Y or N) N

Location T 23 R. 7 Sec 20 Owner Tim Shephard
Tributary of _____ Address 700 Kellogg Dr. Oakland Ore. 97462
Reservoir Capacity 0.8506 Drainage Area _____

DAM INFORMATION

Dam Type Earth filled Permit # none
Crest Width 10' Height 9.5' Length 195'
Upstream Slope 2:1 Downstream Slope 2:1
width 50' Average

SPILLWAY INFORMATION

Primary Spillway Location 76' Rt.
Primary Spillway Depth 3' Primary Spillway Size 6'
Emergency Spillway Location 15' Left
Emergency Spillway X-Section 8' width
Emergency Spillway Depth 3'
Outlet Conduit Size none Outlet Conduit Material none

Remarks: 3 Springs
(Trout Pond)

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SALEM, OREGON

This to verify that water on this property has been used for stock water and minor irrigation, since Oct. 1900, when Mrs. M. A. Minter purchased this property from Ziba Dimmick.

The area of pond #2 was used for stock water.

The area of pond #1 contained a spring in the north end. The spring was used for household use.

The creek for irrigating minor crops etc.

Charles M. Minter
Charles M. Minter

State of Oregon
County of Douglas

This instrument was acknowledged before me on December 2, 1992
by Charles M. Minter

Linda Dee Higgins
Notary of Public
My commission expires: Feb 6, 1996



...in a separate and apart
from her said husband acknowledged to me that she executed
the same freely, and without fear or compulsion from any one
Du Minnis Whinn of, I have her under seal my hand of this 12th
day of May A.D. 1888

Milton Applegate
Justice of the Peace
Record of May 21st 1888
D. R. Whinn (S. Clerk)

State of Oregon
Do
Lot 5, Demmeick

State of Oregon

In consideration of One hundred and
ten dollars paid to the Board of Commissioners for the Sale of School
University and other State Lands, the State of Oregon does hereby
grant, bargain, sell and convey unto Lot 5, Demmeick his heirs
and assigns, the following described School lands situate in Douglas
County, Oregon, to-wit: Lots one and two of Section Twenty Seven
Township Three South Range Seven West of the Willamette Meridian
containing 88 acres, I, J. H. Brown and husband of the said premises, with
their appurtenances, unto the said Lot 5, Demmeick his heirs and
assigns forever

Witness the Seal of the State, affixed this 22nd day of March 1888

State Seal

Lyndon B. Pronger Governor
Geo. W. McPhee Secretary
L. W. Webb Treasurer

State Record of Deeds Book 7, Page 306

Record of May 21st 1888

D. R. Whinn (S. Clerk)

Richard Powell & wife
Do
Caroline Cowan

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WATER RESOURCES DEPT.
SALEM, OREGON

This Indenture witnesses that I, Richard
Powell for the consideration of Four hundred dollars to me
in hand paid have bargained and sold and by these presents do
bargain sell and convey unto Caroline Cowan the following
des

Umpqua Valley Oregon

and Its Pioneers

By Harold A. Minter



*The History of a River
and Its People*

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WATER RESOURCES DEPT
SALEM, OREGON 97302

handwriting. The Spencerian (slanting) System of writing was then standard; the Vertical System was adopted in 1900.

George W. Dimmick, who had a contract with Douglas County to operate the ferry known then as the Dimmick and Fryer Ferry, had been appointed county treasurer, and Glen Minter was hired as deputy to tend the ferry. In December 1899, there was an unusual rise in the river. A large tree floating downstream fouled and broke the ferry cable. After the flood subsided, the cable was in the process of being put back into service when Minter was drowned, January 19, 1900.

His death placed upon his wife the responsibility of providing for the family and keeping it together. Well-meaning friends urged her to farm out the three older boys and accept charity from the county for the three youngest children, which she refused.

Mrs. Minter was appointed to administer the estate of her husband. Glen's lease on the farm expired in the fall of 1900. She spent most of the summer settling her affairs, harvesting the crop, and finding a place to live. Wallace Fryer harvested the crop for one-third. Cap Maupin assisted her in finding a place to live by arranging with A. E. Ozauf of Scottsburg to grant her a loan of \$150 to buy eighty-eight acres of unimproved land adjoining the Ziba Dimmick donation claim.

During the summer of 1900, the older boys cut and peeled logs for a barn, and the neighbors helped raise it. Boyd and Henry Rader put up a two-story rough-lumber house, sixteen by twenty-four feet, and a lean-to cover for a woodshed. A chicken house and a hog pen completed the ranch buildings.

By October all expendable property had been liquidated and the family moved in. A few farm tools, a team of horses, two cows, and a sow with six pigs were the extent of farm equipment and livestock; the household furniture consisted of the barest necessities. Chairs were hand-made with rawhide seats. Bedsteads were also hand-made, with slats for springs. Everything was of the plainest sort, but it was home, and home it remained for forty-five years.

Mary Ann Minter, almost single-handed and against great odds, kept the family together and gave them the advantage of a common-school education. Many a night the children were lulled to sleep by the hum of the old spinning wheel she had bought from Mrs. William Moore in 1885 — working up three fleeces of wool into yarn for payment.

Most pioneer women were trained to spin and weave from girlhood, but first they had to prepare the wool. The first step in preparing yarn was to take wool fresh from the sheep's back and remove all grease or lanolin. Burrs, pieces of straw, or any foreign matter had to be tediously removed by hand. The wool was then carded for spinning into rolls the size of one's finger. The next step was to spin the roll into a continuous thread, which had to be doubled and twisted into knittable yarn. The yarn was then washed thoroughly before being wound into balls for convenient handling. It could be dyed either before or after knitting. All of this required skill and hard work. Mary Ann Minter made her own yarn and sometimes sheared the sheep herself. She knitted the socks and mittens for five boys, and also managed to knit gloves and socks for others; for the latter she received from fifty cents to one dollar per pair.

Besides raising a family of her own, her greatest responsibility was to perform the duties of midwife for the community. She spent the last forty-five years of her life on the land she bought with the help of the Masonic Lodge, of which her husband had been a member. She died in October 1944, at the age of eighty-three and was buried beside her husband in the Kellogg Cemetery.

Early residents of Kellogg, even the second generation, are rapidly thinning as the years pass. The old schoolhouse that Glen Minter helped to build looks neglected and forgotten in its present setting. When the rural school districts consolidated with the Elkton High School district, the old schoolhouse—along with the grounds upon which it stands—was transferred to the American Sunday School Union by Douglas County to be used as a place of worship in the Kellogg Community. After nearly sixty

July 13, 1993

DUANE W KIRBY
8087 LOOKINGGLASS ROAD
ROSEBURG OR 97470

RE: SWR-107

Dear Mr Kirby,

This will acknowledge the receipt of the map to support the pre-1909 vested water right claim by Timothy F shepard. I will add the map to the file for reivew in the future. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WS\CV\SWR-0107.002



June 9, 1993

DUANE W. KIRBY
8087 LOOKINGGLASS ROAD
ROSEBURG OR 97470

RE: File# SWR-107

DEAR DUANE W. KIRBY,

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Sincerely,



Don Knauer
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\SWR-0107.00M



SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 94869 CHECK ENCLOSURES see
CHECK BASIN MAP Uniqua - #16 UNADJUDICATED AREA ? YES
SURFACE WATER REGISTRATION NUMBER 107
PRELIMINARY DATA BASE ENTRY DWF
ACKNOWLEDGEMENT LETTER WEX ENTER ON STREAM INDEX _____
PUBLIC NOTICE PUBLICATION DWF WATERMASTER CHECKLIST _____
CHECK QUADRANGLE MAP 105 CHECK GLO PLATS _____
Kellogg 128

FORM REVIEW

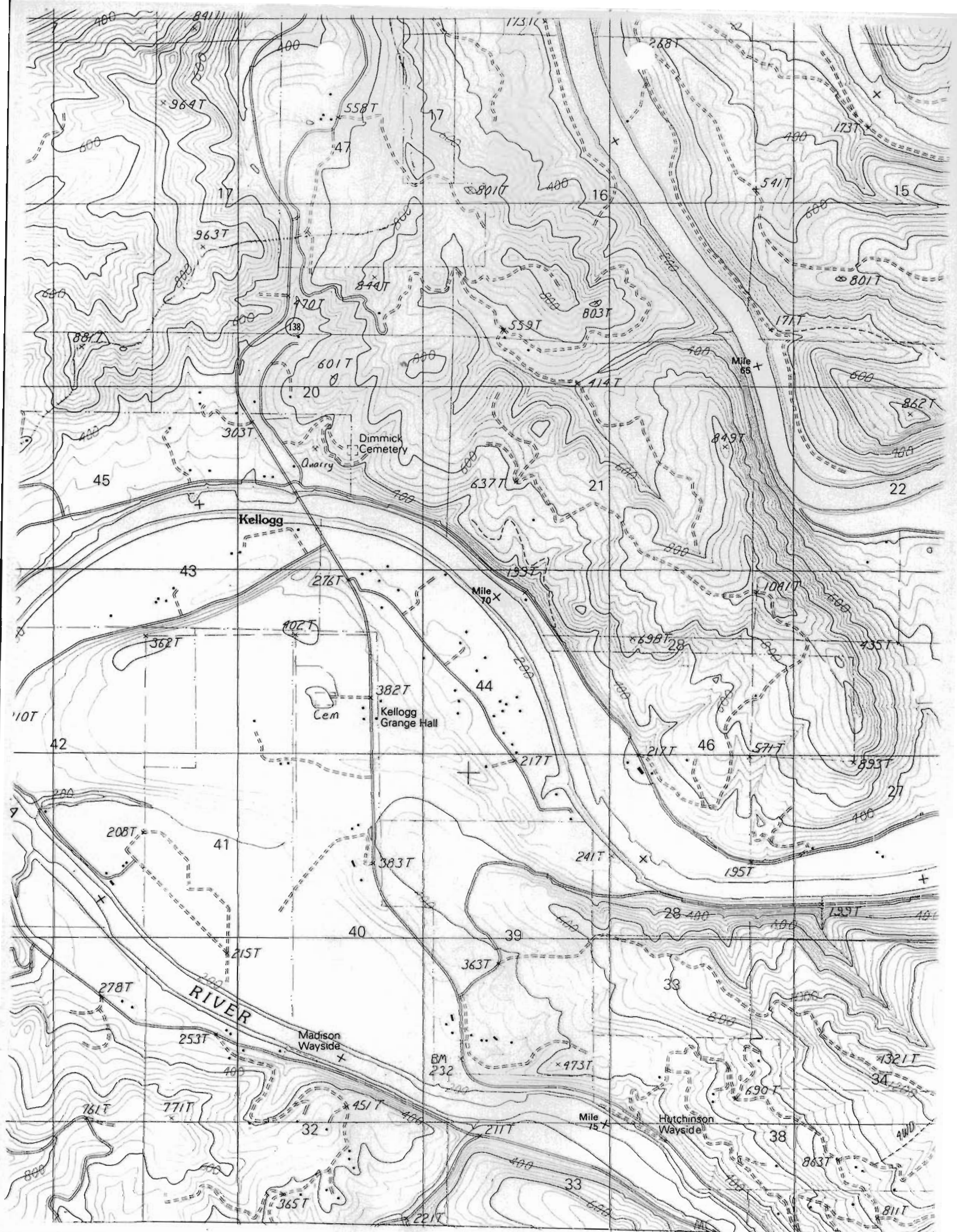
_____ blanks filled in
_____ signed
_____ date received stamped

MAP REVIEW

#2
_____ ✓ source and trib
_____ ✓ diversion point location
_____ ✓ conveyances (pipes, ditch, etc.)
_____ ✓ place of use
_____ ✓ scale
_____ ✓ township, range, section
_____ ✓ north arrow
_____ ✓ CWRE stamp
_____ ✓ disclaimer
_____ ✓ date survey was performed
_____ ✓ P.O.B. of survey
#11
_____ ✓ 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



December 9, 1992

TIMOTHY F. SHEPHERD
700 KELLOGG DRIVE
OAKLAND OR 97462

RE: Surface Water Registration Statement

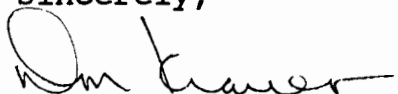
Dear Mr. Shepherd,

This will acknowledge that your Surface Water Registration Statement in the name of Timothy F. Shepherd has been received by our office. The fees in the amount of \$ 200.00 have been received and our receipt # 94869 is enclosed. Your registration statement has been numbered SWR-107.

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:\WASICS\SWR-0107.001



RECEIPT # 94869

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIVED FROM: Tina Shepherd
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 24-22 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 200.00

01-00-0 WRD MISC CASH ACCT

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

02-00-0 FEDERAL FUNDS

OTHER: (IDENTIFY) _____ \$

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES		\$
850.200	RESEARCH FEES		\$
880.109	MISC REVENUE: (IDENTIFY)	_____	\$
520.000	OTHER (P-6): (IDENTIFY)	_____	\$

WATER RIGHTS:

842.001	SURFACE WATER				
842.003	GROUND WATER				
842.005	TRANSFER				
WELL CONSTRUCTION					
842.022	WELL DRILL CONSTRUCTOR				
842.016	WELL DRILL OPERATOR				
	LANDOWNER'S PERMIT				

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

RECORD FEE	
\$	842.002
\$	842.004
\$	842.006
LICENSE FEE	
\$	842.023
\$	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

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

RECEIPT # 94869

DATED: 12/8/92

BY: C. Engel