

Ronald E. & Dolores Kirkham

7229 Little River Road
Glide, OR 97443
Home Phone (541) 496-3518

July 12, 2005

Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1271

RE: Surface Water Registration Statment 236

Dear Teri Hranac:,

Enclosed please find requested copy of our deed to the property located at 7229 Little River Road, Glide, Oregon.

There has been no change in the use of the water as stated in the Registration Statement Claim of Beneficial Use, File# SWR-236.

Sincerely,


Ronald E. Kirkham

RECEIVED

JUL 14 2005

WATER RESOURCES DEPT
SALEM OREGON

RECEIVED

JUL 14 2005

WATER RESOURCES DEPT
SALEM, OREGON

SEND TAX STATEMENTS TO:

GRANTEE:

7229 Little River Road
Glide, OR 97443

RETURN RECORDED DOCUMENT TO:

Umpqua Title & Escrow Services
PO Box 1609
Roseburg, OR 97470
Escrow No. 31878

85-19710

WARRANTY DEED - STATUTORY FORM

BOOK 1375 PAGE 708

GRANTOR:

JAMES H. WELLER and GRACE V. WELLER, Trustees of the J.H. WELLER and G.V. WELLER FAMILY TRUST under declaration of Trust dated August 3, 1993

GRANTEE:

RONALD KIRKHAM and DOLORES KIRKMAN, husband and wife

Grantor conveys and warrants to Grantee the following described real property free of encumbrances except as specifically set forth herein situated Douglas County, Oregon, to wit:

SEE EXHIBIT 'A' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

The said property is free from encumbrances except REGULATIONS, RIGHTS OF THE PUBLIC, RIGHT OF WAY OF RECORD

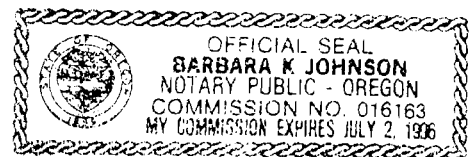
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$0.00. (Here comply with the requirements of ORS 93.030) EXCHANGE OF LIKE KIND PROPERTY

Dated this 20th day of October, 1995

J.H. WELLER & G.V. WELLER FAMILY TRUST
James H. Weller
JAMES H. WELLER -Trustee

Grace V. Weller
GRACE V. WELLER, Trustee



State of Oregon, County of Douglas) ss.

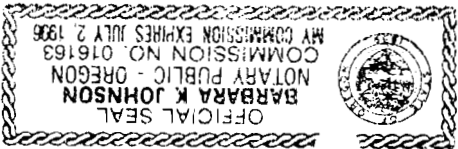
This instrument was acknowledged before me on 10, 20 1995 by JAMES H. WELLER and GRACE V. WELLER

31878 UMPQUA TITLE & ESCROW SERVICES

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JUL 14 2005
WATER RESOURCES DEPT
SALEM, OREGON

Barbara K Johnson
Notary Public for Oregon
My commission expires 7/2/96

This instrument was acknowledged before me on _____ 10, 20 _____ 1915 by
State of Oregon, County of Douglas) ss.



James V. Weller
GRACE V. WELER, Trustee

JAMES H. WELER - TRUSTEE

A parcel of land lying in Section 2, Township 27 South, Range 3 West, Willamette Meridian, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod from which the South quarter corner of the above said Section 2 bears South 38° 44' 58" East 821.90 feet, said point being at the intersection of Little River County Road No. 17 and Cavitt Creek County Road No. 82 right of way lines; thence along the Northerly line of said Cavitt Creek Road South 17° 03' West 39.50 feet to a 5/8 inch iron rod; thence continuing South 17° 03' West 55.84 feet to the center of Little River; thence along the centerline of said river North 60° 14' West 278.30 feet and North 24° 24' West 90.37 feet; thence leaving said centerline North 22° 34' 28" East 140.74 feet to a 5/8 inch iron rod; thence continuing North 22° 34' 28" East 63.37 feet to a 5/8 inch iron rod; thence North 74° 37' 58" East 124.50 feet to a 5/8 inch iron rod set in the Westerly line of the above said Little River Road; thence along said Westerly line South 12° 25' 30" East 145.94 feet to a 5/8 inch iron rod and South 20° 18' 21" East 222.05 feet to the point of beginning.

T27S, R03W, S02 TL 2000

Order No. 31878

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JUL 14 2005

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON]
COUNTY OF DOUGLAS] SS.
I, GAY FIELDS, COUNTY CLERK AND RECORDER OF
CONVEYANCES, DO HEREBY CERTIFY THAT THIS
INSTRUMENT WAS RECORDED

95 OCT 20 PM 1:57

STATE OF OREGON)
COUNTY OF DOUGLAS) SS.
I, GAY FIELDS, COUNTY CLERK AND RECORDER OF
CONVEYANCES, DO HEREBY CERTIFY THAT THIS
INSTRUMENT WAS RECORDED

95 OCT 20 PM 1:57

DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY

Glenn L. Burnett

DEPUTY

30.00
FEE *5.00*

JK

3500 PL

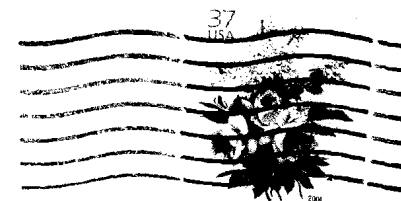
RECEIVED

JUL 14 2005

WATER RESOURCES DEPT
SALEM OREGON

95-19710

Ronald & Dolores Kirkham
7229 Little River Road
Glide, OR 97443



Oregon Water Resources Department
Teri Hranac-Water Rights/Adjud. Division
725 Summer St. NE, Suite A
Salem, OR 97301-1271

97301-1266





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 6, 2005

Ronald & Dolores Kirkham
7229 Little River Road
Glide, OR 97443

RE: Surface Water Registration Statement 236

Dear Mr. & Mrs. Kirkham:

This will acknowledge receipt of the additional information and map describing SWR 236 prepared by Maurice Farr. This documentation has been added to the file.


I note in your letter of June 30, 2005, you state that you purchased the property in 1995. Could you please provide us with a copy of the deed so the record shows the proper chain of ownership? In addition, OAR 690-28-0955(1) states:

When any amendment in ownership, point of diversion, place of use, or type of use is necessary within a right defined by a registration statement, then the amendment shall be submitted in writing to the Department. The request shall include documentation that the water has been used over the past five years in accordance with the terms and conditions of the registration.

In addition, I note that your file does not contain any information supporting the priority date (prior to 1909). You may wish to begin researching and compiling all pertinent information supporting a priority date prior to 1909.

Please do not hesitate to contact me if you should have any questions. My phone number is (503) 986-0826.

Sincerely,


Teri Hranac
Adjudications Specialist

RECEIVED

MAY 27 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Maurice E Farr
Professional Engineer
1960 SW Burdette Drive
Roseburg, OR 97470
Ph (503) 679-6598

May 26, 1993

TO:

Dwight French
Water Resources Department
3850 Portland Road, NE
Salem, OR 97310

RE: Surface Water Registration Maps

SWR-236	James & Grace Weller
SWR-559	William & Darthie Evans
SWR-560	Darrell Payne

Dear Dwight:

Enclosed are maps for the above listed Pre-1909 Surface Water Registration Applications. The applicants are still working on their respective narratives and should be sending them to you by August. If you have any questions, please give me a call.

Yours truly,

Maurice E Farr

Maurice E Farr,
CWRE

Maurice E Farr
Certified Water Right Examiner #046
1960 SW Burdette Drive
Roseburg, OR 97470
Ph (503) 679-6598

RECEIVED
MAY - 3 1993
WATER RESOURCES DEPT.
SALEM, OREGON

April 28, 1993

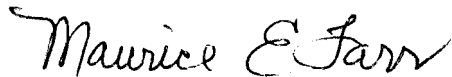
Don Knauer
Water Resources Department
3850 Portland Rd NE
Salem, OR 97310

RE: Surface Water Registration Map SWR-236
James H & Grace V Weller

Dear Don:

The map for the above application is being prepared and will be submitted to your office by May 31, 1993.

Yours truly,



Maurice E Farr, CWRE

Ronald E. & Dolores Kirkham

7229 Little River Road
Glide, OR 97443
Home Phone (541) 496-3518

June 30, 2005

Water Resources Department
Attn: Adjudication
Commerce Building
158 12th Street NE
Salem, OR 97310-0210

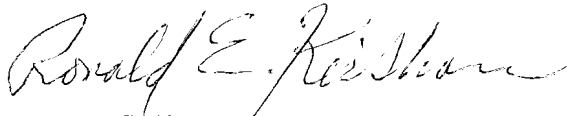
Dear Sir/Madam:

In the year of 1995, my wife and I purchased the property at 7229 Little River Road, Glide, OR, from her step-father and mother, James & Grace Weller. Recently, while going through some of his papers, Mr. Weller came across the papers regarding the pre-1909 vested water rights.

When my wife and I were going through these papers we discovered that the enclosed copies had not been forwarded to your office.

If further information is required please advise.

Sincerely,



Ronald E. Kirkham

cc: James H. Weller

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JUL 05 2005

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JUL 05 2005

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JUL 05 2005

WATER RESOURCES DEPT
SALEM, OREGON

REGISTRATION STATEMENT CLAIM OF BENEFICIAL USE

Sheet 1 of 2

File# SWR-236

INFORMATION: James H. or Grace V. Weller
P.O. Box 516
Hollister, CA 95024
Ph (408) 637-3010

Located SE1/4SW1/4, Section 3, T27S, R3W, WM.

On May 5, 1993, I made a survey of the above listed property and viewed the water system installed and in use. I used an assessor map and an aerial photo during the course of preparing this final proof survey and site map.

SOURCE: Water is taken from Little River, tributary to the North Umpqua River and the Umpqua River, for domestic use for three buildings: a mobile home residence, a store and a duplex residence. A second source of water is a drilled well on the property. This is used to prime the pump at POD 1 after maintenance.

DIVERSION POINT: POD 1 is located in natural depression on the east side of Little River. POD 2 is a drilled well on the property.

MOTOR: POD 1 Motor Goulds 1 1/2 hp, Model No C48M2DB11A1, 3450 RPM, 230 volts.

POD 2 Submersible pump, Motor Model C48K2DB114A, 230 volts, 11.4/5.7 amps, 3450 RPM, Serial 6H80.

PUMP: POD 1 Goulds centrifugal pump, Serial 7H88, Part No J07858, 10 GPM discharge.

POD 2 Pump Model JL07N, Serial No 295223, 10 GPM discharge.

PIPE: Approximately 250 feet of 1" diameter PVC main line from the POD to the water well. From here, the main distribution line is located so as to serve the store and the duplex to the North. The well is tied to the distribution line from the POD in Little River and is used as a back-up source to prime the centrifugal pump at POD 1. This is done when the pump at POD 1 is removed from service for maintenance and reinstalled.

USE(S): Water is used for domestic.

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JUL 05 2005

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SALEM, OREGON

RECEIVED

JUL 05 2005

WATER RESOURCES DEPT
SALEM, OREGON

HEAD: Elevation difference between the pump intake and the highest point near the residences was measured to be twenty five feet.

CALCULATIONS:	POD 1 Pump discharge	0.022 cfs	10. GPM
	Domestic for 4 residences		
	4 @ 0.005 cfs	0.020 cfs	9.0 GPM

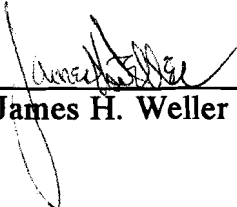
POINT OF BEGINNING: Assessor's maps and aerial photos were used to draw the accompanying map.

REMARKS: A filter and chlorination system is installed in the discharge line behind POD 1.

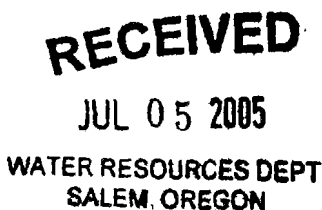
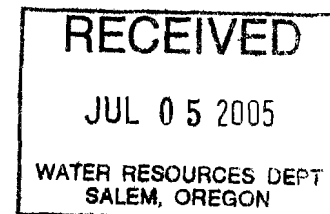
The final proof survey and inspection of the use as found to be completed under terms and conditions of File# SWR-236 was completed by me on May 5, 1993, and the facts contained in this report and accompanying vested water right map are correct to the best of my knowledge.



I, James H. Weller, agree to the findings of the CWRE and do submit this site report and map as my Registration Statement Claim of Beneficial Use of the water provided under the terms and conditions of my File# SWR-236.



 James H. Weller



2-6-95

SWR-236

MARINE FARE 679-6598

LEFT MESSAGE ON MACHINE -

ASKED FOR MAP & INFO AND

TO CALL ME.

JEK

FAR - 46

STATE OF OREGON
WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

May 11, 1994

TO: WATER RIGHT EXAMINERS

FROM: DON KNAUER

SUBJECT: PRE-1909 VESTED WATER RIGHT CLAIM MAPS

Alright you guys, this is a test, DO YOU KNOW WHAT TIME IT IS? The answer is, it's time to get the maps, reports, answers, mylars and all that kind of stuff back to the Water Resources Department. There's talk around the office of putting together a "map-patrol" with a tough leader to travel around and retrieve the required documents.

You may remember, I reviewed maps for compliance with Oregon Revised Statutes and Oregon Administrative Rules submitted to support pre-1909 vested water right claims. For the past few months and up to a year ago I have returned maps, requested mylars, asked for clarification, and asked for reports. Some of these files are getting stale.

It is very important that you give me something, preferably the map, mylar, report, etc. but at minimum you must give me a submittal date. The review of the files cannot be completed without the map, report, etc. It is a deterrent to the claimant, your client, for this issue to go unresolved.

If you need copies of anything in the files, just let me know. I have hand written below the file numbers of those I returned to you. The toll free number is 1-800-624-3199.

j:\wp51\swr\claimant\lwrememo.94

SWR-71	SWR 310
- 109	- 366
- 132	- 378
- 133	- 451
- 136	- 492
- 177	- 559
- 236	< 1 -

September 2, 1993

MAURICE E. FARR
1960 SW BURDETTE DRIVE
ROSEBURG OR 97470

RE: File# SWR-236

DEAR MAURICE E. FARR,

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 James H. & Grace V. Weller. 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.

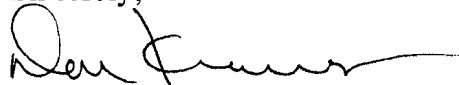
diversion point size OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." You must describe the diversion structure and submit the information necessary to compute the capacity of the system.

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.

You have shown on your map a "well". If this well is part of the domestic system you must explain how the system works.

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

Sincerely,



Don Knauer
Adjudication Specialist

Enclosures
J:\WP51\SWR\CLAIMANT\2\SWR-0236.00M



SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP OK NAME Umpqua # 16 UNADJUDICATED AREA ? yes
 RECEIPT # 95478 S W R NUMBER 236
 CHECK ENCLOSURES OK PRELIMINARY DATA BASE ENTRY OK
 ACKNOWLEDGEMENT LETTER OK ENTER ON STREAM INDEX _____
 CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
 WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION 10/87

FORM REVIEW

_____ blanks filled in
 _____ signed
 _____ date received stamped

MAP REVIEW

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

WHAT ABOUT THE "WELL"?

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

May 28, 1993


JAMES H & GRACE V WELLER
PO BOX 516
HOLLISTER CA 95024

RE:SWR-236

Dear Mr & Mrs Weller,

This will acknowledge the receipt of the map prepared by Maurice E Farr to support your claim to a pre-1909 vested water right. I will add the map to your file for review in the future. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\2\SWR-0236.002

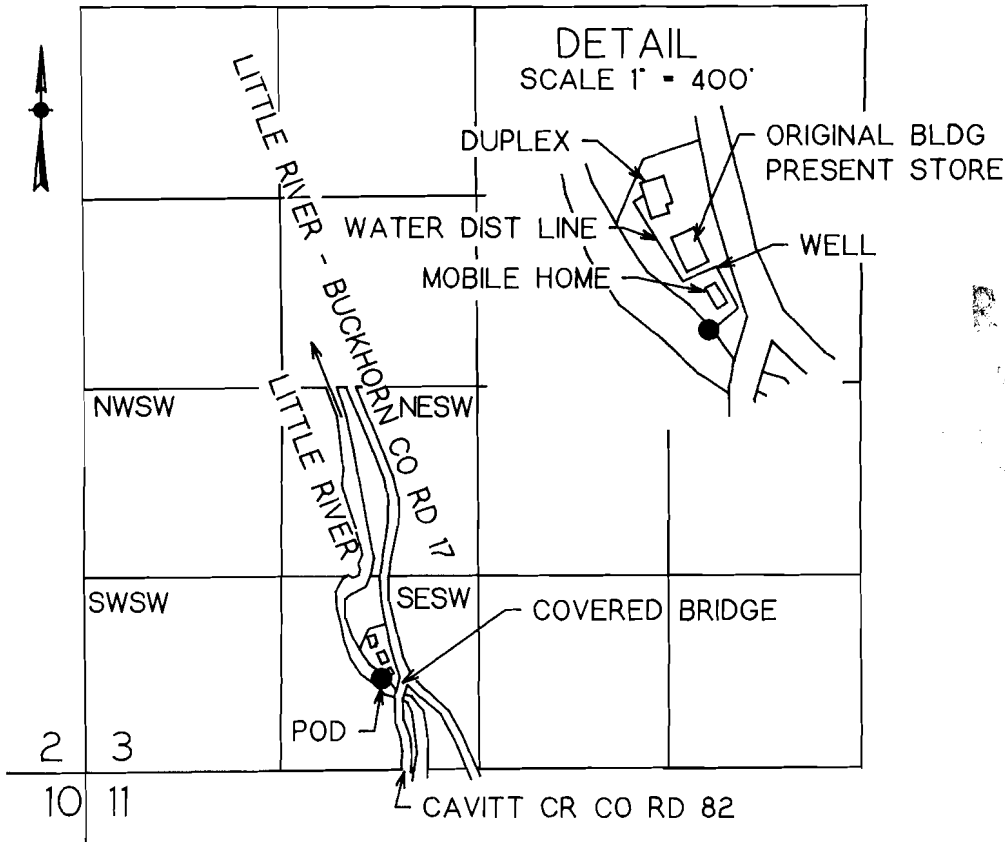


SWR-236

T27S, R3W, WM

SCALE 1" = 1320'

COUNTY OF DOUGLAS



RECEIVED

NOV 19 1987

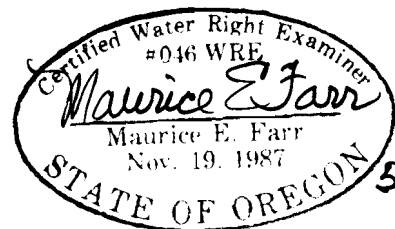
STATE OF OREGON DEPT OF AGRICULTURE

POD IS 670 FT N AND 2050 FT E FROM SW COR SEC 3

VESTED WATER RIGHT MAP

PRE-1909 CLAIM OF BENEFICIAL USE

THIS IS A LOCATION MAP FOR A VESTED WATER RIGHT BY JAMES H OR GRACE V WELLER. THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE VESTED WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



5-93

EXPIRES 12-31-93

February 12, 1993

JAMES H & GRACE V WELLER
PO BOX 516
HOLLISTER CA 95024

Dear MR & MRS WELLER,

This will acknowledge that your Surface Water Registration Statement in the name of JAMES H & GRACE V WELLER has been received by our office. The fees in the amount of \$200.00 have been received and our receipt #95478 is enclosed. Your registration statement has been numbered SWR-236.

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

We will not be able to process your claim until we have received your map. If you have any questions regarding this process, please do not hesitate to give me a call.

Please feel free to contact this office if you have any questions.

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0236.001



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

RECEIPT # **95478**

RECEIVED FROM: <u>J. H. Walker</u>	APPLICATION
BY:	PERMIT
	TRANSFER

CASH: <input type="checkbox"/>	CHECK: # <input checked="" type="checkbox"/> <u>904074</u>	OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D \$ <u>206.00</u>
--------------------------------	--	--	-------------------------------------

01-00-0 WRD MISC CASH ACCT

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

REDUCTION OF EXPENSE

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

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:			
840.001	COPY FEES		\$
850.200	RESEARCH FEES		\$
880.109	MISC REVENUE: (IDENTIFY)		\$
520.000	OTHER (P-6): (IDENTIFY)		\$
WATER RIGHTS:			
842.001	SURFACE WATER	EXAM FEE	RECORD FEE
842.003	GROUND WATER	\$	842.002
842.005	TRANSFER	\$	842.004
		\$	842.006
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	\$
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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 # **95478** DATED: 12/28/92 BY: C. Engel
 Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal