

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DEC NAME Unyqua # 16 UNADJUDICATED AREA ? yes
RECEIPT # 95583 S W R NUMBER 287
CHECK ENCLOSURES DEC PRELIMINARY DATA BASE ENTRY DEC
ACKNOWLEDGEMENT LETTER DEC ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION DEC 90

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
 1/10th Acres

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

December 22, 1993

MARJORIE M PETERSON
8128 LOWER SMITH RIVER ROAD
REEDSPORT OR 97467

RE: SWR-287

Dear Ms Peterson,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in your name. I have added the map to the your file. Thank you for your attention to this matter. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\W\S\C\2\SWR-0287.005



IMPORTANT MESSAGEFOR Don NaurerDATE 10/20 TIME 4:00 AM P.M.M Margery Peterson

OF _____

PHONE 271-4569

AREA CODE

NUMBER

EXTENSION

 FAX MOBILE _____

AREA CODE

NUMBER

TIME TO CALL

TELEPHONED		PLEASE CALL	<input checked="" type="checkbox"/>
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		WILL FAX TO YOU	

MESSAGE _____

Stuntzall Eng - 287-10-21-93: SHE TOLD ME THE SURVEYCREW JUST LEFT AND THEMAP SHOULD BE READY IN ACOUPLE OF WEEKS. WAT

SIGNED _____

October 4, 1993

MARJORIE M PETERSON
8128 LOWER SMITH RIVER ROAD
REEDSPORT OR 97467

RE: SWR-287

Dear Ms Peterson,

As we talked on the telephone today, I am sending you the information covering the mapping requirements for pre-1909 vested water right claims. I need to have you inform me of the Certified Water Right Examiner who you will have do your map. You must do so within 30 days. I will then contact the CWRE for a map completion schedule. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\2\SWR-0287.004



9-16-93

DENNIS, OF STUNTZNER FENG
OF COOS BAY, CALLED TO
SAY MARJORIE PETERSON
OF SWR 287 LEFT A
MESSAGE SAYING THEIR
MAPPING SERVICES WERE
NO LONGER NEEDED. HE
WONDERED IF THE LAWS
HAD CHANGED. I TOLD HIM


NO.

WJK

INTEROFFICE MEMORANDUM

*Oregon Water Resources Department
Adjudications Section*

TO: FILE SWR-287

FROM: Dwight French 

DATE: April 13, 1993

RE: Map submittal schedule

I was contacted today by Tom Hosholl of Stuntzner Engineering. He said that he would be preparing the map for this claim and that the OWRD could expect it by June 15, 1993.

February 24, 1993

RONALD E STUNTZNER
PO BOX 118
COOS BAY OR 97420

RE: Surface Water Registration Map

Dear MR STUNTZNER,

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

Please mark all correspondence related to this claim with the file number SWR-287.

Sincerely,



Don Knauer
Adjudication Specialist

C:\WP51\SWR\CLAIMANT\SWR-0287.002



February 24, 1993

MARJORIE M PETERSON
8128 LOWER SMITH RIVER ROAD
REEDSPORT OR 97467

Dear MS PETERSON,

This will acknowledge that your Surface Water Registration Statement in the name of MARJORIE M PETERSON has been received by our office. The fees in the amount of \$400.00 have been received and our receipt #95583 is enclosed. Your registration statement has been numbered SWR-287.

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-0287.001



WATER RESOURCES DEPARTMENT

RECEIPT # **95583**

3850 PORTLAND ROAD NE

SALEM, OR 97310

378-8455/378-8130 (FAX)

RECEIVED FROM: Marjorie Peterson
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # X 96-104 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)	\$

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	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
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	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

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

RECEIPT # **95583**

DATED: 12-29-96

BY: C. Smith

MARJORIE M. PETERSON
8128 LOWER SMITH RIVER RD
RECSPT. OR 97467

June 15, 2000

RECEIVED

AUG 22 2000

**WATER RESOURCES DEPT.
SALEM, OREGON**

State of Oregon
Water Resources Department
~~3850 Portland Rd NE~~
~~Salem, Oregon~~ 97310

158 12th NE
Salem, Oregon 97301

Sirs:

In 1992 I sent in to the department the amount of \$400 and paper work for vested water rights. My registration statement number is SWR-287.

I would like to know what has been done. This was a lot of work plus added expense. I would appreciate hearing from you.

Yours truly,

Marjorie M. Peterson



TELEPHONE (503) 267-2872
FAX (503) 267-0588

705 SO. 4TH, P.O. BOX 118
COOS BAY, OREGON 97420

**PRE-1909 Claim of Beneficial Use and Site Report SWR-287
Portions of Section 33 & 33 T. 20 S., R. 11 W. and
Section 3 T. 21 S., R. 11 W. W. M.
October 21, 1993**

INFORMATION:

Permittee: Marjorie Peterson
8128 Lower Smith River Road
Reedsport, Oregon 97467
(503) 271-4569

DEC 21 1993
WATER RESOURCE DEPT
SALEM, OREGON

I met Mrs. Peterson on October 21, 1993 at the site. She indicated that there had been no deviation in use (Domestic and Stock watering) from the date water development was initiated in November 1896.

SOURCES:

The domestic source is an unnamed creek tributary to Noel Creek. The stock watering source is Noel Creek a tributary to Smith River.

DIVERSION POINT:

The P.O.D. is a 24" in diameter by 30" tall concrete and plastic in-stream collection device. the P.O.D. is located N 57°E 1155 ft. from the S1/16 corner of section 33/34 Township 20 South , Range 11 West.

MOTOR: N/A

PUMP: N/A

PIPE:

The system is all gravity. A total of four hundred and twenty feet of one inch diameter black plastic pipe is used from the P.O.D. to the place of use. The pipe bears S 18° W for 100 feet, thence S 70° E for 70 feet to a 500 gallon plastic storage tank, thence 250 feet S 02° W to the place of use.

USES:

The primary use from the unnamed creek is domestic including .30 acres of lawn and garden. The stock watering occurs along the length of Noel Creek that meanders through the property.

AMOUNT REQUESTED: (Calculations)

Domestic		<u>.01 CFS</u>
Livestock	30 head cattle	
	<u>30 @ 15 gal./day/hd</u>	
	450 gallons per day	<u>.31gpm</u>
	<u>Claim of Beneficial Use</u>	<u>4.79 GPM</u>

LIFT:

The place of domestic use is 35' lower in elevation than the P.O.D. this includes the height of the storage tank. The pressure was gauged at the place of use at 15 PSI the flow was also measured at 3 1/2 gallon per minute. The elevation differences were obtained by using a clinometer.

HEADS:

Generic lawn type sprinklers and garden hoses are used for the domestic irrigation.

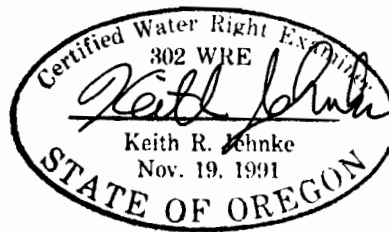
This type of lawn sprinkler has a capacity of 2 - 5 GPM depending on the PSI. The system had been winterized so the capacity of the sprinklers was determined from data compiled from previous sprinkler and PSI tests.

POINT OF BEGINNING

The P.O.D. was tied to the S1/16 corner of section 33 and 34. The bearing and distance to the P.O.D. from the corner are North 57° East 1155 feet. The bearings and distance were obtained by using a hand compass, string chain, aerial photo, engineer's scale, and calculations from assessors map Douglas County 20 - 11 - 34.

CONCLUSION / REMARKS

The final proof survey and inspection of PRE-1909, SWR-287 was completed on October 21, 1993 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



I Marjorie Peterson, 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 SWR-287.

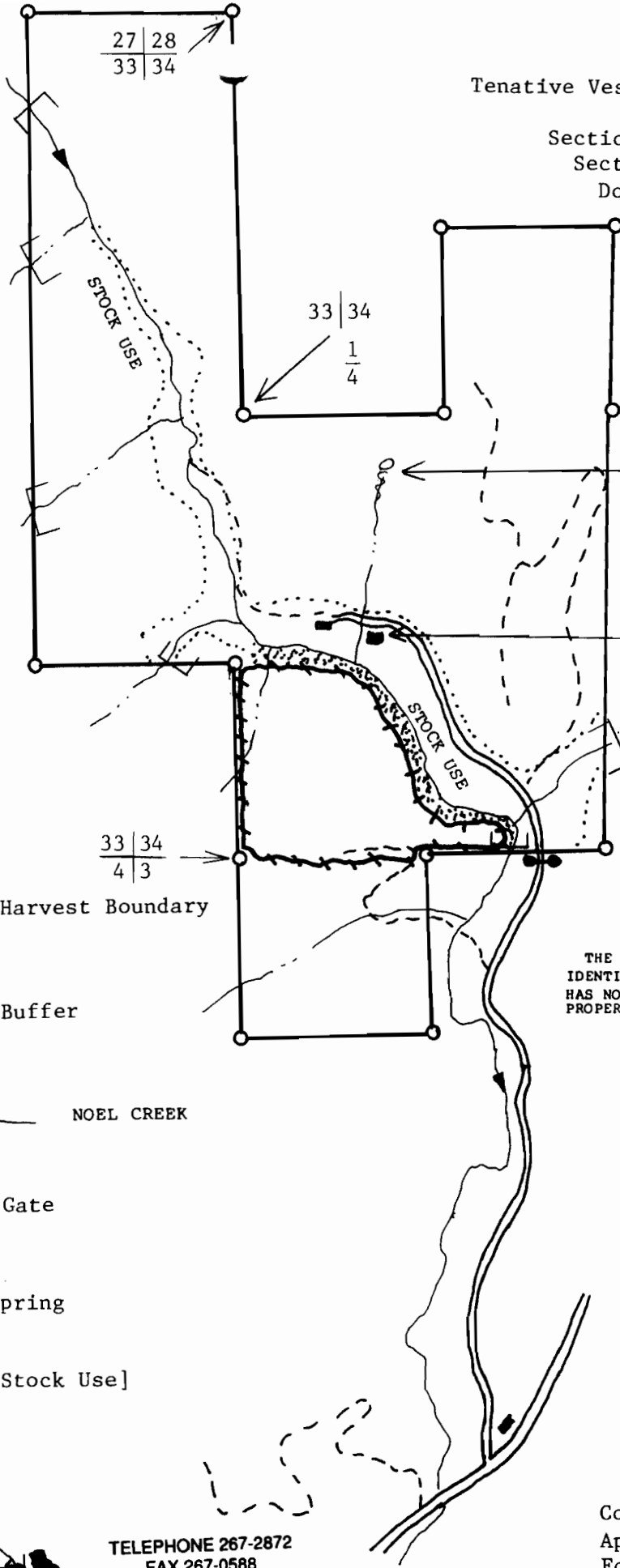
Date 12-20-93

Marjorie Peterson x
Marjorie Peterson

Tentative Vested Water Rights Applied Sketch
 Peterson Tract in
 Section 33 & 34 T.20S., R.11W.
 Section 3 T.21S., R.11W., W.M.
 Douglas County, OR



1" = 1000'



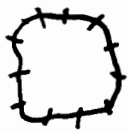
DEC 1987

Spring Source

Proposal Domestic

33 | 34
4 | 3

Harvest Boundary



Buffer

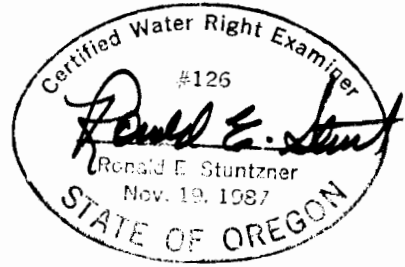
NOEL CREEK

Gate

Spring

[Stock Use]

EXAMINERS DISCLAIMER STATEMENT
 THE PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



TELEPHONE 267-2872
 FAX 267-0588

705 SO. 4TH, P.O. BOX 118
 COOS BAY, OREGON 97420

Complete 1909 Vested Water Rights Application Map is Scheduled and Forth Coming.

December 1, 1992

DEC 29 1992

WATER RESOURCES DEPT.
SALEM, OREGON

TO WHOM IT MAY CONCERN:

I live on Noel Creek, about two miles from where it flows into the Smith River. My father, Warren Waggoner, lived here when his mother married Jesse Abbott in 1986 and they moved to Abbott's homestead. So Jesse Abbott is my step grandfather.

Jesse Abbott sold the farm in 1907 to Blackwell and he in turn sold to Alden Leach. The Leach family lived here from 1909 to 1916 as verified by land records and told to me by their children and my uncle.

My uncle, Everett Abbott, Gardiner, Oregon, worked on a dairy on adjoining land while in high school until 1918, and he says a family was living here then but doesn't remember the name.

As told to me by A.V. "Pete" Jones, Gardiner, Oregon, when his folks purchased this farm in 1922, the original domestic water came from the spring I am now using. The Jones family lived here until 1940 when they sold to Wm Cookson. (Statement attached on Cookson). 1940-1947.

In the next seven years many families and hired men lived here. From my neighbors, Lyle Earle and Sollie Earle who live on adjoining property, I have documented some of the names. Wesley Earle; Allen Earle; parents of Wm Cookson; Josh and Marie Clark; Duge McAlister; Frank Jensen.

Ray Rookard bought the farm about 1956 and occupied it until my husband, Leslie Peterson (deceased), and I bought it from Rookard in 1966.

Domestic water was coming from a spring which was the original source at the time we came here. This spring later went underground so we fixed up a water system for our new house built in 1975. This was a small stream nearby which the ground water from the spring ran into. In 1991 the system had to be redone and since the water was always silty, I checked out the original spring and found it again to the top of the ground, so I had it changed back to that one which I am using now. If the spring should sink again, I will have to once again get domestic water from the side stream.

There has always been livestock pastured here and I run some beef cattle. They sometimes drink from Noel Creek which runs all the way through my property.

Respectfully submitted

Marjorie M. Peterson

Marjorie M. Peterson



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

September 7, 2000

Marjorie M. Peterson
8128 Lower Smith River Rd
Reedsport OR 97467

RE: Surface Water Registration # 287

Dear Ms Peterson

Thank you for your recent inquiry regarding the status of the Surface Water Registration Statement (SWR) you submitted in December of 1992. I've checked the file and found that your file is complete; meaning that the Registration Statement, map and fees are in order.

Currently the Adjudication Section is focusing it's efforts on the Klamath Basin Adjudication. The Department does not have a plan or time line in place as to what basin will be adjudicated next or when it will occur.

Your water use has been documented with the Department and will be considered at the time the source you have claimed is adjudicated. Although the Department does not have any projected time as to when your source will be adjudicated, it is important that you continue to use the water in the manner stated in your SWR. No regulation of your water use, as claimed, will occur until your water right has been determined.

If you have any additional questions, please feel free to call me at 1-800-624-3199 extension 295.

Sincerely,

Gerry Clark
Adjudication Specialist



RECEIVED

DEC 29 1992

RESOURCES DEPT SALEM, OREGON

THE UNITED STATES OF AMERICA.

Homestead Certificate No. 5724 }
Application 7755 } ss.

To all to Whom these Presents shall Come---GREETING

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Roseburg, Oregon whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Jesse B. Abbott

has been established and duly consummated, in conformity to law, for the East half of the North East quarter and the North East quarter of the South East quarter of section thirty three, and the North West quarter of the South West quarter of section thirty four in Township twenty South of Range eleven West of Willamette Meridian in Oregon, containing one hundred and sixty acres.

114.78

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 Jesse B. Abbott the tract of land above described:

TO HAVE AND TO HOLD THE SAID TRACT OF LAND, with the appurtenances thereof, unto the said Jesse B. Abbott 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, and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William McKinley 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 eight day of June, in the year of our Lord one thousand nine hundred and one, and of the Independence of the United States the one hundred and twenty fifth.

BY THE PRESIDENT: William McKinley

By W. McKean Secretary.

C.H. Brush Recorder of the General Land Office.

Crow
Page 442

Filed for Record at 3 o'clock P. M. Feb. 28

A. D. 1903, and recorded at the request of

W.P. Shampson Clerk
By J.C. Sawyer Deputy

Deputy.

RECEIVED

DEC 29 1992

WATER RESOURCES DEPT

SALEM, OREGON

UNITED STATES OF AMERICA,

+ No.
 Grantor + United States Patent.
 + Dated June 28" 1901.
 + Recorded Feb. 28" 1903.
 + In Book 40 of Deeds, Page 127
 + Seal of the G. L. O. Affixed.
 Grantee + Certificate No. 5124.

To

Jesse B Abbott.

Issued by Authority of the Act of the Congress of May 20" 1862. and the acts supplementary thereto.

Executed by the President, William McKinley.

By the Secretary, F M McKean.

Oregon By C H Brush.

Recorded /Vol. 27 page 442 Recorder of the General Land Office

Description:

The claim of Jesse B Abbott has been established and duly consummated in conformity to law, for the East half of the North east quarter and the North East quarter of the South East quarter of Section thirty three and the north west quarter of the South west quarter of Section thirty four in Township twenty, South of Range eleven West of Willamette Meridian in 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.

Subject to any vested and accrued water rights, etc.,

FLB

3

RECEIVED

DEC 29 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Jesse B. Abbott, (fails to
state whether married or
single)

Grantor

To

Douglas County.

Grantee

- + Recorder's No.
- + Character of Instrument,
Quit Claim Deed.
- + Dated December 18, 1900.
- + Recorded March 16, 1901.
- + In Book 42 of Deeds, page 66.
- + Consideration, \$1.00
- + Signatures are sealed.
- + Witnessed by Two.

Acknowledged on December 18, 1900 before Ben B. Lyster, N. I. Ore.
Seal.

Granting words, Remise, release and forever quit claim.

Covenant,

Description and Remarks:

The following described real estate, situate in the said
County of Douglas, State of Oregon, towit: A strip of land thirty
feet wide passing through NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 34 NE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 33
the W $\frac{1}{2}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28 all in Township 20 South Range 11 West
of Willamette Meridian, Oregon running approximatly in the direction
of the adjoining Noel Creek for the use and to the purpose of a
public highway, right reserved to maintain gates.

FLB

4

1237.50	4950.00	75	992.00	2772.00	42	148.50	594.00
1221.00	4884.00	74	676.50	2706.00	41	132.00	528.00
1204.50	4818.00	3	660.00	2640.00	40	5.50	462.00
1188.00	4752.00	2	643.50	2574.00	39	99.00	396.00
1171.50	4686.00	72	627.00	2508.00	38	82.50	330.00
1155.00	4620.00	71	610.50	2442.00	37	66.00	264.00
1138.50	4554.00	70	594.00	2376.00	36	49.50	198.00
1122.00	4488.00	69	577.50	2310.00	35	33.00	132.00
1105.50	4422.00	68	561.00	2244.00	34	16.50	66.00
Rods to Ft.	Chs. to Ft.	No	Rods to Ft.	Chs. to Ft.	No	Rods to Ft.	Chs. to Ft.

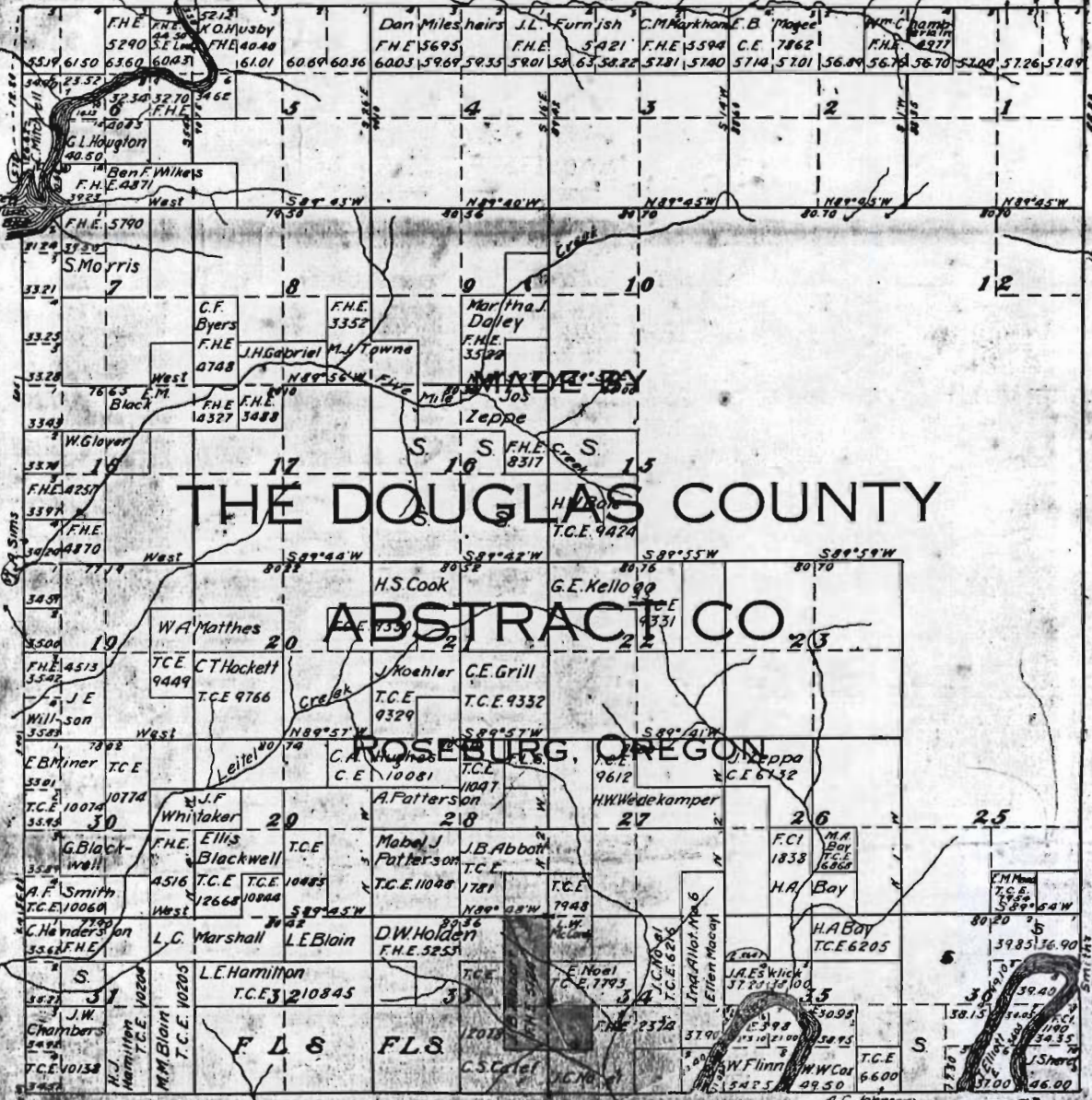
Timber Lands Bought and Sold

Abstracts of Titles Furnished Reliable Cruisers Furnished Estimates Guaranteed

Land Office Practice a Specialty ROSEBURG, OREGON Office Under U. S. Land Office

RECEIVED
DEC 29 1992
WATER RESOURCES DEPT
SALEM, OREGON

Township No. 20 South, Range No. 11 West, of the Willamette Meridian.



VOL 47

Jesse B. Abbott to Arilla Abbott

This Indenture made the twenty third day of January in the year of our Lord One Thousand Eight Hundred and Ninety Seven Between Jesse B. Abbott of Gardiner, Oregon the party of the first part and Arilla Abbott of the same place the party of the second part, Witnesseth: That the said party of the ^{first} part, for in consideration of the sum of Five Dollars Gold Coin of the United States of America to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell, convey and confirm unto the said party of the second part and to her heirs and assigns forever all that certain lot piece or parcel of land, situate, lying and being in the County of Douglas, State of Oregon and bounded and particularly described as follows, to wit:

The west half of the Northeast quarter of section Thirty Four, Township Twenty, South of Range Eleven West of Willamette Meridian, containing Eighty acres.

Together with the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining; and also all estate, right, title and interest, at law and equity therein or thereto, including -----

To Have and to Hold the same to the said Arilla Abbott her heirs and assigns forever; and I do covenant with the said Arilla Abbott and her legal representatives forever, that the said real estate is free from all incumbrances, and that I will and my heirs, executors and administrators, shall warrant and defend the same to the said Arilla Abbott her heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of
 O.B. Hinsdale) Jesse B. Abbott (L.S.)
 N.J. Cornwall)

State of Oregon)
) ss
 County of Douglas) On this Twenty third day of January A.D. one thousand eight hundred and ninety seven before me, O.B. Hinsdale a Notary Public in and for said County, duly commissioned and sworn, personally appeared the within named Jesse Abbott whose name is subscribed to the annexed instrument as a party thereto, personally known to me to be the individual described in and who executed the said annexed instrument, and who acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal) O.B. Hinsdale, Notary Public.

Filed June 16th 1903 at 10:40 A.M. and recorded.
 D.R. Shambrook, Co. Clerk.
 by J. C. Sawyer Deputy.

John C. Noel et ux to E.G. Baker & Jesse B. Abbott Bond for Deed

Know all men by these presents, That we John C. Noel and Ida Noel as principal and --- and --- are held and firmly bound unto E.G. Baker & Jesse B. Abbott in the sum of Eight Thousand no/100 Dollars of the United States of America, to the payment of which to the said E.G. Baker & Jesse B. Abbott or their executors, administrators or assigns, we hereby jointly and severally bind ourselves, our heirs, executors, administrators or assigns firmly by these presents.

Sealed with our seals and dated the 5th day of June A.D. 1903.

The condition of this obligation is such:

That Whereas the said obligors have agreed to sell and convey unto the said obligee a certain tract of real estate situated in Douglas County State of Oregon, and bounded and described as follows to wit:
 S 1/2 S W 1/4, N E 1/4 S W 1/4, N W 1/4 S E 1/4 and lot 2 sec. 34 Tp. 20 S. R. II W., E 1/2 N W 1/4, N E 1/4 S W 1/4, S W 1/4 S W 1/4, and lots 6, 7, 8, 9, and 10 sec 3; the SE 1/4 SE 1/4 sec 4; and the NW 1/4 NW 1/4 and lots 5 & 6 sec. 10 in T. 21 S. R. II W. of Willamette Meridian in Douglas County Oregon.
 The same to be conveyed by a good and sufficient warranty deed of the said obligors conveying a good clear and sufficient title to the same free from all encumbrances.

And whereas for such deed and conveyance it is agreed that the said obligees shall on or before the 1st day of July 1915 pay the sum of Eight Thousand no/100 Dollars rental thereon from the 5th day of June 1903 according to the terms of a certain agreement of which the following is a copy to wit: An amount equal to eight per cent of the unpaid principal aforesaid per annum, paid semiannually paid July 1st and January first from year to year. Now therefore if the said obligors shall, upon the payment of said agreement according to the tenor thereof, deliver unto said obligees a good and sufficient

1897
 REC
 DEC
 WATER
 SAL

FUNERAL SERVICES
FOR ARILLA ~~ABBOTT~~
PIONEER, SUNDAY

1952
Funeral services were held Sunday, July 6th, at 3:30 p.m. at the Unger Funeral Home for Arilla Leach Waggoner Abbott, who died July 3rd at 8:15 p.m. at her home on Smith River where she had lived for the past 40 years.

Mrs. Abbott had been bedfast for only three weeks prior to her death though she had been in failing health for the past 12 or 15 years. She was born October 16, 1872, at Long Prairie, in Douglas county, near Scottsburg, the daughter of Mr. and Mrs. Martin Leach, a pioneer family in the area. On May 10, 1891, she was married to Dennis Roy Waggoner, in Polk county, Oregon. He was killed by a falling tree on February 4, 1894, at the age of 27. On November 4, 1896 she was married to Jesse B. Abbott who was then homesteading on Smith River. He too, preceded her in death, having passed away in 1948.

Three children were born of Mrs. Abbott's marriage to Dennis Waggoner, all of whom survive. They are Dennis Roy Waggoner and William Warren Waggoner, both of Reedsport, and Vera Edna Henderson, Smith River. Eight children were born of her second marriage, seven of whom survive. They are daughters Violet Birdsall and Vivian Probasco, of Reedsport and Ruth Wiley of Smith River, and sons Dewey and Forrest of Reedsport, Clarence of Smith River and Everett of Gardiner. The eighth child, Mary M. Abbott, was burned to death in an accident at the age of four.

One of a family of 12, Mrs. Abbott is survived by one brother, Lawrence, of Idaho, and a sister, Mrs. Etta Noel of Gardiner. She is also survived by 53 grandchildren, 36 great grandchildren and many nieces and nephews.

Pallbearers were six grandsons, Leslie Franklin, Ben Henderson, John Waggoner, James Peck, Martin Andruss and Jesse Abbott. Leona Cooper was soloist and Joe Brown conducted the services. Burial was in Gardiner cemetery.

RECEIVED

DEC 29 1992

WATER RESOURCES DE
SALEM, OREGON



E.V. Abbott Dec. 21, 1992

I was born on Noel Creek in 1900 and my father built this house. I am 6 years in this picture. I remember my father working on the water lines that came from the draw back of the house.

We had cows and horses that drank the creek water - Noel Creek.

Everett Abbott

MARJORIE M. PETERSON
8128 LOWER SMITH RIVER RD
REEDSPORT, OR 97467

DEC 29 1992
WATER RESOURCES DEPT.
SALEM, OREGON

December 28, 1992

Oregon Water Resources Dept.
Adjudication Section
3850 Portland Rd NE
Salem, Oregon 97310

Sirs:

Please find attached the necessary papers for proof of surface water use prior to 1909, and with out more than a five year break to present.

Also enclosed is my check for \$400.

Respectfully,

Marjorie M. Peterson

Marjorie M. Peterson

I lived on the Joel Creek with my family as
a child. It was 1940 until 1947. Their name
was Cookson.
Margaret Earle

98-17-1-10

DEC 29 1992

WATER RESOURCES DEPT.
SALEM, OREGON

