

APR - 6 1995

WATER RESOURCES DEPT.  
SALEM, OREGON

R. IMRIE CONN  
885 FLOURNOY VALLEY ROAD  
ROSEBURG, OREGON 97470

MARCH 30, 1995

OREGON WATER RESOURCES DEPT.  
ADJUDICATION SECTION  
3850 PORTLAND RD. N.E. \*  
SALEM, OREGON 97310

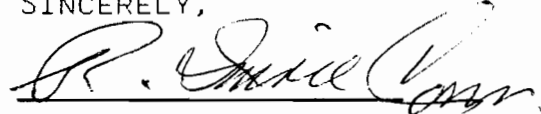
ATT: DON KNAUER RE: CONTINUED USE OF PRE-1909 VESTED  
WATER RIGHT CLAIM - SWR# 253,254&255.

THANK YOU VERY MUCH FOR OUR TELEPHONE CONVERSATION WHEN YOU RETURNED MY CALL A FEW DAYS PAST, AND YOUR EXPLANATION FOR THE CONTINUED USE OF WATER PRE-1909 VESTED WATER RIGHT CLAIM WITHOUT ANY OTHER ACTION PER SURFACE WATER REGISTRATION STATEMENTS VERIFIED AS COMPLETE IN YOUR OFFICE FOR SWR# 253, #254 & #255.

IT IS MY FURTHER UNDERSTANDING FROM YOU THAT THE FINAL STAGE FOR ALL SUCH WATER PRE-1909 VESTED WATER RIGHT CLAIMS AS VERIFIED AND COMPLETE IN YOUR OFFICE WILL BE THROUGH COURT ACTION. IN THE MEANTIME PROPERTIES MAY CONTINUE USE OF WATER WITHOUT ANY FURTHER ACTION.

TO AVOID ANY POSSIBLE CONFUSION, WOULD YOU PLEASE IDENTIFY AND ACKNOWLEDGE THE TWO ATTACHED LOCATIONS WITH SWR# 253 AND MAIL BACK ONE COPY TO ME AT 885 FLOURNOY VALLEY ROAD, ROSEBURG, OREGON 97470 AND RETAIN THE OTHER FOR THE FILE. SHOULD YOU FIND ANY DISCREPANCY FROM THE FILE SWR# 253 ON THE ATTACHED LOCATION, PLEASE MAIL A COPY OF THE LOCATION SURVEY FROM THE FILE SWR# 253 WITH SOME TYPE OF ACKNOWLEDGMENT FROM YOUR OFFICE. THANK YOU VERY MUCH FOR YOUR TIME AND EFFORT.

SINCERELY,



R. IMRIE CONN

ENC: TWO LOCATIONS SWR# 253.

P.S. ALSO, IT WOULD BE GREATLY APPRECIATED FOR COPIES OF LOCATION SURVEYS FOR SWR# 254 & 255 WITH SOME TYPE OF ACKNOWLEDGMENT FROM YOUR OFFICE. THANKS.

November 3, 1993

WATER  
RESOURCES  
DEPARTMENT

DUANE W KIRBY  
8087 LOOKINGGLASS RD  
ROSEBURG OR 97470

**RECEIVED**

**DEC - 3 1993**

WATER RESOURCES DEPT.  
SALEM, OREGON

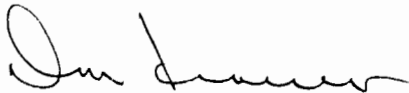
RE: SWR-254

Dear Mr Kirby,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of CONN LIVING TRUST you returned with corrections and completions. I have added the map to the file. Thank you for your attention to this matter. There is still the questions about **diversion point #2**, it appears there are ditches at this diversion point. You must submit the dimensions of the ditches.

If you have any questions, please give me a call.

Sincerely,



Don Knauer  
Adjudication Specialist

J:\W\SIC\2\SWR-0254.002

TO: Don Knauer

12-1-93

Enclosed is copy of the map  
with dimension of the ditches

\* 4' w x 3' to 0' deep



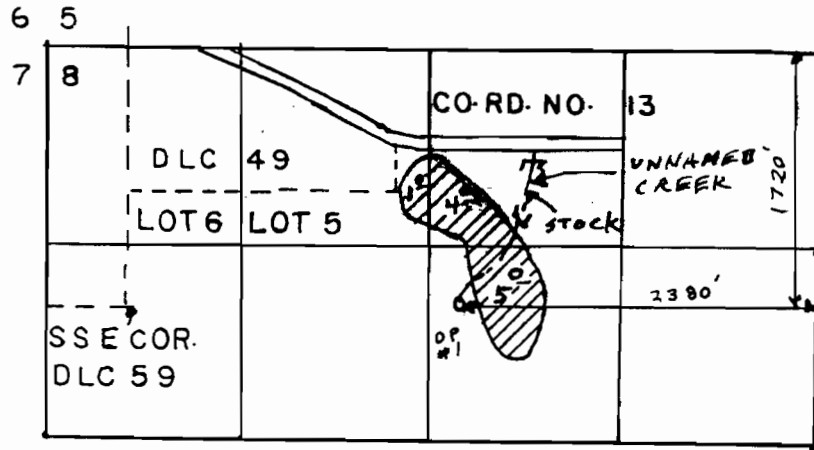
*Duane W Kirby*  
3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

T. 27S., R. 6 W., W.M.

SCALE: 1" = 1320'

REGISTRATION STATEMENT MAP

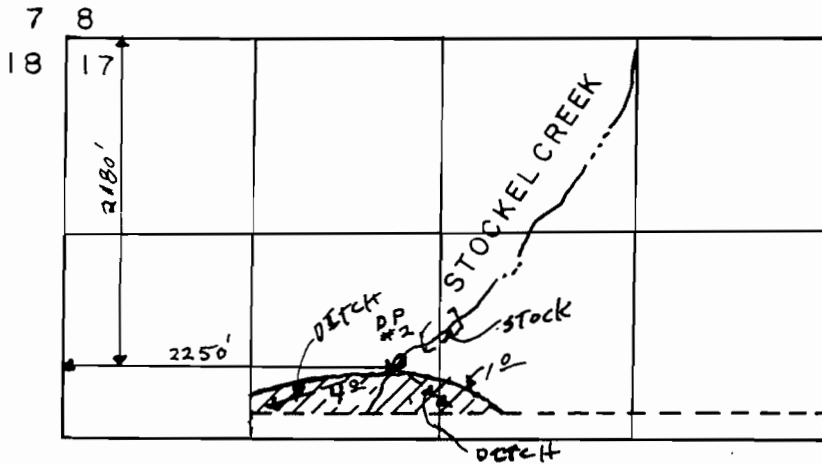
WATER RESOURCES DEPT.  
SALEM, OREGON



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WATER RESOURCES DEPT.  
SALEM, OREGON



\* Ditch 4' W x 3' to 0' Deep

UNDER

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.

Surveyed JAN. 18, 1993, by DUANE KIRBY



CLAIM OF BENEFICIAL USE AND SITE REPORT

Page 1 of 4

INFORMATION:

R. Imrie Conn  
 885 Flournoy Valley Rd.  
 Roseburg, Oregon 97470  
 408 395-6558

JAN 21 1993

CARL...  
 SALL...

SOURCE(S):

unnamed creek into stockal creek  
 into south umqua River

DIVERSION  
 POINTS:

2

MOTOR:

Diversion Point No. 1

Diversion Point No 2

Brand, wade co.

None

type, Gasoline

HP, 15

Max. RPM's

PUMP:

Brand, wade co

None

type, centrifugal

intake/discharge dia | 1" / 3"

size of pulleys.

PIPE: 3" metal

JAN 20 1983

HEADS: Rainbird

USE(S): Irrigation  
stock

LIFT: 0

SURVEY TIE: Field tie to property line.  
Assessor map T27S R6W section 8 and 17

SPECIAL  
CONDITIONS:

REMARKS:

MAY 2 1989

The final proof survey and inspection of the use as found to be completed under the terms and conditions of Registration Statement was completed by me on 1-18-93, and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



I, R. Imrie Conn 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

R. Imrie Conn

FINAL PROOF CALCULATIONS

Page 4 of 4

Given Data :

Duty of water =  $\frac{1}{80}$ th cfs per Acre.  
 Acres allowed as irrigated = 15.0  
 operating pressure = ?  
 pump 15 HP centrifugal  
 suction lift = 0  
 discharge lift = 0  
 sprinkler heads rainbird No 30  $\frac{5}{32}$   $\frac{3}{32}$

JUN 6 1983

Assume 40 PSI

$$Q_{\text{pump}} = \frac{6.61 \times 15}{0 + 101.6} = 0.9759 \text{ cfs}$$

$$Q_{\text{heads}} = \frac{6.1 \times 20}{449} = 0.2717 \text{ cfs}$$

thus the system's theoretical capacity is 0.9759 cfs.

The duty of water for the permit is  $\frac{1}{80}$ th of one cfs per Acre. Since 15.0 Acres were found to have been Beneficially Irrigated, the maximum Q is  $\frac{15}{80.0} = 0.1875 \text{ cfs}$ .

only the 10 Acres was irrigated with a pump.  
 the 5 Acres was irrigated without a pump.

since the system and areas that don't need a pump are capable of delivering the full duty amount, the Q allowed on the final water Right certificate will be limited in this case 0.1875 cfs for Irrigation.

stock is for up to 100 sheep and 50 cows.  
 Based on this and Acres, the stock watering should be 0.01 cfs.

Dune Kelly

RECEIVED

NOV - 8 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

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\2\SWR-0254.00M

Don Knauer

11-1-93

Here is the corrected map  
per your Request

D. Kirby



**RECEIVED**

NOV - 3 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

WATER  
RESOURCES  
DEPARTMENT

September 16, 1993

DUANE W. KIRBY  
8087 LOOKINGGLASS ROAD  
ROSEBURG OR 97470

RE: File# **SWR-254**

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 Conn Living Trust - R. Imrie Conn, Co.. You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

- |                      |                                                                                                                                                                                                                                              |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| source & trib        | You must show the source and identify it on the map for diversion point #1.                                                                                                                                                                  |
| conveyance           | ORS 539.120 "...the location of .... and each ditch, canal, pipeline or other means of conveying the water..." You must show how the water gets to the place of use and how it is spread over the fields. This is for both diversion points. |
| diversion point size | OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." You must supply the required information for diversion point #2.                                                                                     |

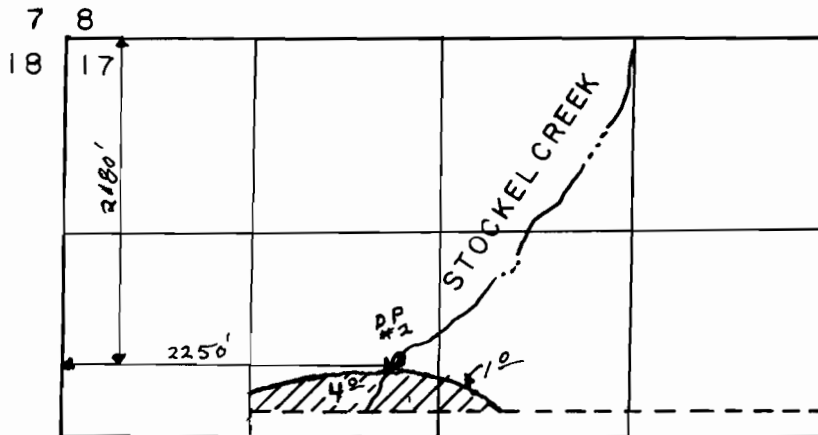
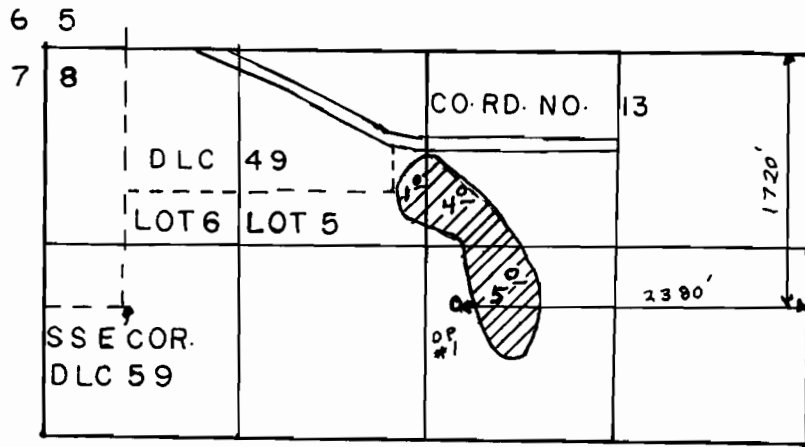
Stockwater is a part of this claim. You have given no information about stockwater source, use, place of use, etc. You must explain why you did not include stockwater in your mapping and report.



T. 27S., R. 6 W., W.M.

SCALE: 1" = 1320'

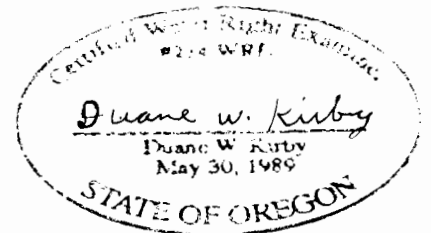
REGISTRATION STATEMENT MAP



UNDER

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.

IN NAME OF R. IMRIE CONN  
Surveyed JAN. 18, 1993, by DUANE KIRBY



JAN 28 1993

WATER RESOURCE DEPT.  
SALEM, OREGON

CONN LIVING TRUST  
R. IMRIE CONN, Co-TTEE  
885 FLOURNOY VALLEY RD.  
ROSEBURG, OR. 97470

DEC. 30, 1992

STATE OF OREGON  
WATER RESOURCE DEPT.  
3850 PORTLAND RD. N.E.  
SALEM, OR. 97310

GENTLEMEN: PRE-1909 VESTED WATER RIGHT, T.27 S., R.6 W.,  
W.M., SECTIONS 8 & 17.

AS REGARDS TO THE SAID REGISTRATION STATEMENT FOR THE ABOVE  
DESIGNATED PROPERTY, I CAN MAKE MY OWN PERSONAL REFLECTIONS:

MY FATHER, HENRY ROSCOE CONN, WHO WAS BORN IN OREGON DECEMBER  
31, 1888, INFORMED ME THAT HENRY CONN, MY GREAT-GRANDFATHER,  
AND HIS FAMILY MIGRATED TO OREGON 1853-1854. THERE WERE 12  
CHILDREN IN THIS FAMILY, 2 OF WHICH WILL BE DISCUSSED HEREIN,  
THE SECOND BORN 1842 IN INDIANA, HENRY CONN, MY GRANDFATHER,  
AND THE TWELFTH BORN 1864 IN OREGON, NORCISSA CONN, MY GREAT  
UNCLE.

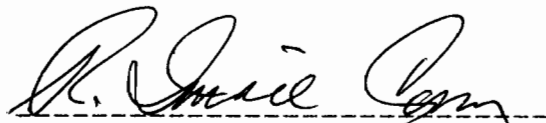
THE FAMILY OF HENRY CONN, MY GREAT-GRANDFATHER, OWNED AND  
OPERATED PROPERTY FROM A LOCATION NEAR ROCKY POINT ON THE  
SOUTHERLY SIDE OF THE SOUTH UMPQUA RIVER TO THE SCOTT  
PROPERTY WHERE THE MELROSE SCHOOL IS LOCATED, EXCEPTING THE  
BUSENBARK RANCH, AND INCLUDING THE WILLIAM MCKINNEY D.L.C. #50,  
PURCHASED BY HENRY CONN 21ST. DAY OF NOVEMBER, 1864, ALL IN  
DOUGLAS COUNTY, OREGON.

ALL OF THIS PROPERTY HAS BEEN USED FOR VARIOUS CROPS WITH  
IRRIGATION, LIVESTOCK OF HORSES, CATTLE, SHEEP, HOGS AND  
TURKEYS. WELLS WERE DUG FOR DOMESTIC USE, AND VARIOUS  
STREAMS, FLOWING INTO THE SOUTH UMPQUA RIVER, A TRIBUTARY TO  
THE UMPQUA RIVER WHICH DISCHARGES INTO THE PACIFIC OCEAN,  
WERE USED FOR STOCK WATERING AND IRRIGATION. ANY PROPERTY  
IN THE DESCRIBED AREA IS ENTITLED TO PRE-1909 WATER RIGHTS.

THE FIRST BREAK-UP OF THIS TOTAL PROPERTY OF HENRY CONN, MY  
GREAT-GRANDFATHER, WENT TO SONS: HENRY CONN, MY GRANDFATHER;  
VIRGIL CONN; HARMON CONN; AND NORCISSA CONN. VARIOUS OTHER  
DIVISIONS HAVE SINCE BEEN MADE WITH MANY IN THE CONN FAMILY.  
NORCISSA CONN CONTINUED OPERATION ON THE PARCEL IN THIS  
APPLICATION WITH IRRIGATION OF CROPS AND LIVESTOCK AND LATER  
TURKEY GROWING. IRRIGATION WAS DONE ON APPROX. 5 ACRES AND  
STOCK WATERING FROM THE STOCKEL CREEK NEAR THE SOUTHERLY  
PORTION OF THIS PROPERTY FROM THE LOCATION CALLED  
"GRASSHOPPER FALLS". STOCKEL CREEK FLOWS INTO THE SOUTH  
UMPQUA RIVER, TRIBUTARY TO THE UMPQUA RIVER WHICH DISCHARGES  
INTO THE PACIFIC OCEAN. VARIOUS OTHER STOCK WATERING HOLES  
WERE USED FURTHER NORTH ON THE STOCKEL CREEK. TWO UNNAMED

CREEKS WERE USED FOR IRRIGATION OF APPROX. 10 ACRES AT THE NORTHERLY PORTION OF THIS PROPERTY AS WELL AS STOCK WATERING HOLES. BOTH OF THESE UNNAMED CREEKS FLOWED INTO THE STOCKEL CREEK AT DIFFERENT LOCATIONS, AND THE STOCKEL CREEK EMPTIES INTO THE SOUTH UMPQUA RIVER A TRIBUTARY TO THE UMPQUA RIVER WHICH DISCHARGES INTO THE PACIFIC OCEAN. NORCISSA CONN, ALSO ESTABLISHED AN ORCHARD OF APPROX. 10 ACRES ADJACENT TO THE PROPERTY HEREIN WITH IRRIGATION.

TO THE BEST OF MY KNOWLEDGE AND BELIEF THE FOREGOING IS A TRUE AND ACCURATE RESUME AND IS CERTIFIED HERETO, AND USES HAVE CONTINUED SINCE THE DATE LISTED IN THIS APPLICATION FOR THIS PROPERTY.

A handwritten signature in black ink, appearing to read "R. Imrie Conn", written over a horizontal dashed line.

R. IMRIE CONN  
(ROSCOE I. CONN)  
OFFICER - 0-378086

No. 3



**CONTEMPO REALTY**

11-18-92

Rich.

① Again H B needs date of  
NARCISSÉ CONN'S DEED.

② H A to be April 20,  
2 year following deed, all to  
be Feb. 24, of 1909!

③ C W R E Map.

158 N. Santa Cruz Ave.  
Los Gatos, Ca. 95030

Bus 354-2295

Res 395-0370

✍️ Not to size my sig when  
doing letters.  
♥️ your referrals! F.



**SUSAN FAGIN**  
Realtor



INFORMATION

DIV. UNKNOWN AS GRASSHOPPER FALLS  
IN S. CREEK

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DEC 2 1992

WATER RESOURCES DEPT.  
SALEM, OREGON

DIV 5 A8.

TRUCKEE  
SOUTH OMPQUA  
TR OMPQUA RIVER

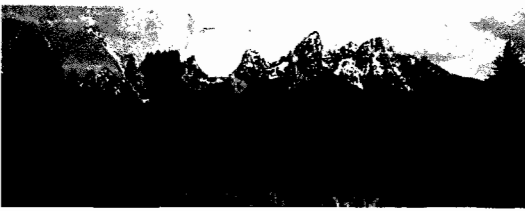
TRUCKEE

STANDARD SHORT

990

10 AC DIV  
UNDEVELOPED  
LAB

T. 27 S., R. 6 W., W.M.



Duane W. Kirby, C.W.R.E.

To: Water Resources Department

I am preparing map for

R. Irvine Conn for T 27 S R 6 W 38  
T 27 S R 6 W 317

I will have it and the site

Report to you by February 1, 1993



RECEIVED

JUN 28 1993

8087 Lookingglass Rd.  
Roseburg, Oregon 97470



W. Henry (This Indenture made by and between William  
Henry, of the County of Washington, and State of Oregon,  
and Henry Conn, of Douglas County, and  
State of Oregon, this 21<sup>st</sup> day of November, 1851, by  
virtue of a tract for and in consideration of the sum  
of three thousand and dollars, lawful money of the  
United States, to us in hand paid, the receipt whereof  
is hereby acknowledged, we have bargained,  
sold and conveyed, and by these presents do bargain,  
sell and convey unto Henry Conn the following  
described premises to wit, all that certain piece  
parcel of land, situate and being in Douglas County,  
Oregon, commencing at a point five chains and thirty  
links west and nine chains and ninety links  
from quarter post on line between sections four (4)  
and nine (9) in Township 27 south, R. 6 west, three  
North (24.37.40), fifty four chains and thirty seven links  
thence East (4.00), four chains to Umpqua River  
thence meandering said River up stream as follows  
viz South twenty six degrees (26.10' E) fifteen minutes East  
twenty two chains and twenty eight links (22.28), thence  
South ten degrees (10.30' E) thirty minutes East, thirty  
chains eight links (33.08) thence South (13.30' E) thirteen  
degrees and thirty minutes East, ten chains nine links  
(10.19) thence South seven degrees East, twenty one chain and  
twenty six links, thence South (26.30' E) twenty six degrees  
and thirty minutes East, twenty two chains, and thirty six  
links (23.36) thence South 11.00 eleven degrees west (29.03)  
twenty nine chains and fifty five links, thence South (29.03)  
thirty one degrees and forty five minutes west, nineteen  
chains and thirty four links (19.24) thence South 11  
west eleven chains degrees west, twenty chains and six  
links (20.06), thence west forty one chains and nine links  
thence North (0.23) twenty seven minutes East, one chain  
and four chains and fifty six links (04.56) thence east  
twenty four chains and seventy four links to the

viz South twenty six degrees (26.15 E) fifteen minutes East  
thence two chains and twenty eight links (22.28) thence  
South ten degrees (10.30 E) thirty minutes East, thirty  
chains eight links (35.18) thence South (13.30 E) thirty  
degrees and thirty minutes East, ten chains nineteen links  
(10.19) thence South seven degrees East, twenty one chains and  
twenty six links, thence South (26.30 E) twenty six degrees  
and thirty minutes East, twenty two chains, and thirty six  
links (23.36) thence South 11.00 eleven degrees west (29.00)  
twenty nine chains and fifty five links, thence South (30.00)  
thirty one degrees and forty five minutes west, nineteen  
chains and thirty four links (17.24) thence South 11  
west eleven chains degrees west, twenty chains and  
links (24.06), thence west forty one chains and nineteen  
thence North (10.23) twenty three minutes East, one chain  
and four chains and fifty six links (10.56) thence east  
twenty four chains and twenty four links to the place  
beginning and containing six hundred and thirty  
three <sup>100</sup> acres (633.75) more or less, said claim with  
Deviation claim of the said William McHenry and  
Ann McHenry N. 50. as described on the plat of  
Survey in the Office of the Register & Receiver, Rowland  
Oregon, together with all and singular the heredit-  
aments and appurtenances therunto belonging.

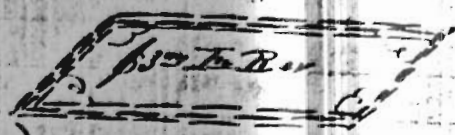
To have and to hold the above granted  
and bargained premises with the appurtenances there-  
unto the said Henry Combs his heirs and assigns to  
his and their own proper use and behoof forever.  
And we the said do for ourselves and our heirs

and administrators consent with the  
 said Henry Commins his heirs and assigns that  
 at and until the encroaching of these presents we  
 are well seized of the premises as of a good and  
 lawful tenement, fully exempted from all taxes and  
 the same are free from all excommunications  
 whatsoever, and further we do by these presents bind  
 ourselves, and our heirs to warrant and forever  
 defend the above granted and bargained premises  
 unto the said Henry Commins his heirs and assigns  
 against all claims and demands whatsoever  
 In witness whereof we have hereunto set  
 our hands and seals the day and year first above  
 written

Witnesses  
 Roger Jackson  
 Thomas Humphrey

Opo No. Commins  
 Ann & No. Commins  
 made

{ seal }  
 { seal }



State of Oregon  
 County of Washington } ss

On this 21<sup>st</sup> day of November  
 A.D. 1864 before me personally Edward Williams  
 Notary Public and Ann his wife to one known  
 to be the individuals described in and who  
 executed the foregoing conveyance and acknowl-  
 edged that they executed the same, and the  
 said Ann wife of Williams protesting aforesaid  
 acknowledged in a private examination by me  
 made apart from her husband that she  
 executed the said conveyance fully and without  
 fear or compulsion of any one

In witness whereof I have hereunto  
 set my hand and affixed the seal of aforesaid  
 Court at Willoughby this 21<sup>st</sup> day of November  
 A.D. 1864

Thomas Humphrey  
 County Clerk

Recorded February 4<sup>th</sup> 1865

L. S. Williams  
 Recorder

Washington, the twentieth day of April in the  
year of our Lord one thousand Eight-hundred  
and Eighty-two, and of the Independence of the  
United States the one hundred and sixtieth.



By the President. Chester A. Arthur  
By N. H. Cook. Secretary  
S. W. Cook, Recorder of the General Land Office

1729. 2 p 277)

RECEIVED  
G 28-194

Recorded June 26<sup>th</sup> 1884  
S. W. Kimball  
S. C. First Deputy

Susan Smith et al  
Jane A. Chadwick

This Indenture Witnesseth, that Susan  
Smith, Henry A. Smith and Florence  
E. Smith his wife and William R. Smith and Amelia  
his wife for the consideration of the sum of one dol-  
lar to them paid, the receipt thereof is acknowledged  
have bargained and sold and by these presents do  
bargain sell and convey to Mrs. Jane A. Chadwick the  
following described premises to wit: Beginning at the  
centre of Deer Creek on the west line of the land claim  
of said William J. Perry {donation} from thence running  
South (13) thirteen chains and (6) links to a post marked  
N<sup>o</sup> 2 from thence East fifteen (15) chains on South boundary  
of W<sup>m</sup> J. Perry's land claim to a post marked B. thence  
North (11) Eleven chains, and (90) ninety links to the cen-  
tre of said Deer Creek thence Westwardly along the centre of  
said creek to the place of beginning, the same con-  
taining Nineteen and fifty nine one hundredths  
acres. Also beginning at the E corner of old tract of S. J.  
Chadwick's land thence East two chains and fifty

United States

Do it } The United States of America, To all to whom  
 Henry Conn } these presents shall come, Greeting  
 Certificate } Whereas, Henry Conn of Douglas County,  
 No 845 } Oregon, has deposited in the General Land  
 Office of the United States a Certificate of the Regis-  
 ter of the Land Office at Roseburg, Oregon. Whereby  
 it appears that full payment has been made  
 by the said Henry Conn, according to the pro-  
 visions of the act of Congress, of the 27th of April  
 1820 entitled An act making further provision  
 for the sale of the Public Lands, and the acts  
 supplemental thereto for the Lot numbered  
 seven of section four in township twenty seven  
 south of range six West of the Meridian in  
 Oregon containing one acre and ninety seven  
 hundredths of an acre. According to the official  
 plat of the survey of said lands, returned to the General  
 Land Office by the Surveyor General, which said tract  
 has been purchased by the said Henry Conn. 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  
 sold and granted, and by these presents do give  
 and grant, unto the said Henry Conn, and to  
 his heirs, the said tract above described, To have and  
 to hold the same, together with all the rights, privileges,  
 immunities, appurtenances of whatsoever nature thereunto  
 belonging, unto the said Henry Conn, and to his heirs,  
 and assigns forever, subject to any vested and accrued  
 water rights for running, agricultural, manufacturing,  
 or other purposes, and rights to ditches and reservoirs  
 used in connection with such water rights, as may be  
 recognized and acknowledged by the local customs  
 laws and decisions of courts, and also subject to the  
 right of the proprietor of a vein or lode to extract and  
 remove his ore therefrom, should the same be found  
 to penetrate or intersect the premises hereby granted  
 as provided by law. In testimony Whereof I Chester  
 A Arthur, 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

L. S. Conn - vs Henry Conn

This Indenture witnesseth that L. S. Conn for and in consideration of the sum of one dollar to him without paid, the receipt whereof is hereby acknowledged, has bargained, sold and by these presents does bargain sell and convey unto Henry Conn (the father of the said L. S. Conn) the following described premises, to-wit: The East half of the South East Quarter, the South East Quarter of the North East quarter and Lots one, two, fifteen and sixteen of Section five and Lot two of Section Eight in Township Truety seven South of Range six west, and Lot Eleven of Section Thirty-two of Township Truety-six South of Range six West, containing three hundred fifteen and 3/400 acres; also the South East Quarter, the South half of the North East Quarter and Lots three and four of Section Eight and Lots twelve and thirteen of Section nine in Township Truety seven South of Range six west, containing three hundred nineteen and 7/100 acres more or less. The Donation claim number fifty of William M. McKinney and Ann McKinney, his wife, the said claim being parts of Sections four, nine and sixteen in Township Truety seven South of Range six west and containing six hundred thirty-three and 5/100 acres. Also the following described premises to-wit: Beginning at the South West corner of the Donation claim of Henry Conn and wife, thence north nine 7/100 chains; thence west eleven 5/100 chains; thence South forty chains; thence East fifteen 7/100 chains; thence north thirty 29/100 chains; thence west three 7/100 chains to the place of beginning, containing fifty-nine and 10/100 <sup>pages</sup> chains; also the Lot number twelve of Section sixteen in Township Truety seven South of Range six west, containing sixteen and 7/100 acres. Also Lots numbered three and four in Section five in Township Truety seven South of Range six west, containing thirty-one and 7/100 acres. Also the following described premises to-wit: Beginning twenty chains South of the section corner to Sections eight, nine, sixteen and seventeen and running thence East to the West boundary of Wm McKinney's Donation claim N. 50, thence

South Swerton and 5000 acres; these West to the Section  
line between sections sixteen and seventeen these North  
Swerton and 5000 Acres to the place of beginning.  
being part of Lat twelve of Section sixteen in Township  
Twenty Seven South of Range six west containing fourteen  
5000 acres. Also the East half of the South West quarter of  
Section Eight and the East half of the North West quarter  
of Section Seventeen in Township Twenty Seven South  
of Range six west. Containing One hundred and six by  
acres. Also the North East Quarter of Section Sixteen  
in Township Twenty Seven South of Range six west  
containing One hundred and six by acres.  
Also the Lat numberd Seven of Section Four in Township  
Twenty Seven South of Range six west, containing One  
and 9000 acres. Also Lat Eleven of Section Nine in  
Township Twenty Seven South of Range six west con-  
taining ten and 6000 acres. Also Lat one of Section  
Eighteen in Township Twenty Seven South of Range six  
west containing Ninety and 700 acres. Also Lat  
fourteen of Section nine in Township Twenty Seven  
South of Range six west containing seven and  
2000 acres. Also Lat Five of Section Five in Township  
Twenty Seven South of Range six west containing  
sixteen and 8000 acres. Also the South half of the  
claim numbered Forty Seven (47) in Township Twenty Seven  
South of Range six west, the same being part of the  
Donation claim of Josiah Atwater in Sections  
Twenty Seven, Twenty Eight, thirty three and thirty four  
containing One Hundred and sixty acres; Also  
the Donation claim of Hugh D. Bryant and wife, being  
claim No 49 in Sections thirty five and thirty four  
in Township Twenty Seven South of Range Six  
Claim No 39 in Sections two and three Township  
Twenty Seven South of Range seven west containing  
Three thousand nineteen and 1000 acres. Also the  
North half of the South west quarter and the South East  
quarter of the North west quarter and the North West  
quarter of the South East quarter and the West half  
of the North East quarter of Section four in Township  
Twenty Seven South of Range seven west. Containing  
Two thousand and forty two and 900 acres. Also  
the South half of the South West quarter the South West

quarter of the south east quarter and Lots five six  
 seven eight and nine of Section thirty four and  
 Lots two and three of Section thirty three in Town-  
 ship Twenty six South of Range seven west containing  
 two hundred and ninety six and  $\frac{2}{100}$  acres. Also  
 Lot one of Section two in Township Twenty seven  
 South of Range seven west and Lot one, two, three, four  
 and five of Section thirty-five in Township Twenty  
 six South of Range seven west, containing two hundred  
 and one and  $\frac{65}{100}$  acres; Also the north half of the south  
 west quarter, the north west quarter of the south east  
 quarter and Lots three, four and five of Section  
 three and the north east quarter of the south east  
 quarter and the east half of the north east quarter  
 of Section four in Township Twenty seven South of  
 Range seven west, containing Three Hundred and thirty  
 nine and  $\frac{47}{100}$  acres. Also the south west quarter  
 of the south east quarter of Section thirty three in  
 Township Twenty six South of Range seven west containing  
 forty acres. Also the south west quarter of the north east  
 quarter and the south east quarter of the south east  
 quarter of Section thirty three in Township Twenty  
 six South of Range seven west containing eighty acres  
 Also the north west quarter of the south east quarter  
 of Section thirty-three in Township Twenty six  
 South of Range seven west containing forty acres.  
 Also the Lots numbered twelve in Township Twenty seven  
 South of Range six west containing Twenty-Two and  
 $\frac{97}{100}$  acres all in Douglas County, State of Oregon  
 and containing on the aggregate Three thousand  
 four hundred Eighty One and  $\frac{22}{100}$  acres more  
 or less. It gets in with the tenements, hereditaments  
 and appurtenances thereto belonging or in any  
 wise appertaining to said and shall hold the said  
 premises with their appurtenances unto the said <sup>Henry</sup> Con-  
 n, his heirs and assigns forever. And the said  
 L<sup>d</sup> Conn hereby covenants to and with the said  
 Henry Conn his heirs and assigns that he is the owner  
 of the said premises in fee simple; that they are free  
 from all incumbrances (save and except a judgment  
 and decree of foreclosure for the sum of seven hundred  
 Six hundred Eighty five and  $\frac{22}{100}$  Dollars and the



costs and disbursements therefor taxed at twenty  
 eight and 8/100 per annum, with interest on said  
 judgment and costs and disbursements at  
 the rate of six per cent. per annum from November  
 12th. 1889 which said judgment and decree with costs  
 and disbursements and interest is a lien on the south  
 half of the Donation land claim of Harry Conn  
 and Mary J Conn, his wife, situated in Township  
 Twenty-Six and Strony Town South of Range Six  
 west of the Nicamuel Meridian and that he  
 will warrant and defend the same from all  
 lawful claims whatsoever. Save and except the  
 aforesaid judgment and costs and disbursements  
 together with accumulated interest thereon  
 In Witness whereof I have hereunto set my  
 hand and seal this 22 day of February A.D. 1890

Lucien Prussia of }  
 Geo A Burnett }  
 J B Wardall }

L. J. Conn

State of Oregon  
 County of Marion

On this 22 day of February  
 1890 before the undersigned, a Notary Public  
 and for the County of Marion <sup>and</sup> State of Oregon  
 personally came L. J. Conn, known to me to  
 be the identical person who executed the foregoing  
 conveyance and acknowledged to me that he  
 executed the same for the uses and purposes therein  
 named, freely and without fear or compulsion  
 from any one.

Witness my hand and Notarial seal this 22  
 day of February A.D. 1890

Geo A Burnett

Notary Public

Filed & Recorded Feb 24 1890

J. A. Taylor  
 County Clerk

SWE-253, 254, 255

3/23/95

MR. IMRIE LOWN CALLED  
ABOUT THE STATUS OF THE  
CLAIMS. I TOLD HE THEY  
HAVE MET THE REQUIREMENTS.  
THEY HAVE THE LEGAL RIGHT  
TO USE THE WATER. HE  
ASKED IF THERE WAS MORE  
HE MUST DO. I SAID NO.

DET

**SURFACE WATER REGISTRATION CHECKLIST**

(received after July 18, 1990)

CHECK BASIN MAP det NAME Unpqua #16 UNADJUDICATED AREA ? yes  
RECEIPT # 95573 S W R NUMBER 254  
CHECK ENCLOSURES det PRELIMINARY DATA BASE ENTRY DWF  
ACKNOWLEDGEMENT LETTER det ENTER ON STREAM INDEX \_\_\_\_\_  
CHECK QUADRANGLE MAP \_\_\_\_\_ CHECK GLO PLATS \_\_\_\_\_  
WATERMASTER CHECKLIST \_\_\_\_\_ PUBLIC NOTICE PUBLICATION SCS

**FORM REVIEW**

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

**MAP REVIEW**

<u>#2</u>	<u>2</u>	_____	source and trib
<u>#3</u>	<u>3</u>	_____	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
<u>#12</u>		_____	dimensions and capacity of diversion system
		_____	"beneficial use" type title
		_____	"permanent-quality" paper
		_____	<u>1/10th ACRE</u>

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

December 9, 1993

DUANE W KIRBY  
8087 LOOKINGGLASS RD  
ROSEBURG OR 97470

RE: SWR-254

Dear Mr Kirby,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of CONN LIVING TRUST you returned with corrections and completions. I have added the map to the 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\1\1\2\SWR-0254.003



November 3, 1993

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WATER  
RESOURCES  
DEPARTMENT

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DUANE W KIRBY  
8087 LOOKINGGLASS RD  
ROSEBURG OR 97470

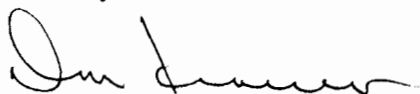
RE: SWR-254

Dear Mr Kirby,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of CONN LIVING TRUST you returned with corrections and completions. I have added the map to the file. Thank you for your attention to this matter. There is still the questions about **diversion point #2**, it appears there are ditches at this diversion point. You must submit the dimensions of the ditches.

If you have any questions, please give me a call.

Sincerely,



Don Knauer  
Adjudication Specialist

J:\W\S\C\2\SWR-0254.002



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

September 16, 1993

DUANE W. KIRBY  
8087 LOOKINGGLASS ROAD  
ROSEBURG OR 97470

RE: File# **SWR-254**

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 Conn Living Trust - R. Imrie Conn, Co.. You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

source & trib

You must show the source and identify it on the map for diversion point #1.

conveyance

ORS 539.120 "...the location of .... and each ditch, canal, pipeline or other means of conveying the water..." You must show how the water gets to the place of use and how it is spread over the fields. This is for both diversion points.

diversion point size

OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." You must supply the required information for diversion point #2.

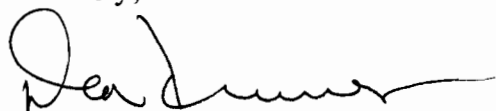
Stockwater is a part of this claim. You have given no information about stockwater source, use, place of use, etc. You must explain why you did not include stockwater in your mapping and report.



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", with a long horizontal flourish extending to the right.

Don Knauer  
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\2\SWR-0254.00M

February 18, 1993

CONN LIVING TRUST  
885 FLOURNOY VALLEY ROAD  
ROSEBURG OR 97470

Dear MR CONN,

This will acknowledge that your Surface Water Registration Statement in the name of CONN LIVING TRUST has been received by our office. The fees in the amount of \$230.00 have been received and our receipt #95573 is enclosed. Your registration statement has been numbered SWR-254.

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-0254.001



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



**STATE OF OREGON**  
**WATER RESOURCES DEPARTMENT**

RECEIPT # **95573**

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

RECEIVED FROM: R. Innie Conn, Trustee  
 BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	

CASH:  CHECK: #  2412 OTHER: (IDENTIFY)

TOTAL REC'D \$ 230.<sup>00</sup>

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

842.010	ADJUDICATIONS	\$ <u>230.<sup>00</sup></u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

COST CENTER AND OBJECT CLASS

CASH ACCT.

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	\$
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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	\$
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RECEIPT # **95573**

DATED: 12-29-92

BY: DRushell