

SITE REPORT FOR PRE 1909 VESTED RIGHT

INFORMATION: Legal Owner and Person(s) Making Claim
VIRGIE H. JOHNSON
P.O. BOX 53
DAYS CREEK, OR. 97429
Phone: (503) 839-6241 (MESSAGE)

FEB 1 1993

SOURCE(S): Unnamed springs that do not flow off the property.

DIVERSION
POINTS:

At point of diversion number 1, 2, and 3 there is no pump as this is the source of water to fill a small reservoir, and this reservoir is filled by gravity, there is a 1-1/2 inch plastic pipe that starts at the dam and runs by gravity to the yard of the house and to the garden area 1000 feet away. At point of diversion number 4 there is no pump and no pipe, this source is used for drinking water for the house and must be carried by hand to the home. The diversion point for reservoir number 2 is a spring located under the water level.

MOTOR: At all points of diversions there are no motors as all water flow is by gravity and there is no power on the property.

PUMP: There are no pumps of the property.

RESERVOIRS: Reservoir number 1 is a very old small reservoir with large trees growing out of the foot of the dam. The surface area of reservoir number 1 was calculated at 0.04 acres. Owner states that the average depth of this reservoir is 6 foot, therefore reservoir number 1 was calculated to contain 0.24 acre/feet of water. Reservoir number 2 is a newer reservoir (only 20 - 30 years old). The surface area of reservoir number 2 was calculated at 0.20 acres. Owner states that the average depth of this reservoir is 8 foot, therefore reservoir number 2 was calculated to contain 2.00 acre/feet of water. Both reservoirs have overflows cut out of natural ground.

PIPE: From reservoir number 1 there is 1100 feet of 1-1/2 inch Plastic pipe, that ends at the yard of the residence. A pressure reading was taken at the residence of 58 psi. At reservoir number 2, I found no pipe, as this reservoir is used for stock water. At time of visit there was no irrigation pipe being used, as for the time of year.

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HEADS: At time of inspection there were no sprinklers being used on the site. Owner says that they use up to 6 sprinklers hook to garden hoses to irrigate the field. All are common 5/32 single headed rainbirds.

USE: Irrigation (5.5 Acres Hay and Pasture).
Stock Watering (20 Head Cattle)
Domestic (one household)

FALL: The mean elevation difference between the water level of the source (Reservoir number one) and the place of use at the yard of the household is 140 feet.

SURVEY TIE: The nearest government corner, is the North-Center 1/16 Corner to Section 7, Township 30 South, Range 2 West, Willamette Meridian, Douglas County, Oregon. Said corner is marked by a 3 inch Brass Cap on a 2 inch iron pipe, I also found the called for bearing trees.

SITE
CONDITIONS: The area that is being claimed is a well used field of grass hay and pasture. There is evidence (old barn, old fences, old residence, and some old fruit trees) that the use of the property has been for farming. The barn that is on the property, is a very old log constructed barn. The farm is a working farm with some cross fencing for stock movement and has 20 head of cattle on the property. The fields at time of visit were all very short grass, as the cattle are ranging on them.

REMARKS: Upon arrival to the site, Virgie Johnson showed me the area to be claimed and their respected points of diversion. Virgie Johnson told me that she had always worked the field, and the hay is put away from the field into the old barn for winter feeding of cattle. There are several pieces of old farm equipment at various places on the farm, but none could be used now days, as to their age. There is also newer (gas powered equipment) on the property that is used to farm the lands today.

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CLAIM OF USE:

SPRINKLERS @ 55 psi:

$$\frac{6 \times 5.3}{449} = \frac{31.8}{449} = 0.0708 \text{ cfs}$$

SURVEYED 5.5 Acres (irrigated)

use per acre = 1/80 cfs/acre

$$\frac{5.5}{80} = 0.069 \text{ cfs}$$

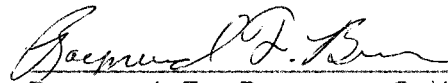
domestic = 0.01 cfs

stock water = 0.01 cfs

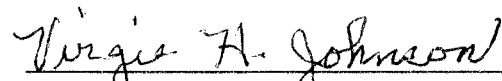
CLAIM OF USE 0.089 CFS.

The Pre 1909 Vested Right Survey and inspection of the uses listed in the Site Report was completed by me on February 02, 1993, and the facts contained in this report and accompanying Pre 1909 Vested Right Survey Map are correct to the best of my knowledge.



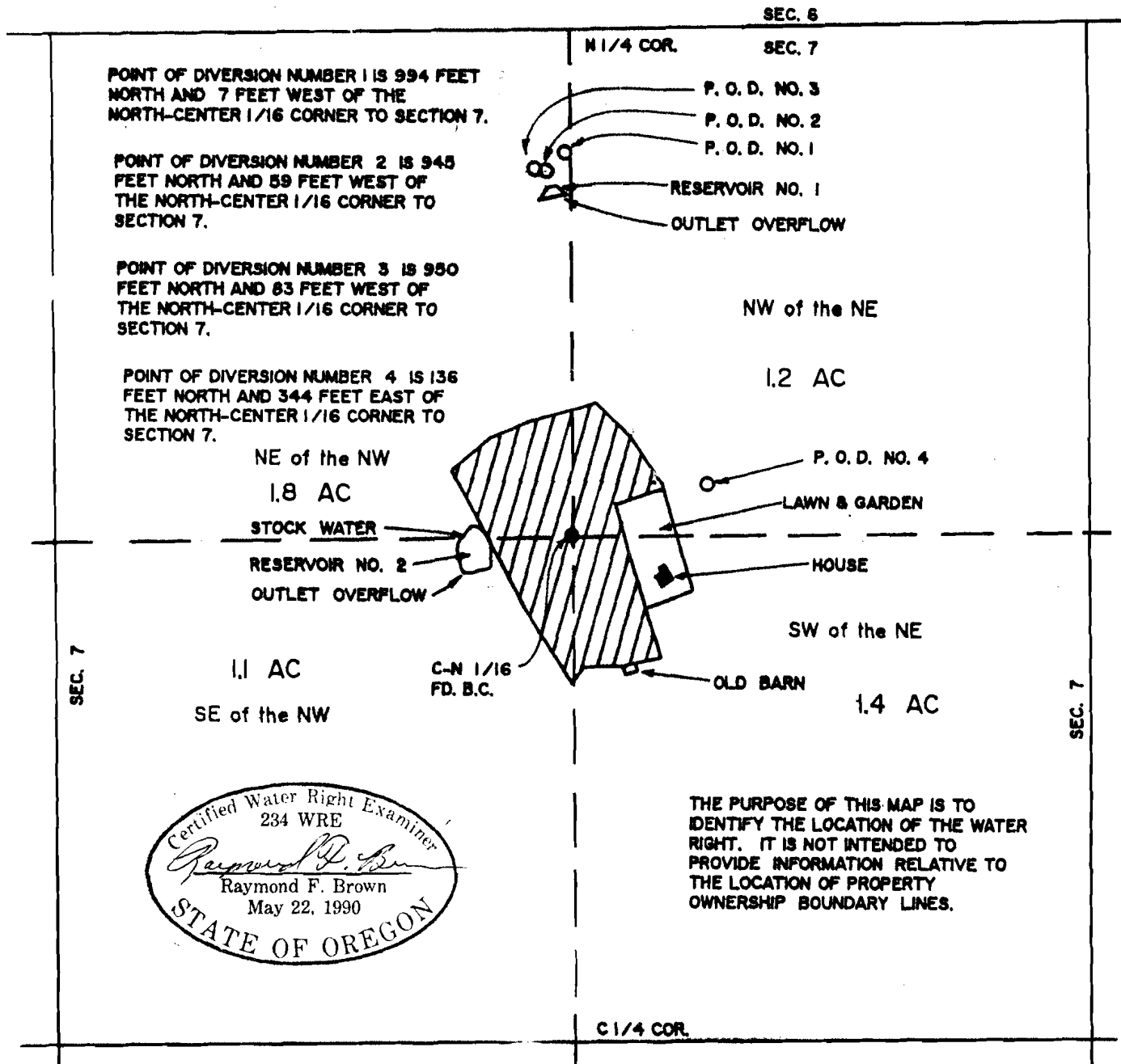

Raymond F. Brown - C.W.R.E. 234

I, Virgie H. Johnson agree to the findings of the CWRE and do submit this site report and map as Claim of Use of the water under Pre 1909 Vested Right.


Virgie H. Johnson

T. 30 S., R. 2 W., W.M.

SCALE: 1" = 400'



PRE 1909 VESTED RIGHT
SURVEY

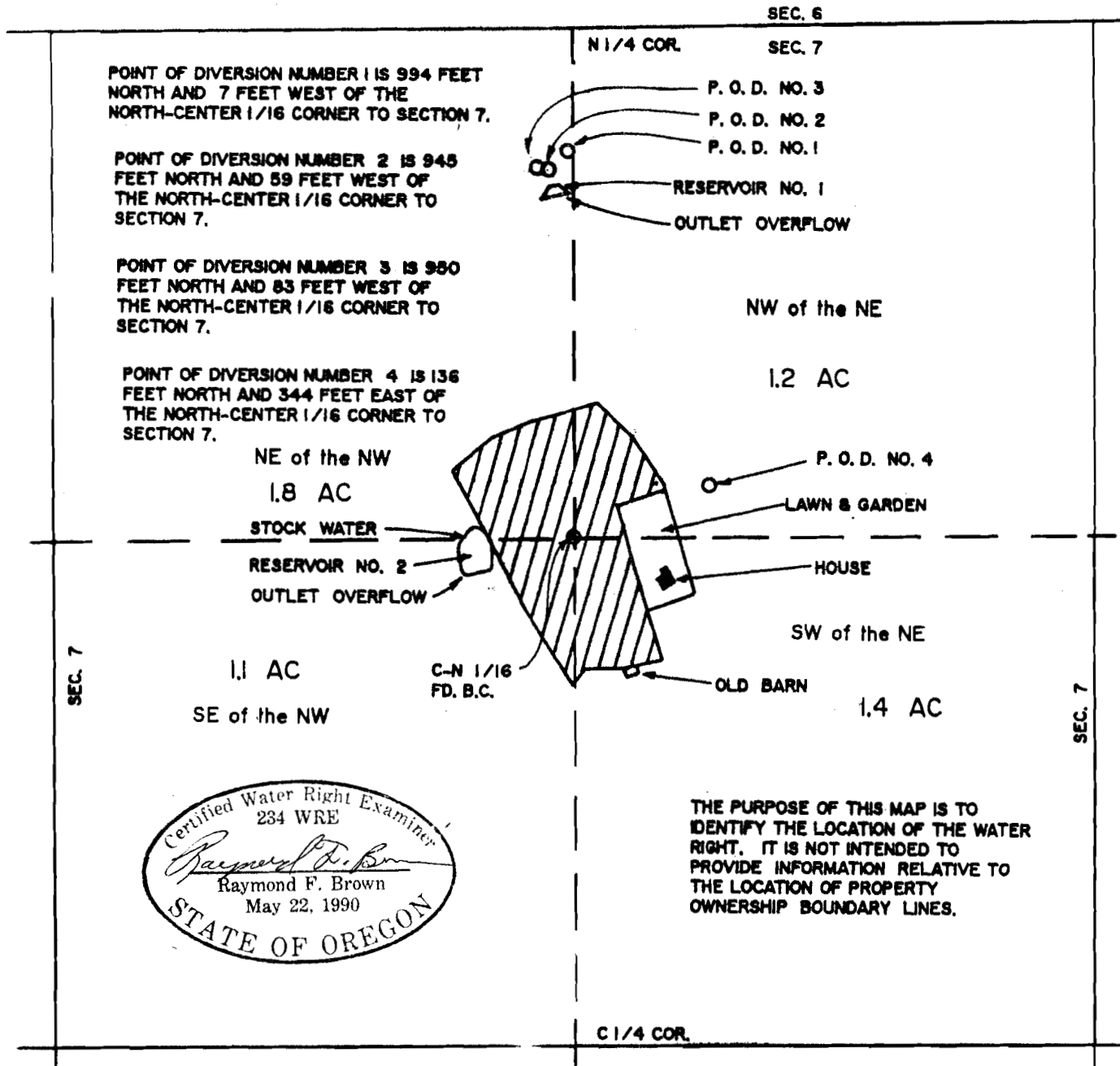
IN NAME OF

VIRGIE H. JOHNSON

SURVEYED: FEB. 02, 1993 BY: R.F. BROWN

T. 30 S., R. 2 W., W.M.

SCALE: 1" = 400'



PRE 1909 VESTED RIGHT
SURVEY

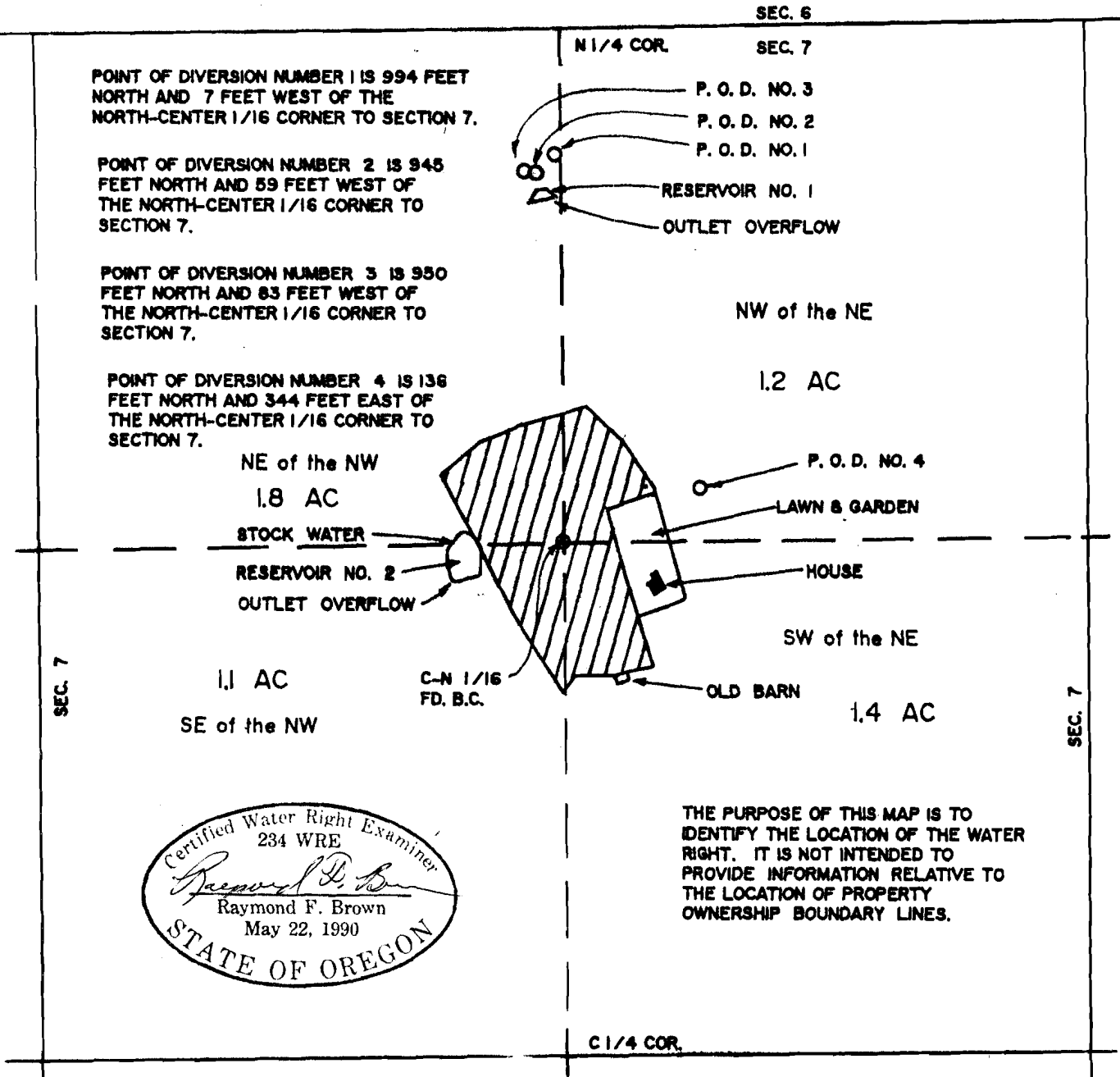
IN NAME OF

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SURVEYED: FEB. 02, 1993 BY: R.F. BROWN

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SCALE: 1" = 400'



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.

PRE 1909 VESTED RIGHT
SURVEY

IN NAME OF

VIRGIE H. JOHNSON

SURVEYED: FEB. 02, 1993 BY: R.F. BROWN

T. 30 S., R. 2 W., W.M.

SCALE: 1" = 400'

POINT OF DIVERSION NUMBER 1 IS 994 FEET NORTH AND 7 FEET WEST OF THE NORTH-CENTER 1/16 CORNER TO SECTION 7.

POINT OF DIVERSION NUMBER 2 IS 945 FEET NORTH AND 59 FEET WEST OF THE NORTH-CENTER 1/16 CORNER TO SECTION 7.

POINT OF DIVERSION NUMBER 3 IS 950 FEET NORTH AND 83 FEET WEST OF THE NORTH-CENTER 1/16 CORNER TO SECTION 7.

POINT OF DIVERSION NUMBER 4 IS 136 FEET NORTH AND 344 FEET EAST OF THE NORTH-CENTER 1/16 CORNER TO SECTION 7.

SEC. 7

NE of the NW
1.8 AC

STOCK WATER

RESERVOIR NO. 2

OUTLET OVERFLOW

1.1 AC

SE of the NW

N 1/4 COR.

SEC. 6

SEC. 7

P. O. D. NO. 3

P. O. D. NO. 2

P. O. D. NO. 1

RESERVOIR NO. 1

OUTLET OVERFLOW

NW of the NE

1.2 AC

P. O. D. NO. 4

LAWN & GARDEN

HOUSE

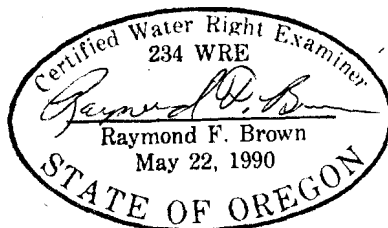
SW of the NE

OLD BARN

1.4 AC

C-N 1/16
FD. B.C.

SEC. 7



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C 1/4 COR.

PRE 1909 VESTED RIGHT
SURVEY

IN NAME OF

VIRGIE H. JOHNSON

SURVEYED: FEB. 02, 1993 BY: R.F. BROWN



T. 30 S., R. 2 W., W.M.

SCALE: 1" = 400'

SEC. 6

SEC. 7

N 1/4 COR.

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NW of the NE

1.2 AC

NE of the NW

1.8 AC

STOCK WATER

RESERVOIR NO. 2

OUTLET OVERFLOW

P. O. D. NO. 4

LAWN & GARDEN

HOUSE

SW of the NE

1.1 AC

SE of the NW

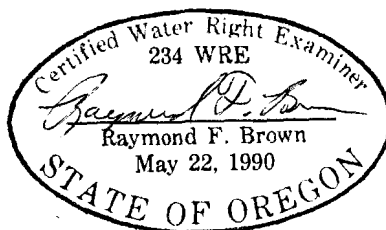
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C 1/4 COR.

PRE 1909 VESTED RIGHT
SURVEY

IN NAME OF

VIRGIE H. JOHNSON

SURVEYED: FEB. 02, 1993 BY: R.F. BROWN

To whom it may concern?

June 30, 1993.

I, Virgie H. Johnson, paid the water Records filing fee of \$430.00, so you would have a record of my water records and ownership of said water.

All the water upon my land comes from springs located inside my deeded land. I understand, when springs come up within deeded land, the water belongs to the owner of that land. This water has been continuously used by the Johnson family since 1888. I, Peter Johnson, my deceased husband's father homesteaded this land in 1888, and I mailed you this information in the John Johnson story articles.

The 1909 water law was not in effect in 1888, and therefore does not apply to my water rights as my water rights come under the Homestead Law of 1888, when Peter Johnson homesteaded this land.

My husband, John Johnson, and I had two ponds built to hold - this spring water so we could obtain enough force to run sprinklers. These ponds are many years over twenty years as my husband died in 1970, and they were there many years before he died and their water has been continuously used to irrigate pieces of this land, and also for household use and stock water.

Most Respectfully,
Virgie H. Johnson

RECEIVED

FEB - 4 1993

WATER RESOURCES DEPT
SALEM, OREGON

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DEC 28 1992
WATER RESOURCES DEPT.
SALEM, OREGON

I, Virgie H. Johnson, came to Oregon in 1933 and settled on the Johnson ranch. I am the wife of John Johnson, deceased. John Johnson's father, Peter Johnson, homesteaded the Johnson ranch in 1888 from the California and Oregon Railroad.

John Johnson proved up on Peter Johnson's homestead 120 acres in 1927, the final 40 acres was deeded to John Johnson about 1967 by an Act of Congress because he was able to prove that his father legally homesteaded this land in 1888.

Water from springs located on Johnson land has been continuously used for all purposes since 1888 by Peter Johnson and his heirs. John Johnson's relatives were on this ranch before Peter Johnson homesteaded the 160 acres and also used the springs for all purposes.

John Johnson had Elmer Sutton build two ponds to get enough pressure to use sprinklers. John Johnson died in 1970, so ponds have been continuously used over twenty years now since he died and years before he died.

Dec. 28, 1992.

Virgie H. Johnson
E.H. Box 53

Days Creek, Oregon.

97427

Check enclosed for four hundred thirty dollars

COFFEE CREEK GOLD

A SMALL PART OF OREGON'S HISTORY

By Al Sherran written for his friends, Ray and Esther Wright.

Ten years before Oregon's statehood, a troop of U.S. Military caused havoc on a small Cow Creek Indian village, and this by mistake! In retaliation, a small band of Indians from that village took life for life causing a ricochet revenge by the Cow Creek settlers who gathered a posse which went in pursuit of the Indians.

This pursuit led the posse from Cow Creek over the mountains to the South Umpqua River, then three miles up Coffee Creek, where the posse made camp. The Indians were suddenly forgotten, when one of the posse discovered gold in the creek!

It is said that a pot of coffee was poured in the creek, so they could have the pot to carry gold in. This story that led to the discovery of gold in Coffee Creek is accepted by a number of authors; though it might have been glamorized a bit, nonetheless, gold was discovered and the name is Coffee Creek.

A two hour visit in 1990 with two dear pioneers of 85 years in this area, Ray and Esther Wright, is what instigated this writing...for during our visit, we reminisced about past times to the point of nostalgia, for many happy times were recalled.

So gold was discovered in Coffee Creek, nor did it take long for the word to get out! In short time there were many miners working the creek. It is said the creek was so rich that the claims were only fifty feet long! In less than six months, the little town of Coffeerville sprang up. As all old towns in the West, the three drinking and gambling saloons were the main part of town. In a year or so, the Chinese miners began to trickle in, and eventually took over the town of Coffeerville. Then yet another town sprang up, strictly for the white miners. This little town was named Tailhold, and supported two saloons and three apple trees.

The two towns were ten minutes apart, that is, if you walked slow. These two towns may not have been so small, for between the two, there were more than 2,000 people at one time. The population at the present day may be 30, if you count the cats and dogs also.

One report from the gold office at Jacksonville, Oregon, states \$23,000,000 in Coffee Creek gold went through that office. At that date, gold may have been \$15 per ounce. The miners believe that estimate to be small, for very little Coffee Creek gold went through Jacksonville.

The creek was first mined in 1849 and is still being mined at this very day. So it would be difficult to say how much gold Coffee Creek has rendered in 140 years...nor was it only Coffee Creek which produced gold, for some of its tributaries such as Texas Gulch, Russell Gulch and Granite

Creek were also productive.

There was a wagon road to Myrtle Creek which followed part of the White Rock trail, then dropped down to Coffee Creek. Later, the settlers built a wagon road over the mountain and down Snake Creek to Milo. Part of that road was paved with poles. Still the main source of travel was the horse trail which followed Coffee Creek from the South Umpqua River.

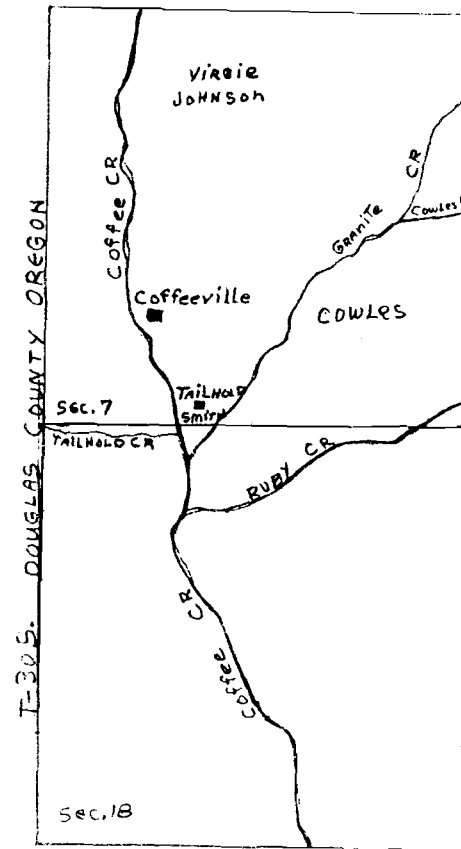
Those two old roads no longer exist and the two towns are gone, which were mostly destroyed by fire. Relics are still uncovered now and then -- gold and silver coin, a hub from a roulette wheel and whiskey bottles turned blue with age.

There are some who believe that the Lost Schieffelin Mine (see *Pioneer Days*, August, 1968 issue) may be the Coffee Creek area. Schieffelin's brother may have believed this also, for he dug a tunnel on Texas Gulch not far from Coffee Creek. There is no real evidence that this lost mine has ever been found.

Most of the Coffee Creek pioneers have gone to their reward in the sweet by and by. John Johnson inherited his father's homestead; this homestead may be the oldest of the five homesteads in the Coffee Creek area for it became a century old in 1988.

John is no longer with us, but his dear wife, Virgie Johnson, who is now 83 years old, still has a firm grip on life. Following recent surgery, her neighbors took her in to recuperate.

Joe Farquhar (Joe pronounced his name Forkway) proved up on his homestead in 1907. His wife, Margaret, a fine woman, claimed to be full American Indian, not of Oregon origin. Joe was a confessed bootlegger. Some say he distilled a very fine blend of mountain dew. Those who knew Joe found him somewhat humorous. While his wife, Margaret, was present, he would tell about falling in love with her after eating the first meal which she had cooked -- but later found out it was just indigestion. That was all in fun -- theirs was



Map of Coffee Creek area.

FROM
PIONEER DAYS IN
THE SOUTH UMPQUA
VALLEY
VOL. NO. 25 AUG 1992

RECEIVED

DEC 29 1992

WATER RESOURCES DEPT.
SALEM, OREGON

surely a true love, for they spent their lives together. Nor did Margaret want to be on this earth without Joe, for she passed away within one month of Joe.

Homer Gear, a friend of the Farquhar's, who stayed at their homestead for many years, came up missing! After months of searching, the sheriff and his posse gave up. Many believed that there may have been foul play, we will never know, for Homer Gear was never found.

Then there was Mr. and Mrs. Lenard who homesteaded 80 acres on Granite Creek. Henry Brown of Tiller would ride his saddle horse up Coffee Creek to court their daughter, Dorothy. Mr. Lenard made red bricks and sold them. He would haul them over the mountain to Perdue (now Milo) with a wagon and team. Mrs. Lenard was known as "Mother Lenard".

Earl Cowles first came to the Coffee Creek area in 1914, but because of World War I, did not homestead until after the war. His wife, Florence, had taught school for a short time in Colorado. They had four children. Story has it that even though Florence was a teacher, the State of Oregon demanded that they send their children out to public school! Earl moved his family down Coffee Creek and lived in a cave to be near the road. Strange, but said to be true!

While living in the cave, a brother to Florence came to visit. He was shocked to find his sister and her children living under such deplorable conditions! He took Florence and her four children back to Colorado, contrary to her will! Florence did not stay long in Colorado. She gathered her children and found her way back to the cave on Coffee Creek. So maybe it wasn't all that bad, surely there are worse hardships in life. All four children grew up to become respectable people. Earl was born in 1892; Florence in 1896. Florence passed away first, Earl a year later.

The last to homestead on Coffee Creek was Rose Madigan, a young widow from Portland. Her homestead is where the town of Tailhold once stood, is now owned by William and Sandra Smith. Rose moved to Coffee Creek in 1932 and filed for homestead. This caused a dispute with Earl Cowles for he had a mining claim on that property. The very first day that Rose moved into a small pole and hand split shake cabin which was already there, Earl came with a gun in hand, fired a shot in the air, and demanded her to get off his claim. Rose stepped from the door with a 12 gauge shotgun and peppered Earl with birdshot! The distance was so great that it did no damage to Earl. Still, he did not wait around for a second shot! This dispute went to court and Rose won.

All the menfolks gathered and built a 3 room log cabin for Rose. After that she was known as "the belle of Coffee Creek". It is doubtful if Earl Cowles was one of those menfolks, though they did bury the hatchet in later years. Rose married again to Frank Stillian. When he passed away, she sold her home and moved to Canyonville.

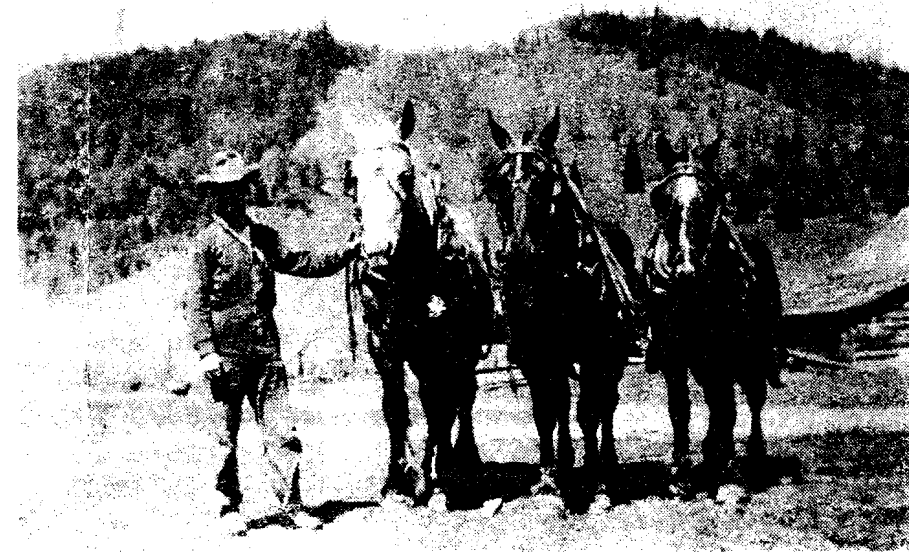
All pioneer towns had their gala occasions. Tiller being one of them. The Fourth of July was one of the happiest, where many of the pioneers, ranchers, settlers and miners would turn out in their Sunday best. If we think back far enough, we would see the ladies in their colorful long calico dresses, button shoes and bustles. They would bring their very best and favorite dish. There would be jams, jellies, home baked bread, fresh green salad from their gardens -- all for a generous picnic. A rodeo was the main event; there was horse racing, foot racing and horseshoe pitching. Those of musical talent would bring their instruments to play and sing, and also supply music to dance by. These festivities would often last for several days and all free -- just for the taking and enjoying.

The joy and happiness of those bygone days may never be captured again by modern man for it was just simple pleasure.

Pioneer Days at Canyonville is a yearly celebration to remind people of the happy times of days gone by.

Ray Wright and His Horses

Ray worked with this team in the late twenties and thirties until he bought a tractor around 1942. Picture taken looking north of present Lawrence Michaels ranch house. From left "Bob", "Maud" and "Sis".



John lived his entire life on Coffee Creek. He worked as a guide and packer for hunters and fishermen, farmed, logged and worked for the Forest Service.

Alexander Dumont, after getting his Donation Land Claim with comparative ease, would have found it difficult to believe that his great grandson would be involved in a forty-year struggle to get title to his land. It is the feeling of this writer that his great-grandfather would have been proud of John.

John Johnson, now deceased, married Virgie Myers in 1931. She still lives on the Coffee Creek homestead, which has now been owned by the Johnson family since 1888.



— VIRGIE JOHNSON COLLECTION

John and Virgie Johnson pictured on a cleared portion of the ranch.

FAMILY TREE OF WALLACE J. RONDEAU

GREAT GREAT GRANDFATHER

John Baptiste Dupati (McKay)
Died April 5, 1853 Age 60 years
A full-blood Indian of Upper
Umpqua Tribe

GREAT GREAT GRANDMOTHER

Married Catherine (Och.kupav)
A native Calapooya
A full blood Indian

GREAT GRANDFATHER

Charles Francois Rondeau
Born 1787
Died August 22, 1955

GREAT GRANDMOTHER

Married Agatha Dupati (McKay)
Jan. 21, 1839 A full blood India

GRANDFATHER

Jean Baptiste Rondeau (called Tom)
Born March 20, 1842
Died June 1, 1936
1/2 blood Indian

GRANDMOTHER

Married Clementine Petsie
Born April 16, 1853, Days Creek
Of no determined Indian Blood

FATHER

George Rondeau
Born April 25, 1877
Died October 7, 1948
1/4 Indian Blood

MOTHER

Married Elizabeth Luce
Born at Lowell, Oregon
Died 1899
1/2 Indian Blood

WALLACE J. RONDEAU

Born April 22, 1899
3/8 Indian Blood

NEE

Wallace James Rondeau

Born March 8, 1920 (3/16)

Richard W. Rondeau

Born March 4, 1940 (3/16)

Dorothy Mabel Rondeau

Born Feb. 17, 1929 (3/16)

Jerry A. Rondeau

Born May 10, 1943 (3/16)

George Edward Rondeau

Born June 17, 1931 (3/16)

Timothy L. Rondeau

Born March 29, 1946 (3/16)

Ninetieth Congress of the United States of America

AT THE FIRST SESSION

Began and held at the City of Washington on Tuesday, the tenth day of January,
one thousand nine hundred and sixty-seven

An Act

To remove a cloud on the title of certain real property in the State of Oregon
owned by John Johnson.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That, for the pur-
pose of removing a cloud on the title to certain land, the United States
hereby quitclaim to John Johnson, of Millo, Oregon, all right, title,
or interest in and to the southwest quarter of the northeast quarter of
section 7, township 30 south, range 2 west, Willamette meridian,
Oregon.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

APPROVED

JUN 5 - 1967

300th No. 67-7305

STATE OF OREGON
COUNTY OF DOUGLAS

I, G. J. Mollenbeck, County Clerk and ex-officio
Recorder of Douglas County, Oregon, do hereby certify that the foregoing instrument was

FILED JUL 24 1967 9:28 A.M.
at Page 722 BOOK OF RECORDS
Records of Douglas County, Oregon.

G. J. Mollenbeck
County Clerk
By *Margie Mollenbeck* Deputy

Virgie Johnson (Mr J. Died, 1970)
84 years old
S.S. 286⁰⁰/mon - sole income
No elect., phone or utilities
Neighbor hauls her to store
lives East of Milo - 1 1/2 miles
up The hill.

Jennie J. (now dead) ^{His} father
homesteaded 160 A in 1888
on O & C lands

Does Fed. water law prevail
on former O & C land.

Several months (weeks) received
for D. W. R. wanting \$430⁰⁰
and map prepared by C. W. R. Exam.

Must have 430⁰⁰ into Salem by 12-31-9.

Called water master - he said \$200 +
for limited usage.

Donna called Mr French in Salem & he
said he was just doing his job. -
Virgie - Talked to French & was to her
advantage to file for water right - -
However he said she may not have to
file

Martha ^{12/}/₂₈

I spoke w / both
Mrs. Johnson and Mrs.
Hayes -

Mrs. Johnson mailed in
her claim today w / fee.
Should be here by 12/31.

Do you want me to call
Rep. Markham - to let
him know status?
Need

done
12/28/30
Martha
Hayes
Johnson
Leach

874-2834

Al - Call to Markham

874-2834

12/29 1 P.M. - N.A.

12/30 4 P.M. - leave message to
call

Virgie doesn't know what to do.

Has 3 springs & two ponds
ponds overflow in wet season

Has 9 cows left since
Mr J. died. — keeps cows to
eat grass so less wild fire danger.

The 3 spring feed the house.

Needs water for garden & personal
use — — as has been done for 100 years

Virgie has bad heart & worried
to death over this.

Ms. Emma Hayes

Box 295

Cambridge, OH 44717

829-4978

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

**SURFACE WATER REGISTRATION STATEMENT
PRE-1909 VESTED WATER RIGHT CLAIM**

1. Name of Registrant: _____
Mailing Address: _____
_____ Telephone No: _____
2. Source of water: _____
Tributary to: _____
3. Purpose(s) for which water is used: _____
(Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)
If irrigation, total number of acres irrigated: _____
4. Priority Date
 - a) Date of first use: _____
 - b) Date water use development first initiated: _____
 - c) Name of party who initiated development: _____
5. Amount of water claimed: _____, in CFS or GPM
(Water put to beneficial use)
6. Location of place of use:
_____ Sections, Township _____ N/S, Range _____ E/W.
_____ Sections, Township _____ N/S, Range _____ E/W.
(Attach additional pages if necessary)
7. Usual period of use: _____ / _____ to _____ / _____
month day month day

8. Remarks: _____

9. Total fees submitted with claim: _____

Notarized Statement Signed by Claimant.

STATE OF OREGON)
: ss
County of _____)

I, _____, having been duly sworn,
depose and say that I, and being the claimant of the existing surface
water right described herein, have read the contents of this claim and
to the best of my knowledge all of the matters stated herein
are true and correct.

Signature of Claimant

Signed and attested before me this _____ day of _____, 19 _____

NOTARY PUBLIC for the State of Oregon
My commission expires: _____

**THIS FORM MUST BE ACCOMPANIED BY A MAP PREPARED BY A
CERTIFIED WATER RIGHT EXAMINER (CWRE).**

Certified Water Right Examiner

Name: _____ CWRE#: _____

Address: _____

Telephone: _____

PRE-1909 AND VESTED WATER RIGHTS

Oregon's surface water code was passed on February 24, 1909. If surface water was used prior to 1909 and has been used continuously since then with out more than a five year break, the property owner may have a "vested" water right. Since a water right is attached to the place of use a vested water right remains valid even if the ownership of the property has changed.

A claim to a vested water right can be determined and made a matter of record only through a legal process known as an "adjudication proceeding." The responsibility of the Water Resources Department in the adjudication process is to gather information about the use of water and present its findings to the circuit court. The court then decides through a decree who has the right to use water. The date of priority for a right determined through an adjudication proceeding is usually the date construction of the project began.

Adjudication proceedings have been completed for most of the major stream systems in eastern and southern Oregon, and for some of the larger tributaries to the Willamette River. However, about one third of the state has not yet been adjudicated. Nearly 100 decrees have been issued on individual streams in Oregon. Water right certificates have been issued for almost all of the decreed rights.

Senate Bill 130 passed by the 1987 Legislature requires persons claiming pre-1909 water rights in areas not yet adjudicated to file a water-use registration statement before December 31, 1992. Senate Bill 130 creates a rebuttable presumption of no claim if a person fails to file the registration statement. This means that the state assumes there is no right to water unless the claimant can submit evidence proving otherwise. These statements do not automatically assure rights will be granted to those filing. Each vested right will be determined through the courts in an adjudication proceeding.

If you have property that has had a beneficial use of surface water on it since before February 24, 1909 and the property is in an unadjudicated area you are encouraged to call the adjudication section in Salem for more information. Call 378-3739 and ask for the adjudication section. Please have a legal description of your property ready if there are questions about the adjudication status of the property in question.

TOLL-FREE PHONE NUMBER: 1-800-624-3199

Dear Bill,

I'm going to write this on the arm of the couch because because of my back injury & because it is more comfortable. I only hope you can read it. If you can't, please give me a call.

First let me introduce you to Virgie Johnson, wife of the late Johnny Johnson. Virgie is a darling, tiny, 84 year old lady with sparkling eyes and a young mind. Her Social Security is \$286⁰⁰ a month & that is what she lives on. She has no electricity, phone or utilities at all & depends on a neighbor that lives down the mountain a mile or two for a ride to town. This is up the mountain above Mills.

Johnny Johnson's father homesteaded 160 acres up there in 1888, and his family had lived up there before, after 1850, This was O.N.C. land. Does not Federal water laws regulate this?

A few weeks ago Virgie got a letter from State Water Resources wanting \$430⁰⁰ & a map request, made by a map maker & it said there were enclosures but there wasn't any enclosures ??? Virgie requested the enclosures & received them a week or two later.

The \$430⁰⁰ is to be in Salem by 12-31-92,
and is not refundable ??? (I called
County Water Marshals office + asked what
they charged for water rights + it was only
a little over \$200⁰⁰ ??? They also said there
would be limited usage.)

When she was at my house I called Mr.
French in Salem Water Resources office.
He knew I was angry + told me he was
just doing his job. Virginia also talked to
him too + he said it might be to her advantage
to file the water rights ?? Why if she comes under
federal law ??? He also said it looked like
she might not have to file BUT she is
a law abiding person + needs to know for
SURE what to do, with the 12-31-92 dead-
line!

She has 3 springs with two ponds closer
to house for convenience. The water only runs
out of her ponds on a heavy rain or maybe
after a rainy winter in the spring of the
year + then it goes to NO creek or water
way.

She has about 9 cows from when
Johnny was alive that she keeps to keep
the grass + fire danger down.

The 3 springs did not run off but
were absorbed in the ground at the springs

they thought 't' so it would go
down to the house.

She has + wants to continue to use
her water for her own vegetable + herb
garden + personal use, without limitations
as it has been used for over 100 years.

Virginia has a bad heart + I have
all this worry regarding expenses she can't
afford + uncertainty of what is going on
won't be too much for her.

I have heard a few people say she
shouldn't be alone there anyway, BUT I am
afraid if she was to leave the home she
and Johnny could all their happy life
it would kill her. She is still so
in love with Johnny + he has been gone
over 21 years. It would be just like losing
Johnny again - AND could she afford
rent, utilities, etc in town or keep her dog +
cat??

Bill, I am sure they are talking about
putting mine on water. What ever happened
to the land of the FREE - we can't afford
to eat now?
I hope you can help!

Trinity,
Dorothy M. Wayne



MS. DONNA M. HAYES
P. O. BOX 295
CANYONVILLE, OR 97417



Bill Markham
P. O. Box 300
Riddle, Or. 97469

Monday
Morning

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP SEE NAME Umpqua # 16 UNADJUDICATED AREA ? yes
RECEIPT # 95697 S W R NUMBER 308
CHECK ENCLOSURES SEE PRELIMINARY DATA BASE ENTRY due
ACKNOWLEDGEMENT LETTER SEE ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION SCSN

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 acre

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

December 8, 1993

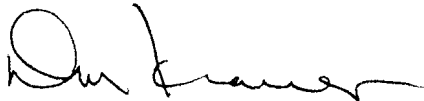
RAYMOND F BROWN
PO BOX 539
CANYONVILLE OR 97417

RE: SWR-308

Dear Mr Brown,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of VIRGIE H JOHNSON 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\S\C\3\SWR-0308.003



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

October 7, 1993

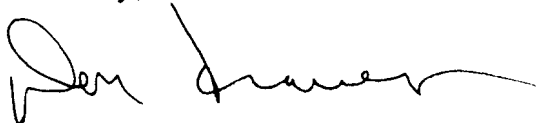
RAYMOND F BROWN
PO BOX 539
CANYONVILLE OR 97417

RE: SWR-308

Dear Mr Brown,

I have reviewed the map you prepared for the pre-1909 vested water right claim in the name of VIRGIE H JOHNSON. The map appears to satisfy the requirements with the exception of the type of paper it was prepared on. I am requesting a map on the required permanent quality linen or 0.003 inch mylar. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\3\SWR-308.002



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

March 2, 1993

MRS VIRGIE H JOHNSON
BOX 53
DAYS CREEK OR 97429

Dear MRS JOHNSON,

This will acknowledge that your Surface Water Registration Statement in the name of VIRGIE H JOHNSON has been received by our office. The fees in the amount of \$430.00 have been received and our receipt #95697 is enclosed. Your registration statement has been numbered SWR-308.

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-0308.001



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

February 9, 1993

VIRGIE JOHNSON
PO BOX 53
DAYS CREEK OR 97429

RE: Surface Water Registration

Dear Virgie Johnson,

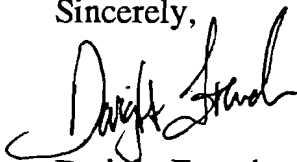
I am in receipt of your letter of January 30, 1993. It will be added to your file and will be reviewed along with the other evidence that you have submitted.

Since you have not requested that your money be returned and your file closed, your file will remain open. If you do not wish to make a claim to a vested water right you may request in writing that your Surface Water Registration be withdrawn and your fees refunded.

Our office will review your form, evidence 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.

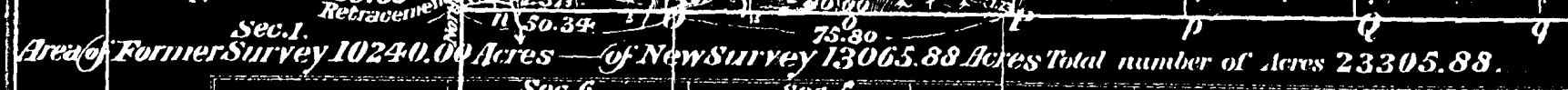
Please feel free to contact this office if you have any questions. You may call toll free 1-800-624-3199.

Sincerely,



Dwight French
Adjudication Section





The above Map of Township 12 30 South. of Range 12 2 West of the
Willamette Meridian Oregon is strictly conformable to the field
notes of the survey thereof on file in this office, which have been examined and approved.

Deputy General's Office.
Portland, Oregon Oct. 14, 1910

Geo. Westgate
Sur. Gen. for Oregon

Gold in Quartz and Placer Deposits are found in this T^h, especially in Sections 5, 6, 7, and 8. Mining having been carried
on along Coffee Cr. and Foxe Cr. for some 20 years. Gold and Silver are also

$$I'' = 400'$$

WATER RESOURCES DEPT.
SALEM, OREGON

30 2 7

