

June 27, 1994

Oregon

WATER
RESOURCES
DEPARTMENT

LEWIS E WILKINSON
25715 SAND LAKE RD
CLOVERDALE OR 97112-9642

re: SWR-337

Dear Mr Wilkinson,

This will acknowledge your letter of June 14, 1994. You asked a number of questions and I will answer those that I am able to. You asked if you should send a check for \$ 325.00 to this department. You have paid the required \$200.00 fees to file your claim to a pre-1909 vested water right and no other fees are due. You ask about fees for Mr Denison's services, you will need to contact him for answer to that question. You ask about an easement dealing with Mr Wiley. I do not know anything about such an easement and recommend you contact Mr Denison for an answer.

The point that I do need to make with you is that the requirement of a map to support your claim to a pre-1909 vested water right has not been met. If Mr Denison has prepared a map to support your claim, I suggest you send it to me for review and addition to your file. I am sending a copy of your claim form which you might give to Mr Denison for his information.

Sincerely,



Don Knauer
Adjudication Specialist

cc: Jim Denison

J:\W\S\C\3\SWR-0337.005



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

12-20-93

SWR-337

Lou Wilkinson came to
say his wife, Mr Duncan,
still hasn't kept any
appointments. Wilkinson will
be out of state till
April 1994. I told him to
write to Mr Tarn and
let me know what's
going on

Stinner

W

November 17, 1993

LEWIS & MARRIAN WILKINSON
25715 SAND LAKE RD
CLOVERDALE OR 97112-9642

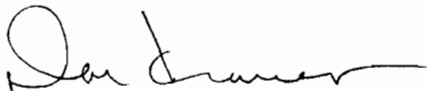
RE: SWR-337

Dear Mr & Mrs Wilkinson,

This will acknowledge the receipt of your letter dated November 16, 1993. It is unfortunate you have not been able to get the mapping done by the CWRE you have hired. All I can say is that the map is required before I can review your file. I will pass your file over at this time and will wait for your map. You might consider hiring another CWRE.

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

Sincerely,



Don Knauer
Adjudication Specialist

J:\W\SI\C\3\SWR-0337.004



October 25, 1993

WATER
RESOURCES
DEPARTMENT

LEWIS & MARRIAN WILKINSON
25715 SAND LAKE RD
CLOVERDALE OR 97112-9642

RE: SWR-337

Dear Mr & Mrs Wilkinson,

I am in the process of reviewing the maps submitted to support the pre-1909 vested water right claims. I find that I have not yet received the required map. I sent a letter to Allan Duncan, CWRE on May 11, 1993 asking for his anticipated schedule of map submission. I have not heard anything. Would you let me know when I can expect the required map for your claim? If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WASIC\3\SWR-0337.003



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

May 11, 1993

ALLAN E DUNCAN
4206 CYPRESS ST
TILLAMOOK OR 97141

RE: Surface Water Registration Map

Dear MR DUNCAN,

LEWIS & MARRIAN WILKINSON 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-337.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\3\SWR-0337.002



March 10, 1993

LEWIS E & MARRIAN A WILKINSON
25715 SANDLAKE ROAD
CLOVERDALE OR 97112-9642

Dear MR & MRS WILKINSON,

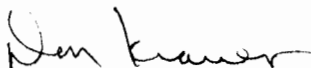
This will acknowledge that your Surface Water Registration Statement in the name of LEWIS E & MARRIAN A WILKINSON has been received by our office. The fees in the amount of \$200.00 have been received and our receipt #95674 is enclosed. Your registration statement has been numbered SWR-337.

The map you submitted with your claim is not acceptable. ORS 539.240 (2) (d) requires the map be prepared by a Certified Water Right Examiner (CWRE). Within 60 days of this letter you must send a letter to this address indicating you have contracted with a CWRE to prepare your map. You should send your letter to my attention. In your letter you must identify the name of the CWRE who will prepare your registration statement map. We will contact the CWRE to arrange a map submittal deadline.

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

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

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0337.001



SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP SEE NAME NORMAN COAST # 1 UNADJUDICATED AREA ? yes
RECEIPT # 95674 S W R NUMBER 337
CHECK ENCLOSURES see PRELIMINARY DATA BASE ENTRY _____
ACKNOWLEDGEMENT LETTER see ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION see

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

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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **95674**

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

RECEIVED FROM: Lewis E. Wilkinson
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # X 24.22 OTHER: (IDENTIFY)

TOTAL REC'D \$ 200.00

01-00-0 WRD MISC CASH ACCT

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

REDUCTION OF EXPENSE

CASH ACCT. \$

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

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

WATER RIGHTS:

842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
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

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

RECEIPT # **95674**

DATED: 12-30-92 BY: D. Bushnell

RECEIVED

JUN 16 1994

WATER RESOURCES DIVISION
SALEM, OREGON

June 14, 1994

Don Knauer, Adjudication Specialist
Oregon Water Resources Department
3850 Portland Road
Salem, Oregon, 97310

Dear Sir:

After fighting the CWRE from Tillamook County for two years, I was able to get James Denison to come up and do the survey and draw up the Easement. He did a very thorough job and everything looks real good. However after Mr Wiley looked at the easement, he contacted his attorney in California and was advised not to sign anything until the attorney in California could look it over. Mr Wiley told me to go ahead several months ago with the survey and he would sign the easement as the Tierra Del Mar water system has their water pipe running in the same ditch as ours, I helped dig the ditch and cover it up so I know. I believe that eventually Mr Wiley will sign easement but in the meantime, should I send the check for \$325.00 to your department as instructed by Mr Denison. Does this money pay him for his labors or do I send him some money also? If Mr Wiley refuses to sign the easement, what recourse do I have? Thank you for your patience.

respectfully,


Lewis E. Wilkinson

RECEIVED

NOV 17 1993

**WATER RESOURCES DEPT.
SALEM, OREGON**

16 November, 1993

Don Knauer, Adjudication Specialist
Oregon Water Resources Department
Salem, Oregon, 97310

Dear Mr Knauer:

Once again, Mr Duncan, CWRE for this area, did not keep the appointment he made to complete the map of our water source and allied papers. I talked to him again on last Friday. I told him we would be leaving this area soon. I am mailing him a letter as today out-lining our schedule and asking him if he could please have the work done before we leave. Maybe another letter from you might stir him to action! I doubt it. Just thought I would let you know, it all rests in his hands. Thank you for your patience.

RE: SWR-337


Lewis E. Wilkinson

RECEIVED

NOV - 9 1993

**WATER RESOURCES DEPT.
SALEM, OREGON**


8 November, 1993

Don Knauer, Adjudication Specialist
Oregon Water Resource Department
Salem, Oregon, 97310

Dear Sir:

I have prodded Mr Duncan all summer and he agreed to meet me here tomorrow, November 9 to finalize the mapping of our area so we can complete our Water Rights Claim. After he gets the map completed, I then have to find the Wileys, the owners of the properties our water is on. I have told Mr Duncan that we are leaving for Arizona on the 23rd for the winter. Perhaps this will get him moving. As soon as I get the map, I will do everything I can to complete my end of this thing.

Thank you for your patience,


Lewis E. Wilkinson

RECEIVED

MAY 11 1993

WATER RESOURCES DEPT.
SALEM, OREGON

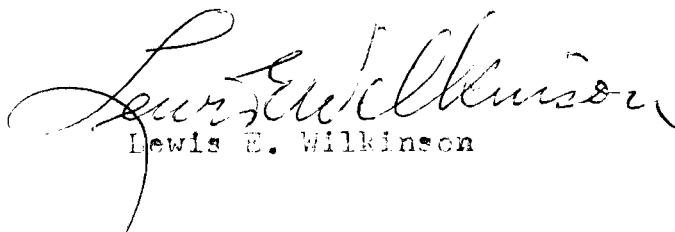
10 May, 1993

Don Knauer, Adjudication Specialist
Oregon Resources Department
3850 Portland Road, N.E.
Salem, Oregon, 97310

Dear Sir:

We returned from Arizona on March 23 and immediately contacted Allen Duncan, the local water right examiner. He was very prompt in coming down and taking the measurements for a map of our location as far as our water source was concerned. I have been waiting for him to send me the map but upon reading your letter of 10 March, we were to let you know when this had been accomplished. He told me at that time that I should get an easement from the owner of the property our spring is located on. These people just arrived from their winter home in Arizona and I will have the easement prepared in about two weeks.

Respectfully,


Lewis E. Wilkinson

112-1139P

DEC 30 1992

WATER RESOURCES DEPT.
SALEM, OREGON

David Cole)	WARRANTY DEED.
tc)	
Thankful M. McDencugh)	NO. 5029.7

KNOW ALL MEN BY THESE PRESENTS, That David Cole (unmarried) of the County of Multnomah in the State of Oregon, being of the lawful age, in consideration of Three Thousand Dollars, to him paid by Thankful M. McDencugh of the County of Multnomah, in the State of Oregon, do hereby grant, bargain, sell and convey unto said Thankful M. McDencugh her heirs and assigns, all the following bounded and described real property, situated in the County of Tillamook and State of Oregon; to-wit;

Lot 4 in Sec. 29 & Lots 5, 6, & 7 in Sec. 31 and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 32.

Also beginning at a point S. 80° W distance 8.84 chs. from the meander post on the line between Sections 30 & 31 T. 3 S. R. 10 W. on East shore of island. thence S. 76° W. 6.50 chs. thence S. 7° E. 4.29 chs. thence N. 76° E. 6.50 chs. thence N. 7° W. 4.29 chs. to the place of beginning being a part of section 30. All of the above described lands being in Township number Three South, Range number Ten West. Containing 151.62.1/100 acres more or less according to government survey, and the following privileges to-wit;

to law a water pipe 12 inches under ground to the nearest and most practical creek or spring in an easterly direction from said lot situated (in land cleared by Mr. Clitter) for the purpose of conveying water to the above described land. Also the privilege of hunting and killing at all times in season ducks, geese and other water fowl and other game on the premises of Thomas Shillinglaw. Also the privilege of picking huckleberries for the use of the family, on the said island now owned by Thomas Shillinglaw. Also the right of way out to low water for a 16 foot roadway, commencing at a corner stake S. 7° E. from this corner 16 feet west to tide water on the survey. Also the full privilege of the beach between high and low water.

TO HAVE AND TO HOLD the above granted premises with all the rights, easements and appurtenances thereto belonging unto the said Thankful M. McDencugh, her heirs and assigns forever And the said grantor do covenant to and with the said grantee, her heirs and assigns that he is lawfully seized in fee of the above granted premises; that they are free from all incumbrances, whatsoever and that he will and his heirs, executors and administrators shall warrant and defend the above granted premises, to the said grantee, her heirs and assigns forever against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the grantor above named, hereunto set my hand and seal this 29th. day of February, 1908.

the SPRING is located approximately 15' east of Sand Lake Road and 10' south of the access Road. Going up the hill, located on Lot 706. Marked by a STAR on Map. This water is pumped from a settling tank approximately 440 feet up the hill to tax Lot 701