

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **95756**

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

RECEIVED FROM: Roberta E. Neff
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # H-8079 OTHER: (IDENTIFY)

TOTAL REC'D \$ 25.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>25.00</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	EXAM FEE	\$	842.004	RECORD FEE	\$
842.005	TRANSFER	EXAM FEE	\$	842.006	RECORD FEE	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	\$	842.023	LICENSE FEE	\$
842.016	WELL DRILL OPERATOR	EXAM FEE	\$	842.019	LICENSE FEE	\$
_____	LANDOWNER'S PERMIT	_____	_____	842.024	LICENSE FEE	\$

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)	LIC NUMBER	_____	\$
_____	HYDRO APPLICATION	_____	_____	\$

RECEIPT # **95756**

DATED: 12/31/92 BY: [Signature]

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME MID-COAST #18 UNADJUDICATED AREA ? OK DWF
 RECEIPT # 95756 S W R NUMBER 440
 CHECK ENCLOSURES DWF PRELIMINARY DATA BASE ENTRY DWF
 ACKNOWLEDGEMENT LETTER DWF ENTER ON STREAM INDEX _____
 CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
 WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION _____

FORM REVIEW

_____ blanks filled in
 _____ signed
 _____ date received stamped

DOM	STK	1221	MAP REVIEW	
✓	#1	✓	✓	source and trib
✓	#2	✓	✓	diversion point location
✓	#3	✓	✓	conveyances (pipes, ditch, etc.)
✓	#4	✓	✓	place of use
✓	✓	✓	✓	scale
				township, range, section
				north arrow
				CWRE stamp
				disclaimer
				date survey was performed
				P.O.B. of survey
	#72	✓	✓	dimensions and capacity of diversion system
				"beneficial use" type title
				"permanent-quality" paper
				<u>10th AC 2</u>

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

August 15, 1994

EUGENE M WOBBE
PO BOX 3093
FLORENCE OR 97439

RE: SWR-440

Dear Mr Wobbe,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of ROGER AND ROBERTA NEFF 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:\WS\IC\4\SWR-0440.005



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

7-11-94

ALISHA FROM WOBRE &
ASSOCIATES CALLED TO SAY
THE CLAIMANT HAD A HEAD
ATTACK AND IT WILL BE
A WHILE BEFORE THEY CAN
COMPLETE INSPECTION. SHE
WILL CHECK BACK IN
ABOUT 2 MONTHS

DEK

W008E - 225

STATE OF OREGON
WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

May 11, 1994

TO: WATER RIGHT EXAMINERS

FROM: DON KNAUER

SUBJECT: PRE-1909 VESTED WATER RIGHT CLAIM MAPS

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

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

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

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

SWR-440

April 27, 1994

EUGENE M. WOBBE
PO BOX 1136
FLORENCE OR 97439

RE: File# SWR-440

DEAR EUGENE M. WOBBE,

I am not returning the map you prepared for Roger E. and Roberta E. Neff. You can supply the required information in the form of a report or letter. 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.

✓ conveyance

ORS 539.120 "...the location of and each ditch, canal, pipeline or other means of conveying the water..." You must show the conveyances for irrigation and domestic uses.

✓ diversion point size

OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." You must show the information necessary to be used in computing a quantity of water diverted.

I am enclosing a copy of the claim to beneficial use report information used by the adjudication section. I have highlighted the information required.

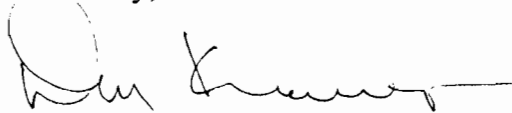


Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

You must return the information before the claim can be processed. If you cannot have it 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. The toll free number in Oregon is 1-800-624-3199.

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

REGISTRATION STATEMENT CLAIM OF BENEFICIAL USE

All maps and reports must contain sufficient information to clearly determine the extent the project was developed within the conditions of ORS 539.

Please adhere to the following basic format:

INFORMATION: This section of the map and report should include: names, addresses and phone numbers. Any variation of the project from the pre-1909 use should be described in detail here.

SOURCE: Describe source(s) used.

DIVERSION POINTS: Describe the diversion(s), including any structures. The headgates should be described. Canals and ditches should be shown as a typical cross-section.

MOTOR: Brand, type, HP, max. RPM's.

PUMP: Brand, type, intake/discharge dimensions, drive method (such as belts and pulleys; state size of pulleys).

PIPE: Amount and type of each diameter of portable pipe. Show location and size of buried or permanent pipe on the registration statement map.

HEADS: State make and model of all sprinklers available including sizes of nozzles and total number of each. A claim of the maximum number operated per system, size and the operating pressure should be made. A pressure reading of the system in operation should be obtained, if possible. State locations of any readings taken.

USE(S): State the use or various uses of the water made, such as: irrigation (list crops), domestic (# of families served), stockwater (maximum head of stock), industrial, municipal, etc.

HEAD: Show the difference between the water level of the source and the mean elevation of the place(s) of use.

CALCULATIONS: Show the method and/or calculations used to determine the quantity of water diverted.

POINT OF BEGINNING: Show the government survey corner or corners used to locate your survey. The method of survey is described here - i.e. Plane table survey, aerial photo, traverse, etc.

REMARKS: Any additional information necessary to fully explain the use of the water.

regis/beneuse

November 23, 1993

EUGENE M. WOBBE
PO BOX 1136
FLORENCE OR 97439

RE: File# SWR-440

DEAR EUGENE M. WOBBE,

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 Roger E. and Roberta E. Neff. You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

diversion point location

ORS 539.240 (2) (d) (A) "...in reference to an established corner of the US public lands survey or recorded subdivision..." Stock use is part of this claim. You must identify the diversion for stock use.

conveyance

ORS 539.120 "...the location of and each ditch, canal, pipeline or other means of conveying the water..." You must show the conveyances for all uses claimed.

place of use ($\frac{1}{4}$ $\frac{1}{4}$)

ORS 539.240 (2) (d) (B) "The location of place of use by quarter-quarter section..." You must identify the place of use for stock use.

1-24-94 GENE WOBBE TOLD ME HE IS TRYING TO GET
A HOLD UP NEFF TO COMPLETE THE INFORMATION -
HEIN KEEP TRYING AND GET IT TO WRD AS
SOON AS POSSIBLE
W. E. Neff



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

diversion point size

OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." You must show the information necessary to be used in computing a quantity of water diverted.

I am enclosing a copy of the checklist and claim to beneficial use report information used by the adjudication section. You may find it useful in preparing the required map and information. Many Certified Water Right Examiners have seen these and are using them.

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

August 24, 1993

WATER
RESOURCES
DEPARTMENT

EUGENE M WOBBE
PO BOX 1136
FLORENCE OR 97439

RE: SWR-440

Dear Mr Wobbe,

This will acknowledge the receipt of the map you prepared in support of the claim to a pre-1909 vested water right in the name of Roger and Roberta Neff. I will add the map to the file for review in the future. If there are any corrections or completions needed, I will rreturn the map to you.

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

Sincerely,



Don Knauer
Adjudication Specialist

J:\W\S\C\4\SWR-0440.004



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

June 8, 1993

EUGENE M WOBBE
PO BOX 1136
FLORENCE OR 97439

RE: Surface Water Registration Map

Dear MR WOBBE,

ROGER & ROBERTA NEFF 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-440.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\4\SWR-0440.002



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

June 8, 1993

ROGER & ROBERTA NEFF
11238 FIVEMILE ROAD
WESTLAKE OR 97493

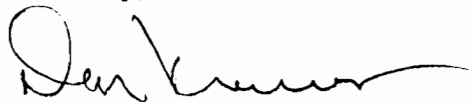
RE: SWR-440

Dear Mr & Mrs Neff,

This will acknowledge the receipt of the fees in the amount of \$ 405.00 and our receipt # 100744 is enclosed. I will contact Wobbe & Associates in regards to the map necessary to support your claim to a pre-1909 vested water right.

If you have any questions, please give me a call. Our toll free number is 1-800-624-3199.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WIS\CM\SWR-0440.003

*Mr Neff called today
Fees (405) are on the
way. CLIRE is working
map. Right 6/3/93*



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

RECEIVED FROM: Rogee Eugene 11/1 APPLICATION
 BY: _____ PERMIT
 TRANSFER

CASH: CHECK: # 1-5019 OTHER: (IDENTIFY) TOTAL REC'D \$ 105.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>105.00</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 \$
_____	LANDOWNER'S PERMIT		842.024 \$
_____	OTHER (IDENTIFY)		

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		\$

April 5, 1993

ROGER E & ROBERTA E NEFF
11238 FIVEMILE ROAD
WESTLAKE OR 97493

Dear MR & MRS NEFF,

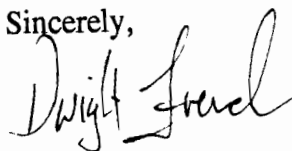
This will acknowledge that your Surface Water Registration Statement in the name of ROGER E & ROBERTA E NEFF has been received by our office. The fees in the amount of \$25.00 have been received and our receipt #95756 is enclosed. Your registration statement has been numbered SWR-440.

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

Also, you failed to submit enough fees with your Surface Water Registration Statement as required under ORS 539.081. You sent \$25.00. You should have sent a total of \$430.00. The amount now due is **\$405.00**. The fees are \$200 for domestic use, \$200 for stock use and \$30 for irrigation of up to 15 acres. If you irrigate more that 15 acres then you will need to enclosed an additional \$2.00 per acre. Your claim will not be processed until these remaining fees are received.

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

Sincerely,



Dwight French
Adjudication Section

Enclosure

J:\WP51\SWR\CLAIMANT\4\SWR-0440.001



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

WOBBE & ASSOCIATES, INC.

P.O. Box 3093
510 Kingwood Street
Florence, OR 97439
Phone (503) 997-8411

August 9, 1994

RECEIVED

AUG 11 1994

WATER RESOURCES DEPT.
SALEM, OREGON

Don Knauer
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97310-0210

RE: File# SWR-440

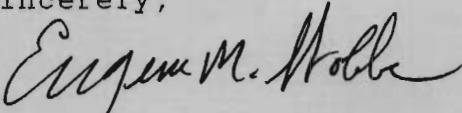
Dear Mr. Knauer:

Regarding information requested for Robert E. Neff, please be advised of the following:

- 1) Diversion point: 1 1/2 inch pvc pipe placed in small pool in Silver Creek.
- 2) Pipe: The system consists of 1 1/2 inch pvc pipe main feeder line from spring as shown on Water registration map with smaller feeder lines approximately 1 inch to the place of use.
- 3) Heads: Irrigation lines are assorted garden hose from hose bibs. Sprinklers are assorted garden type, no nozzle size or rating available. Pressure reading at the upper Orchard is 10 psi. Pressure reading at the house, vineyard and lower orchard is 42 psi.
- 4) Head: The elevation difference between the source and place of use at the upper orchard is 48 feet. The elevation between the source and place of use at the lower orchard, vineyard and house is approximately 122 feet.

If I can be of further assistance, please advise.

Sincerely,



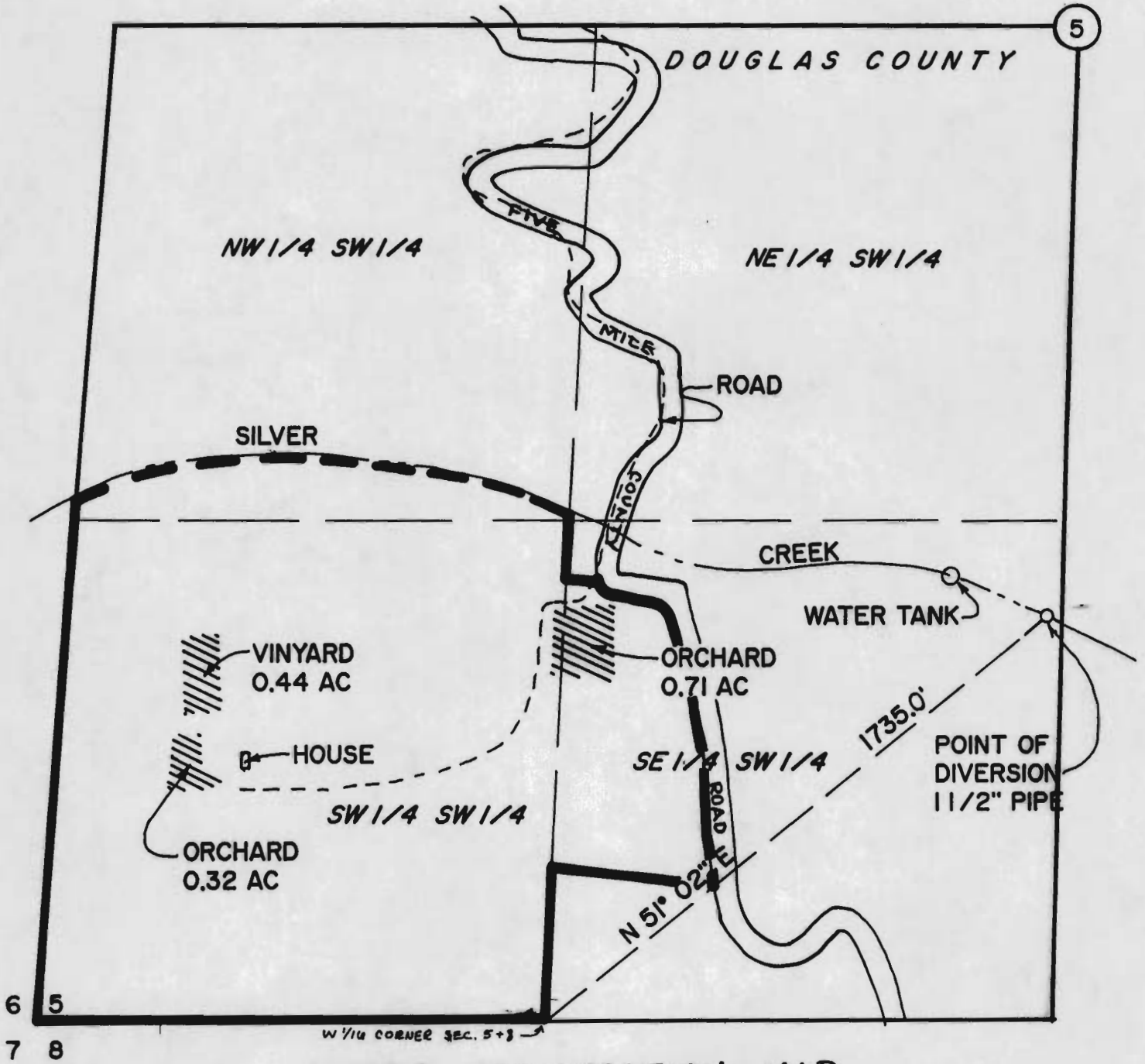
Eugene M. Wobbe P.L.S., W.R.E.

EMW/ib
F93-46WR.LET

SURVEYING • WATER RIGHTS • PLANNING

LANE COUNTY

DOUGLAS COUNTY



WATER REGISTRATION MAP

SW 1/4 SW 1/4 & SE 1/4 SW 1/4, SEC. 5, T 20 S, R 11 W, W.M.
DOUGLAS COUNTY, OREGON.

FOR:

ROGER & ROBERTA NEFF
11238 FIVEMILE ROAD
WESTLAKE, OR 97493

RECEIVED

AUG 16 1983

WATER RESOURCES DEPT.
SALEM, OREGON

PREPARED BY:

EUGENE M. WOBBE, PLS, W.R.E.
WOBBE & ASSOCIATES, INC.
510 KINWOOD ST./P.O. BOX 1136
FLORENCE, OR 97439



THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

1" = 400'

WOBBE & ASSOCIATES, INC.

P.O. Box 1136
510 Kingwood Street
FLORENCE, OREGON 97439

(503) 997-8411

TO Oregon Water Resources Dept.
3850 Portland Rd. NE
Salem, OR 97310

LETTER OF TRANSMITTAL

DATE 8-12-93	JOB NO. SWR-440
ATTENTION Dwight French	
RE: Roger & Roberta Neff	
Map	

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order MAP

COPIES	DATE	NO.	DESCRIPTION
1			water registration map

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

RECEIVED

AUG 16 1993

**WATER RESOURCES DEPT.
SALEM, OREGON**

COPY TO _____

SIGNED: *Caryn M. Hobbs*

WOBBE & ASSOCIATES, INC.

P.O. Box 1136
510 Kingwood Street
Florence, OR 97439
Phone (503) 997-8411

RECEIVED

JUL - 8 1993

WATER RESOURCES DEPT.
SALEM, OREGON

July 7, 1993

Don Knauer
Adjudication Specialist
Oregon Water Resources Dept.
3850 Portland Rd. NE
Salem, OR 97310

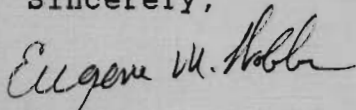
RE: SWR-440

Dear Mr. Knauer,

I have been retained to prepare the Claim of Beneficial Use map by Roger & Roberta Neff. My anticipated schedule to complete the map and submit it to WRD is approximately 30 to 60 days.

If I can be of further assistance, please advise.

Sincerely,



Eugene M. Wobbe

R. Neff
11238 Five Mile Rd
Westlake Or. 97443

Dwight French
Water Resource Board

RECEIVED

JUN - 7 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Dear Dwight

I am sending The \$405⁰⁰ Due you
as stated in your letter for Registration
Number SWR-440.

Wobbe & Associates will be doing
The mapping for me.


Thanks very much for all your help.

Sincerely

Roger & Roberts Neff

Enclosure (2)

WOBBE & ASSOCIATES, INC.
EUGENE M. WOBBE
Professional Land Surveyor
Certified Water Right Examiner



P.O. BOX 1136
510 KINGWOOD STREET
FLORENCE, OREGON 97439
(503) 997-8411

SURVEYING • PLANNING • WATER RIGHTS

11238 Linemelo Rd.
Westlake, Oregon 97443
December 30, 1992
(503) 997-1301

Adjudication Section
OWRD
3850 Portland RD NE.
Salem Or. 97310

RECEIVED

DEC 31 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Dear Sirs,

Attached is our Surface Water Registration Statement Pre-1909 Vested Water Right Claim. Also attached is a copy of our water easement document, copies of pages from the publication Sivslaw Pioneer tracing the development of our property for farming from 1890, and a check for \$25.00.

We have not enclosed a map from a certified water right examiner. Our inquiries here indicated a minimum cost of \$6,000.00 for this service. We cannot afford the cost of such a service at this time.

Please let us know if you need more information, documentation, or fees. Mr. Miles sold our ranch to Mr. Andrews. He sold it to Sam Humphries who sold it to us in the spring of 1991.

Sincerely,
Roger W. [Signature] and Roberta E. Woff

RECEIVED
DEC 31 1992
WATER RESOURCES DEPT.
SALEM, OREGON

For Value Received, DANIEL F. MILES, Jr. and DIXIE E. MILES, husband and wife, herein referred to as Grantors, hereby grant unto EARL D. HENSON and CARMEL A. HENSON, husband and wife, herein referred to as Grantees, a perpetual right of way and easement for the installation and continued operation, maintenance, repair, alteration, inspection, and replacement of the water pipe line of the Grantees, over, on, and across the following premises, belonging to the said Grantors in Douglas County, Oregon, better described as follows and known as the "servient estate":

The Southeast quarter of the Southwest quarter of Section 5, Township 20, South, Range 11, West of the Willamette Meridian, Douglas County, Oregon.

This easement is given and granted for the specific use and benefit of transporting water across the above described "servient estate" to the following described real property owned by Grantees herein, herein called "dominant estate", and more particularly described as follows:

The Southwest quarter of the Southwest quarter of Section 5, Township 20, South, Range 11, West of the Willamette Meridian, Douglas County, Oregon.

The purpose of this easement is to give Grantees the right to install and maintain a catch basin and spring box at the un-named spring situate in the Northeast corner of the Southeast quarter of the Southwest quarter of Section 5, Township 20, South, Range 11, West of the Willamette Meridian, Douglas County, Oregon, and from that location across said quarter section along the existing creek bed which is adjacent to and approximately parallels the North line of said quarter section to the East boundary of the Southwest quarter of the Southwest quarter of Section 5, Township 20, Range 11, West of the Willamette Meridian, Douglas County, Oregon, which is the abutting land of Grantees herein. A map showing the general location of the spring and pipe-line, which map is for descriptive purposes only and not drawn to accurate scale, is attached to and by reference made a part of this agreement.

As part of the consideration passing from Grantees to Grantors, Grantors agree and promise that the water line to be installed will be no larger than

Page One - Easement.

Roberta Edith Kelly
R. E. Miles

1-1/4 inches in diameter and will be buried to a sufficient depth at any place that it crosses any cultivated field of Grantors as not to interfere with the use of said field for farming purposes by Grantors, or in any way cause critical interference with the use of said area crossed by said pipeline by Grantor.

This easement is hereby granted, together with all rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim, and remove trees, brush, overhanging branches, and other obstructions which may injure or interfere with the Grantors' use, occupation, or enjoyment of this easement and the operation, maintenance, and repair of Grantors' water system.

The provisions of this agreement are hereby declared by the parties hereto to extend to and bind the heirs and assigns of both parties to this agreement, and are intended to create an appurtenance to the herein described dominant estate and against the herein described servient estate and treated as a covenant traveling with the land in favor of the dominant estate.

DATED this 4 day of June, 1966.

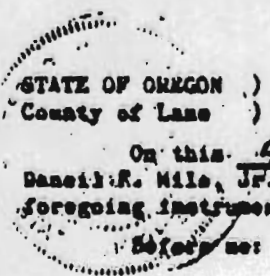
Daniel F. Miles, Jr.
Daniel F. Miles, Jr.

Karl A. Hanson
Karl A. Hanson

Dixie E. Miles
Dixie E. Miles

Carmel A. Hanson
Carmel A. Hanson

RECEIVED
DEC 31 1992
WATER RESOURCES DEPT.
SALEM, OREGON



On this 4 day of June, 1966, personally appeared the above named, Daniel F. Miles, Jr. and Dixie E. Miles, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary's no:

Jed Simmons
Notary Public for Oregon
My Commission Expires: 8-17-68

RE M
RE M

EXHIBIT "A"

PARCEL 1:

All of the following described property lying Westerly of the East line of the West half of the Southwest quarter of Section 5, Township 20 South, Range 11 West, Willamette Meridian, Douglas County, Oregon: The Northwest quarter of the Southwest quarter lying South of Silver Creek; the Southwest quarter of the Southwest quarter of Section 5, Township 20 South, Range 11 West of the Willamette Meridian, Douglas County, Oregon. Also, the South half of the Southeast quarter of Section 6, Township 20 South, Range 11 West of the Willamette Meridian, Douglas County, Oregon. Also, beginning at a point 40.0 chains West of the Section corner common to Section 5, 6, 7, and 8, in Township 20 South, Range 11 West, Willamette Meridian, Douglas County, Oregon; thence West 7.75 chains; thence North 20.00 chains; thence East 7.75 chains; thence South 20.00 chains to the place of beginning, and being the East part of Lot 14 in Section 6 of the above township and range, all in Douglas County, Oregon. Also the West half of the Northeast quarter, the Southeast quarter of the Northwest quarter, and Lot 1 of Section 7, Township 20 South, Range 11 West, Willamette Meridian, Douglas County, Oregon.

PARCEL 2:

BEGINNING at a point on the Westerly line of the Southeast one-quarter of the Southwest one-quarter of Section 5, Township 20 South, Range 11 West of the Willamette Meridian, said point being on an existing East-West fence line, said point also being North 0° 47' East 397 feet more or less from the Southwest corner of the Southeast one-quarter of the Southwest one-quarter of said Section 5; thence along said Westerly line North 0° 47' East 762.3 feet to an existing fence line; thence along said existing fence line and its projection South 89° 38' East 135 feet more or less to the center of South Canary Road; thence along the center of South Canary Road South 86° 11' East 177.9 feet; thence South 16° 50' East 457.5 feet; thence South 5° 30' East 338.8 feet to the projection of an existing East-West fence line; thence along said existing fence line and its projection North 87° West 488.6 feet more or less to the point of beginning, in Douglas County, Oregon. EXCEPT any portion lying within South Canary Road.

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

1990 MAR 20 PM 2:33

GAY FIELDS
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

Thomas G. Bennett

30-1A

90-03551

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Seals on the beach. If anyone puts a hand on a seal, the seal will likely follow along for miles either in the water or squirming along on the sands of the beach, and to hold attention will keep crying like a baby.

THE WILKES FAMILY

Ada Wilkes Cleveland Tells Story of Arrival in 1889 and of the Many Years of Pioneering Near the Mouth of Fiddle Creek

We came to the Siuslaw in the spring of 1889, from Eugene. Father had farmed in the Willamette valley for several years, but hearing so much about the Siuslaw he decided to go down and see. He filed on 160 acres south of Glenada, and a short time after, we moved down. We hired a team and wagon to take us as far as Seaton, and from there went on the little river steamer, Mink, to Florence.

They shipped the organ, sewing machine, and most of the heavy pieces, by train from Eugene to Yaquina, now Newport, then to Florence by boat, and then hauled out from Glenada to the new home on a sled, I suppose, as the roads were mostly trails.

Most of the land from Glenada to Woahink Lake was homesteaded that spring.

* Fred Anderson had taken up land in the area where North Beach is now, and another place near the mouth of Fiddle Creek. The pre-emption law was going out of effect so he couldn't hold both places, and wanted to sell one. Father bought the Fiddle Creek place and we moved there in March 1890.

Mr. Anderson had a very good house for those days. It was built of lumber he had gathered at the beach, towed up the outlet and

on across the lake with a row boat, then hauled it on a sled, half a mile, to the building place. The house had a large living room, two bedrooms, and an attic room. Father built a kitchen and woodshed, and mother papered the rooms with newspapers. It was very cozy, even to a fireplace. We lived in that little house for fourteen years.

I was too small to remember about moving, but I can remember the skunk cabbage was blooming and I thought it was so pretty, so bright and yellow. I still think it is pretty at a distance.

Father bought four cows and a horse from Mr. Anderson. The cows were scared of mother and us girls for they had never seen anyone but Mr. Anderson, and didn't know what we were.

Mr. Anderson had cleared a small patch for a garden, and father cleared some more and set out an orchard and berries. Then it was more like a home.

Several families moved on Fiddle Creek about the time we moved there: Mr. Mitchell, the Houghtons, Gibsons, Youngs, Miles, Darius and Chas. Vanderberg, and there may have been some I haven't mentioned.

It was truly pioneer days with no roads or school. But it wasn't long until a school was organ-

Robarts and L. Roscoe

The tug L. Roscoe was owned by O. W. Hurd and was built at Gray's Harbor. The tug was 90 feet long, 22 foot beam, 9½ feet deep, her gross tonnage 117 and her net tonnage 75. The boat was named for Hurd's son, Roscoe.

The tug Robarts was owned by Kyle and Sons. It was built at Eel River in 1886. It was 80 feet in length and had 100 horsepower in steam.

Both of these tugs were used on the river for towing boats in and out over the bar, and for anything necessary in conducting the business of the two companies.

First Bridge at Ten Mile

The first bridge across Ten-Mile Creek was built in 1912. Until that time, long before there was a Coast Highway, the few travelers coming that way had to ford the creek. That year, 1912, lumber was sawed at the Porter Mill in Florence. The heavy timbers and all were cut the right length, then rafted, and the tug Roscoe towed it up the coast to the mouth of the creek and cast off. It drifted ashore where it was picked up and a bridge built a little up stream from the present day bridge. It was there until recently. D. S. H.

*In 1927 I purchased the Wilkes ranch and began dairy farming. This was the place the first Ada Post Office originated having been named after Wilkes' young daughter, Ada.

On August 21, 1925 Millie and I got another big husky son we named Merle Dean. He is a college graduate and a pretty sharp fellow. He has a wife, Shirley (Whitman) Miles and a daughter, Teresa Lorraine.

On April 2, 1931 we got a daughter, Elsie Marie that we admire very much. Our last was a beautiful little girl that looked very much like her mother and died at birth on October 19, 1932.

October 1942 I got a call from Reedsport to come file saws up Loon Lake for Jack Baldrich at \$15.00 a day which was \$5.00 a day more than I had been getting. There was a time about then that wages got up to where a man had a little left over at the end of the month that the cost of living and taxes didn't gobble up. During this time I was able to pay my ranch off. Except for the time I worked at Loon Lake while my son, Dannie ran the ranch, I both worked out full time in the woods and ran the ranch. Part of that time we had some hired help.

Dan, Jr. and I started gyppo logging in the spring of 1945 and continued for fifteen years.

On July 6, 1959 Millie was killed by a logging truck. On February 14, 1960 I married Edna (Fountain) Johnson whom I had known since 1914 but hadn't seen often except at the Siuslaw Pioneer picnics. Earl Johnson, her first husband and I were very good friends before he married and worked his way in the woods up the Wildcat and finally settled at Vaughan.

Edna and Earl had three boys, Arthur the oldest, Wayne and then Larry. Wayne and Larry both served in World War II. At that time Arthur already had a wife and daughter and was looking for a son who showed up a beautiful daughter and still is. Their next was also a beautiful daughter. Wayne started his family with a beautiful daughter and then got a fine son who is a good preacher and also teacher at Junction City, Oregon. Larry and Lola have a son and a daughter who both married fine partners and have their own families.

The spring of 1966 Edna and I sold the farm to Mr. and Mrs. Karl Hensen. We moved to Glenada buying the Gallo home which also is the place my father loved when he died and where my brother Ed once lived.

We are enjoying life at our home surrounded by flowers, shrubs, garden and a shop and hope to spend a few more years here.

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Facing Ada arm of Siltcoos Lake. This is the route pioneers reached Fiddle Creek before trails and roads were built.



Dan Miles ranch from the air showing Fiddle Creek flowing by and emptying into Siltcoos Lake. The property now belongs to Karl Hensen family.



Upper portion of ranch first owned by Wilkes family for which Ada got its name having been named after their child, Ada. Miles was second owner and now Hensen.