RECEIVED

JAN 1 4 1994

WATER RESOURCES DEPT SALEM, OREGON

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

Dear Don

Enclosed are the following corrected maps:

- (1) Arita and Arlo Harwood SWR 542. I added the 1/16 lines and showed the location of the house.
- (2) Jane Muffett SWR 540 and SWR 539. I added the 1/16 lines.
- (3) Marcella Dailey SWR 452. I showed the location of the house.
- (4) Robert and Fontella Hankins SWR 454. These questions all concern the claimed use of irrigation. Mr. Hankins claims that there was irrigation of 5 acres of potatoe fields prior to 1909 and showed me where he thought it had been. As I explained in my final proof report there is currently no irrigation at this time and no sign that there has been in the near past. There is currently no point of diversion, no conveyance system and only an estimate of the original place of use. I have changed the hatchuring on the map to a dashed line to indicate that the irrigation is not a current use. If you have any questions about this I can be reached at 759-4467 or 267-2872.

Sincerely

Harvey Wilcox

PS: The Benson Creek Stock map is in their possession and I have asked them to send it to you. Also I am no longer an employee of Stuntzner Engineering. I have started my own business called Wilcox Land and Forestry Services, 759-4467, 3190 N. Lake Rd Lakeside, Or 97449. I can also be reached at Stuntzner Engineering as I finish up work that I have started for them.

THE UNITED STATES OF MERICA.

Homestend Certificate No. 2020.

To all to Whom these Presents shall Come-GREETING

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at ____ Claric Green __ Green meterchy it appears that, pursuant to the Act of Congress approved 20th May, 1802, "To Necure Homestends to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Misting Lorghite, soidere Field Threfate has been established and duly consummated, in conformity to law, for the

northeast quarter of the morthwood quarter, and the west half of the morthent sweeter - section thirty four in Townships

Greaty, South of Range ten west of the Willameter Meridians Ougon, containing one hundred troinly never

RECEIVED DEC 31 1992

WATER RESOURCES DEPT. SALEM, OREGON

according to the Official Plat of the Survey of the saud Land, returned to the General Land Office by the Surveyor General. NOW, KNOW YE, That there is, therefore, granted by the United States unto the mid. Mixice Lechite _____ the tract of land above described:

TO HAVE AND TO HOLD THE SAID TRACT OF LAND, with the appartenances thereof, unto the said

Marie Tire 6/12, hoirs and assigns forever, subject to any vehicl and accrued water rights for mining, agricultural, manufacturing or

other purposes, and rights to ditches and reservoirs used in connection with such water rights, us may be recognized and acknowledged by the local distama, laws and decisions of Courts, and also subject to the right of the proprietor of a volu or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises kereby granted, as provided by law, and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be herounto affixed.



Given under my hand, at the City of Washington, the leverely - Felt. hundred and sight , and of the Independence of the United

States the one hundred and Muchy sicered DY THE PRESIDENT: Therefore Sirverell

By L. L. turnil Sicularet Borrdary.

Recorded Feb. 778 Progo de 79 16 Dr. Sar porch. Recorder of the Oceanal Land Office Filed for Record at a clark M. March po A D. 19 Ja., and recorded at the request of

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I ABeneral Dopary. United States to P.P. Simurous | Homerand The United States of America. To all to whom these presents shall come seceting thereas there has been deposited in the secretal Lakel office of the United Sales a Certificate numbered one thousand one hundred and much seght of the Register and receiver at Roseburg Orgon where y it appears that under the provisions of the act of kongues approved the 27th day of september. 1850 sutitled an act to create the office of surveyor General of the Public Lands in Origon and to provide for the survey and to make Clonations to Sallers of the said hublic land and the legislation supplemental thereto the Claim of P. R. Simmons of Umpour Courty Ongon Notification Sto, 1200 has brue established to a donation of one quarter section or one hundred and Sixty acres of land and that the same han brew surveyor and designated according to the official plat of sin vy setulned to the several Land Office by the sunger General, on Lot two of section twenty light, but two of section Furnity Leven Lots Six Leven and Eight A section thirty here and Lots one, two, four, five and dix of action thirty four all in townships twenty South of Ranger ten wastin the district of lands Sutject to sale at Rose burg Congon bons toining one hundred and trong mine aco. and thuty hundred the of an acre, in consideration of the hunises, and in conformity with the provisions of the act-aforeaid have given and knowled and by these presents do give and know muto the Said Planmons and to his heers the tract of land about descented to have and to hold the said tract with the appre tenances unto the said P Summons and to his heiro and assigns forwar on teatimony whereof Illysses Israul Budget of the huited states have caused the sletters to be made patent, and the real of the General Land Office to be hereunts affixed Grow mider my hand at the cley of bashing ton this living third dely of Housand light hundred and seventy four

Vinstan Cyrely Ing I This Included Homeset. There we comition Byrity and Christine Pyrels- his wite, for Frederic Treple. Ithe consideration of sight - 18 60 90 Dollars to us pair. have baryained and sold and by these presents so bargain see and convey und Frederic Rocke the following describes premise waring to portion of the Nr 8114 of the SIVILY of section 3 +. It 20. South R. 10 West and more particularly described as follows Commensing as a quelch about 20 yes east of the line between the A 6 14 and N-11-14 9, 1/ho & 114 9 S. 30. S. 20 S. R. 10 W. ruming thouse in our Exelui, butter along Smithe River to the line between the A- 8 14 of the 1'4 and the 1-1114 of the SE'149 S 30: 1. 20. S. R. 10 1. Thence North 15 to , 2 see Line of S. 35. Thence that along said 1/2 see line A the gulde afore sour, Trend in a Southerly direction down sound gulch Is the river and is the place of very ming and containing near & a des of land being in In it & 4% it SHV4 of S. 35. 1. 20. S. 12. 10 Which and situation Douglas went - State of Breyon. To Have and to Nold. The said prencies with Their a spirite month of the sain Fraluc Kalpke his hers mo assiss frever the the sain Christian Posito and the history Parili does herely command be and with the said Frederic Krephe -his heir mu assigns, that they are the owner in Justings to y soil i cemins that they are tree from all manus brances, and that the will averent and defend the same, in all langue downs whatsome; In within A thereig we know sen our hand and seal, this 1st day 19 ot member a. 2. 1879 E. Me In Presence ig

M. M. Melan. Many & Malanie

Christine lights Gent

County Dieseles in acknowlegement.

and this the the day of Ironemaker a. D. 1879, person-- Ling seine sure one M. M. Melow Jolay Public in and is some county in vitin named Christian Davidy and - is heretime Privile in one personally howen it he the worken ween susside in and who executed the foregoing Courses and and as invaled in me that they excelled the server freign to a new your hurposes therein morney. And the sound Considered The said on a reminetter separate much apart from the said med as is a serious in me it in the specified to some freely and it is



CLAIM OF BENEFICIAL USE AND SITE REPORT FOR PRE 1909 VESTED WATER RIGHTS.

INFORMATION:

THE PERMITEE IS MARCELLA DAILEY. I TALKED TO PAUL DAILEY ON THE SITE. PAUL IS MARCELLA'S SON. PAUL SHOWED ME THE WATER SYSTEM AND THE LOCATION OF THE STOCK WATERING AREAS. MARCELLA DAILEY 22101 LOWER SMITH RIVER RD REEDSPORT, OREGON 97467

SOURCE:

THE SOURCE FOR THE DOMESTIC USE IS AN UNNAMED STREAM WHICH IS A TRIBUTARY OF SMITH RIVER. THE INSTREAM STOCK WATERING OCCURS AT VARIOUS UNNAMED STREAMS AND IN SMITH RIVER ITSELF.

DIVERSION POINT:

THE DIVERSION POINT IS A 4" METAL PIPE SET IN A CRACK IN THE BEDROCK OF A SMALL UNNAMED STREAM. THIS DIVERTS THE WATER 30' TO A 50 GALLON SETTLEMENT TANK.

MOTOR/PUMP:

THIS IS A GRAVITY SYSTEM.

PIPE

THERE IS 30° OF 4" METAL PIPE FROM THE DIVERSION POINT TO A 50 GALLON SETTLEMENT BARREL. THERE IS 200° OF 3/4" PLASTIC PIPE FROM THE SETTLEMENT TANK TO A 1500 GALLON STORAGE TANK. THERE IS AN ADDITIONAL 90° OF 3/4" PLASTIC PIPE TO A 1000 GALLON STORAGE TANK. THERE IS 270° OF 1 1/4" PLASTIC PIPE FROM THE 1500 GALLON TANK TO THE RESIDENCE FOR INHOUSE USE. THERE IS 180° OF 1" PLASTIC PIPE FROM THE 1000 GALLON TANK TO THE RESIDENCE FOR IRRIGATION OF 1/2 ACRE LAWN AND GARDEN.

HEADS

IRRIGATION OF LAWN AND GARDEN IS ACCOMPLISHED WITH A STANDARD 5/8" GARDEN HOSE AND WAVE SPINKLER.

USES

THE WATER IS BEING USED FOR DOMESTIC HOUSEHOLD USE INCLUDING IRRIGATION OF LESS THAN 1/2 ACRE OF LAWN AND GARDEN.

LIFT

THE RESIDENCE IS 74' LOWER THAN THE 1500 GALLON STORAGE TANK AS MEASURED BY THEODOLITE AND EDM. THE MEASURED PSI AT THE HOUSE IS 30PSI.

CALCULATIONS

SEE THE ATTACHED CALCULATION SHEET AND NOMOGRAPH. THE SYSTEM CAPABILITY IS 0.065 CFS FOR DOMESTIC USE. THE MAXIMUM STOCK USE IS 0.006 CFS.

SURVEY TIE

THE BRASS CAP AT THE SECTION CORNER COMMON TO SECTIONS 27,28,33 AND 34 AND THE MEANDER CORNER AT THE \$1/16 WERE TIED TO THE POD WITH A THODOLITE AND EDM. THE BEARING BETWEEN THE TWO CORNERS WAS CALCULATED USING SURVEY M93-28 BY HINTZ AND SURVEY M115-64 BY ROBERTS. THE BEARING BETWEEN THE CORNERS IS N ODEG 14'34" W 4034.12'. THE BEARING FROM THE SECTION CORNER TO THE POD IS \$ 42DEG 15' E 3028'. THE LOCATION OF THE STOCK WATERING AREAS WERE PICKED FROM THE ASSESSORS MAP

THE PRE 1909 VESTED WATER RIGHTS SURVEY AND INSPECTION OF THE USE AS FOUND TO BE COMPLETED UNDER THE CONDITIONS AND TERMS OF PRE 1909 VESTED WATER RIGHTS WAS COMPLETED BY ME ON DEC 28, 1992. THE FACTS CONTAINED ON THIS REPORT ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

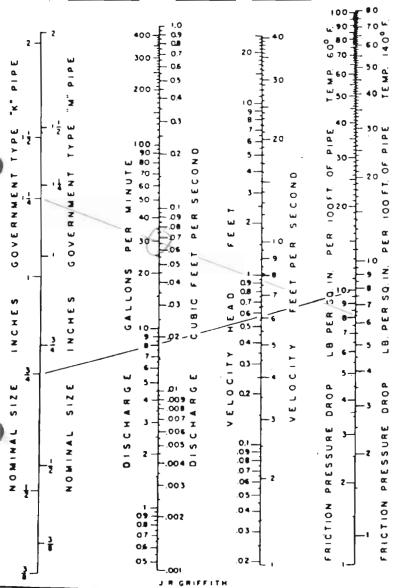


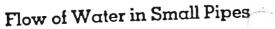
I, MARCELLA DAILEY, AGREE TO THE FINDINGS OF THE CWRE AND DO SUBMIT THIS SITE REPORT AND MAP AS MY CLAIM OF BENEFICIAL USE OF THE WATER AS PROVIDED UNDER THE TERMS AND CONDITIONS OF PRE 1909 VESTED WATER RIGHTS.

SIGNATURE Marculla Waile

Calculations 470' of pipe from the storage tank to the house using the attached nonagraph-Pipe size is 1/4" from the strange tank
The romagraph gives (0.065 cfs) There are presently 36 head of cattle. Marcie informed me that the highest number of cattle is about 80 (80 head) (15 gal/day head) (Iday A) (HT/148gal) 1/60 mon / mon/socce = 6.006 cfc)

FLOW OF WATER IN COPPER & BRASS PIPES





3/4 to 2-in. diam.

THERE have been numerous nomographic charts published for the flow of water in pipes, including four of my own. However, I have not previously seen one applicable to pipes in the smaller size

The accompanying chart is based on tabular data published by the Bridgeport Brass Co.* Being applicable to the flow of water at temperatures both 60 deg. F. and 140 deg. F., it should be convenient in the design of building and boiler installations. It would be applicable to pipes of other material of corresponding smoothness with care being taken for corrosive

waters.
Government types "K" and "M" have been included, the difference being in the wall thickness and internal diameter. The following table indicates the difference for the included sizes:

Nominal	Outside	Wall Thickness, In.		
Size	Dia., In.	Type "K"	Type "M"	
1/1	.500	.049	.025	
	.625	.049	.028	
7 2	.875	.065	.032	
1	1.125	.065	.035	
11/4	1.375	.065	.042	
11/2	1.625	.072	.049	
2	2.125	.083	.058	

A single straight line intersecting all scales is necessary for a solution of this chart. Any two known, or assumed, values will determine the direction of the solution line. A solution line has been drawn for the following problem:

Required to determine the discharge of water at 60 deg. F. in 1/2-in. Government type "K" copper tube for a total pressure

drop of 20 lb. per sq. in. for a 200-ft. run of pipe.

Pressure drop=
$$\frac{20}{2}$$
=10 lb. per sq. in. per 100 ft.

A line has been drawn between the pipe size and this pressure drop. The following information is then obtained from the other scales:

Discharge = 8.2 gal. per min.

Discharge = 0.018 cu. ft. per sec.

Velocity = 6.1 ft. per sec.

Velocity head = 0.57 ft.

Pressure loss for same pipe but water at 140 deg. F. would be 7.9 lb. per sq. in. per 100 ft. of pipe.

From the tables, Discharge=8.2 gal. per min.

Discharge =
$$\frac{8.2}{448.83}$$
 = 0.0183 cu. ft. per sec.

Area of 1/4-in. type "K" pipe

$$A = \frac{3.1416[0.875 - 2(0.065)]^{9}}{4} = 0.436 \text{ sq. in.}$$

Area
$$=$$
 $\frac{0.436}{144}$ $=$ 0.00303 sq. ft.

$$Vel. = \frac{Discharge}{Area} = \frac{0.0183}{0.00303} = 6.04 \text{ sec. ft.}$$

Velocity head
$$=\frac{V^3}{2g} = \frac{6.04^9}{64.4} = 0.567$$

* Water Pipe Sizes, by Walter S. Timmla, Bridgeport Brass Co., Bridgeport, Conn.

NOTES FOR 1967 EDITION

Not many references pertaining to small diameter tubing or pipe are available at present, particularly as regards head loss in fittings or bends. Manufacturers data must be consulted for these situations. It should be noted that this chart presents flow data only for straight sections of the described pipe. TJM

Section 34&35 Township 20S Range 10W W.M. Douglas County **S27 S26 S26 S27 S35 S34 S35** UNNAMED POD **MEANDER** COR **S34 S34 S35 S35 S2 S3**

Legend

• *P.O.D.*

--- Property Line

>> Creek

Waterline

Home including 1/2 acre irrigation lawn & garden

[] Stock Watering

EXAMINERS DISCLAIMER STATEMENT

The preparation of this map was for the purpose of identifying the location of the Water Right only and has no intent to provide dimensions or location of property ownership lines.

PRE 1909 VESTED WATER RIGHTS SURVEY

IN THE NAME OF

Marcella Dailey

EXPIRES 12/31/94



SCALE 4"=1 MILE

Surveyed on December 27, 1992 by H.A. Wilcox

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP Jul NAME Check BASIN MAP July NAME CHECK BASIN MAP JUL
RECEIPT # 9580\ S W R NUMBER 452
CHECK ENCLOSURES PRELIMINARY DATA BASE ENTRY DWF
ACKNOWLEDGEMENT LETTER ENTER ON STREAM INDEX
CHECK QUADRANGLE MAP CHECK GLO PLATS
WATERMASTER CHECKLIST PUBLIC NOTICE PUBLICATION &
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

C:\WP51\SWR\CHCKLIST.1

7-30-92



WATER
RESOURCES
DEPARTMENT

January 19, 1994

HARVEY WILCOX 3190 N LAKE ROAD LAKESIDE OR 97449

RE: SWR-452

Dear Mr Wilcox,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of DAILEY FAMILY 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\S\C\4\SWR-0452.002





November 29, 1993

WATER
RESOURCES
DEPARTMENT

HARVEY WILCOX 3190 N LAKE ROAD LAKESIDE OR 97449

RE: File# SWR-452

DEAR HARVEY WILCOX,

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 reciepts 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 Martin and Marcella Dailey Family Trust. 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.

place of use (1/4 1/4)

ORS 539.240 (2) (d) (B) "The location of place of use by quarter-quarter section..." You must identify the actual location of the house with the domestic use.

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\4\SWR-0452.00M



	Application No.	65294	FEEG-PAID
	Permit No.	47917	7.13.83 65.00 37
	Certificate No.	68231	
	Stream Index, Page No.	ie No. 16-20 Z	1 1 1
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Extended to

Date for application of water 0CT 1 1986

Extended to

Date for completion ...QCI ____1985

CONSTRUCTION
Date for beginning

Date for beginning

Date of approval DEC 6 1983

Return to applicant

Priority JULY 13 1982

Date filed July 13, 1983

Reedsport, OR 97467

Address Rt. 3, Box 133

Action suspended until

Name Paul M. & Marcella Dailey

Form "A" filed

Form "C" filedCOMPULTED

Form "B" filed ...

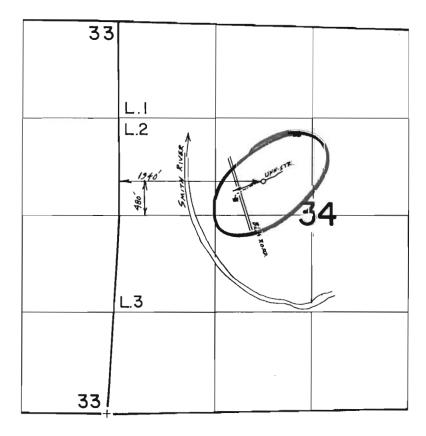
FINAL PROOF Blank mailed FB 0 1993

PROSECUTION OF WORK

Date certificate issued APR 0 9 1993

Proof received

T. 20S., R. IOW., W.M.



N

Scale i"=1320'

FINAL PROOF SURVEY

Application No. 65294 Permit No. 47917.... IN NAME OF

PAUL M. & MARCELLA DAILEY

Surveyed Sept. 3, 1992., by S. James

4-1019-178-1258

26-

INFO: MET W/ MARCECCA DAILEY, GRAVITY- FLOW FROM UNIVERSITY STREAM USED FOR DOMESTIC.

SOURCE: VALLAMED STREAM

DIV. PT.: GRAVITY -FLOW FROM A 2'LONG & 025 WIDE GROOVE CHISELED HATO BEDROCK AT A CASCADE IN STREAM CHANNEL BY A 30' LONG SECTION OF Zh GALVANIZED PIDE LEADING TO 55 GALLER DRUM USED AS A SETTLING TANK.

PIPE: 30 FT. OF 2" GALVANDIZED 200 FT. DE 1/2" B. POCH PIPE SETTEING TANK -> STO. TANK 1000 GALLON STOPAGE TANK 350 Ft. OK 192" B. POCY PIPE FROM STOPAGE TAME - HOUSE

USE: DOMESTIC FOR ONCE FAMILY MICLUDING ...

CHEKS GARDEN

Alle Samuel

FOUND REMINETS (OLD STEIRON PIPE AT DIV. PT. AND ALONG POUTE TO STERNSE TANK) MES. DAILEY CLAHAS THAT SYSTEM USED SOME 1870'S, I CONCUR.

MICH RIBER TO PLANCE TABLE WITH VPOME: 7/3/89 ALIDADE THAT LACKS A CHARASS. WHILL TRY TO ORDER AFRICAC ONES

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PAUL M. AND MARCELLA DAILEY ROUTE 3, BOX 133 REEDSPORT, OREGON 97467

confirms the right to use the waters of AN UNNAMED STREAM, a tributary of THE SMITH RIVER, for DOMESTIC USE FOR ONE FAMILY INCLUDING THE IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE.

This right was perfected under Permit 47917. The date of priority is JULY 13, 1983. This right is limited to 0.01 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 34, T 20 S, R 10 W, W.M.; 480 FEET NORTH AND 1940 FEET EAST FROM THE WEST QUARTER CORNER OF SECTION 34.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 NW 1/4
SECTION 34
TOWNSHIP 20 SOUTH, RANGE 10 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed APRIL ${\cal G}$, 1993.

Wartha O Dagol

Recorded in State Record of Water Right Certificates numbered 68231.

65294.LMS



April 8, 1993

WATER
RESOURCES
DEPARTMENT

MARTIN & MARCELLA DAILEY FAMILY TRUST 22101 LOWER SMITH RIVER ROAD REEDSPORT OR 97467

Dear MR & MRS DAILEY,

This will acknowledge that your Surface Water Registration Statement in the name of MARTIN & MARCELLA DAILEY FAMILY TRUST has been received by our office. The fees in the amount of \$340.00 have been received and our receipt #95801 is enclosed. Your registration statement has been numbered SWR-452.

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

J:\WP51\SWR\CLAIMANT\4\SWR-0452.001



STATE OF OREGON WATER RESOURCES DEPARTMENT 3850 PORTLAND ROAD NE

SALEM, OR 97310

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	True	PERMIT	
and,	17000	TRANSFER	
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HYDRO APPLICATION			\$
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Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal