

# Geomax

OF OREGON, INC.

ENGINEERING, LAND SURVEYING, BUILDING DESIGN  
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424  
TELEPHONE (503) 942-0126 FAX (503) 942-7935

## LETTER OF TRANSMITTAL

DATE	6/8/94	JOB NO.	9304
ATTENTION	Dallas Miller		
RE	File SWR-605 Alto G. King		

TO Oregon Water Resources Dept.  
Commerce Bldg.  
158 12th St. S.E.  
Salem, OR. 97310

WE ARE SENDING  ATTACHED  UNDER SEPARATE COVER VIA \_\_\_\_\_

- SAMPLES
- LITERATURE
- PLANS
- PRINTS

- SHOP DRAWINGS
- ENGINEERING DRAWINGS
- CHANGE ORDERS
- LETTERS

- CONTRACTS
- OTHER

*Final proof map  
Letter from OSWRD from  
Don Knauer*

NOTES \_\_\_\_\_

DISCOVER

JUN 11 1994

COPY TO \_\_\_\_\_

SIGNATURE

*Lynn M. Babcock*

TITLE

*Secretary*

DATE

*6/8/94*

February 2, 1994

ROBERT E. FINDORFF  
806 N. NINTH STREET  
COTTAGE GROVE OR 97424

RE: File# SWR-605

DEAR ROBERT E. FINDORFF,

JUN 9 1994

WATER  
SALES

I am returning the map you prepared for ALTO G KING (Joe King). 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.

- |                             |  |
|-----------------------------|--|
| <i>conveyance</i>           | ORS 539.120 "...the location of .... and each ditch, canal, pipeline or other means of conveying the water..." If you don't show it on the map you must describe it. |
| <i>diversion point size</i> | OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems."  |
| <i>paper</i>                | OAR 690-14-170-1 "...in ink on permanent-quality linen or 0.003-inch mylar..."   |

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. The toll free number is 1-800-624-3199.

Sincerely,

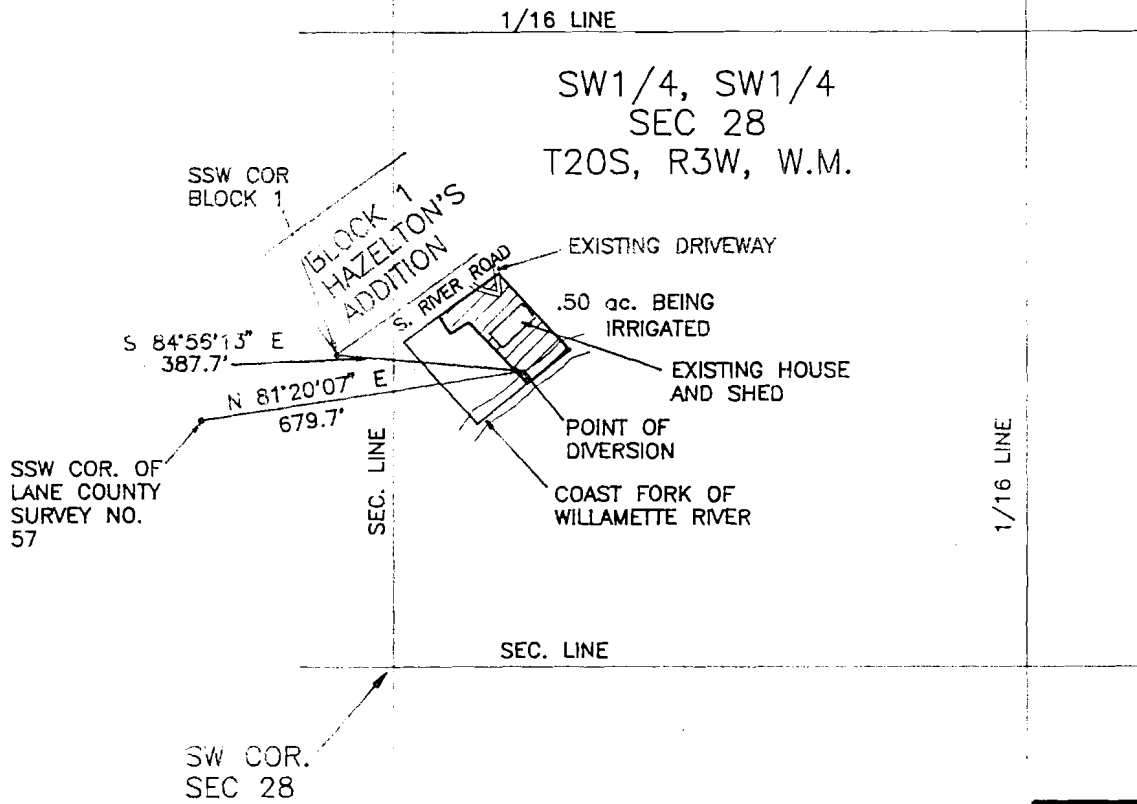
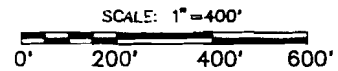


Don Knauer  
Adjudication Specialist

Enclosures

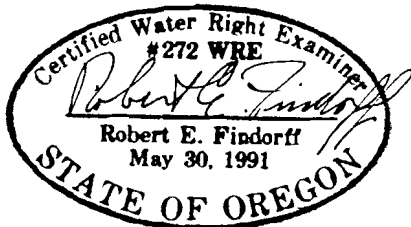
J:\WP51\SWR\CLAIMANT\6\SWR-0605.00M





### FINAL PROOF MAP

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE WATER RIGHT ONLY AND IS NOT TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



WATER RIGHTS SURVEY FOR JOE KING  
SW1/4, SW1/4, SEC. 28, T20S, R3W W.M., LANE COUNTY, OR.

**Geomax**  
OF OREGON, INC.  
ENGINEERING, LAND SURVEYING, BUILDING DESIGN  
808 N. NINTH STREET COTTAGE GROVE, OREGON 97424  
TELEPHONE- (503) 942-0126 FAX- (503) 942-7835

JOB NO.: 9304	DRAWN: T.F.J.	CHECKED: R.E.F.
DATE: 2/3/93	SHT. 1	OF 1

W 12 1993  
MAR - 4 1993

WATER RESOURCES DEPT  
SALEM, OREGON

Alto Gardner King  
212 So. River Rd.  
Cottage Grove, Ore.  
97424

March 3, 1993

Dear Sir:

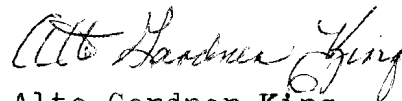
I was instructed to send a letter stating water use and to register pre-1909 vested water right to Watermaster N.W. Region, which was done.

Then we left on vacation. When I returned the letter from Mr. MC Ginnis was received. Also the instruction sheet informing that I had to have Certified Water Right Examiner survey and maps made.

I contacted Geomax for a water right survey who are the only one qualified in Cottage Grove. They could not complete a survey and maps before Dec. 31, 1992. The survey, maps and late filing fee were sent as soon as completed.

In all due respect I felt I had complied with the request in due time.

Sincerely,

  
Alto Gardner King

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME Upper Willamette #2A UNADJUDICATED AREA ? OK DWF  
RECEIPT # 97163 S W R NUMBER 605  
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

**MAP REVIEW**

#2 ✓ 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  
#2 ✓ P.O.B. of survey  
\_\_\_\_\_ dimensions and capacity of diversion system  
#2 ✓ "beneficial use" type title  
\_\_\_\_\_ "permanent-quality" paper  
\_\_\_\_\_ 1/10th acre

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

June 13, 1994

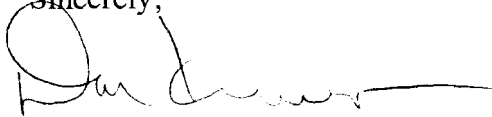
ROBERT E FINDORFF  
806 N NINTH STREET  
COTTAGE GROVE OR 97424

RE: SWR-605

Dear Mr Findorff,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of ALTO G KING 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\6\SWR-0605.005



---

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

FINDORFF - 212

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.

j:\wp51\swr\claimant\cwrememo.94

SWR - 119

- 138

605

February 2, 1994

ROBERT E. FINDORFF  
806 N. NINTH STREET  
COTTAGE GROVE OR 97424

RE: File# SWR-605

DEAR ROBERT E. FINDORFF,

I am returning the map you prepared for ALTO G KING (Joe King). 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..." If you don't show it on the map you must describe it. |
| ✓ diversion point size | OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems."  |
| ✓ paper                | OAR 690-14-170-1 "...in ink on permanent-quality linen or 0.003-inch mylar..."   |

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. The toll free number is 1-800-624-3199.

Sincerely,



Don Knauer  
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\6\SWR-0605.00M





February 2, 1994

---

WATER  
RESOURCES  
DEPARTMENT

---

ALTO GARDNER KING  
212 S RIVER ROAD  
COTTAGE GROVE OR 97424

re: SWR-605

Dear Mr King,

I am sending your receipt for the fees you paid to file your pre-1909 vested water right claim. This is your receipt and you should keep it for your records. The Water Resources Department has a copy of the receipt.

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

Sincerely,



Don Knauer  
Adjudication Specialist

j:\w\slc16\swr-0605.004



---

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

June 21, 1993

Alto Gardner King  
212 South River Road  
Cottage Grove, OR 97424

RE: SWR-605

Dear Mr. King,

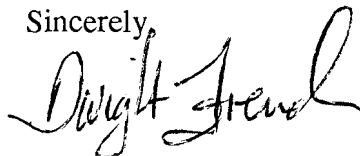
Martha O. Pagel, the director of the Water Resources Department signed a special order this morning that officially accepted for filing the Surface Water Registration Statement in the name of Alto Gardner King. I have enclosed a copy of the special order.

Your registration statement has been numbered SWR-605.

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,



Dwight French  
Adjudication Section

enc

CC: Gene McGinnis, Watermaster

J:\WP51\SWR\CLAIMANT\6\SWR-605.003



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

BEFORE THE DIRECTOR OF THE  
OREGON WATER RESOURCES DEPARTMENT  
SALEM, OREGON

IN THE MATTER OF THE	)	ORDER ACCEPTING
SURFACE WATER REGISTRATION	)	SURFACE WATER
STATEMENT TO BE FILED IN THE	)	REGISTRATION
NAME OF ALTO G. KING	)	STATEMENT
_____	)	(Late filing)

The above entitled matter comes before the Director for authorization to file a Surface Water Registration Statement after the filing deadline of December 31, 1992.

It appears that the claimed use of water has not been abandoned, that water has been applied to beneficial use and that the use of water by the claimant is subject to registration pursuant to ORS 539.240(4).

NOW, THEREFORE, it is hereby ORDERED that the Department accept for filing a Surface Water Registration Statement in the name of

ALTO G. KING  
212 SOUTH RIVER ROAD  
COTTAGE GROVE, OR 97424.

Dated June 21, 1993.

  
\_\_\_\_\_  
Martha O. Pagel, Director

Recorded in Special Order Volume 47, Page 243.

SWR-605.DWF

June 15, 1993

Alto Gardner King  
212 South River Road  
Cottage Grove, OR 97424

RE: Late Surface Water Registration Statement

Dear Mr. King,

Please accept my apology in the delay in responding to your petition for acceptance of your late-filed surface water registration claim. Please be assured that you have forfeited no rights as a result of our delay.

If you send in a completed Surface Water Registration (SWR) Statement we will issue the required special order that allows us to accept your late filing. We will send you a copy of the order when it has been signed by the Director.

A blank SWR claim form is enclosed. Be sure to have the completed claim form notarized. Please be advised that although we will accept your claim, we will not initiate processing until we have received a map of your claimed use(s) prepared by a Certified Water Right Examiner.

Please call either myself or Dwight French if you have any questions about how to proceed. You may call toll free from within Oregon: 1 (800) 624-3199.

Sincerely,



A. Reed Marbut, Administrator  
Water Rights/Adjudication Division

ARM/dwf

Enclosure  
Surface Water Registration Statement claim form



April 27, 1993

Alto Gardner King  
212 South River Road  
Cottage Grove, OR 97424

RE: Late Surface Water Regi

Dear Mr. King:

Please excuse the delay in my letter. There have been a number of registration filings and we request carefully so that each is protected.

Dalea <sup>4/29</sup>

Hold these until

Mon - So we can meet w/ Don + Dwight

Maybe we need a petition

John - Black lead

Don/Dwight <sup>5/16</sup>  
After much thought and a long discussion w/ Sanders - I've changed my mind  
I think we should use the letters as Petitions as is.

Let's talk about what received and get like to make. Read

er & rec on late statements requires that you must

the v e claim however stant ble.

s you titic face thou not arch of

lon in f p sis

er good cause is shown to accept your

a sworn statement that the information and correct to the best of your should be signed by you in front of a nature must be acknowledged.

13,  
1  
ly

7  
-filed  
rich  
order  
a  
sted  
he

n, we  
i were

the  
have

you  
you

YOU,  
Dwight  
& I  
SHOULD  
ALL  
UNDERSTAND  
JUST  
WHAT  
IS  
REQUIRED  
Don  
4-27-93

Alto Gardner King  
RE: Surface Water Registration  
April 27, 1993  
Page 2

Thank you for your patience in this matter. If you have questions or concerns, please feel free to give me a call. Any of the staff in the Adjudication Section would be happy to discuss the petition format. This process is not as difficult as it may sound; however, we want to be sure we have completed all of the necessary legal steps to insure that you have every opportunity to file your late claim. We will hold your \$45 fee until we have had a chance to review your petition.

Sincerely,

[ Don Knauer  
Adjudication Specialist ]

ARM/DK/dpc  
Enclosure

Why my name?

INTEROFFICE MEMORANDUM  
Oregon Water Resources Department  
Adjudications Section

SIDEBAR:

I figured that if you did not agree with my interpretation that you would at least <sup>take a step</sup> be closer to developing your own interp. of 539.240(4).

TO: Reed Marbut

FROM: Dwight French *DF*

DATE: June 1, 1993

RE: 539.240(4) and pending petitions

(Attached is 539.240(4), late filing.)

My interpretation of 539.240(4):

A person may file a petition if they have good cause to show that they have not abandoned the claim. Nothing we have defines what good cause is so a liberal interpretation should be allowed.

The director cannot reject a petition without holding a CC hearing first.

Without a hearing the director may accept sworn statements in support of the claim. Since the law does not indicate that the petition must be sworn (notarized) then another sworn statement should suffice, i.e. SWR Claim Form. The petition (and sworn statements if petition/letter is not sworn) is judged not on why they didn't make the deadline but rather on whether or not the person has a use of water that would be subject to registration under 539. If the petition/sworn statement meets this condition then the director issues an order authorizing the person to file a registration statement.

-----  
Using this interpretation I offer the following recommendations on the four petitions received so far.

Petition #1 "Brown" (SWR-603)

We received both a notarized petition and a notarized claim form along with fees and CWRE map. We need to issue an order that officially authorizes WRD to accept the Brown late claim.

Petition #2 "Rose"

Unnotarized petition with fees have arrived. Instruct Mr. Rose that if he'll send in a completed (to include notarized) claim form we will accept it (issue an order).

Petition #3 "King"

Unnotarized petition with fees have arrived. Instruct Mr. King that if he'll send in a completed (to include notarized) claim form we will accept it (issue an order).

*604*  
Petition #4 "Oceanside Water District"

Petition and notarized claim form with fees have arrived. Issue order accepting claim.

file c:\w\s\petition.539

*Alm*

*6/6*

*Discuss w/ Dwight*

*letter - Dwight*

*Orders - Reed*

*(Simple)*

(2) Upon request, the Water Resources Director shall make available a blank registration statement required under subsection (1) of this section. The claimant shall complete the registration statement by providing the information necessary for determination of the claimed vested or reserved right. The registration statement shall include at least the following:

(a) The name and mailing address of the claimant.

(b) The claimed beneficial use of the water and the amount used. *SWR Form?*

(c) The stream from which the water is diverted.

(d) A map from a survey prepared by a water right examiner certified under ORS 537.798 showing:

(A) The location of the point of diversion in reference to an established corner of the United States Public Lands Survey or, if within a platted and recorded subdivision, from an established lot corner of the subdivision.

(B) The location of the place of use by quarter-quarter section of the United States Public Lands Survey. If the use is for irrigation, the number of acres irrigated within each quarter-quarter section.

(c) The time of commencement of the claimed use of water.

(f) The times of beginning and completion of any division and distribution works used to appropriate the claimed use of water and the water carrying capacity of such works, if known.

(g) The location of the place of use by quarter-quarter section of the United States Public Lands Survey. If the use is for irrigation, the number of acres irrigated within each quarter-quarter section during the first year of use and during each subsequent year until the full amount of claimed use was accomplished.

(h) The period of the year during which the claimed use of water is usually made.

(3) The failure of any person, corporation or governmental agency to file a registration statement for an undetermined vested right or federal reserved right shall create a rebuttable presumption that the claim has been abandoned.

(4) For good cause shown, any person who fails to file a registration statement within the period set forth in subsection (1) of this section may file within one year after December 31, 1992, a petition with the director requesting that the person be given an opportunity to rebut the presumption that the person has abandoned the claim. Upon the filing of such a petition, the director may schedule a hearing to take testimony and evidence on the date the water was applied to beneficial use or the director may accept sworn statements in writing in support of such petition. The director shall not deny a petition without first holding a contested case hearing. (If it appears after hearing or from such sworn statements that the person has a use of water that would be subject to registration under this chapter, the director shall issue an order authorizing the person to file a registration statement as described under subsection (1) of this section.) A person who files a petition under this subsection shall submit with the petition a fee, the amount of which shall be one and one-half times the amount the person would have submitted under ORS 539.081 with a timely registration statement.

(5) Upon receipt, affirmation or modification of the registration statement under subsection (1), (4) or (8) of this section, the director shall:

(a) Indorse on the registration statement the date of its receipt, affirmation or modification;

(b) Enter the indorsed statement in the record of the department;

(c) Mail a copy of the indorsement to the person filing the registration statement; and

(d) Include the person in any further proceeding to adjudicate the water rights represented by the indorsed registration statement.

(6) Upon entry of the indorsed statement in the department's records, the registrant is prima facie entitled to appropriate the surface water and apply it to beneficial use to the extent and in the manner disclosed in the recorded registration statement.

(7) No registration statement recorded under this section, including a statement affirmed or modified under subsection (8) of this section, shall be construed as a final determination of any matter stated therein. The right of the registrant to appropriate surface water under a recorded registration statement is subject to determination under ORS 539.010 to 539.240, and is not final or conclusive until so determined. A right to ap-



STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
INTEROFFICE MEMO

Deliver to  
Dan K.  
3/8

March 4, 1993

TO: REED MARBUT

Dalena 4/25

FROM: DON KNAUER ~~yes~~

Detention #2

SUBJECT: SWR PETITION

Do you want to consider this letter \_\_\_\_\_ signed  
petition?

Don 3/7

I think so - But,  
let's talk - so I understand what  
you need before we decide.

Thanks.  
Reed

Don 3/13  
Petitions for water claims  
(SWR) must be witnessed  
(Swain) See ORS. 240 (4)

3/22  
REED TALKED  
ABOUT THE NEED  
FOR PETITIONS TO  
BE "SWORN".

RECEIVED

MAR - 4 1993

WATER RESOURCES DE  
SALEM, OREGON

Alto Gardner King  
212 So. River Rd.  
Cottage Grove, Ore.  
97424

March 3, 1993

Dear Sir:

I was instructed to send a letter stating water use and to register pre-1909 vested water right to Water-master N.W. Region, which was done.

Then we left on vacation. When I returned the letter from Mr. M<sup>C</sup> Ginnis was received. Also the instruction sheet informing that I had to have Certified Water Right Examiner survey and maps made.

I contacted Geomax for a water right survey who are the only one qualified in Cottage Grove. They could not complete a survey and maps before Dec. 31, 1992. The survey, maps and late filing fee were sent as soon as completed.

In all due respect I felt I had complied with the request in due time.

Sincerely,

*Alto Gardner King*  
Alto Gardner King

March 1, 1993

ALTO G KING  
212 S RIVER RD  
COTTAGE GROVE OR 97424

RE: LATE Surface Water Registration Statement

Dear Mr King,

I am returning the Surface Water Registration Statement, two Final Proof Maps, Guidelines for Late Surface Water Registration Filing, fee schedule, letter from Gene McGinnis dated December 23, 1992 and your letter to the Watermaster dated December 18, 1992 all of which was received in our office on February 17, 1993.

The filing date for the Surface Water Registration Statement was December 31, 1992. As explained in the guidelines for late filing, you must petition the Director of the Water Resources Department to file your claim. Please refer to the guidelines and if you have any questions please give me a call.

You will find enclosed receipt # 97163 for \$45.00. We will return the fees if we have not received your petition within 30 days.

Sincerely,



Don Knauer  
Adjudication Specialist

M:\WP51\CORRESP\KING.01



3836 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8140

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **97163**      3850 PORTLAND ROAD NE  
SALEM, OR 97310  
378-8455/378-8130 (FAX)

RECEIVED FROM: <u>Alto Gaudin King</u>	APPLICATION
BY:	PERMIT
	TRANSFER

CASH: <input type="checkbox"/>	CHECK: # <input checked="" type="checkbox"/> <u>2412</u>	OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D \$ <u>45.00</u>
--------------------------------	--	--	-----------------------------

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ <u>45.00</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		
<b>MISCELLANEOUS:</b>		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$
<b>WATER RIGHTS:</b>		
842.001	SURFACE WATER	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$
<b>WELL CONSTRUCTION</b>		
842.022	WELL DRILL CONSTRUCTOR	\$
842.016	WELL DRILL OPERATOR	\$
	LANDOWNER'S PERMIT	\$

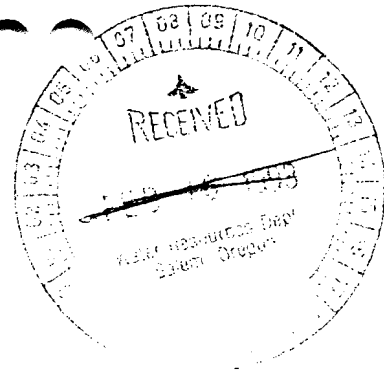
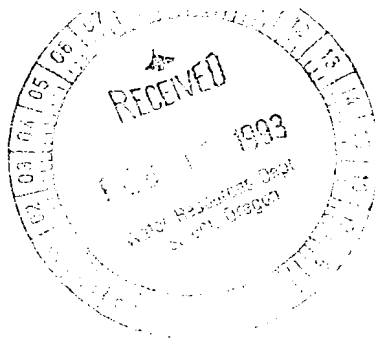
06-00-0 WELL CONST START FEE		
842.013	WELL CONST START FEE	\$
	MONITORING WELLS	\$

45-00-0 LOTTERY PROCEEDS		
864.000	LOTTERY PROCEEDS	\$

07-00-0 HYDRO ACTIVITY		
842.011	POWER LICENSE FEE(FW/WRD)	\$
842.115	HYDRO LICENSE FEE(FW/WRD)	\$
	HYDRO APPLICATION	\$

RECEIPT # **97163**      DATED: 2/17/77      BY: C. King

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

1. Name of Registrant: Alto G. King  
Mailing Address: 212 S. River Rd  
Cottage Grove, OR 97424 Telephone No: 942-5409
  
2. Source of water: Coast Fork of Willamette River  
Tributary to: Willamette River
  
3. Purpose(s) for which water is used: Irrigation  
(Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)  
If irrigation, total number of acres irrigated: 0.5
  
4. Priority Date
  - a) Date of first use: 1879
  - b) Date water use development first initiated: 1879
  - c) Name of party who initiated development: HAZELTON ADDITION
  
5. Amount of water claimed: \_\_\_\_\_, in CFS or GPM  
(Water put to beneficial use)
  
6. Location of place of use:  
28 Sections, Township 20 ~~N~~/S, Range 3 ~~E~~/W.  
\_\_\_\_ Sections, Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W.  
(Attach additional pages if necessary)
  
7. Usual period of use: 5 / 15 to 10 / 1  
month day month day

8. Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Total fees submitted with claim: \$45<sup>00</sup>

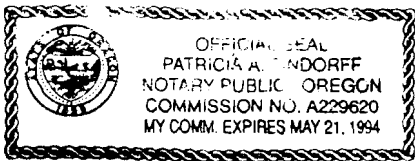
Notarized Statement Signed by Claimant.

STATE OF OREGON )  
County of Lane ) : ss

I, Alto Gardner King, 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.

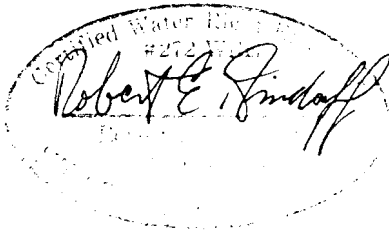
Alto Gardner King  
Signature of Claimant

Signed and attested before me this 16<sup>th</sup> day of February, 1993



Patricia A. Findorff  
NOTARY PUBLIC for the State of Oregon  
My commission expires: 5/21/93

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



Certified Water Right Examiner

Name: Robert E. Findorff CWRE#: 272

Address: 806 N. Ninth St, Cottage Grove, OR 97424

Telephone: 942-0126

NUMBER 89801

Check 4500 NO \_\_\_\_\_ Cash \_\_\_\_\_

\_\_\_\_ Surface Application

\_\_\_\_ Reservoir Application

\_\_\_\_ Ground Water Application

\_\_\_\_ Transfer Application

\_\_\_\_ Power Claim

\_\_\_\_ Hydroelectric Examination

\_\_\_\_ Hydroelectric License

\_\_\_\_ Copying

\_\_\_\_ Assignment

\_\_\_\_ Extension of Time

\_\_\_\_ Other

\_\_\_\_ P-6

\_\_\_\_ Quadrangle

\_\_\_\_ Basin

\_\_\_\_ Protest

\_\_\_\_ Constructors Examination

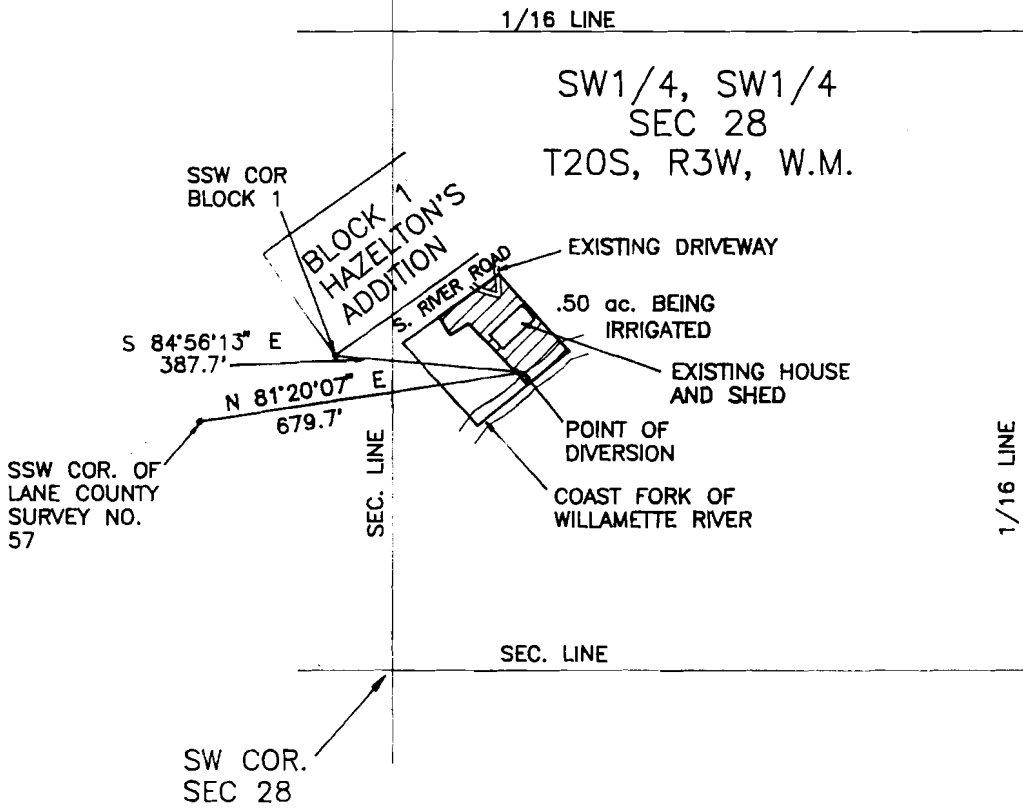
\_\_\_\_ Constructors License

Adjudication

To:  
Widjet

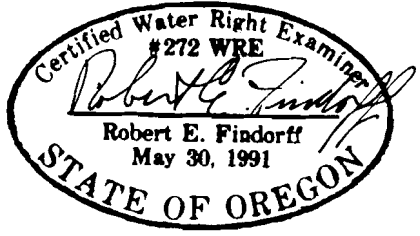


SCALE: 1"=400'  
0' 200' 400' 600'



### FINAL PROOF MAP

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE WATER RIGHT ONLY AND IS NOT TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



WATER RIGHTS  
SURVEY FOR  
JOE KING  
SW1/4, SW1/4,  
SEC. 28, T20S, R3W  
W.M., LANE COUNTY, OR.

**Geomax**  
OF OREGON, INC.  
ENGINEERING, LAND SURVEYING, BUILDING DESIGN  
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424  
TELEPHONE - (503) 942-0128 FAX - (503) 942-7835

JOB NO.: 9304	DRAWN: T.F.J.	CHECKED: R.E.F.
DATE: 2/3/93	SHT. 1	OF 1



KING

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
INTEROFFICE MEMO

April 26, 1993

TO: FILE

FROM: DON KNAUER

SUBJECT: ALTO GARDNER KING PETITION FOR LATE FILING

On April 23, 1993 Dwight French and I met with Reed Marbut to discuss this petition. Reed took copies of the letters and other data and said he would write the appropriate letter or order for the Director this past weekend.

March 1, 1993

ALTO G KING  
212 S RIVER RD  
COTTAGE GROVE OR 97424

RE: LATE Surface Water Registration Statement

Dear Mr King,

I am returning the Surface Water Registration Statement, two Final Proof Maps, Guidelines for Late Surface Water Registration Filing, fee schedule, letter from Gene McGinnis dated December 23, 1992 and your letter to the Watermaster dated December 18, 1992 all of which was received in our office on February 17, 1993.

The filing date for the Surface Water Registration Statement was December 31, 1992. As explained in the guidelines for late filing, you must petition the Director of the Water Resources Department to file your claim. Please refer to the guidelines and if you have any questions please give me a call.

You will find enclosed receipt # 97163 for \$45.00. We will return the fees if we have not received your petition within 30 days.

Sincerely,



Don Knauer  
Adjudication Specialist

M:\WP51\CORRESPO\KING.01



STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
INTEROFFICE MEMO

March 4, 1993

Deliver to  
Dan K. |  
3/8

---

TO: REED MARBUT  
FROM: DON KNAUER *DK*  
SUBJECT: SWR PETITION

Do you want to consider this letter from Mr King the required petition?

Don 3/7

I think so - But,  
let's talk - so I understand what  
you need before we decide.

Thanks.  
Reed

Don 3/13  
Petitions for both class  
(SW2) must be witnessed  
(Swan) See 539.240 (4)

3/22  
REED TALKED  
ABOUT THE NEED  
FOR PETITIONS TO  
BE "SWORN".

---

MAR - 4 1993

WATER RESOURCES DE  
SALEM, OREGON

Alto Gardner King  
212 So. River Rd.  
Cottage Grove, Ore.  
97424

March 3, 1993

Dear Sir:

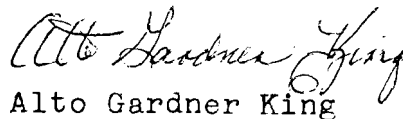
I was instructed to send a letter stating water use and to register pre-1909 vested water right to Watermaster N.W. Region, which was done.

Then we left on vacation. When I returned the letter from Mr. M<sup>C</sup> Ginnis was received. Also the instruction sheet informing that I had to have Certified Water Right Examiner survey and maps made.

I contacted Geomax for a water right survey who are the only one qualified in Cottage Grove. They could not complete a survey and maps before Dec. 31, 1992. The survey, maps and late filing fee were sent as soon as completed.

In all due respect I felt I had complied with the request in due time.

Sincerely,

  
Alto Gardner King

March 1, 1993

ALTO G KING  
212 S RIVER RD  
COTTAGE GROVE OR 97424

RE: LATE Surface Water Registration Statement

Dear Mr King,

I am returning the Surface Water Registration Statement, two Final Proof Maps, Guidelines for Late Surface Water Registration Filing, fee schedule, letter from Gene McGinnis dated December 23, 1992 and your letter to the Watermaster dated December 18, 1992 all of which was received in our office on February 17, 1993.

The filing date for the Surface Water Registration Statement was December 31, 1992. As explained in the guidelines for late filing, you must petition the Director of the Water Resources Department to file your claim. Please refer to the guidelines and if you have any questions please give me a call.

You will find enclosed receipt # 97163 for \$45.00. We will return the fees if we have not received your petition within 30 days.

Sincerely,



Don Knauer  
Adjudication Specialist

M:\WP51\CORRESPONDING.01



RECEIPT # 97163

STATE OF OREGON  
WATER RESOURCE DEPARTMENT

3850 PORTLAND ROAD NE

SALEM, OR 97310

378-8455/378-8130 (FAX)

RECEIVED FROM:

BY:

*Alta G... King*

APPLICATION

PERMIT

TRANSFER

CASH:  CHECK: #  2112 OTHER: (IDENTIFY) 

TOTAL REC'D \$45.00

## 01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ 45.00
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
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	\$
---------	------------------	----

## 07-00-0 HYDRO ACTIVITY

LIC NUMBER

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

HYDRO APPLICATION

\$

RECEIPT #

97163

DATED:

*2/17/00*

BY:

*C. King*

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
INTEROFFICE MEMO

March 4, 1993

TO: REED MARBUT

FROM: DON KNAUER *DK*

SUBJECT: SWR PETITION

Do you want to consider this letter from Mr King the required petition?

RECEIVED

MAR - 4 1993

WATER RESOURCES DEPT  
SALEM, OREGON

Alto Gardner King  
212 So. River Rd.  
Cottage Grove, Ore.  
97424

March 3, 1993

Dear Sir:

I was instructed to send a letter stating water use and to register pre-1909 vested water right to Water-master N.W. Region, which was done.

Then we left on vacation. When I returned the letter from Mr. MC Ginnis was received. Also the instruction sheet informing that I had to have Certified Water Right Examiner survey and maps made.

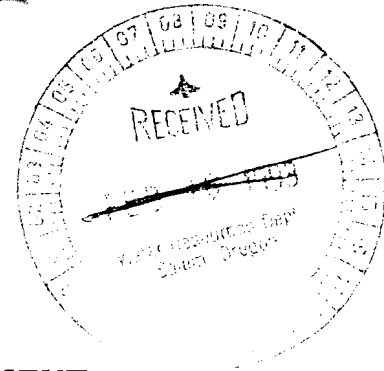
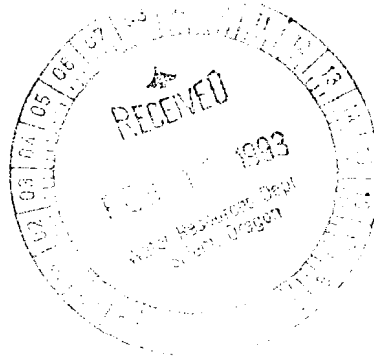
I contacted Geomax for a water right survey who are the only one qualified in Cottage Grove. They could not complete a survey and maps before Dec. 31, 1992. The survey, maps and late filing fee were sent as soon as completed.

In all due respect I felt I had complied with the request in due time.

Sincerely,

*Alto Gardner King*  
Alto Gardner King





**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

1. Name of Registrant: Alto G. King  
 Mailing Address: 212 S. River Rd  
Cottage Grove, OR 97424 Telephone No: 942-5409

2. Source of water: Coast Fork of Willamette River  
 Tributary to: Willamette River

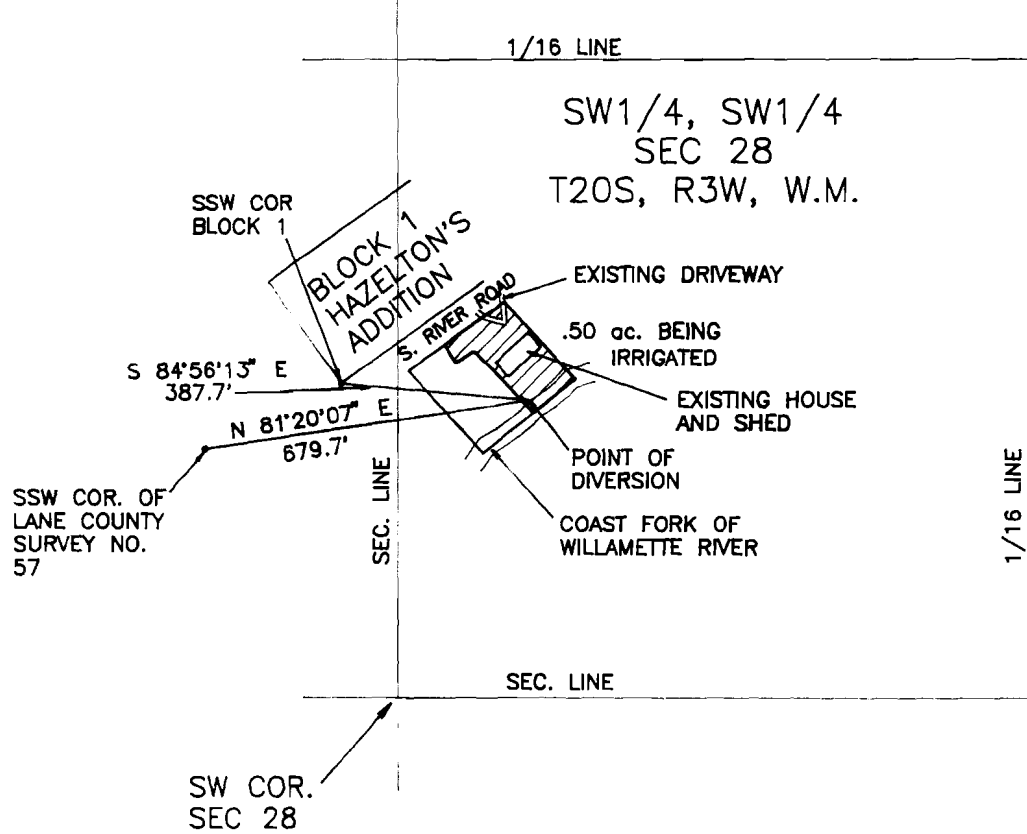
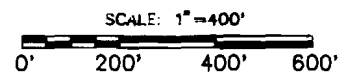
3. Purpose(s) for which water is used: Irrigation  
*(Irrigation, Stockwater, Domestic, Hydroelectric power, Industrial, Etc.)*  
 If irrigation, total number of acres irrigated: 0.5

4. Priority Date  
 a) Date of first use: 1879  
 b) Date water use development first initiated: 1879  
 c) Name of party who initiated development: HAZELTON ADDITION

5. Amount of water claimed: \_\_\_\_\_, in CFS or GPM  
*(Water put to beneficial use)*

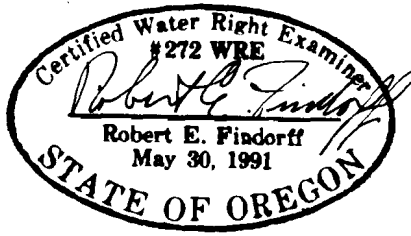
6. Location of place of use:  
28 Sections, Township 20 ~~N~~/S, Range 3 ~~E~~/W.  
 \_\_\_\_\_ Sections, Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W.  
*(Attach additional pages if necessary)*

7. Usual period of use: 5 / 15 to 10 / 1  
 month day month day



### FINAL PROOF MAP

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE WATER RIGHT ONLY AND IS NOT TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



WATER RIGHTS SURVEY FOR JOE KING  
 SW1/4, SW1/4, SEC. 28, T20S, R3W W.M., LANE COUNTY, OR.

**Geomax**  
 OF OREGON, INC.  
 ENGINEERING, LAND SURVEYING, BUILDING DESIGN  
 808 N. NINTH STREET COTTAGE GROVE, OREGON 97424  
 TELEPHONE - (503) 842-0128 FAX - (503) 842-7835

JOB NO.: 9304	DRAWN: T.F.J.	CHECKED: R.E.F.
DATE: 2/3/93	SHT. 1	OF 1

## GUIDELINES FOR LATE SURFACE WATER REGISTRATION FILING

Surface Water Registrations of all undetermined pre-1909 vested water rights were to have been filed with the Oregon Water Resources Department on or before December 31, 1992. However, the law provides a process for an individual to petition the Director to request permission to file a late claim. If the individual believes they can demonstrate that there is good cause why the Director should accept a late registration statement, they should submit a petition to the Director describing the reason why they were not able to meet the December 31, 1992, filing deadline.

The following is the statutory provision setting out the late submittal procedure:

**ORS 539.240 (4)** "For good cause shown, any person who fails to file a registration statement within the period set forth in subsection (1) of this section may file within one year after December 31, 1992, a petition with the director requesting that the person be given an opportunity to rebut the presumption that the person has abandoned the claim. Upon the filing of such a petition, the director may schedule a hearing to take testimony and evidence on the date the water was applied to beneficial use or the director may accept sworn statements in writing in support of such petition. The director shall not deny a petition without first holding a contested case hearing. If it appears after hearing or from such sworn statements that the person has a use of water that would be subject to registration under this chapter, the director shall issue an order authorizing the person to file a registration statement as described under subsection (1) of this section. A person who files a petition under this subsection shall submit with the petition a fee, the amount of which shall be one and one-half times the amount the person would have submitted under ORS 539.081 with a timely registration statement."

This provision which allows an individual to petition the Director is not an extension of the deadline. The first step is to file a petition, asking the Director of the Water Resources Department to accept your claim late. Your petition must present good cause as to why you did not file by the deadline. The petition must be accompanied by 1.5 times the pre-deadline filing fees. (These fees are explained in detail on the back of this sheet.) Your petition should also describe the details of your claim (priority date, source and tributary, location, type of use, amount of water claimed, yearly period of use, etc).

After receiving the petition, you will be notified whether you may submit a late surface water registration statement and map or if a contested case proceeding will be required.

Petitions should be mailed to: Martha O. Pagel, Director  
Oregon Water Resources Department  
3850 Portland Road NE  
Salem, OR 97310  
Attn: Don Knauer or Dwight French

**WASHINGTON**

**JERRY RODGERS**, District 18  
Washington County Courthouse  
Hillsboro, Oregon 97123  
Phone: 681-7018

**WHEELER**

**KELLY RISE**, District 4  
PO Box 261  
Canyon City, Oregon 97820  
Phone: 575-0119

**YAMHILL**

**DAVE JARRETT**, District 16  
3850 Portland Road, NE  
Salem, Oregon 97310  
Phone: 378-8455

## **FEE SCHEDULE**

Effective January 1, 1990

### **APPLICATION FOR PERMIT**

#### **EXAMINATION FEE**

\$40 for each application to store 5 acre-feet or less

\$40 for each application for stock watering outside of riparian areas

\$200 for any other application

The examination fee must be paid to file the application and establish tentative priority date. This fee is non-refundable.

#### **RECORDING FEES**

##### **IRRIGATION**

\$100 minimum fee for irrigation of 10 acres or less

\$2 per acre or fraction of an acre in excess of 10

##### **STORAGE**

\$10 for storage of 5 acre-feet or less

\$100 minimum fee for storage of more than 5 acre-feet but less than 50 acre-feet

\$0.25 for each acre-foot in excess of 50 acre-feet

##### **DOMESTIC**

\$125 for the first cubic feet per second (cfs) or fraction thereof

\$60 for each additional cfs or fraction thereof

# Oregon

---

WATER  
RESOURCES  
DEPARTMENT

---

Watermaster

December 20, 1992

Alto G. King  
212 S. River Rd.  
Cottage Grove, Or.  
97424 - 1975

Dear Mr. King:

Enclosed find the statement of water use that you sent me.

Oregon Water Law requires that any use of water initiated prior to 1909, must be registered with the State Water Resource Dept., before December 31, 1992.

I am enclosing the proper statement form to use, and instruction booklet. A map of your project must be included with the registration.

If I can be of further assistance, please call. I am in office each workday, from 8 - 9 AM. Phone 687 - 3620. If I am not available, the toll free number of State Water Resources in Salem is 1 - 800 - 624 - 3199.

Sincerely,



Gene Mc Ginnis  
Watermaster

