

**SURFACE WATER REGISTRATION CHECKLIST**

(received after July 18, 1990)

CHECK BASIN MAP Doc NAME Sour Camp # 17 UNADJUDICATED AREA ? YES  
 RECEIPT # 96025 S W R NUMBER 634  
 CHECK ENCLOSURES Doc PRELIMINARY DATA BASE ENTRY Doc  
 ACKNOWLEDGEMENT LETTER Doc ENTER ON STREAM INDEX \_\_\_\_\_  
 CHECK QUADRANGLE MAP \_\_\_\_\_ CHECK GLO PLATS \_\_\_\_\_  
 WATERMASTER CHECKLIST \_\_\_\_\_ PUBLIC NOTICE PUBLICATION \_\_\_\_\_

**FORM REVIEW**

- blanks filled in
- signed
- date received stamped

TOTAL FEES = 2000 -  
 THIS CLAIM = 200  
 DUE = 200  
 RECEIVED 3-17-94

**MAP REVIEW**

- source and trib
- diversion point location
- conveyances (pipes, ditch, etc.)
- place of use
- scale
- township, range, section
- north arrow
- CWRE stamp
- disclaimer
- date survey was performed
- P.O.B. of survey
- dimensions and capacity of diversion system
- "beneficial use" type title
- "permanent-quality" paper
- 1/10th acre

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

January 13, 1995

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WATER  
RESOURCES  
DEPARTMENT

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KEITH R JEHNKE  
PO BOX 118  
COOS BAY OR 97420

re: SWR-633 THRU SWR-640

Dear Mr Jehnke,

I completed the review of the map and site report received from you on Oct. 27, 1994 in support of the pre-1909 vested water right claim in the name of FRED MESSERLE & SONS, INC. The map and report meet the requirements for filing. I have added them 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

cc: Messerle & Sons

j:\w\slcl6\swr-0640.004



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

October 31, 1994

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WATER  
RESOURCES  
DEPARTMENT

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KEITH R JEHNKE  
PO BOX 118  
COOS BAY OR 97420

re: SWR-634

Dear Mr Jehnke,

This will acknowledge the receipt of the map and report you submitted in support of the pre-1909 vested water right claim in the name of FRED MESSERLE & SONS INC. Due to personnel and duty changes the information will not be reviewed at this time. I will add it to the file for future review.

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\slc\6\swr-0634.005



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

February 25, 1994

Oregon

WATER  
RESOURCES  
DEPARTMENT

FRED MESSERLE & SONS INC  
2330 E CATCHING SLOUGH RD  
COOS BAY OR 97420

RE: SWR-633, SWR-634 AND SWR-636

Dear Mr Messerle,

This will acknowledge the receipt of the eight claims to pre-1909 vested water rights, returned to the Water Resources Department(WRD) by Stuntzner Engineering. The files have been set up and the WRD will wait for the maps being prepared by Stuntzner.

There were changes made on three of the claim forms. You added a domestic use to the claims under file # SWR-633, SWR-634 and SWR-636. The fees you paid originally were for stockwater (instream). There are required fees for the three domestic additions to your claims. Each claim will require a fee of \$ 200.00 for the domestic use for a total due of \$ 600.00. Please give this your attention.

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

Sincerely,



Don Knauer  
Adjudication Specialist

cc: Stuntzner Engineering

j:\w\slc\6\swr-0625.007  
634.04



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

March 31, 1994

WATER  
RESOURCES  
DEPARTMENT

FRED MESSERLE & SONS INC  
2330 E CATCHING SLOUGH RD  
COOS BAY OR 97420

re: SWR-633, SWR-634 and SWR-636

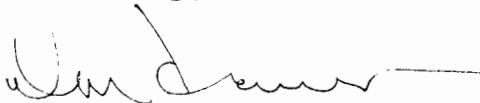
Dear Mr Messerle,

This will acknowledge the receipt of fees in the amount of \$ 600.00 for which our receipt # 110276 is enclosed. I will credit the fees in the following amounts to the following files:

SWR-633     \$ 200.00  
SWR-634     \$ 200.00  
SWR-636     \$ 200.00

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

Sincerely,

  
Don Knauer  
Adjudication Specialist

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4

J:\w\l\c\16\swr2-0634.003



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



February 23, 1994

DENNIS GOUDE  
C/O STUNTZNER ENGINEERING  
PO BOX 118  
COOS BAY OR 97420

RE: SWR-634 (your number 2)

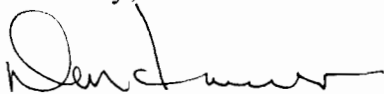
Dear Mr Goude,

This will acknowledge the receipt of the preliminary map and form to support the pre-1909 vested water right claim in the name of FRED MESSERLE & SONS INC. I have added the map to the file which is number SWR-634. Thank you for your attention to this matter.

The claim has been changed to include "domestic". Fees of \$ 200.00 were paid for only stockwater use. I am sending a copy of this letter to the claimant and requesting the required fees of \$ 200.00 for the added domestic use.

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

Sincerely,



Don Knauer  
Adjudication Specialist

cc: Messerle & Sons Inc

J:\W\S\C\6\SWR-0634.002



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

May 3, 1993

KEITH JEHNKE  
PO BOX 118  
COOS BAY OR 97420

RE: SURFACE WATER REIGSTRATIONS (SWR) FOR FRED MESSERLE & SONS INC

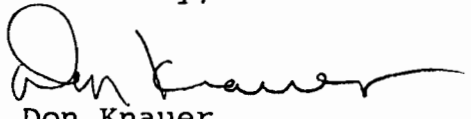
Dear Mr Jehnke,

As we talked on the phone the other day, I am returning the 8 SWR's in the name of Fred Messerle & Sons Inc. There can be only one priority date on a claim form. You can combine the dates or submit a seperate form for each different priority date. Any changes made on the forms I am returning will require the claimant to initial those changes.

I am sending Mr Messerle receipt # 96025 for the amount of \$2000.00 in fees. We will hold the fees and await setup of files until the forms are returned.

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

Sincerely,

  
Don Knauer  
Adjudication Specialist

J:\W\SWR\CORRESPO\MESSERLE.01



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



STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**  
 RECEIPT # **96025** 3850 PORTLAND ROAD NE  
 SALEM, OR 97310  
 378-8455/378-8130 (FAX)

RECEIVED FROM: <u>Messersmith Sons</u>	APPLICATION
BY: *	PERMIT
	TRANSFER

CASH:  CHECK: #  36455 OTHER: (IDENTIFY)

TOTAL REC'D \$ 2000.00

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$ <u>2000.00</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 \$
842.003	GROUND WATER	RECORD FEE \$
842.005	TRANSFER	\$
WELL CONSTRUCTION		
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE \$
842.016	WELL DRILL OPERATOR	RECORD FEE \$
	LANDOWNER'S PERMIT	\$

**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**

	LIC NUMBER	
842.011	POWER LICENSE FEE(FWWRD)	\$
842.115	HYDRO LICENSE FEE(FWWRD)	\$
	HYDRO APPLICATION	\$

RECEIPT # **96025** DATED: 1/6/93 BY: C. Boyd



TELEPHONE (503) 267-2872  
FAX (503) 267-0588

705 SO. 4TH, P.O. BOX 118  
COOS BAY, OREGON 97420

**PRE-1909 Claim of Beneficial Use and Site Report SWR-634**  
**Located in portions of Section**  
**T. 26 S, R. 12 W., W.M.**  
**Coos County, Oregon**

RECEIVED

OCT 27 1994

WATER DIVISION  
SALEM, OREGON

**INFORMATION:**

**Permittee:** Fred Messerle & Sons Inc.  
2330 E. Catching Slough Rd.  
Coos Bay, OR 97420  
(503) 396-2273

Dave Messerle and I visited the site on June 7, 1994 at that time he indicated that to the best of his knowledge there had been no variance in use since the date of development; June, 1874. The survey was completed on June 7, 1994.

**SOURCES:**

Stone Gulch a tributary of Stock Slough, an unnamed stream, a tributary of Catching Slough.

**DIVERSION POINT:**

P.O.D. #1 is a concrete dam eight feet long, four feet high and six inches thick (8'x4'x6"). The outlet is a one inch diameter PVC pipe. The P.O.D is located 589 feet West and 264 feet North of the CS 1/16 corner of Section 5, T. 26 S., R. 12 W., W.M..

P.O.D. #2 is an earthen dam measuring eight feet long, three feet high and three feet thick. The outlet is a one inch diameter PVC pipe. The P.O.D. is located 383 feet West and 571 feet North of the S 1/4 corner of Section 5, T. 26 S., R. 12 W., W.M..

**MOTOR:**

N/A

**PUMP:**

N/A

**PIPE:**

P.O.D. # 1: 600 feet of one inch diameter PVC from the P.O.D., bears S 36 W; thence S 40 W 800 feet to a 2600 gallon concrete storage tank and a 600 gallon stock tank.

Thence a 1 1/2" diameter PVC pipe runs 350± feet to the corner of the barn there the pipe size is reduced to one inch to residence # 1 and 3/4 inch to residence #2.

P.O.D. # 2: 400 feet of one inch diameter PVC pipe bears S 18 W to a 1000 gallon storage tank thence 150 feet to the place of use.

**HEADS:**

N/A

**USES:**

Stock watering troughs and In-stream stock watering (60Hd), one barn and 3 domestic residences including lawn and garden watering.

**LIFT/HEAD**

Residence #1 has a difference in elevation of a -39 feet for a PSI of 17 at the place of use.

Residence #2 has a difference in elevation of a -44 feet for a PSI of 19 at the place of use.

Residence #3 has a difference in elevation of a -35 feet for a PSI of 15 at the place of use.

**CALCULATIONS:**

Stock watering, troughs and in-stream	60Hd @ 15GPD/Hd =	900GPD
Barn use		1000GPD
3 residences including up to .5 acre/ea of lawn and garden		.03CFS

CLAIM OF BENEFICIAL USE	livestock 1900 gal =	.003CFS
	Domestic =	.03CFS
		.033CFS

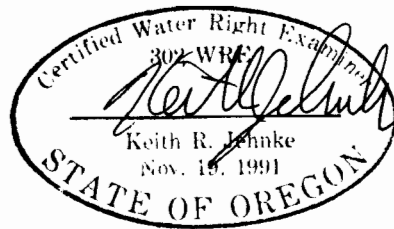
**POINT OF BEGINNING:**

P.O.D. #1 is the CS 1/16 of Section 5, T. 26 S., R. 12 W., W.M.

P.O.D. #2 is the S 1/4 corner of Section 5, T. 26 S., R. 12 W., W.M. Survey ties were made by using aerial photos, scale, string chain and hand compass.

**CONCLUSION:**

The final proof survey and inspection of SWR-634 was completed on June 7, 1994 and the facts contained in this report and accompanying proof map are correct to the best of my knowledge.



I, Ken Messerle, agree to the findings of the CWRE and do submit this site report and map as claim of beneficial use of the water as provided under the terms and conditions of our PRE- 1909 SWR-634 claim

10/25/94  
Date

Kenneth C. Messerle

# ATTACHMENT

# IA

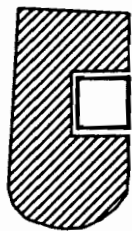
## IRRIGATION AREA

RECEIVED

NOV 11 1934

WATER RESOURCES DIVISION  
Salem, Oregon

### SWR-633



RES #1

.50 AC

RES #2



.12 AC

### SWR-634

RES #1



.22 AC

RES #2



.05 AC

RES #3



.08 AC

RES #1



.28 AC

### SWR-635

RES #2



.1 AC

### SWR-636



.21 AC

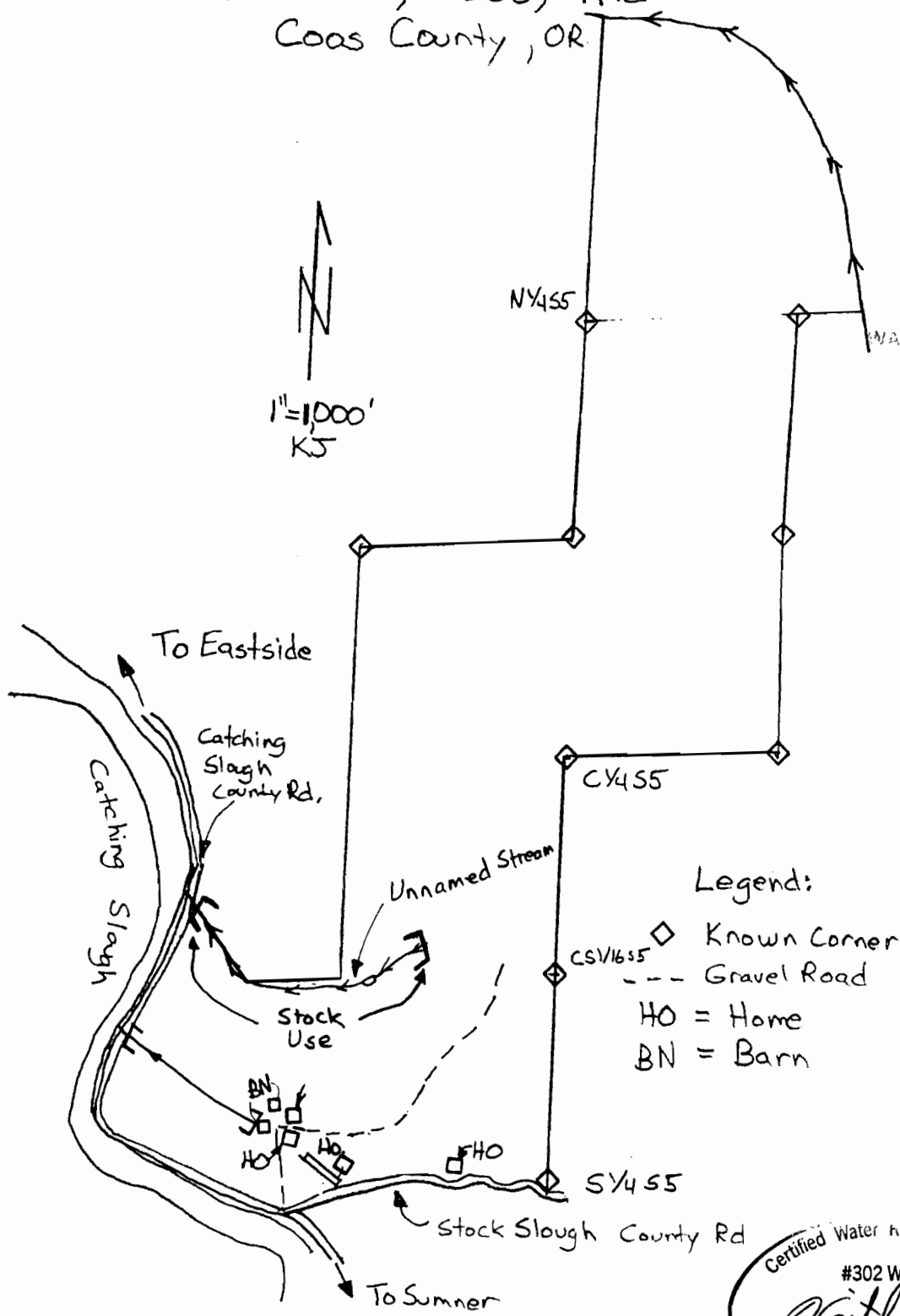
### SWR-639



.16 AC

Scale 1" = 200 Feet

Home Ranch (Stack Slough)  
 Section 5, T26S, R12W  
 Coos County, OR



FEB 17 1991  
 WATER RIGHTS DIVISION  
 SALEM, OREGON

Legend:  
 ◊ Known Corner  
 --- Gravel Road  
 HO = Home  
 BN = Barn

Certified Water Right Examiner  
 #302 WRE  
*Keith R. Johnke*  
 Keith R. Johnke  
 Nov. 19, 1991  
 STATE OF OREGON

**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.

**Stutzner Engineering & Forestry**  
 TELEPHONE 267-2872  
 705 SO. 4TH, P.O. BOX 116 - COOS BAY, OREGON 97420  
 SWR-634

I, C. Stephens County Clerk of County and State aforesaid hereby certify that the foregoing was received by me for record on the 10 day of June 1875 at 5 min past 8 o'clock A.M. and recorded same in Douglas County Records of Deeds Vol. 7 on Pages 317 & 329 inclusive

In witness whereof I hereunto set my hand and seal this 11<sup>th</sup> day of June 1875

C. Stephens  
County Clerk  
received and recorded June 11<sup>th</sup> 1875  
W. D. ...  
Records

Know all men by these presents -  
That the Wood Dry Wagon Road Company, a Corporation duly organized under the laws of the State of Oregon, and represented herein by J. Hamilton its President and J. H. Watson, its Secretary, being hereunto duly authorized by virtue of a resolution of the Stockholders of said Corporation, and by a resolution of the Trustees of said Corporation, Copies of which resolutions are attached hereto, and hereby made a part of this deed, for and in consideration of the sum of Thirty four thousand two hundred and thirty four and no/100 Dollars, in Gold Coin of the United States, to it in hand paid by John Miller of the City and County of San Francisco in the State of California...

RECEIVED

FEB 17 1894

WATER RESOURCES DEPT.  
SALEM, OREGON

5/30

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Public

5-26-12

Home Ranch

FEB 17 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

west quarter, north, east quarter of south, east quarter, south half of south, west quarter, and north, west quarter of south, west quarter, section three, containing four hundred and eighty three acres and four hundredths of an acre.

Lot One, two, five and six and eight (B. 2. 5. 675) east half of south, east quarter, south half of north, east quarter, north, east quarter of south, west quarter, and south, east quarter of north, west quarter of section five, containing three hundred and ninety five acres and eighty eight hundredths of an acre.

Lot numbered six and west half of the north, east quarter of section seven containing eighty nine acres and fifty five hundredths of an acre.

Lot numbered three and four, east half of section, east half of south, west quarter and northeast quarter of north, west quarter of section nine containing five hundred and thirty eight acres and ninety four hundredths of an acre. North half, south, east quarter, east half of south, west quarter, north, west quarter of south, west quarter of section eleven containing six hundred acres.

All of section thirteen containing six hundred and forty acres.

All of section fifteen containing six hundred and forty acres.

All of section twenty three containing six hundred and forty acres.

All of section twenty five containing six hundred and forty acres.



5-26-12

561

8/561

Office of Cross Bay Wagon Road Company.

Roseburg, Oregon, April 30<sup>th</sup> 1873  
At a meeting of the Board of Directors of the Cross Bay Wagon Road Company, held at the office of the Company at Roseburg, on the 30<sup>th</sup> of March A.D. 1873, at which were present Barnum Rose, President, A. H. Hunt, D. J. Peab, S. Hamilton and J. M. G. Berlin, Directors, and J. J. Watson, Secretary, among other proceedings the following resolution was adopted:

Resolved, That the President and Secretary, he and they are hereby authorized and empowered, in the name and on behalf of the Company, to make, execute, seal, with the corporate seal of the Company, and deliver to the parties entitled thereto, deeds of purchase in all cases in which the Company has heretofore sold, or shall hereafter sell, or in which the Company has contracted to sell, any lands forming part of its land grant. J. J. Watson Secretary of Cross Bay Wagon Road Company, do hereby certify that the foregoing is a true and correct statement of the proceedings of Cross Bay Wagon Road Company in my possession at Roseburg.

In Witness Whereof I have hereunto set my hand and placed the seal of said Company, this 30<sup>th</sup> day of April A.D. 1873.  
J. J. Watson Secretary.

Given all men by these presents: That the Cross Bay Wagon Road Company, a private corporation, duly incorporated under the laws of Oregon, represented herein by S. Hamilton its President, and J. J. Watson its Secretary; for and in consideration of the sum of One Hundred and ninety four <sup>25</sup>/<sub>100</sub> dollars gold coin of the United States, to it paid by B. J. Ross of the County of Lincoln, in the State of Oregon, at or about the making of these presents, the receipt of which is hereby acknowledged, has bargained, sold and conveyed, and by these presents does bargain, sell and convey unto the said B. J. Ross his heirs and assigns forever, all of the following described tract or parcels of land

RECEIVED

FEB 17 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

Situated in Lewis County, Oregon, being a part of the lands granted by the Act of Congress, approved March 3, 1869, to the State of Oregon, to aid in the construction of a military wagon road from the navigable waters of Lost Bay to Roseburg, and granted by the Act of the Legislative Assembly of the State of Oregon, approved October 24, 1870, to the Lost Bay Wagon Road Company, to wit: The West half of the South East Quarter and the South East Quarter of the South West Quarter and the fractional South West Quarter of the South West Quarter (Lot 7) of Section Nine (8) in Township Tenth, Six (24) South of Range Twelve (12) West of Willamette Meridian, containing one hundred and fifty nine  $\frac{1}{4}$  acres.

It have and to hold, the premises above described, together with all appurtenances therunto, in any way appertaining, or belonging unto the said L. S. Co. to his heirs and assigns forever.

In witness whereof, the President and Secretary of Lost Bay Wagon Road Company, have hereunto set their hands and affixed the corporate seal of said Company, this 30<sup>th</sup> day of April A.D. 1873, Lost Bay Wagon Road Company.

J. S. Hamilton President.  
J. N. Watson Secretary.

In presence of )  
L. J. Lane )  
( J. H. Hunt )  
State of Oregon )  
County of )

On the 30<sup>th</sup> day of April A.D. 1873, before me, a Notary Public for the State of Oregon, in and for the County of Douglas, personally appeared J. S. Hamilton President, and J. N. Watson Secretary, of Lost Bay Wagon Road Company, both known to me to be the persons they represent themselves to be and who executed the foregoing Conveyance, and acknowledged that they executed the same in the name and on behalf of Lost Bay Wagon Road Company for the purposes therein expressed. In testimony whereof, I have hereunto set my hand and official seal the day and year in this acknowledgment before written.

L. J. Lane, Notary Public.  
Notary Seal  
Witness

This Ind. is recorded on page 400, 401, & 402 Book of Ind. N. S.   
 M. H. King & Co.

RECEIVED

FEB 17 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED  
FEB 17 1994  
WATER RESOURCES DEPT  
SALEM, OREGON

December 18, 1992

To Whom it may Concern:

I, George Ross, Jr., was born in Marshfield (now Coos Bay) July 29, 1905 and was raised on my father's dairy farm on Catching Inlet and Ross Slough.

My earliest memories are of the milk boat with its deck lined with milk cans from the dairies on Catching Inlet stopping at our wharf to pick up the milk. Its destination was the Coos Bay Creamery on the other side of Bull Island in the old Coos River channel.

The creamery was built in 1892, my grandfather, Frank Ross, being one of the founders. When my parents, George Ross and Lucy Black were married in 1899, Frank Ross gave them the farm and a herd of dairy cows. I have positive knowledge that from that time to the present the dairy has continued uninterrupted. It included more land in 1899, running from what is now Azalea Acres on Catching Inlet down to Ross Inlet and up Ross Inlet including Boekeloos, Evans, Atkins, and Dr. Levy's.

In 1900 my father sold the land straight across from us to John Collver. Ida Matson used to tell the story when I was less than two years old, looking across the slough and saying, "John Collver's cows are sitting down. This land was later sold to Albert Collver, Everett Messerle's grandfather, and has been in Messerle ownership ever since as a dairy until the barn burned down and as a beef ranch since that time.

The portion that my son Gordon dairies now was divided into five fields. Four of them had watering troughs fed from springs along the foothill, while in the pasture next to Ross Inlet, the cows had to drink out of the slough. I remember this from my early memories of going after the cows with my father and later on my pony.

My early associations with Gordon Collver, my same age, across on Stock Slough, of fishing up Collver Creek (Stock Slough) afforded me the knowledge that the Collvers had dairied there for many years and that livestock has continued until this day on all the bottom lands on Stock Slough on lands now owned by John Stalcup, John Dubisar, Foster McSwain, Messerle's, Dan Scoville, Lou Ann and John Rode, Mel Burnette, Gordon Ross, John Szymik, and Chet Fors, and have dairied and ran stock on every acre of it at one time myself.



FEB 17 1994

WATER RESOURCES DEPT - 2 -  
SALEM, OREGON

My grandfather, Henry Black, milked cows on a farm halfway to Sumner now owned by Bill Cole and the Messerle farm, called the Anchor Ranch, was four separate dairies in the early years. On to Sumner from Henry Blacks we could go by wagon to the Byers Ranch. Uncle Frank Black married Alice Byers. This farm is still in dairying being owned now by V. J. Willis. The Messerle farm in Sumner was at that time owned by Capt. Harris. Mrs Harris had her own cheese plant, and in 1902 exhibited the Grand Champion Cheese at the Chicago Expedition.

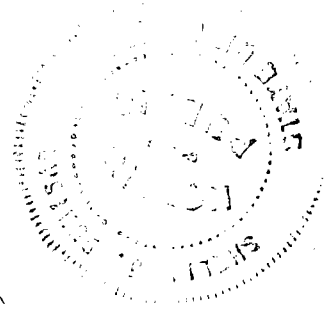
I can attest that all of the ownerships I have specifically mentioned have been in livestock production continuously from my earliest memories until this day, and that I can say with equal certainty that any bottom land on Ross Inlet, Catching Inlet, Stock Slough, or Sumner has supported livestock from the time it was cleared and drained until the present with the exception of a few annual crops for a season at a time.

George F. Ross, Jr.

George F. Ross, Jr.

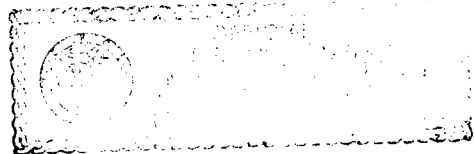
Subscribed and sworn to before me this 18th day of

December, 1992.



Kelly J. Quicker

Notary Public for Oregon  
My commission: 3-17-95





RECEIVED

FEB 17 1994

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

JAN 05 1993

WATER RESOURCES DEPT  
SALEM, OREGON

72 1 67340

expense shall be made or become a claim or lien on any such adjoining lands while owned by grantor; which condition is an essential part and consideration of this deed.

\*\*\*\*\*

The West Half of the Southwest Quarter of Section 29, and the East Half of the Southeast Quarter of Section 30, in Township 26 South, Range 12 West of the Willamette Meridian. Also beginning at a point South 81° 57' East 119.70 feet (variation 22° 50' East) from the quarter corner between Sections 29 and 32, Township 26 South, Range 12 West of the Willamette Meridian, at said quarter corner was re-established equidistant from the Northeast and Northwest corners of said Section 32; running thence North 55° 18' East 165 feet; thence South 63° 19' East 665 feet along the North bank of small creek; thence South 40° 40' West 426.4 feet; thence South 49° 53' East 685.8 feet; thence South 52° 37' West 534.6 feet; thence South 89° 53' West 992 feet to the East bank of ditch; thence North 15° 12' West 442.3 feet along the East bank of said ditch; thence North 11° 53' West 413.8 feet along the East bank of said ditch; thence South 89° 30' West 841.5 feet; thence North 1918.1 feet; thence North 89° 30' East 973.5 feet to the West bank of Catching Slough; thence South 5° 10' West 121.5 feet up the West bank of Catching Slough; thence South 14° 45' East 266.6 feet along the West bank of Catching Slough; thence South 1° 30' West 68.6 feet along the West bank of Catching Slough; thence North 81° 50' East 172 feet to the North line of Water Street in the Town of Sumner; thence South 56° 03' West 147 feet along the North line of said Water Street to the intersection of the West line of Front Street in said town of Sumner; thence South 14° 45' East 41.9 feet along the West line of said Front Street; thence South 24° 09' West 218.5 feet along the West line of the Southern Oregon Company's right of way; thence South 34° 21' East 859.1 feet to the place of beginning; SUBJECT TO reservations contained in that certain deed recorded on Page 502, Book 18 of Deed Records, Coos County, Oregon.

\*\*\*\*\*

Beginning at a point on the right bank of ditch 7.46 chains South 7.21 chains West of the ¼ section post between Sections 29 and 32 in Township 26 South of Range 12 West of the Willamette Meridian, variation 21° East; thence South 12½° East 7.29 chains along bank of ditch to Southeast corner of bridge; thence South 15½° East 5.65 chains; thence South 89½° West 15.88 chains; thence North 12.54 chains; thence North 89½° East 12.79 chains to the place of beginning, and containing 17.95 acres of land, more or less.

\*\*\*\*\*

Lot 2, Southwest quarter of the Northeast quarter (SW¼NE¼), Southeast quarter of the Northwest quarter (SE¼NW¼), and the Northeast quarter of the Southwest quarter (NE¼SW¼) of Section 5, Township 26, South of Range 12 West of the Willamette Meridian. Containing 160.43 acres, more or less.

\*\*\*\*\*

Beginning at a 30 inch fir stump situated on the east boundary of the Catching Slough County Road right of way and at a point which is 610 feet North of the South boundary of Lot 6 of Section 5, Township 26 South, Range 12 West of

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Willamette Meridian, as described in the deed recorded in Volume 135 on Page 410 of the Deed Records of Coos County, Oregon:- and running thence South 5° 40' West along the said County Road boundary for a distance of 196.5 feet to a point on the northerly bank of a drainage ditch following along the foot of the hill; thence following along the said northerly bank of the drainage ditch as follows:- South 39° East for a distance of 215.0 feet; thence South 1° 35' East for a distance of 59.2 feet; thence South 46° 20' East for a distance of 280.7 feet to a point on the South boundary of the said Lot 6 of Section 5, a distance of 540 feet East of the easterly boundary of the County Road right of way; thence East along the said south boundary of Lot 6 of Section 5 for a distance of 110 feet; thence leaving the bank of the drainage ditch and continuing East along the south boundary of Lot 6 of Section 5 for a distance of 449 feet, more or less, to the Southeast corner of the said Lot 6 of Section 5; thence North along the east boundary of the said Lot 6 of Section 5 for a distance of 610.0 feet; thence West for a distance of 880 feet, more or less, to the point of beginning. Containing 11.13 acres, more or less, and being a portion of Lot 6 of Section 5, Township 26 South, Range 12 West of Willamette Meridian.

\*\*\*\*\*

All of Lots 5 and 6 of Section 5, Township 26 South, Range 12 West, Willamette Meridian, Coos County, Oregon, lying East of the Catching Inlet County Road, excepting the following described portion of Lot 6: Beginning on the South line of Lot 6 of Section 5, Township 26 South, Range 12 West, Willamette Meridian on the East side of the Catching Inlet County Road, thence Northerly along the East side of said road 680.0 feet to a 30" fir stump located 30.0 feet East of the center of said road and 610.0 feet North of the lot line above mentioned; thence East parallel with said lot line to the East line of said Lot 6, a distance of 880.0 feet, more or less; thence South along the lot line 610.0 feet, more or less, to the South line of said lot; thence West along the lot line 1115.0 feet, more or less, to the place of beginning, containing 14.0 acres, more or less, off the South side of said Lot 6 and containing 55 acres of land, more or less, exclusive of the County Road.

\*\*\*\*\*

Parcel 1: The East 80 feet of Lots 4 and 5, Block "P", The Western Addition to the Town of Marshfield, Coos County, Oregon.

Parcel 2: The West 45 feet of Lots 4 and 5, Block "P", The Western Addition to the Town of Marshfield, Coos County, Oregon.

Parcel 3: Lot 7; the North half (N½) of the Southeast quarter (SE¼) of the Southwest quarter (SW¼), Section 5, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

Parcel 4: Lot 4, Section 6, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

Parcel 5: Beginning at the meander corner on the right bank of Catching Inlet between Sections 5 and 8, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence running North 88° 30' East along the section line 393.0 feet; thence South 21° 45' West 194.17 feet to the right bank of Catching Inlet; thence North 62° West 363.0 feet to the place of beginning.

Parcel 6: Beginning 244 links South and 443 links East of the meander corner on the right bank of Catching Inlet between Sections 5 and 8, Township 26 South,

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Range 12 West of the Willamette Meridian, Coos County, Oregon; thence running South 61° 30' East 140 links along the top of dyke; thence North 72° 30' East 105 links along the dyke; thence North 18° 30' East 85 links along the County Road; thence North 69° 30' East 640 links; thence West 114 links; thence North 56° 30' West 597 links; thence South 21° 45' West 640 links to the place of beginning.

Also all frontage and tideland lying South of and between first course of said tract above described and low water line of Catching Inlet, excepting and reserving from the above a right of way from the center of a certain bridge on Stock Slough situated about 12.00 chains South and 15.00 chains East of the quarter section corner between Sections 5 and 8; running thence Northeast to the County Road aforesaid, in Sections 5, 6 and 8 of Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

Parcel 7: Beginning at a 30 inch fir stump situated on the East boundary of the Catching Slough County Road right of way and at a point which is 610 feet North of the South boundary of Lot 6, Section 5, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon, as described in the deed recorded in Deed Book 135, Page 410, Records of Coos County, Oregon, and running thence South 5° 40' West along the East boundary of said County Road 196.5 feet to a point on the Northerly bank of the drainage ditch following the foot of the hill to the true point of beginning of the following described property; thence following along the said Northerly bank of drainage ditch as follows: South 39° East 215 feet; thence South 1° 35' East 59.2 feet; thence South 46° 20' East 280.7 feet to a point on the South boundary of said Lot 6, Section 5; thence West along South boundary of said Lot 6 540 feet, more or less, to the Easterly boundary of County Road right of way; thence North-easterly along East boundary of County Road to the point of beginning, being a portion of Lot 6, Section 5, Township 26 South, Range 12 West of the Willamette Meridian, Coos County, Oregon.

Also any and all interest of grantors in Part No. 2 of a water right granted by the State of Oregon to W. A. Collver and recorded at Page 131 of Volume 2 of Record of Water Right Certificates in the office of the County Clerk of Coos County, Oregon, on June 9, 1933.

\*\*\*\*\*

Lot 7, the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , the following portion of Lot 6: Beginning on the South line of Lot 6 of Section 5, Township 26 South, Range 12 West, Willamette Meridian, Coos County, Oregon, and on the East side of the Catching Inlet County Road, thence Northerly along the East side of said road 680.0 feet to a 30" fir stump located 30.0 feet East of the center of said road and 610.0 feet North of the lot line above mentioned; thence East parallel with said lot line 880.0 feet, more or less, to the East line of said Lot 6, thence South along the lot line 610.0 feet, more or less, to the South line of said Lot, thence West along the Lot line 1115.0 feet, more or less, to the place of beginning, containing 14.0 acres, more or less, off the South side of said Lot 6, all in Section 5, Township 26 South, Range 12 West, Willamette Meridian; also Lot 4 in Section 6, Township 26 South, Range 12 West, Willamette Meridian; also beginning at the meander corner on the right bank of Catching Inlet, between Sections 5 and 8, Township 26 South, Range 12 West, Willamette Meridian, thence running North 88° 30' East along the section line 393.0 feet; thence South 21° 45' West 194.17 feet to the right bank of Catching Inlet; thence North 62° West 363.0 feet to the place of beginning, 0.81 acres; also beginning 244 links South and 443 links East of the meander corner on the right bank of Catching Slough between Sections 5 and 8 in Township 26 South, Range 12 West, Willamette Meridian; thence



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running South 61° 30' East 140 links along the top of dyke; thence North 72° 30' East 105 links along the dyke; thence North 18° 30' East 85 links along the County Road; thence North 69° 30' East 640 links; thence West 114 links; thence North 56° 30' West 597 links, thence South 21° 45' West 640 links to the place of beginning, containing 2.32 acres, more or less. Also all frontage and tide land lying South of and between first course of said tract above described and low water line of Catching Inlet, excepting and reserving from the above a right of way from the center of a certain bridge on Stock Slough situated about 12.00 chains South and 15.00 chains East of the quarter section corner between Sections 5 and 8, and running thence Northeast to the County Road aforesaid, containing 84.44 acres, more or less, in Sections 5, 6, and 8, Township 26 South, Range 12 West, Willamette Meridian, Coos County, Oregon. Also part No. 2 of a Water Right granted by the State of Oregon to W. A. Colver and recorded at page 131, of Volume 2 of Record of Water Right Certificates in the office of the County Clerk of Coos County, Oregon, on June 9, 1933.

\*\*\*\*\*

Beginning at the point of intersection of the Easterly boundary of the Catching Slough Market Road with the North boundary of Section 8, Township 26 South, Range 12 West, of Willamette Meridian, and running thence Southeasterly along the said Catching Slough Market Road boundary to the Northerly boundary of the Stock Slough County Road; thence Northeasterly along the said Stock Slough County Road boundary to the said North boundary of Section 8, thence Westerly along the said North boundary of Section 8 to the point of beginning. Being a portion of Lot 1 and of the Northeast quarter of the Northwest quarter of Section 8, Township 26 South, Range 12 West of Willamette Meridian.

\*\*\*\*\*

The South 1/2 of the SE 1/4 of the SW 1/4 of Section Five (5), Township 26 South, Range 12 West, Willamette Meridian, Coos County, Oregon, containing 20 acres of land, more or less, together with part No. 1 of a water right granted to W. A. Colver and recorded at page 131 of Volume 2 of Record of Water Right Certificates in the office of the County Clerk of Coos County, Oregon, on June 9, 1933.

\*\*\*\*\*

State of Oregon } 72-1-67329-43  
County of Coos }  
I hereby certify that the within instrument  
was filed for record

JUN 14 9 16 AM '72

and recorded in Book of Records  
Microfilm Reel No. 72-1-67329-43  
of said County.  
WITNESS my hand and Seal of County  
affixed.  
Ray J. Crabtree, Coos County Clerk  
By M. J. [Signature] Deputy

Return to Helene Chandler Holding  
R. 3000  
Fee 31.50

*Helene Chandler Holding*  
*R. 3000*



TELEPHONE (503) 267-2872  
FAX (503) 267-0588

705 SO. 4TH, P.O. BOX 118  
COOS BAY, OREGON 97420

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SALEM, OREGON

MEMORANDUM

TO: Don Krauer

DATE: 2/16/94

FROM: Dennis Goude

RE: Pre-1909's Fred Messerle + Sons INC

Done

I have marked all of the Messerle files on the outside of the envelopes. I should be able to have the reports and final maps in by the end of May.

Dennis Goude

Watermaster's Office  
District No. 19  
Coos County Courthouse  
Coquille, OR 97423

JAN 6 1993

Receipt Name: Kenneth Messerle

Date: December 31, 1992

Amount: \$ 2000 00

Pre-1909 application form.

PI

Received by: James Linger  
Asst. Watermaster Dist. 19

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WATER RESOURCES DEPT.  
SALEM, OREGON

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

1. Name of Registrant: FRED Messerle & Sons, Inc.  
Mailing Address: 2330 E. Catching Slough Rd.  
Coos Bay, OR 97420 Telephone No: 267-2997

2. Source of water: Unnamed Stream  
Tributary to: Stock Slough

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

4. Priority Date  
a) Date of first use: 1873 / 1875 JUNE 1, 1874  
b) Date water use development first initiated: 1873 JUNE 1, 1874  
c) Name of party who initiated development: B. H. Ross / John Miller  
B. F. Ross

5. Amount of water claimed: .002 in CFS or GPM.  
(Water put to beneficial use)

6. Location of place of use:  
5 Sections, Township 26 N (S) Range 12 E (W)  
\_\_\_\_\_ Sections, Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W.  
(Attach additional pages if necessary)

7. Usual period of use: 1 / 1 / to 12 / 31 /  
month day month day

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

9. Total fees submitted with claim: \$200

Notarized Statement Signed by Claimant.

STATE OF OREGON )  
County of Coos ) : ss

I, Kenneth C. Messerle, 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.

Fred Messerle or Son to  
K. Kenneth C. Messerle, V.P.  
Signature of Claimant

Signed and attested before me this 29th day of Dec, 19 92



Joyce E. Stuntzner  
NOTARY PUBLIC for the State of Oregon  
My commission expires: 11/24/95

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

Certified Water Right Examiner

Name: Keith Jehnke CWRE#: 302

Address: PO Box 118, Coos Bay, OR 97420

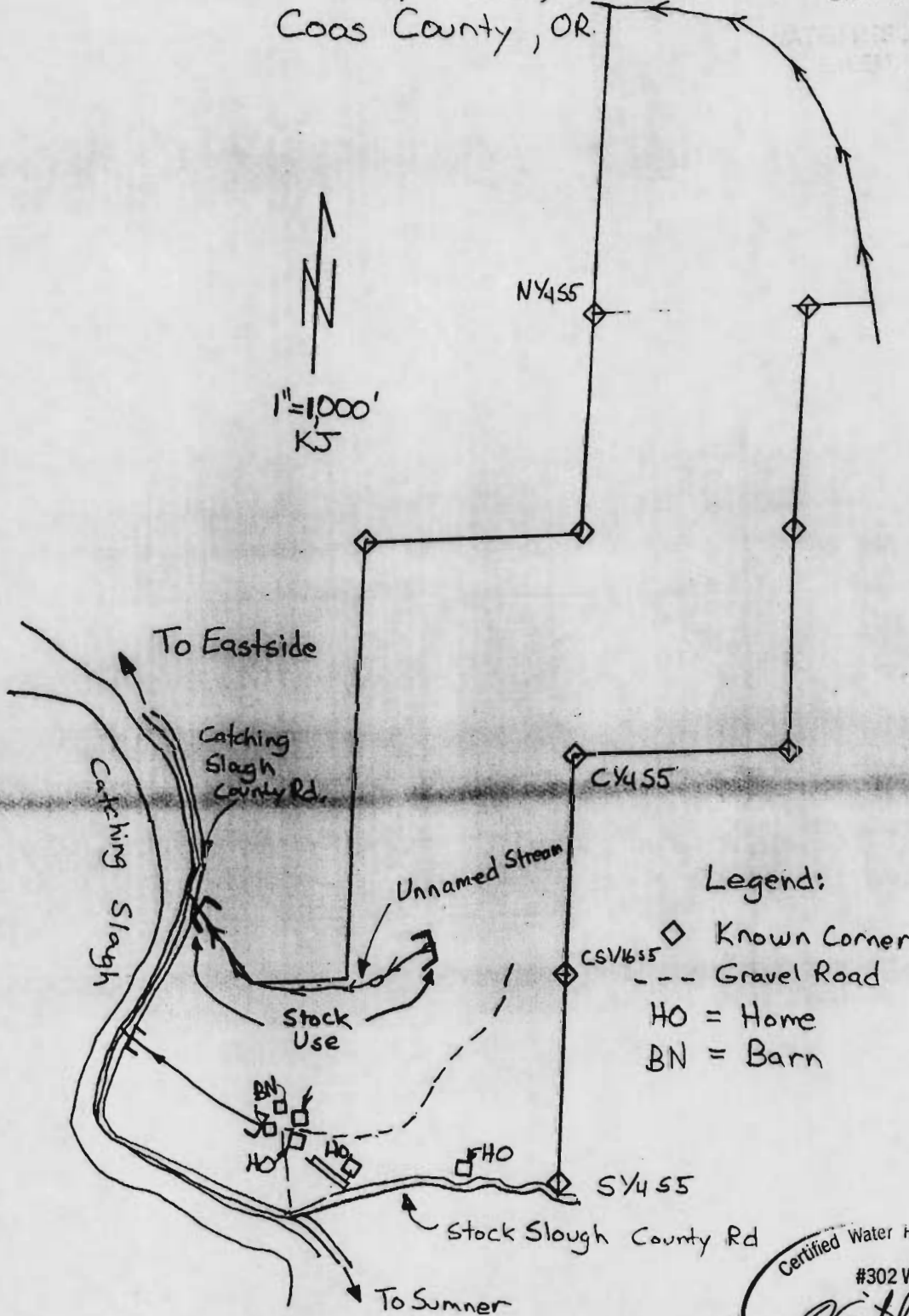
Telephone: 267-2872

Home Ranch (Stock Slough)  
 Section 5, T26S, R12W  
 Coos County, OR

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STATE OF OREGON DEPT.  
 LANDS



Legend:

- ◊ Known Corner
- - - Gravel Road
- HO = Home
- BN = Barn

Certified Water Right Examiner  
 #302 WRE  
*Keith R. Johnke*  
 Keith R. Johnke  
 Nov. 19, 1991  
 STATE OF OREGON

**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.

**Stutzner Engineering & Forestry**

TELEPHONE 267-2872

705 SO. 4TH, P.O. BOX 118 - COOS BAY, OREGON 97420