

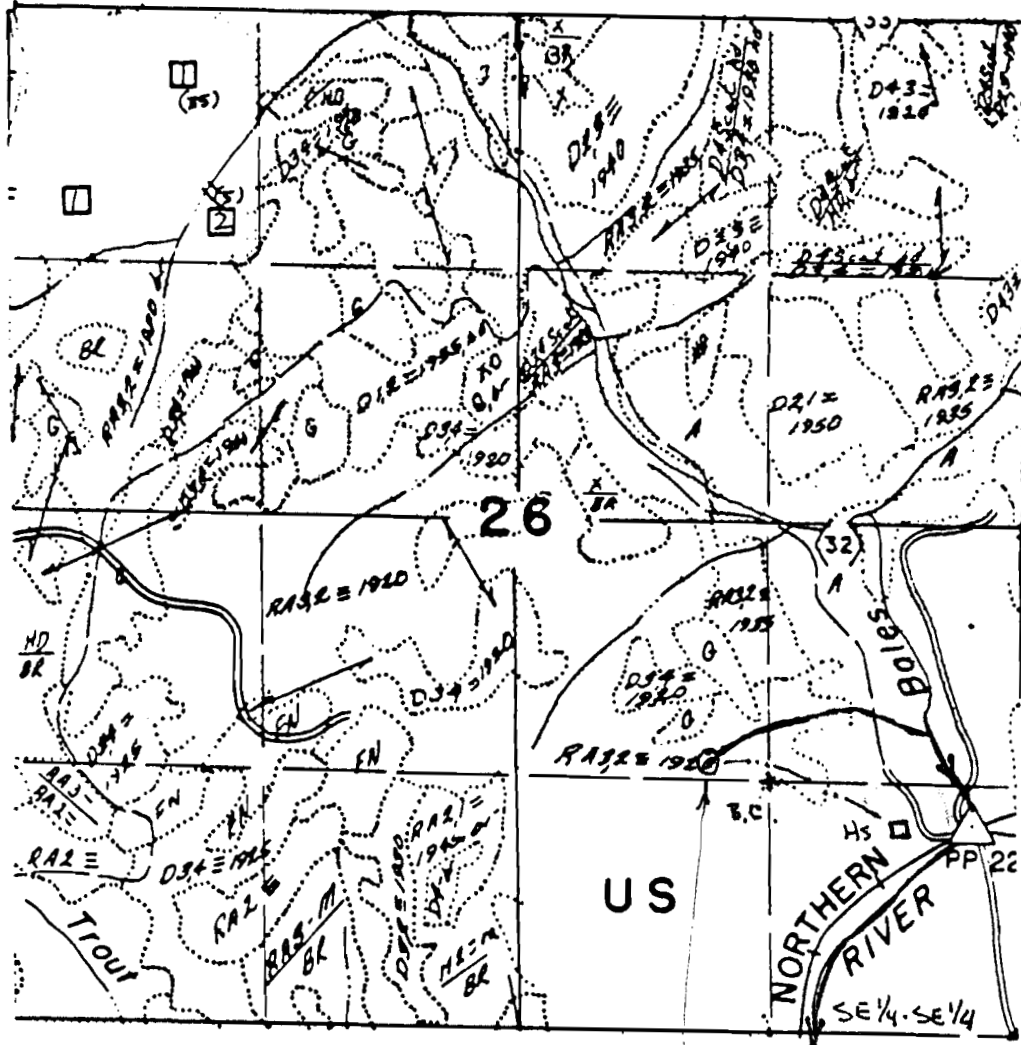
DEC 31 1982

DEC 31 1983

DEC 31 1984

**LINCOLN CO.
TOLEDO DIV.**

DEC 16 1993



Pt. of Diversion - Spring
24' North of SE 1/16 Sec. 26
325' West

T10S R9W



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. _____

November 25, 1957

Mr. H. R. Glascock
Eddyville, Oregon

Dear Mr. Glascock:

This will acknowledge receipt of your letter of November 13th, relative to the domestic water supply which serves your property and the photostat of an affidavit, relative to initiation of said domestic use, signed by certain elderly people who had knowledge thereof which affidavit has been recored in the County Records of Lincoln County.

You state that you would like to file this affidavit at this office. This office has no provision for filing instruments of this nature, consequently, I am returning said certificate to you. While the importance of such an affidavit is recognized and would be of considerable value should an attack be made upon your right to the use of the waters involved, or in the event of a judicial determination of water rights at some future date, it is believed that a notation or reference made to accompany your deed or abstract to the property so that the future owner would have knowledge thereof, together with the fact that it is recorded in the County Records, would be of far more value than to record it in the Miscellaneous Records of this office where it would be difficult to identify at some future date when needed.

If, however, it is your desire that the affidavit be recorded in the Miscellaneous Records of this office, it may be returned, together with the statutory recording fee of one dollar (\$1.00), whereupon it will be duly recorded.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Geo. V. Naderman, Assistant

GVN:shr

Eddyville, Oregon
November 13, 1957

Office of State Engineer
Salem, Oregon

Dear Sir:

The domestic water source which serves this ranch, owned by my wife and me in the Eddyville district, was developed by a former owner of the ranch, A. J. Warnock, whose ownership dated from 1901.

I understand that use of a domestic water source prior to the year 1909, establishes, according to Oregon law, a right to such a water source.

I enclose a copy of an affidavit signed by former old neighbors of A. J. Warnock, testifying to the fact that this source of domestic water was used by A. J. Warnock prior to the year 1909.

I should like to file this affidavit with your office.

Yours truly,

H. R. Glascock

State of Oregon
County of Lincoln

I, , testify to the following facts:

I have been a resident in the Eddyville community in Oregon since 1908 & early 1909 .

My neighbor was Alexander J. Warnock, who owned the farm (lying in sections 25, 26, 35 & 36 of Township 10 S., Range 9 W. W. M.), which is now owned by Hardin R. & Dorothy S. Glascock.

I know Alexander Warnock well and often was on his farm. Warnock took his water supply already before 1909 from the small creek, behind and north of the Glascock barn, which flows into Bell's Creek from the west.

At first Warnock just had a temporary pipe line from this small creek. Later he built a cement reservoir, which is still in use, at the head of the small creek in order that he might have pressure for his washing-machine turbine. Warnock also operated an irrigation ditch which supplied water from Beer's Creek.

Signed

Rudolph Ruprecht
Henry Timmer

Witness:

Wm R. McNaair - Emil Ruprecht

Harry J. Lagester Notary Public
my commission expires April 18, 1958

STATE OF OREGON
COUNTY OF LINCOLN, SS.

I hereby certify
that the within instrument
was received for record on
the 4th day of Nov 1957
at 11:50 o'clock P. M. and
recorded in Book 1
on page 1
with copy of said County
Witness my hand and seal
of County affixed.

Alfred M. Byers
County Clerk

D. F. Glascock
Eddyville, Ore.

INDEXED AND COMPARED

B 41895



Placed in 150



Five Firs Ranch, Inc.
c/o H. R. Glascock, Jr.
660 S.W. 56th Street
Corvallis, OR 97333-2918

DEC 16 1993

December 16, 1993

Martha O. Pagel, Director
Oregon Water Resources Department
3850 Portland Road, N.E.
Salem, OR 97310

Attn: Don Knauer or Dwight French

Dear Director Pagel:

We are submitting today a Pre-1909 Vested Water Right Claim. We are respectfully asking that you accept our claim late. The causes for lateness are as follows:

- 1.) On November 13, 1957 my father, Hardin R. Glascock, Sr., wrote the State Engineer in the Oregon Water Resources Department stating that our domestic water source was in use and developed before 1909 by A. J. Warnock, whose ownership dated from 1901. My father enclosed an affidavit signed by four old timers so testifying and which was duly notarized and recorded in the Lincoln County Courthouse on November 8, 1957. He requested that the affidavit be filed with the Office of the State Engineer. The State Engineer responded in a letter of November 25, 1957 that "this office has no provision for filing instruments of this nature, consequently, I am returning said certificate to you." He added that a reference to this prior use of the domestic water supply made in the deed to the property "together with the fact that it is recorded in the County Records, would be of far more value than to record it in the Miscellaneous Records of this office where it would be difficult to identify at some future date when needed." My father heeded this advice. (Copies of letters enclosed)
- 2.) Our family has been the owner and continuous user of this domestic water supply ever since the A.J. Warnock years. We have considered that this prior water right was protected by my father's action in 1957. Only late this year, when told by a certified water right examiner, have we discovered that recent laws have changed the status of prior water rights and a claim for registration needed to be filed by December 31, 1992.

Martha O. Pagel
December 16, 1993
Page 2

DEC 17 1993
FIVE FIRS

We are therefore applying as a late but urgent applicant to retain the right to continue the use of this domestic water supply that began in 1901. Please consider this good cause for missing the deadline.

Respectfully yours,

FIVE FIRS RANCH, INC.

by Hardin R. Glascock, Jr.
Hardin R. Glascock, Jr.
President

P.S. My son Russell Glascock and his family live on the property.

STATE OF OREGON

COUNTY OF LINCOLN

CERTIFICATE OF WATER RIGHT

DEC 13 1993

This Is to Certify, That H. R. GLASCOCK

of Eddyville, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Yaquina River

tributary of Pacific Ocean

for the purpose of

irrigation of 72.0 acres

under Permit No. 24199 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 3, 1956

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.30 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T. 10 S., R. 9 W., W. M. of people who had knowledge thereof which affidavit

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eighth of one cubic foot per second per acre, or its equivalent for each acre, irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

20.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25 and the affidavit be recorded in

16.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ may be required, together with

Section 26 (1.00), whereupon in

20.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$

6.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 35

T. 10 S., R. 9 W., W. M. Yours,

LEWIS A. STANLEY
State Engineer

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. AUGUST 24 1962

Chris L. Stiller
State Engineer

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP Yes NAME Mio Conser # 18 UNADJUDICATED AREA ? yes
RECEIPT # 108108 S W R NUMBER 620
CHECK ENCLOSURES _____ PRELIMINARY DATA BASE ENTRY Amf
ACKNOWLEDGEMENT LETTER Yes 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

#13 ☒ source and trib
AS ☒ diversion point location
AS ☒ conveyances (pipes, ditch, etc.)
AS ☒ place of use
AS ☒ scale
AS ☒ township, range, section
AS ☒ north arrow
AS ☒ CWRE stamp
_____ disclaimer
_____ date survey was performed
_____ P.O.B. of survey
#12 ☒ dimensions and capacity of diversion system
#14 ☒ "beneficial use" type title
#14 ☒ "permanent-quality" paper
#15 ☒ 1/10th acre

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

June 13, 1994

JAMES M DENISON
PO BOX 518
TOLEDO OR 97391

RE: SWR-620

Dear Mr Denison,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of FIVE FIRS RANCH INC 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-0620.002



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

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 detriment 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-247

BREON

1620

S FIVE RANCH

January 11, 1994

FIVE FIRS RANCH, INC
660 SW 56TH
CORVALLIS OR 97333-2918

re: SWR-620

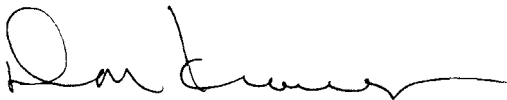
Dear Sir,

This will acknowledge that your Surface Water Registration Statement in the name of FIVE FIRS RANCH INC has been received by our office. The fees in the amount of \$300.00 have been received and our receipt #108496 was given to you. Your registration statement has been numbered SWR-620. I am sending a copy of the Special Order Vol 48 Pg 2 for your records.

Your claim will be processed in the future which will include a review of the form and map. If there are any questions, we will contact you.

Please feel free to contact this office if you have any questions. The toll free number is 1-800-624-3199.

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

J:\WP51\SWR\CLAIMANT\6\SWR-0620.001



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

February 3, 1994

WATER
RESOURCES
DEPARTMENT

JAMES M. DENISON
PO BOX 518
TOLEDO OR 97391

RE: File# SWR-620

DEAR JAMES M. DENISON,

I am returning the map you prepared for FIVE FIRS RANCH INC. 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 the conveyance on the map you must describe it in a report.

✓ scale

OAR 690-14-170-1 "The map scale shall be 1" = 1320', 1" = 400', or the scale of the county assessor map..."

✓ 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..."

2-17-94

Jim Denison - CURE - will submit map
IN A FEW WEEKS.

John



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

The claim is for "Domestic, including up to ½ acre lawn and garden", you must show the location and acreage to the 1/10th of any irrigation. The claim does not include stockwater.

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,

A handwritten signature in black ink, appearing to read 'Don Knauer', with a long horizontal flourish extending to the right.

Don Knauer
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\6\SWR-0620.00M

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 108108

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

OVER THE COUNTER
RECEIVED

RECEIVED FROM:

BY:

APPLICATION

PERMIT

TRANSFER

CASH: CHECK: # OTHER: (IDENTIFY)

☐
☐
☐

TOTAL REC'D \$

01-00-0 WRD MISC CASH ACCT

842.010 ADJUDICATIONS

831.087 PUBLICATIONS/MAPS

830.650 PARKING FEES Name/month

OTHER: (IDENTIFY)

\$

\$

\$

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001 COPY FEES

850.200 RESEARCH FEES

880.109 MISC REVENUE: (IDENTIFY)

520.000 OTHER (P-6) (IDENTIFY)

\$

\$

\$

\$

WATER RIGHTS:

842.001 SURFACE WATER

842.003 GROUND WATER

842.005 TRANSFER

WELL CONSTRUCTION

842.022 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE

\$

\$

\$

\$

EXAM FEE

\$

842.002

842.004

842.006

842.023

842.024

RECORD FEE

\$

\$

\$

LICENSE FEE

\$

\$

06-00-0 WELL CONST START FEE

842.013 WELL CONST START FEE

MONITORING WELLS

\$

\$

CARD #

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 # 108108

DATED:

BY:

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

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 FIVE FIRS RANCH, INC.	)	STATEMENTS
	)	(Late filing)

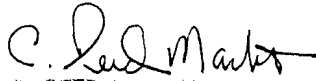
The above entitled matter comes before the Director for authorization to file a Surface Water Registration Statement after the filing deadline of December 31, 1992.

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 Surface Water Registration Statement in the name of

FIVE FIRS RANCH, INC.
660 SW 56TH
CORVALLIS OR 97333-2918

January 7, 1994.


A REED MARBUT

 Martha O. Pagel, Director

Recorded in Special Order Volume 48, Page 2.

SWR.DWF