

Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1271 503-986-0900 FAX 503-986-0904

January 27, 2004

Linda A. Hamilton 54518 Fairview Road Coquille, OR 97463

Re: Surface Water Registration Statement #10

Dear Ms. Hamilton:

We are in receipt of your updated ownership information for Surface Water Registration 10. The updated ownership information along with the accompanying documentation has been placed in the file for Surface Water Registration 10.

There is no fee for updating the ownership information for Surface Water Registrations. Therefore, we are returning your check in the amount of \$30.00.

Please do not hesitate to contact us if we may be of any further assistance.

Sincerely,

Teri Hranac

Adjudications Specialist

**Enclosure** 

cc: Mitch Lewis

# RECEIVED 1/21/04 JAN 22 2004 54518 Fairview Rd **WATER RESOURCES DEPT** SALEM OREGON Cognille, OR 97423 Orego Water Resources Dept. 725 Summer St. nE, Suite A Salem Osegn 97301 Re: Request for assignment of SWR-10 attached is Request for assignment

form which was given to be me today by Mr. Mitchell Lewis, Watermarter District 19. He explained to me about submit this in order to get the claim filed by Phylis Hamilton, my mother, reassigned to me. My mother died 5/21/23 + her fretted to has been closed, The enclased a copy of my deed to the property, recorded (over)

in Core County. The also enclosed my check for \$30 for recording fees. Please tet me know if you need additional documentation or information. Thank you for your chilp -I look forward to heaving from Linearly, Linda Ce. Hamilton

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# REQUEST FOR ASSIGNMENT

BY PROOF OF OWNERSHIP (IF PERMIT HOLDER IS NOT AVAILABLE)

Linda A. Hamil	ton
(Name of Party Requesting Assignment)	l, Coouille, OR 97423 54/ 396-2806
(mailing address)	(City) (State) (Zip) (Phone #)
CHECK ONE	RECEIVED
	ent in and to application/permit;
• •hereby request assignm	JAN 22 2004 nent in and to a portion of application/permit WATER RESOURCES DEPT
(You must include a map show	ving the portion of the application/permit to be assignmented. OREGON
I have attached pro	of of ownership that may include but not be limited to: a copy
	d, a copy of a land sales contract, a court order or decree, vivorship of property held jointly;
	e \$5 for <u>each</u> additional page.)
Application #	Downit #
Application #	
Statement #	, Permit #; SWR -OR- , GB Certificate of Registration #SWR-10
· ·	
Phyllis Ha	milton (now deceased)  a Coquille, OR 77423  OR 541 396.2806  ity) (State) (Zip) (Phone #)
(Name of Permit Holder of Record)	Coonille OR 27423
54518 Fainview K	OR 541 396.2806
(mailing address) (C	(State) (Zip) (Phone #)
Certificate of Ground owners' names and n	wers of the property described in this Application, Permit or Water Registration, you must provide a list of all other nailing addresses and attach it to this form.  I all other owners of the property described in this Application, of this request for assignment.
Witness my hand thisday	of January , 20 04 .
	0. 1 - 1 .00
Party Requesting Assignmen	t Linda C. Hamilton
Party Requesting Assignmen	nt
DO NOT WRITE IN THIS E	The completed "Request for Assignment" form  must be submitted to the Department along with the appropriate recording fees:  • •\$25 for the first page, and • •\$5 for each additional page. [as required by ORS 536.050(1)(d)]  WATER RESOURCES DEPARTMENT 158 12 STREET NE SALEM, OREGON 97301-4172

### PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE Made this /2 day of /00, 2003, by and between Linda Hamilton, the duly appointed, qualified and acting personal representative of the estate of Phyllis Aileen Hamilton deceased, hereinafter called the first party, and Linda Hamilton, hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situate in the County of Coos, State of Oregon, described on Exhibit A and Exhibit B attached hereto.

TO HAVE AND TO HOLD the same unto the second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$None. However, the actual consideration consists of or includes other property or value given or promised which is the whole of the consideration.

Send tax statements to: Linda Hamilton 54818 Fairview Rd. Coquille, OR 97423 After recording return to: A.C. Walsh, Jr. 280 N. Collier Coquille, OR 97423

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, the first party has executed this instrument.

Personal Representative of the Estate of Phyllis Aileen Hamilton

STATE OF OREGON )
) ss.
County of Coos )

1100.12

Personally appeared the above named Linda Hamilton, Personal Representative of the Estate of Phyllis Aileen Hamilton, Deceased, and acknowledged the foregoing instrument to be her voluntary act and deed. Before me:

Notary Public for Oregon

OFFICIAL SEA!

A. C. WALSH JR.

NOTARY PUBLIC-OREGON

COMMISSION NO. 346988

MY COMMISSION EXPIRES AUGUST 7, 2005

RECEIVED

JAN 22 2004

WATER RESOURCES DEPT SALEM, OREGON

COOS COUNTY CLERK, OREGON TOTAL \$41.00 TERRI L. TURI, CCC, COUNTY CLERK

12/18/2003 #2003-19752 01:11:43PM 1 0F 4

5/2000

Water Resources Dept. Connecce Bldg 158 12th St. N.E. Salem, OR 97301-4172

Re: Mailing Cladsess Dear Mr. Clark,



This is to confirm in writing the allrew change I mentioned to you on the phone today. Due to a country wide 911 service enhancement, rural Coas Country addresses have been changed. Please correct your records on the Lurface Water Pegistration file for Phyllis Hamilton, my mother.

Thank you.

Old Address
HC 83 Box 5775
Coaville, OR
New Address

Linka a. Hamilton Blylli Hamilton by Links a Hamilton, POA

Phylije & Linde Hamilton 54818 Feirview Rd. Coquille, OR 97423



### STATE OF OREGON

### INTEROFFICE MEMO

TO:

Watermasters

DATE: October 2, 1990

FROM:

Adjudication Section

SUBJECT: Surface Water Registration # 10

RECEIVED

SEP 23 1992

WATER RESOURCES DEPT. SALEM, OREGON

Enclosed are registrations that have been filed on pre-1909 surface water uses in your area.

Please comment on the validity of the claims especially as it might relate to:

-priority date, Appears reasonably

-quality of water, ok

-place of use, and --- ot

-continuous use without five or more consecutive years of non-use within the past 15 years. - As per Mrs. Hamilton Jan. 29, 1990 letter to Mary Grainey, stock water use is No lauger being claimed.

Thank you for your assistance.

tle

0666



February 24, 1992

WATER RESOURCES DEPARTMENT

Phyllis Hamilton HC 83 Box 5775 Coquille OR 97423

re: Surface Water Registration 10

Dear Ms. Hamilton,

I am sending a check in the amount of \$ 35. This is a credit based on fees you paid in the past for a water right application # 53774. ORS 539.081 requires a credit for "money paid as examination and recording fees" when a surface water registration statement is filed for the same place and use.

Sincerely,

Don Knauer

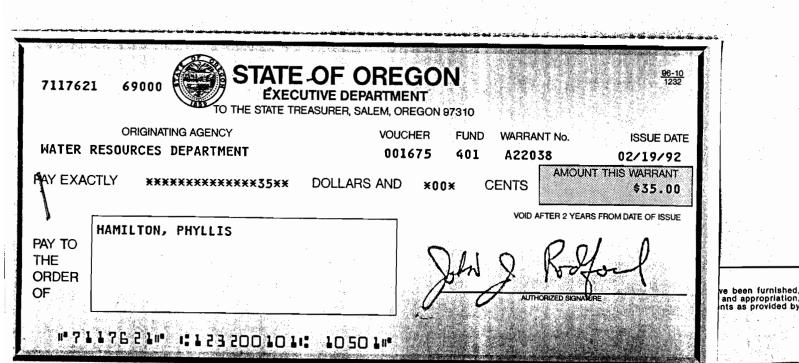
Adjudication Specialist



ACTION CODE ORIGINAL B 01-00-0 35.00 001675 AGENCY VOUCHER NO. 02-13-92 A69000 VENDOR NUMBER DATE PAYEE AND ADDRESS 0 1 HAMILTON, PHYLLIS 6 7 5 AUDITED BY WATER RESOURCES 3850 PORTLAND RD NE **SALEM OR 97310** \$35.00 TOTAL INVOICE 0000000000 REFERENCE 001675 35.00 NET PAID .... **\$35.00** 

MESSAGE: REV. REFUND 60884

ACCOUNT CODING: AGY 69000 INV 0000000000 BCH F68 TD 920213 **REF 001675** DESCRIPTION PCD PROJECT FUND BI COST CENTER ACCOUNT AMOUNT HAMILTON, PHYLLIS 032200 413 3 03 22 00 15 899900 35.00





### STATE OF OREGON

### INTEROFFICE MEMO

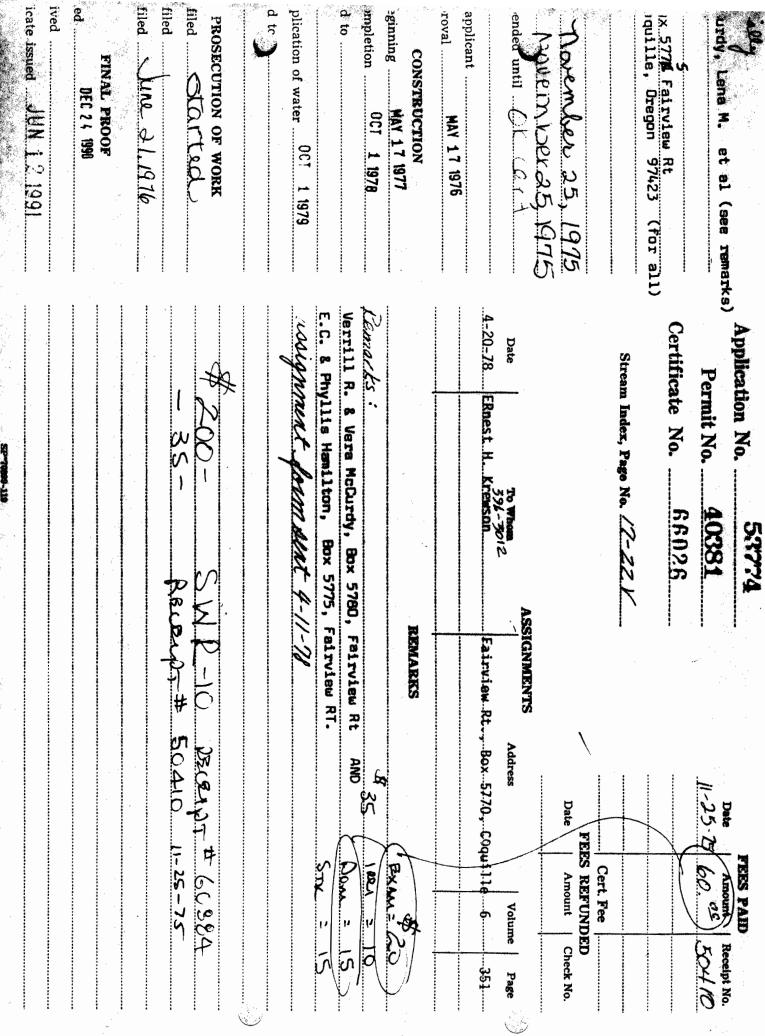
<b>TO</b>	DAVE NELSON, FISCAL DATE: PEDICULTY /, 1992
FROM.	Don Knauer Authorized Examiner
SUBJECT:	Request for Refund Check
	Please refund \$35 to Phyllis Hamilton file no, receipt no These funds are refunded due to:
	Application rejected Application withdrawn  Excess fees collected for application  File closed  Other:  Protest Filing Fees
	0102C INTEROFFICE MEMORANDUM Oregon Water Resources Department Adjudication Section
	TO: Dave Nelson
	FROM: Don Knauer Sekanise

ORS 539.081 (3) requires a credit for "money paid as examination and recording fees". In the past the Hamiltons filed for a domestic water right. They were not given the proper credit at the time of filing their registration statement.

(C:\W\\$\C\\$WR-0010.003)

DATE: February 7, 1992

SUBJECT: Refund for SWR-10



### INTEROFFICE MEMORANDUM

### Oregon Water Resources Department Adjudication Section

TO: FILE SWR-10

FROM: Don Knauer

DATE: February 7, 1992

SUBJECT: MAPPING

I spoke with Forrest Hales CWRE # 59 who did the mapping for the Phyllis Hamilton claim. I explained the difference in location of diversion point between the WRD final proof survey map and the map he prepared for the Hamilton claim. The final proof survey map for Application # 53774 puts the diversion point within the NE½NW½ section 31 and Hales map puts it within the SE½NW½ section 31. He told me he used a transit and tape open traverse to locate the diversion point. He also said there were problems with the location of the ½½ line in this area that he discovered on previous surveys. I told him I would use his location for the claim and my recommendation.

# STATE OF OREGON WATER RESOURCES DEPARTMENT ADJUDICATION SECTION

TO: Reed Marbut

DATE: February 6, 1992

FROM: Don Knauer

SUBJECT: Indorsement of SWR-10

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made a inspection of the property identified in the claim and I have reviewed the WRD records. Based on my review and inspection I suggest the following information be included on the "Notice of Proposed Order " under ORS 539.240 (8):

NAME: Phyllis Hamilton ADDRESS: HC 83 Box 5775

Coquille OR 97423

SOURCE: Unnamed Stream a tributary of Coquille River.

USE: Domestic use for one family including irrigation of up to

å acre lawn and garden.

PRIORITY DATE: July 1907

AMOUNT OF WATER FOR EACH CLAIMED USE:

0.015 CFS for domestic use to include not more than 0.5 acre lawn and garden.

DIVERSION POINT:

SE% NW% Section 31, T. 27 S., R 12 E., W.M.

PLACE OF USE:

Domestic Lot 4 (SW SW SW Section 30,
Township 27 S., Range 12 W., W.M.

PERIOD OF USE:

Domestic use allowed all year.

FILE C:\WP51\SWR\CLAIMENTS\SWR-0010.0IM

TO:

FILE SWR-10

August 13, 1991

FROM: '

DON KNAUER

CONTACT:

PHYLLIS HAMILTON

BY:

DON KNAUER & DWIGHT FRENCH

We met with Mrs. Hamilton at the property. She said her claim was for domestic to include the irrigation of her lawn and garden. She crossed off the stockwatering under item #2 on the form.

She explained the development of the farm and said her claim was for July 1907 for the date of initiation. She explained how the construction of the house, barn and water system took place. She said she was born in the house in 1911.

She told us there are two other houses using the spring. They were her brothers houses but both brothers have passed away. Those two properties have been sold. One house was built in  $1925\pm$  and the other in 1931. Her house and the other two are all on the same pipe system.

I measured 24 psi at an outside spigot at Mrs. Hamilton's house.

She irrigates a large lawn and garden area adjacent to her house. The area is less than 1/2 acre. She said in the past they have irrigated much more.

SWR-0010.001



July 31, 1991

WATER
RESOURCES
DEPARTMENT

Phyllis Hamilton HC 83 Box 5775 Coquille, OR 97423

RE: Surface Water Registration

Dear Phyllis Hamilton:

We are meeting with all of the Surface Water Registration claimants in the Roseburg-Coquille area the week of August 12 - 16. This is to confirm that we have agreed to meet at your residence on Tuesday, August 13, at approximately 10:00 a.m.

As I discussed with you on the phone, there are a couple things on your form that may need some clarification.

If you are unable to keep the appointment please contact me to see if we can arrange another meeting time. I can be reached in Salem 378-3739. If I am unavailable, please ask for Don Knauer.

Sincerely,

Dwight French Adjudications Section





### STATE OF OREGON

### INTEROFFICE MEMO

TO:

SWR #10 (Phyllis Hamilton) File

DATE: September 27, 1990

FROM:

Don Knauer

SUBJECT: Registration Statement Review

Form: #2 Must be amended by claimant.

0.005 IN SUMME IN WINTER

#3 Need amounts for each use.

3) = 0.015 cfs & \$\frac{4}{5}B) = .005 cfs \text{ which?}

#4 What is the date claimed?

46 Must fill in if irrigation.

Where is domestic? (www.cu. pocucas Stock)

410 Must fill in.

NOTE \$60 paid 11-25-75 for domestic & irrigation Looks like needs a \$60 REFUND to Hamilton!

CHECK

Map: Must be on "Good Quality Paper"

Diversion point doesn't check application #53774 map. Should be government lot 4 not SW SW Sec. 30.

Exhibit #2 Doesn't cover same property as shown on registration map.

Exhibit #3 Line goes through house.

Exhibit #4 Need more information to plot.

Exhibit #5 Need more information to plot.

Done by F. J. Hales, Coquille.

0659



### Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

February 5, 1990

Phyllis Hamilton HC 83, Box 5775 Coquille, OR 97423

RE: SURFACE WATER REGISTRATION - 10

Dear Mrs. Hamilton:

Thank you for clarifying the uses on your registration form. Your application is now in order for claiming a domestic use including lawn and garden and domestic stock.

The fees you paid in 1975 would have been required in full to cover the other domestic, stock and irrigation uses under permit 40381. Therefore, we are "even" on all money matters.

We will keep you informed as we adopt rules and process this claim. Thank you for your patience.

Sincerely,

MARY S. GRAINEY, Manager

Adjudication Section

MSG:jt

0522j

# RECEIVED

JAN 3 1 1990

HC 83 Box 5775 WATER RESOURCES DEPT. Coquille, Or. 97423 SALEM, OREGON Jan. 29, 1990

Water Resources Department 3850 Portland Road N.E. Salem, Oregon 97310

Att: Mary S. Grainey, Mgr., Adjudication Section

Re: SURFACE WATER REGISTRATION SWR-10

Dear Ms. Grainey:

Thank you for your letter of January 26, 1990, regarding the above Registration Statement.

I have this day talked to Mr. John Drolet, the District 19 Watermaster. He has been most helpful, and it is my understanding that he has talked to you concerning this Registration Statement.

As a result of my consultation with him, and a better understanding on my part, I would like to modify my statement regarding "stock water use" and strike it out entirely, as I never intended it for purposes of large numbers of stock.

My intended use is for domestic use only, which, I understand, includes enough water for perhaps a cow and/or calf, a horse, chickens, a goat or ducks, plus enough to water a lawn and a very small garden.

Will you please advise me 1f this letter will be sufficient to modify and strike entirely the "stock water" use which I inadvertently included, and if my Registration Form is now in order without added fees. Thank you.

Yours truly,

Phyllie Hamilton



### Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

January 26, 1990

Phyllis Hamilton HC 83, Box 5775 Coquille, OR 97423

RE: SURFACE WATER REGISTRATION SWR-10

Dear Ms. Hamilton:

We have received your registration statement for a pre-1909 surface water right. I am enclosing our receipt numbered 60884 for fees paid in the amount of \$200.00.

You have applied for two uses:

- 1) domestic including lawn and garden and
  - 2) stock water.

The total fees are \$400, however, you also receive a credit of \$60 for the fees you paid to file for a permit in 1975. Therefore, you owe \$140 to complete the filing.

The other material you submitted appears to be complete. We cannot officially affirm the right until our final rules are adopted. We can send you the draft rules and notice of hearing in April. The final rules will be adopted in August 1990.

We will hold your file SWR-10 until we receive the remainder of the fees. Thank you for your patience.

Sincerely,

May Honey

MARY S. GRAINEY, Manager Adjudication Section

MSG:jt

Enclosure 0514j Space to John Deslet

Only diserror within 14 mil.

Protably me challenge.

Will amend claim by letter

for demectic stock only; har much
? If your for punit (spid 20 + 12)?

# **RECEIVED**

JAN 2 1 1990

# WATER RESOURCES DEPT. SALEM, OREGON

Oregon Property	Code A	rea			nt Number	T	<u> </u>	Assessed Value		Last Year	This Year	
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Owner							CC	SWOCC		2.1813		9.61
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21982

150-553-008 (Rev. 3-89)

SAVE THIS PART FOR YOUR RECORDS

\*\* READ PAYMENT INSTRUCTIONS ON REVERSE

JAN 2 1 1990

WATER RESOURCE DEPT.

HC 83 Box 5775A Con 9795GON

Coquille, Oregon 9795GON

January 19, 1990

Water Resources Department 3850 Portland Road NE Salem, Oregon 97310

Gentlemen:

Along with a copy of my letter of Nov. 20, 1975 marked "Exhibit \_\_\_", I am attaching an up-date as of January 19, 1990.

Since 1975, my two brothers, C.C. McCurdy and V.R. McCurdy, have passed away and their portions of the original farm were sold. However, I still retain ownership of a portion of the original farm, and live in the same house where I was born, which house, along with the barn and other buildings, was being constructed soon after receiving warranty deed of January 5, 1904. At the same time a gravity flow water system was being constructed, using the water from the small unnamed stream about a quarter of a mile or a little more away named in the registration form. Water was diverted into a holding tank, then through a pipe by gravity flow across the fields to the building and living area. Work on the water system took time away from farm work and land clearing, so building construction was a slow process. The barn was completed first, then the house, approximately in the years 1907 and 1908.

The holding tank and sections of pipe have been upgraded again since my permit application of 1975, and this same source of water has been in use without interuption since before the 1909 water laws.

I cannot furnish affidavits from neighbors or residents older than I who might support my claim, however I hope this and other exhibits will be adequate in supporting my wateruse registration statement claiming a right prior to 1909 laws governing water use.

Yours truly,

Phyllis Hamilton

Exhibit

Box 5775 Fariview Route Coquille, Ore. 97423 Nov. 20, 1975

> SWATER RESCURDED DEAT SALEM, CREGOM

Mr. M. John Youngquist, Titermaster 1144 S.S. Douglas Roseburg, Oregon 97470

Dear Gir:

The purpose of this statement is to support our claim of a water right to certain water used prior to the year 1909

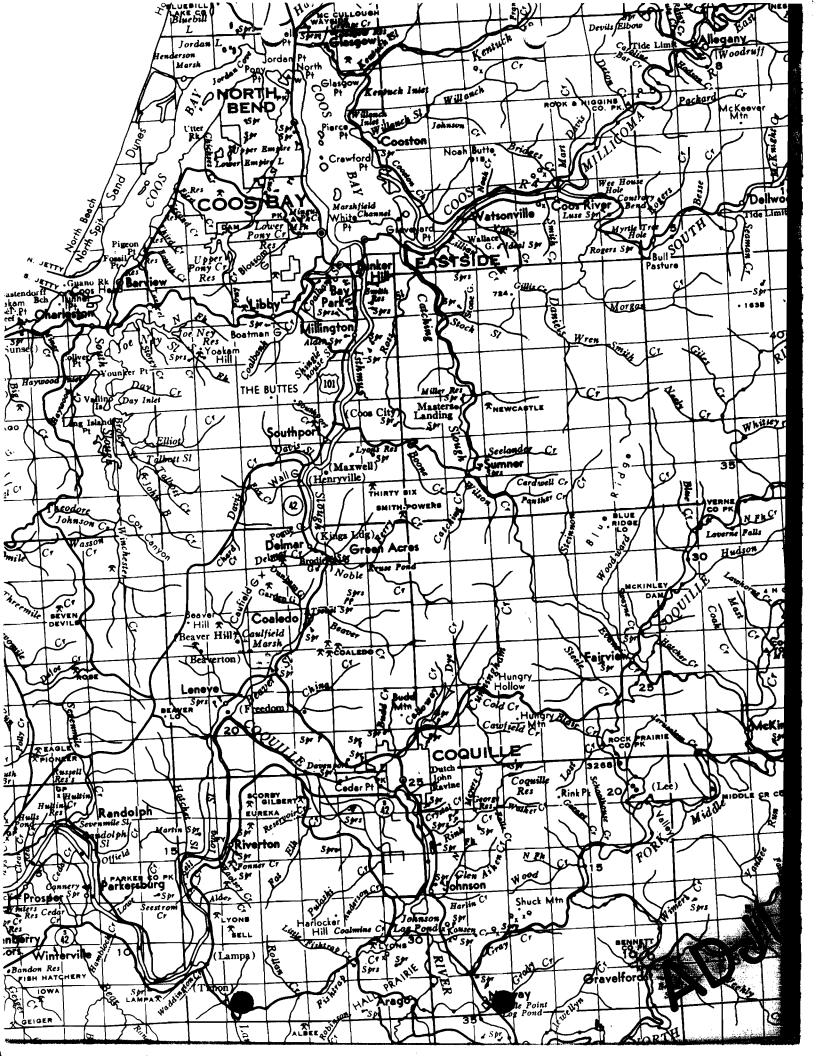
In 1903, Shas, E. McCurdy and Edith A. McCurdy purchased land in Sections 30 and 31, Township 27 South, Range 12, West of Willamatte Meridian, Coos County, Oregon, and engaged in dairying from that time until Mr. McCurdy's death in 1926. His wife continued farming with the help of their two sons until her death in 1940. This same property then passed to the children (two sons and one daughter) and they have lived on and been in possession of the land continuously to the present time, and do continue making their home on this same property.

Water for domestic purposes was taken from a small flowing spring which originated approximately 200 yards from our property line - being about a quarter mile from our buildings. A tank was built and pipe leid for a gravity flow system. Water from this same source has been used, without interuption, for house and barn up to and including the present time, tank and pipes being replaced with new ones from time to time. Also, a small creek named "Cunningham" flowing the full length of the farm was used for watering stock since 1903, and for other general farm uses.

It is our understanding that the application for a water right which we are now mailing separately to Salem, in no way will effect the validity of our claim to water by right of use prior to 1909.

We are enclosing a small rough map of the property involved and the approximate location of the spring and the creek..

Yours very truly,



# GECEIVED

JAN 2 1 1990

WATER RESOURCES DEPT. SALEM, OREGON

HO 83 Box 5775 Coquille, Oregon 97423 January 19, 1990

Water Resources Department 3850 Portland Road NE Salem, Oregon 97310

### Gentlemen:

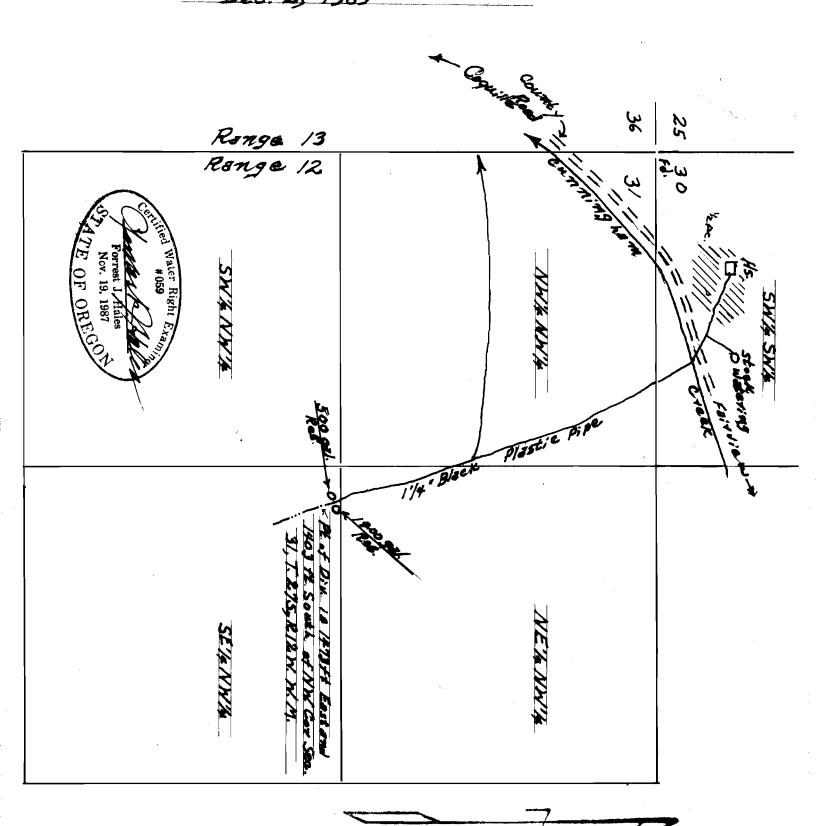
Enclosed is completed form for "Registration Statement Claiming a Right to Appropriate Surface Water", duly notarized, along with my check in the sum of \$200.00, dated January 19, 1990, #1346.

Also enclosed with this form are four (4) copies of a map fepared by a certified water right examiner #059, and seven (7) exhibits, all pertaining to this Registration Statement claiming a right to appropriate water.

Yours truly,

Phyllis Hamilton

# Map for an Application for a Permit to Appropriate Water Scale: |" = 400 ft. In Sec. 31 in T. 275, R.12 W. W. M. in Coos Co. OR. Dec. 2, 1989





ROBERT W. STRAUB

JAMES E. SEXSON Director

WATER POLICY REVIEW BOARD

> EMERY N. CASTLE Chairman Corvailis

CHAPIN D. CLARK Vice Cheirmen Eugene

GEORGE H. PROCTOR Kiamath Falls

> ANN W. SQUIER Portland

RICHARD ROY Portlend

JAMES HILL Arch Cape

JEAN FROST Portland

### WATER RESOURCES DEPARTMENT

4058 GALEM DRECONSER

1144 S.E. DOUGLAS STREET • ROSEBURG, OR • 97470 • Phone 672-3311

November 21, 1975

Mr. & Mrs. E.C. Hamilton Box 5775 Fairview Route Coquille, Oregon 97423

Dear Mr. & Mrs. Hamilton:

Herewith please find the letter and map you gave me 11-20-75. I have made copies of them and will place them in our files.

If this office can be of further assistance to you, please do not hesitate to contact us.

Yours truly,

Ferancis P. Coggswell

Francis P. Coggswell Assistant Watermaster

gf Enclosures (2)

> Exhibit #

Exhibit

# UNITED STATES OF AMERICA,

To all to whom these pres puts shall come, Greeting:

CERTIFICATE

William & Brilliam D. Gaydon

exister of the Land Office at 🗅

Act, making further

'Office of the United States a \} bayment has been made by the said has deposited in the General Land whereby it appears that full according to the General Land Office by the Surveyor General, which said Tracts have been le, Survey of the said Lands, returned to the according to the Official wichased by the said-

Nomied States of America, in consideration of the premises, and in gonforming with the several State of Congress in such case made any vested and accused water rights for minimal, agricultural, manufacturing, or other furfoses, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged in the local customs, laws, and decisions of courts, and also subject to the right of -heirs, the said Tracts alove described. To have and to hold the same, together with all the rights, privileges, immunities, and apputation becoming, unto the said Milliand D. Jastson proprieted of a vein or lode to extract and remove his ore therefrom, should the same be found to prenetrate or intersect the premises hereby granted, as President of the United States of America, have caused unto the said ( and provided, have given and granted, and by these presents do give and grant of whatsoever nature, thereunto belonging, unto the said 🖳 Tow know ye, That the heirs and assigns forever; subject to oun whatever and to lute-

Siven under my hand, at the City of Washington, the year of our Lord one thousand eight hundred ama

BY THE PRESIDENT:

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Recorder of the General Land Office.

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State of Oregon, ) sa

THIS CERTIFIES, That on this Sin day of Jeninry, 1904, personally a joared before me, a Motary Public in and for and commiy and State, the mithin-named Milliam C. Paxson and his wife, Jane Paxson, who are known to me to be the identical persone described in and who executed the foregoing instrument, and the mokalosisted to me that they executed the same for the user and purposes therein set forth.

ny Novariel Seal the day and year last above written.

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State of Oregon,)
County of Coos. ) ss.

THIS CERTIFIES, That on this 5th day of January, 1904, personally appeared before me, a Notary Public in and for said County and State, the within-named William C. Paxson and his wife, Jane Paxson, who are known to me to be the identical persons described in and who executed the foregoing instrument, and they acknowledged to me that they executed the same for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year last above written.

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the said parties of the first part, and whelf heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant, and by these presents forever Defend, except as a gameta certain school which grantes beauty as suspend by sets to hay.

In Witness Whereof, the said part es of the first part have hereunto set

hand sand seal sthe day and year first above written.

Signed, Scaled and Welivered in the Presence of





KNOW ALL MEN BY THESE PRESENTS, That Edith Ada McCurdy, the widow of C. E. McCurdy, deceased,

of County of Coos State of Oregon, in consideration of Five (\$5.00) - - - - Dollars, to her paid by Phyllis McCurdy Hamilton

of County of Coos State of Oregon, has bargained and sold, and by these presents do es grant, bargain, sell and convey unto said Phyllis McCurdy Hamilton,

her heirs and assigns, all the following

bounded and described real property, situated in the County Coos and State of Oregon:

A "V"-shaped parcel of land approximately 300 feet in length on either side from the vertex to the base; the southwest corner of which tract coincides with the southeast corner of two parcels of land heretofore conveyed by the above granter to V. R. McCurdy by deed recorded in Volume 112 at Page 382, Coos County, Oregon, Deed Records, said corner being in the northerly line of the public highway or county road; running thence easterly from said corner along the northerly line of said public highway or county road approximately 300 feet, more or less, to a point where said northerly line of such public highway or county road intersects the northerly line of what was formerly the public highway or county road, but which has been abandoned for the present public highway or county road, as above mentioned, running thence westerly along the northerly line of said abandoned county road about 300 feet, more or less, to the easterly line of said tracts of land herein mentioned as having been conveyed to the said V. R. McCurdy; thence southerly about 125 feet, more or less, along the easterly line of said tracts conveyed to said V. R. McCurdy to the place of beginning. Said tract of land containing the dwelling house of granter herein, and being the same dwelling house as heretofore occupied by her, and by her and her deceased husband.

This conveyance is made subject to a life estate which is hereby reserved by the grantor above named for her sole use and benefit during the remainder of her natural life, in and to the premises above described, and each and every part and parcel thereof, with the appurtenances; upon the death of the grantor herein, such reservation shall utterly cease and determine, and title in fee simple divested of this reservation and any and all claim of any kind or nature whatsoever on account thereof, or arising from such reservation, shall immediately vest in the grantee above named, her heirs and assigns forever.

Together with all and singular the tenements hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and also all her estate, right, title and interest, in and to the same, including dower and claim of dower.

TO HAVE AND TO HOLD, the above described and granted premises unto the said Phyllis McCurdy Hamilton.

when he was and assigns forever

IN WITNESS WHEREOF, I the grant hand and seal this	or above named hereunto set my
EXECUTED IN THE PRESENCE OF	Edith ada Inc Curdy ( )
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Margaset Staninger	(SEAL)
STATE AND ELLEN	(SEAL)

County of Coos A. D., 1934, personally appeared be-On this the 29 day of October in and for said County and State, fore me, a Notary Public the within named Edich Ada McCurdy, the widow of C. E. McCurdy, deceased, To Palette Co. blanded in American processing in PROMITE STATE OF THE PROMITE OF THE to me personally known to be the identical person described therein and who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily for the uses and purposes therein named. IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written. ublic for Oregon. SALEM, OREGON WATER RESOURCES DEPT. My Commission Expires WY COMMISSION EXPIRES SETTLES 1275 0661 I 3 NAU The State of the sugar 

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STATE OF OREGON.

KNOW ALL MEN BY THESE PRESENTS, That PHYLLIS MCCURDY HAMILTON , hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto E. C. Hamilton and PHYLLIS McCURDY HAMILTON, husband and wife, as tenants by the entirety, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Coos , State of Oregon, described as follows, to-wit:

A "V"-shaped parcel of land approximately 300 feet in length on either side from the vertex to the base; the southwest corner of which tract coincides with the southeast corner of two parcels of land heretofore conveyed to V. R. McCurdy by deed recorded in Volume 112 at Page 382, Coos County, Oregon, Deed Records, said corner being in the northerly line of the public highway or county road, as it existed on October, 1934; running thence easterly from said corner along the northerly line of said public highway or county road, as it existed on October 29, 1934, approximately 300 feet, more or less, to a point where said northerly line of such public highway or county road, as it existed on October 29, 1934, intersects the northerly line of what was formerly the public highway or county road, but which has been abandoned for the public highway or county road, as it existed on October, 1934, as above mentioned; running thence westerly along the northerly line of said abandoned county road about 300 feet, more or less, to the easterly line of said tracts of land herein mentioned as having been conveyed to the said V. R. McCurdy; thence southerly about 125 feet, more or less, along the easterly line of said tracts conveyed to said V. R. McCurdy to the place of beginning; being the property described in deed from Edith Ada McCurdy to Phyllis McCurdy Hamilton recorded in Volume 122 at Page 18, Deed Records of Coos County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ ......None...... OHowever; the -actual-consideration-consists -of- or -includes -other-property -or- value-given-or-promised\_which\_ is tne whose consideration (indicate-which). (The sentence between the symbols 0, it not applicable, should be deleted. See ORS 93.030.) In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals. In Witness Whereof, the grantor has executed this instrument this 6 day of December

if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by Phyllis McCirty Han order of its board of directors.

affix corporate seal)	
County of COOS  December 6 , 19 74  Personally Cappeared the above named  Phyllps, McCurdy Hamilton	STATE OF OREGON, County of
ment to be her voluntary act and deed.  Betore me:  (OFFICIAL TALLAN LAWS MANNEY SEAL)	and that the seal affixed to the foregoing instrument is of said corporation and that said instrument was signed half of said corporation by authority of its board of dire them acknowledged said instrument to be its voluntary Before me:
Notary Public for Oregon  My commission expires 3/28/75	Notary Public for Oregon  My complesion expires:

being duly sworn. the former is the t the latter is the ...., a corporation, the corporate seal and sealed in bectors; and each of act and deed. (OFFICIAL SEAL)

.....) 🖦

Phyllis McCurdy Hamilton Box 5775 Fairview Route 97423 Coquille, Oregon GRANTOR'S NAME AND ADDRESS E. C. and Phyllis McCurdy Hamilton Box 5775 Fairview Route Coquille, Oregon 97423 GRANTEE'S NAME AND ADDRESS E. C. Hamilton Box 5775 Fairview Route Coquille, Oregon NAME, ADDRESS, ZIF Until a change is requested all tax statements shall be sent to the following address E. C. Hamilton Box 5775 Fairview Route Coquille, Oregon

Return F. Crabtree, Coos County ify that record hand and

## **73 6 8**0878.

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for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto E. C. HAMILTON and PHYLLIS McCURDY HAMILTON, husband and wife,

...... hereinafter called grantor,

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the

tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County COOS , State of Oregon, described as follows, to-wit:

Our undivided one-half interest in:

JAN 21-1990

A parcel of land situated in Gov. Lot 4 of Section 30, T. 27S., R. 12 W.W.M., Coos County, Oregon, more particularly described Tash RESCURCES DEP follows: SALEM, OREGON

Beginning at a point from which the S.W. corner of Sec. 30 bears S  $56^{\circ}$  30' W 680.77 feet; thence N  $56^{\circ}$  30' E 136.14 feet., thence N 37° 59' 30" E 562.05 ft.; thence S 69° 30' E 289.57 ft.; thence S 23° 56' 30" W 407.47 ft.; thence S 50° 29' W 184.81 ft.; thence S 11° 15' W 155.12 ft. to the northerly R/W of the 1962 County Road; thence along said R/W on a 2326.83 ft. radius curve to the left the long chord of which bears S  $77^{\circ}$  55' W 270.18 ft.; thence North 66.05 ft. along the easterly R/W of an 18 ft. road; thence N 26° 06' W 30.00 ft. to the center-line of the vacated County road; thence on a 95.49 ft. radius curve to the right the long chord of which bears N 61° 40' E 5.41 ft.; thence N 59° 39' E 138.50 ft.; thence on a 197.57 ft. radius curve to the right the long chord of which bears N 66° 13' E 44.42 ft.; thence N 17° 26' W 30.00 ft.; thence N 75 $^{\circ}$  28' W 279.24 ft. along the northerly lines of the parcels described in Vol. 122, page 18 and Vol.112, page 382, deed records of Coos County, Oregon, to the point of beginning containing 5.91 acres.

### (IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$........None....... However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which).

In construing this deed the singular includes the plural as the circumstances may require. 

STATE OF GREGON, County of COOS ) ss. June , 19.7
Personally appeared the above named Cyril C. McCurdy and Lena M. McCurdy CILERIE

and acknowledged the foregoing instrument to be their

Before me: SallarV

Notary Public for Oregon (OFFICIAL SEAL) My commission expires 3/98/13

Bargain and Sale Deed CYRIL C. McCURDY et ux (DON'T USE SPACE: RES FOR RECO! E. C. HAMILTON et ux USED.

State of Oregon County of Coos

I hereby certify that the within instrument was filed for record

Jun 12 - 2 29 Pil '73

and recorded in Book of Records. Microfilm Reel No. 73-6-of said County. WITNESS my hand and Seal of County Fay E Crabtree, Coos-County Clerk

.....

Exhibit

# RECEIVED

JAN 2 1 1990

WATER RESOURCES DEPT. SALEM, CREGON

Oregon Property	Code Ar	rea		Accou	int Number		Ī	Assessed Value	Last Year	This Year
taxes for fiscal year July 1, 1989 to	8.0	91		67	38.00		X	LAND	1838	2147
June 30, 1990		Prope	rty Descri	ption (Tax L	ot Number)		ç	IMPR		
coos		Map N	Number		Parcel	Special	M			
COUNTY	Township F	Range	Section	1/4 1/16		Interest	PA	Net Assessed Value	1838	2147
REAL	27	12	31	100	600		R	Tax Rate Each \$1000		24.4810
	Acres	•	Class	Sub-Class	, Pull Nu	mber	SON	Property Taxes		52.56
Property Taxes	25.6	68	0	544			Ň	Current Taxes Lévied	By Tax Rate	Tax Amount
Taxpayer								co coos	2.4019	5.16
Other								ED COOS	1.6282	3.50
Than								SC COQUILLE	8 17.3259	37.20
Owner'			_					CC SWOCC	2.1913	4.68
MCCU	ROY, LE	ENA;	3				1	PT BANDON	•6659	1.43
HAMII	LTON. F	PHYL	LIS					HO COQUILLE	•2778	•60
	3 BOX 5 ILLE, 0	OR		9742	3 AX LIAB	ILITY		LOSS DUE TO RATE PER DEP	EXTENDED TAX T. OF REVENUE	<b>-</b> •0
		Interes	t Included	d						
Delinguent Taxes		_	Tax Y	'ear	Amour	nt .	Ş			
Foreclosure proceed started after July property accounts with balance for any tax y	15 on real h an unpaid		·.				DEMO-AT	FIRE PATRO	<b>L</b>	19.03
with an asterisk (*)							Tot	al Taxes and Assessments		71.59
	oos cou	JNTY	TAX					Discount Allow	ed * Pay By	Pay One of These Amounts
	oos cou	YTML			E		Fυ	LL - 3% 2.	15 11-15-89	69.44
PAYMENT C	OQUILLE	• 0	R 9	7423			]			
TO:						~~ ^^	2/3	-None	• 95	46.78
Tax	Di	isc./Int.		Total	C(	102 00	1/3	- None		23.87
Check	Cŧ	ash		Chan	ge	N	hv	6 1989		

22694

\* READ PAYMENT INSTRUCTIONS ON REVERSE

50-553-008 (Rev. 3-89)

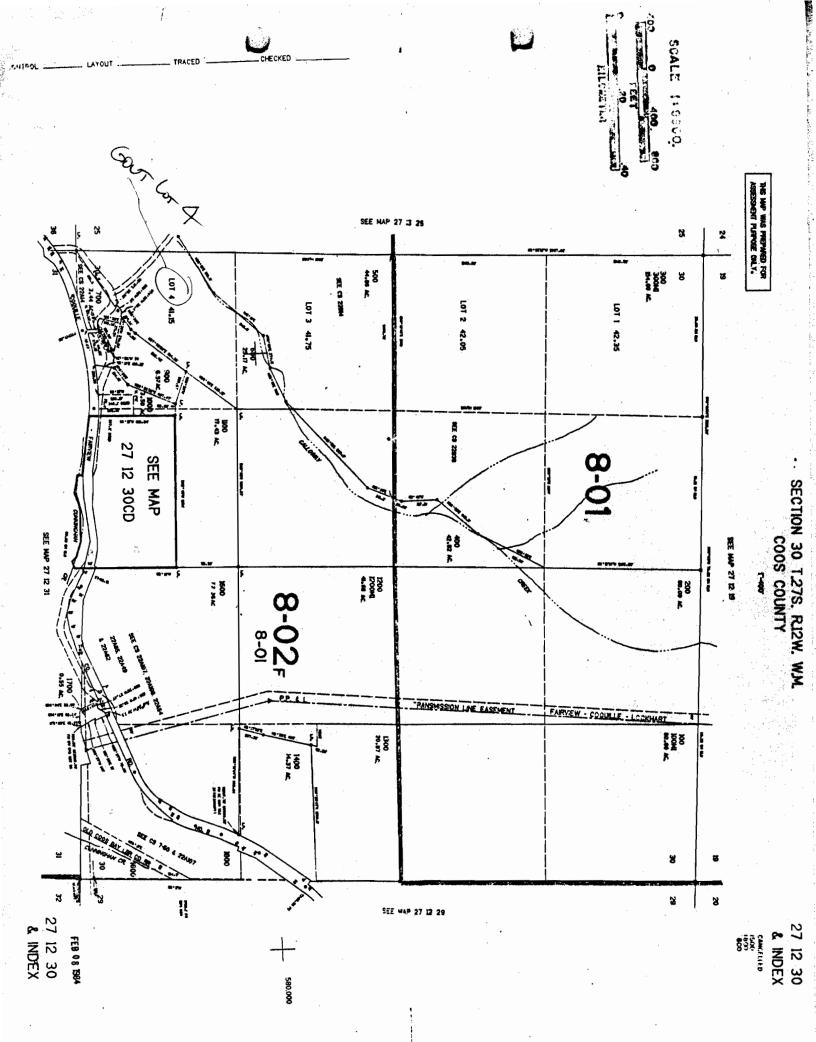
SAVE THIS PART FOR YOUR RECORDS

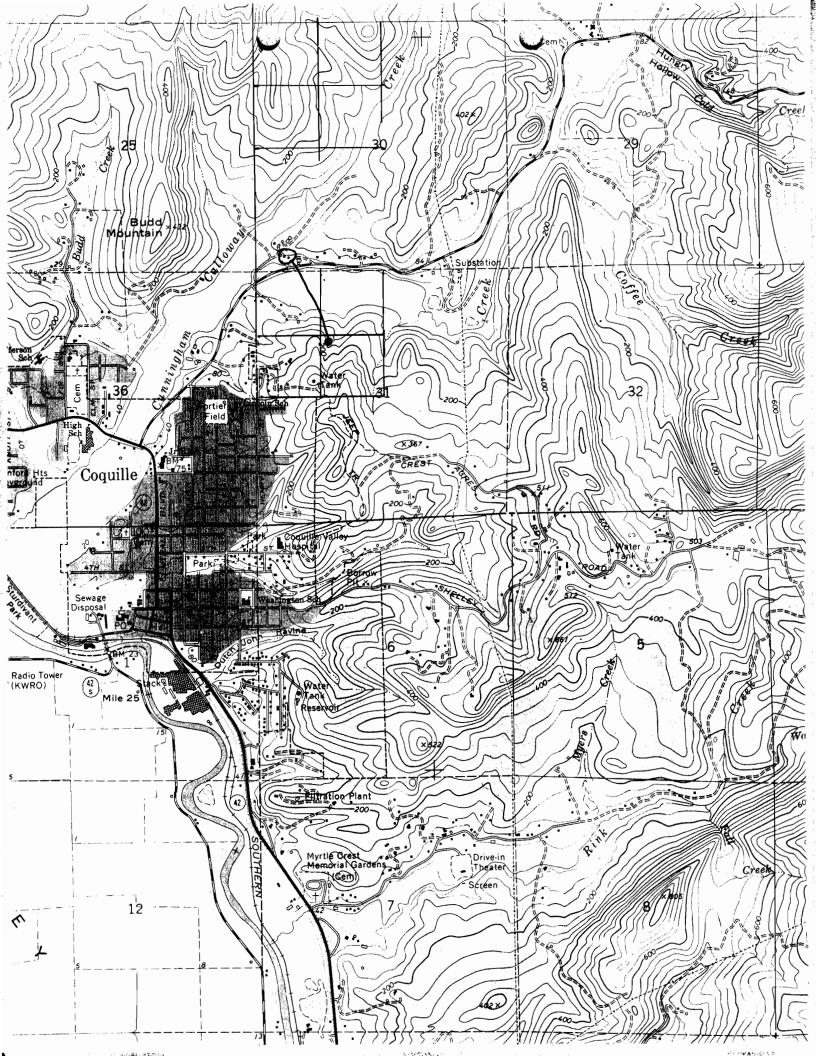
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and the second second

30.00 20.00 17.00 Contracto Lines Flint & Williams 151 Thuy 28 wedstires





Purms suct.

INFO: MET WITH PHYCLIS HAMILTON MP: HAMILTON IS

VERPILL P: VERA MCCURDY'S PLACE IS HOW OWNED

BY RICK SMITH, HC 83 BOX STRO, COQUILLE, GR.

HC 83 BOX STYO, COQUILLE OR.

THE ORIGINAL PERMIT HOLDERS WARE TO

THE ORIGINAL PERMIT HOLDERS WERE RELATED.

PHYLLIS IS THE LAST LIVING REPRESENTIVE, SHE
HOTES TO RECIEVE A "CERTIFICATE" FOR THE PROPERTY
IN HER LIFE TIME.

NORTHERLY BREEN IN USE SINCE EARLY '60'S,

NORTHERLY BREEN NOT INCLOPED IN SURVEY WAS NOT

DEVELOPED. AREA IS PASTURED BUT NOT IRRIGATED.

IRRIGATION ENDS C FENCE LINE, LENG'S HOUSE (HOSAKA)

HAS ONLY IRRIGATED ±12 ACRES ARROUND HOUSE.

SOURCE! UNNAMED STREAM = DOMESTIC & STOCK TANKS

(UNNINGHAM (R = 1221GATION

CONC. CATCH BASIN FORMED IN CHANNEL.

2 900 Julius Starge to LS 20' DOWNSTR &

-5' ELEV FROM DIV.PT. INTO TANKS.

1=900 GALLAN, 1=400 GALLON. 14"BLK PLASTIC FIT.

(RAVITY TO HOUSES. 35 PS, @ HBM.1.16.7 Ho.

40751 @ HUSAKA HO.

PUMP: UNEN: CDD, 12"X/"

#3 DIV (HAMUTON)

G.E. ELECT, 12H.P. C.1725

MYERS B.D. 3" 8"

14"X,"

MCCURDY (SMITH)

MCCURDY (SMITH)

BOOSTER PUMP

G.E., ELECT 3/4/1,7 e3450

MEYERS, C.DP. 12"X/4

PUMP DIRECT FROM CREEK. BONSTER PUMB CIFT. SUCTION O' DISCHARGE 20; TO PASTURE BEHIND HOUSES.

PIPE: UNN. STR: 1'14" to 1" BLK. PLASTIC, 1991 - OWNER STATER

\*2 DIV: 1" BURIED TO HOSE BIBB OUTLETS

VSES GARDEN HOSES 3 SPRINKLEUS MAX.

LIFT = 0' +0 20'

#3 DIV: 1/4" PLASTIC PORTATIE WITH MAX!

6 SPRINKLERS - 600' + IN LENGTH.

FRAM BOOSTER PUMP TO TOP PASTURE!

1" PLASTIC - ± 1200' (700' 70 PASTURE!

SOUS IN PASTURE WITH ON LING

SPRINKLERS - ROW 5 MAX.

CUNNINGHAM CREEK: PASTERE, LAINS; GARDENS, FRUIT TREES.

LIFT: STATED ABOVE.

1

TIE! 41011-180-231L! 2 CORNORS.

(USED RAGTARE! COMPASS FOR

DIV. PT # 1 LOCATION.

Brungemen F.

Blundenn F.I. SW REGION 1-31-90

PREVIOUS VISIT TO SITE 9-19-89. ORDERED MERIAL PHOTO. PUT SUZUEY ON PHOTO: 1-31-90. Ly F.I.

PAPER WORK,

a= 88 = 0.11 of

# SURFACE WATER REGISTRATION CHECKLIST (Received Prior to July 18. 1990)

UNADJUDICATED DRAINAGE?	yes		BASIN	
SWR #	. ) .			
RECEIPT # 60884	(८)			
CHECK TO SEE IF ENCLOSU		9-5-90	PEK	
ACKNOWLEDGEMENT LETTER	~		•	
ENTER ON STREAM INDEX _	9-5-90	pak	•	
CHECK BASIN MAP	9-5-90	wee		
CHECK QUADRANGLE MAP	9-5-90	Nex		
Date receive				
Location of pipelines C Place of use Scale Section, Tow North arrow WATER RIGHT RECORD CHECK	mais, Dyress SHOW raship, Range		- NOT 141/4	Approximation
•		1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1		and the state of

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