



Water Resources Department

MILL CREEK OFFICE PARK
555 13th STREET NE.
SALEM, OREGON 97310



Attempted Not Known

No Such Number

RI# Initials

3/13/85

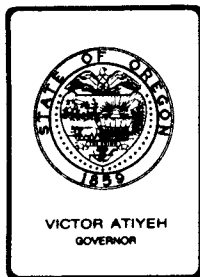
EDWIN B. WARD
F. J. Z.
CHANGING FUTURE



8000 12746
12746



BILLY J. TOWERY
Rt. 1, Box 379
Salem, OR 97308



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

April 17, 1985

Mr. Mark Gehring
Gehring Farms
3600 Wallace Rd., NW
Salem, OR 97304

REFERENCE: Files Numbered R-31073 & 31074

Dear Mr. Gehring:

The assignment of Permits Numbered R-2002 and 24780 from Billy J. Towery to you has been recorded in the records of the Water Resources Department.

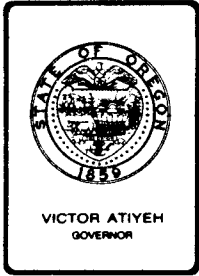
Our records have been changed accordingly and the original is enclosed along with our Receipt Number 45746 covering the recording fee of \$10 which you submitted.

Sincerely,

Thomas E. Shook
Senior Water Rights Examiner

TES/jw

Enclosure



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

March 12, 1985

Mark Gehring
3600 Wallace Rd.,
Salem, OR 97304

REFERENCE: Files Numbered R-31073 & 31074

Dear Mr. Gehring:

It is my understanding that you are owner of the property described in Permits Numbered R-2002 and 24780 in the name of Billy J. Towery. The permits granted the right to the storage and use of water from an unnamed stream for irrigation purposes.

If our information is correct, and Mr. Towery has no further interest in the permits or the property, our records should be changed to show you as holder of the permits. A partially completed assignment form is enclosed for this reason. Include the name or names and address you wish to have shown on our records and have Bill J. Towery sign the document in the space provided. A \$10 assignment recording fee is also required.

In the event our records are not to be changed, we will send the findings of our survey to Mr. Towery. Failure of the record holder of the permits to sign and return the proofs will result in cancellation of the permits.

Further action will be withheld on these files for a reasonable length of time pending your reply.

Sincerely,

Thomas E. Shook
Senior Water Rights Examiner

TES/jw

Enclosure

cc: Billy J. Towery

January 29, 1985

Mark Gehring
3600 Wallace Road
Salem, OR 97304

Dear Mr. Gehring:

REFERENCE: R-31073 (T21) RESERVOIR IN THE NAME OF BILLY TOWERY

Based on my previous inspections of the above referenced reservoir, the following deficiencies were noted:

1. The embankment was covered with trees and brush making it impossible to adequately inspect the fill, allowing cover for animal activity, and threatening the integrity of the engineered fill.
2. The spillway was not built in accordance with the approved plans and specifications and has less hydraulic capacity than approved by this Department.
3. The outlet conduit/gate structure appeared inoperable.
4. The reservoir appears to be storing some 21.0 acre-feet in excess of what is covered by permit.

Because of our previous conversations and this letter to you, I am assuming the above deficiencies have been or will be corrected immediately.

Thank you for your attention.

Sincerely,

HOWARD DAGGETT
Construction Inspector

HD:wpc
cc: Michael F. Ladd, Watermaster, District 18

6704C

Billy Town

Computed Elevations from pairs of hand levels of July 9, 1963.

From sheet 3 of 4, d.s. invert elev is 79.5'

Invert	79.5	
ws in creek	+ .85'	
	<hr/>	
	80.35	105.8
	+ 6.0'	
	<hr/>	
	86.35	
	- 2.4'	
	<hr/>	
	83.95	25
	+ 6.0'	
	<hr/>	
	90.0	
	+ 6.0	
	<hr/>	
	96.0	
	+ 6.0	
	<hr/>	
	102.0	
Top of upper end of outlet control shaft	→ 107.95	
	- 4.0'	
	<hr/>	
	103.9	water surface

Crest profile elev		
Sta		
0+00	Left end	106.3
0+50		105.8
1+00		105.8
1+20	over outlet	105.7
1+50		106.0
2+05	Right end	107.3

Spillway

crest of earth plug	103.9
	+ .7
	<hr/>
over main chute	104.6
if length	→ same
small channel	0.3' to 0.4'
	deeper

Floor of conc chute at u.s. end $103.9 + 3.3 - 6.2 = 101'$

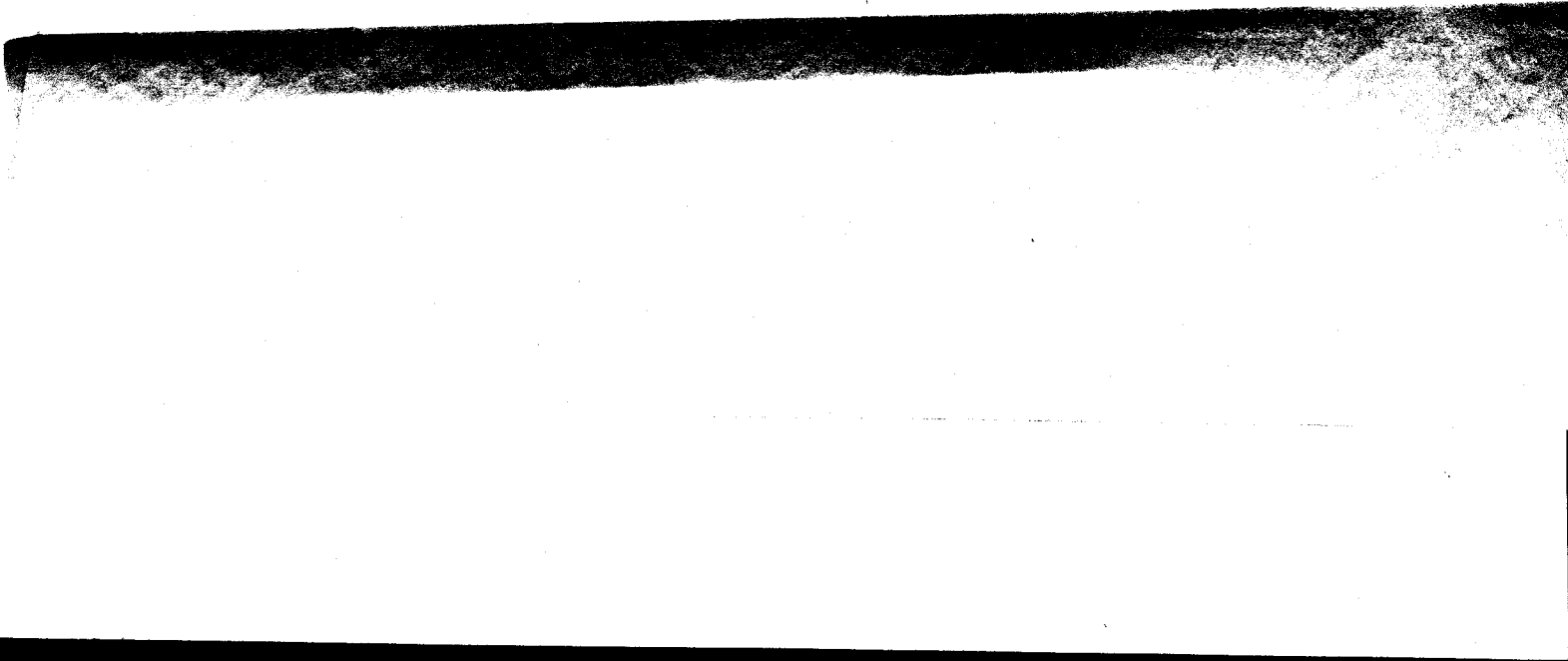
Page No 1

Beginning at a stake at the Northwest corner of the Lewis Parkhurst Donation Land Claim No. 70 in Township 7 South, Range 3 West of the Willamette Meridian in Polk County Oregon; thence West 40 rods; thence North 78 rods; thence East 155 rods to slough; thence meandering the said slough to a stake on the bank or shore about 18 rods due North of the Southeast corner of the Donation Land Claim of Robert W. Hamilton and Rebecca Hamilton, his wife, Claim No. 63; thence South to said Southeast corner of said Donation Land Claim about 18 rods; thence West on the North boundary line of said Donation Land Claim of Lewis Parkhurst to place of beginning, and being a part of said Donation Land Claim of Robert W. Hamilton and Rebecca Hamilton, his wife.

TRACT 2.

Beginning at the Southeast corner of the Donation Land Claim of Lewis Parkhurst Notification No. 305, Claim No. 70 in Township 7 South, Range 3 West of the Willamette Meridian in Polk County, Oregon; thence North 24° West 20.00 chains; thence North 36° 15' West 25.30 chains; thence North 54° 20' West 9.00 chains; thence North 22° 30' West 8.25 chains; thence North 51° 30' West 2.12 chains to North boundary of said claim no. 70; thence West along the North boundary of Claim No. 70 and to County Road 79.46 chains; thence East 67.50 chains to a point due North of the most Southerly Southwest corner of said Claim No. 70; thence South 45 chains to said Southerly Southwest corner of said Claim; thence East along the South boundary line of said Claim 47.20 chains to the place of beginning, situated in Section 8, 9 and 10 in Township 7 South, Range 3 West of the Willamette Meridian in said Polk County, Oregon.

SAVE AND EXCEPT, the following described parcel:



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Beginning at the most Southerly Southwest corner of the Lewis Parkhurst Donation Land Claim No. 70 Township 7 South, Range 3 West of the Willamette Meridian, Polk County, Oregon; thence North 1513.09 feet to a point which is 30.00 feet North of the Northwest corner of the 50 acre parcel conveyed to Archie E. Pelker by deed recorded in Volume 95, page 117, Polk County Deed Records; thence East, parallel with the North line of said Pelker parcel and 30.00 feet from said North line, to a point which is North $36^{\circ}15'$ West 34.8 feet from the Northeast corner of said Pelker parcel; thence South $36^{\circ}15'$ East along the extension of the Easterly line of said Pelker parcel and along said Easterly line 506.25 feet to an iron pipe; thence South 24° East, along the East line of said Pelker parcel and along the East line of the tract described in the deed recorded in Volume 95, Page 113, 1320.00 feet to a stone at the Southeast corner of said Parkhurst Donation Land Claim; thence West along the South line of said Donation Land Claim, 3122.20 feet to the place of beginning.

Tract 3. The nonexclusive permanent right, privilege and easement of constructing and forever maintaining a road and roadway over and across the following described premises in the County of Polk, State of Oregon, said roadway being particularly described as follows:

Beginning at the Southeast corner of the Donation Land Claim of Lewis Parkhurst, the same being Donation Land Claim No. 70 in Township 7 South, Range 3 West of the Willamette Meridian in Polk County, Oregon, and from thence running North 24° West 20.00 chains; thence North $36^{\circ}15'$ West 7.67 chains to the Northeast corner of the Parcel excepted from Tract No. 2 above; thence West along the North line of said excepted parcel 30.3 links; thence South $36^{\circ}15'$ East 7.79 chains; thence South 24° East 19.87 chains to the South boundary line of said Donation Land Claim No. 70; and thence East 26.5 links to the place of beginning.

KNOW ALL MEN BY THESE PRESENTS, That CHARLES W. PELKER, single, MINNIE JOECKEL and OTTO J. JOECKEL, her husband, grantors in consideration of TEN AND NO/100dollars, to them paid by BILLY J. TOWERY and DONNA LEE TOWERY, husband and wife, grantees do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Polk and State of Oregon, bounded and described as follows, to wit: Our undivided one-half interest in and to the following described property:

TRACT 1: Beginning at a Stake at the Northwest corner of the Lewis Parkhurst Donation Land Claim No. 70 in Township 7 South, Range 3 West of the Willamette Meridian in Polk County, Oregon; thence West 40 rods; thence North 78 rods; thence East 155 rods to slough; thence meandering the said slough to a stake on the bank or shore about 18 rods due North of the Southeast corner of the Donation Land Claim of Robert W. Hamilton and Rebecca Hamilton, his wife, Claim No. 63; thence South to said Southeast corner of said Donation Land Claim about 18 rods; thence West on the North boundary line of said Donation Land Claim of Lewis Parkhurst to place of beginning, and being a part of said Donation Land Claim of Robert W. Hamilton and Rebecca Hamilton, his wife.

TRACT 2: Beginning at the Southeast corner of the Donation Land Claim of Lewis Parkhurst Notification No. 305, Claim No. 70 in Township 7 South, Range 3 West of the Willamette Meridian in Polk County, Oregon; thence North 24° West 20.00 chains; thence North $36^{\circ} 15'$ West 25.30 chains; thence North $54^{\circ} 20'$ West 9.00 chains; thence North $22^{\circ} 30'$ West 8.25 chains; thence North $51^{\circ} 30'$ West 2.12 chains to North boundary of said Claim No. 70; thence West along the North boundary of Claim No. 70 and to County Road 79.46 chains; thence South 8.00 chains; thence East 67.50 chains to a point due North of the most Southerly Southwest corner of said Claim No. 70; thence South 45 chains to said Southerly Southwest corner of said Claim; thence East along the South boundary line of said Claim 47.20 chains to the place of beginning, situated in Sections 8, 9, and 10 in Township 7 South, Range 3 West of the Willamette Meridian in said Polk County, Oregon.

SAVE AND EXCEPT, the following described parcel:
Beginning at the most Southerly Southwest corner of the Lewis Parkhurst Donation Land Claim No. 70 in Township 7 South, Range 3 West of the Willamette Meridian, Polk County, Oregon; thence North 1613.09 feet to a point which is 30.00 feet North of the Northwest corner of the 50 acre parcel conveyed to Archie E. Pelker by deed recorded in Volume 95, Page 117, Polk County Deed Records; thence East, parallel with the North line of said Pelker parcel and 30.00 feet from said North line, to a point which is North $36^{\circ} 15'$ West 34.8 feet from the Northeast corner of said Pelker parcel; thence South $36^{\circ} 15'$ East, along the extension of the Easterly line of said Pelker parcel and along said Easterly line, 506.25 feet to an iron pipe; thence South 24° East, along the East line of said Pelker parcel and along the East line of the tract described in the deed recorded in Volume 95, Page 113, 1320.00 feet to a stone at the Southeast corner of said Parkhurst Donation Land Claim; thence West, along the South line of said Donation Land Claim, 3122.20 feet to the place of beginning.

TRACT 3: The nonexclusive permanent right, privilege and easement of constructing and forever maintaining a road and roadway over and across the following described premises in the County of Polk, State of Oregon, said roadway being particularly described as follows:

Beginning at the Southeast corner of the Donation Land Claim of Lewis Parkhurst, the same being Donation Land Claim No. 70 in Township 7 South, Range 3 West of the Willamette Meridian in Polk County, Oregon; and from thence running North 24° West 20.00 chains; thence North $36^{\circ} 15'$ West 7.67 chains to the Northeast corner of the Parcel excepted from Tract No. 2 above; thence West along the North line of said excepted parcel 30.3 links; thence South $36^{\circ} 15'$ East 7.79 chains; thence South 24° East 19.87 chains to the South boundary line of said Donation Land Claim No. 70; and thence East 26.5 links to the place of beginning.