

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

TO: Reed Marbut
FROM: Don Knauer

DATE: May 22, 1992

SUBJECT: Indorsement of SWR-39

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made an 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: Ada O. Place
ADDRESS: P.O. Box 57
Canyonville OR 97417

SOURCE: Canyon Creek a tributary of South Umpqua River.

USE: Irrigation.

PRIORITY DATE: September 1866

AMOUNT OF WATER FOR EACH CLAIMED USE:

0.01 CFS for irrigation of 0.3 acre.

DIVERSION POINT:

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T. 30 S., R. 5 W., W.M.

PLACE OF USE:

0.3 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 34,
Township 30 S., Range 5 W., W.M.

PERIOD OF USE:

The irrigation season is May 1 to September 30.

FILE C:\WP51\SWR\CLAIMANTS\SWR-0039.0IM

TO: SWR-39

AUGUST 14, 1991

FROM: DON KNAUER

CONTACT: ADA O. PLACE AND MR & MRS JOHN BERRY

BY: DON KNAUER & DWIGHT FRENCH

We met with Mrs. Place and her daughter Jean Berry and her husband John Berry. Mrs. Place made two corrections on her form. She said the CWRE had filled it out for her.

See SWR-38 for info on proposed addition of a point of diversion.

SWR-0039.002

TO: FILE SWR-38

AUGUST 14, 1991

FROM: DON KNAUER

CONTACT: JOHN & JEAN BERRY

BY: DON KNAUER & DWIGHT FRENCH

We met with the Berry's and her mother Ada Place. They explained their water use. Mrs. Berry made two corrections to their form. She said the CWRE had filled it out for them.

Mr. Berry asked about adding a point of diversion near their property from Canyon Creek. This would be used when any conflict arose between them and the City of Canyonville. He said there generally is a time each summer and fall when the diversion point they share with the City causes them a problem. With low water the heavy city use dries them up. He would like to be able to pump at those times from the creek near his property. He said it wouldn't affect any other water users. Then the rest of the irrigation season he would use the ditch system as has always been done.

CC: Ada O. Place file, SWR-39

SWR-0038.002

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 77017

CHECK ENCLOSURES OK

CHECK BASIN MAP OK

UNADJUDICATED AREA ? YES

SURFACE WATER REGISTRATION NUMBER 39

ACKNOWLEDGEMENT LETTER _____

ENTER ON STREAM INDEX OK

CHECK QUADRANGLE MAP OK

CHECK GLO PLATS _____

BASIN 16
Unipqua

pub not. all

*QUESTION ABOUT
ACCESS & Q
#3 & #7 & map*

FORM REVIEW

- blanks filled in
- signed
- date received stamped
- date received filled out on back

MAP REVIEW

- 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 *on form*
- "beneficial use" type title
- "permanent-quality" paper

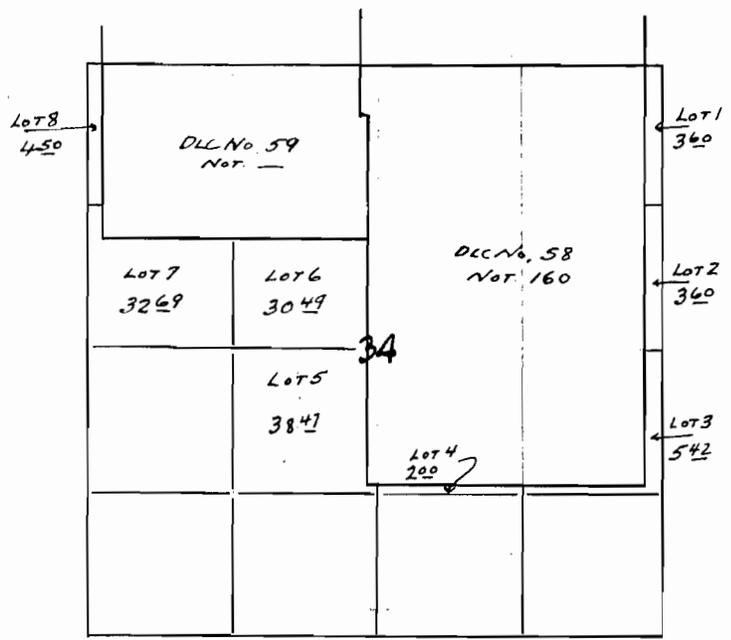
*CROSS REVIEW
PAST FEED STATE
SEALING INCLUDING COORDINATES
ON LEFT
2 STAMP
WHY NOT
PERMITS*

EXISTING WATER RIGHT RECORD CHECK _____

ENTER ON PLAT CARDS _____

A: SWRCHECK

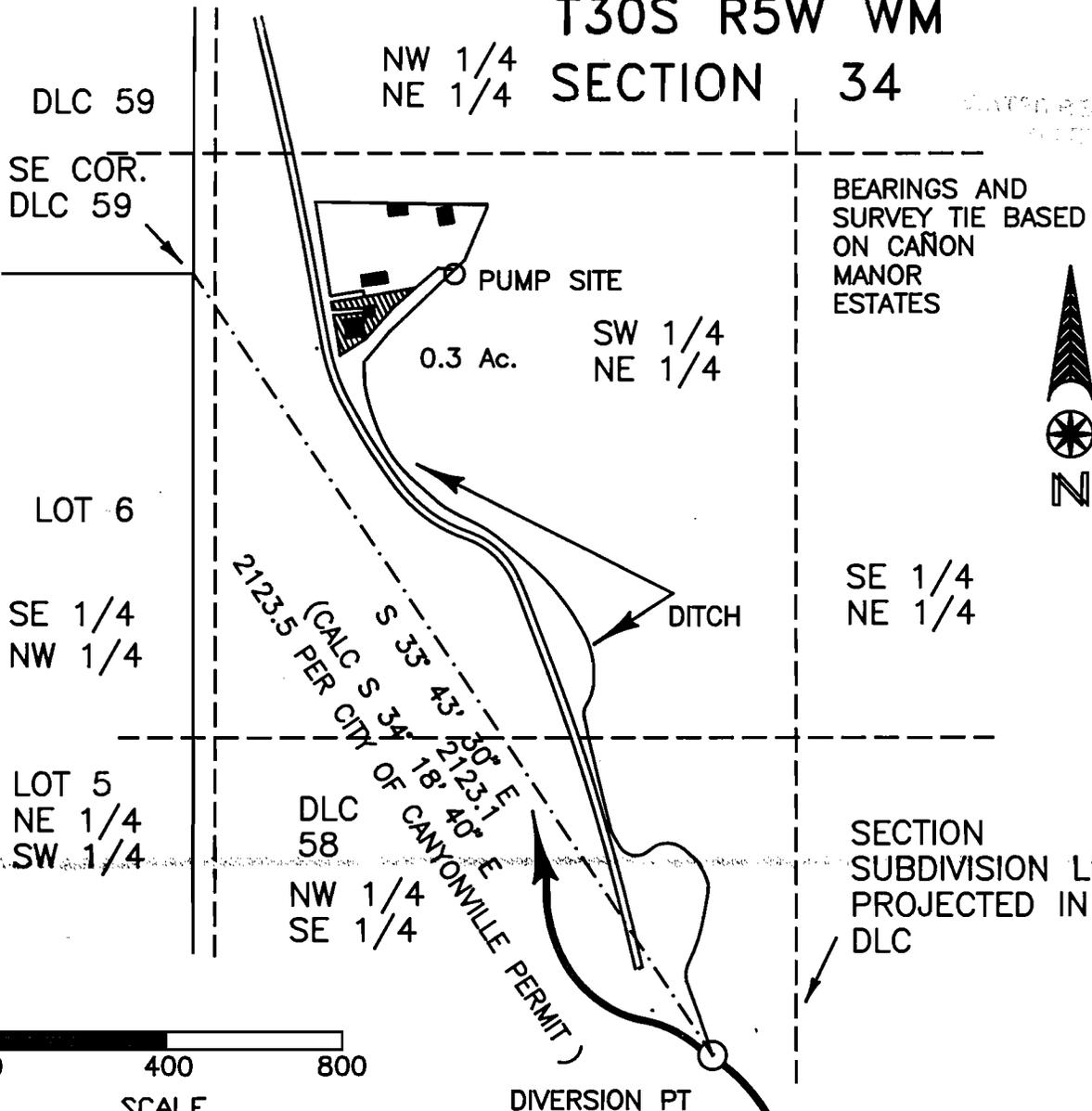
Barney & Willie



RECEIVED

T30S R5W WM SECTION 34

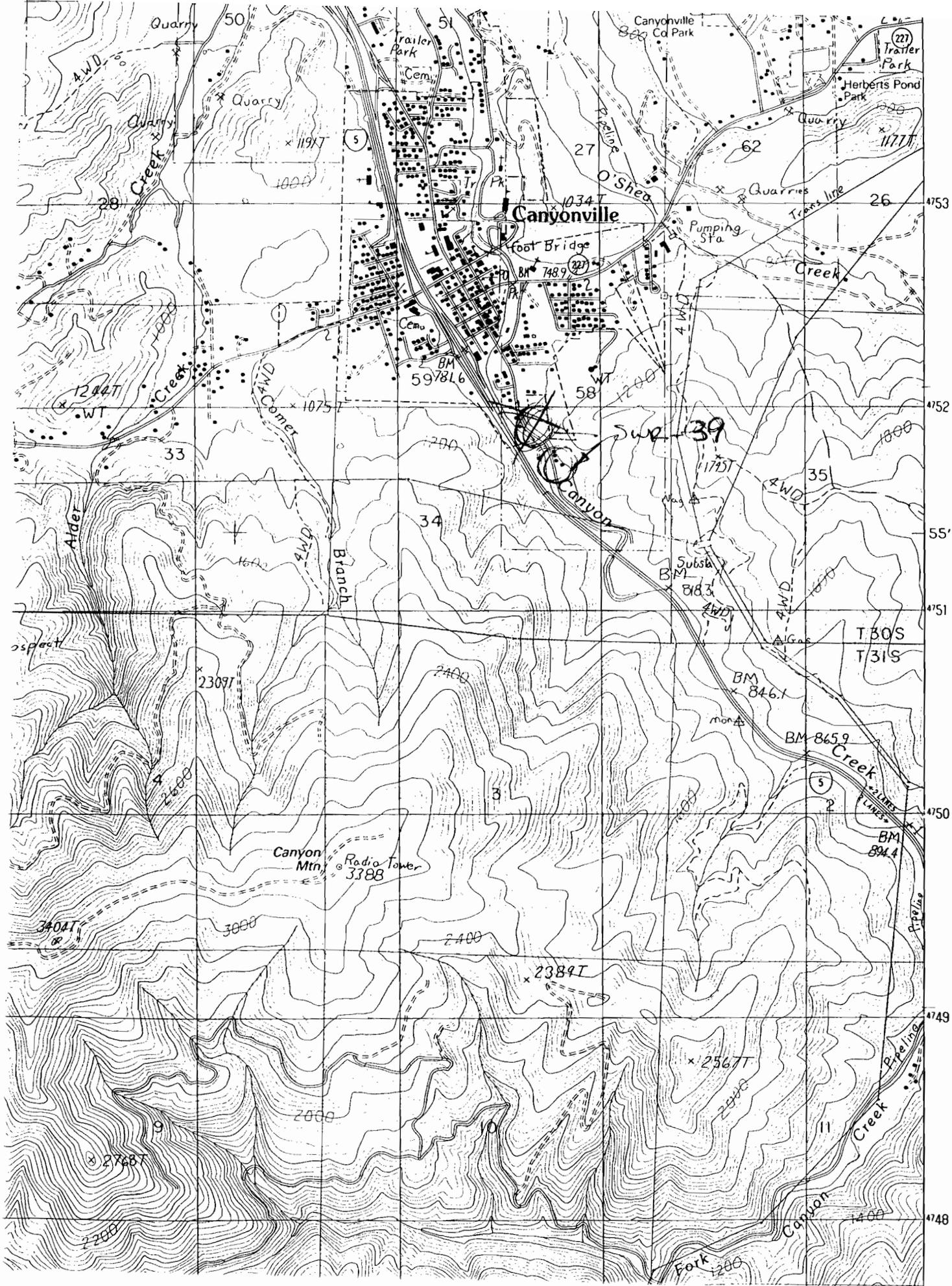
WATER RESOURCES DEPT
DAVID L. HAY

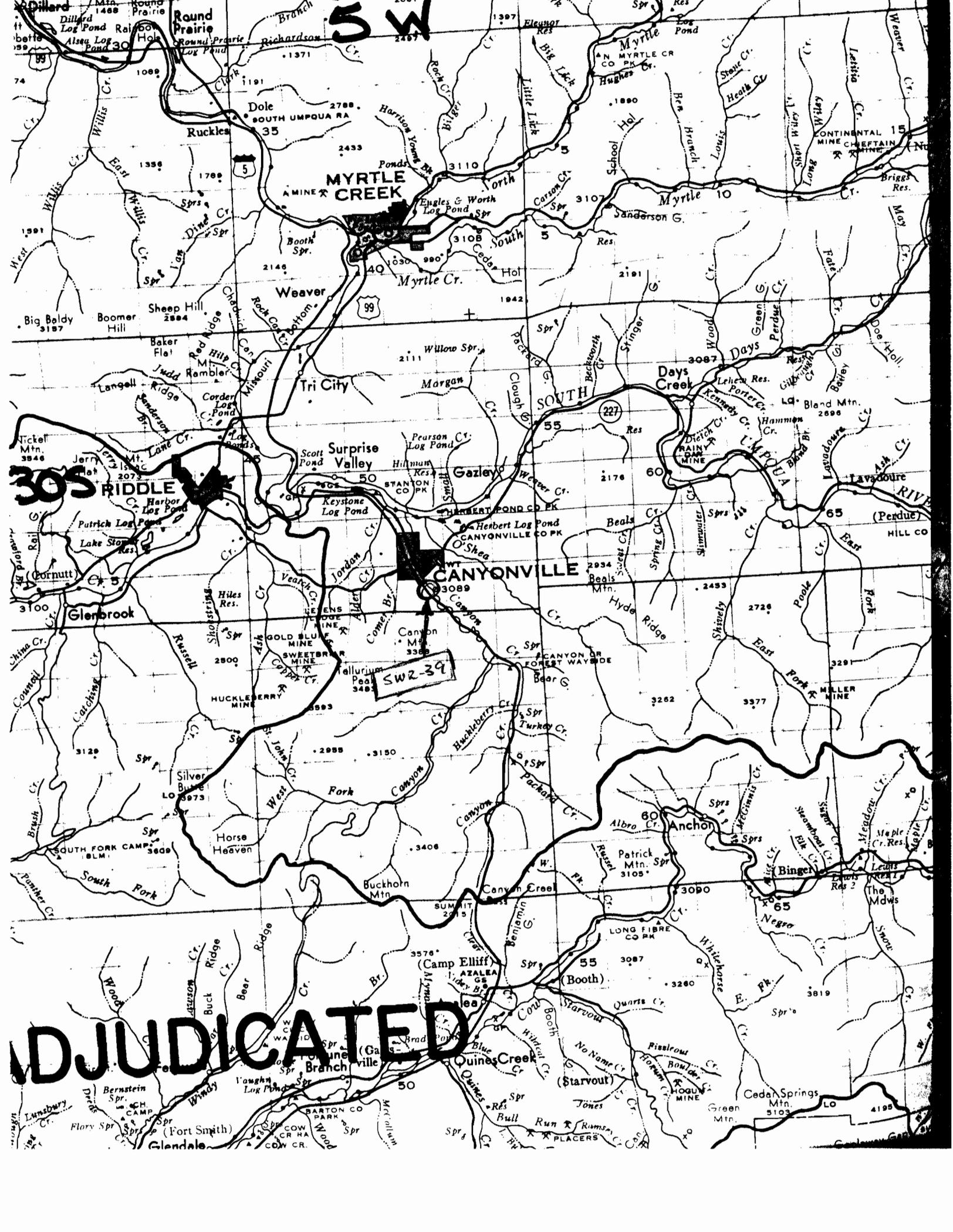


SURVEY OF CLAIM FOR VESTED WATER RIGHT IN NAME OF *ADA O. PLACE*

DATE JANUARY 1990
 BY: WILLIAM J. RUPPERT
 P.O. BOX 1564
 MYRTLE CREEK, OR 97457







SW

30S

SW2-39

ADJUDICATED

August 1, 1991

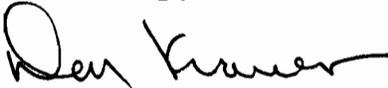
Ada O. Place
P.O. Box 57
Canyonville OR 97417

Dear Ms. Place,

This will acknowledge your Registration Statement Claiming a Right to Appropriate Surface Water in the name of Ada O. Place. The fees in the amount of \$30.00 have been received and our receipt # 77017 is enclosed. Your registration statement has been accepted and numbered SWR-39.

There are two very minor questions about your form. During the week of August 12 thru August 16, I will be in the Roseburg area. Though we have a very full schedule, I am hopeful I can stop by your home and finalize your claim. This would be during the day on wednesday, thursday or friday morning. I can't say for sure when it might be because of the other appointments. I will try to contact you with as much notice as possible.

Sincerely,



Don Knauer
Adjudication Specialist

enc

cc: William J. Ruppert

A:SWR-39.LTR



STATE OF OREGON
WATER RESOURCES DEPARTMENT
 3850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-3739/378-8130 (FAX)

RECEIPT # **77017**

RECEIVED FROM: ADA O, Place APPLICATION

BY: _____ PERMIT

TRANSFER

CASH: CHECK: # 24-22 OTHER: (IDENTIFY)

TOTAL REC'D 30.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS		\$ <u>30.00</u>
831.087	PUBLICATIONS/MAPS		\$
830.650	PARKING FEES Name/month		\$
	OTHER: (IDENTIFY)		\$

02-00-0 FEDERAL FUNDS

	OTHER: (IDENTIFY)		\$
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03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:			
840.001	COPY FEES		\$
880.109	MISC REVENUE: (IDENTIFY)		\$
520.000	OTHER (P-6): (IDENTIFY)		\$
WATER RIGHTS:			
842.001	SURFACE WATER	EXAM FEE	RECORD FEE
		\$	842.002 \$
842.003	GROUND WATER	\$	842.004 \$
842.005	TRANSFER	\$	842.006 \$
WELL CONSTRUCTION			
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
		\$	842.023 \$
842.016	WELL DRILL OPERATOR	\$	842.019 \$
	LANDOWNER'S PERMIT		842.024 \$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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69001 SUSPENSE ACTIVITY

		LIC NUMBER	
842.115	POWER LICENSE FEE(FW)		\$
842.115	HYDRO LICENSE FEE(FW)		\$
832.009	HYDRO EXAM FEE(GF)		\$

RECEIPT # **77017** DATED: 11-31-91 BY: Vjs

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Brown Copy-Fiscal



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Roseburg District Office
777 NW Garden Valley Boulevard
Roseburg, Oregon 97470



IN REPLY 2000

Jean Berry
P.O. Box 457
Canyonville OR 97417

Dear Ms. Berry:

I have researched the land records of the Bureau of Land Management and found that your claim for water right in Section 34, T. 30 S., R. 5 W., W.M., is on Donation Land Claim No. 58. The patent for DLC No. 58 was granted on August 16, 1866. The patent number on the DLC is 1071.

If you need a copy of the patent, you will need to request it from our Portland office. The address is:

Bureau of Land Management
1300 N.E. 44th Avenue
P.O. Box 2965
Portland, Oregon 97208-2965

If you have any questions, please call me at 672-4491.

Sincerely,

Alan R. Wood
Area Manager
South Umpqua Resource Area



NEIL GOLDSCHMIDT
GOVERNOR

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE
378-3066

May 16, 1990

Ada O. Place
John and Jean Berry
P.O. Box 457
Canyonville, OR 97417

Dear Mrs. Place and Mr. & Mrs. Berry:

I am returning your registration statements claiming a pre-1909 water right for two reasons.

First, we can issue only one registration for each ownership. If you want all three names on the 1.8 acres of land, we can issue as one registration. If you want to identify two parcels, please show the boundary between properties and tell us how many acres on each lot.

Second, you must claim a date when water was first put to use under Item 4. Perhaps you can contact the Bureau of Land Management and find out when this land went from federal ownership to a private land grant. A title search may tell you when the Couglar family bought and developed the land. Any other information you have about when the land was homesteaded will help in determining the priority date for this right.

If you have any questions, please contact us again.

Sincerely,

MARY S. GRAINEY, Manager
Adjudication Section

MSG:jt

Enclosures
0573j

May 7, 1990

I, Ada Place, was born in 1897 at Days Creek, Douglas County, Oregon. I have lived in this vicinity all my life and knew Bob and Helen Couglar. And knew they used the water from the ditch to irrigate their garden and fruit trees. I now own the Couglar place, and have used the water since 1975. This ditch that we use this water from was originally put in for the Grist Mill in the late 1800's. People all along the ditch used the water to irrigate their gardens.

Mrs. Bird Sullivan was an old lady who lived across the street from the Couglar place. She was a sister of Helen Couglar, and she told me when we bought the Couglar place in 1975 that they had used the water from the ditch to water their gardens since 1912. Mrs. Sullivan passed away several years ago.

In 1920, when old 99 Highway went through, a ditch company was formed of which I am a member. This ditch company has a water right. It is on record in Roseburg.

Ada O. Place
ADA O. PLACE

STATE OF OREGON,

County of DOUGLAS } ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 7th day of May, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ADA O. PLACE

known to me to be the identical individual — described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Nicky Rhea
Notary Public for Oregon.
My Commission expires 5/1/94

MAY 1 1990

APRIL 25, 1990

I, Bess Briggs, was born in 1893 at Myrtle Creek in Douglas County and have lived my entire life here. I personally knew Bob and Helen Couglar, and knew they used the ditch for irrigation back in 1922 and before that date.

Bess Briggs
BESS W. BRIGGS

STATE OF OREGON,
County of Douglas } ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NEBS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 25th day of April, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Bess Briggs

known to me to be the identical individual— described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Jane Z. Mitchell
Notary Public for Oregon.
My Commission expires 11-17-90

Jane Z. Mitchell
JANE Z. MITCHELL
NOTARY PUBLIC - OREGON
My Commission Expires 11-17-90