

Coastal Land Management, Inc.

RECEIVED

OCT - 7 1993

WATER RESOURCES DEPT.
SALEM, OREGON

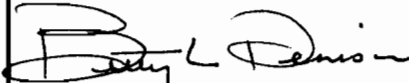
October 4, 1993

Water Resources Department
3850 Portland Road NE
Salem, Oregon 97310

Dear Mr. Knauer:

Enclosed are maps for Bensell Breon SWR-247 and Harold Lofton SWR-110.

Sincerely,



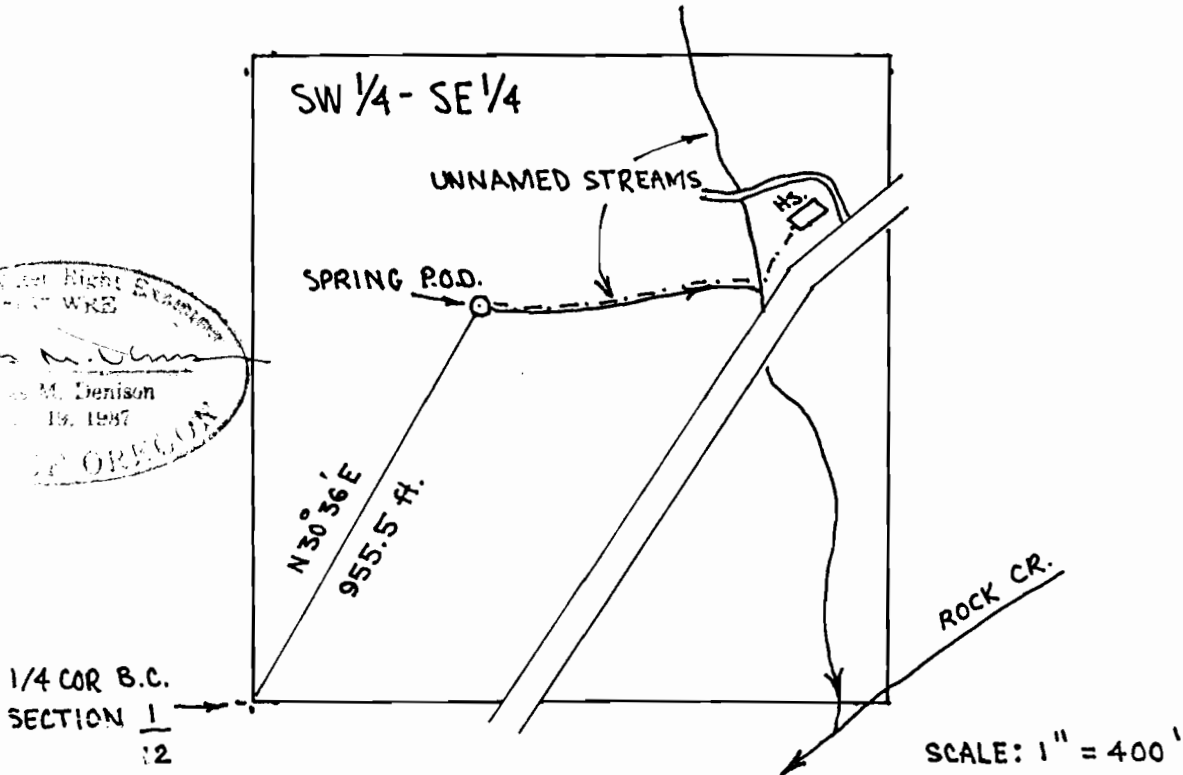
Mrs. Betty L. Denison

Jim & Betty Denison
P.O. Box 518
Toledo, OR 97391

- Office -
(503) 336-5539

- Fax -
(503) 265-6016

T. 10 S.R.9 W.W.M.
SECTION 1
LINCOLN COUNTY, OREGON



CLAIM OF BENEFICIAL USE MAP
FOR

SURFACE WATER REGISTRATION STATEMENT PRE-1909 VESTED WATER RIGHT
CLAIM

APPLICATION # SWR-110 PERMIT #

IN THE NAME OF

HAROLD D. AND JOAN E. LOFTON

SURVEYED February 22, 1993

BY J. M. DENISON

This map prepared solely for the purpose of showing location of a water right, and is not intended for use to provide dimensions or location of property ownership lines.

Timber Estimates
Appraisals & Logging Costs

Surveys and Boundary Lines
Forest Management Plans

"40 Years Experience"

Coastal Land Management, Inc.

Professional Forester, A.C.F.
Registered Oregon & Washington Land Surveyor
Oregon Certified Water Rights Examiner

Jim and Betty Denison
P.O. Box 518
Toledo, Oregon 97391

Office/Home (503) 336-5539
• FAX (503) 265-6016

10:30 a.m. 4-6-93

Dan Knauer

Enclosed is map for
hoftan SWR-110 - If this
will not pass muster
please call 336-5539
I'll be in Salem
Thurs afternoon late &
can go over this

I'll also have SWR-380
by the 15th of April.

I have to meet with
Siletz Tribe Representative
on SWR-413 thru SWR-420
should have these by
end of April - I'll confirm
this by letter.

P.22 Dec. 16, 1992 issue

DEPARTMENT OF
WATER RESOURCES
SALEM, OREGON

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical is completed a report of the technical review of these applications will be delivered to you.

Application #s Lincoln, SWR 110, _____, _____

Send to: Conf. Tribes of Siletz Indians
P.O. Box 549
Siletz, OR 97180
ATT: Frank D. Simmons

Please include specific comments or concerns. Use additional sheets if necessary.

We own property AT The fish Hatchery, Mile Post 13, which has a spring creek tributary to Rock Creek. We are concerned if this is the same spring creek. If you could forward us more information it would be appreciated.

Respectfully
Frank D. Simmons

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

This Comment corresponds to the DEC/16/1992 Public Notice.

1-19-93
SENT COPY OF
FORM & MAP
DEC

RECEIVED

DEC 09 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Dec 7 1992

Due to just recently becoming aware of the need to file for water claim/rights the following is being submitted. More information will be sent after the first of 1993.

As of this date the water examiner of Lincoln County was swamped with work and will do his survey at the earliest opportunity .

Harriet Bowman, (adjoining property owner) moved here in 1910 at the age of 10, and can attest to the use of our property as a farm, logging mill and home sight. First it was a mill in 1903 and again in 1954. The original structure of the house which was a bunk house for the men working in the mill was erected in 1904. People have lived on this place continuously since that time. The mill workers, old time neighbors, etc. have either moved from this area or are deceased. There still remains a small mountain of sawdust from the mill.

The deeds attached are proof of the above facts.

Harriet Bowman
John E. Lester

UNITED STATES,
TO
Marston S. White

FILED FOR RECORD *May 30* 1895 AT 9 O'CLOCK A.M.
B. J. Jones
COUNTY CLERK.

THE UNITED STATES OF AMERICA,

To all to Whom these Presents shall Come, Greeting:

Whereas, there has been deposited in the GENERAL LAND OFFICE of the United States a schedule of allotments of land, dated *June 1 1894* from the Commissioner of Indian Affairs, approved by the Secretary of the Interior, *June 2 1894*

whereby it appears that under the provisions of the act of Congress approved February 8th, 1887 (24 Stats. as amended by the act of February 28th, 1891, 26 Stats. 794) *Marston S. White*

an Indian of the Siletz Reservation, in Oregon, has been allotted the following described land, viz: *Five*
cut half of south east quarter of section one
in township ten south of Range number one of
Williameth Meridian in Oregon containing
eighty acres

Now Know Ye, that the United States of America, in consideration of the premises and in accordance with the provisions of the fifth section of said act of Congress of the 8th day of February, 1887, hereby declares that it does and will hold the land thus allotted (subject to all the restrictions and conditions contained in said fifth section) for the period of twenty-five years, in trust, for the sole use and benefit of the said *Marston S. White* or in case of *his* decease for the sole use of *his* heirs, according to the laws of the State or Territory where such land is located; and at the expiration of said period the United States will convey the same by patent to said Indian *or his* heirs, as aforesaid, in fee, discharged of said trust, and free of all incumbrances whatsoever, provided that the President of the United States may, in his discretion, extend the said period.

In Testimony Whereof, I, *Gerrit Cleveland* President of the United States of America, have caused these presents to be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.

Given under my Hand, at the City of Washington, this *Tenth* day of *July* in the year of our Lord one thousand eight hundred and ninety *four* and of the Independence of the United States the one hundred and *ninty*

By the President *Gerrit Cleveland*
By *W. P. Keane* Secretary.
L. J. C. Jones
Recorder of the General Land Office.



Recorded, Vol. _____, Page _____

10-9-1
US. LOTS 17, 18, 31
+ 32
MAP # 10-9-1 - PTN 300
301
303
304
305
306

RECEIVED

OFFICE OF INDIAN AFFAIRS RECEIVED APR 1 1908, File 22300

DEC 09 1992

WATER RESOURCES DEPT. SALEM, OREGON

THIS INDENTURE, Made and entered into this Fourth day of March One Thousand Nine hundred and eight, by and between Nellie M. White, William M. White, and Grover C. White, all single persons, of Siletz Agency, Oregon, sole heirs of Emma White, deceased, a Confederate Indian, parties of the first part, and Mary E. Horsfall, of Siletz, Oregon, party of the second part: WITNESSETH, That said parties of the first part, for and in consideration of the sum of Four hundred and Fifty and no/100 (\$450.00 Dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto said party of the second part the following described real estate and premises situated in Lincoln County, State of Oregon, to-wit:

The West half of the South East quarter of Section One in Township Ten South of Range Nine West of Willamette Meridian in Oregon, containing eighty acres.

Together with all the improvements thereon and the appurtenances thereunto belonging and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, her heirs, executors, administrators, and assigns, forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set our hands and seals the day and year first above written.

WITNESSES:

W. C. Fischer,)
Geo W. Hawkins,)

Nellie M. ^{her mark} X White, (SEAL)
William M. ^{his mark} X White, (SEAL)
Grover C. White, (SEAL)

State of Oregon, U. S. A.
County of Lincoln.

Siletz Agency, Oregon, March 4th. 1908.

Be it Remembered that on this 4th. day of March, 1908, before me the Supt. in charge of the Siletz Agency, Oregon, personally appeared Nellie M. White, William M. White, and Grover C. White, to me personally known to be the identical persons who this day executed a deed of the Emma White, allotment to Mary E. Horsfall, and each persons duly acknowledged the execution of the same.

Knott C. Egbert,
Supt. & S. D. A.

State of Oregon,)
County of Lincoln.)

Be it Remembered, That on this fourth day of March, A. D. 1908, before the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Nellie M. White, William M. White, and Grover C. White, single persons, to me personally known to be the identical persons who executed the within instrument of writing, and each persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my Notarial seal on the day and year last above written.

(SEAL) W. C. Fischer,
Notary Public for Oregon.

Department of the Interior, Office of Indian Affairs, April 13, 1908, the within deed is respectfully submitted to the Secretary of the Interior, with the recommendation that it be approved.

O. F. Larrabee,
Acting Commissioner.

Department of the Interior, Apr 14 1908, the within deed is hereby approved.

Joe E. Wilson,
Assistant Secretary.

Office of Indian Affairs, Land Division, May 5, 1908, Recorded in Deed Book, Inherited Indian Lands, Vol. 19, page 121.

Recorded May, 22nd. 1908, at 4.20 o'clock P. M.

Ira Wade,
County Clerk

By Ira Wade Deputy

10-9-1
US Lots 19, 20, 30 & 29
MAP
16-9-1 ptw 300
+ 302

THI
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P.

KNOW ALL MEN BY THESE PRESENTS, That

Lee Halsey and Edna E. Halsey, husband and wife,

grantor of Dollars

in consideration of Ten and other valuable considerations to them paid by H. L. Corwin and Barbara D. Corwin, husband & wife as tenants by the entirety and not as community property. grantee S do hereby grant, bargain, sell and convey unto the said grantee S, heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Lincoln and State of Oregon, bounded and described as follows, to-wit:

The north half of the Southwest quarter, and the South half of the Northwest quarter of Section 11, and the East half of the Southeast quarter of the Northeast quarter of Section 10 all in Township 10 S. R. 9 W. W.M. containing 180 acres more or less.

To Have and to Hold the above described and granted premises unto the said grantees, their heirs and assigns forever. And the grantor S do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances,

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness OUR hands and seal this 24th day of September, 1948

Lee Halsey (REAL) Edna Halsey (REAL)

STATE OF OREGON,

County of Lincoln

On this 24th day of September, 1948,

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Lee Halsey and Edna E. Halsey, husband and wife

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

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

W. J. Graham Notary Public for Oregon My Commission Expires January 21, 1952

RECEIVED DEC 09 1992 WATER RESOURCES DEPT. SALEM, OREGON



PHOTOSTAT Warranty Deed

Lee Halsey and Edna E. Halsey, husband and wife H. L. Corwin and Barbara D. Corwin, husband and wife. STATE OF OREGON, County of Lincoln

I certify that the within instrument was received for record, on the 19th day of September, 1948, at 6 o'clock P. M. on page 528 of Book 128 of Deeds of said County.



By W. J. Graham DeLake, Oregon

12/9/92

10	9	1			303				290
TWP.	RGE	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE	SPEC. INT. IN REAL PROP.	CODE AREA NUMBER	
MAP NUMBER					ACCOUNT NUMBER				

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF T.L. NO. _____

INDENT EACH NEW COURSE TO THIS POINT	DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
			VOL.	PG.	

RECORDED

DEC 09 1992

WATER RESOURCES DEPT.
SALEM, OREGON

CODE CHANGE 260 TO 290
JVS 1522 TO 1523 3/15/84
PER SILETZ RFPD

Public lot 31

INDENT EACH NEW COURSE TO THIS POINT	DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD VOL.	DEED RECORD PG.	ACRES REMAINING
			186	290	
			NF 43	1295	18.56
		10-5-73	Jr	144	
			MF 106	1579	CONT
			MF 113	839	assn ct
			MF 125	774	CT
			MF 137	195	ADC
			MF 151	439	SECURITY AOC.
			MF 168	1400	AOC.
			MF 168	1401	AOC.
			NF 174	1206	AMEND TO CONT.
		TL MF 183	0172		
		7-8-88	MF 192	1650	
		7-8-88	MF 192	1651	
		7-8-88	MF 192	1652	

for Natl Sec. BK — TL — Security Re-Assign
 " " " " " " " " "
 Between Smith + Natl Sec. BK — TL — Security Cont

EXECUTOR'S DEED.

DEC 08 1907

WATER RESOURCES DEPT. SALEM, OREGON

THIS INDENTURE, Made this 25th. day of September, A. D. 1907, WITNESSETH: That I, Jefferson Myers of Portland, Oregon, as Executor of the Estate of N. C. Myers, Deceased, late of Linn County, Oregon, being duly empowered and licensed in this behalf by the County Court of Linn County, State of Oregon, by an order thereof bearing date of September 16th. 1907, and entered and recorded on page _____ of Volume _____ of the Probate Journals of said Court, do hereby sell to Mary Myers Williams, the following described real property, as her share of the final distribution of the real property belonging to the decedent at the time of his death, to-wit:

The West one-half (1/2) of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Sixteen (16) in Township Twelve (12) South of Range Eleven (11) West of the Willamette Meridian, in Lincoln County, Oregon, containing twenty (20) acres, more or less;

NOW, THEREFORE, in consideration of the premises, and the order of the above entitled Court as aforesaid, I, as Executor of the said estate, do hereby grant, bargain, sell and convey unto the said Mary Myers Williams, her heirs and assigns forever, the said parcel of land above described;

TO HAVE AND TO HOLD the said premises with the hereditaments and appurtenances thereunto belonging, unto the said Mary Myers Williams, her heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 25th. day of September A. D. 1907.

Executed in presence of:

Frank Schlegel,)
Tyson Kinsell,)
State of Oregon,)ss.
County of Multnomah.)

Jefferson Myers, (SEAL)
Executor of the Estate of N.C. Myers,
Deceased.

THIS CERTIFIES, That on this 25th. day of September, 1907, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Jefferson Myers, who is known to me to be the person described in and who executed the foregoing deed as the Executor of the Estate of N. C. Myers, Deceased, and acknowledged to me that he, as the Executor of the Estate of N. C. Myers, deceased, executed the same freely and voluntarily and for the uses and purposes therein mentioned.

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

(SEAL)

Tyson Kinsell,
Notary Public for Oregon.

Recorded October, 8th. 1907, at 8:15 o'clock A. M.

By L. H. Wade Deputy

Ira Wade,
County Clerk

WARRANTY DEED.

THIS INDENTURE, Made the 30th. day of September in the year of our Lord, One Thousand Nine hundred and seven between Flora Hoover and George L. Hoover, her husband of Hayward, Alameda County, State of California, the parties of the first part, and Nellie O. Donnelly, and ... of Lincoln County, Oregon, the party of the second part, WITNESSETH, that the said parties of the first part for, and in consideration of the sum of Nine hundred Dollars, to them in hand, paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, conveyed and confirmed, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to her heirs and assigns, forever, the following real property, to-wit:

Lots Numbered One and Two in Section Twelve, and the Lots Numbered One, Two and Three of section Thirteen in Township Fourteen, South of Range Ten West, and the Lot Numbered Four of Section Seven in Township Fourteen, South of Range Nine, West of Willamette Meridian, in Oregon, containing One hundred and Fifty eight acres and Thirty hundredths of an acre.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances unto the said party of the second part, and to her heirs and assigns forever, and the said parties of the first part and their heirs, the said premises, in the quiet and peaceful possession of the said party of the second part, to her heirs and assigns,

RECEIVED

DEC 09 1892

UNITED STATES.
Charles S. White

WATER RESOURCES DEPT.
SALEM, OREGON
C. J. Jones
COUNTY CLERK.

18... AT 2 O'CLOCK P.M.

COUNTY CLERK.

ICA.

THE UNITED STATES OF AMERICA.

To all to Whom these Presents shall Come, Greeting:

As a schedule of
Commissioner of Indian
Affairs, approved by the Secretary of the Interior,
(24 Stats. as amended by

Whereas, there has been deposited in the GENERAL LAND OFFICE of the United States a schedule of allotments of land, dated *June 1, 1877*, from the Commissioner of Indian Affairs, approved by the Secretary of the Interior, *June 2, 1877*, whereby it appears that under the provisions of the act of Congress approved February 8th, 1887 (24 Stats. as amended by the act of February 28th, 1891, 26 Stats. 794) *Charles S. White*

The
of section
of
containing
acres

an Indian of the Siletz Reservation, in Oregon, has been allotted the following described land, viz: *The*
East half of Section
of Township
of Range
of
County
Oregon
containing
eighty acres.

and in accordance with the
declares that it does and will
for the period of
in
Territory where such
by patent to said Indian
provided that the

Now Know Ye, that the United States of America, in consideration of the premises and in accordance with the provisions of the fifth section of said act of Congress of the 8th day of February, 1887, hereby declares that it does and will hold the land thus allotted (subject to all the restrictions and conditions contained in said fifth section) for the period of twenty-five years, in trust, for the sole use and benefit of the said *Charles S. White* or in case of *his* decease for the sole use of *his* heirs, according to the laws of the State or Territory where such land is located; and at the expiration of said period the United States will convey the same by patent to said Indian *or his* heirs, as aforesaid, in fee, discharged of said trust, and free of all incumbrances whatsoever, provided that the President of the United States may, in his discretion, extend the said period.

President of
of the GENERAL LAND

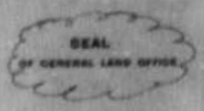
In Testimony Whereof, I, *Grover Cleveland* President of the United States of America, have caused these presents to be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.

July
and of the Independence of

Given under my Hand, at the City of Washington, this *Twenty-fifth* day of *July* in the year of our Lord one thousand eight hundred and ninety *four*, and of the Independence of the United States the one hundred and *thirty-fourth*.

Secretary.
L. S. C. Jones
The General Land Office.

By the President *Grover Cleveland*
By *L. S. C. Jones* Secretary
Recorder of the General Land Office.



10	9	1		02			260/290
TWP.	RGE.	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE	SPEC. INT. IN REAL PROP.
MAP NUMBER				ACCOUNT NUMBER		CODE AREA NUMBER	

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF T.L. NO. 300

INDENT EACH NEW COURSE TO THIS POINT	DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
			VOL.	PG.	
	US Lots 29 & 30, Sec 1 T10S R9W exc ptn in Public Rd	mf 3-15-73	JV 473 39 828		38.24
			MF 51 681		Case
			MF 106 1579		CONT
			MF 113 839		assn ct
			MF 125 774		ct
			MF 137 195		AOC
			MF 151 439		SECURITY AOC
			MF 168 1400		AOC
			MF 168 1401		AOC
			MF 174 1206		AMEND TO CONT.
			TL MF 183-0172		
	for NatL Security BK - TL - Security - Assign	7-8-88	MF 192 1650		
	" " " " " " " "	7-8-88	MF 192 1651		
	Between Smith + NatL Sec. BK - TL - Security cont	7-8-88	MF 192 1652		
	NatL Sec. BK To Smith TL AOC	8-09-90	TF 217 1561		

SPLIT CODE
JVS 1522 TO 1523 3/15/84
PER SILETZ RFPD

Helen
Neil, James

Book 166 - p 370 1957

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DEC 09 1992

WATER RESOURCES DEPT.
SALEM, OREGON

HALSEY, edna and Lee

- 126 - 191 ✓
- 126 - 189 ✓
- 124 510 ✓
- 127 453 ✓
- 128 528 ✓

- 130 139 ✓
- 137 443 ✓
- 139 131 ✓
- 140 316 ✓
- 140 401 ✓
- 141 534 ✓
- 147 571 ✓

NE quarter of
township 10

- 87 - 150 ✓
- 90 - 1 ✓
- 90 - 168 ✓
- 94 - 147 ✓

95 - 490 - 1943

- 96 - 333
- 97 - 230
- 97 - 484
- 98 - 523
- 103 - 385
- 104 - 265
- 104 - 367
- 104 - 382
- 11 - 1 - 541

page 2

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DEC 09 1992

A 51561

LEED

COUNTY OF LINCOLN

WATER RESOURCES DEPT.
SALEM, OREGON

THIS INSTRUMENT, made this 21st day of September, 1943, between LINCOLN COUNTY, Oregon, a body corporate and political of the State of Oregon, party of the first part, and Lee Halsey, party of the second part, WITNESSETH:

WHEREAS, the several real properties hereinafter described have been duly sold to Lincoln County, and said county has duly received a deed for the several real properties described as follows:

N_{1/2} of S_{1/4} of NE_{1/4} in Section 10 and S_{1/2} of NW_{1/4} and N_{1/2} of
-NW_{1/4} and N_{1/2} of SE_{1/4} and S_{1/2} of NE_{1/4} in Section 11 and SW_{1/4}
and SW_{1/4} in Section 12 and S_{1/2} and W_{1/2} of SE_{1/4} and E_{1/2} of
SE_{1/4} in Section 34, Township 10 South of Range 9 West of
the Willamette Meridian, Lincoln County, Oregon

Whereas, the County Court of said Lincoln County has deemed it for the best interest of said county to sell such real properties:

NOW, THEREFORE, Lincoln County, party of the first part, for and in consideration of the several sums paid by Lee Halsey, as aforesaid receipt whereof hereby is acknowledged and by virtue of the statutes of the State of Oregon in such cases made and provided, hereby does grant, bargain, sell and convey unto Lee Halsey, his heirs and assigns forever, the said real properties hereinbefore described, as fully and completely as the said party of the first part can by virtue of the premises convey the same.

IN WITNESS WHEREOF, said party of the first part has caused this indenture to be executed in its corporate name by its County Judge and its County Commissioners on this 21st day of September, 1943.

LINCOLN COUNTY, OREGON

OFFICIAL SEAL

By F. E. Gilkey
County Judge

(Seal)

By J. C. Harsley
County Commissioner

By R. E. Collins, County Clerk

By E. G. Calkins
County Commissioner

STATE OF OREGON }
County of Lincoln } ss.

On this 21st day of September, 1943, before me appeared F. E. Gilkey, E. G. Calkins, J. C. Harsley and Robert E. Collins, all to me personally known, who being first duly sworn, did say that he, the said F. E. Gilkey, is the County Judge, and that he, the said E. G. Calkins, and he, the said J. C. Harsley, is each a County Commissioner, and he, the said Robert E. Collins, is the County Clerk of the within named Lincoln County, Oregon, and that the seal affixed to said instrument is the seal of the County Court of said Lincoln County, Oregon, that said instrument was executed by said County Judge and two County Commissioners by authority of the County Court of Lincoln County, Oregon; and said F. E. Gilkey, E. G. Calkins, and J. C. Harsley acknowledge said instrument to be the free act and deed of said Lincoln County, Oregon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this 9th day and year last above written.

Edna F. Baldwin

OFFICIAL SEAL

Notary Public for Oregon

UNITED STATES.

TO

Marston Miller White

FILED FOR RECORD *June 20* 1892 AT 10 O'CLOCK P.M.

B. J. Quinn

RECEIVED

COUNTY CLERK.

DEC 09 1992

THE UNITED STATES OF AMERICA WATER RESOURCES DEPT. SALEM, OREGON

To all to Whom these Presents shall Come, Greeting:

Whereas, there has been deposited in the GENERAL LAND OFFICE of the United States a schedule of allotments of land, dated *June 1, 1894*, from the Commissioner of Indian Affairs, approved by the Secretary of the Interior, *June 2, 1894*

whereby it appears that under the provisions of the act of Congress approved February 8th, 1887 (24 Stats. as amended by the act of February 28th, 1891, 26 Stats. 794) *Marston Miller White*

an Indian of the Siletz Reservation, in Oregon, has been allotted the following described land, viz: *East half of South East quarter of section one in Township 12N Range 10E, in the West of the Siletz Reservation in Oregon, containing 80 acres.*

Now Know Ye, that the United States of America, in consideration of the premises and in accordance with the provisions of the fifth section of said act of Congress of the 8th day of February, 1887, hereby declares that it does and will hold the land thus allotted (subject to all the restrictions and conditions contained in said fifth section) for the period of twenty-five years, in trust, for the sole use and benefit of the said *Marston Miller White* or in case of *his* decease for the sole use of *his* heirs, according to the laws of the State or Territory where such land is located; and at the expiration of said period the United States will convey the same by patent to said Indian *or his* heirs, as aforesaid, in fee, discharged of said trust, and free of all incumbrances whatsoever, provided that the President of the United States may, in his discretion, extend the said period.

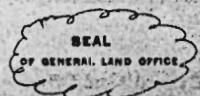
In Testimony Whereof, I, *Grover Cleveland* President of the United States of America, have caused these presents to be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.

Given under my Hand, at the City of Washington, this *Twenty fifth* day of *July* in the year of our Lord one thousand eight hundred and ninety *four*, and of the Independence of the United States the one hundred and *thirteenth*

By the President *Grover Cleveland*

By *M. McKean* Secretary.

L. J. C. Laman Recorder of the General Land Office.



FOR _____

2005

DATE

WED JAN 12 = 1222 AM

FROM

ROBERT VAN KRUIJEST

FIRM _____

PHONE

(541) - 563 - 4227 *

FAX

AREA CODE

NUMBER

EXTENSION

MOBILE

ADJUD

AREA CODE

NUMBER

TIME TO CALL

TELEPHONED	X	PLEASE CALL	X
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE

UPDATE

YR9 ABO

SWR - 110

Called 2pm
1/12/05

SIGN _____



FORM 4007
MADE IN U.S.A.

JE

Memorandum

To: SWR File 110
CC: Dick Bailey
From: Teri Hranac
Date: 1/12/2005
Re: SWR 110

I received a telephone call from Robert VanCreveld (Edgewater Environmental) regarding SWR 110. Mr. VanCreveld wanted to know when we would be processing the Lofton's registration statement. I informed him that I was not aware of any plans to proceed on the adjudication of another area of the state until the Klamath was completed.

I also informed Mr. VanCreveld that because the information in the file was from 1993, he might want to consider a letter to be placed in the file documenting that the water was being used as set forth in the registration statement.

Mr. VanCreveld then inquired as to what the Lofton's were getting for their \$400. I told him that we had in excess of 600 registration statements and that when the Klamath adjudication was completed, we would be considering the next area of the state to be adjudicated. I informed him that with limited resources, we had to complete the Klamath adjudication before we could undertake another adjudication.

Mr. VanCreveld did not appear to be happy with my responses and said he would be contacting his representative (who he stated was on the Natural Resources Committee) to see if some kind of finality could be given to the Lofton's registration statement.

Teri



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

VIA MAIL

January 17, 2002

Robert vanCreveld, R.S., CPESC
Edgewater Environmental
PO Box 130
Newport OR 97365

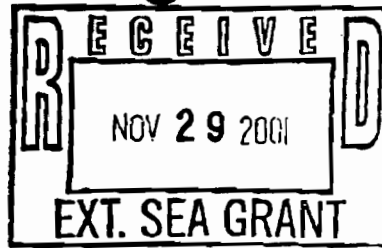
RE: Surface Water Registration Application 110
in the name of Harold and Joan Lofton

Dear Mr. vanCreveld:

Thank you for your letter of November 8, 2001, in which you inquired about the status of the Lofton's surface water registration. Although an adjudication involving the Lofton's claim is not pending, I would like to provide an option that would give greater assurance to the Loftons regarding the status of their surface water registration.

As you noted in your letter, the Loftons sent in their surface water registration in December, 1992, and the claim remains unadjudicated. Although this delay in action is highly inconvenient, perhaps some explanation will provide context.

A primary goal of the Oregon Water Resources Department is to adjudicate all of the basins in Oregon. However, the adjudication process has proven incredibly lengthy and the staff and financial resources needed to adjudicate a basin prevent the Department from adjudicating more than one basin at a time. For example, we are currently adjudicating the Klamath Basin, an endeavor that began in the 1970's. The Klamath Adjudication was delayed for over twenty years by federal court actions that were finally resolved in the late 1990's. Today, the Department is devoting its entire adjudication staff to resolving the over 5,000 contests that have been filed on the 674 claims for the Klamath Adjudication. The Department intends to begin adjudicating the other basins in Oregon as soon as it completes the Klamath Adjudication, but this may not be possible for some years.



Mr. Jay Rasmussen
Commissioner- Water Resources Commission
Hatfield Marine Science Center
2030 S. Marine Science Dr.
Newport, OR 97365-5296

November 8, 2001

Subject: Surface Water Registration Application by Loftons
(Lincoln County 10-9-1-302) Registration File # SWR-110

Dear Mr. Rasmussen,

I am assisting Harold and Joan Lofton in determining what has happened to their application for water rights. The Loftons live on a farm outside of Logsdon. They made application and paid the fees (\$400) for surface water registration in December of 1992. They have yet to have their application adjudicated.

I contacted Jerry Clark in the Adjudication section of WRD and was told "there is no timeline" for processing this application. We believe that it is unfair of the water resources department to take fees and not produce an answer. This has dragged out for nine years.

I am hoping that you can assist the Loftons' application to final adjudication.

Sincerely,

Robert vanCreveld, R.S., CPESC

Post-it* Fax Note	7671	Date	12-14	# of pages	1
To	Paul Cleary	From	Jay Rasmussen		
Co./Dept.		Co.			
Phone #		Phone #	541-867-0368		
Fax #		Fax #			

EDGEWATER ENVIRONMENTAL

541.265.8389
PO Box 130
Newport, OR 97365

ReneeM

From: Renee Moulun [Renee.M.MOULUN@wrд.state.or.us]
Sent: Monday, December 31, 2001 1:17 PM
To: Paul Cleary (E-mail)
Cc: Dick Bailey (E-mail); Renee.M.Moulun@wrд.state.or.us
Subject: SWR 110 (Lofton's SW Registration)

Hello:

In response to your questions re: SWR 110 (in the name of Harld D. and Joan E. Lofton). I reviewed the registration file and found out the following:

Don Knauer sent a letter acknowledging that the Department received the Lofton's registration statement on December 10, 1992. In his letter Don noted that the map was not acceptable (no beneficial use map). In another letter sent by Don Knauer to the Lofton's CWRE on June 10, 1993, Don laid out the specific deficiencies of the map. On October 7, 1993, Don sent another letter to the Lofton's CWRE acknowledging receipt of the map.

The WRD published public notice of this registration December 16, 1992.

Hopefully the Lofton's would be happy with a proposed order on registration. Please let me know if you need any further information or if I can be of further assistance.

Renee

Route Slip



Date

12/27/01

TO:	Name	Division/Section	Initial	Date
-----	------	------------------	---------	------

- 1.
2. Dick Bailey —
- 3.
4. Have we responded to
5. This guy? If so, did

as requested	investigate	per conversation
approval	justify	prepare reply
comment	necessary action	<input checked="" type="checkbox"/> return with more detail
confer	initial and return	review and circulate
for your information	note and file	signature

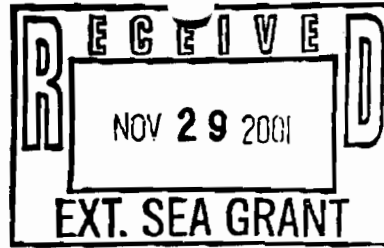
we send a cc to Guy?

If not, prepare response for
my sig.

Thanks

Paul

FROM:	Phone No
-------	----------



Mr. Jay Rasmussen
Commissioner- Water Resources Commission
Hatfield Marine Science Center
2030 S. Marine Science Dr.
Newport, OR 97365-5296

November 8, 2001

Subject: Surface Water Registration Application by Loftons
(Lincoln County 10-9-1-302) Registration File # SWR-110

Dear Mr. Rasmussen,

I am assisting Harold and Joan Lofton in determining what has happened to their application for water rights. The Loftons live on a farm outside of Logsdon. They made application and paid the fees (\$400) for surface water registration in December of 1992. They have yet to have their application adjudicated.

I contacted Jerry Clark in the Adjudication section of WRD and was told "there is no timeline" for processing this application. We believe that it is unfair of the water resources department to take fees and not produce an answer. This has dragged out for nine years.

I am hoping that you can assist the Loftons' application to final adjudication.

Sincerely,

Robert vanCreveld, R.S., CPESC

Post-it* Fax Note	7671	Date	12-14	# of pages	1
To	Paul Cleary				
Co./Dept.	J. Rasmussen				
Phone #	541-867-0368				
Fax #					

EDGEWATER ENVIRONMENTAL

541.265.8389
PO Box 130
Newport, OR 97365

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 94909 CHECK ENCLOSURES yes
CHECK BASIN MAP MID COAST - #18 UNADJUDICATED AREA ? yes
SURFACE WATER REGISTRATION NUMBER 110
PRELIMINARY DATA BASE ENTRY yes
ACKNOWLEDGEMENT LETTER yes ENTER ON STREAM INDEX _____
PUBLIC NOTICE PUBLICATION DUP WATERMASTER CHECKLIST _____
CHECK QUADRANGLE MAP 173 CAR CHECK GLO PLATS _____

FORM REVIEW

_____ blanks filled in
_____ signed
_____ date received stamped

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

#12

#15

WATER RIGHT RECORD CHECK 1/10 Area ENTER ON PLAT CARDS _____

FIELD INSPECTION _____ FINAL FILE REVIEW _____

FINAL DATA BASE ENTRY _____

A:SWRCHECK

12-24-91

How many
+ WRRS

1221
LIVESTOCK ?

October 7, 1993

JAMES M DENISON
PO BOX 518
TOLEDO OR 97391

RE: SWR-110

Dear Mr Denison,

This will acknowledge the receipt of the map you returned with the corrections and completions necessary. I will add the map to the file for HAROLD & JOAN LOFTON's pre-1909 vested water right claim. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WP51\SWR\CLAIMANT\1\SWR-0110.003



PUBLIC NOTICE OF FILING OF WATER USE APPLICATIONS

DEC/16/1992

A tabulation of applications for water-use authorizations (water rights) filed in the office of the Water Resources Director during the week of AUG/21/1992 to DEC/10/1992, is attached to this notice.

The applications include requests for both consumptive and non-consumptive water uses and for water right transfers.

The Water Resources Department will prepare a report of technical review for each of these applications listed above. The technical review will consider:

- * Legislative withdrawals
- * State Engineer withdrawals
- * Restrictions imposed by Basin Programs
- * Restrictions imposed by Scenic Waterway designations
- * Other Commission policies which may limit future use
- * Potential conflict with existing water rights
- * Water availability
- * Conditions generally imposed on water uses from the source, and
- * Other applicable standards.

The report of technical review will be distributed to the applicant and all interested parties. With respect to proposed water right transfers, the Water Resources Department will only consider the potential for conflict with existing water rights.

If you would like to receive a copy of the Department's report of technical review for any of the listed applications, please identify the application on the attached "comment form". Space is provided to list the application numbers of interest and any specific comments or concerns you may have. (Attach additional sheets if necessary.) The attached "comment form" must be received at the Salem office of the Water Resources Department by JAN/19/1993.

All correspondence and comments should be directed to the Oregon Water Resources Department at the following address:

Oregon Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310 (503) 378-3066

When the report of technical review is provided, any interested party may file an "objection" to the analysis within 60 days of its' distribution. The Department will attempt to informally resolve issues raised in objections. Parties who can demonstrate a conflict with an existing water right may object and/or protest at any time before issuance of a permit, instream water right or approval of a transfer.

Lincoln

SWR #110

Harold D. & Joan E. Lofton
11761 Logsdan RD
Blodgett, OR 97326

SPRING CREEK TRIBUTARY TO ROCK CREEK FOR DOMESTIC TO INCLUDE 1/2
ACRE LAWN AND GARDEN AND LIVESTOCK. DOMESTIC: 0.01 CFS,
LIVESTOCK 90 GPD. CLAIMED PRIORITY DATE: 1903. T10S, R9W,
SECTION 1.

Douglas

SWR #111

Lydia Mack
12320 State Highway 38
Elkton, OR 97436

HANCOCK CREEK TRIBUTARY TO ELK CREEK FOR IRRIGATION. 15 GPM.
CLAIMED PRIORITY DATE: JUNE 3, 1891. T22S, R7W, SECTION 22.

Coos

SWR #112

Powers Ranch Co.
5800 40th Avenue West
Seattle, WA 98199

SOUTH FORK COQUILLE RIVER TRIBUTARY TO COQUILLE RIVER FOR
STOCKWATER. 0.005 CFS. CLAIMED PRIORITY DATE: 1870. T31S,
R12W, SECTION 13.

Coos

SWR #113

Powers Ranch Co.
5800 40th Avenue West
Seattle, WA 98199

SEVERAL UNNAMED STREAMS, ESTES CREEK, GRANT CREEK, SALMON CREEK,
TUNNEL CREEK, WATERPIPE CREEK, TWO BY FOUR CREEK, CANYON CREEK,
HAINES CREEK, SIXES RIVER, MURPHY CREEK, SLIDE CREEK, PYBURN
CREEK, POLE CREEK, FUZZY GULCH, RIGGS CREEK, TIM CREEK, DUDE
CREEK ALL TRIBUTARIES TO EACH OTHER AND THE PACIFIC OCEAN FOR
STOCKWATER AND DOMESTIC EXPANDED. 0.015 CFS TOTAL. CLAIMED
PRIORITY DATE: MARCH 3, 1905. T31S, T32S, R12W.

Coos

SWR #114

Powers Ranch Co.
5800 40th Avenue West
Seattle, WA 98199

SEVERAL UNNAMED STREAMS, SOUTH FORK COQUILLE RIVER AND ROWLAND
CREEK TRIBUTARY TO COQUILLE RIVER FOR STOCKWATER. 0.005 CFS.
CLAIMED PRIORITY DATE: 1870. T30S, R12W, SECTION 22, 23, 26,
27, 28, 29, 32.

June 10, 1993

JAMES M. DENISON
PO BOX 518
TOLEDO OR 97391

RE: File# SWR-110

DEAR JAMES M. DENISON,

The Water Resources Department (WRD) received a little over 500 surface water registration statements in December, 1992. All of the files have been set up and receipts for the fees have been sent. The next step is to insure the maps received in support of the claims are acceptable based on Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR).

I am returning the map you prepared for Harold D. & Joan E. Lofton. 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.

diversion point size

OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." You should include the size of the pipe line to the house and the difference in elevation between the spring and place of use.

$\frac{1}{10}$ acre

OAR 690-28-025-(4)-(d) "The number of acres irrigated in each quarter quarter shall be shown to the nearest tenth of an acre." You should show the irrigation and livestock use as claimed on the form.

I am enclosing a copy of the checklist and claim to beneficial use report information used by the adjudication section. You may find it useful in preparing the required map and information. Many Certified Water Right Examiners have seen these and are using them.



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.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Knauer", written over a horizontal line.

Don Knauer
Adjudication Specialist

Enclosures

J:\WP51\SWR\CLAIMANT\1\SWR-0110.00M

Timber Estimates
Appraisals & Logging Costs

Surveys and Boundary Lines
Forest Management Plans

"40 Years Experience"

Coastal Land Management, Inc.

Professional Forester, A.C.F.
Registered Oregon & Washington Land Surveyor
Oregon Certified Water Rights Examiner

Jim and Betty Denison
P.O. Box 518
Toledo, Oregon 97391

Office/Home (503) 336-5539
FAX (503) 265-6016

2-23-93

Jim DENISON, CWRE

SW2-110

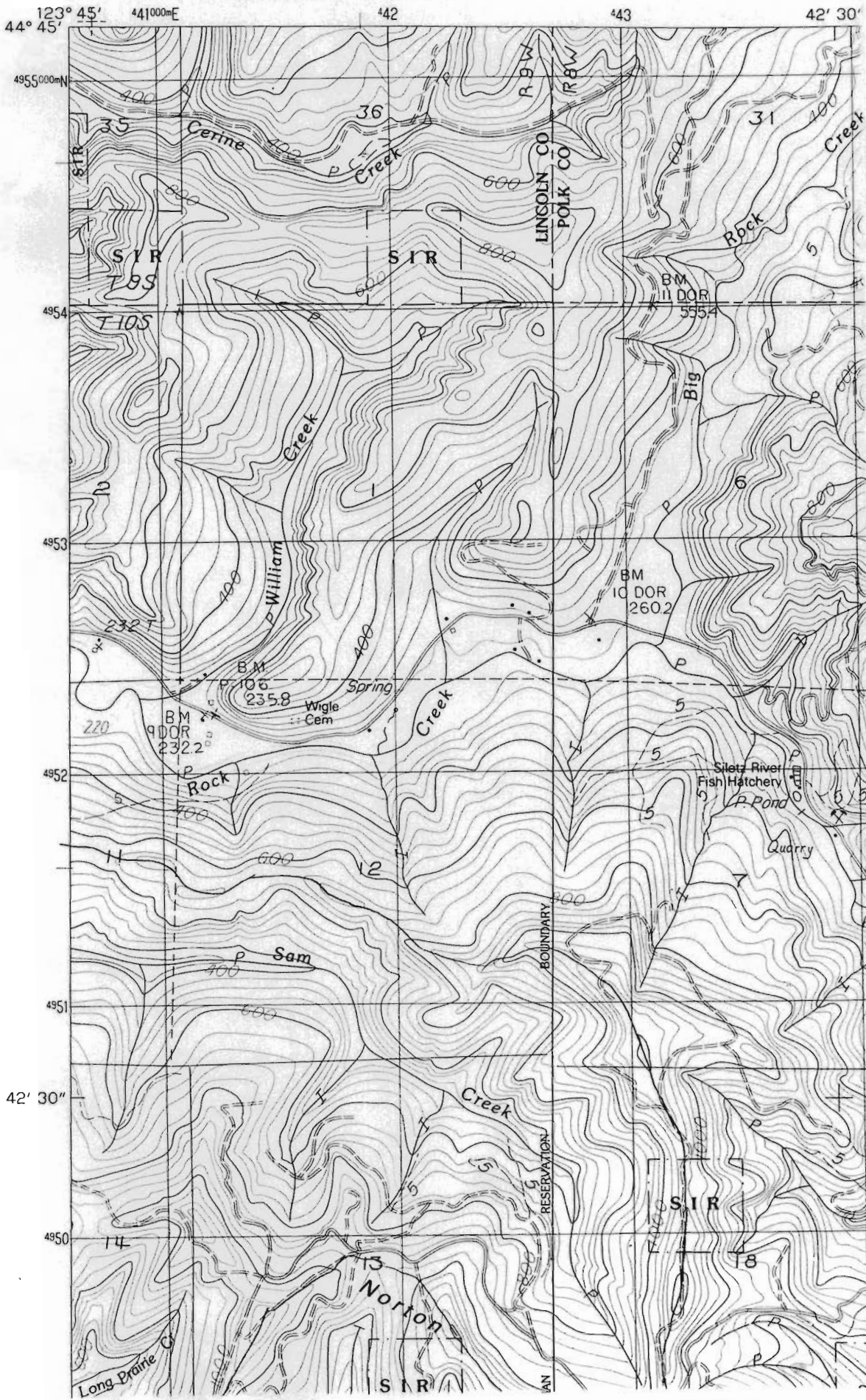
- MAP FOR LOFTON -

HE TOLD ME BY

1ST OF APRIL 1993

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

60:600



February 10, 1993

JAMES DENISON
PO BOX 518
TOLEDO OR 97931

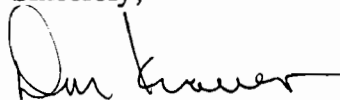
RE: Surface Water Registration Map

Dear MR DENISON,

HAROLD LOFTON has indicated to the Oregon Water Resources Department (WRD) that you have been hired to prepare the claim of beneficial use map for their Surface Water Registration Statement. Would you please inform me of your anticipated schedule of map preparation and submission to the WRD.

Please mark all correspondence related to this claim with the file number SWR-110.

Sincerely,



Don Knauer
Adjudication Specialist

C:\WP51\SWR\CLAIMANT\SWR-0110.002



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

James Denison

Oregon

RECEIVED

FEB - 9 1993

WATER
RESOURCES
DEPARTMENT

December 10, 1992

WATER RESOURCES DEPT
SALEM, OREGON

HAROLD LOFTON
11761 LOGSDEN RD
BLODGETT OR 97326

RE: Surface Water Registration Statement

Dear Mr. Lofton,

This will acknowledge that your Surface Water Registration Statement in the name of Harold D./Joan E. Lofton has been received by our office. The fees in the amount of \$ 400.00 have been received. Receipt # 94909 was written. Your registration statement has been numbered SWR-110.

The map you submitted with your claim is not acceptable. ORS 539.240 (2) (d) requires the map be prepared by a Certified Water Right Examiner (CWRE). We will wait a reasonable period of time for your map. We will be in touch with you periodically, you should keep us informed of any developments concerning the survey and mapping.

If necessary we will schedule a meeting with you that will include a site inspection. If there are problems with your form we are usually able to take care of them during our visit. We will be able to answer any questions you might have about the adjudication process at that time.

Please feel free to contact this office if you have any questions. *1-93*

Sincerely,

Don Knauer

Don Knauer
Adjudication Specialist

enc

C:\W\S\C\SWR-0110.001

*FINALLY made contact with
Costal Land Management Inc.
JIM DENISON who is doing
water right site survey. He was many ahead of me.
2-6-93
MR. DENISON stopped at house
& SAID he would be in AREA
APPROX 2-10-93 & do work.*



will keep you posted.

Joan Lofton

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

December 10, 1992

HAROLD LOFTON
11761 LOGSDEN RD
BLODGETT OR 97326

RE: Surface Water Registration Statement

Dear Mr. Lofton,

This will acknowledge that your Surface Water Registration Statement in the name of Harold D./Joan E. Lofton has been received by our office. The fees in the amount of \$ 400.00 have been received. Receipt # 94909 was written. Your registration statement has been numbered SWR-110.

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Please feel free to contact this office if you have any questions.

Sincerely,



Don Knauer
Adjudication Specialist

enc

C:\W\S\C\SWR-0110.001



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **94909**

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

RECEIVED FROM: Harold D. Lofton
BY: + Joan E. Lofton

APPLICATION	
PERMIT	
TRANSFER	

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

TOTAL REC'D \$ 400.⁰⁰

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>400.⁰⁰</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
	OTHER: (IDENTIFY)	\$

02-00-0 FEDERAL FUNDS

OTHER: (IDENTIFY) \$

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	842.002	RECORD FEE
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	842.023	LICENSE FEE
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 \$

07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE(FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
	HYDRO APPLICATION		\$

RECEIPT # **94909**

DATED: 12-9-92

BY: Darlene Bushnell

CWRT

James DENISON

PO Box 513

TOLEDO OR

97391

SECTION I TIOS R9W WM

LINCOLN COUNTY

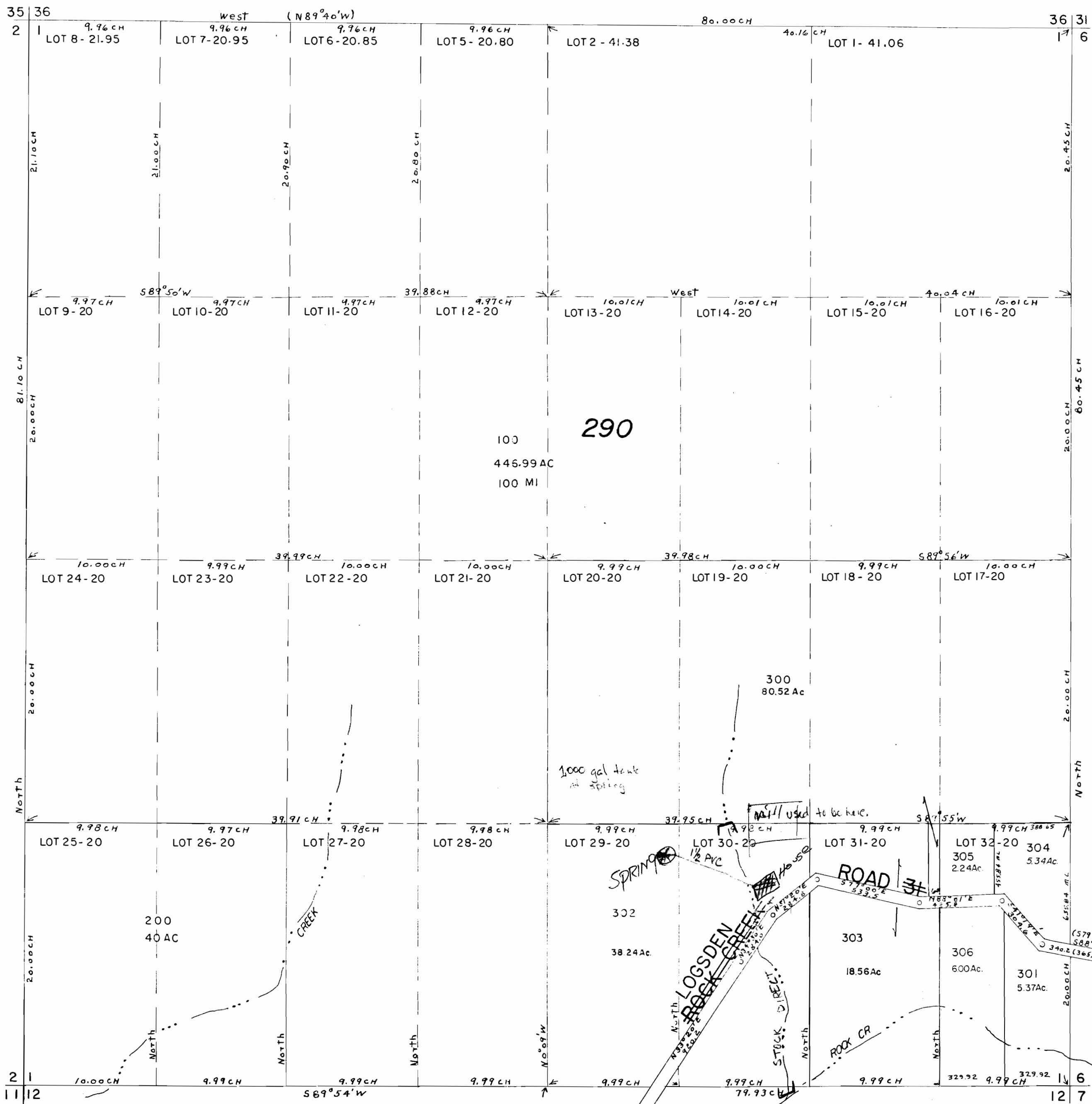
1" = 400'

RECEIVED

DEC 09 1992

WATER RESOURCES DEPT.
SALEM, OREGON

See Map 9 9



See Map 10 9 2

See Map 10 8 6

See Map 10 9 12