

RECEIVED

MAY 27 1994

WATER RESOURCES DEPT. SALEM, OREGON

RECEIVED

SEP - 9 1993

WATER RESOURCES DEPT. SALEM, OREGON

Water Resources Department
3850 Portland Rd. NE
Salem, Oregon
97310

Dear Sirs:

The water systems for the ranch are described as follows:

Diversion Point No. 1 is a 2 foot diameter spring with a 1 foot high concrete headwall and a 1' x 1' ditch draining the water out across the 3 acres of pastureland. The cows water from this diversion point and anywhere else they can find it.

Diversion Point No. 2 is a 2 foot diameter spring covered over with rock and gravel with a 1" PVC pipeline leading to a 1300 gallon holding tank and then continuing with the main line running to the house and auxiliary lines running to a stockwatering tank on the edge of the pasture and then continuing out into the pasture area.

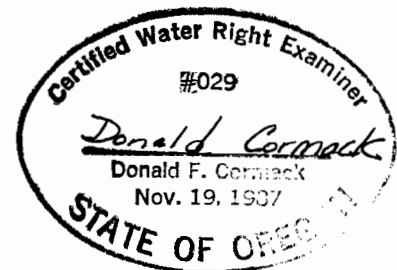
Byron Brimm

The water systems are as described in the above letter from Mr.

Byron L. Brimm.

Donald Cormack, CWRE # 29

May 24, 1994



RECEIVED

SEP - 9 1993

**WATER RESOURCES DEPT.
SALEM, OREGON**

Water Resources Department
3850 Portland Rd. NE
Salem, Oregon
97310

Dear Sirs:

The water systems for the ranch are described as follows:

Diversion Point No. 1 is a 2 foot diameter spring with a 1 foot high concrete headwall and a 1' x 1' ditch draining the water out across the 3 acres of pastureland. The cows water from this diversion point and anywhere else they can find it.

Diversion Point No. 2 is a 2 foot diameter spring covered over with rock and gravel with a 1" PVC pipeline leading to a 1300 gallon holding tank and then continuing with the main line running to the house and auxiliary lines running to a stockwatering tank on the edge of the pasture and then continuing out into the pasture area.

Byron Brimm

RECEIVED

SEP - 9 1993

WATER RESOURCES DEPT.
SALEM, OREGON

WATER
RESOURCES
DEPARTMENT

August 25, 1993

DONALD F. CORMACK
PO BOX 1280
BROOKINGS OR 97415

RE: File# SWR-192

DEAR DONALD F. CORMACK,

I am returning the map you prepared for Byron E. Brimm (Chetco River Ranch). You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

conveyance	ORS 539.120 "...the location of and each ditch, canal, pipeline or other means of conveying the water..." Since the claim is for stockwater and domestic, in addition to irrigation, you must show the ditches or pipelines for stockwater and domestic. I need this from the source through to the place of use. You must include the size and other information needed to calculate a flow of water through the conveyance.
place of use (¼ ¼)	ORS 539.240 (2) (d) (B) "The location of place of use by quarter-quarter section..." You must show the place of use for stockwater.
diversion point size	OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." Since the claim is for stockwater and domestic, in addition to irrigation, you must show this information for stockwater and domestic uses.



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

RECEIVED

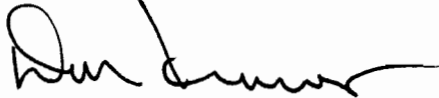
SEP - 9 1993

**WATER RESOURCES DEPT.
SALEM, OREGON**

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,

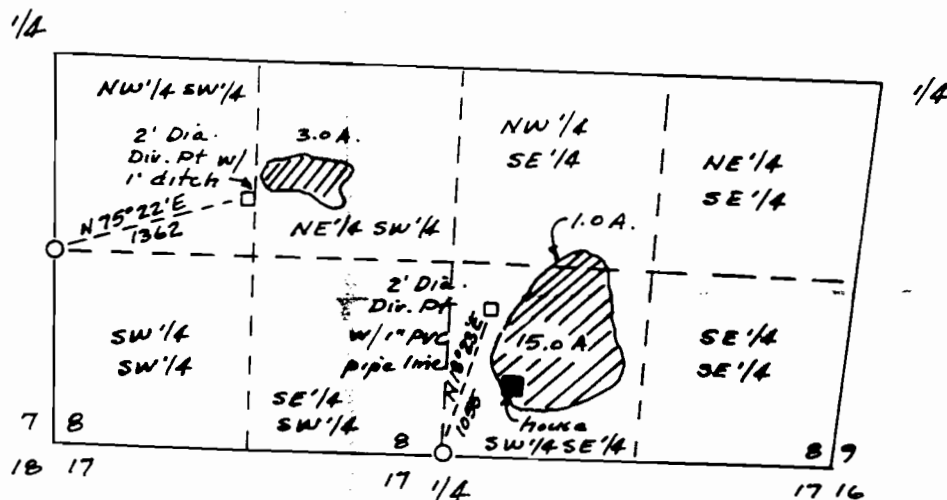


**Don Knauer
Adjudication Specialist**

Enclosures

WATER RIGHTS APPLICATION for
BYRON L. & BYRON E. BRIMM
in the South 1/2, Section 8
T 39 S, R 12 W, W.M.
Curry County, Oregon

scale: 1" = 1320' November, 1992



The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property lines.

RECEIVED

AUG 1 1993

WATER RESOURCES DEPT.
 SALEM, OREGON



Donald Cormack, CWRE # 29
 P.O. Box 1280
 Brookings, Oregon

RECEIVED

AUG 19 1993

**WATER RESOURCES DEPT.
SALEM, OREGON**

WATER
RESOURCES
DEPARTMENT

August 5, 1993

DONALD F. CORMACK
PO BOX 1280
BROOKINGS OR 97415

RE: File# SWR-192

DEAR DONALD F. CORMACK,

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 Byron E. Brimm (Chetco River Ranch). You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

conveyance

ORS 539.120 "...the location of ... and each ditch, canal, pipeline or other means of conveying the water..." You must show these for both stockwater and domestic.

place of use (1/4 1/4)

ORS 539.240 (2) (d) (B) "The location of place of use by quarter-quarter section..." You must show these for both stockwater and domestic.

scale

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



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

RECEIVED

AUG 19 1993

WATER RESOURCES DEPT.
SALEM, OREGON

diversion point size

OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." You must show this information for all uses; irrigation, stockwater and irrigation. DOMESTIC

paper

OAR 690-14-170-1 "...in ink on permanent-quality linen or 0.003-inch mylar..."

$\frac{1}{10}$ 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."

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.

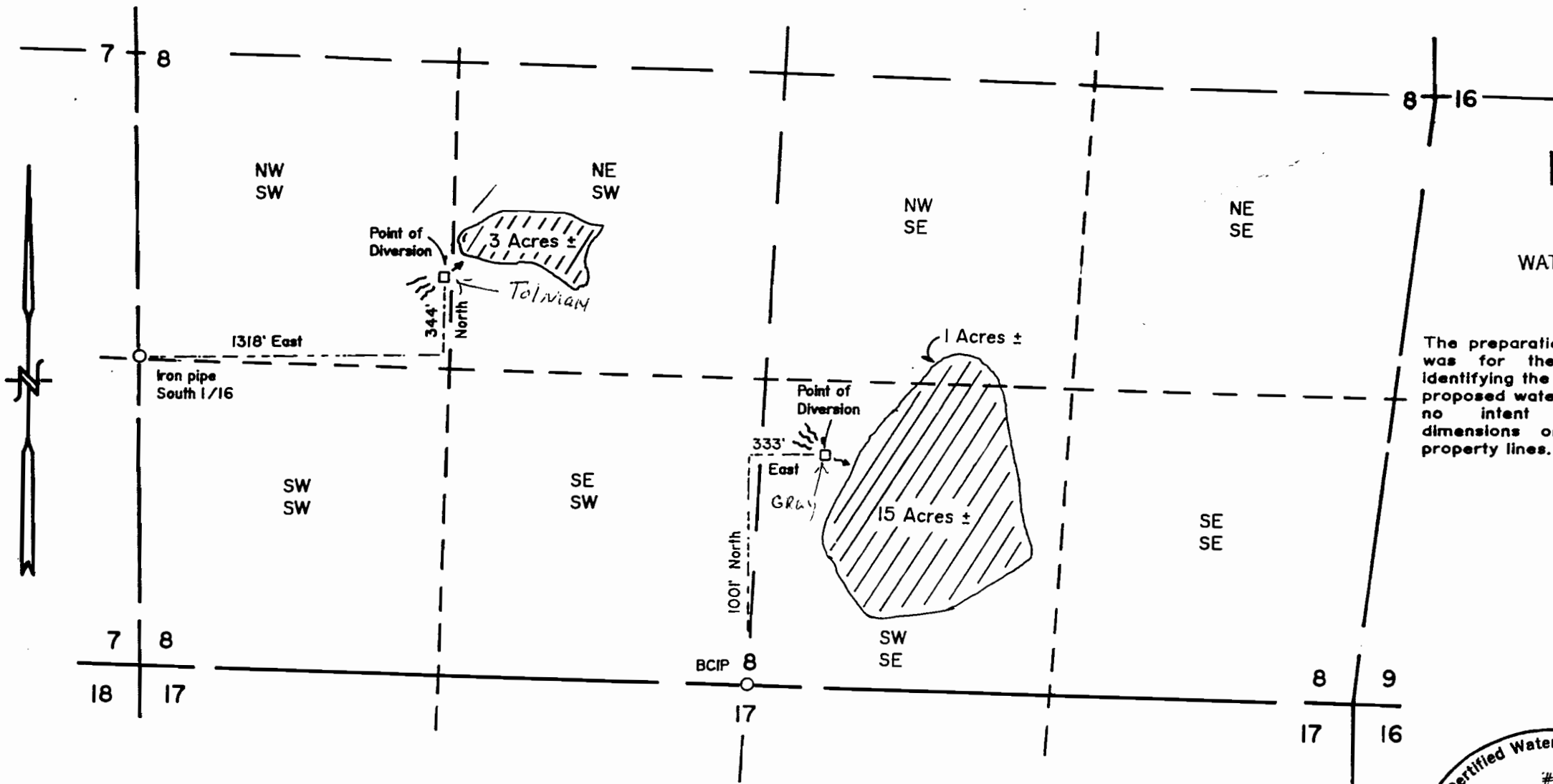
As always, if you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

Enclosures



RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

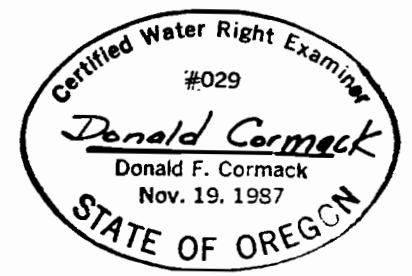
The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property lines.

**WATER FILING APPLICATION for
BYRON L. and BYRON E. BRIMM etux.**

Located in the South 1/2, Section 8,
T 39 S, R 12 W, W.M.,
Curry County, Oregon

Scale - 1" = 600' November, 1992

Byron E. Brimm
P.O. Box 41
Brookings, Oregon
97415



Donald Cormack
C.W.R.E. # 29
P.O. Box 1280
Brookings, Oregon 97415

RECEIVED
DEC 23 1992

THIS CONTRACT, Made this 1st day of July, 1974, between
BYRON L. BRIMM and MARY JANE BRIMM, husband and wife
and BYRON E. BRIMM and DEANNA BRIMM, husband and wife

WITNESSETH: That in consideration of the mutual covenants and agreements herein contained, the seller agrees to sell unto the buyer and the buyer agrees to purchase from the seller all of the following described lands and premises situated in Curry County, State of Oregon, to-wit: The Northeast quarter of the Southeast quarter of Section 7 and the Southwest quarter and the West one-half of the Southeast quarter of Section 8, all in Township 39 South, Range 12 West of the Willamette Meridian, Curry County, Oregon, EXCEPT the parcel heretofore conveyed to School District No. 23 by deed recorded February 7, 1928 in Book 19, page 569, Deed Records of Curry County, Oregon.

EXCEPTING AND RESERVING however unto the sellers for their lifetime 50% of the minerals, hydrocarbons, and geothermal rights in and to said premises.

ADDITIONAL TERMS of this agreement are set forth on Exhibit A attached hereto.

Tax statements to: Byron E. Brimm, Box 41, Brookings, Oregon.

for the sum of [redacted] and no/100----- Dollars (\$ [redacted]) (hereinafter called the purchase price), on account of which [redacted] and no/100----- Dollars ([redacted]) is paid on the execution hereof (the receipt of which is hereby acknowledged by the seller); the buyer agrees to pay the remainder of said purchase price (to-wit: [redacted]) to the order of the seller in monthly payments of not less than [redacted] Dollars (\$ [redacted]) each,

payable on the 1st day of each month hereafter beginning with the month of August, 1974, and continuing until said purchase price is fully paid. All of said purchase price may be paid at any time; all deferred balances of said purchase price shall bear interest at the rate of [redacted] per cent per annum from July 1, 1974 until paid, interest to be paid [redacted] and [redacted] being included in the minimum monthly payments above required. Taxes on said premises for the current tax year shall be prorated between the parties hereto as of the date of this contract.

The buyer warrants to and covenants with the seller that the real property described in this contract is (A) presently in, lawfully, beneficial possession of the seller, and (B) for an organization or trust if buyer is a natural person is for business or commercial purposes other than agricultural purposes. The buyer shall be entitled to possession of said lands on July 1, 1974, and may retain such possession so long as he is in the actual possession of the lands, and that at all times he will keep the buildings on said premises, now or hereafter erected, in good condition and repair and will not suffer or permit any waste or stop thereof, that he will keep said premises free from incumbrances and all other liens and save the seller harmless therefrom and reimburse seller for all costs and attorney's fees incurred by him in defending against any such liens; that he will pay all taxes heretofore levied against said property, as well as all water rents, public charges and municipal fees which hereafter lawfully may be assessed upon said premises, all promptly before the same or any part thereof become just due, that at buyer's expense he will insure and keep insured all buildings now or hereafter erected on said premises against loss or damage by fire (with extended coverage) in an amount not less than \$ none in a company or companies satisfactory to the seller, with loss payable first to the seller and then to the buyer as their respective interests may appear and all policies of insurance to be delivered to the seller as soon as issued. Now if the buyer shall fail to pay any such taxes, water rents, public charges or any part thereof for such insurance, the seller may do so and any payment so made shall be added to and become a part of the debt secured by this contract and shall bear interest at the rate aforesaid, without waiver, however, of any right arising to the seller by buyer's breach of contract.

And it is understood and agreed between said parties that title is of the essence of this contract, and in case the buyer shall fail to make the payments above required, on any of them, practically within ten days of the time limited therefor, or fail to keep any agreement herein contained, then the seller at his option shall have the following rights: (1) to declare this contract null and void; (2) to declare the whole unpaid principal balance of said purchase price to be due and payable and to enforce this contract by suit in equity, and in any of such cases, all rights and interest created or then existing in favor of the buyer as against the seller hereunder shall utterly cease and determine and the right to the possession of the premises above described and all other rights acquired by the buyer hereunder shall revert to and revert to said seller without any act of re-entry, or any other act of said seller to be performed and without any right of the buyer of return, explanation or compensation for monies paid on account of the purchase of said property as absolute, full and perfect as if this contract and such payments had never been made and in case of such default all payments theretofore made on this contract are to be returned by and holding the said seller as the agreed and reasonable part of said purchase price to the use of such default. And the said seller, in case of such default, shall have the right immediately, or at any time thereafter, to enter upon the land aforesaid, without any process of law, and take immediate possession thereof, together with all the improvements and appurtenances thereto or thereto belonging.

The buyer further agrees that failure by the seller at any time to require performance by the buyer of any provision hereof shall in no way affect his right hereunder to enforce the same, nor shall any waiver by said seller of any breach of any provision hereof be held to be a waiver of any succeeding breach of any such provision, or as a waiver of the provision itself. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ [redacted] plus taxes. In case suit or action is instituted to enforce this contract or to enforce any of the provisions hereof, the buyer agrees to pay such suit as the court may award reasonable as attorney's fees to be allowed plaintiff in said suit or action and if an appeal is taken from any judgment or decree of the trial court, the buyer further promises to pay such sum as the appellate court shall award reasonable as plaintiff's attorney's fees in such appeal.

In witnessing this contract, it is understood that the seller or the buyer may be more than one person; that if the contract so requires, the single person shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that generally all grammatical changes shall be made, assumed and applied to make the provisions hereof apply equally to corporations and to individuals. IN WITNESS WHEREOF, said parties have executed this instrument in duplicate; if either of the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal affixed hereto by its officers duly authorized thereunto by order of its board of directors.

Byron E. Brimm
Deanna Brimm
Byron L. Brimm
Mary Jane Brimm

IMPORTANT NOTICE: Delete, by lining out, whichever phrase and whichever warranty (A) or (B) is not applicable. If warranty (A) is applicable and if the seller is a creditor, as such word is defined in the Truth-in-Lending Act and Regulation Z, the seller MUST comply with the Act and Regulation by making required disclosures; for this purpose, use Stevens-Noss Form No. 1208 or similar unless the contract will become a first lien to finance the purchase of a dwelling in which event use Stevens-Noss Form No. 1207 or similar. NOTE: The sentence between the symbols [redacted] if not applicable, should be deleted; see Oregon Revised Statutes, Section 92.020. (Material acknowledgment on reverse).

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

December 7, 1992

TO WHOM IT MAY CONCERN:

WE PURCHASED THE CHETCO RIVER RANCH IN 1954. AT THAT TIME, THEY HAD STOCK AND CROPS ON THE PLACE AND USED THE RIVER FOR WATER FOR THEM AND A SPRING FOR DOMESTIC USE. AFTER WE BOUGHT IT, WE HAD CATTLE, CROPS AND ALSO USED THE RIVER FOR WATER AND THE SPRING FOR DOMESTIC USE.

BYRON L. BRIMM

Byron L. Brimm

MARY JANE BRIMM

Mary Jane Brimm

Subscribed and sworn before me this 8th day of
December, 1992.

D. R. Foster

Notary Public for Oregon

My commission expires: Jan 6/1994

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

December 21, 1992

To whom it may concern:

I purchased the Cheter River Ranch from my Mom and Dad in 1974. I have had stock, Domestic, and crops on it every sense then.

I have used the water on the place for Domestic, stock and Crops since 1974

To the best of my knowleg it has been use for Domestic, stock and crops since it was homestead.

Byron E Brimm

STATE OF OREGON,

County of CURRY

ss.

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

BE IT REMEMBERED, That on this 21st day of December, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named *** BYRON E. BRIMM ***

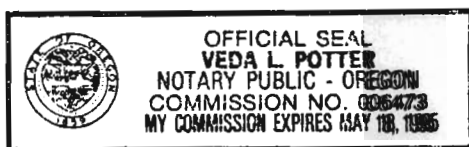
known to me to be the identical individual... described in and who executed the within instrument and acknowledged to me that -he- executed the same freely and voluntarily.

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

Veda L. Potter

Notary Public for Oregon.

My Commission expires May 18, 1995



RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Frances Tolman, a widow, sometimes written Francis Ann Tolman, of Curry County, State of Oregon, in consideration of Ten (\$10.00) Dollars, to her paid by Helen W. Richards, a married woman, has bargained and sold, and by these presents does grant, bargain, sell and convey unto said Helen W. Richards, a married woman, her heirs and assigns, all the following bounded and described real property, situated in the County of Curry and State of Oregon:

First parcel: The north half of the southwest quarter of section eight, and the northeast quarter of the southeast quarter of section seven in township thirty-nine south of range twelf west of the Willamette Meridian, Oregon containing one hundred twenty acres.

And the second parcel under the name of Francis Ann Tolman, being the same as Frances Tolman, a widow, described as follows, to-wit: the west half of the southeast quarter and the south half of the southwest quarter of section eight in township thirty-nine south of range twelf west of the Willamette Meridian, in Oregon, containing one hundred and sixty acres, less one acre, which was sold to school district twenty-three, for which warranty deed was given to said school district #23.

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 Helen W. Richards, a married woman, her heirs and assigns forever. And Frances Tolman, widow, sometimes written Francis Ann Tolman, grantor above named do covenant to and with Helen W. Richards, the above named grantee her heirs and assigns that she lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, and that she will and her heirs executors

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

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.

IN WITNESS WHEREOF, the grantor above named, has hereunto set her hand and seal this 9th, day of May 1928.

FRANCES TOLMAN (SEAL)

FRANCES ANN TOLMAN (SEAL)

Executed in the Presence of

ASA H. LANE

BIRDIE L. LANE

STATE OF OREGON }
COUNTY OF CURRY } SS

BE IT REMEMBERED, That on this 9th day of May A. D. 1928, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Frances Tolman sometimes written Francis Ann Tolman, a widow, who is known to me to be the identical person 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 Notarial seal the day and year last above written.

(NOTARY SEAL)

O. W. MILLER
Notary Public for Oregon.
My commission expires July 11, 1928

Filed and recorded May 9, 1928
at 1:30 P.M.

FRED CAUGHELL, County Clerk

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

IN THE COUNTY COURT OF THE STATE OF OREGON IN AND FOR CURRY COUNTY

IN THE MATTER OF THE ESTATE

OF

HELEN W. RICHARDS, Deceased.

ORDER APPROVING FINAL
ACCOUNT AND REPORT

The final report and account of U. S. National Bank of Portland, Oregon, as administrator with the will annexed of the above entitled estate have been heretofore duly filed in the above entitled Court and cause and the Court having heretofore appointed the 15th day of March, 1948, at the hour of 10:00 in the forenoon of said day as the time and the office of the County Judge in the County Court House at Gold Beach, Curry County, Oregon, the place for the hearing of objections, if any, to the final report and account of the administrator with the will annexed and due notice by publication of the said hearing having been given as required by law and proof of publication of the said notice having been duly filed in the above entitled Court and cause, and the said administrator with the will annexed having appeared by George L. Belt, one of its attorneys, and it appearing to the court that the administrator with the will annexed should be paid an attorney's fee of \$315.00 and that Buffington and Belt, Attorneys at Law, should be paid an attorney's fee of \$315.00 and should be reimbursed for expenditures for filing the petition for the appointment of the administrator in the sum of \$20.00 thus expended, and that the administrator should be reimbursed for an additional sum of \$2.00 paid for publishing the notice of hearing upon final account, said sum of \$2.00 being that amount in excess of the estimated \$6.00 payment set forth in the final account heretofore filed by said administrator, and the Court being now fully advised in the premises,

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

IT IS THEREFORE HEREBY ORDERED, That said final report and account be and it hereby is in all respects duly approved and confirmed and that U. S. National Bank of Portland, Oregon be allowed the sum of \$315.00 as its administrator's fee and reimbursed in the additional sum of \$2.00, and that Buffington and Belt be allowed the sum of \$315.00 as their attorney's fees and that they be reimbursed for advances in the sum of \$20.00.

And it appearing and the Court finding that said estate has been fully and completely administered, and that all claims against the said estate and all expenses thereof have been heretofore duly paid, and it further appearing and the Court finding that Donald Richard Griffith, nephew of the said deceased of Berkeley, California, is the sole devisee under the will of the above named Helen W. Richards, deceased,

NOW, THEREFORE IT IS HEREBY ORDERED, That the Administration of the said estate be and it hereby is, terminated, and that the U. S. National Bank of Portland, Oregon, administrator with the will annexed of said estate, be and is hereby discharged, and that the estate located in Curry County, Oregon and known as the Chetco River Ranch located near Harbor, Oregon, both real property and personal property, be delivered and turned over unto the said Donald Richard Griffith, nephew of said deceased as the sole devisee of said property and become the sole property of the said Donald Richard Griffith.

Dated this 17th day of March, 1948.

A. H. BOICE
Judge of the Above Entitled Court

Filed: March 17, 1948.
Oleta A. Walker, Clerk
By: Laura Giebner, Deputy

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Charles R Gray

Homestead 1885-

PRE-EMPTION PROOF.—TESTIMONY OF CLAIMANT.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT
SALEM, OREGON

Charles R. Gray being called as a witness in his own behalf in support of his pre-emption claim to the W 1/4 of S 1/4 Sec 14 T 4 N 1/4 R 12 W testifies as follows:

QUESTION 1.—What is your name (be careful to give it in full, correctly spelled, in order that it may be here written exactly as you wish it written in the patent which you desire to obtain) and age?

ANSWER. Charles R. Gray I am 38 years of age

QUES. 2.—Are you the head of a family (if so, of whom does it consist) or a single person?

ANS. I am - my wife + 3 children

QUES. 3.—Are you a native-born citizen of the United States? If so, in what State or Territory were you born?*

ANS. I am native born, born in the state of Iowa

QUES. 4.—Is your pre-emption claim, above described, within the limits of an incorporated town or selected site of a city or town, or used in any way for trade and business? 2d. Did you leave other land of your own to reside on your present claim? 3d. Have you ever made a pre-emption filing for land other than you now seek to enter? If so describe the same. 4th. State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land. (Answer to the point and in detail.)

ANS. 1st, no; 2d, no;

3d, no;

4th, It is farming + grazing land

QUES. 5.—When did you first make settlement on the above-described land? 2d. What was your first act of settlement? 3d. Were there any improvements on the land when you settled? If so, state who then owned them, and whether you purchased the same. 4th. What improvements have you made on the land since settlement, and what is the value of same?

ANS. 1st, July 19, 1885 -; 2d, making fence

3d, There was no improvements on the place that belonged to the wife I married as my wife, when I married went and lived on the claim

4th, Swapping horses, trees, and other things, put out an orchard, some are fenced, + cleared land, made wagon road all valued at \$1000.

QUES. 6.—When did you first establish an actual residence on the land you now seek to enter? 2d. Has your residence thereon since been continuous? 3d. What use have you made of the land? 4th. How much of the land, if any, have you broken and cultivated since settlement, and what kind and quantity of crops have you raised? 5th. Have you any personal property of any kind elsewhere than on this claim? If so, describe the same, and state where the same is kept.

ANS. 1st, July 19, 1885 -; 2d, It has

3d, used it for farming + grazing

4th, About 10 acres in regular cultivation, have raised hay grain + general vegetables, cant give the exact quantity raised

5th, no

QUES. 7.—Are either of the parties who have testified as your witnesses in this case related to you by blood or marriage? If so, state how related.

ANS. no Charles R. Gray

I hereby certify that each question and answer in the foregoing testimony was read to claimant before being subscribed, and was sworn to before me this ninth day of

September 189 2

(See note on last page.)

W. C. Gammeter
County Clerk

* In case the party is of foreign birth a certified transcript from the court records of his declaration of intention to become a citizen, or of his naturalization, or a copy thereof, certified by the officer taking this proof, must be filed with the case.

RECEIVED

PRE-EMPTION PROOF.

DEC 23 1992

WATER RESOURCES DEPT. SALEM, OREGON

TESTIMONY OF WITNESS.

Frank H. Strain, being called as a witness in support of the pre-emption claim of Charles R. Gray to the W 1/2 of SE 1/4, A 1/2 of SW 1/4 Sec 8, Tp 39N, R 12 West, testifies as follows:

QUESTION 1.—What is your post-office address?

ANSWER. Chutes, Curry County, Oregon

QUES. 2.—How long have you known claimant; and what is his age?

ANS. About 8 years, he is about 38 years of age

QUES. 3.—Is claimant married or single? 2d. Of whom does his family (if any) consist? 3d. Is he a native or naturalized citizen?

ANS: 1st, Married; 2d, Wife and 3 Children; 3d, Native born

QUES. 4.—Are you familiar with the character of the land? (State specifically the character of this land—whether it is timber, prairie, grazing, or farming.) 2d. Are there any indications of coal, mineral, or salines thereon? (If so, state plainly the nature.) 3d. Is it more valuable for agricultural than mining purposes? 4th. Do you reside in its vicinity? 5th. Is it within the limits of an incorporated town or selected town site, or used, in any way, for purposes of trade or business? (Answer to the point and in detail.)

ANS. 1st, Yes - It is principally grazing some agricultural; 2d, not to my knowledge; 3d, Yes; 4th, Yes; 5th, No

QUES. 5.—Is claimant the owner of 320 acres in this or any other State or Territory? 2d. Did he leave or abandon a residence on his own land in this State to reside on the land herein described? 3d. Has he ever filed for other land under the pre-emption law? 4th. Has he mortgaged or agreed to sell the land herein described?

ANS. 1st, Not to my knowledge; 2d, Not to my knowledge; 3d, Not to my knowledge; 4th, Not to my knowledge

QUES. 6.—When did claimant first settle on his claim; 2d. What was his first act of settlement? 3d. What improvements has he on the land? 4th. What is the value of such improvements? 5th. When did he commence his residence thereon? 6th. Has his residence been continuous? 7th. What use has he made of the land? 8th. How much land has he broken and cultivated? (Answer to the point and in detail.)

ANS. 1st, July 1885; 2d, Moved on land that was improved; 3d, A dwelling house, barn, outhouses, fencing, or about 4 vineyard; 4th, \$1000; 5th, July 1885; 6th, It has; 7th, Farming & Grazing; 8th, About 15 or 20 acres

QUES. 7.—Are you in any way interested in this claim, or, by blood or marriage, related to claimant?

ANS: No

Frank H. Strain

I hereby certify that the foregoing testimony was read to the witness before being subscribed, and was sworn to before me this 9th day of September 1892

W. G. Gamble County Clerk

(See note on last page.)

RECEIVED

PRE-EMPTION PROOF.

DEC 23 1992

WATER RESOURCES DEPT. SALEM, OREGON

TESTIMONY OF WITNESS.

John Rexford, being called as a witness in support of the pre-emption claim of Charles R. Gray to the W 1/2 of Sec 14, S 1/2 of T 14 N, Sec 5, T 39 S, R 12 West, testifies as follows:

QUESTION 1.—What is your post-office address?

ANSWER. Clifton Curry Co. Oregon

QUES. 2.—How long have you known claimant, and what is his age?

ANS. About 7 years, he is about 38 years of age

QUES. 3.—Is claimant married or single? 2d. Of whom does his family (if any) consist? 3d. Is he a native or naturalized citizen?

ANS. 1st, married; 2d, wife and 3 children; 3d, native born

QUES. 4.—Are you familiar with the character of the land? (State specifically the character of this land—whether it is timber, prairie, grazing, or farming.) 2d. Are there any indications of coal, mineral, or salines thereon? (If so, state plainly the nature.) 3d. Is it more valuable for agricultural than mining purposes? 4th. Do you reside in its vicinity? 5th. Is it within the limits of an incorporated town or selected town site, or used, in any way, for purposes of trade or business? (Answer to the point and in detail.)

ANS. 1st, yes - It is farming & grazing; 2d, not that I know of; 3d, yes; 4th, yes; 5th, no

QUES. 5.—Is claimant the owner of 320 acres in this or any other State or Territory? 2d. Did he leave or abandon a residence on his own land in this State to reside on the land herein described? 3d. Has he ever filed for other land under the pre-emption law? 4th. Has he mortgaged or agreed to sell the land herein described?

ANS. 1st, not that I know of; 2d, not that I know of; 3d, not that I ever heard of; 4th, not that I know of

QUES. 6.—When did claimant first settle on his claim; 2d. What was his first act of settlement? 3d. What improvements has he on the land? 4th. What is the value of such improvements? 5th. When did he commence his residence thereon? 6th. Has his residence been continuous? 7th. What use has he made of the land? 8th. How much land has he broken and cultivated? (Answer to the point and in detail.)

ANS. 1st, July 1885; 2d, moved on to an improved place; 3d, a dwelling house, barn, outhouses, fencing or cleared & mowed meadows; 4th, \$1000; 5th, July 1885; 6th, yes; 7th, farming & grazing; 8th, about 20 acres.

QUES. 7.—Are you in any way interested in this claim, or, by blood or marriage, related to claimant?

ANS. no

Attest: W. J. Painter (Signature) John Rexford (Signature)

I hereby certify that the foregoing testimony was read to the witness before being subscribed, and was sworn to before me this 9th day of September 1892

(See note on last page.)

W. J. Painter County Clerk

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

(4-536.)

Land Office at Roseburg, Oregon.

\$

Sept 28, 1891.

Mr. Charles R. Gray has this day paid
Three dollars, the Register's and Receiver's fees,

to file a Declaratory Statement, the receipt whereof is hereby acknowledged.

M Crawford

Receiver.

N

Mr. Charles R. Gray having paid the fees,

has this day filed in this Office his Declaratory Statement, No. 7552
for N^W of SE⁴ and S^W of SW⁴

section 8

township 39 S, of range 12 West, containing
160 acres, settled upon July 19, 1885, being
un offered.

Under the provisions of the Pre-emption Laws, the time within which final proof is required to be made on unoffered lands expires in thirty-three months from date of settlement, or from date of filing of township plat in District Land Office in case of settlement on unsurveyed lands, and on offered lands in twelve months from date of settlement; and under act of March 3, 1879, notice of intention to prove up must be given by publication in a newspaper, to be designated by the Register, for a period of thirty days, or in six consecutive issues of said paper, which notice must also contain the names of the witnesses by whom the necessary facts will be established.

Notice is, therefore, hereby given that this pre-emption filing expires on June 23, 1894, after which date the tract will be subject to the claim of any other qualified party.

Very respectfully,

John H. Grube

Register.

See note in red ink, which Registers and Receivers will read and EXPLAIN THOROUGHLY to person making application for lands where the affidavit is made before either of them.

After clearing the land for cultivation, there remains here timber that is prohibited for sale, and the person who cut it will be liable to criminal prosecution under Section 2461 of the Revised Statutes.

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

PRE-EMPTION PROOF.

AFFIDAVIT REQUIRED OF PRE-EMPTION CLAIMANT.

Section 2262 of the Revised Statutes of the United States.

I, Charles R. Gray, claiming
~~the right of pre-emption, under section 2259 of the Revised Statutes of the United~~
~~States, to the~~ W 1/2 of SE 1/4 S 1/2 of SW 1/4
 of section number
8, of township number 39 South, of
 range number 12 west, subject to sale at Roseburg
Oregon, do solemnly swear that I have never had the benefit
 of any right of pre-emption under said section; that I am not the owner of three
 hundred and twenty acres of land in any State or Territory of the United States,
 nor have I settled upon and improved said land to sell the same on speculation,
 but in good faith to appropriate it to my own exclusive use or benefit; and that I
 have not, directly or indirectly, made any agreement or contract, in any way or
 manner, with any person or persons whomsoever, by which the title which I may
 acquire from the Government of the United States should inure, in whole or in part,
 to the benefit of any person except myself.

Charles R. Gray

I, W. Yamutha, County Clerk, of the
 land office at Curry Co. Oregon, do hereby certify that the
 above affidavit was subscribed and sworn to before me this 9th day of
September, A. D. 1892

W. Yamutha
Co. Clerk

88. Vol. 12 p 706.

Patent to contain recission according
to promise to the Act of Aug. 30, 1890.

No. 4648

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

CASH ENTRY.

LAND OFFICE AT

Roseburg, Oregon

Sec. 8, Town. 390, Range 122

Div. G, List No. 230

Approved April 28, 1893

by L. C. J. Exp., Clerk.

Division "G"

Patented May 20 1893

Recorded Vol. 151A, Page 180

6-390

17697 b-10 m

SW
23-231

he
rka



Land Office at Roseburg, Oregon.

Sept 19, 1897.

It is hereby certified that, in pursuance of law,

Charles R Gray.

, residing at

Whetca

, in

Linn

County, State of

Oregon

, on this day purchased of

the Register of this Office the

W of DE 4 and S of DE 4

of Section No. 8

in

Township No. 39 D

of Range No. 17 W

of the 111 Principal

Meridian, Oregon

containing 160

acres, at the rate of One

dollar and 75

cents per acre, amounting to One Hundred

dollars and

cents, for which the said Charles R Gray

has made payment in full as required by law.

Now, therefore, be it known that, on presentation of this certificate to the **COMMISSIONER OF THE**

GENERAL LAND OFFICE, the said Charles R Gray

shall be entitled to receive a Patent for the lot above described.

John H. Shupe, Register.

Patent to contain reservation according to proviso to the act of August 30, 1890.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

21-193

[4-131.]

~~No. 1648~~

Receiver's Office at Roseburg, Oregon.

Act Sept 4, 1841,

Sept 19, 1892

RECEIVED from

Charles R Gray

of

Curry

County,

Oregon,

the sum of

Two

hundred

dollars and

cents; being in full for the

W² of SE⁴ and S² of SW⁴

quarter of Section No.

8

, in Township

No.

39 S

, of Range No.

12 West

, containing

160

acres and

hundredths, at

\$

1.25

per acre.

~~\$200.00~~

A. M. Crawford, Receiver.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

CERTIFICATE AS TO POSTING OF NOTICE.

Land Office at Roseburg, Oregon

Sept 20 19, 1897

I, John G. Shupe, Register, do hereby
certify that a notice, a printed copy of which is hereto attached, was
by me posted in a conspicuous place in my office for a period of
thirty days, I having first posted said notice on the 23
day of July, 1897.

John G. Shupe
Register.

RECEIVED

DEC 23 1992

(4-102 b.)

WATER RESOURCES DEPT.
SALEM, OREGON

TO BE USED IN ALL ENTRIES SINCE AUGUST 30, 1890.

AFFIDAVIT.

Land Office at Roseburg Oregon

(Date) September 9th, 1892

I, Charles R. Gray, of Chutes Creek Co. OR

applying to enter (or file for) a Prescription do solemnly swear that since August 30, 1890, I have not entered under the land laws of the United States, or filed upon, a quantity of land which, with the tracts now applied for, would make more than 320 acres, except _____ for

~~settled upon by me prior to August 30, 1890.~~ Said settlement was commenced

July 19th 1885, and my improvements consisted of a dwelling house burned down &c Charles R. Gray

Sworn to and subscribed before me this 9th day of September, 1892

W. Gamble
County Clerk

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

UNITED STATES OF AMERICA

Certificate No. 7648.

To all whom these presents shall come greeting!

WHEREAS, Charles R. Gray, of Curry County Oregon, has deposited in the General Land Office of the United States, a Certificate of the Register of the Land Office at Roseburg, Oregon, whereby it appears that full payment has been made by the said Charles R. Gray, according to the provisions of the Acts of Congress, of the 24th of April, 1820, entitled "an act making further provision for the sale of Public Lands" and the acts supplemental thereto, for the West half of the South-East quarter and the South Half of the South-West quarter of section eight in Township Thirty-nine, South of Range - Twelve West of Willamette Meridian, in Oregon, containing One hundred and Sixty acres, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office, by the Surveyor General, which said Tract has been purchased by the said Charles R. Gray.

NOW KNOW ye, That the United States of America in consideration of the premises, and in conformity with the several acts of Congress, in such case made and provided, have given and granted, and by these presents do give and grant, unto the said Charles R. Gray, and to his heirs and assigns forever:- Subject to any vested or accrued Water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the Local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or Lode, to extract and remove his ore therefrom, should the same be found to intersect or penetrate the premises, hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Grover Cleveland, President of the United States of America, have caused the Letters to be made patent and the Seal of the General Land Office to be hereunto affixed.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Given under my hand at the City of Washington, the twentieth day of May,
in the year of our Lord, one thousand eight hundred and ninety-three, and of
the Independence of the United States, the one hundred and seventeenth.

By the President Grover Cleveland,

By, M. McKean Secretary

L. Q. C. Lamar,
Recorder of the General Land Office

SEAL

Recorded Vol. 15 A. Page 180

Recorded July 13, 1896
G. Peirce, Clerk and Recorder

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

QUIT-CLAIM DEED

THIS INDENTURE WITNESSETH, That CHARLES R. GRAY for the consideration of the sum of Eight hundred (800) Dollars to him paid, has bargained, sold and QUIT-CLAIMED, and by these presents does bargain, sell, and quit-claim unto Francis Ann Tolman the following described premises, to-wit:

The West half of the South East quarter, and the South half of the South West quarter of Section eight in Township thirty nine South of Range twelve West of Willamette Meridian in Oregon containing one hundred and sixty acres.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Francis Ann Tolman, her heirs and assigns forever.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 4 day of January A. D. 1894.

Witness my hand and seal
this 5th day of January A. D. CHARLES R. GRAY
1894.



JESSIE L. GRAY

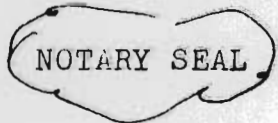
Done in presence of

F. H. Strain }
A. P. Tolman }

State of Oregon } ss. Acknowledgment
County of Curry }

On this the 5th day of January A. D. 1894 personally came before me a Notary Public in and for said County the within named Charles R. Gray and Jessie L. Gray, his wife to me personally known to be the identical persons described in, and who executed the within instrument, and acknowledged to me that they executed the same freely for the uses and purposes therein named. And the said Jessie L. Gray on examination separate and apart from her said husband acknowledged to me that she executed the same freely and without fear or compulsion from anyone.

THOS. VanPELT
Notary Public



Recorded January 10th, 1894 at 2 o'clock P.M.

W. Gauntlett-Clerk & Recorder

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Tolman

Letter from Berdie Tolman Lore
Show her Dad had a place before 1909
Question of Homestead Entry
Show Building & use of place
before filed.

101. 21N

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT
SALEM, OREGON

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Roseburg, Oregon,**

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,

"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of

George Tolman

has been established and duly consummated, in conformity to law, for the north half of the southwest quarter of Section eight and the northeast quarter of the southeast quarter of Section seven in Township thirty-nine south of Range twelve west of the Willamette Meridian, Oregon, containing one hundred twenty acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters 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, the **FOURTH**

(SEAL)

day of **JANUARY** in the year of our Lord one thousand

nine hundred and **EIGHTEEN** and of the Independence of the

United States the one hundred and **FORTY-SECOND.**

By the President:

By

Woodrow Wilson
M. O. DeRoy
A. J. ...

18708 Rocky Bay Pt.
Gig Harbor, Wa. 98329
February 6, 1992

Dear Loraine and Elmer;

I, Birdie Tolman Lane was born May 17, 1895 on the upper Chetco River on what is now known as the Tolman Estate owned by a Mr. Brim of Brookings, Oregon. We owned the property from about 1892 to 1928. My Mother Mrs. Frances Ann Prigmore Tolman sold the home where I, Cora, and Oliver were born to a Mrs. Helen Richardson. I understand she gave it to one of her Nephews who in turn sold to Mr. Brim. I got to thinking back about the property that you now own. Before I was born there was an old miner by the name of John Cashner who built a log cabin near some cottonwoods on the bottom land that was later planted to an orchard by Regan. By the time I was old enough to remember this cabin had rotted away, and all that was left was a few logs. It is possible that he used what is known as a Squatters Right. At this time in history many settlers used this right.

My father Ambrose Pendleton Tolman paid Jack McFerin \$500.00 who had a Squatters Right to the ranch my brother Will sold to Emery Wallace. He was drowned in the river just below the place, and his heirs Ralph and Harvey sold to Archie McVey. This ranch is the farthest up the Chetco River. At one time all the land around Harbor, and the Chetco River was an Indian allotment, and also Quale prairie.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Mrs. Green an Indian woman who was Mrs. Link Van Pelt, s
mother of Smith River owned Long Nook which the Forest
Service now uses. Your Dad, Fred told me that Link's
son Arthur Van Pelt came back to see if he could lay claim
to it. His brother was an attorney out of Portland, Oregon.
Arthur got up as far as the Heiney place had a heart attack,
and died there. I understand that if an Indian has a drop
of white blood that they can't claim an Indian Allotment.
The upper Chetco at one time was owned by Smith River, or
Harbor INdians. Johnny Lopas of Smith River had quite a
nice log cabin built ABOUT HALF WAY UP ON Longridge.
Charley Van Pelt, his daughter Alfa, and his sister Emma
all owned allotments there.

Mr. Wilson and son Sammy came to the place you now own
when I was about five years old. Our school records were
destroyed when the Court House in Gold Beach burned.

Mr. Wilson died and was buried in the Payne cemetery. MY
Father wasn't home at the time, and my brother Will built
his coffin. They lined it with some material that my Father
had bought for a dress for Mother. It was trimmed with a
black fring that was left from trimming my little brother
Johnny's casket. My brother Will read the twenty third Psalm,
and my Mother did the cooking for all who came. We all went
to his funeral as we all loved him. His son Sammy just up
and left, and we never heard of him again.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Joe Rignor was the next to live there. He sold to a Mr. Reed. He had a wife, and small Son. Neither of them could make a living on the place so in time Mr. Reed sold to Bill Lane my brother-in-law. He got a job with the Forest Service, and was lookout at snowcamp Station until they retired him. Bill had a house built on the bank of the creek that ran through the place. It was a good cold stream that ran all year round. This stream was the same one that the others who lived on the place used.

Biddie L. Lane

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Fees \$
Comm. \$
Pur. Mon. \$
Test. Fees \$ 3.65

4-369

proved by the Secretary of the Interior November 14, 1914.

UNITED STATES
LAND OFFICE
FILED
JUL 29 1916
A M P M
7 8 9 10 11 12 1 2 3 4 5 6

DEPARTMENT OF THE INTERIOR.

HOMESTEAD ENTRY.

Roseburg, Oregon

No. 08677
4.50
120
1492816

Receipt No.

FINAL PROOF.

TESTIMONY OF CLAIMANT.

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. George Tolman, age 28 years Harbor, Curry County, Oregon

QUESTION 2. Are you a native-born citizen of the United States, and if so, in what State or Territory were you born? (If foreign born, or if native born and later naturalized in a foreign country, see Note 1.)

ANSWER. yes, born in Oregon

QUESTION 3. Are you the same person who made Homestead Entry No. 08677 Additional Entry 06952 at the Roseburg, Oregon Land Office on the 2nd day of June, 1913 for NE 1/4 of Sec. 7 20th day of February, 1911, for the North half of the southwest quarter of

....., Section 8,
Township 39 S., Range 12 W., Willamette Meridian?
If not, give relationship to entryman.

ANSWER. I am the same person

QUESTION 4. Are you married or single? ANSWER. married

QUESTION 5. If married, of whom does your family consist?

ANSWER. wife and one child

QUESTION 6. If a married woman, state whether your husband now has an unperfected homestead entry, and during what time he has resided on this land with you. Also state his citizenship qualifications. (See Note 1 at bottom of third page.)

ANSWER.

QUESTION 7. When did you first establish actual residence upon this land?

ANSWER. About February 1st, 1911

QUESTION 8. When was your house built on this land?

ANSWER. My father built the house before that time, but I later rebuilt it and added to it.

QUESTION 9. Have either you or your family ever been absent from the homestead since establishing residence?

ANSWER. No, never for more than a month or so.

QUESTION 10. If there has been such absence, give the dates covered by each absence; and as to each absence state whether you, your family, or both, were thus absent and the reason for each such absence.

ANSWER. Cant give dates, but have been away now and then for a month or so working for money to live on and improve my place.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

QUESTION 11. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

1	2	3	Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
1-	Mostly open hill land,	rather rocky,	black soil.	10	none	
2-	Better land than 1.	some brush on it.		25 or 30		
3	-Best forty of all,	nearly all open land.		30		
Estimates timber on place at possibly				250,000 feet.		

QUESTION 12. State the number of acres cultivated, kind of crop planted, and amount harvested, each year.

ANSWER. 1911. $\frac{1}{2}$ acre potatoes, $\frac{1}{2}$ acre corn, 1 acre grain. Good crops
 1912. About same as 1911.
 1913. About twice as much land in cultivation as before same crops.
 1914. $\frac{1}{2}$ acre beans, 1 acre potatoes, $\frac{1}{2}$ acre corn, 2 acres grain. Garden.
 1915. 2 acres corn, 1 acre potatoes, 1 acre beans, 4 acres oats. Garden
 1916. 1 acre beans, 1 acre corn, 2 acres grain, 2 $\frac{1}{2}$ acres grass hay. Garden.
 Have raised very good crops each year, look fine this year.

QUESTION 13. Describe fully and in detail the amount and kind of improvements and number of acres under cultivation on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of improvements.
1-	$\frac{1}{2}$ mile woven wire fencing, 2 acres brush cut and burned, and seeded
2-	Cleared, burned and seeded, and have in garden, etc 3 acres of land. $\frac{1}{4}$ mile of rail fence 5 or 6 acres in tame grass.
3.	House of lumber, 4 rooms, 24 by 24 feet. woodshed 12 by 16 feet, barn 20 by 24 feet. $\frac{1}{4}$ acre enclosed with paling fence at house. 12 acres cleared and fenced and under cultivation. Telephone, on neighborhood line, strawberries, logan berries and blackberries, 1 doz fruit trees peaches and apples. Have 25 goats, 1 horse and some chickens on place. Estimates total improvements to be worth \$1000.00

QUESTION 14. Is your present claim within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

ANSWER. no

QUESTION 15. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. no

QUESTION 16. Have you sold, conveyed, or agreed to sell or convey any portion of the land? If so, to whom and for what purpose?

ANSWER. no

QUESTION 17. Have you optioned, mortgaged, or agreed to option or mortgage, or convey this land, or any part thereof? If so, when, to whom, and for what purpose and in what amount?

ANSWER. no

RECEIVED

DEC. 23 1992

QUESTION 18. Have you any personal property of any kind elsewhere than on this claim? If so, describe the same, and state where the same is kept.

ANSWER. no

QUESTION 19. Have you ever made any other homestead entry? If so, describe the same.

ANSWER. no

QUESTION 20. Describe by legal subdivisions, or by number, kind of entry, and office where made, any entry or filing (not mineral) other than homestead made by you since August 30, 1890.

ANSWER. none. And I aver that I have given all of the foregoing testimony without any actual knowledge of the testimony given by either of the other persons testifying in this proof.

George Tolman

(Sign plainly, with full Christian name.)

NOTE 1.—If applicant is alien born, he should state the fact and file evidence of citizenship in due form, either a certificate of his own naturalization in a court of competent jurisdiction, or, if claiming to be a citizen by virtue of his father's naturalization and his own minority and residence in the United States at the date thereof, or, if a married woman claiming citizenship by virtue of her husband's nativity or naturalization, then record evidence of the naturalization of the father, or husband, or an affidavit as to the nativity of the latter. Applicants who were at one time citizens of the United States, but who later became citizens of a foreign country, must file record evidence of their naturalization. Any female citizen of the United States invoking the benefits of the act of October 17, 1914 (38 Stat., 740), shall make oath showing the nationality of her husband, and that he is entitled to become a citizen of the United States.

NOTE 2.—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

NOTE 3.—The officer before whom the deposition is taken should call the attention of the witness to section 125 of the U. S. Criminal Code (over), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and sworn to before me at my office, in Gold Beach, Curry County, Oregon (Town, county, and State.) within the Roseburg, Oregon land district, this 22nd day of July, 1916.

J. R. Starnard
Clerk of County Court of Curry County, Oregon.

(Official designation of officer.)

RECEIVED

DEC 23 1992

DEPARTMENT OF THE INTERIOR.
HOMESTEAD ENTRY.

06952
08677

U. S. LAND OFFICE Roseburg, Oregon , No. 08677

FINAL PROOF.

TESTIMONY OF WITNESS.

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. Harold R. Hartley, age 31, Harbor, Curry County, Oregon

QUESTION 2. Was your name correctly given in the published notice?

ANSWER. yes

QUESTION 3. How long have you known the claimant in this case and the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 8 and Northeast quarter of Southeast quarter of

Section 7

Township 39 S. , Range 12 W. , Willamette Meridian,

the land embraced in Homestead Entry ies #, Nos. 06952 & 08677 , made at the Roseburg, Oregon Land Office?

ANSWER. Both for about ten years

QUESTION 4. Is entryman married? ANSWER yes

QUESTION 5. Is said tract within the limits of an incorporated town, or used in any way for trade or business?

ANSWER. no

QUESTION 6. When did entryman settle upon the homestead?

ANSWER. Cant give date, but think in the Spring of 1911

QUESTION 7. At what date did entryman establish actual residence thereon?

ANSWER. Cant give date, but shortly after filing

QUESTION 8. Have entryman and family resided continuously on the homestead since thus establishing residence thereon?

ANSWER. Yes, except to be away working now and then for a month or so.

QUESTION 9. Have entryman and family ever been absent from the homestead since thus establishing residence thereon?

ANSWER. Never for more than a month or two at a time

QUESTION 10. If there have been any such absences, give the dates covered by such absences, stating who was absent and for what reason.

ANSWER. Cant give dates, but when they have been away, it has been to earn money to live on and improve their place.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

QUESTION 11. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

1	2	3	Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
1			Mostly open, hill land some benches, good red soil	10 acres	no merchantable	timber
2			Same as 1. better soil than 1.	25 or 30		
3			About same as 2. Has no more timber on place than needed for fencing and building.	30 or 35		

QUESTION 12. State the number of acres cultivated and kind of crop planted, each year.

ANSWER. 19 Cant say just what crops he has raised each year, but know that he has raised ample crops of potatoes, beans, hay and garden truck each year, more than sufficient for himself and family.

19 This year he has 3 acres of oats, an acre of potatoes, 2 acres of corn, an acre of beans, very fine. Perhaps a quarter of an acre in general garden, all of his crops look fine.

19

19

19

QUESTION 13. Describe fully and in detail the amount and kind of improvements and number of acres under cultivation on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of Improvements.
1- $\frac{1}{4}$ mile of woven wire fencing, 3 or 4	acres of grass.
2- $\frac{1}{4}$ mile of rail fence, 5 acres under	fence and cultivation, and ten acres in
grass. 3 - Four room house, main building 16 by 20 feet, with lean-to ten by	twenty feet, sawed and split material combined. woodshed of split material
16 by 20 feet, barn 16 by 24, shed 10 by 24 on side of barn, split material.	
$\frac{1}{4}$ mile rail fence, 5 acres or more under plow, probably two dozen young	trees of assorted varieties of fruit, berries of all kinds, telephone line
in conjunction with other neighbors cleared at least 5 acres of brush.	
Estimates his improvements to be worth about \$1000.00	

QUESTION 14. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. not to my knowledge

QUESTION 15. Have you any knowledge or information that claimant has sold or contracted to sell, optioned, mortgaged, or agreed to option or mortgage this land? If so, give full details as to whom, for what purpose and in what amount.

ANSWER. no

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

QUESTION 16. Have you personal knowledge, from your own observation, that claimant and his family (if any) actually resided upon and cultivated this land each year in accordance with your above testimony?

ANSWER. yes

QUESTION 17. How many times each year have you seen this land, and the claimant and his family residing thereon; and what other personal knowledge have you upon which your answers are based?

ANSWER. At least 2 or 3 times, yearly, have lived in the same neighborhood for the last 5 or 6 years and knew where he was all of the time. Would talk with him over the phone nearly every day.

QUESTION 18. Are you interested in this claim, or related to the claimant? If so, how?

ANSWER. No sir, And I aver that I have given all of the foregoing testimony without any actual knowledge of the testimony given by either of the other persons testifying in this proof.

Harold R. Hartley
(Sign plainly, with full Christian name.)

NOTE 1.—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

NOTE 2.—The officer before whom the deposition is taken should call the attention of the witness to section 125 of the U. S. Criminal Code (below), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and sworn to before me at my office, in Gold Beach, Curry County, Oregon (Town, county, and State.) within the Roseburg, Oregon land district, this 22nd day of July, 19 16.

J. R. Starnard
Clerk of County Court of Curry County, Oregon.

(Official designation of officer)

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

UNITED STATES CRIMINAL CODE.

Sec. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years.

DEPARTMENT OF THE INTERIOR.
HOMESTEAD ENTRY.

U. S. LAND OFFICE Roseburg, Oregon. , No. 06952
08677

FINAL PROOF.

TESTIMONY OF WITNESS.

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. William Tolman, age 39 Gold Beach, Curry County, Oregon

QUESTION 2. Was your name correctly given in the published notice?

ANSWER. yes

QUESTION 3. How long have you known the claimant in this case and the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 8 Tp. 39 S. of R. 12 W. W. M. Serial No. 06952 and also

Northeast quarter of southeast quarter of Section 7,
 Township 39 S, Range 12 W., Willamette Meridian,

the land embraced in Additional Homestead Entry, No. 08677, made at the
Roseburg, Oregon. Land Office?

ANSWER. Have known claimant all his life, land for fifteen years

QUESTION 4. Is entryman married? ANSWER. yes

QUESTION 5. Is said tract within the limits of an incorporated town, or used in any way for trade or business?

ANSWER. no

QUESTION 6. When did entryman settle upon the homestead?

ANSWER. Shortly before he filed upon said land

QUESTION 7. At what date did entryman establish actual residence thereon?

ANSWER. At the time above mentioned

QUESTION 8. Have entryman and family resided continuously on the homestead since thus establishing residence thereon?

ANSWER. Yes

QUESTION 9. Have entryman and family ever been absent from the homestead since thus establishing residence thereon?

ANSWER. yes

QUESTION 10. If there have been any such absences, give the dates covered by such absences, stating who was absent and for what reason.

ANSWER. Cant give dates, but has been away for a month or two at a time now and then working, or else on account of sickness of his wife.

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
 SALEM, OREGON

QUESTION 11. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

1	2	3	Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
				20		
			1-Hill land, black soil, about half prairie, and half covered with brush.			
			2- Better than 1. Good orchard and grazing land.	35		
			3. About same as 2. Half or more prairie	40	Few trees	on place.

QUESTION 12. State the number of acres cultivated and kind of crop planted, each year.

ANSWER. 19 Cant say just what crops he raised each year, but know that he started in with about what garden he needed and gradually increased his crops and acreage each year, now having about 6 acres in crops 3 1/2 acres in oat hay, and the balance in corn, beans, potatoes, garden stuff, etc. Place is good land and crops look well.

19 Also runs about 60 head of goats, and team of workhorses.

19

19

19

QUESTION 13. Describe fully and in detail the amount and kind of improvements and number of acres under cultivation on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of improvements.
1. 1/4 mile of waven wire fencing, 20	acres of open land growing grass.
2. 3 acres or more fenced with split rail fence and under cultivation. besides 5 acres more land cleared, burned and seeded.	
3. About same fencing and clearings, etc as 2 and also dwelling house of sawed lumber, 4 rooms, 28 by 16 feet with leanto kitchen, 12 by 28 feet. Woodshed 12 by 16 feet, barn 20 by 30 feet.	
Estimates improvements to worth \$ 600.00	

QUESTION 14. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. not to my knowledge

.

QUESTION 15. Have you any knowledge or information that claimant has sold or contracted to sell, optioned, mortgaged, or agreed to option or mortgage this land? If so, give full details as to whom, for what purpose and in what amount.

ANSWER. no

RECEIVED

DEC-23-1992

WATER RESOURCES DEPT.
 SALEM, OREGON

QUESTION 16. Have you personal knowledge, from your own observation, that claimant and his family (if any) actually resided upon and cultivated this land each year in accordance with your above testimony?

ANSWER. yes

RECEIVED

BEG 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

QUESTION 17. How many times each year have you seen this land and the claimant and his family residing thereon; and what other personal knowledge have you upon which your answers are based?

ANSWER. Have been there myself perhaps 3 times per year, and as he is my brother I knew where he was most of the time.

QUESTION 18. Are you interested in this claim, or related to the claimant? If so, how?

ANSWER. no, I am a brother of the claimant. And I aver that I have given all of the foregoing testimony without any actual knowledge of the testimony given by either of the other persons testifying in this proof.

William Tolman

(Sign plainly, with full Christian name.)

NOTE 1.—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

NOTE 2.—The officer before whom the deposition is taken should call the attention of the witness to section 125 of the U. S. Criminal Code (below), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and sworn to before me at my office, in Gold Beach, Curry County, Oregon.
(Town, county, and State.)
within the Roseburg, Oregon land district,
this 22nd day of July, 1916

J. R. Stannard
Clerk of County Court of Curry County, Oregon.
(Official designation of officer.)

UNITED STATES CRIMINAL CODE.

SEC. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years.

June 6. 1902
act of June 11, 1906
act of April 28, 1904, sec. 2
40

rights and reDEPARTMENT OF THE INTERIOR.
acknowled the rig should provide thereon
TIONAL HOMESTEAD.
(Act of April 28, 1904.)

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

ROSEBURG OREGON

No. 08677

APPLICATION AND AFFIDAVIT.

Act of June 11

6-662

Receipt No.

1212164

I, GEORGE TOLMAN, of Gold Beach, Curry Co. Oregon,

do hereby apply to enter under section 2 of the act of April 28, 1904
(33 Stat., 527), the NE 1/4 of SE 1/4 of

Section 7,

Township 39S, Range 12 W., Willamette Meridian,

containing 40 acres, as additional to my Homestead Entry,

No. 06952, made Feb. 6 1911 at

Roseburg, Oregon

Land Office for the SE 1/4

of Sec 7 and N 1/2 of SE 1/4 of

Section 8,

Township 39 S, Range 12W., Willamette Meridian.

I do solemnly swear that I am the owner of and am residing upon the land included in my original entry above described, and that this application is made for my exclusive benefit as an addition to my original homestead entry, and not directly or indirectly for the use or benefit of any other person or persons whomsoever, and that I have not heretofore made an entry under the homestead laws other than that above described, except H.E.No.06952, made Feb. 6, 1911.

that since August 30, 1890, I have not entered and acquired title to, nor am I now claiming, under an entry made under any of the nonmineral public-land laws, an amount of land which, together with the land now applied for, will exceed in the aggregate 320 acres; that I am well acquainted with the character of the land herein applied for and with each and every legal subdivision thereof, having personally examined same; that there is not to my knowledge within the limits thereof any vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, or copper, nor any deposit of coal, placer, cement, gravel, salt spring, or deposit of salt, nor other valuable mineral deposit; that no portion of said land is claimed for mining purposes under the local customs or rules of miners, or otherwise; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially nonmineral land, and that my application therefor is not made for the purpose of fraudulently obtaining title to mineral land; that the land is not occupied and improved by any Indian.

George Tolman
(Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See sec. 5392, R. S., over.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant is to me personally known (~~OK This has been examined and is correct~~)

XXXXXXXXXXXX

Record at Hil. 06952 - Roseburg, O. 23d 24 p. 231 - CR P/O
23-231

RECEIVED

DEC 23 1992

4-062

WATER RESOURCES DEPT. DEPARTMENT OF THE INTERIOR. SALEM, OREGON

NONMINERAL AFFIDAVIT.

06952
08677

U. S. LAND OFFICE Roseburg, Oregon, No.

This affidavit can be sworn to only on personal knowledge, and can not be made on information and belief.

I, George Tolman, being duly sworn according to law, deposes and says that I am the identical person or agent for George Tolman, who is an applicant for Government title to the NE 1/4 SW 1/4 of Sec. 8 and NE 1/4 of SE 1/4 of

Section 7, Township 39 S., Range 13 W., Willamette Meridian;

that I am well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that my personal knowledge of said land is such as to enable me to testify understandingly with regard thereto; that there is not, to my knowledge, within the limits thereof, any vein or lode of quartz or other rock in place, bearing gold, silver, cinnabar, lead, tin, or copper, or any deposit of coal; that there is not within the limits of said land, to my knowledge, any placer, cement, gravel, or other valuable mineral deposit; that the land contains no salt spring, or deposits of salt in any form sufficient to render it chiefly valuable therefor; that no portion of said land is claimed for mining purposes under the local customs or rules of miners or otherwise; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially nonmineral land, and that the application therefor is not made for the purpose of fraudulently obtaining title to mineral land, but with the object of securing said land for agricultural purposes; that the said land is not occupied and improved by any Indian, and that my post-office address is Harbor, Curry County, Oregon

George Tolman (Sign here, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 125, U. S. Criminal Code, below.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant is to me personally known (Give full name and post-office address.)

that I verily believe affiant to be a credible witness and the identical person hereinbefore described, and that said affidavit was duly subscribed and sworn to before me, at my office, in Gold Beach, Curry County, Oregon within the Roseburg, Oregon

land district, this 22nd day of July, 1916.

J. R. Starnard, Clerk of County Court of Curry County, Oregon. (Official designation of officer.)

UNITED STATES CRIMINAL CODE.—CHAP. 6.

Sec. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years. (Act, March 4, 1909. 35 Stat., 1111.)

RECEIVED

NOTICE FOR PUBLICATION DEC 23 1992

(REGISTER.)

WATER RESOURCES DEPT
SALEM, OREGON
06952
08677

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Roseburg, Oregon,

June 9, 1916.

NOTICE is hereby given that George Tolman, of
Harbor, Oregon, who, on February 20, 1911, made
Homestead Entry, Serial No. 06952 for the NE 1/4 of SW 1/4, S. Sec 8, T. 39 N. R. 12 W. and on June 7, 1916, made Additional Homestead Entry, Serial No. 08677 for the NE 1/4 of SW 1/4 of Section 7,

Township 39 N, Range 12 W., Willamette Meridian,
has filed notice of intention to make Final Proof

(If homestead entry, "Final Proof" or "commutation," as case may be.)

Proof, to establish claim to the land above described, before

J. R. Stannard, Clerk of County Court of Curry County, at
Gold Beach, Oregon, on the 22nd day of
July, 1916.

Claimant names as witnesses:

William Lake, of Harbor, Oregon.
Harold R. Martley, of " "
Fred Gruver, of " "
William Tolman, of " "

W.H. Cannon

Register.

CERTIFICATE AS TO POSTING OF NOTICE.

July 31, 1916

I HEREBY CERTIFY that the above notice, or copy thereof, was by me
posted in a conspicuous place in my office for a period of more than 30
days, I having first posted said notice on the 9th day of

June 1916 which remained posted
till July 31/16.

W.H. Cannon

Register.

RECEIVED

DEC 23 1992

06952

WATER RESOURCES DEPT 08677
SALEM, OREGON

NOTICE FOR PUBLICATION

(PUBLISHER.)

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Roseburg, Oregon,

June 9, 1916.

For use in
HOMESTEAD,
DESERT LAND, and
TIMBERLAND STATES
Entries. LAND OFFICE
FILED
JUL 6 1916
A M P M
7 8 9 10 11 12 1 2 3 4 5 6

NOTICE is hereby given that George Tolman, of
Harbor, Oregon, who, on February 20, 1911, made
Homestead Entry, Serial No. 06952 for the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec 8, Tp 39 S,
R 12 W, and on June 2, 1913, made Additional Homestead Entry, Serial No.
No. 08677 for the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec 7,
Section 7,
Township 39 S, Range 12 W, Willamette Meridian,

has filed notice of intention to make Final Five-year
(If Homestead, insert "five year," "three year," or "commutation," as case may be.)
Proof, to establish claim to the land above described, before
J. R. Stannard, Clerk of County Court of Curry County, at
(Name of Officer.)
Gold Beach, Oregon, on the 22nd day of
July, 1916.

Claimant names as witnesses:

William Lake, of Harbor, Oregon.
Harold R. Hartley, of " "
Fred Gruver, of " "
William Tolman, of " "

Not coal land.

Proof to be made under law under which entry was made. Register.

W. H. Morrow

AFFIDAVIT OF PUBLICATION.

Publisher: Return this form to the Register at the end of the period of publication, with the "Affidavit of Publication" properly executed.

I, _____, of the _____
(Publisher or foreman.)

(Name of newspaper.)

published _____ at _____
(Daily or weekly.) (Place.)

do solemnly swear that a copy of the above notice, as per clipping
attached, was published _____ in the regular and
(Daily or weekly.)
entire issue of said newspaper, and not in any supplement thereof,
for _____ consecutive _____, commencing with the
issue dated _____, 191 _____, and ending with the
issue dated _____, 191 _____

(Signature.)

Subscribed and sworn to before me this _____ day of _____, 191 _____

Boyd

(Official designation.)

(Attach clipping here.)

RECEIVED

FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

I, George Tolman, having made a Homestead Entry of
the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 8, and the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of
....., Section 7,
Township 39 S., Range 12 W., Willamette Meridian,
subject to entry at Roseburg, Oregon, under
section No. 2289 of the Revised Statutes of the United States, do now
apply to perfect my claim thereto by virtue of section No.
of the Revised Statutes of the United States; and for that purpose do
solemnly **swear** that I am a **native born**
(Native-born or naturalized.)
..... citizen of the United States;
that I have made actual settlement upon and have cultivated and resided
upon said land since the 1st day of,
19...., to the present time; that no part of said land has been alien-
ated, except as provided in section 2288 of the Revised Statutes, but
that I am the sole bona fide owner as an actual settler; that I will
bear true allegiance to the Government of the United States; and, fur-
ther, that I have not heretofore perfected or abandoned an entry made
under the homestead laws of the United States, ~~#####~~

George Tolman
.....
(Sign plainly, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 125; U. S. Criminal Code, below.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by
affiant in my presence before affiant affixed signature thereto; that
I verily believe affiant to be a credible person and the identical
person hereinbefore described, and that said affidavit was duly sub-
scribed and sworn to before me, at my office, in Gold Beach,
(Town.)
Curry County, Oregon this 22nd day
(County and State.)
of July, 19 16.

J. R. Starnard
Clerk of County Court of Curry County, Oregon.

.....
(Official designation of officer.)

UNITED STATES CRIMINAL CODE.

Sec. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years.

Act of Mar. 3, 1891,
Act of June 11, 1906. (Part)
Act of Apr. 28, 1904.

area 120.00 acres

Department of the Interior

United States Land Office, Roseburg, Oregon.

Serial No. 06952
08677
350495
Receipt No. 1212164
1492816

Certificate.

Fees \$ 10.00
Comm. \$ 4.50; 4.50 Homestead.
Fur. Mon. \$
Test. Fees \$ 3.65

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

December 28, 1916.
(Date.)

It is hereby certified that, pursuant to the provisions of Section 2291, Revised Statutes of the United States, George Tolman

has made payment in full for the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec 8, and the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of

Section 7
Township 39 S, Range 12 W., Willamette Meridian, Oregon, containing 120 acres.

Now, therefore, be it known that, on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said George Tolman

shall be entitled to receive a Patent for the land above described if all then be found regular.

W. H. Snow, Register.

NOTE.—A duplicate of this Certificate is issued to the claimant as notice of the acceptance of the proof and payment, and of the allowance of the entry by the Register and Receiver.

The original is forwarded to the General Land Office, with the entry papers, for approval by the Commissioner of the General Land Office and issuance of patent. The duplicate copy forwarded to the claimant should be held until notice of issuance of patent is received.

In all correspondence concerning the entry in connection with which this Certificate issued, refer to the NAME OF THE LAND OFFICE and the SERIAL NUMBER noted hereon.

APPROVED

By

Division

PAT NO 613061
JAN 4 1918

November 19, 1917
S. H. ...
Pat. 12/23/1921 Nov. 31 1917

06962
08677

RECEIVED

DEC 23 1992

WATER RESOURCES DEPT.
SALEM, OREGON

DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE

At Roseburg, Ore.

The annexed papers were filed the
day and hour noted thereon.

~~Rejected~~ Suspended Aug. 28, 1916.
because and held until
Jan. 22, 1917 for report
of Forest Service.

W. R. Mord, Register.

Receiver.

NOTICE.

I hereby acknowledge due service of notice of
the action in this case and of my right of appeal
within 30 days.

By registered letter Aug. 28, 1916.

appeal filed.

RECEIVED

DEC 23 1916

WATER RESOURCES DEPT.
SALEM, OREGON

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DISTRICT 6

DEC 4. 1916
G. A. W.

ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO :

BECK BUILDING
PORTLAND, OREGON

December 1, 1916

L
Claims, Siskiyou
Tolman, George
H.E. 06952-08677
Roseburg

06952
08677

Register and Receiver,
U. S. Land Office,
Roseburg, Oregon

Gentlemen:

The Forest Service will enter no protest against the issuance of patent for H. E. 06952 and A. H. E. 08677, George Tolman claimant for NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7 and N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 8, T. 39 S., R. 12 W., W.M., within the Siskiyou National Forest.

Reference is made to the notice of intention to submit final five year proof on July 22, 1916.

Very truly yours,

G. A. W.
District Forester.

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME South Coast # 17 UNADJUDICATED AREA ? OK DWF
RECEIPT # 95446 S W R NUMBER 192
CHECK ENCLOSURES DWF PRELIMINARY DATA BASE ENTRY _____
ACKNOWLEDGEMENT LETTER DWF ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION SCSP

FORM REVIEW

_____ blanks filled in
_____ signed
_____ date received stamped

MAP REVIEW

#1 _____ source and trib _____ ARE THERE TWO? YES
#2 ✓ diversion point location
#3 ✓ conveyances (pipes, ditch, etc.)
#4 ✓ place of use _____ STOCKWATER & DOMESTIC
#5 ✓ scale
#6 ✓ township, range, section
#7 ✓ north arrow
#8 ✓ CWRE stamp
#9 ✓ disclaimer
#10 _____ date survey was performed
#11 ✓ P.O.B. of survey
#12 _____ dimensions and capacity of diversion system
#13 _____ "beneficial use" type title
#14 ✓ "permanent-quality" paper

WATER RIGHT RECORD CHECK _____ FIELD INSPECTION _____

FINAL FILE REVIEW _____ FINAL DATA BASE ENTRY _____

ENTER ON PLAT CARDS _____

May 27, 1994

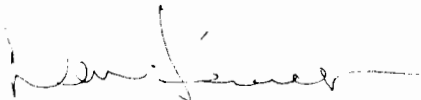
DONALD F CORMACK
PO BOX 1280
BROOKINGS OR 97415

RE: SWR-192

Dear Mr Cormack,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of BRYON BRIMM you returned with corrections and completions. I have added the map to the file. Thank you for your attention to this matter. If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\WIS\C\1\SWR-0192.004



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

COMMOCK - 29

STATE OF OREGON
WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO

May 11, 1994

TO: WATER RIGHT EXAMINERS

FROM: DON KNAUER

SUBJECT: PRE-1909 VESTED WATER RIGHT CLAIM MAPS

Alright you guys, this is a test, DO YOU KNOW WHAT TIME IT IS? The answer is, it's time to get the maps, reports, answers, mylars and all that kind of stuff back to the Water Resources Department. There's talk around the office of putting together a "map-patrol" with a tough leader to travel around and retrieve the required documents.

You may remember, I reviewed maps for compliance with Oregon Revised Statutes and Oregon Administrative Rules submitted to support pre-1909 vested water right claims. For the past few months and up to a year ago I have returned maps, requested mylars, asked for clarification, and asked for reports. Some of these files are getting stale.

It is very important that you give me something, preferably the map, mylar, report, etc. but at minimum you must give me a submittal date. The review of the files cannot be completed without the map, report, etc. It is a deterrent to the claimant, your client, for this issue to go unresolved.

If you need copies of anything in the files, just let me know. I have hand written below the file numbers of those I returned to you. The toll free number is 1-800-624-3199.

SWE - 192 Bzimm

September 14, 1993

WATER
RESOURCES
DEPARTMENT

DONALD F CORMACK
PO BOX 1280
BROOKINGS OR 97415

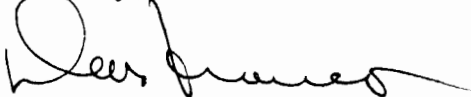
RE: SWR-192

Dear Mr Cormack,

This will acknowledge the receipt of the map and letter from Byron Brimm. I will add the map to the file. I am returning the letter from Mr Brimm. The information contained in the letter in regards to the diversion points is necessary to complete his claim. However, the statutes require you as the Water Right Examiner to certify to the accuracy of this information.

If you have any questions, please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

J:\W\SI\C\1\SWR-0192.003



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

August 25, 1993

DONALD F. CORMACK
PO BOX 1280
BROOKINGS OR 97415

RE: File# SWR-192

DEAR DONALD F. CORMACK,

I am returning the map you prepared for Byron E. Brimm (Chetco River Ranch). You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

conveyance

ORS 539.120 "...the location of and each ditch, canal, pipeline or other means of conveying the water..." Since the claim is for stockwater and domestic, in addition to irrigation, you must show the ditches or pipelines for stockwater and domestic. I need this from the source through to the place of use. You must include the size and other information needed to calculate a flow of water through the conveyance.

place of use (1/4 1/4)

ORS 539.240 (2) (d) (B) "The location of place of use by quarter-quarter section..." You must show the place of use for stockwater.

diversion point size

OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." Since the claim is for stockwater and domestic, in addition to irrigation, you must show this information for stockwater and domestic uses.



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". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Don Knauer
Adjudication Specialist

Enclosures

SUNE-192

~~100~~
~~100~~

STOCKWATER

✓ SOURCE

DIVERSIONS LOCATIONS

✓ CONVEYANCE: DITCH ? SIZE - HEAD
PIPE ? SIZE - HEAD

✓ PLACE OF USE By 1/4 1/4

✓ DIVERSION POINT SIZE

DOMESTIC

✓ SOURCE

DIV LOCATIONS

✓ CONVEYANCE

✓ DIV PT SIZE

August 5, 1993

DONALD F. CORMACK
PO BOX 1280
BROOKINGS OR 97415

RE: File# SWR-192

DEAR DONALD F. CORMACK,

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 Byron E. Brimm (Chetco River Ranch). You will find the item which requires completion or correction shown below. I have the description followed by the ORS or OAR site and paraphrased statute or rule.

conveyance	ORS 539.120 "...the location of and each ditch, canal, pipeline or other means of conveying the water..." You must show these for both stockwater and domestic.
place of use (¼ ¼)	ORS 539.240 (2) (d) (B) "The location of place of use by quarter-quarter section..." You must show these for both stockwater and domestic.
scale	OAR 690-14-170-1 "The map scale shall be 1" = 1320', 1" = 400', or the scale of the county assessor map..."



diversion point size	OAR 690-28-025-(4)-(c) "The dimensions and capacity of any existing diversion systems." You must show this information for all uses; irrigation, stockwater and irrigation.
paper	OAR 690-14-170-1 "...in ink on permanent-quality linen or 0.003-inch mylar..."
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."

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,



Don Knauer
Adjudication Specialist

Enclosures

January 26, 1993

BYRON E BRIMM (CHETCO RIVER RANCH)
PO BOX 41
BROOKINGS OR 97415

Dear MR BRIMM,

This will acknowledge that your Surface Water Registration Statement in the name of BYRON E BRIMM (CHETCO RIVER RANCH) has been received by our office. The fees in the amount of \$436.00 have been received and our receipt #95446 is enclosed. Your registration statement has been numbered SWR-192.

Our office will review your form and map in the near future. 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.

Sincerely,



Dwight French
Adjudication Section

Enclosure

C:\WP51\SWR\CLAIMANT\SWR-0192.001



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **95446**

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

RECEIVED FROM: Chico River Ranch
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 96-292 OTHER: (IDENTIFY)

TOTAL REC'D \$ 436.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$	<u>436.00</u>
831.087	PUBLICATIONS/MAPS	\$	
830.650	PARKING FEES Name/month	\$	
_____	OTHER: (IDENTIFY)	\$	

REDUCTION OF EXPENSE

CASH ACCT. _____ \$ _____
 COST CENTER AND OBJECT CLASS _____ VOUCHER # _____

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:			
840.001	COPY FEES	\$	
850.200	RESEARCH FEES	\$	
880.109	MISC REVENUE: (IDENTIFY)	\$	
520.000	OTHER (P-6): (IDENTIFY)	\$	
WATER RIGHTS:			
842.001	SURFACE WATER	EXAM FEE	RECORD FEE
842.003	GROUND WATER	\$	842.002 \$
842.005	TRANSFER	\$	842.004 \$
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	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	\$	
---------	------------------	----	--

07-00-0 HYDRO ACTIVITY

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

RECEIPT # **95446**

DATED: 12/24/02 BY: P. Engel