STEPHEN H. FORD, INC.

Land Surveying • Construction Supervision • Water Rights Examinations

Refer to Job No. 2839

December 13, 1993

DON KNAUER, ADJUDICATION SPECIALIST WATER RESOURCES DEPARTMENT 3850 PORTLAND RD. N.E. SALEM, OREGON 97310 RECEIVED

DEC 1 5 1993

WATER RESOURCES DEPT. SALEM, OREGON

RE: File No. SWR-450

Mr. Knauer:

In response to your letter dated November 24, 1993 regarding the subject application, the diversion point consists of a three (3) inch PVC laying in the Creek channel. The pipe is buried about 100 feet southerly of the diversions and follows southerly along the stream course until it reached the culvert under Highway 36 where it re-enters the stream bed. At this point the pipe is reduced from a three (3) inch PVC to a two (2) inch PVC and passes through the culvert. At the southerly end of the culvert, the two inch PVC is again buried and traverses a southeasterly route away from the stream to the house.

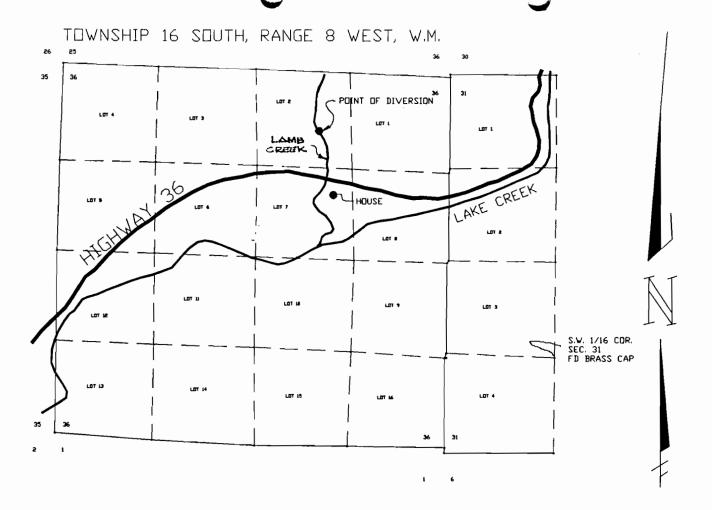
Thank you for calling these omissions to my attention.

Sincerely,

STEPHEN H. FORD, INC.

raula Lee Morness, CWRE

cc.: Viggo Toftemark



SCALE 1' = 1320'

DIVERSION POINT LOCATION: 3652.53 FEET NORTH & 2658.66 FEET WEST OF THE SOUTHWEST 1/16 CORNER OF SECTION 31, TOWNSHIP 16 SOUTH, RANGE 7 WEST, W.M.



NOTE:
THIS MAP VAS PREPARED FOR THE
PURPISE OF IDENTIFYING THE
PURPISE OF THE VASTER RIGHT DALY.
IT IS NOT INTENDED TO PROVIDE
DIMENSIONS OR LOCATION OF
PROPERTY DYNERSHIP LINES.

FINAL PROOF SURVEY
PRE 1909 WATER RIGHT MAP
FOR
DOMESTIC USE
FOR
VIGGO TOFTEMARK
18482 HIGHWAY 36
BLACHLY, DR 97412
PH (503) 927-6145
BY
STEPHEN H. FORD INC.
1120 BAILEY HILL RD #5
EUGENE, DR 97402
PH (503) 344-1852

DATE: DECEMBER 28, 1992

ACAD NO. V2039

RCEIVED

DEC 3 1 1992

WALLAKESOURCES DEPT
SALEM, OREGON

Surgen Summer Su	MARY INFORMATION	Delete: SALLW, OREGON
Acct: Map:		Imp:
Summar S	08 36 00 00801	Imp: 1 1 of 1
Cycle: 6 Status: POTAX,	FRMDEF, SASSMT, FIRE, SAD	J, PAYOR, POST
Levy: 90-06 Factor year: 1	992 Neighborhood: 6	520 D 0000000 0000000000000000000000000000
Built: 1904 Effec built: 1	963 Situs: 18482 HW	Y 36 BLA
Appr: 439 Inspected: 02/05/92	! Interior:	Yr imp appraised: 1992
Stat: 120 Quality adjust:	Shape adjust:	Percent complete: 100
Prop: 441 Market % good: 61	Func: 100 Econ: 100	Remodeled: 9999
Total Living area: 1200	Total floor cost:	31,162 1
Unfinished basement:		
	1 % complete: 100	
Sale price: Reject:	00 Lump sum: 2903	34,065
Sale date: Low: i.	26 % good: 61	Res drc: 20,779
	Gar/acc/oth drc:	8,212 28,991 1
Call back: Taims land 79	10 Market: 1.00	Mkt drc: 28,991
Taims impr 330	50 Impr index: 1.00	New impr: 28,990
New permit CAAS Land 291	60 Land index: 1.00	New Land: 29,160
CAAS impr 289	90	Total: 58,150
PF1= SUMM PF2= SQFT PF3= LS	'A PF4= LSB I	PF5= GPA PF6= OTHR
		Fine CDIS FF12= HIST

Screen	Z'QUA	RE FOOTA	GE INFORMAT	ГІОМ	PF2
Acct:	Мар:	~= un •u un un		Imp	·:
Acct: 1046430	Map:		6 00 00801		: 1 1 of 1
Stat class: 120					
	Area	Factor	Amour	nt	
First floor:	624 x	34.92	= 21	790	
Second floor:	x	**** *** *** *** ***	; <u>=</u> :		
Finished attic:		16.27		372	
Low cost attic:	X		:::		
Finished basement:	χ				
Low cost basement:	X		===		
fotal living area:	1200				
Unfinished attic:	x		::::		
Unfinished basement:			**************************************		
Basement garage: Total basement area:					
Total floor area cos			31,	162	
PF1= SUMM PF2= SQF	T PFZ=	L 20	PFA= 1 CB	PES= CPA	PEA= OTHE
DETENDANT DETO- IND					

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WATER RESOURCES DEPT.
SALEM, OREGON

R. ED

DEC 3 1992

WATER RESULTINGS DEPT.
SALEM, OREGON

Screen	LUMP SUM	INFORMATIO	N A			PF3
Acct: Acct: 1046430		36 00 0080		Imp Imp	: : 1	1 of 1
Foundation: FR Exterior material: BE		624		-1528	Found:	-1728
Roof type: GA Roof Partition A: TG Partition Floor	tion B: PA				Roof:	431
Heat B:	15 · C. I.	1200	X			
Built-ins Cabinets: HD Counters				Adjust		
Other:				Bui Sub	total:	
PF1= SUMM PF2= SQFT	PF3= LSA	PF4= LS	ß F	F5= GPA	PF6=	OTHR
PF7= LAND PF8= LNDC		PF10=				

2 cree	2n	L	OME, 20M	TMFORM	ALIU	IA TR			rr~
	: 1046430	Мар Мар	: 16 08	36 00	 080	1	qmI qmI	: <u></u> : 1	1 of 1
4	Bedrooms	i Ful	l baths			Half baths			
120	Flumbing stat	1 Tub				Tub surrou	nd a: f	aL b:	
	Flumbing stat Tile shower	_ Fib	erglass	shower		Metal show	er	i Lav	atory
1	Toilet	Bid	et		1	Kitchen si	n k	Bar	sink
	Water heater		ndry tu						
		-	App	r adjus	t:	F	lumbing	y Lsa:	2506
120	Appliance stat	i Ran	ge	-	1	Oven sgl		_ Ove	n db L
	Cooktop					xhaust & gr			
	Dishwasher					Disposat			
	Trash compactor	Oth							
			App	r adjus	† :	Ар	pliance	e Lsa:	:694
120	Fireplace stat	Sin	gle			Backed		Sta	cked
	See-thru	_ fr∈	-fab			Flue & bac	king	_ Ext	brick
						F i			
							Sub	total:	4200
PF1=	SUMM PF2= SQFT	PF3=	LSA	PF4=	LSB	PF5=	GP'A	FF6=	OTHR
	LAND PESH LNDC								



DEC 3 1 1992

WATER RESOURCES DEPT. SALEM. OREGON



WATER RESCUES DEPT.
SALEM, OREGON

Screen	GARAGE/PORT AND ACC	ESSORY IMPROVE	MENTS	PF5
Acct: 1046430	Мар: Мар: 16 08 36		Imp:	1 1 of 1
House Stat Gar/port: POR Stat	Class: 120 Qual Class: 130 Type: 1			980
Area: 352 9.29 Found: PO Rooftyp: GA Openers: Lump sums: -422 Ap	Floor: Roofcover: Extwall: Intwall: Pr Adjust:R	DI -1.89 WS .69 	-665 % Co 243 Mr I % E	con: 100 Good: 61
No Drive: Size: Patio: Deck:	%gd Area X X X X X X	*** *** *** *** ***		atio:
PF1= SUMM PF2= SQF PF7= LAND PF8= LND			PF5= GPA PF11= CDIS (



Screen:			OTH	IER IMPRO	VEMENTS	7 - 7	Add/del:	PF6
Acct:		Мa	p :			Imp:	Oth-imp:	01
Acct: 10464	30	Ma		36 00 0	0801 000	Imp: 1	1 of 1	
Oth imp no:	1 T	ype: G	PB C	lass: 4	Use:	a. in the the san on the ta-	Year b	wilt:
	Desc	Area	Factor	Amount	48 X	50 X		X
	****	**** **** ****		**** **** **** **** ****	Area: 2	,400 Drc:	Fact	or: 3.00
Foundation:	CO	2400	Marilana		Cost	7,200 Qua		Comp I: 100
Floor:	CO	1700	1.05	1785		Replacemen		6,480
Roof type:	GA	2400					p sums:	1,785
Roof mat:	GL	2400	0.03			Misc Lu		1. 1. 5.
Ext wall:	PL	2400				De Shap-Tota		8,265
Wall hght:	and the second	2400				Farm Icm		9,918
Finish:		2400	LUNG OF BACK P	0.0	Lsaum	% Physical		555
Misc:				********		% Use		Good: 50
104 2 2 .				Fire 200 cm cm cm cm cm	*****************	/# O36	. 100 /4	19 9
Remarks:					T	adal dansi sama	1	4,959
14X50 GR FL	OOR				Others (otal deptkrep		8,990
						Lilling		58.126. 1
PF1= SUMM	PF2=	SQFT	PF3= 1	SA	PF4= LSB	PF5= GP	A P	F6= OTHR
PF7= LAND		LNDC			F10=	PF11= CD	**	12= HIST

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DEC 3 1 1992

WATER RESOURCES DEPT.
SALEM, OREGON

26166	#11		L. (4)	41) T 14L ()!	COMPLE	JIV.					F 7
Acct:	1046430		Мар: <u></u> Мар: 16	08 36 (90 00	301	•• ••	I o	ກ ອ: ກອ: 1	í	of 1
Appra Neigh	class: 441 4: 439 borhood: 6 1 2500	Dar 520D Bas	te: 2/05/ se code: 6	792 - Yr 9 <mark>35 - Ch</mark> a	la: art:	1992 92Y	18482 BLACHL	HWY 30	5 27412		
Cost-	-to-develop	: Co-	-computed	hs acre	95:						
	drc:										
	Wth X Dth					Adji	Adj2	Adj3	Ad j4	ŧ	
HS	x		8.41	3500	.77	1.00	1.00	1.00	1.00)	22,664
	X										
	1 Ac hs: Sitedev:	2,694						Sub t	otal:		22,664
			555 (()	v.	1 4 1/1/	D. C	0.51/1/	10(0)	. a m.		1. 2 J T C/3/
	SUMM PF2	•									
PF7=	LAND PF8	= LNDC	PF9= NAF	RR PF	· 1 () ==		PF11	= CDIS	S F	F12=	HIST

THE UNITED STATES OF AMERICA.

		WHOM	THESE	PRESENTS	BHALL	COMB.	GREETING	,
=0	411 70	WHOM	THESS	LEBOTA 10		• • • • • • • • • • • • • • • • • • • •		

Homestead Certificate No. 5336

Application 9520

WHEREAS, There has been deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Engister of the Land Office at Resolving, Oregon, whereby it appears that, pursuant to the dot of Congress, approved 20th May, 1868, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts employmental therete, the claim of Charles Ca Simmons.

has been established and duly consummated, in conformity to law, for the

Lots numbered seven and eight of section thirty six, in township sixteen south, of range eight west of Willsmette Meridian in Oregon, containing eighty one scress and forty hundredths of an acre.

400 1200 16-8-36

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DEC 3 1 1992

WATER RESOURCES DEPT. SALEM, OREGON

assording to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor General: NOW NOW YE, That there is, therefore, granted by the United States unto the said. Charles C. Simons

the trust of land above described: TO BLYE AND TO HOLD the said trust of Land, with the appurionances thereof, unto the said Charles C. Simons

IN TESTIMONY THEREOF !... Theodore Roosevel's President of the United have cancel three letters to be made patent, and the seal of the CENERAL LAND OFFICE to be hereunto affined.

tilren under my hand, at the City of Washington, the Lord one thousand. Title handred and three the one standard and twenty eighth sixteenth day of October, , in the year of one

By the President: T. Roosevel's

(Seal)

sy P. M. Meke an

.... Juan et any

Remoded Oregon . No. 109 . page 196

or record Detember 3, 1904, at 11.45 efeloat a. m.

E. R. L. .

County Clerk.

ay J. D. Hamlin

Deputy.

Viggo Tofte Mank 541-927-6145 SWR-450

Jerry &

Please call him on status of the SWR-450.

2

INTEROFFICE MEMORANDUM

OREGON WATER RESOURCES DEPARTMENT

TO:

Martha Pagel

FROM:

Reed Marbut

DATE:

May 9, 1995

SUBJECT: Toftemark - SWR # 450

I spoke with Ms. Toftemark on the phone this a.m.

Don Knauer had spoken to Ms. Toftemark on 1/12/95 and 5/5/95. Don advised her in those calls that her SWR was in proper form and she could legally continue to use water under the Registration.

I reassured Ms. Toftemark that her SWR was on file and that she could continue to use water until the adjudication was completed, and that the actual adjudication would be completed in the local circuit court.

I explained the complexity of the adjudication process and the delay associated with the U.S. v. OWRD suit. I advised her that actual adjudication of the Siuslaw River and its tributaries may not be initiated for a number of years; however, in the interim her right was protected by her filed SWR. I told her she would have ample notice when the Siuslaw adjudication was started.

I gave her my name and number and asked her to call me if she had any further questions or concerns. She seemed satisfied and thanked me for the call.

cc: Steve Applegate

Martha O. Pagel, 05:22 PM 5/8/95 , Surface Water Registratio

Date: Mon, 8 May 1995 17:22:48 -0700

X-Sender: pagelmo@chetco.wrd.state.or.us

To: Applegsp, marbutar

From: pagelmo@chetco.wrd.state.or.us (Martha O. Pagel)

Subject: Surface Water Registration

X-UIDL: 799979686.000

I received a phone message from a woman inquiring about her surface water

registration application. Will one of you (whoever is most appropriate)

please return the call for me. Her name is Karen Tofkemark (sp??), application # SWR 450. If the file shows some extended history with her

such that you think it is more appropriate for me to return the call myself,

please let me know. Otherwise, I'd appreciate one or the other of you

making the initial contact. Thanks. MOP

Sur-450

5/5/95

2 Spore wim Kpern

TOFTEMARK ASSUT THIS CLAM.

Sue's very converses.
ABOUT GETTISE IT COMPUTED.

SHE TOOK THE DIRECTORS
HAME AND SAID SHE WAS
GOING TO CALL HER.

Det

Sur-450 1-12-95 I spoke with their Toftemark ON THE PHINE - SHE WAS CONCERNO They HADN'T HEDED ANY THING - 2 TOLD LIER SHE HAS THE RIGHT TO WE THE WARR AS DESCRIBED BY TUZ CIAIN- EXPLAINED ADJ. PROUSS-IT WILL BE SMETING IN THE FUTURE BEFORE THAT IS DONE IN THE WEAR TIME - STILL HAS DECEDI BLOOK TO THE MARKED Dellemer

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP JCK NAME MIO COAST # 18 UNADJUDICATED AREA? YES
RECEIPT # 95813 S W R NUMBER 450
CHECK ENCLOSURES PRELIMINARY DATA BASE ENTRY
ACKNOWLEDGEMENT LETTER WELL ENTER ON STREAM INDEX
CHECK QUADRANGLE MAP CHECK GLO PLATS
WATERMASTER CHECKLIST PUBLIC NOTICE PUBLICATION ACRES
blanks filled in signed date received stamped MAP REVIEW Source and trib diversion point location conveyances (pipes, ditch, etc.) place of use scale township, range, section north arrow CWRE stamp disclaimer date survey was performed P.O.B. of survey dimensions and capacity of diversion system "beneficial use" type title "permanent-quality" paper
WATER RIGHT RECORD CHECK FIELD INSPECTION
FINAL FILE REVIEW FINAL DATA BASE ENTRY
ENTER ON PLAT CARDS

C:\WP51\SWR\CHCKLIST.1

7-30-92



December 16, 1993

WATER
RESOURCES
DEPARTMENT

PAULA L NORNESS 1120 BAILEY HILL RD #5 EUGENE OR 97402

RE: SWR-450

Dear Ms Norness,

This will acknowledge the receipt of map to support the pre-1909 vested water right claim in the name of VIGGO TOFTEMARK 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:\W\S\C\4\SWR-0450.002





November 24, 1993

WATER RESOURCES DEPARTMENT

PAULA L. NORNESS 1120 BAILEY HILL RD #5 EUGENE OR 97402

RE: File# SWR-450

DEAR PAULA L. NORNESS,

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 reciepts 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 Viggo Toftemark. You could submit the additional information in a letter or report. 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..."

hversion point size

OAR 690-28-025-(4)-(c) "The dimensions and capacity of any

existing diversion systems."

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
INWP51\SWR\CLAIMANT\4\SWR-0450.00M





April 7, 1993

W A T E R R E S O U R C E S D E P A R T M E N T

VIGGO TOFTEMARK 18482 HIGHWAY 36 BLACHLY OR 97414

Dear MR TOFTEMARK,

This will acknowledge that your Surface Water Registration Statement in the name of VIGGO TOFTEMARK has been received by our office. The fees in the amount of \$400.00 have been received and our receipt #95813 is enclosed. Your registration statement has been numbered SWR-450.

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,

Don Knauer

Adjudication Specialist

Enclosure

J:\WP51\SWR\CLAIMANT\4\SWR-0450.001



STATE OF OREGON

RECEIPT # 95813

WATER RESOURCES DEPARTMENT

3850 PORTLAND ROAD NE

SALEM, OR 97310 378-8455/378-8130 (FAX)

DECEIVED FRO	1 - 11	6-6130 (FAX)	APPLICATION	
RECEIVED FRO	Viggo loft	emark	PERMIT	
	00	The second	TRANSFER	
CASH: C	HECK: # OTHER: (IDENTIFY)		THANSPER	
	X24-201		TOTAL REC'D	\$400 m
01-00-0	WRD MISC CASH ACCT		A STATE OF THE STA	
842.010	ADJUDICATIONS			\$ 480.0
831.087	PUBLICATIONS/MAPS			\$
830.650	PARKING FEES Name/month			S
000.000	OTHER: (IDENTIFY)			s
/===::0				
REDUC	TION OF EXPENSE	CASH A	CCT.	
CC	OST CENTER AND OBJECT CLASS	VOUCH	ER#	\$
03-00-0	WRD OPERATING ACCT		En march - div	
	MISCELLANEOUS:			
840.001	COPY FEES			\$
850.200	RESEARCH FEES			\$
880.109	MISC REVENUE: (IDENTIFY)			\$
520.000	OTHER (P-6): (IDENTIFY)	- Highester		\$
	WATER RIGHTS:	EXAM FEE]	RECORD FEE
842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	s	842.004	\$
842.005	TRANSFER	\$	842.006	\$
	WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	s	842.023	\$
842.016	WELL DRILL OPERATOR	\$	842.019	\$
	LANDOWNER'S PERMIT		842.024	\$
06-00-0	WELL CONST START FE	F	110000	
842.013	WELL CONST START FEE	s	CARD #	
1.77	MONITORING WELLS	s	CARD #	
45-00-0			1 1	
864.000	LOTTERY PROCEEDS			s
07-00-0	HYDRO ACTIVITY	LIC NUMBER		
842.011	POWER LICENSE FEE(FW/WRD)			s
842.115	HYDRO LICENSE FEE(FW/WRD)			s
				s
	HYDRO APPLICATION			3