



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Water Right Temporary or Drought Temporary Transfer Part 1 of 5 – Minimum Requirements Checklist

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL TEMPORARY TRANSFER APPLICATIONS

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred?** 1 List them here: Cert. #27061 (partial)
 Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year** 2019 **End Year** 2023
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

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(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0 _____	Date: ____/____/____ 13160

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
	Number of water rights included in transfer <u>1</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right this will be 0</i>		
2	Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	0
	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (4a) Subtract 1.0 from the number in 4a above: _____ (4b) If 4b is 0, enter 0 on line 4 » » » » » » » » » » » » » » » » If 4b is greater than 0, round up to the nearest whole number: _____ (4c) and multiply 4c by \$200.00, then enter on line 4 (or \$0.50 if submitted in a Department approved digital format) » » » » » » » » » »		
3		4	0
	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 5 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>35.2</u> (5a)		
4	Multiply the number of acres in 5a above by \$2.30 and enter on line 5 » »	5	80.96
5	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	890.96
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
6	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
7	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	890.96

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »		
2		2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:
 1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
 2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
 3. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

 To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Marion County	ADDRESS 5155 Silverton Rd NE	
CITY Salem	STATE OR	ZIP 97305

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # 27061

List only the part of the right that will be changed. For the acreage in each 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Range	Section	1/4	Tax Lot	Govt Lot or DLC	Acreage	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous pages)	Twp	Range	Section	1/4	Tax Lot	Govt Lot or DLC	Acreage	New Type of USE	POD(s) to be used (from Table 1)	Priority Date	
EXAMPLE																					
2 S	9 E	15	NE	NW	100	15.0	EXAMPLE				2 S	9 E	1	NW	NW	500	1	18.9		POD #5	1984
5 S	1 W	3	NE	SE	500 1200	6.9	Irrigation	CARL	1954	POU	4 S	1 W	25	NW	NW	1300	209	6.8	Irrigation	FRANKIE POD	1954
5 S	1 W	3	SW	SE	1700 1200	19.7	Irrigation	CARL	1954	POU	4 S	1 W	26	NE	NE	1300	28.4	Irrigation	FRANKIE POD	1954	
5 S	1 W	10	NW	NE	1700 1200	8.6	Irrigation	CRRL	1954	POD	4 S	1 W	24	SW	SW	1300	3		Irrigation	FRANKIE POD	1954
TOTAL ACRES											TOTAL ACRES										
35.2											35.2										

Additional remarks: _____

1
3
1
6
0

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Temporary Transfer Application - Page 8 of 9

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For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: _____



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540-610.

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation if necessary to convey the water to the new temporary place of use:

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. Le. _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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STATE OF OREGON
COUNTY OF HARTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **KAYTON A. CARL**

of Route 1, Hubbard, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Pudding Riv. a tributary of Willamette River for the purpose of irrigation of 80.3 acres,

under Permit No. 22913 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 22, 1954,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.00 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, Township 5 South, Range 1 West, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 0.8 acre Lot 5 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
- 14.4 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 2
- 6.2 acres Lot 2 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
- 19.7 acres Lot 4 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
- 18.7 acres Lot 3 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
- Section 3
- 10.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
- 8.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 10
- 1.0 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 11

Township 5 South, Range 1 West, W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. MAY 27 1960

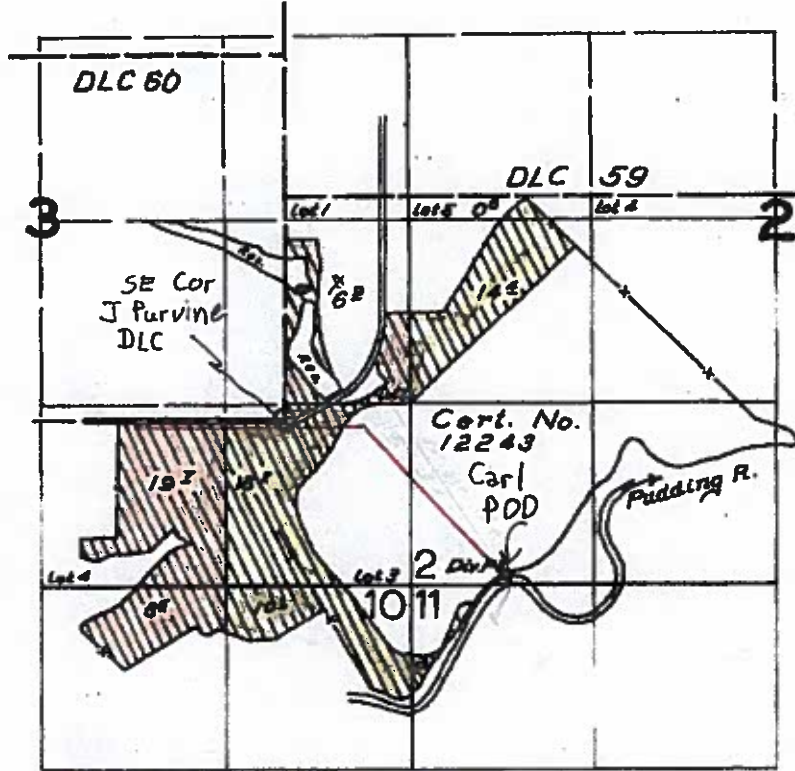
LEWIS A. STANLEY
State Engineer

Recorded in State Record of Water Right Certificates, Volume 18, page 27061
27061

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T. 5S. R. 1W. W.M.



Red line is Irrigation mainline Estimated buried positions. No one knows the exact placement of parts of them. They are old.

Remain Portion

Proposed Temporary Transfer Portion

From Lands

FINAL PROOF SURVEY

UNDER

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Application No. 29075 Permit No. 22013
IN NAME OF

Manton A. Carl

Surveyed May 22, 1959 by R.H. Jackson.

1959-WF-DFW-10-22/24

13160

Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
 County of Marion) ss

I, Delbert Strubhar, in my capacity as Affiant,
 mailing address 14407 whiskey Hill Rd, Hubbard, OR 97032
 telephone number (503) 710-7579, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the entire place of use for Certificate # 27061; OR
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	% A	Gov't Lot or DEC	Acres (If applicable)

OR

- Confirming Certificate # _____ has been issued within the past five years; OR
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: IL-947 (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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**Application for Water Right
Transfer
Consent by Deeded Landowner**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

State of Oregon)
County of Marion)ss

I/We Theodora Schirer in my capacity

as Mantma Carl, LLC, member

mailing address PO Box 149 Hubbard, OR 97032

telephone number (503) 407-2727, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 27061

described in a Transfer Application (T-) submitted by Mantma Carl's Acres LLC
(transfer number, if known)

on the property in tax lot number 500,1200, 1700 Section 3+10, Township 5

(north or south), Range 1 (east or west), W.M., located at 13324
(site address)

Carl Rd NE, Hubbard, OR 97032

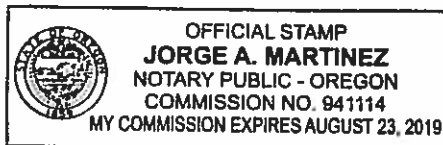
Mantma Carl, LLC
Ref. Theodora Schirer, member
Signature of Affiant

4/2/2019
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 2nd day of April, 2019.



[Signature]
Notary Public for Oregon

My commission expires 8/23/19.

Revised 6/3/10

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KNOW ALL MEN BY THESE PRESENTS, That

Manton A. Carl and Frances Irene Carl, as Trustees of the Manton A. Carl Trust, Manton A. Carl, Trustor, dated February 9th, 1993; and
Manton A. Carl and Frances Irene Carl, as Trustees of the Frances Irene Carl Trust, Frances Irene Carl, Trustor, dated February 9th, 1993;

Convey to

Manton A. Carl Limited Liability Company (LLC) the real property situated in Marion County, Oregon consisting of 10 tracts as described in attached Exhibit "A".

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

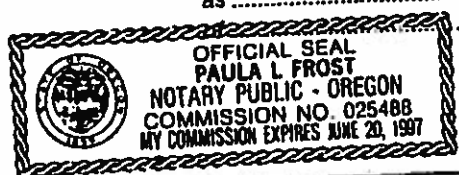
In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 28 day of December, 1994; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

Manton A. Carl
Frances Irene Carl

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of MARION ss.
This instrument was acknowledged before me on December 28, 1994,
by Manton A. Carl & Irene Carl
This instrument was acknowledged before me on _____, 19____,
by _____
as _____



Paula L. Frost
Notary Public for Oregon
My commission expires 6-20-97

Manton A. Carl and Frances Irene Carl
Trustees 13324 Carl Rd. N.E.
Hubbard, Oregon 97032
Grantor's Name and Address
Manton A. Carl LLC
13324 Carl Rd. N.E.
Hubbard, Oregon 97032
Grantee's Name and Address
After recording return to (Name, Address, Zip):
Manton A. Carl LLC
13324 Carl Rd. N.E.
Hubbard, Oregon 97032
Grantor's Name and Address
Grantor's Name and Address
Manton A. Carl LLC
13324 Carl Rd. N.E.
Hubbard, Oregon 97032
Grantor's Name and Address

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, } ss.
County of _____ }
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said County.
Witness my hand and seal of County affixed.

NAME TITLE
By _____ Deputy

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EXHIBIT "A"

TRACT NO. 1: Beginning at the Southeast corner of the Donation Land Claim of John Purvine and wife in Township 5 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon, and running thence North 20 chains; thence East 10 chains; thence South 14 chains to an iron pipe from which a cedar tree 15 inches in diameter bears South 58 45' East 36 links distant and an ash tree 12 inches in diameter bears South 11 55' East 61 1/4 links distant; thence South 45 East 35.50 chains to an iron pipe on the left bank of Pudding River; thence following up stream along the meanders of said river to the Southeast corner of land owned by Effie W. Moon; thence North 38 15' West 7.50 chains; thence North 45 30' East 8.68 chains; thence East 2.75 chains; thence North 13.75 chains to the south line of the John Purvine Claim; thence East 11.50 chains to the place of beginning.

TRACT NO. 2: Beginning at an iron pipe 15.60 chains North 0 45' East and 10.00 chains East of the Southwest corner of the Donation Land Claim of A. R. Dimick and wife in Township 5 South, Range 1 West of the Willamette Meridian in Marion County, State of Oregon; thence South 0 45' West 34.00 chains to an iron pipe; from which a cedar tree 15 inches in diameter bears South 58 45' East 36 links distant and an ash 12 inches in diameter bears South 11 55' East and 61 1/4 links distant; thence South 45 East 35.50 chains to an iron pipe on the left bank of Pudding River; thence following down stream along the meanders of said river to the Southwest corner of L. A. Braden's land, on the left bank of said Pudding River; thence South 37 30' West 85 links, more or less, to an iron pipe, from which an oak tree 9 inches in diameter bears North 37 30' East 28 1/2 links distant and a fir tree 10 inches in diameter bears South 65 East 47 links distant; thence North 45 West 38.0555 chains to an iron pipe; thence North 13.185 chains to an iron pipe; thence West 13.56 chains to the place of beginning; save and except therefrom a strip of land 20 feet in width off of the entire length of the North boundary, reserved for road purposes. Also save and except therefrom a strip of land 20 feet in width beginning at the Northwest corner of the above described Tract No. 2, thence South 0 45' West 34.00 chains, reserved for road purposes.

SAVE AND EXCEPT that parcel of property described as:

Beginning at an iron pipe in the center of County Road No. 531 which is North 20.00 chains and East 10.00 chains from the Southeast corner of the John Purvine Donation Land Claim No. 60 in Township 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence South 0 45' West along the center of said county road 440.00 feet to an iron pipe; thence East 440.00 feet; thence North 0 45' East parallel to the center line of said county road 440.00 feet; thence West 440.00 feet to the point of beginning.

SAVE AND EXCEPT a strip of land 20 feet in width off the West boundary line for roadway purposes.

TRACT NO. 3: Beginning at the southeast corner of the Donation Land Claim of John M. Purvine and wife, it being Claim No. 60, lying in Sections 3 and 4, Township 5 South, Range 1 West of the Willamette Meridian; running thence west 15 chains; thence North 20 chains; thence East 15 chains; thence South 20 chains to the place of beginning, and being the Eastern portion of land purchased by Fred Zurlinden from William Fleetwood by deed recorded in Vol. 108, Page 243 Deed Records, situated in the County of Marion, State of Oregon.

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EXHIBIT "A"

Page 1

TRACT NO. 4: Beginning at a point 20 chains North and 10 chains West of the Southeast corner of the Donation Land Claim of John Purvine and wife in Township 5 South Range 1 West of the Willamette Meridian in Marion County, Oregon, said beginning point being the Southeast corner of W. Wolfer's land, and running thence North 0° 45' East 20 chains to the Southeast corner of land owned by Robt. France; thence East 20 chains to an iron pipe; thence South 0° 45' West 20 chains; thence West 20 chains to the place of beginning; save and except therefrom 20 feet along the entire East and North sides reserved for road.

HD Bader

TRACT NO. 5: Beginning at a point 11.50 chains west of the South east corner of the Donation Land Claim of John Purvine and wife, which is known in the surveys of the United States as Not. No. 1075, Claim No. 60, Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, from which a dogwood tree 5 inches in diameter bears south 59.1/2 degree east 10 links; thence Magnetic variation 21° east, West 7.625 chains to a stake; thence South 13.75 chains to a stake; thence West 3.62 chains to a stake; thence South 4° West 9.80 chains to a stake from which a cedar 36 inches in diameter bears north 53° East 52 links; thence South 45° East 9.30 chains to the west bank of Pudding River; thence North 12, 1/2° East down Pudding River 5 chains; thence North 38 1/4° West 7.50 chains; thence North 45 1/2° East 8.68 chains; thence East 2.75 chains; thence North 13.75 chains to the place of beginning, being situated in Sections 3 and 10 in Township 5 south, Range 1 West of the Willamette Meridian.

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Cooper

tract # 6 Beginning at an iron pipe in the center of County Road No. 531 which is North 20.00 chains and East 10.00 chains from the Southeast corner of the John Purvine Donation Land Claim No. 60 in Township 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence South 0° 45' West along the center of said county road 440.00 feet to an iron pipe; thence East 440.00 feet; thence North 0° 45' East parallel to the center line of said county road 440.00 feet; thence West 440.00 feet to the point of beginning. SAVE AND EXCEPT a strip of land 20 feet in width off the West boundary line for roadway purposes.

H. H. P.

Tract No 7 Beginning at a point in the South line of the Donation Land Claim of John M. Purvine and wife, being claim no. 60 in Section 3, in Township 5 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; 15.00 chains West from the Southeast corner of said claim; thence West along the South line of said Claim 7.51 chains; thence North 18° West 19.96 chains to the North line of the tract of land conveyed to Robert Zurlinden by deed dated June 18, 1931 and recorded October 20, 1936 in Volume 226, Page 341, Deed Records; thence North 89° 56' East along the North line of said tract 7.51 chains to an iron rod at the Northwest corner of the tract of land conveyed to John Zurlinden by deed dated June 18, 1931 and recorded November 24, 1936 in Volume 227, Page 323, Deed Records; thence South 18° East along the West line of said tract 19.97 chains to the point of beginning.

EXCEPT: Rights of the public in streets, roads and highways; and Easement to Portland General Electric Company, recorded January 19, 1956 in Volume 484, Page 98, Deed Records for Marion County, Oregon.

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EXHIBIT "A"

Tract No. 9:

The East one-half of the Northeast quarter of the Donation Land Claim of John Purvine Claim No. 60 and Notification No. 1075 in Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon.

SAVE AND EXCEPT 20 acres conveyed to L. C. Dayton by deed dated April 8, 1870, and recorded in Book 12 of Deeds, Page 72, Deed Records of Marion County, Oregon.

SAVE AND EXCEPT 10 acres, more or less, conveyed to Minnie Spagle by deed dated February 19, 1902 in Volume 79 Page 38, Deed Records of Marion County, Oregon.

SAVE AND EXCEPT 12 acres, more or less, conveyed to Emma Barrett by deed dated May 19, 1903, in Volume 82 Page 484 Deed Records of Marion County, Oregon.

SAVE AND EXCEPT land conveyed by Wm. Wolfer et ux to Edna Hershberger by deed recorded September 28, 1916, in Volume 140 Page 604, Deed Records of Marion County, Oregon.

SAVE AND EXCEPT land conveyed by William Wolfer et ux to Fred Wolfer by deed recorded September 28, 1916, in Volume 140 Page 605, Deed Records of Marion County, Oregon.

SAVE AND EXCEPT land conveyed by William Wolfer et ux to Malinda Barrett by deed recorded September 28, 1916, in Volume 140 Page 606, Deed Records of Marion County, Oregon.

Together with a right-of-way in common with the owners of the West one-half of the above-described real property 30 feet in width along the North boundary line connecting the herein conveyed real property with a county road along the West one-half of the above-described real property.

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EXHIBIT "A"

TRACT Q: Beginning at a point 30 rods East of the Southeast corner of the Ewing Purvine D. L. C. designated on the United States plat as Not. No. 1076, running thence East 86.56 rods to the West line of County Road; thence North 4' West 82.68 rods; thence West along South line of County Road 86.32 rods; thence South 5' West 83.28 rods to the place of beginning situate in the County of Marion and State of Oregon, and being part of the D. L. C. of John J. Conley and wife, designated as Claim No. 54, in Township 4 South, Range 1 West and Claim No. 39 in Township 5 South, Range 1 West, Marion County, Oregon.

SAVE AND EXCEPT that parcel conveyed to Norman Allphin and Marie L. Allphin, husband and wife, by instrument dated June 26, 1959 and recorded March 10, 1969 in Volume 661, Page 161 of Marion County, Oregon deed records. (Fee No. 856588.)

TRACT Q; Beginning at an iron bar in the North line of the John Purvine D. L. C. at a point 10 chains West from the Northeast corner of said claim; and running thence South 36' West 20 chains to an iron pipe; thence South 89°50' West along the South line of the Northeast quarter of said Donation Land Claim 18 chains; thence North 0°36' East 20 chains to the North line of said John Purvine Donation land Claim; thence North 89°45' East along the North line of said John Purvine Donation Land Claim 18 chains to the place of beginning and being a part of the John Purvine D. L. C. No. 60 in Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon.

SUBJECT TO:

1. As disclosed by the tax roll the premises herein described are classified as forest lands. In the event of declassification, said premises will be subject to additional taxes and interest pursuant to the provisions of ORS Chapter 321.
2. Rights of the public in streets, roads, and highways.
3. An easement, including the terms and provisions thereof, to Portland General Electric Company, a corporation of Oregon, dated January 6, 1956, recorded January 19, 1956, in Volume 484, Page 98, Deed Records for Marion County, Oregon.