

3231 Norbert Poth & Lorna Byrne
Case Junction
Oregon 97523

3231

STATUS OF APPLICATION

Change in point of diversion
Date filed 5-20-75
Date of hearing _____
Place of hearing _____
Date of order 9-7-76 Vol. 27, page 395
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued OCT 18 1976 Vol. 35, page 43771
OCT 13 1986 50 54958

to survey 2/79

REMARKS

See Transfer 3239 - in place - survey 7/76
order to be entered for 3239 will cancel
certificate and provide for R.R.

DESCRIPTION OF WATER RIGHT

Name of stream Kelly Creek
Trib. of _____ County of Josephine
Use irrigation
Quantity of water _____ No. of acres 7^e
Name of ditch Poth ditch
Date of priority October 26, 1925
Robert Wilson, Thomas Alfren
In name of Norbert Poth & Lorna Byrne
_____ Adjudication, Vol. _____, page _____
App. No. 10440 Per. No. 6982 Cert. No. 42064
Certificate cancelled _____
Notation made on record by _____

FEES PAID

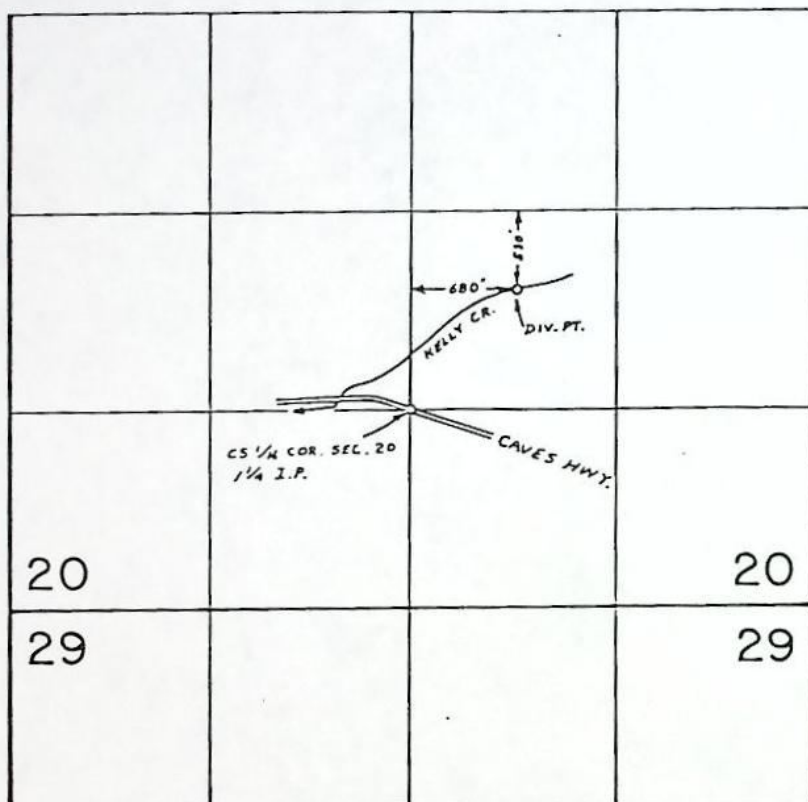
Date	Amount	Receipt No.
<u>5-20-75</u>	<u>30.00</u>	<u>46918</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
	WA	WN		
	☒	☒	Name	☒
	☒	☒	Stream	☒
	☒	☒	Pt. of Div.	☒
	☒	☒	Calendar	☒
	☒	☒	CHECKED TO RECORDS:	
	☒	☒	Twp. & Rge.	☒
	☒	☒	Decree-vault	☒
	☒	☒	Decree-safe	☒
	☒	☒	Cert. of W/R	☒
	☒	☒	Per. Folder	☒
	☒	☒	Chainindex	☒
	☒	☒	Cross Ref.	☒
	☒	☒	Power Claim	☒
	☒	☒	Abstracts	☒

T.39 S., R.7 W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3231

Application No. _____ Permit No. _____
IN NAME OF

NORBERT POTH ; LORNA BYRNE

Surveyed AUG. 3 1978 by B. SUND
INSPECTED APR. 29 1980, by B. SUND

: POD
POU
USE
Add'1 POD

Transfer NO. 3231

County Josephine

Old Certificate NO. 42064 CALIF.

1. Name Norbert Poth; Lorna Byrne

Address Cave Jct. 97523 5330 CAVES Hwy 592-2844

2. Source of Supply Kelly Cr., Trib of

3. Use irrigation

4. Amount of Water 0.088 cfs Priority Date 10-26-25

5. Proposed Point of Diversion ⁵³⁰500 ft S + ⁶⁵⁰200 ft E from Center of Sec. 20, w/ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 20, T39 S, R 1W, Wm

6. Completion Date 10-1-77

[illegible]

INFO: NAMES: Loyns Byrne Norbert Poth
ADDRESS: 5330 CAVE HWY.
CAVE JUNCTION, OR. 97523
TALKED TO: RENTER

SOURCES: Kelly Cr.

SYSTEM:

PUMP: MAKE: GRAVITY FLOW @ 40
TYPE: _____
SUCTION SIZE: 2" $\frac{(6.61)^3}{101-5} = .20 \text{ cfs}$
DISCHARGE SIZE: 2"
MODEL No.: _____
RATING: _____ $\frac{7}{80} = .088 \text{ cfs}$

MOTOR: MAKE: BRIGGS & STRATON
TYPE: GAS
HP: 3
RPM: _____

CONNECTED DIRECT OR PULLEYS: _____

SPRINKLER SYSTEM:

MAINLINE: NO. FEET:	<u>1000 ft</u>	<u>40'</u>
SIZE:	<u>2"</u>	<u>3"</u>
TYPE:	<u>PLASTIC</u>	<u>PLASTIC</u>

LATERALS: NO. FEET:	_____	_____
SIZE:	_____	_____
TYPE:	_____	_____

SPRINKLERS: NO. HEADS: FLOOD
MAKE: _____
MODEL #: _____
NOZZLE SIZES: _____
MAXIMUM: _____

IN OPERATION: MEAN PRESSURE: _____
NO. OF HEADS: _____

LIFT: SUCTION: 5 ft
DISCHARGE: -10 ft

USE: PASTURE, L & G.

DIVERSION: DIRECT: _____

STRUCTURE: _____

TIE: MONUMENTS: _____

SURVEYED ON: PREVIOUS SURVEY (Inspection)
PTS-1978-14-C

Bruce R. Lund

FIELD ENGINEER

DATE: 4-29-80

NOTE: _____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION
OF NORBERT POTH AND LORNA BYRNE
FOR THE APPROVAL OF A CHANGE IN
POINT OF DIVERSION OF WATER FROM
KELLY CREEK

ORDER APPROVING
TRANSFER NO. 3231

On May 20, 1975, Norbert Poth and Lorna Byrne filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record to appropriate not to exceed 0.088 cubic foot per second of water from Kelly Creek, with a date of priority of October 26, 1925, at a point of diversion located 100 feet South and 575 feet East from the center of Section 20, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 39 South, Range 7 West, W.M., for irrigation of 2.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 5.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 39 South, Range 7 West, W.M., being a portion of the right evidenced by the certificate recorded at Page 42064, Volume 34, State Record of Water Right Certificates.

The applicants herein, owners of the lands above described, propose to change the point of diversion to a point located 500 feet South and 700 feet East from the center of Section 20, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 39 South, Range 7 West, W.M.

Mr. Robert Steimer, Watermaster of District No. 14, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion of water is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1977.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 0.088 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed.

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the new certificate to be issued pursuant to the provisions of an order of the Water Resources Director on July 13, 1976, approving transfer application No. 3289, to supersede the prior certificate recorded at Page 42064, Volume 34, State Record of Water Right Certificates, not include that portion of the right confirmed by the said prior certificate, modified by this order, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to Norbert Poth and Lorna Byrne confirming the change in point of diversion.

Dated at Salem, Oregon, this 7th day of September, 1976.

/s/ JAMES E. SEXSON
Director

RECEIVED

MAY 20 1975

STATE ENGINEER
SALEM, OREGON

T-3231

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, NORBERT
1) Norbeth Poth (2) Lorna Byrne
 (Name of applicant)

of Cave Junction County of Josephine
 (Postoffice)

State of Oregon, do hereby make application for ~~change~~

water diversion point

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Kelly Creek
 (Name of stream)

2. The use to which the water is applied is irrigation
 (Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Poth Ditch

4. The point of diversion is located 100 ft. S. and 575 ft. E. from the center
 (N. or S.) (E. or W.)

corner of Section 20 being within the NW 1/4 of SE 1/4
 (Section or subdivision)

of Section 20 Tp. 39 R. 7 W. M., in the County of Josephine
 (No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
39	7	20									(2) 2 acres					(1) 5 acres		

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? (1) yes (2) yes
 (If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? October 26, 1925

9. Was your water right acquired by State Engineer's Permit? yes If so, give number
 (Yes or No)

of permit 6982

10. Do you hold a water right certificate? yes If so, give number of certificate 8785 42064
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

no If so, give title of proceedings
(Yes or No)

12. Is the water right recorded in your name? no Herbert Tycer
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 500 ft. S. and 700 ft. E. from the center
(N. or S.) (E. or W.)
corner of Section 20 being within the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Tp. 39S. R. 7 West
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Josephine The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located? (1)yes(2)no

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

NORBERT
Norbeth Poth
17880 Peak Avenue
Morgan Hill, California 95037

17. Are there any diversions between your present point of diversion and the proposed point of diversion? no

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? (Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are The 1925 point of diversion under the name of Herbert Tycer was incorrectly located. To clarify this error and to make proper name change from Herbert Tycer to (1) Norbeth Poth and (2) Lorna Byrne as so ordered by State Engineer on document dated October 11, 1974.

AFFIDAVIT OF APPLICANT

STATE OF ~~OREGON~~ California

County of ~~Santa Clara~~

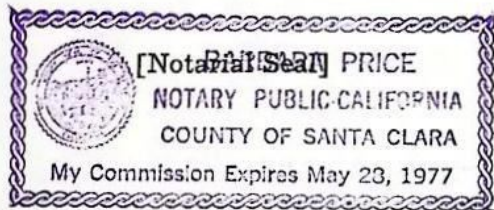
} ss.

I, Norbert Poth, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 14th day of March, 19 75.

Norbert Poth
(Name of applicant)

Subscribed and sworn to before me this 14th day of March, 19 75.



Barbara Price
NOTARY PUBLIC FOR OREGON

My commission expires _____

Remarks _____

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Josephine } ss.

I, LORNA BYRNE, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 17th day of April, 1975.

Lorna Byrne
(Name of applicant)

Subscribed and sworn to before me this 17th day of April, 1975.

[Notarial Seal]

Gennys Hooper
NOTARY PUBLIC FOR OREGON

My commission expires October 31, 1975.

Remarks _____

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

Cause Jct, Oreg.
April 3, 1975

Larry W. Lebousck
State Engineer - Assistant
Salem, Oregon

RECEIVED

APR 4 1975
STATE ENGINEER
SALEM, OREGON

Dear Sir:

Am writing you in regard to diversion point for water right out of Kelly Creek on property referred to on other side. I am ~~also~~ filing with Norbert Poth whose property adjoins my property and papers will be in your office. Will not be filing with other named parties.

Very truly yours,
Lorna Byrne.



STATE ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

November 6, 1974

File No.

4-10440

Lorna Byrne
P. O. Box D
Cave Junction, Oregon 97523

Dear Madam:

As you may know, the State Engineer held a hearing on June 19, 1974 to determine the question of nonuse of water under the right evidenced by certificate of water right recorded at page 8785, Volume 8, State Record of Water Right Certificates from Kelly Creek in the name of Herbert Tyser, appurtenant to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 39 South, Range 7 West, W.M. The balance of the right, in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 20 was not in question in this proceeding and appears to be, in part, appurtenant to your property. A copy of the administrative order canceling 1.3 acres is enclosed.

The evidence taken in the hearing clearly indicated that the present point of diversion is not located at either of the diversion points of record.

Your attention is drawn to the last paragraph of the CONCLUSION of the order. Unless and until the proper transfer application is filed, the State Engineer will not permit water to be diverted from Kelly Creek from any point other than that point of record for the respective tracts.

This letter is to advise you of the statutory requirements in sufficient time to complete the transfer prior to the 1975 irrigation season. One application submitted by all of the parties now using water under the water right in question would be satisfactory.

If you have any questions regarding this matter, please contact me in Salem or Robert B. Steimer, Watermaster in Grants Pass, Oregon.

Very truly yours,

LARRY W. JEBOUSEK
Assistant

LWJ:cjw
Enclosure

cc: Robert Wilson

Daniel F. Hughes

(over)

AGREEMENT FOR EASEMENT

VOL. 312 PAGE 134

THIS AGREEMENT, Made and entered into this 12 day of April, 1975,
by and between Norbert Poth
hereinafter called the first party, and Lorna Byrne
hereinafter called the second party;

WITNESSETH:

WHEREAS: The first party is the record owner of the following described real estate in Josephine County, State of Oregon, to-wit:

The Northwest quarter of the Southeast quarter, and the East half of the Northeast quarter of the Southwest quarter of Section 20, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon, except that part lying South of the Oregon Caves Highway.

Less and excepting therefrom the following described tract of land, to-wit: Beginning at the Northwest corner of the East half of the Northeast quarter of the Southwest quarter of Section 20, in said Township and Range, and running thence East 474 feet; thence South 1233 feet to the Northly line of said Highway to the West line of the East half of the Northeast quarter of the Southwest quarter of said Section 20; thence North 1198 feet to the place of beginning, Josephine County, Oregon.

and has the unrestricted right to grant the easement hereinafter described relative to said real estate;

NOW, THEREFORE, in view of the premises and in consideration of One Dollar (\$1) by the second party to the first party paid and other valuable considerations, the receipt of all of which hereby is acknowledged by the first party, they agree as follows:

The first party does hereby grant, assign and set over to the second party

See Attached Copy "A"

RECEIVED

AUG 15 1975

WATER RESOURCES DEPT.
SALEM, OREGON

(Insert here a full description of the nature and type of the easement granted to the second party.)

The second party shall have all rights of ingress and egress to and from said real estate (including the right from time to time, except as hereinafter provided, to ~~cut~~ trim ~~and remove~~ trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party hereby agrees to hold and save the first party harmless from any and all claims of third parties arising from second party's use of the rights herein granted.

The easement described above shall continue for a period of indefinite, always subject, however, to the following specific conditions, restrictions and considerations: revocable at any time without a waiting period. Notice may be given orally but should be followed up by writing.

If this easement is for a right of way over or across first party's said real estate, the center line of said easement is described as follows:

and second party's right of way shall be parallel with said center line and not more than 2 1/2 feet distant from either side thereof.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest as well.

In construing this agreement and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter; and generally, all changes shall be made or implied so that this instrument shall apply both to individuals and to corporations.

IN WITNESS WHEREOF, the parties hereto have subscribed this instrument in duplicate on this, the day and year first hereinabove written.

Harbert Poth 5/19/1975
Harbert Poth

(If the above named first party is a corporation, use the form of acknowledgment opposite.)

[ORS 93.490]

STATE OF OREGON, }
County of Josephine } ss.
4/30/75, 19.....

Personally appeared the above named
Harbert Poth
and acknowledged the foregoing instrument to be
his voluntary act and deed.

Before me:
(OFFICIAL SEAL) *[Signature]*
Notary Public for Oregon
My commission expires: 3/30/78

STATE OF OREGON, County of) ss.
....., 19.....

Personally appeared and
..... who, being duly sworn,
each for himself and not one for the other, did say that the former is the
..... president and that the latter is the
..... secretary of.....

....., a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed in behalf
of said corporation by authority of its board of directors; and each of them
acknowledged said instrument to be its voluntary act and deed.

Before me:
Notary Public for Oregon
My commission expires:
(OFFICIAL SEAL)

ss. instru- in the, or as ord of seal of title. city.

Copy "A"

An easement for an existing ditch to convey irrigation water to Lorna Byrne property from a point located 500 feet South and 700 feet East from the center corner of Section 20 being within the Northwest quarter of the Southeast quarter of Section 20, Township 39 South, Range 7 West, of the Willamette Meridian, Josephine County. Said easement over the existing ditch running generally in a East - Westerly direction to the following described property. Which said easement is appurtenant to said following described property.

Beginning at the Northwest corner of the East half of the Northeast quarter of the Southwest quarter of Section 20, in Township 39 South, Range 7 west of the Willamette Meridian, Oregon, and running thence East 474 feet; thence South 1233 feet to the Northerly line of the Caves Highway; thence in a westerly direction along the Northerly line of the said Highway to the West line of the East half of the Northeast Quarter of the Southwest Quarter of said Section 20; thence North 1198 feet to the place of beginning.

RECORDING INFORMATION:

Vol. 312 PAGE 134-136
July 3, 1975 @ 2:26 p.m.

RECEIVED

17268

MAY 20 1975

STATE ENGINEER

VOL 244 PAGE 828

KNOW ALL MEN BY THESE PRESENTS, That

Chris Wendt and Ruth W. Wendt, husband and wife and Henry J. Wendt, a singleman, grantor.

in consideration of Ten and No/100 (\$10.00) Dollars,

and other valuable considerations

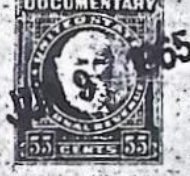
to them paid by Norbert W. Poth and Veronika Poth,

husband and wife, grantees,

do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Josephine and State of Oregon, bounded and described as follows, to-wit:

The Northwest quarter of the Southeast quarter, and the East half of the Northeast quarter of the Southwest quarter of Section 20, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon, except that part lying South of the Oregon Caves Highway.

Less and excepting therefrom the following described tract of land, to-wit: Beginning at the Northwest corner of the East half of the Northeast quarter of the Southwest quarter of Section 20, in said Township and Range, and running thence East 474 feet; thence South 1233 feet to the Northerly line of the Caves Highway; thence in a Westerly direction along the Northerly line of said Highway to the West line of the East half of the Northeast quarter of the Southwest quarter of said Section 20; thence North 1198 feet to the place of beginning, Josephine County, Oregon



To Have and to Hold the above described and granted premises unto the said grantees as tenants by the entirety, their heirs and assigns forever.

And, the grantors, covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances, except reservation of water from Kelly Creek in such quantity as will flow through a 3/4 inch pipe.

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

Witness their hands and seal this 23 day of July, 19 57

Henry J. Wendt (Seal) Chris Wendt (Seal)

Henry J. Wendt Ruth W. Wendt (Seal)

County of Josephine } ss. On this 23 day of July, 19 57, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Chris Wendt and Ruth W. Wendt, husband and wife

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

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

Margaret M. Crowl
Notary Public for Oregon.
My Commission expires March 1, 1961.

STATE OF CALIFORNIA
COUNTY OF

Los Angeles

On July 26, 1957
before me, the undersigned, a Notary Public in and for said County and State, personally appeared Henry J. Wendt

known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

Chris Haughton
(Seal) Notary Public in and for said County and State.

STATE OF OREGON,

County of

DON'T
PAGE
OR RE
ABEL
TIES
USE
17268
ss. No.
State of Oregon,
County of Josephine,
I, A. Donley Barnes, County Clerk and
ex-officio Recorder of Conveyances, in
and for said County, do hereby certify
that the within instrument was re-
ceived for record at

JUN - 9 '65 AM



INDEXED
COUNTY CLERK
and JOSEPHINE COUNTY OREGON
Recorded
at Page 828 of Vol 244
DEED

Records of Josephine County, Oregon.
A. DONLEY BARNES, Co. Clerk
By J. Chandra Deputy
Fee \$1.50

North Park
1115 E. Main St. Turlock, Calif.

T-3231

VOL 136 PAGE 473

his Indenture Witnesseth, That Arthur U Sullivan and Luella Sullivan his wife

for and in consideration of the sum of ten
to them paid have bargained and sold and by these presents do grant, bargain, sell and con-
vey unto Lorna Byrne a married woman

her heirs and assigns, all the following real property with all and singular the tenements,
hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the
County of Josephine and State of Oregon described as follows, to-wit:

Beginning at the northwest corner of the east half of the northeast quarter
of the southwest quarter of section 20 in township 39 south, range 7 west of
the Willamette Meridian, Oregon, and running thence east 474 feet; thence south
1233 feet to the northerly line of the Caves Highway; thence in a westerly
direction along the northerly line of the said Highway to the west line of the
east half of the northeast quarter of the southwest quarter of said section 20;
thence north 1198 feet to the place of beginning, containing 13 acres, more or less.

Together with all water and water rights appurtenant to said described land



To Have and To Hold the above described and granted premises, unto the said
Grantee

her heirs and assigns forever.

And the said Grantors

do hereby covenant to and with the said grantee , ~~their~~ her heirs and assigns, that
they are lawfully seized in fee simple of the above granted premises and that said granted
premises are free from all incumbrances,

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

In Witness Whereof, we have hereunto set our hand a and seal
this 6th day of August A. D. 19 46

Executed in the presence of

Arthur U Sullivan (Seal)
Luella Sullivan (Seal)
(Seal)
(Seal)

7-3231

California
 STATE OF OREGON,
 County of Josephine, ss Los Angeles

On this the 6th day of August, 1946 personally came before me,
 a Notary Public in and for said county, the within named
 Arthur U Sullivan and Luella Sullivan
 and
 his wife, personally known to me to be the identical person^s described in and who executed the
 within instrument and acknowledged to me that they executed the same freely and voluntarily
 for the uses and purposes therein named.

Witness my hand and official seal this 6th day of August, 1946

Arthur Wardle
 Notary Public for Oregon
 My Commission Expires Calif.

ARTHUR WARDLE, NOTARY PUBLIC
 for and for the County of Los Angeles, California
 My Commission Expires August 1, 1948

Warranty Deed

to

State of Oregon,
 County of Josephine, } ss. No. 71053
 I, Ben W. Contant, County Clerk and ex-
 officio Recorder of Conveyances, in and for
 said County, do hereby certify that the with-
 in instrument was received for record at



and
 Recorded

at Page 472-3 of Vol 136

Deed
 Records of Josephine County, Oregon.

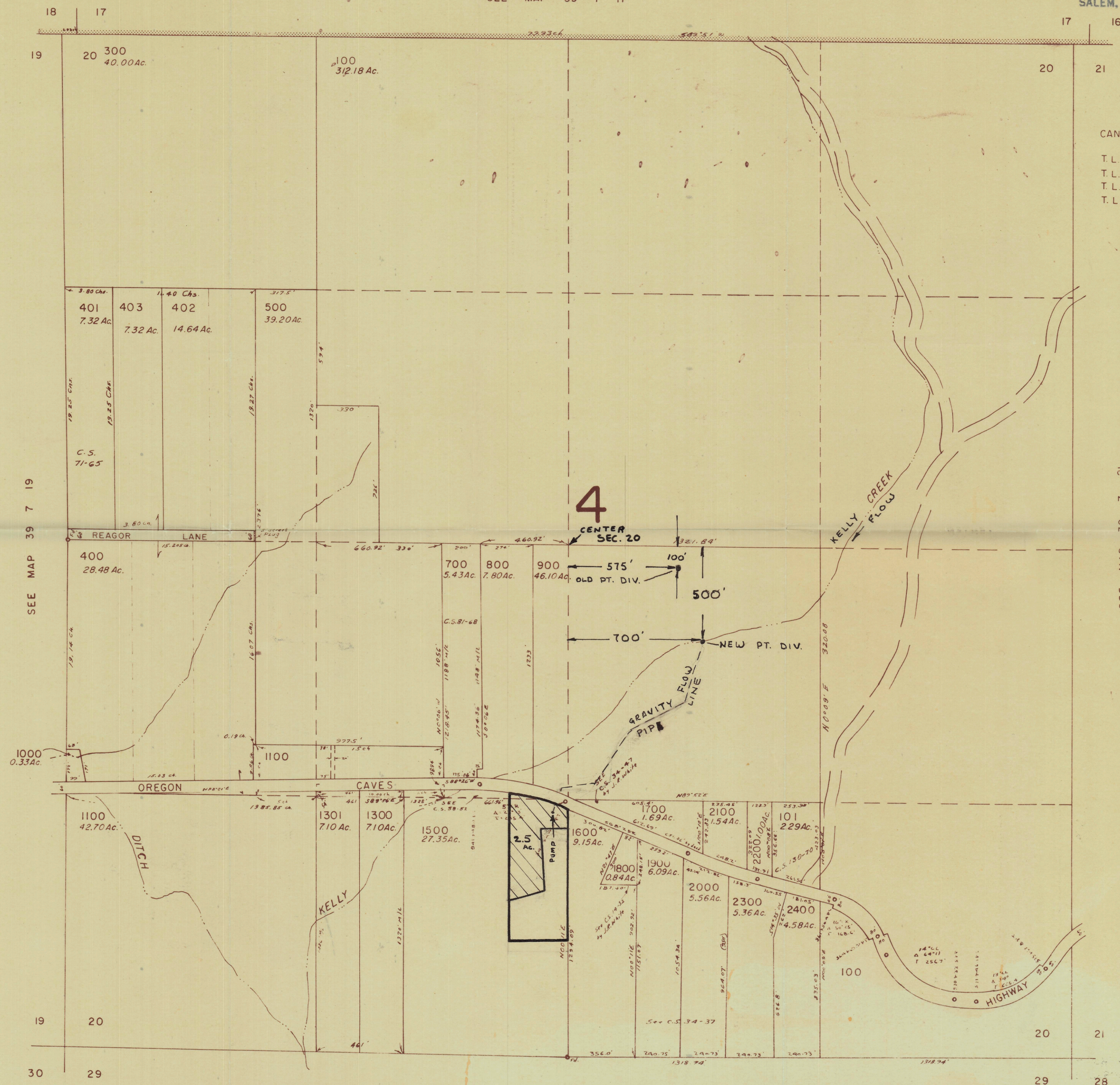
By *Ben W. Contant*
 Ben W. Contant, County Clerk
 Deputy

T-3289

39 7 20

RECEIVED
AUG 4 1975
WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 39 7 17



SEE MAP 39 7 29

MAP FOR CHANGE OF POINT OF DIV. FOR BRUNICARDI
APPLICATION ON 7-28-75

39 7 20

CANCELLED

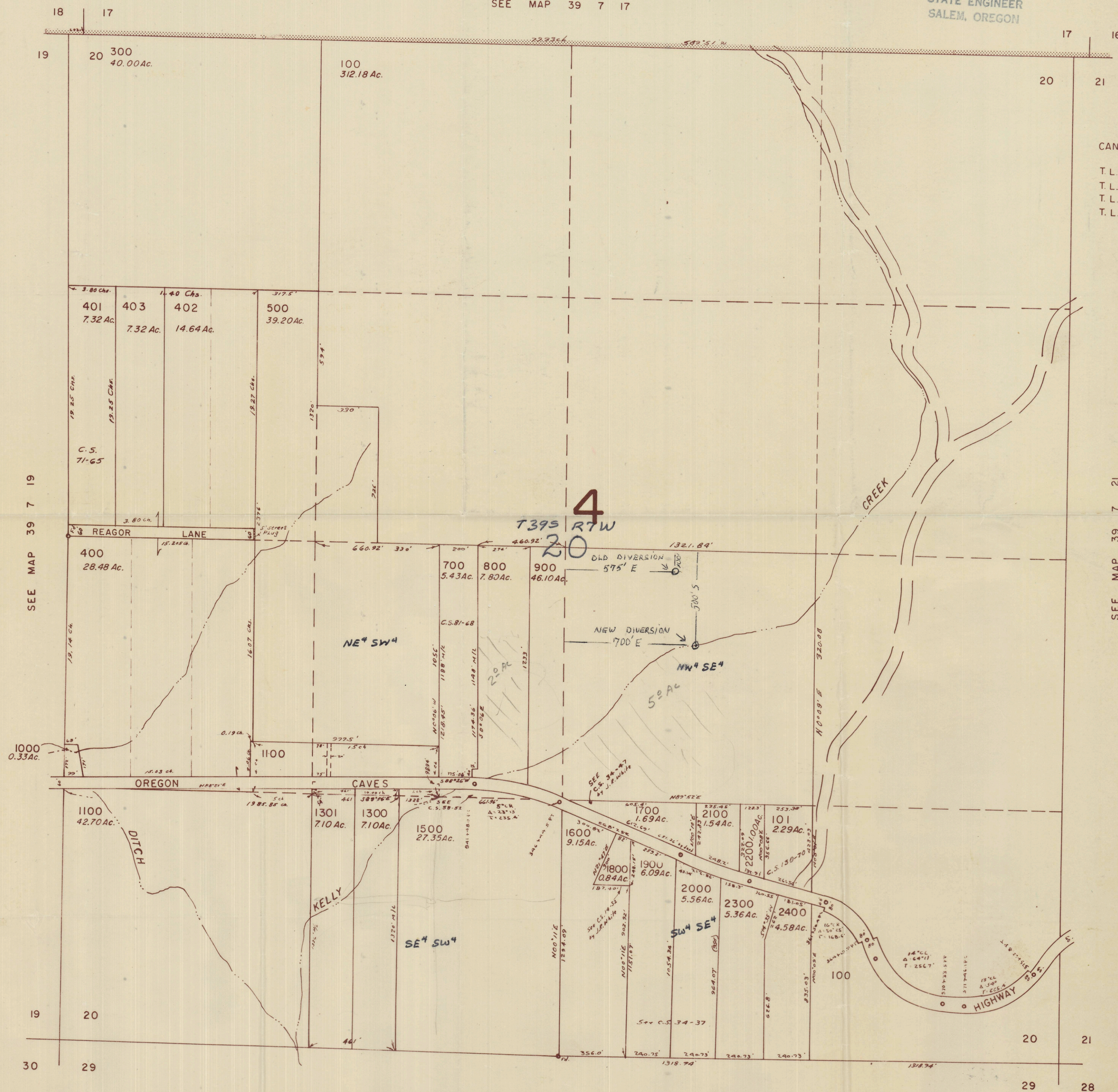
T. L.	200
T. L.	600
T. L.	1200
T. L.	1400

SEE MAP 39 7 21

RECEIVED
MAY 20 1975
STATE ENGINEER
SALEM, OREGON

CANCELLED

T. L.	200
T. L.	600
T. L.	1200
T. L.	1400



39 7 20

546515 32664 B05ch 3/6a