

4478

Name Fred P. M^cClintick

By _____

Address 2131 White School Rd
Cave Junction, OR 97523Change in POUDate filed April 15, 1980

Date of hearing _____

Place of hearing _____

Date of order 5-9-80 Vol. 33, page 218Date for application of water 10-1-81

Proof mailed _____

Proof received _____

Certificate issued OCT 28 1980 Vol. 43, page 73981

JAN 14 1997

73981

to survey 8/80

Surveyed 5/14/86

DESCRIPTION OF WATER RIGHT

Name of stream Sucker CreekTrib. of _____ County of JosephineUse irrigationQuantity of water _____ No. of acres 10⁰Name of ditch WhiteDate of priority 1908In name of Ora SmithSucker Cr Adjudication, Vol. 5, page 398^{SAB}App. No. _____ Per. No. _____ Cert. No. 7153^{SAB}

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4/15/80</u>	<u>30.00</u>	<u>17109</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

W.R.I.S.

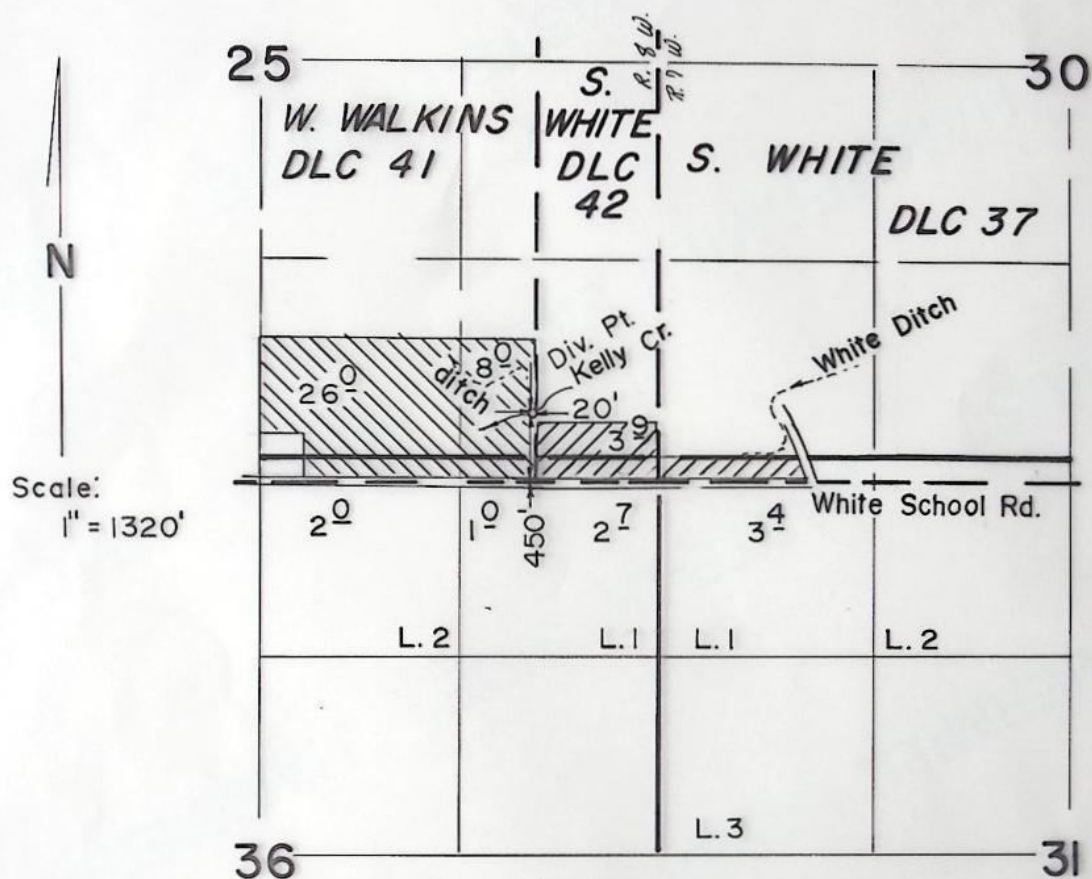
Assembled 2-15-85 by SM

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
☒	Name		<u>OG</u>	
☒	Stream		<u>OG</u>	
☐	Pt. of Div.			
☐	Calendar		<u>OG</u>	
CHECKED TO RECORDS:				
☒	Twp. & Rge.		<u>SRB</u>	
☒	Decree-vault		<u>SRB</u>	
☒	Decree-safe		<u>SRB</u>	
☒	Cert. of W/R		<u>SRD</u>	
☐	Per. Folder			
☐	Chaindex			
☐	Cross Ref.			
☒	Power Claim		<u>OG</u>	
☐	Abstracts			

T. 39 S., R. 7 & 8 W., W. M.



DIVERSION POINT, WHITE DITCH:

1000' N, 1650' W, FROM SE
COR. SEC. 29, 1/4 NW 1/4 SE 1/4
SEC. 29, T. 39 S., R. 7 W., W. M.

TRANSFER No. 4478

PERMIT No. 44835

FINAL PROOF SURVEY UNDER

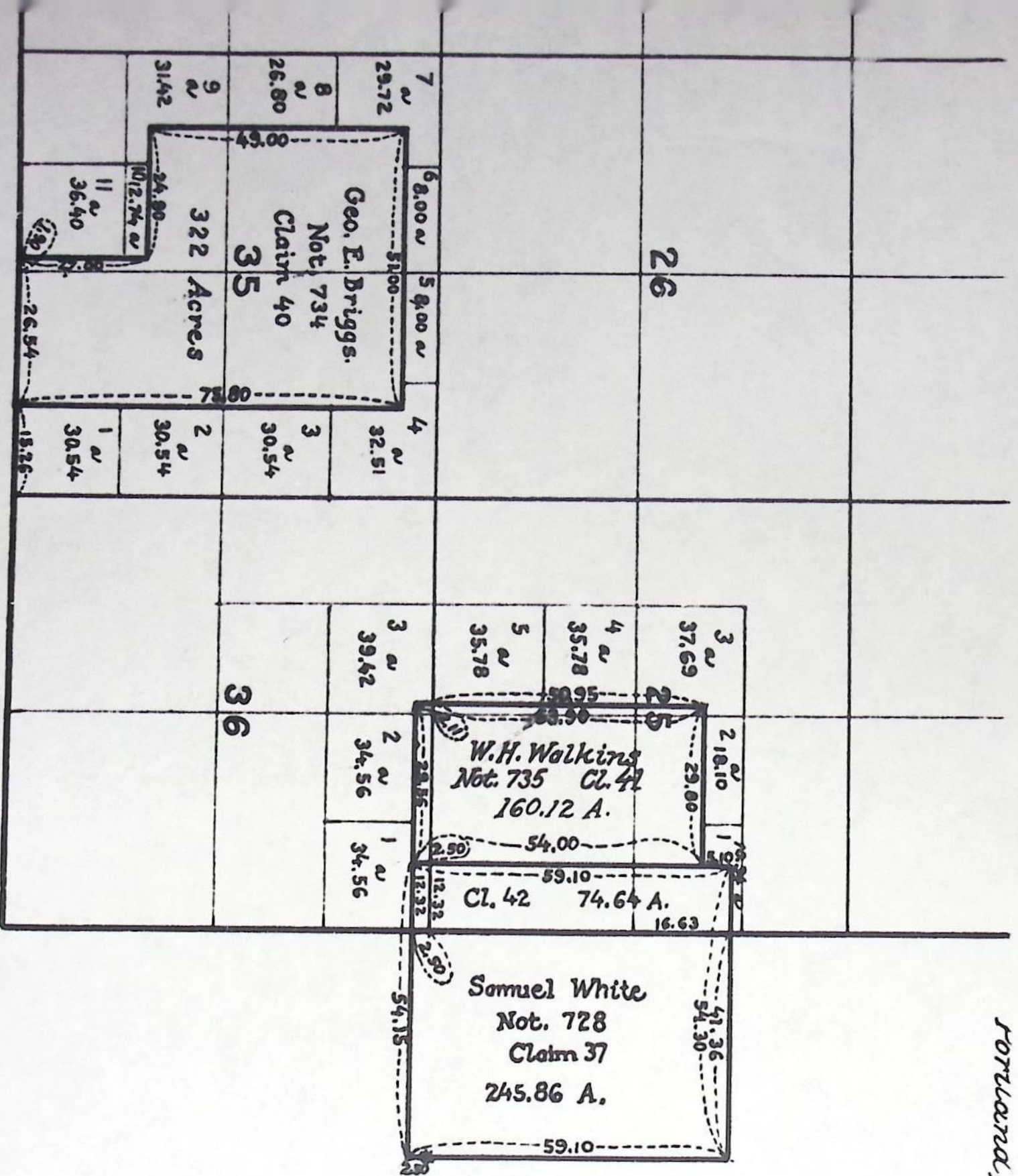
TRANSFER NO. 4478
Application No. 59705 Permit No. 44835
IN NAME OF

FRED P. MC CLINTICK

Surveyed MAY 14, 1986, by B. S. JAMES.

Portland, Oregon. Decem.

W.H. Walker
Survey



STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRED P. MCCLINTICK
2131 WHITE SCHOOL ROAD
CAVE JUNCTION, OREGON 97523

confirms the right to use the waters of SUCKER CREEK, a tributary of the ILLINOIS RIVER, for IRRIGATION OF 10.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 398. The date of priority is 1908.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.11 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source, and that the use of water for irrigation purposes shall be confined to the season April 1 through October 31 of each year.

The point of diversion is located as follows:

NW 1/4 SE 1/4, SECTION 29, T 39 S, R 7 W, W.M.; 1600 FEET NORTH AND 1650 FEET WEST FROM THE SE CORNER OF SECTION 29.

A description of the place of use to which this right is appurtenant is as follows:

NW 1/4 NW 1/4 3.4 ACRES
AS PROJECTED WITHIN DLC 37
SECTION 31
TOWNSHIP 39 SOUTH, RANGE 7 WEST, W.M.

SE 1/4 SE 1/4 3.9 ACRES
AS PROJECTED WITHIN DLC 42
SECTION 25

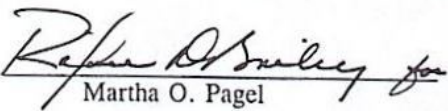
NE 1/4 NE 1/4 2.7 ACRES
AS PROJECTED WITHIN DLC 42
SECTION 36
TOWNSHIP 39 SOUTH, RANGE 8 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered MAY 9, 1980, and together with Certificate 49706, supersedes Certificate 7153, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed JANUARY 14, 1997.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 73981.

T-4478.KDD

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)
FRED P. McCLINTICK FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4478

On April 15, 1980, an application was filed in the office of the Water Resources Director by Fred P. McClintick for approval of a change in place of use of water from Sucker Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 7153, Volume 7, State Record of Water Right Certificates, in the name of Ora Smith, describes a right which includes the use of not to exceed 0.11 cubic foot per second from Sucker Creek for irrigation of a certain 10.0 acres in SE 1/4 NE 1/4 of Section 25, Township 39 South, Range 8 West, W.M., with a date of priority of 1908.

Water for the said right is diverted, through the White Ditch, from a point located 1600 feet North and 1650 feet West from the Southeast Corner of Section 29, being within the NW 1/4 SE 1/4 of Section 29, Township 39 South, Range 7 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 3.4 acres in NW 1/4 NW 1/4 of Section 31, Township 39 South, Range 7 West; 3.9 acres in SE 1/4 SE 1/4 of Section 25 and 2.7 acres in NE 1/4 NE 1/4 of Section 36, Township 39 South, Range 8 West, W.M.

Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 7153, Volume 7, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 9th day of May, 1980.


JAMES E. SEXSON
Director

177-1702
(59-2W)

Survey

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN:

POD
POU
USE
Add'l POD

Transfer No. 4478

County JOSEPHINE

Old Certificate No. 7153

1. Name (Fred P. McClintick) *592-2267* 1701 WHITE SCHOOL RD.

Address 2131 White School Road, Cave Junction, Oregon 97523

2. Source of Supply Sucker Creek, Trib of E.F. ILLINOIS RIVER

3. Use irrigation

4. Amount of Water 0.11 cfs *— ? ok sub of water?*

5. Priority Date 1908

6. Proposed Point of Diversion

7. Completion Date 10-1-81

8. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
39S	7W	31	NW NW	3.4 acres
		25	SE SE	3.9 acres
39S	8W	36	NE NE	2.7 acres
TOTAL				10 ⁰ ACRES

41033-175-1902
5-14-86 RSD.

C-1000
(4478)
P-4478
244835

INFO: SAME OWNER: ADDRESS AS ABOVE. PHONE IS 572-2267.
MR. SHOWED US SYSTEM.

SOURCE: SUCKER CREEK VIA: WHITE DITCH.

SYSTEM: DITCH HEADGATE @ SUCKER CREEK. WATER IS GRAVITY FLOW
THRU MAIN CANAL INTO DITCH LATERAL. WITH 18" CULVERT.
WATER IS RELEASE FROM LATERAL TO FLOOD PASTURE.

DIVERSION: STRUCTURE: WHITE DITCH.

PUMP: NONE

EQUIPMENT: NONE

LIFT: FALL: DIV. PT TO PASTURE = UNKNOWN N/A

USE: PASTURE & HAY.

TIE: 41033-179-1906

AMOUNT: 76C 41 52 CCR.

Blue James WRE 5-14-86

$$\frac{10}{50} = 0.2 \text{ cfs}$$

REMARKS: IRRIGATED SINCE 1980.

T-4478

RECEIVED

APR 13 1980

WATER RESOURCES DEPT
SALEM, OREGON

N ↑

AUTHORIZED

CAVES HIGHWAY

10-AC

TWP 39S RANGE 7-8 W W
SCALE 1" = 400'
WHITE DITCH

DR. T. WHITE
HISTORIC
ENGINEER

ALL FLOOD

SEPARATE 1000-4

SEPARATE 1000-4

SEPARATE

30

32 25

30

32 25

WHITE SCHOOL ROAD

30

32 25

1104

5000

CHARTERED

DEC 92

1104

1104

FRED MCCLINTICK

2131 WHITE SCHOOL RD

CAIF JUNCTION, ORE. 97523

SCHOOL

WHITE

ROAD

PROPOSED

IRR DITCH FROM WHITE

GRAIN

EARNER ROAD

DITCH



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: April 23, 1980.

FROM: ** Robert B. Steimer, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4478

IN THE NAME OF Fred P. McClintick

RECEIVED
APR 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

In my opinion the proposed change in POU from Sucker Creek
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

Headgate notices HAVE ~~HAVE NOT~~ been issued for diversion from the sources which
serves this right.

If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? NA
(yes or no)

In my opinion, the order approving the subject transfer application should include
the following in regard to the appropriator installing suitable measuring devices
in the diversion works:

- X (1) PRIOR to the diverting of water at the new point of diversion . . .
_____ (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water
rights because _____

This water right is conveyed through the White Ditch and a headgate and
weir have already been installed in accordance with the notice issued
for that ditch.

** Robert B Steimer
Watermaster's signature or initials

CROSS HIGHWAY

AUTHORIZED

N



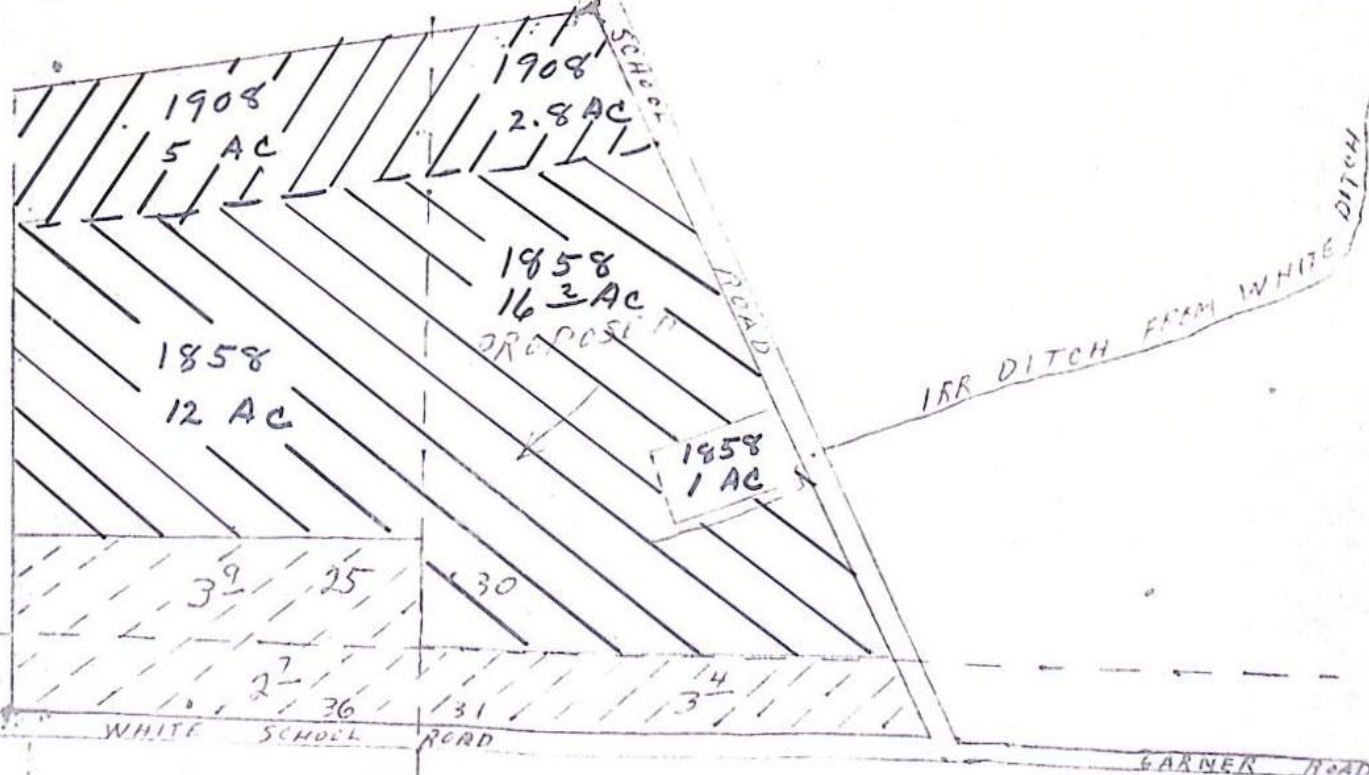
10² AC

TWP 39S RANGE 7-8 W 1/4
SCALE 1" = 400'
WHITE DITCH

Trans. 4478

To accompany transfer 4478 in order to
distinguish between 1858 and 1908
water FOR CERT. 7159

Fred P. M. McIntick



SUCKER CR.
WF T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

PAGE 1
RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. T000044781 PERMIT NO. 005398 CERTIF. NO.
ORIG. NO. C000071531 PREV. NO. C000071531 SUPER. NO.

NAME: FRED P. MCCLINTICK

ADDRESS: 2131 WHITE SCHOOL RD

CITY/STATE/ZIP/COUNTY: CAVE JUNCTION, OR 97523

17

STREAM-ID 15 1680 0440 0710 070

RIV. MI.

WM. DIST. 14 W.R. TYPE SC STATUS V

CANCEL YEAR----

CONSTR. COMPLT--> 0821 1980

YR. LAST USED-----> _____

NEXT ACTION DUE--> _____

PRIORITY-----> 1231 1980

PUT TO USE-----> 0821 1980

LAST TRANS. DATE--> _____

LAST TRANS. TYPE--> _____

APPLICATION--> 0415 1980

SURVEYED-----> _____

EXAM. FEE-----> 20.00

RECORDING FEE-----> 10.00

PERMIT ISSUE--> 0509 1980

CONCURRENCE-----> _____

CYCLE STATUS-----> _____

REPORTED FLAG-----> _____

CONSTR. STRT.--> 0509 1980

CERTIFIED-----> _____

CORRES. INIT.-----> _____

CORRES. DATE-----> _____

POINT-OF-DIVERSION DATA:
TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

3905 070W 29 D B 15 1680 0440 0710 070

0.110

V P

** REMARKS; ----->
** DATED-->

** POD: WHITE DITCH 1600' N.E. 1650' W

** FM SE COR S 29. CHANGES POD

** PART OF C-7153. REC-49706.

PLACE-OF-USE DATA:
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

3905 070W 31 B B 17 1R 100 3.40 V P

080W 25 D D 1 1 3.90

1 36 A A 1 1 2.70

49706

**----->

**----->

**----->

**----->

W.D. S.

2-15-85

1, 800

1, 800

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ORA SMITH

of Kerby, State of Oregon 97531, has
 a right to the use of the waters of
 Sucker Creek

a tributary of East Fork Illinois River for the purpose of
 irrigation of 77.92 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Josephine County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 1 & 5, at page 253 & 398 that the priority of the right thereby confirmed dates from 1858 for Tract No. 1; 1908 for Tract No. 2;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.89 cubic foot per second, and that the use of water for irrigation purposes shall be confined to the season April 1 to October 31 of each year;

The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T. 39 S., R. 7 W., W.M.; White Ditch - 1600 feet North and 1650 feet West from SE Corner, Section 29.

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

SEE NEXT PAGE

Tract 1

7.55 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
2.99 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
1.12 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
6.40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
8.64 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
22.48 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25
T. 39 S., R. 8 W., W.M.

Tract 2

12.45 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
9.51 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
4.08 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
2.70 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25
T. 39 S., R. 8 W., W.M.

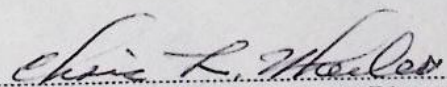
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 7153, Volume 7, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on May 9, 1980, approving transfer application No. 4478.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 Water Resources Director, affixed

this date October 28 , 1980 .



Deputy Water Resources Director

RECEIVED
AUG 21 1980
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

Place of use - Sucker Creek

PURSUANT TO TRNASFER APPLICATION NO. 4478

I, Leed P. M. McIntick, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by July 1, 1980

Aug 20, 1980
Date

Leed P. M. McIntick
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

ok
Qiy



MAX H. MULL Land Surveying

Office 476-2425

RECEIVED

APR 15 1980
602 N. W. 5th. Street Grants Pass, Oregon 97526
WATER RESOURCES DEPT
SALEM, OREGON

DESCRIPTION FOR: McCLINTICK

MARCH 2, 1973

26.90 acres, more or less

A parcel of land in the Samuel White Donation Land Claim No. 37 in Section 30, Township 39 South, Range 7 West, Willamette Meridian, Josephine County, Oregon, and being more particularly described as follows:

Beginning at the Northeast corner of said D.L.C. No. 37; thence along the North line of said D.L.C. No. 37, South $89^{\circ}54'$ West 2345.74 feet to an Iron Rod; thence South $0^{\circ}27'42''$ East 500.00 feet to an Iron Rod; thence North $89^{\circ}54'$ East 2341.70 feet, more or less, to the East line of said D.L.C. No. 37; thence along the East line of said D.L.C. No. 37 North 499.98 feet to the point of beginning.

T-4478

RECEIVED
APR 15 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, FRED P MCCLINTICK

(Name of applicant)

of 2131 WHITE SCHOOL ROAD

(Mailing address)

CAVE JUNCTION

(City)

State of OREGON

97523

(Zip Code)

592-2247

(Phone number)

do hereby make application for change

PLACE OF USE

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

1. Is the water right recorded in your name? NO - DRA SMITH V5 P398

(If not, give name)

2. Was your water right determined by Decree of Court? YES If so, give title of proceedings

(Yes or No)

SUCKER CREEK

number of certificate 7153

3. Was your water right acquired by Water Right Permit? _____ If so, give number

(Yes or No)

of permit _____ Number of certificate _____

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is SUCKER CREEK

5. What is the date of priority of your water right? 1908

6. The authorized point of diversion is located 1600 ft. N and 1650 ft. W from the SE

(N. or S.)

(E. or W.)

corner of SEC 29 being within the NW 1/4 SE 1/4 of Section 29 Tp. 39S R. 7W W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of JOSEPHINE The name of the ditch used is WHITE

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____

(N. or S.)

(E. or W.)

corner of _____ being within the _____ 1/4 _____ 1/4 of Section _____ Tp. _____ R. _____ W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of _____ The name of the ditch to be used is _____

8. The use to which the water is applied is IRRIGATION
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
39S	8W	25	SE $\frac{1}{4}$ NE $\frac{1}{4}$	10 AC (Tract 2)

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? YES
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? NO
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
MORTGAGE	FM. H. A. MEDFORD	27,000

13. The use to which the water is to be applied is IRRIGATION
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
39S	7W	31	NW - NW	3 $\frac{1}{2}$
39S	8W	25	SE - SE	3 $\frac{1}{2}$
39S	8W	36	NE - NE	2 $\frac{1}{2}$
			TOTAL	10 AC

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are WE WILL BE PUTTING THE WATER
ON BETTER AND MORE PRODUCTIVE FARM GROUND

15. Construction work will be completed on or before NO WORK TO BE DONE

16. The water will be completely applied to the proposed use on or before JULY 15, 1980

Remarks THE TRANSFER OF THIS WATER WILL IN
NO WAY RESULT IN INJURY TO ANY OTHER
WATER RIGHT

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, Fred P. McClinton, 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 April, 1980

FRED P. McClinton
(Name of applicant)

Subscribed and sworn to before me this 12th day of April, 1980

[Notarial Seal]

Heena M. Benson
NOTARY PUBLIC FOR OREGON

My commission expires 10-3-83

T-4478

RECEIVED

APR 15 1990

WATER RESOURCES DEPT
SALEM, OREGON

N ↑

AUTHORIZED

TWP 39S RANGE 7-8 W 11M
SCALE 1" = 400'

WHITE DITCH

CAVES HIGHWAY

10² AC

WHITE

SCHOOL

ROAD

PROPOSED

IRR DITCH FROM WHITE

30

39 25

22 36

27

31

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60

WHITE SCHOOL ROAD

CARNER ROAD

FRED MCCLINTICK
2131 WHITE SCHOOL RD
CAVE JUNCTION, ORE. 97533

RECEIVED

APR 15 1980

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "B"

Beginning at the Southwest corner of the Samuel White Donation Land Claim No. 42, which bears South 2.5 chains and 12.32 chains West of the corner common to Sections 25 and 36 in Township 39 South, Range 8 West, and Section 30 and 31, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon; thence North 623.4 feet to an iron pipe; thence North $79^{\circ}12'$ East 1463 feet to a point on the South end and on the center line of bridge over Kelly Creek; thence South $24^{\circ}10'$ East 326.8 feet to an iron pipe; thence North $68^{\circ}46'$ East 1193.7 feet to an iron pipe; thence South 390.8 feet to an iron pipe; thence North $67^{\circ}15'$ East 1222 feet to an iron pipe; thence East 1080.7 feet to an iron pipe on the East line of the Southwest Quarter of the Southeast Quarter of Section 30, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon; thence South 944 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 30; thence West 1320 feet, more or less, to the South Quarter corner of said Section 30; thence South 165 feet to the Southeast corner of Donation Land Claim No. 37; thence West 3590.8 feet along the South line of Donation Land Claim No. 37 and Donation Land Claim No. 42 to the point of beginning.

LESS AND EXCEPT the following: A parcel of land in D.L.C. No. 37 and in the Southwest Quarter of Section 30, Township 39 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon; being more particularly described as follows: Beginning at a point on the Westerly right of way line of White School Road which bears North $72^{\circ}28'39''$ East 1676.06 feet from the Southwest corner of D.L.C. No. 42; thence South $70^{\circ}25'43''$ West 284.16 feet to an iron rod; thence North $21^{\circ}16'39''$ West 147.85 feet to an iron rod; thence North $69^{\circ}40'08''$ East 275.55 feet to an iron rod on the Westerly right of way line of White School Road; thence along said right of way line, South $24^{\circ}29'25''$ East 132.00 feet to the point of beginning.