

4434

Name Homer Nelson Sheets
By _____
Address 10860 Redwood Hwy
Wilderville, OR 97543

Change in USE
Date filed 3-21-80
Date of hearing July 15, 1980
Place of hearing Grants Pass
Date of order 7-28-80 Vol. 33, page 504
Date for application of water complete
Proof mailed _____
Proof received _____
Certificate issued OCT 28 1980 Vol. 43, page 49705 ✓
MAR 21 1986 49 54038 ✓

REMARKS

See T-4321, 4303, 4493
Part of C# 20253 canceled SPORV33 P750

DESCRIPTION OF WATER RIGHT

Name of stream Wonder Mountain Gulch
Trib. of _____ County of Josephine
Use irrigation to domestic
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority 10-31-1942
In name of R. Glenn & Pearl E. Rees
_____ Adjudication, Vol. _____, page _____
App. No. 19817 ^{SR} Per. No. 15375 Cert. No. 20253 ^{SR}
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3/21/80</u>	<u>85.00</u>	<u>16755</u>
TOTAL . . .		
	Cert. Fee	
<u>The Daily Courier \$34.83 pd ck #4256 6/24/80</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>6/24/80</u>	<u>15¹⁷</u>	<u>4257</u>
<u>Ex 70 -</u> <u>Use 15 -</u> <u>PON 34.83</u> <u>69.83</u>		

W.R.I.S.	
Assembled <u>2-17-85</u> by <u>SR</u>	
Entered _____ by _____	
Verified _____ by _____	

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

Sheets
345

T- 4434

(AMENDED MAP)

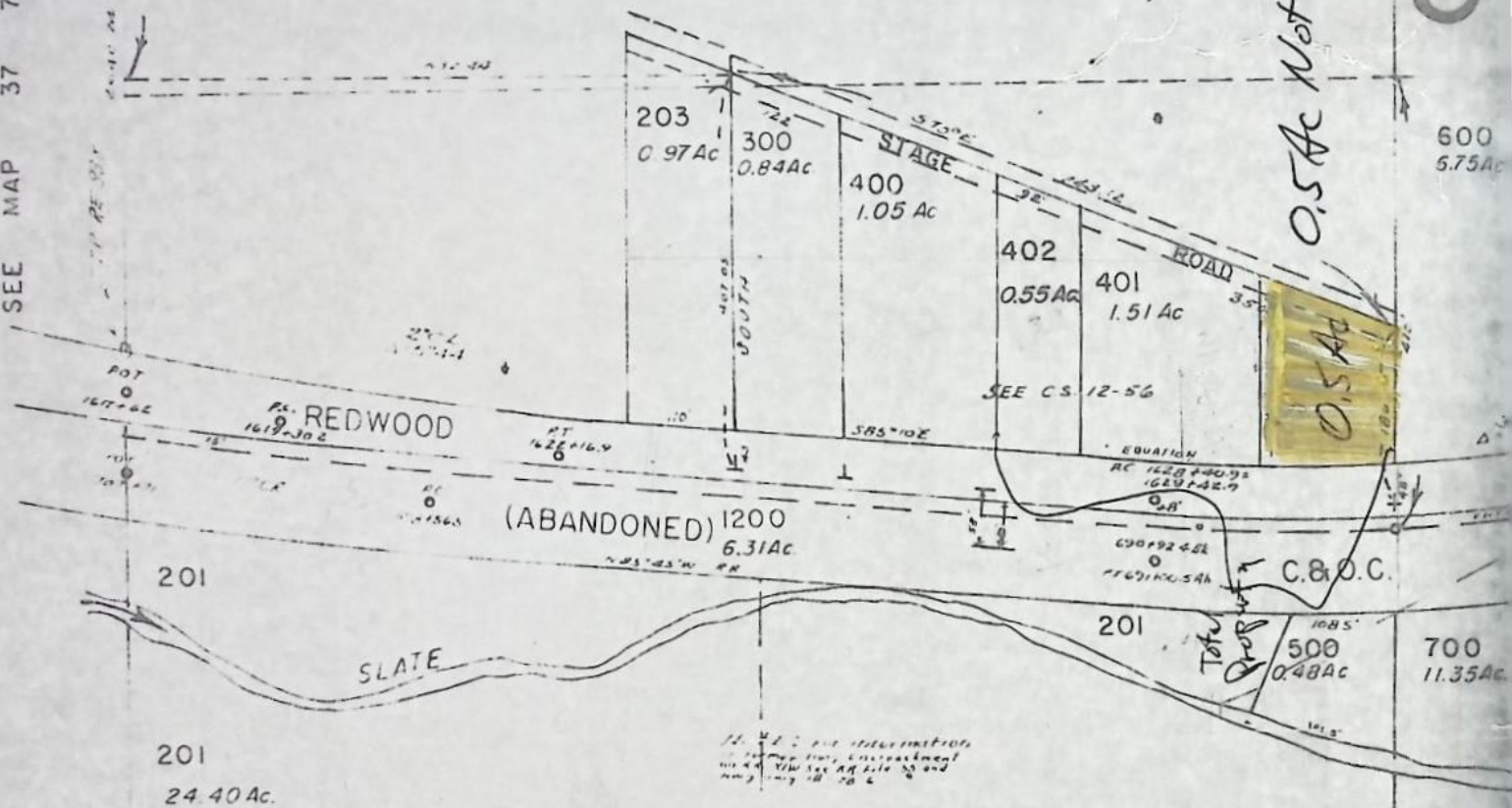
SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 10

T 37 S. R 7 W. WM.

SEE MAP 37 7 90

5

0.5 Ac Not irrigated



RECEIVED

APR 25 1980

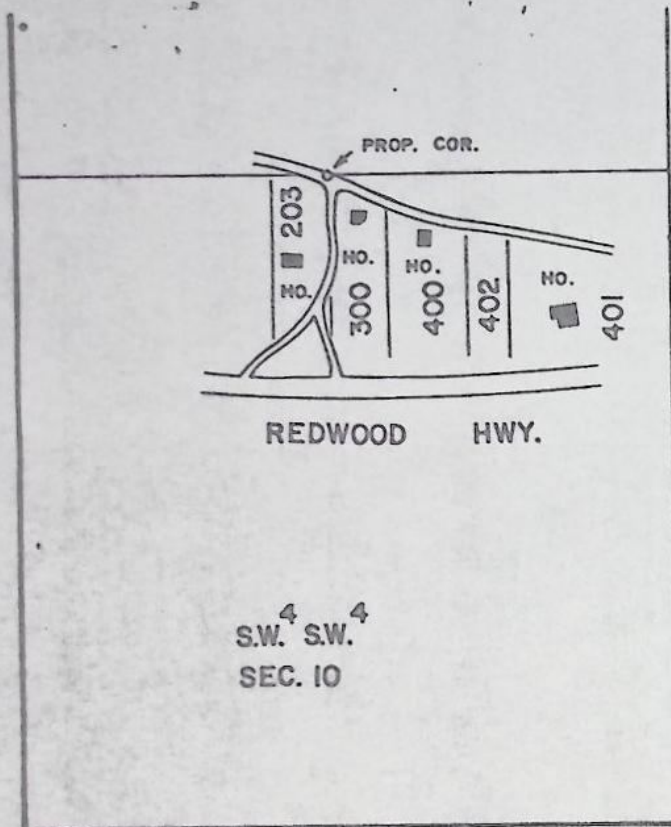
WATER RESOURCES DEPT
SALEM, OREGON

See Survey by
K. Camp Ltd. 1978

9 10

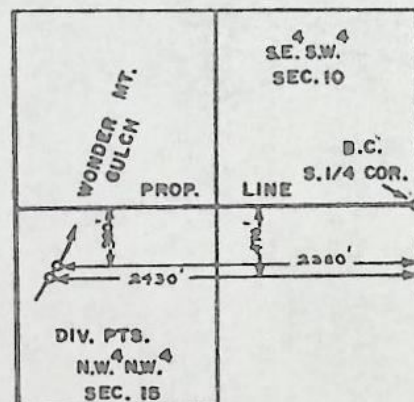
16 15

T.37S., R.7W., W.M.



SCALE: 1" = 400 FT.

T.37S., R.7W., W.M.



[REDACTED]

UNDER

Application No. 19817 Permit No. 15375
IN NAME OF

Surveyed APR. 25 1980, by B. SUND

D.H.M.
PTS. -1980-14-A

RECEIVED
JUL 21 1980
WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF HOMER NELSON SHEETS FOR APPROVAL)
OF A CHANGE IN USE HERETOFORE MADE)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4434

On March 21, 1980, an application was filed in the office of the Water Resources Director by Homer Nelson Sheets for approval of a change in use heretofore made of water from Wonder Mountain Gulch, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 20253, Volume 15, State Record of Water Right Certificates, in the name of R. Glenn and Pearl E. Rees, describes a right established under the terms of Permit No. 15375 for the use of water from Wonder Mountain Gulch for irrigation of a certain 8.0 acres in SW 1/4 SW 1/4 of Section 10, Township 37 South, Range 7 West, W.M., with a date of priority of October 31, 1942.

It is noted that the said certificate contains a clerical error in that it describes the quantity of water appropriated for said lands as 0.01 cubic foot per second. The correct quantity, as established in the taking of proof of performance under said permit, is 0.10 cubic foot per second.

Water for the said right is diverted from a point located 60 feet South and 400 feet East from the Northwest Corner of Section 15, being within the NW 1/4 NW 1/4 of Section 15, Township 37 South, Range 7 West, W.M.

The applicant herein proposes to sever the right from 0.5 acre of said 8.0 acres, without loss of priority, and to change the use heretofore made from irrigation to domestic use during the irrigation season only.

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of May 22, 29 and June 5, 1980.

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

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

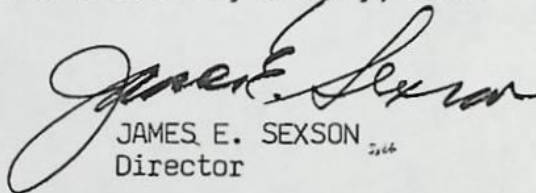
NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of water, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in use heretofore made of water is completed.

The order of the Water Resources Director entered May 9, 1980, approving transfer application No. 4321, provided for cancellation of the certificate recorded at page 20253, Volume 15, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceedings.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by said order; 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 28th day of July, 1980.


JAMES E. SEXSON
Director

County Josephine

[illegible]

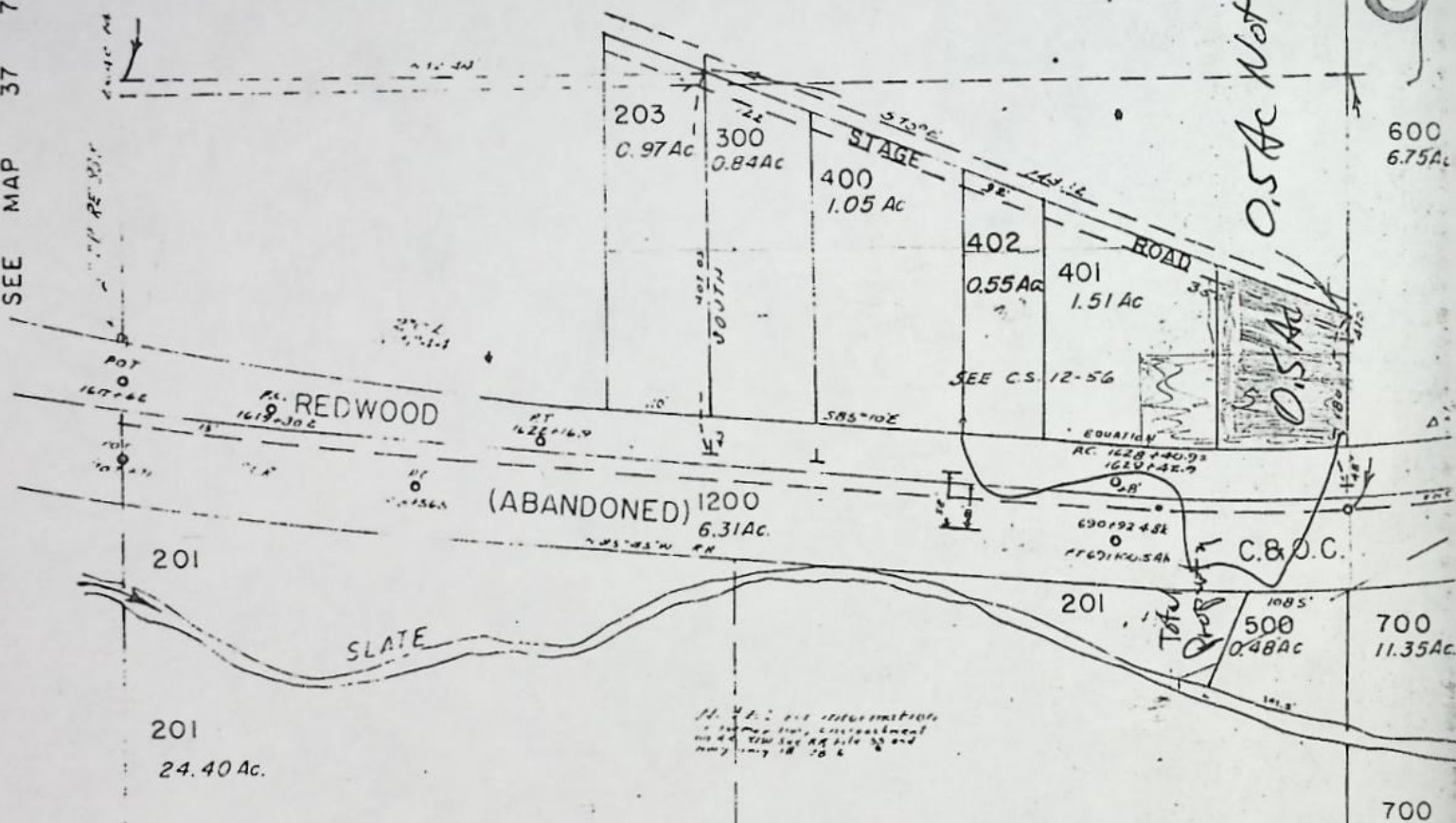
**WATER RESOURCES DEPT.
SALEM, OREGON**

(AMMENDED MAP)

SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 10
T 37 S. R 7 W. WM.

SEE	MAP	37	7	90
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RECEIVED

APR 23 1980

WATER RESOURCES DEPT
SALEM, OREGON

See Survey by
K. T. Smith 11/18/50

9

10

16

FINAL REPORT ON
DOMESTIC USE

APPLICATION NO.

PERMIT NO.

TRANSFER NO. 4434

INFO: NAME: HOMER NELSON SHEETS

ADDRESS: 10860 REDWOOD HWY., WILDERVILLE, 97543

TALKED TO: MRS. SHEETS

SOURCES: WONDER MOUNTAIN GULCH

SYSTEM: GRAVITY FLOW THROUGH 2" BLACK PLASTIC LINE

DOMESTIC USE: NO. OF HOUSES: ONE

NAMES OF OWNERS: SAME

WHICH DOM. INTENDED:

DIVERSION: DIRECT: ROCK DAM ACROSS CREEK

STRUCTURE:

PUMP: MAKE:

TYPE:

SUCTION SIZE:

DISCHARGE SIZE:

MODEL NO.:

RATING:

MOTOR: MAKE:

TYPE:

HP:

RPM:

CONNECTED DIRECT OR PULLEYS:

PIPE NO. FEET: 4000'

SIZE: 2"

TYPE: BLK. PLASTIC

LIFT: FALL: 160'

SUCTION:

DISCHARGE:

PRESSURE AT HOUSE: 65 PSI

TIE: MONUMENTS: INSPECTION

SURVEYED ON: PTS-1980-14-A

RECEIVED

DEC 7 1982

WATER RESOURCES DEPT.
SALEM, OREGON

FIELD ENGINEER

DATE: 8/16/82

NOTE: WELL IS USED FOR DOMESTIC & IRRIGATION DURING
THE NON-IRRIGATION SEASON.

INSPECTION
28-91-82
BSV

WONDER MTN CULCH

W 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. T000044741 PERMIT NO. 015375 CERTIF. NO.
ORIG. NO. A000198171 PREV. NO. A000198171 SUPER. NO.

NAME: HOMER NELSON SHEETS

ADDRESS: 10860 REDWOOD HWY

CITY/STATE/ZIP/COUNTY: WILDERVILLE, OR 97543 17

STREAM-ID 15 1680

RIV. MI.

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

CANCEL YEAR--->

CONSTR. COMPLT---> 07 28 1980

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 10 31 1942

PUT TO USE-----> 07 28 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 03 21 1980

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE---> 07 28 1980

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.---> 07 28 1980

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI.

RATE

STATUS S OR P

3705 070W 15 B B 15 1680

0.006

V P

** REMARKS; - - - - ->

** DATED-->

** POD: 60'S E 400' E FM NW

** COR S 15. CHANGES USE FM IR

** TO DO PART OF C-20253.

PLACE-OF-USE DATA:

TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

3705 070W 10 C C 17 D0 100

V P

**-----

**-----

**-----

**-----

W.T.S.

APPROVED 2-13-85, SDH

EXT.

VERIFIED



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: May 19, 1980.FROM: ** Robert B. Steimer, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4434IN THE NAME OF Homer Nelson Sheets

RECEIVED

MAY 20 1980

WATER RESOURCES DEPT
SALEM, OREGON

In my opinion the proposed change in Use of water from Wonder Mountain Gulch
MAY BE MADE WITHOUT INJURY ~~to an existing water right~~ to an existing water right.

Headgate notices ~~will~~ 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:

- (1) PRIOR to the diverting of water at the new point of diversion
 X (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 _____

**

Robert B Steimer

Watermaster's signature or initials

LEGAL NOTICE

NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 4434

The water Resources Director of Oregon has received and filed an application by Homer Nelson Sheets for approval, without loss of priority, of a change in use heretofore made of water under a certain water right.

The affected water right is a portion of the right described by the certificate recorded at page 20253, Volume 15, State Record of Water Right Certificates, in the names of R. Glenn & Pearl E. Rees, and is for the use of not to exceed 0.005 cubic foot per second from Wonder Mountain Gulch, under a priority date of Oct. 31, 1942, for irrigation of a certain 0.5 ac in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 10, T 37S, R 7W, WM.

The authorized point of diversion is located 60 ft S & 400 ft E from the NW Corner of Sec 15, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 15, T 37S, R 7W, WM.

The applicant proposes to change the use heretofore made to domestic use for one family, during the irrigation season only, in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 10, T 37S, R 7W, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Tuesday, July 15, 1980, at the Josephine County Courthouse, Grants Pass, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at 10860 Redwood Hwy. Wilderville, OR 97543; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 15th day of May, 1980

James E. Sexson, Director
No. 102—Thurs.—May 22, 29 & June 5, 1980

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 3 1980
WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon }
County of Josephine } ss.

I, Charles J. Moore, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the Grants Pass Daily Courier, printer or his foreman of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4434, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the following issues May 22, 29 & June 5, 1980

Charles J. Moore
Subscribed and sworn to before me this 5th day of June, 19 80

Walter Zahniser
Notary Public of Oregon.

My commission expires 4th day of February, 19 84.

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APR 2 1980
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED RECEIVED
MAY 3 1980 APR 25 1980
WATER RESOURCES DEPT
SALEM, OREGON

T-4434

RECEIVED
APR 21 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, HOMER NELSON SHEETS
(Name of applicant)
of 10860 REDWOOD HWY, WILDERVILLE
(Mailing address) (City)
State of OREGON, 97543, 479-6098, do hereby make application for change
(Zip Code) (Phone number)
from IRRIGATION TO DOMESTIC USE
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? NO - R. GLENN + PEARL E. REES
(If not, give name)

2. Was your water right determined by Decree of Court? NO If so, give title of proceedings
(Yes or No)

number of certificate

3. Was your water right acquired by Water Right Permit? YES If so, give number
(Yes or No)
of permit 15375 Number of certificate 20253

A-1987

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 WONDER MOUNTAIN GULCH

5. What is the date of priority of your water right? 10-31-42

6. The authorized point of diversion is located 80 ft. S and 400 ft. E from the NW
(N. or S.) (E. or W.)
corner of SE 1/4 being within the NW 1/4 NW 1/4 of Section 15 Tp. 37S R. 7W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Josephine The name of the ditch used is

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 + HOME USE ^{.5 Ac}
(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 1/4-1/4 of Section	Number Acres To Be Irrigated
37S	7W	10	SW 1/4 SW 1/4	2.05 .5 Ac

(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.?
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is IRRIGATION - DOMESTIC ^{.5 Ac}
(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 1/4-1/4 of Section	Number Acres To Be Irrigated
37S	7W	10	SW 1/4 SW 1/4	DOMESTIC use + the Ac Irrigation

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are I was not aware that
this water which has been used by me for 2 1/2
years did not have a permit that included both
irrigation + domestic use.

15. Construction work will be completed on or before Oct 30, 1979

16. The water will be completely applied to the proposed use on or before _____

Remarks _____

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, HOMER N SHEETS, 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 18 day of March, 19 80.

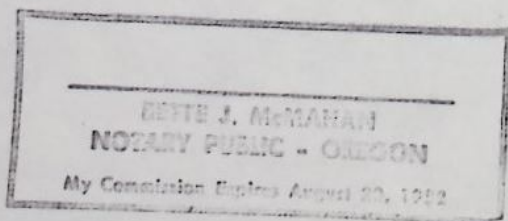
Homer N Sheets
(Name of applicant)

Subscribed and sworn to before me this 18 day of March, 19 80.

[Notarial Seal]

Bette J. McMahon
NOTARY PUBLIC FOR OREGON

My commission expires 8-20-82



**JOSEPHINE COUNTY ASSESSOR
COURTHOUSE
GRANTS PASS, OREGON 97526**

NOTICE OF CHANGE IN ASSESSED VALUATION

Sent in compliance with ORS 308.280

This notice is sent to advise you of the assessed value that has been placed on the property described hereon for use on the next assessment roll now being prepared. The preceding year's values are also shown for your convenience. Oregon Revised Statutes 308.205 and 308.232 state that all property shall be assessed at 100 per cent of True Cash Value and that true cash value is market value as of January 1. If your estimate of the market value of the property disagrees with the market value shown, you should come to the County Assessor's Office as soon as possible, not later than May 1, to discuss the valuation. Further appeal may be made to the County Board of Equalization by filing with the County Clerk a petition for a hearing not later than the 3rd Monday in May.

NAME AND ADDRESS
OF OWNER

**PAULI, FRANK F & RUTH E.
XSHEETS, M NELSON & VIOLA M
10860 REDWOOD HWY
GRANTS PASS, OR 97526**

RECEIVED

APR 2 1980

**WATER RESOURCES DEPT
SALEM, OREGON**

MAP NUMBER					
CODE AREA	TWP	RAN	SEC	1/4 1/2 SEC	CK #
5	37	07	10	30	0
TAX LOT			TYPE CK #		
402			00 0		

ASSESSMENT YEAR	ACRES	ASSESSED VALUES			
		LAND	TIMBER	IMPROVEMENTS (BLDGS.)	TOTAL
1977	.55	2000.00		100	2000.00
1978	.55	2700.00	.00	100	2700.00

TRUE CASH (MARKET) VALUE **2700** (01)

**JOSEPHINE COUNTY ASSESSOR
COURTHOUSE
GRANTS PASS, OREGON 97526**

NOTICE OF CHANGE IN ASSESSED VALUATION

Sent in compliance with ORS 308.280

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NAME AND ADDRESS
OF OWNER

**PAULI, FRANK F & RUTH
XSHEETS, M NELSON & VIOLA M
10860 REDWOOD HWY
GRANTS PASS, OR 97526**

DATE OF NOTICE
APRIL 12, 1978

MAP NUMBER					
CODE AREA	TWP	RAN	SEC	1/4 1/2 SEC	CK #
5	37	07	10	30	0
TAX LOT			TYPE CK #		
401			00 1		

ASSESSMENT YEAR	ACRES	ASSESSED VALUES			
		LAND	TIMBER	IMPROVEMENTS (BLDGS.)	TOTAL
1977	1.51	7000.00		26180.00	33180.00
1978	1.51	9450.00	.00	26180.00	35630.00

TRUE CASH (MARKET) VALUE **35630** (01)

RECEIVED
APR 2 1980
SOURCES

RECEIVED
APR 2 1980
WATER RESOURCES DEPT
SALEM, OREGON

TOWNSHIP 37 S, RANGE 7 W., W. M.

North

Went

9

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152

Myover is in the

S2475

01
FD AC

69.

740

16

15

Boltzmann

9817-89C
15-46 A

APPLICATION No. 19817

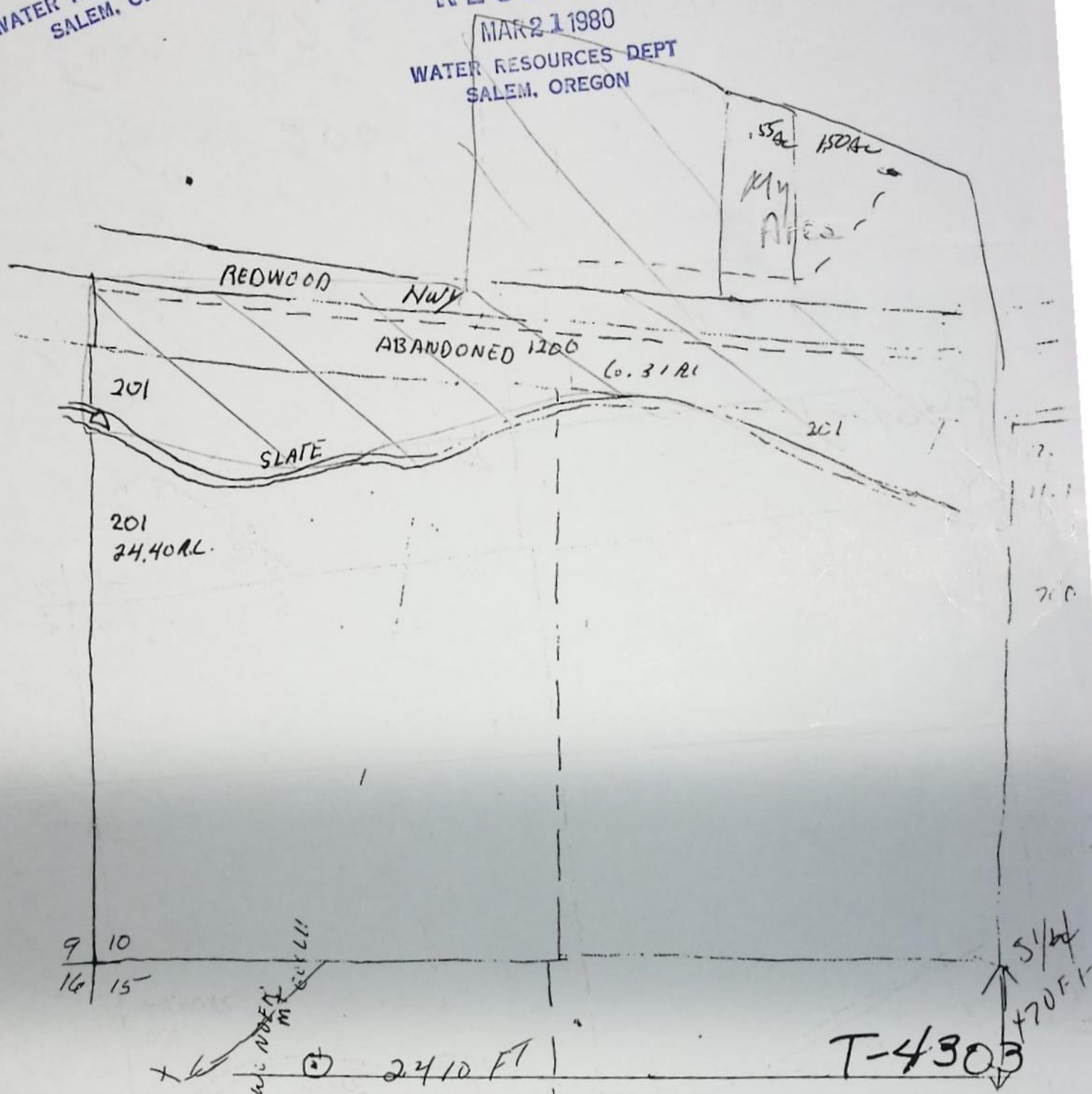
PERMIT No. 15375

RECEIVED

APR 2 1980
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAR 21 1980
WATER RESOURCES DEPT
SALEM, OREGON



1" = 200'

Twp. 37 S., R. 7 W. W. M.

APR 1 1980

REAL ESTATE SALE CONTRACTWATER RESOURCES DEPT
SALEM, OREGON

THIS CONTRACT, made and entered into in multiple originals this 11th day of June, 1977, by and between FRANK F. PAULI and RUTH ELIZABETH PAULI, also known as RUTH E. PAULI, husband and wife, hereinafter referred to as Vendor, and H. NELSON SHEETS and VIOLA M. SHEETS, husband and wife or survivor, hereinafter referred to as Vendee,

W I T N E S S E T H :

1. The Vendor hereby sells to the Vendee and the Vendee hereby purchases from the Vendor, upon the terms and conditions set forth in this Contract and for the purchase price of \$45,000.00, payable as set forth in this Contract, the following real property, with the tenements, hereditaments and appurtenances thereof, and any improvements thereon, situated in Josephine County, Oregon, to-wit:

✓ PARCEL I:

A parcel of land in the West Half of the Southwest Quarter of Section 10, Township 37 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon: Beginning at a point 1307.39 feet South and 632.44 feet East of the Quarter corner between Sections 9 and 10; thence South 70°00' East 743.12 feet along the center line of a roadway 30 feet in width to the East line of the West Half of the Southwest Quarter of Section 10 and the true point of beginning; thence North 70°00' West along the center line of said roadway 350 feet; thence South 390 feet, more or less, to the center line of U.S. Highway #199; thence Easterly along said center line to a point due South of the true point of beginning; thence North 180 feet, more or less, to the true point of beginning. LESS AND EXCEPTING any portion lying within U.S. Highway #199.

PARCEL II:

A parcel of land lying in the West Half of the Southwest Quarter of Section 10, Township 37 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon, described as follows: Beginning at the intersection of the center line of U.S. Highway #199 and the East line of the West Half of the Southwest Quarter of said Section 10; thence North 180 feet to the center line of a 30 foot road (Stage Road); thence North 70° West 350 feet along the center line of said road to the true point of beginning; thence continuing North 70° West along the center line of said 30 foot road 92 feet; thence South to the center line of U.S. Highway #199; thence Easterly along said center line of U.S. Highway #199 to a point which bears South from the true point of beginning; thence North to the true point of beginning. LESS AND EXCEPT that portion lying within U.S. Highway #199.

SUBJECT TO:

1. The rights of the public in and to that portion of the premises herein described lying within the limits of existing roads.
2. An easement created by instrument, including the terms and provisions thereof, recorded in Volume 202, at Page 159, Josephine County Deed Records, in favor of the California Oregon Power Company for the transmission and distribution of electricity and incidentals. (No specific location - 20 feet wide.)
3. Reservation as set forth in the deed from Portola Lumber Company recorded in Volume 197, at Page 167, Josephine County Deed Records, to-wit:
"Reserving, however, to the Grantor, its successors and assigns, a perpetual easement and right of way for all purposes across the presently existing roads now crossing the above described real property."