

4326

MILES

Name WALLY MILES

By _____

Address Umpqua RT Box 52AOakland, OR 97462Change in POUDate filed Nov 15, 1979

Date of hearing _____

Place of hearing _____

Date of order 1-21-80 Vol. 32, page 652Date for application of water 10-1-81

Proof mailed _____

Proof received _____

Certificate issued 2-1-80 Vol. 42, page 48941

67215-2F

to per 11/81

Surveyed 7/17/86

Card for C NOV. 2.0. 1981

REMARKS

4326

DESCRIPTION OF WATER RIGHT

Name of stream CALAPOOYA CREEKTrib. of _____ County of DOUGLASUse IRRIGATIONQuantity of water _____ No. of acres 0.60

Name of ditch _____

Date of priority May 3, 1955In name of Mary K. Forster

_____ Adjudication, Vol. _____, page _____

App. No. 29956^{SRA} Per. No. 23412 Cert. No. 43552^{SRA}

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>11-15-79</u>	<u>35.00</u>	<u>15018</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

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

W.R.I.S.

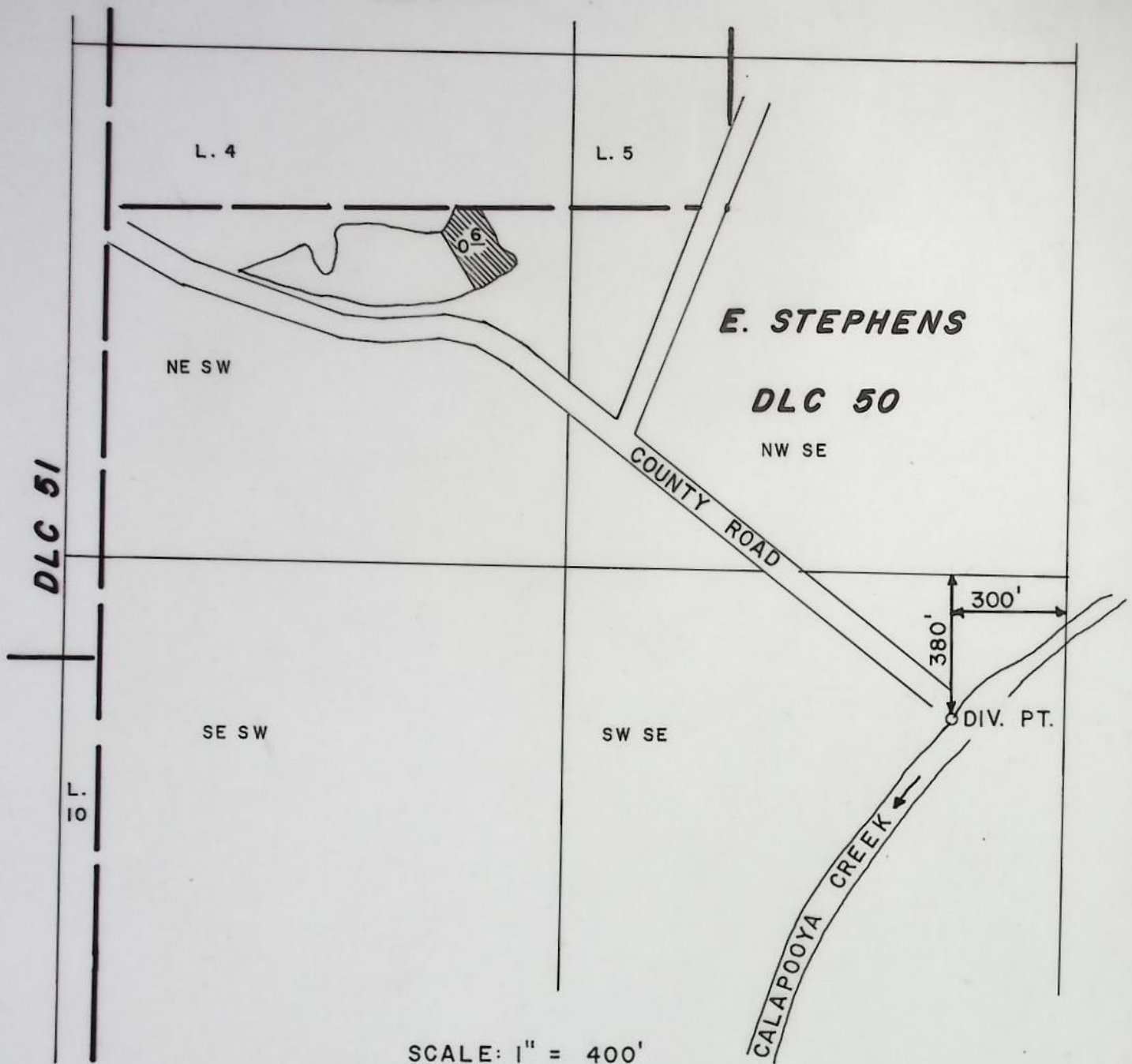
Assembled 7-3-83 by SRA

Entered _____ by _____

Verified _____ by _____

242

T. 25 S., R. 6 W., W. M.
SECTION 15



SCALE: 1" = 400'
FINAL PROOF SURVEY
UNDER

TRANSFER NUMBER: 4326
IN NAME OF

WALLY MILES

Surveyed JULY 17, 1986, by J.M. SCHMORDE.

DB

Add'l POD

Left card 7115

459-3955

NO PHONE # LISTED

Address Umpqua RT, Box 52A, Oakland, OR 97462

Calapooriya Cr.

in 10.60ac

0.01 cfs ✓

5-3-1955

Proposed Point of Diversion

10-1-81

Place of Use:

[illegible]

INFO: MET W/ WALLY MILES, HE PUMPS FROM CALAPOOYA CREEK TO IRRIGATE A HILLSIDE USED FOR PASTURE PLANTED WITH FESCUE AND CLOVER

DIV. PT.: DIRECT DRAFT FROM CALAPOOYA CREEK

SOURCE: CALAPOOYA CREEK FOR IRRIGATION

PUMP: $1\frac{1}{2} \times 1$ " PACIFIC CENTRIFUGAL

MOTOR: $7\frac{1}{2}$ HP GENERAL ELECTRIC

PIPE: 1800 FT OF 4 INCH (1300 FT OF PVC, 500 FT. OF ALUMINUM)
1050 FT OF 3 INCH ALUMINUM WITH 35 RB 30 SPRINKLERS
W/ $5/32$ " NOZZLES

MAX SPRINKLERS AT ONE TIME

LIFT: SUCTION 12 FT

DISCHARGE 80 FT

TIE: PHOTO SEC. 15 T25S, R6W 1982-83 $1" = 400'$

MON:

Calculations:

$$Q_A = \frac{0.6}{80} = 0.0075 \text{ CFS}$$

$$Q_p = \frac{(6.6)(7.5)}{102 + 92} = 0.03 \text{ CFS}$$

NOTE: THIS TRANSFER IS BY AGREEMENT WITH MR. ~~FOR~~ MILES' NEIGHBOR WHO TRANSFERRED THE LAND TAKEN OUT OF IRRIGATION BY THE CONSTRUCTION OF THE NEIGHBOR'S HOUSE, BARN, OUT-BUILDINGS AND DRIVEWAY.

RECEIVED

NOV 15 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

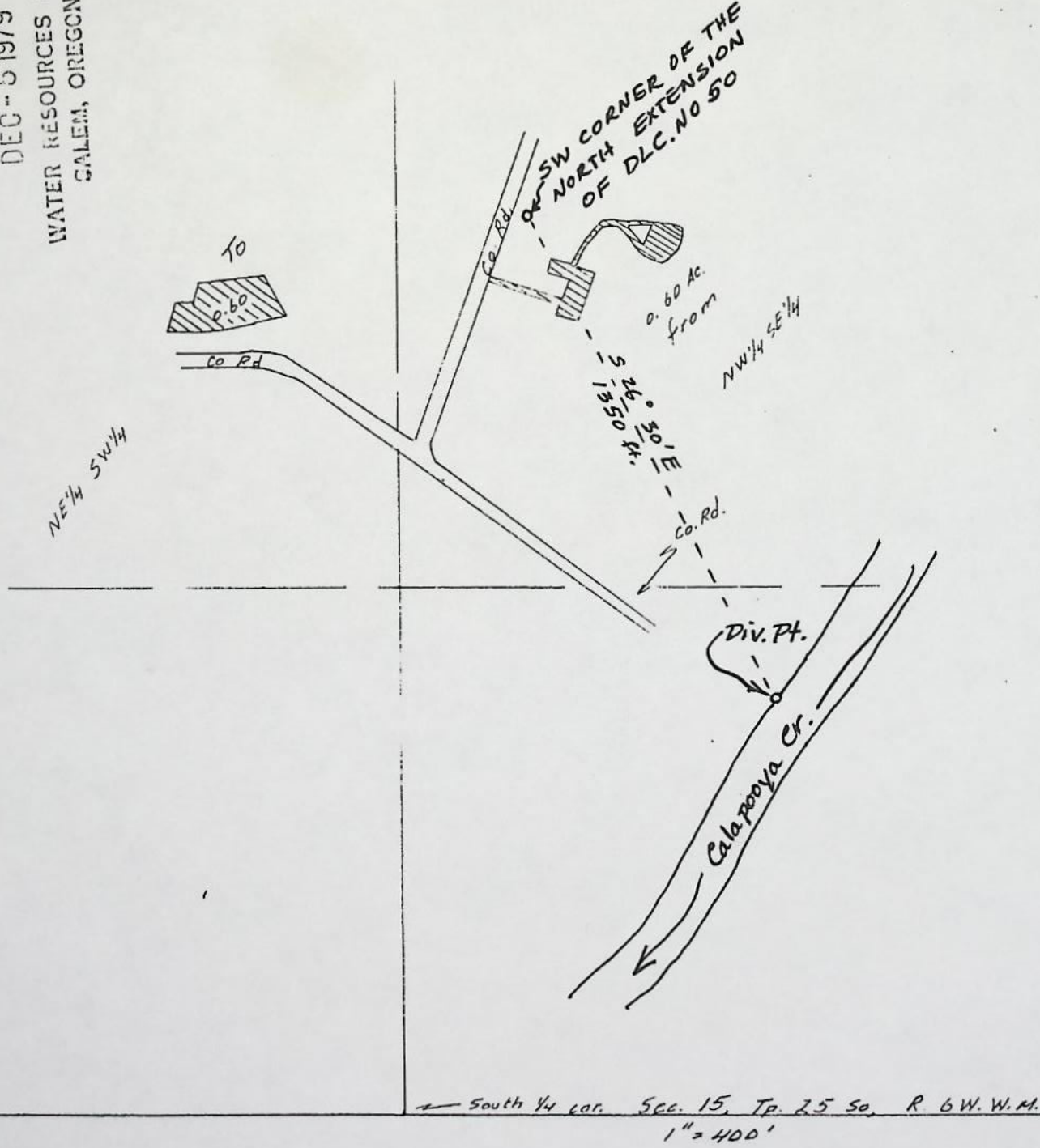
OCT - 8 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

DEC - 5 1979

WATER RESOURCES DEPT
SALEM, OREGON



STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WALLY MILES
UMPQUA ROUTE, BOX 52A
OAKLAND, OREGON 97462

confirms the right to use the waters of CALAPOOYA CREEK, a tributary of UMPQUA RIVER, for IRRIGATING 0.6 ACRE.

This right was perfected under Permit 23412. The date of priority is MAY 3, 1955. This right is limited to 0.01 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, AS PROJECTED WITHIN DLC 50, SECTION 15, T 25 S, R 6 W, W.M.; 380 FEET SOUTH AND 300 FEET WEST FROM THE NE CORNER OF THE SW 1/4 SE 1/4 OF SECTION 15.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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

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

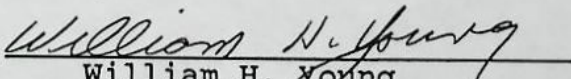
NE 1/4 SW 1/4 0.6 ACRE
SECTION 15
TOWNSHIP 25 SOUTH, RANGE 6 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 21, 1980, approving transfer 4326, and together with Certificate 48941, supersedes Certificate 43552, 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.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights.

WITNESS the signature of the Water Resources Director, affixed
MARCH 9, 1992.


William H. Young

Recorded in State Record of Water Right Certificates numbered 67215.

T-4326.VRG

T. 25 S. R. 6 W.

15

SW. CORNER OF THE
NORTH EXTENSION
OF D.L.C. No. 50 T. 25 S. R. 6 W.

0.4 ac

T-2512
Ch. P.A. Div.

MOST WESTERLY
N.W. CORNER D.L.C. No. 50

S 63° 40' E 1510.0
COUNTY

NE SW
17 AC.

REFERENCE MON.

COUNTY ROAD
18" STEEL PIPE

NW SE
26 AC.

S 26° 30' E
1350.0

10 AC

NE SE
10 AC.

CREEK

POINT OF DIVERSION

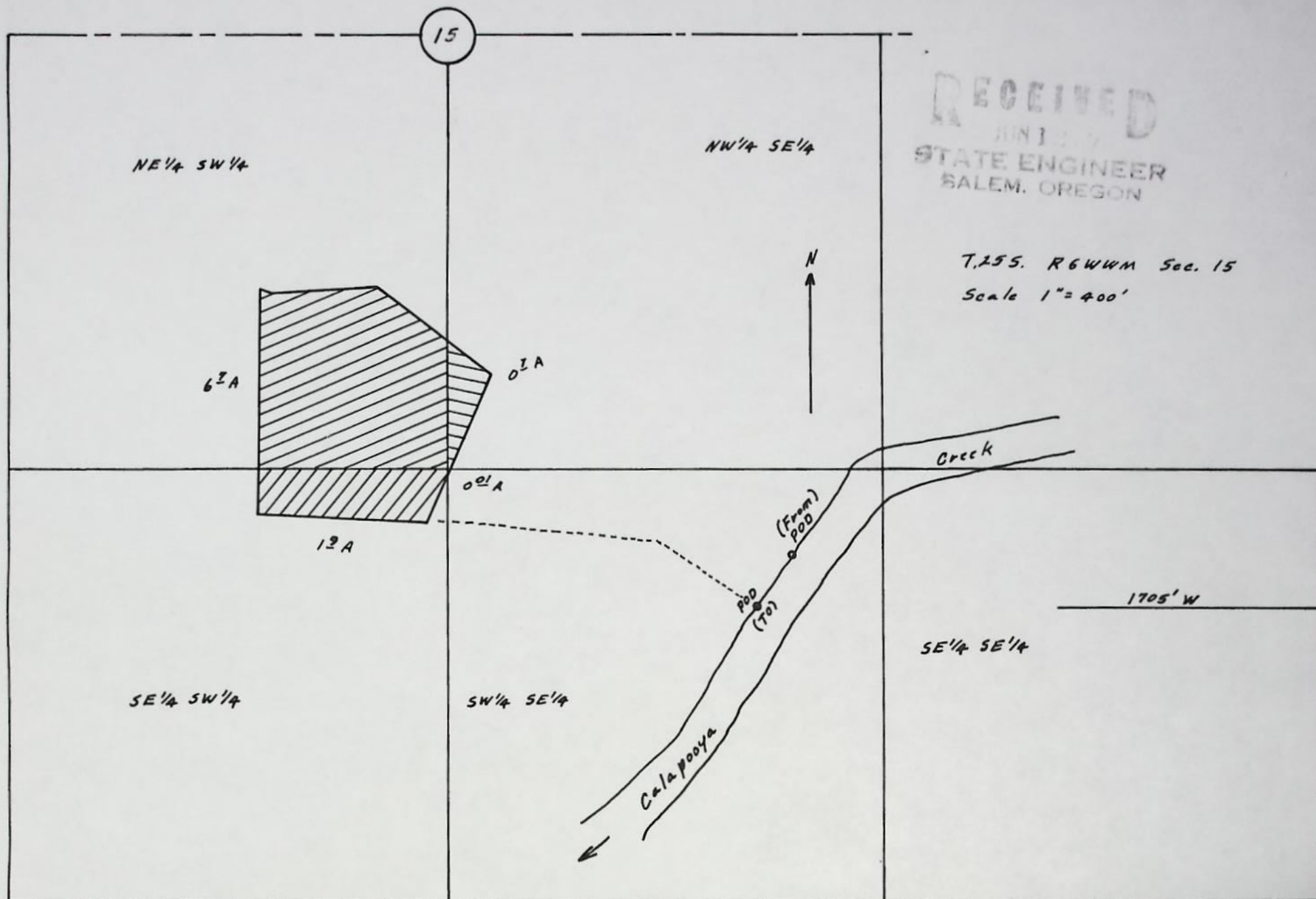
SW SE
10 AC

CALAPOOYA

SE SW
7 AC

2240'

T-2833
Ch. POD



T-2833

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WALLY MILES
UMPQUA ROUTE, BOX 52A
OAKLAND, OREGON 97462

confirms the right to use the waters of CALAPOOYA CREEK, a tributary of UMPQUA RIVER, for IRRIGATING 0.6 ACRE.

This right was perfected under Permit 23412. The date of priority is MAY 3, 1955. This right is limited to 0.01 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, AS PROJECTED WITHIN DLC 50, SECTION 15, T 25 S, R 6 W, W.M.; 380 FEET SOUTH AND 300 FEET WEST FROM THE NE CORNER OF THE SW 1/4 SE 1/4 OF SECTION 15.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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

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

NE 1/4 SW 1/4 0.6 ACRE
SECTION 15
TOWNSHIP 25 SOUTH, RANGE 6 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 21, 1980, approving transfer 4326, and together with Certificate 48941, supersedes Certificate 43552, 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.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights.

WITNESS the signature of the Water Resources Director, affixed
MARCH 9, 1992.

William H. Young

Recorded in State Record of Water Right Certificates numbered 67215.

T-4326.VRG

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF WALLY MILES FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4326

On November 15, 1979, an application was filed in the office of the Water Resources Director by Wally Miles for approval of a change in place of use of water from Calapooya Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 43552, Volume 35, State Record of Water Right Certificates, in the name of Mary K. Forster, describes a right which includes the use of not to exceed 0.01 cubic foot per second from Calapooya Creek for irrigation of a certain 0.60 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 25 South, Range 6 West, W.M., with a date of priority of May 3, 1955.

Water for the said right is diverted from a point located 1290 feet South and 2240 feet East from the most westerly Northwest Corner of D.L.C. No. 50, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 25 South, Range 6 West, W.M.

The applicant herein, contract purchaser of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 0.60 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 25 South, Range 6 West, W.M.

Mr. M. John Youngquist, 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.

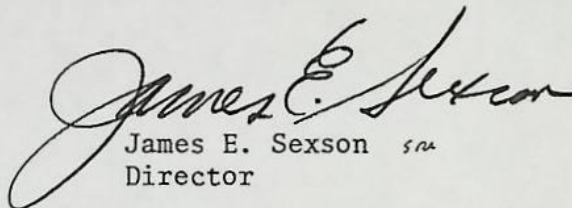
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

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 43552, Volume 35, 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 21st day of January, 1980.


James E. Sexson *sm*
Director

CALAPOOYA CR

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. T000043261 PERMIT NO. 023412 CERTIF. NO.
 ORIG. NO. A000299561 PREV. NO. T000028331 SUPER. NO.

NAME: WALLY MILES

ADDRESS: UNPQA RT BOX 52A

CITY/STATE/ZIP/COUNTY: OAKLAND, OR 97462

10

STREAM-ID 16 1250 0830

RIV. MI.

WM. DIST. 15 W.R. TYPE SA STATUS V

CANCEL YEAR---->

CONSTR. COMPLT--> 10 01 1981

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 05 03 1955

PUT TO USE-----> 10 01 1981

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 11 15 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 01 21 1980

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 01 21 1980

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA;
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV. MI. RATE

STATUS S OR P

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

2505 060W 15 D C 16 1250 0830

0.010

V

P

** POD: 12-90'S E 22-90'E FM WLY NW
 ** COR DCC 50. CHANGES POV PART
 ** OP C-43552, RRC-48941.

PLACE-OF-USE DATA:

TWP/SP RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

**----->
 **----->
 **----->
 **----->

2505 060W 15 C A 10 1R 100 0.60

V

P

48941

W.R.I.S.	
Assembled	<u>4-3-85</u> by <u>SDA</u>
Entered	_____ by _____
Verified	_____ by _____

REC'D

NOV 24 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Calapooya Creek

PURSUANT TO TRANSFER APPLICATION NO. 4326

I, Thally Miles, 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 June 15, 1980.

Nov 20 - 1981
Date

Thally Miles
Signature

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

OK
Dix



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 22, 1980

Wally Miles
Umpqua Route, Box 52 A
Oakland, Oregon 97462

RE: File No. T-4326

Dear Mr. Miles:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4326 for a change in place of use of water from Calapooya Creek.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the order, expires October 1, 1981. A form for reporting such completion of works and use of water is enclosed for your convenience.

You should give particular attention to the time limit for carrying out the change authorized by the enclosed order. The water right for any portion of an authorized change in use theretofore made or change in place of use NOT carried out within the time allowed, or within an extension thereof, will be lost. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj

cc: M. John Youngquist, Watermaster

COPY

T-432-6

RECEIVED

NOV 15 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

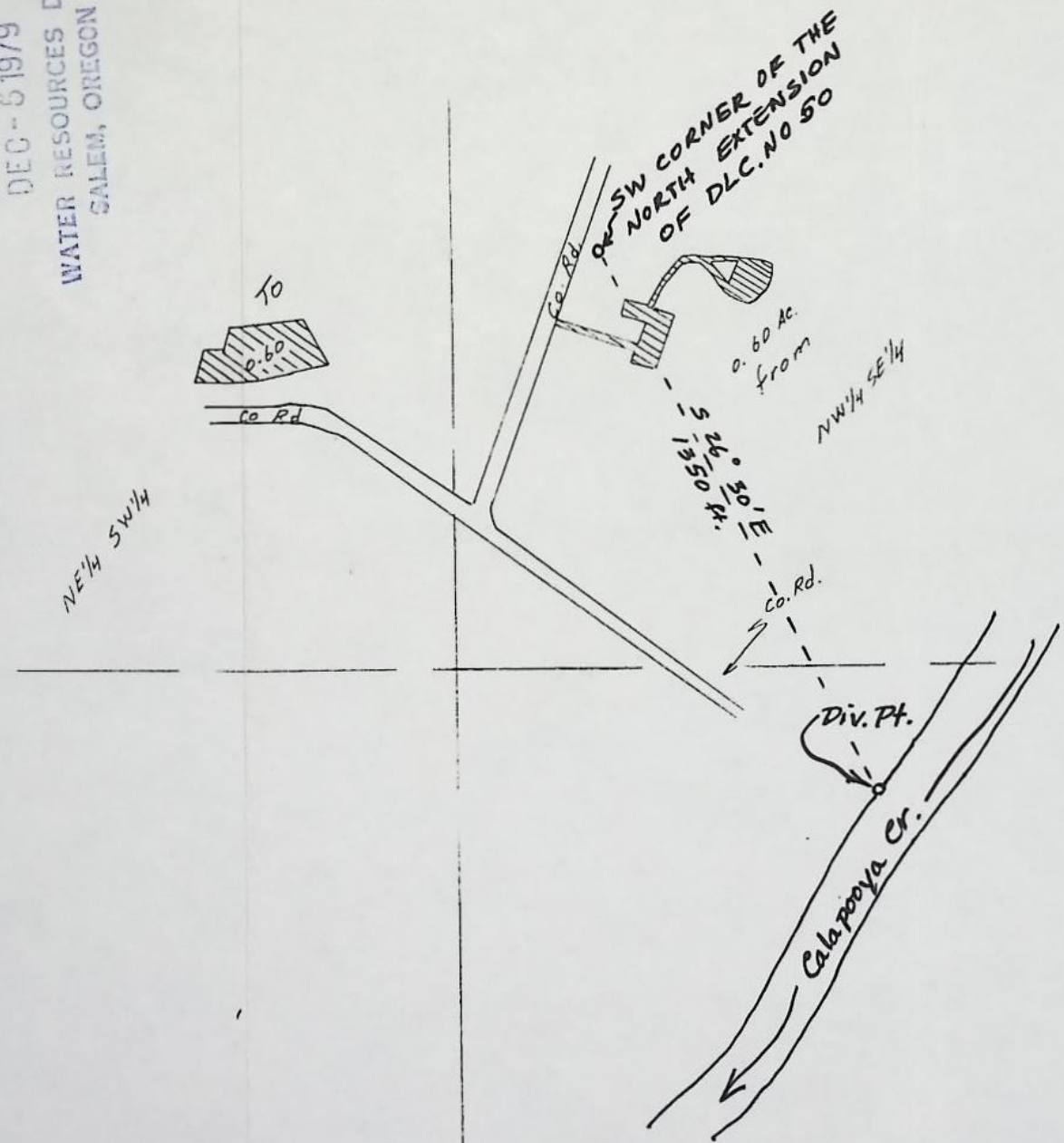
OCT - 8 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

DEC - 5 1979

WATER RESOURCES DEPT
SALEM, OREGON



South 1/4 cor. Sec. 15, Tp. 25 So, R. 6 W. W. M.
1" = 400'



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Dec. 19, 1979.FROM: ** M. J. Youngquist

RECEIVED

DEC 24 1979

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. T-4326WATER RESOURCES DEPT
SALEM, OREGONIN THE NAME OF Wally Miles

In my opinion the proposed change in P.O.U. From Calapooya G.
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? NO
(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 _____

** M. J. Youngquist
Watermaster's signature or initials

T-4326

RECEIVED

NOV 15 1979

RECEIVED

WATER RESOURCES DEPT

OCT - 8 1979

SALEM, OREGON

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

* I, Thally Miles (Name of applicant)
 of Umpqua Rt Box 52A, OAKLAND (City)
 State of Oregon 97462 459-3915, do hereby make application for change
 (Zip Code) (Phone number)
IN 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 - MARY K. FORESTER
 (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 23412 Number of application 29956
certificate 43552

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 CALAPOOYA CREEK

5. What is the date of priority of your water right? MAY 3, 1955

6. The authorized point of diversion is located 1290 ft. S and 2240 ft. E from the most westerly NW
 (N. or S.) (E. or W.)
 corner of DLC 50 being within the SW 1/4 SE 1/4 of Section 15 Tp. 25S R. 6W W. M.,
 (No. N. or S.) (No. E. or W.)
 in the county of DOUGLAS 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
(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
255	6W	15	NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.60 Ac.

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No
(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
LEND CONTRACT.	Earl Stone rod.	\$ 7000.00

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
255	6W	15	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.60 AC.

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are To Allow Neighbor water
prior To Minimum Flow.

15. Construction work will be completed on or before 10-1-80

16. The water will be completely applied to the proposed use on or before 10-1-81

Remarks ONLY APPROVED, RIGHT WILL BELONG TO
WALLY MILES

Umpqua RT. Box 52A

OAKLAND, Oregon 97462

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, EDWIN C. WILKINS, 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 4 day of OCTOBER, 1979

x Edwin C. Wilkins
(Name of applicant)

Subscribed and sworn to before me this 4 day of OCTOBER, 1979

[Notarial Seal]

L. E. Morris

NOTARY PUBLIC FOR OREGON

My commission expires 4/8/83

AFFIDAVIT OF APPLICANT

I, WALLY MILES, 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.

8th IN WITNESS WHEREOF, I have hereunto set my hand this
8 day of November, 1979.

Wally Miles
Wally Miles

SUBSCRIBED AND SWORN to before me this 8th day of
November, 1979.

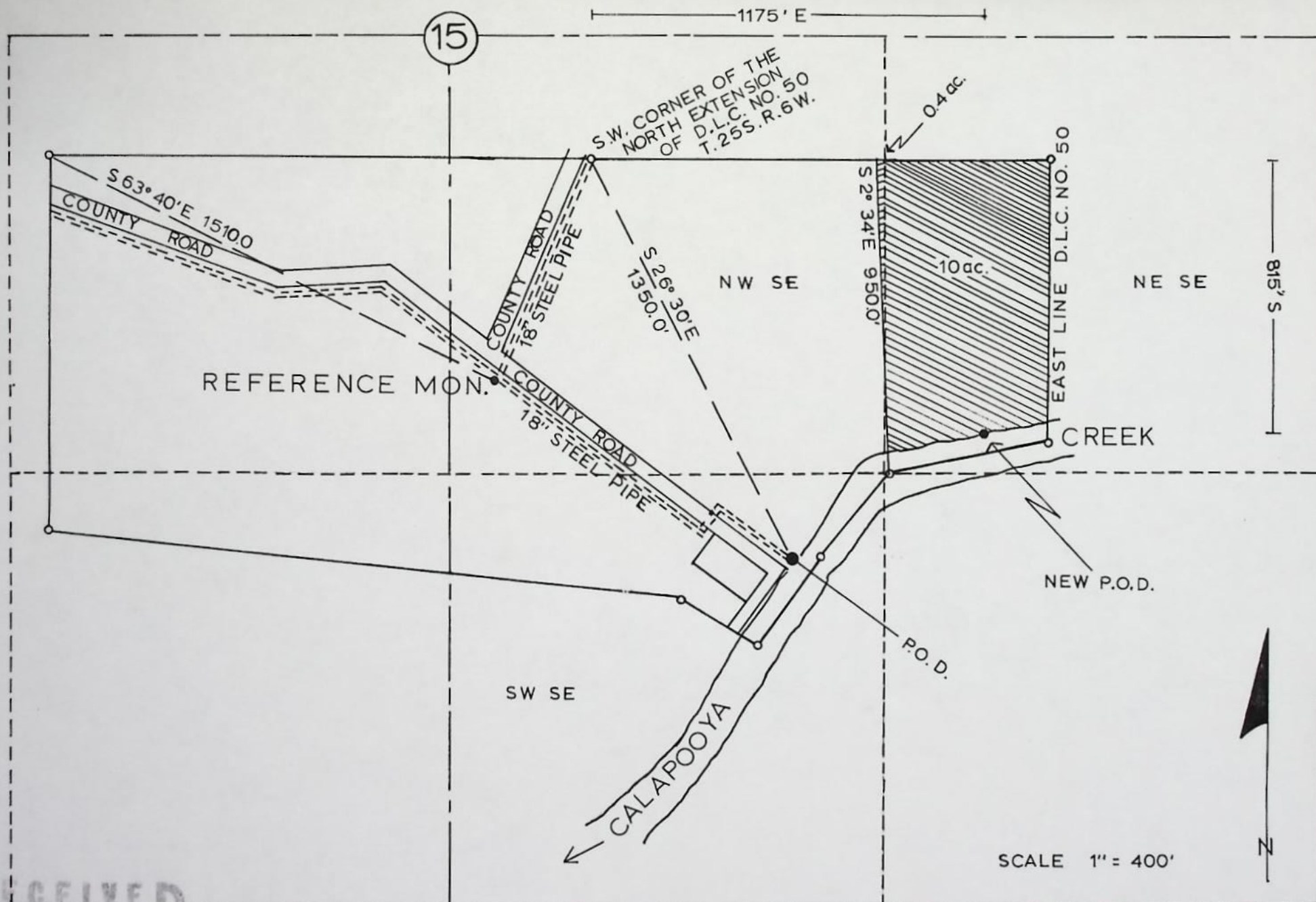
Phyllis D. Embanks
Notary Public for Oregon
My Commission Expires: 8/29/80

APPROVAL OF LIENHOLDER

I approve the above and foregoing requested application and request for a change in the place of use of a Water Right No. 29556.

Dated, this 7th day of November, 1979.

John P. Stonerod
John P. Stonerod, Successor in Interest
and Devisee under the Will of Doris C.
Stonerod, Deceased, Successor in
Interest of Earl Stonerod, deceased.



RECEIVED

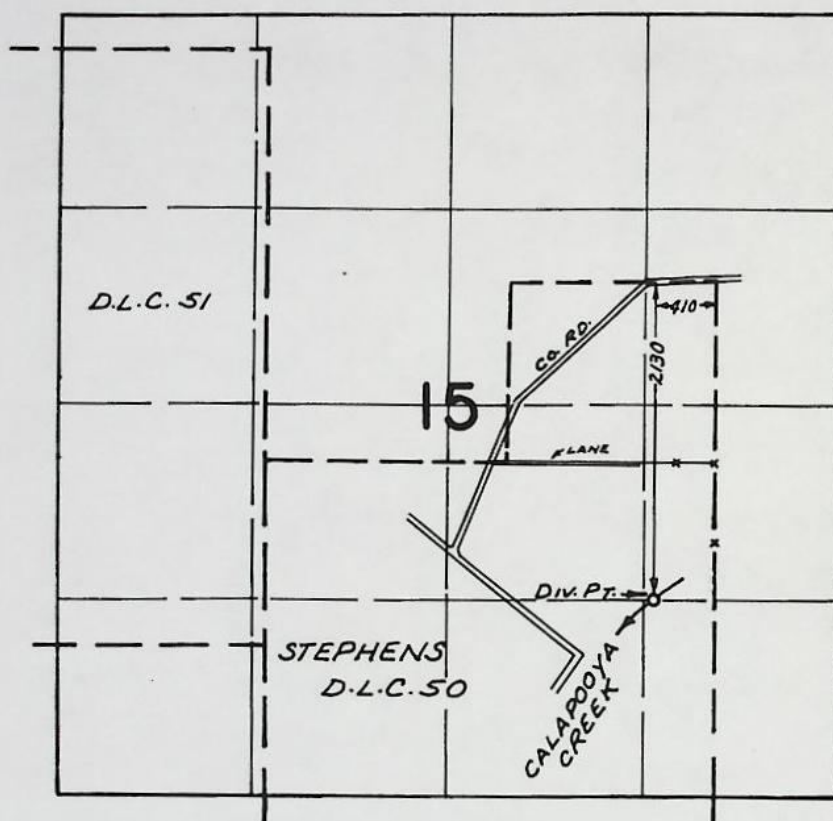
APR 19 1971

T.25S. R.6W.

STATE ENGINEER
SALEM OREGON

T-2512

T. 25S. R. 5W. W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER No. 2512

Application No. Permit No.

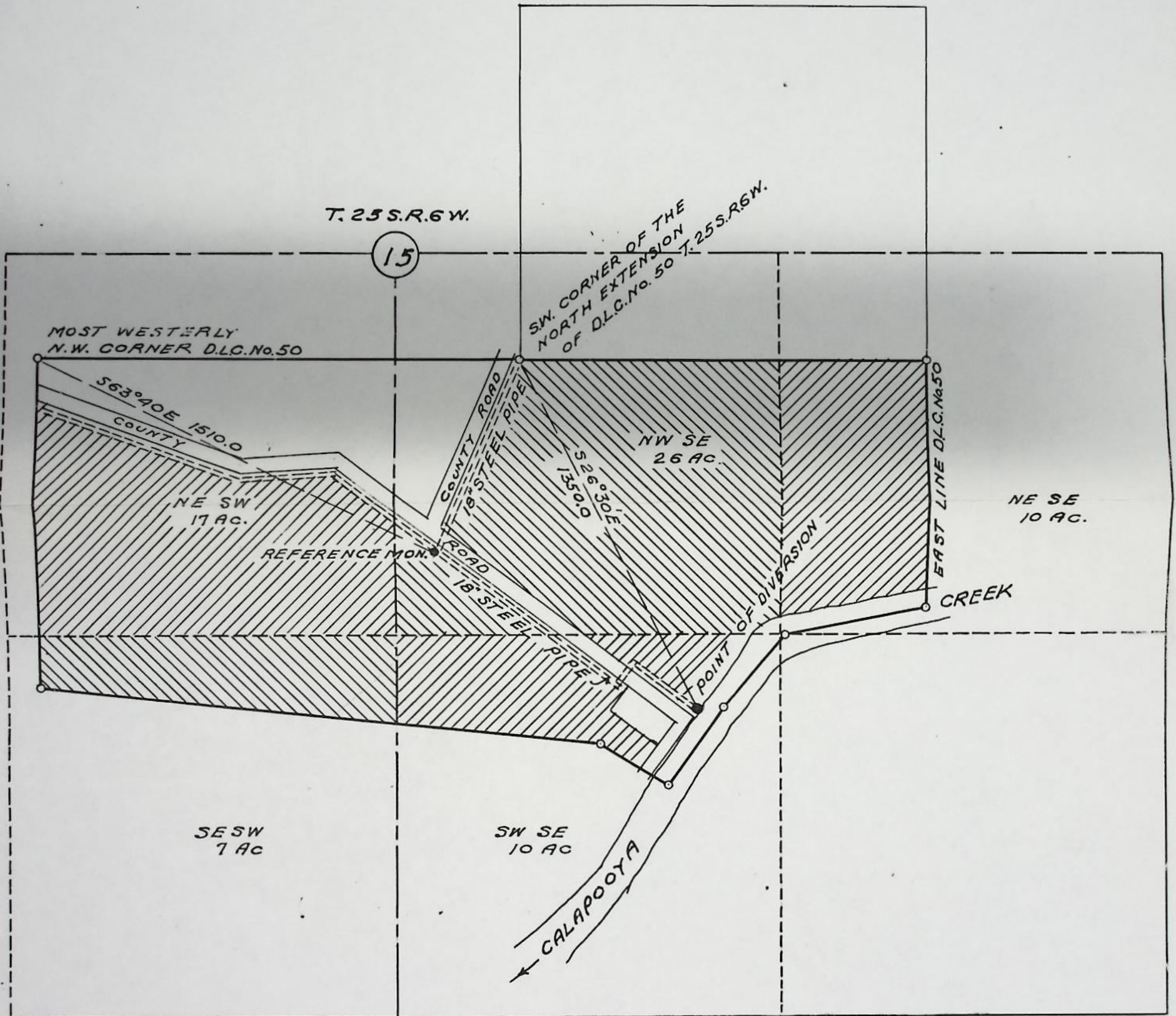
IN NAME OF

..... H. J. HAY

Surveyed OCT. 14, 1974, by R. MUCKEN

I, FRED L. DOW OF SUTHERLIN DO HEREBY CERTIFY THAT THIS MAP WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY MADE BY ME ON APRIL 26th 1955; THAT THE MONUMENT SHOWN ON THIS MAP CONSISTING OF A 1"x36" IRON PIPE IS S63°40'E 1510.0 FEET FROM THE MOST WESTERLY N.W. CORNER OF D.L.C. No. 50 IN SECTION 15, T. 25 S. R. 6 W. W.M. IN DOUGLAS COUNTY, OREGON.

Fred L. Dow



B. F. POUND
1140 GARDEN VALLEY ROAD
ROSEBURG

RECEIVED
MAY 3 1955
STATE ENGINEER
DOUGLAS COUNTY

Application No. 29956
Permit No. 23412

RECEIVED

NOV 15 1979

WATER RESOURCES DEPT
SALEM, OREGON

72-10422

Edwin C. Phillips

T-4326

EXHIBIT "A"

BOOK 498 PAGE 971

All of her right, title and interest in and to the following:

Beginning at the most westerly Northwest corner of the Ebernezer Stephens and wife D.L.C. No. 50, in Section 15, Township 25 South, Range 6 West, Willamette Meridian; thence East along the North line of said D.L.C. extended, to the East line of said D.L.C.; thence South along said East line 13 chains to the center of the Calapooia River; thence following the center of said river South 79° West 7.45 chains; thence South 51-1/4° West 2.19 chains; thence South 40° West 4.88 chains; thence South 35° West 5 chains; thence leaving the centerline of said river, North 57° 50' West 269.3 feet; thence North 84° 35' West 1812.9 feet, more or less, to the West line of said D.L.C.; thence North along said West line to the point of beginning.

Excepting therefrom that portion conveyed to Carl N. Pound and Ida Pound, husband and wife, described as follows:

Beginning at a 3/4 inch iron pipe on the Southwesterly line of the County Road from which the most westerly Northwest corner of the E. Stephens D.L.C. No. 50, in Section 15, Township 25 South, Range 6 West, Willamette Meridian, in Douglas County, Oregon, bears North 60° 17' West 2314.1 feet and running thence along the said Southwesterly line of the County Road, South 52° 10' East 272 feet to an iron pipe on the Northwesterly bank of Calapooia Creek; thence continuing South 52° 10' East 40 feet to a point in the center of the said Calapooia Creek; thence downstream along the said Calapooia Creek South 39° 11' West 101.96 feet to a point; thence leaving the said Calapooia Creek and running North 52° 10' West 50 feet to an iron pipe on the said Northwesterly bank of Calapooia Creek; thence continuing North 52° 10' West 259 feet to an iron pipe; thence North 37° 33' East 102.0 feet to the place of beginning. Excepting therefrom that part of the County Road. The above tract of land being in and a part of Section 15, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

Subject to roads and highways and the rights of the public therein.

Subject to Rights of Way granted to The California Oregon Power Company.