

4486 Springfield Escrow

Name Grant Development Co.
Springfield Escrow, Inc.
By Jerry Wyatt
Address 1216 Mohawk
Springfield, OR 97477

4486

DESCRIPTION OF WATER RIGHT

Name of stream John Day River
Trib. of _____ County of Grant
Use irrigation
Quantity of water _____ No. of acres _____
Name of ditch Trowbridge
Date of priority P581-1866; P598-1889
In name of P581 L.A. Porter; P598 Silvers Estate
John Day R Adjudication, Vol. 10, page 581
App. No. _____ Per. No. _____ Cert. No. 37364

Change in USE, POU, POD
Date filed April 25, 1980
Date of hearing July 16, 1980
Place of hearing Canyon City
Date of order 8-11-80 Vol. 33, page 568
Date for application of water 10-1-81
Proof mailed JAN 22 1998 APR 01 1998
Proof received _____
Certificate issued August 5, 81 Vol. 44, page 52136

Certificate cancelled _____
Notation made on record by _____

JUN 18 1998

75723

John Day Lumber Co.
P.O. Box 138
John Day, Or. 97845

REMARKS

Send correspondence c/o Springfield Escrow Inc 1800 Centennial Blvd, Springfield, OR 97477

Card for C NOV 20 1981

Amended 10/1/91 Sp Or Vol 45 Pg 426

W.R.I.S.
Assessed 67954 by SR
Entered _____ by _____
Verified _____ by _____

FEES PAID

Date	Amount	Receipt No.
<u>4/25/80</u>	<u>115.00</u>	<u>17294</u>
TOTAL . . .		
	Cert. Fee	

Blue Mt. Eagle #4333 pd 6/24/80 CR #442

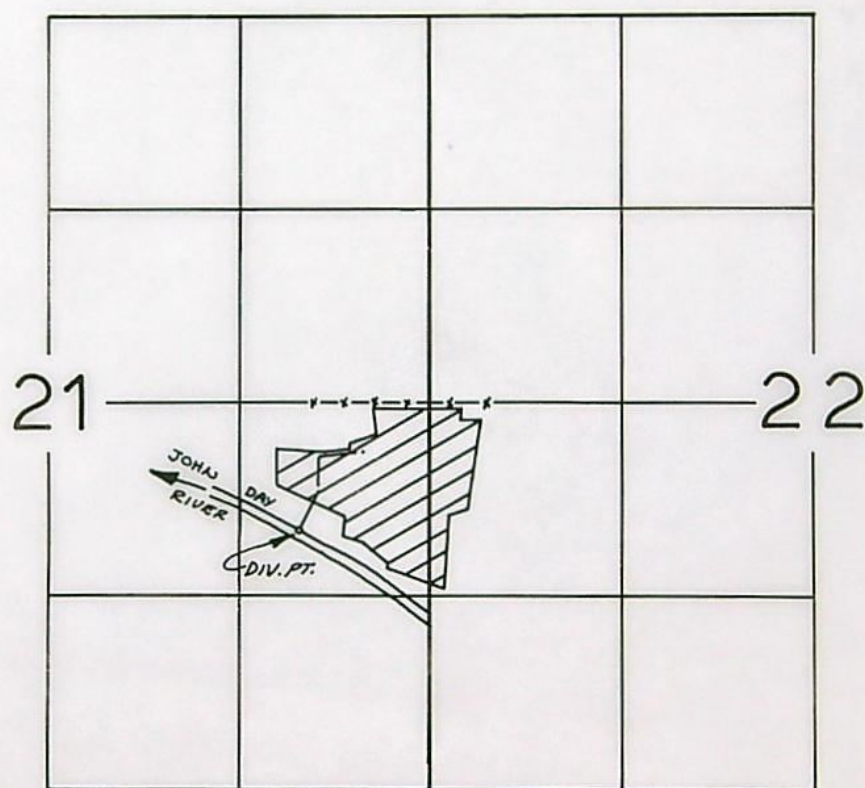
FEES REFUNDED

Date	Amount	Check No.
<u>6/24/80</u>	<u>21.67</u>	<u>4243</u>

Ex 202
POD 182
USE 15-
POD 4333
9333

INDEX CARDS:	Checked	Checked
Name	<u>lgj</u>	
Stream		
Pl. of Div.		
Calendar	<u>lgj</u>	
CHECKED TO RETURN:		
Div. & Reg.	<u>5026</u>	
Interest-Vald	<u>SEA</u>	
Interest-Vald	<u>lgj</u>	
Chk. of W.R.	<u>SEA</u>	
Per. Folder		
Ch. Index		
Ch. Ref.		
Unsub. Claim		
Abstract	<u>lgj</u>	

T. 13 S., R. 31 E., W.M.



DIV. PT. LOC.: 870'S & 900'W FROM E $\frac{1}{4}$ COR. SEC. 21

FINAL PROOF SURVEY

UNDER

TRANSFER No. 4486
Application No. 59369 Permit No. 44679
IN NAME OF

JOHN DAY LUMBER CO.

Surveyed July 12, 1983, by R.W. CETTEL

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTATE OF JOHN C. SILVERS
BY JESSIE SILVERS AND E. J. BAYLEY, TRUSTEES
JOHN DAY, OREGON 97845

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for irrigation of 81.3 ACRES AND STOCK.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1865, TRACT NO. 1; 1870, TRACT NO. 2; 1876, TRACT NO. 3.

The point of diversion is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 25, T 13 S, R 31 E, W.M.; TROWBRIDGE DITCH:
2150 FEET NORTH AND 920 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 25.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second PER ACRE IRRIGATED FROM APRIL 1 TO SEPTEMBER 30 (or its equivalent); and IS FURTHER LIMITED TO ONE acre-foot for each acre irrigated PER CALENDAR MONTH TO JULY 1 AND 3/4 ACRE-FOOT PER ACRE THEREAFTER; TOTAL FIVE ACRE-FOOT PER ACRE FOR THE SEASON, MEASURED AT THE POINT OF DIVERSION during the irrigation season of each year.

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

TRACT 1

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25.0 ACRES
SECTION 19

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.0 ACRES
SECTION 30
TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

TRACT 2

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.3 ACRES
SECTION 22
TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

TRACT 3

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 ACRES
SECTION 25
TOWNSHIP 13 SOUTH, RANGE 30 EAST, W.M.

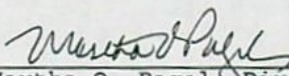
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 ACRES
SECTION 30
TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 66805, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered March 31, 1997, approving Transfer Application 6671.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed
March 31, 1997.


Martha O. Pagel, Director

69-1101

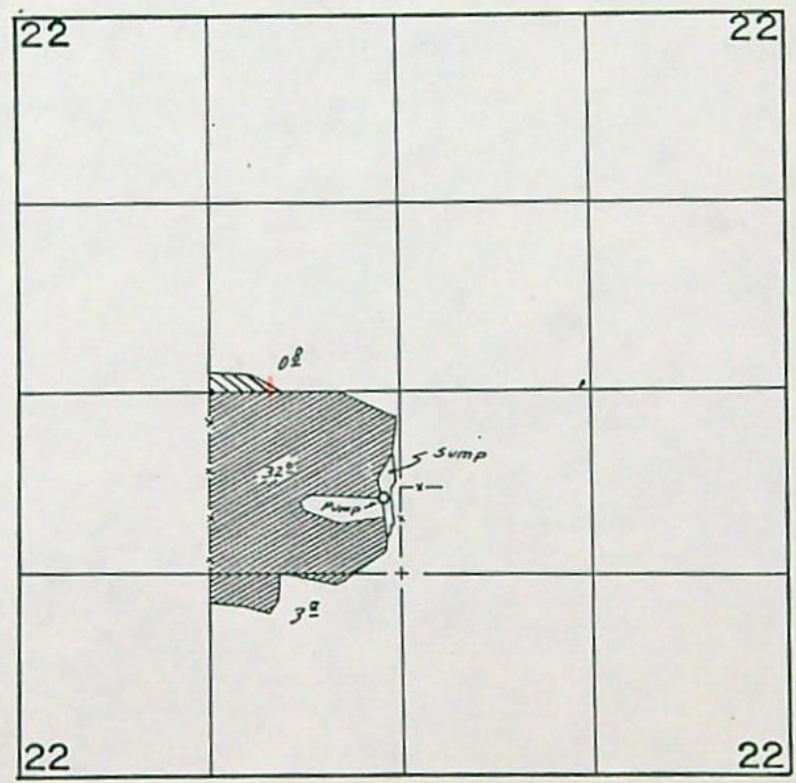
ATTACHMENT 5

RECEIVED

MAY 17 1990

WATER RESOURCES DEPT.
SALEM, OREGON

T.13S. R.31E. W.M.



Pump Located @ 1880' N of 2520' E From SW Cor. Sec 22
[Hatched Box] SUPPLEMENTAL
[Solid Box] PRIMARY

FINAL PROOF SURVEY
UNDER

Application No. G-5257 Permit No. G-5109...
IN NAME OF

GRANT DEVELOPMENT COMPANY

Surveyed Sept. 16, 1977, by S.C. BROWN

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ESTATE OF JOHN C. SILVERS, BY JESSIE SILVERS
and E. J. BAYLEY, TESTAMENTARY TRUSTEES

of John Day, State of Oregon 97845, has
a right to the use of the waters of
John Day River

a tributary of for the purpose of
irrigation of 81.3 acres, and stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Grant County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 15, at page 461; that the priority of the
right thereby confirmed dates from 1865, Tract No. 1; 1870, Tract No. 2; 1876,
Tract No. 3;

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 one-fortieth cubic
foot per second per acre irrigated from April 1 to September 30; further limited
to one acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per
acre thereafter; total five acre-feet per acre for season, measured at the point
of diversion.

The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, T. 13 S., R. 31 E., W.M.;
Trowbridge Ditch: 2150 feet North and 920 feet West from E $\frac{1}{4}$ Corner of Section
25.

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

SEE NEXT PAGE

Tract No. 1
25.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 19
34.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30
T. 13 S., R. 31 E., W.M.

Tract No. 2
10.3 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22
T. 13 S., R. 31 E., W.M.

Tract No. 3
2.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
3.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25
T. 13 S., R. 30 E., W.M.

7.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30
T. 13 S., R. 31 E., W.M.

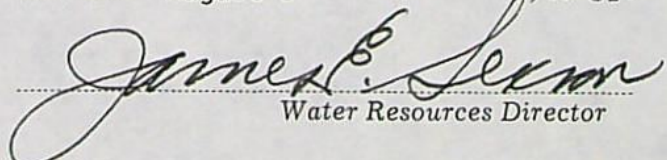
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 37364, Volume 29, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered on August 6, 1980, canceling part of the right and entered on August 11, 1980, approving transfer application No. 4486.

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 August 5, 19 81.


Water Resources Director

I. 13 S.; R. 31 E., VV. IVI

ATTACHMENT

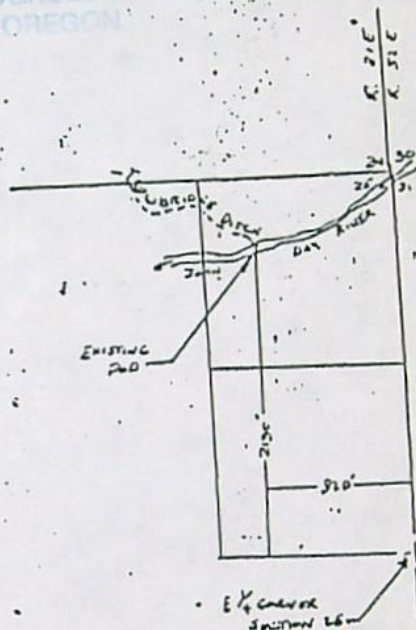
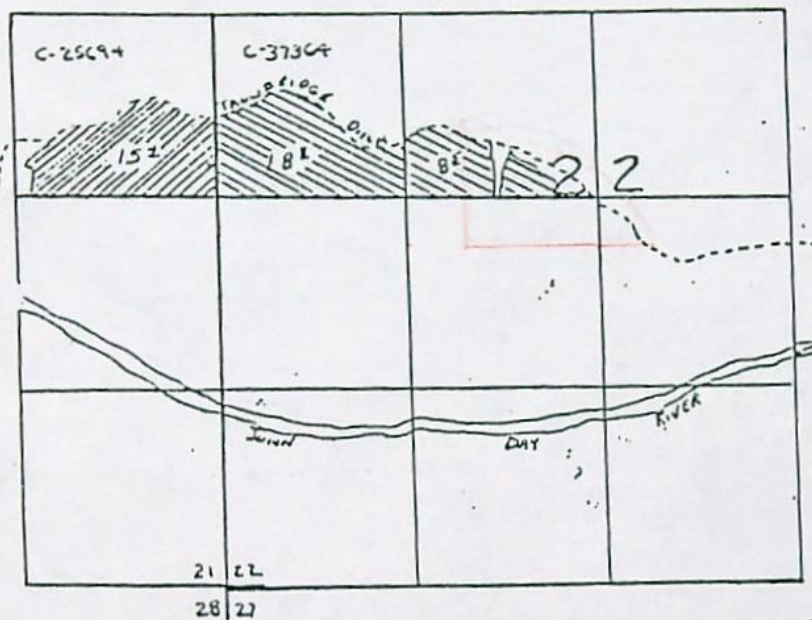
4

T-4486

EXISTING

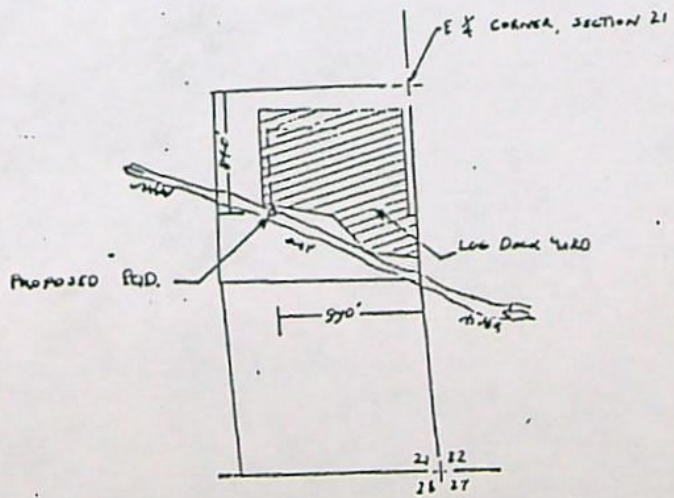
MAY 17 1990

WATER RESOURCES DEPT.
SALEM, OREGON



4" = 1 MILE

PROPOSED



X
APPROVED

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF GRANT

AMENDING ORDER

On August 11, 1980, an order was entered allowing a change in place of use, point of diversion and use heretofore made of water, under transfer 4486, in the name of Grant Development Company, formally Springfield Escrow, Inc., now in the name of John Day Lumber Company.

ORS 540.520 requires that a transfer must be authorized by the owner of the land to which the water right is appurtenant. William Patterson has since provided deeds showing that all of the water right involved in transfer 4486 was not owned by Springfield Escrow, Inc., at the time of the application. Mr. Patterson has requested that the order be amended to show that the 4.5 acres owned by him in the SE 1/4 NW 1/4, Section 22, T 13 S, R 31 S, W.M. not be removed from the original place of use, point of diversion not be changed, and character of use not be changed.

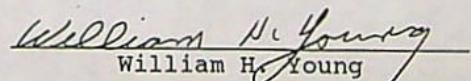
It is found that a portion of the order was entered in error and is hereby ORDERED to be amended.

A portion of Paragraph 3 reads "... and 8.5 acres in SE 1/4 NW 1/4, Section 22, ...". Paragraph 3 is AMENDED to read "... and 4.0 acres in SE 1/4 NW 1/4, Section 22, ..."

A portion of Paragraph 10 reads "... and shall not exceed 1.07 cubic feet per second from April 1 to September 30; further limited to 42.7 acre feet per calendar month to July 1 and 32.0 acre fee per calendar month thereafter, total 212.5 acre feet for season, ..." Paragraph 10 is AMENDED to read "... and shall not exceed 0.96 cubic feet per second from April 1 to September 30; further limited to 38.2 acre feet per calendar month to July 1 and 28.7 acre feet per calendar month thereafter, total 191.0 acre fee for season, ...".

Certificate 50136 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this proceeding, and superseding certificate 50136.

WITNESS the signature of the Water Resources Director, affixed
OCTOBER 1, 1991.


William H. Young

Special Order Volume 45, Page 426

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTATE OF JOHN C. SILVERS
BY JESSIE SILVERS AND E. J. BAYLEY, TRUSTEES
JOHN DAY, OREGON 97845

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 85.8 ACRES AND STOCK.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1865, TRACT NO. 1; 1870, TRACT NO. 2; 1876, TRACT NO. 3; 1889, TRACT NO. 4.

The point of diversion is located as follows:

NE 1/4 NE 1/4, SECTION 25, T 13 S, R 31 E, W.M.; TROWBRIDGE DITCH: 2150 FEET NORTH AND 920 FEET WEST FROM E 1/4 CORNER OF SECTION 25.

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-FORTIETH of one cubic foot per second PER ACRE IRRIGATED FROM APRIL 1 TO SEPTEMBER 30 (or its equivalent); and IS FURTHER LIMITED TO ONE acre-foot for each acre irrigated PER CALENDAR MONTH TO JULY 1 AND 3/4 ACRE-FOOT PER ACRE THEREAFTER; TOTAL FIVE ACRE-FOOT PER ACRE FOR SEASON, MEASURED AT THE POINT OF DIVERSION during the irrigation season of each year.

SEE NEXT PAGE

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

TRACT 1

SW 1/4 SW 1/4 25.0 ACRES
SECTION 19

NW 1/4 NW 1/4 34.0 ACRES
SECTION 30
TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

TRACT 2

NW 1/4 SW 1/4 10.3 ACRES
SECTION 22
TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

TRACT 3

NE 1/4 NE 1/4 2.0 ACRES
SE 1/4 NE 1/4 3.0 ACRES
SECTION 25
TOWNSHIP 13 SOUTH, RANGE 30 EAST, W.M.

SW 1/4 NW 1/4 7.0 ACRES
SECTION 30
TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

TRACT 4

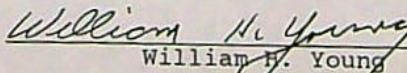
SE 1/4 NW 1/4 4.5 ACRES
SECTION 22
TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

This certificate correctly describes that portion of the water right confirmed by the prior certificate recorded at page 37364, Volume 29, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered on August 6, 1980, canceling part of the right and entered on August 11, 1980, approving transfer application No. 4486, and supersedes certificate 50136.

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

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.

WITNESS the signature of the Water Resources Director, affixed OCTOBER 2, 1991.


William H. Young

Recorded in State Record of Water Right Certificates numbered 66805.

T-4486.LHN

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION)
OF GRANT DEVELOPMENT CO. FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE, POINT OF DIVERSION & USE)
HERETOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER NO. 4486

On April 25, 1980, an application was filed in the office of the Water Resources Director by Grant Development Co. for approval of changes in place of use, point of diversion and use heretofore made from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Grant County, Oregon, entered November 16, 1956, in the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and Its Tributaries, a water right was allowed in the name of L. A. Porter for use of waters of John Day River for irrigation of, among other lands, a certain 15.4 acres in SE 1/4 NE 1/4, Section 21, Township 13 South, Range 31 East, W.M., tabulated at Volume 10, page 581, with a date of priority of 1866, as evidenced by certificate recorded at page 25694, Volume 17, State Record of Water Right Certificates.

By said Decree a water right was allowed in the name of Estate of John C. Silvers, for use of waters of John Day River for irrigation of, among other lands, a certain 18.8 acres in SW 1/4 NW 1/4 and ^{4.0}(8.5) acres in SE 1/4 NW 1/4, Section 22, Township 13 South, Range 31 East, W.M., tabulated at Volume 10, page 598, with a date of priority of 1889, as evidenced by certificate recorded at page 37364, Volume 29, said record.

Water for said rights is diverted, through the Trowbridge Ditch, from a point located 2150 feet North and 920 feet West from the East Quarter Corner of Section 25, being within the NE 1/4 NE 1/4, Section 25, Township 13 South, Range 31 East, W.M.

The applicant herein proposes to sever the right therefrom and to use said water for lumber manufacturing purposes in NE 1/4 SE 1/4 of said Section 21, from a point of diversion located 840 feet South and 990 feet West from the East Quarter Corner of Section 21, being within the NE 1/4 SE 1/4, Section 21, Township 13 South, Range 31 East, W.M.

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

Mr. Jerry Rodgers, Watermaster, has filed a statement to the effect that the proposed changes in place of use, point of diversion, and use heretofore made may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use, point of diversion, and use heretofore made, as described herein, without loss of priority, are approved.

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 under the subject right, and shall not exceed ^{0.96}1.07 cubic feet per second from April 1 to September 30; further limited to ^{38.2}42.7 acre feet per calendar month to July 1 and ^{28.7}32.0 acre feet per calendar month thereafter, total ^{191.0}212.5 acre feet for season, measured at the point of diversion.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

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;

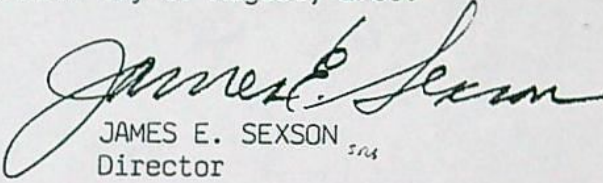
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

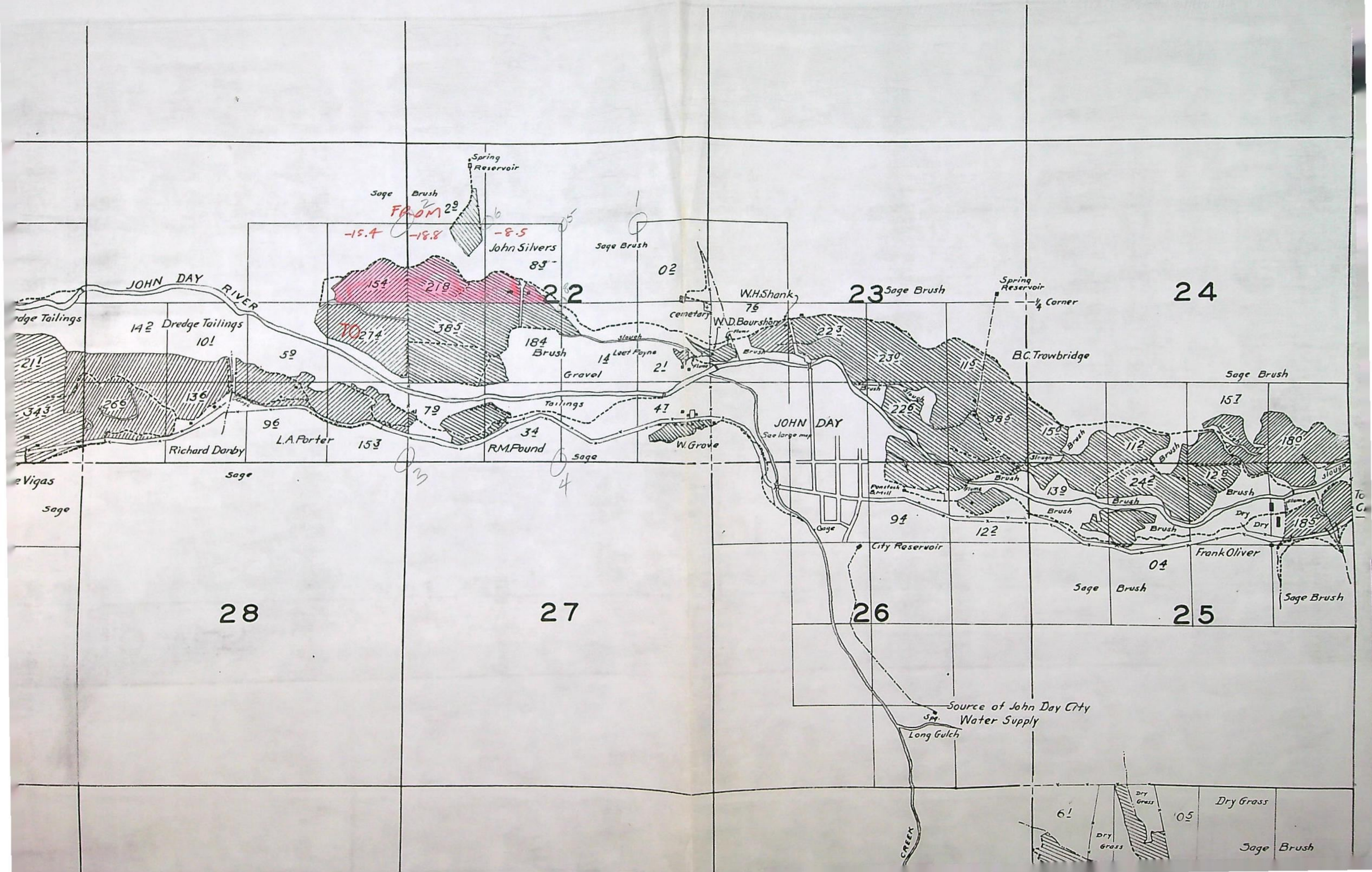
It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1981.

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 certificates recorded at page 25694, Volume 17 and page 37364, Volume 29, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights 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 11th day of August, 1980.


JAMES E. SEXSON
Director



STATE OF OREGON
WATER RESOURCES DEPARTMENT
CANYON CITY FIELD OFFICE

INTEROFFICE MEMO
575-0119

February 1, 1991

RECEIVED

FEB - 5 1991

WATER RESOURCES DEPT.
SALEM, OREGON

TO: Steve Applegate *VisG.*

FROM: Jerry Rodgers
WM #4

SUBJECT: Transfer 4486

Attached is a copy of a memo I sent to Bruce last year. Apparently he was unable to get to this matter before he retired.

The error involved acreage included in this transfer that should not have been. Attachment 4 shows the approximate outline of the remaining Patterson lands that should not have been included in this transfer.

My recommendation is that a correcting order be issued deleting the acreage involved from the transfer and a correcting certificate be issued for that portion at the original POD.

Thanks for any help in clearing this error up.

STATE OF OREGON
WATER RESOURCES DEPT.

INTEROFFICE MEMO
575-0119

TO: Bruce Estes

DATE: May 14, 1990

FROM: Jerry Rodgers
Watermaster Dis't 4

SUBJECT: Transfer 4486

Previously we discussed that a portion of this transfer was in error. Although the attached tax lot maps are somewhat cluttered, I've colorcoded in red the boundaries or portions of the transfer I feel are involved.

Attachment 1 - Tax lot 1007 (15.72 total acres) is what remains of the Patterson Ranch. William Patterson still lives here; ownership of this portion of the ranch has not changed since before I came to this district in 1977. The rest of the ranch was sold to the transferee of 4486, now John Day Lumber Co.

Attachment 2 - Legal description of Tax Lot 1007.

Attachment 3 - Clean copies of tax lot maps of the area.

Attachment 4 - Copy of T-4486, with Tax Lot 1007 outlined in red. Note our water right map Trowbridge Ditch location does not agree with legal description in Attachment 2.

I've discussed the error with both parties involved. Neither has an objection with issuing a correcting order and reinstating this portion to original status. My calculations indicate about 4.5 acres are involved. According to Patterson he has continued to irrigate from a sump connected to the river (attachment 5)

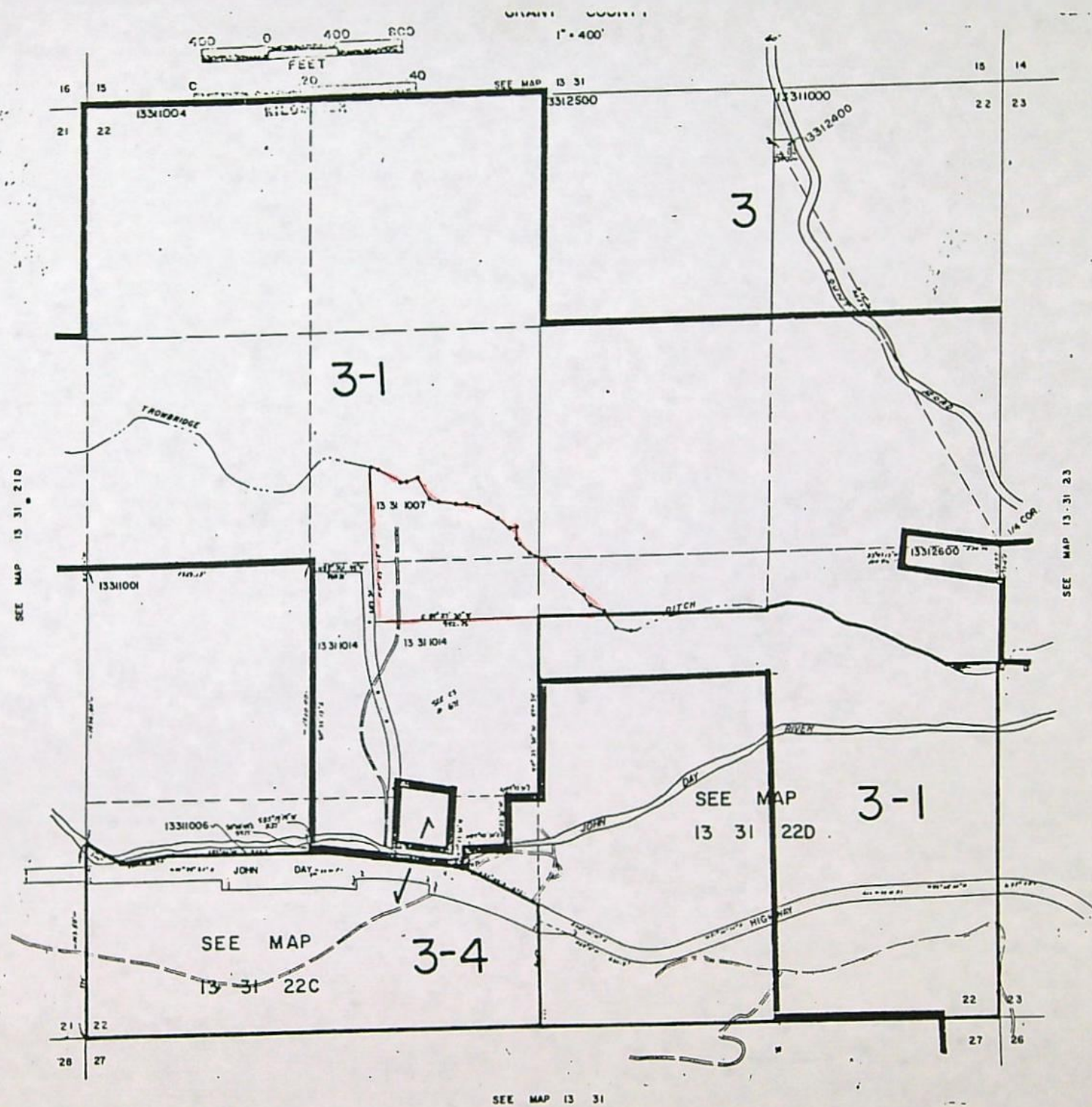
Addresses of the parties involved:

John Day Lumber Co.
Attn: Blair Carpender
W. Hwy.
John Day OR 97845

William Patterson
HCR 56 Box 20
John Day OR 97845

If you have any questions or need additional info, please call.

13 31 22



1007	3-1
PARCEL NUMBER	Type Spec. Int. In
REAL PROP.	CODE AREA NUMBER
TAX LOT NUMBER	

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
Grant COUNTY ASSESSOR'S OFFICE

ATTACHMENT

FORMERLY PART OF 1004

2

Each new to this point	DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record		Acres Remaining
			Vol.	PG.	

T13S R31E WM

Sec 22: A tr of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ desc as fol:

beg at the SE cor of the N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of sd

Sec 22;

th S 89 deg 27'30" W alg the S li of sd N $\frac{1}{2}$
N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ a dist of 942.75';

th N 0 deg 33'13" W 885.22' to the approx.
cen of the Trowbridge Ditch;

th alg the fol courses, being the approx.
cen of sd Trowbridge Ditch;

S 72 deg 30'00" E 41.16';

S 61 deg 18'50" E 147.76';

S 85 deg 55'06" E 36.38';

N 73 deg 33'11" E 66.61';

S 26 deg 15'14" E 132.76';

S 67 deg 23'16" E 56.20';

S 80 deg 40'44" E 106.46';

S 87 deg 11'45" E 62.99';

S 76 deg 00'18" E 70.00';

S 58 deg 22'40" E 125.69';

S 47 deg 58'11" E 91.56';

N 86 deg 23'23" E 39.26';

S 1 deg 41'31" W 62.65';

S 32 deg 58'50" E 38.29';

S 48 deg 19'42" E 80.00';

S 56 deg 40'17" E 36.44';

S 63 deg 47'20" E 61.71';

S 42 deg 39'37" E 69.83';

S 47 deg 09'35" E 120.66';

S 51 deg 44'20" E 113.56';

S 31 deg 00'22" E 63.63';

S 63 deg 32'43" E 87.90';

S 45 deg 01'18" E 14.50' to the S li of

the N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of sd Sec 22;

th S 89 deg 27'25" W alg the S li of sd N $\frac{1}{2}$ N $\frac{1}{2}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$, a dist of 389.79' to the POB.

4-10-80 Request 15.72

3-10-81 124 121-125

2-25-82 125 686

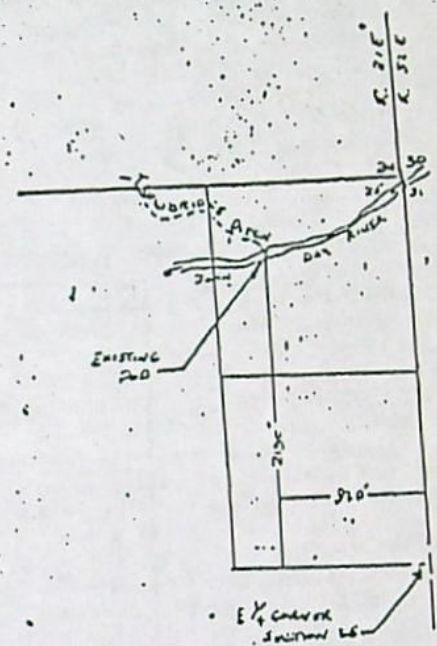
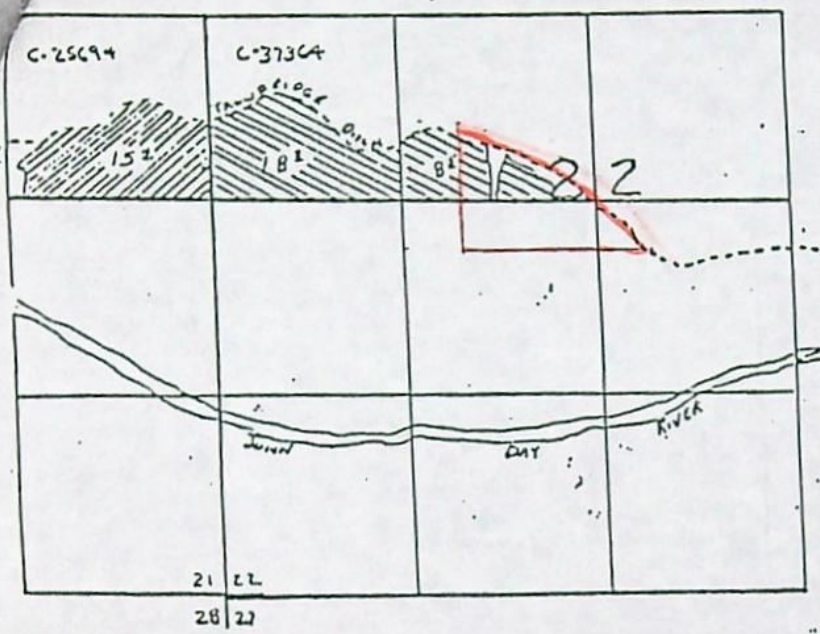
125 690

1. 13 S.; R. 31 E., VY. IVI

ATTACHMENT
4

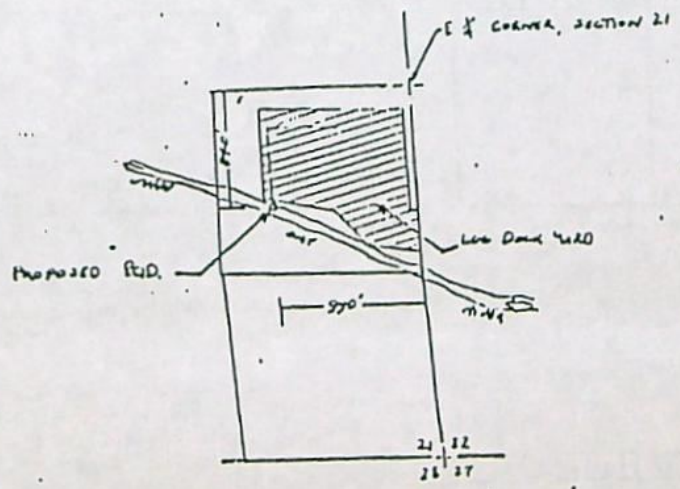
T-4486

ING



4" = 1 MILE

PROPOSED



X
APPROVED

WATER RESOURCES DEPT
SPECIAL AGENT

STATE OF OREGON

COUNTY OF

GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That L. A. PORTER

of John Day, State of Oregon 97845, has
a right to the use of the waters of
John Day River

a tributary of for the purpose of
irrigation of 31.3 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1866

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 one-fortieth cubic foot per second per acre irrigated from April 1 to September 30; further limited to 1 acre-foot per acre per calendar month to July 1, and 3/4 acre-foot per acre thereafter; total 5 acre-feet per acre for season, measured at point of diversion.

The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, T13S, R31E, WM; Trowbridge Ditch - 2,150 feet North and 920 feet West from E $\frac{1}{2}$ Corner, Section 25.

Luce Ditch

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

1.0 acre SE $\frac{1}{4}$ SW $\frac{1}{4}$
1.5 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
3.9 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
9.6 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
15.3 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 21

Township 13 South, Range 31 East, WM

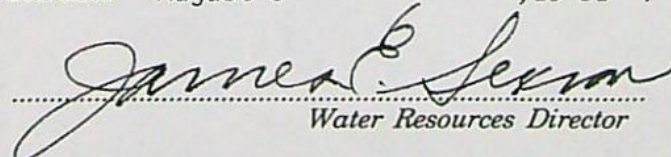
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 25694, Volume 17, State Record of Water Right Certificates, NOT canceled by the provisions of orders of the Water Resources Director entered on August 6, 1980, canceling part of the right, and on August 11, 1980, approving Transfer Application 4486.

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.

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 August 5, 1981.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44, page 50137

POD
POU
USE
Add'l POD

Transfer No. 4486

County

Grant

Old Certificate No. 25694, 37364

Тони Дау Литвер Со

1. Name Grant Development Co., by Jerry Wyatt

Address 1216 Mohawk, Springfield, OR 97475

P.O. Box 38 John Day OR 97845

2. Source of Supply John Day River, Trib of

3. Use hemir for lumber mfg purposes

4. Amount of Water

5. Priority Date 1866, 1889

6. Proposed Point of Diversion 840' S + 990' W from E'4 Cor, S 21,
W in NE SE, S 21, T 13S, R 31E, Wm

7. Completion Date 10-1-81

8. Place of Use:

[illegible]

JOHN DAY LUMBER CO.
P.O. Box 38
JOHN DAY, OR 97845

INFO: DALE STEWETT, LOGGING MANAGER

SOURCE: JOHN DAY RIVER

DIVERSION: PUMP FROM RIVER

PUMP: CENTURY ELECTRIC 50 HP 3450 RPM CDD BERKELEY 5x3 $\frac{1}{2}$

PIPE: FROM COMPANY INVENTORY

6" ML ALUM	2350 FT	47 @ 50 FT
4" ML "	320 FT	8 @ 40 FT
3" LATERAL "	6400 FT	160 @ 40 FT
2 $\frac{1}{2}$ " HOSE	1000 FT	20 @ 50 FT

NOTE: SOME PIPE WAS IN USE
AND OTHER STORED AT SEVERAL
LOCATIONS

HEADS: 175 HEADS VARIOUS SIZES.

LIFT: 10 FT TO PUMP. 15 FROM PUMP TO TOP OF LOG DECKS

PRESSURE: SYSTEM NOT RUNNING.

USE: LOG DECK SPRINKLING.

REMARKS: MORE AREA USED THAN INDICATED IN TRACS.

LOG DECK AREA WAS 80% VACANT AT TIME OF SURVEY.

OLD LAND ABANDONED

TIE: E $\frac{1}{4}$ COR SEC 21, T13S, R31E, WM AND EAST-WEST FENCE LINE.

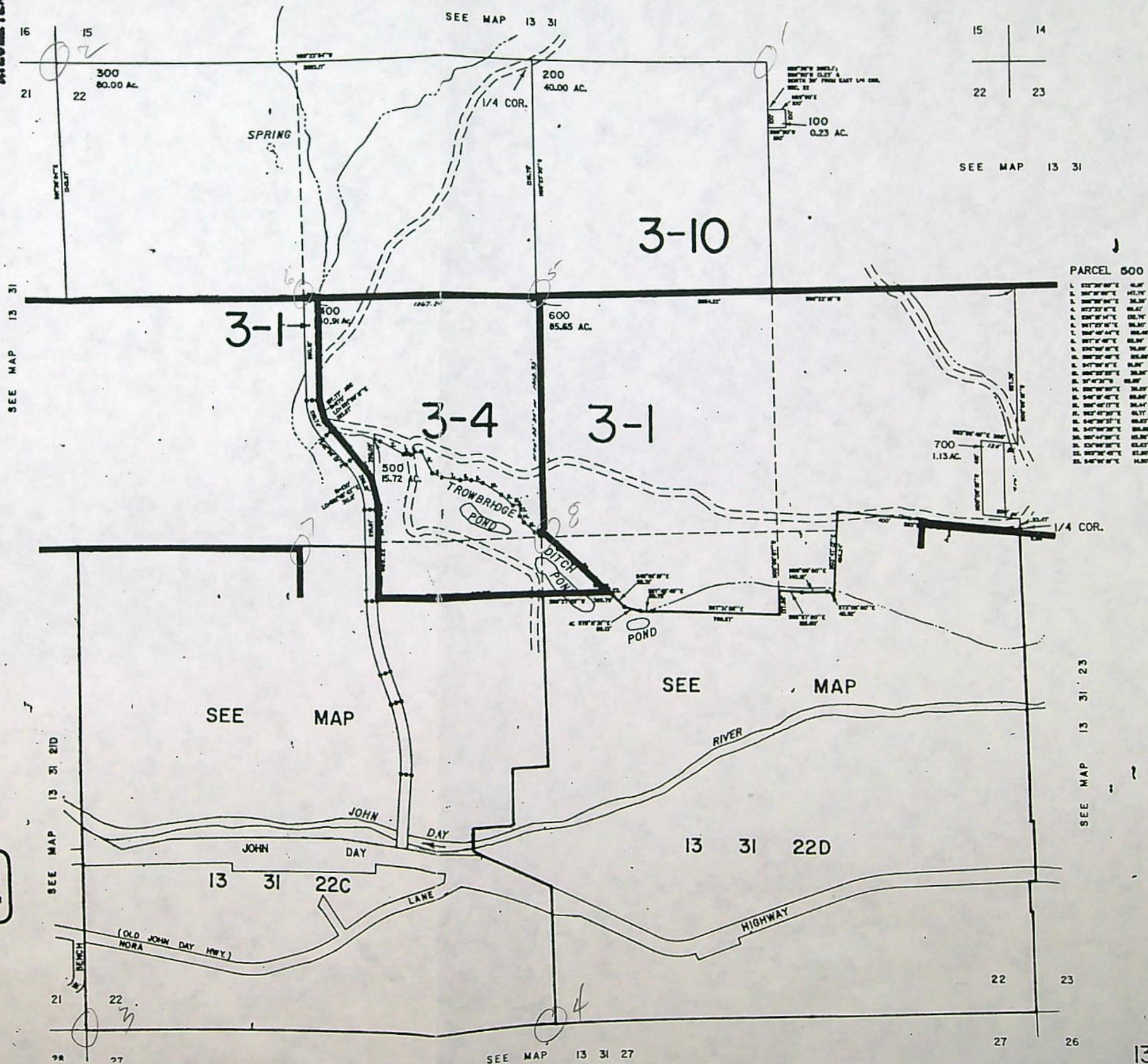
7-12-83

Garland Miller
ASST WATERMASTER
DIST. 4.

$l^s = 400'$

13 31 22

SCALE 1: 9600



RECEIVED
APR 25 1991
DEPT. of REVENUE STATE of OREGON
ASSESSMENT & APPRAISAL DIV.

September 20, 1991

WILLIAM PATTERSON
HCR 56 BOX 20
JOHN DAY OR 97845

REFERENCE: Transfer 4486

We received a request from Mr. Patterson, along with copies of deeds and other supporting data, to amend the order approving transfer 4486.

We understand that when the transfer was filed (April 25, 1980) by Springfield Escrow, Inc., they did not own the land (deed from Springfield Escrow to W. A. Patterson, dated March 24, 1980). Because only the owner may transfer a water right, the portion of the water right appurtenant to Mr. Patterson's land should not have been included in the transfer.

We propose to amend the order to remove references to the 4.5 acres on Mr. Patterson's land. We will also issue a new remaining right certificate showing the 4.5 acres remaining on the original right.

Please read the enclosed draft amending order. If you agree with the changes, please sign the draft before a notary public and return it to us.

If you have any questions, please call Larry Nunn, Transfer Specialist, at 378-3739.

LHN:wcm
0875W

cc: Watermaster, District 4

Enclosure



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

Home Place To B:11 Patterson

92863

157 124 121

STATUTORY WARRANTY DEED

MICROFILM

Tax Lot 500

SPRINGFIELD ESCROW, INC., Grantor, conveys to W. A. PATTERSON, also known as WILLIAM A. PATTERSON, and BLANCHE PATTERSON, his wife, Grantees, the property located in Grant County, Oregon and described in the attached Exhibit A.

SUBJECT TO AND EXCEPTING the reservations and exceptions set forth in the attached Exhibit B.

Consideration: This deed covers and results from a revision of an unrecorded contract of sale, a notice of sale having been filed December 29, 1978 in Book 120, Page 213, Deeds. The consideration therefor involves other property. Provided, the property described in attached Exhibit A is hereby conveyed free and clear of seller's obligations under such unrecorded land sale contract.

Dated this 24th day of April, 1980.

SPRINGFIELD ESCROW, INC.

By Jessie M. Fountain, President
Jessie M. Fountain, President

STATE OF OREGON)
) ss
COUNTY OF LANE)

March 24, 1980

Personally appeared JESSIE M. FOUNTAIN, who, being sworn, stated that she is the president of grantor corporation and that this instrument was voluntarily signed on behalf of the corporation by authority of its Board of Directors. Before me:

Jessie M. Fountain
Notary Public for Oregon
My Commission Expires August 29, 1982

Until a change is requested, all tax statements shall be sent to the following address: W. A. and Blanche Patterson,

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SEP 12 1991

WATER RESOURCES DEPT.
SALEM, OREGON

92863

LIBER 124 PAGE 122

EXHIBIT A

Springfield Escrow, Inc. to Patterson

Land in the City of John Day, Grant County, Oregon, as follows:

In Twp. 13 S., R. 31 E., W.M.:

Sec. 22: A tract of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the Southeast corner of the N $\frac{1}{4}$ N $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 22;
thence S. 89° 27' 30" W., along the South line of said N $\frac{1}{4}$ N $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 942.75 feet;
thence N. 0° 33' 13" W., 885.22 feet to the approximate center of the Trowbridge Ditch;
thence along the following courses, being the approximate center of said Trowbridge Ditch:

S. 72° 30' 00" E., 41.16 feet;
S. 61° 18' 50" E., 147.76 feet;
S. 85° 55' 06" E., 36.38 feet;
N. 73° 33' 11" E., 66.61 feet;
S. 26° 15' 14" E., 132.76 feet;
S. 67° 23' 16" E., 56.20 feet;
S. 80° 40' 44" E., 106.46 feet;
S. 87° 11' 45" E., 62.99 feet;
S. 76° 00' 18" E., 70.00 feet;
S. 58° 22' 40" E., 125.69 feet;
S. 47° 58' 11" E., 91.56 feet;
N. 86° 23' 23" E., 39.26 feet;
S. 1° 41' 31" W., 62.65 feet;
S. 32° 58' 50" E., 38.29 feet;
S. 48° 19' 12" E., 80.00 feet;
S. 56° 40' 17" E., 36.44 feet;
S. 63° 47' 20" E., 61.71 feet;
S. 42° 39' 37" E., 69.83 feet;
S. 47° 09' 35" E., 120.66 feet;
S. 51° 44' 20" E., 113.56 feet;
S. 31° 00' 22" E., 63.63 feet;
S. 63° 32' 43" E., 87.90 feet;
S. 45° 01' 18" E., 14.50 feet to the South

line of the N $\frac{1}{4}$ N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 22;
thence S. 89° 27' 25" W., along the South line of said N $\frac{1}{4}$ N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, a distance of 389.79 feet to the point of beginning.

Said tract containing 15.7 acres, more or less.

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WATER RESOURCES DEPT.
SALEM, OREGON

92863

LIBER 124 PAGE 123
EXHIBIT "B"

MICROFILM

Reservations and exceptions:

Subject to the usual printed exceptions, and:

1. RESERVATIONS AND EXCEPTIONS in that certain Deed from Canyon Creek Placers, a corp., to Mary Grove, dated Feb. 5, 1942, recorded Feb. 9, 1942 in Book 45, Pages 187-88, Deeds, conveying the E½NE¼, SW¼NE¼, NW¼NE¼ of Sec. 22, Twp. 13 S., R. 31 E., W.M., SAVE & EXCEPT what is known as the Rest Lawn Cemetery, to-wit:
ALSO, Save & Except any rights of way or road allowances including any rights of way to the said Rest Lawn Cemetery.
ALSO, Reserving any and all water rights for the said Rest Lawn Cemetery.
2. RADIO BEAM PATH EASEMENT, its terms and provisions, to the Pacific Telephone and Telegraph Company, a corp., dated April 2, 1959, recorded April 2, 1959 in Book 80, Page 597, Deeds, to which reference is hereby made for a more definite description.
NOTE: We also find of record a certain CORRECTED QUITCLAIM OF EASEMENT, from the Pacific Telephone and Telegraph Company, a corp., to Oregon-Washington Telephone Company, an Oregon corp., dated Sept. 28, 1960, recorded Oct. 4, 1960 in Book 83, Page 621, Deeds, which refers to the Radio Beam Path Easement mentioned above.
3. RADIO BEAM PATH EASEMENT, including its terms and provisions, to The Pacific Telephone and Telegraph Company, a corp., dated April 2, 1959, recorded April 2, 1959 in Book 80, Pages 597-8-9, Deeds, to which reference is hereby made for a more definite description.
(a) The above easement was conveyed by The Pacific Telephone and Telegraph Company, a California corp., to Pacific Northwest Bell Telephone Company, a Washington corp., by Deed dated June 30, 1961, recorded July 13, 1961 in Book 85, Pages 306-7-8, Deeds.
4. EASEMENT, including its terms and provisions, to Pacific Northwest Bell Telephone Company, a Washington corp., recorded Aug. 8, 1968 in Book 99, Pages 406-7-8, Deeds, to which reference is hereby made for a more definite description.
5. ORDER OF VACATION in the County Court of the State of Oregon for the County of Grant, entitled "In the Matter of the Vacation of the County Road No. 50, Old Long Creek-John Day Road, from East Fork Beech Creek to John Day, Oregon", entered June 2, 1966 in Book "M", Page 51, Commissioner's Journal, by which the County Road across the E½NE¼ of Sec. 22, Twp. 13 S., R. 31 E., W.M. (and other lands) was vacated.

B-1

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SEP 12 1991

WATER RESOURCES DEPT.
SALEM, OREGON

6. RIGHT OF WAY EASEMENT, its terms and provisions, to California-Pacific Utilities Company, a corp., dated March 25, 1970, recorded Oct. 11, 1972 in Book 103, Page 282, Deeds, for the exclusive right to construct, reconstruct, operate and maintain electric power or telephone lines and all necessary poles, towers and appurtenances, over, under and upon a strip of land 15 feet in width, the center line of which is described as follows:
Beginning at a point along an existing power line located approximately 1300 feet S and 315 Feet W of the center of Section 22, T 13 R 31; thence N. $22^{\circ} 45'$ E. more or less, approximately 750 feet; thence N. $0^{\circ} 15'$ W. more or less, approximately 450 feet; thence N. $46^{\circ} 10'$ W. more or less, approximately 600 feet to a point of service to Mr. Patterson's ranch home. All as staked on the ground in Section 22, Twp. 13 R 31. TOGETHER with rights of ingress, egress and tree trimming.
7. RIGHT OF WAY EASEMENT, ITS TERMS AND PROVISIONS, TO California-Pacific Utilities Company, a corp., dated April 16, 1973, recorded April 17, 1973 in Book 109, Page 773, Deeds, for the exclusive right to construct, reconstruct, operate and maintain electric power lines and all necessary poles and appurtenances, over, under and upon a strip of land 15 feet in width, the center line of which is described as follows:
Beginning at a point which is approximately 15 feet North of the West $\frac{1}{2}$ corner of Section 22, Twp. 13 S., R. 31 E., W.M.; thence N. $88^{\circ} 36'$ W. approximately 530 feet to a point; Also beginning at the same point of beginning; thence S. $88^{\circ} 36'$ E. approximately 1323 feet; thence N. 11° W. more or less approximately 450 feet; thence N. 59° W. more or less approximately 400 feet to a point.
Also beginning at a point along said line which is S. $88^{\circ} 36'$ E. 1323 feet from said point of beginning; thence N. $74^{\circ} 36'$ E. more or less approximately 900 feet to an existing power line easement. All as staked on the ground. TOGETHER with rights of ingress, egress and tree trimming.
8. EASEMENT DEED between Boyce A. Trowbridge, 1st party, and W. A. Patterson and Blanche Patterson, his wife, 2nd parties, dated Nov. 7, 1973, recorded Nov. 16, 1973 in Book 110, Page 673, Deeds, wherein each party conveys to the other, their heirs and assigns, an easement in common over and across respective lands on an existing former County Road, as described in Order of Vacation dated May 26, 1966, entered June 2, 1966 in Book "M", Page 51, Commissioner's Journal of Grant County, Oregon, 60 feet in width for the purpose of ingress and egress as said road traverses Sec. 10, Sec. 15, and the NE $\frac{1}{4}$ of Sec. 22, Twp. 13 S., R. 31 E., W.M.
9. JUDGMENT APPROPRIATING AN EASEMENT in the Circuit Court of the State of Oregon, for the County of Grant, Case No. L-4141, File No. JR 4434, entitled "Idaho Power Company, Plaintiff, vs. W. A. Patterson and Blanche Patterson, husband and wife, Defendants", entered and filed June 8, 1967 in Book 35, Pages 567-68, Circuit Court Journal, to which reference is hereby made for a more definite description.
10. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm or timber use, or both. At any time that said land is disqualified for such use, the property will be subject to additional taxes and interest.

92863

LIBER 124 PAGE 125

MICROFILM

11. MORTGAGE, its terms and provisions, from W. A. Patterson and Blanche Patterson, his wife, to C. B. Patterson, single, dated Oct. 12, 1960, recorded Nov. 3, 1960 in Book 32, Page 503, Mortgages, securing payment of a note for \$15,700.00, as provided therein.
12. FINANCING STATEMENT No. K-200, from William A. Patterson and Blanche E. Patterson, Debtors, to Northwest Livestock Production Credit Association, 1211 Commonwealth Bldg., Portland, Or 97204, Secured Party, filed Sept. 19, 1972 as Reception Book No. 69285; and that certain CONTINUATION thereof filed Sept. 12, 1977 as Financing Statement No. Q-194; on accounts, contract rights or general intangibles arising from any sale or other disposition of the products thereof; livestock, feed, etc.
13. SUPPLEMENTAL AGREEMENT, its terms and provisions, between Edward Hines Lumber Co. and W. A. Patterson and Blanche Patterson, dated A.g. 1, 1974, recorded Aug. 7, 1974 in Book "K", Page 86, Leases & Agreement Records of Grant County, Oregon, stating the following Agreements:
 - (1) Hines is going to build a fence in the Northerly part of its land in such a manner as to leave water on Pattersons side of the fence. Both parties however recognize that the fence will not be on the line and is not at any time to be considered as a boundary fence. Either party may relocate the fence on the true line at any time. In the event the fence is relocated, Hines will then provide Pattersons with a stock water source on the Pattersons side of the fence.
 - (2) The road contemplated by paragraph four of the original agreement does not need to be built unless and until the fence is put on the true line.
 - (3) All of the other things contemplated by the original agreement have been accomplished to the satisfaction of both parties.
14. Reserving unto the Grantor any and all mineral rights, whether surface or subsurface, Grantor to pay to Grantee royalty based on 5% net smelter.

92863

I hereby certify that the within instrument was filed in my office for record on this 19th day of Dec. 1977 at 1:10 P.M. in Book 121 Page 125 inclusive.

By Donna Lawrence Deputy

Fees \$ 17.00



16-81 (over) - Young - 120374

120374

BOOK 140 PAGE 189

JACK YOUNG + TAX LOT 40

MICROFILM

STATUTORY WARRANTY DEED

JACK L. YOUNG and MERILEE YOUNG, husband and wife, Grantors, convey and warrant to W. A. PATTERSON and BLANCHE E. PATTERSON, husband and wife, Grantees, the following described real property, free of encumbrances except as specifically set forth herein:

That particular real property described in Exhibit A attached hereto and incorporated herein:

Subject to and excepting:

1. Discrepancies, conflicts in boundary lines, shortage in area or encroachments.
2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto, a penalty may be levied if notice of disqualification is not timely given.
3. Rights of the public in streets, roads and highways.
4. Judgment Appropriating an Easement, including the terms and provisions thereof, in the Circuit Court of the State of Oregon for the County of Grant, Case No. L-4141, JR4434, entitled "Idaho Power Company, Plaintiff vs. W.A. Patterson and Blanche E. Patterson, husband and wife, Defendants", entered and filed June 8, 1967, in Book 35, page 567, Circuit Court Journal.
5. An easement, including the terms and provisions thereof, to California Pacific Utilities Company, a corp., recorded October 11, 1972, in Book 103, page 282, Deeds for Grant County, Oregon.
6. An easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corp., recorded April 17, 1983, in Book 109, page 773, Deeds for Grant County, Oregon.
7. An easement, including the terms and provisions thereof, to the City of John Day, recorded December 16, 1983, in Book 129, page 254, Deeds for Grant County, Oregon.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE

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SEP 12 1991

WATER RESOURCES DEPT.
SALEM, OREGON

120374

BOOK 140 PAGE 190

MICROFILM

APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO
VERIFY APPROVED USES.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE
WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES.
THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULA-
TIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT
AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE.
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE
PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD
CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING
DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF
FIRE PROTECTION FOR STRUCTURES.

The true and actual consideration for this conveyance is:
\$16,200.

Until a change is requested, all tax statements are to be
sent to the following address: W. A. Patterson and Blanch E.
Patterson HCR 56 Box 20
John Day, Or 97845

Dated this 19th day of March, 1990.



STATE OF OREGON)
County of Grant) ss.

[Signature]

Subscribed and sworn to before me this 19th day of March,
1990, by Jack I. Young and Merilee Young.

[Signature]
Notary Public for Oregon
My Commission Expires: 7/6/90



STATE OF OREGON } ss. 120374
County of Grant

I hereby certify that the within instrument
was filed in my office for record on this 19th
day of March, A.D. 1990 at 2:05
o'clock P.M., and is duly recorded in Book 140
of Deeds at folios 189 to 191 inclusive.

Witness my hand and official seal
Carol Vogt, County Clerk

Fees \$

By *[Signature]* Deputy

Page 2 - STATUTORY WARRANTY DEED

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WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

MICROFILM 9584, 13-31

LEGAL DESCRIPTION

120374
Township 13 South, Range 31 East, Willamette Meridian, Grant County, Oregon:

Section 22: A tract of land situated in the SE1/4NW1/4 as follows:

Beginning at a point on the North line of the SE1/4NW1/4 of said Sec. 22; said point being S. 89°57'49" E., 60.00 feet from the Northwest corner of said SE1/4NW1/4;

thence S. 01°00'09" E., parallel with and 60 feet Easterly of the West line of said SE1/4NW1/4, a distance of 549.57 feet;

thence 197.77 feet along the arc of a 270.00 foot radius curve left, (the long chord of which bears S. 21°59'11" E., 193.37 feet);

thence S. 42°58'13" E., 196.06 feet;

thence 318.33 feet along the arc of a 430.00 foot radius curve right (the long chord of which bears S. 21°45'43" E., 311.11 feet), to a point on the West line of the Bill Patterson home tract as said tract is described in Book

124, page 121, Deed Records;

thence N. 00°33'13" W., along the West line of said Patterson tract, 390.09 feet to approximate center of the Trowbridge Ditch;

thence along the following courses, being the approximate center of said Trowbridge Ditch:

S. 72°30'00" E., 41.16 feet;

S. 61°18'50" E., 147.76 feet;

S. 85°55'06" E., 36.38 feet;

N. 73°33'11" E., 66.61 feet;

S. 26°15'14" E., 132.76 feet;

S. 67°23'16" E., 56.20 feet;

S. 80°40'44" E., 106.46 feet;

S. 87°11'45" E., 62.99 feet;

S. 76°00'18" E., 70.00 feet;

S. 58°22'40" E., 125.69 feet;

S. 47°58'11" E., 91.56 feet;

N. 86°23'23" E., 39.26 feet;

S. 01°41'31" W., 62.65 feet;

S. 32°58'50" E., 38.29 feet;

S. 48°19'42" E., 80.00 feet;

S. 56°40'17" E., 36.44 feet;

S. 63°47'20" E., 11.15 feet, to a point on the East line of the SW1/4NE1/4 of said Sec. 22;

thence N. 00°23'30" W., 1312.93 feet, to the Northeast corner of said SE1/4NW1/4;

thence N. 89°57'49" W., along the North line of said SE1/4NW1/4, 1,267.24 feet to the point of beginning.

ALSO:

A parcel of land situated in the SE1/4NW1/4 and in the NE1/4SW1/4 of Sec. 22, Twp. 13 S., R. 31 E., W.M., Grant County, Oregon; said parcel being that portion of said subdivisions included in a strip of land 60.00 feet in width, 30.00 feet on each side of the following described centerline:

Beginning at a point on the North line of the SE1/4NW1/4 of said Sec. 22, said point being S. 89°57'49" E., 30.00 feet from the Northwest corner of said SE1/4NW1/4;

thence S. 01°00'09" E., parallel with and 30.00 feet East of (when measured at right angles to) the West line of said SE1/4NW1/4, 550.12 feet;

thence 219.74 feet, along the arc of a 300.00 foot radius curve left (the long chord of which bears S. 21°59'11" E., 214.86 feet);

thence S. 42°58'13" E., 196.06 feet;

thence 296.12 feet, along the arc of a 400.00 foot radius curve right (the long chord of which bears S. 21°45'43" E., 289.41 feet) to a point which is 30.00 feet West of the West line of the Bill Patterson tract as described in Book 124, page 122, Deed Records;

thence S. 00°33'13" E., parallel with and 30.00 feet West of a portion of said Patterson tract, 210.81 feet to a point which is 2,609.59 feet North and 1,656.53 feet East of the Southwest corner of said Sec. 22.

All according to Map of Survey No. 1076, filed in the Office of the Grant County Surveyor.

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WATER RESOURCES DEPT.
SALEM, OREGON

2300
113
WAYNE W. MAYNARD, JERRY WYATT and LEO F. YOUNG, Partners doing business as
GRANT DEVELOPMENT COMPANY Grantor,
hereby grant, bargain, sell and convey unto SPRINGFIELD ESCROW, INC., TRUSTEE, Grantee,
the following described real property, with tenements, hereditaments and appurtenances, to-wit:

See Exhibit "A" attached hereto and by this reference incorporated
herein as though here fully set forth.

The true consideration for this conveyance is \$ None Dated April 20 1979

Leo F. Young

Wayne W. Maynard

Jerry Wyatt

Partners, dba GRANT DEVELOPMENT COMPANY

STATE OF OREGON, County of LANE

Personally appeared the above named WAYNE W. MAYNARD, JERRY WYATT and LEO F. YOUNG

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, Notary Public for Oregon

My Commission Expires

Grantee's Address c/o 1216 Mohawk Blvd., Springfield, OR 97477

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SEP 12 1991

WATER RESOURCES
SALEM, OREGON

86809

LEER 120 PAGE 913

MICROFILM

EXHIBIT "A"

Land in Grant County, Oregon, as follows:

In Twp. 13 S., R. 31 E., W.M.:

Sec. 22: $W\frac{1}{2}$, $SE\frac{1}{4}$, $SW\frac{1}{4}$, $NE\frac{1}{4}$, $SE\frac{1}{4}$, SAVE & EXCEPTING THEREFROM the following parcels, to-wit:

- (a) A parcel of land in the $SE\frac{1}{4}$ described as follows:
Beginning at the Southeast corner of the $SW\frac{1}{4}$ of Sec. 22, Twp. 13 S., R. 31 E., W.M.; thence North, 0.9 chains; thence North $62^{\circ} 30'$ West, 7 chains; thence North $83^{\circ} 00'$ West, 12.16 chains; thence West, 3.32 chains; thence South $74^{\circ} 00'$ West, 4.8 chains; thence South $51^{\circ} 45'$ West, 6.7 chains; thence West, 3.7 chains; thence North $60^{\circ} 00'$ West, 5.5 chains; thence South, 13.93 chains; thence East, 39.9 chains to the place of beginning.
- (b) All that portion of the $SW\frac{1}{4}$ of Sec. 22, Twp. 13 S., R. 31 E., W.M., lying South of the John Day River and North of the North boundary of parcel of land described as (a) above, containing 3 acres, more or less.
- (c) That certain parcel of land in the $SE\frac{1}{4}$ and in the $NE\frac{1}{4}$ known as the Rest Lawn Cemetery, described as follows:
Beginning at a point where the East line of said Section 22 intersects the North fence line which encloses said cemetery, said point being 6.88 feet South and 0.03 feet West of the East quarter corner of said Sec. 22;
thence N. $83^{\circ} 56' 49''$ W., along said fence line, 534.74 feet to the fence corner;
thence S. $3^{\circ} 47' 13''$ W., along the West fence line which encloses said cemetery 164.46 feet to a point which is 12 feet beyond the fence corner;
thence S. $83^{\circ} 08' 55''$ E., parallel to the South fence which encloses said cemetery to the East line of Sec. 22;
thence N. $0^{\circ} 13' 12''$ E., along said Section line, 172.77 feet to the point of beginning.
- (d) A parcel of land in the $E\frac{1}{2}$ described as follows:
Commencing at a point on the North-South center line of Sec. 22, Twp. 13 S., R. 31 E., W.M.; said point being North $0^{\circ} 06'$ West, 719.4 feet from the South quarter corner of said Sec. 22; said point also being the Northeast corner of the Hall tract; which point is on the Northerly right of way line of the John Day Highway; thence North $62^{\circ} 30'$ West, along the Northerly line of said Hall tract, 496.2 feet; thence North $0^{\circ} 06'$ West, parallel with said North-South center line, 140.0 feet; thence East, 239.6 feet to a point 200.0 feet West of said N-S center line; thence North $0^{\circ} 06'$ West, parallel with and 200.0 feet West of said North-South center line, 300.0 feet; thence East, 200.0 feet to a point on said North-South center line; thence South $0^{\circ} 06'$ East, along said North-South center line, 699.1 feet to the point of beginning.

- (e) A tract of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$ described as follows:
Beginning at a point which is 1226.14 feet North and 1820.55 feet East of the Southwest corner of said Sec. 22;

thence S. 4° 58' 00" W. 150.0 feet;
thence S. 80° 36' 12" E., 302.70 feet;
thence N. 4° 58' 00" E., 314.00 feet;
thence N. 80° 36' 12" W., 302.70 feet;
thence S. 4° 58' 00" W., 164.0 feet to the point of beginning.

All according to Map of Survey No. 173 as filed in the Office of the Grant County Surveyor.

- (f) A parcel of land in the E $\frac{1}{2}$ NE $\frac{1}{4}$ described as follows:
Beginning at a point which bears North 29° 36' West a distance of 2653.1 feet and South 89° 50' West, a distance of 13.23 feet and North a distance of 30.0 feet from the East quarter corner of Sec. 22, Twp. 1' S., R. 31 E., W. M.; thence North 89° 50' East, 100.0 feet; thence South, 100.0 feet; thence South 89° 50' West, 100.0 feet; thence North, 100.0 feet to the true point of beginning, known as the Pacific Telephone and Telegraph Company Reflector Site.

- (g) A tract of land in the SW $\frac{1}{4}$ described as follows:
Beginning at a point on the West section line of said Sec. 22; said point being N. 0° 33' 13" W. 1113.50 feet from the Southwest corner of said Sec. 22; said point also being the Northwest corner of the Hall Acres Subdivision;
thence N. 0° 33' 13" W., along the said West section line, 1536.60 feet;
thence S. 88° 36' 45" E., 1323.13 feet;
thence S. 0° 33' 13" E., 1520.00 feet, to the South bank of the John Day River;
thence, along the South bank of the John Day River, as follows:

S. 85° 19' 14" W. 213.16 feet;
N. 86° 46' 50" W. 320.51 feet;
S. 85° 52' 17" W. 666.73 feet;
N. 63° 20' 17" W. 140.02 feet to the place of beginning, containing 47.14 acres.

All according to Map of Survey No. 160 filed in the Office of the Grant County Surveyor, Grant County, Oregon.

- (h) Beginning at the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 22;
thence North, along the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 22, 332 feet, more or less, to a point 20 feet South of the center line of the Trowbridge Ditch;
thence Southeasterly, along a line 20 feet South of and parallel to said ditch, 1143 feet, more or less, to the North line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 22;
thence Westerly, along the North line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, 1080 feet, more or less, to the point of beginning.

Sec. 21: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SAVE & EXCEPT that portion conveyed to Edward Hines Lumber Co., a Delaware corp., dated Feb. 10, 1970, recorded Feb. 11, 1970 in Book 102, page 577, Deeds.

Document
No. 86809
Filed for record
APR 1970
AT 3:00 PM
by
DANUTY

Bill Sold to Grant Developers.

86142

act. 120 and 213

MICROFILM

NOTICE OF SALE

Notice is hereby given that WILLIAM A. PATTERSON and BLANCHE PATTERSON, husband and wife, as Sellers, have entered into a Contract of Sale whereby they have sold to WAYNE W. MAYNARD, JERRY WYATT and LEO F. YOUNG, Partners, doing business as GRANT DEVELOPMENT COMPANY, all of that certain real property described as follows:

Land in Grant County, Oregon, as follows:

All that certain real property set forth and described in Exhibit "A", attached hereto and by this reference made a part hereof.

Consideration: \$436,000.00.

DATED this 22 day of DECEMBER, 1978.

William A. Patterson
WILLIAM A. PATTERSON

Blanche E. Patterson
BLANCHE PATTERSON

STATE OF OREGON)
) ss.
County of Grant)

DECEMBER 22, 1978, before me, a Notary Public for said County and State, personally appeared the above named WILLIAM A. PATTERSON and BLANCHE PATTERSON, husband and wife, and they acknowledged that they executed the foregoing instrument freely and voluntarily.

Carol A. [Signature]
Notary Public for Oregon
My Commission Expires: 1-21-82

RECEIVED

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NOTICE OF SALE

WATER RESOURCES DEPT.
SALEM, OREGON

86142

LIBER 120 PAGE 214

MICROFILM

EXHIBIT "A"

Land in Grant County, Oregon, as follows:

In Twp. 13 S., R. 31 E., W.M.:

Sec. 9: All.

Sec. 10: SW $\frac{1}{4}$ and 80 acres, more or less, in the NW $\frac{1}{4}$, which is that portion lying South and West of a line running from the NW corner of Section 10 to the SE corner of NW $\frac{1}{4}$ of Section 10.

Sec. 15: Commencing at a point on the section line between Secs. 10 and 15, Twp. 13 S., R. 31 E., W.M.; said point being 33.0 feet East of the North quarter corner of said Sec. 15; thence South 20° 00' East, 165.0 feet; thence South 34° 00' East, 1056.0 feet; thence South 46° 30' West, 495.0 feet; thence South 17° 00' East, 528.0 feet; thence South 72° 45' East, 792.0 feet; thence South 3° 00' East, 825.0 feet; thence South 36° 00' West, 495.0 feet; thence South 5° 45' West, 429.0 feet; thence South 36° 30' East, 462.0 feet; thence South 52° 00' East, 429.0 feet; thence South, 882.3 feet to the Section line; thence West, along said Section line, 4193.7 feet to the Southwest corner of said Section 15; thence North, along the Section line, 5280.0 feet to the Northwest corner of said Section 15; thence East, along the Section line, 2673.0 feet to the point of beginning.

Sec. 16: All.

Sec. 17: All.

Sec. 20: NW $\frac{1}{4}$, and all that portion of the SE $\frac{1}{4}$, described as follows: Beginning at the Northwest corner of the SE $\frac{1}{4}$ of said Sec. 20; thence South, along the West line of said SE $\frac{1}{4}$, 570.0 feet to the North boundary line of the tailing piles; thence along the North boundary line of said tailing piles as follows:

East, 350.0 feet;

N. 68° 10' E. 1532.6 feet to the North line of said SE $\frac{1}{4}$;

thence West, along the North line of said SE $\frac{1}{4}$, 1772.7 feet to the point of beginning.

Sec. 21: NW $\frac{1}{4}$, SAVE & EXCEPT that portion conveyed to Edward Hines Lumber Co., a Delaware corp., dated Feb. 10, 1970, recorded Feb. 11, 1970 in Book 102, Page 577, Deeds.

Sec. 22: NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SAVE & EXCEPTING THEREFROM the following parcels, to-wit:

#86142

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MICROFILM

- (a) A parcel of land in the S¹/₂S¹/₂ described as follows: Beginning at the Southeast corner of the SW¹/₄ of Sec. 22, Twp. 13 S., R. 31 E., W.M.; thence North, 10.9 chains; thence North 62° 30' West, 7 chains; thence North 83° 00' West, 12.16 chains; thence West, 3.32 chains; thence South 74° 00' West, 4.8 chains; thence South 51° 45' West, 6.7 chains; thence West, 3.7 chains; thence North 60° 00' West, 5.5 chains; thence South, 12.93 chains; thence East, 39.9 chains to the place of beginning.
- (b) All that portion of the SW¹/₂SW¹/₄ of Sec. 22, Twp. 13 S., R. 31 E., W.M., lying South of the John Day River and North of the North boundary of parcel of land described as (a) above, containing 3 acres, more or less.
- (c) That certain parcel of land in the SE¹/₂NE¹/₄ and in the NE¹/₂SE¹/₄ known as the Rest Lawn Cemetery, described as follows:
Beginning at a point where the East line of said Section 22 intersects the North fence line which encloses said cemetery, said point being 6.88 feet South and 0.03 feet West of the East quarter corner of said Sec. 22;
thence N. 83° 56' 49" W., along said fence line, 54.74 feet to the fence corner;
thence S. 3° 47' 13" W., along the West fence line which encloses said cemetery 166.46 feet to a point which is 12 feet beyond the fence corner;
thence S. 81° 08' 55" E., parallel to the South fence which encloses said cemetery to the East line of Sec. 22;
thence N. 0° 13' 12" E., along said Section line, 172.77 feet to the point of beginning.
- (d) A parcel of land in the E¹/₂SW¹/₄ described as follows: Commencing at a point on the North-South center line of Sec. 22, Twp. 13 S., R. 31 E., W.M.; said point being North 0° 06' West, 719.4 feet from the South quarter corner of said Sec. 22; said point also being the Northeast corner of the Hall tract; which point is on the Northerly right of way line of the John Day Highway; thence North 62° 30' West, along the Northerly line of said Hall tract, 496.2 feet; thence North 0° 06' West, parallel with said North-South center line, 140.0 feet; thence East, 239.6 feet to a point 200.0 feet West of said N-S center line; thence North 0° 06' West, parallel with and 200.0 feet West of said North-South center line, 300.0 feet; thence East, 200.0 feet to a point on said North-South center line; thence South 0° 06' East, along said North-South center line, 699.1 feet to the point of beginning.
- (e) A tract of land in the E¹/₂SW¹/₄ described as follows: Beginning at a point which is 1226.14 feet North and 1820.55 feet East of the Southwest corner of said Sec. 22;
thence S. 4° 58' 00" W. 150.0 feet;

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MICROFILM

thence S. 80° 36' 12" E., 302.70 feet;
thence N. 4° 58' 00" E., 314.00 feet;
thence N. 80° 36' 12" W., 302.70 feet;
thence S. 4° 58' 00" W., 164.0 feet to the point
of beginning.

All according to Map of Survey No. 173 as filed in the
Office of the Grant County Surveyor.

- (f) A parcel of land in the E¹/₄NE¹/₄ described as follows:
Beginning at a point which bears North 29° 36' West
a distance of 2653.1 feet and South 89° 50' West, a
distance of 13.23 feet and North a distance of 30.0
feet from the East quarter corner of Sec. 22, Twp. 13
S., R. 31 E., W. M.; thence North 89° 50' East, 100.0 feet;
thence South, 100.0 feet; thence South 89° 50' West,
100.0 feet; thence North, 100.0 feet to the true point
of beginning, known as the Pacific Telephone and Tele-
graph Company Reflector Site.

- (g) A tract of land in the SW¹/₄ described as follows:
Beginning at a point on the West section line of said
Sec. 22; said point being N. 0° 33' 13" W. 1113.50
feet from the Southwest corner of said Sec. 22; said
point also being the Northwest corner of the Half
Acres Subdivision;

thence N. 0° 33' 13" W., along the said West section
line, 1536.60 feet;

thence S. 88° 36' 45" E., 1123.13 feet;

thence S. 0° 33' 13" E., 1520.00 feet, to the South
bank of the John Day River;

thence, along the South bank of the John Day River, as
follows:

S. 85° 19' 14" W. 213.16 feet;

N. 86° 46' 50" W. 320.51 feet;

S. 85° 52' 17" W. 666.73 feet;

N. 63° 20' 17" W. 140.02 feet to the place
of beginning, containing 47.14 acres.

All according to Map of Survey No. 160 filed in the Office
of the Grant County Surveyor, Grant County, Oregon.

- (h) Beginning at the Northwest corner of the SW¹/₄NE¹/₄SE¹/₄ of
said Sec. 22;
thence North, along the West line of the SW¹/₄NE¹/₄SE¹/₄ of
said Sec. 22, 332 feet, more or less, to a point 20
feet South of the center line of the Trowbridge Ditch;
thence Southeasterly, along a line 20 feet South of and
parallel to said ditch, 1143 feet, more or less, to
the North line of the SE¹/₄NE¹/₄SE¹/₄ of said Sec. 22;
thence Westerly, along the North line of said SE¹/₄NE¹/₄SE¹/₄
and SW¹/₄NE¹/₄SE¹/₄, 1080 feet, more or less, to the point
of beginning.

Document . Filed for record DEC 2 1972 at 3:15 P.M.

No. 86142

JOHN LIVEIRA

Clerk, Grant County, Ore.

Betty L. Lively
Deputy

2300
112

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1978 120 PAGE 899

MICROFILM

STATUTORY WARRANTY DEED

W. A. PATTERSON, also known as WILLIAM A. PATTERSON, and BLANCHE PATTERSON, his wife, Grantors, convey to SPRINGFIELD ESCROW, INC., Grantee, the property described in the attached Exhibit A.

SUBJECT TO AND EXCEPTING reservations and exceptions set forth in the attached Exhibit B.

Consideration: This deed covers a release of acreage involving an unrecorded contract of sale, a notice of sale having been filed December 29, 1978 in Book 120, Page 213, Deeds. The consideration therefor involves other property.

Dated this 9 day of April, 1979.

W. A. Patterson

W. A. Patterson, also known as William A. Patterson

Blanche Patterson

Blanche Patterson

STATE OF OREGON)

COUNTY OF Grant)

April 9, 1979

Personally appeared the above-named W. A. PATTERSON, also known as WILLIAM A. PATTERSON, and BLANCHE PATTERSON, and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:



Clara Lynn
Notary Public for Oregon

My Commission Expires: 9-21-82

Until a change is requested, all tax statements shall be sent to the following address: Leo P. Young; 101 East Broadway, Suite 200; Eugene, Oregon 97401.

Return to: Springfield Escrow, Inc.
1216 Wickham Blvd.
Springfield, Or 97477

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SALEM, OREGON

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USER 120 PAGE 930
EXHIBIT "A"

MICROFILM

Land in Grant County, Oregon, as follows:

In Twp. 13 S., R. 31 E., W.M.:

Sec. 22: $W\frac{1}{2}$, $SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}$, SAVE & EXCEPTING THEREFROM the following parcels, to-wit:

- (a) A parcel of land in the $SE\frac{1}{4}SW\frac{1}{4}$ described as follows:
Beginning at the Southeast corner of the $SW\frac{1}{4}$ of Sec. 22, Twp. 13 S., R. 31 E., W.M.; thence North, 3.9 chains; thence North $62^{\circ} 30'$ West, 7 chains; thence North $83^{\circ} 00'$ West, 12.16 chains; thence West, 3.32 chains; thence South $74^{\circ} 00'$ West, 4.8 chains; thence South $51^{\circ} 45'$ West, 6.7 chains; thence West, 3.7 chains; thence North $60^{\circ} 00'$ West, 5.5 chains; thence South, 13.93 chains; thence East, 39.9 chains to the place of beginning.
- (b) All that portion of the $SW\frac{1}{4}SW\frac{1}{4}$ of Sec. 22, Twp. 13 S., R. 31 E., W.M., lying South of the John Day River and North of the North boundary of parcel of land described as (a) above, containing 3 acres, more or less.
- (c) That certain parcel of land in the $SE\frac{1}{4}NE\frac{1}{4}$ and in the $NE\frac{1}{4}SE\frac{1}{4}$ known as the Rest Lawn Cemetery, described as follows:
Beginning at a point where the East line of said Section 22 intersects the North fence line which encloses said cemetery, said point being 6.88 feet South and 0.03 feet West of the East quarter corner of said Sec. 22;
thence N. $83^{\circ} 56' 49''$ W., along said fence line, 534.74 feet to the fence corner;
thence S. $3^{\circ} 47' 13''$ W., along the West fence line which encloses said cemetery 164.46 feet to a point which is 12 feet beyond the fence corner;
thence S. $83^{\circ} 08' 55''$ E., parallel to the South fence which encloses said cemetery to the East line of Sec. 22;
thence N. $0^{\circ} 13' 12''$ E., along said Section line, 172.77 feet to the point of beginning.
- (d) A parcel of land in the $E\frac{1}{4}SW\frac{1}{4}$ described as follows:
Commencing at a point on the North-South center line of Sec. 22, Twp. 13 S., R. 31 E., W.M., said point being North $0^{\circ} 06'$ West, 719.4 feet from the South quarter corner of said Sec. 22; said point also being the Northeast corner of the Hall tract; which point is on the Northerly right of way line of the John Day Highway; thence North $62^{\circ} 30'$ West, along the Northerly line of said Hall tract, 496.2 feet; thence North $0^{\circ} 06'$ West, parallel with said North-South center line, 140.0 feet; thence East, 239.6 feet to a point 200.0 feet West of said N-S center line; thence North $0^{\circ} 06'$ West, parallel with and 200.0 feet West of said North-South center line, 300.0 feet; thence East, 200.0 feet to a point on said North-South center line; thence South $0^{\circ} 06'$ East, along said North-South center line, 699.1 feet to the point of beginning.

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- (e) A tract of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$ described as follows:
Beginning at a point which is 1225.14 feet North and
1820.55 feet East of the Southwest corner of said
Sec. 22;

thence S. 4° 58' 00" W. 150.0 feet;
thence S. 80° 36' 12" E., 302.70 feet;
thence N. 4° 58' 00" E., 314.00 feet;
thence N. 80° 36' 12" W., 302.70 feet;
thence S. 4° 58' 00" W., 164.0 feet to the point
of beginning.

All according to Map of Survey No. 173 as filed in the
Office of the Grant County Surveyor.

- (f) A parcel of land in the E $\frac{1}{2}$ NE $\frac{1}{4}$ described as follows:
Beginning at a point which bears North 29° 36' West
a distance of 2653.1 feet and South 89° 50' West, a
distance of 13.23 feet and North a distance of 30.0
feet from the East quarter corner of Sec. 22, Twp. 13
S., R. 31 E., W. M.; thence North 89° 50' East, 100.0 feet;
thence South, 100.0 feet; thence South 89° 50' West,
100.0 feet; thence North, 100.0 feet to the true point
of beginning, known as the Pacific Telephone and Tele-
graph Company Reflector Site.

- (g) A tract of land in the SW $\frac{1}{4}$ described as follows:
Beginning at a point on the West section line of said
Sec. 22; said point being N. 0° 33' 13" W. 1113.50
feet from the Southwest corner of said Sec. 22; said
point also being the Northwest corner of the Hall
Acres Subdivision;

thence N. 0° 33' 13" W., along the said West section
line, 1536.60 feet;

thence S. 88° 36' 45" E., 1323.13 feet;

thence S. 0° 33' 13" E., 1520.00 feet, to the South
bank of the John Day River;

thence, along the South bank of the John Day River, as
follows:

S. 85° 19' 14" W. 213.16 feet;

N. 86° 46' 50" W. 320.51 feet;

S. 85° 52' 17" W. 666.73 feet;

N. 63° 20' 17" W. 140.02 feet to the place
of beginning, containing 47.14 acres.

All according to Map of Survey No. 160 filed in the Office
of the Grant County Surveyor, Grant County, Oregon.

- (h) Beginning at the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of
said Sec. 22;
thence North, along the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of
said Sec. 22, 332 feet, more or less, to a point 20
feet South of the center line of the Trowbridge Ditch;
thence Southeasterly, along a line 20 feet South of and
parallel to said ditch, 1143 feet, more or less, to
the North line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 22;
thence Westerly, along the North line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, 1080 feet, more or less, to the point
of beginning.

Sec. 21: NE $\frac{1}{4}$, Save and except that portion conveyed to
Edward Hines Lumber Co., a Delaware corporation,
dated February 10, 1970, Recorded February 11,
1970 in Book 102, Page 577 of Deeds.

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USER 120 PAGE 932

MICROFILM

EXHIBIT "B"

Reservations and exceptions:

Subject to the usual printed exceptions, and:

1. RESERVATIONS AND EXCEPTIONS in that certain Deed from Canyon Creek Placers, a corp., to Mary Grove, dated Feb. 5, 1942, recorded Feb. 9, 1942 in Book 45, Pages 187-88, Deeds, conveying the E½NE¼, SW¼NE¼, NW¼NE¼ of Sec. 22, Twp. 13 S., R. 31 E., W.M., SAVE & EXCEPT what is known as the Rest Lawn Cemetery, to-wit:
ALSO, Save & Except any rights of way or road allowances including any rights of way to the said Rest Lawn Cemetery.
ALSO, Reserving any and all water rights for the said Rest Lawn Cemetery.
2. RADIO BEAM PATH EASEMENT, its terms and provisions, to the Pacific Telephone and Telegraph Company, a corp., dated April 2, 1959, recorded April 2, 1959 in Book 80, Page 597, Deeds, to which reference is hereby made for a more definite description.
NOTE: We also find of record a certain CORRECTED QUITCLAIM OF EASEMENT, from the Pacific Telephone and Telegraph Company, a corp., to Oregon-Washington Telephone Company, an Oregon corp., dated Sept. 25, 1960, recorded Oct. 4, 1960 in Book 63, Page 621, Deeds, which refers to the Radio Beam Path Easement mentioned above.
3. RADIO BEAM PATH EASEMENT, including its terms and provisions, to The Pacific Telephone and Telegraph Company, a corp., dated April 2, 1959, recorded April 2, 1959 in Book 80, Pages 597-8-9, Deeds, to which reference is hereby made for a more definite description.
(a) The above easement was conveyed by The Pacific Telephone and Telegraph Company, a California corp., to Pacific Northwest Bell Telephone Company, a Washington corp., by Deed dated June 30, 1961, recorded July 13, 1961 in Book 85, Pages 306-7-8, Deeds.
4. EASEMENT, including its terms and provisions, to Pacific Northwest Bell Telephone Company, a Washington corp., recorded Aug. 8, 1968 in Book 99, Pages 406-7-8, Deeds, to which reference is hereby made for a more definite description.
5. ORDER OF VACATION in the County Court of the State of Oregon for the County of Grant, entitled "In the Matter of the Vacation of the County Road No. 50, Old Long Creek-John Day Road, from East Fork Beech Creek to John Day, Oregon", entered June 2, 1966 in Book "M", Page 51, Commissioner's Journal, by which the County Road across the E½NE¼ of Sec. 22, Twp. 13 S., R. 31 E., W.M. (and other lands) was vacated.

6. RIGHT OF WAY EASEMENT, its terms and provisions, to California-Pacific Utilities Company, a corp., dated March 25, 1970, recorded Oct. 11, 1972 in Book 103, Page 282, Deeds, for the exclusive right to construct, reconstruct, operate and maintain electric power or telephone lines and all necessary poles, towers and appurtenances, over, under and upon a strip of land 15 feet in width, the center line of which is described as follows:
- Beginning at a point along an existing power line located approximately 1300 feet S and 315 Feet W of the center of Section 22, T 13 R 31; thence N. 22° 45' E. more or less, approximately 750 feet; thence N. 0° 15' W. more or less, approximately 450 feet; thence N. 46° 10' W. more or less, approximately 600 feet to a point of service to Mr. Patterson's ranch home. All as staked on the ground in Section 22, Twp. 13 R 31. TOGETHER with rights of ingress, egress and tree trimming.
7. RIGHT OF WAY EASEMENT, ITS TERMS AND PROVISIONS, TO California-Pacific Utilities Company, a corp., dated April 16, 1973, recorded April 17, 1973 in Book 109, Page 773, Deeds, for the exclusive right to construct, reconstruct, operate and maintain electric power lines and all necessary poles and appurtenances, over, under and upon a strip of land 15 feet in width, the center line of which is described as follows:
- Beginning at a point which is approximately 15 feet North of the West 1/2 corner of Section 22, Twp. 13 S., R. 31 E., W.M.; thence N. 88° 36' W. approximately 530 feet to a point; Also beginning at the same point of beginning; thence S. 88° 36' E. approximately 1323 feet; thence N. 11° W. more or less approximately 450 feet; thence N. 59° W. more or less approximately 400 feet to a point.
- Also beginning at a point along said line which is S. 88° 36' E. 1323 feet from said point of beginning; thence N. 74° 36' E. more or less approximately 900 feet to an existing power line easement. All as staked on the ground. TOGETHER with rights of ingress, egress and tree trimming.
8. EASEMENT DEED between Boyce A. Troubridge, 1st party, and W. A. Patterson and Blanche Patterson, his wife, 2nd parties, dated Nov. 7, 1973, recorded Nov. 16, 1973 in Book 110, Page 673, Deeds, wherein each party conveys to the other, their heirs and assigns, an easement in common over and across respective lands on an existing former County Road, as described in Order of Vacation dated May 26, 1966, entered June 2, 1966 in Book "M", Page 51, Commissioner's Journal of Grant County, Oregon, 60 feet in width for the purpose of ingress and egress as said road traverses Sec. 10, Sec. 15, and the NE 1/4 of Sec. 22, Twp. 13 S., R. 31 E., W.M.
9. JUDGMENT APPROPRIATING AN EASEMENT by the Circuit Court of the State of Oregon, for the County of Grant, Case No. L-4141, File No. JR 4434, entitled "Idaho Power Company, Plaintiff, vs. W. A. Patterson and Blanche Patterson, husband and wife, Defendants", entered and filed June 8, 1967 in Book 35, Pages 567-68, Circuit Court Journal, to which reference is hereby made for a more definite description.
10. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm or timber use, or both. At any time that said land is disqualified for such use, the property will be subject to additional taxes and interest.

86795

LIBER 120 PAGE 934

MICROFILM

11. ~~MORTGAGE, its terms and provisions, from W. A. Patterson and Blanche Patterson, his wife, to C. B. Patterson, single, dated Oct. 12, 1960, recorded Nov. 2, 1960 in Book 32, Page 503, Mortgages, securing payment of a note for \$15,700.00, as provided therein.~~

12. ~~FINANCING STATEMENT No. K 200, from William A. Patterson and Blanche E. Patterson, Debtors, to Northwest Livestock Production Credit Association, 1212 Commonwealth Bldg., Portland, Or 97204, Secured Party, filed Sept. 19, 1972 as Reception Book No. 69285; and that certain CONTINUATION thereof filed Sept. 12, 1977 as Financing Statement No. Q-194, on accounts, contract rights or general intangibles arising from any sale or other disposition of the products thereof, livestock, feed, etc.~~

13. SUPPLEMENTAL AGREEMENT, its terms and provisions, between Edward Hines Lumber Co. and W. A. Patterson and Blanche Patterson, dated Aug. 1, 1974, recorded Aug. 7, 1974 in Book "K", Page 86, Leases & Agreement Records of Grant County, Oregon, stating the following Agreements:

- (1) Hines is going to build a fence in the Northerly part of its land in such a manner as to leave water on Pattersons side of the fence. Both parties however recognize that the fence will not be on the line and is not at any time to be considered as a boundary fence. Either party may relocate the fence on the true line at any time. In the event the fence is relocated, Hines will then provide Pattersons with a stock water source on the Pattersons side of the fence.
- (2) The road contemplated by paragraph four of the original agreement does not need to be built unless and until the fence is put on the true line.
- (3) All of the other things contemplated by the original agreement have been accomplished to the satisfaction of both parties.

86795

STATE OF OREGON } ss.
County of GrantI hereby certify that the within instrument was filed in my office for record on this 20day of April A.D. 1979 at 411of Deeds and is duly recorded in Book 120 at 899-904 inclusive.Witness my hand and official seal
John Livers, County Clerk

By _____ Deputy

Fees \$ 18.00

INDEXED

Statutory Warranty Deed

LEO YOUNG, Grantor, conveys and warrants to JOHN DAY LUMBER COMPANY, Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

RECEIVED

SEP 12 1991

WATER RESOURCES DEPT.
SALEM, OREGON

Township 13 South, Range 31 East, Willamette Meridian, Grant Co., Oregon:

Sections 21 and 22: A tract of land situated in the SE1/4NE1/4 of said Sec. 21 and in the SW1/4NW1/4 and in the SE1/4NW1/4 and in the NE1/4SW1/4 and in the NW1/4SW1/4 of said Sec. 22, described as follows:

Beginning at a point which is N. 0 deg 34' 08" W., 10.00 feet from the 1/4 corner common to said Sections 21 and 22;

thence N. 88 deg. 15' 40" W., 1333.08 feet to a point on the West line of the SE1/4NE1/4 of said Sec. 21;

thence N. 0 deg. 58' 04" W., along the West line of said SE1/4NE1/4, 1316.59 feet to the Northwest corner of said SE1/4NE1/4;

thence S. 88 deg. 58' 08" E., along the North line of said SE1/4NE1/4, 1317.47 feet to the Northeast corner of said SE1/4NE1/4 of said Sec. 21, said point being identical with the Northwest corner of the SW1/4NW1/4 of said Sec. 22;

thence S. 89 deg. 57' 49" E., along the North line of the SW1/4NW1/4 of said Sec. 22, a distance of 1327.24 feet to the Northeast corner of said SW1/4NW1/4;

thence S. 1 deg. 00' 09" E., along the East line of said SW1/4NW1/4, 550.67 feet;

thence 241.72 feet along the arc of a 330.00 foot radius curve left (the long chord of which bears S. 21 deg. 59' 11" E., 236.35 feet);

thence S. 42 deg 58' 13" E., 196.06 feet;

thence 273.91 feet along the arc of a 370.00 foot radius curve right, (the long chord of which bears S. 21 deg. 45' 43" E., 267.70 feet);

thence S. 0 deg. 33' 13" E., 209.79 feet;

thence N. 88 deg. 35' 45" W., 1623.30 feet to the point of beginning.

All according to Map of Survey No. 1065, filed in the Office of the Grant County Surveyor.

Subject to and excepting:

1. An easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corp., recorded April 17, 1973, in Book 109, page 773, Deeds for Grant County, Oregon. Right of Way Easement for utilities and incidental purposes.

2. An easement, including the terms and provisions thereof, to Jerry Wyatt and Donna Wyatt, husband and wife, dated September 27, 1981, recorded September 30, 1981 in Book 125 of Deeds, page 395, to-wit: "...an easement for ingress and egress to their adjoining property over and across existing roads in Sec. 22 and 21, Township 12 South, Range 31 East, of the Willamette Meridian, Grant County, Oregon."

3. An easement, including the terms and provisions thereof, to City of John Day, a municipal corporation, recorded December 16, 1983, in Book 129, page 254, Deeds for Grant County, Oregon. An easement in common for utility and roadway, 60 feet in width.

The true and actual consideration for this conveyance is

6004 138-283

Seventy-two Thousand Dollars (\$72,000.00).

Dated this 23rd day of January, 1987.

Leo Young
Leo Young

STATE OF OREGON)
) ss.
County of Lane)

Personally appeared the above named LEO YOUNG, and acknowledged the foregoing instrument to be his voluntary act and deed before me this 23rd day of January, 1987.

NOTARY PUBLIC FOR OREGON

My Commission expires: 1-1-89

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Leo Young
P. O. Box 1448
Florence, OR 97439
Grantors Name/Address

STATE OF OREGON)
) ss.
County of)

John Day Lumber Co.
P. O. Box 280
John Day, OR 97845
Grantees Name/Address

I certify that the within instrument was received for record on the 23 day of January, 1987, at 3:55 o'clock P.M., and recorded in book/reel/volume No. 1 on page 24-25 or as fee/file/instrument/microfilm/reception No. 6445, Record of Deeds of said county.

After recording return to:

John Day Lumber Co.
P. O. Box 280
John Day, OR 97845

Witness my hand and seal of County affixed.

Carol Vance, County Clerk

Until change is requested send tax statements to:

John Day Lumber Co.
P. O. Box 280
John Day, OR 97845

Name

Title

By: Carol Vance

Deputy

A F F I D A V I T

RECEIVED

JUL 30 1980

STATE OF OREGON

WATER RESOURCES DEPT
SALEM, OREGON

County of Grant

I, Blair Carpenter, as general manager representing Edward Hines Lumber Co., John Day Or. 97845, being first duly sworn, depose and say that the water rights appurtenant to 27.4 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 2.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 21, under certificate of water right page 25694 in the name of L. A. Porter, and 18.5 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 22 under certificate of water right page 37364 (tract 4) in the name of the estate of John C. Silvers, all in T. 13S. R. 31E. WM., county of Grant, originally irrigated from the John Day River thru the Trowbridge ditch, has not been used for the intended purpose for 5 or more successive years and that as representative of Edward Hines Lumber Co., owner and occupant of said land, and upon approval of transfer application #4486, request cancelation of said acreage.

IN WITNESS WHEREOF, I have hereto set my hand this 28TH day of July, 1980.

Suscribed and sworn to before me this 28TH day of July, 1980.

W.D. Williams
Notary Public for Oregon

My Commission expires 10/26/80

STATE OF OREGON
WATER RESOURCES DEPT.

RECEIVED
JULY 17 1990
WATER RESOURCES DEPT.
SALEM, OREGON
INTEROFFICE MEMO
575-0119

TO: Bruce Estes

DATE: May 14, 1990

FROM: Jerry Rodgers
Watermaster Dis't 4

SUBJECT: Transfer 4486

Previously we discussed that a portion of this transfer was in error. Although the attached tax lot maps are somewhat cluttered, I've colorcoded in red the boundaries or portions of the transfer I feel are involved.

Attachment 1 - Tax lot 1007 (15.72 total acres) is what remains of the Patterson Ranch. William Patterson still lives here; ownership of this portion of the ranch has not changed since before I came to this district in 1977. The rest of the ranch was sold to the transferee of 4486, now John Day Lumber Co.

Attachment 2 - Legal description of Tax Lot 1007.

Attachment 3 - Clean copies of tax lot maps of the area.

Attachment 4 - Copy of T-4486, with Tax Lot 1007 outlined in red. Note our water right map Trowbridge Ditch location does not agree with legal description in Attachment 2.

I've discussed the error with both parties involved. Neither has an objection with issuing a correcting order and reinstating this portion to original status. My calculations indicate about 4.5 acres are involved. According to Patterson he has continued to irrigate from a sump connected to the river (attachment 5)

Addresses of the parties involved:

John Day Lumber Co.
Attn: Blair Carpender
W. Hwy.
John Day OR 97845

William Patterson
HCR 56 Box 20
John Day OR 97845

If you have any questions or need additional info, please call.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cable Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
25803 (Proof #1203 & 1204) Shawn, James A., Spray, Oregon. (Proof No. 1203) ✓ (Whittier) ✓ 193 1204 (Proof No. 1204) (Whittier) ✓	1904	②	24	Irrigation	Unnamed ditch	Parish Creek	23 acres in NE 1/4 NW 1/4 1 acre in NW 1/4 NW 1/4 Section 36, T. 8 S. R. 24 E. W. M.
Shull, Ben F., Klondike, Oregon. (Proof No. 1205)	1904	②	4	Irrigation domestic and stock	Unnamed ditch	Parish Creek	2 acres in NW 1/4 SE 1/4 2 acres in SW 1/4 SE 1/4 Section 35, T. 8 S. R. 24 E. W. M.
(Rights acquired under State Engineer's Permit No. 7155.)							
25804 Sievers, John, Gunnison, Colorado. (Proof No. 1206) ✓ (Grant) ✓ 351 12	1862	8.75		Mining	Rathjen ditch	Vinegar or Big Creek	Located in NE 1/4 Section 30, T. 10 S. R. 35 E. W. M.
(NOTE: The right to the use of water for mining is restricted to the period, Mar. 1 to Sept. 1, of each year. See Findings paragraph 88, page 71.)							
37364 Sigfrit, J. L., Mitchell, Oregon. (Proof No. 1207) ✓ (Whittier) ✓ 123 12	1868	②	41.4	Irrigation	Sigfrit Irrigation System	Springs in NE 1/4 NW 1/4 and NW 1/4 SW 1/4 Sec. 17 T. 12 S. R. 23 E. and Mountain Creek or Badger Creek	0.6 acre in NW 1/4 NW 1/4 16.1 acres in SW 1/4 NW 1/4 0.1 acre in SE 1/4 NW 1/4 17.6 acres in NE 1/4 SW 1/4 7 acres in NW 1/4 SW 1/4 Section 17, T. 12 S. R. 23 E. W. M.
37364 SILVERS (Proofs #1208, 1209, 1210, & 1211) SILVERS, John C. Estate, by Jessie Silvers and E. J. Bayley, testamentary trustees, John Day, Oregon. (Proof No. 1208) ✓ (Grant) ✓ (Proof No. 1209) ✓ (Grant) ✓ 640 302	1865	①	59	Irrigation	Luce or Two-Foot ditch	John Day River	25 acres in SW 1/4 SW 1/4 Section 19, 34 acres in NW 1/4 NW 1/4 Section 30, T. 13 S. R. 31 E. W. M.
(Proof No. 1210) ✓ (Grant) ✓	1870 ✓	①	27 17.3	Irrigation and stock *	Abrahams ditch	John Day River	* 7 acres in NE 1/4 SW 1/4 * 20 acres in NW 1/4 SW 1/4 Section 22, T. 13 S. R. 31 E. W. M.
(Proof No. 1211) ✓ (Grant) ✓	1876	①	12	Irrigation	Enterprise ditch	John Day River	2 acres in NE 1/4 NW 1/4 3 acres in SE 1/4 NW 1/4 Section 25, T. 13 S. R. 30 E. W. M. 7 acres in SW 1/4 NW 1/4 Section 30, T. 13 S. R. 31 E. W. M.
(Proof No. 1211) (Grant) ✓	1889	①	57.2	Irrigation	Trowbridge ditch	John Day River	(1) 18.8 acres in SW 1/4 NW 1/4 (1) 8.5 acres in SE 1/4 NW 1/4 11.4 acres in NE 1/4 SW 1/4 18.5 acres in NW 1/4 SW 1/4 Section 22, T. 13 S. R. 31 E. W. M.

JOHN DAY RIVER - 233 -

598

INDEX

Section, Tr. & Rye.

Decree - Jan 13 1939

Recorded

Vol. 12

Decree on Findings Nov. 16 '39, decree Amending Jan. 30, '39

Recorded

Vol. 15

Page 1

13		31		1004		3 & 3-1		OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY																																										
TWP.		RGE.		SEC. 1/4 1/16		PARCEL NUMBER		Type Spec. Int. In		CODE AREA NUMBER		Grant COUNTY ASSESSOR'S OFFICE																																						
MAP NUMBER								FORMERLY PART OF 1000																																										
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Indent each new course to this point		DESCRIPTION AND RECORD OF CHANGE						Date of entry on this card		Deed Record Vol. PG.		Acres Remaining																																						
		E 350.0'; N 68°10' E 1532.6' to the N li of sd SE$\frac{1}{4}$; th W alg the N li of sd SE$\frac{1}{4}$ 1772.7' to the POB Sec 21: N$\frac{1}{2}$, SAVE & EXCEPT that portion conveyed to Edward Hines Lumber Co., a Delaware corp., dated Feb. 10, 1970, rec Feb. 11, 1970, in Bk 102, pg 577, Deeds. Sec 22: W$\frac{1}{2}$, E$\frac{1}{2}$NE$\frac{1}{4}$; SW$\frac{1}{4}$NE$\frac{1}{4}$, N$\frac{1}{2}$N$\frac{1}{2}$SE$\frac{1}{4}$ SAVE & EXCEPT therefrom <table style="width:100%;"> <tr> <td>Parcel 2400</td> <td>0.23</td> <td>80</td> <td>594</td> <td rowspan="5" style="vertical-align: top;">3726.02</td> </tr> <tr> <td>2600</td> <td>2.08</td> <td>43</td> <td>336</td> </tr> <tr> <td>1001</td> <td>47.14</td> <td>102</td> <td>339</td> </tr> <tr> <td>1003</td> <td>4.95</td> <td>50</td> <td>381</td> </tr> <tr> <td>1006</td> <td>1.35</td> <td></td> <td></td> </tr> <tr> <td>Map # 13 31 22C</td> <td>61.44</td> <td></td> <td></td> <td></td> </tr> </table> Also excepting: A parcel of land in the E$\frac{1}{2}$SW$\frac{1}{4}$ desc as fol: Cap on the N-S c/l of Sec 22, T13S R31E WM, sd pt being N 0°06' W, 719.4' from the S $\frac{1}{2}$ cor of sd Sec 22; sd pt also being the NE cor of the Hall tr, which pt is on the Nly r/w li of the John Day Hwy; th N 62°30' W, alg the Nly li of sd Hill tr. 496 2'; th N 0°06' W para with sd N-S c/l 140.0'; th E 239.6' to a pt 200.0' W of sd N-S c/l; th N 0°06' W para with and 200.00' W of sd N-S c/l 300.00'; th E 200.0' to a pt on sd N-S c/l; th S 0°06' E alg sd N-S c/l 699.1' to the POB <table style="width:100%; margin-top: 10px;"> <tr> <td>3.94 N of S</td> <td>1-18-79</td> <td>120</td> <td>213</td> <td rowspan="3" style="vertical-align: top;">3604.89</td> </tr> <tr> <td>Stat. W.D.</td> <td>5-31-79</td> <td>120</td> <td>899</td> </tr> <tr> <td>B & S Deed</td> <td>5-31-79</td> <td>120</td> <td>912</td> </tr> </table>						Parcel 2400	0.23	80	594	3726.02	2600	2.08	43	336	1001	47.14	102	339	1003	4.95	50	381	1006	1.35			Map # 13 31 22C	61.44				3.94 N of S	1-18-79	120	213	3604.89	Stat. W.D.	5-31-79	120	899	B & S Deed	5-31-79	120	912				
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APR 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

13	31				1007		3-1
TWP.	RGE.	SEC.	1/4	1/16	PARCEL NUMBER	Type	Spec. Int. In
MAP NUMBER					REAL PROP.	CODE AREA	
TAX LOT NUMBER					NUMBER		

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
Grant COUNTY ASSESSOR'S OFFICE

ATTACHMENT

FORMERLY PART OF 1004

2

Indent each new course to this point	DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record		Acres Remaining
			Vol.	PG.	

T13S R31E WM

Sec 22: A tr of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ desc as fol:

Beg at the SE cor of the N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of sd Sec 22;

th S 89 deg 27'30" W alg the S li of sd N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ a dist of 942.75';

th N 0 deg 33'13" W 885.22' to the approx. cen of the Trowbridge Ditch;

th alg the fol courses, being the approx. cen of sd Trowbridge Ditch;

S 72 deg 30'00" E 41.16';

S 61 deg 18'50" E 147.76';

S 85 deg 55'06" E 36.38';

N 73 deg 33'11" E 66.61';

S 26 deg 15'14" E 132.76';

S 67 deg 23'16" E 56.20';

S 80 deg 40'44" E 106.46';

S 87 deg 11'45" E 62.99';

S 76 deg 00'18" E 70.00';

S 58 deg 22'40" E 125.69';

S 47 deg 58'11" E 91.56';

N 86 deg 23'23" E 39.26';

S 1 deg 41'31" W 62.65';

S 32 deg 58'50" E 38.29';

S 48 deg 19'42" E 80.00';

S 56 deg 40'17" E 36.44';

S 63 deg 47'20" E 61.71';

S 42 deg 39'37" E 69.83';

S 47 deg 09'35" E 120.66';

S 51 deg 44'20" E 113.56';

S 31 deg 00'22" E 63.63';

S 63 deg 32'43" E 87.90';

S 45 deg 01'18" E 14.50' to the S li of the N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of sd Sec 22;

th S 89 deg 27'25" W alg the Sli of sd N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, a dist of 389.79' to the POB.

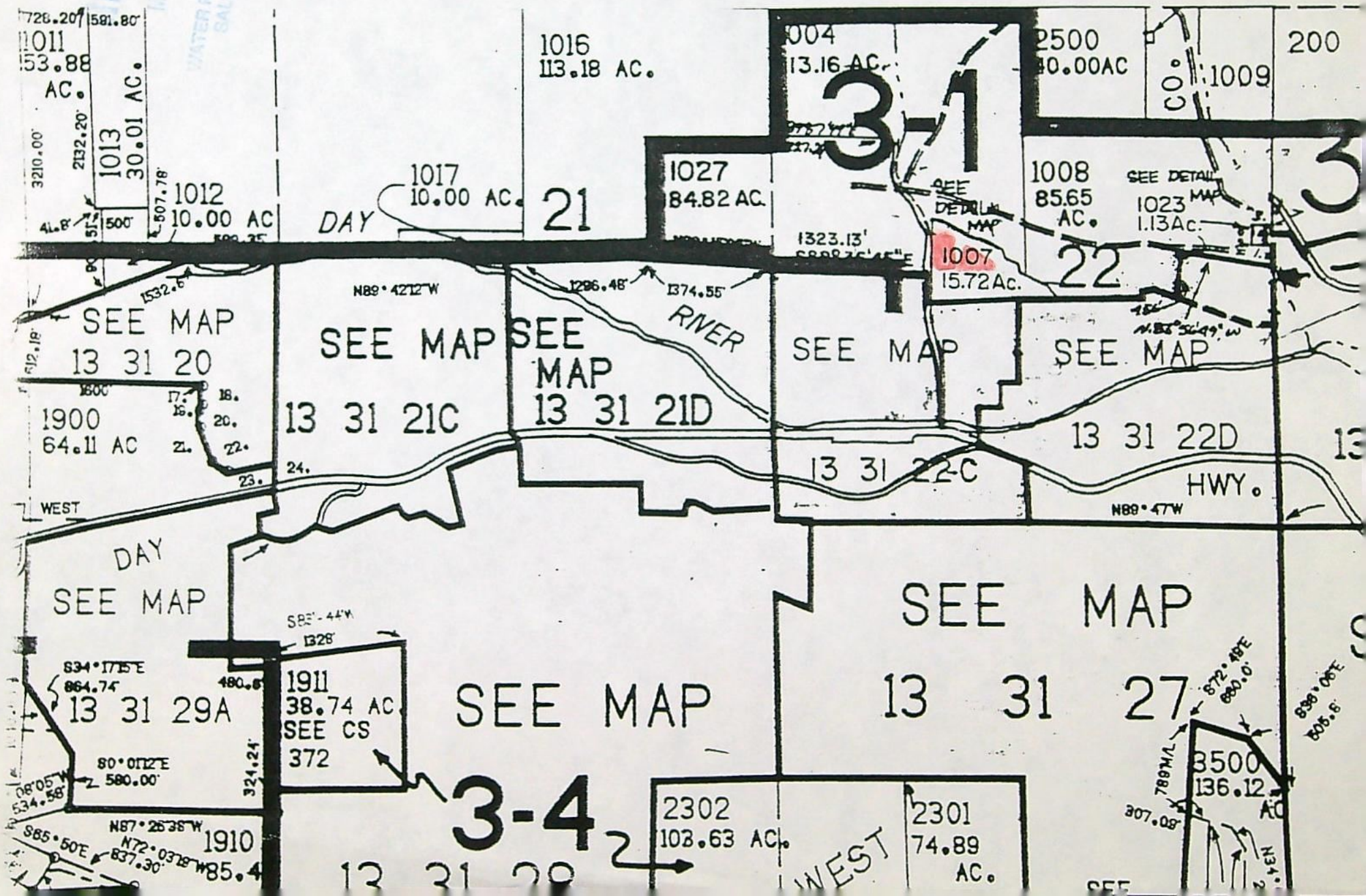
4-10-80 Request 15.72

3-10-81 124 121-125

2-25-82 125 686

125 690

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MAY 17 1990
WATER RESOURCES DEPT
SALEM, OREGON



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT County

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF ESTATE OF JOHN)
C. SILVERS)

O R D E R

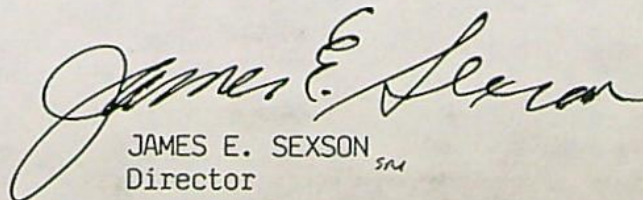
On July 30, 1980, Blair Carpenter, General Manager, Edward Hines Lumber Co., John Day, Oregon, submitted an affidavit that the Company is the owner of a certain water right and the lands to which the water right is appurtenant; that the Company has abandoned any and all interest in and to the said water right and requests the same be canceled.

The water right in question was allowed by Decree of Circuit Court for Grant County, entered November 16, 1956, in the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River, tabulated at page 598, Volume 10, Order Record of the Water Resources Director, in the name of Estate of John C. Silvers, and is a portion of the right described by the certificate recorded at page 37364, Volume 29, State Record of Water Right Certificates, in the name of Estate of John C. Silvers, and is for the use of water from John Day River, with a date of priority of 1889, for irrigation of a certain 18.5 acres in NW 1/4 SW 1/4, Section 22, Township 13 South, Range 31 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 37364, Volume 29, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 6th day of August, 1980.


JAMES E. SEXSON
Director

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
25693 Pope, Una A., (cont'd.) (Proof No. 1060) (Grant)	Jan. 1909	③	40	Irrigation	Moon Creek ditch	3 Moon Creek trib. of John Day River	12 acres in NE-SE 8 acres in SW-SE 20 acres in SE-SE Section 28, T. 13 S. R. 29 E. W. M.
25694 (Proof No. 1062) Porter, L. A., John Day, Oregon. (Proof No. 1062) (Grant)	1866	①	31.3	Irrigation	Luce ditch	John Day River	1.5 acres in NE-SW 1 acre in SE-SW 3.9 acres in NW-SE 9.6 acres in SW-SE 15.3 acres in SE-SE Section 21, T. 13 S. R. 31 E. W. M.
(Proof No. 1063) (Grant)	1866	①	44.8	Irrigation	Trowbridge ditch extension	John Day River	15.4 acres in SE-NE 27.4 acres in NE-SE 2 acres in NW-SE Section 21, T. 13 S. R. 31 E. W. M.
25695 Portland Cattle Loan Co., Mar. Inc., a Wash. corp., North Portland, Oregon. (Proof No. 1064) (Wheeler)	1880	②	20.9	Irrigation domestic and stock	Barnhouse ditches, dams and pipe lines	Unnamed spring trib. of Mountain Creek and Mountain Creek trib. Rock Creek	9 acres in SW-SE 11.9 acres in SE-SE Section 2, T. 12 S. R. 24 E. W. M.
25696 (Proof No. 1035) (Wheeler)	1890	③	278.4	Irrigation domestic and stock	O.K. Ranch ditches and dams	South Fork Willow Creek trib. of Mountain Creek trib. of Rock Creek	14.3 acres in SW-NE 1.4 acres in SE-NW 31.4 acres in NE-SW 11.3 acres in NW-SW 22.8 acres in NE-SE 30.8 acres in NW-SE .2 acres in SW-SE 3 acres in SE-SE Section 13, 11 acres in SW-NE 6 acres in SE-NW 3.2 acres in NW-NW 15.4 acres in SW-NW 20.1 acres in SE-NW 2.8 acres in NE-SW 3.8 acres in NE-SE 9.2 acres in NW-SE Section 14, 8.8 acres in NE-NE 3.7 acres in SE-NE Section 15, T. 11 S. R. 23 E. W. M. 14.6 acres in NW-SW 10.1 acres in SW-SW 14.5 acres in SE-SW 21 acres in SW-SE 19 acres in SE-SE Section 18, T. 11 S. R. 24 E. W. M.
25697 Potter, S. G., Condon, Oregon. (Proof No. 1066) (Gilliam)	1887	③	13.5	Irrigation domestic and stock	Tho McKinney ditch	Thirty Mile Creek	6.6 acres in NE-SW .4 acres in NW-SW .5 acres in SW-SW .1 acres in SE-SW 4.3 acres in NW-SE 1.6 acres in SW-SE Section 2, T. 5 S. R. 20 E. W. M.

JOHN DAY RIVER - 216 -

581

INDEX

Section 7p & Rye

Decree - Jan 13 1939

Recorded

Vol 14

Decree on Final Map No. 16 56 acres Amending Jan 30 59

Recorded

Vol 15

Recorded

Vol 16

Recorded

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT County

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF L. A. PORTER)

O R D E R

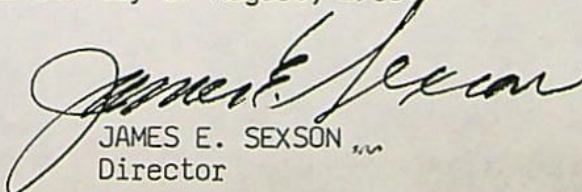
On July 30, 1980, Blair Carpenter, General Manager, Edward Hines Lumber Co., John Day, Oregon, submitted an affidavit that the Company is the owner of a certain water right and the lands to which the water right is appurtenant; that the Company has abandoned any and all interest in and to the said water right and requests the same be canceled.

The water right in question was allowed by Decree of Circuit Court for Grant County, entered November 16, 1956, in the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River, tabulated at page 581, Volume 10, Order Record of the Water Resources Director, in the name of L. A. Porter, and is a portion of the right described by the certificate recorded at page 25694, Volume 17, State Record of Water Right Certificates, in the name of L. A. Porter, and is for the use of water from John Day River, with a date of priority of 1866, for irrigation of 27.4 acres in NE 1/4 SE 1/4 and 2.0 acres in NW 1/4 SE 1/4, Section 21, Township 13 South, Range 31 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 25694, Volume 17, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 6th day of August, 1980.


JAMES E. SEXSON
Director



STATE OF OREGON

INTEROFFICE MEMO

TO: ADJUDICATION
ATTN: MYRON BISH

DATE: 10-1-81

RECEIVED
OCT 9 1981
WATER RESOURCES DEPT
SALEM, OREGON

FROM: RICH CETTEL, ASST, DIST 4 *RC*

SUBJECT: C-50136 (Vol 44) POD

* TRACTS #1 & #3 ARE, ACCORDING TO THE ADJUDICATION,
THROUGH THE ENTERPRISE DITCH, NESW SEC 20 T13S
R31E

C-50137, according to the Adjudication, is through the Luce Ditch.
7626

* Tract 1 is Luce or Two-Foot Ditch, Tract 2 is Abraham's Ditch,
Tract 3 is Enterprise Ditch.

Do any of these still exist? Sam



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 6/2, 1980.

FROM: ** Jerry Rodgers, Watermaster

RECEIVED

JUL 30 1980

WATER RESOURCES DEPT
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4486IN THE NAME OF Springfield Escrow, Inc.

In my opinion the proposed change in POU, POD & Use of water from John Day River
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.

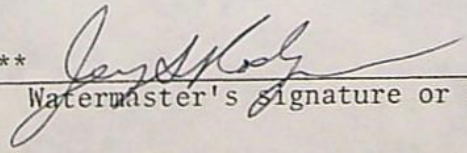
If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? YES
(yes or no)

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 _____

**


Watermaster's signature or initials

T-4986

RECEIVED

MAY 15 1980

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

RECEIVED

MAY 23 1980

WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

GRANT DEVELOPMENT CO.

I, ~~Springfield Escrow Inc.~~ by Jerry Wyatt
(Name of applicant)

of ~~1216 Mohawk~~ Springfield
(Mailing address) (City)

State of Oregon 97477 726-0261, do hereby make application for change
(Zip Code) (Phone number)

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

1. Is the water right recorded in your name? No
(If not, give name)

2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings
(Yes or No) C-25694
John Day River Adjudication number of certificate C-37364

3. Was your water right acquired by Water Right Permit? No 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 John Day River

5. What is the date of priority of your water right? C-25694=1866 C-37364=1889

6. The authorized point of diversion is located 2150 ft. N and 920 ft. W from the E 1/4
(N. or S.) (E. or W.)
corner of Sec. 25 being within the NE 1/4 NE 1/4 of Section 25 Tp. 13S R. 31E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Grant The name of the ditch used is Trowbridge

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

7. The proposed point of diversion is located 840 ft. S and 990 ft. W from the E 1/4
(N. or S.) (E. or W.)
corner of Sec. 21 being within the NE 1/4 SE 1/4 of Section 21 Tp. 13S R. 31E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Grant The name of the ditch to be used is Pump used

2115

8. The use to which the water is applied is Irrigation (479 gpm.)
(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 ¼-¼ of Section	Number Acres To Be Irrigated
13S	31E	21	SENE	15.4 C-25894
"	"	22	SWNW	18.8 } C-37364
"	"	22	SE NW	8.5 }

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands?
(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.? Yes
(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 Mill use (log deck sprinkling)
(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 ¼-¼ of Section	Number Acres To Be Irrigated
13S	31E	21	NESE	Mill use

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Industrial park proposed in irrigated
area. Water to be put to highest economical use.

15. Construction work will be completed on or before Jan. 1, 1981

16. The water will be completely applied to the proposed use on or before Oct. 1, 1981

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, Jerry Wyatt, 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 23 day of April, 1980

Jerry Wyatt
(Name of applicant)

Subscribed and sworn to before me this 23 day of April, 1980

[Notarial Seal]

Leo Sperry
NOTARY PUBLIC FOR OREGON

My commission expires Sept 14, 1982

A F F I D A V I T

RECEIVED

JUL 30 1980

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

County of Grant

I, Blair Carpender, as general manager representing Edward Hines Lumber Co., John Day Or. 97845, being first duly sworn, depose and say that the water rights appurtenant to 27.4 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 2.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 21, under certificate of water right page 25694 in the name of L. A. Porter, and 18.5 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 22 under certificate of water right page 37364 (tract 4) in the name of the estate of John C. Silvers, all in T. 13S. R. 31E. WM., county of Grant, originally irrigated from the John Day River thru the Trowbridge ditch, has not been used for the intended purpose for 5 or more successive years and that as representative of Edward Hines Lumber Co., owner and occupant of said land, and upon approval of transfer application #4486, request cancelation of said acreage.

IN WITNESS WHEREOF, I have hereto set my hand this 28TH day of July, 1980.

Blair H. Carpender

Suscribed and sworn to before me this 28TH day of July, 1980.

W.D. Williams
Notary Public for Oregon

My Commission expires 10/26/80



AFFIDAVIT OF PUBLICATION

STATE OF OREGON

County of Grant

ss.

Ted Becher

I, Ted Becher, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, principal clerk of THE BLUE MOUNTAIN EAGLE, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at John Day, in the aforesaid county and state; that

Water Right Transfer Application No. 4486

the

_____ , a printed copy of which is hereto attached, was

published in the entire issue of said newspaper for three

successive and consecutive weeks in the following issues:

May 22, 1980 ; May 29, 1980 , June 5, 1980

19

Subscribed and sworn to before me this 10th day of June, 1980

19

Notary Public for Oregon

My commission expires Feb. 1, 1983

Cost of this publication was \$ 58.5

(Seal)

RECEIVED

JUN 12 1980

WATER RESOURCES DEPT
SALEM, OREGON

Public Notices

NOTICE OF WATER RIGHT TRANSFER APPLICATION

NO. 4486

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Grant Development Co. for approval, without loss of priority, of changes in place of use, point of diversion & use heretofore made of water from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Grant County, Oregon, entered Nov. 16, 1956, in the matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and Its Tributaries, a water right was allowed in the name of L. A. Porter for use of waters of John Day River for irrigation of, among other lands, a certain 15.4 ac in SE 1/4, NE 1/4, Sec 21, T 13S, R 31E, WM, at Volume 10, page 581, with a date of priority of 1866, as evidenced by certificate recorded at page 25694, Volume 17, State Record of Water Right Certificates.

By said Decree a water right was allowed in the name of Estate of John C. Silvers, for use of waters of John Day River for irrigation of, among other lands, a certain 18.8 ac in SW 1/4 NW 1/4 & 8.5 ac in SE 1/4 NW 1/4, Sec 22, T 13S, R 31E, WM, at Volume 10, page 598, with a date of priority of 1889, as evidenced by certificate recorded at page 37364, Volume 29, said record.

Water for said rights is diverted, through the Trowbridge Ditch, from a point located 2150 ft N & 920 ft W from the E 1/4 Corner of Sec 25, being within the NE 1/4 NE 1/4, Sec 25, T 13S, R 31E, WM.

The applicant herein proposes to sever the right therefrom and to use said water for lumber manufacturing purposes in NE 1/4 SE 1/4 of said Sec 21, from a point of diversion located 840 ft S & 990 ft W from the E 1/4 Corner of Sec 21, being within the NE 1/4 SE 1/4, Sec 21, T 13S, R 31E, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, July 16, 1980, at the Grant County Courthouse, Canyon City, Oregon. Any objection to the proposed changes must be prepared in writing: one copy to be served on the applicant, c/o Springfield Escrow Co., 1800 Centennial Blvd., Springfield, OR 97477; 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 16th day of May, 1980.

JAMES E. SEXSON,
Director
21-23

Date 3/20/80

[illegible]

Remarks:

RECEIVED
SEP 25 1981
WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF GRANT

DRAFT AMENDING ORDER

On August 11, 1980, an order was entered allowing a change in place of use, point of diversion and use heretofore made of water, under transfer 4486, in the name of Grant Development Company, formally Springfield Escrow, Inc., now in the name of John Day Lumber Company.

ORS 540.520 requires that a transfer must be authorized by the owner of the land to which the water right is appurtenant. William Patterson has since provided deeds showing that all of the water right involved in transfer 4486 was not owned by Springfield Escrow, Inc., at the time of the application. Mr. Patterson has requested that the order be amended to show that the 4.5 acres owned by him in the SE 1/4 NW 1/4, Section 22, T 13 S, R 31 S, W.M. not be removed from the original place of use, point of diversion not be changed, and character of use not be changed.

It is found that a portion of the order was entered in error and is hereby ORDERED to be amended.

A portion of Paragraph 3 reads "... and 8.5 acres in SE 1/4 NW 1/4, Section 22, ...". Paragraph 3 is AMENDED to read "... and 4.0 acres in SE 1/4 NW 1/4, Section 22, ..."

A portion of Paragraph 10 reads "... and shall not exceed 1.07 cubic feet per second from April 1 to September 30; further limited to 42.7 acre feet per calendar month to July 1 and 32.0 acre fee per calendar month thereafter, total 212.5 acre feet for season, ..." Paragraph 10 is AMENDED to read "... and shall not exceed 0.96 cubic feet per second from April 1 to September 30; further limited to 38.2 acre feet per calendar month to July 1 and 28.7 acre feet per calendar month thereafter, total 191.0 acre fee for season, ...".

Certificate 50136 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this proceeding, and superseding certificate 50136.

RECEIVED

SEP 25 1991

WATER RESOURCES DEPT.
SALEM, OREGON

WE, John Day Lumber Company, hereby understand and agree that this draft amending order describes the extent of error in the original order approving transfer 4486. By signature below, we agree to the proposed amendments to the order and water right involved.

BA Carpenter VICE PRES 9/23/91
Signature\Title Date

Signature\Title Date

W.D. Williams
Notary Public of Oregon

My Commission Expires: 10/26/92

RECEIVED

SEP 25 1991

WATER RESOURCES DEPT.
SALEM, OREGON

WE, William A. and Blanche Patterson, hereby understand and agree that this draft amending order describes the extent of error in the original order approving transfer 4486. By signature below, we agree to the proposed amendments to the order and water right involved.

William A. Patterson Sept 23, 1991
William A. Patterson Date

Blanche Patterson Sept. 23 -1991
Blanche Patterson Date

Bonnie J. Winegar

Notary Public of Oregon

My Commission Expires: 11-1-91

