

INTEROFFICE MEMORANDUM

*Oregon Water Resources Department
Adjudications Section*

TO: File SWR-60
FROM: Dwight French
DATE: March 8, 1993
RE: Change of Address

Sandra Lyon called me today to tell me that she had moved onto her property in Days Creek.

She had questions about the adjudication/SWR process. I told her that I hoped we would do a field inspection on her place sometime this summer.

New Address & phone:

Russell R. Lyon, Sandra G. Lyon
3880 Days Creek Road
Days Creek OR 97429

503-825-3272

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 83622 CHECK ENCLOSURES Sek
CHECK BASIN MAP Umpqua - 16 UNADJUDICATED AREA ? yes
SURFACE WATER REGISTRATION NUMBER 60
PRELIMINARY DATA BASE ENTRY DUF
ACKNOWLEDGEMENT LETTER Sek ENTER ON STREAM INDEX h
PUBLIC NOTICE PUBLICATION h WATERMASTER CHECKLIST h
CHECK QUADRANGLE MAP h CHECK GLO PLATS h

FORM REVIEW

☒ blanks filled in ^{*} Irrigation Season?
☒ signed
☒ date received stamped

MAP REVIEW

☒ source and trib
☒ diversion point location POD vs. P.O.B.?
☒ conveyances (pipes, ditch, etc.)
☒ place of use
☒ scale
☒ township, range, section
☒ north arrow
☒ CWRE stamp
☐ disclaimer
☒ date survey was performed
☐ P.O.B. of survey
☒ dimensions and capacity of diversion system
☒ "beneficial use" type title
☒ "permanent-quality" paper

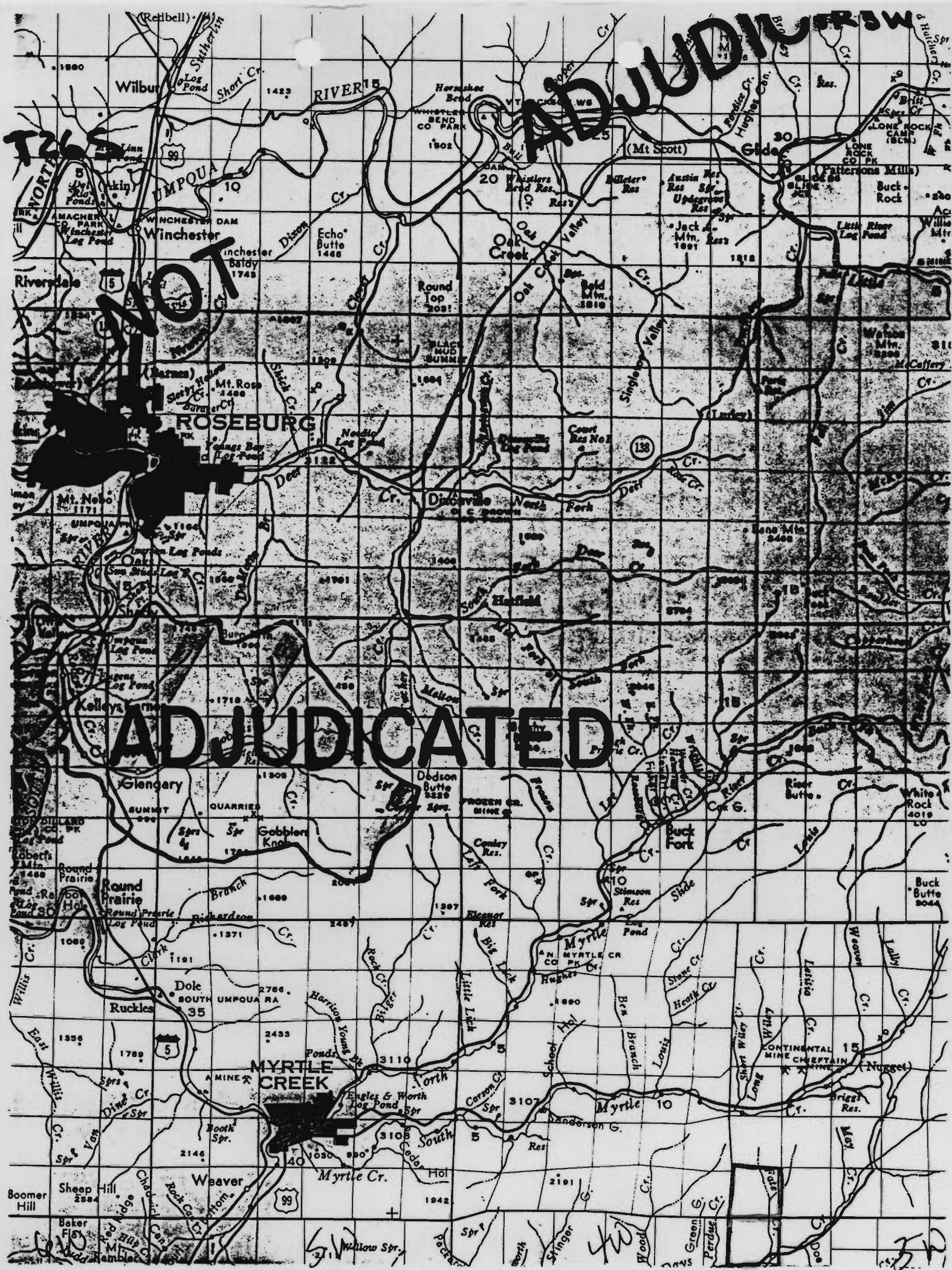
WATER RIGHT RECORD CHECK _____ ENTER ON PLAT CARDS _____

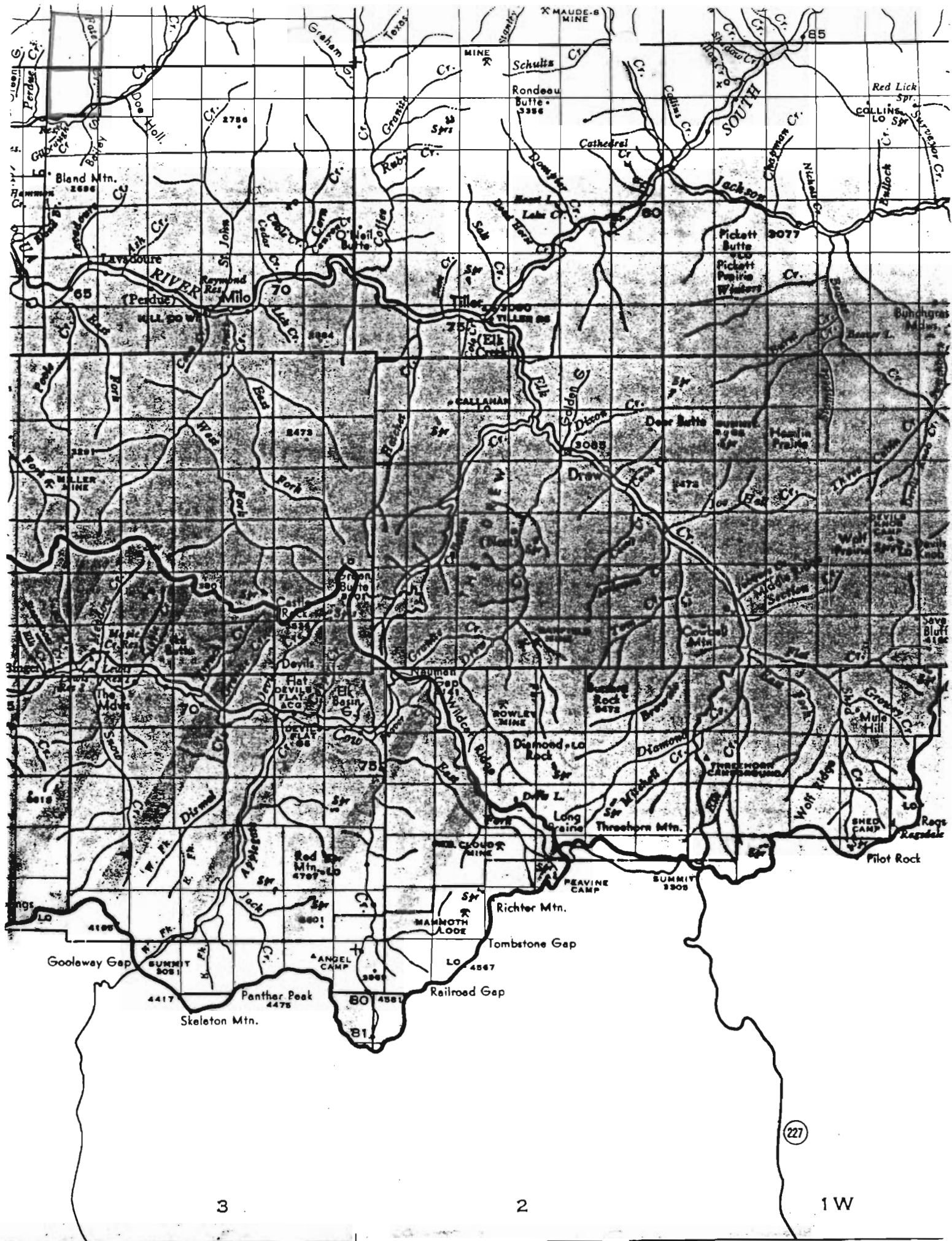
FIELD INSPECTION _____ FINAL FILE REVIEW _____

FINAL DATA BASE ENTRY _____

A:SWRCHECK

12-24-91





(227)

3

2

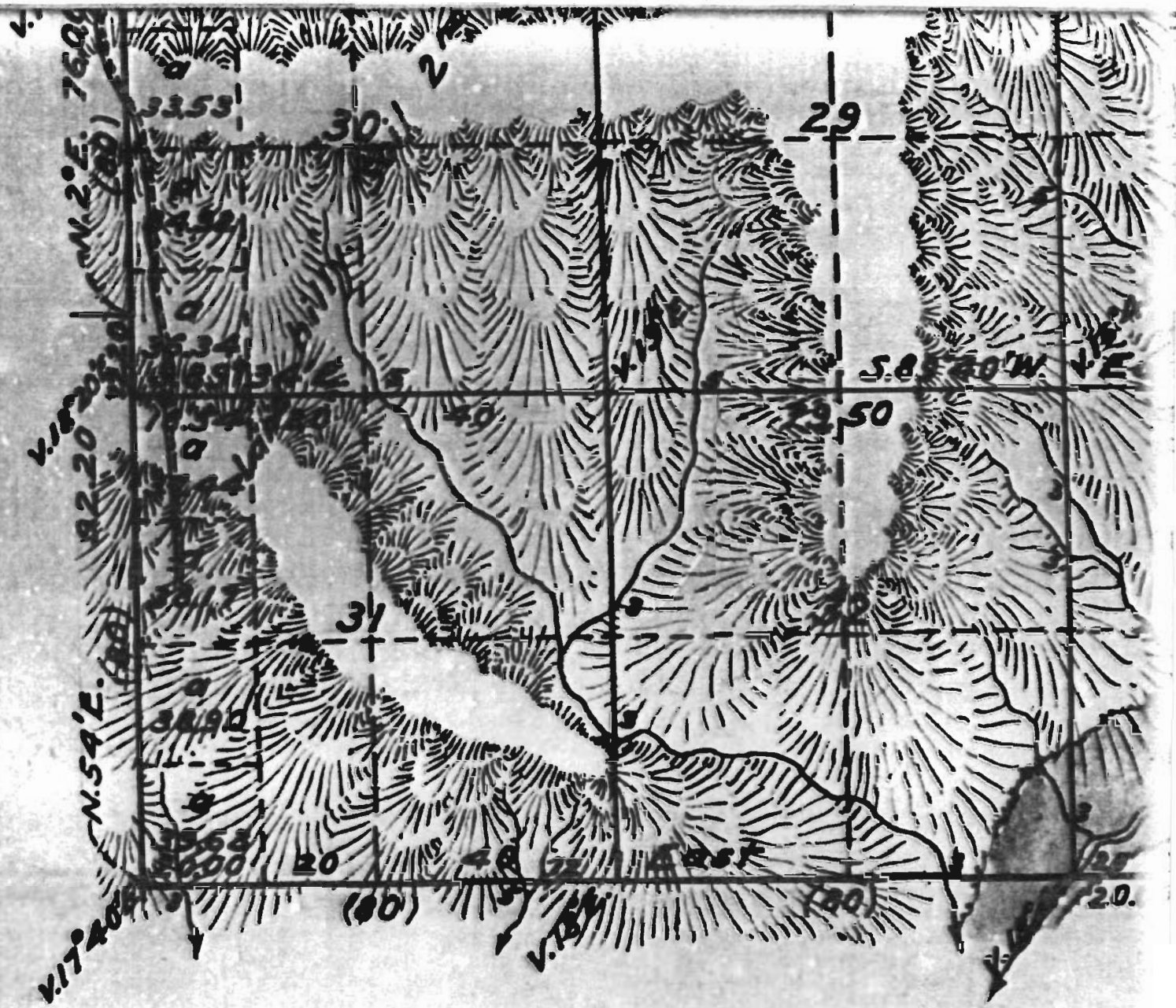
1W

To Gold Hill

123.00

To Medford

T 29, R 3W Sec. 31



designated	By whom surveyed	Contract		Am't. of Surveys		
		No.	Date	Miles	chains	links
		22	2-11-1957	2.3	30	00

T29 R3W Sec 31

Private Survey 269.51
 Computation 1.40
 Township Plat 7615.84

761444

7234.93

47.91

7282.84

7282.84

7615.84

Diff 8.60

32.11

33.53

34.92

36.34

37.44

38.17

38.90

39.63

20

20

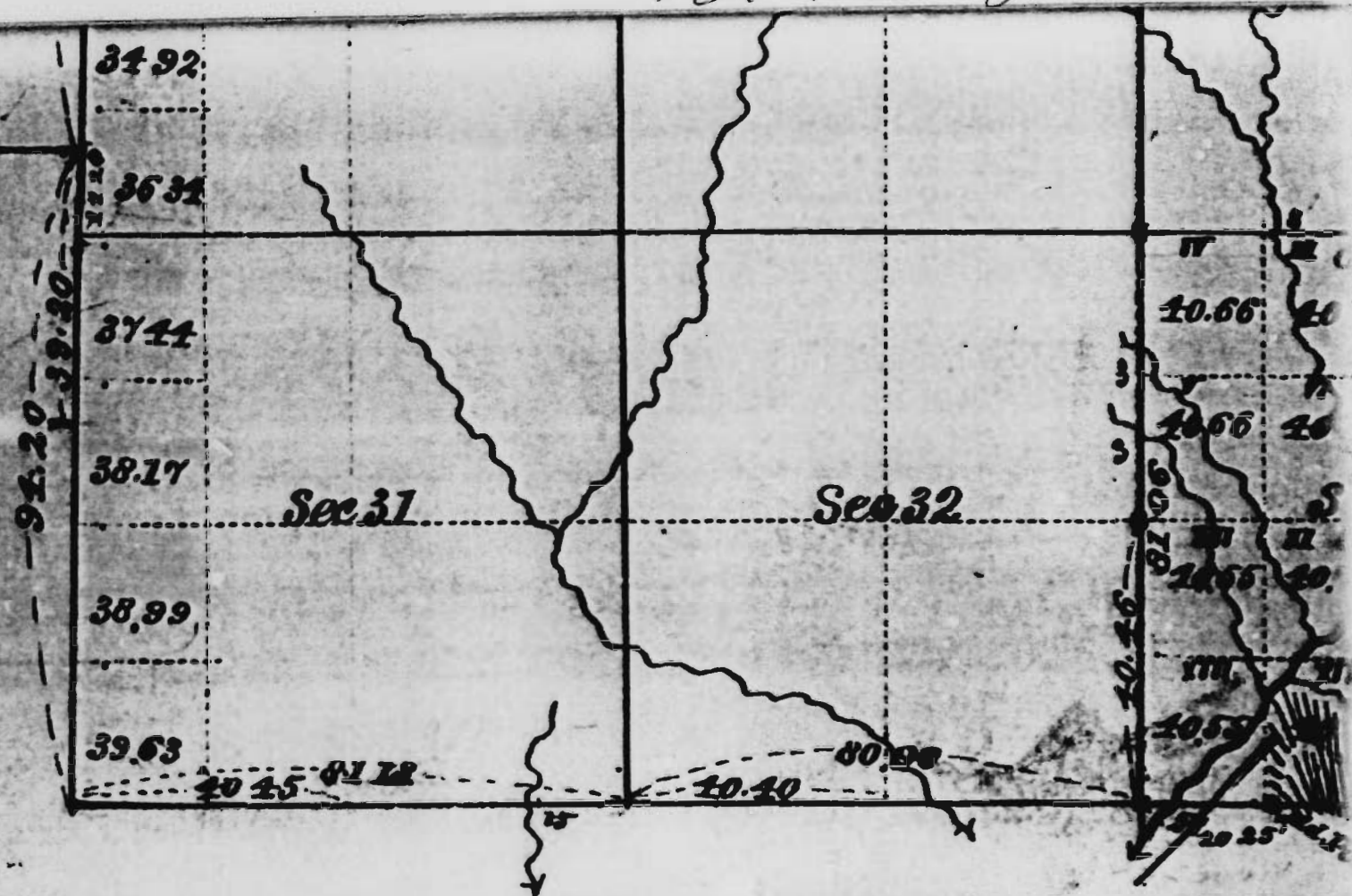
81

32

The
 South
 is Str
 1.1

T29 R3W Sec 31

Sec 36



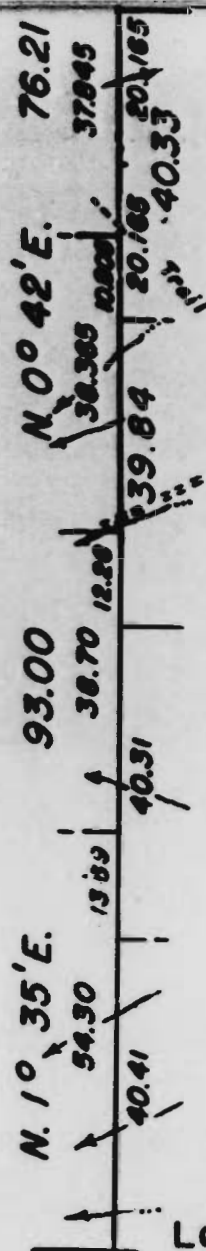
Surveys Designated.	By Whom Surveyed.	Date of Contract.
<i>Tp Lines W. Bdy</i>	<i>Nathaniel Ford</i>	<i>May 30. 1854</i>
<i>do. do S. Bdy in part</i>	<i>Dennis Hathorn</i>	<i>June 8. 1857</i>
<i>do. do S.E. & N. bdy</i>	<i>W. H. Byars</i>	<i>January 22. 1881</i>
<i>Re-tracings</i>	<i>do. do. do.</i>	<i>do. do. do.</i>
<i>Subdivisions</i>	<i>do. do. do.</i>	<i>do. do. do.</i>

Sec. 25

Sec. 30

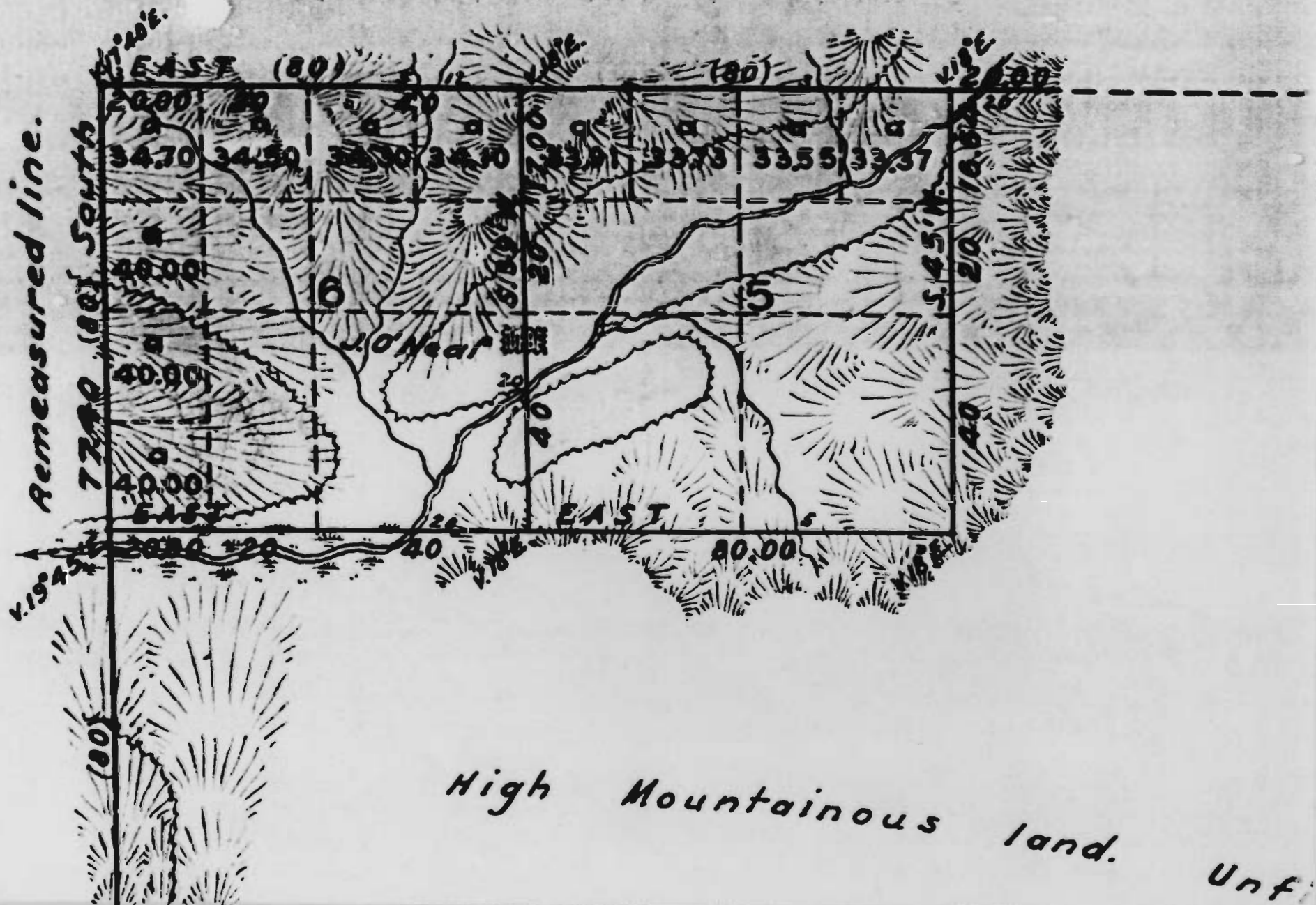
Sec. 36

Sec. 31

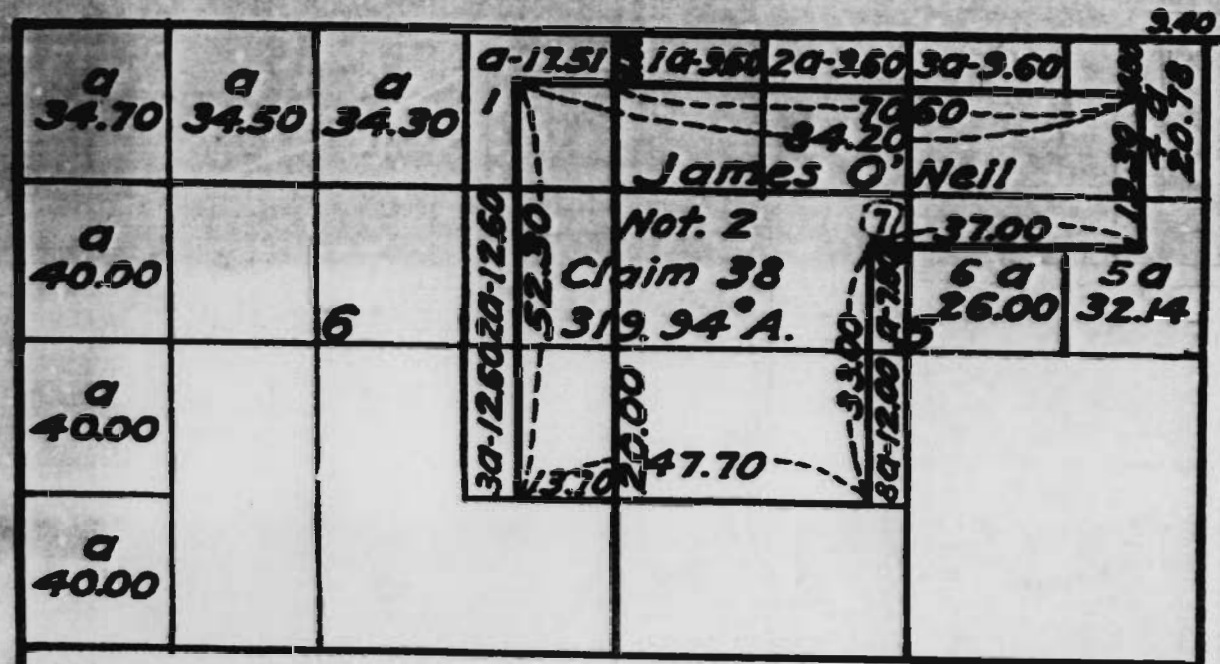


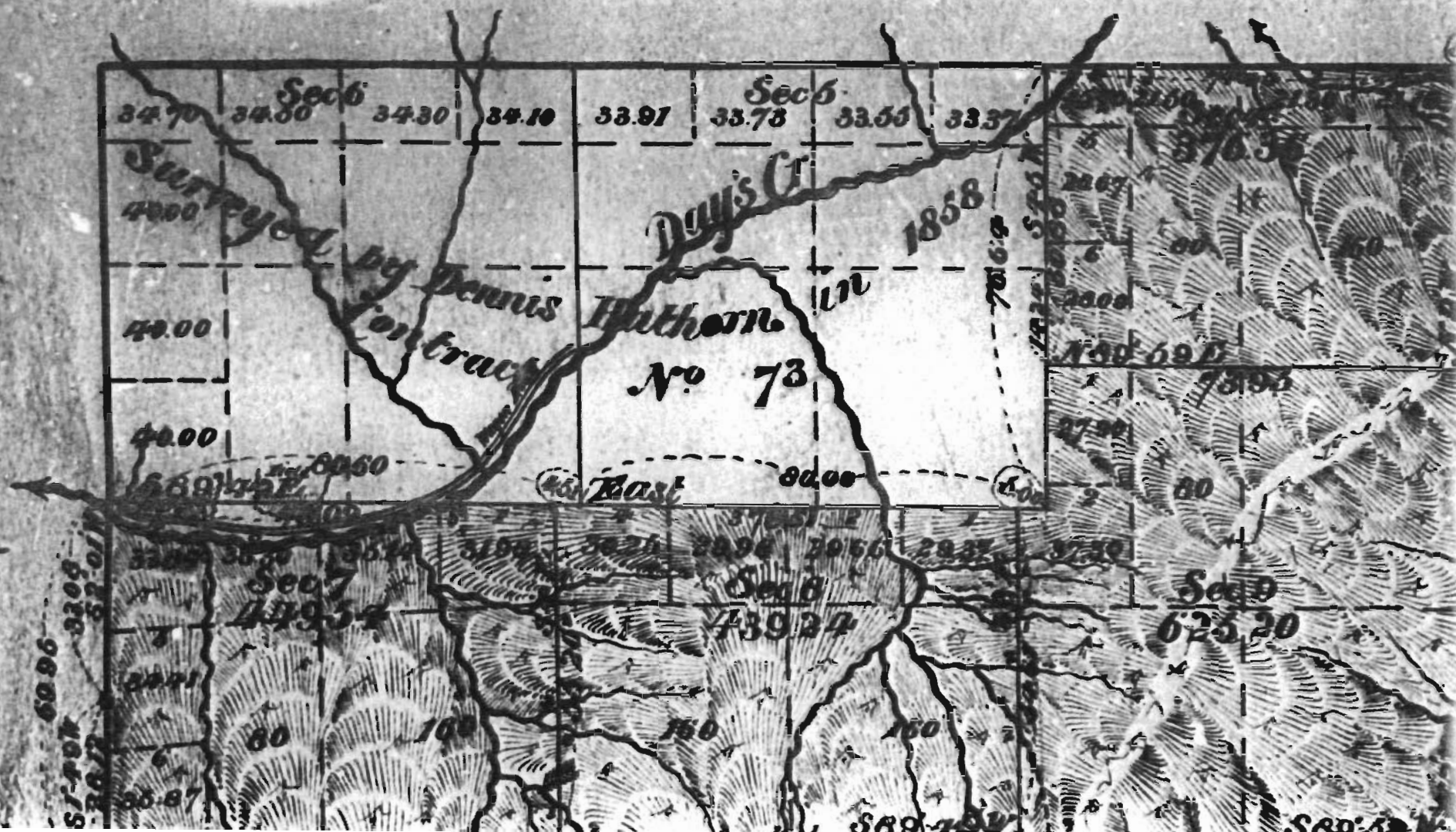
Latitude 43° 00.0' N.
Longitude 123° 07.0' W.

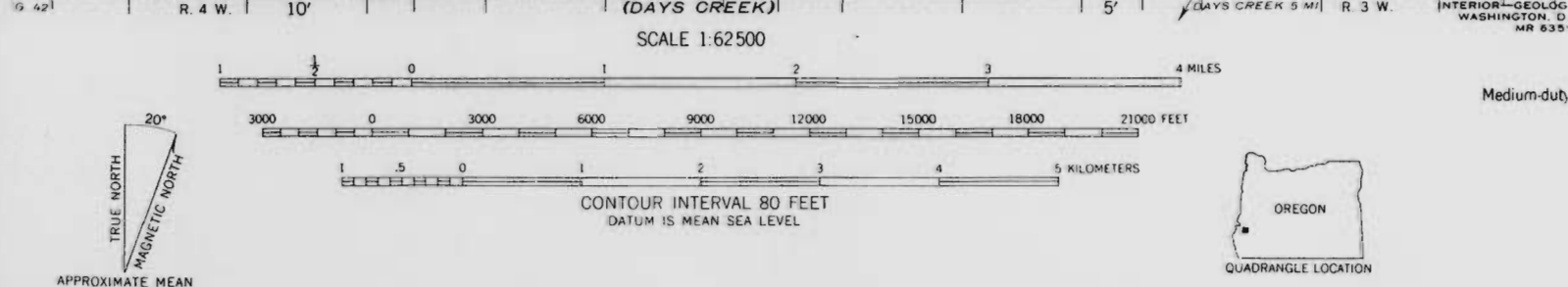
P N° 30 SOUTH, RANGE N° 3 WEST,



Township No. 30 South, Range No. 3







FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D. C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

DAYS CREEK QUADRANGLE
OREGON
15 MINUTE SERIES (TOPOGRAPHIC)

(DIXONVILLE)

R 3 W

1 330 000 FEET

123°00'

43°00'

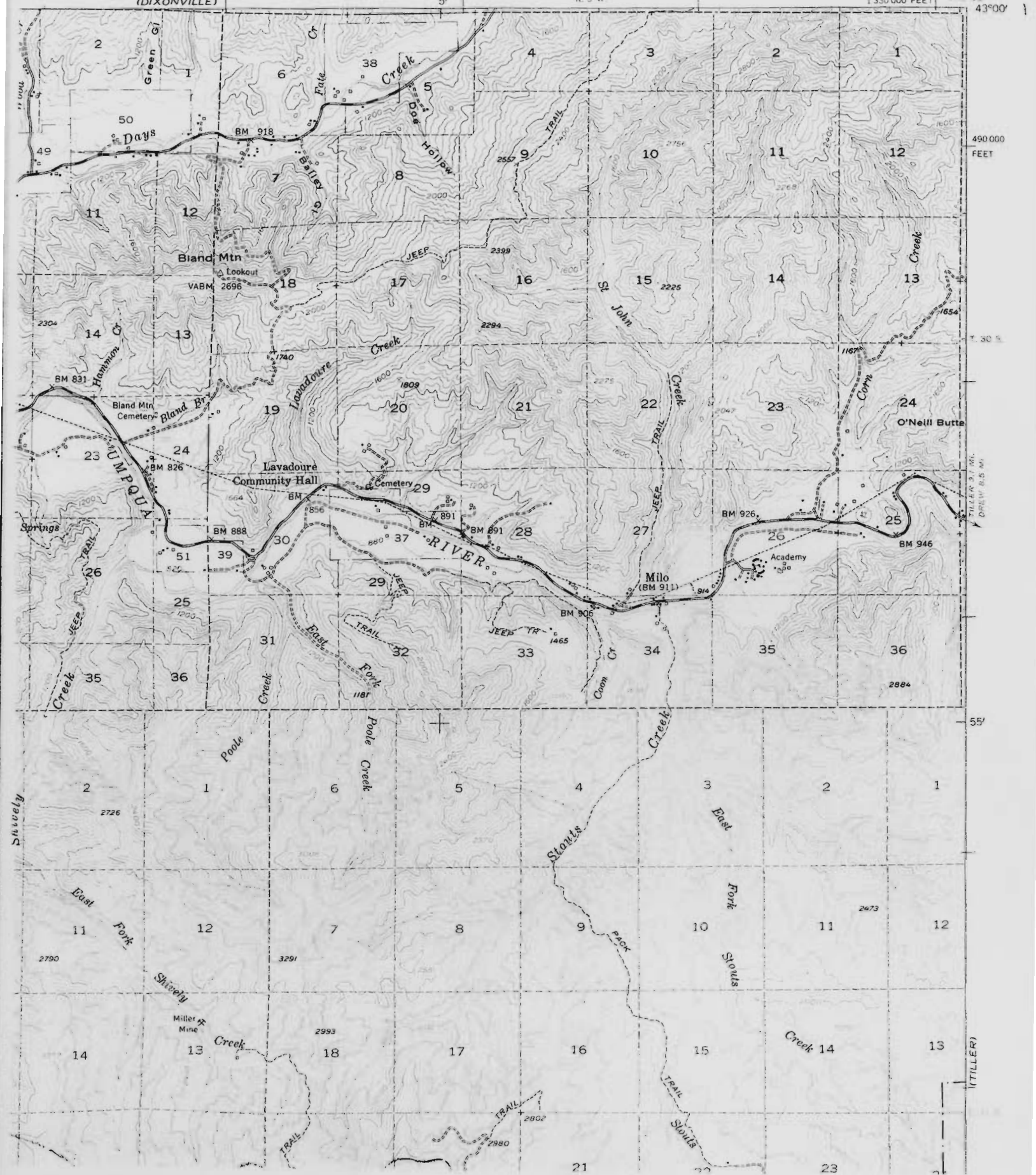
490 000
FEET

T 30 S

T 30 S
T 31 N
DRAW 8.5 MI.

55'

(TILLER)



February 26, 1992

Russell and Sandra Lyon
PO Box 1216
Ramona CA 92065

RE: Surface Water Registration

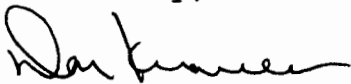
Dear Mr. and Mrs. Lyon,

This will acknowledge that your Surface Water Registration Statement in the name of Russell R. and Sandra G. Lyon has been received by our office. The fees in the amount of \$ 44 have been received and our receipt # 83622 is enclosed. Your registration statement has been numbered SWR-60.

Our office will review your form and map in the near future. If necessary we will schedule a meeting with you that will include a site inspection. If there are problems with your form we are usually able to take care of them during our visit. We will be able to answer any questions you might have about the adjudication process at that time.

Please feel free to contact this office if you have any questions.

Sincerely,



Don Knauer
Adjudications Section

enc

(C:\WS\C\SWR-0060.001)



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT
RECEIPT # 83622 3850 PORTLAND ROAD NE
SALEM, OR 97310
378-3739/378-8130 (FAX)

RECEIVED FROM: <u>Russell & Sandra Lyon</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER

CASH: ☐	CHECK # ☒ <u>96505</u>	OTHER: (IDENTIFY) ☐	TOTAL REC'D	\$ <u>44.00</u>
--------------------------------	--	--	-------------	-----------------

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ <u>44.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
	OTHER: (IDENTIFY)	\$

02-00-0 FEDERAL FUNDS		
	OTHER: (IDENTIFY)	\$

03-00-0 WRD OPERATING ACCT		
MISCELLANEOUS:		
840.001	COPY FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$
WATER RIGHTS:		
842.001	SURFACE WATER	EXAM FEE \$
842.003	GROUND WATER	842.002 \$
842.005	TRANSFER	842.004 \$
WELL CONSTRUCTION		842.006 \$
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE \$
842.016	WELL DRILL OPERATOR	842.023 \$
	LANDOWNER'S PERMIT	842.019 \$
		842.024 \$
		RECORD FEE
		LICENSE FEE

06-00-0 WELL CONST START FEE		
842.013	WELL CONST START FEE	\$
	MONITORING WELLS	\$
		CARD #
		CARD #

45-00-0 LOTTERY PROCEEDS		
864.000	LOTTERY PROCEEDS	\$

69001 SUSPENSE ACTIVITY		LIC NUMBER	
842.115	POWER LICENSE FEE(FW)		\$
842.115	HYDRO LICENSE FEE(FW)		\$
832.009	HYDRO EXAM FEE(GF)		\$

RECEIPT # 83622 DATED: 2/24/92 BY: J3
Distribution—White Copy-Customer, Yellow Copy-Fiscal, Brown Copy-Fiscal

WATER RESOURCES DEPARTMENT
3850 PORTLAND ROAD NE
SALEM, OR. 97310

PHONE: 378-3066
DATE: 4/29/1992

The following applications for water-use authorizations (water rights) were filed in the office of the Water Resources Director during the week of APR/17/1992 to APR/23/1992. By law, all water within the state belongs to the public (ORS 537.110). With very limited exceptions, a permit from this department is required to use, divert or store the surface and ground waters of the state (ORS 537.130). Permits may be issued only for beneficial use without waste. When a water use is developed within the terms of a permit, a certificate of water right is issued.

Persons, agencies or other interested parties are invited to provide comments on the following list of applications. Comments should address whether the proposed use:

1. Would adversely affect existing rights.
2. Is wasteful, uneconomic, impractical, or unreasonable.
3. Would impede orderly economic development of the water for multiple purposes.
4. Is compatible with local comprehensive land-use plans.
5. Would otherwise have a significant adverse effect on the public interest.

Comments on these applications should be directed to the Water Rights Section of the Department at the above address, and must be received within 60 days from the date of this notice (within 14 days for Limited License requests).

GROUND WATER

BAKER

G 12886 IDAHO POWER CO.; ATTN: ROBERT GRIFFIN
PO BOX 70 BOISE, ID 83707
TWO WELLS IN PINE CREEK BASIN
for FISH PROPAGATION.
130.0 GALLONS PER MINUTE BEING 130.0 GPM FROM EITHER WELL
SE 1/4 NW 1/4 Section 9 T 7 S R 48 E WM.
SE 1/4 NW 1/4 Section 9 T 7 S R 48 E WM.

SURFACE WATER REGISTRATION:

The following surface water registrations have been received in the office of the Water Resources Department. Water use begun prior to February 24, 1909, must be covered by a claim on a surface water registration statement before the filing deadline of December 31, 1992. Comments on these registration statements should be directed to the Adjudication Section of the Department at the above address.

Douglas

SWR # 60 Russell R. & Sandra G. Lyon
 P.O. Box 1216
 Ramona, CA 92065
 FATE CREEK TRIBUTARY TO DAYS CREEK FOR IRRIGATION.
 1.05 CFS. CLAIMED PRIORITY DATE: 1859.
 T29S, R3W, SECTION 31; T30S, R3W, SECTION 6

Malheur

SWR # 61 John M. Echave - Oregon Canyon Ranch
 PO Box 436
 McDermitt, NV 98421
 OREGON CANYON CREEK AND TRIBUTARIES TO TEN MILE
 CREEK FOR IRRIGATION AND STOCK. 40.02 CFS.
 CLAIMED PRIORITY DATE: PRIOR TO FEBRUARY 6, 1882.
 T38S, R41E SECTIONS 31, 32, 33 & 34; T39S, R41E,
 SECTIONS 2, 3, 4, & 5

Lake

SWR # 62 William & Ann Tracy
 HC 64 Box 238
 Lakeview, OR 97630
 WITHIN ABERT LAKE BASIN. NATURAL SPRINGS FOR
 IRRIGATION AND STOCK. 1.18 CFS. CLAIMED PRIORITY
 DATE: 1907.
 T33S R22E SECTIONS 4, 5, 9 & 10

Douglas

SWR # 64 Opal M. Jordan c/o Lee Jordan, Attorney
 385 Sherman Ave., Suite 1
 Palo Alto, CA 94306
 POND, UNNAMED STREAM AND ELK CREEK TRIBUTARY TO
 NORTH UMPQUA FOR LIVESTOCK AND STOCK DIRECT. 0.02
 CFS. CLAIMED PRIORITY DATE:
 MAY 31, 1879
 T22S, R4W, SECTION 19



STATE OF OREGON

INTEROFFICE MEMO

TO: Adjudication Section

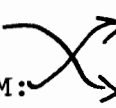
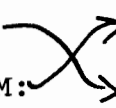
DATE: 03/26/92

FROM: Gary Ball, Watermaster *GB*

SUBJECT: SWR #60

The Watermaster's Office has recognized a claim to a pre-1909 water right for this property as long as I have been associated with the office (1977). From time to time, prior right distribution has been required on Days Creek and its tributaries, and although portions of Permit No. 33602 were regulated, we always allowed those portions which were served by the ditches to continue to receive water.

INTERDEPARTMENT MEMO

TO:  Watermaster District # 15 / *JB Douglas County*
FROM:  Adjudication Section
RE: Surface Water Registration

Enclosed is a copy of a Registration Statement and accompanying map that has been filed in your district. It has been numbered SWR # 60. *Russell R Lyon + Sandra E. Lyon*

We are gathering information about this claim to a pre-1909 water use and would like you to assist us by filing out the checklist below and including any comments that you think might be of significance.

(Yes or No)

1. Do you know anything about this water use? Y
2. Have there been any distribution problems relating to this claim? N
3. Do you have reason to believe that the claimed priority date is not accurate? N
4. Does the quantity of water claimed look unreasonable for the uses named? N
5. Does the place of use look to be accurately depicted by the CWRE map enclosed? Y
6. Do you know if there has been a period of more than a five years of non-use? N
7. Should someone in our section contact you concerning this claim? (If desired)

If you answered yes to any of the above questions, please explain below on an additional sheet of paper.

Attach any memo's or correspondence that deal with this water use and return to the Adjudication Section at the address below.

Thank you for your assistance.

Sincerely,

Darlene Castle
Adjudication Section

Enclosures

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

TO: Reed Marbut
FROM: Don Knauer

DATE:

SUBJECT: Indorsement of SWR-60

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made an inspection of the property identified in the claim and I have reviewed the WRD records. Based on my review and inspection I suggest the following information be included on the " Notice of Proposed Order " under ORS 539.240 (8):

NAME: Russell R. & Sandra G. Lyon
ADDRESS: P.O. Box 1216
Ramona CA 92065

SOURCE: a tributary of .

USE:

PRIORITY DATE:

AMOUNT OF WATER FOR EACH CLAIMED USE:

DIVERSION POINT(s):

PLACE OF USE:

PERIOD OF USE:

C:\WP51\CLAIMANT\SWR-0060.0IM

REPORT FOR CLAIM OF VESTED WATER RIGHT

NAME: WES RALEY
P.O. BOX 309
Days Creek, OR 97429

INFORMATION: Mr. Raley.

SOURCE OF WATER: Fate Creek, a tributary of Days Creek

DIVERSION POINT #1: This diversion is the oldest and primary diversion point for the claim of vested right. Water from this diversion point could irrigate all the land shown under this claim if ditches were properly reconstructed.

The diversion dam is now a 12" thick concrete structure about 4 feet high by 20 feet long. There is evidence that the dam has been rebuilt as some old concrete lies on the west side of the stream. The present dam and the old concrete are made with native gravel. Water flow is presently regulated by a 1'x1' metal headgate. The ditch has a 2 foot flat bottom with approx 3:1 side slopes and 1 foot minimum depth. Minimum fall is 1 foot per 1000 feet.

DIVERSION POINT #2: A dam constructed of 12" concrete 12 feet high and 14 feet long is in place. Height of water is controlled by a 10 foot long by 3 foot deep weir in the center of the dam in which wood members are inserted. A hand wheel gate valve installed at the bottom of the dam which can empty the reservoir. This diversion point is shown on the final proof survey for permit number 33602. The ditch is similar to the one described for diversion point #1.

SPRINKLER IRRIGATION: Area shown as double hachured on the map is irrigated by sprinkler system from the pond which collects water at the end of the ditch systems. There is evidence of the old ditch "A" that was used to irrigate the double hatched land. Mr. Raley is in the process of restoring the old ditch to irrigate this land again from the ditch system. Pipe and sprinklers were in this field when I inspected the property.

PIPE: I observed 1900 feet of 3" aluminum pipe and 1320 feet of 4" aluminum pipe.

SPRINKLER HEADS: Forty seven Rain Bird sprinklers with 5/32 x 3/32 nozzles are used.

USES: Irrigation of hay and pasture.

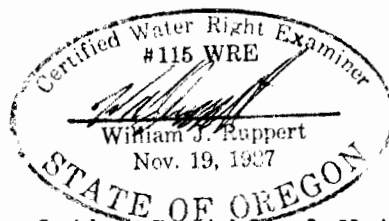
LIFT: Maximum lift from the pond is 5 feet to the sprinkled area.

MOTOR: A O SMITH, 3 Phase, 15 HP, 2950 RPM.

PUMP: Jacuzzi, model 15GH2-A, Centrifugal, 4"x2".

SURVEY TIE: The map is a compilation of previous final proof surveys aerial, photographs and ground surveys.

CERTIFICATION: By William J. Ruppert, Certified Water Right Examiner No. 115. The survey and inspection of the use as found to be claimed under this vested right was completed by me on September 9, 1989, and the facts contained in this report and the accompanying map are correct to the best of my knowledge.



I, Wes Raley agree to the findings of the Certified Water Right Examiner and do submit this site report and map as my Claim of Beneficial Use of a Vested Water Right.

Wes Raley

10/30/89 Date

Sean Fato told
me that his uncle and
father both told him
that their father and
Grand father irrigated part
of that property way back
in the 1800's

Wm Daly

AFFIDAVIT OF RAY R. WRIGHT

STATE OF OREGON]
] ss.
COUNTY OF DOUGLAS]

I, RAY R. WRIGHT, being first duly sworn on oath, depose and say that I am the son of J. D. Wright and Gertrude Wright and that I was born in 1904 in the Days Creek area, and have lived there continuously since; that I am familiar with the Epping-Fate ranch located in Sections 5 and 6, Township 30 South, Range 3 West, Willamette Meridian, and in Section 32, Township 29 South, Range 3, WWM, Douglas County, Oregon; that from on or about 1914 to the present time, there have been two dams constructed on Fate Creek, one in Government Lot 2, Section 6, Township 30 South, Range 3, WWM, and one in Section 31, Township 29 South, Range 3, WWM, which dams were used to store the water which was diverted through ditches from said dams to use for irrigating approximately 40 acres of ground on the Epping-Fate ranch hereinabove described; that these dams have been maintained continuously since 1914 and the water has been appropriated and used by the ranch owners since said date to the date hereof;

That I make this affidavit for the purpose of establishing the diversion and use of water in Fate Creek as the same is appropriated for agricultural use.

Ray R. Wright

SUBSCRIBED and SWORN to before me this 28th day
NOVEMBER
of ~~May~~, 1967.

Basil H. Fletcher
Notary Public for Oregon
My commission expires: 3-29-71

Dups Creek Oregon
Oct 31 1977

I have known about this
water since 1915
To my knowledge it has been
used every year since that date

Ray Wright

STATE OF OREGON, ss.
County of Douglas

BE IT REMEMBERED, That on this 31st day of Oct, 1977
before me, the undersigned, a Notary Public in and for said County and State,
personally appeared the within named Ray Wright

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

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

[Signature]
Notary Public for Oregon
My Commission Expires 12-31-81

P. O. Box
North Bend, Oregon 97459
March 15, 1976

FILED 1976
MAR 15 1976
COUNTY OF COOS

To Whom it may concern:

My name is Gertrude Alice Currier, nee: Epping. I was born at Days Creek, in Douglas County, Oregon on the place known as the Fate Ranch, on July 6, 1916. I lived there until I was three years old, and again for one year when I was ten.

My first memories are of an irrigation flume which went through the door yard. This flume was part of the irrigation system used for the ranch. The water for this system was taken from the small creek known as Fate Creek.

To my knowledge during the years since we moved away when I was just past three, the use of this creek for irrigating the ranch has continued. I visited my grandparents Mr. and Mrs. Remick Fate many times during the years until my parents, Mr. and Mrs. Thomas F. Epping returned. They lived there from 1946 until they sold the ranch in 1964. I also visited them many times.

The irrigation system was always in use. I believe there has not been a time in my lifetime when this was not the case.

Sincerely,

Gertrude A. Currier
(Mrs) Gertrude A. Currier.

STATE OF OREGON)
COUNTY OF COOS) SS

On this 15th day of March, 1976, before me personally appeared Gertrude Alice Currier(Epping), who being sworn, stated that she is the person named and that the foregoing instrument was voluntarily signed by her.

Adeline R. Bauman
Notary Public for Oregon
My commission expires. 10-8-76

To Whom It May Concern:

My personal memory of irrigation water to the Fate Creek Ranch from Fate Creek go back to 1923. I remember playing in the flume when I was 4 or 5 years old. The water was being used in 1944-45 when my husband & I rented the ranch from my folks. I have visited there regularly since, until 1964 when my folks sold it, the water being used all this time.

Ruth Colvin

SWORN AND SUBSCRIBED TO BEFORE ME THIS 2ND DAY

OF SEPTEMBER 1976.

Emmeline Howard
(NOTARY PUBLIC)

MY COMMISSION EXPIRES 1/30/79

February 3, 1992
P.O. Box 1216
Ramona, CA 92065
(619) 789-1811

State of Oregon
Water Resources Department
3850 Portland Road N.E.
Salem, OR 97310

Gentlemen:

Enclosed is our water use registration statement in which we are claiming vested water rights for our ranch known as Fate Creek Ranch at 3880 Days Creek Road, Days Creek, Oregon. We purchased this property in June of 1991 from Wes and Diane Raley who had begun gathering the necessary information to file for the vested water rights. We have traced the history of the property as best we can and enclose copies of affidavits and deeds including the original homestead deed granted to James O'Neil. In addition we have included a copy of the record deeding the land from James O'Neil to David Fate in 1859.

From the enclosed documents we can give evidence that the property was lived upon and worked in the 1800's but there is no one left alive who can testify to first hand knowledge of this. The layout of this property is such that any irrigation done would have required the use of Fate Creek. Exactly how this was done in the beginning by David Fate we do not know.

While Wes Raley owned the property he was visited by a Sean Fate the great-great grandson of the original David Fate. We have included a note from Wes Raley stating that Sean told him that he was told by both his uncle and his father that their father and grandfather irrigated the property back in the 1880's.

We learned the following history from Mrs. Thomas Epping of 880 Bond Street, Myrtle Creek, Oregon. Mrs. Epping is the second wife of Thomas Epping who came to live on the ranch in 1894 at the age of 2 when he was adopted by Remick Fate. Remick Fate was the son of the David Fate who purchased the property from James O'Neil. We provide an affidavit from Ray Wright who was the Thomas Epping's first wife's brother. Also included are affidavits from Gertrude Currier and Ruth Colvin who were Thomas Epping's daughters by his first marriage.

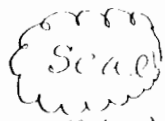
Thank you for your consideration. Please contact us if more information is required.

Sincerely yours,

Russell R. Lyon
Sandra G. Lyon

Russell R. and Sandra G. Lyon

... to be returned to the
... at the City of Washington
the Twelfth day of August in the year of our Lord
One thousand Eight hundred and sixty five -
and of the Independence of the United States the
thirtieth.



By the President, Andrew Johnson

Edw. D. Hoce, Sec'y

Recorded 15.2.1867.

M. Granger, Recorder of the General Land Off.

1867

Wm. H. ...

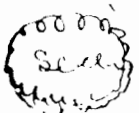
...

United States

Examination

The United States of America
Do hereby certify that all to whom these presents shall
come, greeting. Whereas, There has been deposited
in the General Land Office of the United States a
certificate numbered Six hundred and twenty nine
of the Register and Receiver at Roseburg, Oregon where-
by it appears that under the provisions of the act
of Congress approved the 27th day of September
1850, entitled An Act to create the Office of Surveyor
General of the Public Lands in Oregon, and to
provide for the survey, and to make donations to
settlers of the said Public Lands; and the legislation
Supplemental thereto, the claim of James Oriel of Doug-
las County Oregon. Notification No. 2. has been estab-
lished, to a donation of one half section, or three hun-
dred and twenty acres, of land, and that the same
has been surveyed and designated as Claim num-
ber thirty eight, being parts of sections five and six in Township
thirty south of Range three West. According to the official plat
of survey returned to the General Land Office by the Surveyor
General, being bounded and described as follows to wit:-
Beginning at a point four chains and eighty links South
and nine chains and forty links West, from the North
East corner of said section five, and running thence West
Eighty-four chains and twenty links, thence South fifty two
chains and thirty links; thence East forty seven
chains and seventy links; thence North thirty three chains
thence East thirty seven chains, and thence North
nineteen chains and thirty links to the place of
beginning, in the district of lands subject to

sale at Roseburg, Oregon, containing three hundred and nineteen acres, and ninety four hundredths of an acre. Now know ye, that the United States of America, in consideration of, the premises, and in conformity with the provisions of the Act aforesaid, Have Given and Granted, and by these presents do give and grant unto the said James O'Neil and to his heirs the tract of land above described To have and to hold the said tract, with the appurtenances, unto the said James O'Neil, and to his heirs and assigns for ever. In testimony whereof I, Andrew Johnson President of the United States, have caused these letters to be made patent, and the seal of the General Land Office to be hereunto affixed. Given under my hand at the City of Washington, the eleventh day of July, in the year of our Lord, one thousand eight hundred and Eighty-six, and of the Independence of the United States the Ninety first-



By the President: Andrew Johnson
By: E. D. Neill - Secretary
M. G. Ayer, Recorder of the General Land Office

Recd. G. L. O. Vol. 7, p. 683

Witness my hand and seal, this 11th day of July, 1886

J. M. McKim, Secretary of the Interior

E. Sloan

This Indenture Witnesseth, that I, Ellen Sloan of Roseburg, Douglas County, Oregon for, the consideration of Six hundred Dollars, to me paid have bargained and sold and by these presents do bargain, sell and convey unto Milton Ames of said County and State, the following described premises to wit: Lots Numbered Three, Four and Five of the

they foregoing conveyance, and acknowledged that they had executed the same; and the said Mary Ann Anderson, on an examination separate and apart from her husband, acknowledged that she executed the same freely, and without fear or compulsion from any one.

(Seal)

James M. Pike,
Clerk of the District Court,
for the Third Judicial District,
(Oregon).

Filed and Recorded June 29th 1857 11.50 Am 28th Jan 1859
James Walton Recorder
per Geo. S. Walton, Deputy.

This Indenture, made this fourth day of February in the year One thousand eight hundred and fifty nine, between James O'Neil of Douglas County, Oregon, of the first part, and David Kate of Douglas County, Oregon, of the second part, witnesseth: That the said party of the first part for and in consideration of the sum of Twenty five hundred Dollars, lawful money of the United States, paid as follows by the party of the second part, at the request of the party of the first part, - Five hundred eighty six dollars and twelve Cents to James M. O'Neil, - and also owing by the party of the first part to James M. O'Neil, on a judgment, interest and costs of the same, amounting to the sum aforesaid, and obtained by said James M. O'Neil, against the party of the first part, in the District Court for Douglas County, Oregon, at the September Term A.D. 1858, which amount of said judgment and costs are a lien on the land herein conveyed; the remainder of said purchase money paid at the executing and delivery of these presents, the receipt of which Twenty five hundred dollars is hereby acknowledged by the party of the first part, who hath granted, bargained, sold, conveyed and confirmed, and by these presents doth grant, bargain, sell, convey and confirm unto the party of the second part, and to his heirs and assigns forever, all that certain parcel of land lying and being in

Territory of Oregon,
Douglas County.

On this fourth day of February 1859, personally appeared before me, James C. Hale, the person known to me, to be the individual who signed and executed the foregoing Word of Conveyance, and acknowledges that he signed and executed the same.

J. C. Hale (Judge),
Probate Judge,
Douglas County, Oregon.

Filed and Recorded 11.30 Am 4th February 1859
James Walton, Recorder
per John S. Walton, Deputy.

This Indenture witnesseth, that we Joseph Cline and Eunice W. Cline his wife, for the consideration of Four thousand dollars (\$4000.00) to us paid, have bargained and sold, and by these presents do bargain, sell and convey unto James R. Dodge, the following described premises, to wit: -
Section Claim No. 49, in Township No. 25, Twenty five South of Range No. six West, beginning eighteen chains and fifty two links North, and fifteen chains and twenty five links East of the corner to Sections 11, 12, 13 and 14, and running thence South eighty six chains; thence West fifty eight chains and six links; thence North twenty four chains; thence West twenty two chains and sixty four links; thence North sixty two chains; thence East eighty chains and seventy links, to the place of beginning, containing six hundred and thirty nine acres and sixty eight hundredths.
To have and to hold, the said premises, with their appurtenances, unto the said James R. Dodge, his heirs and assigns forever.
And I, the said Joseph Cline do hereby covenant to and with the said James R. Dodge, his heirs and assigns, that I and the owner in full title of said premises; that they are free from all incumbrances; and that I will warrant and defend the same from all lawful claim whatsoever.