

November 9, 1992

WATER
RESOURCES
DEPARTMENT

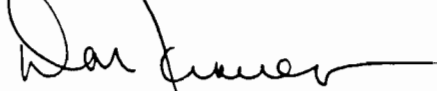
LESTER E. FULTZ
PO BOX 818
NESKOWIN OR 97149

re: SWR-73

Dear Mr. Fultz,

I received the map you redid for the claim to a pre-1909 water right in the name of Les and Pat Helgeson. I will add it to the file.

Sincerely,



Don Knauer
Adjudication Specialist

copy: Les Helgeson

C:\WS\CWRE\FULTZ.032



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

INTERDEPARTMENT MEMO

TO: Watermaster District # 1
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 # 13. *Leslie Helgeson*

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? No
- 2. Have there been any distribution problems relating to this claim? No
- 3. Do you have reason to believe that the claimed priority date is not accurate? No
- 4. Does the quantity of water claimed look unreasonable for the uses named? No
- 5. Does the place of use look to be accurately depicted by the CWRE map enclosed? location of 2 AC 122.
- 6. Do you know if there has been a period of more than a five years of non-use? No
- 7. Should someone in our section contact you concerning this claim? No

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,
Patricia Castle
Adjudication Section

Enclosures

September 11, 1992

WATER
RESOURCES
DEPARTMENT

Lester E. Fultz
PO Box 818
Neskowin OR 97149

re: SWR-73

Dear Mr. Fultz,

I received the map, Addendum #1 and revised Surface Water Registration Statement (SWRS).

I am returning the map for the following corrections and completions:

1) The "Beneficial Use Area" you have shown on the map includes the home, driveway, parking area and other non-irrigated areas. The SWRS form answers question #3 with two acres. Your Addendum #1 in item #2 describes the beneficial use area as "about 200 feet wide and 700 feet long". This calculates to 3.2 acres. My inspection of the property revealed a small area at the home and a small area of garden being irrigated. You must show on the map the boundaries of only the beneficially irrigated area and the size of the area preferably in acres.

2) In your Addendum #1 item #6 you say there are no calculations that the amount of water is a function of the pressure and size of tap opening. I need to know the pressure and the size of tap opening which you can add to the map.



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

3) You need to show the scale of the map.

If you have any questions please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Don Knauer".

Don Knauer
Adjudication Specialist

cc: Leslie Helgeson

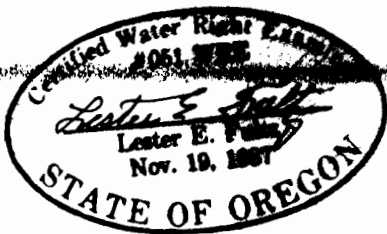
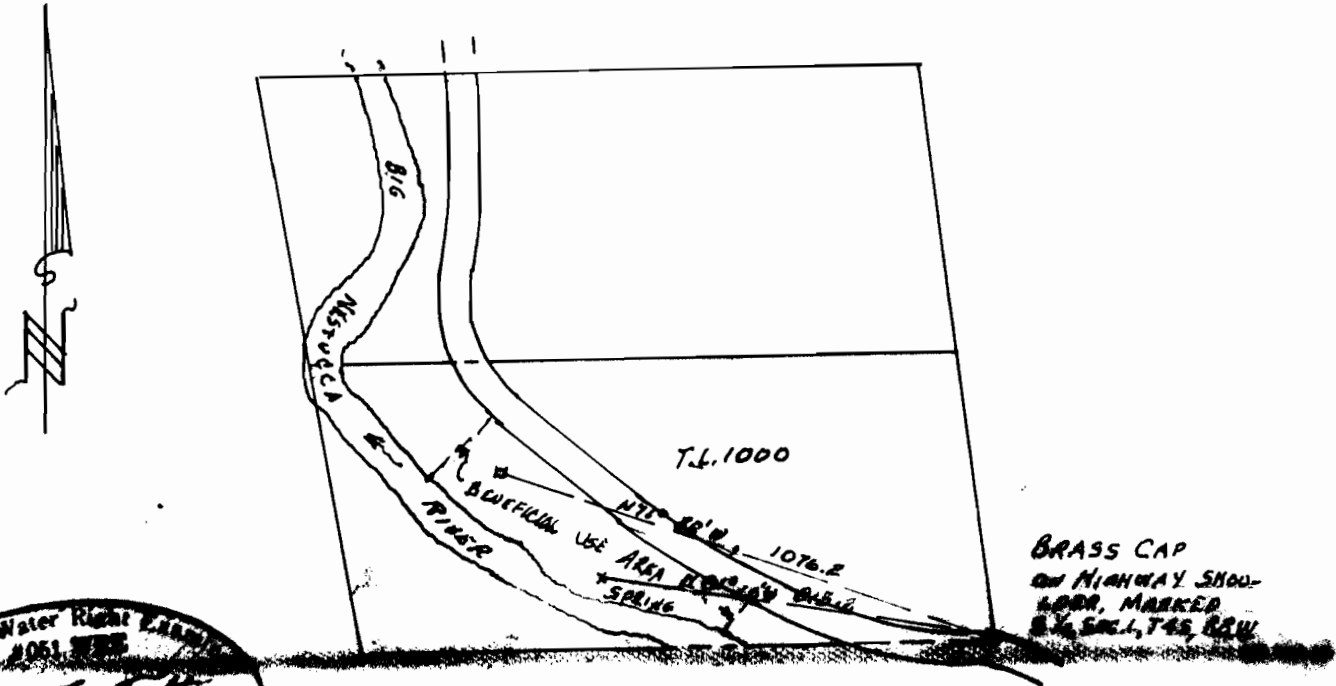
RECEIVED

AUG - 7 1992

WATER RESOURCES LEI
SALEM, OREGON

FINAL PROOF SURVEY MAP

A DRAWING PREPARED TO ACCOMPANY A REGISTRATION STATEMENT OF CLAIM OF BENEFICIAL USE BY LES & PAT HELGESON.



CERTIFICATE:

THE FINAL PROOF SURVEY AND INSPECTION OF THE USE WAS FOUND TO BE COMPLETED IN ESSENTIALLY AS USED PRIOR TO 1909. THE SPRING HAD BEEN IMPROVED BY CONSTRUCTION OF STREAM ROCK AND MORTAR. THE SPRING SUPPLIED WATER GRAVITY INITIALLY. THE SPRING WATER HAS NOW BEEN PRESSURIZED BY AN ELECTRIC PUMP AND SUBCHANGED WATER TANK.

THE WATER SYSTEM WAS INSPECTED BY ME ON 15 MAY 1992 AND THE FACTS CONTAINED ON THIS FINAL PROOF SURVEY AND THE WRITTEN FINAL PROOF STATEMENT ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

L. E. FULTZ
4 AUG 92

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 87038 CHECK ENCLOSURES h
 CHECK BASIN MAP #1 NORTH COAST UNADJUDICATED AREA ? yes
 SURFACE WATER REGISTRATION NUMBER 73
 PRELIMINARY DATA BASE ENTRY h
 ACKNOWLEDGEMENT LETTER h ENTER ON STREAM INDEX h
 PUBLIC NOTICE PUBLICATION h WATERMASTER CHECKLIST h 6/25/92
 CHECK QUADRANGLE MAP h CHECK GLO PLATS h

FORM REVIEW

blanks filled in
 signed
 date received stamped
 PAID FOR IRR. No IR
 Shown on map. No IR
 season given.

MAP REVIEW

source and trib
 diversion point location
 conveyances (pipes, ditch, etc.) ?
 place of use NO IR
 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 "Application for Pre-1909..."
 "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

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

TO: Reed Marbut
FROM: Don Knauer

DATE:

SUBJECT: Indorsement of SWR-73

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: Leslie Helgeson
ADDRESS: 40805 Upper Nestucca River Road
Beaver OR 97108

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-0073.0IM

July 17, 1992

WATER
RESOURCES
DEPARTMENT

Lester E. Fultz
PO Box 818
Neskowin OR 97149

re SWR-73

Dear Mr. Fultz,

I recently made a field inspection for the claim by Leslie Helgeson to a pre-1909 water use. In review of the map you prepared for this claim, I found that there are a number of items needed to be added to the map or submitted in report form.

1) You must show the location of the place of use of the water for irrigation. An outline of the area and the acreage is required.

2) You must describe the diversion structure and give dimensions. I measured the rock mortared spring box about 6' x 7' x 3' deep inside dimensions.

3) You must describe the motor and pump system used for the diversion. I was told by the claimant they have a 3/4 HP electric motor on a submersible pump.

4) You must show the location and size of pipe use to deliver the water to the place of use. I was told the pipe is 1 1/4" to the house.

5) You must show the difference in elevation between the



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

diversion point and the place of use. I estimated the difference at about - 10'.

6) You must show the method and/or calculations used to determine the quantity of water diverted.

The county assessor's plat map shows the subdivision of section 1 T4S R8W an irregular shape. Not in anyway a square as you have shown on your map. You must correct your map to reflect the true dimensions of the $\frac{1}{4}$ section.

I am returning the map and sending a copy of the "Registration Claim to Beneficial Use" information sheet and have circled the items as I described.

By the way, a claim to a pre-1909 water use is not an application and the map to be submitted is not an application map. If anything the map should be considered a "final proof" map.

If you have any questions please give me a call.

Sincerely,



Don Knauer
Adjudication Specialist

enc
copy: Leslie Helgeson

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

REGISTRATION STATEMENT CLAIM OF BENEFICIAL USE

All maps and reports must contain sufficient information to clearly determine the extent the project was developed within the conditions of ORS 539.

Please adhere to the following basic format:

INFORMATION: This section of the map and report should include: names, addresses and phone numbers. Any variation of the project from the pre-1909 use should be described in detail here.

SOURCE: Describe source(s) used.

DIVERSION POINTS: Describe the diversion(s), including any structures. The headgates should be described. Canals and ditches should be shown as a typical cross-section.

MOTOR: Brand, type, HP, max. RPM's.

PUMP: Brand, type, intake/discharge dimensions, drive method (such as belts and pulleys; state size of pulleys).

PIPE: Amount and type of each diameter of portable pipe. Show location and size of buried or permanent pipe on the registration statement map.

HEADS: State make and model of all sprinklers available including sizes of nozzles and total number of each. A claim of the maximum number operated per system, size and the operating pressure should be made. A pressure reading of the system in operation should be obtained, if possible. State locations of any readings taken.

USE(S): State the use or various uses of the water made, such as: irrigation (list crops), domestic (# of families served), stockwater (maximum head of stock), industrial, municipal, etc.

HEAD: Show the difference between the water level of the source and the mean elevation of the place(s) of use.

CALCULATIONS: Show the method and/or calculations used to determine the quantity of water diverted.

POINT OF BEGINNING: Show the government survey corner or corners used to locate your survey. The method of survey is described here - i.e. Plane table survey, aerial photo, traverse, etc.

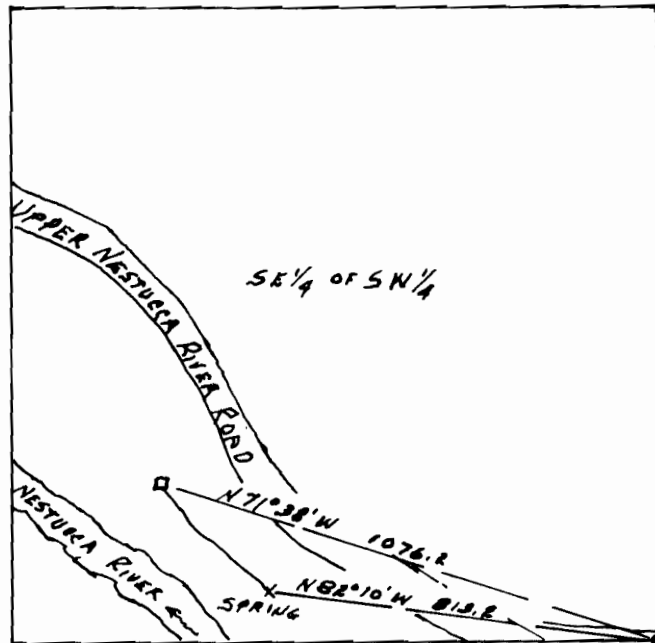
REMARKS: Any additional information necessary to fully explain the use of the water.

regis/beneuse

WATER

WATER APPLICATION MAP

A DRAWING PREPARED FOR SUBMITTAL WITH AN APPLICATION FOR A PRE-1909 WATER CLAIM IN SECTION 1, TOWNSHIP 9 SOUTH, RANGE 8 WEST N.M., TILLAMOOK COUNTY, OREGON.



S 1/4 COR.
 BRASS CAP ON SHOULDER
 MKD
 S 1/4, SEC. 1
 T 9 S, R 8 W



L.E. FULTZ
 16 MAY 1992

INTEROFFICE MEMORANDUM

*Oregon Water Resources Department
Adjudication Section*

TO: SWR-73

FROM: Don Knauer

DATE: July 17, 1992

SUBJECT: FIELD INSPECTION

On July 14, 1992 I met with Leslie Helgeson on this property to inspect the water use. He showed me the spring and the place of use. There is a rock mortered spring box about 6' x 7' inside dimensions and about 3' deep. There is a 3/4 HP electric motor on a submersible pump. He told me there is a 1½" pipe to the house. There is about 1½' of water in the spring box with a small amount of over flow at present.

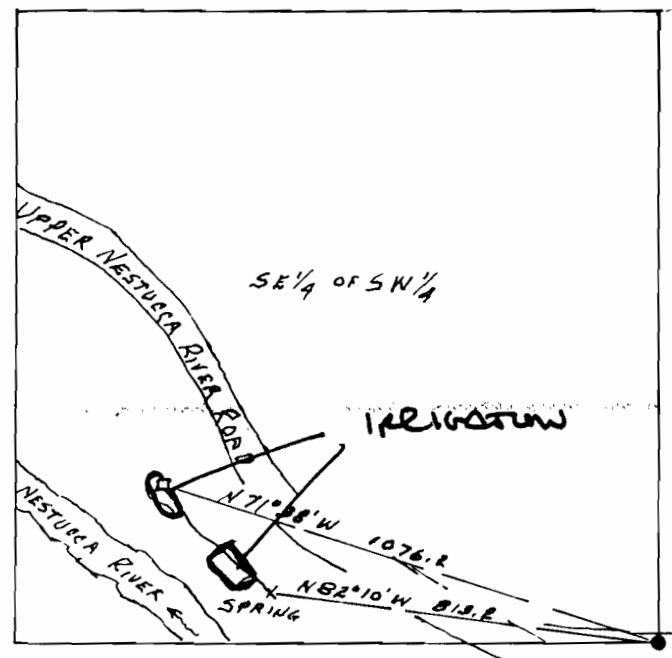
He uses the water for domestic purposes to include a lawn and garden. He also has a comercial garden he irrigates with the spring water.

The map needs a number of additions to make it acceptable. I will return it to the CWRE for the additions.

TILLAMOOK CO

WATER APPLICATION MAP

A DRAWING PREPARED FOR SUBMITTAL WITH AN APPLICATION FOR A PRE-1909 WATER CLAIM IN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 8 WEST W.M., TILLAMOOK COUNTY, OREGON.

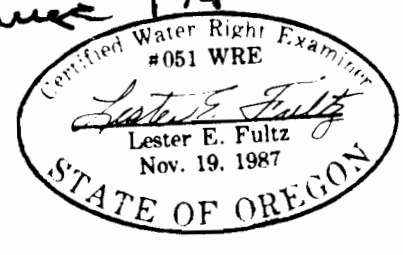


2-14-92

SPRING BOX = SIZE & DEPTH INSIDE 6' x 7' MKD
 PUMP = 3/4 HP
 PIPE TO HOUSE 1/4"

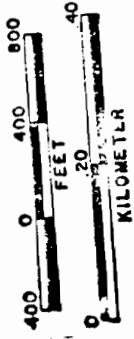
3' DEPTH
 1 1/2' WARR @ PRESENT

5/4 COR.
 BRASS CAP ON SHOULDER
 S 1/4, SEC. 1
 T4S, R8W



L.E. FULTZ
16 MAY 1992

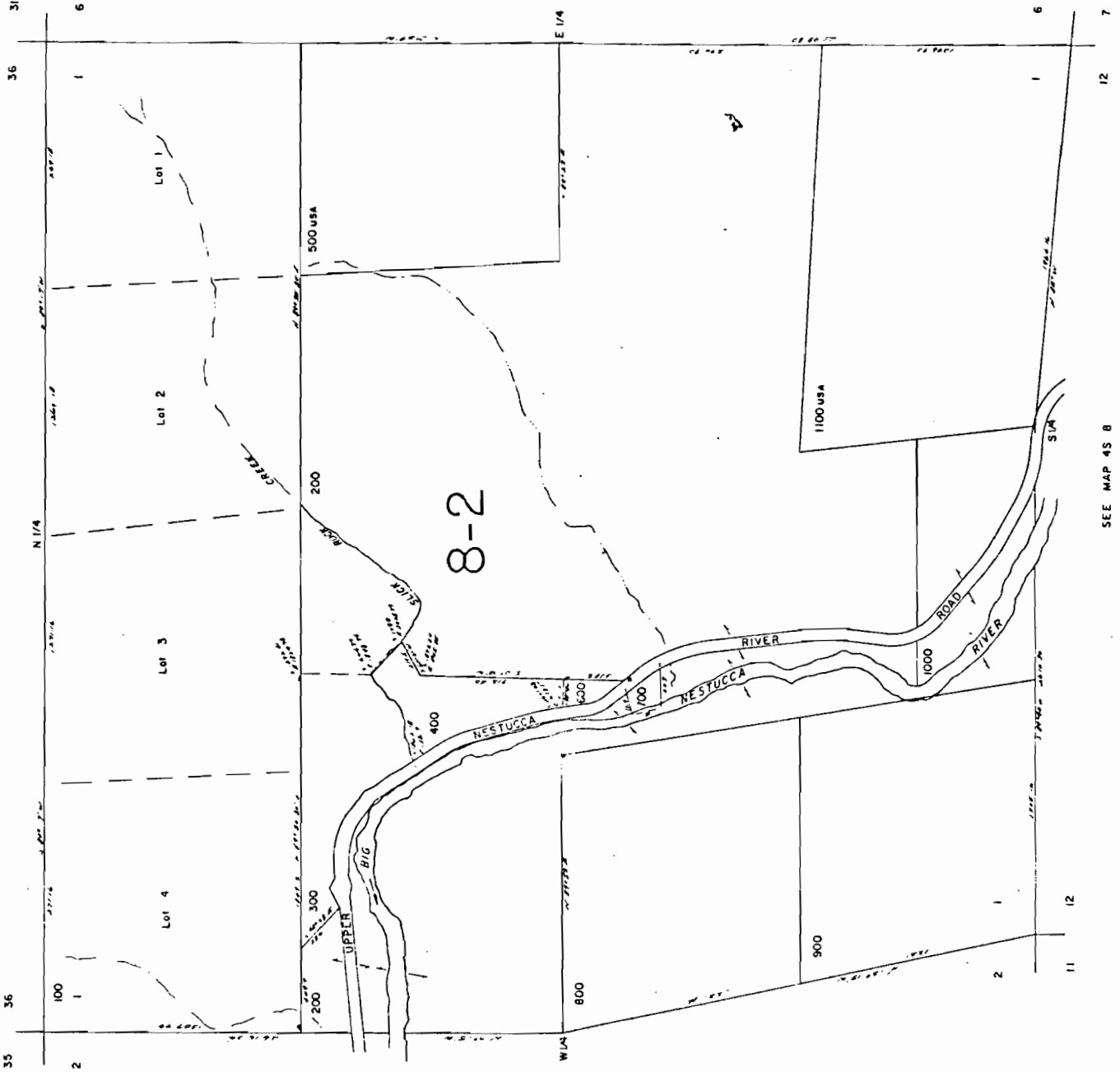
SCALE 1:9600



SECTION 1 T. 35. N. 36. W. 12. E.
TILLAMOOK COUNTY

1"=400'

SEE MAP 35 B



CANCELLED
800 TI
900 TI
200 TI
1000 TI

SEE MAP 45 B

SEE MAP 45 B

SEE MAP 45 B





16

45

65

To McMinn

To McMinn

Bellev

5

6 Buell

7

8

22

18

2

road on

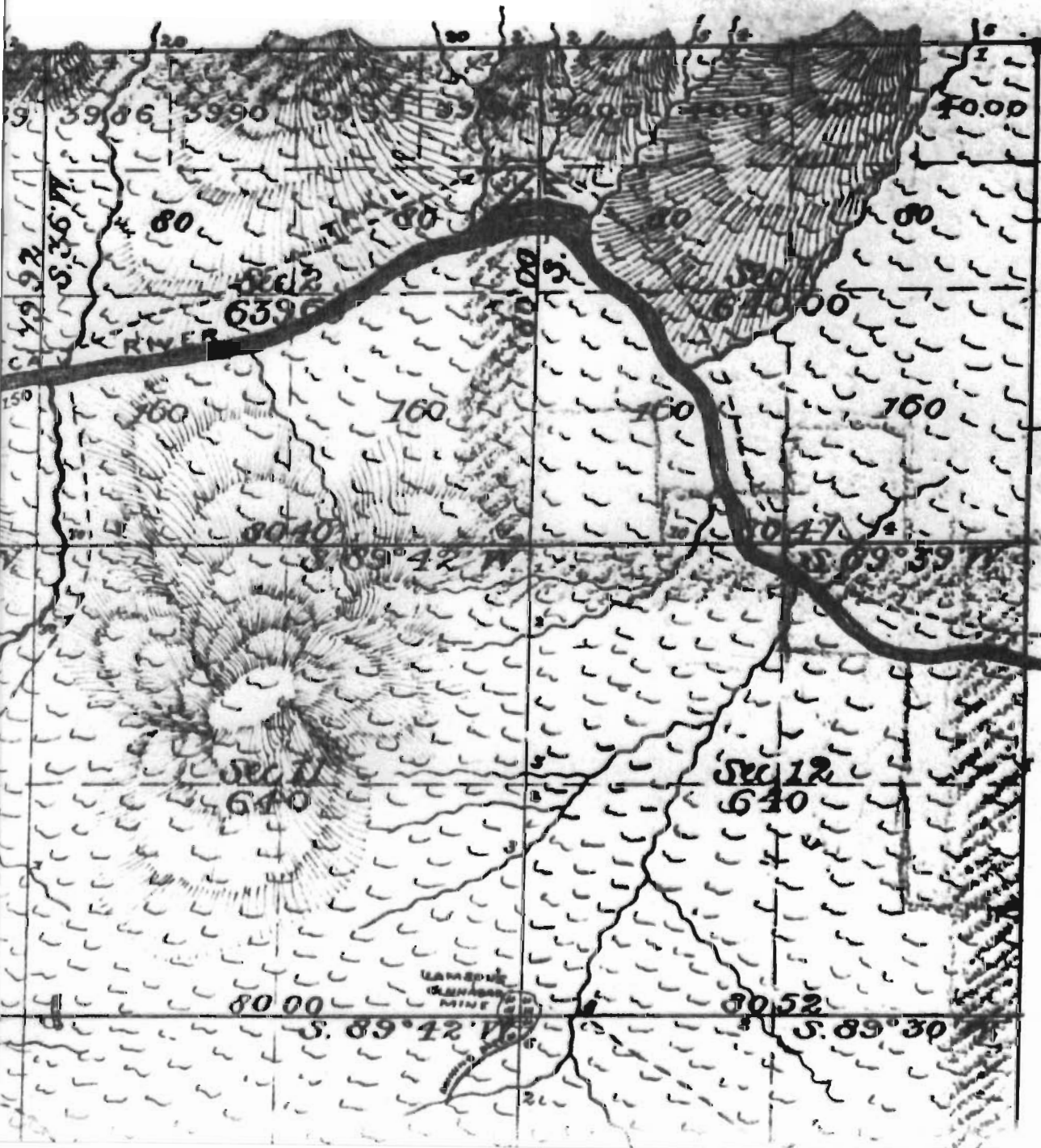
WILLAMETTE MERIDIAN, OR



This area is a large patches of

This plat of delineates a re ment of the line shown upon the in their true or to the best ave position of the differences be shown on the o derived in the distributed pr accepted corr

Willamette Meridian, Oregon.



1000 70.1005

COOPER, ERNEST

976

The South half of the Southeast
quarter of the Southwest quarter
of Section One, in Township
Four South of Range Eight West
Willamette Meridian.

NO. 57256

Abstract of Title

TO

St of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of

Section 1, T. 4 S. R.

8 West W. M.

SITUATED IN

TILLAMOOK COUNTY

STATE OF OREGON

FOR

Thomas E. Bohna

Blaine, Oregon.

DATED March 11, 1930

PREPARED BY

TILLAMOOK-PACIFIC
TITLE CO.

215 SECOND STREET, EAST

TILLAMOOK, OREGON

Homestead
Certificate
No. 3127
Application
7120

The United States of America, To all to whom these presents shall come, Greeting
Whereas There has been deposited in the General Land Office of the United States a
certificate of the Register of the Land Office at Oregon City Oregon whereby it appears
that pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads
to Actual Settlers on the Public Domain"; and the acts supplemental thereto, the
claim of James D. Jones has been established and duly consummated, in con-
formity to law, for the East half of the South West quarter, the South East quarter
of the North West quarter and the South West quarter of the North East quarter of
Section one, in Township four South of Range eight West of Willamette
Meridian in Oregon, containing One Hundred and Sixty acres according to the
Official Plat of the Survey of the said Land returned to the General Land Office by
the Surveyor General:

Now know ye, That there is, therefore, granted by the United States unto the said
James D. Jones the tract of Land above described; To have and to hold the said
the said tract of Land, with the appurtenances thereof, unto the said James D.
Jones and to his heirs and assigns forever; subject to any vested and accrued water
rights for mining, agricultural, manufacturing, or other purposes, and rights
to ditches and reservoirs used in connection with such water rights, as may
be recognized and acknowledged by the local customs, laws, and decisions
of courts, and also subject to the right of the proprietor of a vein or lode to
extract and remove his ore therefrom, should the same be found to
penetrate or intersect the premises hereby granted, as provided by law.

In Testimony Whereof I, Benjamin Harrison, President of the United States
of America, 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 fifteenth day of
September, in the year of our Lord one thousand eight hundred and
ninety one, and of the Independence of the United States the one hundred
and sixteenth

Recorded Vol. 7, Page 304. By the President: Benjamin Harrison.
By Ellen Macfarland Asst. Secretary.

J. R. Cornell, Recorder of the General Land Office
Filed for Record Feb. 13th 1892. at 9th o'clock A. M.

W. W. Conover County Clerk,
By J. H. Gosne, Deputy.

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
JOSEPHINE VELTRI
COUNTY CLERK
BY Jessie O'Neil DEPUTY



May 27, 1992

Leslie Helgeson
40805 Upper Nestucca River Road
Beaver OR 97108

RE: Surface Water Registration Statement

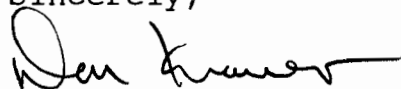
Dear Mr. Helgeson,

This will acknowledge that your Surface Water Registration Statement in the name of Leslie Helgeson has been received by our office. The fees in the amount of \$ 230.00 have been received and our receipt # 87083 is enclosed. Your registration statement has been numbered SWR-73.

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
Adjudication Specialist

enc

C:\W\S\C\SWR-0073.001



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

STATE OF OREGON
RECEIPT # 87038 WATER RESOURCES DEPARTMENT
 3850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-8455/378-8130 (FAX)

RECEIVED FROM: Leslie Helgeson APPLICATION
 BY: _____ PERMIT
 TRANSFER

CASH: CHECK: # 19-7155 OTHER: (IDENTIFY) TOTAL REC'D \$230.00

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ <u>230.00</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	\$
850.200	RESEARCH 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		
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE \$
842.016	WELL DRILL OPERATOR	842.006 \$
_____	LANDOWNER'S PERMIT	842.023 \$
_____	_____	842.019 \$
_____	_____	842.024 \$

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	\$

07-00-0 HYDRO ACTIVITY		
842.011	POWER LICENSE FEE(FWWRD)	LIC NUMBER \$
842.115	HYDRO LICENSE FEE(FWWRD)	\$
_____	HYDRO APPLICATION	\$

RECEIPT # **87038** DATED: 5-26-92 BY: J. Helgeson

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Brown Copy-Fiscal



LESTER E. FULTZ, P.E., P.L.S.
P. O. Box 818
Neskowin, Oregon 97149
503 • 392-3072

RECEIVED

NOV 3 1992

WATER RESOURCES DEPT
SALEM, OREGON

2 November 1992

Oregon Water Resources Department
3850 Portland Road, N.W.
Salem, OR 97310

Re: SWR-73

Attention: Don Knauer, Adjudication Specialist

Dear Mr. Knauer:

Enclosed herewith is a new drawing of the Final Proof Survey for the subject matter.

It seemed appropriate to prepare a new drawing to better illustrate the information you requested in your letter of 12 September 1992.

Please excuse the delay in re-submitting the map with the requested information.

Sincerely,

Lester E. Fultz, CWRE #51

Encl: As Stated

cc: Leslie Helgeson
File



LESTER E. FULTZ, P.E., P.L.S.
P. O. Box 818
Neskowin, Oregon 97149
503 • 392-3072

710

AUG - 7 1992

WA. COUNTY CLERK
SAL. OREGON

5 August 1992

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

Re: SWR-73

Attention: Don Knauer, Adjudication Specialist

Dear Mr. Knauer:

Enclosed herewith is a Final Proof Survey Map with
Addendum No. 1 and a revised Surface Water Registration
Statement for a Pre-1909 Vested Water Right.

These materials have been revised in accordance with your
letter of 17 July 1992.

Sincerely,

Lester E. Fultz, CWRE #051

Encl: As Stated

cc: Leslie Helgeson
File

ADDENDUM NO. 1

AUG - 7 1992

This Addendum has been prepared to accompany the "SURFACE WATER REGISTRATION STATEMENT - PRE-1909 VESTED WATER RIGHT CLAIM" by Leslie Helgeson, File No. SWR-73.

Additional Information:

1. The diversion point is a spring flowing from the ground on the northerly bank of the Big Nestucca River at the point shown on the Final Proof Survey Map. The spring was improved by a rock and mortar enclosure about 6' x 7' x 3' deep.
2. The irrigation area lies between the Upper Nestucca River Road and the Big Nestucca River. The area is about 200 feet wide and 700 feet long.
3. The pump is driven by a General Electric, 1 Hp, 3450 RPM motor. The pump is a Jacuzzi Model No. 1RM2, Serial Number 9110870. A 50-gallon surcharged tank is connected into the water system to modify surges. The power supply is underground from a power pole about twenty-five feet from the wet well. The pump and electric motor are bolted together.
4. The delivery pipe is 1¼-inch P.E. buried in the ground. Taps are located on this main line for irrigation of the garden and nursery stock.
5. Vertical head was measured to be 16 feet with a portable altimeter.
6. There were no calculations. The amount of water is a function of the pressure and size of tap opening.

OA

WARRANTY DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

Robert Lawton Cooper, as Trustee under the terms of Living Trust dated January 8, 1979, between Robert Lawton Cooper and Margaret Davis Cooper, as Trustors and Robert* Grantor, *Lawton Cooper, Trustee conveys and warrants to Leslie S. Helgeson and Patricia T. Helgeson, husband and wife

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Tillamook County, Oregon, to-wit:

The South one-half of the Southeast quarter of the Southwest quarter of Section 1, Township 4 South, Range 8 West, Willamette Meridian, Tillamook County, Oregon.

**lying within streets, roads and highways; ~~Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the water mark of the Nestrucca River.~~

PRO

WATER MARK DEPT. SALES

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from encumbrances except The assessment roll and the tax roll and the tax roll disclose that the premises herein described were specially assessed as forest land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land use assesment; Rights of the public in and to that portion of said premises** The true consideration for this conveyance is \$0,000.00 (Here comply with the requirements of ORS 93.030)

458 / 1050

Dated this 27th day of July, 19 85

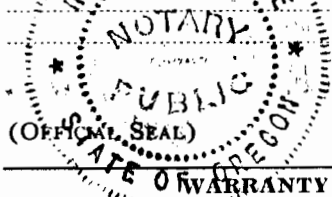
Robert Lawton Cooper, Trustee

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.

STATE OF OREGON, County of Lincoln) ss. July 27, 1985

Personally appeared the above named Robert Lawton Cooper, Trustee

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



Before me: Neal J. George Notary Public for Oregon—My commission expires: 4/10/87

WARRANTY DEED
Robert Lawton Cooper, Trustee
Leslie S. Helgeson, et ux GRANTOR
P.O. Box 775 GRANTEE
Corvallis, Oregon 97339
GRANTEE'S ADDRESS, ZIP
After recording return to:
Leslie S. Helgeson, et ux
P.O. Box 775
Corvallis, Oregon 97339
NAME, ADDRESS, ZIP
Until a change is requested, all tax statements shall be sent to the following address:
Leslie S. Helgeson, et ux
(Same as above)
NAME, ADDRESS, ZIP

272117

State of Oregon, County of Tillamook I hereby certify that the within instrument was received for record at.

AUG 5 2 23 PM '85

BOOK 299 PAGE 862

Tillamook County OFFICIAL Records. Witness my hand and seal affixed. JUNE WAGNER, County Clerk
Deed 6.00

BARGAIN AND SALE DEED

265 717

KNOW ALL MEN BY THESE PRESENTS, that ROBERT LAWTON COOPER, hereinafter called the Grantor, does hereby grant, bargain, sell and convey unto Robert Lawton Cooper as Trustee under the terms of Living Trust dated January 8, 1979, between Robert Lawton Cooper and Margaret Davis Cooper, as Trustors, and Robert Lawton Cooper, as Trustee, hereinafter called the Grantee, his successors and assigns, all of the following described real property with the tenements, hereditaments and appurtenances situated in the County of Tillamook, State of Oregon, bounded and described as follows:

PARCEL A:

The SW 1/4 of the SW 1/4 and the S 1/2 of the SE 1/4 of the SW 1/4 of Section 1, Township 4 S Range 8 W, Tillamook County, Oregon.

PARCEL B:

The N 1/2 of the NE 1/4, the SE 1/4 of the NE 1/4, and the NE 1/4 of the SE 1/4, Section 12, Township 4 S Range 8 W, Tillamook County, Oregon.

No consideration is involved. Robert Cooper
TO HAVE AND TO HOLD the above described and granted

premises, unto said Grantee, his heirs, successors and assigns forever.

Witness the Grantor's hand this 8th day of October, 1979.



ROBERT LAWTON COOPER

1302 RUCKER AVE
EVERETT, WASH, 98201

MAY 20 1954

133860 WATER BOOK 144 PAGE 393

KNOW ALL MEN BY THESE PRESENTS that I,

BERTHA E. COOPER, a widow, of Portland, Oregon, in consideration of love and affection and other good and valuable consideration do hereby grant, bargain, sell and convey unto ROBERT L. COOPER, of Portland, Oregon, his heirs and assigns forever, the following described real property situated in Tillamook County, Oregon, to wit:

The South Half of the Southeast Quarter of the Southwest Quarter of Section One (1).

The North Half of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter; and the Northeast Quarter of the Southeast Quarter of Section Twelve (12).

All in Township Four (4) South, Range Eight (8) West of the Willamette Meridian,

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; subject, however, to unpaid taxes and assessments, if any, and to public roads and to easements existing of record in the county records of Tillamook County, Oregon.

TO HAVE AND TO HOLD the above described and granted real property unto the said Robert L. Cooper, his heirs and assigns forever.

IN WITNESS WHEREOF I have hereunto set my hand this 26th day of July, 1954.

Bertha E. Cooper.

STATE OF OREGON }
County of Multnomah } ss.

On this 26th day of July, 1954, personally appeared the above-named BERTHA E. COOPER, a widow, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:



Edward L. Ordeman
Notary Public for Oregon
My commission expires:

MY COMMISSION EXPIRES FEB. 28, 1957.

MAY 20 1930

WATERBURY RECORDS DEPT.
RECORDS SECTION

Know All Men by These Presents, That THOMAS ERNEST BOHNA and
MYRTLE BOHNA, his wife,

in consideration of TEN (\$10.00) and other good and valuable considerations
to them paid by ERNEST F. COOPER and BERTHA COOPER, his wife,

do hereby grant, bargain, sell and convey unto said ERNEST F. COOPER and
BERTHA COOPER, his wife,

their heirs and assigns, all the following real
property, with the tenements, hereditaments and appurtenances, situated in the
County of Tillamook and State of Oregon,
bounded and described as follows, to-wit:

The North half of the Northeast quarter,
Southeast quarter of Northeast quarter and
the Northeast quarter of the Southeast
quarter of Section Twelve and the South half
of the Southeast quarter of the Southwest quarter
of Section one, all being in Township Four South
of Range Eight West of Willamette Meridian.

To Have and to Hold, the above described and granted premises unto the said
ERNEST F. COOPER and BERTHA COOPER, his wife,
their heirs and assigns forever

And the grantors above named do covenant to and with the above named gran-
tees their heirs and assigns that they are lawfully seized in fee simple of the above
granted premises, that the above granted premises are free from all incumbrances,

and that they will and their heirs, executors and administrators, shall warrant and for-
ever defend the above granted premises, and every part and parcel thereof, against the law-
ful claims and demands of all persons whomsoever.

Witness our hands and seal this _____ day of March 1930

Executed in the Presence of

E. Kauffman
John Abplanalp

Thomas Ernest Bohna (Seal)
Myrtle Bohna (Seal)
(Seal)
(Seal)

RECEIVED

MAY 26 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Les Helgeson
4005 Upper Nestucca River Rd.
Beaver, OR 97108
May 21, 1992

Mr. Dwight French
Administrative Specialist
Adjudications Section
Oregon Water Resources Department
3850 Portland Rd. NE
Salem, OR 97310

Dear Dwight:

Please find enclosed my surface water registration statement for a pre-1909 vested water right claim. I have also included a certified copy of the original U.S. patent to James D. Jones as well as recorded deeds from 1930 to the present. I will have a copy of an abstract of title issued to Ernest Cooper in 1930 sent to you as soon as possible. I have some old pictures taken around the turn of the century as well.

Let me know if any further documentation or a field inspection is necessary.

Sincerely,


Les Helgeson

STOEL RIVES BOLEY
JONES & GREY

ATTORNEYS AT LAW
SUITE 2300
STANDARD INSURANCE CENTER
900 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1268

Telephone (503) 224-3380
Telecopier (503) 220-2480
Cable Lawport
Telex 703455

Writer's Direct Dial Number

(503) 294-9207

May 28, 1992

RECEIVED

JUN - 1 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Dwight French
Adjudications Section
Water Resources Department
3850 Portland Road NE
Salem, OR 97310

Dear Mr. French:

Re: Helgeson Pre-1909 Water Rights Application

We represent Mr. Les Helgeson. He has asked that we send you the enclosed copy of the Abstract of Title to the S1/2 of the SE1/4 of the SW1/4 of Section 1, Township 4 South, Range 8 West, W.M.

Very truly yours,

William H. Holmes
WHH

William H. Holmes

WHH:tw
Enclosure
cc: Mr. Les Helgeson

PDX1-8775.1 19668 0001

PORTLAND
OREGON

SEATTLE
WASHINGTON

BELLEVUE
WASHINGTON

VANCOUVER
WASHINGTON

BOISE
IDAHO

WASHINGTON
DISTRICT OF COLUMBIA

*Ernest
C. Cook*

No. 57256

ABSTRACT OF TITLE

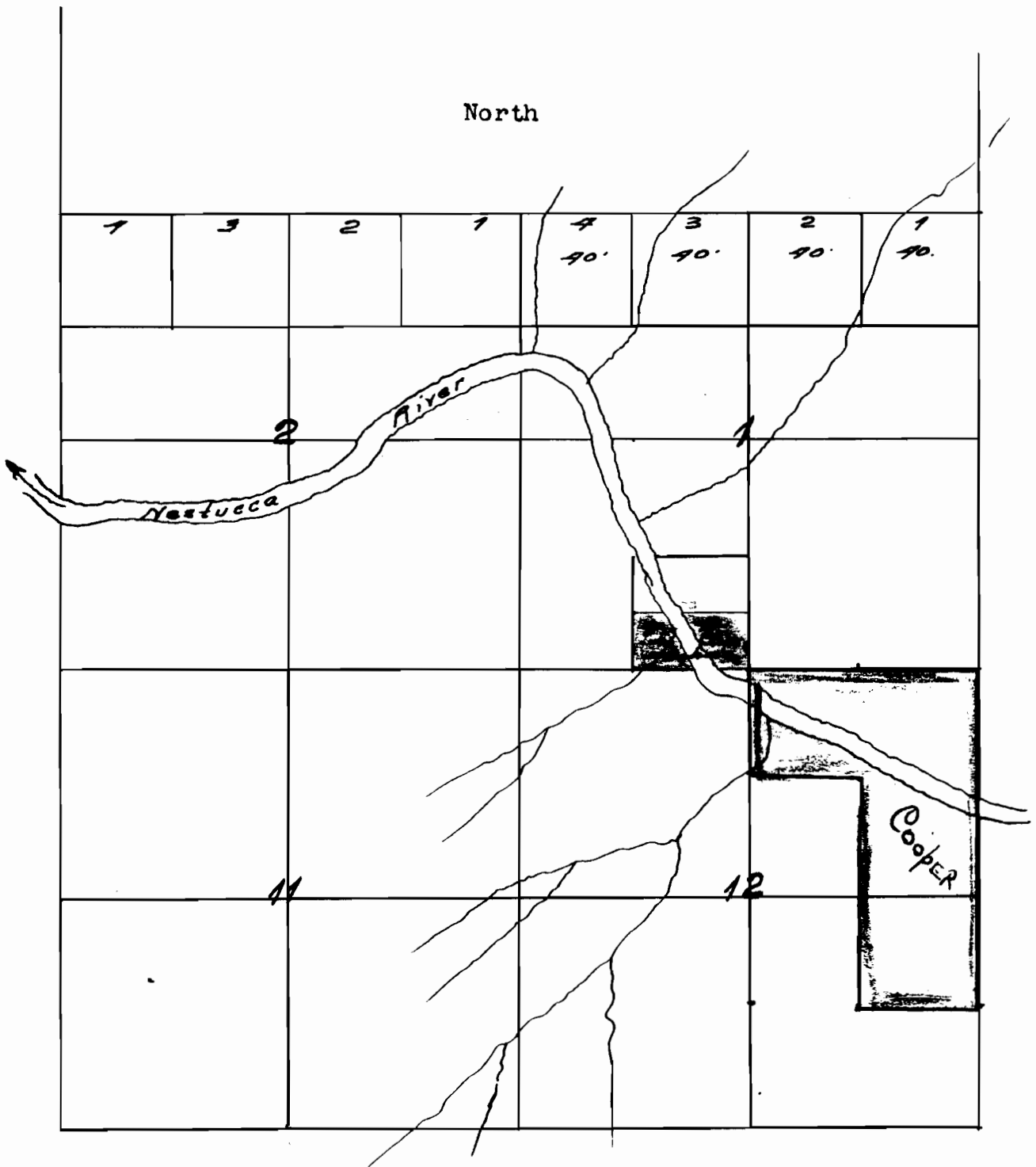
To

The following described real property, situated in the
County of Tillamook, State of Oregon:

The South half of the Southeast quarter
of the Southwest quarter of Section One,
in Township four south of Range eight
West Willamette Meridian.

For the period of time from date of
Patent, to and including March 11th,
1930, at 8:00 o'clock A. M.

TILLAMOOK-PACIFIC TITLE COMPANY
213 SECOND STREET, EAST
TILLAMOOK, OREGON



Portion of Township 4 South of Range 8 West,
Willamette Meridian.

Tillamook County, Oregon.

P A T E N T

United States of
America,

-to-

James D. Jones

Book L, page 15

Dated: Sept. 15, 1891

Recorded: Feb. 13, 1892

DEED RECORDS

Signed:

By the President: Benjamin Harrison

L. S. By Ellen Macfarland, Ass't. Secretary.

I. R. Connell, Recorder of the General Land Office

Homestead Certificate No. 3127. Application 7120

SEAL.

Conveys: In Tillamook County, Oregon.

East half of the South West quarter, the South East quarter of the North West quarter and the South West quarter of the North East quarter of section one, in Township four South of Range eight west of Willamette Meridian in Oregon, containing one hundred and sixty acres, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General.

M O R T G A G E

J. D. Jones and

Mary P. Jones,

husband and wife

-to-

Lee Laughlin

Book L, page 205-7

Dated: May 13, 1901

Recorded: May 15, 1901

Consideration: \$1300.00

MORTGAGE RECORDS

Conveys the following described premises in Tillamook County, Oregon,

The East half of the South West quarter, the South East quarter of the North West quarter and the South West quarter of the North East quarter of Section one in Township four South of Range eight West of the Willamette Meridian.

(Together with other property not under search herein.)

Witnessed.

Signed and sealed.

Acknowledged.

Marginal entry:

State of Oregon,

County of Tillamook, ss:

This Mortgage is cancelled by virtue of an instrument of writing recorded at page 59, Book "N" Records of Mortgages of said County and State. Witness my hand this 25th day of May, 1903.

Homer Mason, County Clerk.

By Albert Mason, Deputy.

SATISFACTION OF MORTGAGE

Lee Laughlin
to
J. D. Jones
Mary P. Jones

Book "N", page 59
Dated: May 1, 1903
Recorded: May 25, 1903
MORTGAGE RECORDS

Recites:

"That I, Lee Laughlin of the County of Yamhill and State of Oregon, hereby certify that I have received full and complete satisfaction of a certain mortgage executed by J. D. Jones and Mary P. Jones to Lee Laughlin for the sum of \$1300.00 Dollars, recorded on the 15 day of May 1901, on page 205 Book L, Record of Mortgages, for Tillamook County, in the State of Oregon, and I hereby acknowledge satisfaction of said mortgage, and the same is hereby released and satisfied in full."

Witnessed.

Signed and sealed.

Acknowledged May 1, 1903, before Chas. J. Taff, Notary Public for the County of Yamhill, State of Oregon, with seal affixed. Marital status not shown otherwise regular.

M O R T G A G E

James D. Jones and
Mary P. Jones,
husband and wife

-to-

John Svenson

Book N, page 61-2

Dated: May 15th, 1903

Recorded: May 25th, 1903

Consideration: \$4000.00

MORTGAGE RECORDS

Conveys the following bounded and described real property situated in the County of Tillamook and State of Oregon,

East half of the South West quarter, The South East quarter of the North West quarter and the South West quarter of the North East quarter of Section one, in Township four (4) South of Range eight (8) West of the Willamette Meridian, in Tillamook County, Oregon, containing in all one thousand one hundred and twenty acres.

(Together with other property not under search herein.)

Witnessed.

Signed and sealed.

Acknowledged.

Marginal entries:

State of Oregon, County of Tillamook, ss.

This Mortgage is assigned to Tillamook County Bank by virtue of an instrument of writing recorded on page 341 of Book T record of Mortgages of said County and State. Witness my hand this 14th day of May 1910.

J. C. Holden, County Clerk

State of Oregon, County of Tillamook, ss:

I, Tillamook County Bank assignee of the mortgagee named in the within mortgage do hereby acknowledge full and complete satisfaction of the said mortgage and the debt thereby secured, the same having been paid in full this 14th day of May, 1912.

Witness:

J. C. Holden, County Clerk.

Tillamook County Bank,

By M. W. Harrison, Pres.

TILLAMOOK-PACIFIC TITLE COMPANY
TILLAMOOK, OREGON

IN THE CIRCUIT COURT OF THE STATE OF OREGON, FOR THE COUNTY OF TILLAMOOK

John Svenson, Plaintiff)	
vs.)	No. 1035
James D. Jones, Mary P.)	COMPLAINT
Jones, N. A. Jones and)	Filed: April 8th, 1910
DeWitt Jones, Defendants)	

This is a suit brought to foreclose a mortgage between the parties to this suit, dated May 15th, 1903, duly acknowledged and recorded May 25th, 1903, in Mortgage Records of Tillamook County, Oregon, in Book "N" page 61, and shown in this Abstract at Page reference to which is hereby made, and which mortgage is made part of said Complaint and covers the land under search in this Abstract, together with other lands. The Complaint was verified by T. H. Goyme, Attorney for the Plaintiff, April 8th, 1910.

Summons was issued thereon, and personally served on the defendants April 8th, 1910 and filed the same day.

Motion to dismiss was filed by the attorney for the plaintiff on the 20th day of April, 1910, and said cause was dismissed by order of the Circuit Judge of said County, entered the 20th day of April, 1910, and recorded in Circuit Court Journal No. 5, at page 43.

Judgment Roll filed August 1st, 1910, by J. C. Holden, County Clerk,

By K. Mills, Deputy.

ASSIGNMENT OF MORTGAGE

John Svenson

Book T, page 341

to

Dated: April 16th, 1910

Tillamook County Bank,

Recorded: May 14th, 1910

an Oregon corporation

Consideration: \$1.00 and
other val. consideration

MORTGAGE RECORDS

* * * sell, assign, transfer and convey * * *

that certain mortgage executed by James D. Jones and Mary P. Jones, husband and wife, dated May 15th, 1903, and recorded May 25th, 1903, at page 61 of Book "N" of the Records of Mortgage for Tillamook County, Oregon.

Witnessed.

Signed and sealed.

Covenants that "I am the owner of said Mortgage and the indebtedness thereby secured; that there is now owing upon said mortgage the sum of \$4000.00 together with interest thereon from the 25th day of May, 1909, at the rate on said mortgage specified and that there are no incumbrances against the same."

Acknowledged April 16th, 1910, before L. E. Wilkins, Notary Public for State of California in Alameda County. Seal. Regular.

WATER RIGHT

James D. Jones

Book 1, page 42-4

to

Dated: Jan. 24, 1907

The Public

Recorded: Jan. 24, 1907

WATER RIGHTS RECORDS

State of Oregon, County of Tillamook, ss.

I, J. D. Jones, being first duly sworn, that I am the owner in fee simple of the following described real property, situate in Tillamook County, Oregon, to-wit:

The East half of the South West quarter, the South East quarter of the North West quarter, and the South West quarter of the North East quarter of Section one (1); in Township four South of Range eight (8) West of Willamette Meridian, in Tillamook County, Oregon.

(Together with other property not under search herein.)

That I propose to construct a ditch, canal or flume upon said lands for the purpose of appropriating water from the Big Nestucca River flowing through the same, and to use the same for the purpose of furnishing electrical/^{power}and other purposes.

That I propose to appropriate for that purpose 118,800 cubic inches of water (miners measurement under six inch pressure.)

That the name of the ditch, canal or flume which is proposed to be constructed is "The Silver Falls Water Power". The name of the owner J. D. Jones. The point at which the head-gate for said purpose of appropriating said waters is proposed to be constructed is a point 132 feet South 42° East from the quarter section corner on the South line of Section one (1) in Township Four (4) South of Range eight (8) West of Willamette Meridian.

That I propose to take said amount of water from said river at

said head-gate, and to conduct the same through the ditch, canal or flume to be constructed, in a general Northwesterly direction. The size of the ditch, canal or flume to be constructed is eight (8) feet in width by five (5) feet in depth, with no reservoirs.

That I did, on January 16th, 1907, post at the point of diversion of said water as above stated being the point where said head-gate is proposed to be erected, a notice in writing of said proposed appropriation, a true copy of which is hereto attached and marked "Exhibit A", and a map showing the general route of the ditch, canal or flume proposed is herewith filed marked Exhibit B.

J. D. Jones

Subscribed and sworn to before me this 24th day of January, 1907

(SEAL)

H. T. Botts

Notary Public for Oregon.

State of Oregon, County of Tillamook, ss.

Exhibit A.

To Whom it may Concern:-

Notice is hereby given that I, J. D. Jones, the owner of the East half of the South West quarter, the South East quarter of the North West quarter and the South West quarter of the North East quarter of Section One (1) * * in Township four South of Range eight (8) West of Willamette Meridian, in Tillamook County, Oregon.

(Together with other property not under search herein.)

do hereby give notice that I propose to appropriate under the laws of the State of Oregon, for the purpose of furnishing electrical power for all purposes, 118,800 cubic inches of water (of miners measurement under six inch pressure)

That the name of the ditch, canal or flume which is proposed to be constructed, of "The Silver Falls Water Power" and the name of the owner is J. D. Jones.

of the owner is J. D. Jones.

It is proposed to take the above named amount of water and appropriate the same from the Nestucca River, at the head-gate situated as above described. The general description of said ditch, canal or flume is in a Northwesterly direction and running about as follows:

Beginning at the point for the location of the head gate as aforesaid, and running North 59° West 281 feet; thence North 51° West 693 feet; thence North 22° West 363 feet; thence North 9° East 330 feet; thence North 21° West 825 feet to location of power plant, from which a discharge pipe is to run to the Nestucca River, running 363 feet North 75° West. The size of the ditch, canal or flume proposed to be constructed is 8 feet in width by 5 feet in depth, and no reservoirs are proposed to be constructed

Dated this 16th day of January, 1907.

J. D. Jones.

WATER RIGHT

Water Right
of
J. D. Jones

Book 1, pages 106-9
Dated: Jan. 18, 1909
Recorded: Jan. 18, 1909
Water Rights Records

State of Oregon, County of Tillamook, ss.

I, R. A. Jones, being first duly sworn, on oath say, that I did, on Monday, January 1st, 1909, post a true and correct copy of the attached notice, the same being posted on a stake or board driven in the ground three feet high, so that the same could be easily seen and read by anyone passing that say.

R. A. Jones.

Subscribed and sworn to before me this 18th day of January, 1909.

(SEAL)

H. T. Botts

Notary Public for Oregon.

State of Oregon, County of Tillamook, ss.

I, J. D. Jones, being first duly sworn, say that I am the owner in fee simple of the following described real property situated in Tillamook County, Oregon, to-wit:

The $E\frac{1}{2}$ of the $SW\frac{1}{4}$; $SE\frac{1}{4}$ of $NW\frac{1}{4}$ and $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 1 in Twp. 4 S. R. 8 W., W. M.

(Together with other property not under search herein.)

That I propose to construct a ditch, canal or flume upon said lands for the purpose of appropriating water from the Big Nestucca River flowing through the same, and to use the same for generating electricity for power and all other purposes.

That I propose to appropriate for that purpose 118.800 cubic inches of Water (Miner's measurement, under six inch pressure)

That the name of the ditch, canal and flume to be constructed is "The Silver Falls Water Power"; the name of the owner is

laws of the State of Oregon, for the purpose of furnishing electrical power for all purposes, 118,800 cubic inches of water (of Miner's measurement under six inch pressure.)

That the name of the ditch, canal or flume which is proposed to be constructed in "The Silver Falls Water Power" and the name of the owner is J. D. Jones. The point at which the head-gate for said purpose of appropriation of said water is proposed to be constructed is a point situate 132 feet South 42° East from the quarter Section corner of the South line of Section one, in Township four South of Range eight West of Willamette Meridian. It is proposed to take the above named amount of water and appropriate the same from the Nestucca River, at the head-gate situate as above described. The general description of said ditch, canal or flume is in a Northwesterly direction and running about as follows: Beginning at the point for the location of the head-gate as aforesaid, and running North 59° West 281 feet; thence North 51° West 693 feet; thence north 22° West 363 feet; thence North 9° East 330 feet; thence North 21° West 825 feet to location of power plant from which a discharge pipe is to run to the Nestucca River, running 363 feet North 75° West. The size of the ditch, canal or flume proposed to be constructed is eight feet in width by five feet in depth and no reservoirs are proposed to be constructed.

Dated this 11th day of January, 1909.

J. D. Jones.

M O R T G A G E

James D. Jones

Book S, page 634-6

Mary P. Jones

Dated: Dec. 29, 1908

husband and wife

Recorded: Dec . 22, 1909

-to-

Consideration: \$1.00 and other
valuable considerations.

Tillamook County Bank

MORTGAGE RECORDS

a corporation

Conveys, all the following described real property situate in
Tillamook County, Oregon, to-wit:

The East half of the South West quarter, the South East
quarter of the North West quarter, and the South West quarter
of the North East quarter of Section one, in Township 4 South
of Range 8 West, W. M.

(Together with other property not under search herein.)

The last four tracts herein described being subject to a mortgage
held by John Svenson.

Witnessed.

Signed and sealed.

Acknowledged.

Marginal entries:

State of Oregon, County of Tillamook, ss.

This mortgage is partially released by virtue of an instrument of
writing recorded on page 200 of Book V record of Mortgage of said
County and State. Witness my hand this 24th day of March, 1911.
J. C. Holden, County Clerk. By K. Mills, Deputy.

County of Tillamook, State of Oregon, ss.

I, Tillamook County Bank, M. W. Harrison, Pres. the Mortgagee
named in the within mortgage do hereby acknowledge full and complete
satisfaction of the said mortgage and the debt thereby secured having
been paid in full this 10th day of October, 1913.

Witness:

Tillamook County Bank,

J. C. Holden, Co. Clerk.

By M. W. Harrison,

By Kathleen Mills, Deputy.

President.

PARTIAL RELEASE

Tillamook County Bank,
a corporation
to
J. D. Jones

Book V, page 200
Dated: March 24, 1911
Recorded: March 24, 1911
MORTGAGE RECORDS

Recites:

"That the Tillamook County Bank, a corporation for a valuable consideration, the receipt whereof is hereby acknowledged, does hereby release from the lien of that certain mortgage which is recorded at page 634 of Book "S" of the Records of Mortgages of Tillamook County, Oregon, the following described lands covered thereby, to-wit:

"Also, the East half of the South West quarter, the South East quarter of the North West quarter, and the South West quarter of the North East quarter of Section One, in Township 4 South of Range 8 West, W. M."

(Together with other property not under search herein.)

Witnessed.

Signed and sealed.

Acknowledged March 24, 1911, before Myrtle O. Mills,
Notary Public for Oregon; Seal; Regular.

M O R T G A G E

James D. Jones and

Mary P. Jones,

his wife

-to-

THE STATE LAND BOARD

Book Q, page 158

Dated: April 25, 1910

Recorded: April 25, 1910

Consideration: \$2500.00

MORTGAGE RECORDS

Conveys the following described premises, situated in Tillamook County, Oregon, as follows,

South West quarter of North East quarter, the South East quarter of the North West quarter, and the East half of the South West quarter of Section 1, in Township 4 South of Range 8 West of Willamette Meridian.

(Together with other property not under search herein.)

To secure the payment of a promissory note dated April 25th, 1910, in the amount of \$2500.00 payable one year after date, with interest thereon at 6%, payable semi-annually.

Witnessed.

Signed and sealed.

Acknowledged:

Marginal entries:

State of Oregon, County of Tillamook, ss.

This Mortgage is partially released by virtue of an instrument of writing recorded on page 205 of Book 1 record of mortgages of said County and State. Witness my hand this 2nd day of March, 1915.
J. C. Holden, County Clerk. By Kathleen Mills, Deputy.

For release of this mortgage see Book 3, page 534.

PARTIAL RELEASE

State Land Board

to

J. D. Jones

Book I, page 205

Dated: February 16, 1915

Recorded: March 2, 1915

MORTGAGE RECORDS

Recites:

"In consideration of the sum of principal, two thousand Dollars, and interest One Hundred Twelve and 91/100 dollars (\$2112.91), the receipt whereof is hereby acknowledged, the State Land Board of the State of Oregon, mortgagee named in a certain mortgage bearing date the 25th day of April, 1910, executed and delivered to the said Board by James D. Jones and Mary P. Jones, his wife, recorded in Tillamook County, Oregon, Book of Mortgages "Q" page 158 on the 25th day of April, 1910, hereby releases from the operations of said mortgage the following described premises included therein, to-wit:

The SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and E $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 1, T. 4 S. R. 8 W., W. M.

(Together with other property not under search herein.)

but this release shall not in any way affect or impar the right of the State Land Board to hold under said mortgage as security for the sum due thereon, or to foreclose and sell under the power contained in said mortgage, all the remainder of the premises conveyed by and described in said mortgage and not hereby released."

(Signed) STATE LAND BOARD By James Withycombe, Governor.

Attest: G. G. Brown, Clerk of the State Land Board.

(SEAL.)

SATISFACTION OF MORTGAGE

State Land Board

to

James D. Jones

Book 3, page 534

Dated: Feb. 5, 1917

Recorded: Nov. 26, 1917

MORTGAGE RECORDS

Recites:

"that the STATE LAND BOARD of the State of Oregon, does hereby certify that a certain mortgage executed by James D. Jones and wife to said Board on the 25th day of April, 1910, to secure the sum of Twenty-five Hundred Dollars and recorded on the 25th day of April, 1910, on page 158 of Book "Q" of Record of Mortgages for Tillamook County in the State of Oregon, together with the debt thereby secured, is fully paid, satisfied and discharged."

Witness the seal of the STATE LAND BOARD affixed this 5th day of February, 1917.

STATE LAND BOARD

By James Withycombe, Governor.

Attest: G. G. Brown,

(L.S)

Clerk of the State Land Board.

WARRANTY DEED

James D. Jones and Mary P. Jones, husband and wife, DeWitt L. Jones, unmarried, R. A. Jones, being the same person described in deed recorded at page 405 of Book "Y" of the Records of Deeds of Tillamook County, the name of the said R. A. Jones having been erroneously entered in said conveyance as N. A. Jones, an unmarried man

Book 18, page 108-110
Bated: April 9th, 1910
Recorded: August 27, 1910
Consideration: \$6000.00
DEED RECORDS

to

M. W. Harrison

* * * grant, bargain, sell and convey * * *

The following described real property, situated in Tillamook County, State of Oregon

East half of the South West quarter, the North West quarter of the South West quarter, the South half of the North West quarter, and the South West quarter of the North East quarter of Section 1, in Township 4 South of Range 8 west of Willamette Meridian, in Oregon.

(Together with other property not under search herein.)

General warranty

Witnessed.

Signed and sealed.

Acknowledged April 9th, 1910, before H. T. Botts, Notary Public for the State of Oregon, County of Tillamook, with seal affixed. Regular.

A F F I D A V I T

Marcus Erwin Harrison,
to
The Public

Book 33, pages 9 and 10
Recorded: May 8th, 1916
DEED RECORDS

State of Oregon)
)ss:
County of Tillamook)

I, Marcus Erwin Harrison being duly sworn on oath say:-
My name is Marcus Erwin Harrison, I am more than twenty-one years of age, I am a citizen of the United States and of the State of Oregon, and have resides in the County of Tillamook and State of Oregon for more than 32 years last past, I am well acquainted with R. A. Jones, who lives near Blaine in said Tillamook County, and have known him for 12 years last past. I known that the said R. A. Jones is a owner of a tract of land near Blaine in said County, to which he acquired title by deed from James D. Jones and wife dated May 15th, 1903, recorded January 2nd, 1904, in Book "Y" page 405, together with his brother DeWitt L. Jones, as shown by the Deed Records of Tillamook County, in which said Deed the said R. A. Jones is erroneously called "N. A. Jones " and I know that the said N. A. Jones is the same person as "R. A. Jones" who with his father and mother, and his said brother, executed that certain deed in favor of M. W. Harrison, dated April 9th, 1910, and recorded August 27th, 1910, in Deed Records of Tillamook County, Oregon, in Book "18", pages 108, 109, and 110 as shown by said records.

Marcus Erwin Harrison

Subscribed and sworn to before me this 8th day of May, 1916.

C. A. McGhee

Seal.

Notary Public for the State of Oregon

Commission expires Sept. 28, 1916.

C O N T R A C T

J. D. Jones and
Mary P. Jones
husband and wife
-to-

Book 2, page 148
Dated: March 3, 1911
Recorded: March 4, 1911
MISCELLANEOUS RECORDS

Francis P. Newcomb

Recites:

For and in consideration of the sum of One Hundred Dollars (\$100) the receipt whereof is hereby acknowledged we J. D. Jones and Mary P. Jones, his wife do hereby promise and agree to sell, convey and deed unto Francis P. Newcomb, his heirs or assigns, free from all incumbrances and to furnish him an abstract of title thereto free of all charge, the following described property, for the sum of Ten thousand Dollars (\$10,000.00) to-wit: All our right, title and interest in and to the 200 acres of land described below, including all our right, title and interest in and to the waters of the Nestucca River, together with all riparian rights thereto from the point where the said river enters said land to the point where it leaves the same, and also to all other waters tributary to and entering said land at the point of entrance.

Said lands being situate in Tillamook County, State of Oregon, and more particularly described by metes and bounds as follows, to-wit:

The South East quarter of the South West quarter of Section one, Township four South of Range eight west, Township four South of Range eight West, Willamette Meridian.

(Together with other property not under search herein.)

We, the undersigned, furthermore agree to furnish an abstract of title for examination by said Francis P. Newcomb, his heirs or assigns, within thirty days from the date hereof, and to allow a

reasonable time for the examination of same, and should we be unable to deliver the said perfect title as aforesaid, we promise and agree to repay the said sum of money received to date of refusal of said abstract on account of any flagrant flaw in same.

We furthermore promise and agree to furnish, free of charge, any rights of way over our lands and lands owned by our sons necessary or requisite for the development of improvement of said waters for power, etc. to Francis P. Newcomb, his heirs and assigns, in consideration of his purchasing the water rights and the two hundred acres of land above described said rights of way to be secured for all time.

It is, however, distinctly understood that we reserve the right of a road way through the above described 200 acres of land, said right of way not to interfere with the development of the water power, etc, in any way, shape or form.

It is further agreed that the said J. D. Jones and Mary P. Jones will accept the payment of the total purchase price of \$10,000.00 upon the following terms and conditions: \$100.00 to be paid this date (March 3rd, 1911, \$100.00 April 3rd, 1911, \$100.00 May 3rd, 1911, \$250.00 June 3rd, 1911, \$500.00 August 3rd, 1911, and the balance of the purchase price \$8450.00 to be paid September 3rd, 1911."

Witnessed.

Signed and sealed.

Not acknowledged.

C O N T R A C T

J. D. Jones and
Mary P. Jones, his wife
M. W. Harrison, parties
of the first part,

Book 23, page 73-4
Dated: March 3, 1911
Recorded: November 8, 1911
DEED RECORDS

to

Francis P. Newcomb, party
of the second part

Recites:

"That J. D. Jones and Mary P. Jones his wife, and M. W. Harrison, parties of the first part, have this day, and by these presents contract and agree with Francis P. Newcomb, party of the second part, as follows, to-wit:

That the contract of sale made, executed and delivered by said J. D. Jones and Mary P. Jones, to the said party of the second part, and dated March 3, 1911, for the sale of certain real property together with certain water rights therein mentioned, and all subsequent contracts and agreements heretofore executed by said J. D. Jones and Mary P. Jones or said Harrison, or either or any of them, or either or any of said first parties, in anywise modifying said original contract, dated the said 3rd day of March, 1911, be and the same are hereby modified as to the times and amounts of payment due under and on said original contract, or any modification thereof as follows, to-wit:

November 3, 1911, \$250.00, the receipt whereof is hereby acknowledged December 2, 1911, \$500.00, and all remaining payments due upon the original contract or modification thereof shall be due and payable at the rate of \$1000.00 per month until the same shall be fully paid by the said party of the second part, or his

heirs or assigns.

It is further agreed that the consideration for this modification and extension ~~of~~ time for payment as herein provided in addition to said payment of said \$250.00 due on said 3rd day of November, 1911, the receipt whereof has been heretofore acknowledged herein, shall be and is, the sum of \$5.00, the receipt of said sum ~~of~~ \$5.00 is hereby acknowledged by the parties of the first part.

It is further agreed that said contract of March 3, 1911, otherwise than as herein modified, shall remain in full force and effect."

Witnessed

Signed and sealed.

Acknowledged by J. D. Jones, Mary P. Jones and M. W. Harrison, November 11, 1911, before Webster Holmes, Notary Public for the County of Tillamook, State of Oregon; Seal. Regular.

Acknowledged by Francis P. Newcomb, November 6, 1911, before L. K. Adams, Notary Public for Oregon; Seal; Regular.

C O N T R A C T

J. D. Jones and

Mary P. Jones

his wife

to

Francis P. Newcomb

Book 23, page 75

Dated: March 3, 1911

Recorded: November 8, 1911

Consideration: \$100.00

DEED RECORDS

Recites:

For and in consideration of the sum of One Hundred Dollars (\$100.00) the receipt whereof is hereby acknowledged, we, J. D. Jones and Mary P. Jones, his wife, do hereby promise and agree to sell, convey and deed unto Francis P. Newcomb, his heirs or assigns, free from all incumbrances, and to furnish him an abstract of title thereto free of all charge, the following described property, for the sum of Ten thousand Dollars, \$10,000.00 to-wit:

All our right, title and interest in and to the 200 acres of land described below, including all our right, title and interest in and to the waters of the Nestucca River, together with all riparian rights thereto from the point where said river enters said land to the point where it leaves the same, and also to all other waters tributary to and entering said land at the point of entrance. Said lands being situate in Tillamook County, State of Oregon, and more particularly described by metes and bounds as follows, to-wit:

The South East quarter of the South west quarter of Section one, Township four South of Range eight west, Willamette Meridian (Together with other lands not under search herein.)

We, the undersigned furthermore agree to furnish an abstract of title for examination by said Francis P. Newcome, his heirs and assigns within thirty days from the date hereof, and to allow a

reasonable time for examination of same, and should be be unable to deliver the said perfect title as aforesaid, we promise and agree to repay the sums of money received to date of refusal of said abstract on account of any flagrant flaw in same.

We furthermore promise and agree to furnish, free of charge, any rights of way over our lands and lands owned by our sons necessary or requisite for the development or improvement of said waters for power, etc. to Francis P. Newcome, his heirs and assigns in consideration his purchasing the water rights and the two hundred acres of land above described, said rights of way to be secured for all time.

It is, however, distinctly understood that we reserve the right of a roadway through the above described 200 acres of land, said right of way not to interfere with the development of the water power et. in any way shape or form.

It is further agreed that the said J. D. Jones and Mary P. Jones will accept the payment of the total price of \$10,000.00 upon the following terms and conditions: \$100.00 to be paid this date (March 3rd, 1911) \$100.00 April 3rd, 1911, \$100 May 3rd, 1911, \$250. June 3rd, 1911, \$500.00 July 3rd, 1911, \$500.00 August 3rd, 1911, and the balance of purchase price, \$8450.00 to be paid September 3rd, 1911."

Witnessed

Signed and sealed.

Acknowledged November 4, 1911, before Webster Holmes, Notary Public for the County of Tillamook, State of Oregon; Seal; Regular.

LIMITED WARRANTY

M. W. Harrison and

Book 22, page 51

Emma Harrison,

Dated: Jan. 31, 1911

husband and wife

Recorded: Dec. 11th, 1911

-to-

Consideration: \$1.00 and other
val. considerations.

Tillamook County Bank

DEED RECORDS

* * * grant, bargain, sell and conveys * * * -

The following described real property, situated in Tillamook
County, Oregon,

East half of the South West quarter, the North West quarter
of the South West quarter, the South half of the North West quarter,
and the South West quarter of the North East quarter of Section 1,
in Township 4 South of Range 8 West of Willamette Meridian, Oregon.

(Together with other property not under search herein.)

Covenants that said premises are free from all encumbrances made,
done or suffered by the grantors herein, subject to two mortgages to
the State Land Board executed by J. D. Jones et al; seized in fee
simple; warrant and defend- against the lawful claims and demands
of all persons whomsoever, made or done or suffered by the grantors
herein. Subject to the Mortgages above mentioned."

Witnessed.

Signed and sealed.

Acknowledged January 31st, 1911, before Myrtle O. Mills,

Notary Public for the State of Oregon; in Tillamook County. Seal.

Regular.

D E E D

Tillamook County Bank,
a corporation of the
State of Oregon,
to
James D. Jones

Book 37, page 450
Dated: July 29th, 1918
Recorded: August 2, 1918
Consideration: \$1.00 and other
valuable considerations.

DEED RECORDS

* * * grant, bargain, sell and convey * * *

The following described real property, situated in
Tillamook County, Oregon,

The east half of the southwest quarter, the southeast quarter
of the northwest quarter, and the southwest quarter of the northeast
quarter of section one; being in Township four south of Range
eight West of the Willamette Meridian.

(Together with other property not under search herein.)

Covenants that it will warrant and defend the above granted premises,
and every part and parcel thereof, against the acts and deeds of
grantor, and all persons claiming by, through, from or under it.

Witnessed.

Signed and sealed.

Acknowledged, July 29th, 1918, before Rollie W. Watson,
by authority of its Board of Directors, Notary Public, Tillamook
County, Oregon; Seal; Regular. "My commission expires Oct. 29th, 1920."

WARRANTY DEED

James D. Jones and
Mary P. Jones,
his wife
to
De Witt L. Jones

Book 57, page 451
Dated: July 31st, 1918
Recorded: August 2, 1918
Consideration: \$1.00 and other
valuable considerations.
DEED RECORDS

* * * grant, bargain, sell and convey * * *
the following described real property, situated in Tillamook
County, State of Oregon;

The east half of the Southwest quarter, the southeast quarter
of the northwest quarter, and the southwest quarter of the
northeast quarter of section one, * * * * containing 320 acres,
and all being in Township four South of Range eight West of the
Willamette Meridian.

(Together with other property not under search herein.)

General warranty.

Witnessed.

Signed and sealed.

Acknowledged, Jly 31st, 1918, before R. E. Wilson, Notary
Public, Tillamook County, Oregon; Seal; Regular. "My Commission
expires Sept. 24, 1920."

M O R T G A G E

D. L. Jones and
Isadora G. Jones
his wife
to
State Land Board

Book Q, page 330
Dated: July 31st, 1918
Recorded: August 2nd, 1918
Consideration: \$3200.00
MORTGAGE RECORDS

Conveys, the following described premises, situated in
Tillamook County, State of Oregon, to-wit:

The Southwest quarter of the Northeast quarter, the southeast
quarter of the northwest quarter, and the east half of the southwest
quarter of section one; * * *, containing in the aggregate 480
acres, and all being situated in Township four South of Range eight
West of the Willamette Meridian, according to the United States
plats and surveys."

(Together with other property not under search herein.)

To secure the payment of a note for \$3200.00, dated July 22nd, 1918,
due one year after date with interest thereon at 6% per annum,
interest payable semi-annually.

Witnesses, two.

Signed and sealed.

Acknowledged, July 31st, 1918, before R. E. Wilson, Notary
Public, Tillamook County, Oregon; Seal; Regular. "My commission
expires Sept. 24, 1920."

Marginal entry:

For Release of this Mortgage see Book 7, page 412."

SATISFACTION OF MORTGAGE

State Land Board

-to-

D. L. Jones,

et ux

Book 7, page 412

Dated: April 3rd, 1920

Recorded: April 7th, 1920

MORTGAGE RECORDS

Recites:

"That the STATE LAND BOARD of the State of Oregon, does hereby certify that a certain mortgage executed by D. L. Jones, et ux to said Board on the 21" day of July, 1918, to secure the sum of Thirty Two Hundred Dollars and recorded on the 2" day of August, 1918, on page 330 of Book Q of Record of Mortgages for Tillamook County, in the State of Oregon, together with the debt thereby secured, is fully paid, satisfied and discharged."

WITNESS the seal of the STATE LAND BOARD affixed this 3" day of April, 1920.

STATE LAND BOARD

By Ben. W. Olcott, Governor.

SEAL

Attest: G. G. Brown,

Clerk of the State Land Board.

WARRANTY DEED

DeWitt L. Jones and
Isadora G. Jones,
his wife

-to-

Thomas Ernest Bohna

Book 38, page 112

Dated: Dec. 6th, 1918

Recorded: Dec. 14th, 1918

Consideration: \$5000.00

DEED RECORDS

* * * grant, bargain, sell and convey * * *

The following described real property, situated in
Tillamook County, Oregon.

The east half of the southwest quarter, the southeast quarter
of the northwest quarter, and the southwest quarter of the north-
east quarter of section one, * * * containing 320 acres, and all
being in Township four South of Range eight west of the Willamette
Meridian.

Together with other property not under search herein.

Covenants that said premises are free from all incumbrances
"except a mortgage for \$3200.00 in favor of State Land Board, which
grantee hereby assumes and agrees to pay as a part of the consideration
hereof."

General warranty.

Witnessed.

Signed and sealed.

Acknowledged, December 8th, 1918, by Isadora G. Jones, wife of
DeWitt L. Jones, before R. E. Wilson, Notary Public, Tillamook County,
Oregon; Seal; Regular. "My commission expires Sept. 24, 1920."

Acknowledged, by DeWitt L. Jones, before T. B. Handley, Notary
Public, Tillamook County, Oregon; Seal; Regular. "My commission
expires May 10, 1922."

M O R T G A G E

Thomas Ernest Bohna
Myrtle Bohna,
his wife
to
State Land Board

Book Q, page 382
Dated: March 20th, 1920
Recorded: March 22nd, 1920
Consideration: \$3000.00
MORTGAGE RECORDS

Conveys the following described premises, situated in
Tillamook County, State of Oregon, to-wit:

The East half of the Southwest quarter, the Southeast quarter
of the Northwest quarter, and the Southwest quarter of the
Northeast quarter of Section One * * * containing 320 acres, all
being in Township four South of Range Eight West of the Willamette
Meridian.

(Together with other property not under search herein.)

To secure the payment of a note for \$3000.00, dated March
20th, 1920, due one year after date, with interest thereon at 6%
per annum, payable semi-annually.

Witnessed.

Signed and sealed.

Acknowledged, March 20th, 1920, before R. E. Wilson, Notary
Public, Tillamook County, Oregon; Seal; Regular. "My commission
expires Sept. 24, 1920."

Marginal entry:

For Release of this Mortgage see Book 21, page 557.

SATISFACTION OF MORTGAGE

State Land Board

to

Thomas Ernest Bohna

et ux

Book 21, page 557

Dated: Nov. 16, 1929

Recorded: Nov. 22, 1929

MORTGAGE RECORDS

Recites:

"does hereby certify that a certain mortgage executed by Thomas Ernest Bohna et ux to said Board on the 20th day of March, 1920, to secure the sum of Three Thousand Dollars, and recorded on the 22nd day of March, 1920, on page 382 of Book Q of Record of Mortgages for Tillamook County, in the State of Oregon, together with the debt thereby secured, is fully paid, satisfied and discharged."

STATE LAND BOARD

By I. L. Patterson, Governor

Attest: G. G. Brown,

Clerk of the State Land Board.

SEAL.

M O R T G A G E

Thomas Ernest Bohna

Book 21, page 518

Myrtle Bohna

Dated: Oct. 22, 1929

his wife

Recorded: Nov. 6th, 1929

to

Consideration: \$3000.00

State Land Board

MORTGAGE RECORDS

Conveys the following described real property in Tillamook County, Oregon

The southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, and the east half of the southwest quarter of section one, all in township four south of range eight west of the Willamette Meridian.

Together with other property not under search herein.

To secure the payment of a promissory note dated October 22, 1929, in the amount of \$3000.00, payable one year after date, with interest thereon at 6% per annum, payable semiannually.

Witnessed.

Signed and sealed.

Acknowledged October 22nd, 1929, in Tillamook County, Oregon, before E. J. Claussen, Notary Public for Oregon; Seal; Regular.

"My commission expires Dec. 28, 1932"

THIS MORTGAGE IS NOT SATISFIED OF RECORD.

TAX STATEMENT No. 57256

As shown by the current taxroll in the office of the Sheriff of Tillamook County, Oregon, upon which roll there is required by law to be shown all unpaid and delinquent taxes.

Taxes to and including 1927 are PAID IN FULL

- 1928: Assessed to Thomas Ernest Bohna. Paid in full, but \$6.40 Forest Patrol tax charged against the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 1, T. 4 S. R. 8 W. W. M.
- 1929: Personal assessed to Thomas E. Bohna. \$16.36 unpaid.
- 1929: On entire 160 acres assessed to Thomas E. Bohna. \$47.88 unpaid.

STATEMENT OF JUDGMENTS

No Judgments entered in the dockets of any court of record in Tillamook County, Oregon, against any of the grantors or grantees in the instrument herein shown under the names therein designated, during period covered by this Certificate of Abstract.

CERTIFICATE

TILLAMOOK - PACIFIC TITLE COMPANY hereby certifies that the foregoing is a correct abstract of all matters affecting the title to the real property described in the caption hereof, as shown by the official records of the County of Tillamook and State of Oregon declared by law to be notice to the public, except as to the matters hereinafter mentioned.

THIS ABSTRACT does not include an examination of or report on:

- 1—Existing roads outside of City of Tillamook, water locations under state laws for appropriation of water, or matters relating thereto.
- 2—The existence of, or any matters relating to roads, streets, highways, alleys or rights of way, nor as to any proceedings for vacating, opening, widening or other changes therein, unless terminated and in effect by city ordinance or other decree of authority recorded in the record of plats or deeds for Tillamook County, Oregon.
- 3—Municipal taxes and assessments and the effect and operation of municipal laws, ordinances and regulations, nor proceedings of street, sewer and/or sidewalk improvements, nor for opening, widening, vacating or other changes therein, if the property described herein lies outside of the City of Tillamook.
- 4—Proceedings for street, sewer and/or sidewalk improvements, unless prior to the date hereof the amount of assessment therefore has become fixed and shown as a lien by the entry thereof in the lien docket of the City of Tillamook.

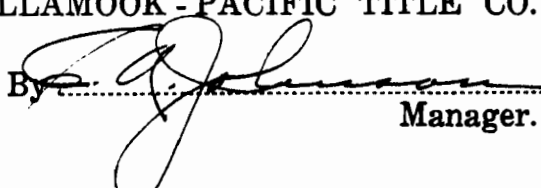
This Abstract covers the period of time from date of Patent, to and including March 11th, 1930, at 8:00 o'clock A. M., and consists of 38 pages, numbered from 1 to 38 inclusive.

This Certificate is made to, for and at the request of Thos. E. Bohna,
Blaine, Oregon.

Dated at Tillamook, Oregon, March 11th, 1930, at 8:00 o'clock A.M.

TILLAMOOK - PACIFIC TITLE CO.

No. 57256

By 
Manager.