

STATE OF OREGON
 WATER RESOURCES DEPARTMENT

RECEIPT # **95728**

3850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-8455/378-8130 (FAX)

**RECEIVE
 OVER THE COUNTER**

RECEIVED FROM: Martin Thompson
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 24-22 OTHER: (IDENTIFY)

TOTAL REC'D \$ 400.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$ <u>400.00</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

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	\$	842.002	RECORD FEE	\$
842.003	GROUND WATER	\$		842.004	\$	
842.005	TRANSFER	\$		842.006	\$	

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	\$	842.023	LICENSE FEE	\$
842.016	WELL DRILL OPERATOR	\$		842.019	\$	
_____	LANDOWNER'S PERMIT			842.024	\$	

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE(FW/WRD)	LIC NUMBER		\$
842.115	HYDRO LICENSE FEE(FW/WRD)			\$
_____	HYDRO APPLICATION			\$

RECEIPT # **95728**

DATED: 12/31/92 BY: C. Engel

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP DWF NAME Umpqua # 16 UNADJUDICATED AREA ? OK DWF
RECEIPT # 95728 S W R NUMBER 425
CHECK ENCLOSURES DWF PRELIMINARY DATA BASE ENTRY DWF
ACKNOWLEDGEMENT LETTER DWF ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION XCSN

FORM REVIEW

_____ blanks filled in
_____ signed
_____ date received stamped

MAP REVIEW

source and trib
 diversion point location
 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

Vote Area
WATER RIGHT RECORD CHECK _____ FIELD INSPECTION _____
FINAL FILE REVIEW _____ FINAL DATA BASE ENTRY _____
ENTER ON PLAT CARDS _____

March 30, 1993

EAGLES' VIEW MANAGEMENT COMPANY
2198 BOSWELL ROAD
YONCALLA OR 97499

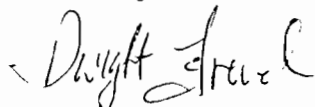
Dear SIRS\MADAMS,

This will acknowledge that your Surface Water Registration Statement in the name of EAGLES' VIEW MANAGEMENT COMPANY has been received by our office. The fees in the amount of \$400 have been received and our receipt was written. Your registration statement has been numbered SWR-425.

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,



Dwight French
Adjudication Section

J:\WP51\SWR\CLAIMANT\SWR-0425.001



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

SURFACE WATER REGISTRATION STATEMENT, PRE-1909
VESTED WATER RIGHT CLAIM FOR
MARTIN A. THOMPSON
IN SECTIONS 14 & 23, T22S, R5W, W.M.
DOUGLAS, COUNTY, OREGON

8. Remarks continued:

The Martins' "McMichael" Ranch adjoins Elk Creek on Boswell Road near Yoncalla and Drain, Oregon. It now is some 400 acres in size and the ranch was settled in the 1850's - 70's. Early owners include Charles Drain; his family settled the nearby City of Drain, Oregon.

The ranch has always been a working stock ranch from the days of the land patents until today. The stock has watered in the springs and Elk Creek on a continuous basis. (Please see attached affidavits). The current residence occupies the original homestead site. The homestead has always used spring water for domestic purposes and for irrigating 0.5 acres of garden and lawn.

Stock Watering Equipment

The springs and streams are improved and have distribution through 4 inch P.V.C. pipes to steel watering troughs or have earthwork reservoirs or sumps for stock watering.

Domestic System

The Domestic system for the residence and 0.5 acre irrigation of lawn and garden is supplied by water from Springs No. 13 and 14.

Gravity takes the water from the Springs through 1" P.V.C. pipes into a collection tank and thence to the residence and lawn and garden.

PHONE: (503) 672-4074

OFFICE: 433 S.E. MAIN

Shaner Engineering, Inc.

FAX: (503) 673-7135

CIVIL ENGINEERING IN THE NORTHWEST

MAIL: P.O. BOX 1430 • ROSEBURG, OREGON 97470

December 30, 1992

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

re: Registration of Pre 1909
W.R. for Martin Thompson

Attention: Adjudication Section

Dear Sirs:

Enclosed is the application for Water Use Registration for Martin Thompson in Sections 14 & 23, T22S, R5W. Also enclosed are documents and check.

Yours truly,

Bruce A. Shaner
Bruce A. Shaner,
C.W.R.E.

Encl: as above

cc: Thompson

HAND DELIVERED

A F F I D A V I T

STATE OF OREGON)
) ss.
COUNTY OF DOUGLAS)

I, Martin Aaron Thompson, a citizen of the United States of America, residing at 2198 Boswell Road, Yoncalla, Oregon 97499, being first duly sworn, on oath, depose and say:

I am now the age of 51 years and have been a continuous resident and inhabitant of Douglas County, Oregon since the year 1967.

I am the owner of the Churchill Ranch, located in Sections 15, 16, 21 and 22, T22S, R5W, W.M. and the McMichael Ranch, located in Sections 14 and 23, T22S, R5W, W.M., Douglas County, Oregon. (These are on Boswell Road near Yoncalla and Drain, Oregon.) I bought the McMichael Ranch in 1972 and, the Churchill Ranch in 1988; together they total about 1,000 acres. (We leased the Churchill ranch about 15 years prior to purchasing.) I and my sons operate these both as stock ranches and also lease other lands for this purpose. The springs and creeks on these ranches are used continuously by the livestock, as we move the stock in the grazing and feeding operation. Without springs near the feeding areas, it is not economical to pasture the stock there; i.e. we cannot afford to haul water. It has always been so in cattle and sheep ranching.

To the best of my knowledge these two ranches have always been ranched since homesteading days. The residences have always used spring water for domestic purposes and for irrigating lawn and garden.

It is our intention to continue ranching and to continue using the springs and creeks for stock water and domestic purposes.

Martin Thompson

SUBSCRIBED & SWORN to before me on this 23rd day of December, 1992.

Bruce A. Shaner
Notary Public for Oregon
My Commission Expires: Apr. 26, '96

A F F I D A V I T

STATE OF OREGON)
) ss.
COUNTY OF DOUGLAS)

I, Ed Jones, a citizen of the United States of America, residing at 579 Elkhead Road, Yoncalla, Oregon 97499, being first duly sworn, on oath, depose and say:

I am now the age of 89 years and have been a continuous resident and inhabitant of Douglas County, Oregon since the year 1912.

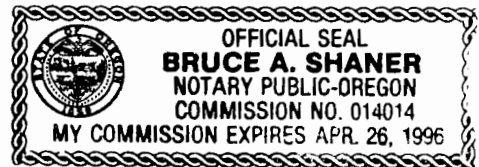
I have lived in the Yoncalla area these past 80 years and have been engaged in ranching activities all my life. As a young man I was a sheep shearer and visited the Churchill Ranch and the McMichael Ranch on Boswell Road (both of which are now owned by Martin Thompson), regularly. Also I have owned and operated several ranches in this area and have been aware of all local ranching activities.

The Churchill and McMichael ranches have been operated as stock ranches on a continuous basis since they were homesteaded. The livestock uses all available water in both springs and creeks on a year around basis. There are no wells being used. Also, I recall the residences on both ranches using spring water for domestic use and for irrigation of lawns and gardens.

Ed. Jones

SUBSCRIBED & SWORN to before me on this 23rd day of December, 1992.

Bruce A. Shaner
Notary Public for Oregon
My Commission Expires: Apr. 26, '96



A F F I D A V I T

STATE OF OREGON)
) ss.
COUNTY OF DOUGLAS)

I, Harold Turpin, a citizen of the United States of America, residing at 196 Applegate, Yoncalla, Oregon 97499, being first duly sworn, on oath, depose and say:

I am now the age of 89 years and have been a continuous resident and inhabitant of Douglas County, Oregon since the year 1903.

I have lived in the Yoncalla area some 89 years. I am familiar with the Churchill and McMichael ranches, which are now owned by Martin Thompson.

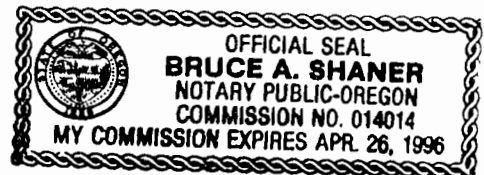
The Churchill and McMichael ranches have been operated as stock ranches on a continuous basis since they were homesteaded. The livestock uses all available water in both springs and creeks on a year around basis. There are no wells being used. Also, I recall the residences on both ranches using spring water for domestic use and for irrigation of lawns and gardens. All the wells in the area have sulfur water.

Harold Turpin

SUBSCRIBED & SWORN to before me on this
23rd day of December, 1992.

Bruce A. Shaner
Notary Public for Oregon
My Commission Expires: Apr. 26, '96

Page 1 of 1 - AFFIDAVIT



A F F I D A V I T

STATE OF OREGON)
) ss.
COUNTY OF DOUGLAS)

BS I, Floyd McMichael, citizen of the United States of America, residing at 1090 Curtin Road, Cottage Grove ~~Curtin~~, Oregon 97424, being first duly sworn, on oath, depose and say:

I am now the age of 85 years and have been a continuous resident and inhabitant of Douglas County, Oregon since the year 1908.

I bought the McMichael Ranch in 1944 and built a new residence on the site of the original homestead in 1947 and 1948. I ran the stock ranch until the year 1955. The springs and streams were the only source of stock water and water for the residence.

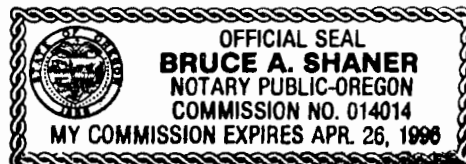
BS ~~Ben Cellers and two sisters (spinster ladies) were born and raised on the ranch.~~

The Churchill and McMichael ranches have been operated as stock ranches on a continuous basis since they were homesteaded. The livestock uses all available water in both springs and creeks on a year around basis. There are no wells being used. Also, I recall the residences on both ranches using spring water for domestic use and for irrigation of lawns and gardens. All the wells in the area have sulfur water.

Floyd McMichael

SUBSCRIBED & SWORN to before me on this 23rd day of December, 1992.

Bruce A Shaner
Notary Public for Oregon
My Commission Expires: April 26, 1996



A F F I D A V I T

STATE OF OREGON)
) ss.
COUNTY OF DOUGLAS)

I, Clarence Wilson, a citizen of the United States of America, residing at ~~Boswell Road, Yoncalla, Oregon 97499,~~ being first duly sworn, on oath, depose and say:
*542 Salt Creek Road

I am now the age of 95 years and have been a continuous resident and inhabitant of Douglas County, Oregon since the year 1924.

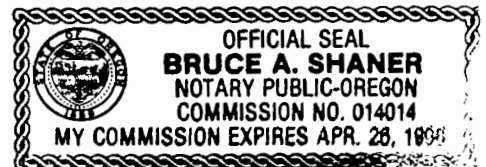
I homesteaded my place on Boswell Road in 1925 and have lived here since. I have run a stock ranch here all this time. I remember when Floyd McMichael built his residence on his ranch in 1947 and 1948, replacing the older homestead.

The Churchill and McMichael ranches have been operated as stock ranches on a continuous basis since they were homesteaded. The livestock uses all available water in both springs and creeks on a year around basis. There are no wells being used. Also, I recall the residences on both ranches using spring water for domestic use and for irrigation of lawns and gardens. All the wells in the area have sulfur water.

Clarence E. Wilson

SUBSCRIBED & SWORN to before me on this 23rd day of December, 1992.

Bruce A. Shaner
Notary Public for Oregon
My Commission Expires: April 26, 1996



State of Ore. to John Drain
Vol. 10, Page 500
Source

Thompson (Patents needed)

Sections ^E1/2 16 & 21, T 22S, R 5W

State of Oregon to John Drain
Vol. 5, Pg 382
1871

& J. Applegate DLC #38, " "
(Sec. 21) Vol. 39, Page 156

RECEIVED

DEC 31 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Vol. 51,
Page 488
Jan 9, 1906
Sec. 16

& S 1/2 S 1/2 Sec. 14, T 22S, R 5W

& N 1/2 Sec. 23, " "

88-15533

Plus 2 Contracts, Martin Thompson, buyer above
(McNealy & Churchill, ea a Seller)

81-14246 # 86-10682

Section 21, T 22S, R 5W

NE 1/4
45 to Charles Drain
Vol. 13, Page 57
Vol. 13, Page 58 & 59

Vol 4. Page 422
1867
N 1/4 Part
of DLC 38

Need 3 Copies each of following Deeds:

State of Oregon to John Drain:

(1) Vol. 5, Page 382

(1) Vol. 10, Page 500

(2) Vol. 39, Page 156

(1) Vol. 51, Page 488 (Section 16, 22-5)

(3) U.S. to Charles Drain: Vol. 13, Pages 57, 58 & 59
Section 21

(1) Vol. 4, Page 422 (N'ly Part D.L.C. No. 38)

Contracts to Martin Thompson, et al:

(4) INST. No. 81-14246

" " 86-10682

" " 88-15533

{ Sections 14 & 23

MEMORANDUM OF LAND SALE CONTRACT

BE IT REMEMBERED That on June, 1986, Richard M.

M. NEELY and MARGARET M. NEELY, herein-

after known as SELLERS, and Martin Thompson hereinafter known as BUYERS, made and entered into a certain agreement wherein and whereby the SELLERS agreed to sell and the BUYERS agreed to purchase the following described real property, to-wit:

ent Description on sheet attached hereto marked Exhibit "A"

not.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

The true and actual consideration is \$ 215,000.

The terms and conditions of said sale are fully set forth in said agreement and reference thereto is hereby made.

IN WITNESS WHEREOF the parties hereto have executed this instrument on the date and year first above written.

Richard M. McNeely
(Seller)

Martin Thompson
(Buyer)

Margaret M. Neely
(Seller)

(Buyer)

Buyers Address: _____

STATE OF ^{WASHINGTON} OREGON, County of WHATCOM SS.
Personally appeared the above named RICHARD M. McNEELY and MARGARET McNEELY and acknowledged the foregoing instrument to be their voluntary act and deed.

Dated: June 25, 1986 Before me: James G. Richards
Notary Public for Oregon
My Commission expires: 5/20/89

State of Oregon, County of Douglas SS.
Aug. 18 A.D. 1986

Personally appeared the above named
Martin Thompson

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

Margaret A. O'Connell
Notary Public for Oregon
My Comm. Expires 12/5/87

Mail Tax Statements to
Martin Thompson
Rt. 1, Box 378
Yoncalla, Oregon 97499

South half of the Southeast quarter (S $\frac{1}{2}$ SE1/4); South half of the South Half of the Northwest quarter of the Southeast quarter (S $\frac{1}{2}$ S $\frac{1}{2}$ NW1/4SE1/4); Southeast quarter of the Southwest quarter (SE1/4SW1/4); South 165 feet of the Northeast quarter of the Southwest quarter (NE1/4SW1/4), all in Section 14, Township 22 South, Range 5 West, Willamette Meridian, Douglas County, Oregon.

And all that portion of Section 23, Township 22 South, Range 5 West, Willamette Meridian, Douglas County, Oregon, lying North of the center of Elk Creek described as follows: Beginning at the Northeast corner of said Section 23, Township 22, South Range 5 West, Willamette Meridian, running thence South along the East line of said Section 5 chains; thence West 7.4 chains to the center of Elk Creek; thence West 4.9 chains; North 84° West 5.8 chains; South 56° West 3 chains; South 62° West 5.5 chains; South 60° West 3 chains; South 27° West 4.55 chains; South 17° West 9.81 chains; South 12 $\frac{1}{2}$ ° West 4.5 chains; South 22° East 1.7 chains; South 14° West 2.7 chains; South 80° West 2.45 chains; North 50° West 3.45 chains; North 41° West 2.7 chains; North 57° West 4.85 chains; North 38° West 1.5 chains; South 83° West 5.22 chains; North 59° West 4.75 chains; North 88° West 2.36 chains; South 85° West 3 chains; South 57° West 4 $\frac{1}{2}$ chains; North 87° West 6.7 chains; South 66° West 3 chains; South 65° West 7 chains to a point on the West line of said Section 23, which is 11 chains North of the West quarter corner of said Section 23; thence North approximately 29 chains along the West line of the Northwest quarter of said Section 23 to the Northwest corner of said Section 23; thence South 89° 52' East one mile along the South line of said Section 14 to the place of beginning.

Subject to Right-of-Way and Easement of Record.

STATE OF OREGON)
COUNTY OF DOUGLAS) ss

I, DORIS L. WADSWORTH, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY:

1986 AUG 20 AM 10:41

DORIS L. WADSWORTH
DOUGLAS COUNTY CLERK

BY Mary J. Best
DEPUTY
NO. _____ FEE 8⁰⁰/₁₀₀

DOUGLAS COUNTY OFFICIAL RECORDS

✓ Warren T. DeLa Vergne
Attorney At Law
P.O. Box 517
Corner B and 2nd Sts.
Drain, Oregon 97435

WARRANTY DEED

MARTIN AARON THOMPSON, Grantor, conveys and warrants to BRIAN AARON THOMPSON, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

AN UNDIVIDED ONE-THIRD INTEREST IN REAL PROPERTY DESCRIBED, TO-WIT:

Real Property described on sheets attached hereto, marked EXHIBIT "A", which are incorporated herein by reference as if herein set out and thereby made a part hereof.

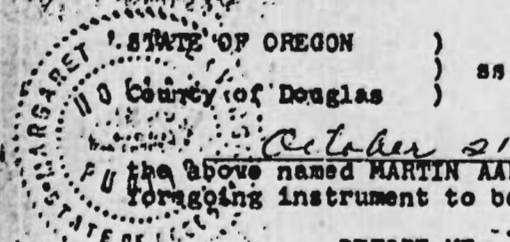
SUBJECT TO ENCUMBRANCE IN FAVOR OF IONA CAROL THOMPSON, 1/3 OF WHICH GRANTEE HEREUNDER ASSUMES AND AGREES TO PAY.

The true consideration for this conveyance is \$ None

Until a change is requested, all tax statements shall be sent to the following address: No change

Dated this 21st day of October, 1981.

Martin Aaron Thompson
Martin Aaron Thompson



October 21, 1981. Personally appeared the above named MARTIN AARON THOMPSON and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME: Margaret P. O'Leary
Notary Public for Oregon
My Commission expires: 12/5/83

UPON RECORDING, RETURN TO:

✓ HILL & SCHULTZ, P. C.
ATTORNEYS AT LAW
SUITE 20, MEZZANINE
VALLEY RIVER CENTER
EUGENE, OREGON 97401-2188

PARCEL 1:

BOOK 804 PAGE 399

All that part of the following described property which lies Southerly of the center of Elk Creek:

Those parts of the NE $\frac{1}{4}$, the S $\frac{1}{2}$ of the NW $\frac{1}{4}$, the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 23, Township 22 South, Range 5 West, Willamette Meridian, Douglas County, Oregon, described as follows:

BEGINNING at a point on the North line of a tract of land conveyed by L. S. Newland and wife to C. R. Bruce and wife by warranty Deed dated August 22, 1953, and recorded March 8, 1954, under Clerk's Filing No. 175078 in Volume 231 at page 71, Deed Records of Douglas County; said point of beginning being in the center of Elk Creek and located as follows: Commencing at the Northeast corner of said Section 23, thence South 5 chains, thence West 7.4 chains to the center of Elk Creek, thence West 4.9 chains; thence North 84° West 212.2 feet to the real point of beginning; thence from said point of beginning continuing on the following bearings and distances; (1) N. 84° W. 170.6 ft. (2) South 8° West 3 chains; (3) thence South 62° West 5.5 chains; (4) thence South 60° West 3 chains; (5) thence S. 27° West 4.55 chains; (6) thence South 17° West 9.81 chains; (7) thence South 12 $\frac{1}{2}$ ° West 4.5 chains; (8) thence South 22° East 1.7 chains; (9) thence S. 14° West 2.7 chains; (10) thence South 80° West 2.45 chains; (11) thence North 50° West 3.45 chains; (12) thence North 41° West 2.70 chains; (13) thence North 57° West 4.85 chains; (14) thence North 38° West 1.5 chains; (15) thence South 83° West 5.22 chains; (16) thence North 59° West 4.75 chains; (17) thence North 88° West 2.36 chains; (18) thence S. 85° West 3.0 chains; (19) thence South 57° West 4.5 chains; (20) thence North 87° West 6.7 chains; (21) thence South 86° West 3.0 chains; (22) thence S 65° West 7.0 chains to a point on the Section line between Sections 22 and 23, 11 chains North of the quarter corner of Sections 22 and 23, (23) thence South along said Section line 11 chains to said quarter corner; (24) thence continuing South along said section line to a point of intersection with the Westerly prolongation of a line; said line being described as follows:

"Beginning at a point in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section (23) which is North 1,778.9 feet and East 58.2 feet from the Southwest corner of said Section, said point being marked by a 3/4 inch diameter monel pipe; thence East for a distance of 1,661.0 feet to a point marked by a 3/4 inch diameter monel pipe..."

(25) thence East along said Westerly prolongation for a distance of 58.2 feet more or less to a 3/4" monel pipe; (26) thence East 1661.0 ft. to a 3/4" monel pipe; (27) thence continuing East 752.6 ft. to a point which is North 1778.9 ft. and East 2471.8 ft. from the SW corner of said Section 23; (28) thence continuing East for a distance of 170.0 ft. more or less to a point on the East line of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section; (29) thence South along said East line 550 ft. more or less to the Southeast corner of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; (30) thence East along the South line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ 750 ft. more or less to a point of intersection with a line, which line is more particularly described as follows:

Beginning at the point of beginning, first described herein as being in the North line of the Bruce Tract; thence, leaving said Northerly line, South for a distance of 503.7 feet to a point which is North 4,344.9 feet and East 4,272.8 feet from the Southwest corner of said Section 23, said point being marked by a 3/4 inch monel pipe; thence continuing South for a distance of 575.8 feet to a 3/4" monel pipe which is North 3,769.1 feet and East 4,272.8 feet from said Southwest corner; thence South 42°50' West for a distance of 2,349.0 feet to a 3/4" monel pipe which is North 2,046.9 feet and East 2,675.8 feet from said Southwest corner; thence South 33°51' East for a distance of 588.7 feet to a 3/4" monel pipe which is North 1,558.0 feet and East 3,003.8 feet from said Southwest corner; thence South 50°13' East for a distance of 337.8 feet to a 3/4" monel pipe which is North 1,341.3 feet and East 3,263.4 feet from said Southwest corner; thence continuing South 50°13' East for a distance of 160.0 feet, more or less, to a point on the South line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$.

(31) Thence from said point of intersection reversing above described courses, N. 50°13' West 160.0 ft. more or less to a 3/4" monel pipe; (32) thence continuing N. 50°13' W. 337.8 feet to a 3/4" monel pipe; (33) thence N. 33°51' W 588.7 ft. to a 3/4" monel pipe; (34) thence N 42°50' E. 2,349.0 ft. to a 3/4" monel pipe; (35) thence North 575.8 ft. to a 3/4" monel pipe; (36) thence North 503.7 ft. to the point of beginning.

EXCEPT those portions of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of said Section 23 which lie South and West of the following described line to-wit:

Commencing at the Southwest corner of Section 23, T. 22S., R5W., W.M.; Thence North 1778.9 ft.; thence East 58.2 ft. to a 3/4" monel pipe; thence continuing East 1661.0 feet to a 3/4" monel pipe, the real point of beginning; thence from said point of beginning North 795.8 ft. to a 5/8" Iron Rod; thence West 292.1 ft. to a 5/8" Iron Rod; thence continuing West 25.0 ft. to a point in a creek bed; thence Northerly along said creek bed, running the following courses:

(1) N 39°00'00" W. 100.3 ft.; (2) thence N. 7°05'40" E. 189.2 ft.; (3) thence N 26°16'10" E 194.5 ft.; (4) thence N 3°17'00" W 88.0 ft.; (5) thence N 36°35'40" E 114.3 ft.; (6) thence N 1°19'40" E 93.6 ft. to a point in a wooden bridge, said point bears N 71°55'30" E 15.0 ft from a 5/8" Iron Rod and N 47°16'50" W 25.0 ft. from another Iron Rod; (7) thence continuing along said creek N 3°25'50" E 160 ft. more or less to the center of Elk Creek and the end of said line.

PARCEL 2:

All of that real property South of the center of Elk Creek and the points where the following described line intersect Elk Creek:

Commencing at the Northeast corner of said Section 23, thence South 5 chains, thence West 7.4 chains to the center of Elk Creek, thence West 4.9 chains; thence North 84° West 212.2 feet to the real point of beginning; thence from said point of beginning continuant on the following bearings and distances; (1) N. 84° W. 170.6 ft.; (2) South 58° West 3 chains; (3) thence South 62° West 5.5 chains; (4) thence South 60° West 3 chains; (5) thence S. 27° West 5.5 chains; (6) thence South 17° West 9.81 chains; (7) thence South 12½° West 4.5 chains; (8) thence South 22° East 1.7 chains; (9) thence S. 14° West 2.7 chains; (10) thence South 80° West 2.45 chains.

Along with a perpetual right of way over the wooden bridge, or any replacement thereof as described in Parcel 1 above and a right of way over the road that said wooden bridge connects with so that the grantees has a right of way and access to the county road shown in parcel 1 from the northeast portion of the grantees property. Grantor and Grantee agree to share the expenses of maintaining said wooden bridge.

EXCEPT: 1. Roads and highways and the rights of the rights of the public therein.

2. Reservations and conditions contained in deeds from the Oregon and California Railroad Company recorded in Volume 21, page 450, volume 24, page 243 and volume 49, page 307 of the Deed Records of Douglas County, Oregon.

3. Perpetual non-exclusive easement and right of way granted by Charles R. Bruce, et ux to Yoncalla Lumber Company, an Oregon corporation, Western Timber & Land Company, a corporation, and R. B. White, individually, recorded in volume 262 of the Deed Records of Douglas County, Oregon, Recorder's No. 226686.

4. Easements, including the terms and provisions therein contained, to Weyerhaeuser Timber Company, contained in deed recorded in volume 272 of the Deed Records of Douglas County, Oregon, Recorder's No. 242139.

5. Reserving to the vendor perpetual, assignable, divisible and non-exclusive easements upon, over and across all of the roads described in the Warranty Deed from vendor to Weyerhaeuser Lumber Company, recorded December 3, 1957 in

Volume 272 Page 425, Recorder's number 242139, deed records of Douglas County. The foregoing easements are to be used for purposes of ingress to and egress from all remaining land of vendors conveyed to vendors by Warranty Deed from L. S. Newland and Alice G. Newland, husband and wife, recorded March 8, 1954 in Book 231, Page 71, deed records of Douglas County, Oregon, and for the purpose of transportation of forest and other products from lands now or hereafter owned by vendor, and to maintain drainage ditches, cuts and fills adjacent to the roads necessary for the maintenance of the roads.

STATE OF OREGON)
COUNTY OF DOUGLAS) SS.

I, DORIS L. WADSWORTH, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY.

1981 NOV 9 PM 1 35

DORIS L. WADSWORTH
DOUGLAS COUNTY CLERK

BY Mary L. Beal
DEPUTY

NO. 1682

DOUGLAS COUNTY OFFICIAL RECORDS

81-14246

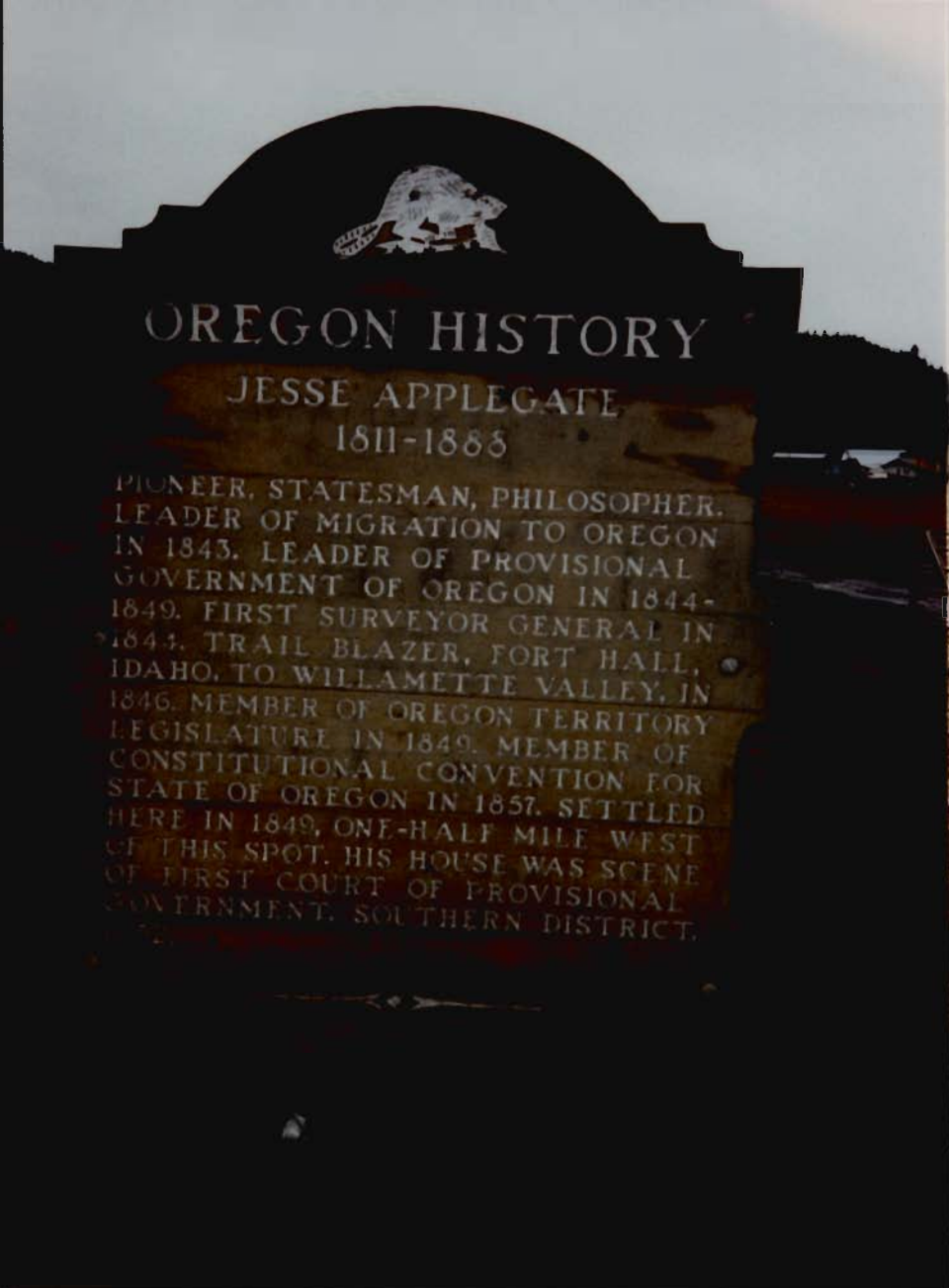
FIRST CLASS MAIL

Thompson Photos
Mc Michael Ranch

Pre 1909
W.R.

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WATER RESOURCES DEPT.
SALEM, OREGON





OREGON HISTORY

JESSE APPLGATE

1811-1885

PIONEER, STATESMAN, PHILOSOPHER.
LEADER OF MIGRATION TO OREGON
IN 1843. LEADER OF PROVISIONAL
GOVERNMENT OF OREGON IN 1844-
1849. FIRST SURVEYOR GENERAL IN
1844. TRAIL BLAZER, FORT HALL,
IDAHO, TO WILLAMETTE VALLEY, IN
1846. MEMBER OF OREGON TERRITORY
LEGISLATURE IN 1849. MEMBER OF
CONSTITUTIONAL CONVENTION FOR
STATE OF OREGON IN 1857. SETTLED
HERE IN 1849, ONE-HALF MILE WEST
OF THIS SPOT. HIS HOUSE WAS SCENE
OF FIRST COURT OF PROVISIONAL
GOVERNMENT, SOUTHERN DISTRICT.

