



# Oregon

John A. Kitzhaber, M.D., Governor

**Water Resources Department**

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

April 21, 1999

John B Sullivan  
Delores I Sullivan  
1010 Echo Dr  
Roseburg OR 97470

RE: Assignment of SWR-6

Dear Mr. Sullivan,

Enclosed is the refund discussed in my letter dated April 15, 1999.

If you have any questions, please feel free to contact me at 1-800-624-3199 ext. 295.

Sincerely,

Gerry Clark  
Adjudications Specialist

STATE OF OREGON REMITTANCE ADVICE

WARRANT NO.  
115386083

WATER RESOURCES DEPARTMENT

(503) 378-8455

INVOICE NO.	INVOICE DATE	INVOICE DESCRIPTION	AGY	DOCUMENT	AMOUNT
		REV REF 28896	690	VP008829	25.00
VENDOR NAME: SULLIVAN, JOHN B			ISSUE DATE: 04/20/99		WARRANT AMOUNT 25.00
VENDOR NUMBER: 9690000001					



# Oregon

John A. Kitzhaber, M.D., Governor

**Water Resources Department**

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

April 15, 1999

John B Sullivan  
Delores I Sullivan  
1010 Echo Dr  
Roseburg OR 97470

RE: Assignment of SWR-6 and Ownership update for Cert. #45909

Dear Mr. & Mrs. Sullivan,

The Department has received the assignment form for SWR-6 (Surface Water Registration) and the Ownership Update Form for Certificate #45909. Copies of these 2 documents have been placed in the files.

There is no fee associated with the assignment of a SWR file. I am in the process of obtaining a refund for the \$25.00 you submitted. I will mail it to the Echo Drive address when the check has been issued.

If you have any questions, please feel free to contact me at 1-800-624-3199 ext. 295.

Sincerely,

Gerry Clark  
Adjudications Specialist

cc: Kevin & Karen Kohlman (SWR-6)

general correspondence

RECEIVED

APR 13 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

ASSIGNMENT

We, John B. Sullivan & Delores J. Sullivan of  
1010 Echo Dr. Roseburg, OR. 97470  
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

do hereby assign all my interest in and to my pre-1909 vested water right claim,  
file number SWR-6 filed in the office of the Water Resources Director,

to:

Kevin Kohlman & Karen Kohlman  
(NAME)

718 Hidden Meadows Ln, Oakland, OR. 97462  
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

TELEPHONE NUMBER 541-459-8498

WITNESS my hand this 9th day of APRIL 1999

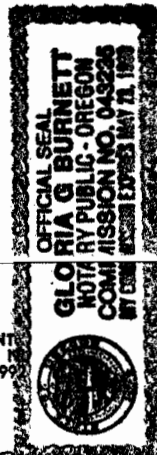
x John B. Sullivan  
x Delores J. Sullivan

STATE OF OREGON,

County of DOUGLAS

ss.

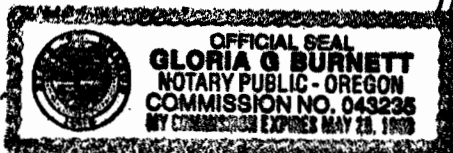
FORM No. 23—ACKNOWLEDGMENT  
Stevens-Nees Law Publishing Co.  
Portland, OR 97204 © 1997



BE IT REMEMBERED, That on this 9th day of APRIL, 1999,  
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within  
named JOHN B. SULLIVAN AND DELORES J. SULLIVAN

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

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



Gloria G. Burnett  
Notary Public for Oregon  
My commission expires 5-28-99

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **28896**

158 12TH ST. N.E.  
SALEM, OR 97310-0210  
378-8455 / 378-8130 (FAX)

INVOICE # \_\_\_\_\_

RECEIVED FROM: John B. Sullivan  
BY: \_\_\_\_\_

APPLICATION	<u>SW-6</u>
PERMIT	
TRANSFER	

CASH:  CHECK: # ✓ 24-7028 OTHER: (IDENTIFY) \_\_\_\_\_

TOTAL REC'D \$ 25.00

**0417 WRD MISC CASH ACCT**

<u>0208</u> ADJUDICATIONS <u>PCA# 66212</u>	\$ <u>25.00</u>
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY) _____	\$
OTHER: (IDENTIFY) _____	\$

**REDUCTION OF EXPENSE**

CASH ACCT. \$ \_\_\_\_\_

PCA AND OBJECT CLASS

VOUCHER # \_\_\_\_\_

**0427 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
(New) TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$

**WATER RIGHTS:**

0201	SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$	0206	\$

**WELL CONSTRUCTION**

0218	WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
	LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) \_\_\_\_\_

**0437 WELL CONST. START FEE**

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
	OTHER (IDENTIFY) _____			

**0539 LOTTERY PROCEEDS**

1302	LOTTERY PROCEEDS	\$
------	------------------	----

**0467 HYDRO ACTIVITY**

0233	POWER LICENSE FEE (FW/WRD)	LC NUMBER	\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
	HRDRO APPLICATION		\$

RECEIPT # **28896**

DATED: 4-13-99 BY: Roger Wright

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
ADJUDICATION SECTION

TO: Reed Marbut  
FROM: Don Knauer

DATE: December 17, 1991

SUBJECT: Indorsement of SWR-6

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made a 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: John B Sullivan  
ADDRESS: 4639 Cole Rd  
Oakland OR 97462

SOURCE: Spring a tributary of Calapooya Creek.

USE: Irrigation, domestic use for one family and stockwater.

PRIORITY DATE: 1867

AMOUNT OF WATER FOR EACH CLAIMED USE:

0.004 CFS for irrigation of 0.5 acre, 0.003 CFS for domestic use and 0.003 CFS for stockwater.

DIVERSION POINT:

NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 18, T. 25 S., R 6 W., W.M.

PLACE OF USE:

0.5 acre SW $\frac{1}{4}$  NE $\frac{1}{4}$   
Livestock SW $\frac{1}{4}$  NE $\frac{1}{4}$   
Domestic SW $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 18,  
Township 25 S., Range 6 W., W.M.

PERIOD OF USE:

The irrigation season is May 1 thru November 1. Other uses are allowed all year.

FILE C:\WP51\SWR\CLAIMANT\SWR-0006.0IM



STATE OF OREGON

INTEROFFICE MEMO

TO: Adjudication Section

DATE: 08/29/91

FROM: Gary Ball, Watermaster *GB*

SUBJECT: Surface Water Registrations - No Comment

I have no comment on the SWR's of which I have made copies of the first page and attached.

RECEIVED  
FISHERY

SEP - 3 1991

WATER RESOURCES DIVISION  
STATE OF OREGON

To: FILE SWR-6

August 12, 1991

From: DON KNAUER

CONTACT: JOHN B. SULLIVAN  
BY : DON KNAUER & DWIGHT FRENCH

#4) Date of initiation: form = 1867 and "Description or Distribution System" = 1870 (approximate)

Mr. Sullivan explained that the date of initiation was 1867 based on information in a book "Away Back When" written by Maude E. Cole. The book tells of Hugh Cole homesteading in 1867. She was married to a nephew of Hugh Cole.

Mr. Sullivan said there are no other users of the spring. He said the spring is on an absentee land owners property.

Mr. Sullivan, Dwight and I looked at the area irrigated and the home and barn. The irrigation is from the barn to the house which I have shown on the map. I measured 11 psi pressure at an outside spigot at the house. They have an inside booster pump to increase the pressure. There are three stock tanks as shown on the map.

NOTE: Check deed language about water rights and use.

SWR-0006.001



July 31, 1991

John B. Sullivan  
4639 Cole Rd  
Oakland, OR 97462

RE: Surface Water Registration

Dear Mr. Sullivan:

We are meeting with all of the Surface Water Registration claimants in the Roseburg-Coquille area the week of August 12 - 16. This is to confirm that we have agreed to meet at your residence on Monday, August 12, at approximately 10:00 a.m.

As I discussed with you on the phone, there are a couple things on your form that may need some clarification.

If you are unable to keep the appointment please contact me to see if we can arrange another meeting time. I can be reached in Salem 378-3739. If I am unavailable, please ask for Don Knauer.

Sincerely,

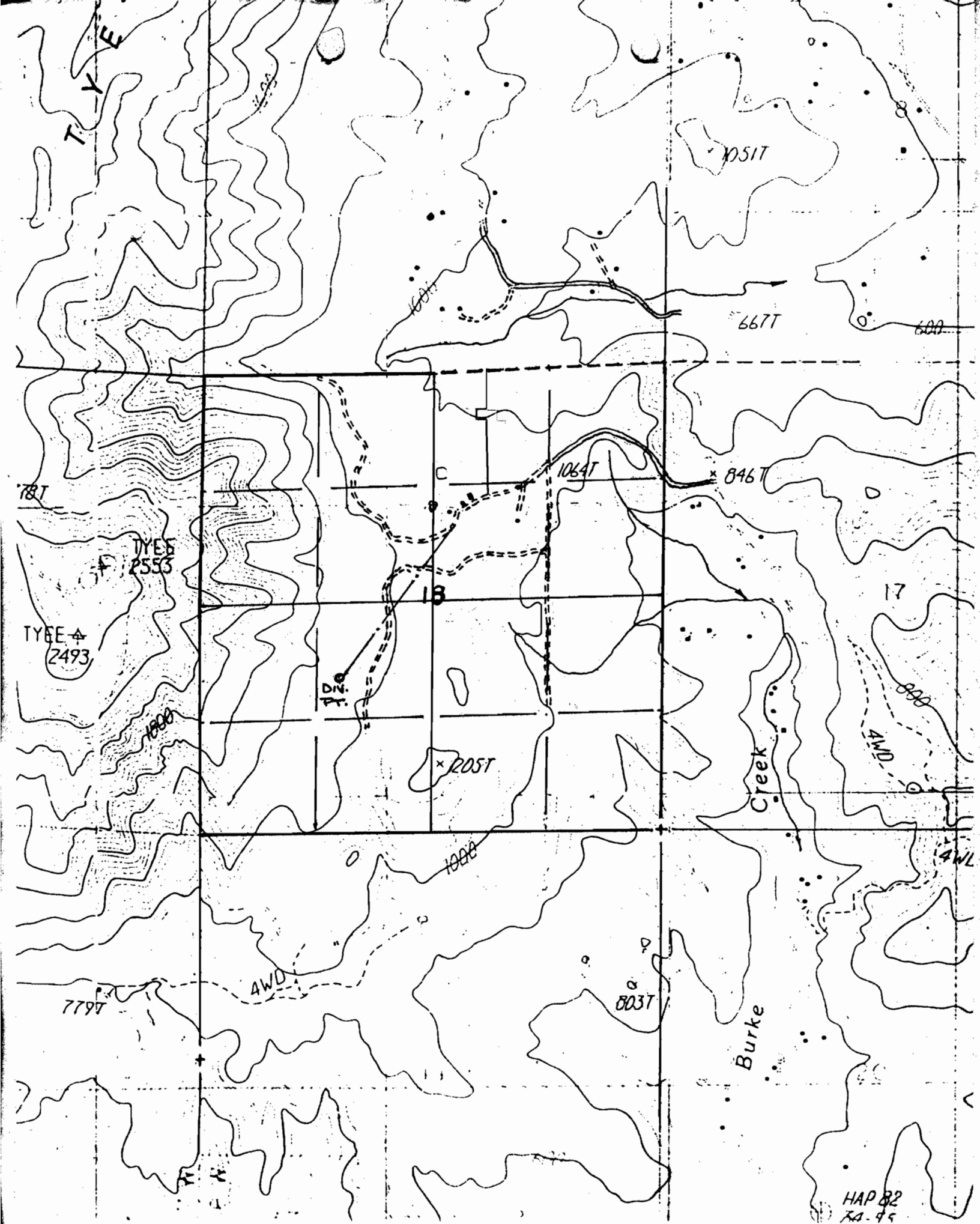
Dwight French  
Adjudications Section



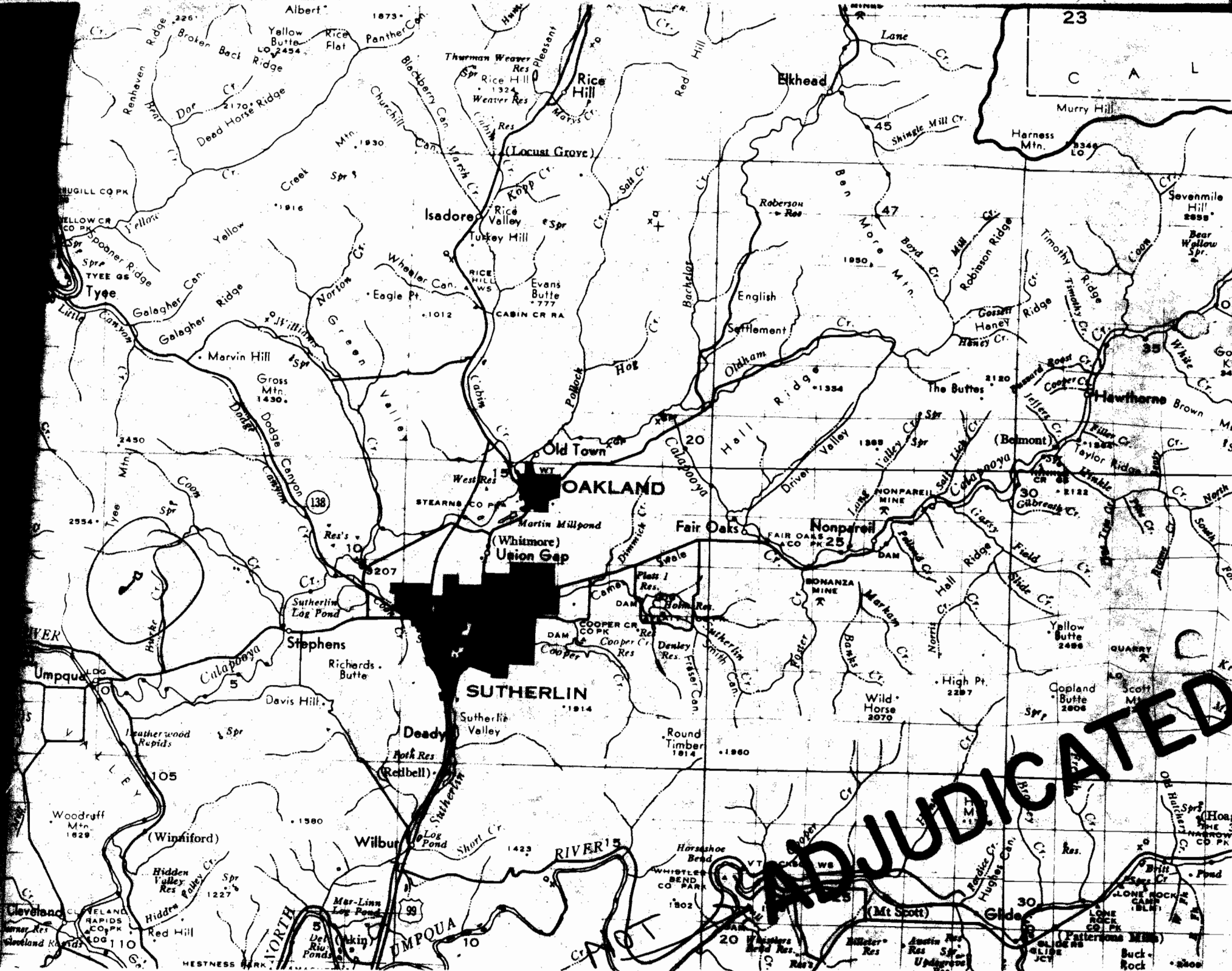
TOWNSHIP 255 RANGE 6W W. M.

SECTION 18

N E				N W				S W				S E				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT.																		
IF OTHER THAN 40 ACRES																		
		MM								MM								
	Dem									SK					MM	58288		11
	Dem														Dem	68496	49611	
	Dem															69282	<del>50162</del>	CANCELED
																SWE-6		



HAP 82  
XA-75



**UNADJUDICATED**

RECEIVED  $\frac{1}{2}$

JUL 12 1989

WATER RESOURCES DEPT.  
SALEM, OREGON 7-3-89

JOHN B. SULLIVAN

CAPACITY OF EXISTING SYSTEM

ELEVATION AT HOUSE = 1120

ELEVATION AT STORAGE TANK = 1120 + 30 = 1150

ELEVATION AT SPRING = 1280

ELEVATION DIFFERENCE = 1280 - 1150 = 130 FT.

DISTANCE FROM TANK TO SPRING = 1600 FT. ±

$S = h/L = 130/1600 = 0.081 \text{ FT./FT.}$

PIPE = 3/4 INCH PVC

C (HAZEN-WILLIAMS) = 150

R = HYDRAULIC RADIUS = D/4 = 0.063/4 = 0.016

n (MANNINGS) = 0.009

A = AREA = 0.0031 FT.<sup>2</sup>

HAZEN-WILLIAMS FORMULA

$V = 1.318 C R^{0.63} S^{0.54}$

$V = (1.318 \times 150) (.016)^{.63} (.081)^{.54}$

$V = (197.7) (.074) (.258)$

$V = 3.8 \text{ FT./SEC.}$

MANNINGS FORMULA

$V = \frac{0.59}{n} (d^{2/3} S^{1/2})$

$V = \frac{0.59}{.009} (.063)^{.667} (.081)^{.5}$

JOHN B. SULLIVAN

MIN  
7-3-89

CAPACITY OF EXISTING SYSTEM

$$V = (65.56)(.158)(.285)$$

$$V = 2.9 \text{ FT./SEC.}$$

$$AV. V = \frac{3.8 + 2.9}{2} = 3.4 \text{ FT./SEC}$$

$$Q = AV = (.0031)(3.4) = 0.01 \text{ CFS, } = 4.7 \text{ GAL/MIN.}$$

James P. Sullivan

RECEIVED

JUL 12 1989

WATER RESOURCES DEPT.  
SALEM, OREGON

STATEMENT OF PROPERTY OWNERS AFFECTED BY THIS CLAIM  
OF A RIGHT TO APPROPRIATE SURFACE WATER.

Property owners affected by this claim are:

John B. and Delores Sullivan  
4639 Cole Road  
Oakland, Oregon 97462  
503/459-4852

and

William S. and Mary W. Hillman  
P. O. Box 52  
Oakland, Oregon 97462  
503/459-1636

John B. Sullivan  
John B. Sullivan

7/20/89  
Date

**RECEIVED**

JUL 24 1989

WATER RESOURCES DEPT.  
SALEM, OREGON

July 20, 1989

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

Re: Claim of Right to Appropriate Surface Water  
John B. Sullivan

Enclosed are the documents relating to my claim to a right to appropriate surface water, along with a check in the amount of \$420. The following documents are enclosed:

1. Registration Statement
2. Description of Distribution System, Supplemental Sheet
3. Historical Narrative
4. Memorandum of Contract, October 31, 1966, Book 381, Pages 540 and 541
5. Memorandum of Contract, December 31, 1966, Book 385, Pages 479 and 480
6. Warranty Deed, August 25, 1970 Book 563, Pages 155, 156, 157
7. Warranty Deed, January 25, 1980, Vol. 744, Page 203
8. Warranty Deed, July 31, 1987, Book 993, Pages 244 and 245
9. Affidavit, Winnie B. Baird
10. Affidavit, Emery A. Allen
11. Affidavit, Harold G. Cole
12. Affidavit, Ivan S. Rogers
13. Affidavit, Eric B. Gustafson
14. Application Map (four copies)
15. System Capacity Calculations
16. Statement of Property Owners Involved

Please contact me if you have any questions, or if you need additional information.

Very truly yours,

*John B. Sullivan*

John B. Sullivan

JBS/p



RECEIVED

JUL 24 1989

WATER RESOURCES DEPT.  
SALEM, OREGON

I Ivan S Rogers do hereby testify to the fact the certain spring referred to in the deed between G. W. Tipton and Betty Lou Tipton to Ivan S. Rogers and Ethel L. Rogers, and recorded in book #563, pages 155, 156, & 157, is in fact the same spring now serving the same property-4639 Cole Rd. Oakland, Or. (legal description attached) now owned by John B. Sullivan and Delores J. Sullivan.

The property at 4639 Cole Rd. was derved by this same spring during my ownership from Aug. 25, 1970 to Jan. 25, 1980. I used this spring water for all mine and my families personal and household use, washing my cars, my farm equipment, watering a small garden and a few chichens. I also watered 30 to 40 head of beef cows from a tank at the barn (filled by this spring) and a small pond.

Mr. Hillman contested, only once, my use of this spring water, approximatly 1 year after I purchased the above property. I continued to use the spring water for all the above purposes during my ownership of the property.

The overflow from this spring was always available for Mr. Hillman to use, but he never exercised his right to use the overflow during the time I owned the property.

Signature:

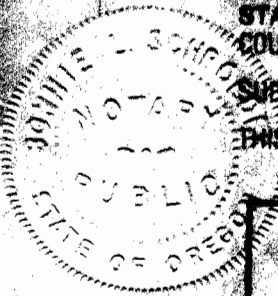
*Ivan S. Rogers*

Date:

11-18-88

STATE OF OREGON | IVAN S. ROGERS  
COUNTY OF DOUGLAS

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 18<sup>TH</sup> DAY OF NOVEMBER 1988



*Bonnie L. Schroeder*  
BONNIE L. SCHROEDER  
NOTARY PUBLIC - OREGON  
My Commission Expires May 30, 1990

RECEIVED

JUL 24 1989

WATER RESOURCES DEPT.  
SALEM, OREGON

I Juan S Rogers do hereby testify to the fact the certain spring referred to in the deed between G. W. Tipton and Betty Lou Tipton to Juan S. Rogers and Ethel L. Rogers, and recorded in book #563, pages 155, 156, & 157, is in fact the same spring now serving the same property-4639 Cole Rd. Oakland, Or. (legal description attached) now owned by John B. Sullivan and Delores J. Sullivan.

The property at 4639 Cole Rd. was derved by this same spring during my ownership from Aug. 25, 1970 to Jan. 25, 1980. I used this spring water for all mine and my families personal and household use, washing my cars, my farm equipment, watering a small garden and a few chichens. I also watered 30 to 40 head of beef cows from a tank at the barn (filled by this spring) and a small pond.

Mr. Hillman contested, only once, my use of this spring water, approximatly 1 year after I purchased the above property. I continued to use the spring water for all the above purposes during my ownership of the property.

The overflow from this spring was always available for Mr. Hillman to use, but he never exercised his right to use the overflow during the time I owned the property.

Signature:

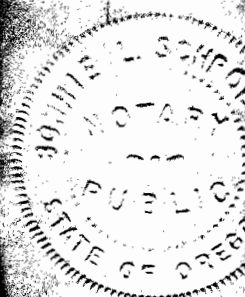
*Juan S. Rogers*

Date:

*11-18-88*

STATE OF OREGON | IVAN S. ROGERS  
COUNTY OF DOUGLAS

SUBSCRIBED AND SWORN TO BEFORE ME  
ON 18<sup>TH</sup> DAY OF NOVEMBER 1988



*Bonnie L. Schroeder*  
BONNIE L. SCHROEDER  
NOTARY PUBLIC - OREGON  
My Commission Expires May 30, 1990

RECEIVED

JUL 24 1989

WATER RESOURCES DEPT.

SALEM, OREGON

J WINNJE B. BAIRD residing at 5211 Cole Rd, Oakland, Or., <sup>am now</sup> of the age 89, have been a continuous resident, and close neighbor of the Hugh Cole Homestead for all my 89 years.

J WINNJE B. BAIRD do here by testify to the fact the certain spring referred to in the deed between G.W. Tipton and Betty Lou Tipton to Ivan S. Rogers and Ethel L. Rogers, recorded in book #563, pages 155, 156 and 157, is in fact the same spring now serving the John B. Sullivan and Delores J. Sullivan property located at 4639 Cole Rd., Oakland, Or., formerly known as part of the Hugh Cole Homestead.

Of my personal knowledge, I can and so state that in the year 1905 I observed the water from said spring being diverted by a wooden trough to the premises on the Hugh Cole Homestead.

I was well acquainted with the Hugh Cole family and was a close friend with his grand-daughter, Alta Cole, who lived at the Hugh Cole Homestead. I spent much time with Alta Cole on the Hugu Cole Homestead.

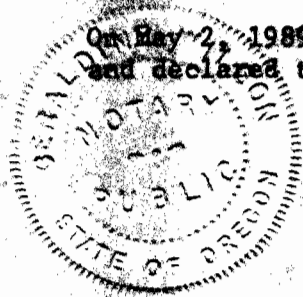
In the early 1920's my husband Donald Baird, helped replace the wooden trough with the metal pipe from said spring to the premises on the Hugu Cole Homestead.

To my knowledge this property has been served by this same spring continuously with no interruption for 84 years for household and domestic uses, and purposed including watering his yard, garden and the watering of livestock.

Signed May 2, 1989

Winnie B. Baird  
Winnie B. Baird

On May 2, 1989, Winnie B. Baird signed the above document in my presence and declared this was her voluntary act and Deed.



Geraldine Wilson  
Geraldine Wilson  
Notary Public for Oregon  
Commission Expires 3/27/92

I Eric Gustafson do hereby testify to the fact the certain spring referred to in the deed between G.W.Tipton and Betty Lou Tipton to Ivan S. Rogers and Ethel L. Rogers, and recorded in Book #563, Pages 155, 156, & 157 is in fact the same spring now serving the same property-4639 Cole Rd. Oakland, Or (legal description attached) now owned by John B. Sullivan and Delores J. Sullivan.

The property at 4639 Cole Rd. was served by this same spring during the time I owned this property- Jan 25, 1980 to July 31, 1987. I used this spring water for mine and my families personal and household use, washing my cars, and farm equipment, watering a small garden, a few chickens, and a couple of pigs. I also watered up to 50 head of beef cows from 3 different watering tanks filled by this spring.

Mr. Hillman has always known I've watered my cows from these tanks and has never contested my use of this spring water for my cows, or any of the other above used. The overflow from this spring was always available for Mr. Hillman to use, as the overflow from the spring water storage tank flows back on his property, but Mr. Hillman never exercised his right to use the overflow from this spring during my ownership of this property.

Signature: Eric B. Gustafson Date: Nov 10, 1988

STATE OF OREGON, )

COUNTY OF Douglas ) SS.

BE IT REMEMBERED, That on this 10th day of November, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Eric B. Gustafson

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

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

Shirley Nelson  
Notary Public for Oregon.

My Commission expires 3-27-92

**James F. Gosson**  
Consulting Engineer

**RECEIVED**

JUL 24 1989

WATER RESOURCES DEPT.  
SALEM, OREGON

July 16, 1989

Mr. John Sullivan  
4639 Cole Road  
Umpqua, Oregon 97486

Re: Application for Claim of Vested Right

Dear Mr. Sullivan:

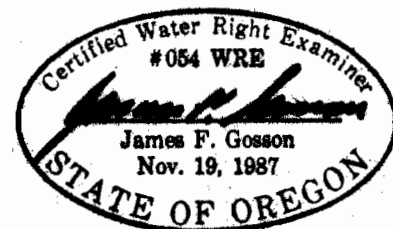
Enclosed are five copies of the application map. One copy is for your records. The spring appears to be the same source of water identified as spring #2 in the abstract of permit #49611 in the name of William S. and Mary W. Hillman. There doesn't appear to be any other sources of water in that immediate area.

Also enclosed are two sheets of calculations to determine the maximum capacity of your system. This is with no head at the upper end and free discharge at the lower end. It calculates at approximately 4.7 gallons/minute or 0.01 ft.<sup>3</sup>/second. It might be well to enclose a copy with your application.

Very truly yours,

  
James F. Gosson, CWRE

JFG/p



# APPLICATION MAP

RECEIVED

CLAIMING A RIGHT TO APPROPRIATE SURFACE WATER

JUL 24 1989

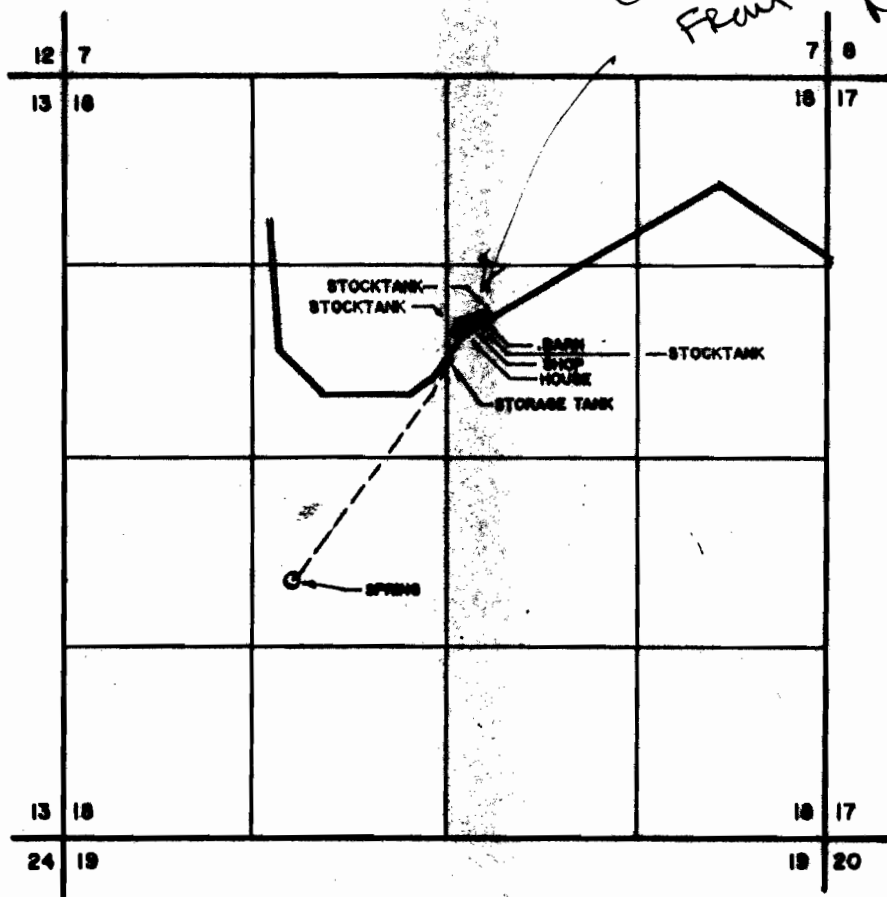
IN THE NAME OF JOHN B. SULLIVAN

WATER RESOURCES DEPT.  
SALEM, OREGON

SECTION 18, T25S, R6W, W.M.

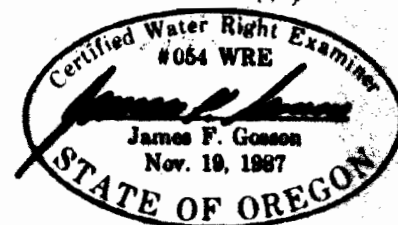


1 INCH = 1380 FEET



THE POINT OF DIVERSION IS LOCATED 850 FEET SOUTH AND 1575 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 18, BEING WITHIN THE NE 1/4 OF THE SW 1/4 OF SECTION 18, TOWNSHIP 25 SOUTH, RANGE 6 WEST, W.M.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO IDENTIFY THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.





STATE OF OREGON

INTEROFFICE MEMO

TO: SWR #6 (John B. Sullivan) File

DATE: September 27, 1990

FROM: Don Knauer

SUBJECT: Registration Statement Review

Map: Where is the 1/2 acre of irrigation? Show boundaries. *SEE MAP*

Form: Date of initiation = 1867.

*✓* (Sullivan said in "Description of Distribution System" 1870.)

What is it?

Exhibit "A" - Check last paragraph.

Done by J. F. Gosson, Roseburg.

Check area on map with planimeter when it is defined.

0656

SURFACE WATER REGISTRATION CHECKLIST  
(Received Prior to July 18, 1990)

UNADJUDICATED DRAINAGE? YES

SWR # 6

RECEIPT # 58644

CHECK TO SEE IF ENCLOSURES ARE THERE 8-16-90 DEK

ACKNOWLEDGEMENT LETTER ✓

ENTER ON STREAM INDEX ✓

CHECK BASIN MAP 8-16-90 DEK

CHECK QUADRANGLE MAP 8-16-90 DEK

GLW PLATS 9/9/90 DEK

REVIEW FORM:

- Blanks filled out
- Signed
- Date received stamped
- Date received filled out

MAP:

- Location of diversion point to govt corner
- pipelines, CANALS, DITCHES, ETC
- Place of use IRRIGATION ?
- Scale
- Section, Township, Range
- North arrow
- CURE STAMP

WATER RIGHT RECORD CHECK ✓

ENTER ON PLAT CARDS ✓

0618

255-6W-18





## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

August 10, 1989

John B. Sullivan  
4639 Cole Road  
Oakland, Oregon 97462

Dear Mr. Sullivan:

Your Surface Water Registration Statement numbered SWR-6 and exhibits have been received and now appear to be complete.

Legislation was passed this year providing for investigation and enforcement of rights claimed under surface water registrations. This legislation is not yet in effect. We will notify you in the future concerning the next steps in the registration process.

If you have any questions, please do not hesitate to contract me.

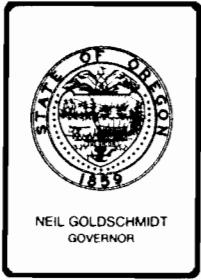
Sincerely,

A handwritten signature in dark ink, appearing to read "Jules Wetzel".

Jules Wetzel  
Adjudication Claim Examiner

JW:jt

0339j



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

August 2, 1989

Mr. John B. Sullivan  
4639 Cole Road  
Oakland, OR. 97462

Dear Mr. Sullivan;

This will acknowledge your note dated July 28, 1989 clarifying your claim to domestic, stockwater and irrigation of 0.5 acre lawn and garden. Also received was a check for \$430.00. Enclosed is our receipt no. 58644.

Also enclosed is your original Registration Statement. I am returning it for correction and completion. Please correct the following by making the change in ink and initialing and dating the change:

- A) item 2 - should read Domestic, irrigation of 1/2 acre of non-commercial garden ..... and stockwater for \_\_\_\_\_. Please describe your stockwater use as to number and kind, for example 1000 head of llamas.
- B) item 3 - please provide a quantity for each use, which may be gallons per day if you wish. Example: 0.009 cfs of which 4000 gpd for irrigation, 1500 gpd for stockwater and the remainder for domestic use.
- C) item 7 - should correspond exactly to item 2, therefore please correct the first line to show 1/2 acre irrigation and add the domestic on a separate line.

We have designated this statement as Surface Water Registration no. 6, but please note that it is not certified nor recorded by us yet. We must have this statement returned complete and correct before we can record it as an actual Registration of a Surface Water Claim.

If you have any questions, please feel free to call me.

Sincerely,

Jules Wetzel  
Adjudication Claim Examiner

JW:jt  
0331j

SWR-6 - REVIEW

STOCKWATER - KIND AND NUMBER

AMOUNT OF WATER CLAIMED -

G.P.D. OK

DOMESTIC - IS HOUSE ORIGINAL FROM 1867

IF A REPLACEMENT, IS THE HOUSE

ON THE SAME LOCATION.

IRRIGATION: THE DEED PRECLUDES IRRIGATION  
EXCEPT FROM EXCESS OF HILLMAN'S  
(NEIGHBOR) USE.

IS THE HATCHLING LOCATED WELL  
ENOUGH ON THE MAP.

APPLICATION 68496 IS FOR DOMESTIC INC. 1/2 AC.

LAWN & GARDEN AND STOCK FROM SAME  
SPRING FILED BY HILLMAN, THE NEIGHBOR.

CONSIDERING THE DEED LANGUAGE, HE MIGHT  
HAVE GOOD REASON TO CONTEST ALL BUT  
THE DOMESTIC.

RECEIVED

July 28, 1989

JUL 31 1989

WATER RESOURCES DEPT.  
SALMON, CROOK

Dear Mr. Wetzel,

Thank you for acknowledging  
our Reg. Statement (SWR-6).

Enclosed is a check for \$430.  
for domestic, stockwater, and  
 $\frac{1}{2}$  acre of lawn & garden.

Sincerely,  
John Sullivan



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

July 24, 1989

Mr. John B. Sullivan  
4639 Cole Road  
Oakland, OR. 97462

Dear Mr. Sullivan;

This will acknowledge your Registration Statement Claiming a Right to Appropriate Surface Water in the name of John B. Sullivan. Accompanying the statement were a check for \$420.00 and additional documents as detailed on the table of contents, a copy of which I have initialed and enclosed with this letter. Your Registration Statement has been accepted and numbered SWR-6.

You have claimed a water use of domestic including 1/2 acre of lawn and garden, and stockwater for which you appropriate 0.009 cfs. The fee for the two uses will be \$400.00. A claim of domestic including irrigation of 1/2 acre of lawn and garden is valid, however we must advise you that the two can not be separated at a later date, such that if you drill a well for your domestic use only you will lose the irrigation right also. If you want to make a claim of domestic, stockwater and 1/2 acre of lawn and garden the fee will be \$430.00. Enclosed is your check for \$420.00. The simplest procedure is for you to send us a check for the correct amount.

In the near future we will review your Statement and either file it as submitted or return it for correction or completion. We will keep you advised regardless.

Sincerely,

Jules Wetzel  
Adjudication Claim Examiner

JW:jt  
0328j

RECEIVED

JUL 24 1989

#5 Continued

WATER RESOURCES DEPT.  
SALEM, OREGON

DESCRIPTION OF DISTRIBUTION SYSTEM

The oldest system-of-record was in use between the years 1870 (approximate) and early 1920's. It consisted of poles notched out to form a flume. These notched out poles ran from spring to premise.

An iron pipe replaced the notched out poles and served as the system from early 1920's to 1970. A reservoir box was constructed approximately 30 feet northeasterly of present point of diversion in the early 1920's (approximate). It measures 40" x 40" x 24" deep. The use of this reservoir was discontinued when P.V.C. line was installed.

In approximately 1965 a 3800 gallon storage tank was installed. It is located approximately 250 feet southwest of the house.

A 3/4 inch P.V.C. line replaced the iron pipe system in 1970. This same P.V.C. line is still in use today. A 3/4 inch by 1600 (more or less) P.V.C. pipe runs from the spring to the 3800 gallon storage tank. A 1 inch x 250 feet (approximate) P.V.C. pipe runs from storage tank to house, and a 1" x 300 foot (approximate) of P.V.C. pipe serves three stock tanks and seven hose bibs. The entire system is gravity flow.

John B. Sullivan  
John B. Sullivan

7/20/89  
Date

RECEIVED

JUL 24 1989

HISTORICAL NARRATIVE

WATER RESOURCES DEPT.  
SALEM, OREGON

The properties described in this writing are part of the William Hugh Cole homestead.

Mr. Cole homesteaded this land in 1867. The spring we are filing on was used by him until his death in 1939. The property was then purchased by his grandson, James Floyd C. Robertson.

Mr. Robertson leased the property to Mr. Rust and Mr. Emery Allen. In 1965 Mr. William Tipton purchased the property. In 1966 Mr. Tipton sold a portion of the homestead to Mr. Hillman. In the deed to Mr. Hillman, Mr. Tipton retained the first rights for use of spring water since it had served the premises for 99 years.

In 1970 Mr. Tipton sold the portion of the homestead with the building to Mr. Rogers, giving him in his deed the first rights to the spring (see Memorandum of Contract, Book 381, pages 540 and 541). In 1980 Mr. Rogers sold to Mr. Gustafson and in 1987 Mr. Gustafson sold to present owners, John B. and Delores Sullivan.

The uninterrupted use of this spring water has served the parcel now owned by John B. and Delores Sullivan since it was homesteaded in 1867 by William Hugh Cole to the present, for all the purposes mentioned in #2 of the Registration Statement.

John B. Sullivan  
John B. Sullivan

7/20/89  
Date

SURFACE WATER REGISTRATION STATEMENT CHECK LIST

1. Date Stamped In July 24, 1989
2. Receipt - SENT CHK. FOR #420. - RETURNED 7/25/89 w/ ITEM 4.  
- Ed #430 7/31/89 - RECEIPT NO. 58644
3. Payment Entered and Signed 8-2-89
4. Acknowledgement Letter ✓
5. Enter on Water Right Records
  - A. Stream Index ✓
  - B. Plat Cards ✓
6. Review
  - A. Form ✓
  - B. Map ✓
  - C. Exhibits ✓
7. Records Check
  - A. Conflicting Rights ✓
  - B. Confirming or Conflicting Evidence ✓
8. Letter of Correction, Completion or Acceptance 8-2-89
9. Enter on PARADOX
10. Accepted as OK by WRD 8-7-89

0308j



GRANTOR: ERIC B. GUSTAFSON AND MARILYN J. GUSTAFSON, husband and wife

CONVEYS AND WARRANTS TO

GRANTEE: JOHN B. SULLIVAN AND DELORES I. SULLIVAN, husband and wife

the following described real property free of encumbrances except as specifically set forth herein:

EXHIBIT "A" ATTACHED

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 appropriate city or county planning department to verify approved uses.

The true and actual consideration for this transfer is \$ 182,500.00.

If grantor is a corporation, this has been signed by authority of the Board of Directors, with the seal of said corporation affixed.

DATED: July 31, 1987

GRANTOR:

*Eric B. Gustafson*  
*Marilyn J. Gustafson*

Until a change is requested, all tax statements shall be sent to the following address:

grantee at: 4639 Cole Rd, Oakland, Or. 97462

STATE OF OREGON, County of Douglas

Date: July 31, 1987

Personally appeared the above named Eric B. and Marilyn J. Gustafson and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

*Mary H Robbins*  
Notary Public for Oregon

My commission expires: May 23, 1988

State of Oregon, County of \_\_\_\_\_

Date: \_\_\_\_\_  
Personally appeared \_\_\_\_\_, who being sworn, stated that he is the \_\_\_\_\_ of grantor corporation and that the seal affixed hereto is its seal and that this instrument was voluntarily signed and sealed in behalf of the corporation by authority of its Board of Directors. Before me:

Notary Public for Oregon  
My commission expires: \_\_\_\_\_

WARRANTY DEED

GUSTAFSON TO SULLIVAN  
AFTER RECORDING RETURN TO

(DON'T USE THIS SPACE RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

STATE OF OREGON, County of \_\_\_\_\_

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 1987, and recorded in book \_\_\_\_\_ on page \_\_\_\_\_. Witness my hand and seal of County affixed.

COUNTY CLERK

By \_\_\_\_\_ DEPUTY.

22-6829

The Northeast quarter of the Northwest quarter, the Northwest quarter of the Northeast quarter, the North half of the Southeast quarter of the Northwest quarter and the North half of the Southwest quarter of the Northeast quarter of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, excepting therefrom the following:

Beginning at a 5/8 inch iron rod on the north line of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, from which the north quarter corner of Section 18 bears South 87° 34' 41" West 596.95 feet; thence along said section line, North 87° 34' 41" East 695.40 feet to a 5/8 inch iron rod; thence leaving said section line, South 0° 04' 47" East 1045.01 feet to a 5/8 inch iron rod; thence South 49° 43' 29" West 466.16 feet to a 5/8 inch iron rod; thence South 75° 31' 26" West 344.71 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 848.13 feet to a 5/8 inch iron rod; thence South 89° 43' 17" West 100.00 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 100.00 feet to a 5/8 inch iron rod; thence North 89° 43' 17" East 100.00 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 455.03 feet to the point of beginning, all situated in the Northeast quarter of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

TOGETHER WITH: The non-exclusive right to use roadway as described in easement given by Arthur Baird and wife to James F. C. Robinson and wife in Volume 148, Page 575, Deed Records of Douglas County, Oregon, and as described in easement from Harry Jacoby and wife to Ivan S. Rogers and Ethel L. Rogers, Trustees, and Bruce W. Rogers, Recorder's No. 79-16116, Records of Douglas County, Oregon.

SUBJECT TO:  
1987-1988 taxes, a lien, not yet due and payable.

The assessment 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 assessment.

The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads and streets.

Terms and provisions of that certain Boundary Line Fence Agreement, dated February 7, 1967, recorded May 15, 1967 in Book 390, Page 58.

Easement for vehicle and pedestrian travel over the easterly 60 feet of subject property as set out in Memorandum recorded February 6, 1967 in Book 385, Page 479.

Reservation to use roadways for vehicle and pedestrian travel in providing ingress and egress as set out in Memorandum recorded August 26, 1970 in Book 452, Page 20; and further, an easement granted to Sun Studs, Inc., over existing roadway by instrument recorded in book 561, Page 907.

Terms and provisions and reservations of the right to use water from a spring as recorded August 26, 1970 in Book 452, Page 22.

A spring is now located at or near the southwesterly most corner of the property first above described. If located within said property, then George W. Tipton et ux reserve and retain unto themselves, their heirs and assigns, the right to use water from said spring, which is in excess of the right to use said water now being given for the benefit of the owners of the property first above described, but if said spring is located on adjacent property, then the owners of said property first above described are now given the right to use water from said spring to the extent herein set out, which extent is as follows, to-wit:

Owners of the property first above described shall have the first right at all times to use water from said spring to the extent normally required for domestic household use in a one-family dwelling situated on the property first above described, but such use shall not extend for purposes of irrigation in any way unless others are not using the same and said spring produces more than required for domestic household use in normal requirements of a one-family dwelling

RECEIVED

JUL 24 1989

July 21, 1987

To Whom It May Concern:

WATER RESOURCES DEPT.  
SALEM, OREGON

I do hereby testify to the fact, the certain Spring referred to in the Deed between G.W. Tipton and Betty Lou Tipton to Ivan S. Rogers and Ethel L. Rogers, and recorded in Book # 563-pages 155,156, and 157, is in fact the same spring now serving the Eric Gustafson property located at 4639 Cole Rd. Oakland, Or. To my knowledge this property legally described below, was at one time one parcel, and has since been divided, at which time provision was made for the spring to continue to serve the original homestead as it had for many years prior to the land partition. To my knowledge this property has been served by this same spring for 50 years.

This property was formerly known as the Hugh Cole Homestead.

Signature:

*Harold G. Cole*

Date: 7/22/87

State of Oregon)

County of Douglas)

On this 22<sup>nd</sup> day of JULY, 1987, personally appeared before me the above named HAROLD G. COLE and acknowledged the foregoing instrument to be their voluntary act and deed.

*Arlita G. Smith*

NOTARY PUBLIC FOR OREGON

My Commission Expires: 9-9-89

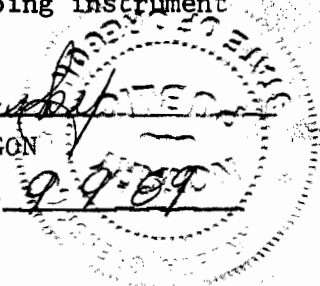


EXHIBIT "A"

The Northeast quarter of the Northwest quarter, the Northwest quarter of the Northeast quarter, the North half of the Southeast quarter of the Northwest quarter and the North half of the Southwest quarter of the Northeast quarter of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, excepting therefrom the following:

Beginning at a 5/8 inch iron rod on the north line of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, from which the north quarter corner of Section 18 bears South 87° 34' 41" West 596.95 feet; thence along said section line, North 87° 34' 41" East 695.40 feet to a 5/8 inch iron rod; thence leaving said section line, South 0° 04' 47" East 1045.01 feet to a 5/8 inch iron rod; thence South 49° 43' 29" West 466.16 feet to a 5/8 inch iron rod; thence South 75° 31' 26" West 344.71 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 848.13 feet to a 5/8 inch iron rod; thence South 89° 43' 17" West 100.00 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 100.00 feet to a 5/8 inch iron rod; thence North 89° 43' 17" East 100.00 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 455.03 feet to the point of beginning, all situated in the Northeast quarter of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

RECEIVED

JUL 24 1989

July 21, 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

To Whom It May Concern:

I do hereby testify to the fact, the certain Spring referred to in the Deed between G.W. Tipton and Betty Lou Tipton to Ivan S. Rogers and Ethel L. Rogers, and recorded in Book # 563-pages 155,156, and 157, is in fact the same spring now serving the Eric Gustafson property located at 4639 Cole Rd. Oakland, Or. To my knowledge this property legally described below, was at one time one parcel, and has since been divided, at which time provision was made for the spring to continue to serve the original homestead as it had for many years prior to the land partition. To my knowledge this property has been served by this same spring for 41 years.

This property was formerly known as the Hugh Cole Homestead.

Signature:

Date: 7/28/87

*Emery A. Allen*  
State of Oregon)  
County of Douglas)

On this 28<sup>TH</sup> day of JULY, 1987, personally appeared before me the above named EMERY A. ALLEN and acknowledged the foregoing instrument to be their voluntary act and deed.

*Roberta Gensky*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 9-9-89

EXHIBIT "A"

The Northeast quarter of the Northwest quarter, the Northwest quarter of the Northeast quarter, the North half of the Southeast quarter of the Northwest quarter and the North half of the Southwest quarter of the Northeast quarter of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, excepting therefrom the following:

Beginning at a 5/8 inch iron rod on the north line of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, from which the north quarter corner of Section 18 bears South 87° 34' 41" West 596.95 feet; thence along said section line, North 87° 34' 41" East 695.40 feet to a 5/8 inch iron rod; thence leaving said section line, South 0° 04' 47" East 1045.01 feet to a 5/8 inch iron rod; thence South 49° 43' 29" West 466.16 feet to a 5/8 inch iron rod; thence South 75° 31' 26" West 344.71 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 848.13 feet to a 5/8 inch iron rod; thence South 89° 43' 17" West 100.00 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 100.00 feet to a 5/8 inch iron rod; thence North 89° 43' 17" East 100.00 feet to a 5/8 inch iron rod; thence North 0° 16' 43" West 455.03 feet to the point of beginning, all situated in the Northeast quarter of Section 18, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

Application for Permit to Appropriate Surface Water

AUG 22 1985

WATER RESOURCES DEPT SALEM, OREGON

I, WILLIAM S. & MARY W. HILLMAN

(Name of Applicant)

of P.O. Box 864, CANYONVILLE

(Mailing Address)

(City)

State of OR, 97417 Phone No. 839-4671 do hereby

(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is UNNAMED SPRINGS

a tributary of CALAPOOYA CR.

2. The point of diversion is to be located ft. and ft.

(N. or S.)

(E. or W.)

from the corner of

(Public Land Survey Corner)

#1 160' N & 126.5' W (SE 1/4 NW 1/4) #4 560' N & 980' W
#2 745' S & 1160' W (NE 1/4 SW 1/4) #5 410' N & 600' W FROM S 1/4 COR SEC 18
#3 150' S & 290' E (NW 1/4 SE 1/4) #6 830' N & 720' W ALL IN SE 1/4 SW 1/4
#7 500' N & 10' E (SE 1/4 NW 1/4)

being within the 1/4 of the 1/4 of Sec. 18 Tp. 25 S R. 6 W, W.M., in the county of DOUGLAS

3. Location of area to be irrigated, or place of use if other than irrigation.

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Includes handwritten entries for SE NW, NE SW, SW NE, SE SW, SW SE, NW SE and irrigation details.

200.00 ex
150.00 Dem
100.00 Stk
100.00 10 3
78.00 33 3
628.00

42220

4. The amount of water which the applicant intends to apply to beneficial use is 0.600

cubic feet per second ~~SPRINGS # 1, 2, 3 .005 CFS STOCK - .01 CFS DOMESTIC 1/2 AC~~  
~~SPRINGS # 4, 5, 6 .005 CFS STOCK - .01 CFS DOMESTIC 1/2 AC~~  
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is STOCK WATER AND DOMESTIC  
INCLUDING 1/2 ACRE NON-COMMERCIAL LAWN & GARDEN EACH  
AND IRRIGATION

SEE REMARKS!

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

1" PVC PIPE TO ALL STOCK & DOMESTIC  
GRAVITY FLOW

IRRIGATION BY DITCH AND BY  
FLOODING TECHNIQUES

If for domestic use state number of families to be supplied 3

7. Construction work will begin on or before OCT 1, 1986

8. Construction work will be completed on or before OCT 1, 1987

9. The water will be completely applied to the proposed use on or before OCT 1, 1988

Application No. 68496

Permit No. \_\_\_\_\_

Remarks: SPRING #1 STOCK - .005 CFS, SUPPL. DOM. INCL.  $\frac{1}{2}$  AC. - ANY DEFICIENCY IN SPRING #2

SPRING #2 STOCK - .005 CFS, PRIMARY DOM. INCL.  $\frac{1}{2}$  ACES - .01 CFS

SPRING #3 SUPPL. DOM. INCL.  $\frac{1}{2}$  ACRE - ANY DEFICIENCY IN SPRING #2

SPRING #4 STOCK - .005 CFS, DOMESTIC INCL.  $\frac{1}{2}$  AC. - .0033 CFS

SPRING #5 STOCK - .005 CFS, DOM. INCL.  $\frac{1}{2}$  AC. - .0033 CFS

SPRING #6 STOCK - .005 CFS, DOM INCL.  $\frac{1}{2}$  AC - .0033 CFS

SPRING #7 IRRIGATION - .61 CFS SPRING #8 - DOM. INCL.  $\frac{1}{2}$  AC - .01 CFS

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

*William Hillman*  
Signature of Applicant  
*Mary W. Hillman*

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....  
**CORRECTION AND COMPLETION & ADDITIONS**

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before November 25, March 10, 1988

WITNESS my hand this 10th ~~25th~~ day of September, January, 1988

..William.H...Young..... Water Resources Director

By *Wayne J. Overcash*  
WAYNE J. OVERCASH

RECEIVED  
NOV 18 1985  
WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED  
JAN 23 1986  
WATER RESOURCES DEPT  
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

22nd day of August, 1985, at 11:00 o'clock  
A.M.

Application No. 68496

Permit No. ....

# Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.0449 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from eight springs

The use to which this water is to be applied is irrigation of 78.7 acres, stock watering, and domestic use for three families including irrigation of lawns or non-commercial gardens not to exceed 1/2 acre in area per family;

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated 2 1/2

being 0.611 cfs from Spring 7 for irrigation of 78.7 acres, 0.0023 cfs from each of Springs 1, 2, 4, 5, & 6 for livestock watering, 0.0023 cfs from each of Springs 4, 5, & 6 for domestic use for one family, 0.01 cfs from Spring 8 for domestic use for one family, and 0.01 cfs from Spring 2 when available with any deficiency in supply at Spring 2 to be made up by appropriation from Springs 1 & 3 for domestic use for one family

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is August 22, 1985 for Springs 1, 2, 3, 4, 5, & 6  
January 23, 1986 for Springs 7 & 8

Actual construction work shall begin on or before \_\_\_\_\_ and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19\_\_\_\_\_

Complete application of the water to the proposed use shall be made on or before October 1, 19\_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

*ATA*



RECEIVED

AUG 22 1985

WATER RESOURCES DEPT  
SALEM, OREGON

Application No. 68496  
Permit No. -----

BOOK 794 PAGE 511

1  
2  
3  
4  
5  
6  
7

EXHIBIT "A"

Lots three (3) and four (4) and the East half of the Southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ ) and West half of Southeast quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section 18;  
South half of Southeast quarter of Northwest quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) and South half of Southwest quarter of Northeast quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 18;  
and North half of Northwest quarter of Northeast quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 19  
all in Township 25 South, Range 6 West of the Willamette Meridian, Douglas County, Oregon

# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, William S. Hillman  
Name

P. O. Box 52  
Mailing Address

Oakland Oregon 97462  
City State Zip

record owner of water permit No. 49611, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1988, be extended to October 1, 1989 and/or the time in which to

accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1989, be extended to October 1, 1991.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

- (1) within the past year purchased storage tank and pipe and largely developed Spring 2. (It may be done prior to Oct. 1). However, the access road to the ranch slid out and then the fire season stopped all work, which why no other work has been done. As above, work is now continuing.
- (2) prior to this past year Spring 4 was developed and is ready for use by cattle. Additional supplies and pipe were bought.
- (3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) None.

(If additional space is required, attach separate sheet)

William S. Hillman  
(If signing for a corporation please identify your title)

Dated September 26, 1988

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

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

#56267  
 \$100.-  
 9-29-88

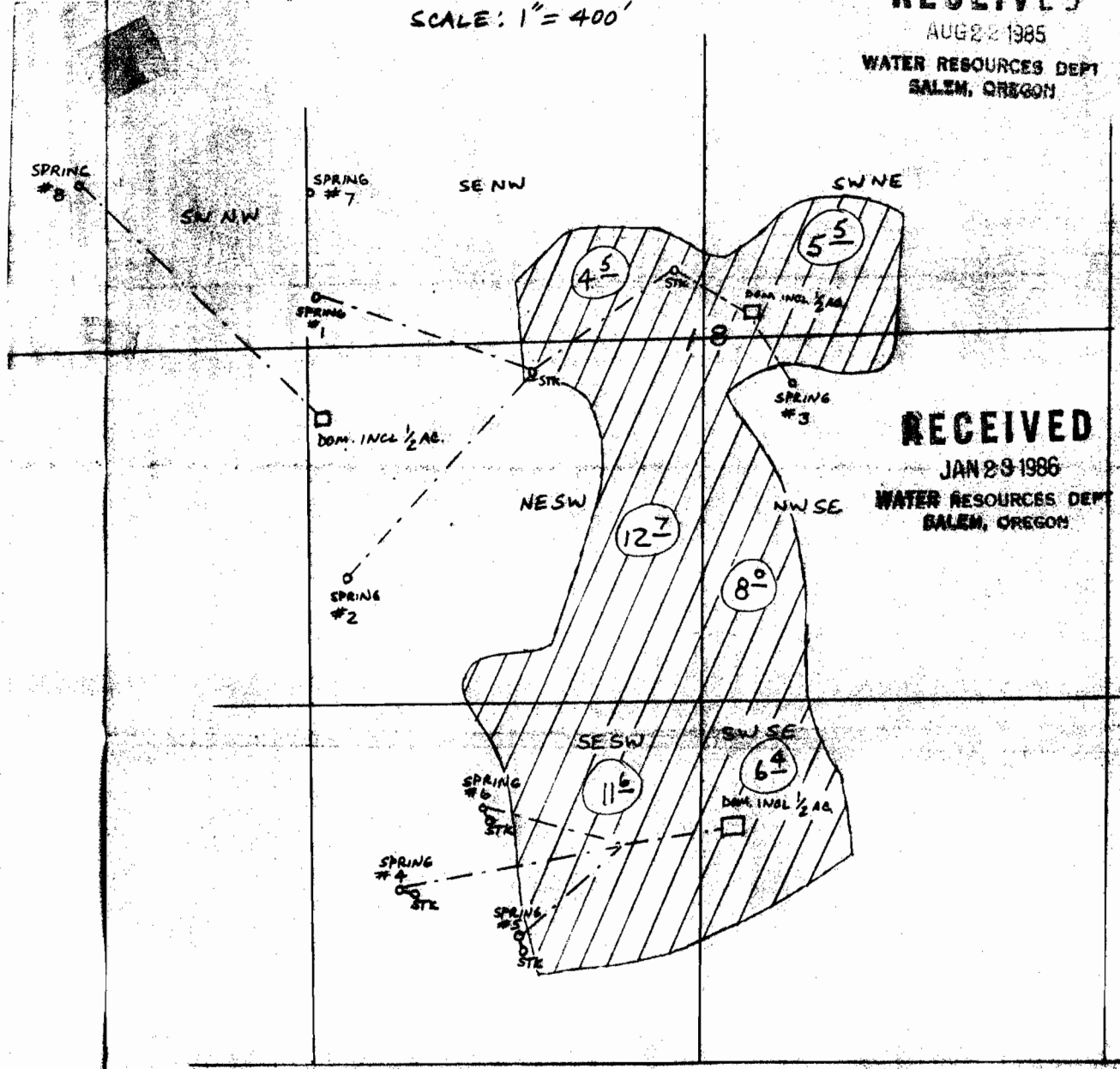
The completion date for use of water (10/1/89) cannot be extended. Prior to its expiration. If it becomes necessary to extend at that time, an additional request must be made. CC: Shaver Engry.

OK B to 10/1/89  
 AFR

Application No. 68496  
 T.25S., R.6W., W.M. Permit No. 49611  
 SEC. 18  
 SCALE: 1" = 400'

RECEIVED  
 AUG 22 1985  
 WATER RESOURCES DEPT  
 SALEM, OREGON

RECEIVED  
 JAN 29 1986  
 WATER RESOURCES DEPT  
 SALEM, OREGON



SPRING #1 - 160' N & 126' W  
 #2 - 74' S & 116' W  
 #3 - 150' S & 290' E  
 #7 - 400' N & 10' W  
 FROM C. & COR. SEC. 18

SPRING #4 - 500' N & 900' W  
 #5 - 400' N & 600' W  
 #6 - 830' N & 720' W  
 FROM S. & COR. SEC.

# Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.0449 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Eight Springs

The use to which this water is to be applied is irrigation of 78.7 acres, stock watering, and domestic use for three families including irrigation of lawns or non-commercial gardens not to exceed 1/2 acre in area per family;

If for irrigation, this appropriation shall be limited to 180 of one cubic foot per second or its equivalent for each acre irrigated 2 1/2

being 0.61 cfs from Spring 7 for irrigation of 78.7 acres, 0.0023 cfs from each of Springs 1, 2, 4, 5, 6 for livestock watering, 0.0023 cfs from each of Springs 4, 5, 6 for domestic use for one family, 0.01 cfs from Spring 8 for domestic use for one family, and 0.01 cfs from Spring 2 when available with any deficiency in supply at Spring 2 to be made up by appropriation from Springs 1 & 3 for domestic use for one family

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is August 22, 1985 for Springs 1, 2, 3, 4, 5, 6  
January 23, 1986 for Springs 7 & 8

Actual construction work shall begin on or before..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this ..... day of....., 19.....

*ATA*

80-01335

WARRANTY DEED

VOL 744 PAGE 203

KNOW ALL MEN BY THESE PRESENTS, That Ivan S. Rogers and Ethel L. Rogers, Trustees hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Eric B. Gustafson and Marilyn J. Gustafson, husband and wife hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Douglas and State of Oregon, described as follows, to-wit:

As per attached Exhibit "A".

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except rights of way, easements now of record,

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 190,000.00 (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 25th day of January, 1980; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Ivan S. Rogers, Trustee  
Ethel L. Rogers, Trustee

By executed by a corporation, this document void

STATE OF OREGON,  
 County of Douglas  
January 25th, 1980

Personally appeared the above named Ivan S. Rogers and Ethel L. Rogers, Trustees

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

Stephan J. Green  
 Notary Public for Oregon  
 My commission expires 11-6-82

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
 \_\_\_\_\_, 19\_\_\_\_

Personally appeared \_\_\_\_\_ and \_\_\_\_\_ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_

\_\_\_\_\_ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:  
 Notary Public for Oregon  
 My commission expires \_\_\_\_\_

\_\_\_\_\_  
 GRANTOR'S NAME AND ADDRESS

\_\_\_\_\_  
 GRANTOR'S NAME AND ADDRESS

\_\_\_\_\_  
 NAME, ADDRESS, ZIP

\_\_\_\_\_  
 Send change to agent of landowners club to care of the following address:

Virginia Post, Box 62  
Deland, Oregon

STATE OF OREGON, } ss.  
 County of \_\_\_\_\_

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as document/ten/line/instrument/microfilm No. \_\_\_\_\_ Record of Deeds of said county.

Witness my hand and seal of County aforesaid.

\_\_\_\_\_  
 NAME TITLE

By \_\_\_\_\_ Deputy

*John L. Brown*

KNOW ALL MEN BY THESE PRESENTS, That  
TIPTON, husband and wife,

G. W. TIPTON and BETTY LOU



hereinafter called the grantor, for the consideration hereinafter stated,  
to grantor paid by IVAN S. ROGERS and ETHEL L. ROGERS, husband and wife,

hereinafter called the grantee,  
does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that  
certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, sit-  
uated in the County of Douglas and State of Oregon, described as follows, to-wit:

That certain real property more particularly  
described in Exhibit "A" attached hereto and  
made a part hereof as if fully written herein.

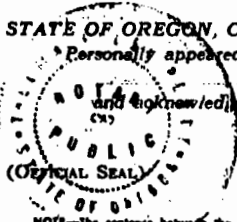
To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.  
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that  
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that  
grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the law-  
ful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.  
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$35,000.00  
However, the actual consideration consists of or includes other property or value given or promised which is  
part of the consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.  
WITNESS grantor's hand this 25 day of July August, 1970

*G. W. Tipton*  
*Betty Lou Tipton*

STATE OF OREGON, County of Douglas ) ss. *July Aug 25, 1970*  
Personally appeared the above named G. W. Tipton and Betty Lou Tipton,  
husband and wife,



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

Before me: *Shelma Alley Berry*  
Notary Public for Oregon  
My commission expires *May 9, 1972*

NOTE—The sentence between the symbols Ⓞ, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED

G. W. TIPTON  
BETTY LOU TIPTON  
TO  
IVAN S. ROGERS  
ETHEL L. ROGERS

AFTER RECORDING RETURN TO

(DON'T USE THIS  
SPACE, RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

STATE OF OREGON,

County of

I certify that the within instru-  
ment was received for record on the  
day of 19

at o'clock M., and recorded  
in book on page

Record of Deeds of said County.

Witness my hand and seal of  
County afixed.

Title.

By Deputy

No.

563-155

1 Lots one (1) and two (2); Northeast quarter of the Northwest  
 2 quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ); Northwest quarter of the Northeast quarter  
 3 quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ); North half of the Southeast quarter of the Northwest  
 4 quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) and North half of the Southwest quarter of  
 5 the Northeast quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 18, Township 25  
 6 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

7 Said property is subject to:

- 8 a. Non-exclusive easement granted to William S. Hillman, et ux,  
 9 as evidenced by instrument recorded in Book 385, Records of  
 10 Douglas County, Oregon, Recorder's No. 57-1119.
- 11 b. Boundary Line Fence Agreement, including the terms and pro-  
 12 visions thereof, between William S. Hillman et ux and Francis  
 13 L. Brammer, recorded in Book 390, Records of Douglas County,  
 14 Oregon, Recorder's No. 67-4535.

15 There is included with the property first above described, and  
 16 appurtenant to it, the following, to-wit:

- 17 A. A non-exclusive right to use a roadway for vehicle and  
 18 pedestrian travel in providing ingress to and egress from  
 19 the real property first above described, leading to a  
 20 county road from the same, and to said real property first  
 21 above described from said county road. Said easement route  
 22 is the same as is described in an easement given by Arthur  
 23 B. Baird et ux to James F. C. Robertson et ux by instrument  
 24 recorded in the Douglas County, Oregon, Deed Records, in  
 25 Volume 148, at page 575.

26 Said George W. Tipton et ux reserve and retain unto  
 27 themselves, their heirs and assigns the right to use said  
 28 roadway for vehicle and pedestrian travel in providing  
 29 ingress to and egress from other properties owned by them  
 30 which are adjacent to the properties hereinabove first  
 31 described; and, said George W. Tipton et ux also reserve and  
 32 retain unto themselves and their heirs and assigns, an  
 easement 60' in width, the easterly boundary line of which  
 follows the easterly boundary line of the real property first  
 above described and commences at the northerlymost side of  
 the easement described in instrument recorded in Vol. 148,  
 page 575 of the Douglas County, Oregon, Deed Records where  
 said easement connects to the property first above described,  
 and said 60' easement runs thence South, following said  
 easterly boundary line to the southeasterlymost corner of  
 the property first above described.

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B. A spring is now located at or near the southwesterlymost corner of the property first above described. If located within said property, then George W. Tipton et ux reserve and retain unto themselves, their heirs and assigns, the right to use water from said spring, which is in excess of the right to use said water now being given for the benefit of the owners of the property first above described, but if said spring is located on adjacent property, then the owners of said property first above described are now given the right to use water from said spring to the extent herein set out, which extent is as follows, to-wit:

Owners of the property first above described shall have the first right at all times to use water from said spring to the extent normally required for domestic household use in a one-family dwelling situated on the property first above described, but such use shall not extend for purposes of irrigation in any way unless others are not using the same and said spring produces more than required for domestic household use in normal requirements of a one-family dwelling.

*6008* No. 75-1379  
STATE OF OREGON }  
COUNTY OF DOUGLAS } ss.  
I, Doris L. Wadsworth, County Clerk and ex-officio Recorder of said County, do hereby certify that the within instrument was filed FEB 5 1975 at 2:11 P. M. and Recorded in Volume 563 at Page 155 of BOOK OF RECORDS Records of Douglas County, Oregon.  
DORIS L. WADSWORTH

County Clerk  
By Mary J. Beal

JFF

*MJ*

*Return*  
✓ *Sloan R. ...*  
*922 SE Cass*  
*Roseburg, Or.*  
Page 2 - EXHIBIT "A"

LAW OFFICES  
LUOMA, KELLEY & WOODRUFF  
SUITE 206, PROFESSIONAL CENTER  
TELEPHONE 874-8844  
ROSEBURG, OREGON 97470



MEMORANDUM OF CONTRACT RESOURCES DEPT. SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS, THAT GEORGE W. TIPTON and BETTY LOU TIPTON, husband and wife, are selling, under October 31, 1966, written contract of sale and FRANCIS L. BRAMMER is buying the following described property situated in Douglas County, Oregon, to-wit:

That certain property described in Exhibit A attached hereto and made a part hereof as if fully written herein.

IN WITNESS WHEREOF, Sellers have hereunto set their hands and seals this 31st day of October, 1966.

George W. Tipton
George W Tipton

Betty Lou Tipton
Betty Lou Tipton

STATE OF OREGON )
County of Douglas } ss.

Oct 31, 1966.

Personally appeared the above named George W. Tipton and Betty Lou Tipton and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

Notary Public for Oregon
My Comm. Expires: Sept. 16, 1968

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## EXHIBIT "A"

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2 Lot one (1); Lot two (2); Northeast quarter of the Northwest quarter  
(NE $\frac{1}{4}$ NW $\frac{1}{4}$ ); Northwest quarter of the Northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ );  
3 North half of the Southwest quarter of the Northeast quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ );  
4 North half of the Southeast quarter of the Northwest quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ),  
5 all in Section 18, Township 25 South, Range 6 West, Willamette  
Meridian, Douglas County, Oregon.

6 Also, George W. Tipton et ux include with the above-described property  
7 the following easement rights which run with said property and are appur-  
8 tenant thereto, to-wit: The non-exclusive right to use a roadway for  
9 vehicle and pedestrian travel in providing ingress to and egress from  
10 the above-described parcel leading to a county road from the same and  
11 to said above-described property from said county road; said easement  
12 route being the same as is described in an easement given by Arthur B.  
13 Baird et ux to James F. C. Robertson et ux by instrument recorded in  
14 the Douglas County, Oregon, Deed Records, in Vol. 148, at page 575.

15 Said George W. Tipton et ux reserve and retain unto themselves, their  
16 heirs and assigns the right to use said roadway for vehicle and  
17 pedestrian travel in providing ingress to and egress from other  
18 properties owned by them which are adjacent to the property hereinabove  
19 first described; and, said George W. Tipton et ux also reserve and  
20 retain unto themselves and their heirs and assigns, an easement 60' in  
21 width, the easterly boundary line of which follows the easterly  
22 boundary line of the real property first above described and commences  
23 at the northerlymost side of the easement described in instrument  
24 recorded in Vol. 148, page 575 of the Douglas County, Oregon, Deed  
25 Records where said easement connects to the property first above  
26 described, and said 60' easement runs thence South, following said  
27 easterly boundary line to the southeasterlymost corner of the property  
28 first above described.

29 A spring is now located at or near the southwesterlymost corner of the  
30 property first above described. If located within said property,  
31 then George W. Tipton et ux reserve and retain unto themselves, their  
32 heirs and assigns, the right to use water from said spring, which is  
33 in excess of the right to use said water now being given for the benefit  
34 of the owners of the property first above described, but if said spring  
35 is located on adjacent property, then the owners of said property  
36 first above described are now given the right to use water from said  
37 spring to the extent herein set out, which extent is as follows, to-wit:

38 Owners of the property first above described shall have the first right  
39 at all times to use water from said spring to the extent normally  
40 required for domestic household use in a one-family dwelling situated  
41 on the property first above described, but such use shall not extend  
42 for purposes of irrigation in any way unless others are not using the  
43 same and said spring produces more than required for domestic household  
44 use in normal requirements of a one-family dwelling.

LUOMA, KELLEY & WOODRUFF

LAW OFFICES

ROSEBURG, OREGON 97470

COMMERCIAL ABSTRACT COMPANY  
Luther, Oregon

*White Farm Agency  
Care of Floyd & Jones*

Fee 3<sup>00</sup>/<sub>4c</sub> No. 66-12250

STATE OF OREGON } ss.  
COUNTY OF DOUGLAS }

I, G. D. Myllenbeck, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was

filed NOV 1 1966 at 3:23 P. M.

and Recorded in Volume 281  
at Page 540 of BOOK OF RECORDS  
Records of Douglas County, Oregon.

G. D. Myllenbeck County Clerk  
By Margie Wessman Deputy

index *By*

MEMORANDUM OF CONTRACT

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KNOW ALL MEN BY THESE PRESENTS, that GEORGE W. TIPTON and BETTY LOU TIPTON, husband and wife, are selling under December 13, 1966, written contract of sale and WILLIAM S. HILLMAN and MARY W. HILLMAN, husband and wife, are buying the following described property situated in Douglas County, Oregon, to-wit:

That certain property described in Exhibit A attached hereto and made a part hereof as if fully written herein.

IN WITNESS WHEREOF, Sellers have hereunto set their hands and seals this 31 day of December, 1966.

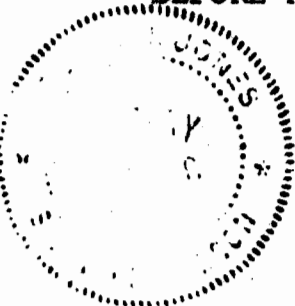
George W. Tipton  
George W. Tipton  
Betty Lou Tipton  
Betty Lou Tipton

STATE OF OREGON )  
County of Douglas ) ss.

December 31, 1966.

Personally appeared the above named George W. Tipton and Betty Lou Tipton, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



James W. Jones  
Notary Public for Oregon

My Commission Expires: April 16, 1968

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EXHIBIT "A"

Lots three (3) and four (4) and the East half of the Southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ ) and West half of Southeast quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$ ) of Section 18; South half of Southeast quarter of Northwest quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) and South half of Southwest quarter of Northeast quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 18; and North half of Northwest quarter of Northeast quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 19 all in Township 25 South, Range 6 West of the Willamette Meridian, Douglas County, Oregon

Said property is subject to:

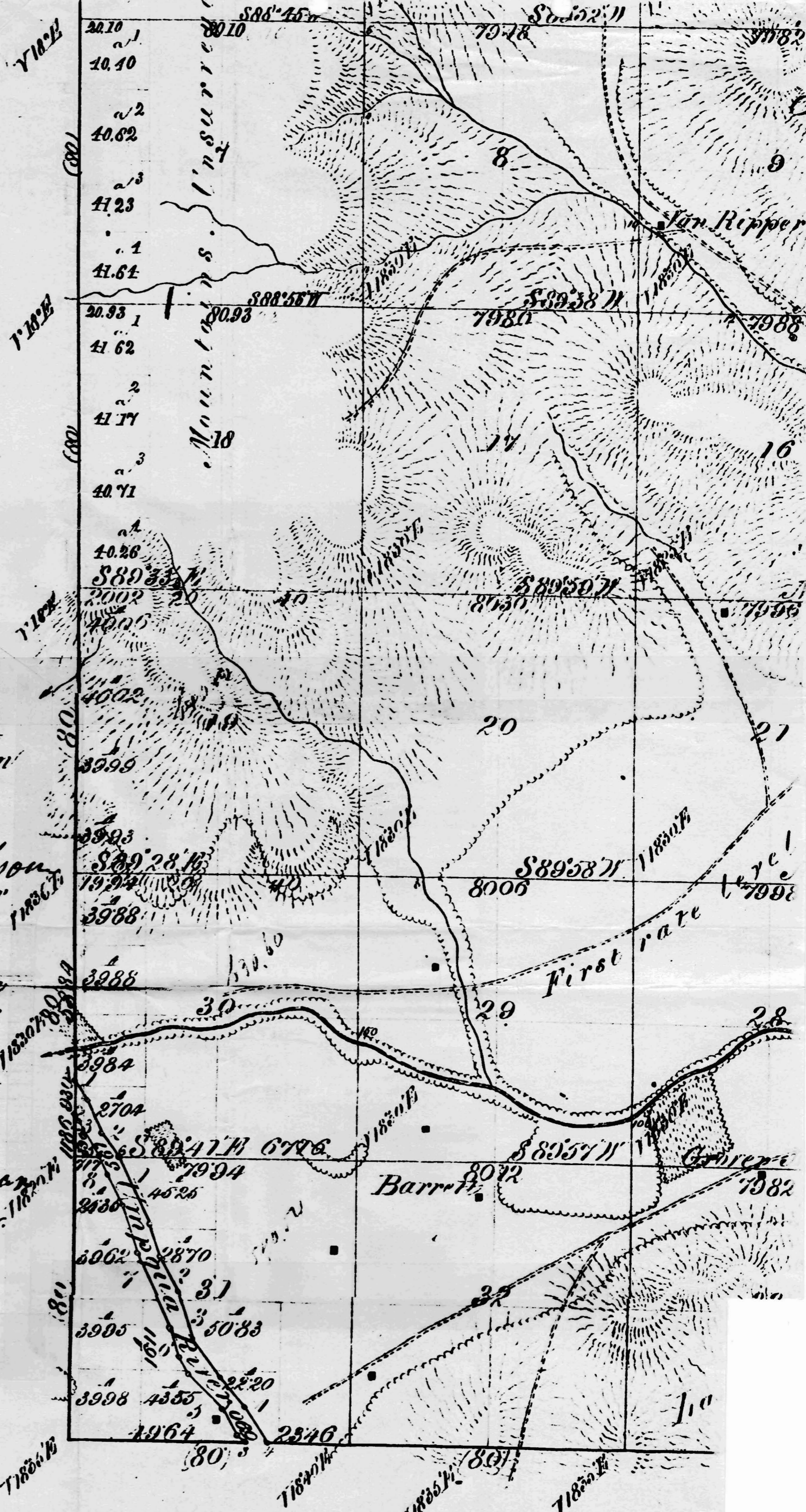
Easements granted, and provisions relating to spring and right to use of water as set forth in Memorandum of Contract between George W. Tipton, et ux and Francis L. Brammer, recorded in Book 381, Records of Douglas County, Oregon, Recorder's No. 66-12250.

George W. Tipton, et ux, reserve and retain unto themselves, their heirs and assigns, the right to use the roadway, constituting an easement right, given and granted by George W. Tipton et ux to Francis L. Brammer, as set out in the above-mentioned memorandum of contract recorder's #66-12250, for vehicle and pedestrian travel in providing ingress to and egress from other properties owned by George W. Tipton, et ux, which are adjacent to the property hereinabove first described; and, said George W. Tipton et ux also reserve and retain unto themselves and their heirs and assigns, an easement 60' in width, the easterly boundary line of which follows the easterly boundary line of the real property first above described and commences at the northeasterly corner of said property first above described and runs thence south, following said easterly boundary line, to the southeasterlymost corner of the property first above described.

George W. Tipton, et ux, also include, with the property first above described and running with said land, the <sup>non-exclusive</sup> right to use the roadway for vehicle and pedestrian travel in providing ingress to and egress from the real property first above described, leading to a county road from the same, and to said real property first above described from said county road. Said easement route is the same as is described in an easement given by Arthur B. Baird et ux to James F. C. Robertson et ux by instrument recorded in the Douglas County, Oregon, Deed Records, in Vol. 148, at page 575.

George W. Tipton, et ux, also include, with the property first above described, and running with the land, the non-exclusive right to use the roadway for vehicle and pedestrian travel in providing ingress to and egress from the real property first above described, over and across the easterly 60 feet of the real property sold by George W. Tipton et ux to Francis L. Brammer as described in the memorandum of contract recorded in Book 381, Records of Douglas County, Oregon, Recorder's #66-12250.

1.09  
3.76  
7.85



The above Map of the subdivisional lines of secs 7 and 18 T. 25 S. R. 6 W. Will. Mer. Oregon is strictly conformable to the original field notes of the survey thereof on file in this Office which have been examined and approved.

U.S. Surveyor General's Office  
Portland Or.  
June 21<sup>st</sup> 1878

*Ben Simpson*  
Sur. Gen. of Or.

I hereby certify that the above protraction of the E. 1/2 of sec 6 T. 25 S. R. 6 W. Will. Mer. Oregon is correct and hereby approved.

U.S. Surveyor General's Office  
Portland Oregon  
April 1<sup>st</sup> 1884

*James Tolman*  
Sur. Gen. for Or.

Surveys designated	By whom surveyed	Contract		Amt of surveys			Mch.
		No.	Date	Miles	Chains	Links	
Township lines	Elder & Gile	37	April 1 <sup>st</sup> 1853	9	00	00	Se
Subdivisions	Elder & Gile	37	April 1 <sup>st</sup> 1853	58	07	77	Oct
Meanders	" "	"	" "	2	63	43	"
Subdivisions	W.H. Byars	272	Aug 22 <sup>nd</sup> 1877	2	01	03	Com.