

1-1-74

WARRANTY DEED



Land No. B-10728

KNOW ALL MEN BY THESE PRESENTS, That DAVID ANDRUSS and KAREN C. ANDRUSS, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by J. K. SMITH AND PAULINE SMITH, 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 Baker and State of Oregon, described as follows, to-wit:

Land in Baker County, Oregon, as follows: In Twp. 7S., R. 46 E., W.M.: Sec. 29: E 1/2 SW 1/4 SW 1/4.

Handwritten initials and numbers: 100, 85, 017

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(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 easements of record and visible thereon

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 \$54,000.00

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 11 day of OCTOBER, 1979; 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.

Signatures of David Andruss and Karen C. Andruss

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Baker (MULTNOMAH) ss. OCTOBER 11, 1979

STATE OF OREGON, County of Baker ss. Personally appeared and who, being duly sworn,

Personally appeared the above named David Andruss and Karen C. Andruss and acknowledged the foregoing instrument to be their voluntary act and deed.

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: August 5, 1981

Before me: Notary Public for Oregon My commission expires:

David and Karen Andruss P.O. Box 1701 Portland, Oregon 97217 GRANTOR'S NAME AND ADDRESS J.K. Smith and Pauline Smith Rt. 1 Box 96 Halfway, Oregon 97834 GRANTEE'S NAME AND ADDRESS After recording return to: J.K. Smith and Pauline Smith Rt. 1 Box 96 Halfway, Oregon 97834 NAME, ADDRESS, ZIP Until a change is requested all tax statements shall be sent to the following address. J.K. Smith and Pauline Smith Rt. 1 Box 96 Halfway, Oregon 97834 NAME, ADDRESS, ZIP

STATE OF OREGON, County of Baker ss. I certify that the within instrument was received for record on the 15th day of Oct, 1979, at 9:30 o'clock A.M., and recorded in book/reel/volume No. on page or as document/fee/file/instrument/microfilm No. Record of Deeds of said county. Witness my hand and seal of County affixed. Anita C. Johnson, Clerk NAME TITLE By Deputy

SPACE RESERVED FOR RECORDER'S USE

LAND TITLE ESCROW COMPANY

POST OFFICE BOX 1025
BAKER, OREGON 97814

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WORLDWIDE RECEIPT
SALES, OREGON

CLOSING STATEMENT
Order No. B10728
October 16, 1979

TO PURCHASERS: J. K. & Pauline Smith, Rt. 1, Box 96, Halfway, Oregon
PURCHASE FROM: David & Karen Andruss, P. O. Box 17071, Portland, Oregon
BROKER :

COST OF PURCHASE:

Purchase Price	\$54,000.00
Interest on \$25,500 to 9-26-79	403.75
½ Escrow Closing Fee	79.00
Record Warranty Deed	3.50
Interest on \$28,500.00 to 10-5-79	645.37

RECEIPTS:

Cash Received	\$25,500.00
79-80 Tax Pro-Rate	66.24
Check Dep. to Close	1,049.12
Addl. Check Dep. to Close	28,516.26

TOTAL

\$55,131.62

TOTAL

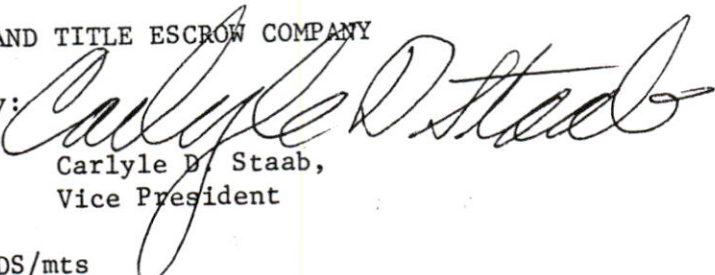
\$55,131.62

INFORMATION:

1. 1979-80 taxes pro-rated on estimated \$253.30 from 7-1-79 to 10-5-79, 96 days at \$.69/day, sellers credit buyers \$66.24.
2. We certify we have delivered copies of this statement to the parties involved in this transaction.

LAND TITLE ESCROW COMPANY

By:


Carlyle D. Staab,
Vice President

CDS/mts

AFFIDAVIT

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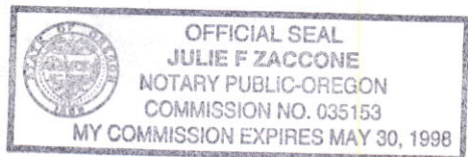
STATE OF OREGON)
) SS
County of Baker)

DATE: January 14, 1997

The pond(s) and reservoir(s) listed on my HB 2376 documentation were built prior to January 1, 1995.

Pauline M. Smith *Pauline M. Smith*
SIGNATURE AND PRINTED NAME OF OWNER OR REPRESENTATIVE

Subscribed and sworn to before me this 14th day of Jan., 19 97



Julie F. Zaccone
Notary Public of Oregon

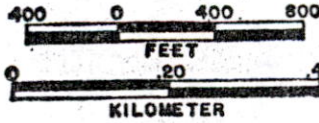
My Commission expires 5/30/98

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SCALE 1 : 9600.



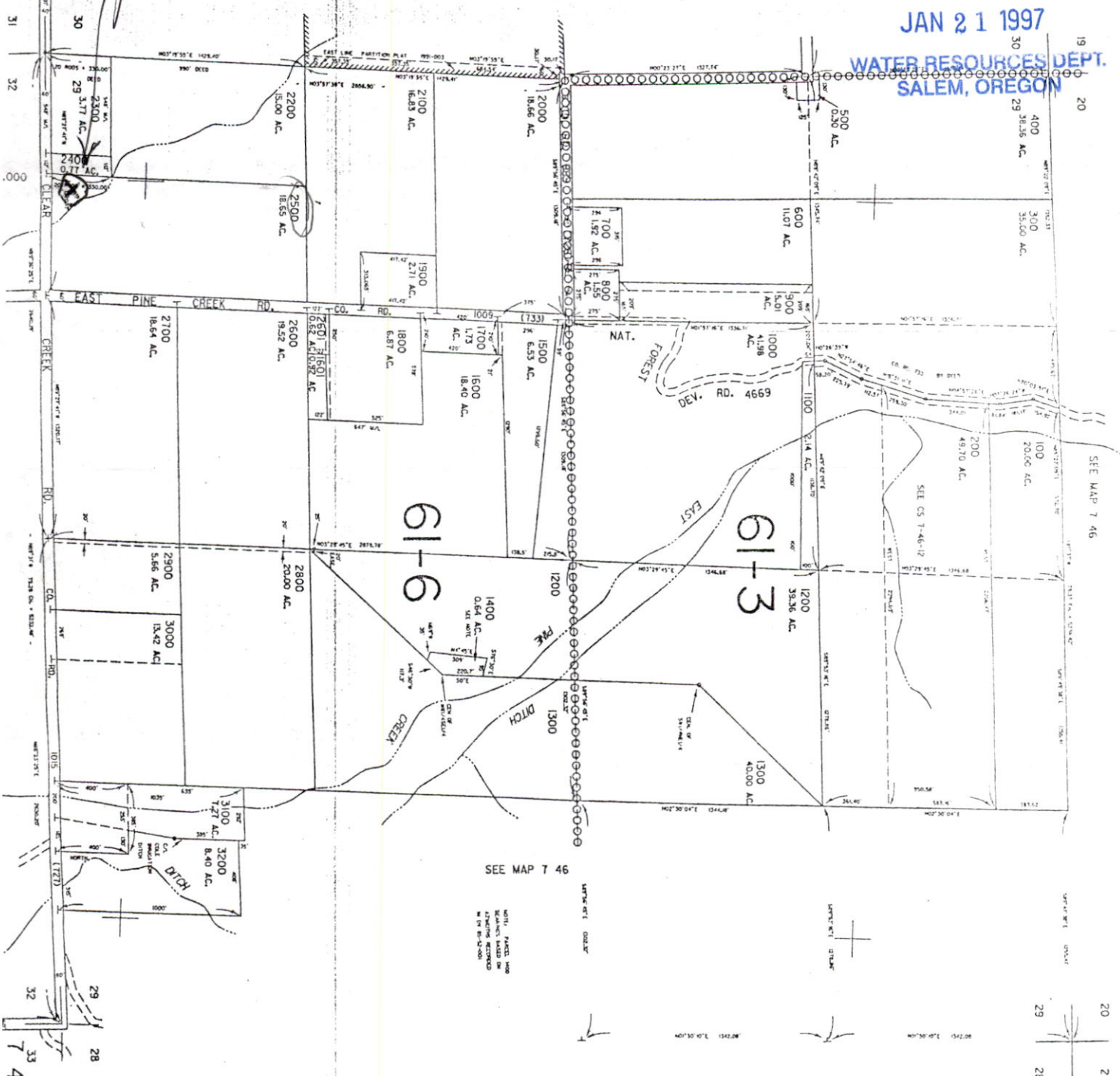
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MAY 13 1994
DEPT. OF REVENUE STATE OF OREGON
ASSESSMENT & APPRAISAL DIV.

SEE MAP 7 46 30



SEE MAP 7 46

NOTE: PARTIAL
SECTIONS SHOWN
ARE PARTIAL
AND ARE NOT
TO BE USED
FOR RECORDING

ASSESSMENT PURPOSE ONLY

BAKER COUNTY
1" = 400'

7 46 29

20
21
29
28

Application No. P-82673
Permit No.

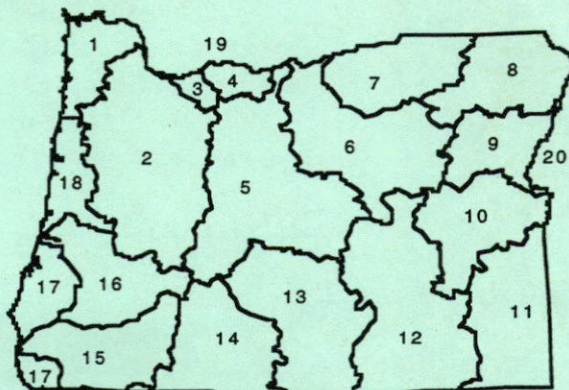
476,000

7 46 29

Alport
1/10/00

Oregon's major river basins:

- | | | |
|---------------|-----------------|--------------|
| 1-North Coast | 8-Grande Ronde | 15-Rogue |
| 2-Willamette | 9-Powder | 16.Umpqua |
| 3-Sandy | 10-Malheur | 17-S. Coast |
| 4-Hood | 11-Owyhee | 18-Mid Coast |
| 5-Deschutes | 12-Malheur L. | 19-Columbia |
| 6-John Day | 13-Goose/Summer | 20-Snake |
| 7-Umatilla | 14-Klamath | |



One acre-foot is the volume of water that would cover one acre with one foot of water. To find out how much water your pond stores, multiply the surface area by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. You can submit a Notice of Exempt Reservoir if your pond stores less than 400,752 cubic feet—43,560 X 9.2.

Rate and Area of Use					
		cfs—cubic feet per second	gpm—gallons per minute		
Agriculture, Land Management					
Gen. Agriculture	cfs/gpm	# acres	_____		
Irrigation	cfs/gpm	# acres	_____		
Stockwater	cfs/gpm	# acres	_____		
Aquatic Life	cfs/gpm	# acres	_____		
Other:	cfs/gpm	# acres	_____		
Cranberry	cfs/gpm	# acres	_____		
Nursery Operatn.	cfs/gpm	# acres	_____		
Temp. Control	cfs/gpm	# acres	_____		
Forest/Range Mgt	cfs/gpm	# acres	_____		
Other:	cfs/gpm	# acres	_____		
Industrial/Commercial Uses					
Industrial	cfs/gpm	_____	Commercial	cfs/gpm	_____
Fire Protection	cfs/gpm	_____	Mining	cfs/gpm	_____
Power Dev.	cfs/gpm	_____	Other:	cfs/gpm	_____
Drinking Water Supply					
Human Consumption	cfs/gpm	_____	Domestic	cfs/gpm	_____
Expanded	cfs/gpm	_____	Other:	cfs/gpm	_____
Community Water Supply					
Municipal	cfs/gpm	_____	Quasi-Municipal	cfs/gpm	_____
Group Domestic	cfs/gpm	_____	Storm Water Mgt	cfs/gpm	_____
Other:	cfs/gpm	_____	Other:	cfs/gpm	_____
Environmental Benefits					
Pollution Abatement	cfs/gpm	_____	Recreation	cfs/gpm	<u>X</u>
Wetland Enhancement	cfs/gpm	<u>X</u>	Wildlife	cfs/gpm	<u>X</u>
Other:	cfs/gpm	_____	Other:	cfs/gpm	_____



Oregon Water Resources Department Notice of Exempt Reservoir

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For reservoirs built before January 1, 1995, that:

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

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SALEM, OREGON

The deadline for submitting a Notice of Exempt Reservoir is January 31, 1997.

Landowner: SMITH, J. Kenneth & Pauline M.
Last name First name MI

Authorized Agent: _____, _____
Last name First name MI

Address: Clear Creek Road
P.O. Box 898

Halfway OR 97834
City State Zip

Phone: (541) 742-6822 _____
Home Work

FAX: _____ E-Mail Address: _____

A. County of use: Baker B. River basin (see reverse): 9

C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
<u>7</u>	<u>46</u>	<u>29</u>		<u># 2500</u>

D. Name, if any, of reservoir: Clear Creek Reservoir ^(Source of irrigation water rights) E. Reservoir in existence since: 7-1-1?
MM DD YY

F. Source of water: Clear Creek which flows into Pine Creek
Name of river or creek Name of river or creek

G. Maximum height of dam: 7 feet.

H. Quantity of water stored in reservoir at maximum capacity (see reverse): .2617 acre-feet.

I. Water stored in reservoir is used for (see reverse): Recreation, wildlife, Wetland

J. Rate and area of use—Refer to chart on the back of this form. For each type of water use listed in Item I., show the quantity of water used and, if applicable, the number of acres on which water is used.

BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:

Answered each question on this form as completely as possible?

Attached a legible map showing township, section, range, quarter-quarter & tax lot number?

By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Pauline M. Smith Pauline M. Smith - land owner 1-15-97
(Signature of Landowner/Agent) (Printed name and title) (Date)

For Department Use P-82673 _____ 10-95
File # Date received