



STATE ENGINEER

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING • SALEM, OREGON • 97310 • Ph 364-2171

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

August 27, 1969

Miss Donna Gill
Route 2, Box 1385
Bend, Oregon

Dear Miss Gill:

My records would indicate that the S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 3, Township 17 South, Range 11 East, W.M. was deeded private property during the development of the Tumalo Project and therefore would not be subject to homestead entry.

I have not been able to find detailed records of all of the transactions involved in these forties however, and I am not able to give you a final answer. As soon as I have an opportunity I will research the records further and advise you.

Very truly yours,

CHRIS L. WHEELER
State Engineer

CLW:eh

September 15, 1969
Route 2, Box 1385
Bend, Oregon 97701

Chris L. Wheeler
State Engineer
516 Public Service Building
Salem, Oregon 97301

Dear Mr. Wheeler:

Thank you for your letter of August 27th, and your willingness to explore the possibility of homestead entry on the $S\frac{1}{2}$ NE $\frac{1}{4}$, Section 3, Township 17 South, Range 11 East, W. M.

After my purchase of the Lloyd Van Sickle property in Section 2, which adjoins the above described property, I went through the necessary formalities to take over the BLM allotment and the Tumalo leased land which went with the ranch. It soon became apparent that the 80 acres in question, which had long been used by the ranch and which provided it with its principal source of winter water, belonged to neither of these public bodies. Because our continued use of this property seemed so vital to the successful operation of the ranch, I embarked on a search for the owner, in the hope I might buy or lease the land. Finally, after traveling hundreds of miles and talking with numerous federal, state and county officials, my search finally led me to your office.

The only intimation I have received that this land was ever privately owned has come through a rumor in the neighborhood (completely unconfirmed) that, during the development of the Tumalo Project, the land in question was subjected to a good bit of "hanky-panky," but that the transaction—whatever it was—was declared illegal and that the property was returned to the State of Oregon and the jurisdiction of your office.

Since my efforts to determine ownership have aroused local interest in the property, my attorney advises that I file for entry on the property immediately, subject to your search, of course. Will you please provide me with the necessary forms?

Yours, sincerely,

Donna E. Gill

DATE January 24 1972

STATE OF OREGON — DEPARTMENT OF FORESTRY
 P. O. BOX 2289
 SALEM, OREGON 97310

INVOICE NO. 5779

State of Oregon
 c/o Donna Gill
 Rt 2, Box 1385
 Bend, Oregon 97701

FOR DEPT. USE ONLY	
CHARGE	71 106
CREDIT	71 749

MAKE ALL CHECKS PAYABLE TO STATE FORESTER

CODE	DESCRIPTION	UNIT PRICE	TOTAL
	<u>West Central District</u>		
	Forest Patrol Assessment for the 1971-72 Fiscal Year on the following described property:		
	$\frac{1}{2}$ NE $\frac{1}{4}$, Sec 3, T 17S, Rge 11E, W.M.		
	80 acres @ .13		10.40
	Code 2-6 1711-1304		
			<i>Ch #42</i>

DISTRIBUTION
 WHITE — INVOICE GOLD — FILE
 BLUE — INVOICE PINK — CREDIT
 GREEN — ACCOUNTING WHITE — INVOICE
 YELLOW — ACCOUNTING

TOTAL \$10.40

F. C. SHOLES

Deschutes County Sheriff

AREA CODE 503 382-5411

DESCHUTES COUNTY COURTHOUSE
BEND, OREGON 97701

February 10, 1972

Donna Gill
Rt. 2 Box 1385
Bend, Oregon

Dear Miss Gill:

Notice is hereby given pursuant to ORS 311.207-213 that I, F. C. Sholes, Sheriff & Tax Collector have placed the following omitted property on the tax roll:

Code 2-6 1711 # 1304

(Sec. 3 Twp. 17 R 11 S $\frac{1}{2}$ NE $\frac{1}{4}$)

This property has been assessed as follows:

Year	Value	Tax
1967-68	\$ 200.	\$ 16.00
1968-69	12,000.	253.68
1969-70	12,000.	322.44
1970-71	12,000.	305.64
1971-72	12,000.	284.28

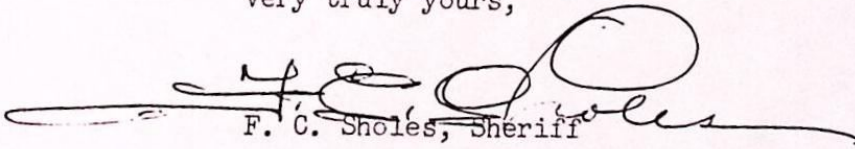
1,182.04

You are hereby required to appear at the office of the Sheriff of Deschutes County on March 6, 1972, which date is not less than 20 days after the mailing of this notice, and to show cause, if any, why this property should not be added to the assessment and tax roll and assessed to you. If you do not appear, or appear and fail to show any good and sufficient cause why the assessment shall not be made, the correction will be made.

If the taxes assessed are paid within 30 days of the above date, March 6, 1972, the total amount due is \$1,180.04. After that date, interest will accrue.

Very truly yours,

FCS:nk


F. C. Sholes, Sheriff

17 11 1300
 TWP. S. RDE. E. SEC. 1/4 1/16 TAX LOT NUMBER TYPE SPEC. INT. IN REAL PROP. CODE AREA NUMBER
 MAP NUMBER ACCOUNT NUMBER

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY

DEBCHUTES COUNTY ASSESSOR'S OFFICE

SECTION		TOWNSHIP S.	RANGE E.
LOT NO.		BLOCK NO.	ADDITION
INDENT EACH NEW COURSE TO THIS POINT	ADDITIONAL DESCRIPTION AND RECORD OF CHANGE	FORMERLY PART OF T. L. NO.	DATE OF ENTRY ON THIS CARD

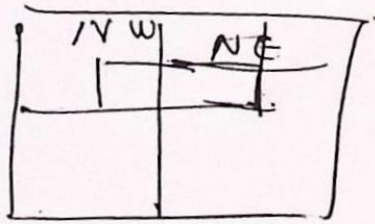
St. of OREGON TRUSTEE?

INDENT EACH NEW COURSE TO THIS POINT	ADDITIONAL DESCRIPTION AND RECORD OF CHANGE	FORMERLY PART OF T. L. NO.	DATE OF ENTRY ON THIS CARD	DEED RECORD VOL.	PG.	CITY	ACRES REMAINING
Sec. 3	Lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$	479.19					
4	SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$	360.00					
9	NW $\frac{1}{4}$, SE $\frac{1}{4}$	320.00					
10	NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$	280.00	1/1/61	11	273		1439.19
			R.C. 6/7/66	66	203		
	Less T.L. 1301	480.0	3/17/69				959.19
	Less T.L. 1302	160.0	3/17/69				799.19
	Less TL. 1303	40.0	3/17/69				759.19
	Less T.L. 1304	80.0 ac	RC 9-7-71		2816		679.19
	Less T.L. 1305	39.19 ac	9-7-71				640.0

6-9-14 stake to Mock

3-9-14 v P
 - - 15- 327

SW $\frac{1}{4}$ NE $\frac{1}{4}$
 SE $\frac{1}{4}$ NE $\frac{1}{4}$

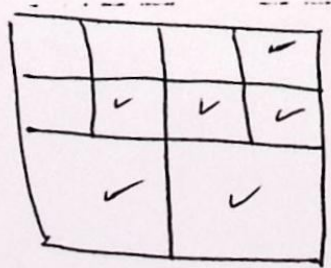


S3

12-9-18
 Mock to Long
 NE $\frac{1}{4}$ 35-16-11
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 3-17-11

10-4-1917
 Mock to Long

NE $\frac{1}{4}$ NE $\frac{1}{4}$



160
 160
 120
 39.19 = 479.19

OFFICIAL RECORD OF DESCRIPTIONS OF
REAL PROPERTY
DESCHUTES COUNTY ASSESSOR'S OFFICE

1301

2-6

ROG. E.	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE	SPEC INT. IN REAL PROP.	CODE AREA NUMBER

FORMERLY PART OF T.L. NO.	CITY
1300	

INDENT EACH NEW COURSE TO THIS POINT	ADDITIONAL DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD VOL.	PG.	ACRES REMAINING
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Sec 4 - S $\frac{1}{2}$
Sec 9 - NW $\frac{1}{4}$

CANCELLED
COMBINED WITH T. L. 2200

3/17/69

480.0

7-12-83

17	11				1302			2-6
TWP. 8	RGE. E.	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE	SPEC INT. IN REAL PROP.	CODE AREA NUMBER
MAP NUMBER					ACCOUNT NUMBER			

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY
 DESCHUTES COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF T.L. NO.	CITY
1300	

INDENT EACH NEW COURSE TO THIS POINT	ADDITIONAL DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
			VOL.	PG.	
Sec 9 - SE $\frac{1}{4}$		3/17/69			160.0

OFFICIAL RECORD OF DESCRIPTIONS OF
REAL PROPERTY
DESCHUTES COUNTY ASSESSOR'S OFFICE

11

1303

2-6

SEC. 1/4 1/16

TAX LOT
NUMBER

TYPE SPEC
INT. IN
REAL PROP.

CODE
AREA
NUMBER

FORMERLY PART
OF T.L. NO.

CITY

MAP NUMBER

ACCOUNT NUMBER

1300

INDENT EACH NEW
COURSE TO THIS POINT

ADDITIONAL DESCRIPTION AND
RECORD OF CHANGE

DATE OF ENTRY
ON THIS CARD

DEED RECORD
VOL. PG.

ACRES
REMAINING

Sec 4 - SW $\frac{1}{4}$ NE $\frac{1}{4}$

CANCELLED
NOW T. L. 600 MAP 17 17114A

3/17/69

40.0

7-12-83

17	11				1304			2-6
TWP. S.	RGE. E.	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE	SPEC INT. IN REAL PROP.	CODE AREA NUMBER
MAP NUMBER					ACCOUNT NUMBER			

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY
 DESCHUTES COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF T.L. NO.	CITY
1300	

INDENT EACH NEW COURSE TO THIS POINT	ADDITIONAL DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD		ACRES REMAINING
			VOL.	PG.	
	Sec 3: S $\frac{1}{2}$ NE $\frac{1}{4}$	RC 9-7-71	2816		80.0
		B&S 1-9-76	225	968	
		-7-12-83			
	<p>CANCELLED NOW T. L. 600 MAP 17113A</p> <p>RC = Roll change REQUEST # 2816</p> <p>B & S = Bargain & Sale 1976</p> <p>B & S = 8-30-96 CORRECTION B & S : 8-27-97</p>				

REQUEST FOR ROLL CHANGES

Return This Form To:
IKE "N.J." DONAT

DESCHUTES COUNTY ASSESSOR
Courthouse Bend, Oregon 97701

DATE 9-17-74

FILE NO. 2816

CODE NO. _____

MAP NO. 1711

TAX LOT NO. 1304

REASON FOR NAME CHANGE:

Unrecorded Contracts

At Owner's Request

This account is claimed under adverse possession by Donna Gell - She tried to trade for it or buy but the State of Oregon & USA, disclaimed it. She has it forced & is using it & has for years

New Owner

Address

Description of Property to be Transferred

Assessed Value \$ _____

Present Owner

Address

Description of Property

Assessed Value \$ _____

Buildings

Yes _____ No _____ Water _____ Acres _____

Requested By _____
SIGNATURE

Accepted By _____

TO BE USED FOR ALL NAMES, UNRECORDED CONTRACTS, SBORBOATIONS, ETC.

811.200 Payment of taxes on part of property assessed as one parcel. (1) Any person desiring to pay taxes on any part of any real estate assessed as one parcel or lots may do so by applying to the county assessor or his deputy, who shall determine the relative or proportionate value such part bears to the value of the whole tract assessed, and shall file his statement thereof with the tax collector, on which basis the assessment shall be divided and taxes shall be collected accordingly. However, the assessor or deputy shall not be required to divide an assessment of any smallest legal subdivision, according to the United States survey or the duly recorded plat of any subdivided area, or any smallest area described by metes and bounds in the county record of deeds, unless the person calling for the division of assessment owns or holds a mortgage or other lien on that part only of such smallest subdivision or area on which he desires to pay the taxes, and has filed with the assessor a true copy of the deed, contract of sale, mortgage or other instrument evidencing his interest provided that whenever such instrument is otherwise recorded in the county records, such filing shall not be required. When filed with the assessor, such instrument shall not constitute a public record.
(2) If protest is filed to the division, the matter shall be heard by the county court at its next regular session for transaction of county business, and the county court shall make a final division of the assessment, and the tax collector shall collect and receipt for the taxes as determined and ordered by the county court. (Amended by 1983 s.10932)

45429-56

Space above this line for Recorder's use

After recording, return to:

Rock Springs Guest Ranch, LLC
64201 Tyler Road
Bend, OR 97701

Until further notice, send tax statements to:

Rock Springs Guest Ranch, LLC
64201 Tyler Road
Bend, OR 97701

State of Oregon

**QUITCLAIM DEED
(ORS 93.865)**

Application: Southern Columbia No. 27
Deed No. 1078

Know All Men by These Presents:

That, for and in consideration of the payment of the lien for the construction of the irrigation system and the reclamation, cultivation and settlement upon the lands herein described, as determined on November 16, 1912 and found in the Carey Act and Tumalo Project records of the State of Oregon, in compliance with the laws of the United States and of the State of Oregon relating to the reclamation of desert lands, and in furtherance of the directives respecting the Tumalo Project as provided in ORS 555.310, et seq., the State of Oregon does hereby remise, release and forever quitclaim unto the ROCK SPRINGS GUEST RANCH, LLC, all its right, title and interest in and to the following described lands, situated in

Deschutes County, State of Oregon, to wit:
NE 1/4 NE 1/4 (Lot 1)
Section 3
Township 17 South, Range 11 East, W.M.

The conveyance herein is subject to the following **reservations and exceptions:**

Rights of way for ditches, canals and reservoir sites for irrigation purposes, constructed or which may be constructed by authority of the United States or otherwise, and also the easement of a right of way for all ditches necessary for the proper distribution of water for such purposes, which rights of way for the construction and operation of main canals and main laterals shall be equal to the actual width of such canals or laterals at their base from toe to toe of the embankment of the same, together with a strip of land along one side of each canal or lateral or adjacent thereto not to exceed fifty feet in width along the main canals, nor to exceed thirty feet in width along the main laterals, which rights of way are hereby expressly reserved.

After recording, return to
Amerititle
15 OREGON AVENUE, BEND

A 30-foot easement and right of way on and along the eastern boundary of the land conveyed herein for road access benefiting the land lying within the S1/2 of the NE1/4 of Section 3, T17S, R11E, WM, Deschutes County, Oregon.

All mineral rights, as defined in ORS 273.775, in and to the lands conveyed herein are hereby expressly reserved unto and by the State of Oregon.

There are no water rights granted or conveyed by this conveyance and there are no water rights, pursuant to the Carey Act or otherwise, appurtenant to the lands conveyed herein.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Pursuant to ORS 93.030, the true consideration for this conveyance is \$320,000.00.

To have and to hold the same, unto the said ROCK SPRINGS GUEST RANCH, LLC, its heirs and assigns forever.

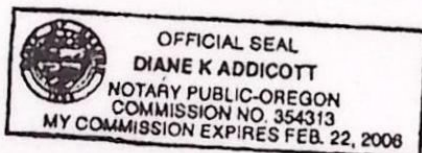
DATED this 6th day of August, 2002.

The State of Oregon, acting by and through
WATER RESOURCES COMMISSION

By Paul R. Cleary
Paul R. Cleary
Director Water Resources Department

STATE OF OREGON)
) ss.
County of Marion)

SUBSCRIBED AND SWORN to before me this 6th day of August, 2002 by Paul R. Cleary, who personally appeared and stated: that he is the Director of the Water Resources Department; that he is authorized to act on behalf of the Water Resources Commission pursuant to delegation and order dated May 18, 2000, that this conveyance is in satisfaction and fulfillment of that certain Settlement Agreement and Release between the State of Oregon and Rock Springs Guest Ranch, LLC, and others, executed and approved by the Marion County Circuit Court in Consolidated Case No. 99C-18413/99C-18601, on July 30, 2002; and acknowledged the foregoing instrument to be the voluntary act of said state agency, acting on behalf of the State of Oregon.



Diane K. Addicott
Notary Public for Oregon
My Commission Expires: 2/22/08

State of Oregon

Application No. **D.C.M.I.D. 302**

Deed No. **1057**

Know All Men by These Presents:

That, for and in consideration of the payment of the lien for the construction of the irrigation system and the reclamation, cultivation and settlement upon the lands herein described, and in compliance with the laws of the United States and of the State of Oregon relating to the reclamation of desert lands, the State of Oregon does hereby remise, release and forever quitclaim unto **NEIL DUTTON**

all its right, title and interest in and to the following described lands, situated in

Deschutes County, State of Oregon, to wit:

**SE¼ NW¼
Section 2,
Township 17 South, Range 11 East, W.M.**

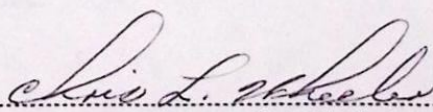
Subject, however, to rights of way for ditches, canals and reservoir sites for irrigation purposes, constructed or which may be constructed by authority of the United States or otherwise, and also the easement of a right of way for all ditches necessary for the proper distribution of water for such purposes, which rights of way for the construction and operation of main canals and main laterals shall be equal to the actual width of such canals or laterals at their base from toe to toe of the embankment of the same, together with a strip of land along one side of each canal or lateral or adjacent thereto not to exceed fifty feet in width along the main canals, nor to exceed thirty feet in width along the main laterals, which rights of way are hereby expressly reserved.

To have and to hold the same, unto the said **Neil Dutton**

his heirs and assigns forever.

Witness the signature of the State Engineer

affixed this **17th** day of **February**, 19 **67**.

By 
State Engineer.