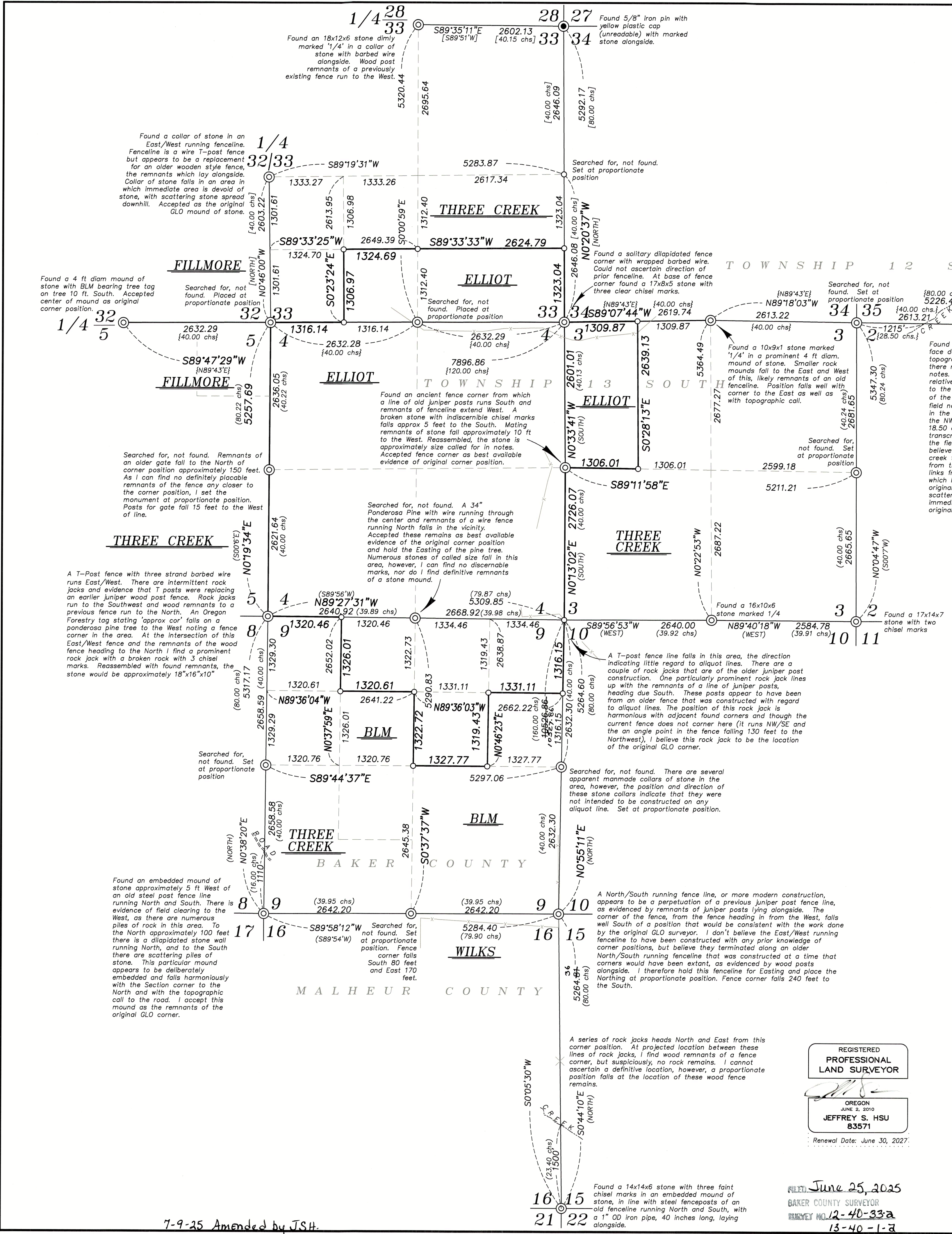




REFERENCE MATERIAL

Survey Number 12-40-13

Field Notes for GLO Contract No. 409, dated August 22, 1881, executed by George Henderson

Field Notes for GLO Contract No. 140, dated May 17, 1871, executed by John S. Kincaid

Field Notes for GLO Contract No. 148, dated May 18, 1871, executed by John S. Kincaid

DEED REFERENCES

72 46 072
B23 30 0249
B23 39 0188

BASIS OF BEARING

Oregon Coordinate Reference System — Baker Zone

SCALE: 1"=1000'

LEGEND

- Found 5/8" iron pin with yellow plastic cap (illegible), set by Survey Number 12-40-13
- Set 5/8"x30" iron pin with 2 1/2" aluminum cap, marked as per monumentation record, filed separately
- Set 2 1/2"x30" aluminum pipe with 3" aluminum cap, marked as per monumentation record, filed separately
- Fenceline
- Record measurement as per GLO Contract No. 409, dated August 22, 1881, executed by George Henderson
- Record measurement as per GLO Contract No. GLO Contract No. 140, dated May 17, 1871, executed by John S. Kincaid
- Record measurement as per GLO Contract No. 148, dated May 18, 1871, executed by John S. Kincaid

NARRATIVE

This survey was done at the request of Sam Martin, manager of lands owned by Three Creek Ranch. Mr. Martin wanted select corners set prior to fencing. Township 13 South, Range 40 East was originally surveyed by GLO surveyor John Kincaid. No subsequent records or retracements within this Township were found within the County Surveyor records of Baker or Malheur counties. In my retracement of Kincaid, I find there to be numerous inconsistencies with regard to stone sizes, chisel marks, and topographic calls. Found stone corners which bear clear definitive chisel marks are grossly undersized. And stones of called size generally bear faint, incomplete, or nonexistent marks. Due to the fact that in some of the locations of the undersized stones, that there would be very little reason to choose a stone of such size, I can only ascertain that the undersized stones were chiseled in the comforts of camp and transported to the location that they were ultimately set, while corners set from stones found in the immediate area were more poorly marked, if marked at all.

There are numerous fences around this area that do not seem to make any attempt to follow title lines. However, there are remnants of much older fences that preexisted in this area, constructed with natural juniper wood posts, that do appear to have been constructed with regard to aliquot corners. Though these remnants are from an era that current landowners appear to be unaware of their history or even their presence, due to the harmony of these fence remnants with record measurements as per the GLO record, I presume that many of the original GLO corners were known at the time of this fence construction. Some of these fencelines can be seen in a 1953 aerial photo, however, some of these fences may even predate even that generation, as the location of some of the fencelines (where scattering remnants still remain today) are not apparent in this photo. I therefore place heavy reliance on these old fencelines (and modern fences that appear to perpetuate the older fence) as representing the best available evidence of the original corner positions.

The subdivision of Township 12 South, Range 40 East was surveyed by GLO Surveyor George Henderson. It is notable that Henderson also found Kincaid's stones to be of a smaller size than called for in his notes.

Subdivision of sections is done as per BLM Manual of Instruction 2009. I find no other unusual conditions with this survey.

CORNER NOTES

- T12S40E (V-11) — Found an 18x12x6 inch stone marked '1/4'. This stone falls in a collar of stone with barbed wire and was likely an old fence corner. From this point a series of old wooden posts extends to the West, with scattering barbed wire alongside. This fence is of a vintage that current landowners were seemingly unaware of its presence.
- T12S40E (X-09) — A fenceline runs East/West in this area. Fence is a three stand barbed wire fence of T-post construction. Older wooden fenceposts lie on either side of the fence, and the T-post fence appears to be a replacement of this older wooden fence. I find a collar of stone with scattering stones laying downhill (North). There is a rock outcrop several hundred feet to the Northeast as well as a smaller outcrop to the West, however within the immediate vicinity of this collar, there do not appear to be many stones on the uphill or sidehill sides. I believe this to be remnants of the original stone mound and accept it as the best available evidence of the original corner position.
- T13S40E (A-07) — There is a large prominent rock mound, as well as a BLM tag on a tree 10 feet to the South, with a distance indicating the mound was accepted as the corner. I can find no stone of called size or with marks, but due to its prominence and former acceptance, I hold the center of this mound as the original corner position.
- T13S40E (A-13) — At this location, I find wood fence remnants indicating a former rock jack location. There do not appear to be any evidence fenceline running in any direction from this corner that remain. A modern fenceline runs approximately 250 feet to the South. I discover a stone, undersized but bearing three clear chisel marks, at the base of this old jack, which I take to be the original corner stone.
- T13S40E (A-15) — This area falls atop an extremely rocky hilltop, where there are clear remnants of old rock jacks extending to the East and West. A particularly prominent rock jack falls at the corner position, where I find an undersized stone marked '1/4'. The topographic call to the stream 20 chains to the West fits well. It is notable that despite the presence of extremely large stones at this location, that Kincaid chooses an grossly undersized stone, likely indicating that at least some of his stones were likely pre-chiseled and transported to this location.
- T13S40E (A-19) — At this location, I find a stone of called size, marked '1/4'. This stone is face down on a steep hillside falling approximately 6 feet from the creek. The topographic calls in this area lead me to believe that there may have been some transcription errors between the field notes taken in the field and the final field notes submitted to the GLO. The spring branch, indicated as being 28.50 chains on line, falls close to a 18.50 chains. The topographic call to the creek East of this quarter corner is noted as being 42.50 chains on line. I find that a position 2.50 chains to be grossly discordant with his other corner location on the township line and I believe a scrivener error also was made on this call. It is highly likely that the call was intended to be 40.25 chains rather than 42.50 chains. I measure a point from the creek, uphill through the found stone, 0.25 chains and find that there are scattering stones falling on the downhill side of this point, but no stones in the immediate area uphill from this point. I believe these stones to be remnants of the original stone mound, and hold this point as the location of the original corner position.
- T13S40E (C-13) — At this position, I find a dilapidated fence corner with a row of juniper fence posts heading South, with wire alongside. The posts terminate at a point where a broken stone with clear chisel marks falls 5 ft. South. This stone is broken, and remnants falls approximately 10 feet to the West. Collectively, they make up a stone of called size. Chisel marks are clear, however, I cannot make out a clear '1/4'. There are scattering bits of barbed wire heading to the West where it meets with a prominent rock jack that comprise the modern day fence, approximately 230 feet West of the fence corner. I accept this fence corner at the Northern terminus of this line of juniper fence posts as the original corner position.
- T13S40E (E-09) — A wire fence runs East and West through this corner position, with juniper posts lying alongside, and some juniper posts still erect in the fence. There is evidence of two fence corners in this area, one that heads North, evidenced by old wood posts, and one that heads to the Southwest, evidenced by old rock jacks, though they terminate at different locations. The fence heading in from the North terminates at a prominent rock mound, where I find an undersized stone with three chisel marks lying loosely amongst the stones. This stone appears to have been broken and reassembled with other fragments, the stone appears to have been 18"x16"x10". Despite having the incorrect number of marks, I accept the location of this rock jack as the original corner position.
- T13S40E (E-11) — There are numerous rock piles in this area, all of which appear to be natural outcrops and none that are discernibly different enough to accept as the original corner monument. There are scattering barbed wire remnants running North/South through this area, and a large 34" Ponderosa Pine has remnants of this wire running through the center. Due to the old age of the wire embedded within this tree, I accept this as the best available evidence of the original corner position, holding the Easting of the wire embedded tree and putting the corner on line between the section corners. Though relatively insignificant, it is notable to mention that there may be a calculation error in the notes as mathematically this corner does not fall at the nominal midpoint.
- T13S40E (E-13) — There exists a fenceline in the area, the direction not following any cardinal direction. There are two rock prominent rock jacks, one at an angle point in the fence, and another lying within the NW/SE running portion of the fence. The latter rock jack lines up with remnants of an older juniper posts fenceline running due South. This rock jack falls relatively harmoniously with corners to the North, West and East and I accept this as the best available evidence of the original corner position.
- T13S40E (J-09) — There are old steel T-posts running North and South in the vicinity of this corner and large piles of stone alongside, apparently from field clearing to the West. Though there are numerous piles of stone, I find a mound where the stones appear to have been dug in, rather than piled, and accept this as the original corner position. The position falls harmoniously with the section corner a mile to the North, and relatively harmoniously with the topographic call to the wagon road, though as evidenced by corner N-13, the location of wagon roads compared to their modern incarnations are often times different. Topo call to the spring branch is indeterminate as it falls in an extremely marshy area, the apparent center channel running nearly North/South in this area.
- T13S40E (J-13) — There exists a fence corner in this area, from which fences bears North and West. The fence running North/South show evidence of older wooden fence posts, indicating it likely replaced a former fence. The corner of this fence falls grossly out of position from record measurements as per the GLO field notes, and I believe the portion of this fence running West was done without knowledge of the original GLO corner, and was likely built only as a fenceline of convenience, terminating on the East side at the older wooden fence, which I believe was built with regard to the original GLO corner monuments. I therefore hold the Easting of the fenceline and use a proportionate position for the Northings.

T13S40E (L-13) — There are rock jacks in this area, some running North/South and others running East/West. At the apparent intersection of these rock jacks lie wooden remnants of a former fence corner. However, there are almost no stones in the vicinity of this fence corner. I cannot determine a definitive location for a corner in this area, however, a proportionate position falls within these wood remnants.

T13S40E (N-13) — Found an embedded collar of stone. There is a 1" OD iron pipe, 40 inches long laying alongside. In the center of the collar I find a stone, nearly of called size, with three faint chisel marks. Though the stone bears the incorrect number of chisel marks, I believe that either this stone, the collar, or the iron pipe represent the original corner position and I monument the center of the stone collar. Position falls relatively harmoniously with the topographic call to the brook. The wagon road called for in the notes falls on the South side of the brook, where the modern road falls on the North side.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 2, 2010
JEFFREY S. HSU
83571

Renewal Date: June 30, 2027

June 25, 2025
BAKER COUNTY SURVEYOR
SURVEY NO. 12-40-33a
13-40-13

7-9-35 Amended by J.S.H.

BAGETT, GRIFFITH & BLACKMAN
2006 Adams Avenue, LaGrande, Oregon
Map of Survey

Situated in Section 33, Township 12 South and Sections 2, 3, 4, 5, 9, 10, 15 and 16, Township 13 South, Range 40 East of the Willamette Meridian

BAKER/MALHEUR COUNTIES	
SURVEYED FOR	Sam Martin
SURVEYED BY	J. S. H.
Scale: 1" = 1000'	Drawn by: J. S. H. Apr-June 2025