Survey 7-38-72 reports a found al cap 49.46 north FOUND BRASS CAP IN SMALL STONE MOUND ON SE SIDE OF THREE WAY FENCE CORNER. FENCES N, S, AND E. FOUND BRASS CAP ON N. SIDE OF RR TIE FENCE CORNER POST. UP 18" AND LOOSE IN GROUND. (N89°07'18"E 2669.39) R13 S89°07'09"W 2669.58' (N89 °08 '58 E 2771.22') R13 S89 °09' 10" W 2771.54' S27_1/4 1334.79' (1334.70') R13 1334.79' (1334.70')R13 Š34 S33 searched for "E 1320.99' 1321.01') R13 1321.01') R19 AD NO. 1138 NW1/4 Scale 1"=300 Мпп This fence (also shown in the 1954 aerial image) runs along the N. line of Cole's addition and confirms NW1/4 NE1/4 0.44 N Offsets are from the existing old fence to the 1/16th line established the RR spike as the true NE corner of the section. This fence also continues from the county road easterly through Section 35. by this survey. from the centerline of N89 *36'00"E | 2740.30 N89 '35' 12"E 1327.52' N89 *35 12 E 1327.52 Distances shown on the south side , 1320.90' 321.01') R13 321.01') R19 of the line are from the old fence to the 1/16th line by the recent SW1/4 COLE'S ADDITION TO ROCK CREEK record surveys. NE1/4 SE1/4 NE1/4 M TT TT N89 '49' 17" E 1323.92' NOO 43 35 (NO 43 35) 51/2 5W1/4 ine. See Book 71. Page 45. Held the old fence as the best available evidence of the original 1/4 corner. S33 | S34 S89 °56 '34"E 2709.22 S89 °56 '34 "E 2640.67 1354.61' SW1/4 OFFSET TABLE Owen to Hansen Book 51, Page 223 9-20-1902 See Offset Dethloff 18-23-0114 LEGEND Table The distance from the sect Rock Creek to the followin Original 1/4 corner = 15 c To proportioned 1/4 corner To 1/4 corner per this sur To power line corner post 1348.61 IS FROM THE NEW FENCE TO THE DEED LINE. SET BRASS CAP. SEE THE CORNER CERTIFICATE FILED POINT OFFSET DISTANCE DISTANCE 2 DEED REFERENCES 8.7' 27.1 HEREWITH East 670 6.8 27.4 NOTE: DEED RECORDING DATA IN THE LIST BELOW AND IN THE NARRATIVE REFER TO THE BAKER COUNTY CLERKS RECORDS. IN THE NARRATIVE, THOSE DEEDS CITED AS "STATE DEED" REFER TO DOCUMENTS RECORDED AT THE OREGON DEPARTMENT OF STATE LANDS. FOUND 2 1/4" BRASS CAP ON AN Lange 07-33-0267 IRON PIPE FROM SURVEY AS Proebste1 93-39-027 13.3' 10.6' 25.7 See Detail FOUND RAILROAD SPIKE 3" BELOW SURFACE OF 17.4' 25.81 Rock Creek Lane 19.0' 25.21 ASPHALT ROAD DETHLOFF PROPERTY LANGE PROPERTY SHOWING DISTANCE AND DIRECTION FROM THE OLD FENCE REMAINS TO THE PROPERTY LINE PER THIS SURVEY. DISTANCE 2 IS FROM THE NEW FENCE TO THE DEED LINE. SET A 5/8" x 24" IRON REBAR W/ A 1 1/8" ORANGE PLASTIC DEED ID # DEED ID # South . BOOK "U" PAGE 311 BOOK "U" PAGE 311 CAP STAMPED WTS AND BOOK 51 PAGE 223 & PROBATE BOX 100 BOOK 55, PAGE 284 & PROBATE BOX 41 56295LS POINT OFFSET DISTANCE DISTANCE 2 West 650' Section Line. crosses Rock 2.1' FOUND 2' AL CAP ON IRON PIN FROM 7-38-126 Center o BOOK 100 PAGE 517 BOOK 89 PAGE 596 Rock Creek Creek here. NW1/4 3.1' 29.5 DEED 75-42-025 BOOK 125 PAGE21 SW1/4 3.1' 28.21 BOOK "O", PAGE 395 BOOK 127 PAGE 452 FOUND 5/8" PIN WITH ILLEGIBLE PLASTIC CAP 0.2' 27.5' BOOK "W" PAGE 537 & PROBATE 269A 0.6 PINK PAINT MARK WITH OR BOOK 71 PAGE 45 BOOK 155 PAGE 436 WITHOUT RAILROAD SPIKE _______ DEED 71-43-002 BOOK 170 PAGE130 S89 *59 '06"E 1338.53' S89 *59'06"E 1338.53' DEED 79-52-042 BOOK 159 PAGE409 COMPUTED POINT DEED 78-47-012 DEED 70-01-042 OLD FENCE LINE AND/OR EVIDENCE OF OLD FENCE BOOK 06-06-185 BOOK 94 PAGE 348 & PROBATE BOX 138 —x——x— NOTE: The pink paint marks and railroad spikes BOOK 18-23-0014 were shown to me by Mr. Lange and were said to have been placed by Mr. Lange at points that were formerly marked by red and blue flagging along the line as represented to Mr. Lange by Mr. Joe Dethloff. SW1/4 BOOK 157 PAGE 255 NEW FENCE SUBSEQUENT TO 0-0-0-0-0 PREOBSTEL PROPERTY BOOK 166 PAGE 50 SURVEYS 7-38-122 & 128 DETAIL Scale 1"=30' BOOK 166 PAGE 37 DEED ID # SUBDIVISION OF SECTION LINES BASED ON THE DEED 67-45-043 BOOK "U" PAGE 311 DEED 70-02-060 BOOK 94 PAGE 348 & PROBATE BOX 138 _____ PROPORTIONED W 1/4 CORNER POINT. Property line DEED 67-45-044 per this DEED 78-32-059 BOOK 140 PAGE 315 survey. DEED 79-27-001 PROPERTY LINE PER SURVEY 7-38-128 DEED 70-02-060 DEED 79-33-003 DEED 71-36-021 BOOK 07-33-0267 DEED 91-42-098 OVERHEAD POWER LINE BOOK 167 PAGE 715 PROPERTY LINE PER THIS BOOK 159 PAGE411 SURVEY DEED 93-39-027 REFERENCE SURVEYS Deck GLO CONTRACT #102 DATED JULY 20, 1863 BY TIMOTHY DAVENPORT POWDER RIVER ADJUDICATION MAP DATED JUNE 6, 1912 BY Property line per survey 7-38-128 STATE ENGINEER JOHN H. GLO CONTRACT #104 DATED APRIL 16, 1864 BY THOMPSON AND CHAPLIN BAKER COUNTY ORTHOPHOTO 07S38-BBB3N65-08S38 T7S R38E S33 | S34 1322.45 534 1/4 1322.45 GLO CONTRACT #445 R10 COUNTY SURVEY 7-38-9 R3 DATED JUNE 1, S4 🖺 S3 589°58'19"W 2644.90' T8S R38E R11 COUNTY SURVEY 7-38-17

(S89°58'13"W 2644.78')

REGISTERED

PROFESSIONAL

LAND SURVEYOR

PER INDIANA

JULY 9, 2001 STEPHEN K. HADDOCK

56295LS

For Review Only 10-7-22

FOUND 3" BLM BRASS CAP ON 2 1/2" IRON PIPE

BY WILLIAM GRADON

SPECIAL INSTRUCTIONS DATED 3-13-1978, GROUP

952 BY DALE T. BEDELL

PLAT OF THE ROCK CREEK TOWNSITE DATED 7-20-1903

PLAT OF COLE'S ADDITION

TO ROCK CREEK 4-20-1904

REPORT OF ROCK CREEK HYDROELECTRIC PROJECT, HISTORIC AMERICAN

ENGINEERING RECORD HAER NO. OR-121

R12 COUNTY SURVEY 7-38-22

R13 COUNTY SURVEY 7-38-70

R14 COUNTY SURVEY 7-38-72

R15 COUNTY SURVEY 7-38-87

R16 COUNTY SURVEY 7-38-122

R19 COUNTY SURVEY 7-38-126

R20 COUNTY SURVEY 8-38-22

R21 COUNTY SURVEY 8-38-29

COUNTY SURVEYS 7S-38-123.

124, 125, 127, 129 & 130. (CORNER CERTS)

NARRATIVE OF SURVEY

This survey was performed at the request of Mr. Henry Lorenzen, Attorney At Law, representing Mr. David Lange. The purpose of the survey is to identify the common boundary between the lands of Lange and Dethloff in the NW1/4 of the SW1/4 as shown herein and to show the location of those marks identified by Mr. Lange as representing a long term location of this line.

HISTORY: Relating to Section 34, Township 7 South, Range 38 East, W.M., Baker County, Oregon. The south line of Section 34 was originally established by U.S. Deputy Surveyor Timothy Davenport under his contract No. 102 dated July 20th, 1863. Deputy Davenport surveyed the easterly three miles of the south line of the Township. The east half of the Township was subdivided by U.S. Deputy Surveyors David P. Thompson and Daniel Chaplin under their contract No. 104 dated April 16th, 1864. U.S. Deputy surveyor Eugene P. McCormack, under contract No. 398 dated August 15th, 1881, surveyed the westerly three miles of the south line of the Township. The west half of the Township was subdivided by U.S. Deputy Surveyor William Gradon under his contract No. 445 dated June 1st, 1882. Deputy Gradon did not resurvey the west line of section 34. His only tie to section 34 was to its NW corner. A majority of the east half of the Township (including all of section 34) was granted to the State of Oregon as a state selection for internal improvements on February 12th, 1870. The State of Oregon conveyed all of the lands in section 34 to private owners between the dates of September 26th, 1871 and June 19th, 1893. The S1/2 of the NW1/4 was conveyed to P.L. Ford on June 28th, 1878 by deed recorded in state Deed Book I, Page 283. The NW1/4 of the SW1/4 was conveyed to William A. Owen on December 22nd, 1891 by deed recorded in state Deed Book T, Page 334. William Owen owned the NW1/4 of the SW1/4 in its entirety until he sold the northerly portion to Peter Hansen in 1902. The tract sold to Peter Hansen was described by metes and bounds using rods and said to contain 15 acres. (See Deed Book 51, Page 223.) Peter Hansen passed away in 1921 and his heir, Mary Wiegert, conveyed the Hansen tract to William Steward in 1923 by the description "the north 15 acres of the NW1/4 of the SW1/4". (See Deed Book 100, Page 517.) This 15 acres remained under the separate ownership of William Steward until 1951 when he inherited additional lands in the area from Frank Steward. In 1903, land in the SE1/4 of Section 33 was purchased for the construction of the Rock Creek Power Plant Construction of the plant was completed in 1905. On July 20, 1903 the Plat of Rock Creek Townsite was recorded. This subdivision was in the SE1/4 of the NE1/4 of Section 34. On April 20th, 1904 the Plat of Cole's Addition to Rock Creek was recorded, a portion of which was vacated in 1905. This addition was also in the SE1/4 of the NE1/4 of Section 34. In February of 1909, Frank Steward granted an easement to the Grande Ronde Electric Company for an existing power line. The existing line was described as "on or near" the south line of the S1/2 of the NW1/4 but was to be moved to be "above" and "within three feet of" said south line. Frank Steward purchased the S1/2 of the NW1/4 (see Book W, Page 537) from P.L. Ford in November of 1892 and owned it until he passed away in 1951. The map of the water rights adjudication for the Powder River dated June 6th, 1912 shows all of the water use in Section 34 and includes 12 acres in the NW1/4 of the SW1/4 covered by the water rights certificate recorded in Volume 5, Page 4192 of the state record of water right certificates granting Peter Hansen the use of the waters of Rock Creek with a priority date of 1902.

GLO REMONUMENTATION: The original monuments for Section 34 were all post and pits. There were also two bearing trees at the south 1/4 corner and three bearing trees at the southwest section corner. In January of 1978, James Hambleton under survey 7-38-9 reported not finding the original monument at the NW corner of the section and held the fence intersection as the true corner point. In May of 1978, BLM surveyor Dale Bedell found an iron pipe and bearing tree at the SW corner of Section 34 and set a BLM brass cap. In April of 1980 under survey 07-38-017, William Hanley held the fence corners for the NW section corner and N1/4 corner and set brass caps. He also held a railroad spike of unknown origin at the NE corner of the section that was in the center of the N-S road and inline with a westerly running fence. In May of 1980 under survey 08-38-29, William Hanley set a 5/8" rebar with a plastic cap at the S1/4 corner of Section 34 based on landowner testimony and a BT stump. In September of 1983 under survey 07-38-22 (in Section 33), Thomas Hanley, set a brass cap at the proportioned point for the 1/4 corner common to Sections 33 and 34. In December of 1993 under survey 07-38-70, James Hanley held the position of the E1/4 corner as being on the center of the county road at that corner point and by holding the existing right of way fences and the record distance east of Rock Creek Avenue reported in a 1908 road traverse. He set a brass cap at that corner. (See survey 7-38-70 for details.)

DISCUSSION: As noted in the GLO remonumentation report above, of the 7 GLO corners affecting this survey, the SW corner and S1/4 corner are based on original evidence; the NW, N1/4, and E1/4 corners were perpetuated by holding long term fence lines and road locations as the best evidence of the original location; and, the spike at the NE corner of the section, though of unknown origin, was accepted as the true corner location based on its relation to the long term possessory fence that runs along the north line of section 34. I find these to be acceptable perpetuations of the original corners. The west 1/4 corner, however, was reestablished in 1983 by proportionate measure under survey 7-38-22 which was a survey in section 33. Since survey 7-38-22, portions of section 34 have been subdivided by surveys 7-38-70, 7-38-122 and 7-38-128, all using the proportioned point and all with a significant shift to the south from the existing fence and possessory lines in section 34. The east-west center of section line running from the CW1/16th corner to the W1/4 corner of section 34 was the boundary between separate owners from June of 1878 through September of 1978. The remains of an old fence run along this line. Also, the existing power line runs along the north side of this fence. This is in agreement with the easement granted by Frank Steward to the Grande Ronde Electric Company in 1909. This fence can also be seen on the 1954 aerial image BBB-3N-65 obtained from the Baker County Assessor indicating the fence was in place prior to when the 1983 survey was performed. I have held this fence as representing the east-west centerline of section 34 for the following reasons: 1 - When projected to the east section line the resulting intersection agrees with the E1/4 corner reestablished in 1993 within 4 feet. 2 - When projected to the west section line to establish the west 1/4 corner, the result is that the fence running east-west through the center of the north half of the section is within 1 foot of being on the true E-W 1/16th line. (It should be noted that this same fence through the center of the north half of the section also runs along the 1904 north line of Cole's Addition.) 3 - When projected to the west the resulting intersection with the west line of section 34 falls within 16 feet of the GLO call to the center of Rock Creek. 4 - The fence remains along the E-W line between Dethloff and Lange / Proebstal are 497' south of the fence remains along the E-W line through the center of section 34. The deed dimension calls for 495 feet south.

Given the information above, it is my opinion that the fences along the east — west line through the center of section 34 and the east - west line through the center of the north half of section 34 represent the good faith location by the entryman and thus carry with them the associated bona fide rights. I also determine that the W1/4 corner of Section 34 is obliterated and not lost and that the current position was proportioned in error. That being the case, I hold the seven original GLO corner positions as shown herein and subdivide the section as directed by the current BLM Manual of Instructions.

The line in question in this survey (between Dethloff and Lange) is the south line of that part of the NW1/4 of the SW1/4 conveyed from W.A. Owen to Peter Hansen in 1902. The original description of the Hansen tract was in metes and bounds using the rod as the unit of measure. That description was changed to "the north 15 acres" by the Hansen probate in 1921 and to its present metes and bounds form when combined with other Dethloff lands in 1978. The remainder of the Owen land south of the Hansen tract was further divided into its current four pieces through a series of conveyances, recombinations and reconfigurations which included multiple description changes. However, none of the conveyances (see the deed reference table on this map) were a transfer of property from one side of the "Hansen line" to the other. Therefore, I hold the south line of the Hansen tract as originally described to be the true line. To establish the westerly end of the true line I begin at the west 1/4 corner of Section 34 and measure south 495 feet along the west section line. To establish the east end of that line I begin at the CW1/16th corner and measure south along the N-S centerline of the SW1/4 of section 34 the deed distance of 495 feet. (15 rods.)

This survey was performed with a Trimble R8S Base/Rover pair and in the timbered portion of the

property with a Trimble 5604 Electronic Total Station.

MONIMENT NOTES

	1410	HOMEIN	INUILO
The data in this table is from the corner point calculated per this survey to the monument from the record survey noted.			
Corner	BEARING	DISTANCE	Remarks
(A)	S00 *52 ' 22 "E	24.76'	5/8" repar with weathered plastic cap from survey 7-38-22
₿	S05 °41 '48 "E	18.58'	5/8" rebar with 2" AL cap from survey 7-38-128
©	S01 *16 '18 "E	49.23'	2 1/2" brass cap on an iron pipe from survey 7-38-22
(b)	S05 *26 ' 25 "E	36.89'	5/8" rebar with 2" AL cap from survey 7–38–122
€	S13 °27 '51 "E	24.82	2 1/2" brass cap on an iron pipe from survey 7-38-70
⟨F ⟩	S13 °42 ' 14 "E	18.54'	5/8" rebar with plastic cap from survey 7-38-70
Ġ >	S14 °01 '22 "E	12.29'	2" AL cap on an iron rebar from survey 7-38-122
⊕	S00 *58 ' 53 "E	24.55'	5/8" rebar with 2" AL cap from survey 7–38–122
(1)	S01°13'26"E	31.16'	5/8" repar with Yellow Plastic cap from survey 7-38-128
\Diamond	S06 *39 ' 32 "E	24.00	5/8" rebar with Yellow Plastic cap from survey 7–38–128

MAP PRINTED 10-07-22 MONUMENTS SET 10-6-22

SURVEY FOR

Mr. Henry Lorenzen Attorney at Law Corey, Byler & Rew, L.L.P. P.O. Box 218 Pendleton, OR 97801

LOCATION: SECTION 34, T7S, R38E, W.M., BAKER COUNTY, OREGON

SCALE: 1" = 300'

PROJECT DATE: 10-7 THROUGH 10-07, 2022

Project No. 21-26

WITNESS TREE SURVEYING

Stephen K. Haddock, PLS, CFedS P.O. Box G Pilot Rock, Oregon 97868 (541) 443-2922