

OR 9127

ATC # 04047194

The United States of America**To all to whom these presents shall come, Greeting:****WHEREAS****George Probst and Bonnie M. Probst**

are entitled to a Land Patent pursuant to the Act of June 17, 1902 (32 Stat. 388), as amended and supplemented, and the Act of March 31, 1950 (64 Stat. 39), for the following described land:

Willamette Meridian, Oregon.

T. 39 S., R. 9 E.,
Sec. 27, NW $\frac{1}{4}$ SW $\frac{1}{4}$, excepting, however, from the effect of this conveyance that certain strip of land containing 10.3 acres, more or less, within the Lost River Diversion Channel having a uniform width of 270 feet and lying within 135 feet, where measurable at right angles or radially, on each side of the following described centerline of said diversion channel: Beginning at a point on the west line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ that is distant S. 0° 07' W., 299.7 feet from the west quarter corner of said Section 27; thence along said centerline S. 51° 37' E., 638.3 feet; thence along a tangent curve to the left with a radius of 955.4 feet through a central angle of 20° 41' for a distance of 345.0 feet to a point of reverse curve, a tangent at said point bears S. 72° 18' E.; thence along a reverse curve to the right with a radius of 955.4 feet through a central angle of 36° 53' for a distance of 615.0 feet; thence tangent to said curve S. 35° 25' E., 87.0 feet to a point on the east line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$. The sideline boundaries of said strip are to be lengthened or shortened, as necessary, so as to begin at the west line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ and terminate at the east or south lines of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Containing, after making the aforesaid exception, 29.7 acres, more or less;

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the said claimants the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimants, their successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES from the land so granted:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945;

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2. Existing reservoirs, canals, laterals, ditches, flumes, siphons, pipelines, and other reservations required to protect the interest of the United States and the Klamath Irrigation District;
3. Pursuant to the authority contained in the Acts of May 20, 1920 (43 U.S.C. 375), May 16, 1930 (43 U.S.C. 424-424e), and March 31, 1950 (43 U.S.C. 375b-375f), there is reserved to the United States and its assigns an easement for the construction, reconstruction, operation, and maintenance of laterals and drains for irrigation and drainage purposes, together with appurtenant uses, over, across, and through all those portions of land lying within (1) 40 feet on the northerly side and a variable width of from 40 feet to 63 feet on the southerly side of the centerline of the No. 1 Drain; (2) 25 feet on each side of the centerline of the C-4-e Lateral; and (3) that portion of the A-3(F) Lateral described as the east 652.6 feet of the north 20 feet of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, said portions of land being more particularly identified and described in the Bureau of Reclamation Plat No. 12-201-4420 dated June 25, 1971, on file with the Klamath Project, Bureau of Reclamation; and there is further reserved to the United States the right to exclude any occupancy or use of said portions of land by George Probst and Bonnie M. Probst, their heirs or assigns, except that which may be expressly authorized by the United States or its assigns;
4. All the oil and gas in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914, 38 Stat. 509, as supplemented; 30 U.S.C. 121-124;
5. All the geothermal steam and associated geothermal resources in the land so patented, and to it or persons authorized by it, the right to prospect for, mine, and remove such deposits, upon compliance with the conditions and subject to the provisions and limitations of the Act of December 24, 1970 (84 Stat. 1566); and

SUBJECT TO existing rights in use by, or of record in favor of, the public and third parties for highways, roads, railroads, telephone, telegraph, and electrical transmission lines.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Portland, Oregon
the THIRD day of MAY in the year
of our Lord one thousand nine hundred and SEVENTY-SIX
and of the Independence of the United States the two hundred th.
and

By Harold A. Berenda
Chief, Branch of Lands
and Minerals Operations

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 11th day
of March A.D., 1998 at 11:09 o'clock A. M., and duly recorded in Vol. M98
of Deeds on Page 7848.

Bernetha G. Letsch, County Clerk

FEE \$40.00

By

Kathleen Kraw