

WHEN RECORDED, RETURN TO:

The Nature Conservancy

Legal Department

1917 1st Ave.

Seattle, WA 98101

1st 558254

AFFIDAVIT OF PUBLICATION

This Affidavit of Publication, dated April 25, 2006, is made pursuant to O.R.S. section 517.180, "Procedure for extinguishing dormant mineral interests." In accordance with such statute, I, Elizabeth Kitchens, being first duly sworn, depose and state:

1. That I am Senior Attorney and Assistant Secretary for The Nature Conservancy, a District of Columbia non profit corporation.
2. That The Nature Conservancy holds a contract to purchase the real property described on Exhibit A, attached hereto and incorporated herein by reference (the "Property"), from the owner of record, Jane Mathis Barnes and Franklin L. Barnes, Jr., as co trustees of the Jane and Franklin Barnes Family Trust dated September 22, 1994, and is qualified as the Owner of land, as defined in O.R.S. section 517.180(2)(b), to extinguish a dormant mineral interest encumbering the Property.
3. That the official records of Klamath County, Oregon reflect a mineral reservation regarding the Property, recorded on May 15, 1957, in Volume 291 of Deeds, Page 600, in favor of R.S. Dixon and Constance N. Dixon, husband and wife (the "Mineral Interest Holder").
4. That a preliminary title report conducted by First American Title Insurance Company of Oregon, dated November 16, 2005, reflects that no statement of claim, as defined by O.R.S. section 517.180, has been recorded by the Mineral Interest Holder within the last 30 years.
5. That on or about September 15, September 19, and September 27, 2005, diligent efforts were made by The Nature Conservancy to determine the current address of the Mineral Interest Holder, including searches of internet databases and telephone calls to individuals, but that the Mineral Interest Holder was not located through such diligent efforts.
6. That a Legal Notice meeting the requirements of O.R.S. section 517.180 was published in the Klamath Falls Herald and News on April 2, April 9 and April 16, 2006, and an Affidavit of Publication from the Business Manager of said newspaper with a copy of the Legal Notice is attached hereto as Exhibit B.

7. That, as of June 15, 2006, 60 days will have elapsed since the last date of publication of said Legal Notice, which is the statutory period of time in which the Mineral Interest Holder must submit a statement of claim, or the mineral interest shall be extinguished pursuant to O.R.S. 517.180.

Elizabeth Kitchens

Elizabeth Kitchens
Senior Attorney and Assistant Secretary for
The Nature Conservancy

Subscribed and sworn before me on April 25, 2006.



My commission expires: 12-9-2008

Kara M DeSena
Notary Public
Address: 9886 Sandridge Dr.
Sandy, UT 84092

**EXHIBIT A
TO AFFIDAVIT OF PUBLICATION**

The Property

That portion of land lying between the range line of Ranges 6 and 7½ East and the center line of the 4 Mile Canal, being more fully described as follows: Starting from the section corner common to Sections 19, 30, 24 and 25, Township 34 South, Ranges 6 and 7½ East of the Willamette Meridian; thence Northerly North 0°32' East a distance of 3874.8 feet; thence Easterly North 90° East a distance of 98.0 feet, more or less, to the center-line of the 4 Mile Canal; thence Southerly along the said center-line of the 4 Mile Canal, as the same is now located and constructed, South 0°03' West a distance of 4084.8 feet; thence Westerly North 88°57' West a distance of 134.5 feet, more or less, to a point on the section line between Sections 25 and 30; thence Northerly North 0°32' East, a distance of 207.6 feet, more of less, to the point of beginning; and

That portion of the property lying North of the South boundary of the 7 Mile Ranch as the same is now located and deeded to a line 8 feet North of the North edge of the East-West Canal along the South side of the 7 Mile Ranch, more fully described as follows: Starting from the section corner common to Sections 19, 30, 24 and 25, Township 34 South, Ranges 6 and 7½ East of the Willamette Meridian; thence South 0°32' West a distance of 394.1 feet to the point of beginning; thence Easterly South 89°50' East a distance [of] 10,160.7 feet; thence Northerly North 0°00' East to a point in line with a line 8.0 feet North and parallel with the North edge of the East-West Canal on the 7 Mile Ranch, as the same is now located and constructed; thence Westerly, along the said parallel line North 88°57' West a distance of 10,162.4 feet, more or less, to a point on the section line between Sections 25 and 30; thence Southerly South 0°32' West a distance of 186.5 feet to the point of beginning. EXCEPTING THEREFROM any portion of the above described parcel conveyed to Tulana Farms by Deed recorded February 20, 1947, in Deed Volume 202 at page 411, Klamath County Deed Records; and

A parcel of land situated in Sections 19 and 30, Township 34 South, Range 7½ East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows: Beginning at a point in the centerline of Four Mile Canal from which a 1" iron pipe with a 2" bronze cap (set by M. D. Price in 1931) marking the section corner common to Sections 19, 24, 25 and 30, Township 34 south, Range 6 and 7½ East, bears South 73°24'13" West – 134.35 feet, more or less; thence South 88°59'26" East 61.97 feet, more or less, to a ½" rebar, which point is 8.0 feet North of an East-West Canal; thence Westerly 155.72 feet, more or less, along a line 8.0 feet North of said East-West Canal; thence Westerly 155.72 feet, more or less, along a line 8.0 feet North of said East-West Canal and a projection thereof to the centerline of Four Mile Canal; thence Northerly 247.78 feet, more or less, along the centerline of Four Mile Canal to the point of beginning.

**EXHIBIT B
TO AFFIDAVIT OF PUBLICATION**

Affidavit of Publication

STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that I know from my personal knowledge that the

Legal # 8205

Legal Notice/R.S. & Constance N. Dixon
Certain Undivided One-Half Mineral Interest

a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for: (3)
Three

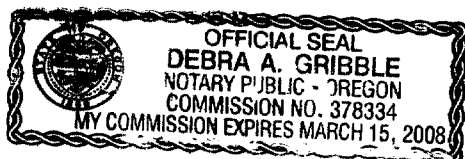
Insertion(s) in the following issues:
April 2, 9, 16, 2006

Total Cost: \$541.11

Subscribed and sworn
before me on: April 16, 2006

Notary Public of Oregon

My commission expires March 15, 2008



LEGAL NOTICE

THIS NOTICE IS GIVEN pursuant to O.R.S. 517.180 to R. S. Dixon and Constance N. Dixon, husband and wife, address unknown, and their heirs, and all other persons known or unknown claiming any right, title or interest in that certain undivided one-half mineral interest reserved in the Warranty Deed dated October 17, 1955, recorded in the Klamath County, Oregon, records on May 15, 1957, in Vol. 291 of Deeds, Page 600. This Notice will be published in this newspaper once a week for three consecutive weeks. A statement of claim as to the mineral interest must be submitted to the Klamath County Clerk within 60 days after the date of the last publication of this Notice or the aforementioned mineral interest may be extinguished. The persons giving this Notice are Jane Mathis Barnes and Franklin L. Barnes, Jr., as co-trustees of the Jane and Franklin Barnes Family Trust dated September 22, 1994, with an address of c/o Douglass H. Schmor, Attorney at Law, 201 W. Main St., Suite 5, Medford, OR 97501.

The lands affected by the mineral interest are described as follows:

That portion of land lying between the range line of Ranges 6 and 7 1/2 East and the center line of the 4 Mile Canal, being more fully described as follows: Starting from the section corner common to Sections 19, 30, 24 and 25, Township 34 South, Ranges 6 and 7 1/2 East of the Willamette Meridian; thence Northerly North 0°32' East a distance of 3874.8 feet; thence Easterly North 90° East a distance of 98.0 feet, more or less, to the center-line of the 4 Mile Canal; thence Southerly along the said center-line of the 4 Mile Canal, as the same is now located and constructed, South 0°03' West a distance of 4084.8 feet; thence Westerly North 88°57' West a distance of 134.5 feet, more or less, to a point on the section line between Sections 25 and 30; thence Northerly North 0°32' East, a distance of 207.6 feet, more or less, to the point of beginning; and

That portion of the property lying North of the South boundary of the 7 Mile Ranch as the same is now located and deeded to a line 8 feet North of the North edge of the East-West Canal along the South side of the 7 Mile Ranch, more fully described as follows: Starting from the section corner common to Sections 19, 30, 24 and 25, Township 34 South, Ranges 6 and 7 1/2 East of the Willamette Meridian; thence South 0°32' West a distance of 394.1 feet to the point of beginning; thence Easterly South 89°50' East a distance of 10,160.7 feet; thence Northerly North 0°00' East to a point in line with a line 8.0 feet North and parallel with the North edge

of the East-West Canal on the 7 Mile Ranch, as the same is now located and constructed; thence Westerly, along the said parallel line North 88°57' West a distance of 10,162.4 feet, more or less, to a point on the section line between Sections 25 and 30; thence Southerly South 0°32' West a distance of 186.5 feet to the point of beginning. EXCEPTING THEREFROM any portion of the above described parcel conveyed to Tulana Farms by Deed recorded February 20, 1947, in Deed Volume 202 at page 411, Klamath County Deed Records; and

A parcel of land situated in Sections 19 and 30, Township 34 South, Range 7 1/2 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows: Beginning at a point in the centerline of Four Mile Canal from which a 1" iron pipe with a 2" bronze cap (set by M. D. Price in 1931) marking the section corner common to Sections 19, 24, 25 and 30, Township 34 south, Range 6 and 7 1/2 East, bears South 73°24'13" West - 134.35 feet, more or less; thence South 88°59'26" East 61.97 feet, more or less, to a 1/2" rebar, which point is 8.0 feet North of an East-West Canal; thence Westerly - 155.72 feet, more or less, along a line 8.0 feet North of said East-West Canal; thence Westerly - 155.72 feet, more or less, along a line 8.0 feet North of said East-West Canal and a projection thereof to the centerline of Four Mile Canal; thence Northerly 247.78 feet, more or less, along the centerline of Four Mile Canal to the point of beginning. #8205 April 2, 9, 16, 2006.