

1 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

2 IN AND FOR THE COUNTY OF SKAMANIA

3 IN THE MATTER OF THE DETERMINATION)
 4 OF THE RIGHTS TO USE THE SURFACE)
 5 AND GROUND WATERS OF THE SPRING)
 6 CREEK DRAINAGE BASIN IN SKAMANIA)
 7 COUNTY, WASHINGTON, IN ACCORDANCE)
 8 WITH THE PROVISIONS OF CHAPTERS)
 9 90.03 and 90.44, REVISED CODE OF)
 10 WASHINGTON,)

No. 4790-C

11 THE STATE OF WASHINGTON,)
 12 DEPARTMENT OF WATER RESOURCES,)

LIS PENDENS

13 Plaintiff,)

14 vs.)

15 GEORGE ALWAY and WINIFRED ALWAY, his wife; LEROY BAXTER and MARY L.
 16 BAXTER, his wife; GUNARD J. BERGSTROM; RUTH BOLKENY; WILLIAM M. BRANDL
 17 and LEOLA BRANDL; his wife; GILBERT P. BUSENITZ and FRANCES L. BUSENITZ,
 18 his wife; JOHN W. BUTLER and LORENA BUTLER; his wife; CAPE HORN GRANGE
 NO. 70; CLARKE COUNTY SAVINGS AND LOAN ASSOCIATION; COLUMBIA GORGE BANK;
 JAMES A. CROY and LINDA L. CROY; his wife; VIOLET M. DEVANEY and the
 unknown heirs of GEORGE K. DEVANEY; deceased; ELMER B. ELLEDGE and RUTH
 A. ELLEDGE; his wife; NORRIS W. ESCH and ELMA ESCH, his wife; LOUIS J.
 FLATT; ERNEST WILLIAM HUNTER, a widower; MAMIE B. KINCAID; FRANK W.
 LAMB; FREDERICK V. LEONARD and JULIA W. LEONARD, his wife; EVELYN MERRILL;
 NINA P. NELSON; W. H. PICKETT and EMMA PICKETT, his wife; FRED POWELL
 and NELL POWELL, his wife; DONALD A. ROWE and ETHEL I. ROWE, his wife;
 ELTON C. SAMS and ILA K. SAMS, his wife; SCHOOL DISTRICT NO. 2; ARTHUR
 SMULTER; ELNA SODERLUND; W. J. SPOTH and WILMA E. SPOTH, his wife;
 RALPH L. STRAIT and HAZEL V. STRAIT, his wife; A. T. SUNDERLIN and

Slade Gorton

~~John J. O'Connor~~ BY

Charles B. Roe, Jr.

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 Temple of Justice

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EVA MARIE SUNDERLIN, his wife; CLARK S. THOMPSON and LOIS M. THOMPSON, his wife; THOMAS J. TUCKER and CORRINE TUCKER, his wife; JAMES R. VEEDER and ELVIRA VEEDER, his wife; FERN WOOD and all persons unknown claiming the right to divert, withdraw or otherwise make beneficial use of the waters, both surface and ground, of the Spring Creek drainage basin,

Defendants.

NOTICE IS HEREBY GIVEN to the above named defendants and each and all of them that an action has been commenced in the Superior Court of the State of Washington in and for the County of Skamania by the plaintiff above named for the purpose of securing judgment adjudicating and determining the relative rights to divert, withdraw and make use of the waters, both surface and ground, of the Spring Creek Drainage Basin (tributary of the Columbia River), in Skamania County, Washington, and determining the extent and priority of the rights of all persons claiming the right to the use of said waters, and more particularly as the same may affect the following described property, to wit:

T2N - R6E

Section 26

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

Record Owner: Ralph L. Strait and Hazel V. Strait, his wife.

Section 27

N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Record Owner: Ralph L. Strait and Hazel V. Strait, his wife

S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT the following described tract of land: Beginning at the southeast corner of the said Section 27; thence west 16 rods and 20 links; thence north 12° east 16 rods; thence east to the east line of the said Section 27; thence south to the place of beginning.

Record Owner: W. J. Spoth and Wilma E. Spoth, his wife.

Contract Purchaser: Clark S. Thompson and Lois M. Thompson, his wife.

1 T2N - R6E (Continued)
 2 Section 27 (Continued)

3 A tract of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 described as follows:
 4 Beginning at the southeast corner of Section 27; thence west 16
 5 rods and 20 links; thence north 12° east 16 rods; thence east to the
 6 east line of the said Section 27; thence south to the place of be-
 7 ginning.

8 Record Owner: Fern Wood and Mamie B. Kincaid

9 SW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying easterly of the existing
 10 county road.

11 Record Owner: School District No. 2.

12 Section 34

13 Beginning at the southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34 and
 14 running thence north 388.8', thence S24°35'W 166.5', thence S51°10'W
 15 107', thence S44°55'E 191.5', thence S26°41'E 39' to point of beginning.

16 Record Owner: John W. Butler and Lorena Butler, his wife.

17 E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying north of the Butler Loop Road, EXCEPT the following
 18 described portions: Beginning at a point 845 feet south and 487
 19 feet west of the northeast corner of Section 34, T2N, R6E; thence west
 20 172 feet to the Sampson-Dahl property line; thence south on said line
 21 210 feet to former State Road No. 8 right of way; thence south 56°18'
 22 east 123 feet; thence north 80°23' east 42 feet; thence north 14°08'
 23 east 120 feet; thence north 159 feet to the point of beginning. AND
 24 brginning at the southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34 and
 25 running thence north 388.8', thence S24°35'W 166.5', thence S51°10'W
 26 107', thence S 44°55'E 191.5', thence S26° 41'E 39' to the point of
 27 beginning.

Record Owner: Elna Soderlund, as her separate estate.

Beginning at a point 845 feet south and 487 feet west of the northeast
 corner of Section 34, Township 2 North, Range 6 E. W. M; thence west
 172 feet to the Sampson-Dahl property line; thence south on said line
 210 feet to former State Road No. 8 right of way; thence south 56°18'
 east 123 feet; thence north 80°23' east 42 feet; thence north 14°08'
 east 120 feet; thence north 159 feet to the point of beginning.

Record Owners: George Alway and Winifred Alway, husband and wife.

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1 T2N - R6E (Continued)
 2 Section 34 (Continued)

3 That portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34 described as beginning at
 4 a point on the west line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 34, which is
 5 208.7' north of the southwest corner of the said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence
 6 north along the west line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 539.6 feet;
 7 thence south 67°36' east 460 feet; thence south 42°56' east 165 feet;
 8 thence south 06°54' west 121 feet; thence west 97 feet to the center
 of the channel of Spring Creek; thence following the center of the
 channel of said Spring Creek in a southerly direction to the south line
 of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 34; thence west along said south line
 a distance of 238.3'; thence north 208.7'; thence west 208.7' to the
 point of beginning.

9 Record Owner: Gunard J. Bergstrom

10 A tract of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, described as
 11 follows:

12 Beginning at a point 910 feet west of the northeast corner of the said
 13 Section 34; thence west 435.2 feet; thence south 01°10' west 524.2
 14 feet; thence south 67°36' east 460 feet; thence south 42°56' east
 26.5 feet; thence north 00°13' west 728.5 feet to the point of beginning;
 EXCEPT that portion thereof lying northwesterly of the county road
 known and designated as the Skelton Road.

15 Record Owners: Norris W. Esch and Elma Esch, husband and wife.

16 Mortgage Holder: Columbia Gorge Bank

17 Beginning at a point 662.6 feet west of the northeast corner of Section
 18 34, Township 2 North, Range 6 E.W.M; thence west 247.4 feet; thence
 19 south 00°13' east 728.5 feet; thence south 42°56' east 138.5 feet;
 20 thence south 06°54' west 121.0 feet; thence west 97.0 feet; thence
 21 south 00°13' east 340 feet to the south line of the Northeast Quarter
 of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 34; thence south
 87°54' east 266.0 feet; thence north 00°13' west 1,301.0 feet to the
 point of beginning; EXCEPT that portion thereof conveyed to Louis J.
 Flatt and Helen C. Flatt, husband and wife, by deed dated April 10,
 1951; AND EXCEPT that portion thereof conveyed to Gordon M. Bergstrom
 and Lucille Bergstrom, husband and wife, by deed dated December 17, 1954.

23 Record Owners: Violet M. DeVaney and the unknown heirs of
 George K. DeVaney, deceased.

24 Mortgage Holder: Clarke County Savings and Loan Association.

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1 T2N - R6E (Continued)
 2 Section 34 (Continued)

3 A tract of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Township 2 North,
 4 Range 6 E.W.M., more particularly described as follows: Beginning
 5 at a point 662.6 feet west of the northeast corner of the said Section
 6 34; thence west 247.4 feet; thence south 00°13' east 728.5 feet;
 7 thence south 42°56' east 138.5 feet; thence east 150.6 feet; thence
 8 north 00°13' west 832.2 feet, more or less, to the point of beginning;
 9 EXCEPT the north 176.1 feet thereof.

10 Record Owners: James R. Veeder and Elvira Veeder, husband and
 11 wife.

12 Beginning at a point 662.6 feet west of the northeast corner of
 13 Section 34, Township 2 North, Range 6 E.W.M.; thence west a distance
 14 of 247.4 feet; thence south 00°13' east a distance of 176.1 feet;
 15 thence east a distance of 247.4 feet; thence north 00°13' west a
 16 distance of 176.1 feet to the point of beginning.

17 Record Owners: Gilbert P. Busenitz and Frances L. Busenitz,
 18 husband and wife.

19 Contract Purchasers: LeRoy G. Baxter and Mary L. Baxter,
 20 husband and wife.

21 That portion of the following described tract in the Northeast Quarter
 22 of Section 34, Township 2 North, Range 6 E.W.M. lying northwesterly
 23 of the county road known and designated as the Skelton Road; Beginning
 24 at a point 910 feet west of the northeast corner of the said Section
 25 34; thence west 435.2 feet; thence south 01°10' west 524.2 feet; thence
 26 south 67°36' east 460 feet; thence south 42°56' east 26.5 feet; thence
 27 north 00°13' west 728.5 feet to the point of beginning.

Record Owner: Evelyn Merrill

Beginning at the southwest corner of the Northeast Quarter of the
 Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 34, Township 2 North, Range 6 E.W.M.;
 thence north 208.71 feet; thence east 208.71 feet, thence south 208.71
 feet; thence west 208.71 feet to the point of beginning.

Record Owner: Arthur Smulter

A tract of land located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, described as
 follows: Beginning at a point on the south line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the
 said Section 34, 137' west from the southeast corner thereof; thence
 west 523 feet to the southeast corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said
 Section 34; thence north along the east line of the said subdivision 420
 feet; thence west 420 feet; thence south 420 feet to the south line
 of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 34; thence west along the south line
 of said subdivision to intersection with center of Woodard Creek Road;

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1 T2N - R6E (Continued)
 2 Section 34 (Continued)

3 thence northwesterly along center of said Woodard Creek Road to
 4 intersection with the west line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 34;
 5 thence north to the northwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section
 6 34; thence east along the north line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section
 7 34 to intersection with the Skelton Road at a point 80 feet east of the
 8 northwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 34; thence in a
 southeasterly direction 1125 feet, more or less, to where the said
 Skelton Road intersects the east line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section
 34; thence south 804 feet to a point on the east line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of
 the said Section 34, 200 feet north of the southeast corner thereof;
 thence west 137 feet; thence south 200 feet to the point of beginning.

9 Record Owners: Frederick V. Leonard and Julia W. Leonard,
 husband and wife.

10 Mortgage Holder: Louis J. Flatt

11 Beginning at the southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T2N -
 12 R6E.W.M.; thence west 137 feet; thence north 200 feet; thence east
 13 137 feet to the east line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 34; thence
 south 200 feet to the point of beginning.

14 Record Owners: W. H. Pickett and Emma Pickett, husband and wife.

15 Contract Purchasers: James A. Croy and Linda L. Croy,
 husband and wife.

16 A tract of land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T2N - R6E.W.M.
 17 described as follows: Beginning at a point on the Skelton Road 80 feet
 18 east of the northwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 34; thence
 19 in a southeasterly direction following the Skelton Road to intersection
 20 with the east line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 34; thence north
 to the north line of the said Section 34; thence west to the point of
 beginning.

21 Record Owner: Frank W. Lamb, husband of Clara Lamb.

22 A tract of land located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T2N, R6E.W.M.,
 23 described as follows: Beginning at the southeast corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
 24 of the said Section 34; thence north 420 feet; thence west 420 feet;
 25 thence south 420 feet; thence east 420 feet to the point of beginning.

26 Record Owners: Elmer B. Elledge and Ruth A. Elledge,
 husband and wife.

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1 T2N - R6E (Continued)
 2 Section 34 (Continued)

3 SW $\frac{1}{4}$ NE $\frac{1}{4}$ EXCEPT that portion thereof lying easterly of the county road
 4 known and designated as the Skelton Cut-Off Road and southerly of
 5 Primary State Highway No. 8; AND EXCEPT that portion thereof lying
 6 westerly of the county road known and designated as the Etner Road;
 7 AND EXCEPT the following described tract of land: Beginning at a
 8 point marking the intersection between the northerly line of Primary
 9 State Highway No. 8 and the south line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Sec-
 10 tion 34; thence turning an angle northwesterly and running on a course
 11 having an angle of 58° 30' with the northerly line of said highway a
 12 distance of 100 feet; thence in a northeasterly direction along the
 13 westerly side of an old abandoned county road a distance of 200 feet
 14 to a point which is 172 feet distant northwesterly from a point on said
 15 highway which is north 58°01' east 200 feet from the point of beginning;
 16 thence southeasterly 172 feet to the above mentioned point on said
 17 highway; thence south 58°01' west 200 feet to the point of beginning.

18 Record Owners: Donald A. Rowe and Ethel I. Rowe, husband and wife.

19 Beginning at the northeast corner of the Southwest Quarter of the North-
 20 east Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 34, Township 2 North, Range 6 E.W.M;
 21 thence south on subdivision line 660 feet; thence west 288 feet to the
 22 initial point of the tract hereby described; thence west 22 feet, more
 23 or less, to the county road known and designated as the Skelton Cut Off
 24 Road; thence southerly along said Skelton Cut Off Road to intersection
 25 thereof with the northerly line of Primary State Highway No. 8; thence
 26 easterly along the northerly line of Primary State Highway No. 8 a
 27 distance of 280 feet; thence in a straight line in a northerly direction
 406 feet to the initial point.

Record Owners: Thomas J. Tucker and Corrine A. Tucker,
 husband and wife.

A tract of land located in the Southwest Quarter of the Northeast
 Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 34, Township 2 North, Range 6 E.W.M, des-
 cribed as follows: Beginning at a point marking the intersection
 between the northerly line of Primary State Highway No. 8 and the south
 line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 34; thence turning an angle
 northwesterly and running on a course having an angle of 58° 30' with
 the northerly line of said highway a distance of 100 feet; thence in a
 northeasterly direction along the westerly side of an old abandoned
 county road a distance of 200 feet to a point which is 172 feet distant
 northwesterly from a point on said highway which is north 58°01' east
 200 feet from the point of beginning; thence southeasterly 172 feet to
 the above mentioned point on said highway; thence south 58°01' west 200
 feet to the point of beginning.

Record Owners: William M. Brandl and Leola Brandl,
 husband and wife.

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1 T2N - R6E (Continued)
 2 Section 34 (Continued)

3 The North 660 feet of the East 330 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34.

4 Record Owner: School District No. 2, a municipal corporation.

5 Beginning at the northeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34; thence
 6 south on subdivision line 660 feet to the initial point; thence from
 7 said initial point west 330 feet to the county road known as Skelton
 8 Cut-Off Road; thence southerly along said Skelton Cut-Off Road to
 9 intersection thereof with the northerly line of State Highway No. 8;
 thence easterly along the northerly line of State Highway No. 8 to the
 east line of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
 of Section 34, Township 2 North, Range 6 E. W.M.; thence north to the
 point of beginning; EXCEPT that part owned by Tucker.

10 All that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34 lying on the northerly side
 11 of the Evergreen Highway, EXCEPT: Beginning at the corner of Sections
 12 26, 27, 34 and 35 in Township 2 North, Range 6 E.W.M., thence South
 13 var 21° 30' east 20 chains, thence west var 21° 30' east 11.50 chains to
 14 center of creek where stake is set for bank of creek from which corner
 15 bears west 38 links, thence following the center of the creek for
 16 boundary line south 54° east 2.07 chains, thence south 58° east 6.72
 17 chains, thence south 20° east 3.42 chains to corner in center of creek
 18 at edge of S.P. & S. R.R. right of way, thence north 70° 09' east fol-
 19 lowing right of way 3 chains to section line, thence north along sec-
 20 tion line 7.50 chains to the starting point, being about 4 $\frac{1}{2}$ acres,
 21 conveyed to Henry Seaberg by deed dated December 11, 1907, recorded at
 22 page 482 Book K of Deeds, Records of Skamania County, Washington; AND
 23 EXCEPT: Commencing at the northwest corner of the Southeast Quarter o
 of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 34, Township 2 North,
 Range 6 E.W.M., running thence south 30 feet, thence south 41° 15' east
 600 feet, thence north 73° 20' east 650 feet to the center of a certain
 creek, thence north 58° west along the center of said creek 420 feet,
 thence north 54° west 136.6 feet to the north line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of
 Section 34, thence west along said north line to the point of beginning,
 containing 6 acres, more or less, excepting therefrom a strip of land
 30 feet wide along the west side of the above described tract for road.
 The said tract having been conveyed to Henry Seaberg by deed recorded
 at page 220 of Book M of Deeds, and correction deed to his successors
 in interest by deed dated January 30, 1943, recorded at page 387 of
 Book 29 of Deeds, Records of Skamania County, Washington.

24 Record Owner: Nina P. Nelson, wife of Alf M. Nelson,
 25 as her separate estate.

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1 T2N - R6E (Continued)
 2 Section 34 (Continued)

3 Beginning at a point 662.6 feet west of the northeast corner of said
 4 Section 34; thence west 247.4 feet; thence south 00°13' east 728.5 feet;
 5 thence south 42°56' east 138.5 feet; thence south 06°54' west 121 feet
 6 to the initial point of the tract hereby described, said point being in
 7 the center of a certain county road known and designated as Butler Loop
 8 Road; thence west 97 feet; thence south 00°13' east 340 feet to the
 9 south line of the NE¼NE¼ of the said Section 34; thence south 87°54'
 10 east 266 feet; thence north 00°13' west to intersection with the center
 11 of the said county road; thence following the center of the said county
 12 road in a northwesterly direction to the initial point;

13 A tract of land in the East Half of the Northeast Quarter of the North-
 14 east Quarter (E½NE¼NE¼) of Section 34, Township 2 North, Range 6 E.W.M.,
 15 described as follows: Beginning at the southwest corner of the E½NE¼NE¼
 16 of the said Section 34; thence north to the county road known and designated
 17 as the Butler Loop Road; thence easterly along said road 4 chains, more
 18 or less, to a creek; thence following said creek down stream to the south
 19 line of the NE¼NE¼ of the said Section 34; thence west to the point of
 20 beginning;

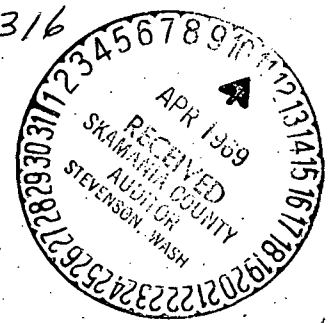
21 That portion of the Southeast Quarter of the Northeast Quarter (SE¼NE¼)
 22 of Section 34, Township 2 North, Range 6 E.W.M, described as follows:
 23 Beginning at the northeast corner of the SE¼NE¼ of said Section 34;
 24 thence west 1,320 feet, more or less, to the northwest corner of the SE¼
 25 NE¼ of said Section 34; thence south 30 feet; thence south 41°15' east
 26 600 feet; thence north 73°20' east 650 feet to the center of a certain
 27 creek; thence south 58° east and south 20° east following the westerly
 line of a tract of land more particularly described in deed dated December
 11, 1907, and recorded at page 482 of Book K of Deeds, Records of
 Skamania County, Washington, to intersection with northerly right of way
 line of Spokane, Portland & Seattle Railway Company; thence north 70°09'
 east 198 feet following said railway right of way to east line of said
 Section 34; thence north to the point of beginning.

Record Owner: Ernest William Hunter, a widower
 Mortgage Holder: Columbia Gorge Bank

Beginning at the southeast corner of the NW¼ of Section 34; thence
 west along the center line running east and west through the said Section
 34 a distance of 16 rods; thence north 5 rods; thence east 16 rods, more
 or less, to center of county road; thence southeasterly along the center
 of said road 5 rods, more or less, to intersection with center line
 running east and west through the said Section 34; thence west 22.44 feet,
 more or less, to the place of beginning.

Record Owners: Eldon C. Sams and Ila K. Sams, husband and wife.

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T2N - R6E (Continued)
Section 34 (Continued)

That portion of the NW $\frac{1}{4}$ and of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, described as follows: Beginning at the center of the said Section 34; thence west along the quarter section line running east and west through the center of the said Section 34 to the center of Duncan Creek; thence northwesterly following the center of Duncan Creek to a point 340 feet north of the said quarter section line; thence in an easterly direction along a line 340 feet distant from and parallel to said quarter section line to the center of the county road known and designated as Woodward Creek Road; thence southerly along said Woodward Creek Road to said quarter section line; thence west to point of beginning; EXCEPT that portion owned by Sams.

Record Owners: Fred Powell and Nell Powell, husband and wife.
Mortgage Holder: Columbia Gorge Bank

The east 104.75 feet of the north 150 feet of the NE $\frac{1}{4}$ SW $\frac{1}{4}$; and the west 20 feet of the north 170 feet of the NW $\frac{1}{4}$ SE $\frac{1}{4}$; of Section 34.

Record Owner: Cape Horn Grange No. 70, Patrons of Husbandry.

Section 35.

All that portion of Government Lot number 4 in Section 35 lying northerly of the right of way for primary State Highway Number 8, EXCEPT that portion lying westerly of the county road known as the Butler Loop road.

Record Owner: Ruth Bolkeny as her separate property.

N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

Record Owner: A. T. Sunderlin and Eva marie Sunderlin, his wife.

S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$

Record Owner: John W. Butler and Lorena Butler, his wife.

DATED this 4th day of April, 1969.

THE STATE OF WASHINGTON

Skamania County
Filed Apr 10 1969
Daphne M. Ramsay Clerk

SLADE GORTON
ATTORNEY GENERAL

Charles B. Roe, Jr.
CHARLES B. ROE, JR.
Assistant Attorney General