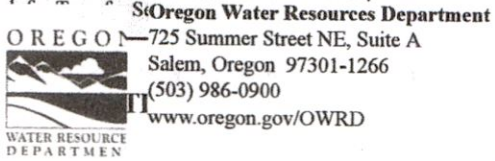


2

**Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist**

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and



FOR ALL TEMPORARY TRANSFER

Check all items included with this application. (N/A = Not A)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 26585**

Please include a separate Part 5 for each water right. (See instructions on page 6)

- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2021 End Year: 2026.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

Application fee not enclosed/or is insufficient

Land Use Form not enclosed or incomplete

Additional signature(s) required

Map not included or incomplete

Part _____ is incomplete

Other/Explanation _____

Staff: _____ Date: _____

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3	Subtract 1.0 from the number in 3a above: <u>(3b)</u> If 3b is 0, enter 0 on line 3 » If 3b is greater than 0, round up to the nearest whole number: <u>(3c)</u> and multiply 4c by \$200.00, then enter on line 3	30
4	Do you propose to change the place of use for an irrigation use? No: enter 0 on line 4 » Yes: enter the number of acres for the portions of the rights to be transferred: <u>20 (4a)</u> Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	446.0
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5 856
6	Is this transfer: necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »	
6	If no box is applicable, enter 0 on line 7 »	6 0
7	Subtract line 6 from line 5 » Transfer Fee:	7 \$856.00

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FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS		
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1 \$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): <u>(2a)</u> Subtract 1.0 from the number in 2a above: <u>(2b)</u> If 2b is 0, enter 0 on line 2 » If 2b is greater than 0, round up to the nearest whole number: <u>(2c)</u> and multiply 2c by \$50, then enter on line 2 »	2 NA
3	Add entries on lines 1 through 2 above » Transfer Fee:	3 NA

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
3. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

Applicant Information

APPLICANT/BUSINESS NAME Buzz Sizemore <u>LISA Sizemore</u>		PHONE NO. 503-530-6351	ADDITIONAL CONTACT NO.
ADDRESS 39241 Luckiamute RD		FAX NO.	
CITY Philomath	STATE OR	ZIP 97370	E-MAIL <u>Rev Lisa N@gmail.com</u>
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME NA		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application and why:

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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I (we) affirm that the information contained in this application is true and accurate.

Buzz Sizemore
Applicant signature
Lisa M. Sizemore
Applicant signature

Buzz Sizemore
Print Name (and Title if applicable) Date 1-28-21
LISA Sizemore
Print Name (and Title if applicable) Date 1/28/21

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Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.


Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS
NA	
CITY	STATE ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS
NA	
CITY	STATE ZIP

Part 4 of 5 – Applicant Information and Signature

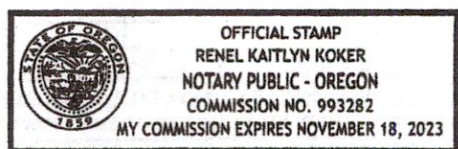
 To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME	ADDRESS
Benton County	205 NW 5 th St
CITY	STATE ZIP
Corvallis	OR 97330

State of Oregon
County of Benton

Signed before me on January 28, 2021 by
Lisa and Wilson Sizemore
Renel Koker
Notary
My Commission Expires: November 18, 2023

ENTITY NAME	ADDRESS
NA	
CITY	STATE ZIP



INSTRUCTIONS for editing the Application Form

To add lines to tables within the forms or to copy and paste additional Part 5 pages, please save the application form to your computer. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

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Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

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Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "Allow only this type of editing in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

CERTIFICATE #

Water Right Certificate # 26585

Description of Water Delivery System

System capacity: 0.52 cubic feet per second (cfs) **OR**
gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Authorized								

13636 -

POD A	Proposed						10	S	7	W	2	NW	SW		
OD 1	Authorized						10	S	7	W	13	SE	NE	200	465' N & 1110' W From E1/4 Section 13
	Proposed														
OD 2	Authorized						10	S	7	W	13	SE	NE	200	355' N & 1315' W From E 1/4 Section 13
	Proposed														
	Authorized														
	Proposed														

2

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Appropriation/Well (POA)
- Point of Diversion (POD)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Point of Appropriation/Well (POA)
- Character of Use (USE)
- Additional Point of Appropriation (APOA)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Last revised: 10/13/2006 Transfer Application/A FS

Table 2. Description of Temporary Changes to Water Right Certificate # 26585

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901	
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0	POD #6	1901	
10	S	7	W	2	SW	SW			13.0	IR	POD A	1951	POU/POD	10	S	7	W	13	NE	NE	200		1.0	IR #1 & #2	1951	
10	S	7	W	3	SE	SE			7.0	IR	POD A	1951	POU/POD	10	S	7	W	13	NW	NE	200		2.2	IR #1 & #2	1951	
																							12.5	IR #1 & #2	1951	
																								4.3	IR #1 & #2	1951

Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 25 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

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 OWRD

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) SS
 County of BENTON)

I, in my capacity as, *owner*
 mailing address *14195 Wildwood Rd. Philomath, OR 97370*
 telephone number (), being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):
 Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # ; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼	¼	Gov't Lot or DLC	Acres (if applicable)

OR

Confirming Certificate # has been issued within the past five years; **OR**

Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.):

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Daniel R. Bamhart 1-28-21

Signature of Affiant Date

13636-

Signed and sworn to (or affirmed) before me this 28 day of January, 2021.



Renel Koker
Notary Public for Oregon

My Commission Expires: 11/18/2023

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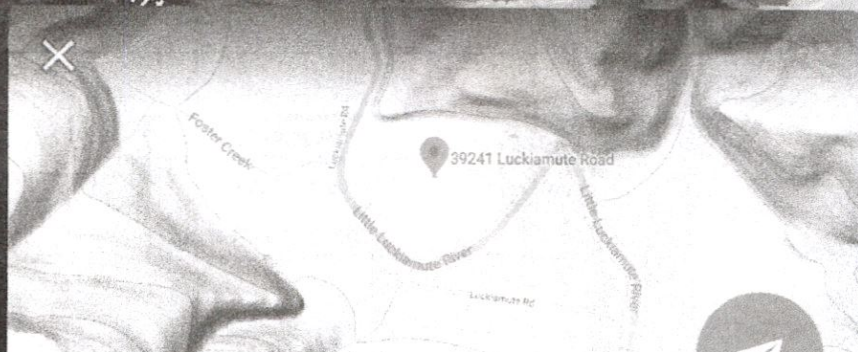
Supporting Documents	Examples
Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

10:31



Luckiamute River

39241 Luckiamute Rd



39241 Luckiamute Rd

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[Signature]
Applicant signature

Lisa M. Sizemore
Applicant signature

Buzz Sizemore
Print Name (and Title if applicable) Date 1-28-21

LISA Sizemore
Print Name (and Title if applicable) Date 1/28/21

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS
NA	
CITY	STATE ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS
NA	
CITY	STATE ZIP

Part 4 of 5 – Applicant Information and Signature

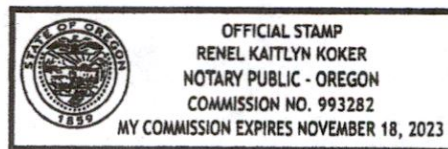
➔ To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME	ADDRESS
Benton County	205 NW 5 th St
CITY	STATE ZIP
Corvallis	OR 97330

State of Oregon
County of Benton

Signed before me on January 28, 2021 by
Lisa and Wilson Sizemore
[Signature]
Notary
My Commission Expires: November 18, 2023

ENTITY NAME	ADDRESS
NA	
CITY	STATE ZIP



INSTRUCTIONS for editing the Application Form

To add lines to tables within the forms or to copy and paste additional Part 5 pages, please save the application form to your computer. Unlock the document by using one of the following instructions for your Microsoft Word software version:

**Application for Water Right
Transfer
Consent by Deeded Landowner**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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State of Oregon)
)ss
County of BENTON)

in my/our capacity as , OWNER
mailing address 14195 Wildwood RD Philomath OR 97370,
telephone number , duly sworn depose and say that

consent to the proposed change(s) to Water Right Certificate Number 26585
LISA SIZEMORE + Wilson Sizemore
described in a Transfer Application (T-) submitted by Buzz Sizemore,
(transfer number, if known)

on the property in tax lot number(s) 100 & 504, Section 2 & 3, Township 10
, Range 7, W.M., located at 14195 Wildwood RD Philomath OR 97370.
(site address)

Daniel R. Bunkert 1-28-21
Signature of Affiant Date

Signature of Affiant Date

Subscribed and Sworn to before me this 28 day of January, 2021.

[Signature]
Notary Public for Oregon



My commission expires 11/18/2023

Revised 9/2/10

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2
Application for Water Right
Transfer
Consent by Deeded Landowner



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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MAR 01 2021

OWRD

State of Oregon)

)ss

County of BENTON)

in my/our capacity as, OWNER
mailing address 14195 Wildwood RD Philomath OR 97370,
telephone number, duly sworn depose and say that

consent to the proposed change(s) to Water Right Certificate Number 26585
Lisa Sizemore + Wilson Sizemore
described in a Transfer Application (T-) submitted by Buzz Sizemore.

(transfer number, if known)

on the property in tax lot number(s) 100 & 504, Section 2 & 3, Township 10
, Range 7, W.M., located at 14195 Wildwood RD Philomath OR 97370.

(site address)

Daniel K. Brouillette 1-28-21
Signature of Affiant Date

Signature of Affiant Date

Subscribed and Sworn to before me this 28 day of January, 2021.

[Signature]
Notary Public for Oregon



My commission expires 11/18/2023
Revised 9/2/10

13636 -

**Application for Water Right
Transfer
Evidence of Use Affidavit**



Oregon Water Resources Department
25 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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MAR 01 2021
OWRD

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
County of BENTON)

I, in my capacity as, *owner*
mailing address *14195 Wildwood Rd. Philomath, OR 97370*
telephone number (), being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the entire place of use for Certificate # ; OR

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	1/4	1/4	Gov't Lot or DLC	Acres (if applicable)

OR

Confirming Certificate # has been issued within the past five years; OR

Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.):

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Daniel R. Barbart 1-28-21

Signature of Affiant Date

**Application for Water Right
Transfer
Consent by Deeded Landowner**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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OWRD

State of Oregon)
)ss
County of BENTON)

in my/our capacity as , OWNER
mailing address 14195 Wildwood RD Philomath OR 97370,
telephone number , duly sworn depose and say that

consent to the proposed change(s) to Water Right Certificate Number 26585
Lisa Sizemore & Wilson Sizemore
described in a Transfer Application (T-) submitted by Buzz Sizemore,
(transfer number, if known)

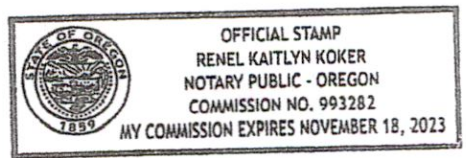
on the property in tax lot number(s) 100 & 504, Section 2 & 3, Township 10
, Range 7, W.M., located at 14195 Wildwood RD Philomath OR 97370.
(site address)

Daniel R. Brubaker 1-28-21
Signature of Affiant Date

Signature of Affiant Date

Subscribed and Sworn to before me this 28 day of January, 2021.

[Signature]
Notary Public for Oregon



My commission expires 11/18/2023
Revised 9/2/10

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11:56



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Water Right Transfer Docs

Hi Buzz,

Please print all of the attachments, they are all to be submitted as one application. If you have any questions feel free to call me.

1. Review the temporary_wr_transfer_app for correctness and sign
2. Complete evidence_of_use_form Barnhart will need to sign this and it has to be notarized
3. Complete consent_to_transfer Barnhart will need to sign this and it has to be notarized
4. Take the land_use_form to Benton County so they can complete and sign
5. Review Map-1 if you agree sign on the map and date it, have Barnhart also sign on the map and date it
6. Review Tax Map 10713 if you agree sign and date on the map.
7. Write a check for \$856.00 payable to Oregon Water Resources Department
8. Mail all of the completed documents and check to Oregon Water Resources Department 725 Summer St NE Suite A Salem OR 97301
- 9.

Thanks, Joel Plahn

District 22 Watermaster
Cell 503-508-2394
725 Summer St NE, Suite A
Salem OR 97301

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

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This Is to Certify, That H. E. BARNHART and FRANK KOCHLS

of Independence, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Fork Luckiamute River a tributary of _____ for the purpose of irrigation of 41.2 acres.

under Permit No. 20268 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 27, 1951,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.52 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, Township 10 South, Range 7 West, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

5.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
21.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 2
2.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
11.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3
Township 10 South, Range 7 West, W.M.

13 6 3 6 -

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. FEBRUARY 23 1950

LEWIS A. STANLEY
State Engineer

AFTER RECORDING RETURN TO:

Mr. Lane P. Shetterly
Attorney at Law
P. O. Box 105
Dallas, OR 97338


SEND TAX STATEMENTS TO:

Mr. & Mrs. Daniel R. Barnhart
14195 Wildwood Rd
Philomath, OR 97370

Space for Recording Label

RECORDED IN POLK COUNTY **2010-001699**
 Valerie Unger, County Clerk

\$51.00



00226197201000016990020027 02/22/2010 10:15:42 AM

REC-BS Cnt=1 Str=1 K. WILLIAMS
 \$10.00 \$10.00 \$11.00 \$15.00 \$5.00

RECEIVED

MAR 01 2021

CONSIDERATION: \$0.00 (See statement of consideration, below.)

BARGAIN AND SALE DEED

OWRD

The Barnhart Family Limited Partnership, an Oregon Limited Partnership, grantor, conveys to Daniel R. Barnhart and Erin Barnhart, husband and wife, grantees, the following described real property, located in Polk County, Oregon, to wit:

Parcel 2, Partition Plat No. 2010-03 Polk County, Oregon.

ALSO: Beginning at a point on the Easterly boundary of Polk County Road No. 1072, said point being located West 482.60 feet and North 41°07' West 1994.00 feet from the quarter corner which is common to Sections 2 and 11, in Township 10 South, Range 7 West of the Willamette Meridian, Polk County, Oregon; thence North 15°00' East to a point in the center of the Luckiamute River; thence Northwesterly along the thread of the centerline of said Luckiamute River to the Easterly boundary of said Polk County Road No. 1072; thence Southwesterly along said boundary then subsequently turning Southeasterly along same to the place of beginning.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

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MAR 01 2021

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DATED this 2nd day of February, 2010.

The Barnhart Family Limited Partnership,
an Oregon Limited Partnership

By:

Clifford J. Barnhart
General Partner

STATE OF OREGON,)
) ss.
County of Polk.)

The foregoing instrument was acknowledged before me this 2nd day of February, 2010, by Clifford J. Barnhart, partner on behalf of The Barnhart Family Limited Partnership, an Oregon Limited Partnership.



Dayna Sue Perkins
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9/10/12

H:\L\BarnhartFLP\LakeCoB&SDeed.wpd

2

RECORDING REQUESTED BY:

GRANTOR:
Delores E. Houchin

GRANTEE:
Wilson A. Sizemore

SEND TAX STATEMENTS TO:
Wilson A. Sizemore
39241 Luckiamute Road
Philomath, OR 97370

AFTER RECORDING RETURN TO:
Wilson A. Sizemore
39241 Luckiamute Road
Philomath, OR 97370

Situs Address:

39241 to 39243 Luckiamute Road
Philomath, OR 97370

BENTON COUNTY, OREGON	2013-513073
DE-WD	10/04/2013 08:48:15 AM
Stn=1 PF	
\$15.00 \$11.00 \$10.00 \$20.00 \$17.00	\$73.00
I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
James V. Morales - County Clerk	

RECEIVED
MAR 01 2021
OWRD

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Delores E. Houchin, Grantor, conveys and warrants to Wilson A. Sizemore, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Benton, State of Oregon:

See Exhibit "A" attached hereto and with this reference incorporated herein

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$314,500.00. (See ORS 93.030)

Subject to and excepting: See Exhibit "A"

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: October ^{DEH} 2 2013

Delores E. Houchin
Delores E. Houchin

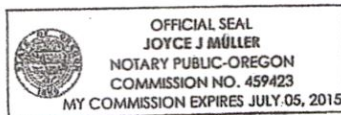
State of OREGON

COUNTY of Benton

This instrument was acknowledged before me on October 2, 2013 by Delores E. Hochen

Joyce J. Müller, Notary Public - State of Oregon
My commission expires: 7-5-15

471813028611-TTMIDWIL10
Deed (Warranty-Statutory)



13636

Ticor Title
471813028611

2

Exhibit "A"

Legal Description:

PARCEL I: Part of the Marquis L. Robbins and wife Donation Land Claim No. 37 in Township 10 South, Range 7 West of the Willamette Meridian, Benton County, Oregon, described as follows: Beginning at the Northwest corner of said donation land claim; thence East along the North line of said donation land claim 10 chains to the place of beginning, being the Northeast corner of that tract of land conveyed to Jerry Cave and wife by deed recorded February 9, 1928 in Book 79, page 209, Deed Records of Benton County, Oregon; thence South along the East line of said Cave tract 20 chains; thence Easterly parallel with the North line of said donation land claim 499 1/2 feet; thence Northerly parallel with the West line of said donation land claim 20 chains to the North line of said donation land claim; thence Westerly along said North line 499 1/2 feet to the place of beginning.

TOGETHER WITH an easement for ingress and egress over and across a strip of land as described in instrument dated September 26, 1964 in Book 193 at page 140, Deed Records of Benton County, Oregon.

PARCEL II: Beginning at a point 10 chains East and 10 chains South of the Northwest corner of the Marquis L. Robbins and Mary Robbins Donation Land Claim No. 37 in Township 10 South, Range 7 West of the Willamette Meridian, Benton County, Oregon; thence Southerly parallel with the West line of the said claim 10 chains; thence Westerly parallel with the North line of said claim 10 chains to the West line of the said claim; thence Northerly along the West line of said claim 10 chains; thence Easterly 10 chains to the place of beginning.

PARCEL III: The North half of the following premises, to-wit: Beginning at the Northwest corner of Marquis L. Robbins and Mary Robbins Donation Land Claim No. 37 in Township 10 South, Range 7 West of the Willamette Meridian, Benton County, Oregon; running thence Easterly along the North line of said claim 10 chains; thence Southerly parallel with the West line of said claim 20 chains; thence Westerly parallel with the North line of said claim 10 chains to the West line of said claim; thence Northerly along the West line of said claim 20 chains to the place of beginning all in Benton County, Oregon.

Subject to the following:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2013-2014.
2. The Land has been classified as Farm Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
3. Any rights, liens, claims or equities, if any, in favor of Benton Soil and Water Conservation District.
4. Any adverse claim based upon the assertion that:
 - a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of Luckiamute River in the event the boundary of said Luckiamute River has been artificially raised or is now or at any time has been below the high watermark, if said Luckiamute River is in its natural state.
 - b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
 - c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Luckiamute River, or has been formed by accretion to any such portion.
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
 Granted to: Valley & Siletz Railroad Company
 Purpose: Railroad purposes
 Recording Date: July 9, 1913
 Recording No: Book 56, Page 628
6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
 Granted to: Adjacent property owners
 Purpose: Roadway
 Recording Date: September 28, 1964
 Recording No: Book 193, Page 140
 NOTE: Said easement contains maintenance provisions

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7. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$213,700.00

Dated: April 23, 2012

Trustor/Grantor: Delores E. Houchin

Trustee: Fidelity National Title Ins Co

Beneficiary: Wells Fargo Bank, N.A.

Recording Date: April 30, 2012

Recording No: 2012-490823

13. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

8. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.

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MAR 01 2021

OWRD

AFTER RECORDING RETURN TO:

Mr. Lane P. Shetterly
Attorney at Law
P. O. Box 105
Dallas, OR 97338


✓

SEND TAX STATEMENTS TO:

Mr. & Mrs. Daniel R. Barnhart
14195 Wildwood Rd
Philomath, OR 97370

Space for Recording Label

RECORDED IN POLK COUNTY 2010-001699
Valerie Unger, County Clerk



\$51.00

00226197201000016990020027 02/22/2010 10:15:42 AM

REC-BS Cnt=1 Stn=1 K. WILLIAMS
\$10.00 \$10.00 \$11.00 \$15.00 \$5.00

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CONSIDERATION: \$0.00 (See statement of consideration, below.)

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RECEIVED

MAR 01 2021

DATED this 2nd day of February, 2010.

OWRD

The Barnhart Family Limited Partnership,
an Oregon Limited Partnership

By: Clifford J. Barnhart
General Partner

STATE OF OREGON,)
) ss.
County of Polk.)

The foregoing instrument was acknowledged before me this 2nd day of February, 2010, by Clifford J. Barnhart, partner on behalf of The Barnhart Family Limited Partnership, an Oregon Limited Partnership.



Dayna Sue Perkins
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9/10/12

H:\L\BarnhartFLP\LakeCoB&SDeed.wpd