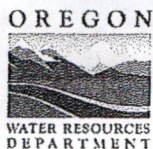


DEC 05 2022



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
www.oregon.gov/OWRD

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Ownership Update for Certificated Rights Only

NO FEES ARE REQUIRED TO SUBMIT THIS FORM

NOTICE: A certificate of water right typically stays with the land. To track water right ownership, the Department requests that this form be submitted to the Department. **To update multiple rights, a separate form is required for each right.** If you have any questions about this form, please contact your local watermaster, or call the Water Resources Department at (503) 986-0900.

Note: Use the assignment form to change ownership on pending applications, permits, transfers, groundwater registrations, or limited licenses.

Current Landowner Information					
Name:	Faamasani Denis & Kathleen Marie Messenger				
Mailing Address:	67433 Hwy 78				
City:	Burns, OR	State:	OR	Zip:	97720
Phone:	208-859-3645	Email:	kathleenmessenger@gmail.com		

Property Information					
County:	Harney	Township:	245	Range:	32E
		Section:	4		
Tax Lot #:	500				
Street Address of Water Right:	67433 Hwy 78 Burns, OR 97720				
Water Right Information					
Application:	G-16245				
Permit:					
Certificate:	95196				
Are all the lands associated with this water right owned by the requestor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
(If no, include a map showing the portion of the water right involved)					

Signature and Date		
Name of individual completing form:	Mardy Stewart	
Phone or email:	541-573-7206	Date: 8-18-22
Signature of requestor:	Mardy Stewart	

The Department does not change names on water right certificates. This form will be placed in the file for future reference only. If mailed, the Department will not provide acknowledgment of receipt.

This form can be mailed to the address above or sent by email to wrd_dl_customerservice@water.oregon.gov

FINAL PROOF MAP

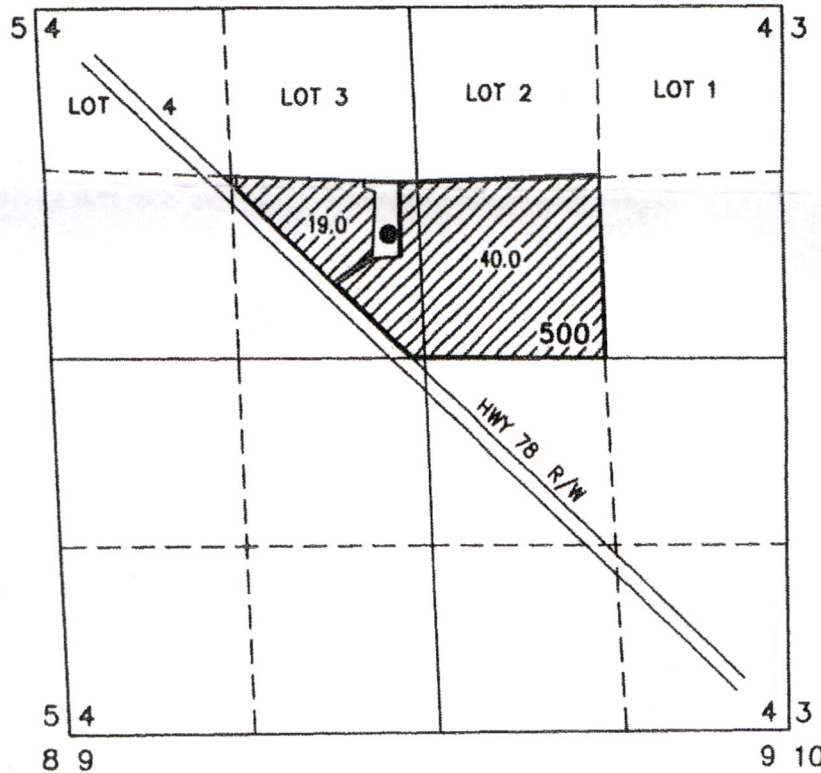
TO ADD PLACE OF USE &
POINT OF APPROPRIATION
FOR APPLICATION G-16245

TAX LOT: 500 IN SECTION 4,
TOWNSHIP 24 SOUTH, RANGE 32 EAST, W.M.

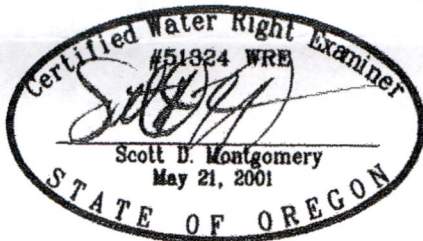
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59.0 ACRES 'R' RIGHTS FROM WELL
PERMIT G-15798, AS SHOWN.



RENEWAL DATE: 12/31/2018

WELL (HARN 51340/51696)

LOCATED IN THE SE 1/4 NW 1/4 SECTION 4, T24S
R32E, W.M. AND 870 FEET NORTH AND 210 FEET
WEST FROM THE C 1/4 CORNER OF SECTION 4.
FLOW METER IS LOCATED 6 FEET EAST OF WELL.

RECEIVED BY OWRD

MA 08 2017

SALEM, OR

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER RIGHT ONLY AND HAS NO
INTENT TO PROVIDE LEGAL DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

PREPARED FOR:

MARY BEARD
67433 HIGHWAY 78
BURNS, OR 97720

PREPARED BY:



ALL POINTS ENGINEERING AND SURVEYING, INC.
P.O. BOX 767 TERREBONNE, OR 97760
(541) 548-5833 www.APEandS.com

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STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARY L BEARD
67433 HWY 78
BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-15798. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16245

SOURCE OF WATER: A WELL IN EAST FORK SILVIES RIVER BASIN

PURPOSE or USE: IRRIGATION USE ON 59.0 ACRES

MAXIMUM RATE: 0.74 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 10, 2004

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32 E	WM	4	SE NW	870 FEET NORTH AND 210 FEET WEST FROM C1/4 CORNER, SECTION 4

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32 E	WM	4	SW NE	40.0
24 S	32 E	WM	4	SE NW	19.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

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- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

To monitor the effect of water use from the well(s) authorized under this right, the Director may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 24.11 feet below land surface.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued AUG 28 2020



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department




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THIS SPACE

HARNEY COUNTY, OR	2022-0874
DEED-WD	06/24/2022 01:43:01 PM
Pgs= 3	\$91.00
I, Derrin Robinson, County Clerk for Harney County, Oregon certify that the instrument identified herein was recorded in the Co. Clerk's records.	
<i>Derrin Robinson</i>	
Derrin E. Robinson, Harney County Clerk	



After recording return to:
 Faamasani Denis Messenger and Kathleen Marie
 Messenger
 67433 Highway 78
 Burns, OR 97720

Until a change is requested all tax statements shall be
 sent to the following address:
 Faamasani Denis Messenger and Kathleen Marie
 Messenger
 67433 Highway 78
 Burns, OR 97720
 File No. 539422AM

STATUTORY WARRANTY DEED

Judy N. Dewitt and Debbie E. Kuhn, not as tenants in common but with right of survivorship,

Grantor(s), hereby convey and warrant to

Faamasani Denis Messenger and Kathleen Marie Messenger, as Tenants by the Entirety,

Grantee(s), the following described real property in the County of Harney and State of Oregon free of encumbrances except as specifically set forth herein:

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 32 E., W.M.:

Sec. 4: All that portion of the SW¹/₄NE¹/₄ and the SE¹/₄NW¹/₄ lying Northeasterly of Highway 78 right of way, as said right of way is described in deeds recorded April 24, 1946, in Book 43, Page 16 and recorded October 12, 1966, in Book 81, Page 168, Deed Records.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

24S32E040000500 5566
24S32E040000500

The true and actual consideration for this conveyance is \$349,900.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:



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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.

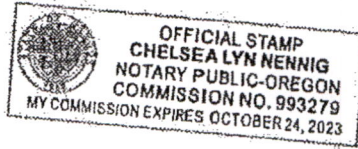
Dated this 21 day of June, 2022.

Debbie E. Kuhn
Debbie E. Kuhn

State of Oregon) ss
County of Cook)

On this 21st day of June, 2022, before me, Chelsea Lyn Nennig a Notary Public in and for said state, personally appeared Debbie E. Kuhn, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Chelsea Lyn Nennig
Notary Public for the State of Oregon
Residing at: Cook
Commission Expires: 10/24/2023

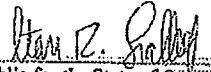



.....
Judy N. DeWitt

State of Oregon) ss
County of Harney

On this 22 day of June, 2022, before me, Stanley Robert Falley a Notary Public in and for said state, personally appeared Judy N. Dewitt, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


.....
Notary Public for the State of Oregon
Residing at: Seaside
Commission Expires: 9-13-2025

