

ASSIGNED

Name Julius E. & Phyllis C. Purvine

By .....

Address Rt. 4

Corvallis, Oregon

Date filed July 25, 1958 8:00 AM

Tentative priority 1950

Action suspended until .....

Well log filed .....

**CONSTRUCTION**

Date for completion .....

Extended to .....

Date for application of water .....

Extended to .....

**PROSECUTION OF WORK**

Form "B" filed .....

Form "C" filed .....

Application No. GR 2732

Certificate No. GR 2585

*Part* Cancelled-sp. or Rec. Vol. 21 P. 18

Stream Index, Page No. 2-94N ✓

#4

14/50-12R  
BENT 518)

**FEEES PAID**

Date	Amount	Receipt No.
7/25/58	19.50	18408
12-10-09	75.00	98749
.....	.....	.....
.....	.....	.....

**FEEES REFUNDED**

Date	Amount	Check No.
.....	.....	.....

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page
<u>12/10/2009</u>	WK&K Land L.P.	3122 SE Stahlbush Island, Rd. Corvallis, Oregon 97333		
.....	.....	.....	.....	.....

**REMARKS**

*A well irrigates 60+ acres near Willamette River - Benton County  
See map in file GR-2727*



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

# Request for Assignment

By Proof of Ownership  
 (If Permit/Transfer Holder is not available)

If for multiple rights, a separate form and fee for each right will be required.

I, Wkak Land L.P. by William D. Chambers President Wkak  
 (Name of Party Requesting Assignment) inc. General Partner for Wkak Land L.P.  
3122 SE Stahlbush Island Rd OR 97333 541-757-1497  
 (Mailing Address) (City) (State) (Zip) (Phone #)

- ...hereby request assignment of application/permit/transfer;
- ...hereby request assignment of a portion of application/permit/transfer;  
 (You must include a map showing the portion of the application/permit/transfer to be assigned.)

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # \_\_\_\_\_; Permit # \_\_\_\_\_; Transfer# \_\_\_\_\_

-OR-

GR Statement # 2732; GR Certificate of Registration # 2585

JULIUS E. AND AHYLLIS C. PURVINE  
 (Name of Permit/Transfer Holder of Record)

RT.4 CORVALLIS, OREGON  
 (Mailing Address) (City) (State) (Zip) (Phone #)

**Note:** You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)

- 1) I certify that I am the current owner of the property described in this application, Permit or Certificate of Registration.
- 2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
- 4) I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 7 day of December 2009.

Party Requesting Assignment William D. Chambers President Wkak inc.  
General Partner for Wkak Land L.P.  
 Party Requesting Assignment \_\_\_\_\_

ASSIGN BY PROOF  
12-10-2009

**DO NOT WRITE IN THIS BOX**

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.  
 - Fee receipt # 98749  
 - For Director by Jerry Sauter, Program Analyst in Water Rights Division

*[Signature]*

The completed "Request for Assignment form must be submitted to the Department along with a recording fee of \$50.

\$75

RECEIVED

DEC 10 2009

WR  
 WATER RESOURCES DEPT  
 SALEM, OREGON





# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

December 10, 2009

WK&K Land L.P.  
3122 SE Stahlbush Island, Rd.  
Corvallis, Oregon 97333

Reference: GR Statement GR-2727, Certificate of Registration GR-2580  
GR Statement GR-2732, Certificate of Registration GR-2585

The assignment by proof from Julius E. and Phyllis C. Purvine to WK&K Land L.P. by William D. Cambers has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt numbers 98749 and 98750 covering the recording fee of \$75 each, are also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Receipts 98749, 98750

cc: Watermaster 16  
Julius E. and Phyllis C. Purvine  
Attorney  
Data Center, OWRD (Complete Copy of Assignment Request)  
Hydrographics  
File

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **98749**

INVOICE # \_\_\_\_\_

RECEIVED FROM: WK+KLAND LLP

APPLICATION GR2432

BY: \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER \_\_\_\_\_

CASH:  CHECK:# 1022 OTHER: (IDENTIFY)

TOTAL REC'D \$ 75.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_

OTHER: (IDENTIFY) RECEIVED \$ \_\_\_\_\_

0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**OVER THE COUNTER**

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ \_\_\_\_\_

0410 RESEARCH FEES \$ \_\_\_\_\_

0408 MISC REVENUE: (IDENTIFY) Assignment \$ 75.00

TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_

0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_

0205 TRANSFER \$ \_\_\_\_\_

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_

LANDOWNER'S PERMIT \$ \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

EXAM FEE	
\$	0202
\$	0204
\$	
EXAM FEE	
\$	0219
\$	0220

RECORD FEE	
\$	
\$	

LICENSE FEE	
\$	
\$	

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_

0210 MONITORING WELLS \$ \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

CARD #
_____
CARD #
_____

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

0231 HYDRO LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **98749**

DATED: 12-10-09 BY: QZ



Township 125 Range 5W W.M.

North


Locate well and acreage of irrigated land on plat.

Scale: 2" = 1 Mile

STATE OF OREGON

County of Benton

ss.

I, Julius E. & Phyllis C. Purvine, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

(Signature of Registrant)

Subscribed and sworn to before me this 21 day of July, 19 58

My commission expires Aug 19 1960

(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion

ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 25 day of July, 19 58, at 8:00 o'clock A. M. and has been duly recorded in said office in Book No. 11 of Registration Statements on page GR-2585

Witness my hand this 6<sup>th</sup> day of April, 19 59

(State Engineer)

By

(Deputy)

GR - 2585



# Registration Statement

## OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

TO THE STATE ENGINEER OF OREGON:

I, Julius E & Phyllis C. Purvine

of Route 4, Corvallis County of Benton  
(Mailing address)

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

- Source from which water is withdrawn is pump well  
(Flowing well, pump well, infiltration trench, or tunnel)
- Location is: 1 1/2 miles SE of Corvallis  
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) 1335' S 28° 20' E to the <sup>SE</sup> corner of Section 12  
(Give distance and bearing to corner of section or other legal subdivision)

being within SE 1/4 of SE 1/4 of Sec. 12, 23, 24 Twp. 12S, Rge. 4E, 5W, W.M.  
(Smallest legal subdivision) (N. or S.) (E. or W.)

or (b) within limits of recorded platted property, town or city:

in Lot \_\_\_\_\_, Block \_\_\_\_\_ of \_\_\_\_\_  
(Name of plat or addition)

County of \_\_\_\_\_  
(If within city or town, give name)

- Construction Work was begun on 1950; was completed on 1950  
(Date) (Date)

and the ground water claimed was first used for the purposes set out below on 1950  
(Date)

since which time the water has been used continuously  
(Continuously or intermittently)

from 1950 to 1957  
(Date) (Date)

- Quantity of water claimed and used is 650 when pumping 150 acre feet per year. gallons per minute

- Purpose or Purposes for which water is used irrigation  
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

- Description of Well: Depth 30 feet. Type drilled  
(Dug or drilled)

diameter 10 inches. Elevation of ground at well site 221 feet, mean sea level.  
(As near as known)

Depth to water table 12 feet.

- Capacity of Well: 650 g.p.m. with 1' feet drawdown.  
 \_\_\_\_\_ g.p.m. with \_\_\_\_\_ feet drawdown.

Date of test 1950

If Flowing Well: Measured discharge \_\_\_\_\_ g.p.m. on \_\_\_\_\_  
(Date)

Shut-in pressure at ground surface \_\_\_\_\_ lbs. per sq. in. on \_\_\_\_\_  
(Date)

Water is controlled by \_\_\_\_\_  
(Cap, valve, etc.)











STATUTORY WARRANTY DEED

WAYNE ENDICOTT and EUNICE A. ENDICOTT, husband and wife, Grantor, conveys and warrants to WILLIAM D. CHAMBERS and KARLA S. CHAMBERS, husband and wife, and CAROLYN S. CHAMBERS (also known as CAROLYN SILVA CHAMBERS), Grantee, the real property described in Exhibit A attached free of encumbrances except as specifically set forth herein.

Grantor's covenants expressly exclude encumbrances or other interests as follows: -

1. 1985-86 taxes, a lien in an amount to be determined, but not yet payable.

2. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.

3. Rights of the public and of governmental bodies in that portion of the above described property lying below the high water marks of Booneville Channel, the Willamette River, and Hoques Creek, and the ownership of the State of Oregon in those portions lying below the high water marks thereof.

4. Any adverse claim based upon the assertion that:

(a) Some portion of said land has been created by artificial means, or has accreted to such portion so created.

(b) Some portion of said land has been brought within the boundaries thereof by a change in location of Willamette River.

5. An easement to erect power poles and anchors, including the terms and provisions, thereof, granted to Mountain States Power Company, a Delaware corporation, by deed recorded April 21, 1949, in Book 126, page 269, Deed Records for Benton County, Oregon.

6. An easement and right of way, including the terms and provisions thereof, granted to the Willamette River Basin Commission by deed recorded September 15, 1954, in Book 147, page 693, Deed Records for Benton County, Oregon, which easement was originally negotiated with the U.S. Army Corps of Engineers

94402.5

RECORDED BY  
WILLAMETTE VALLEY TITLE CO.

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SALEM, OREGON

for revetment purposes to protect the banks of the Willamette River.

7. An easement created by instrument, including the terms and provisions thereof, recorded May 26, 1971, as No. M-24743, Microfilm Records for Benton County, Oregon, in favor of Pacific Power & Light Company, for poles and anchors.

8. Memorandum of Oil, Gas and Mineral Lease, including the terms and provisions thereof, recorded October 13, 1975, as No. M-60096, Microfilm Records for Benton County, Oregon, between Wayne Endicott and Eunice A. Endicott, Lessors, and Mobil Oil Corporation, a New York corporation, Lessee. (Affects a portion and includes additional property.)

9. An easement created by instrument, including the terms and provisions thereof, recorded March 23, 1977, as No. M-77372, Microfilm Records for Benton County, Oregon, in favor of Pacific Power & Light Co., for transmission and distribution line.

10. Regulations, including levies, liens, assessments, rights of way and easement of the Hogue District Improvement Company, as disclosed by Landowners Notice recorded May 3, 1977, as No. M-79222, Microfilm Records for Benton County, Oregon.

11. An easement created by instrument, including the terms and provisions thereof, recorded October 4, 1979, as No. M-9917-79, Microfilm Records for Benton County, Oregon, in favor of Pacific Power & Light Co., for electric transmission line.

12. An easement created by instrument, including the terms and provisions thereof, recorded August 29, 1980, as No. M-20189-80, Microfilm Records for Benton County, Oregon, in favor of Hogue District Improvement Company, an Oregon corporation, to construct, maintain, replace, reconstruct and remove a river revetment with all appurtenances.

13. An easement created by instrument, including the terms and provisions thereof, recorded October 1, 1982, as No. M-41711-82, Microfilm Records for Benton County, Oregon, in favor of Wayne Endicott and Eunice Endicott for ingress and egress over a strip of land, 20 feet wide from County Road to Northwest corner of the herein described property.

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THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true consideration for this conveyance is \$915,000.

Dated this 3 day of September, 1985.

Wayne Endicott  
WAYNE ENDICOTT

Eunice A. Endicott  
EUNICE A. ENDICOTT

STATE OF OREGON        )  
                                  ) ss  
COUNTY OF LANE        )

SEPTEMBER 3 \_\_\_\_\_, 1985

Personally appeared the above-named WAYNE ENDICOTT and EUNICE A. ENDICOTT, and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

[Signature]  
Notary Public for Oregon  
My Commission Expires: 3-19-86

Until a change is requested, all tax statements shall be sent to the following address: 3122 STAHLBUSCH ISLAND RD, CORVALLIS, OR 97335.

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Beginning at the Southeast corner of Section 12 in Township 12 South, Range 5 West of the Willamette Meridian, and run thence North 0°51'30" East 1999.44 feet to the Northeast corner of the South half of Government Lot 3 in said Section; thence South 89°36' West 2482.31 feet along the North line of said South half of Government Lot 3 and along the North line of the South half of the Northwest quarter of the Southeast quarter of said Section 12 to a point; thence South 39°02'20" West 314.55 feet to a point; thence South 44°36'40" West 838.64 feet to a point; thence South 43°49'45" West 433.51 feet to a point; thence South 18°38'10" West 360.29 feet to a point; thence South 3°50'30" West 736.13 feet to a point; thence South 3°17'10" East 604.12 feet to a point; thence South 24°05'45" East 360.05 feet to a point; thence South 5°01'15" East 523.13 feet to a point; thence South 0°30'15" West 701.92 feet to a point; thence South 13°05'25" East 255.93 feet to a point on the right bank of the Willamette River; thence following the right bank upstream South 85°59'40" East 73.29 feet to a point; thence North 54°43'20" East 695.06 feet to a point; thence North 64°55' East 498.49 feet to a point; thence North 76°51' East 170.16 feet to a point; thence South 89°14'55" East 224.80 feet to a point; thence South 82°18' East 306.05 feet to a point; thence South 39°32'10" East 495.78 feet to a point; thence South 46°34'13" East 300.07 feet to a point; thence leaving said right bank on the monumented East-West quarter line of Section 13 in said Township and Range North 89°43'10" East 1069.49 feet to the East one-quarter corner of said Section 13; thence North 0°47'06" East 2633.44 feet to the point of beginning, being all in said Sections 12 and 13, Benton County, Oregon.

12-5-12-500  
12-5-13-100

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WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT A

064151

STATE OF OREGON }  
County of Benton } ss.

I hereby certify that the within instrument was received for record

05 SEP 5 PM 1 24

02

and assigned No 70315 1985

in the Microfilm records of said county

Witness My Hand and Seal of County Affixed

DANIEL G. BURK

DIRECTOR OF RECORDS & ELECTIONS

By *Daniel G. Burk* DEPUTY



CLOSING AGREEMENT - *4/10/85*  
*WPA*

PARTIES:

The parties to this Agreement are WAYNE and EUNICE A. ENDICOTT (Sellers) and WILLIAM D., KARLA S., and CAROLYN S. CHAMBERS (Purchasers)

RECITALS:

Sellers and Purchasers have entered into a transaction whereby Purchasers have purchased from Sellers certain real property and improvements thereon described on Exhibit A hereto. The parties desire to set forth certain closing matters with respect to this purchase.

TERMS:

1. Taxes for the year 1985-86 shall be prorated as of the date of closing. If a tax statement for the fiscal year 1985-86 has not been received by Sellers, an interim proration shall be made based on the 1984-85 taxes, and a final proration made as soon as either party receives a tax statement for the 1985-86 year. Sellers shall furnish Purchasers as soon as practicable following closing with a purchaser's policy of title insurance in the amount of the full purchase price of \$920,000, showing only those exceptions contained in Preliminary Report dated August 6, 1985, under Order No. 94402-B, from Willamette Valley Title Co. Such title insurance shall be at Sellers' expense.

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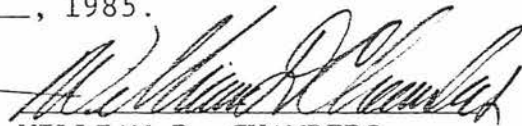
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3. The parties have agreed on a proration of the purchase price as follows: The sum of \$225,000 is allocated to the real property improvements and the balance of \$695,000 is allocated to the real property. Of the total purchase price of \$920,000, \$5,000 has been received as earnest money and applied to the down payment, \$178,000 has been received as a down payment, and the balance of \$737,000 is represented by a note and mortgage.

DATED: 9/3/85, 1985.

  
WAYNE ENDICOTT

  
WILLIAM D. CHAMBERS

  
EUNICE A. ENDICOTT

  
KARLA S. CHAMBERS

(Sellers)

  
CAROLYN S. CHAMBERS

(Purchasers)

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Beginning at the Southeast corner of Section 12 in Township 12 South, Range 5 West of the Willamette Meridian, and run thence North 0°51'30" East 1999.44 feet to the Northeast corner of the South half of Government Lot 3 in said Section; thence South 89°36' West 2482.31 feet along the North line of said South half of Government Lot 3 and along the North line of the South half of the Northwest quarter of the Southeast quarter of said Section 12 to a point; thence South 39°02'20" West 314.55 feet to a point; thence South 44°36'40" West 838.64 feet to a point; thence South 43°49'45" West 433.51 feet to a point; thence South 18°38'10" West 360.29 feet to a point; thence South 3°50'30" West 736.13 feet to a point; thence South 3°17'10" East 604.12 feet to a point; thence South 24°05'45" East 360.05 feet to a point; thence South 5°01'15" East 523.13 feet to a point; thence South 0°30'15" West 701.92 feet to a point; thence South 13°05'25" East 255.93 feet to a point on the right bank of the Willamette River; thence following the right bank upstream South 85°59'40" East 73.29 feet to a point; thence North 54°43'20" East 695.06 feet to a point; thence North 64°55' East 498.49 feet to a point; thence North 76°51' East 170.16 feet to a point; thence South 89°14'55" East 224.80 feet to a point; thence South 82°18' East 306.05 feet to a point; thence South 39°32'10" East 495.78 feet to a point; thence South 46°34'13" East 300.07 feet to a point; thence leaving said right bank on the monumented East-West quarter line of Section 13 in said Township and Range North 89°43'10" East 1069.49 feet to the East one-quarter corner of said Section 13; thence North 0°47'06" East 2633.44 feet to the point of beginning, being all in said Sections 12 and 13, Benton County, Oregon.

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SALEM, OREGON

EXHIBIT A

STATUTORY WARRANTY DEED

UNTIL A CHANGE IS REQUESTED,  
ALL TAX STATEMENTS SHALL BE  
SENT TO:

William D. and Karla S. Chambers  
3122 Stahlbush Island Road  
Corvallis, OR 97333

AFTER RECORDING,  
RETURN TO:

Con P. Lynch  
P.O. Box 741  
Salem, OR 97308-0741

WILLIAM D. and KARLA S. CHAMBERS, **Grantors**, convey and warrant to WK & K LAND LIMITED PARTNERSHIP, dated December 20, 1996, **Grantee**, the real property described on the attached **Exhibit A**, in Benton County, Oregon.

SUBJECT TO: All liens and encumbrances of record or apparent on the property by inspection.

The true and actual consideration for this conveyance consists of or includes other property or value given as provided which is the whole consideration.

The liability and obligations of Grantors to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantors under any policy of title insurance issued to Grantee at the time Grantors acquired such property. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.



DATED: December 20, 1996

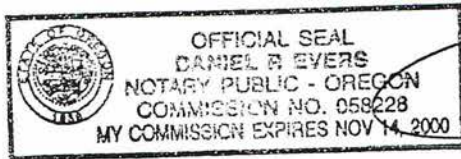
William D. Chambers  
WILLIAM D. CHAMBERS

DATED: December 20, 1996

Karla S. Chambers  
KARLA S. CHAMBERS

STATE OF OREGON )  
County of Benton ) ss.  
~~Marion~~ )

On December 20<sup>th</sup>, 1996, personally appeared the above-named WILLIAM D. CHAMBERS and KARLA S. CHAMBERS, and acknowledged the foregoing instrument to be their voluntary act. Before me:



[Signature]  
Notary Public for Oregon  
My Commission Expires: 11-14-2000

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SALEM, OREGON

**Exhibit "A"**

**A tract of land situated in the County of Benton and State of Oregon more particularly described as follows:**

**Beginning at the Southeast corner of the Wiley Winkle Donation Land Claim #48 in Township 13 South, Range 5 West, Willamette Meridian; thence West 300 feet, more or less, to the center line of County Route #21; thence Northeasterly and Northwesterly on said center line 3,000 feet, more or less, to the South line of the Miller tracts described in deed recorded in Book 132, Page 787 Benton County, Oregon Deed Records; thence East on said South line 440 feet, more or less, to the West line of Section 24, Township 13 South, Range 5 West, Willamette Meridian, thence South on said West line and the West line of said Section 25, Township 13 South, Range 5 West, Willamette Meridian, 2975 feet, more or less, to a point East of the point of beginning; thence West 300 feet, more or less, to the point of beginning.**

**AND ALSO the South half of the South half of Section 24, and the North half of Section 25, all in Township 13, Range 5 West, Willamette Meridian.**

**EXCEPTING THEREFROM, that portion conveyed to Ivan Horning, et al, by Warranty Deed recorded December 6, 1979 as M-12146-79, Microfilm Records for Benton County, Oregon.**

**ALSO EXCEPTING THEREFROM that portion, if any, which lies within that parcel described in Bargain and Sale Deed from Tom Daily and Carolyn Daily to John G. Graham and Ruby Graham, recorded July 19, 1969 as M-14507, Microfilm Records for Benton County, Oregon.**

**AND ALSO EXCEPTING that portion described in Right of Way Dedication recorded November 4, 1993 as M-172395-96 and M-172396-93, Microfilm Records for Benton County, Oregon.**

EXHIBIT A PAGE 1 OF 1

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BEFORE THE STATE ENGINEER OF OREGON

Benton County

IN THE MATTER OF THE )  
CANCELANON OF A GROUND )  
WATER REGISTRATION )  
CLAIMED RIGHT IN THE )  
NAME OF JULIUS E. AND )  
PHYLLIS C. PURVINE )  
----- )

ORDER

On April 6, 1971, Wayne Endicott submitted an affidavit that he is the owner of lands claimed to have been irrigated as described in a certificate of registration; that he has abandoned said claim of water right and requests the same be canceled.

That part of the claimed right in question is for the use of not to exceed 38 gallons per minute from a well located South 28° 20' East 1335 feet to the Southeast corner of Section 12, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 12, Township 12 South, Range 5 West, W.M., with a beginning date of 1950, for irrigation of 3.5 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 13, Township 12 South, Range 5 West, W.M., and is described in the certificate of registration recorded in Volume 11, Page 2585, Ground Water Registration Records.


That part of the claimed right for the use of not to exceed 612 gallons per minute from the described well for irrigation of 36.0 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  and 20.5 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 12, Township 12 South, Range 5 West, W.M., and described in said certificate, is not in question in this proceeding.

NOW, THEREFORE, it is hereby ORDERED that the claim of a water right for the use of not to exceed 38 gallons per minute from a well located South 28° 20' East 1335 feet to the Southeast corner of Section 12, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 12, Township 12 South, Range 5 West, W.M., with

a beginning date of 1950, for irrigation of 3.5 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 13, Township 12 South, Range 5 West, W.M., is canceled.

Dated at Salem, Oregon, this 20th day of April, 1971.

/s/ CHRIS L. WHEELER  
State Engineer





**RECEIVED**  
APR 6 1971  
STATE ENGINEER  
SALEM, OREGON

A F F I D A V I T

STATE OF OREGON     )  
                          ) ss  
County of Benton    )

I, Wayne Endicott, being first duly sworn, depose and say that I am the owner of a certificate of registration recorded at Page 2585, Volume 11, Ground Water Registration Records, claiming a right to the use of 38.0 gallons of water per minute from a well located South 28° 20' East 1335 feet to the Southeast corner, Section 12 being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 12, Township 12 South, Range 5 West, W.M., for the irrigation of 3.5 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 13, Township 12 South, Range 5 West, W.M. and the lands claimed to be irrigated in said registration statement; that I have abandoned said claim and request the same be canceled.

IN WITNESS WHEREOF, I have hereunto set my hand this 2<sup>nd</sup> day of April, 1971.

Wayne Endicott

Subscribed and sworn to before me this 2<sup>nd</sup> day of April, 1971.

Jack Matteson  
Notary Public for Oregon

My Commission expires 2-23-74



48029

June 11, 1971

Wayne & Eunice Endicott  
Rt. 2, Box 59  
Springfield, Oregon 97477

Dear Sir and Madam:

This will acknowledge your letter of June 4, 1971, indicating that the diversion point as described in your application No. 48029 must be moved to the south.

The permit has not yet been issued approving your application. Therefore, the map and Item No. 4 on the application can be amended to correctly describe the diversion point.

I am returning your application and map for correction, endorsed so that in order to retain its priority date, it must be returned to this office on or before August 11, 1971.

Very truly yours,

LARRY W. JEBOUSEK  
Assistant

LWJ:klh  
Enclosures



April 28, 1971

GR-2727  
GR-2732

Wayne Endicott  
Route 2, Box 59  
Springfield, Oregon 97477

Dear Mr. Endicott:

Enclosed are copies of the orders entered April 20, 1971, canceling parts of Ground Water Registration Claim numbers GR-2727 and GR-2732 as requested in your affidavits.

Our records have been changed and these parts of the claims will be of no force or effect.

Very truly yours,

Larry W. Jebousek  
Assistant

slv

Enclosures

48029  
GR-2727  
GR-2732

April 19, 1971

Wayne and Eunice Indicott  
Rt. 2, Box 59  
Springfield, Oregon 97477

Dear Sir and Madam:

This will acknowledge the two affidavits of abandonment.

Your application number 48029 is now in satisfactory form  
for approval by issuance of a permit.

Very truly yours,

WAYNE J. OVERCASH  
Assistant

WJO:reo



April 1, 1971

G-1646  
GR-2727  
GR-2728  
GR-2731  
GR-2732

Jaqua, Wheatley and Gardner  
825 East Park  
Eugene, Oregon

ATTENTION: Jack Mattison

Dear Mr. Mattison:

Enclosed are certified copies of Certificates of Registration recorded at pages GR-2580, GR-2585, GR-2584, and GR-2581 and certificate of water right recorded at page 32610 and maps.

We have been advised by the Attorney General's office that certificates GR-2584, GR-2581, and 32610 must show that they have been canceled. We have added the date of cancelation to the certification.

Very truly yours,

Trevor Jones  
Assistant

TJ:slv

Enclosures

48029

March 22, 1971

Wayne & Eunice Endicott  
Rt. 2, Box 59  
Springfield, Oregon 97477

Dear Sir and Madam:

This will acknowledge your application for a permit to appropriate 1.78 cubic feet per second from the Willamette River for the irrigation of 176.6 acres, a map, and the fee of \$34.35 for which our receipt No. 22886 is enclosed. This application has been filed and numbered 48029.

Also acknowledged is receipt of affidavit of abandonment to clear our records of ground water registration claim No. GR-2728, GR-2731, and certificate No. 32610.

Small areas of land claimed as irrigated under ground water registration claims No. GR-2727 and GR-2732 are included in the land described in Item No. 8 on application No. 48029. Assuming that all of the land described in the new application is to receive primary irrigation from the river, the enclosed affidavits of abandonment should also be completed to clear our records of this duplication.

Application No. 48029 will be in satisfactory form when the affidavits are returned to this office.

Very truly yours,

Larry W. Jebousek  
Assistant

LWJ:klc  
enclosures



GR-2732

May 19, 1959

Julius E. & Phyllis C. Purvine  
Route 4  
Corvallis, Oregon

Dear Sir and Madam:

GR-2732

GR-2585

OR-2727  
OR-2728  
OR-2729  
OR-2730  
OR-2731  
OR-2732  
G-1091  
32497

August 7, 1958

Julius E. and Phyllis C. Purvine  
Route 4  
Corvallis, Oregon

Dear Sir and Madam:

This will acknowledge the receipt of your application for a permit to appropriate 0.968 cubic foot of water per second from an unnamed slough of the long Tom River for the irrigation of 77.5 acres, the accompanying map and legal description your application for a permit for the construction of a well and the appropriation thereon of 0.3075 cubic foot of water per second for the irrigation of 31 acres, the accompanying print and legal description your six registration statements and the accompanying four prints and payment of fees in the amount of \$157.30, for which our Receipts Nos. 18401, 18402, 18403, 18404, 18405, 18406, 18407 and 18408 are enclosed.

The six registration statements, which have been given File Nos. GR-2727 through GR-2732, have been referred to the Ground Water Division of this office. You will hear from that division as soon as the necessary entries have been made in the registration records.

Your application for a permit for the construction of a well and the appropriation thereon has been examined, given File No. G-1091, and the following defects are noted:

Maps: The map necessary to accompany your ground water application must be prepared and submitted on a good quality tracing paper or tracing cloth so that the necessary additional copies can be made by a blue-printing process.

Application Item 4: The well should be further located as being within a specific 1/4th of a section.

Your application for a permit to appropriate from the unnamed slough has been examined, given File No. 32497, and the following defects are noted:

Map and Item 4: The location of diversion point #2 as listed on Item 4 does not appear to agree with the location as shown on the accompanying map.



Julius E. and Phyllis C. Purvine

-2-

August 7, 1958

For your convenience in the correction of the above noted defects, your Applications Nos. G-1091 and 32497 are returned herewith accompanied by the tracing and print submitted with them. Each application has been endorsed so that in order to retain its date of priority it must be returned to this office on or before October 7, 1958.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
James W. Carver, Jr.  
Assistant

JWC:bks

Enc: receipts, 2 applications, tracing & print