



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

Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

RECEIVED BY OWRD

Applicant(s): _____
First Last

JUN 14 2013

Mailing Address: _____

SALEM, OR

City State Zip

Phone: _____
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Donald M. and Kristine L. Berg
First Last

Mailing Address: 15313 SE Minerva Road

Milwaukie OR 97267
City State Zip

Phone: 503-653-8666
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Clackamas Township: 2S Range: 2E Section: 7

Tax Lot Number(s): 2800 and 2890

Street address of water right property: _____

Water Right Information (*attach copy of water right permit or certificate & final proof map*):

Application #: S-15583 Permit #: S-11468 Certificate or Page #: 11274

Will all the lands associated with this water right be owned by the buyer? Yes No

Name of individual completing this form: Cortney D. Duke Phone: 503-281-4100

Signature: Cortney D. Duke Date: June 12, 2013

Please be sure to attach a copy of your property deed or legal description of the property.

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **F.L.B. SKINNER**
of **Portland**, 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
Unnamed spring
a tributary of **Kellogg Creek** for the purpose of
Domestic
under Permit **No. 468** 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 **October 13, 1934**;

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
0.01 cubic foot per second measured at the point of diversion,

The point of diversion is located in the **SE 1/4**, Section 7, Township 2 South, Range
2 East, N. W. or its equivalent in case of rotation.

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 of one cubic foot per second
per acre,

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:

PLACE OF USE:

SE 1/4, Section 7,
Township 2 South, Range 2 East, N. W.

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

After the expiration of fifty years from the date of this certificate or on the expiration of
any federal power license issued in connection with this right, and after not less than two years'
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have
the right to take over the dams, plants and other structures and all appurtenances thereto which
have been constructed for the purpose of devoting to beneficial use the water rights specified
herein, upon condition that before taking possession the State or municipality shall pay not to
exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable,
serviceable and dependable property of the holder of this certificate, not taken over, as may be
caused by the severance therefrom of the property taken in accordance with the provisions of section
47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer, affixed

this 10th day of October, 1935

CHAR. E. STRICKLIN

State Engineer

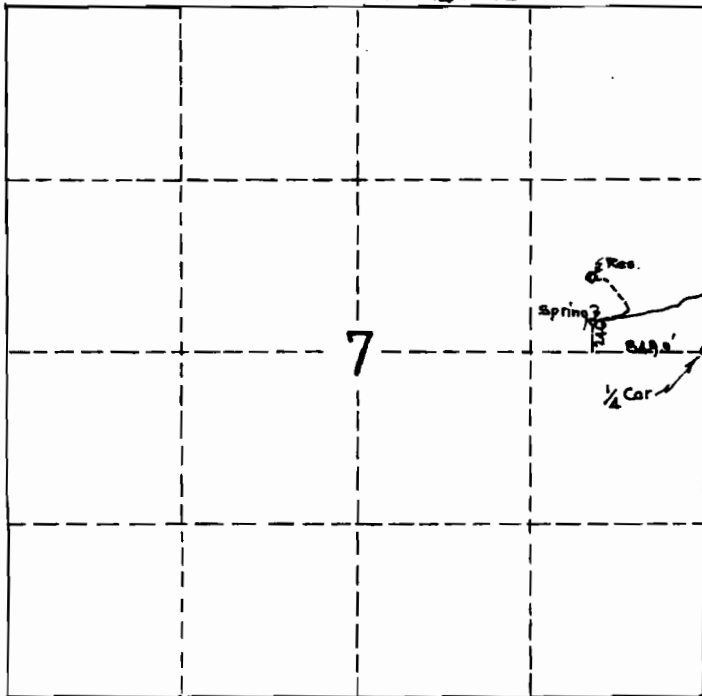
Recorded in State Record of Water Right Certificates, Volume 10, page 11274

1.5

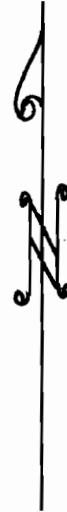
MAP TO ACCOMPANY APPLICATION
OF F.B.SKINNER, TO APPROPRIATE
WATER FROM UN NAMED SPRING
SITUATED IN THE SE¼ OF THE NE¼
OF SECTION 7 T:2S.R:2E.
W.M. CLACKAMAS COUNTY
OREGON.

SEC. 7 T:2S.R:2E.W.M.

SCALE 1 INCH = ¼ MILE.



NOTE -
Water to be used for
Domestic Supplies.

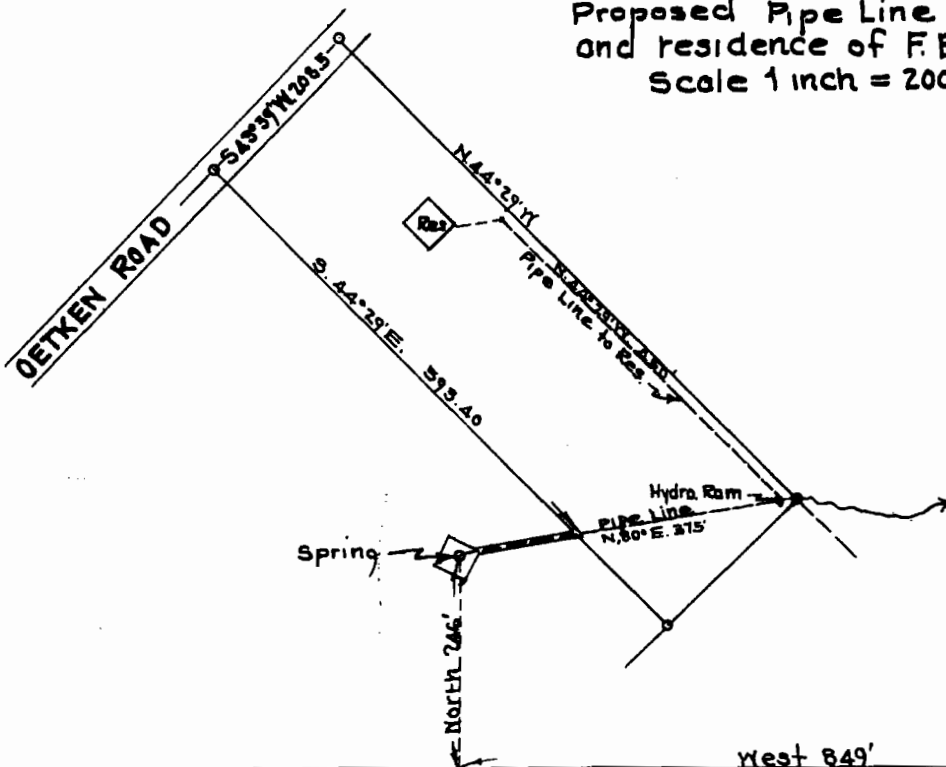


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Detail Sketch showing SPRING,
Proposed Pipe Line and Hydraulic Ram,
and residence of F.B.Skinner.
Scale 1 inch = 200 feet.



D. A. Melton

App. No. 15583

Per. No. 11468

Stone 1/4 Cor.
bet. Sec 7 & 8

WARRANTY DEED - STATUTORY FORM
Individual/Corporate

Escrow Number: 1219853

Rex B Pollitt and Zelma F Pollitt
Grantor, conveys and warrants to
Donald M Berg and Kristine L Berg, husband and wife
Grantee, the following described real property free of encumbrances except as
specifically set forth herein situated in Clackamas County, Oregon:

See Attached Legal Description Exhibit "A".

The above described property is free from encumbrances except covenants, conditions,
restrictions, rights of way, easements and reservations now of record.

The true and actual consideration for this conveyance is ~~\$25,000.00~~ \$50,000.00

Dated this 16th day of August, 1993; if this deed is given by a corporate grantor, its name is signed by its
authorized officers by authority of the Board of Directors.

Rex B Pollitt
Rex B Pollitt
Zelma F Pollitt
Zelma F Pollitt

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.

STATE OF OREGON, County of Multnomah
Personally appeared Rex B Pollitt
and Zelma F Pollitt

STATE OF OREGON, County of
Personally appeared

who, being duly sworn, each for himself and not one for the other, did say that
the former is the pres. & that the latter is the secretary of

and acknowledged the foregoing
instrument to be their voluntary act and deed.

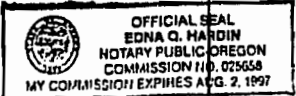
and that this instrument was signed on behalf of the corporation, by authority of
its board of directors and is acknowledged to be its voluntary act and deed.
Before me:

Before me: August 16, 1993
Edna G. Hardin

Notary Public for Oregon
My commission expires: 8/2/93

Notary Public for Oregon
My commission expires:

After recording return to:
Mr. and Mrs. Donald Berg
5840 SE Skyhigh Ct.
Milwaukie, Oregon 97267



STATE OF OREGON.
County of _____
I certify that the within instru-
ment was received for record on the
_____ day of _____, 19____,
at _____ o'clock _____ M., and recorded in
book/reel/volume No. _____, on
page _____ or as fee/file instrument/
microfilm/reception No. _____
Records of Deeds of said county.
Witness my hand and seal of
County affixed.

Until a change is requested all tax statements
shall be sent to the following address.
Mr. and Mrs. Donald Berg
5840 SE Skyhigh Ct.
Milwaukie, Oregon 97267

NAME _____ TITLE _____
BY _____ Deputy

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TRANE 4:41:36.5

EXHIBIT A

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SALEM, OR

Description:

PARCEL I:

Part of the Orin Kellogg Donation Land Claim in Section 7, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as:

Beginning at an iron pipe driven at the most Easterly corner of that certain tract of land conveyed to Wm. and Emilie Oetken by deed recorded in Book 101, at Page 350, Records of Deeds of Clackamas County, Oregon, which point is North 44°20' West 549.12 feet distant from the most Northerly corner of the James McNary Donation Land Claim No. 38 in Township 2 South, Range 2 East of the Willamette Meridian; running thence North 44°29' West tracing the Northeasterly boundary of the Wm. and Emilie Oetkin tract aforesaid, 206.28 feet; thence South 43°30' West 208.5 feet to a point on the Northeasterly boundary of the Searing tract described in Book 238, Page 230, Deed Records; thence following said Northeasterly boundary South 44°29' East 199.62 feet to a point on the Southeasterly boundary of the aforementioned Oetken tract; thence North 45°32' East along said Southeasterly boundary 208.5 feet to the point of beginning.

PARCEL II:

Part of the Orin Kellogg Donation Land Claim in Section 7, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as:

Commencing at an iron pipe driven at the most Easterly corner of that certain tract of land conveyed to Wm. and Emilie Oetkin by deed recorded in Book 101 at Page 350, Records of Deeds of Clackamas County, Oregon, which point is North 44°20' West 549.12 feet distant from the most Northerly corner of the James McNary Donation Land Claim No. 38 in Township 2 South, Range 2 East of the Willamette Meridian; running thence North 44°29' West tracing the Northeasterly boundary of the Wm. and Emilie Oetkin tract aforesaid, 206.28 feet to a 1/2 inch iron pipe; thence South 43°30' West 208.5 feet to an iron pipe on the Northeasterly boundary of the Searing tract described in Book 238, Page 230, Deed Records; thence following said Northeasterly boundary South 44°29' East a distance of 50.00 feet to the point of intersection with the center line of a drainage swale; thence South 85°57'18" West, a distance of 117.24 feet; thence North 74°00' West, a distance of 2,600 feet to a 1/2 inch iron pipe and the true point of beginning; thence from said point of beginning the boundary of the parcel to be described runs around an existing concrete spring intake structure on the following courses: South 16°00' West, a distance of 40.00 feet; thence South 74°00' East, a distance of 40.00 feet; thence North 16°00' East, a distance of 40.00 feet; thence North 74°00' West, a distance of 40.00 feet to the point of beginning.

ALSO an easement to construct and maintain a water main, ditch or canal over and across a strip of land six feet wide, the center line of which is described as follows:

Beginning at a point on the Northerly line of that parcel described above, South 74°00' East 26.00 feet from a 1/2 inch iron pipe at the most Northerly corner thereof, and running thence North 85°57'18" East, a distance of 117.24 feet to the terminus of said strip at a point on the Southwesterly line of that first tract described in deed to Chester R. Pollitt and Esther M. Pollitt, recorded July 7, 1971, under Clackamas County Recorder's Fee No. 71 15628, South 44°29' East a distance of 50.00 feet from a 1/2 inch iron pipe at the most Westerly corner thereof.

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STATE OF OREGON
County of Clatsop
I, John Kauffman, County Clerk, for the County of Clatsop, do hereby certify that the instrument of writing was received for recording in the records of said county at

93 AUG 17 PM 2: 46



Witness by me and my official
John Kauffman
Recording Certificate
COP-24 (Rev. 6/11) 93 58844
JOHN KAUFFMAN
County Clerk

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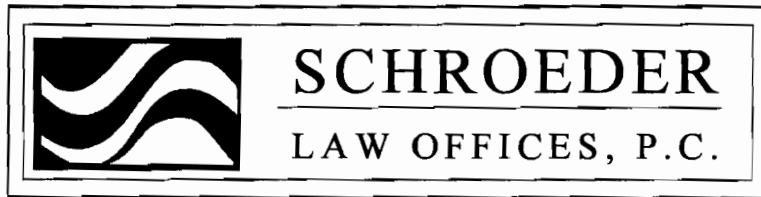
JUN 14 2013

SALEM, OR

Laura A. Schroeder
Licensed in Oregon, Idaho,
Nevada and Washington

V. Scott Borison, Ph.D.
Certified Legal Manager

Daryl N. Cole
Office Manager



Cortney D. Duke
Oregon, Nevada

Sarah R. Liljefelt
Oregon, California

Wyatt E. Rolfe
Oregon, Nevada,
Washington

Therese A. Ure
Oregon, Nevada

June 12, 2013

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VIA US MAIL

JUN 14 2013

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

SALEM, OR

**RE: Certificate of Water Right Ownership Update
Application S-15583, Permit S-11468, Certificate 11274**

To Whom It May Concern:

Enclosed for filing on behalf of Donald M. and Kristine L. Berg, please find a Certificate of Water Right Ownership Update for Certificate 11274.

Please contact our office if anything further is needed to complete this submission.

Thank you for your assistance in this matter.

Very truly yours,

SCHROEDER LAW OFFICES, P.C.

Tara J. Jackson
Paralegal

TJJ:cdd

Enclosures

cc: Client

1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

440 Marsh Avenue, Reno, Nevada 89509 (775) 786-8800

www.water-law.com counsel@water-law.com