



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

Applicant(s): Deanne Horner NOV 05 2012
First Last
Mailing Address: P O Box 5012 SALEM, OR
Bend Oregon 97708
City State Zip
Phone: 541-480-7229 541-389-0690
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Lawrence Ziemer
First Last
Mailing Address: P O Box 781
Hines Oregon 97738
City State Zip
Phone: 541-212-6669 541-480-7229
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Harney Township: 23 Range: 32.5 Section: 1
Tax Lot Number(s): 800 & 1400
Street address of water right property: 39302 Hwy 20 East, Burns Oregon
Water Right Information (attach copy of water right permit or certificate & final proof map): 515 78
Application #: _____ Permit #: _____ Certificate or Page #: 85400 & 35459
Will all the lands associated with this water right be owned by the buyer? ☒ Yes ☐ No
Name of individual completing this form: Curt Blackburn Phone: 541-573-7206
Signature: [Signature] Date: 10-30-12

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

STATE OF OREGON

COUNTY OF

HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FARRIS B. BENTON

Star Route 2
of 14892 Highway 20, Burhs, State of Oregon 97720, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
a well

a tributary of Cow Creek for the purpose of
supplemental irrigation of 152.1 acres

under Permit No. G-4703 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
September 9, 1969
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
1.40 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well.
The well is located in the SE 1/4 NW 1/4, Section 1, T23S, R32 1/2E, WM; 30 feet
North and 1,350 feet East from W 1/4 Corner, Section 1

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 3 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:

37.3 acres Lot 3 (NE 1/4 NW 1/4)
34.8 acres Lot 4 (NW 1/4 NW 1/4)
40.0 acres SW 1/4 NW 1/4
40.0 acres SE 1/4 NW 1/4
Section 1
Township 23 South, Range 32 1/2 East, WM

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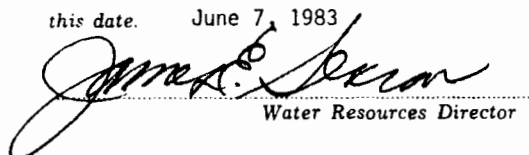
NOV 05 2012

SALEM, OR

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 Water Resources Director, affixed

this date. June 7, 1983


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51578

6157B

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

This Is to Certify, That VIRGINIA A. SANDERS, M. VERA McCONVILLE, and EDWARD A. McCONVILLE
of Buchanan Route, Burns, 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 McConville Well No. 1

a tributary of Cow Creek for the purpose of supplemental irrigation of 152.1 acres

under Permit No. G-2451 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 August 6, 1963

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 0.78 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 Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 1, T. 23 S., R. 32 $\frac{1}{2}$ E., W. M. Well located 70 feet South and 30 feet East from NW Corner, Section 1.

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 3 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:

37.0 acres Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
37.7 acres Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
38.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
38.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 1
T. 23 S., R. 32 $\frac{1}{2}$ E., W. M.

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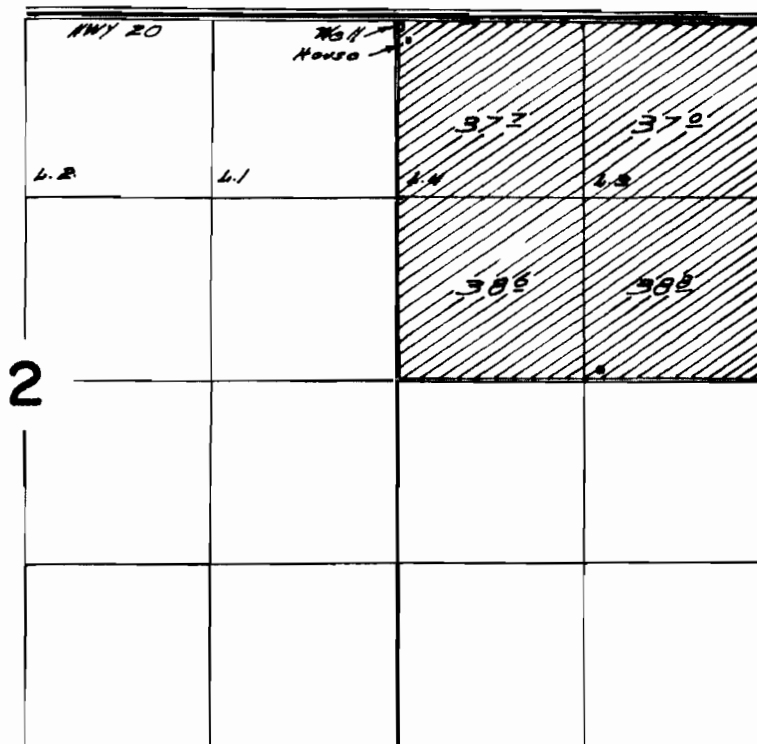
The right to the use of the water for the purposes aforesaid is restricted to the lands or use of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. October 31, 1968

CHRIS L. WHEELER
State Engineer

T.23 S. R.32 1/2 E. W.M.



Well located 70 N.E. & 30 N.E. from N.W. Cor. Sec. 8.

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SALEM, OR

FINAL PROOF SURVEY
UNDER

Application No. ~~G-2611~~ Permit No. ~~G-2451~~
IN NAME OF

Virginia A. Sanders, M. Vera & Edward A. McConville

Surveyed July 26 1967, by *R. L. Appach*

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON & WESTERN COLONIZATION COMPANY, INC
ST PAUL, MINNESOTA 55102

confirms the right to use the waters of COW CREEK FOR TRACT 1 FOR THE IRRIGATION OF 499.7 ACRES AND SURPLUS AND WASTE WATER FROM LANDS TO EAST FOR TRACT 2 FOR THE IRRIGATION OF 50.9 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Harney County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 14, at Page 424. The dates of priority are 1886 for TRACT 1 and 1888 for TRACT 2.

The amount of water used for irrigation is limited to a diversion of ONE-FORTIETH of a cubic foot per second per acre up to April 20th of each year and shall not exceed ONE-SIXTIETH of a cubic foot per second per acre for the balance of the year; provided, that the total quantity diverted shall not exceed 3.0 acre-feet per acre in any one year.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
TRACT 1 - 1886						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32½ E	WM	1		1	37.8
23 S	32½ E	WM	1		2	39.8
23 S	32½ E	WM	1		3	39.7 ✓
23 S	32½ E	WM	1		4	39.6 ✓
23 S	32½ E	WM	1	SW NE		29.2
23 S	32½ E	WM	1	SE NE		33.0
23 S	32½ E	WM	1	SW NW		40.0 ✓
23 S	32½ E	WM	1	SE NW		40.0 ✓
23 S	32½ E	WM	1	NE SW		30.5
23 S	32½ E	WM	1	NW SW		27.3 ✓
23 S	32½ E	WM	1	SW SW		5.0
23 S	32½ E	WM	1	SE SW		30.2
23 S	32½ E	WM	1	NE SE		24.3
23 S	32½ E	WM	1	NW SE		28.2 -?
23 S	32½ E	WM	1	SW SE		31.0
23 S	32½ E	WM	1	SE SE		27.1

IRRIGATION						
TRACT 2 - 1888						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	32½ E	WM	3	SW NE		20.3
23 S	32½ E	WM	3	SE NE		30.5
23 S	32½ E	WM	3	SE SE		0.1

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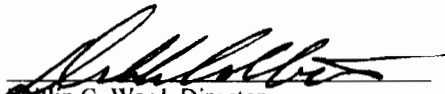
SALEM, OR

This certificate describes that portion of the water right confirmed by Certificate 15532, State Record of Water Right Certificates, NOT diminished by the provisions of an order of the Water Resources Director entered DEC 07 2009, approving Transfer Application T-10361. This certificate, together with Certificate 85401, supercedes Certificate 15532.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed DEC 07 2009.


Philip C. Ward, Director

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SALEM, OR

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

LAWRENCE E. ZIEMER, Trustee of the
Ziemer Family Trust, u/t/d October 15, 2012
537 N. SAGINAW AVE
HINES, OR 97738

Until a change is requested all tax statements
shall be sent to the following address:

LAWRENCE E. ZIEMER, Trustee of the
Ziemer Family Trust, u/t/d October 15, 2012
537 N. SAGINAW AVE
HINES, OR 97738

Escrow No. BU0020714

Title No. 0020714

HARNEY COUNTY, OR

DEEDWD

Cnt=1 Pgs=1

2012-1407

10/30/2012 11:05 AM

Total:\$36.00



00004632201200014070010010

I, Maria Iturriaga, County Clerk for Harney County,
Oregon certify that the instrument identified herein was
recorded in the Clerk records.

Maria Iturriaga, CCC, Harney County Clerk

STATUTORY WARRANTY DEED

DEANNE HORNER, Successor Trustee of the Judith L. Benton Family Trust u/t/d/ February 26, 2004,

Grantor(s), hereby convey and warrant to

LAWRENCE E. ZIEMER and CHRISTINE M. ZIEMER, Trustees of the Ziemer Family Trust, u/t/d October 15, 2012,

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. 23 S., R. 321/2 E., W.M.:

Sec. 1: NW1/4SW1/4, Lots 3 and 4, S1/2NW1/4, SAVE & EXCEPT highway right of way conveyed
to the State of Oregon, by and through its State Highway Commission, by Deed
recorded March 1, 1937, in Book 37, Page 427, Deed Records.

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

CODE# 1-2 ACCT# 5678

MAP# 23S 32VE TL 500

CODE# 1-2 ACCT# 5681

MAP# 23S 32VE TL 1400

The true and actual consideration for this conveyance is \$525,000.00.

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:

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 29 day of October, 2012

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DEANNE HORNER, Successor Trustee of the Judith L.
Benton Family Trust u/t/d/ February 26, 2004

NOV 05 2012

SALEM, OR

State of Oregon
County of HARNEY

This instrument was acknowledged before me on October 29, 2012 by DEANNE HORNER, Successor Trustee of the
Judith L. Benton Family Trust u/t/d/ February 26, 2004.



(Notary Public for Oregon)

My commission expires Jan. 22, 2016