



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

Applicant(s): MONTY D. FISHER MARY L. FISHER
 Mailing Address: 10475 HAZELGREEN RD SILVERTON OR 97381
 Phone: 503 873-4240
Home Work Other

JUL 26 2013
 WATER RESOURCES DEPT
 SALEM, OREGON

PROPERTY BUYER INFORMATION

Applicant(s): JOHN FAN FARMS, LLC
 Mailing Address: 10404 HAZELGREEN RD SILVERTON OR 97381
 Phone: 503 873 4020
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: MARION Township: 6 S Range: 1 W Section: 29, 30, 31, 32
 Tax Lot Number(s): _____

Street address of water right property: _____

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

Application #: 844897 Permit #: 33568 Certificate or Page #: 40143

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

**WR covers 63 acres. Buyer is purchasing 25 A +/-.
 seller is retaining 38 A +/-.*

Name of individual completing this form: STEVEN V. JOHNSON Phone: 503 873 4020(A)
MANAGING MEMBER, JOHN FAN FARMS, LLC Phone: 503 779 1604(B)
 Signature: [Signature] Date: 7-20-13

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

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **GEORGE VACHTER**

of **Route 2, Box 166, Silverton, Oregon 97381**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Pudding River**

a tributary of **Willamette River** for the purpose of irrigation of **63.0 acres**

under Permit No. **33568** 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 **May 13, 1968**

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 **0.79 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 **SW $\frac{1}{4}$ NW $\frac{1}{4}$** , as projected within **D. Smith DLC 42, Section 32, T. 6 S., R. 1 W., W. M., 760 feet North and 100 feet East from SE Corner, David H. Smith DLC 42.**

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:

- 6.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$**
As projected within **D. Smith DLC 42**
Section 29
- 2.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$**
As projected within **D. Smith DLC 42**
Section 30
- 7.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$**
13.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Both as projected within **D. Smith DLC 42**
Section 31
- 17.2 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$**
16.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Both as projected within **D. Smith DLC 42**
Section 32
T. 6 S., R. 1 W., W. M.

RECEIVED

JUL 26 2013

WATER RESOURCES DEPT
SALEM, OREGON

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. **April 25, 1974**

Chris L. Wheeler

State Engineer

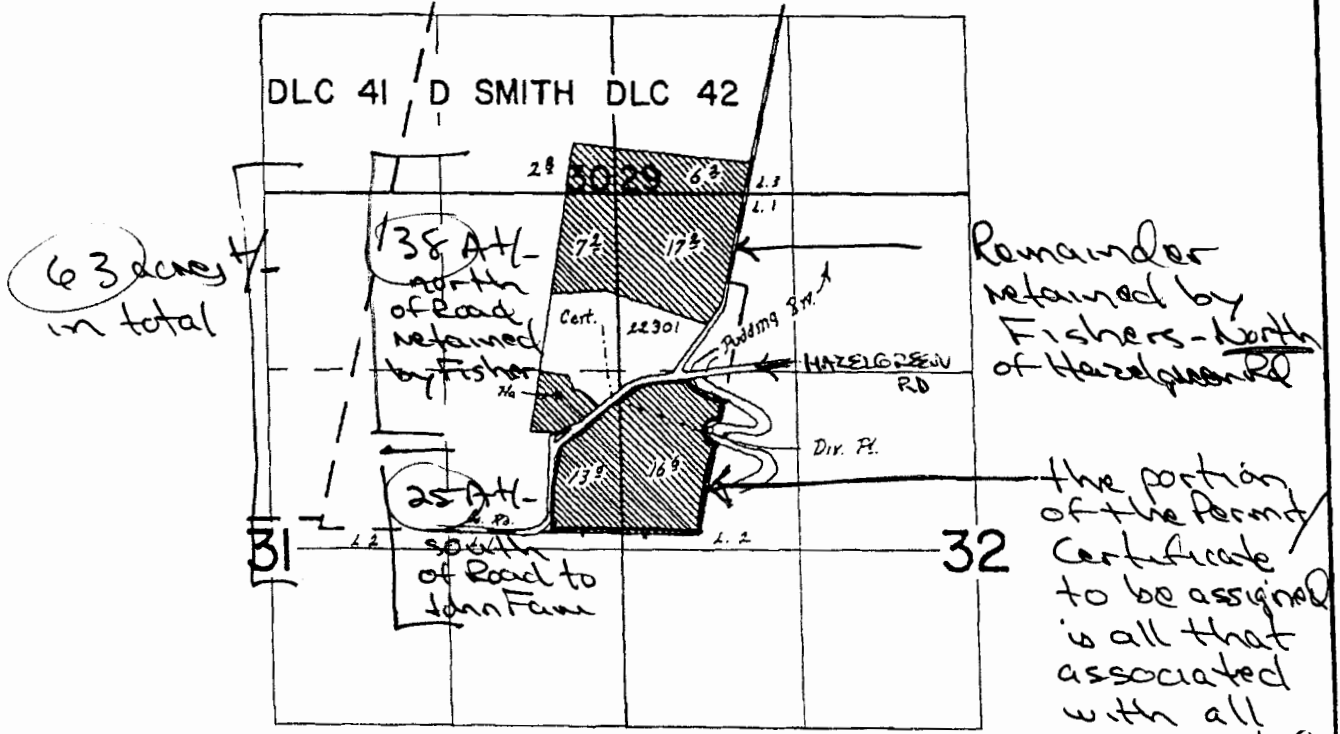
Recorded in State Record of Water Right Certificates, Volume **32**, page **40143**

pg 1 of 2



7-15-13
Assignment
by
Fishers
to
John Fam Farms
LLC

T.6S. R.1W. W.M.



Div. Pt. Loc: 760' N & 100' E From S.E. Cor D. Smith DLC 42

the portion
of the Permit
Certificate
to be assigned
is all that
associated
with all
land located
south of
Hazelgreen Rd,
described
in Exhibit
B attached.

**FINAL PROOF SURVEY
UNDER**

TRANSFER No. Y-31
Application No. 44897 Permit No. 33568
IN NAME OF
GEORGE VACHTER
Surveyed MAY 31 1972, by R. R. Mucken

RECEIVED

JUL 26 2013

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT B

REEL 3523 PAGE 286
MARION COUNTY
BILL BURGESS, COUNTY CLERK
07-15-2013 04:23 pm.
Control Number 343044 \$ 51.00
Instrument 2013 00032003



After recording return to:
JohnFam Farms, LLC
10404 Hazelgreen Rd
Silverton, OR 97381

Until a change is requested all tax
statements shall be sent to the
following address:
JohnFam Farms, LLC
10404 Hazelgreen Rd
Silverton, OR 97381

File No.: 7081-2088076 (ALS)
Date: July 11, 2013

FATCO 2088076

STATUTORY WARRANTY DEED

Monty D. Fisher and Mary L. Fisher, as tenants by the entirety, Grantor, conveys and warrants to **JohnFam Farms, LLC, an Oregon limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. The **2013-2014** Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$145,000.00**. (Here comply with requirements of ORS 93.030)

RECEIVED

JUL 26 2013

**WATER RESOURCES DEPT
SALEM, OREGON**

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Marion, State of Oregon, described as follows:

Beginning at the southeast corner of the donation land claim of David H. Smith, Claim No. 42 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence West 16.92 chains to the southeast corner of that certain tract of land conveyed to R.H. Campbell and Ella Campbell by deed recorded August 2, 1918 in Volume 147, Page 138 of the deed records for Marion County, Oregon; thence North 1°22' East along the east line of said Campbell tract to the most southerly end of that certain strip of land conveyed to Marion County, State of Oregon by deed recorded November 9, 1928 in Volume 199, Page 483 of the deed records for Marion County, Oregon; thence easterly to the most southerly southeast corner of said Marion County strip of land; thence northerly and northeasterly along the southeast side of said Marion County strip of land to the most southerly corner of another strip of land conveyed to Marion County, State of Oregon by deed recorded June 13, 1918 in Volume 146, Page 586 of the deed records for Marion County, Oregon; thence northeasterly along the southeast and southerly lines of last said strip of land to the east line of said Claim; thence South 12° West along the east line of said Claim to the point of beginning.

RECEIVED

JUL 26 2013

WATER RESOURCES DEPT
SALEM, OREGON