



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.

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PROPERTY SELLER INFORMATION

Applicant(s): Wheeler Credit Shelter Trust AUG 14 2013
 Mailing Address: 45766^{First} McKENZIE HIGHWAY Last
VIDA OR 97488 SALEM, OR
City State Zip
 Phone: _____
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): RICHARD M. SWANK, TRUSTEE, RICHARD M SWANK REVOCABLE TRUST
 Mailing Address: 45766^{First} McKENZIE HIGHWAY Last
VIDA OR 97488
City State Zip
 Phone: 541-206-4774
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: LANE Township: _____ Range: 2 Section: _____

Tax Lot Number(s): _____

Street address of water right property: 45766 McKENZIE HIGHWAY, VIDA OR 97488

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

Application #: _____ Permit #: _____ Certificate or Page #: _____

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

Name of individual completing this form: RICHARD M SWANK Phone: 541-206-4774

Signature: Richard M Swank Date: 8-8-13

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

411961

Western Title & Escrow

Order Number: 78623-DMS

Grantor
The Wheeler Credit Shelter Trust, UAD 8-11-93 Attn: Mary Ellen Wheeler
The Richard M. Swank Revocable Trust, dated February 3, 2012 Attn: Richard M. Swank 45766 McKenzie Highway Vida, OR 97488
Until a change is requested, all tax statements shall be sent to the following address:
The Richard M. Swank Revocable Trust, dated February 3, 2012 Attn: Richard M. Swank 45766 McKenzie Highway Vida, OR 97488

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AUG 14 2013

SALEM, OR

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Mary Ellen Wheeler, Successor Trustee of The Wheeler Credit Shelter Trust, UAD 8-11-93
Grantor(s)

convey and warrant to

Richard M. Swank, Trustee of The Richard M. Swank Revocable Trust, dated February 3,
2012, Grantee

the following described real property free of encumbrances except as specifically set forth herein:

Beginning at the brass cap marking the meander corner on the right bank of the McKenzie River on the East line of Section 28, Township 16 South, Range 2 East of the Willamette Meridian; thence North 0° 41' East 312.14 feet along said East section line to a point on the Southerly right of way line of the McKenzie Highway; thence North 56° 54' 30" West 455.40 feet along said right of way line to an iron pin marking the true point of beginning; thence North 56° 54' 30" West 309.18 feet continuing along said right of way line to a point marked by an iron pin; thence South 22° 43' 30" West 520.10 feet to a point on the water's edge on the right bank of the McKenzie River (said point being referenced on the ground by an iron pin bearing North 22° 43' 30" East 28.53 feet); thence along said water's edge to a point (being referenced on the ground by an iron pin bearing North 22° 43' 30" East 30.00 feet) which bears South 86° 49' 23" East 322.73 feet from the last described point; thence North 22° 43' 30" East 356.48 feet to the true point of beginning in Lane County, Oregon.

Account: 1092434

Map & Tax Lot: 16 25 28 00 03002

This property is free of encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

The true consideration for this conveyance is \$400,000.00. (Here comply with requirements of ORS 93.030.)

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

PLS

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.

Executed this 6 day of August, 2013

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The Wheeler Credit Shelter Trust, UAD 8-11-93

Mary Ellen Wheeler
By: Mary Ellen Wheeler
Its Trustee

AUG 14 2013

SALEM, OR

State of Oregon, County of Deschutes) ss.

This instrument was acknowledged before me on this 6th day of August, 2013 by **Mary Ellen Wheeler**, as Trustee of The Wheeler Credit Shelter Trust, UAD 8-11-93

Dana Laraine Schulke

Notary Public for the State of Oregon

My commission expires: 11/7/2016

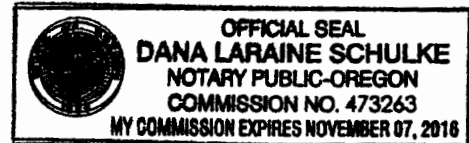


Exhibit "A"

Beginning at the brass cap marking the meander corner on the right bank of the McKenzie River on the East line of Section 28, Township 16 South, Range 2 East of the Willamette Meridian; thence North 0° 41' East 312.14 feet along said East section line to a point on the Southerly right of way line of the McKenzie Highway; thence North 56° 54' 30" West 455.40 feet along said right of way line to an iron pin marking the true point of beginning; thence North 56° 54' 30" West 309.18 feet continuing along said right of way line to a point marked by an iron pin; thence South 22° 43' 30" West 520.10 feet to a point on the water's edge on the right bank of the McKenzie River (said point being referenced on the ground by an iron pin bearing North 22° 43' 30" East 28.53 feet); thence along said water's edge to a point (being referenced on the ground by an iron pin bearing North 22° 43' 30" East 30.00 feet) which bears South 86° 49' 23" East 322.73 feet from the last described point; thence North 22° 43' 30" East 356.48 feet to the true point of beginning in Lane County, Oregon.

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