



**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

S-3278  
 S-27927  
 G-6186  
 S-43735  
 R-29764  
 R-43734  
 R-76149  
 T-11412  
 carts  
 No Files  
 14052  
 14041

### 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): \_\_\_\_\_ Hurlburt Ranches Inc. \_\_\_\_\_  
First Last  
 Mailing Address: P O Box 257 \_\_\_\_\_  
Burns Oregon 97720  
City State Zip  
 Phone: 541-573-7309 \_\_\_\_\_  
Home Work Other

### PROPERTY BUYER INFORMATION

Applicant(s): William Peila \_\_\_\_\_ JAN 11 2013  
First Last  
 Mailing Address: P O Box 723 \_\_\_\_\_ SALEM, OR  
Burns Oregon 97720  
City State Zip  
 Phone: 541-573-6086 \_\_\_\_\_  
Home Work Other

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### PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Harney Township: \_\_\_\_\_ Range: \_\_\_\_\_ Section: \_\_\_\_\_

Tax Lot Number(s): Please See Exhibit B (recorded deed)

Street address of water right property: 23880 Sand Hollow LN. Burns Oregon

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

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: Curt Blackburn Phone: 541-573-7206

Signature: *Curt Blackburn* Date: Dec. 27, 2012

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

Exhibit "A"

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**Water Rights:**

<u>Priority Date</u>	<u>Supp Acres</u>	<u>Primary Acres</u>	<u>Water Rights</u>	<u>Source</u>
1883		80	14052 (cert)	Silver Creek
1897		168	14052 (cert)	Silver Creek
1908		99	14052 (cert)	Silver Creek
1900		30	14041 (cert)	Silver Creek
1899		54.4	14041 (cert)	Silver Creek
1896		146.10	14041 (cert)	Silver Creek
1892		158.50	14041 (cert)	Silver Creek
1958		174.30	36761 (cert)	Silver Creek (COTE Slough)
1952	181.50		32388 (cert)	Fay Canyon Res.
1973	179.90	79.90	46177 <i>cert</i>	Well
1967	142.70		39770 <i>cert</i>	Fay Canyon Res.
1898		225.5	Claim	Hughet Creek

**Fay Canyon Reservoir:**

<u>Priority</u>	<u>Amount</u>	<u>Certificate #</u>	<u>Source</u>
Feb 25, 1955	190 acre feet	28847	Fay Creek
June 19, 1967	180 acre feet	39769	Fay Creek

**Stock Reservoir:**

<u>Priority</u>	<u># of Reservoirs</u>	<u>Certificate #</u>
1993	8	70129



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

AFTER RECORDING RETURN TO:  
John B Lamborn, Attorney at Law, PC  
191 West A Street  
Burns, OR 97720

**MEMORANDUM OF LAND SALE CONTRACT**

DATED: December 31, 2012  
BETWEEN: Hurlburt Ranches, Inc, an Oregon Corporation, "Seller"  
PO Box 257  
Burns, OR 97720  
  
AND: William S Peila and Lori K Peila, husband and wife, "Buyer"  
PO Box 723  
Hines, OR 97738

Pursuant to a Land Sale Contract dated December 31, 2012 , Seller sold to Purchaser Seller's interest in that certain property in Harney County, Oregon, more particularly described in Exhibit A attached hereto and by this reference incorporated herein, together with all right, title and interest of Seller in and to (i) the rights, easements and appurtenances pertaining thereto, and (ii) any and all roads, easements, alleys, streets and rights-of-way bounding such real property, together with all rights of ingress and egress unto such real property (collectively, the "Land");

(b) All buildings and structures presently situated on the Land ("Improvements");

All right, title and interest of Seller in and to all fixtures, equipment and other tangible personal property located on and used solely in connection with the maintenance or operation of the Land and Improvements ("Property").

If not earlier paid, all amounts owed under the Contract of Sale shall be due and payable on or before March 2, 2013, The true and actual consideration for this conveyance is \$1,400,000.00.

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 ANY INTEREST IN OR 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.

Until a change is requested, all tax statements shall be sent to the following address: William S and Lori K Peila, PO Box 723, Hines, OR 97738

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IN WITNESS WHEREOF, the parties have caused this memorandum to be executed as of the day and year first above written.

Hurlburt Ranches, Inc., an Oregon Corporation:

Steven R Hurlburt  
Steven R Hurlburt, President/Shareholder

Susan Hurlburt  
Susan Hurlburt, Secretary/Shareholder

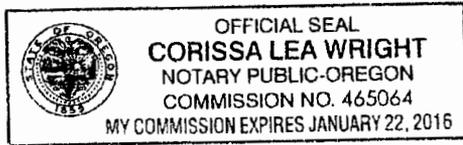
Buyer: William S Peila  
William S Peila

Lori K Peila  
Lori K Peila

STATE OF OREGON )  
 ) ss.  
County of Harney )

December 31, 2012, personally appeared the above-named Steven R Hurlburt, Susan Hurlburt and acknowledged the foregoing Memorandum or Sale to be their voluntary act and deed.

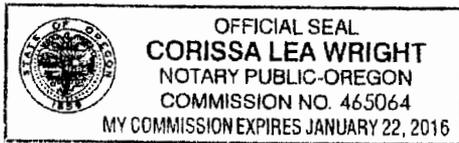
Corissa Lea Wright  
Notary Public for Oregon  
My Commission Expires: Jan. 22, 2016



STATE OF OREGON )  
 ) ss.  
County of Harney )

Personally appeared the above-named William K and Lori S Peila, and acknowledged the foregoing Memorandum of Sale to be their voluntary act and deed.

Corissa Lea Wright  
Notary Public for Oregon  
My Commission Expires: Jan. 22, 2016



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## EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Township 25 South, Range 28 East, W. M.

Section 36: That portion of the S1/2NE1/4 and the SE1/4 lying Northeasterly of the county road, as said road was located April 27, 1967

In Township 25 South, Range 29 East, W. M. Tax lots 600, 900, 2300,2400,2500,2700,3000 & 3100

Section 18: S1/2SE1/4

Section 19: E1/2NE1/4

Section 20: SW1/4NW1/4; W1/2SW1/4

Section 28: SW1/4NW1/4; SW1/4

Section 29: NW1/4; N1/2SW1/4; SE1/4; SW1/4NE1/4

Section 31: All that portion of Lots 3 & 4 and the E1/2SW1/4 lying Northeasterly of the county road, as said road was located April 27, 1967

Section 32: N1/2NE1/4; SW1/4NE1/4; NW1/4SE1/4; SE1/4NW1/4; SW1/4; SW1/4SE1/4

In Township 26 South, Range 29 East, W.M. tax lots 1500 thru 1800

Section 5: Lot 3 and 4; S1/2NW1/4; NW1/4SW1/4

Section 6: Lots 1 & 2; S1/2NE1/4; SE1/4 and that portion of Lots 3 & 4 and the SE1/4NW1/4 lying Northeasterly of the county road, as said road was located April 27, 1967 - Save & except road right of way conveyed to Harney County, Oregon, by deed recorded August 6, 1958 in Book 65, Page 267, Deeds.

Section 7: E1/2NW1/4; NE1/4SW1/4; E1/2 - Save & except the following two parcels:

Parcel #1: Road right of way conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 267;

Parcel #2 Beginning a a point which is North [Mag. Var. 20°10'], 500 feet from the Southeast corner of the NE1/4SE1/4 of said Section 7;

Thence: North 687.0 feet,

Thence: West 469.38 feet,

Thence: South 23°56' East, 751.57 feet;

Thence: East 164.4 feet to the point of beginning.

Section 17: W1/2SW1/4

Section 18: E1/2

In Township 27 South, Range 29 East, W.M. Tax lots 700 & 1200

Section 3: W1/2SW1/4

Section 4: SE1/4 - Save & except county road right of way

Section 7: Lots 1 Thru 4; E1/2W1/2

Section: 18: Lots 1 & 2; E1/2NW1/4; W1/2NE1/4

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**JAN 11 2013**

**SALEM, OR**