



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): Moss Creek, LLC
First Last
 Mailing Address: 747 SW Mill View Way
Bend OR 97702
City State Zip
 Phone: _____
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Daniel Heath, Bear Creek Quarter Horse Ranch, LLC
First Last
 Mailing Address: 55959 Hwy 244
La Grande OR 97850
City State Zip
 Phone: 541-963-5752
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Union Township: 3 S Range: 36 E Section: 14, 15, 22, 23
 Tax Lot Number(s): 700

Street address of water right property: 55959 Hwy 244, La Grande, OR 97850

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

Application #: S-12464 Permit #: S-8939 Certificate or Page #: 10159

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

Name of individual completing this form: Daniel Heath Phone: 541-963-5752

Signature: _____ Date: 8/20/13 RECEIVED BY OWRD

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

87-18356
 After recording return to:
Eastern Oregon Title, Inc.
 1601 Adams Avenue
 La Grande, Oregon 97850

20076591

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

**Bear Creek Ranch, Quarter Horses
 LLC**
 55959 Hwy 244
 La Grande, OR 97850

STATUTORY WARRANTY DEED

MOSS CREEK, LLC, AN OREGON LIMITED LIABILITY COMPANY, AND ALTA CUNHA RANCHES, LLC, AN OREGON LIMITED LIABILITY COMPANY, AS TENANTS IN COMMON, Grantor, conveys and warrants to **BEAR CREEK RANCH, QUARTER HORSES, LLC**, Grantee.

The true consideration for this conveyance is **\$2,650,000.00**, of which a portion is paid to an accommodator as part of an IRC Tax Deferred Exchange on behalf of the Grantor. (Here comply with requirements of ORS 93.030)

The following described real property free of liens and encumbrances, except as specifically set forth herein:

IN TOWNSHIP 3 SOUTH, RANGE 36 EAST OF THE WILLAMETTE MERIDIAN, IN UNION COUNTY, OREGON

Section 13:

All that part of the Southwest quarter of the Southwest quarter (SW1/4SW1/4) lying Westerly of the County Road.

Section 14:

The entire East half (E1/2), the Northwest quarter of the Northwest quarter (NW1/4NW1/4), the South half of the Northwest quarter (S1/2NW1/4) and the entire Southwest quarter (SW1/4).

Section 15:

The East half of the East half (E1/2E1/2), the Southwest quarter of the Northeast quarter (SW1/4NE1/4), and the West half of the Southeast quarter (W1/2SE1/4).

Section 22:

The East half of the East half (E1/2 E1/2), the Northwest quarter of the Northeast quarter (NW1/4NE1/4), and the Northeast quarter of the Northwest quarter (NE1/4NW1/4).

Section 23:

The entire Northwest quarter (NW1/4), the North half of the Southwest quarter (N1/2SW1/4), the Northwest quarter of the Southeast quarter (NW1/4SE1/4), and the Southwest quarter of the Northeast quarter (SW1/4NE1/4).

EXCEPTING THEREFROM those portions lying within Sections 14 and 15 conveyed to the State of Oregon, by and through its State Highway Commission for a highway, by Warranty Deed recorded September 18, 1950, in Book 123, Page 68, Records of Union County, Oregon.

(03S36-700)

This property is free from liens and encumbrances, EXCEPT:

1. The assessment roll and the tax roll disclosed that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax and interest may be levied for the years in which the land was subject to the special land use assessment.
2. Rights of the public in and to that portion of this property lying below the high water mark of certain creeks, as they cross this property.

RECEIVED BY OWRD

SEP 09 2013

SALEM, OR

3. Rights of the public and ownership which may be claimed by the State of Oregon in and to that portion of this property lying below the high water mark of the Grande Ronde River.
4. Right-of-way for Union County Road No. 2 (Rankin Road) across this property
5. Right-of-way Easement, including the terms and provisions thereof, dated December 26, 1939, recorded December 27, 1939, in Book 100, Page 638, Records of Union County, Oregon, for a road across this property.
6. Right-of-Way Easement, including the terms and provisions thereof, granted to California-Pacific Utilities Company, a corporation, dated October 12, 1972, recorded October 16, 1972, as Microfilm Document No. 41013, Records of Union County, Oregon, for the exclusive right to construct, reconstruct, operate and maintain electric power or telephone lines and/or gas or water mains and all necessary poles, towers, pipe, valves and appurtenances, over, under and upon a strip of this property 10 feet in width.

Note: All Electric utility easements have been transferred to Oregon Trail Electric Co-op.

7. Right-of-Way Easement, including the terms and provisions thereof, granted to California-Pacific Utilities Company, a corporation, dated October 12, 1972, recorded July 11, 1973, as Microfilm Document No. 45087, Records of Union County, Oregon, for the exclusive right to construct, reconstruct, operate and maintain electric power or telephone lines and/or gas or water mains and all necessary poles, towers, pipe, valves and appurtenances, over, under and upon a strip of this property 10 feet in width.

Note: All Electric utility easements have been transferred to Oregon Trail Electric Co-op.

8. Right-of-Way Easement, including the terms and provisions thereof, granted to California-Pacific Utilities Company, a corporation; dated July 16, 1973, recorded July 19, 1973, as Microfilm Document No. 45199, Records of Union County, Oregon, for the exclusive right to construct, reconstruct, operate and maintain electric power or telephone lines and/or gas or water mains and all necessary poles, towers, pipe, valves and appurtenances, over, under and upon a strip of this property 10 feet in width.

Note: All Electric utility easements have been transferred to Oregon Trail Electric Co-op.

9. Right-of-Way Easement, including the terms and provisions thereof, granted to California-Pacific Utilities Company, a corporation; dated June 10, 1976, recorded July 26, 1976, as Microfilm Document No. 62967, Records of Union County, Oregon, for the right to construct, reconstruct, operate and maintain an underground electric power line under a strip of this property 15 feet in width

Note: All Electric utility easements have been transferred to Oregon Trail Electric Co-op.

10. Right-of-Way Easement, including the terms and provisions thereof, granted to General Telephone Company of the Northwest, Inc., a corporation, dated June 6, 1978, recorded August 3, 1978, as Microfilm Document No. 78873, Records of Union County, Oregon, for a perpetual right of way and easement for buried cables, under and across a portion of this property.
11. Easement Private Party, including the terms and provisions thereof, granted to Oregon Trail Electric Consumers Cooperative, a cooperative corporation, dated June 30, 1997, recorded July 14, 1997, as Microfilm Document No. 973945, Records of Union County, Oregon, for an easement and right to construct, reconstruct, operate, maintain, repair, replace and remove electric power lines and all necessary transformers, cables, conduits, pipes and appurtenances under a strip of this property 10 feet in width.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 APPROVED USES AND 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

RECEIVED BY OWRD

Dated this 26 day of November, 2007.

SEP 09 2013

SALEM, OR

MOSS CREEK, LLC, AN OREGON LIMITED
LIABILITY COMPANY

By:

Carla Cunha member
Carla Cunha, Member

ALTA CUNHA RANCHES, LLC, AN
OREGON LIMITED LIABILITY COMPANY

By:

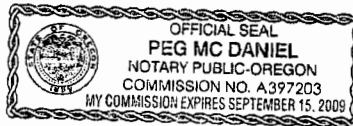
Shauna Mosgrove member
Shauna Mosgrove, member

STATE OF OREGON)

COUNTY OF UNION)

)ss.

Signed or attested before me on this 26 day of November, 2007 by Carla Cunha, member of Moss Creek LLC, An Oregon Limited Liability Company and Shauna Mosgrove, member of Alta Cunha Ranches LLC An Oregon Limited Liability Company.



Peg McDaniel
Peg McDaniel
Notary Public for the State of Oregon
My commission expires: September 15, 2009

STATE OF OREGON

County of Union

SS

I certify that this instrument was
received and recorded in the book of
records of said county.

Union County Clerk

by:

R. Chura

Deputy.

DOC#: 20076591

RCPT: 130415

37.00

11/26/2007 3:35 PM

REFUND:

.00

RECEIVED BY OWRD

SEP 09 2013

SALEM, OR

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **M. D. HAGEY, Administrator,**
ESTATE OF MINNIE GLASS
of **Hilgard**, 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
Grande Ronde River
a tributary of for the purpose of
irrigation
under Permit No. **8959** 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 **November 25, 1928,**

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
0.25 cubic foot per second.

The point of diversion is located in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$** of Section **16**, Township **3 S**, Range **36 E**, W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (if for irrigation, or any other purpose), is as follows:

**20.8 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 15,
Township 3 South, Range 36 East, W. M.**

The right to the use of the water for any purpose 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 14th day
of October , 1935

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 9 10159
page .

RECEIVED BY CLERK

SEP 09 2013

SALEM, OR

No Final Proof Map Available
See Permit Map
through
OWRD WrisQuery page

All Scanned Documents

RECEIVED BY OWRD

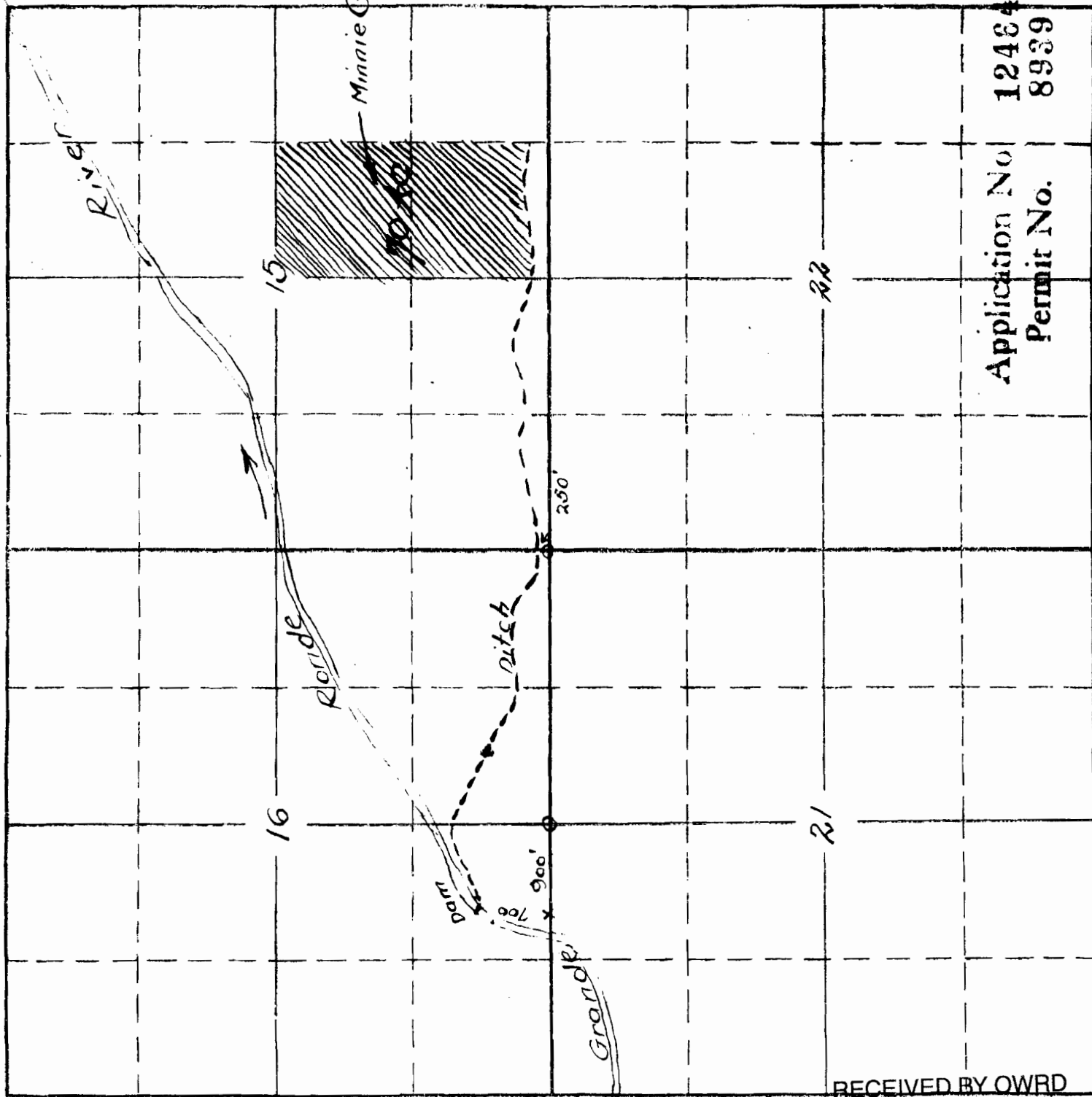
SEP 09 2013

SALEM, OR

Sec. 15

Tp. 3 S

R. 3 E



Application No. 12484
Permit No. 8939

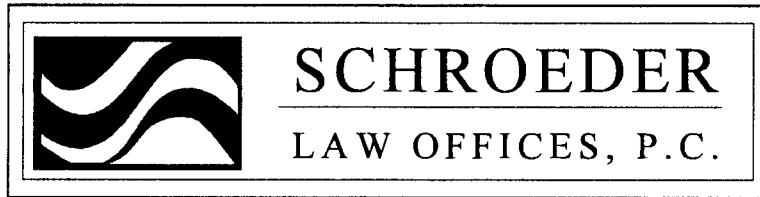
SEP 09 2013

SALEM, OR

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

Therese A. Ure
Licensed in Oregon
and Nevada

William F. Schroeder
Of Counsel to the Firm



Sarah R. Liljefelt
Licensed in Oregon
and California

Wyatt E. Rolfe
Of Counsel
Licensed in Oregon
Nevada and Washington

September 4, 2013

VIA U.S. MAIL ONLY

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

RECEIVED BY OWRD

SEP 09 2013

RE: Permit No. G-16415

SALEM, OR

To Whom It May Concern:

Enclosed herein and related to Permit No. G-16415 are the following documents:

- 1) Application for Permit Amendment with attached amendment map and well logs;
- 2) Affidavit for the Partial Cancellation of a Water Right Certificate with attached deed and map;
- 3) Ownership Update for Certificate 10159 with attached deed;
- 4) Application for Extension of Time for a Water Right Permit with attached permit conditions, well logs, static water level reports, pump test reports and water use reports; and
- 5) Extension Reimbursement Authority Estimate Application.

Separate checks are enclosed herewith in the following amounts: \$2,150.00 to cover the permit amendment fee, \$575.00 to cover the extension fee, and \$125.00 to cover the Reimbursement Authority estimate fee. We do not find that a fee is required for the ownership update, but please advise if a fee is required and we will remit payment immediately.

Please contact the undersigned if you have any questions.

Very truly yours,

SCHROEDER LAW OFFICES, P.C.

A handwritten signature in black ink, which appears to read "Sarah R. Liljefelt", is written over the typed name.

Sarah R. Liljefelt

SRL: tjj

Enclosures

cc: Daniel Heath

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