



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-25715 app
 S-20254 permit

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): Robert and Carolyn Wehrman
First Last

Mailing Address: _____

City State Zip

Phone: _____
Home Work Other 541.510.2106

PROPERTY BUYER INFORMATION

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Applicant(s): Stephanie Frank &
First Last Eric Merchant

SEP 05 2013

Mailing Address: 39843 Place Rd.
SALEM, OR

Fall Creek OR 97438
City State Zip

Phone: _____
Home Work Other 541.346.4987 541.543.6825

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Lane Township: Fall Creek Range: _____ Section: _____

Tax Lot Number(s): 19 01 03 #410

Street address of water right property: 39921 Church Rd. Fall Creek, OR 97438

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

Application #: W-117 Permit #: 20254 Certificate or Page #: 44090

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

Name of individual completing this form: Stephanie Frank Phone: 541.543.6825

Signature: Stephanie F Date: 9.3.13

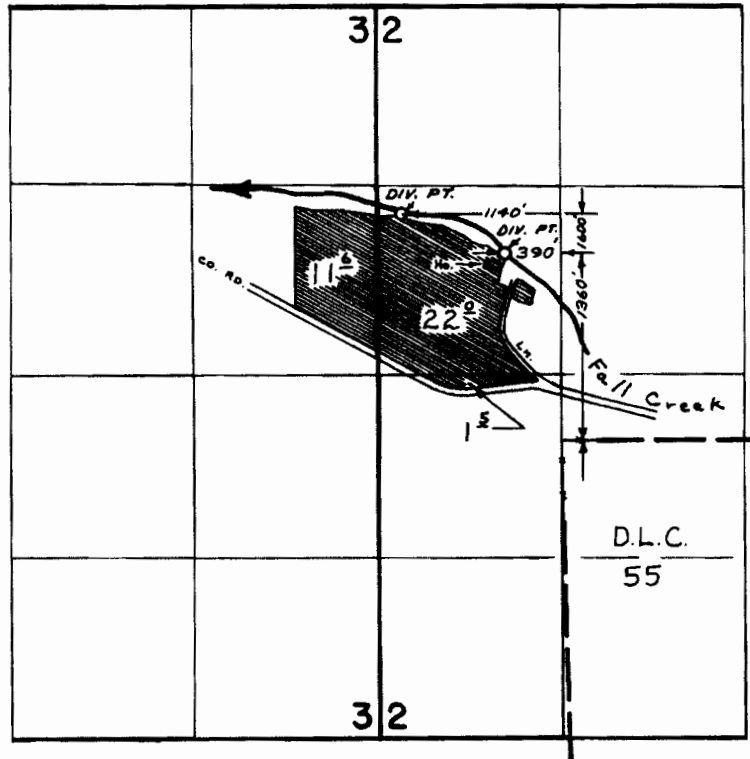
Please be sure to attach a copy of your property deed or legal description of the property.

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SALEM, OR

T.19S. R.1W. W. M.



FINAL PROOF SURVEY
UNDER

Transfer No. W-117
Application No. Permit No.

IN NAME OF

JAMES R. WIEMERS

Surveyed April 18, 1975, by R. Mucken

STATE OF OREGON

SEP 05 2013

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT SALEM, OR

This Is to Certify, That **JAMES R. AND BETTY WIEMERS**

of 39921 Church Rd., Fall Creek, State of Oregon, 97438, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Big Fall Creek

a tributary of Willamette River for the purpose of irrigation of 35.1 acres

under Permit No. 20254 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 March 13, 1951

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 0.44 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 $\frac{1}{4}$, Section 2, T. 19 S., R. 1 W., W. M., 1360 feet North and 390 feet West; 1600 feet North and 1140 feet West, both from the NW Corner of Panland DLC 55.

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:

22.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 1.5 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 2
 11.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 3
 T. 19 S., R. 1 W., W. M.

This certificate is issued to confirm a change in place of use and point of diversion approved July 8, 1966 and supersedes certificate of water right 24119.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. January 18, 1977

James R. Sexson
 Water Resources Director

(1)

AFTER RECORDING RETURN TO:
CASCADE TITLE COMPANY
811 WILLAMETTE ST., EUGENE, OR 97401



Lane County Clerk
Lane County Deeds and Records

2013-047764



\$47.00

01392324201300477640020027

08/30/2013 01:03:02 PM

RPR-DEED Cnt=1 Stn=40 CASHIER 01
\$10.00 \$11.00 \$16.00 \$10.00

TITLE NO. 0282072 *NMM*
ESCROW NO. EU13-2226
TAX ACCT. NO. 1310448/1704087
MAP/TAX LOT NO. 19 01 03 #410

GRANTOR

ROBERT AND CAROLYN WEHRMAN LIVING TRUST U/A DATED APRIL 13, 1989 ROBERT WEHRMAN AND CAROLYN WEHRMAN, INCUMBENT TRUSTEE

RECEIVED BY OWRD

GRANTEE

STEPHENIE FRANK and ERIC MERCHANT
39843 PLACE ROAD
FALL CREEK, OR 97438

SEP 05 2013

SALEM, OR

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

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

ROBERT WEHRMAN AND CAROLYN WEHRMAN, INCUMBENT TRUSTEES OF THE ROBERT AND CAROLYN WEHRMAN LIVING TRUST U/A DATED APRIL 13, 1989, Grantor,

conveys and warrants to

STEPHENIE FRANK and ERIC MERCHANT, not as tenants in common, but with the right of survivorship, Grantee,

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

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:
2013/14 TAXES WHICH ARE A LIEN BUT NOT YET DUE AND PAYABLE.
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

The true consideration for this conveyance is \$520,000.00.

Dated this 22nd day of August, 2013.

ROBERT AND CAROLYN WEHRMAN LIVING TRUST U/A DATED APRIL 13, 1989

BY: Robert Wehrman
ROBERT WEHRMAN, INCUMBENT TRUSTEE

BY: Carolyn Wehrman
CAROLYN WEHRMAN, INCUMBENT TRUSTEE

State of Oregon
County of Lane

This instrument was acknowledged before me on August 22, 2013 by ROBERT WEHRMAN AND CAROLYN WEHRMAN, INCUMBENT TRUSTEES OF THE ROBERT AND CAROLYN WEHRMAN LIVING TRUST U/A DATED APRIL 13, 1989.



M. Mitchell
(Notary Public for Oregon)
My commission expires 9.16.13

Exhibit A

Beginning at the iron pin set in the fence corner marking the Northwest corner of the G. H. Penland Donation Land Claim No. 55, Township 19 South, Range 1 West of the Willamette Meridian; thence West 1364.53 feet and North 707.93 feet to a railroad spike set on the centerline of County Road No. 1223 and marking the true point of beginning; thence North $59^{\circ} 56' 58''$ West, 644.41 feet along the centerline of said County Road No. 1223 to a point (referenced on the ground by an iron pin bearing North $2^{\circ} 50' 45''$ East 28.12 feet); thence North $2^{\circ} 50' 45''$ East 849.32 feet along a line on or near an existing property line fence to a point on the centerline of Big Fall Creek to a point; thence South $82^{\circ} 02' 30''$ East 794.49 feet along the centerline of Big Fall Creek to a point; thence South $14^{\circ} 20' 22''$ West 1095.09 feet along a line on or near an existing fence line to the true point of beginning, in Lane County, Oregon.

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