



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): WILFRED R. DAGGETT  
First Last  
 Mailing Address: P.O. Box D  
ENTERPRISE OR 97828  
City State Zip  
 Phone: 541-432-5811 541-432-9580  
Home Work Other

### PROPERTY BUYER INFORMATION

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Applicant(s): DAGGETT PROPERTIES LLC FORMERLY DAGGETT 99 LLC  
First Last MAR 17 2014  
 Mailing Address: P.O. Box D SALEM, OR  
ENTERPRISE OR 97828  
City State Zip  
 Phone: 541-432-6060 541-432-9580 541-263-0853  
Home Work Other

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

County: WALLOWA Township: 15 Range: 45E Section: 28,33

Tax Lot Number(s): 2800

Street address of water right property: NONE AVAILABLE

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

Application #: 38654 Permit #: 28791 Certificate or Page #: 50539

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

Name of individual completing this form: JEAN M. STORY Phone: 541-263-0853

Signature: Jean M Story Date: 3/13/14

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

## STATE OF OREGON

COUNTY OF

WALLOWA

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** ROY W. AND WILFRED R. DAGGETT

of Box D, Joseph, State of Oregon 97846, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Wallowa River, Prairie Creek, and unnamed stream known locally as McCully Creek

a tributary of Grande Ronde River for the purpose of irrigation of 136.6 acres

under Permit No. 28791 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 April 11, 1963 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 3.42 cubic feet per second, being 1.56 cfs from Wallowa River, 0.93 cfs from Prairie Creek, and 0.93 cfs from unnamed stream known locally as McCully Creek

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Wallowa River: NW 1/4 NW 1/4, Section 5, T3S, R45E, WM; South 77 degrees, 20 minutes East, 624 feet from NW corner, Section 5; Prairie Creek: SW 1/4 SW 1/4, Section 26, T2S, R45E, WM; North 63 degrees, 39 minutes West, 2,337 feet from S 1/4 corner, Section 26; Unnamed Stream (McCully Creek): SW 1/4 SE 1/4, Section 2, T2S, R45E, WM; North\*

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-fortieth 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 3 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the Lower Grande Ronde River is more than 300 cfs at USGS Gage 3325 and more than 420 cfs at Ore-Wash Border

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:

\* 76 degrees 00 minutes West, 1,462 feet from SE corner, Section 2

SEE NEXT PAGE

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4.0 acres SW 1/4 NE 1/4  
 21.4 acres NW 1/4 SW 1/4  
 26.5 acres SW 1/4 SW 1/4  
 4.4 acres NW 1/4 SE 1/4  
 15.2 acres SW 1/4 SE 1/4  
 10.3 acres SE 1/4 SE 1/4  
 Section 28  
 29.6 acres NW 1/4 NW 1/4  
 25.2 acres SW 1/4 NW 1/4  
 Section 33  
 Township 1 South, Range 45 East, WM

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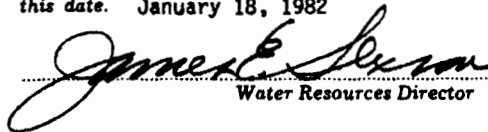
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The right to the use of the water for the purposes aforesaid is restricted to the lands or place  
 of use herein described. and is subject to the existing minimum flow policies  
 established by the Water Policy Review Board

WITNESS the signature of the Water Resources Director, affixed

this date. January 18, 1982

  
 Water Resources Director

6673A

Recorded in State Record of Water Right Certificates, Volume 44 , page 50539

136.6 ACRES

STATE ENGINEER APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Roy W. Daggett and Wilfred R. Daggett

of Joseph

State of OREGON, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Wallowa River and Prairie Creek, a tributary of Wallowa River and McCully Creek. Point of diversion is ditch of Farmers Water Ditch Company, a tributary of crossing our deeded land.

2. The amount of water which the applicant intends to apply to beneficial use is 3.67 (1.67 from Wallowa River, 1.00 from Prairie Creek and 1.00 from McCully Creek) cubic feet per second. combination of said three sources

3. The use to which the water is to be applied is irrigation. The three points of diversion from natural sources into Farmers Irrigation Canal are shown on the three accompanying application maps; and

4. The point of diversion is located 1320 ft. N. and 3500 ft. E. from the S.W. corner of Section 28 for pump No. 1.

The point of diversion from Farmers Irrigation Canal is located 3630 ft. E. of Sec. corner of Sections 28, 29, 32, 33 on Section line between Sections 28 and 33 for pump No. 2 -- see remarks section.

being within the Southeast quarter of Sec. 28 Tp. 1 S. R. 45 E., W. M., in the County of Wallowa

5. The pipeline to be No. 1, 4725 ft.; No. 2 2640' in length, terminating in the No. 1 SW 1/4 Sec. 28 and No. 2 NW 1/4 of Sec. 33 Tp. 1 S. R. 45 E., W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works--

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction

existing headgates will be used

(b) Description of lands. Land irrigated by flood (non-shaded area on map) now has water right served by said ditch of Farmers Water Ditch Company.

(c) If water is to be pumped give general description. No. 1-6x8x8-75 HP Double Suction Centrifugal - this pump will also be used to irrigate 160 a. now flood irrigated 1320 GPM @ 167 T.D.H. - 165 8 GPM sprinklers No. 2-5x5x7 - 50 HP Centrifugal - 792 GPM @ 189 DH w/99-8 GPM sprinklers. This pump will irrigate 103 acres now flood irrigated under present water right and additional land applied for (shaded area on accompanying map).

\*A different form of application is provided where storage works are contemplated. \*\*Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(b) At ..... miles from headgate: width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

Pump No. 1-800'-10" -900'8" 2305'-6" -660'4" No. 2 1380'8"-1260'6"  
 (c) Length of pipe. .... ft.; size at intake, 10" in.; size at ..... ft.

from intake ..... in.; size at place of use ..... in.; difference in elevation between intake and place of use. .... ft. Is grade uniform?  NO Estimated capacity, ..... sec. ft.

3.67  
 8. Location of area to be irrigated, or place of use

Township North or South	Range E or W of Westinghouse Meridian	Section	Partly-irrigated Tract	Number Acres To Be Irrigated
1-South	45, E.	28	NW 1/4 SW 1/4	29.7
		28	SW 1/4 SW 1/4	29.3
		28	SW 1/4 SE 1/4	13.9
1 South	45, E.	28	SE 1/4 SE 1/4	10.7
		28	NW 1/4 SE 1/4	4.0
		28	SW 1/4 NE 1/4	5.0
		33	NW 1/4 NW 1/4	29.2
		33	SW 1/4 NW 1/4	25.0

(If more space required, attach separate sheet)

(a) Character of soil ..... average

(b) Kind of crops raised ..... alfalfa and pasture

Power or Mining Purposes—

9. (a) Total amount of power to be developed ..... theoretical horsepower.

(b) Quantity of water to be used for power ..... sec. ft.

(c) Total fall to be utilized ..... feet.  
(Head)

(d) The nature of the works by means of which the power is to be developed .....

(e) Such works to be located in ..... of Sec. RECEIVED BY OV

Tp. .... R. .... W. M.  
(Tls. N. or S.) (Tls. E. or W.)

(f) Is water to be returned to any stream? .....  
(Yes or No)

(g) If so, name stream and locate point of return ..... SALEM, OR

Sec. .... Tp. .... R. .... W. M.  
(Tls. N. or S.) (Tls. E. or W.)

(h) The use to which power is to be applied is .....

(i) The nature of the mines to be served .....

10. (a) To supply the city of \_\_\_\_\_  
\_\_\_\_\_ County, having a present population of \_\_\_\_\_  
and an estimated population of \_\_\_\_\_ in 19\_\_\_\_

(b) If for domestic use state number of families to be supplied \_\_\_\_\_

11. Estimated cost of proposed works, \$ 18,754.20

12. Construction work will begin on or before April 1, 1963

13. Construction work will be completed on or before June - 1964

14. The water will be completely applied to the proposed use on or before July, 1964

*Ray W. Duggan*  
*Walter R. Duggan*

Remarks: This land lies above existing irrigation canals and by pumping it can be brought under irrigation. The average rainfall is about 12" per year. There is ample water available and by sprinkling we can reduce needed water for land now flooded. With good conservation practices along the canal there would be more water than could be used.

Item 4: Prairie Creek: N 63°32' W, 2337 ft. from the SE corner of section 26, T2S, R45E being within the SW 1/4 SW 1/4 of Sec. 26.  
Mallem River: S 68°58' E, 1968.7 ft. from the NW corner of Sec. 5, T3S, R45E, W1 being within the NW 1/4 (lot 2) of Sec. 5.  
McOully Creek: N 76°00' W, 1462 ft. from the SE corner of Sec. 2, T2S, R45E, W1 being within the SW 1/4 SW 1/4 of Sec. 2.

STATE OF OREGON, }  
County of Marion, }

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for \_\_\_\_\_ correction.

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before June 18, 1963.

WITNESS my hand this 18 day of April, 1963.

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CERIE L. WHEELER  
By *Walter R. Duggan*  
MEMORANT

SALEM, OR

STATE OF OREGON,  
County of Marion,

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 3.67 cubic feet per second measured at the point of diversion from the stream, or the equivalent in case of rotation with other water users, from Willama River, Paulsboro Creek and McOally Creeks being 1.67 c.f.s. from Willama River, 1.0 c.f.s. from Paulsboro Creek and 1.0 c.f.s. from McOally Creek.

The use to which this water is to be applied is Irrigation

If for irrigation, this appropriation shall be limited to 1408 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 36 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the lower Grande Ronde River is more than 300 c.f.s. at DBS8 Gaug. Sta. 3525 and more than 400 c.f.s. at Ore-leach bridge RECEIVED BY OWRD

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and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is April 11, 1963

Actual construction work shall begin on or before June 24, 1964 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1965

Complete application of the water to the proposed use shall be made on or before October 1, 1965

WITNESS my hand this 24th day of June 19 63

*Chris L. Minkler*  
STATE ENGINEER

Application No. 38654  
Permit No. 28791

**PERMIT**  
TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE  
OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 11th day of April 1963 at 8:00 o'clock A. M.

Returned to applicant:

Approved:

June 24, 1963

Recorded in book No. 80 of 28791 Permits on page

CHRIS L. MINKLER  
STATE ENGINEER

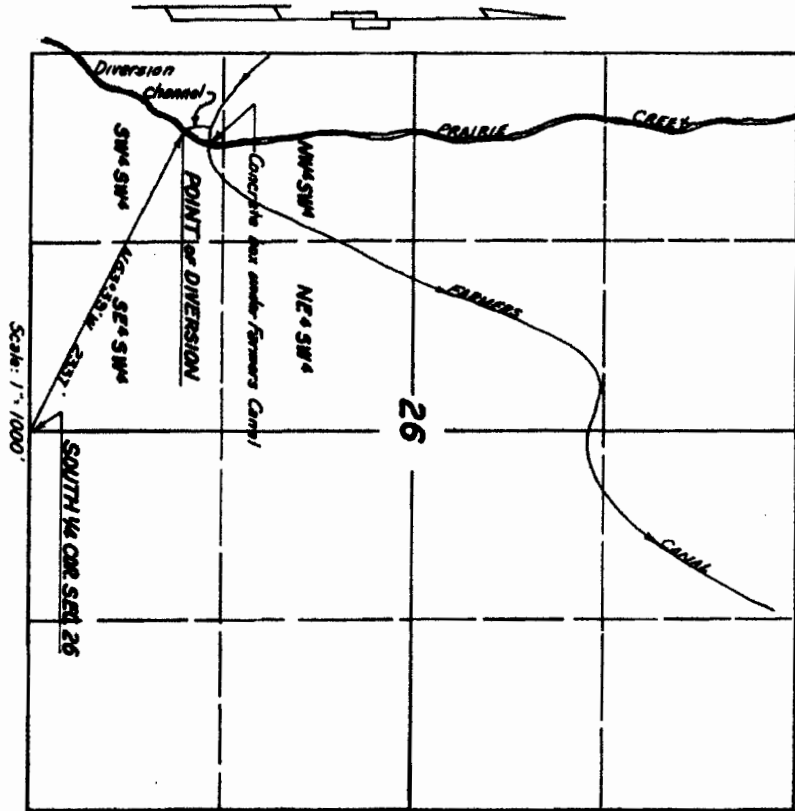
Drainage Basin No. 8 page 28738

Fees





T2S. R45E.W.M.



POINT OF DIVERSION: Taken at the point where the water of Prairie Creek is directed into the Farmers Canal and which bears N 63° 39' W a distance of 2337 feet from the South 1/4 corner of Sec. 26, T2S, R45E, W.M.

Surveyed and plotted for Roy W. Duggell  
By: Verne H. Russell (Reg. Prof. Land Surveyor - Ore. No. 427) Date: May 14, 1965

Application No. 38654

Application No. 38654  
Permit No. 28791

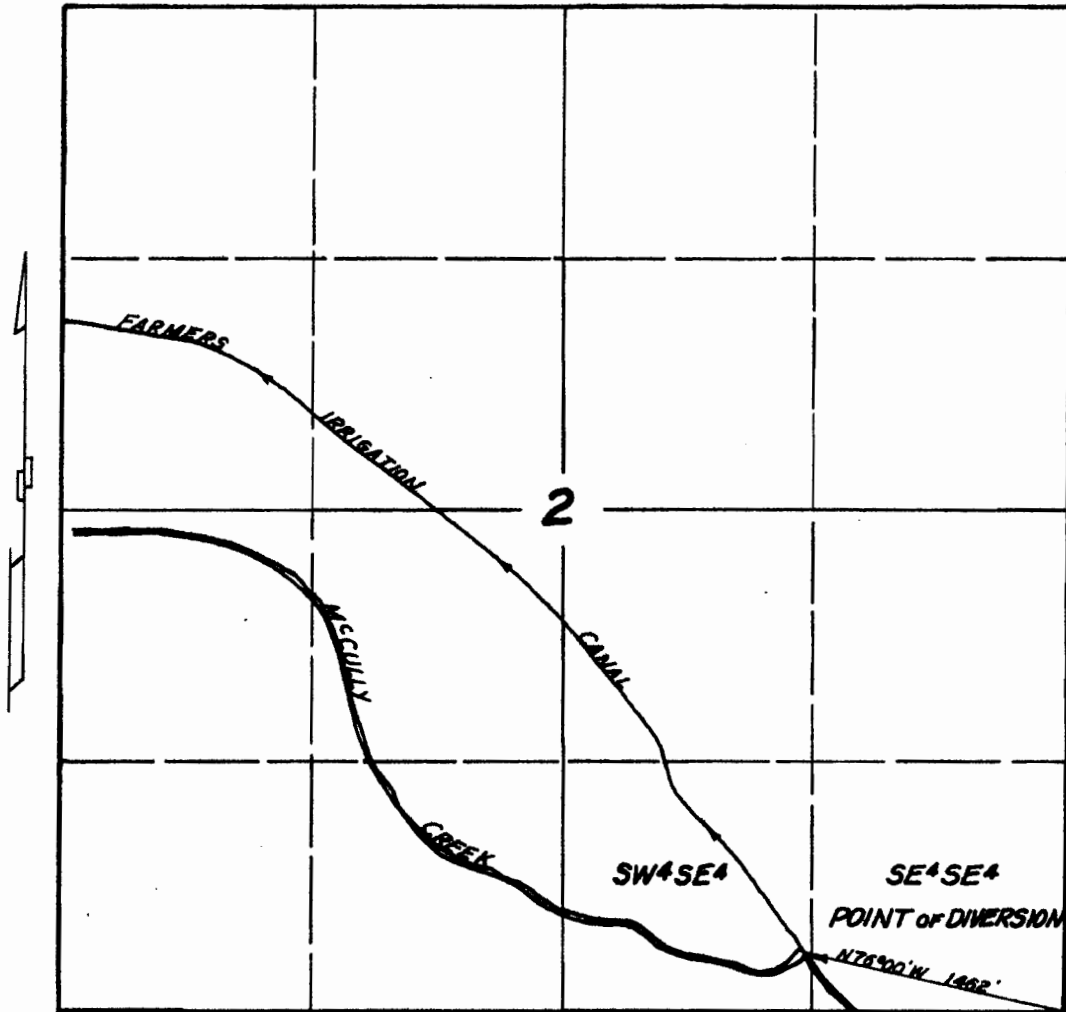
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**T2S, R45E.W.M.**



Scale: 1" = 1000'

*M<sup>c</sup>Cully Creek and the Farmers Canal occupy the same channel from the P.O.D. South*

**POINT OF DIVERSION:** Taken at the point where the flood water of M<sup>c</sup>Cully Creek are diverted into the Farmers Canal and which bears N76°00'W a distance of 1462 feet from the SE corner of Sec. 2, T2S, R45E.W.M.

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Surveyed and plotted for Roy W. Daggett  
 By: Verne H. Russell (Reg. Prof. Land Surveyor-Ore. N<sup>o</sup> 427)

Date: May 18, 1963

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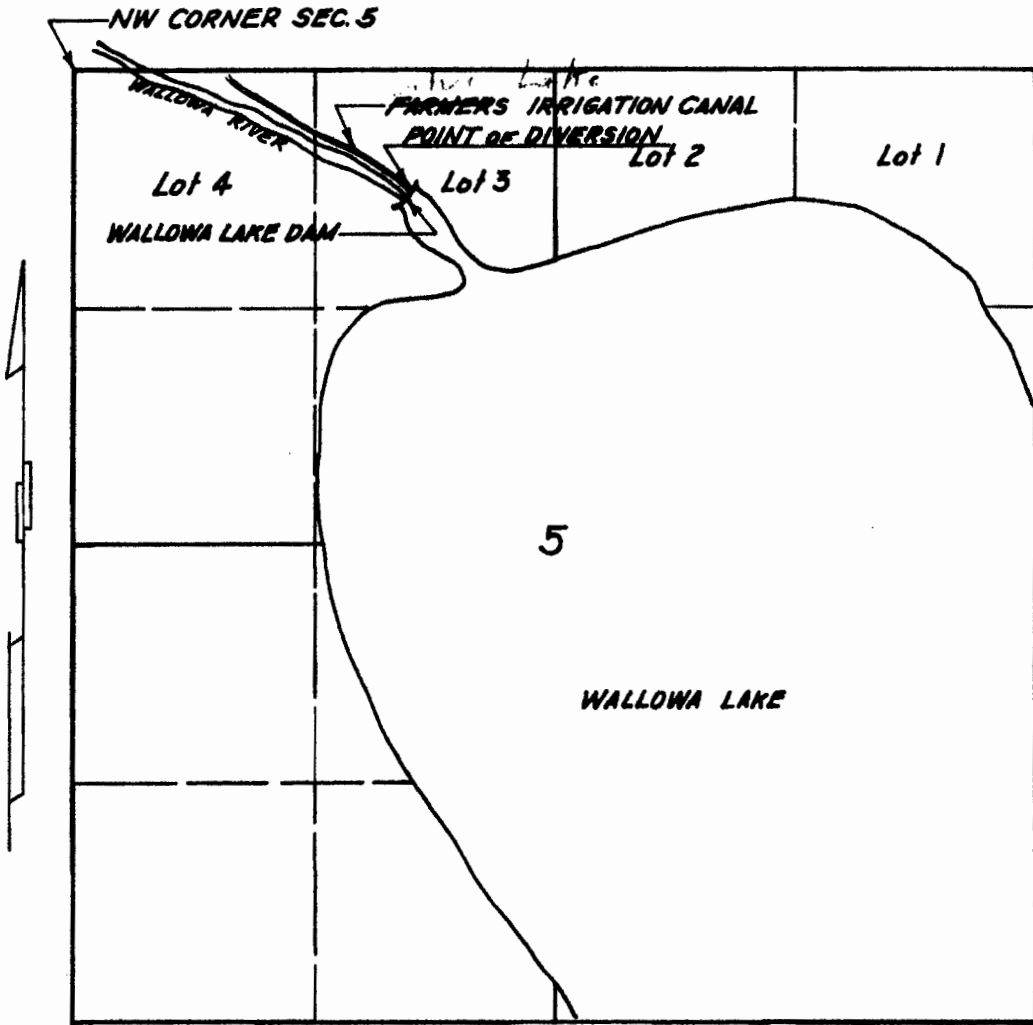
Application N<sup>o</sup> 38654

**Application No. 38654**  
**Permit No. 28791**

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T3S, R45E.W.M.



Scale: 1" = 1000'

**POINT OF DIVERSION:** Taken at the center of the spillway crest of the Wallowa Lake Dam above the outlet to the Farmers Irrigation Canal and is S68°58'E a distance of 1968.7 feet from the NW Corner of Sec. 5, T3S, R45E.W.M.

Surveyed and plotted for Roy W. Daggett  
By: Verne H. Russell (Reg. Prof. Land Surveyor - Ore. No 427)

Date: May 10, 1963

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Application No 38654

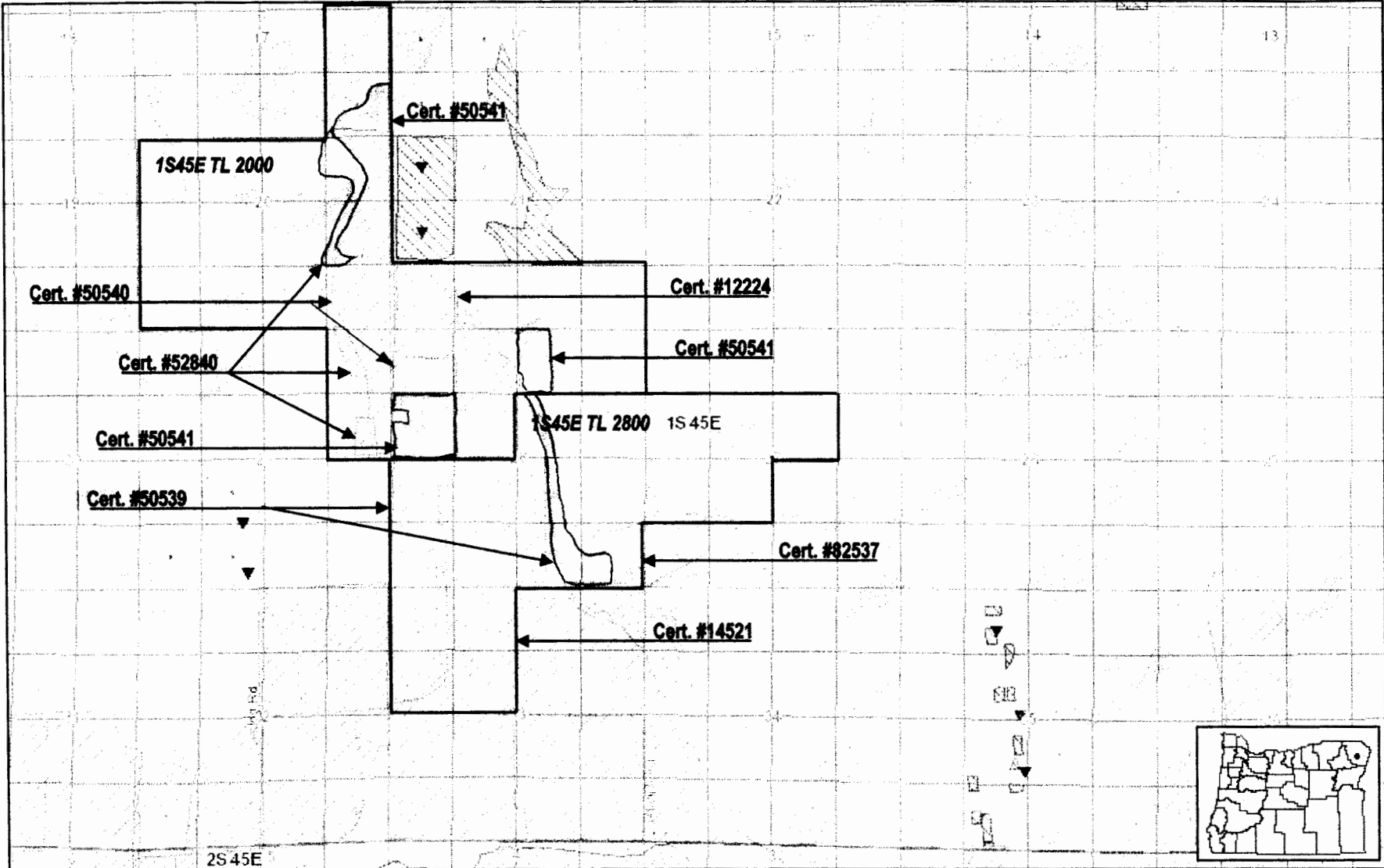
Application No. 38654  
Permit No. 28791

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# OR Water Resources Map

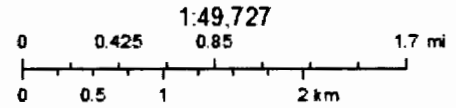
Oregon Water Resources Department  
 725 Summer St NE, Suite A, Salem, OR 97301  
 (503)986-0900



- POD - Storage water  POU - Surface water
- POU - Storage water  POD - Groundwater
- POD - Surface Water  POU - Groundwater

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National Geographic Esri DeLorme NAVTEQ LNEP-WC/MC USGS  
 NASA, ESA, METI, NRCAN, GEBCO, NOAA, IPC

Send Tax Statements To:

No Change

After Recording Return To:

D. Charles Mauritz  
1300 S.W. Fifth Avenue, Suite 2300  
Portland, Oregon 97201

STATE OF OREGON  
COUNTY OF WALLOWA

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

CHARLOTTE MCIVER  
Wallowa County Clerk

by: Jean Smith  
County Clerk/Deputy.

Doc#: 2000-40577  
Rcpt: 37363 21.00  
02/11/2000 4:29 pm

WARRANTY DEED

Wilfred R. Daggett and \_\_\_\_\_  
Grantors, convey and warrant to Daggett 99 LLC, Ore limited liability co., Grantee, the real  
property situated in Wallowa County, Oregon, and described on Exhibit A attached hereto.

See attached Exhibit A.

This property is subject to all restrictions, easements, encumbrances, liens and obligations of record  
as of the date hereof; provided, however, the liability and obligations of Grantors to Grantees and Grantees'  
heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited  
to the amount, nature and terms of any indemnification available to Grantors under any title insurance  
policy. The limitations contained herein expressly do not relieve Grantors of any liability or obligations  
under this instrument, but merely define the scope, nature and amount of such liability or obligations.

The true consideration for this conveyance is none.

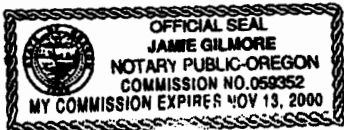
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN  
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS  
INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE  
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE  
ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 5th day of November, 1998.

Wilfred Daggett  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON )  
                          ) ss.  
County of Multnomah )

ACKNOWLEDGED before me on Nov. 5, 1998 by Wilfred R. Daggett  
and \_\_\_\_\_



Jamie Gilmore  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 11-13-00

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Exhibit A

Township 1 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon

- Section 17: SE1/4SE1/4
- Section 20: NE1/4NE1/4, S1/2N1/2, N1/2S1/2, SE1/4SE1/4
- Section 21: S1/2S1/2
- Section 28: N1/2N1/2, S1/2NW1/4
- Section 29: E1/2NE1/4

Township 1 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon

- Section 25: W1/2SW1/4
- Section 26: S1/2NE1/4, SE1/4NW1/4, S1/2
- Section 27: SW1/4NE1/4, S1/2NW1/4, N1/2SW1/4
- Section 28: S1/2NE1/4, S1/2
- Section 33: NW1/4
- Section 34: NE1/4, W1/2Se1/4
- Section 35: W1/2NW1/4

Township 2 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon

- Section 3: That portion of Lot 3 (NE1/4NW1/4) lying North and East of the Farmers Water Ditch

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