



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

Mailing Address: P.O. BOX D

ENTERPRISE OR 97828  
City State Zip

Phone: 541-432-5811 541-432-9580   
Home Work Other

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### PROPERTY BUYER INFORMATION

Applicant(s): DAGGETT PROPERTIES LLC DAGGETT 99 LLC MAR 17 2014  
First Last Other

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: 20, 28, 29

Tax Lot Number(s): 2000

Street address of water right property: NONE AVAILABLE

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

Application #: 49012 Permit #: 36072 Certificate or Page #: 50540

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.**

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Roy W. Daggett (Name of applicant)  
of Joseph (Mailing address)  
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 (1) Wallowa River, (2) McCully Creek & (3) Prairie Creek, a tributary of Grande Ronde River  
2. The amount of water which the applicant intends to apply to beneficial use is 4.10 cubic feet per second. 2.1 from Wallowa R., 1.0 from McCully Crk. & 1.0 from Prairie Crk.  
3. The use to which the water is to be applied is Irrigation

4. The point of diversion is located See below - ft. and ft. from the corner of (1) S68 58'E 1988.7' from NW cor. of Sec. 5, T. 3S R. 45E (2) N76 00'W 1462' from SE cor. of Sec. 2, T. 2S R. 45E (3) N63 39'W 2337' from South 1/4 cor. of Sec. 26, T. 2S R. 45E

being within the (1) NE 1/4 NW 1/4 of Sec. 5, T. 3S R. 45E (2) SW 1/4 SE 1/4 of Sec. 2, T. 2S R. 45E (3) S 1/4 SW 1/4 of Sec. 26, T. 2S R. 45E  
5. The Mainline from Southerly pump station to be 3440' in length, terminating in the NE 1/4 NE 1/4 of Sec. 29, Tp. 1S R. 45E

DESCRIPTION OF WORKS

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction  
(b) Description of headgate  
(c) If water is to be pumped give general description (1) 6x8x8 75 HP Double Suction Cent. (2) 5x5x7 50 HP Cent. - 792 gpm @ 189 T.D.H.

\*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—

36072

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.

(c) Length of pipe, (1) 3440 ..... ft.; size at intake, 10 ..... in.; size at ..... 3320 ..... ft. (2) 3920 ..... ft.; size at intake, 8 ..... in.; size at ..... 3920 ..... ft. from intake ..... 6 ..... in.; size at place of use ..... 6 ..... in.; difference in elevation between intake and place of use, ..... 10 ..... ft. Is grade uniform? Yes Estimated capacity, ..... 2 ..... sec. ft.

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

Township North or South	Range E. or W. of Williston Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
1S	45E	20	SE $\frac{1}{4}$ NE $\frac{1}{4}$	26.0
		20	NE $\frac{1}{4}$ SE $\frac{1}{4}$	30.0
		20	SE $\frac{1}{4}$ SE $\frac{1}{4}$	36.0
		21	SW $\frac{1}{4}$ SW $\frac{1}{4}$	9.1
		28	NW $\frac{1}{4}$ NW $\frac{1}{4}$	<del>19.2</del> 32.1 <i>It dated 2-11-73</i>
		29	NE $\frac{1}{4}$ NE $\frac{1}{4}$	27.0
		29	SE $\frac{1}{4}$ NE $\frac{1}{4}$	17.0
				<del>164.2</del>
				184.2

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(If more space required, attach separate sheet)

(a) Character of soil ..... Light sandy loam (ashy) ..... MAR 17 2014

(b) Kind of crops raised ..... Alfalfa & pasture .....

Power or Mining Purposes—

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

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

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

(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. ....

Tp. ...., R. ...., W. M. ....

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

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

....., Sec. ...., Tp. ...., R. ...., W. M. ....

(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 .....

(Name of)

and an estimated population of ..... in 19.....

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

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$..... 18,760 .....

12. Construction work will begin on or before ..... 5-1-72 .....

13. Construction work will be completed on or before ..... 5-1-73 .....

14. The water will be completely applied to the proposed use on or before ..... 5-1-74 .....

*Roy W. Tappett*  
(Signature of applicant)

P

Remarks: The surveyed maps for the points of diversion are identical and attached to prior Permit #28791.

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STATE OF OREGON, }  
County of Marion, } ss.

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., 19.....

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

By ..... ASSISTANT

PERMIT

STATE OF OREGON, }  
County of Marion, } ss.

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 4.10 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Wallowa River, McCully Creek and Prairie Creek

The use to which this water is to be applied is irrigation, being 2.10 cfs from Wallowa River, 1.0 cfs from McCully Creek and 1.0 cfs from Prairie Creek

If for irrigation, this appropriation shall be limited to 1/40 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 3/4 acre feet per acre for each acre irrigated during the irrigation season of each year.

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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 February 24, 1972

Actual construction work shall begin on or before September 18, 1973 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1974.

Complete application of the water to the proposed use shall be made on or before October 1, 1975.

WITNESS my hand this 18th day of September, 19 72.

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 49012  
Permit No. 36072

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 24th day of February  
1972, at 11:15 o'clock A M.

Returned to applicant:

Approved:

September 18, 1972

Recorded in book No. 36072 of  
Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Duplicate Basin No. 8 page 308  
Fees 4.50c

## STATE OF OREGON

COUNTY OF

WALLOWA

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROY W. 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 150.9 acres

under Permit No. 36072 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 rights hereby confirmed dates from February 24, 1972

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 3.77 cubic feet per second, being 1.93 cfs from Wallowa River, 0.92 cfs from Prairie Creek, and 0.92 cfs from unnamed stream (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, T2S, 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; \*

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

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:

26.4 acres SE 1/4 NE 1/4

30.0 acres NE 1/4 SE 1/4

36.9 acres SE 1/4 SE 1/4

Section 20

20.6 acres NW 1/4 NW 1/4

Section 28

24.6 acres NE 1/4 NE 1/4

12.4 acres SE 1/4 NE 1/4

Section 29

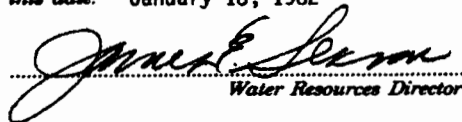
Township 1 South, Range 45 East, WM

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

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

Recorded in State Record of Water Right Certificates, Volume 44, page 50540

6672A

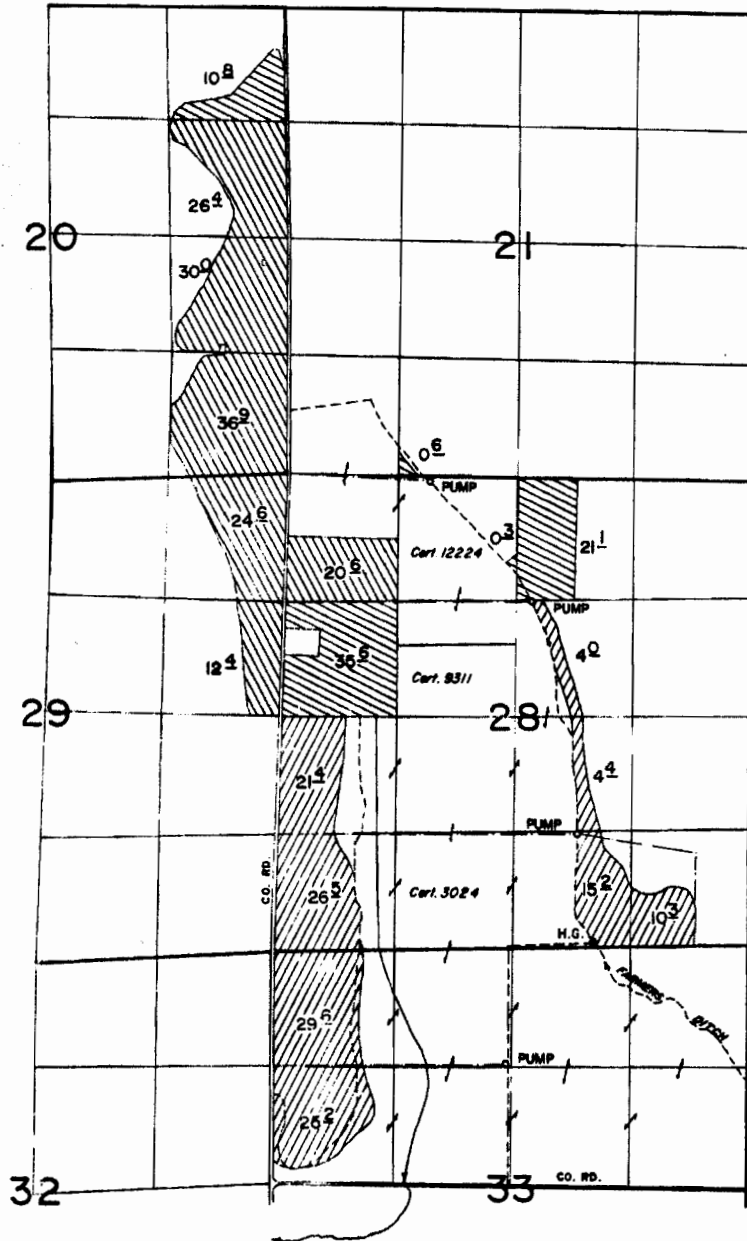
150.9 ACRES

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T. 1S., R. 45E., W.M.






**FINAL PROOF SURVEY**  
UNDER

38654                      28791  
49012                      36072  
Application No. 51885      Permit No. 38768  
IN NAME OF

ROY W. DAGGETT

Surveyed Nov. 4, 1975, by L. H. NUNN

-  Per. 28791
-  Per. 36072
-  Per. 38768

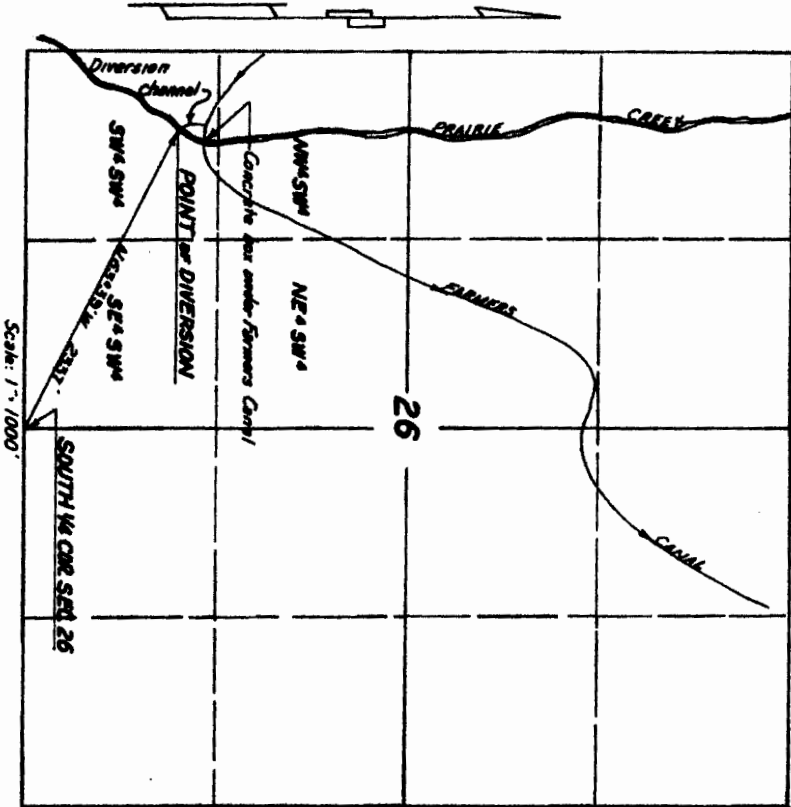
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888-3888-78  
2012 10/21-0  
Salem, Ore. Per.

72S, R45E, W1M.



POINT OF DIVERSION: Taken at the point where the water of Prairie Creek is diverted 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, W1M.

Surveyed and plotted for Roy W. Duggel  
By: Verne H. Russell (Reg. Prof. Land Surveyor - Or. No. 427) Date: May 18, 1963

Application No. 38654

Application No. 38654  
Permit No. 28791

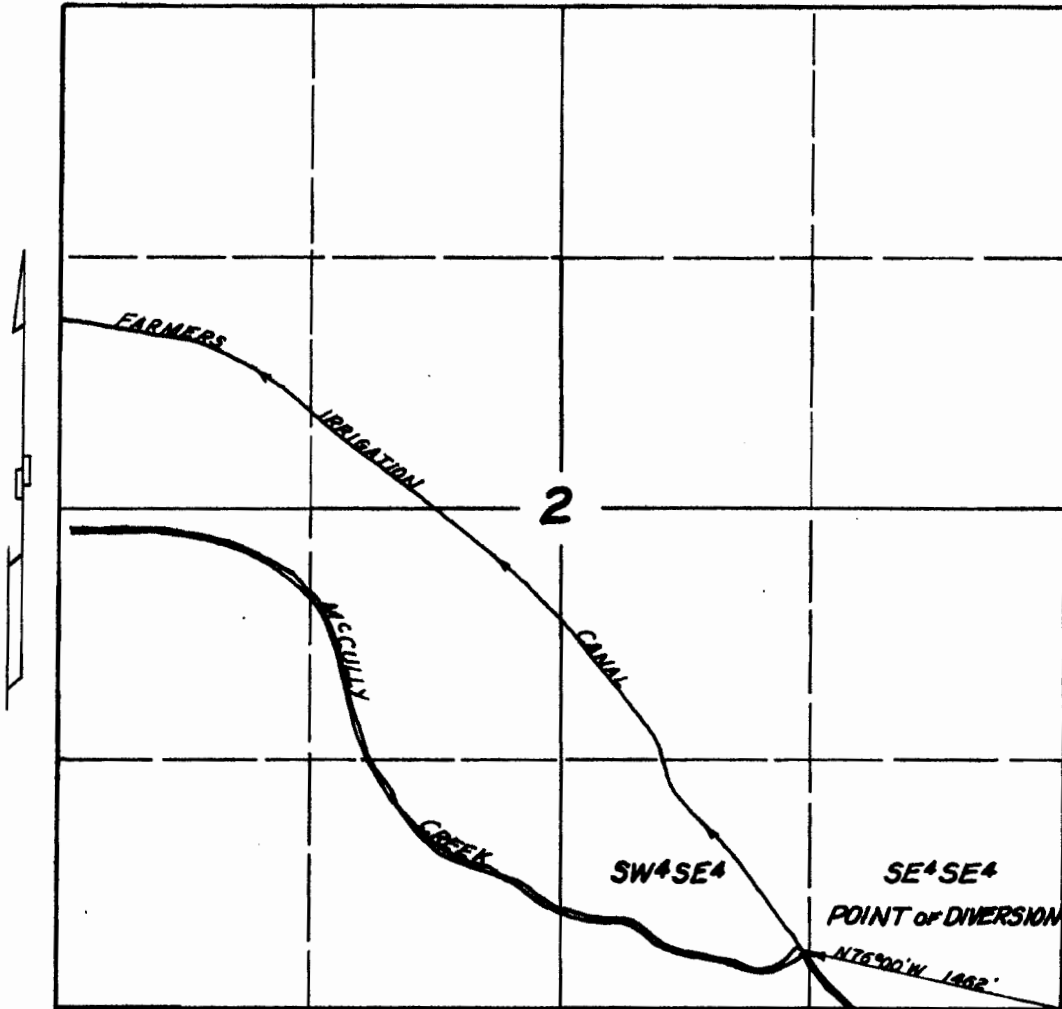
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**T2S, R45E.W.M.**



Scale: 1" = 1000'

*McCully 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 McCully 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.

Surveyed and platted for Roy W. Daggett

Date: May 18, 1963

By: Verne H. Russell (Reg. Prof. Land Surveyor - Ore. No. 427)

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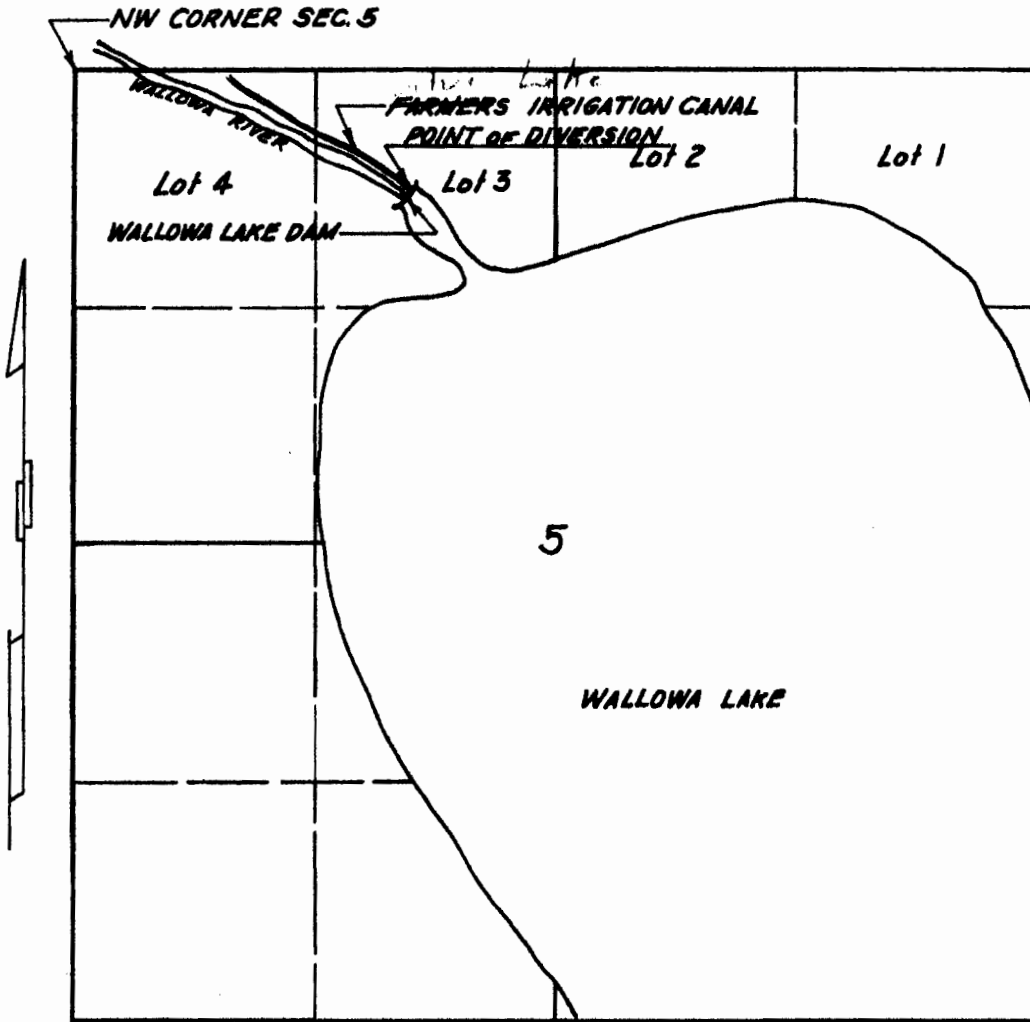
SALEM, OR

Application No. 38654

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

2 OF 4

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 18, 1963

Application No. 38654

Application No. 38654  
Permit No. 28791

4 of 4

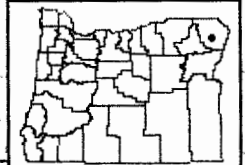
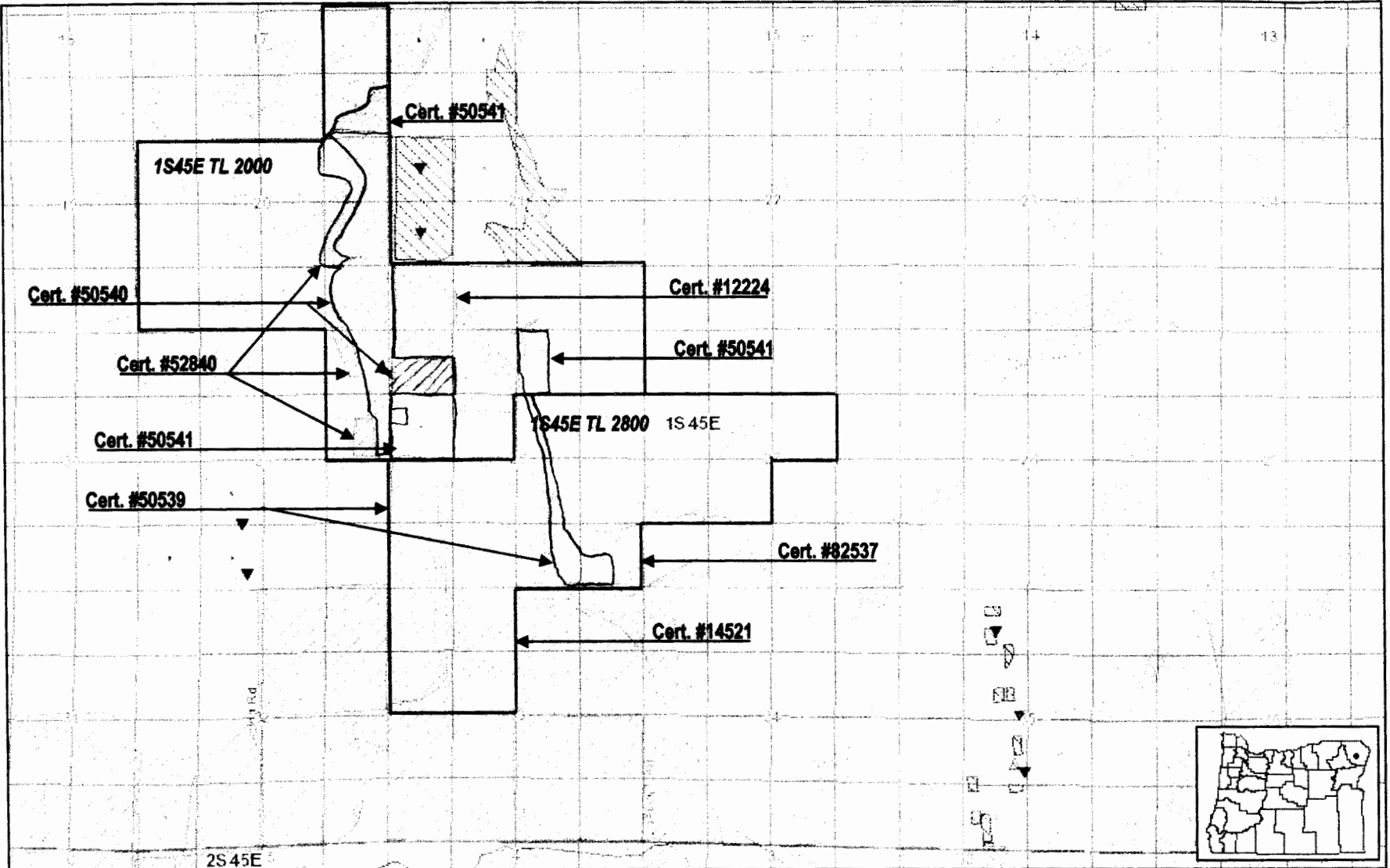
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# OR Water Resources Map

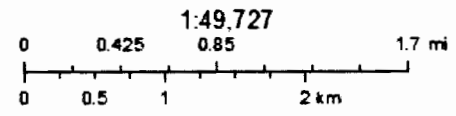
Oregon Water Resources Department  
 725 Summer St NE, Suite A, Salem, OR 97301  
 (503)986-0900



- 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, UNEP-WCNC, 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: Jam 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  
\_\_\_\_\_  
\_\_\_\_\_

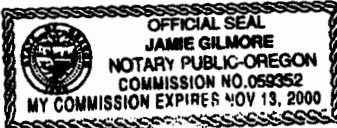
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STATE OF OREGON )  
                          ) ss.  
County of Multnomah )

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



Jamie B. St.  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 11-13-00

040577

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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