



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 97028
City State Zip
 Phone: 541-432-5811 541-432-9580
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): DAGGETT PROPERTIES LLC FORMERLY DAGGETT 99 LLC
First Last RECEIVED BY OWRD
 Mailing Address: P.O. BOX D MAR 17 2014
ENTERPRISE OR 97028 SALEM, OR
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
 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 #: 51885 Permit #: 38768 Certificate or Page #: 50541

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. 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 McCully Creek

a tributary of Grande Ronde River for the purpose of irrigation of 68.4 acres

under Permit No. 38768 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 April 30, 1974

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 1.71 cubic feet per second, being 0.85 cfs from Wallowa River, 0.43 cfs from Prairie Creek, and 0.43 cfs from 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 NW 1/4 NW 1/4, Section 5, T3S, R45E, WM; Wallowa River -- South 77 degrees, 20 minutes East, 624 feet from NW Corner, Section 5; SW 1/4 SW 1/4, Section 26, T2S, R45E, WM; Prairie Creek -- North 63 degrees, 39 minutes West, 2,337 feet from S 1/4 Corner, Section 26; NE 1/4 NW 1/4, Section 19, T3S, R46E, WM; McCully Creek -- 2,300 feet East from NW *

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:

* Corner, Section 19

10.8 acres NE 1/4 NE 1/4
Section 20
0.6 acre SE 1/4 SW 1/4
Section 21
21.1 acres NW 1/4 NE 1/4
0.3 acre NE 1/4 NW 1/4
35.6 acres SW 1/4 NW 1/4
Section 28
Township 1 South, Range 45 East, WM

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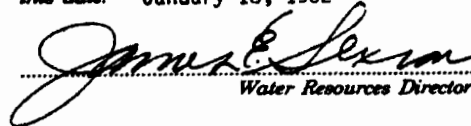
MAR 17 2014

SALEM, OR

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 50541

6671A

68.4 ACRES

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APR 3 0 1974

STATE ENGINEER
SALEM, OREGON

Permit No. 38768

*APPLICATION FOR PERMIT

CERTIFICATE NO. 54541

To Appropriate the Public Waters of the State of Oregon

I, Roy W. Daggett (Name of applicant)
of Box D (Mailing address), Joseph (City)
State of Oregon 97846 (Zip Code), 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, McCully Crk. & Prairie Crk.
McCully Crk. trib. of Little Sheep Crk. trib. of Imnaha R. (Name of stream)
Prairie Crk. trib. of Wallowa River, a tributary of Grande Ronde River

2. The amount of water which the applicant intends to apply to beneficial use is 1.80
cubic feet per second 0.2 from Wallowa R., 0.45 from McCully Crk. & 0.45 from Prairie Crk.
(If water is to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of See Below
(Section or subdivision)

Wallowa R. S. 77°20' E. 624 feet from NW cor. of sect. 5, within NW 1/4 sect. 5 - 3S. 46E.
McCully Crk. 1200' S. & 1200' W. from NE cor. of sect. 19, within NE 1/4 sect. 19 - 3S. 46E.
2337 feet
Prairie Crk. N. 63°39' W. from SE cor. of sect. 26, within SW 1/4 sect. 26 - 2S. 46E.
(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
being within the See above of Sec. Tp. (N. or S.)
(Give smallest legal subdivision)

R. W. M., in the county of Wallowa
(E. or W.)

5. The Farmers Ditch existing system to be
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the of Sec. Tp. (N. or S.)
(Smallest legal subdivision)

R. W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

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
(Loose rock, concrete, masonry,
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description
S. pump— 6" Centrifugal
N. pump— 6" Centrifugal
(Size and type of pump)
2— 75 hp Electric with 2' suction lift
(Size and type of engine or motor to be used, total head water to be lifted, etc.)

* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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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.

(c) Length of pipe, ft.; size at intake, 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? Estimated capacity, sec. ft.

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

Township North or South	Range E. or W. of Williams Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
1 S.	45 E.	20	NE 1/4 NE 1/4	10.0
"	"	21	SE 1/4 SW 1/4	3.0
"	"	28	NW 1/4 NE 1/4	20.0
"	"	28	SW 1/4 NW 1/4	39.1
			Total -	72.1

(If more space required, attach separate sheet)

(a) Character of soil River loam

(b) Kind of crops raised Hay, grain & 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.

(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

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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, \$... 32,000 (includes other system)
- 12. Construction work will begin on or before Completed
- 13. Construction work will be completed on or before Completed
- 14. The water will be completely applied to the proposed use on or before Completed

J. P. W. Taylor
(Signature of applicant)

Remarks: Some controversy in the past over the McCully Creek diversion but the original Farmers Ditch filing (Per. #14859) shows it as shown on this application. Permits #28791, #28864 & #36072 need corrections on both the diversions of Wallowa River & McCully Crk.

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

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PERMIT

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 1.8 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, being 0.9 c.f.s. from Wallowa River, 0.45 c.f.s. from McCully Creek, and 0.45 c.f.s. from Prairie Creek

The use to which this water is to be applied is for irrigation

If for irrigation, this appropriation shall be limited to 1/40th 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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

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 30, 1974

Actual construction work shall begin on or before November 18, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977

Complete application of the water to the proposed use shall be made on or before October 1, 1978

WITNESS my hand this 13th day of November, 1975

James C. [Signature]
Water Resources Director

Application No. 5185
Permit No. 38768

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 30th day of April, 1974, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. 38768 of

STATE ENGINEER

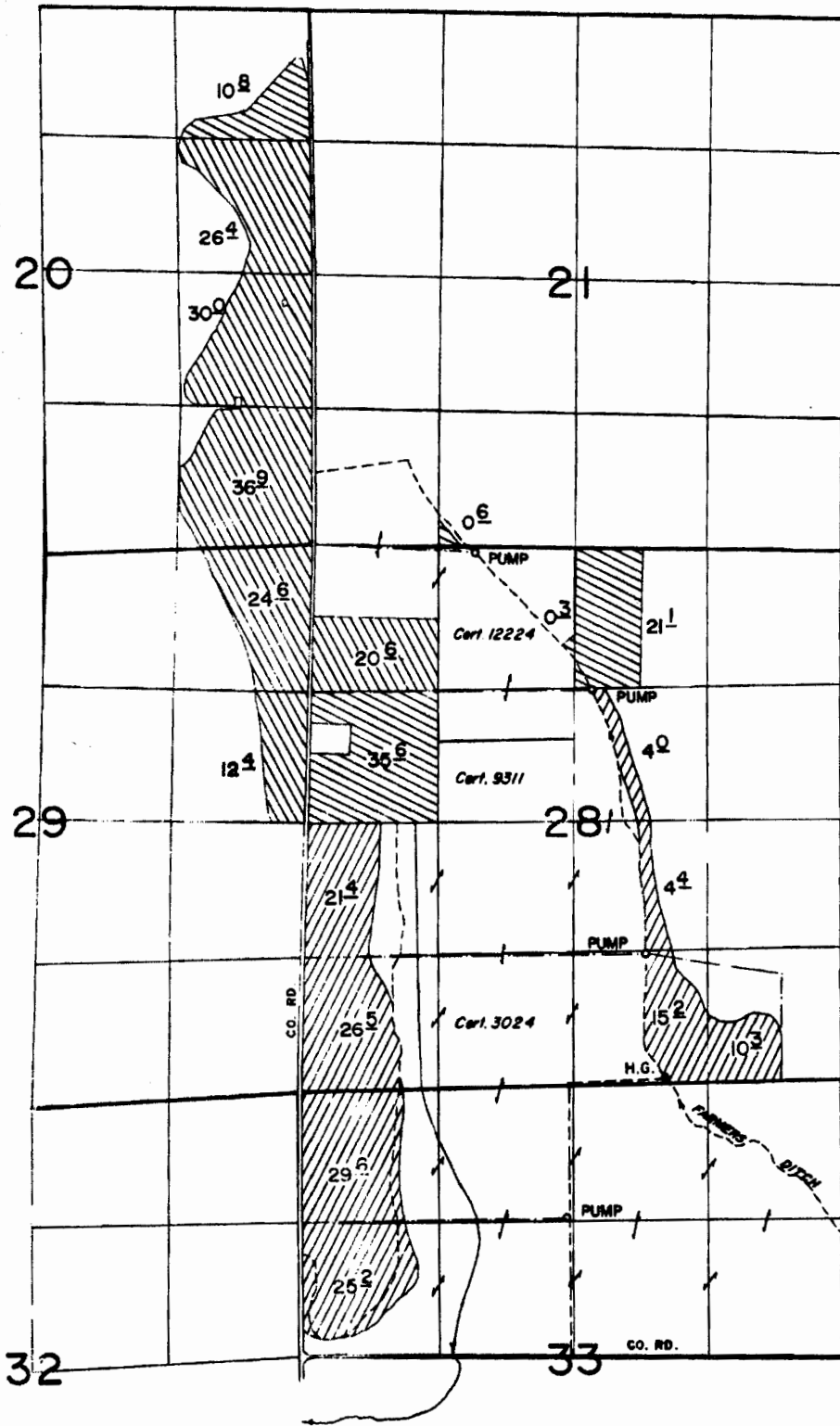
Drainage Basin No. 2 page 22

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



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

SALEM, OR

FINAL PROOF SURVEY
UNDER

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

ROY W. DAGGETT

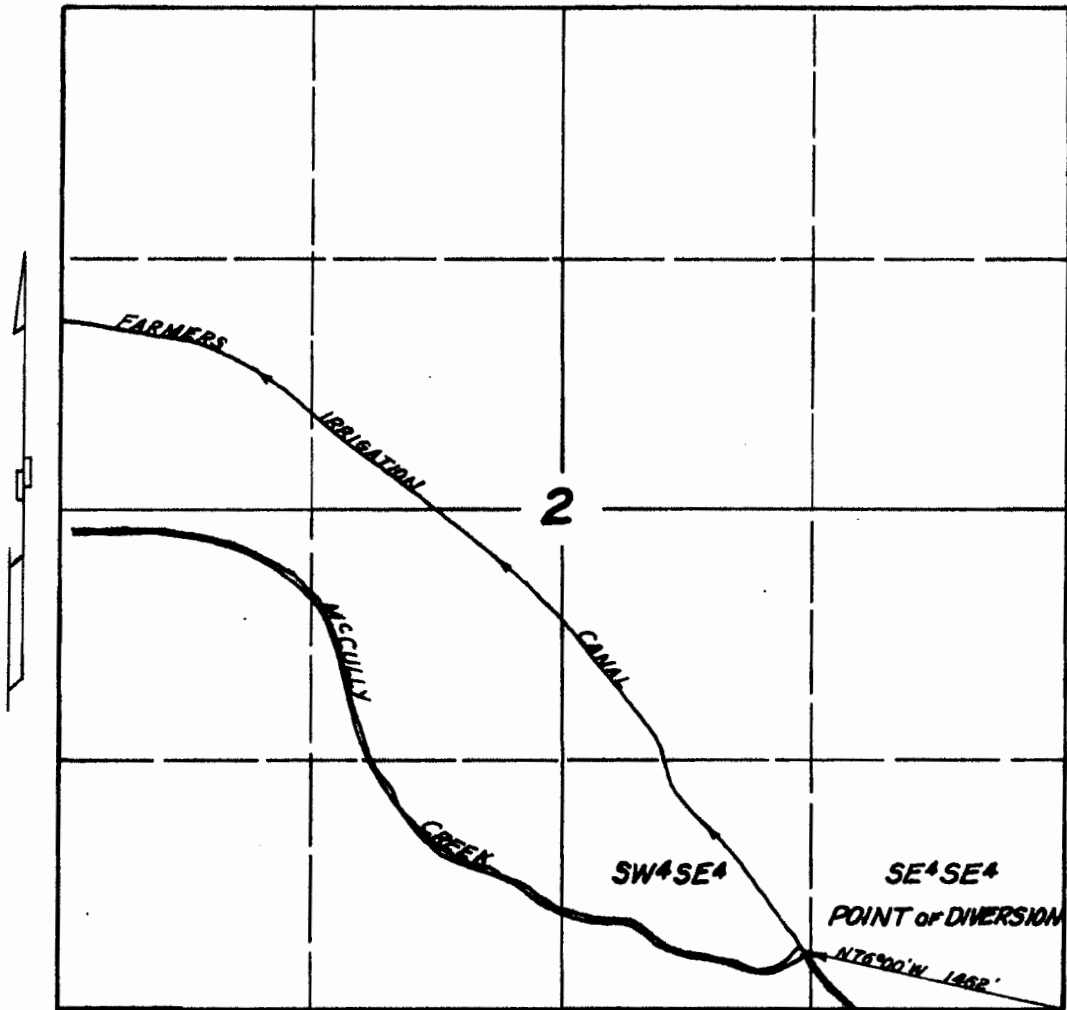
Surveyed Nov. 4 1975, by L. H. NUNN

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

28A-344-73
DWS 1028-R
ENR - Div. PWS

Map 11 200-11

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
 By: Verne H. Russell (Reg. Prof. Land Surveyor-Ore. N° 427)

Date: May 18, 1963

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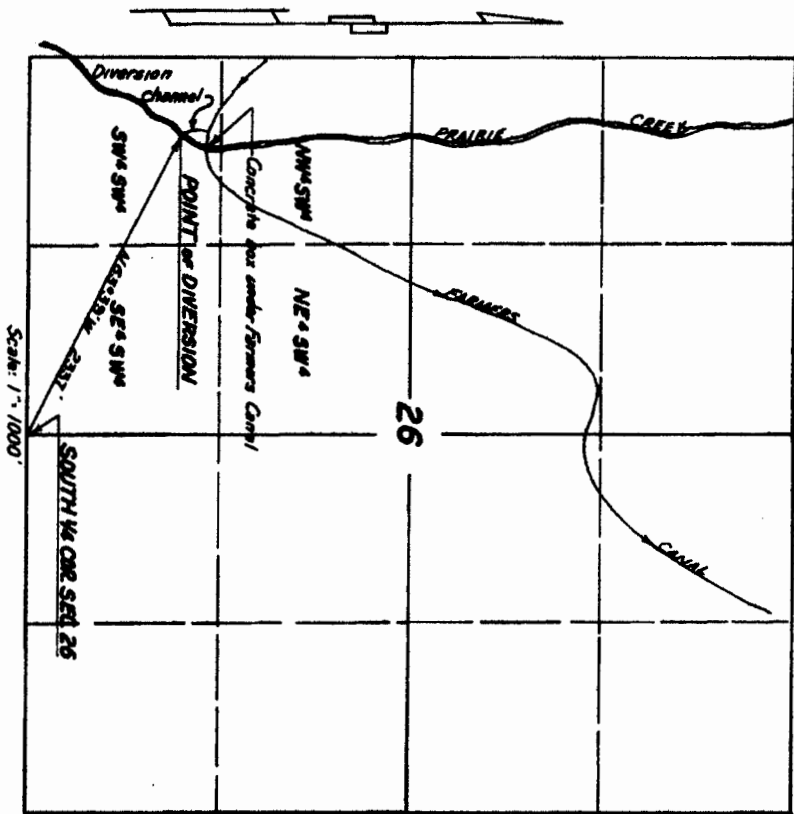
Application No. 38654

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

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2 OF 4

725. R45E.W.M.



POINT OF DIVERSION: Taken at the point where the water of Prairie Creek is diverted into the Farmers Canal and which bears N63°39'W a distance of 2357 feet from the South 1/4 corner of Sec. 26, T25. R45E.W.M.

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

Application No. 38654

Application No. 38654
Permit No. 28791

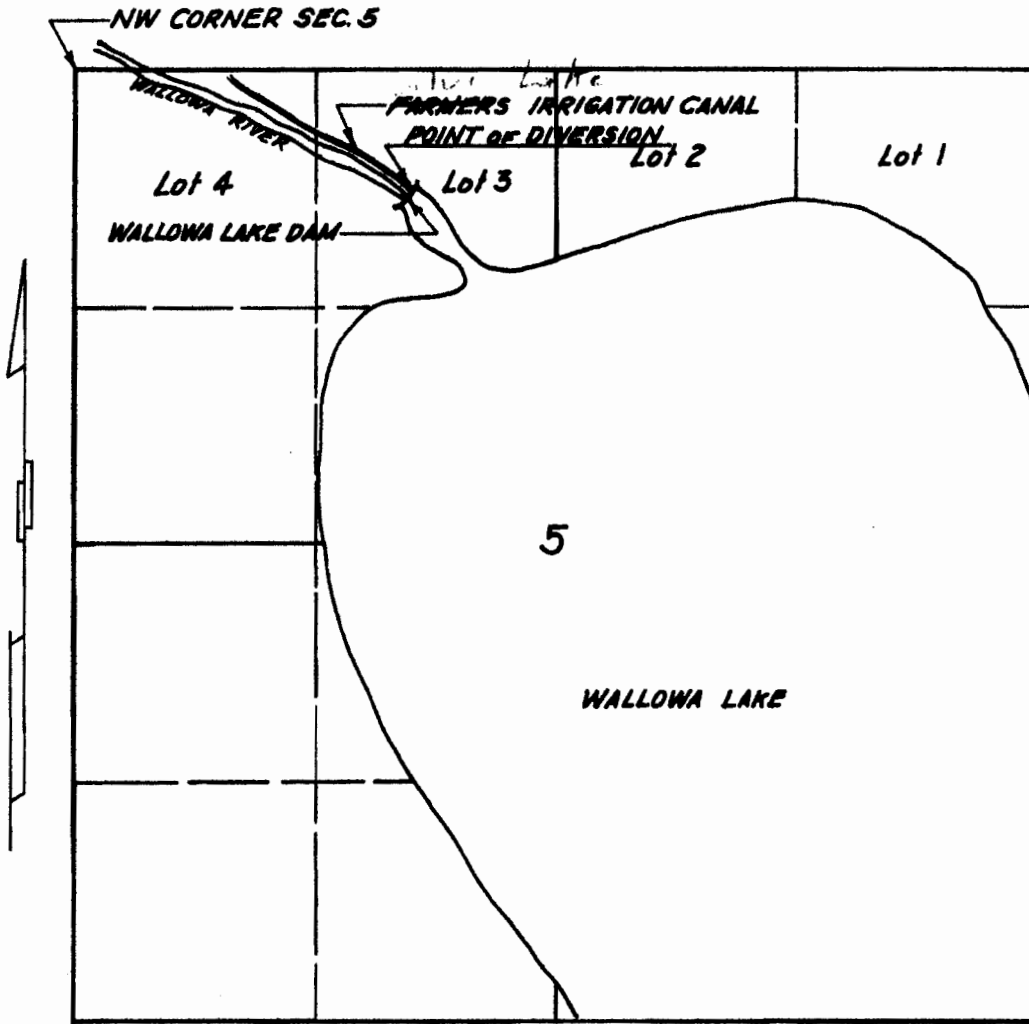
3 of 4

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T3S, R45E.W.M.



Scale: 1" = 1000'

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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.

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

Date: May 10, 1963

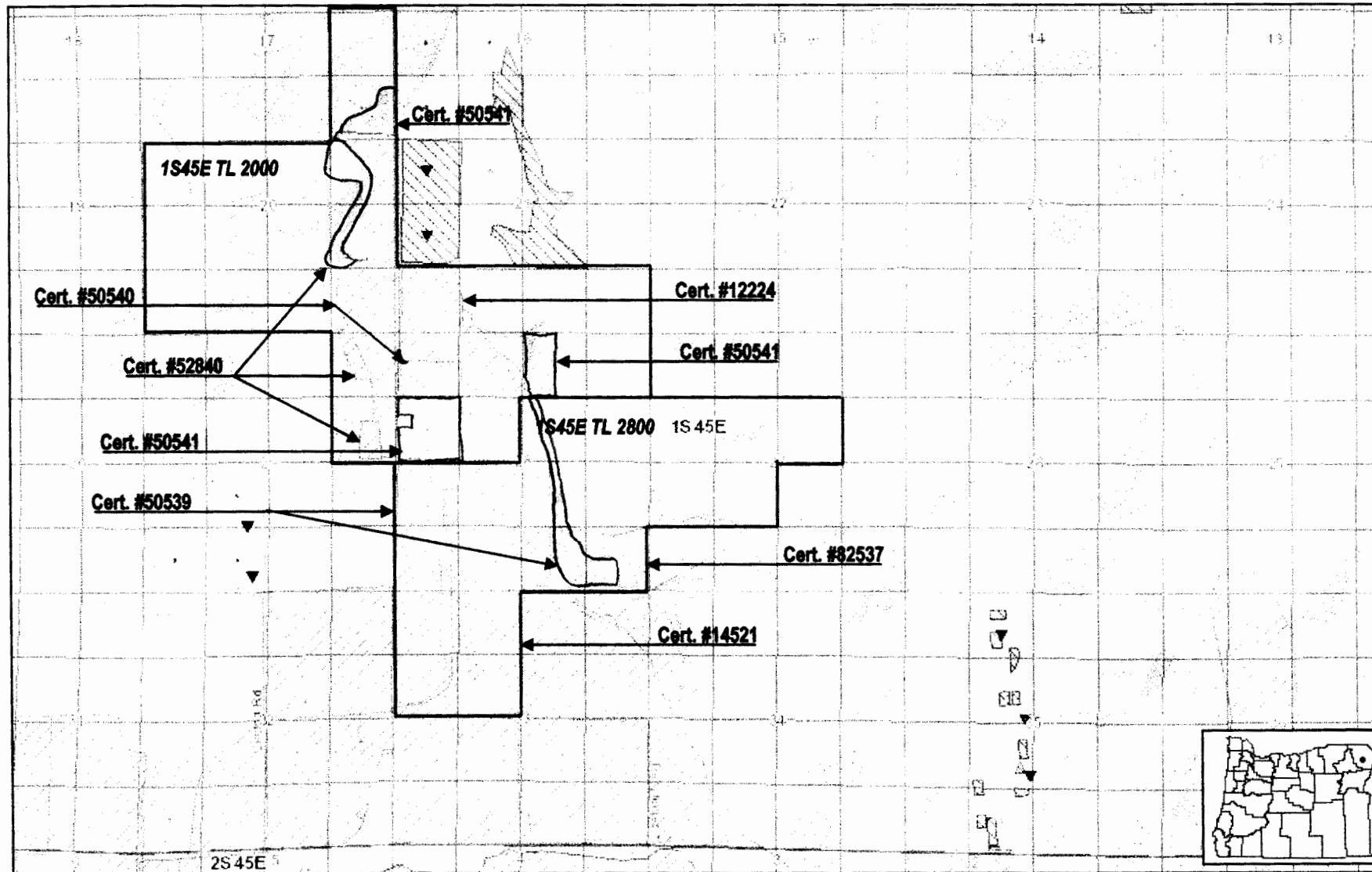
Application No. 38654

Application No. 38654
Permit No. 28791

4-54

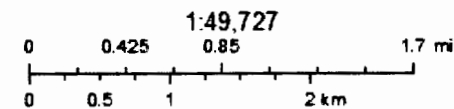
OR Water Resources Map

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-WC/MC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, IPC

January 22, 2014

Disclaimer: <http://www.oregon.gov/owrd/pages/MAPS/index.aspx#D> is claimer

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Map generated by Oregon Water Resources Department

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.

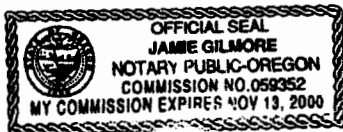
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS
INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO 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

STATE OF OREGON)
) ss.
County of Multnomah)

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



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

040577

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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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