



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

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PROPERTY BUYER INFORMATION

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

Tax Lot Number(s): 2800

Street address of water right property: ~~None Available~~ 66851 REPLINGER, JOSEPH, OR

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

Application #: 63246 Permit #: 46931 Certificate or Page #: 82537

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

WALLOWA COUNTY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 63246 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Roy W. and Wilfred R. Daggatt of PO Box D, Enterprise, Oregon 97828, phone 426-4588, for the use of the waters of Wallowa River, Prairie Creek and an unnamed stream locally known as McCully Creek, being 0.43 cubic foot of water per second from Wallowa River, 0.22 cfs from Prairie Creek and 0.22 cfs from the unnamed stream, for the PURPOSE of irrigation; that the PRIORITY OF THE RIGHT dates from February 8, 1982, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.87 cfs measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINTS OF DIVERSION are to be LOCATED: Wallowa River - South 77 degrees, 20 minutes East, 624 feet from the Northwest Corner of Section 5, being within the NW 1/4 NW 1/4 of Section 5, Township 3 South, Range 45 East; Prairie Creek - North 63 degrees, 39 minutes West, 2,337 feet from the S 1/4 Corner of Section 26, being within the SW 1/4 SW 1/4 of Section 26, Township 2 South, Range 45 East; and Unnamed Stream - North 76 degrees, 00 minutes West, 1,462 feet from the Southeast Corner of Section 2, being within the SW 1/4 SE 1/4 of Section 2, Township 2 South, Range 45 East, WM, in the County of Wallowa.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 1 South Range 45 East, WM Section 28 SW 1/4 SE 1/4 4.8 acres
SE 1/4 SE 1/4 29.7 acres

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 1/40 of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 3.5 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.

Actual construction work shall begin on or before September 29, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

WITNESS my hand this 29th day of September, 1982.

/s/ JAMES E. SEXSON
WATER RESOURCES DIRECTOR

APPLICATION 63246

PERMIT 46931

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SALEM, OR

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROY W. AND WILFRED R. DAGGETT
P.O. BOX D
ENTERPRISE, OREGON 97828

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MAR 17 2014

SALEM, OR

confirms the right to use the waters of WALLOWA RIVER, a tributary of GRANDE RONDE, for IRRIGATION OF 25.4 ACRES.

This right was perfected under Permit 46931. The date of priority is FEBRUARY 8, 1982. This right is limited to 0.43 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NW 1/4, SECTION 5, T'3 S, R 45 E, W.M.; SOUTH 77 DEGREES 20 MINUTES EAST 624 FEET FROM THE-NW-CORNER, SECTION 5.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.5 acre-feet for each acre irrigated during the irrigation season of each year.

S-63246.JWG

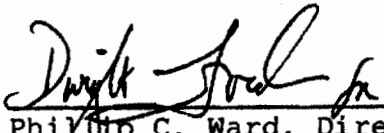
Certificate Number 82537
25.4AC

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 SE 1/4 2.5 ACRES
SE 1/4 SE 1/4 22.9 ACRES
SECTION 28
TOWNSHIP 1 SOUTH, RANGE 45 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed **NOV 08 2006**


Phillip C. Ward, Director
Water Resources Department

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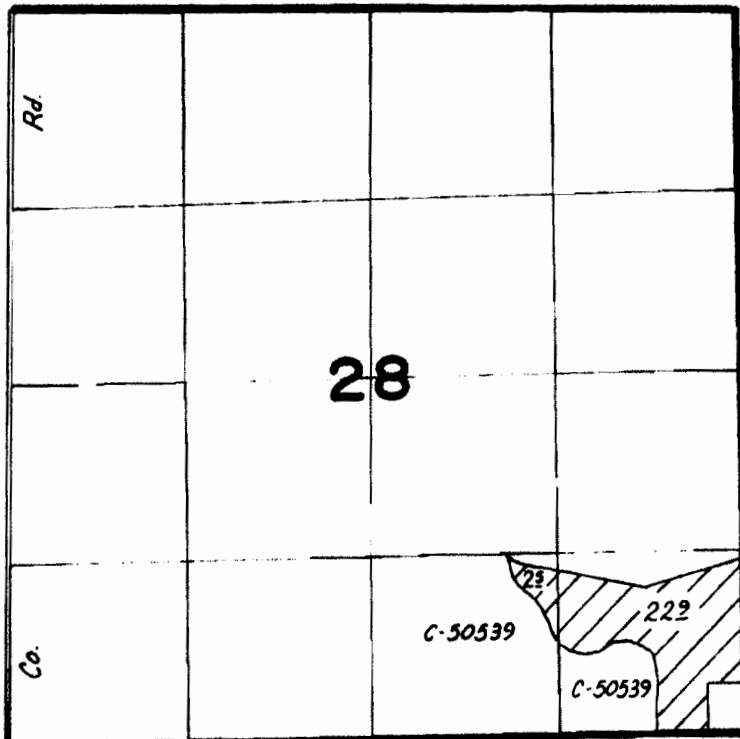
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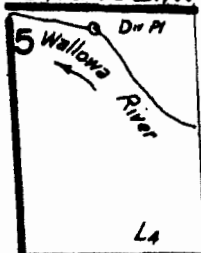
Recorded in State Record of Water Right Certificates numbered 82537.

S-63246.JWG

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



T.3S., R.45E., W.M.



Div. pt. loc. 624' S77°20' E.
from NW cor. sec. 5.



Scale: 1" = 1320'

FINAL PROOF SURVEY UNDER

Application No. **63246**. Permit No. **46931**.....
IN NAME OF

ROY W. & WILFRED R. DAGGETT..

Surveyed **B-18**..... 19**88**, by **Vern Church**.....

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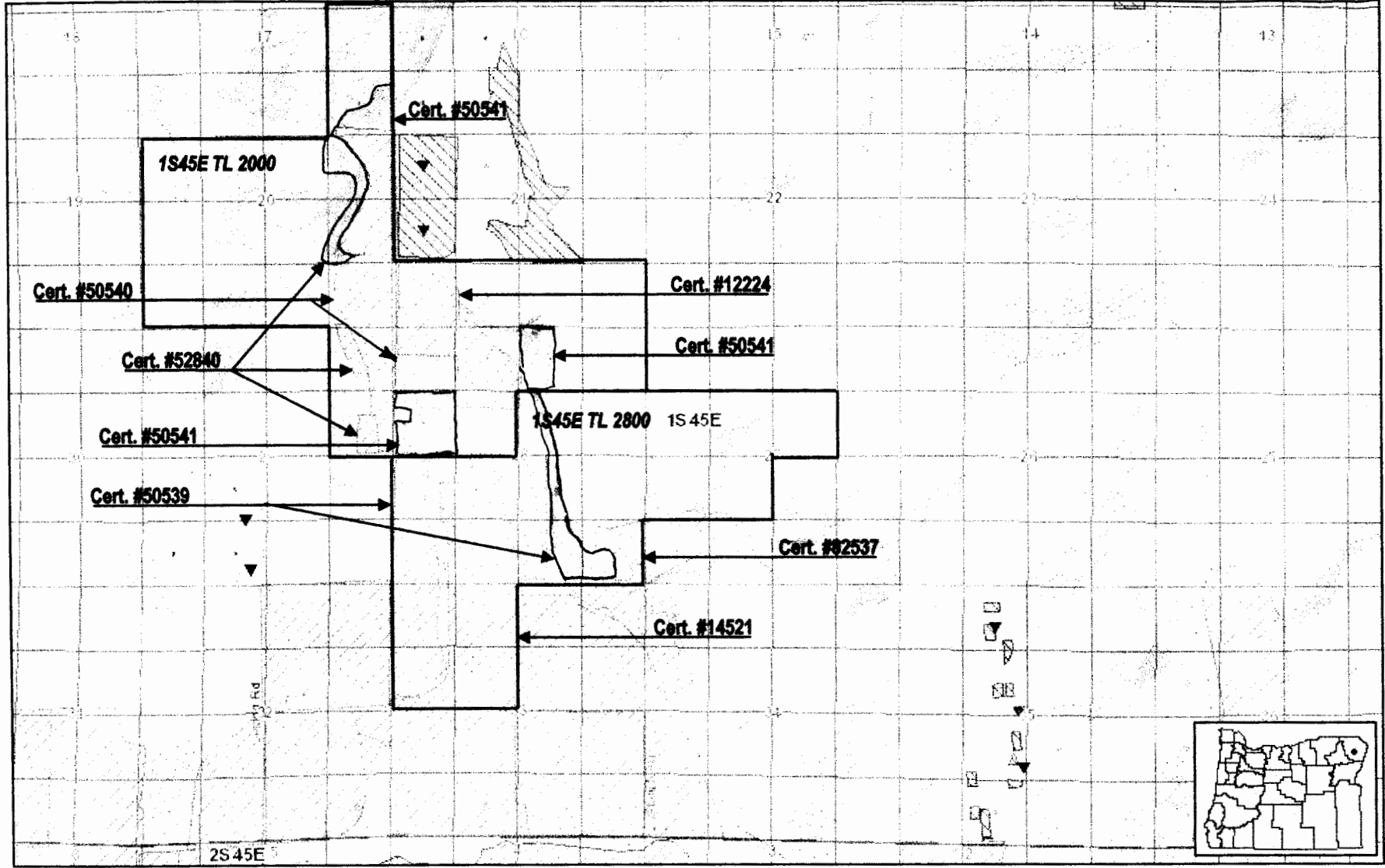
MAR 17 2014

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41063-179-8D KK 3/89

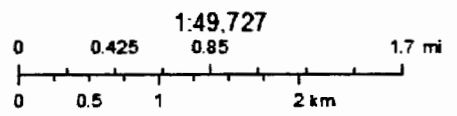
OR Water Resources Map

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-WCWC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, IPC

January 22, 2014

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

MAR 17 2014

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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.

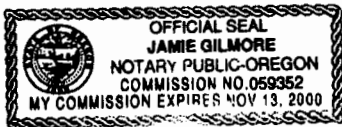
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO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

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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