



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): Flying O Ranch LLC, an Oregon limited liability company
Mailing Address: PO Box 66259
Portland OR 97290
City State Zip
Phone: 503-781-9306
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): Alfred C. & Marla Hansen Morrison
Mailing Address: 9477 County 12
Cavalier ND 58220
City State Zip
Phone: 701-265-4225
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Morrow Township: 4S Range: 26E Section: 13, 14, 23, 24
Tax Lot Number(s): 1900

Street address of water right property: 53232 Upper Rhea Creek Rd., Heppner, OR 97836

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

Application #: _____ Permit #: _____ Certificate or Page #: 36153

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

Name of individual completing this form: Krista Price, Mid-Columbia Title Co. Phone: 541-481-2280

Signature: [Signature] Date: 4-1-14

Please be sure to attach a copy of your property deed or legal description **RECEIVED BY OWRD**

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. M. HAYES

of Heppner, State of Oregon, has a right
to the use of the waters of Rhea Creek and Thorn Creek

a tributary of Willow Creek for the purpose of
irrigation of 14.0 acres (from March 1st to September 1st of each year)
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Morrow County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 1, at page 73; that the priority of the right thereby
confirmed dates from 1901, for the irrigation of ten (10) acres and from 1904 for
the irrigation of four (4) acres;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.17 cubic foot per
second as of date 1901 and 0.07 cubic foot per second as of date 1904.

The point of diversion is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, T. 4 S., R. 26 E., W. M.

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

2.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
12.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 13
T. 4 S., R. 26 E., W. M.

Certificate of water right issued to J. M. Hayes and recorded at page 215, Volume
1, State Record of Water Right Certificates, confirms the right to the use of
water for irrigation of 40.0 acres. Subsequently, the point of diversion for the
irrigation of 26.0 acres was changed by order of the State Engineer entered May
16, 1969. This certificate is issued to confirm the remaining right to the use
of water for irrigation and supersedes the certificate heretofore issued to
J. M. Hayes.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer, affixed

this date July 14, 1969.

CHRIS L. WHEELER RECEIVED BY OW
State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36153

APR 03 2014

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T.45. R.26E. W.M.
MORROW COUNTY

SEE MAP 35 26



APR 03 2014

Revised
5/4/2006, Wm
45 26

NOTE 8903

Until a change is requested all tax statements should be sent to Grantee at the following address:

Alfred C. Morrison
Marla Hansen Morrison
9477 County 12
Cavalier, ND 58220

After Recording Please Return to:
MID-COLUMBIA TITLE COMPANY
P.O. BOX 290
BOARDMAN, OR 97818

MORROW COUNTY OREGON 2014-33930
D-W/D 03/28/2014 02:07:05 PM
Cntr=1 Str=23 TC
\$25.00 \$11.00 \$20.00 \$10.00 \$66.00



00023153201400339300050057

I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Bobbi Childers - County Clerk



STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, FLYING O RANCH L.L.C., an Oregon limited liability company and JEREMY E. OSTERHOLM AND JENNIFER T. OSTERHOLM, *Grantors herein, do hereby grant, bargain, sell, convey and warrant unto* ALFRED C. MORRISON AND MARLA HANSEN MORRISON, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY, *Grantees, the following described tract of land in the County of Morrow, and State of Oregon, more particularly described as follows:*

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any, and that they will, and their successors heirs executors and administrators shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as stated below:

THE TRUE AND ACTUAL CONSIDERATION IS \$999,037.00.

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

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Dated this 24 day of March, 2014.

FLYING O RANCH L.L.C., an Oregon limited liability company

BY [Signature]
Gary Osterholm, Member

BY [Signature]
Debbi Osterholm, Member

BY [Signature]
Jeremy Osterholm, Member

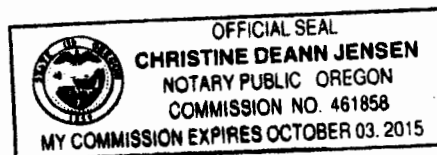
[Signature]
Jeremy E. Osterholm

[Signature]
Jennifer T. Osterholm

STATE OF OREGON
COUNTY OF Clatsop

This instrument was acknowledged before me this 24 day of March, 2014 by Gary Osterholm, Debbi Osterholm and Jeremy Osterholm as Members of Flying O Ranch L.L.C., an Oregon limited liability company.

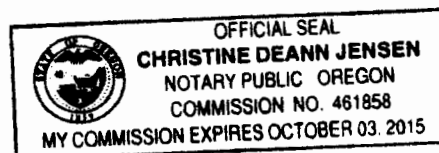
[Signature]
Notary Public for the State of OREGON
My Commission Expires:



STATE OF OREGON
COUNTY OF Clatsop

This instrument was acknowledged before me this 24 day of March, 2014 by Jeremy E. Osterholm and Jennifer T. Osterholm.

[Signature]
Notary Public for the State of OREGON
My Commission Expires:



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EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

A parcel of land located in Township 4 South, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Section 13: The West Half.

Section 14: The Southeast Quarter, **AND** the following described parcel: Beginning at the Southeast corner of the Southwest Quarter of the Northeast Quarter, said point being the True Point of Beginning of this description; thence North a distance of 237.60 feet; thence North 62°56' West a distance of 802.00 feet; thence South 32°30' West a distance of 105.60 feet; thence North 80° West a distance of 231.00 feet; thence South 31°30' West a distance of 201.30 feet; thence South 21°30' East a distance of 435.60 feet; thence East a distance of 934.60 feet to the True Point of Beginning of this description.

Section 23: The East Half.

Section 24: The Northwest Quarter and the North Half of the Southwest Quarter.

EXCEPTING THEREFROM: all roads and road rights of way.

ALSO EXCEPTING THEREFROM: all of the above described property lying East of the following described line:

Beginning at the center of Section 24, said point being the point of beginning of this line; thence West along the North line of the South Half of said Section 24 to a point lying West a distance of 50.00 feet from the centerline of Thorn Creek; thence Northerly following along a line that runs West a distance of 50.00 feet from the centerline of Thorn creek to the Centerline of Rhea Creek thence Northwesterly along the centerline of Rhea Creek to its intersection with the West line of Section 13; thence continuing Northwesterly along the centerline of Rhea Creek a distance of 350.00 feet; thence along a line North 30° East to its point of intersection with the South margin line of Rhea Creek County Road; thence Southeasterly along the South Margin line of the Rhea Creek County road to the West Section line of Section 13; thence North along the West line of Section 13 to the Southwest corner of the Northwest Quarter of Section 13 and terminus point of said dividing line.

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PARCEL 2:

A parcel of land located in Township 4 South, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Parcel 1 of PARTITION PLAT 2005-13, in the County of Morrow and State of Oregon.

Subject to:

1. The rights of the public in roads and highways.
2. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
3. Mineral and oil reservations, including the terms and provisions thereof, as reserved in deed from Paul Webb, Jr., also sometimes known as Paul Webb and Kathryn Webb, husband and wife, to the State of Oregon, recorded November 9, 1962, in Book 67, Page 395, Morrow County Deed Records. (Affects Parcel 2)
4. Easement for Road right of way, including the terms and provisions thereof, in favor of Kinzua Corporation, recorded May 12, 1964, in Book 70, Page 603, Morrow County Deed Records. (Affects Parcel 1)
5. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded May 15, 1973, as Microfilm No. M-5676, Morrow County Microfilm Records. (Affects Parcel 1)
6. Reservations and easement, including the terms and provisions thereof, as contained in deed from Betty C. Fickardt, recorded December 1, 1977, as Microfilm No. M-12373, Morrow County Microfilm Records. (Affects Parcel 2)

Assignment of Mineral Interest by Quitclaim Mineral Deed, including the terms and provisions thereof, recorded August 29, 2011, as Microfilm No. 2011-28691, Morrow County Microfilm Records.

7. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded November 15, 1995, as Microfilm No. M-46508, Morrow County Microfilm Records. (Affects Parcel 1)
8. Right of Way for Electric Transmission and Distributing Lines, including the terms and provisions thereof, in favor of Columbia Basin Electric Cooperative Association, recorded November 15, 1995, as Microfilm No. M-46511, Morrow County microfilm Records. (Affects Parcel 1)

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9. Reservations, Conditions and Easements, including the terms and provisions thereof, as disclosed in deed from James H. Hayes and Barbara Hayes, as Grantors to Wayne Scott McDaniel and Joan McDaniel, as Grantees, recorded November 21, 1997 as Microfilm No. M-52786, Morrow County Microfilm Records. (Affects Parcel 1)
10. Easement for Joint Access, including the terms and provisions thereof, between Pioneer Resources, LLC and George L. Derr, recorded April 12, 1999, as Microfilm No. M-57544, Morrow County Microfilm Records. (Affects Parcel 2)
11. Easement for Ingress and Egress, including the terms and provisions thereof, in favor of Jeremy E. Osterholm and Jennifer T. Osterholm recorded February 6, 2006, as Microfilm No. 06015928, Morrow County Microfilm Records. (Affects Parcel 1)
12. Any Mobile Home situated on said premises, is subject to registration as provided for by Oregon Law. (Affects Parcel 1)

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