



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

**RECEIVED**

Applicant(s): ELSIE NEFF  
First Last  
 Mailing Address: 23278 SW SHERK PLACE  
SHERWOOD OR 97140  
City State Zip  
 Phone: 503 932 6262  
Home Work Other  
 SON: ERNIE NEFF

WATER RESOURCES DEPT  
SALEM, OREGON

JUL 11 2014

### PROPERTY BUYER INFORMATION

Applicant(s): PETER MEYERS  
First Last  
 Mailing Address: 6672 SW CANYON DRIVE  
PORTLAND OR 97225  
City State Zip  
 Phone: 503 291 1824 503 220 0895 503 708 4747  
Home Work Other  
 cell

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

County: MARION Township: 06 Range: 1E Section: 16

Tax Lot Number(s): 06 1 E 16 00400

Street address of water right property: 17769 MT ANGEL SCOTTS MILLS RD NE

Water Right Information (attach copy of water right permit or certificate & final proof map): SILWERTON 97381

Application #: S 35089 Permit #: S 27454 Certificate or Page #: 80762

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

Name of individual completing this form: PETER MEYERS Phone: cell 503 708 4747

Signature: [Signature] Date: 7/9/14

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

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Franz Neff  
17769 Mt. Angel-Scotts Mills Rd. NE  
Silverton, Oregon 97381

confirms the right to use the waters of Butte Creek, a tributary of Pudding River, for IRRIGATION of 35.2 acres.

This right was perfected under Permit S-27454. The date of priority is June 29, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.44 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within M. Whitlock DLC 39, Section 16, T6S, R1E, W.M.; 925 feet South and 650 feet West from the N $\frac{1}{4}$  corner of Section 16.

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-EIGHTIETH 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 2 $\frac{1}{2}$  acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

NE $\frac{1}{4}$  SW $\frac{1}{4}$  14.0 acres  
NW $\frac{1}{4}$  SW $\frac{1}{4}$  14.2 acres  
SW $\frac{1}{4}$  SW $\frac{1}{4}$  0.5 acre  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  6.5 acres

SECTION 16  
TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

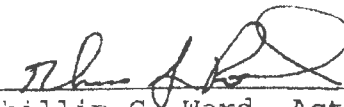
This certificate describes that portion of the water right confirmed by Certificate 33326 , State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 21 2004 , approving Transfer Application 7211.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director,

affixed July 21, 2004 .

  
For Phillip C. Ward, Acting Director

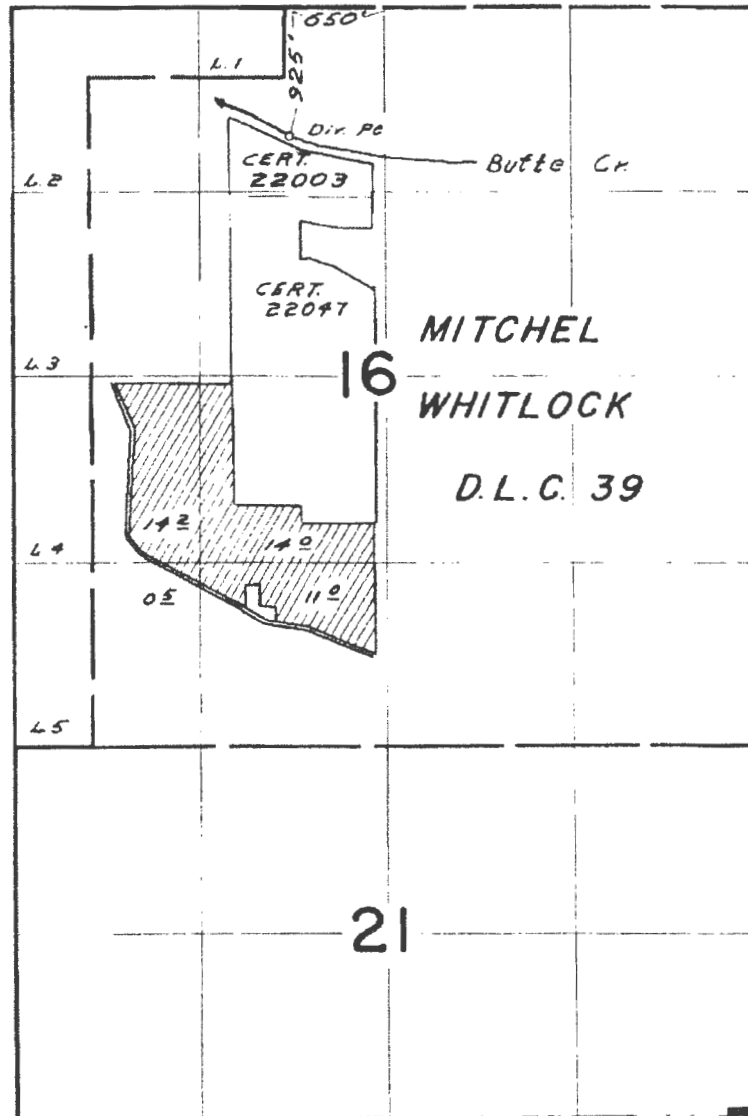
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SALEM, OREGON

Recorded in State Record of Water Right Certificates numbered 80762.

T.6S. R.1E. W.M.



**FINAL PROOF SURVEY**  
UNDER

**RECEIVED**

JUL 11 2014

Application No. 35089 Permit No. 27454  
IN NAME OF

WATER RESOURCES DEPT  
SALEM, OREGON

ALOIS IMPER

Surveyed JUNE 15 1965, by L. COLEBANK

LEGEND

LINE TYPES

- TAX LOT BOUNDARY OLD PROPERTY LINE
- ROAD RIGHT-OF-WAY VACATED RIGHT-OF-WAY
- RAILROAD RAILROAD RIGHT-OF-WAY
- STREAM, LAKE, ETC. TAX LOT BOUNDARY STREAM, LAKE, ETC. NON-BOUNDARY
- SUBDIVISION BOUNDARY PARTITION PLAT BDY.
- TAX CODE BOUNDARY EASEMENT

SYMBOL TYPES

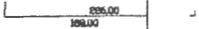
- DLC
- CONTROL POINTS
- SURVEY MONUMENTS
- G.L.D. CORNERS
- SECTION 1/4 SEC 1/8 SEC 1/4 COR 1/8 COR

NUMBERS

TAX CODE NO. 000 00 00 0

ACREAGE - ALL ACREAGES EXCLUDE ANY PORTION THAT MAY LIE WITHIN THE INDICATED PUBLIC RIGHT OF WAY.

TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF A LINE, THEN THE DIMENSION GOES TO THE TICK MARK. GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAYS.



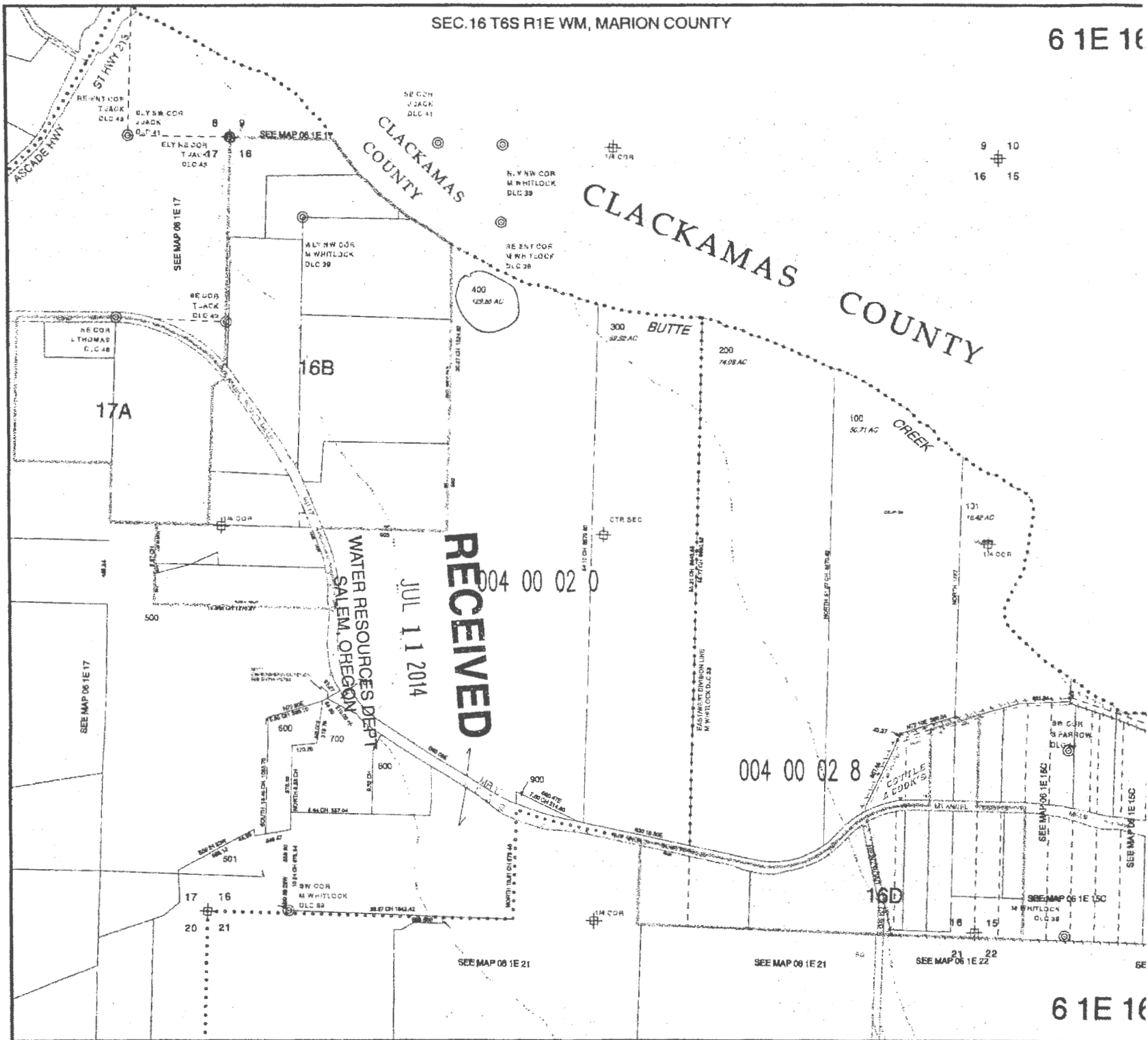
ARROWS ARE USED WITH DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



SCALE 1" = 400' or 1:4800

Plot file created: October 04, 2012



9 10 16 15

004 00 02 8

004 00 02 0



TI

REEL 3605 PAGE 445  
MARION COUNTY  
BILL BURGESS, COUNTY CLERK  
05-19-2014 03 44 pm.  
Control Number 361361 \$ 61 00  
Instrument 2014 00016439

After recording return to:

Peter S. Meyers

6672 SW Canyon Drive

Portland, OR 97225

Until a change is requested all tax statements shall be sent to the following address:

Peter S. Meyers

6672 SW Canyon Drive

Portland, OR 97225

Escrow No. 01-142271

Title No. 0747263

SWD r.020212

**STATUTORY WARRANTY DEED**

**Elsie M. Neff,**

Grantor(s), hereby convey and warrant to

**Peter S. Meyers and Frances F. Meyers, as tenants by the entirety,**

Grantee(s), the following described real property in the County of **MARION** and State of Oregon free of encumbrances except as specifically set forth herein:

See Exhibit "A"

The true and actual consideration for this conveyance is **\$910,000.00**.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

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WATER RESOURCES DEPT  
SALEM, OREGON

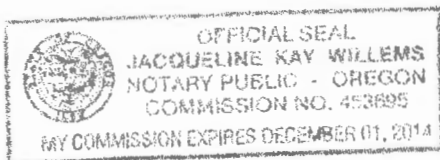
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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.

Dated this 19 day of May, 2014.

Elsie M. Neff  
Elsie M. Neff

State of Oregon  
County of MARION

This instrument was acknowledged before me on May 16, 2014 by Elsie M. Neff.



Jacqueline Kay Willems  
(Notary Public for Oregon)  
My commission expires 12/01/2014

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SALEM, OREGON

Exhibit "A"

A tract of land in Section 16, Township 6 South, Range 1 East, of the Willamette Meridian, Marion County, Oregon, which is more particularly described as follows:

Parcel 1:

Beginning at the Southwest corner of the Donation Land Claim of Mitchel Whitlock and wife, in Township 6 South, Range 1 East, of the Willamette Meridian Marion County, Oregon; thence East 23.37 chains to the West line of a tract of land conveyed to Carl Ertelt, et ux, by deed recorded in Volume 316, Page 146, Deed Records for Marion County, Oregon; thence North 13.37 chains to the most Northerly Northwest corner of said Ertelt tract; thence South 65°47' East, along the Northerly line of said Ertelt tract, 7.80 chains to the Southwest corner of a tract of land conveyed to John W. Michael, et ux, et al, by deed recorded in Volume 612, Page 582, Deed Records for Marion County, Oregon; thence North, along the West line of said Michael tract, 54.10 chains to the center of Butte Creek; thence Westerly, along the center of Butte Creek, North 80° West 2.10 chains and North 69°32' West 14.38 chains to the Northeast corner of a tract of land conveyed to Frank Oster, et ux, by deed recorded in Volume 406, Page 173 (Tract IV therein), Deed Records for Marion County, Oregon; thence South 1916.62 feet, more or less, to the Southeast corner of a tract of land conveyed to Wilber Graves, et ux by deed recorded in Volume 366, Page 590, Deed Records for Marion County, Oregon; thence West, along the South line of said Graves tract, to a point on the Westerly line of a tract of land conveyed to Alois Imper by deed recorded in Volume 339, Page 377, Deed Records for Marion County, Oregon; thence Southerly, along the Westerly line of said Imper tract to a point on the Northwesterly extension of the Northerly line of a tract of land conveyed to Marion County, Oregon; thence Southeasterly, along the Northerly line of said Magee tract, to the Northeast corner thereof; thence South 23°41' West 2.54 chains; thence South 6.51 chains to a cast iron; thence West 8.44 chains to a point on the West line of said Mitchel Whitlock Donation Land Claim, which is 10.24 chains North from the place of beginning; thence South 10.24 chains to the place of beginning.

SAVE AND EXCEPT that portion conveyed to Marion County, a political subdivision of the State of Oregon by deed recorded February 21, 1967 in Volume 627, Page 811, Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT that portion conveyed to C.T. Lorenzen, by deed recorded June 24, 1947 in Volume 371, Page 549, Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT: Beginning at the Northeast corner of a tract of land conveyed to J. W. Magee by deed recorded in Volume 226, Page 544, Deed Records for Marion County, Oregon; thence South 23°41' West 2.54 chains; thence South 6.51 chains to the Southeast corner of said Magee tract; thence



East 400 feet; thence North to a point on the center line of the County Road; thence Northwesterly, along the center line of the County Road, to the place of beginning.

Parcel 2:

Beginning at a point in the centerline of the old alignment of Market Road No. 17 and being the Northwest corner of C. and E. Ertelt property as described in Volume 316, Page 146, of Marion County Deed Records for Marion County, Oregon; thence South  $83^{\circ}20'$  East along the centerline of the old alignment of before said road 20 feet, more or less; thence South  $64^{\circ}09'$  East along the centerline 450 feet, more or less, to the Northerly right-of-way of the new alignment of Market Road No. 17 as of November 1966, and at approximate right angles to Engineer's Centerline Station 71+15; thence Northwesterly along the Northerly right-of-way of the new alignment 360 feet, more or less, to the Westerly boundary of the E. and C. Ertelt property as referred to before; thence along the Westerly boundary of said property 90.00 feet, more or less, to the point of beginning.

Subject to the rights of the public in and to that portion of the premises lying within streets, roads and highways.

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WATER RESOURCES DEPT  
SALEM, OREGON

**REEL: 3605**

**PAGE: 445**

**May 19, 2014, 03:44 pm.**

CONTROL #: 361361

State of Oregon  
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 61.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

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JUL 11 2014  
WATER RESOURCES DEPT  
SALEM, OREGON