



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): Shirley Fox \* See back for ownership history  
First Last  
 Mailing Address: 2181 Wacanda Rd NE  
Gervais OR 97026-9709  
City State Zip  
 Phone: 503-510-7665    
Home Work Other

### PROPERTY BUYER INFORMATION

Applicant(s): Chapin Investments LLC  
First Last  
 Mailing Address: 9965 Wheatland Rd N  
Salem OR 97303  
City State Zip  
 Phone: 503-393-6327 503-393-6327   
Home Work Other

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

County: Marion Township: 6 S Range: 3 W Section: 2

Tax Lot Number(s): R 19440

Street address of water right property: 2181 Wacanda Rd NE Gervais OR

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

Application #: S-55331 Permit #: 43823 Certificate or Page #: 62355

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

Name of individual completing this form: Bruce Chapin Phone: 503-393-6327

Signature: Bruce R Chapin Date: 11-15-10

**RECEIVED**

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

Rev. September 2008 **DEC 10 2014**

Ownership Update WTR

**WATER RESOURCES DEPT  
 SALEM, OREGON**

\* History of property Ownership

The Certificate of Water Right is in Don Jungwirth's name.

Don Jungwirth passed away and the property ownership passed to his wife Beverly Jungwirth.

Beverly Jungwirth sold the property to John Meier and Shirley Fox

John Meier passed away and Shirley Fox became the owner

Shirley Fox sold the property to Chapin Investments LLC

Bruce R. Chapin 11-15-10

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SALEM, OREGON

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First Last  
 Mailing Address: 9965 Wheatland Rd N  
 Salem Oregon 97303  
City State Zip  
 Phone: 503-393-6327  
Home Work Other

## PROPERTY BUYER INFORMATION

Applicant(s): Deep Lake Investments LLC  
First Last  
 Mailing Address: 2181 Waconda Rd NE  
 Gervais Oregon 97026  
City State Zip  
 Phone: 503-510-4731  
Home Work Other

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

County: Marion Township: 6S Range: 3W Section: 1, W.M.  
 Tax Lot Number(s): R19440

Street address of water right property: 2161 Waconda Rd NE, Gervais, OR 97026

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

Application #: S-55321 Permit #: \_\_\_\_\_ Certificate or Page #: 62355

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

Name of individual completing this form: Matthew Schuster (Member) Phone: 503-510-4731

Signature:  Date: 12-10-14

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



## EXHIBIT "A"

### LEGAL DESCRIPTION OF PROPERTY

(This sale does not include buildings or the orchard located thereon.)

Tax account numbers R19440

BEGINNING AT THE NORTHEAST CORNER OF THE ALANSON BEERS DONATION LAND CLAIM NO. 38 AND BEING IN SECTION 1, TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON; THENCE SOUTH 86° 37' WEST 1628.26 FEET TO A POINT; THENCE SOUTH 03° 35' WEST 1371.13 FEET TO A POINT IN THE CENTER OF A SLOUGH; THENCE SOUTH 63° 01' 00" EAST 1512.60 FEET MORE OR LESS TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WACONDA ROAD (C.R. 602); THENCE NORTH 62° 47' 19" EAST 129.44 FEET MORE OR LESS ALONG SAID LINE TO THE BEGINNING OF A 547.14 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE (THE CHORD OF WHICH BEARS NORTH 52° 42' 51" EAST 191.42 FEET) 192.41 FEET; THENCE NORTH 42° 38' 23" EAST 7.40 FEET TO THE BEGINNING OF A 846.23 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE (THE CHORD OF WHICH BEARS NORTH 47° 20' 35" EAST 138.77 FEET) 138.93 FEET; THENCE NORTH 33° 15' 00" WEST 227.85 FEET; THENCE NORTH 56° 45' 00" EAST 470.00 FEET; THENCE NORTH 33° 14' 41" WEST 508.95 FEET TO THE EAST LINE OF SAID ALANSON DONATION LAND CLAIM; THENCE NORTH 00° 14' 58" EAST 999.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

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STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD JUNGWIRTH  
2181 WACONDA ROAD, NE  
GERVAIS, OREGON 97026

confirms the right to use the waters of DEEP LAKE, a tributary of WILLAMETTE RIVER, for the purpose of IRRIGATING 60.0 ACRES.

The right has been perfected under Permit 43823. The date of priority is FEBRUARY 22, 1977. The right is limited to not more than 0.75 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:

SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 38, SECTION 2, T 6 S, R 3 W, W.M.; 1300 FEET NORTH AND 630 FEET WEST FROM THE SE CORNER, SECTION 2.

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-EIGHTIETH 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

SW 1/4 NW 1/4 0.3 ACRE  
NW 1/4 SW 1/4 30.0 ACRES  
BOTH AS PROJECTED WITHIN DLC 38  
NW 1/4 SW 1/4 0.8 ACRE  
SW 1/4 SW 1/4 0.6 ACRE  
BOTH AS PROJECTED WITHIN DLC 61  
SW 1/4 SW 1/4 9.4 ACRES  
AS PROJECTED WITHIN DLC 38  
SECTION 1

NE 1/4 SE 1/4 16.6 ACRES  
SE 1/4 SE 1/4 2.3 ACRES  
BOTH AS PROJECTED WITHIN DLC 38  
SECTION 2  
TOWNSHIP 6 SOUTH, RANGE 3 WEST, 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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date SEPTEMBER 29, 1989.

/s/ WILLIAM J. YOUNG  
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62355

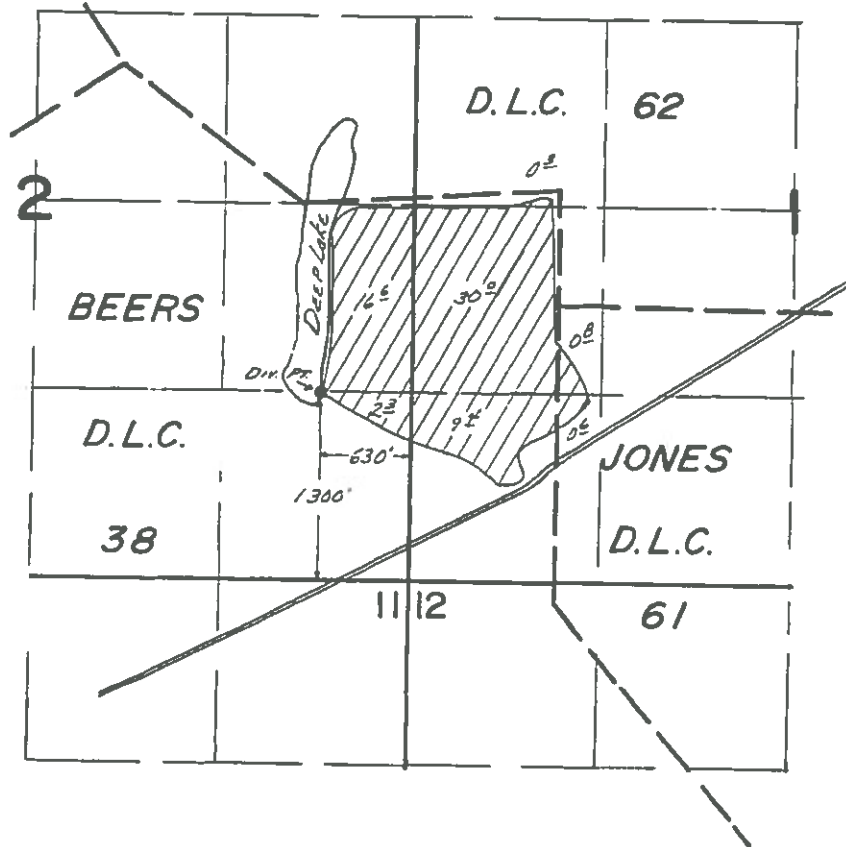
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WATER RESOURCES DEPT  
SALEM, OREGON

T. 6S. R.3W. W.M.



**FINAL PROOF SURVEY**  
UNDER

Application No. 55321, Permit No. 43823  
IN NAME OF

.....DONALD.....JUNGWIRTH.....

Surveyed Sept. 4, 1979, by C.R.RODRIGUEZ

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WATER RESOURCES DEPT  
SALEM, OREGON

DFW-6LL-110



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

### NOTICE

Each certificate enclosed confirms the water right established under the terms of a permit or transfer order issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The owner of the land is the owner of the water right. Oregon law does not allow the Director to reissue a certificate because of a change in the ownership.

The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion would be forfeited by the nonuse. However, land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. A water right may also be forfeited by any intentional act by the owner that would cause the water right to be unusable. For example, the land irrigated under the water right is made nonirrigable by covering it with pavement or buildings.

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Copy

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*William H. Young*  
Water Resources Director

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